

SECTION 9. “HSD” HESTER STREET DISTRICT ^{10A}

Subsection 1. Purpose. This neighborhood commercial corridor district connects the Highway 3 commercial area to the Downtown area and serves as a welcoming gateway to draw activity Downtown. The district is also a transition between residential neighborhoods, traffic on Hester Street, and higher intensity commercial areas where new development and redevelopment is anticipated. The “HSD” District includes uses that will not disrupt nearby, low density land uses through high traffic generation, noise, appearance, or other nuisances.

Subsection 2. Permitted Uses. Permitted uses in the “HSD” District include:

- (A) Essential services.
- (B) Out-patient health or mental health providers limited to physical therapy, therapeutic massage, chiropractors, dentists, orthodontia, oral surgeons, and opticians.
- (C) Personal services limited to barber/beauty shops and nail and tanning salons.
- (D) Professional, administrative or clerical service operations including but not limited to attorneys, accounts, financial advisors, consulting, insurance, travel and real estate.
- (E) Production of art and craft products and on-premise retail sales of those products and related products including but not limited to painting, decorating and photography studios.
- (F) Repair services limited to jewelry and small electronic appliance/computer repair shops, but not auto repair.
- (G) Tailoring services.

Subsection 3. Accessory Uses. The following are permitted accessory uses in the “HSD” District:

- (A) Accessory buildings and uses incidental and customary to uses allowed as permitted, conditional, interim, and administratively permitted in this Ordinance.
- (B) Fences as regulated by Section 4, Subsection 13(G) of this Ordinance.
- (C) Signs as regulated by Section 27 of this Ordinance.
- (D) Off-street parking and loading as regulated by Section 4, Subsection 8 of this Ordinance.

Subsection 4. Conditional Uses. The following are conditional uses in the “HSD” District and require a conditional use permit based upon the procedures and criteria of Section 20, Subsection 3 of this Ordinance:

- (A) Retail commercial activities accessory to permitted or conditional use businesses provided that:
 - (1) Merchandise is sold at retail.

- (2) The retail activity is located within a structure whose principal use is not retail sales.
 - (3) The retail activity shall not occupy more than twenty (20) percent of the gross floor area of the principal building.
- (B) Mixing of residential and business uses within one (1) principal building provided that:
- (1) The residential and non-residential uses shall not conflict in any manner.
 - (2) There shall be separate entrances for residential and business uses.
 - (3) Residential uses shall comply with the off-street parking requirements of Section 4, Subsection 8 of this Ordinance.
- (C) Bed and breakfast facilities.
- (D) Coffee, tea, and small cafes provided that:
- (1) No roasting is conducted on site.
 - (2) Business hours shall be limited to 7:00 AM to 10:00 PM.
 - (3) No exhaust or ventilation may be directed to adjacent residential uses.
 - (4) The facility contains no drive-through service.
- (E) Production of art and craft products with the potential for negative impacts including noise, vibration, and odor such as but not limited to sculpture, ceramic/pottery works, furniture, and candle making, and the on-premise retail sales of those products and related products provided that:
- (1) No exhaust or ventilation may be directed to adjacent residential uses.
 - (2) Adequate measures are installed to mitigate sound.
- (F) Two (2) non-residential uses on the same property provided that:
- (1) There is very little or no parking demand or traffic associated with one of the non-residential uses.

Subsection 5. Prohibited Uses. The following uses are not allowed in the “HSD” District:

- (A) Outdoor storage.
- (B) Outdoor sales.
- (C) Auto-oriented uses.
- (D) Fuel sales.

- (E) More than one (1) detached single family home.
- (F) Warehousing and storage uses except as an accessory use as permitted in this district.

Subsection 6. Performance Standards. The following minimum requirements shall be observed in the “HSD” District:

- (A) Lot Area: Eight thousand seven hundred (8,700) square feet.
- (B) Lot Width: Sixty-five (65) feet.
- (C) Setbacks:
 - (1) Front Yards: Ten (10) feet. In the case of corner lots, two (2) front yards will be required.
 - (2) Interior Side Yards: Ten (10) feet if the adjacent property is zoned for residential use, otherwise no side yard is required.
 - (3) Rear Yards: Ten (10) feet.
- (D) All trash and recycling containers shall comply with screening requirements of Section 4, Subsection 12-3(F)(6) of this Ordinance.
- (E) Landscaping: Parcels with non-residential uses shall be landscaped with at least two (2) deciduous shade trees per fifty (50) lineal feet of public right-of-way frontage. Ornamental trees and/or shrubs may be substituted for shade trees at the rate of three to one (3:1). Landscaping shall be placed within the required ten (10) foot setback adjacent to public right-of-way.
- (F) Maximum Building/Impervious Surface Coverage: Seventy-five (75) percent.
- (G) New Construction:
 - (1) Exterior Building Materials: The exterior walls of all new structures shall be surfaced with any of the following materials: brick, stone, rock faced block, stucco, EIFS, wood, fiber cement and glass or other materials as approved through the site plan approval process and shall be reasonably compatible with adjacent properties.
 - (2) Required off-street parking spaces for businesses shall not be located between the principal structure and Hester Street.
 - (3) Buildings shall be oriented, including front doors, to Hester Street.
- (H) Compliance with off-street parking requirements of Section 4, Subsection 8 of this Ordinance, except up to two (2) of the required off-street parking spaces for business uses may be permitted as on-street parking.
- (I) All business use must be conducted in the principal structure.

- (J) Any change of use or occupancy of any buildings including additions requiring more parking area shall not be permitted until additional parking spaces are furnished as required by Section 4, Subsection 8 of this Ordinance.

Subsection 7. Site Plan Review. All plans for development shall require processing of a formal site and building plan review according to Section 3 of this Ordinance.