

Section 405.180. "C-1" Local Commercial District. [Ord. No. 516 §8(8.01 — 8.04), 6-21-2001; Ord. No. 542 §1(f,g), 12-20-2001; Ord. No. 1021 §5, 4-19-2006; Ord. No. 1327 §3, 7-16-2008; Ord. No. 1341 §16, 8-20-2008; Ord. No. 1709 §2, 12-18-2013]

A. *Purpose.* This district is composed of those areas of the City where the principal use is and ought to be local retail, service and restricted repair business activities which serve surrounding residential neighborhoods. This district is located within the City to permit the development of these business activities and to protect adjacent areas against the encroachment of incompatible uses and to lessen the congestion on public streets. To these ends, certain uses which would function more effectively in other districts and would interfere with the operation of these business activities and the purpose of this district have been excluded.

B. *Permitted Uses.*

1. Business office.
2. Chiropractors and optometrists.
3. Educational facilities.
4. Engineering, architectural and design services.

C. *Conditional Uses.*

1. Accessory dwelling unit, provided that no more than one (1) accessory dwelling unit shall be permitted per lot.
2. Automobile service station.
3. General service and repair establishments, including dyeing or cleaning works or laundry, plumbing and heating, printing, painting, upholstering and repairing.
4. Self-storage or mini-warehouses.
5. Automobile parking lot or storage or parking garage.
6. Bank or financial institution.
7. Dressmaking, tailoring, shoe repairing, repair of household appliances and bicycles, catering and bakery with sale of bakery products on the premises, interior decorations and other uses of a similar character.
8. Mortuary.
9. Nursery sales office, building or greenhouse.
10. Personal service uses, including barbershop, beauty parlor, photographic or art studio, messenger, taxicab, reducing salon, newspaper or telegraphic branch station, laundry or dry cleaning, pet grooming, launderette or self-service laundry and other uses of a similar character.

11. Private school, including dancing.
12. Retail store, in connection with which there shall be no slaughtering of animals or poultry, no commercial fish cleaning and processing on the premises, including antique, art, book, candy, camera, cigar, clothing, department, dress, drug, dry goods, furniture, gift, glass, hardware, jewelry, leather, liquor, luggage, music, notions, novelty, pastry, pet, pottery, radio, sporting goods, stationery and toy shops.
13. Theater, not including drive-in theater.
14. Restaurants, cafeterias, cocktail lounges, bars and taverns, ice cream parlors and tearooms not including drive-in establishments.
15. Accessory uses customarily incident to any conditional uses in this Section.
16. Any permissive or conditional use in the "R" Districts, except single-family dwellings, two-family dwellings and multiple-family dwellings.
17. Wireless support structures and wireless facilities. **[Ord. No. 1732 §2, 8-20-2014]**
18. Health service providers; health care providers; health and wellness services; medical services; medical offices, clinics and laboratories; and hospitals on not less than five (5) acres.

D. *Regulations And Performance Standards.*

1. *Lot area:* one (1) acre unless abutting existing commercial or industrial zone in which case the minimum combined district shall be at least one (1) acre.
2. *Lot width.* The minimum lot width for a structure shall be seventy (70) feet at the building line.
3. *Lot depth:* none.
4. *Lot coverage:* none.
5. *Yard requirements.*
 - a. *Front yard:* not less than twenty-five (25) feet.
 - b. *Side yard:* not less than ten (10) feet.
 - c. *Rear yard:* not less than fifteen (15) feet.
6. *Height requirements.* No building or structure shall exceed the building height of forty-five (45) feet unless the Planning and Zoning Commission and Board of Aldermen make a determination that a building height in excess of forty-five (45) feet would be warranted based upon a finding that such a use of property would meet the requirements for a conditional use under Sections 405.455 and 405.475 of this Code.

7. *Off-street parking.* Two (2) off-street parking spaces shall be provided for each accessory dwelling unit. (See Article XI for additional parking requirements.)
8. *Landscape requirements.* See Article IX.
9. *Site plan review.* See Article XIII.
10. *Performance standards.* See Article XII.
11. *Signs.* See Article X.

Section 405.190. "C-2" General Commercial District. [Ord. No. 516 §9(9.01 — 9.04), 6-21-2001; Ord. No. 542 §1(i), 12-20-2001; Ord. No. 1021 §6, 4-19-2006; Ord. No. 1327 §4, 7-16-2008; Ord. No. 1341 §17, 8-20-2008; Ord. No. 1709 §3, 12-18-2013]

- A. *Purpose.* This district is composed of those areas of the City where the principal use is and ought to be general retail, service and repair business activities that serve the entire City. This district is located within the City to permit the development of these business activities and to protect adjacent areas against the encroachment of incompatible uses and to lessen the congestion on public streets. To these ends, certain uses which would function more effectively in other districts and would interfere with the operation of these business activities and the purpose of this district have been excluded.
- B. *Permitted Uses.*
 1. Business office.
 2. Chiropractors and optometrists.
 3. Churches, synagogue, temple.
 4. Bank or financial institution.
 5. Educational facilities.
 6. Engineering, architectural and design services.
 7. Public building or facility erected by a governmental agency.
 8. Private schools, including dancing.
- C. *Conditional Uses.*
 1. Accessory dwelling unit, provided that no more than one (1) accessory dwelling unit shall be permitted per lot.
 2. Amusement park or racetrack.
 3. Bakery, bottling works and food packaging.
 4. Drive-in establishment, including restaurant and theater, provided all parking

areas and drives are paved with a permanent surface.

5. Lumberyard and building materials.
6. Wholesale establishment or warehouse in a completely enclosed building.
7. Truck terminal.
8. Pinball operations.
9. Automobile, boat, truck or trailer sales or storage, new or used.
10. Automobile service station (automobile repair, provided no dismantled vehicles or parts are displayed or stored outside the building).
11. Commercial recreational uses, including bowling alley, billiard parlor, dance halls, shooting galleries, skating rinks, provided all buildings are two hundred (200) feet from an "R" district.
12. Display and sales room.
13. Farm implements, sale and repair.
14. Farm store or feed store, including accessory storage of liquid or solid fertilizer.
15. Frozen food locker.
16. Laboratory, research, experimental or testing.
17. Motel or motor hotel.
18. Public garage or parking lot.
19. Rental agency.
20. Veterinarian, animal hospital, kennel or dog pound, if within an enclosed building.
21. Dyeing, cleaning, laundry, printing, painting, plumbing, tinsmithing, tire sales and service, upholstering and other general service or repair establishment of similar character. Not more than ten percent (10%) of the lot or tract occupied by such establishment shall be used for the open and unenclosed storage of materials or equipment.
22. Self-storage or mini-warehouses.
23. Accessory uses customarily incident to any conditional uses in this Section.
24. Any permissive or conditional use in the "C-1" District.
25. Wireless support structures and wireless facilities. **[Ord. No. 1732 §3, 8-20-2014]**

26. Medical marijuana dispensary facility. [Ord. No. 1975, 9-18-2019]

D. *Regulations And Performance Standards.*

1. *Lot area*: five (5) acres unless abutting existing commercial or industrial zone in which case the minimum combined district shall be at least one (1) acre.
2. *Lot width*: The minimum lot width for a structure shall be one hundred fifty (150) feet at the building line.
3. *Lot depth*: none.
4. *Lot coverage*: none.
5. *Yard requirements.*
 - a. *Front yard*: not less than twenty-five (25) feet, excluding all signs, pump islands and canopies of gasoline service stations.
 - b. *Side yard*: not less than ten (10) feet. A side yard of not less than twenty-five (25) feet shall be provided on the street side of a corner lot.
 - c. *Rear yard*: not less than fifteen (15) feet.
6. *Height requirements.* No building or structure shall exceed the building height of forty-five (45) feet unless the Planning and Zoning Commission and the Board of Aldermen make a determination that a building height in excess of forty-five (45) feet would be warranted based upon a finding that such a use of property would meet the requirements for a conditional use under Sections 405.455 and 405.475 of this Code.
7. *Off-street parking.* Two (2) off-street parking spaces shall be provided for each accessory dwelling unit. (See Article XI for additional parking requirements.)
8. *Landscape requirements.* See Article IX.
9. *Site plan review.* See Article XIII.
10. *Performance standards.* See Article XII.
11. *Signs.* See Article X.

Section 405.195. "C-3" Retail Commercial District. [Ord. No. 1823, 11-16-2016; Ord. No. 1885, 10-18-2017]

- A. *Purpose.* This district is composed of those areas of the City where the principal use is and ought to be concentrated retail business activities that serve the entire City and the surrounding region. Due to size and scale of such commercial developments, development under this Section will be expected to closely follow the City's Comprehensive Plan to insure a well-designed, attractive and integrated development. To these ends, certain uses which would function more effectively in other districts and would interfere with the operation of these business activities and

the purpose of this district have been excluded.

B. Permitted Uses.

1. Antique stores.
2. Appliances (including parts and equipment), retail.
3. Artist galleries.
4. Bicycles (including parts and equipment), retail and rental.
5. Books, magazines, newspapers and similar printed materials, retail.
6. Camera and photographic equipment and supplies, retail.
7. Carpet and floor covering stores.
8. China, glassware, and metalware, retail.
9. Chiropractors.
10. Clothing and apparel, retail.
11. Convenience stores (without fuel sales).
12. Curtains, drapery, and upholstery, retail.
13. Delicatessen without drive-through windows.
14. Department and home improvement stores.
15. Discount and variety stores.
16. Drug stores and pharmacies.
17. Electronic apparatus and components, retail.
18. Electronic entertainment and communication products (including parts and equipment), retail.
19. Florists.
20. Furniture and home/office furnishings, retail.
21. Gift, novelty, and souvenir stores.
22. Grocery stores and supermarkets.
23. Hardware stores.
24. Hobby stores.
25. Ice cream and frozen desserts, retail.
26. Jewelry, watches, and clocks (including repair), retail.

27. Musical instruments (including parts and supplies), retail.
28. Optometrists, opticians.
29. Religious places of worship (churches, synagogue, temple, mosque, etc.).
30. Restaurants, coffee shops, bakeries and similar dining establishments without drive-through windows, including a restaurant bar, as that term is defined in Section 600.010 of this Code.
31. Sporting goods stores.
32. Theaters, motion picture (indoor).
33. Theaters, performing arts (indoor).
34. Toy stores.
35. Personal service uses, including barbershop, photographic or art studio, etc.

C. Conditional Uses. **[Ord. No. 1931, 9-19-2018]**

1. Accessory dwelling units, provided that no more than one (1) accessory dwelling unit shall be permitted per lot.
2. Alcoholic beverages (liquor, beer and wine), retail.
3. Automobile and other motor vehicles, fuel sales (without repair services).
4. Automobile and other motor vehicles, drive-through oil-change facilities.
5. Automobile and other motor vehicles, parts and equipment sales, retail.
6. Automobiles and other passenger vehicles, rental services.
7. Banks, savings and loans, and credit unions with drive-through facilities (does not include check-cashing, payday loans and similar facilities).
8. Banquet hall and party centers.
9. Bars, pubs, nightclubs and taverns.
10. Bowling alleys.
11. Car washes (excluding semi-trailer trucks).
12. Commercial recreation not elsewhere listed, provided all buildings are two hundred (200) feet from a "R" District.
13. Convenience stores (with fuel sales).
14. Drive-through facilities (restaurants, pharmacy, grocery, etc.).
15. Electronic entertainment and communication products, repair.

16. Farmers markets.
 17. Farms (roadside stands), retail.
 18. Garden centers, greenhouses (commercial) and nurseries, retail only.
 19. Gun shops and gunsmiths.
 20. Hotels, motels, extended-stay hotels.
 21. Health and fitness clubs.
 22. Microbreweries within restaurants and do-it-yourself beer- and wine-making stores.
 23. Outdoor storage or display in connection with, and accessory to, a permitted retail use on the site. Material, product, inventory, goods and/or equipment not displayed for sale or lease on the site may be permitted in the side and/or rear yard, provided items are screened or enclosed by a masonry wall, sight-proof fence or equivalent landscape hedge not less than six (6) feet in height. Outdoor display of merchandise and goods for lease or sale at retail may be approved without screening subject to any conditions of the conditional use permit.
 24. Pet stores.
 25. Pool and billiard halls.
 26. Secondhand merchandise (including consignment, but not including pawnshops), retail.
 27. Sign manufacturing conducted in conjunction with retail sales of signs on the premises. Outdoor storage of any material, product, inventory, goods and/or equipment is prohibited.
 28. Wholesale establishment or warehouse in a completely enclosed building.
 29. Wireless support structures and wireless facilities.
 30. Accessory uses customarily incident to any conditional uses in this Section.
 31. Veterinarian.
- D. Planned Unit Developments. Notwithstanding any other provision of this Code to the contrary, uses permitted on any property within the "C-3" Retail Commercial District with a planned unit development designation pursuant to Article IV of Chapter 405 of this Code shall be limited to those uses expressly authorized in the ordinance passed by the Board of Aldermen approving the area plan, and any use not expressly permitted in the ordinance approving the area plan shall be prohibited. For any property within the "C-3" Retail Commercial District with such a planned unit development designation, the Board of Aldermen is authorized to permit or permit with conditions any uses described in Subsections (B) and (C) of this

Section, Subsections (B) and (C) of Section 405.180, and Subsections (B) and (C) of Section 405.190 of this Code.

E. Regulations And Performance Standards.

1. Lot width: The minimum lot width for a structure shall be one hundred fifty (150) feet at the building line; provided, however, that the Board of Aldermen may approve a lesser minimum lot width as part of the approval of an area plan pursuant to Article IV of Chapter 405 of this Code.
2. Lot depth: none.
3. Lot coverage: none.
4. Yard requirements.
 - a. Front yard: not less than twenty-five (25) feet, excluding all signs, pump islands and canopies of gasoline service stations.
 - b. Side yard: not less than ten (10) feet. A side yard of not less than twenty-five (25) feet shall be provided on the street side of a corner lot.
 - c. Rear yard: not less than fifteen (15) feet.
 - d. Notwithstanding the foregoing, the Board of Aldermen may approve lesser yard requirements as part of the approval of an area plan pursuant to Article IV of Chapter 405 of this Code.
5. Height Requirements. No building or structure shall exceed the building height of forty-five (45) feet unless the Planning and Zoning Commission and the Board of Aldermen make a determination that a building height in excess of forty-five (45) feet would be warranted based upon a finding that such a use of property would meet the requirements for a conditional use under Sections 405.455 and 405.475 of this Code.
6. Off-Street Parking. Two (2) off-street parking spaces shall be provided for each accessory dwelling unit, and all other off-street parking shall be provided in compliance with the requirements of Article XI for parking requirements; provided, however, that the Board of Aldermen may provide specific off-street parking requirements as part of the approval of an area plan pursuant to Article IV of Chapter 405 of this Code.
7. Landscape Requirements. See Article IX.
8. Site Plan Review. See Article XIII.
9. Performance Standards. See Article XII.
10. Signs. See Article X.