

§ 154.057 MR-GENERAL BUSINESS DISTRICT.

The MR - General Business District provides a place for offices, personal services, and the retailing of durable and convenience goods for the community. Districts are located on major thoroughfares and collector streets . Because these commercial uses are subject to public view and are important to the economy of the community, they shall have ample parking, controlled traffic movement and suitable landscaping.

(A) *Uses.* Within the MR - General Business District, the following uses are permitted:

- (1) Adult Day Care Centers and Adult Day Health Centers .
- (2) Animal hospitals or kennels.
- (3) Automobile parts and suppliers, repair garages, excluding open storage of wrecked or inoperable vehicles.
- (4) Automobile sales, new and used.
- (5) Automobile washing establishments.
- (6) Bakeries and retail.
- (7) Banks, loan offices and agencies.
- (8) Barbershops and beauty shops.
- (9) Building supply and equipment sales.
- (10) Business, professional, government, religious, charitable offices or agencies.
- (11) Child Care Centers .
- (12) Churches.
- (13) Computer, sales and services.
- (14) Convenience stores with gas pumps, provided the pumps are located at least 15 feet from all property lines.
- (15) Customary accessory uses and structures when located on the same zoning lot as the principal structure , excluding open storage.
- (16) Dairy bars and ice cream manufacturing for retail sales on the premises only.
- (17) Dry cleaning or laundry pickup stations.
- (18) Drug stores.
- (19) Electrical and electronic products, retail.
- (20) Electric repair shops.
- (21) Family Child Care Homes and Incidental Home Occupations per § 154.105(G).
- (22) Florists.
- (23) Funeral homes or mortuaries.
- (24) Furniture and household appliance stores.
- (25) Gift shops.

- (26) Greenhouses or horticultural nurseries.
- (27) Grocery, food, fruit and meat stores.
- (28) Hardware stores.
- (29) Jewelry shops.
- (30) Kindergartens and day nurseries, provided that outdoor play area is enclosed by a sturdy fence at least 5 feet in height.
- (31) Laundromats and similar automatic laundries.
- (32) Libraries, art galleries, museums, music or dancing institutions or schools.
- (33) Locksmiths and gunsmiths.
- (34) Newspaper offices.
- (35) Extended care facilities .
- (36) Office supplies and equipment, sales and services.
- (37) Opticians.
- (38) Photographic studios and camera supply stores.
- (39) Physical fitness centers.
- (40) Plumbing supply, retail.
- (41) Printing, publishing and reproducing establishments.
- (42) Public or privately owned medical and dental clinics , and offices where medical or dental services are rendered.
- (43) Radio and television repair shops.
- (44) Restaurants.
- (45) Retail establishments such as a department, clothing, fabric, variety, floor covering, paint, antique, art goods, gift, music, toy, sporting goods, book and stationery, magazine, candy, tobacco, pet, hobby and craft stores, but not excluding similar retail outlets.
- (46) Service stations, provided that all gasoline pumps and other stationary equipment shall be located at least 15 feet behind the property line. Furthermore, all sides where the stations abut residential districts, a fence 6 feet in height and suitable landscaping shall be provided.
- (47) Shoe repair shops.
- (48) Sign making and painting shops.
- (49) Tailor and dressmaking shops.
- (50) Wholesale and warehouse establishments except for the storage of uncured hides, explosives, oil products, gasoline, harmful or dangerous chemicals or materials, and the like.
- (51) Group 1 communications towers and tower activities (as defined in and subject to the requirements in §§ 154.090 through 154.101).
- (52) Group 2 communications towers and tower activities (as defined in and subject to the requirements in §§ 154.090 through 154.101).

(53) Group 3 communications towers and tower activities (as defined in and subject to the requirements in §§ 154.090 through 154.101).

(54) Electronic gaming operations as a secondary use by right to the primary use of indoor retail businesses in the Mills River General Business (MR-GB) District. A maximum of 2 machines shall be allowed per establishment.

(55) Solar panels shall be allowed as a secondary use as defined in this chapter. They shall not be allowed in front yards except by a Minor Special Use permit as approved by the Board of Adjustment. Application for a special use permit shall include justification for why the panels must be placed in the front yard and show that there is no practical alternative. Solar panels shall be subject to the setback requirements for structures in each district. Stand-alone solar panels shall be limited to 10 feet in height. Solar panels attached to buildings shall be extend more than 5 feet above the building . Stand-alone solar panels that are secondary uses to residential uses shall not be required to buffer. Stand-alone solar panels that are secondary uses to commercial uses shall be required to plant a buffer strip along side and rear property lines as defined in the zoning definitions. Residential panels shall not produce more than 150% of the power required for the site.

(56) Wind turbines shall be allowed in all districts under a special use permit under § 154.138. Wind turbines shall be required to have a setback from all property lines of 2 times the fall radius of the wind turbine.

(B) Uses requiring a Minor Special Use Permit .

(1) Commercial uses not otherwise named herein which come within the spirit and intent of this district; subject to a finding by the Board of Adjustment that both the conditions and the definition of SPECIAL USE in § 154.007(B) are met.

(2) Shopping centers .

(3) Hotels, inns, and motels.

(4) Bowling alleys, skating rinks, miniature golf courses , gymnasiums and other private or publicly owned and operated recreational facilities.

(5) Drive-in restaurants.

(6) Assembly halls, auditoriums and similar structures .

(7) Mixed uses, where buildings are erected for both dwelling and business purposes, provided the buildings shall be furnished with side yards on each side of the building measuring not less than 8 feet in width. This regulation shall not apply to the street side of a corner lot.

(8) Retail and wholesale sales and storage of propane, provided permit is obtained from appropriate fire marshal and the conditions and the definition of SPECIAL USE in § 154.007(B) are met.

(9) Structured Home Environments, subject to the conditions listed under § 154.085.

(C) *Dimensional requirements.* Within the MR- General Business District, as shown on the Zoning Map of the Town of Mills River, the following dimensional requirements shall be met:

(1) There is no minimum lot size, however the building (s) footprint shall cover no more than 50% of the total lot area.

(2) Minimum mean lot width: 75 feet.

(3) Minimum front yard setback from major street: 50 feet¹.

(4) Minimum front yard setback from all other streets : 40 feet.

- (5) Minimum rear yard setback: 30 feet.
- (6) Minimum side yard setback for every principal building : 15 feet.
- (7) Maximum height of building : 50 feet.

NOTE:

¹ Where the major street is more than 2 lanes, including parking lanes, setback requirements shall be measured and begin at a point on the pavement 12 feet from the edge of the paved street abutting the subject property .

(D) *Accessory structures .*

(1) An accessory building or use shall be located in the rear yard provided it is located not less than 10 feet from the property line. In the case of a corner lot with reversed frontage, no accessory buildings shall extend beyond the front yard line of the lots in the rear.

(2) Whenever the location of an accessory building abuts upon a residential use with no intervening street or highway or natural buffer, any buildings or parking area used for non-residential purposes shall be screened with a buffer strip along the property line(s) as defined in § 154.007(B).

(E) *Off-street parking and loading requirement.* Off-street parking as required by this section may be permitted in required yards , but shall not be closer than 10 feet from the front property line or any dedicated street right-of-way.

(F) *Buffer/screening requirements.*

(1) Whenever any non-residential MR-General Business rear and/or side property line abuts upon a residential use with no intervening street or highway or natural buffer, any buildings or parking area used for non-residential purposes shall be screened with a buffer strip along the property line(s) as defined in § 154.007(B).

(2) In all other cases, uses in the MR-General Business District shall comply with applicable Landscaping and screening requirements in the Town of Mills River Landscape Ordinances.

(Ord. passed 3-1-2004; Am. Ord. 00013, passed 7-29-2004; Am. Ord. passed 10-13-2005; Am. Ord. 00038, passed 11-21-2006; Am. Ord. 00055, passed 4-23-2009; Am. Ord. 00067, passed 7-22-2010; Am. Ord. 00066, passed 4-28-2011; Am. Ord. 00080, passed 5-23-2013; Am. Ord. 2021-06, passed 4-22-2021)