

## **ARTICLE IV. - ZONING DISTRICTS AND BOUNDARIES**

### **Section 1. - Establishment of districts.**

Add in "Harpersville Town Center Overlay District" to the table.

## **ARTICLE XV.1. – HARPERSVILLE TOWN CENTER OVERLAY DISTRICT**

### **Section 1. - Intent.**

1. The regulations in this Harpersville Town Center Overlay District (hereinafter referred to as the "Overlay District") are designed for the following purposes:
  - a. To promote the general health, safety and welfare of the community;
  - b. To implement the vision for creating a mixed-use "Town Center" according to the Town of Harpersville Master Plan, adopted on September 20, 2021, and in the Harpersville Town Center document, adopted on August 15, 2022;
  - c. To promote small, incremental development, alongside larger developments;
  - d. To promote infill redevelopment and new development that results in a walkable, vibrant, and diverse Town Center; and to
  - e. To allow densities supportive of mixed-use development.

### **Section 2. - Applicability.**

Overlay District boundaries are assigned according to the Boundary Map shown in Figure 1. The Overlay District includes all lots, parcels and tracts that are indicated as "Town Center" on the Future Land Use map in the adopted Town of Harpersville Master Plan.

### **Section 3. – Conflicting ordinances.**

Where there appears to be a conflict between these standards and any other sections of the Zoning Ordinance or Subdivision Standards, the requirements in this article prevail. Development must comply with all relative Federal, State, or local regulations and ordinances regarding health and safety.

### **Section 4. – Compliance.**

1. Historic Structures. Any existing historic structure listed as a contributing structure within the Harpersville Heritage Area, or deemed historic by the Zoning Official is exempt from these requirements.
2. Nonconformities. Within the districts established by this article there exist lots, structures, and uses of land, which were lawful when established, but which would be prohibited or restricted under the terms of this ordinance or could be prohibited or restricted under the terms of any future amendment. These nonconformities may continue until they are removed or abandoned (as "abandonment" is defined hereinafter). Nonconformities may not be increased, enlarged, expanded or extended in any way which increases the structure's non-conformity (as "modifications" is defined hereinafter).

3. Continuance. A nonconforming use lawfully existing at the effective date of this article may be continued, although it does not conform with the provisions of this article.
4. Restoration to safe condition. Nothing in this article prevents the restoration of any building or structure to a safe or sanitary condition when required by the proper authorities.
5. Restoration after damages. Other than detached dwellings, no nonconforming building or structure which has been damaged by fire or other causes to more than fifty (50) percent of its current replacement value prior to the time of such damage, in accordance with current International Code Council construction costs, may be rebuilt or restored except in conformity with the provisions of this article.
6. Modifications. Nonconforming structures can be maintained, repaired and modified, provided such maintenance, repairs or modifications do not increase, enlarge or alter the non-conforming structure in any way which increases the structure’s non-conformity, but any non-conforming structure or portion thereof may be altered to decrease its non-conformity.
7. Abandonment. A nonconforming use which has been discontinued for a continuous period of one (1) year cannot be reestablished, and any future use must be in conformity with this ordinance.
8. Change in use. A nonconforming use cannot be changed to another nonconforming use. A nonconforming use which is changed to a conforming use will not be permitted to revert to a nonconforming use.
  - a. A change in use to a conforming use does not trigger the regulations in this ordinance.

**Section 5. – Use Regulations.**

1. Any existing single-family dwellings are permitted and may be altered or expanded. No new single-family detached dwellings are permitted.
2. Multiple uses within a single site or building are permitted.
3. Uses are subject to the requirements of Table 1 Use Matrix where the notations have the following meanings:
  - a. “P” means the use is permitted subject to the standards of this article.
  - b. “R” means the use is permitted, provided it complies with the use restrictions specified.
  - c. “SE” means Special Exception.
  - d. “X” means the use is not permitted.

Table 1. Use Matrix

Use	Permission	Use Restrictions
<b>Residential Uses</b>		
Single-family detached	X	
Attached dwelling units	P	See definition in Section 15.
Multi-family buildings	R	32 units or rooms maximum.
Live-work unit	P	See definition in Section 15.
Mixed-use building	P	See definition in Section 15.

Use	Permission	Use Restrictions
Independent living facility	P	
Assisted living facility	X	
Retirement or nursing home	X	
Group home/family care home	X	
Home occupation	P	
Accessory dwelling unit	P	
Accessory structure	P	
Manufactured or mobile home and park	X	
<b>Lodging Uses</b>		
Bed and breakfast	R	<ol style="list-style-type: none"> <li>1. The owner's primary residence must be on site.</li> <li>2. No more than 5 guest rooms are permitted.</li> <li>3. The maximum length of stay is 14 days.</li> </ol>
Motel or hotel	R	20 rooms maximum
<b>Office Uses</b>		
Outpatient medical or dental clinics or similar	P	
Research or laboratories	P	
General, government, business, or professional offices	P	
<b>Commercial Uses</b>		
Adult-oriented retail or services	X	
Alternative financial services	X	See definition in Section 15.
Automobile sales or rentals (new and used)	X	
Automotive service and repair	X	
Bakeries	P	
Banks or financial institutions	P	
Bars, brew pubs, or taverns	P	
Car washes	X	

Use	Permission	Use Restrictions
CBD shops	X	
Commercial laundry	X	
Day care home or center	R	5,000 sq. ft. maximum
Drive-up facility	R	Must meet the requirements for drive-through facilities in paragraph 4. below.
Garden centers or nurseries	P	
Grocery Store	R	<ol style="list-style-type: none"> <li>1. Building footprint must not exceed 30,000 square feet. Larger buildings may be permitted by Special Use Permit.</li> <li>2. Storage of non-retail materials and the making, assembling, remodeling, repairing, altering, finishing, or refinishing of its products or merchandise is permitted provided: <ol style="list-style-type: none"> <li>i. These activities are completely enclosed within the premises occupied by the establishment.</li> </ol> </li> </ol> <p>These activities are clearly accessory to sales and display activities.</p>
Funeral homes	SE	
Hospital	X	
Makerspace	P	See definition in Section 15.
Mini-warehouses	X	
Package liquor stores	SE	
Personal and professional services	P	See definition in Section 15.
Pharmacies or drugstores	P	
Restaurants	P	
Restaurants, with drive-up facility	R	Must meet the requirements for drive-through facilities in paragraph 4. Below.
Service stations or gasoline stations	R	Pumps and parking must be located behind the building. No pump shall be located within seventy-five (75) feet of a

Use	Permission	Use Restrictions
		residential district, nor any portion of a structure within thirty (30) feet of a residential district.
Storage facilities	X	
Studios	P	
Tobacco and/or vape shops	X	
Veterinary or animal clinic without boarding	P	
All other commercial uses	R	<p>The following restrictions apply to all other commercial uses:</p> <ol style="list-style-type: none"> <li>3. Building footprint must not exceed 30,000 square feet. Larger buildings may be permitted by Special Use Permit.</li> <li>4. Storage of non-retail materials and the making, assembling, remodeling, repairing, altering, finishing, or refinishing of its products or merchandise is permitted provided: <ol style="list-style-type: none"> <li>ii. These activities are completely enclosed within the premises occupied by the establishment.</li> <li>iii. These activities are clearly accessory to sales and display activities.</li> </ol> </li> </ol>
Seasonal sales	P	
<b>Institutional Uses</b>		

Use	Permission	Use Restrictions
Club, lodge or meeting hall	R	On-site parking may not exceed 20 spaces
Cultural, including library, museum, gallery and auditorium	R	On-site parking may not exceed 20 spaces
Place of worship	R	On-site parking may not exceed 30 spaces
Public buildings	P	
Schools	R	On-site parking may not exceed 30 spaces
<b>Parks, Recreation and Entertainment Uses</b>		
Adult entertainment	X	
Indoor recreation or sports facility	R	10,000 sq. ft. maximum
Outdoor recreation or sports facility	X	
Parks and/or civic open space	P	
Theater, excluding drive-in	R	10,000 sq. ft. maximum
<b>Industrial Uses</b>		
Artisan production	SE	See definition in Section 15.  Storage of non-retail materials and the making, assembling, remodeling, repairing, altering, finishing, or refinishing of its products or merchandise is permitted provided: 1. These activities are completely enclosed within the premises occupied by the establishment. 2. These activities are clearly accessory to sales and display activities. 3. Levels of traffic, noise, smoke, vibrations, odor, fumes, and glare must not exceed those levels which are customary for retail uses within the district.
General industrial uses	X	

Use	Permission	Use Restrictions
Light manufacturing	X	
Warehousing, wholesaling and distribution	X	
<b>Utilities</b>		
Public utility facilities	X	
Public utility services	SE	
Transportation, communication and other utilities	SE	

4. Drive-up facilities are subject to the following requirements:
  - a. Drive-up facilities and lanes must be located behind the principal building.
  - b. Queuing lanes must not interfere with pedestrian circulation.
  - c. Drive-up canopies and other structures, where present, must be constructed from the same materials as the primary building, and with a similar level or architectural quality and detailing.

**Section 6. – New Streets.**

The requirements of this section govern all new streets built within the Overlay District. These regulations supersede any conflicting requirements in the Harpersville Subdivision Regulations.

1. Streets must connect to other streets, forming a network. The Town Engineer is authorized to permit a deviation to this requirement, permitting a dead-end street terminating in a cul-de-sac.
2. Connectivity for pedestrians must be created and maintained, even when there is no vehicular connectivity; and
3. Streets must be designed as follows:
  - a. Streets must have a sidewalk on both sides of the street, and it must be a minimum of six feet in width.
  - b. Streets must have a landscaped planting strip with street trees between the sidewalk and the curb. The landscaped planting strip must be a minimum of four feet in width. Street trees must be planted at a maximum spacing of 40 ft on center.
  - c. Streets must have parking on at least one side of the street, and it may be parallel or diagonal. Parallel parking must not exceed eight feet in width.
4. Intersection curb radii shall be 10 feet or as recommended by the Town Engineer, but in no case to exceed 15 feet.

### **Section 7. – Site Standards.**

1. Lot area. No minimum lot area is required.
2. Lot width. No minimum lot width is required.
3. Front yard.
  - a. New Buildings must be located within 15 feet of the front lot line. Exceptions may be provided for existing utilities as approved by the Town Engineer.
  - b. New buildings shall be set back as necessary to accommodate a sidewalk of at least 6 feet and a planting strip of at least 4 feet, measured from the front lot line to the front building line.
  - c. Existing buildings that are set back 15 feet or more shall provide a sidewalk of at least 6 feet and a planting strip of at least 4 feet, measured from the front lot line to the front building line. This requirement does not apply to changes in use. Renovations or expansions that increase the floor area by more than 20% are subject to this requirement.
4. Side yard: no side yard is required, except on the side of a lot abutting a residential district, in which case there shall be a 5 feet minimum yard.
5. Rear yard: 5 feet is required, except on the rear of a lot abutting a residential district, in which case there shall be a 20 ft minimum yard (unless an alley is present).
6. Buffers. A 10-ft. landscaped buffer is required when abutting a residential district.

### **Section 8. - Parking Standards.**

1. New parking on the site must be located to the rear of the building.
2. Sites with alley access must use the alley for parking access. Parking access may be permitted from a side street if an alley is not available.
3. Where parking access is only available from the front lot line, driveways are limited to 20 feet in width.

### **Section 9. - Highway Access Standards.**

1. If the proposed development will access a State route or highway, then the guidelines and design criteria outlined in the Alabama Department of Transportation (ALDOT) Access Management Manual, latest edition, shall be followed.
2. ALDOT issues three types of permits in conjunction with access to State routes and highways. These are turnout permits, permits for median crossovers, and permits for installation of traffic signals.
  - a. Turnout Permits. Turnouts (also referred to as driveways) are access points to public roads from private, publicly owned, and commercial facilities. Since turnouts affect drainage and safety characteristics of the highway, a permit is required so that the location and construction methods are acceptable. A complete description of turnout permits and application procedures is provided in the ALDOT Permit Manual.



- b. Median Crossover Permits. A complete description of median crossover permits and application procedures is provided in the ALDOT Permit Manual.
  - c. Traffic Signal Installation Permits. Traffic signals are to be installed only when justified by an engineering analysis to include the satisfaction of one or more traffic safety warrants and only after other reasonable alternatives have been considered. The satisfaction of a warrant does not imply that a traffic signal is required. A complete description of the traffic signal warrant procedure is provided in the ALDOT Traffic Signal Timing and Design Manual.
3. When a permit application is submitted to ALDOT for consideration, the review/approval process includes up to three levels of internal review within ALDOT. At each review level, the permit application is evaluated for, among other things, safety, proper traffic function, and adherence to ALDOT guidelines. A description of the permit review process can be found in the ALDOT Permit Manual.

#### **Section 10. – Building Height.**

The requirements of this section apply to all building permit applications.

1. Building heights are measured in stories with the following restrictions:
  - a. Stories are measured from finished floor to finished ceiling.
  - b. Ground floor stories exceeding 20 feet in height are considered two stories.
  - c. Mezzanines exceeding 30% of the ground floor area are considered a story.
  - d. Upper stories exceeding 16 feet are considered two stories.
2. Building height is limited to 4 stories.
3. Building height limits do not apply to attics or raised basements, masts, belfries, clock towers, chimney flues, water tanks, or elevator bulkheads.

#### **Section 11. - Building Standards.**

The requirements of this section apply to all building permit applications.

1. The main building entrance must face a street, and be accessible by public sidewalk, along the street on which the building fronts.
2. One functional entry must be provided for every 80 feet of façade and must lead to habitable space.
3. Ground floor of building facades must be configured as follows:
  - a. 50% clear glass is required along the ground floor facade. Area is calculated between two feet and ten feet above the adjacent sidewalk. Buildings may be exempt from this requirement as approved by the Planning and Zoning Board.
  - b. Building entries may be recessed from the facade up to 8 feet in depth.

- c. Awnings may project into the right-of-way to within two feet of the curb.
  - d. Display windows may project into yards.
4. Building facades oriented towards sidewalks must have a minimum of 15% glazing for all upper floor facades.
  5. Façade elements above the ground floor may project into yards.
  6. Commercial activities, including food service and seating, may occupy yards.

**Section 12. - Sign Regulations.**

1. No sign will be regulated for content or type as assigned by content. Signs will only be regulated for size, structural type, number, and location.
2. Awning signs and projecting signs may extend into the public right-of-way to within two feet of the curb. Awning and projecting signs within the right-of-way must maintain an eight foot clearance above the sidewalk.
3. The following signs are prohibited: Off-premise business signs and pole signs.
4. Sidewalk signs are permitted during open hours of the tenant. Sidewalk signs must be constructed of durable materials.

**Section 13. - Additional Regulations.**

1. All outdoor electrical, plumbing, and mechanical equipment must be located behind the front facade or concealed from street view with a screen or wall. These facilities may not encroach into any required yard.
2. Any garbage/refuse service areas must be located to the rear or side of the principal building or complex it serves, screened to a height which is adequate to conceal the facilities from public view, and covered if a sewer drain is required in the dumpster facility.
3. Loading and service areas. Building orientation shall be such that loading and service areas do not face the street right-of-way, except in the case of double frontage lots, where such areas must be located in a rear or side yard which faces the right-of-way. All loading and service areas shall be screened from view from off the premises.
4. Lighting. When adjacent to a residential district, exterior lighting fixtures, including lighting for parking areas, walkways, general illumination or any other purposes, must direct the beam away from the residential area and to direct the beam entirely onto the property.

**Section 14. – Application and Process Requirements.**

1. Scale and application requirements.

Applications vary in scale and requirements from the adaptive reuse of a building to the creation of a new development. The table below specifies the applications required for each scale. The scales are described below.

- a. Building scale. The building scale refers to any changes to existing buildings or new buildings that require a zoning certificate according to Article XXI. – Administration.
- b. Block scale. The block scale involves any development that includes lot consolidations or subdivision, either minor or major.

<b>Application</b>	<b>Building Scale</b>	<b>Block Scale</b>
Master Development Plan		<b>X</b>
Building Permit	<b>X</b>	<b>X</b>

2. Application process.

- a. Master Development Plan. The Master Development Plan process requires the following procedure:
  - iv. Initial Conference. Before submitting an application, the applicant shall schedule an appointment and meet with the Zoning Official to discuss procedures for approval, submittal requirements and design standards.
  - v. Planning and Zoning Board consideration. The Harpersville Planning and Zoning Board shall consider the Master Development Plan, the planning criteria, and any supplemental materials in making its decision to recommend approval or denial of an application for the Overlay District. At the meeting the Planning and Zoning Board may make suggestions for revisions to the Master Development Plan, planning criteria and supplemental materials, and a written recommendation will be forwarded to the Council that the application be granted based upon the condition, if such revisions to the Master Development Plan be made.
  - vi. Council consideration. The Council will consider the Master Development Plan, the planning criteria, and any supplemental materials in making its decision to approve or deny an application for the Overlay District. The Council may consider the appropriateness of the plan in relation to the physical characteristics of the parcel and to the physical characteristics and uses of properties adjacent to or near the subject parcel, and the Council may require such additions, deletions and changes to the Master Development Plan and such agreements and covenants with respect to the proposed development, as the Council deems appropriate. The Council may:
    - a. Approve the Master Development Plan;
    - b. Disapprove the Master Development Plan as submitted; or
    - c. Make suggestions for revisions to the Master Development Plan and, with the approval of the applicant, continue its consideration at a future meeting of the Council.
  - vii. Approval. All approved materials become part of the zoning designation for the property. In the case of differing regulations between the Master Development Plan and the Zoning Ordinance of the Town of Harpersville, the requirements of this article apply to the

development. The developer may proceed with the development of the property in accordance with the Master Development Plan, and no further approvals will be required except as set forth in the Building Permit section below.

- viii. Special exception uses may be submitted as part of the original application and be reviewed by the Planning and Zoning Board and approved by the Town Council without being heard by the Zoning Board of Adjustment.

b. Building Permit.

- i. General. The developer of the building or parcel may proceed with the development of the property in accordance with the Building Permit Application Requirements listed below and in accordance with any subdivision approval, and no further approvals will be required except as set forth in this section. If plans are submitted for the construction of improvements on any particular parcel, a Building Permit shall be approved or disapproved according to the procedure set forth in this section.
  - ii. Issuance of Permits for Permitted Uses. Upon application for a Building Permit for the construction of improvements on any parcel, if the Zoning Official shall determine that the intended use of the improvement is a permitted use allowed under this Overlay District, then a Building Permit shall be issued in accordance with the provisions of this article.
- c. Subdivision Plats and Roads. Nothing in this subsection shall be construed to require a Building Permit for approval of subdivision plats or road designs. The construction of roads within this Overlay District requires approval of preliminary and final subdivision plats and all required design drawings according to the Town of Harpersville Subdivision Regulations and the requirements of this article.

3. Master Development Plan application requirements.

Master Development Plan applications must include drawings clearly indicating the following information:

- a. Date, title, north arrow, graphic scale, and written scale provided on each drawing. The maximum drawing scale shall be 1" = 500'.
- b. Vicinity Map showing all existing subdivisions, streets and tract lines and parcels. Scale shall be 1" = 1,000'.
- c. Location of the development.
- d. Name and registration of engineer (with signature and seal).
- e. Adjoining property zoning, owners and tax parcel identification numbers within 100 ft.
- f. Topography based on US Geological Survey or U.S. Coast and Geodetic Survey, maximum contours of 2 feet.
- g. Street names and rights-of-way widths – within 100 feet.
- h. Dimensioned property lines, including bearings.
- i. New lots – dimensioned.

- j. Location, dimensions and purposes of all rights-of-way and easements. Roadway or pavement widths shall be shown.
  - k. Location of waterways and water bodies, 100-year floodplain limits (note Flood Insurance Rate Map Panel Number), steep slopes or mined areas, bridges, ditches, and all other prominent site features.
  - l. Location of storm drainage, storm water detention and floodplain management controls, if applicable.
  - m. Natural features to be preserved or removed.
  - n. Location of street trees.
  - o. Location of streets, alleys, and sidewalks – dimensioned.
  - p. Natural or man-made open spaces, including area in acres – dimensioned.
  - q. Location of existing or proposed utilities (public and private), including sewage disposal system and water system.
  - r. Phasing and construction traffic.
  - s. Grading plan and monuments.
  - t. Sequencing and erosion and sedimentation control.
  - u. Necessary fire hydrants and fire lanes.
4. Planning criteria for the Master Development Plan.

The Master Development Plan shall include the following written statements and other matters and shall be included on site plan(s) where locations are requested:

- a. List of owners of the property together with disclosure of name(s) and address(es) of the applicant(s) and/or owner(s):
  - i. If corporation, principal officers and members of the Board of Directors;
  - ii. If partnership, general and managing partners;
  - iii. Any material change to the above shall be submitted within 60 days.
- b. Property legal description.
- c. A general description of the surrounding area, including current zoning and/or land uses.
- d. If the development is to be staged, a general indication, of how the staging is to proceed, including an estimated date when construction of the site will begin.
- e. A statement of compliance with the standards in this section.
- f. Principal ties to the community at large with respect to transportation, water supply, utilities, sewage disposal, and locations thereof, conditional to the approval of the appropriate regulatory authority.
- g. A general statement as to how common open space is to be owned, used and maintained.
- h. Deed restrictions and/or covenants.

- i. A conceptual storm water management plan identifying the proposed patterns of major storm water runoff, location of storm water infiltration areas, and other significant storm water best management practices.
- j. A copy of any best management practices (BMP) application or certificate, stamped, signed, and dated by a professional engineer licensed by the State of Alabama.
- k. Description of the materials with which the parking, driveway and sidewalk areas will be covered.
- l. A general statement concerning any planned street/subdivision sign designs, including street, traffic and informational signs or other standards.
- m. Any planned interim uses.
- n. Typical street cross sections including streetscaping elements (sidewalks, street trees, street and pedestrian lighting, parking etc.).
- o. A utilities plan showing underground and above ground lines and structures for sanitary sewers, electricity, gas telecommunications, etc.
- p. If walls and fences are proposed for the development, a plan shall be provided showing these items.

5. Building Permit application requirements.

Building permit applications must include the information specified below.

- a. Address of the property under consideration.
- b. Name, signature and address of the property owner or authorized agent of the property owner.
- c. Date, title, north arrow, graphic scale, and written scale provided on each drawing. The maximum drawing scale shall be 1" = 50'.
- d. Vicinity map showing the location of the property.
- e. Property legal description.
- f. Topography.
- g. Proposed land use of the site.
- h. Actual shape, proportion and dimensions of the lot to be built upon.
- i. Use, location, size, and height of all existing and proposed structures.
- j. All easements and rights-of-way.
- k. Dimensioned setbacks of structures in compliance with this article.
- l. Typical proposed elevations of buildings facing street indicating height, entries and glass in compliance with this article.

- m. Location of new parking in compliance with this article.
  - n. Driveway access in compliance with this article.
  - o. Dimensioned landscaping and screening in compliance with this article.
  - p. Locations and types of all exterior signage in compliance with this article.
  - q. Location of necessary fire hydrants with adequate water flow.
  - r. Deed restrictions and/or covenants – provide copies where necessary.
6. Amendments of the Master Development Plan.
- a. Intent. It is the intent of this subsection to provide for the development of the property submitted for the Master Development Plan, and to allow minor changes without additional approvals. Additional approvals are required for major changes as defined below.
  - b. Major change. The applicant may request a major change by filing an application for amendment which will be reviewed upon the same process as the original application. A "major change" is defined as:
    - i. Any change in the boundaries shown in the Master Development Plan that exceed a 20% difference in land area; or
    - ii. Any changes in the planning criteria submitted with the Master Development Plan; or
    - iii. A change in an approved use from one that is permitted to one that is categorized as Special Exception; or
    - iv. Any request for a variance.
  - c. Minor change. Any changes to the Master Development Plan other than those included as "major changes" are considered "minor changes."
  - d. Plat approval. Plat approval must be obtained through the standard plat approval procedures of the Town of Harpersville Subdivision Regulations.

**Section 15. – Definitions.**

*Artisan production.* The shared or individual use of hand-tools, mechanical tools and electronic tools for the manufacture of finished products or parts including design, processing, fabrication, assembly, treatment, and packaging of products; as well as the incidental storage, sales and distribution of such products. Typical artisan manufacturing uses include, but are not limited to electronic goods, food and bakery products; beverages; household appliances; leather products; jewelry and clothing/apparel; metal work; furniture; glass or ceramic production.

*Alternative financial services.* Any business, excluding those licensed by an appropriate state or federal agency as a bank, saving and loan association, or credit union, that operates as a check cashing business, pawnshop/ pawnbroker, payday loan (deferred presentment) business, or title loan business.

*Attached dwelling units.* A dwelling unit in a building which contains two (2) or more dwelling units.

*Live-work unit.* A mixed-use unit consisting of a commercial and residential function. The commercial function may be anywhere in the unit. It is often occupied by a business operator who lives in the same structure that contains the commercial activity or industry.

*Makerspace.* A work, studio, and/or retail space for artisans, craftsmen, and small-scale manufacturers to work in an individual or communal setting, where the activities produce little to no vibration, noise, fumes, or other nuisances more typical in industrial or manufacturing uses.

*Mixed-use building.* Multiple uses within the same building.

*Personal service.* A commercial use that provides a service or manual effort for an individual. Some examples of personal services include spas, salons, barber shops, nail salons, tailors, dry cleaners, florists, and shoe repair.

*Zoning Official.* The duty of administering and enforcing the provisions of this Article is hereby conferred upon the Zoning Administrator, Town Engineer or other such official designated by the Planning and Zoning Board.



Figure 1. Overlay District Boundary

