

## CHAPTER 27. Zoning

### PART 8. COMMERCIAL DISTRICTS

#### § 27-801. Use Regulations.

[Ord. 524, 12/31/1991; as amended by Ord. 547, 5/13/1996, § 1; by Ord. 562, 3/8/1999, §§ 1, 2; by Ord. 09-638, 5/12/2009; by Ord. No. 2023-765, 12/12/2023]

A building may be erected or used, and a lot may be used or occupied, for any of the following purposes, and no other:

1. Any use permitted in the R-A Residence District, except that special exception uses and agricultural or farm uses are specifically not permitted.
2. Hotel, tourist, rooming, or boarding house, including not more than six rental rooms unless served by a public sewer system.
3. Retail store; office, agency or studio; bank, personal service shop; craftsmen's shop such as carpenter, cabinet maker, furniture upholstery shop, electric shop, plumbing, gas, steam or hot water fitting shop, paint store, paper hanger, blacksmith, tinsmith, mortuary; dry cleaning agency.
4. Bakery, confectionery, or custom shop for production of articles to be sold at retail on the premises.
5. Public garage, automobile sales agency, parking lot, provided all facilities are located and all services are conducted on the lot.
6. Theater, excluding open-air theater.
7. Private school, hospital, club, lodge.
8. Hand or automatic self-service laundry.
9. Newspaper publishing; job printing establishment.
10. Telephone central office, utility line, electric or gas substation.
11. Towers for communication purposes, provided that the maximum height shall not exceed 110 feet to the highest point above the ground and provided that operations thereof shall not intrude upon or interfere with transmission or reception of radio, telephone, television, microwave equipment or similar signals from or to adjacent or neighboring properties.
12. The following uses when authorized by the Zoning Hearing Board as a special exception in accordance with §§ **27-1408** and **27-1416**:
  - A. Distributing station for milk or other beverages; express, carting, or hauling station.
  - B. Place of amusement, recreation, or assembly other than a theater, when completely enclosed within a building.
  - C. Warehouse for retail store or for the storage of materials produced by industries permitted in I Industrial Districts.

- D. Restaurant, service station, used car lot and used car lot operated in conjunction with an automobile sales agency.
13. Any use of the same general character as any of the above permitted uses provided that no use which is noxious or hazardous shall be permitted except in accordance with § **27-1408**.
  14. Accessory use on the same lot with and customarily incidental to any of the above-permitted uses, and signs when erected and maintained in accordance with the provisions of §§ **27-1601** and **27-1602**.
  15. A single building and the lot upon which it is erected may have a joint residence use and commercial use when authorized as a special exception by the Zoning Hearing Board, subject to the provisions of §§ **27-1408** and **27-1416**.
  16. Hookah bars shall be permitted, provided that the requirements of § **27-1422**, Subsection **2**, are met.

## § 27-802. Area Regulations.

[Ord. 524, 12/31/1991]

1. Lot Area and Width. A lot area of not less than 17,000 square feet per family shall be provided for every building hereafter erected or used in whole or in part as a dwelling, subject to the provisions of § **27-1402**. Each lot used exclusively for dwelling purposes shall have a lot width at the building line of not less than 85 feet. In the case of a commercial or other building no part of which is used as a dwelling, a sufficient lot area shall be provided to assure adequate sewage disposal.
2. Building Area.
  - A. Not more than 70% of the area of any lot may be occupied by buildings, subject to the provisions of Subsection **2B** of this § **27-802**.
  - B. In case of a building used in whole or in part for residence purposes, not more than 35% of the lot area may be occupied by buildings, provided that in the case of a building of which the first story is used principally for business or other nonresidence purposes and no portion of the first story is used for sleeping purposes, the building area shall be computed on the level of the window sills of the second story, subject to the provisions of Subsection **2A** of this § **27-802**.
3. Front Yard. There shall be a front yard on each street on which a lot abuts which shall be not less than 20 feet in depth, provided that the front yard on the long side of a corner lot may be reduced to a depth of not less than 10 feet, subject to the provisions of § **27-1413**.
4. Side Yards.
  - A. For every building used exclusively for residence purposes, the side yard regulations prescribed for R-2 Residence Districts, § **27-502** shall apply.
  - B. Side yards are not required for a building used in whole or in part for commercial or other nondwelling purposes, subject to § **27-502**.
  - C. In the case of a building used partly as a dwelling, each habitable room shall have one or more windows which open directly on a yard of the required width, on a street, or upon a court or other public open space, in accordance with the requirements of Chapter **4**, Building Code, of this Code.
  - D. In any case where side yards are provided, although they are not required by this Subsection **4D**, each such side yard shall be not less than six feet in width. Notwithstanding the provisions of Subsection **4B** of this § **27-802**, where a lot used in whole or in part for commercial or other nondwelling purposes abuts a residence district, a side yard shall be provided which shall be not less than 10 feet in width.

5. Rear Yard. There shall be a rear yard on each lot which shall be not less than 20 feet in width.

## § 27-803. Height Regulations.

[Ord. 524, 12/31/1991]

No building shall exceed 35 feet in height.