

## **Section 415. Professional and Business Office District.**

**415.1 Declaration of legislative intent.** In expansion of the Section 120 of these regulations, it is hereby declared to be the intent of the Professional and Business Office District to provide appropriate locations primarily for office and related uses. The regulations which apply within the district are designed to encourage the formation and continuance of a quiet, compatible, and un-congested environment for business and professional offices, intermingled harmoniously with residences and certain limited service uses. Specifically, it is the intent of the district:

- (a) To discourage any encroachment by unrestricted commercial or industrial establishments or other uses which might adversely affect the specialized office, service and residential character of the district.
- (b) To encourage the conversion of existing dwellings to office use in order to encourage the preservation of sound residential structures and maintain the visual character and architectural scale of existing development.
- (c) To attract professional office and service uses which do not generate large volumes of traffic and continuous customer turnover.
- (d) To encourage the orderly, well planned development of professional and business offices and limited service establishments within the district, when a proliferation of unrestricted commercial usage would be undesirable. (Amend. of 11-19-84)

### **415.1.1 Permitted uses:**

- a. Single family and two-family dwellings, in accordance with the requirements of the Low Density Development District (as set forth in Section 450).
- b. Accessory uses on the same lot, with and customarily incidental to any of the above permitted uses. (Amend. of 11-19-84)

**415.1.2 Special permit uses:** In addition to the above uses, the following uses shall be permitted after the securing of a special permit as provided in Article VII:

- a. Professional offices for doctors, dentists, chiropractors or any other licensed practitioner of the healing arts for humans; lawyers, engineers, architects, surveyors, planners, accountants, economic consultants, business and management consultants, or other professionals similar to those listed herein.
- b. Business offices providing credit services, security and commodity brokerage, real estate sale, employment counseling, insurance sales, advertising, mailing and stenographic services, telephone answering service, or other services similar in nature to those listed herein.

- c. Mixed-use structures containing any combination of permitted uses as set forth in Section 415.1.1 provided that in a mixed-use structure used in part for residential purposes, a maximum of two (2) dwelling units shall be permitted.
- d. Photography studio.
- e. Funeral home.
- f. Nursery school or day care center.
- g. Dance, art or music studio.
- h. Any use of the same general character as those listed in a. through g. above.
- i. Mixed-use structure containing a special permit use in combination with any permitted use or another special permit use.
- j. Conversion of an existing structure to any use listed under Section 415.1.2 herein on a lot smaller than thirty thousand (30,000) square feet may be permitted as a special permit by the Planning and Zoning Commission, provided that all required parking can be properly located on the same lot or on an adjacent lot to which access is legally guaranteed (Section 415.1.5) and all additions to principal buildings and all parking be located at least (15) feet from all property lines.
- k. In analyzing any application for a special permit, the Commission may require an additional setback from the street line pursuant to the following criteria:
  - 1. Where seventy (70) per cent or more of the existing buildings within five hundred (500) feet of either side of a lot have established a uniform standard setback from the line, the required minimum setback from the street line for said lot shall be no less than that uniform standard.
  - 2. Where less than seventy (70) per cent of the existing buildings within five hundred (500) feet of either side of a lot have established a uniform standard setback from the street line, the required minimum for setback from the street line for said lot shall not be less than the setback from the street line established by the two (2) immediately adjacent existing buildings. Where the two (2) adjacent setbacks vary, the required setback for said lot shall not be less than the smaller of the two (2) adjacent setbacks, subject, however, to the provisions of Subsection 4, below.
  - 3. For corner lots, the required minimum setback from the street line shall be the same as the setback of the adjacent building.
  - 4. In no case shall the above requirements be applied to create a setback from the street line of less than thirty (30) feet. (Amend. of 11-19-84)
- l. **Cluster Developments.**

**415.1.3 Development regulations:** The following regulations apply in the Professional and Business Office District.

- a. A minimum of thirty thousand (30,000) square feet shall be provided for every principal building erected or used for any use permitted in this district.
- b. No parking shall be permitted in front yard areas.
- c. In the case of the conversion of an existing building, maximum lot coverage shall be eighty (80) percent.
- d. The structural appearance of any building to be converted, in terms of roofing, siding, entry-ways and porches, windows, and other exterior features visible from the public way, shall not be altered other than to repair or replace the original material or style of the building.
- e. In allowing any conversion, the Planning and Zoning Commission shall attach any reasonable standards it deems appropriate to ensure said use(s) are developed in a manner consistent with other uses in the district and are compatible with said uses.
- f. The Commission may, where any proposed professional/business office use adjoins a residential district, require the applicant to maintain a buffer strip at least fifteen (15) feet in width and containing planted screening material (See Article M, Definitions, "planted screening"). (Amend. of 11-19-84)

**415.1.4 New construction / restoration:** In the event of new construction on a vacant lot (or where a building has been removed) and additions to existing buildings, the design of structures and additions shall be compatible with the predominant character or buildings within the surrounding district. (Amend of 11-19-84)

**415.1.5 Parking.** The number and construction of parking spaces shall be in accordance with Section 530 of these regulations, except as provided herein. (Amend. of 11-19-84)

**415.1.6 Shared parking.** The owners of two (2) or more adjacent lots may elect to share common parking facilities according to the following requirements:

- a. An application to do so shall be filed jointly by all affected lot owners with the Planning and Zoning Commission accompanied by a plan showing the location of all proposed parking, parking reserve areas, and access ways as well as all buildings which shall use the common parking area.
- b. The aggregate number of parking spaces for all uses which will share the common parking area may be reduced up to a maximum of twenty five (25) per cent if the applicant can demonstrate to the Commission's satisfaction that a greater efficiency is effected by joint use of a common parking area, or that other circumstances warrant such reduction (i.e., complementary operating hours of the uses which will be sharing the parking area). Regardless of the number of spaces actually developed, a parking area to accommodate the aggregate

number of parking spaces normally required shall be fully designated, and the area which is proposed to be eliminated shall be shown as "Parking Reserve Area". Such area shall be required to be developed as designed if and when the Commission determines the need. All reserve areas not utilized for parking shall be landscaped according to an approved plan.

- c. Some portion of the common parking area shall be within one hundred (100) feet of an entrance regularly used by patrons into each use served by the common parking area.
- d. An application to permit shared common parking shall be contingent upon each lot owner obtaining any necessary access easements and rights of-way. (Amend. of 11-19-84)