

## CHAPTER 12

### "C" GENERAL COMMERCIAL DISTRICT

**SECTION 12.0 DESCRIPTION AND PURPOSE.** This district is established to provide areas in which the principal uses of the land are devoted to high activity businesses serving the day-to-day needs of the larger community and highway-oriented markets. This district allows a wide range of service and retail uses.

**SECTION 12.1 PERMITTED USES.** Within the "C" General Commercial District, unless otherwise permitted under the provisions of this ordinance, no building or part thereof in the shall be used, erected, altered, or converted or the land used in whole or in part unless it is for the following or similar types of retail and service uses. Unless specifically authorized by the Planning Commission as a special use, all business, service or processing shall be conducted wholly within a completely enclosed building.

*Hospitality and food service establishments including:*

1. Motels and hotels
2. Restaurants with or without drive-in or drive-through service
3. Cafes, delicatessens, food catering establishments

*Automobile related retail (except auto sales) and service establishments, including:*

4. Automobile service stations for the sale of gasoline or accessories and the performance of incidental services such as tire changing, greasing, mechanical repairs, and car washing, provided all work is conducted wholly within a completely enclosed building.
5. Enclosed car washes (automatic or manual)
6. Automobile repair shop or garage, auto-body and shops if all operations are conducted within a completely enclosed building
7. Automobile rental
8. New automobile parts and accessory stores

*Retail sales establishments including:*

9. General merchandise stores such as department and variety stores
10. Food and grocery stores such as butcher shops and fish markets, fruit and vegetable markets dairy products stores, candy, nut, and confectionery stores and retail bakeries
11. Apparel and accessory stores
12. Furniture and home furnishings, and home and office supply stores selling items such as floor coverings, drapery and upholstery, household appliances, radios, televisions, and electronics, computers and software, videos, records, tapes and discs, musical instruments and office supplies
13. Miscellaneous retail stores for items such as used merchandise, sporting goods and bicycles, books, stationery, jewelry, art, hobbies, crafts, toys, and games, cameras and photographic supplies, gifts, novelties, and souvenirs, luggage and

leather goods, sewing, needlework, catalog and mail-order, tobacco products and accessories, and news dealers

14. Pet shops, not including boarding
15. Flower shops with or without green houses
16. Drug stores with or without drive through
17. Lumber and other building materials stores such as paint, glass, wallpaper, and hardware stores, excluding outdoor storage

*Business services including:*

18. Advertising agencies, adjustment and collection services, credit reporting services, direct mail services, photocopying and duplicating services, commercial art and graphic design, secretarial and court reporting, disinfecting and pest control services, building maintenance services, employment agencies, computer programming services, data processing, messenger/telegraph-service stations and parcel-delivery stations
19. Miscellaneous repair services such as for radios, television, computers and similar electronics, household appliances and furniture, watches, clocks and jewelry.

*Personal services including:*

20. Beauty and barbers shops, travel agencies, fitness centers, tanning and manicure salons, tailor and dress making shops, shoe-repair shops
21. Funeral parlor or Mortuary without residential living quarters
22. Laundry/Dry Cleaning including pickup and drop-off
23. Dance, art, music, and similar professional studios
24. Animal hospitals, veterinary clinics including boarding provided that all animal runs shall be totally enclosed unless authorized as a special use
25. Sexually oriented businesses, subject to the provisions of Section 12.5
26. Theaters, except drive-in
27. Bowling alleys

*Office and institutional uses including:*

28. Banks and other financial institutions with or without drive-through
29. Professional offices of doctors, dentists, lawyers, accountants, realtors, architects, engineers, business or financial consultants or other professionals, and corporate, executive, administrative, or sales offices including incidental sales of medical or dental aids
30. Offices and similar uses for municipal, state, federal, or other governmental agencies
31. Laboratories: dental and medical
32. Showrooms, offices and base operations for plumbers, heating, cooling contractors, electricians, decorators, and similar trades provided that operations are conducted within a completely enclosed building

33. Churches and other places of religious assembly

*Other uses:*

34. Nature centers
35. Co-located wireless communication antenna and equipment when located in conjunction with existing towers, structures, or wireless communication facilities
36. Retail businesses or service establishments that generally provide commodities or services to more than one neighborhood (as distinguished from those that primarily serve residents of the surrounding neighborhood) and that are judged by the Planning Commission to be similar in character to those enumerated

SECTION 12.2 AUTHORIZED SPECIAL LAND USES. The uses of land and structures listed in this Section may be permitted as special land uses within the C General Commercial District if approved by the Planning Commission as provided under the procedures Chapter 24 and subject to all general and specific standards applicable to the use contained therein.

1. Automobile sales, new or used (see Sec. 24.13,B,1)
2. Patio/al fresco dining facilities (see Sec. 24.13,B,1)
3. Building supply stores with outdoor display, sales, or storage (see Sec. 24.13,B,1)
4. Crematories, mausoleums, cemeteries
5. Hospitals, Homes for the Elderly or Retired and state-licensed residential facilities (see Sec. 24.13,B)
6. Public libraries, museums
7. Country clubs, golf courses
8. Essential service buildings and major service structures
9. Wireless communications facilities including antennas and towers exceeding 35 feet in height and all associated transmitters, receivers, relays and equipment shelters (see Sec. 24.13,B,17)
10. Colleges and universities
11. Parks, athletic grounds, and athletic facilities provided that in addition to maintaining the required front and rear yard setbacks of the district, all buildings shall be located at least 50 feet from any side lot line
12. Child day-care centers, adult day-care centers (see Sec. 24.13,B)
13. Earth, sand and gravel mining, commercial sod-and- topsoil removal (see Sec. 24.13,B,8)
14. Solid-waste landfill operations

SECTION 12.3 REQUIRED CONDITIONS. The use of property in this district shall be subject to the following conditions:

1. Unless specifically authorized by the Planning Commission as a special use under the provisions of Chapter 24, all business, service or processing shall be conducted wholly within a completely enclosed building.

2. All products produced on the premises, whether primary or incidental, shall be sold only at retail and only on the premises where produced.
3. Off-street parking shall be provided in accordance with the requirements of Chapter 28 of this Ordinance.
4. Landscaping shall be provided as regulated under Chapter 29.
5. Signs shall be regulated under Chapter 30.

#### SECTION 12.4 HEIGHT, AREA AND YARD REQUIREMENTS.

1. Building and structure height: No building or structure shall exceed a maximum of two and one-half stories or 35 feet in height, whichever is less, except as otherwise provided by this Ordinance.
2. Front Yard: Each commercial building shall have a front yard at least 75 feet, provided that where an existing greater or lesser setback line has been established by existing commercial buildings occupying 40 percent or more of the commercially-zoned frontage on the same block, such greater or lesser established setback shall apply.
3. Side yards: Each building shall have a side yard of 30 feet on each side of the building unless a lesser side yard has been established by existing commercial buildings occupying 40 percent or more of the commercially-zoned frontage within the same block along the side street, in which case the established lesser setback shall apply.
4. Rear yard: There shall be a rear yard of at least 50 feet except that the rear yard adjacent to any residential zone shall be at least 75 feet.

SECTION 12.5 SEXUALLY ORIENTED BUSINESSES. Sexually oriented businesses shall be permitted as of right pursuant to Section 12.1(25) in this Chapter, but shall meet the standards provided in this Chapter along with the following standards:

1. Site-plan review in accordance with Chapter 26 of the Zoning Ordinance shall be required;
2. Sexually oriented businesses shall not be located or operated within 500 feet of any of the following:
  - a. A church, synagogue, or place of religious worship; public or private elementary or secondary school; public park; child care-center; entertainment business that is oriented primarily toward children or family entertainment; boundary of any residential district; or any residential use not located within a residential district; or
  - b. Another sexually oriented business.

For purposes of subsection 2, the separation distance between a sexually oriented business and a use listed in Subsection 2(a) or between a sexually oriented business and another sexually oriented business shall be measured from the location of the building or structure housing the sexually oriented business measured to the building, structure, or other use.

3. Signs for a sexually oriented business shall comply with the requirements of Chapter 30.

A sexually oriented business lawfully operating is not rendered a non-conforming use by the subsequent location of a church, synagogue, or place of religious worship, public or private elementary or secondary school, public park, child-care center, or an entertainment business that is oriented primarily toward children or family entertainment within 500 feet.