

ARTICLE VI. COMMERCIAL DISTRICTS

SECTION 30-24 C-1 NEIGHBORHOOD BUSINESS DISTRICT

(A) Permitted Uses

- (1) Any use permitted in the R-5 Multiple Dwelling District, unless otherwise provided in this Chapter.
- (2) Antique sale
- (3) Auction establishment
- (4) Barber shop, beauty parlor
- (5) Clinic, medical or dental office building
- (6) Food products (retail): bakery (on premise sales only), beer depot, fruit and vegetable store, grocery store, meat and fish market, package liquor, tea and coffee store.
- (7) Furniture upholstering, refinishing and repair, to include sales
- (8) Interior decorating studio
- (9) Laundromat (coin operated), cleaners and dryers (collection and distribution depot only).
- (10) Marina and aquatic nursery
- (11) Photographer studio
- (12) Private club or lodge
- (13) Professional service office, real estate, insurance
- (14) Restaurant
- (15) Retail store: such as but not limited to art shop, drug store, pharmacy, gift shop, hobby store, music store, newsstand, picture framing, radio store.
- (16) Shoe repair, tailor shop
- (17) Tavern
- (18) Television and appliance repair shop
- (19) Any use similar to the above

(20) Conditional Uses:

- Automobile service facility
- Cemetery
- Club and semi-public structure
- College/university including residence halls
- Commercial greenhouse and nursery
- Day care center
- Family day care for nine (9) or more children
- Fish market (wholesale)
- Funeral home
- Homeless shelter/center
- Hotel/motel directional sign
- Mental or psychiatric hospital
- Mixed commercial/residential
- Parking lot
- Public Utility structure
- Restaurant with drive-up or drive-thru
- Schools, public and private (including nursery, kindergarten, elementary and high school)
- Substance abuse treatment facility
- Uses permitted in the C-2 General Commercial District, Section 30-25(A) and C-3 Central Commercial District, Section 30-26(A), except M-1 Light Industrial District uses.
- Wireless telecommunication towers/antennas

An application for a conditional use permit shall not be approved unless it complies with the conditions and standards set forth in Section 30-11 Conditional Use Permits.

(B) Standards

The following standards shall apply to development undertaken in this district, unless modified by the application of provisions in Section 30-33 Planned Development Districts, or unless more restrictive standards apply per Section 30-35 Additional Standards and Exceptions.

- (1) Residential Structures: Shall meet the standards of the R-5 Multiple Dwelling District, unless otherwise noted below:
 - (a) Side Yard Setback: Ten (10) feet minimum.
 - (b) Lot Area Per Unit: Three thousand six hundred (3,600) square feet minimum.
- (2) Mixed Commercial/Residential Structures: Are permitted by conditional use permit, and shall meet all conditions of conditional use approval, and shall meet the standards for principal commercial structures, unless otherwise noted below:
 - (a) No separate residential structure is permitted on the same lot with a non-residential or mixed commercial/residential structure.
 - (b) Dwelling Unit Area: Four hundred (400) square feet minimum.
 - (c) Height: Forty-five (45) feet maximum.

- (d) Off-Street Parking: In accordance with Section 30-36 Off-Street Parking and Loading Facilities.

(3) Principal Commercial Structures

- (a) Height: Thirty-two (32) feet or two and one-half (2 ½) stories maximum.
- (b) Side Yard Setback: None Required. If provided when not required, a five (5) foot setback is required.
- (c) Front Yard Setback: Twenty (20) feet minimum.
- (d) Rear Yard Setback: Twenty (20) feet minimum.
- (e) Corner Lots: The side street (front yard) setback can be reduced to not less than twelve (12) feet as may be necessary to attain a twenty-eight (28) foot buildable width. The required side yard opposite the side street (front yard) must be maintained.
- (f) Off-Street Parking: In accordance with Section 30-36 Off-Street Parking and Loading Facilities.

(4) Accessory Commercial Structures

- (a) Must be customary and incidental to the allowed principal uses. Accessory uses may not exceed forty (40) percent of the floor area of the structure for incidental storage.
- (b) Standards
 - (i) Same as the principal commercial structure unless noted below.
 - (ii) Front Yard Setback: Sixty (60) feet minimum and not less than five (5) feet behind the principal commercial structure.
 - (iii) Corner Lots: Front yard/side street (front yard) setbacks shall be the same as the principal commercial structure.

SECTION 30-25 C-2 GENERAL COMMERCIAL DISTRICT

(A) Permitted Uses

- (1) Any use permitted in the C-1 Neighborhood Business District, except residential uses, unless otherwise provided in this Chapter.
- (2) Bank
- (3) Bowling alley, dancing school, dance hall, pool and billiard room, skating rink, theater except drive-in theater.
- (4) Motel and hotel
- (5) News agency
- (6) Photography studio and supplies
- (7) Printing and engraving establishments, except newspaper and book publishing.
- (8) Retail stores: such as but not limited to appliance, book, clothing store, dry goods, dress shop, electrical supplies, florist shop, furniture, hardware, heating, hosiery shop, jewelry, monument sales, music, notions, optical, paint, plumbing, radio, stationary, shoe, tailor shop, television, tobacco and pipe.
- (9) Restaurant
- (10) Any use similar to the above.
- (11) Conditional Uses:

- Animal hospital and pet shop
- Automobile service facility
- Cemetery
- Club and semi-public structure
- College/university including residence halls
- Commercial greenhouse and nursery
- Day care center
- Fish market (wholesale)
- Funeral home
- Hotel/motel directional signs
- Kindergarten school
- Mental or psychiatric hospital
- Mixed commercial/residential
- New and used automobile sales
- Nursery school
- Parking lot
- Public utility structure
- Restaurant with drive-up or drive-thru

- Uses permitted in the M-1 Light Industrial District, Section 30-28(A)
- Vocational school
- Wireless telecommunication tower/antennas
- Wholesale or distributing establishment of electrical supplies or prepackaged convenience foods.

An application for a conditional use permit shall not be approved unless it complies with the conditions and standards set forth in Section 30-11 Conditional Use Permits.

(B) Standards

The following standards shall apply to development undertaken in this district, unless modified by the application of provisions in Section 30-33 Planned Development Districts, or unless more restrictive standards apply per Section 30-35 Additional Standards and Exceptions.

(1) Mixed Commercial/Residential Structures: Are permitted by conditional use permit and shall meet all conditions of conditional use permit approval and, shall meet the standards for principal commercial structures unless otherwise noted below:

- (a) Upper Floor Residential Only: Residential uses are limited to upper floor areas. No separate residential structure is permitted on the same lot with a non-residential or mixed commercial/ residential structure.
- (b) Dwelling Unit Area: Four hundred (400) square feet minimum.
- (c) Height: Forty-five (45) feet maximum.
- (d) Off-Street Parking: In accordance with Section 30-36 Off-Street Parking and Loading Facilities.

(2) Principal Commercial Structures

- (a) Height: Forty-five (45) feet maximum.
- (b) Side Yard Setback: Ten (10) feet minimum.
- (c) Front Yard Setback: Twenty-five (25) feet minimum.
- (d) Rear Yard Setback: Twenty-five (25) feet minimum, however, parking shall be allowed with a five (5) foot minimum setback, provided a five (5) foot landscaped buffer is provided.
- (e) Off-Street Parking: In accordance with Section 30-36 Off-Street Parking and Loading Facilities.

(3) Accessory Commercial Structures

- (a) Must be customary and incidental to the allowed principal uses including the processing or treatment of products clearly incidental to the conduct of a retail business on the premises. Accessory uses may not exceed forty (40) percent of floor area of the structure.

(b) Standards

- (i) Same as the principal commercial structure unless otherwise noted below.
- (ii) Front Yard Setback: Sixty (60) feet minimum and not less than five (5) feet behind the principal commercial structure.
- (iii) Corner Lots: Front yard/side street (front yard) setbacks shall be the same as the principal commercial structure.

SECTION 30-26 C-3 CENTRAL COMMERCIAL DISTRICT

(A) Permitted Uses

- (1) Any use permitted in the R-5 Multiple Dwelling District, unless otherwise provided in this Chapter.
- (2) Any use permitted in the C-2 General Commercial District, unless otherwise provided in this Chapter.
- (3) Automobile storage garage
- (4) Animal hospital and pet shop excluding open kennel
- (5) Bakery, employing not more than five (5) persons
- (6) Caterer
- (7) Convention and exhibition hall
- (8) Funeral home
- (9) Laundry and cleaner
- (10) Microwave, radio and television relay structure
- (11) Newspaper printing, publishing or engraving establishment
- (12) Parking lot
- (13) Radio and television broadcasting studio
- (14) Railroad and bus passenger depot
- (15) Any use similar to the above
- (16) Conditional Uses:
 - Automobile service facility
 - Cemetery
 - Clubs and semi-public structure
 - College/university including residence halls
 - Commercial greenhouse and nursery
 - Day care center
 - Fish market (wholesale)
 - Family day care for nine (9) or more children
 - Hotel/motel directional signs
 - Mental or psychiatric hospital
 - Mixed commercial/residential

- New and used automobile sales
- Nursery school
- Public utility structure
- Restaurant with drive-up or drive thru
- Uses permitted in the M-1 Light Industrial District, Section 30-28(A)
- Vocational school
- Wireless telecommunication tower/antennas

An application for a conditional use permit shall not be approved unless it complies with the conditions and standards set forth in Section 30-11 Conditional Use Permits.

(B) Standards

The following standards shall apply to development undertaken in this district, unless modified by the application of provisions in Section 30-33 Planned Development Districts and Section 30-27 Downtown Overlay District, or unless more restrictive standards apply per Section 30-35 Additional Standards and Exceptions.

- (1) Residential Structures: Shall meet all standards of the R-5 Multiple Dwelling District
- (2) Mixed Commercial/Residential Structures: Are permitted by conditional use permit, and shall meet all conditions of conditional use permit approval and shall meet the standards for principal commercial structures, unless otherwise noted below:
 - (a) Upper Floor Residential Only: Residential uses are limited to upper floor areas. No separate residential structure is permitted on the same lot with a non-residential or mixed commercial/residential structure.
 - (b) Dwelling Unit Area: Four hundred (400) square feet minimum.
 - (c) Height: Forty-five (45) feet maximum.
 - (d) Off-Street Parking: In accordance with Section 30-36 Off-Street Parking and Loading Facilities.
- (3) Principal Commercial Structures
 - (a) Height: Forty-five (45) feet maximum.
 - (b) Side Yard Setback: None required.
 - (c) Front Yard Setback: None required. However, if block frontage is shared with a residential district a twenty-five (25) foot minimum setback is required.
 - (d) Rear Yard Setback: None required.
 - (e) Corner Lots: The side street (front yard) setback can be reduced to not less than twelve (12) feet, as may be necessary to attain a twenty-eight (28) foot buildable width. The required side yard opposite the side street (front yard) must be maintained.
 - (f) Off-Street Parking: In accordance with Section 30-36 Off-Street Parking and Loading Facilities.

(4) Accessory Commercial Structures

(a) Must be customary and incidental to the allowed principal uses including the processing or treatment of products clearly incidental to the conduct of a retail business on the premises. Accessory uses may not exceed forty (40) percent of the floor area of the structure.

(b) Standards

(i) Same as the principal commercial structure unless noted below.

(ii) Front Yard Setback: Sixty (60) feet minimum and not less than five (5) feet behind the principal commercial structure.

(iii) Corner Lots: Front yard/side street (front yard) setbacks shall be the same as the principal commercial structure.

SECTION 30-27 DOWNTOWN OVERLAY DISTRICT

(A) PURPOSE

The purpose of this district is to provide an overlay to to the area generally considered to be the City’s central city area.

The overlay provisions are intended to relate to the special character of older commercial and industrial districts in this area.

(B) Permitted Uses

(1) Any use permitted by the underlying District, unless otherwise provided in this Chapter.

(2) Conditional Uses

- Any conditional use identified in C-3 Central Commercial District unless otherwise provided in this Chapter.

An application for a conditional use permit shall not be approved unless it complies with the conditions and standards set forth in Section 30-11 Conditional Use Permits.

(C) Standards

The following special standards apply to any district where the Downtown Overlay designation is applied. These standards shall apply only when the special standard differs from the standards set forth for the primary residential district. In all other respects, the standards set forth for the C-3 Central Commercial District shall apply.

- (1) Height: No restrictions.
- (2) Vision Clearance: None required.
- (3) Mixed Commercial/Industrial/Residential Structures: Are permitted by conditional use permit and shall meet all conditions of conditional use permit approval and shall meet the standards for principal commercial structures, unless otherwise noted below:
 - a) Upper floor residential only: residential uses are limited to upper floor areas. No separate residential structures are permitted on the same lot with a non-residential or mixed commercial/industrial/residential structure.
 - b) Dwelling unit area: Four hundred (400) square feet minimum.
 - c) Off-street parking: In accordance with Section 30-36 Off-Street Parking & Loading Facilities.