



C Commercial District Chapter 1274

1274.01 Purpose.

The purpose of the C Commercial District is to provide, at suitable locations, areas where general commercial activity may be developed and re-developed. Such areas shall be served by both public water and public sewer systems.

(Ord. 2002-45. Passed 8-22-02.)

1274.02 PRINCIPAL AND CONDITIONAL USES PERMITTED.

(a) Principally permitted uses in this District shall be as follows:

- (1) All uses principally or conditionally permitted in the NCO District; and
- (2) The following retail establishments, provided that all products manufactured on the premises are sold on the premises directly to the consumer:

- A. Bakeries;
- B. Pharmacies;
- C. Hardware stores;
- D. Hotels;
- E. Lunchrooms;
- F. Restaurants, including drive-in and fast-food;
- G. Retail and mercantile establishments; and
- H. Trailer sales lots and used car lots;

(3) The following service establishments which provide services directly to the consumer:

- A. Animal grooming facilities;
- B. Adult day care center
- C. Banks;
- D. Barber shops;

- E. Beauty parlors;
- F. Caterers;
- G. Child-care facilities;
- H. Churches;
- I. Clinics;
- J. Commercial parking garages;
- K. Commercial parking lots;
- L. Commercial schools, such as dancing, business, trade or vocational schools;
- M. Dry cleaning and clothes pressing, provided that such establishments do not service other retail outlets;
- N. Frozen food lockers;
- O. Gasoline filling stations;
- P. Greenhouses;
- Q. Hospitals;
- R. Household appliances, service and repair;
- S. Interior decorators;
- T. Jewelry, clock and watch repair;
- U. Lending libraries;
- V. Light automotive service and repair, such as alternator, carburetor, radiator and transmission work, but not including major overhauls;
- W. Locksmiths;
- X. New and used car sales;
- Y. Offices, including professional, business and philanthropic offices;
- Z. Photographic studios;
- AA. Portable equipment, service and repair;
- BB. Schools;
- CC. Self-service laundries;
- DD. Self-service storage facilities, as regulated in Section [1274.12](#);

- EE. Shoe and hat repair shops;
- FF. Tailors and furriers;
- GG. Travel bureaus; and
- HH. Veterinary clinics.

- (4) Signs, as permitted and regulated in Section [1282.03](#);
- (5) The retail sale of merchandise, services, parking areas, office buildings, hotels/motels and similar facilities ordinarily accepted as commercial uses and which can reasonably be expected to function in a compatible manner with the other permitted uses and the area, provided that no building shall be designed, constructed, structurally altered or used for dwelling purposes, except for hotels or motels and except to provide, within the buildings allowed, facilities for a custodian caretaker or watchman employed on the premises; and
- (6) Accessory uses.
 - A. Canopies. Height shall not exceed structure attached to. In cases of freestanding canopies, district setbacks shall apply and height shall not exceed 35 feet.
- (b) Conditionally permitted uses must be approved by the Planning Commission according to Sections [1244.06](#) and [1244.07](#). Conditional uses in this District shall be as follows:
 - (1) Clubs, lodges and meeting halls;
 - (2) Motels and tourist cabins;
 - (3) Car washes and/or gasoline filling stations or combinations thereof, where pump islands would be within fifty feet from the boundary of a zoning district that allows dwellings;
 - (4) Bars, cocktail lounges or taverns; and
 - (5) Nursing or convalescent or assisted living center.
- (c) Adult entertainment facilities, as defined, shall be permitted as long as the following conditions are met:
 - (1) No adult entertainment facility shall be established within 750 feet of any area or zoning district used for any residential purpose or use.
 - (2) No adult entertainment facility shall be established within a radius of 1,500 feet of any school, library or teaching facility, whether public or private, attended by persons under eighteen years of age.

- (3) No adult entertainment facility shall be established within a radius of 1,500 feet of any other adult entertainment facility or within a 1,000-foot radius of any two of the following establishments:
 - A. Cabarets, clubs or other establishments which feature topless or bottomless dancers, go-go dancers, exotic dancers, strippers, male or female impersonators or similar entertainers;
 - B. Establishments for the sale of beer or intoxicating liquor for consumption on the premises;
 - C. Pawn shops;
 - D. Pool or billiard halls;
 - E. Pinball palaces, halls or video arcades; or
 - F. Dance halls or discotheques.
- (4) No adult entertainment facility shall be established within a radius of 1,500 feet of any church, synagogue or permanently established place of religious services which is attended by persons under eighteen years of age.
- (5) No advertisements, displays or other promotional materials shall be shown or exhibited so as to be visible to the public from pedestrian sidewalks or walkways, or from other exterior areas, any of which are either public or semipublic.
- (6) All building openings, entries, windows, etc., for these facilities or uses shall be located, covered or serviced in such a manner as to prevent a view into the interior from any public or semipublic area, sidewalk or street. For new construction, the building shall be oriented so as to minimize any possibility of viewing the interior from public or semipublic areas.
- (7) No screens, loudspeakers or sound equipment shall be used for any adult motion picture theaters (enclosed or drive-in) that can be seen or discerned by the public from public or semipublic areas.
- (8) Hours of operation shall not start before 9:00 a.m. nor end after 12:00 midnight.
- (9) No viewing booths shall have doors.

(Ord. 2002-45. Passed 8-22-02; Ord. 2007-37. Passed 12-6-07.)

1274.03 OFF-STREET PARKING.

Off-street parking space shall be provided according to the regulations set forth in Section [1282.05](#).

(Ord. 2002-45. Passed 8-22-02.)

1274.04 OFF-STREET LOADING.

Off -street loading space shall be provided according to the regulations set forth in Section [1282.04](#).

(Ord. 2002-45. Passed 8-22-02.)

1274.05 AREA REQUIREMENTS.

- (a) **Lot Area**. No minimum lot area shall be required.
- (b) **Lot Width**. No minimum lot width shall be required.
- (c) **Front Yard**. There shall be a front yard of not less than thirty-five feet measured from the road right-of-way lines. See Section [1250.09](#) for modifications for corner lots and Section [1250.11](#) for other front yard modifications.
- (d) **Rear Yard**. A minimum rear yard of ten feet shall be required.
- (e) **Side Yards**.
 - (1) For buildings on corner lots, one side yard shall be required with a minimum width of thirty-five feet located along either street. A front yard of thirty-five feet shall be required along the other intersecting street.
 - (2) For buildings on interior lots, five-foot side yards are required.

(Ord. 2002-45. Passed 8-22-02.)

1274.06 HEIGHT LIMIT.

No building shall be built or enlarged to exceed thirty-five feet in height.

(Ord. 2002-45. Passed 8-22-02.)

1274.07 CORNER SIGHT CLEARANCE.

On every corner lot within the triangle formed by the street lines on such lot and a line drawn between two points, each of such points being twenty feet from the point of intersection of such

street right-of-way lines, there shall be no fence or wall higher than three feet, nor any other obstruction to vision between a height of three feet and a height of ten feet above the established grade of either street, except a business sign pole or light pole required in the business or operation conducted on such lot.

(Ord. 2002-45. Passed 8-22-02.)

1274.08 SCREENING AND/OR BUFFERING.

If the C Commercial District abuts any Residential District, the buffering shall be provided in accordance with Section [1250.10](#).

(Ord. 2002-45. Passed 8-22-02.)

1274.09 SIDEWALKS.

Sidewalks shall be constructed along all public streets at the time of the development or redevelopment of any building or parcel. Additional sidewalks may be required in a shopping center. The minimum width of a sidewalk in a C District shall be five feet.

(Ord. 2002-45. Passed 8-22-02.)

1274.10 SITE PLAN REVIEW REQUIREMENTS.

All developments proposed in the C District are subject to site plan review requirements as provided in Section [1250.12](#).

(Ord. 2002-45. Passed 8-22-02.)

1274.11 ACCESSORY STRUCTURES.

All accessory structures in areas zoned C Commercial District shall meet the following requirements:

- (a) Accessory structures shall not exceed the existing principal building in height;
- (b) Accessory structures shall not occupy more than thirty percent of the area between the rear of the principal structure and the rear lot line;
- (c) Accessory structures shall not be located within eight feet of any lot line;
- (d) Accessory structures attached to a principal structure shall not project beyond the required front lot line; and

(e) Accessory structures, detached from the principal structure, shall be located to the rear of the principal building and shall also be located at least fifteen feet back from the rear of the principal building.

(Ord. 2002-45. Passed 8-22-02.)

1274.12 OUTDOOR STORAGE.

Outdoor storage shall be controlled by the following regulations:

(a) Outdoor storage shall not interfere with parking or the safe and unobstructed use of vehicular or pedestrian access ways or walkways.

(b) Outdoor storage shall not be located in any required setback on the property.

(c) Outdoor storage area shall be fully screened with an opaque fence or wall not to exceed the fence height regulations as set forth in Section [1250.06](#) and shall be kept in an organized and orderly manner, with no growing or noxious weeds permitted.

(Ord. 2007-37. Passed 12-6-07.)

1274.13 OUTDOOR RETAIL SALES.

Outdoor storage shall be controlled by the following regulations:

(a) Outdoor retail sales shall not interfere with parking or the safe and unobstructed use of vehicular or pedestrian access ways or walkways.

(b) Outdoor retail sales shall not be located in any required yard area within the lot.

(c) Outdoor retail sales shall not be required to be fully screened. However, appropriate screening or buffer of outdoor retail sale area may be required as deemed necessary by the Zoning Inspector.

(Ord. 2007-37. Passed 12-6-07.)