

- (d) Boarding or rooming house providing accommodations for not more than four nontransient roomers.
- (e) Required off-street parking.
- (f) The following uses, subject to approval by the board of appeals as provided in section 56:
  - (1) Hospital, sanitarium, convalescent home and similar uses.
  - (2) Municipal or public utility structure or station necessary to the installation or maintenance of utility services.
  - (3) Church or other place of worship; public library, public museum or similar public building, public school, parochial school, nursery school, school operated by a nonstock corporation under the education laws of the state.
- (g) One announcement sign in connection with any permitted use provided such sign is located on the property and does not exceed 12 square feet in area.
- (h) Customary accessory uses and buildings, provided such uses and buildings are clearly incidental to the principal use and do not include any activity commonly conducted as a business.
- (i) Garage space or parking space for not more than three passenger vehicles; garage space only for one commercial vehicle owned or leased by a resident.
- (j) One temporary nonilluminated sign advertising the sale or rental of real property, provided that such sign is located on said property for sale or rent and does not exceed 24 square feet in area in case of individual properties or 48 square feet in area in all other cases.

(Ord. No. 3323, 6-21-67)

### Sec. 9. R-5 residence districts.

In any R-5 residence district no building shall be erected or extended and no land or building, or part thereof, shall be used for other than any of the following purposes:

- (a) Any use permitted in R-10 or R-7 districts.
- (b) Two-family dwelling.
- (c) Club, lodge, social and recreational center building, except those in which the chief activity is a service customarily carried on as a business, or primarily for gain.
- (d) The following customary home occupations conducted in a residence provided there shall be no external evidence of such occupation except one announcement or professional sign not exceeding four square feet in area, which sign shall not be located in any required yard:
  - (1) Customary gainful home occupations conducted only by resident occupants in the dwelling, such as dress-making, laundering, home cooking, hairdressing, and such other uses as the board of appeals may determine to be substantially similar to those enumerated.
  - (2) Office of a resident doctor, dentist, musician, insurance or real estate salesman, lawyer, architect, engineer or such other professional offices as the board of appeals may determine to be substantially similar in character, and where such office is a part of the residence of such person and where not more than two nonresidents are employed as assistants.

(Ord. No. 3323, 6-21-67)

### Sec. 10. R-G residence districts.

In any R-G residence district, no building shall be erected or extended, and no land or building or part thereof shall be used for other than any of the following purposes:

- (a) Any use permitted in R-5 residence district.

- (b) Multifamily dwellings, subject to site plan review and approval thereof by the planning board in accordance with General City Law, § 30-a; such review may include, where appropriate, elements relating to parking, means of access, screening, signs, landscaping, architectural features, location and dimensions of buildings, impact of the proposed use on adjacent land uses and such other elements as may reasonably be related to the health, safety and general welfare of the community.
- (c) Tourist homes.
- (d) Residential hotels and roominghouses, including customary incidental accessory services therein.
- (e) Buildings devoted to professional or business offices.
- (f) Funeral home, subject to the approval of the board of appeals, as provided in section 56.
- (g) One announcement sign in connection with any permitted use provided such sign is located on the property and does not exceed 12 square feet in area.
- (h) Private schools subject to section 56(c).  
Ord. No. 4293, 1-25-78; Ord. No. 4740, 9-22-82)

#### Sec. 10.1. R-A residence districts.

In any R-A residence district, no building shall be erected or extended, and no land or building a part thereof shall be used for other than any of the following purposes:

- (a) Any use permitted in R-5 residence districts.
- (b) Multifamily dwellings, subject to site plan review and approval thereof by the planning board in accordance with General City Law, § 30-a; such review may include, where appropriate, elements relating to parking, means of access, screening, signs, landscaping, architectural features, location and dimensions of buildings, impact of the proposed use on adjacent land uses and such other elements as

may reasonably be related to the health, safety and general welfare of the community.

(Ord. No. 3033, 12-18-63; Ord. No. 4740, 9-22-82)

#### Sec. 10.2. C-R commercial-residential transition district.

(A) *Purpose.* It shall be the purpose of a C-R zoning district to delineate an area which is appropriate for both commercial and residential uses. The establishment of such a transitional zoning classification is intended to provide development standards for areas having such mixed land use characteristics.

(B) *Permitted uses.* In any C-R commercial-residential district, no building shall be erected or extended, and no land or building or part thereof shall be used for other than any of the following purposes:

##### (1) Residential uses:

- (a) Any use permitted in an R-5 residence district;
- (b) Multifamily dwellings, subject to site plan review and approval thereof by the planning board in accordance with General City Law, § 30-a; such review may include, where appropriate, elements relating to parking, means of access, screening, signs, landscaping, architectural features, location and dimensions of buildings, impact of the proposed use on adjacent land uses and such other elements as may reasonably be related to the health, safety and general welfare of the community;

(c) Tourist homes;

(d) Residential hotels and roominghouses;

(e) Nursing and/or convalescent homes.

##### (2) Commercial uses:

- (a) Local retail or personal service establishments such as: barbershops and beauty parlors; eating and drinking establishments (excepting nightclubs, cabarets and similar establish-

- ments) foodstores; hardware stores; laundries (hand or automatic) radio and television stores; business and professional offices; banks and other financial institutions; repair shops; art and photographic studios, and other such similar retail or personal service establishments;
  - (b) Indoor amusement enterprises including theaters, bowling alleys, billiard parlors and other similar uses or places of assembly;
  - (c) Office equipment and business machine sales and service facilities;
  - (d) Hotels and motels;
  - (e) Wholesaling establishments;
  - (f) Social halls, lodges, fraternal organizations.
- (C) *Permitted accessory uses.*
- (1) *Residential uses:*
    - (a) Private garage;
    - (b) Private recreation facilities designed and intended for the sole use of the residents therein;
    - (c) Signs (see sign regulations);
    - (d) Off-street parking (see parking regulations);
  - (e) Other customary accessory uses and buildings (to be determined by the city building inspector)
  - (f) Customary home occupations.
- (2) *Commercial uses:*
- (a) Signs (see sign regulations);
  - (b) Off-street parking (see parking regulations);
  - (c) Other customary accessory uses and buildings (to be determined by the city building inspector).
- (D) *Special exceptions.* In any C-R commercial-residential district the following special uses may be permitted if authorized by the zoning board of appeals pursuant to section 56 of this ordinance:
- (1) Essential services (public utility services, public safety devices, public transportation facilities, and other necessary public buildings and facilities);
  - (2) Funeral parlors;
  - (3) Automobile service stations;
  - (4) Automotive repair shops and garages;
  - (5) Automotive sales and service facilities;
  - (6) Drive-in restaurants;
  - (7) Automobile washing establishments.
- (E) *Reserved.*

(F) *Schedule of bulk and coverage controls.*

REGULATIONS GOVERNING LOT AREA AND LOT WIDTH\*

<i>Dwelling</i>	<i>Other Uses</i>	<i>Minimum Lot Width</i>
5,000 sq. ft. 1-family dwelling;	No requirement for commercial uses	50 ft. for all nonresidential uses and the following for residential uses: 50 ft. for 1-family dwellings; 60 ft. for 2-family dwelling; 80 ft. for 3- and 4-family dwellings; 100 ft. for multifamily dwellings
7,000 sq. ft. 2-family dwelling;		
8,000 sq. ft. for 3- and 4-family dwellings;		
2,500 sq. ft. per dwelling per multifamily dwellings		

\*It shall be the intent of the regulations governing lot area to require that any one structure housing both commercial and residential uses be subject to the lot area requirements of the residential uses.

REGULATIONS COVERING FRONT, SIDE, AND REAR YARDS\*

<i>Front Yard</i>	<i>Minimum Side Yards (two required)</i>	<i>Rear Yard Lot Areas</i>
Not required for all commercial uses	Not required for commercial uses, but 5 ft. minimum if provided	10 ft. for all commercial uses
20 ft. for all residential uses	8 ft. (each side) for 1- and 2-family dwellings; 10 ft. for 3- and 4-family dwellings; 5 feet additional for each dwelling more than 4; 10 ft. for other uses	30 ft. for all residential uses

Not required for party walls of multifamily dwellings, but required as above provided for nonattached wall(s).

\*It shall be the intent of the regulations governing front, side and rear yards to require that any structure housing both commercial and residential uses be subject to the regulations affecting the predominant first floor use.

REGULATIONS COVERING BUILDING COVERAGE AND BUILDING HEIGHTS

*Maximum Building Coverage*

*Maximum Building Height*

35% for all residential uses noncontiguous with any other use, 80% if part of a commercial use  
80% for all commercial uses

No restriction for residential or commercial uses

(Ord. No. 4164, 7-28-76; Ord. No. 4740, 9-22-82)

**Sec. 11. C-1 neighborhood commercial districts.**

It shall be the purpose of a C-1 zoning district to provide for the everyday shopping needs and related retail conveniences of a residential neighborhood encompassing an area of approximately one-fourth of a mile in radius. It is not the intent of this district to draw vehicular trade from outside this general radius.

In any C-1 neighborhood commercial district no building shall be erected or extended and no land or building or part thereof shall be used for other than any of the following purposes:

- (a) Retail store, such as a neighborhood grocery, fruit and vegetable market, drug and pharmacy, bookstore, newspaper and tobacco store, and similar commercial uses.
- (b) Snack bar or luncheonette where food is primarily served at counters or booths.
- (c) Liquor store but not a bar or tavern serving liquor or beer.
- (d) Service shops and studios such as barber, shoe repair, beauty parlor.
- (e) Bakery, millinery, dressmaking, tailoring and similar shops, provided that all goods made or processed are sold at retail on the premises.
- (f) Nonprocessing retail outlets for laundry, cleaning, pressing, dyeing, and florist business.
- (g) Coin-operated laundromats and dry cleaning machines subject to state health codes and regulations.
- (h) Outdoor advertising sign or display device, provided that the commodities or services advertised are available for sale, hire or use on the premises.
- (i) A professional office occupied by one doctor, dentist, musician, insurance or real

estate salesman, lawyer, architect, engineer, or other such professional as the board of appeals may determine to be substantially similar in character; or one professional office occupied by more than one such professional upon the prior approval and permission of the zoning board of appeals.

(Ord. No. 4644, 9-23-81)

### Sec. 12. C-2 and C-3 general commercial districts.

It shall be the purpose of a C-2 or C-3 zoning district to provide appropriate locations for commercial uses which benefit from highway traffic trade or generally develop along the fringes of the central business district.

In any C-2 and C-3 commercial district no building shall be erected or extended and no land or building or part thereof shall be used for other than any of the following purposes:

- (a) Any use permitted in C-1 districts.
- (b) Automobile sales lot, parking lot, or garage.
- (c) Restaurant and any other retail establishment not permitted in C-1 district.
- (d) Hotel, motel, motorcourt or tourist cabins.
- (e) Theater, bowling alley, dancehall, billiard parlor, skating rink, or other places of amusement, assembly or entertainment which shall be locally within a structure.
- (f) Public garage with the exception of C-2 districts where the approval of the zoning board of appeals is required. All effluent resulting from operations where the principal use is that of washing cars shall be discharged into a storm sewer or handled by some other means to the satisfaction of the city engineer. Effluent shall not be discharged into a sanitary sewer.
- (g) Business and professional office buildings.
- (h) Bank and other monetary institutions.
- (i) Food processing establishment in which the products are sold on the premises.

- (j) Billboards, provided they are of a directional nature or advertise establishments located within the City of Rome, or advertise products sold directly on the premises.
- (k) Dry cleaning and/or laundry plants.
- (l) Beverage bottling plants.
- (m) Gasoline service stations, subject to approval of the zoning board of appeals.
- (n) Wholesale establishments.
- (o) Bus station.
- (p) Special exception. In any C-2 district the following uses may be permitted if authorized by the zoning board of appeals pursuant to section 56 of this ordinance:

1. Day care centers.

(Ord. No. 3139, 4-17-65; Ord. No. 6563, 5-13-92)

### Sec. 13. C-4 central business district.

It shall be the purpose of a C-4 zoning district to provide for a centralized area where shopping, recreational and cultural facilities are designed in relation to each other to serve the entire community's needs.

In any C-4 central business district no building shall be erected or extended and no land or building or part thereof shall be used for other than any of the following purposes:

- (a) Any use permitted in C-2 or C-3 commercial district with the exception of the following which are expressly prohibited:
  - (1) Gasoline service station.
  - (2) Public garage.
  - (3) Dry cleaning and/or laundry establishments.
  - (4) Laundromats and similar facilities.
  - (5) Beverage bottling plant.
  - (6) Automobile sales lot.
- (b) Retail printing shop, and heating, air conditioning, plumbing, and electrical business and similar uses customarily utilizing hand-fabrication methods.

- (c) Special exceptions. In any C-2 central business district the following uses may be permitted if authorized by the zoning board of appeals pursuant to section 56 of this ordinance:

1. Day care centers.

(Ord. No. 3139, 4-17-65; Ord. No. 6563, 5-13-92)

#### Sec. 14. M-1 light manufacturing districts.

It shall be the purpose of M-1 and M-2 zoning districts to establish areas best suited for industrial development because of location, topography, existing facilities and relationship to other land uses.

In any M-1 light manufacturing district no building shall be erected or extended and no land or building or part thereof shall be used for other than any of the following purposes:

- (a) Storage building or warehouse for such commodities as dry goods, drugs, packaged food, furniture or hardware.
- (b) Wholesale storage and warehouse facilities for storage and sale of lumber, wood, feed, solid fuel and similar products, but not scrap and salvage yards.
- (c) Research and development laboratories.
- (d) Automobile repair, painting and collision service when conducted entirely within a completely enclosed building.
- (e) Battery manufacturing, tire retreading or capping.
- (f) Beverage bottling plant; dry cleaning and/or laundry establishments subject to approval of the board of appeals.
- (g) Motor freight or truck terminal.
- (h) Retail store or outlet providing such use is subordinate or supplemental to a warehouse or manufacturing establishment.
- (i) Monument works.
- (j) Municipal or public utility storage yard and shop.
- (k) Accessory uses or structures customarily incidental to the above.

- (l) Industrial uses employing electric power or other motor power, or utilizing hand labor for fabrication or assembly; and which shall satisfy the requirements as set forth in the industrial performance standards as listed under article X of this ordinance.

(m) Restaurant primarily designed to serve a manufacturing district.

(n) Business sign.

(o) Agricultural machinery and equipment; sales, services, assembly, storage and repairs.

(p) Retail and wholesale sales where such use is carried on in conjunction with the use permitted in an M-1 zone and where such combined or joint operation would be incompatible in commercial districts. The zoning board of appeals shall determine prior of issuance of a permit that sufficient on-site parking as available for the combined use and that the combined use shall not limit the usefulness of adjacent property for permitted uses.

(Ord. No. 3070, 7-15-64; Ord. No. 3303, 4-19-67; Ord. No. 4196, 10-1-76)

#### Sec. 15. M-2 general manufacturing districts.

In any M-2 general manufacturing district no building shall be erected or extended and no land or building or part thereof shall be used for other than any of the following purposes:

- (a) Any use permitted in an M-1 light manufacturing district.
- (b) Manufacture, compounding, processing and packaging of such products as candy, cosmetics, pharmaceuticals, soap and toiletries, and food products.
- (c) Manufacture, compounding, assembling or treatment of articles or merchandise from the following previously prepared materials: fibre, fur, glass, leather, paper, plastics, precious or semiprecious metals or stones, sheet metal, textiles, tobacco, wax, wire and wood.