

## CHAPTER 1254: COMMERCIAL DISTRICTS

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### Section

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### **§ 1254.01 PURPOSE.**

The “GC” General Commercial and “HOC” Highway-Oriented Commercial Districts and their regulations are established herein in order to achieve, among others, the following purposes:

- (a) The purpose of the GC General Commercial District is to reflect a broad range of retail, personal service, and other commercial establishments.
- (b) The purpose of the HOC Highway-Oriented Commercial District is to reflect a range of commercial and office establishments with a regional appeal that have conveniently located off-street parking and safe pedestrian access and exclude “strip commercial”-type uses and commercial uses with inordinate vehicular traffic.

(Ord. 2012-20, passed 4-17-2012)

### **§ 1254.03 GENERAL PROVISIONS.**

- (a) *Off-street parking and loading.* All uses and structures in the GC or HOC Districts shall comply with the off-street parking and loading provisions of Chapter 1262, Off-Street Parking and Loading.
- (b) *Signs.* Signs are permitted in the GC or HOC Districts subject to the requirements of Chapter 1264, Signage.
- (c) *Landscaping.* Landscaping and buffer yards may be required in the GC or HOC Districts per Chapter 1266, Landscaping.
- (d) *Accessory uses and structures.* Accessory uses and structures, including but not limited to fences, lighting, off-street parking and storage of vehicles, may be permitted in GC or HOC Districts subject to the requirements of Chapter 1270, Accessory Uses and Structures.
- (e) *Temporary uses.* Temporary uses may be permitted in the GC or HOC Districts subject to the

requirements of Chapter 1272, Temporary Uses.

(Ord. 2012-20, passed 4-17-2012)

### **§ 1254.05 USE REGULATIONS AND SCHEDULE OF PERMITTED AND CONDITIONAL USES.**

(a) The land use regulations for the GC General Commercial and HOC Highway-Oriented Commercial Districts are set forth in the following Schedule 1254.05.

(b) Land uses designated by a “P” are permitted uses that may be subject to additional regulations imposed by this Code.

(c) A “P” followed by additional regulations indicates that the use is a permitted use as previously described, but is subject to additional regulations found in the following table under the corresponding use.

(d) Land uses designated by a “C” are conditional uses that are subject to review by the Board of Zoning Appeals, and that may be subject to conditional use approval in accordance with the requirements of Chapter 1280, Appeals, Variances, and Conditional Uses.

(e) Land uses that are designated by a “—” or which are not listed in the following table are prohibited within the GC General Commercial or HOC Highway-Oriented Commercial Districts.

#### **Schedule 1254.05**

<b>USE CLASSIFICATIONS</b>	<b>GC</b>	<b>HOC</b>	<b>ADDITIONAL REGULATIONS</b>
<b>USE CLASSIFICATIONS</b>	<b>GC</b>	<b>HOC</b>	<b>ADDITIONAL REGULATIONS</b>
<b>Open Space and Recreational</b>			
Parks and recreation	--	--	
Undeveloped open space and conservation area	--	--	
Motion picture theaters and performing arts establishment	P	--	
Museum, historical or archaeological institution	P	--	
Games arcade	P	--	
Miniature golf establishment	P	--	Indoor only
Health and fitness club	P	--	
<b>Residential</b>			
Single-family dwelling	P	--	If legally existing prior to the adoption of this Code; not subject to limitations on

			improvements to nonconforming uses
Two-family dwelling	--	--	
Multi-family dwelling	C	--	Above the ground floor only
<b>Institutional, Public, and Semi-Public</b>			
Funeral home and services	P	--	
Cremation services	P	--	
Professional, business, civil, social, labor, political and fraternal organizations	P	--	
Parking facility	C	--	
<b>Health and Human Services</b>			
Medical offices and outpatient care services - 1 to 2 physicians on site	P	--	
USE CLASSIFICATIONS	GC	HOC	ADDITIONAL REGULATIONS
USE CLASSIFICATIONS	GC	HOC	ADDITIONAL REGULATIONS
<b>Health and Human Services</b>			
Outpatient care services and clinics - 3 or more physicians on site	P	--	
Medical and diagnostic laboratories	P	P	
Blood and organ banks	P	--	
Hospitals	P	--	
Social service agency	P	--	
<b>Commercial</b>			
<b>Retail Sales or Services</b>			
Hotels and motels	--	P	
Automobile and recreational vehicle repair	C	--	
Business services	P	C	If smaller than 4,000 s.f.; anything above 4,000 s.f. is considered large-scale printing production
Health and fitness facility	P	C	
Fuel stations	P	--	

Car wash	C	--	
Automobile holding facility	--	--	
Furniture and interior sales and services	P	--	
Hardware stores	P	--	
Lawn and garden supplies, greenhouses, and nurseries	P	--	
Lumber yard and building materials	C	--	
Animal hospital, veterinary clinics, and kennels	C	--	
Laundromats and dry cleaners	C	--	
Personal services	P	--	
Personal instruction services	P	--	
Drive-through in conjunction with a pharmacy	C	--	
USE CLASSIFICATIONS	GC	HOC	ADDITIONAL REGULATIONS
USE CLASSIFICATIONS	GC	HOC	ADDITIONAL REGULATIONS
<b>Finance and Insurance</b>			
Banks	P	--	
Drive-through in conjunction with a bank	C	--	
<b>Food Services</b>			
Restaurant - full-service	P	P	Outdoor dining is conditionally permitted as accessory - see Chapter 1270
Restaurant - limited service, fast-food or cafeteria	P	P	
Drinking establishment	P	P	
Mobile food service	P	P	
Catering service - kitchen	P	--	
Drive-through in conjunction with a restaurant	C	--	
<b>Offices</b>			
Professional and administrative offices	P	P	
Research and development facility	P	P	

(f) A lot occupied by a structure containing a dwelling unit legally established prior to the adoption of this Code shall not be occupied by any other principle uses permitted herein or by any accessory uses except those that are customarily incidental to a residential dwelling use.

(Ord. 2012-20, passed 4-17-2012)

### **§ 1254.07 SIMILAR USE DETERMINATIONS.**

Commercial uses not listed specifically in Schedule 1255.05 may be permitted if approved by Village Council pursuant to Chapter 1276, Similar Use Determinations and are in conformance with all other applicable regulations of this Code.

(Ord. 2012-20, passed 4-17-2012)

### **§ 1254.09 YARD REQUIREMENTS.**

The lot, yard, and building requirements applicable to zoning lots in Commercial Districts are set forth in the following Table.

<b>Area and Height Requirements for the GC and HOC Commercial Districts</b>	<b>GC</b>	<b>GC When Abutting a Residential District</b>	<b>HOC</b>	<b>HOC When Abutting a Residential District</b>
<b>Area and Height Requirements for the GC and HOC Commercial Districts</b>	<b>GC</b>	<b>GC When Abutting a Residential District</b>	<b>HOC</b>	<b>HOC When Abutting a Residential District</b>
Maximum Height	65	65	65	65
Minimum Lot Area	none	none	3/4 acre	3/4 acre
Minimum Lot Width at Setback Line	none	none	none	none
Minimum Setbacks				
Front and corner side	none	none	50 <sup>^</sup>	50 <sup>^</sup>
Side	none	20	15	20
Rear	15	20	50	50 <sup>^^</sup>
<b>NOTES:</b> <sup>^</sup> If parking is not located in the front or corner side yard, the setback may be reduced by 25 feet in the front or corner-side yard in which the parking is not located. <sup>^^</sup> If adjacent to a Residential District, at least 25 feet of that 50 feet must be landscape buffer pursuant to Chapter 1266 Landscaping.				

(Ord. 2012-20, passed 4-17-2012)

### **§ 1254.11 SUPPLEMENTARY USE REGULATIONS.**

(a) *Enclosed buildings and permanent outdoor storage and activities.*

(1) In the GC General Commercial District, all business, service, and permanent display and storage operations shall be conducted, and all materials used in their operations shall be contained, wholly within enclosed buildings unless a conditional use permit is obtained pursuant to the requirements of Chapter 1280, Appeals, Variances, and Conditional Uses.

(2) In the HOC Highway-Oriented Commercial District, all operations shall be conducted wholly within enclosed buildings, except where otherwise provided in this Code.

(b) *Landscaping and buffer yards.*

(1) All portions of a lot which are not improved shall be landscaped or maintained in an orderly, natural state.

(2) In addition to the yard requirements in § 1254.09, a screen of deciduous and evergreen trees and shrubs sufficient to create a year-round visual barrier shall be planted and maintained between any development permitted in any Commercial District and any adjoining Residence District in accordance with the Commercial/Residential buffer requirements established in Chapter 1266, Landscaping.

(3) All other requirements of Chapter 1266 pertaining to screening and buffering must also be met.

(4) All requirements contained in subdivisions (1), (2), and (3) hereof must be fully complied with before a certificate of occupancy is issued by the Code Enforcement Officer.

(c) *Mechanical equipment.* All ground level and roof top mechanical equipment must be fully screened from view from all residential districts by a parapet wall or other screening structure constructed of the same materials as the principal building façade, or adequate landscaping to the height of such equipment.

(d) *Refuse control.* Refuse containers must be covered and shall be stored within completely enclosed buildings or placed in corrals providing screening from public streets and adjoining lots.

(Ord. 2012-20, passed 4-17-2012)