

§ 157.077 C - COMMERCIAL DISTRICT.

(A) *Intent.* The intent of the C Commercial District is to promote the following:

- (1) Provide for a full range of business uses that may not be compatible with residential and commercial uses in the CBD Central Business District;
- (2) Minimize the hazards of highway commercial activity;
- (3) Encourage the clustering of similar retail and service establishments;
- (4) Meet minimum standards of health and safety by protecting against hazards and nuisances;
and
- (5) Encourage stable retail and service development.

(B) *Permitted uses.* In a C Commercial District, no building or land shall be used or erected, except for one or more of the following specified uses, unless otherwise provided in this chapter:

(1) Uses permitted in the CBD District, including § 157.075(D), excluding residential uses and bed and breakfast inns;

(2) Athletic clubs and health spas;

(3) Automobile supply, parts, and accessories;

(4) Medical, dental, and veterinary clinics;

(5) Laundromats and dry-cleaners;

(6) Mortuaries and funeral homes subject to the following restrictions.

1. Sufficient off-street automobile parking and assembly area shall be provided for vehicles to be used in funeral possessions. The assembly area shall be provided on addition to otherwise required off-street parking area.

2. Loading and unloading areas used by ambulances, hearses, or other such service vehicles shall be obscured from view with an opaque fence or wall not less than six feet in height.

(7) Restaurants, excluding drive-in or drive-through service;

(8) Business schools and colleges operated for profit;

(9) Accessory essential public services and structures, excluding buildings and storage yards; or

(10) Accessory uses, buildings, and structures customarily incident to the above uses as defined in § 157.008 and meeting the standards of §§ 157.035 through 157.039;

(11) Marijuana retailer/provisioning center, see requirements in § 157.130(B)(32);

(12) Safety compliance facility, see requirements in § 157.130(B)(32);

(13) Marihuana grower GFA of under 35,000 square feet, see requirements in § 157.130(B)(32);

or

(14) Secure transporter, see requirements in § 157.130(B)(32).

(C) *Special land uses.* The following uses may be permitted upon review and approval in accordance with the general standards for all special land uses in § 157.122 and the standards for the specific use in § 157.130:

(1) Outdoor displays, bazaars, carnivals, and civic events of a temporary nature;

(2) Essential public service buildings and storage yards. In permitting such uses, the Planning Commission and/or Zoning Commission, as required, may vary the area, height, bulk and placement regulations as reasonably necessary for public convenience and service, and reasonably compatible with the intent and character of the district;

(3) Public parking garages;

(4) New and used car lots, trailer sales, and rental lots;

(5) Outdoor retail sales of a limited and specified duration;

(6) Gasoline stations;

(7) Drive-in and drive-through services;

(8) Lumber yards, subject to the following:

(a) The use is primarily for the storage and sale of retail goods; and

(b) No manufacturing, processing, planning, or milling operations are permitted.

(9) Automotive repair and service facilities, including minor and major maintenance and repair;

(10) Shopping centers over 60,000 square feet;

(11) Commercial outdoor recreation establishments (excluding golf related uses);

(12) Golf driving ranges and miniature golf courses;

(13) Automobile towing;

(14) Medical marijuana dispensary;

(15) Uses of the same nature or class as the majority of the uses listed in this District as either a permitted use or a special land use, but not listed elsewhere in this chapter, as determined by the Planning Commission and/or Zoning Commission, as required, following a public hearing. The determination shall be based on the standards of § 157.032. Any use not listed and not found to be similar is prohibited in this zoning district; and

(16) Accessory uses, buildings, and structures customarily incidental to an approved special land use permit; however, a separate special land use permit shall be required for any use or storage of hazardous materials and any fuel storage tanks.

(D) *Required conditions.*

(1) All business establishments shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail on the premises where produced.

(2) All business, servicing, or processing, except for off-street parking or loading, and those open air uses indicated subject to a special land use permit shall be conducted within completely enclosed buildings.

(3) No manufacturing processing or treatment of products other than that which is clearly incidental to the retail business conducted on the premises, shall be permitted.

(4) Where a commercial district is directly contiguous to property within a residential zoning district, a buffer yard, vertical screen, or berm shall be provided along the side and/or rear yard meeting the conditions of § 157.168(B) or (C).

(5) Outside storage or work areas, or the storage of any commercial vehicles are not permitted in this District.

(E) *Additional site development standards.* All permitted and special land uses shall comply with all applicable provisions of this chapter, including those listed below as a reference guide:

(1) Section 157.008, “definitions”;

(2) Sections 157.025 through 157.057, “General Regulations” for standards on a variety of items such as: calculation of buildable lot; regulations for single-family dwellings; illegal dwellings; accessory uses, temporary buildings, and structures; parking and repair of vehicles; swimming pools; fences; reception antennas; limitations on clearing and grading site; and the like;

(3) Section 157.009, “schedule of regulations” (minimum lot area, lot width, setbacks, maximum height, and the like);

(4) Sections 157.145 through 157.151, “Parking and Loading”;

(5) Sections 157.165 through 157.176, “Landscaping Standards”;

(6) Sections 157.190 through 157.204, “Site Plan Review and Approval”;

(7) Ch. 153, Subdivision Control; and

(8) Ch. 154, Signs.

(Ord. 259, passed 10-24-1995; Ord. 407, passed 3-13-2011; Ord. passed 2-1-2012; Ord. 469, passed 2-8-2022) Penalty, see § 157.999