

PART II - CODE OF ORDINANCES  
Chapter 46 - ZONING  
ARTICLE IV. - ZONING DISTRICT REGULATIONS  
DIVISION 6. C-1 NEIGHBORHOOD SHOPPING DISTRICT

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*DIVISION 6. C-1 NEIGHBORHOOD SHOPPING DISTRICT*

**Sec. 46-361. General description.**

The C-1 Neighborhood Shopping District, a commercial district, is for the conduct of retail trade and personal service enterprises to meet the regular needs and for the convenience of the people of adjacent residential areas. Because these shops and stores may be an integral part of the neighborhood closely associated with residential, religious, recreational and educational uses, more restrictive requirements for light, air, open space and off-street parking are made than are provided in other commercial districts.

(Code 1990, ch. 11, § 2(C)(6)(a))

**Sec. 46-362. Uses permitted.**

- (a) Property and building in a C-1 Neighborhood Shopping District shall be used only for the following purposes: Retail stores and shops which do not exceed 5,000 square feet of gross floor area and which supply the regular and customary needs of the residents of the neighborhood and which are primarily for their convenience, as follows:
- (1) Antique shop.
  - (2) Appliance shop.
  - (3) Arts school, gallery or museum.
  - (4) Artists materials, supply studio.
  - (5) Automobile parking lot.
  - (6) Baby shop.
  - (7) Bakery goods store.
  - (8) Bank.
  - (9) Barbershop.
  - (10) Beauty shop.
  - (11) Book or stationery store.
  - (12) Camera shop.
  - (13) Candy store.
  - (14) Catering establishment.
  - (15) Cleaning, pressing, laundry collection agency.
  - (16) Curio or gift shop.
  - (17) Drug store or fountain.
  - (18) Dry goods store.
  - (19) Dairy products or ice cream store.
  - (20) Delicatessen.
  - (21) Dress shop.
  - (22) Florist shop, greenhouse, nursery.
  - (23) Furniture store.
  - (24) Grocery store or supermarket.
  - (25) Hardware store.
  - (26) Jewelry or notion store.
  - (27) Lodge hall.
  - (28) Meat market.
  - (29) Medical facility.

- (30) Messenger or telegraph service.
  - (31) Musical instrument sales.
  - (32) Newspaper or magazine sales.
  - (33) Office business.
  - (34) Optometrists sales and service.
  - (35) Photographer studio.
  - (36) Pharmacy.
  - (37) Radio and television sales and service.
  - (38) Restaurant.
  - (39) Self-service laundry or dry cleaning.
  - (40) Sewing machine sales, instruction.
  - (41) Sporting goods sales.
  - (42) Shoe repair shop.
  - (43) Tailor shop.
  - (44) Toy store.
  - (45) Variety store.
- (b) Accessory buildings and uses customarily incidental to the uses set forth in this section.
- (c) A building used for any of the previously listed uses may not have more than 40 percent of its floor area devoted to purposes incidental to the primary use. No material or goods offered for sale or stored in connection with the uses previously listed shall be displayed or stored outside of a building.

(Code 1990, ch. 11, § 2(C)(6)(b); Ord. No. 2023-03-07-06, 3-7-2023)

**Sec. 46-363. Area regulations.**

The following requirements shall apply to all uses permitted in this district:

- (1) *Front yard.* All buildings shall set back from the street right-of-way line to provide a front yard having not less than 25 feet in depth.
- (2) *Side yard.* On the side of a lot adjoining a dwelling district there shall be a side yard of not less than ten feet. There shall be a side yard setback from an intersecting street of not less than 25 feet.
- (3) *Rear yard.* The rear of a lot adjoining a dwelling district there shall be a rear yard of not less than ten feet, same as the requirements for a side yard.

(Code 1990, ch. 11, § 2(C)(6)(c))

**Sec. 46-364. Height requirements.**

In the C-1 Neighborhood Shopping District no building shall exceed 50 feet in height.

(Code 1990, ch. 11, § 2(C)(6)(d))

**Sec. 46-365. Masonry requirements within a locally designated historic district.**

In the C-1 Neighborhood Shopping District, when property is located within a locally designated historic district, all buildings shall have all exterior walls constructed using a masonry material covering at least 80 percent of said walls, exclusive of all windows, doors, roofs, glass construction materials or sidewalk and walkway covers.

(Code 1990, ch. 11, § 2(C)(6)(e); Ord. No. 2023-03-07-06, 3-7-2023)

**Secs. 46-366—46-388. Reserved.**

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*DIVISION 7. C-2 GENERAL COMMERCIAL DISTRICT*

**Sec. 46-389. General description.**

The C-2 General Commercial District is intended for the conduct of personal and business services and the general retail business of the community. Persons living in the community and in the surrounding trade territory require direct and frequent access. Traffic generated by the uses will be primarily passenger vehicles and only those trucks and commercial vehicles required for stocking and delivery of retail goods.

(Code 1990, ch. 11, § 2(C)(7)(a); Ord. No. 96-03-19-09, 3-19-1996; Ord. No. 97-12-02-31, 12-2-1997; Ord. No. 2001-09-11-21, 9-11-2001; Ord. No. 98-11-03-54, 11-3-1998; Ord. No. 2001-04-03-10, 4-3-2001; Ord. No. 2002-02-05-06, 2-5-2002; Ord. No. 2011-07-05-37, §§ I—XXV, 7-5-2011)

**Sec. 46-390. Uses permitted.**

(a) Property and buildings in a C-2 General Commercial District shall be used only for the following purposes:

- (1) Any use permitted in a C-1 Neighborhood Shopping District.
- (2) Amusement enterprises.
- (3) Advertising signs or structures.
- (4) Ambulance service, office or garage.
- (5) Automobile retail gasoline service station.
- (6) Bakery.
- (7) Bathhouse.
- (8) Boat sales.
- (9) Billiard hall.
- (10) Bus terminal.
- (11) Cleaning plant, commercial laundry or dry cleaning.
- (12) Clothing or apparel store.
- (13) Commercial school or hall.
- (14) Cafe.
- (15) Department store.
- (16) Hotel.
- (17) Feed and fuel store.
- (18) Frozen food locker.
- (19) Furniture repair and upholstery.
- (20) Funeral parlor or mortuary.
- (21) Golf course, miniature or practice range.
- (22) Heating, ventilating or plumbing supplies, sales and service.
- (23) Interior decorating store.
- (24) Ice storage locker plant, or storage house for food.
- (25) Key shop.
- (26) Laboratories, testing and experimental.
- (27) Laundry.
- (28) Leather goods shop.
- (29) Museums.
- (30) Novelty club.
- (31) Novelty shop.

- (32) Nursery or garden supply store.
  - (33) Outdoor advertising signs.
  - (34) Pawn shop.
  - (35) Pet shop.
  - (36) Printing plant.
  - (37) Recreation center.
  - (38) Research laboratories.
  - (39) Restaurant.
  - (40) Sign painting shop.
  - (41) Hospital for small animals.
  - (42) Sporting goods store.
  - (43) Stocks and bonds broker.
  - (44) Storage warehouse.
  - (45) Sale of beer for off-premises consumption.
  - (46) Theater.
  - (47) Toy store.
  - (48) Travel store.
  - (49) Travel trailer park.
  - (50) Used automobile sales.
  - (51) Wholesale distributing center.
  - (52) Buildings, structures, and uses accessory and customarily incidental to any of the uses set forth in this subsection (a), provided that there shall be no manufacture, processing, or compounding of products other than such as are customarily incidental and essential to retail establishments.
  - (53) Any other store or shop for retail trade or for rendering personal, professional or business service which does not produce more noise, odor, dust, vibration or traffic than those listed in this subsection (a).
- (b) No article or material stored or offered for sale in connection with uses permitted under this section shall be stored or displayed outside of a building unless it is so screened by permanent ornamental walls, fences or planting that it cannot be seen from adjoining streets or lots when viewed by a person standing on ground level; provided, however, that no screening in excess of seven feet in height shall be required.
- (c) A building used for any of the previously listed uses may not have more than 40 percent of its floor area devoted to purposes incidental to the primary use.

(Code 1990, ch. 11, § 2(C)(7)(b); Ord. No. 96-03-19-09, 3-19-1996; Ord. No. 97-12-02-31, 12-2-1997; Ord. No. 2001-09-11-21, 9-11-2001; Ord. No. 98-11-03-54, 11-3-1998; Ord. No. 2001-04-03-10, 4-3-2001; Ord. No. 2002-02-05-06, 2-5-2002; Ord. No. 2011-07-05-37, §§ I—XXV, 7-5-2011; Ord. No. 2023-03-07-06, 3-7-2023)

## **Sec. 46-391. Area regulations.**

The area regulations for dwellings in the C-2 General Commercial District shall be the same as the requirements of the A-Multiple-Family Residential District. The following requirements shall apply to all other uses permitted in the district:

- (1) *Front, side and rear yards.* There are no specific front, side or rear yard requirements for uses other than dwellings, except where the property is adjacent to residential property, then the yard requirements shall be the same as in the C-1 Neighborhood Shopping District.
- (2) *Area for off-street parking.* Buildings shall be provided with a yard area adequate to meet the off-street parking requirements set forth in this section.

(Code 1990, ch. 11, § 2(C)(7)(c); Ord. No. 96-03-19-09, 3-19-1996; Ord. No. 97-12-02-31, 12-2-1997; Ord. No. 2001-09-11-21, 9-11-2001; Ord. No. 98-11-03-54, 11-3-1998; Ord. No. 2001-04-03-10, 4-3-2001; Ord. No. 2002-02-05-06, 2-5-2002; Ord. No. 2011-07-05-37, §§ I—XXV, 7-5-2011)

**Sec. 46-392. Height regulations.**

No building in the C-2 General Commercial District shall exceed 50 feet in height.

(Code 1990, ch. 11, § 2(C)(7)(d); Ord. No. 96-03-19-09, 3-19-1996; Ord. No. 97-12-02-31, 12-2-1997; Ord. No. 2001-09-11-21, 9-11-2001; Ord. No. 98-11-03-54, 11-3-1998; Ord. No. 2001-04-03-10, 4-3-2001; Ord. No. 2002-02-05-06, 2-5-2002; Ord. No. 2011-07-05-37, §§ I—XXV, 7-5-2011)

**Sec. 46-393. Masonry requirements within a locally designated historic district.**

All buildings in the C-2 General Commercial District, on property located in a locally designated historic district, shall have all exterior walls constructed using a masonry material covering at least 80 percent of said walls, exclusive of all windows, doors, roofs, glass construction materials or sidewalk and walkway covers.

(Code 1990, ch. 11, § 2(C)(7)(e); Ord. No. 96-03-19-09, 3-19-1996; Ord. No. 97-12-02-31, 12-2-1997; Ord. No. 2001-09-11-21, 9-11-2001; Ord. No. 98-11-03-54, 11-3-1998; Ord. No. 2001-04-03-10, 4-3-2001; Ord. No. 2002-02-05-06, 2-5-2002; Ord. No. 2011-07-05-37, §§ I—XXV, 7-5-2011; Ord. No. 2023-03-07-06, 3-7-2023)

**Secs. 46-394—46-414. Reserved.**

Ord. No. 2023-03-07-06, adopted March 7, 2023, repealed § 46-267, which pertained to downtown overlay and derived from Ord. No. 2014-09-02-08, adopted September 2, 2014, and Ord. No. 2017-06-06-07, adopted June 6, 2017.

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*DIVISION 8. C-3 HIGHWAY COMMERCIAL DISTRICT*

**Sec. 46-415. General description.**

The C-3 Highway Commercial District is intended for the conduct of personal business services and the general retail businesses of the community having space and land requirements not commonly available or compatible in central business districts.

(Code 1990, ch. 11, § 2(C)(8)(a); Ord. No. 96-03-19-09, 3-19-1996; Ord. No. 97-12-02-31, 12-2-1997; Ord. No. 2001-09-11-21, 9-11-2001; Ord. No. 98-11-03-54, 11-3-1998; Ord. No. 2001-04-03-10, 4-3-2001; Ord. No. 2002-02-05-06, 2-5-2002; Ord. No. 2011-07-05-37, §§ I—XXV, 7-5-2011)

**Sec. 46-416. Uses permitted.**

- (a) Property and buildings in a C-3 Highway Commercial District shall be used only for the following purposes:
- (1) Any use permitted in a C-2 General Commercial District.
  - (2) Boat sales and service.
  - (3) Farm implement and machinery, new and used, sales.
  - (4) Metal and wood fencing, ornamental grillwork and decorative wrought iron work and play equipment sales.
  - (5) Mobile home and travel trailer sales.
  - (6) Monument sales.
  - (7) New and used automobile sales and service.
  - (8) Prefabricated house sales.
  - (9) Trailers for hauling, rental and sales.
  - (10) Motels or tourist courts.
  - (11) Drive-in theater or restaurant.
  - (12) Billboards.
- (b) A building used for any of the previously listed uses may not have more than 40 percent of its floor area devoted to purposes incidental to the primary use.

(Code 1990, ch. 11, § 2(C)(8)(b); Ord. No. 96-03-19-09, 3-19-1996; Ord. No. 97-12-02-31, 12-2-1997; Ord. No. 2001-09-11-21, 9-11-2001; Ord. No. 98-11-03-54, 11-3-1998; Ord. No. 2001-04-03-10, 4-3-2001; Ord. No. 2002-02-05-06, 2-5-2002; Ord. No. 2011-07-05-37, §§ I—XXV, 7-5-2011; Ord. No. 2023-03-07-06, 3-7-2023)

### **Sec. 46-417. Area regulations.**

The area regulations for dwellings in the C-3 Highway Commercial District shall be the same as the requirements of the A-Multiple-Family Residential District. The following requirements shall apply to all other uses permitted in this district:

- (1) *Front yard.* All buildings shall be setback from the street right-of-way line to provide a front yard having not less than 25 feet in depth.
- (2) *Side yard.* On the side of a lot adjoining a dwelling district there shall be a side yard of not less than ten feet. There shall be a side yard setback from an intersecting street of not less than 25 feet.
- (3) *Rear yard.* On the rear yard of a lot adjoining a dwelling district there shall be a rear yard of not less than ten feet. There shall be a side yard setback from an intersecting street of not less than 25 feet. In all other cases requirement will be the same as side yards.

(Code 1990, ch. 11, § 2(C)(8)(c); Ord. No. 96-03-19-09, 3-19-1996; Ord. No. 97-12-02-31, 12-2-1997; Ord. No. 2001-09-11-21, 9-11-2001; Ord. No. 98-11-03-54, 11-3-1998; Ord. No. 2001-04-03-10, 4-3-2001; Ord. No. 2002-02-05-06, 2-5-2002; Ord. No. 2011-07-05-37, §§ I—XXV, 7-5-2011)

**Sec. 46-418. Height regulations.**

No building in the C-3 Highway Commercial District shall exceed 50 feet in height.

(Code 1990, ch. 11, § 2(C)(8)(d); Ord. No. 96-03-19-09, 3-19-1996; Ord. No. 97-12-02-31, 12-2-1997; Ord. No. 2001-09-11-21, 9-11-2001; Ord. No. 98-11-03-54, 11-3-1998; Ord. No. 2001-04-03-10, 4-3-2001; Ord. No. 2002-02-05-06, 2-5-2002; Ord. No. 2011-07-05-37, §§ I—XXV, 7-5-2011)

**Sec. 46-419. Masonry requirements in a locally designated historic district.**

All buildings, located in a locally designated historic district, in the C-3 Highway Commercial District shall have all exterior walls constructed using a masonry material covering at least 80 percent of said walls, exclusive of all windows, doors, roofs, glass construction materials or sidewalk and walkway covers.

(Code 1990, ch. 11, § 2(C)(8)(e); Ord. No. 96-03-19-09, 3-19-1996; Ord. No. 97-12-02-31, 12-2-1997; Ord. No. 2001-09-11-21, 9-11-2001; Ord. No. 98-11-03-54, 11-3-1998; Ord. No. 2001-04-03-10, 4-3-2001; Ord. No. 2002-02-05-06, 2-5-2002; Ord. No. 2011-07-05-37, §§ I—XXV, 7-5-2011; Ord. No. 2023-03-07-06, 3-7-2023)

**Sec. 46-420. Special parking and circulation requirements.**

All parking areas and drives in the C-3 Highway Commercial District shall be designed so that adequate space is provided on the premises for the turning around of motor vehicles, preventing the need for vehicles to back onto the street or highway.

(Code 1990, ch. 11, § 2(C)(8)(f); Ord. No. 96-03-19-09, 3-19-1996; Ord. No. 97-12-02-31, 12-2-1997; Ord. No. 2001-09-11-21, 9-11-2001; Ord. No. 98-11-03-54, 11-3-1998; Ord. No. 2001-04-03-10, 4-3-2001; Ord. No. 2002-02-05-06, 2-5-2002; Ord. No. 2011-07-05-37, §§ I—XXV, 7-5-2011)

**Secs. 46-421—46-438. Reserved.**