

AVON ZONING ORDINANCE

Chapter 11 SC SHOPPING CENTER DISTRICT

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Section 11-1 Purpose Statement

The SC Shopping Center District set forth herein is intended to provide for the establishment of multiple tenant shopping centers planned, constructed and managed as a unified entity. Notwithstanding further provisions of Section 13-1(1), more than one principle use may be permitted on a lot within the SC Shopping Center District.

Section 11-2 General Cross-reference Guide for Additional Regulations

1. Land Use Interpretation

All applications for a permitted use or special exception which are not listed in Table 11-1 (The SC Shopping Center District Use Matrix) shall be submitted to the Zoning Administrator for a use interpretation pursuant to the standards and procedures set forth in Chapter 4, Section 4-7 (Interpretations).

2. Temporary Uses

Certain temporary uses may be permitted in the SC Shopping Center District subject to the provisions of Chapter 13, Section 13-13 (Temporary Uses) and the securing of a temporary use permit, pursuant to Chapter 4, Section 4-9 (Temporary Use Permit).

3. Parking and Loading.

The parking and loading requirements applicable in the shopping center district are set forth in Chapter 15 (Off-Street Parking and Loading).

4. Signs

Sign regulations applicable in the shopping center district are set forth in Chapter 18 (Signs).

5. Performance Standards

Requirements relating to performance standards in the shopping center district are set forth in Chapter 14 (Performance Standards).

6. Development Plan Review

Certain development activity within the SC Shopping Center District shall be subject to development plan review pursuant to Chapter 4, Section 4-8 (Development Plans).

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Because of the special characteristics posed by shopping center development, the plan must present a unified and organized arrangement of buildings and service facilities which shall have a functional relationship to the properties comprising the shopping center development and the properties immediately adjacent to the proposed development.

7 Landscaping and Screening

Requirements relating to landscaping, screening, and buffering in the SC Shopping Center District are set forth in Chapter 16 (Landscaping and Screening).

8. Nonconforming Lots

Requirements relating to nonconforming lots, uses, and structures in the SC Shopping Center District are set forth in Chapter 6 (Nonconforming Lots, Uses and Structures).

Section 11-3 Minimum Zoning District Size

The minimum district area for the establishment of a SC Shopping Center District shall be not less than six (6) acres. In addition, the location of the district shall be located on a site that has an acceptable relationship to arterial thoroughfares that can accommodate the traffic needs of such a development.

Section 11-4 SC Shopping Center District Regulations

1. Permitted Uses

The uses listed with a letter “P” in the SC Shopping Center District Use Matrix set forth in Table 11-1 shall be permitted when part of a unified shopping center development. The uses shall be considered permitted as of right, subject to any limitations set forth in Table 11-1, this Ordinance, or other Town ordinance or code, and the securing of an Improvement Location Permit pursuant to Chapter 4, Section 4-1 (Improvement Location Permit).

2. Special Exceptions

The uses listed with a letter “S” in the SC Shopping Center District Use Matrix set forth in Table 11-1 may be allowed as special exceptions permitted when part of a unified shopping center development. The uses may be allowed subject to any limitations set forth in Table 11-1, this Ordinance, or other Town ordinance or code, and the securing of a special exception permit pursuant to Chapter 4, Section 4-4 (Special Exceptions).

3. Accessory Uses

Accessory uses, buildings and structures customarily incidental to and commonly associated with a shopping center development may be permitted, subject to the provisions of Chapter 13 (Specific Use Requirements) and any limitation contained herein. Specifically permitted or allowed accessory uses, buildings and structures are listed in Table 11-2 (SC Shopping Center District Accessory Use Matrix). Within the SC Shopping Center District, wireless communication service facilities may be considered an accessory use subject to the requirements of Chapter 13, Section 13-12 (Wireless Communication Service Facilities).

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4. Bulk Regulations

Subject to the limitations contained therein and elsewhere in this Ordinance, the bulk regulations that apply to the SC Shopping Center District are listed in Table 11-3 (The SC Shopping Center District Bulk Matrix).

5. Prohibited Uses

Uses not listed as permitted or special uses in the SC Shopping Center District Use Matrix set forth in Table 11-1 below are hereby strictly prohibited.

Table 11-1 Shopping Center District Use Matrix

| USES | SC-1 |
|--|------|
| Auto filing station ¹ | S |
| Car wash ¹ | S |
| Commercial indoor recreation ¹ | S |
| Convenience mart fueling center ¹ | S |
| Convenience retail store | P |
| Drug & pharmacy retail | P |
| Financial institutions ¹ | P |
| Grocery retail | P |
| Emergency health care clinics, | P |
| Municipal buildings, utilities, and services | P |
| Professional service establishments ¹ | P |
| Public utilities | P |
| Restaurants – class A ¹ | P |
| Restaurants - class B ¹ | S |
| Retail goods establishments | P |
| Retail service establishments | P |
| Specialty food stores | P |
| Studios, artists, dance & music | P |
| Taverns & lounges | S |
| Theaters – indoor ¹ | P |
| P = Permitted / S = Special Exception Permit Required | |

Note: 1 The aforementioned uses may be permitted as part of a shopping center development or individually, on out lots, provided however, when developed as an out lot said uses must met the development standards for the C-3 district set for in Chapter 10, Table 10-3 (Commercial Districts Bulk Matrix).

Table 11-2 Shopping Center District Accessory Use Matrix

| ACCESSORY USES | C-1 |
|---|-----|
| Accessory uses customary and incidental to a permitted or special use | P |
| Drive-through windows | S |
| Parking lots and garages ¹ | P |
| Facilities for Recycling Drop-off | S |
| P = Permitted / S = Special Exception Permit Required | |

Note: 1 Accessory parking lots shall be located no closer than ten (10) feet of any property line.

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Table 11-3 Shopping Center District Bulk Matrix

| Bulk Standards | SC |
|---|----------------------|
| District Requirement | |
| Min. Lot Size | 6 acres ¹ |
| Max Lot Coverage | |
| All buildings | 50% ¹ |
| Yards – Set back from district boundary line² | |
| Front | 50 ft. |
| Side | 50 ft. |
| Rear | 50 ft. |
| Max Height² | |
| Principal | 60 ft. |
| Accessory | 20 ft. |

- NOTE: 1. Out lots may be included in determining this requirement even though such lots may be in different ownership.
 2. Development occurring on any out lot shall conform to the development standards for the C-3 district.