

(b) The development of "C-1" commercial district shall apply to subdivided land of record which meets the objectives and requirements of this district, the subdivision of land regulations, and the applicable plat of subdivision stipulations.

**ARTICLE XVI. C-2 COMMERCIAL DISTRICT**

**Sec. 48-16.00. Purpose; intent.**

This district is established to provide for those commercial activities which serve a major segment of the total community population. In addition to a variety of retail goods and services, these centers may typically feature a number of large traffic generators that require access from major thoroughfares. The extent and range of activities permitted are in the moderate to medium intensity range with a ground floor area limitation.

**Sec. 48-16.01. Regulations generally.**

The regulations set forth in this article or set forth elsewhere in this chapter when referred to in this article are the district regulations for the "C-2" commercial district.

**Sec. 48-16.02. Use regulations.**

(a) *Permitted uses:*

- (1) Permitted uses in the "O&I-3" and "C-1" districts; and store, shop, or facility for the conduct of a retail business or service similar in use and nature to the types of activities provided for in less restricted districts.
- (2) Art and school supply stores.
- (3) Automobile accessory stores.
- (4) Bicycle sales and service.
- (5) Blueprinting and photocopying services.
- (6) Business machine sales and service.
- (7) Catering establishments.
- (8) China, ceramic, and glassware stores.
- (9) Commercial, indoor recreational facilities which are used primarily for physical

exercise, recreation and/or health maintenance including fitness centers, spas, suntanning salons, swimming pools, gymnasiums, game courts, locker and training rooms.

- (10) Community centers.
- (11) Crisis center.
- (12) Department stores.
- (13) Electronic and telecommunications equipment, sales and service.
- (14) Furniture, household appliance, and home entertainment stores.
- (15) Furrier shops, including the incidental storage and conditioning of finished furs.
- (16) Hobby and craft shops.
- (17) Hotel, motel and apartment hotel.
- (18) Home decorating and interior improvement stores, including paint, wallpaper, carpet, window dressing, fabrics and glass, sales; and further, including upholstering and making of draperies, slipcovers, and other similar articles, when conducted as part of the retail operations and secondary to the principal use.
- (19) Leather goods and luggage stores.
- (20) Mail order, catalog facility.
- (21) Musical instruments, supplies and equipment store.
- (22) Office supply and equipment store.
- (23) Orthopedic, medical appliance, and prosthesis stores, optician and the sale of eyeglasses: hearing aid evaluations, fitting and sales.
- (24) Pet grooming studios.
- (25) Pet shops.
- (26) Photo finishing lab.
- (27) Post office and postal substations.
- (28) Private class "A" and "B" clubs as licensed by the state alcohol beverage control board.
- (29) Repair and servicing of any article the sale of which is a permitted use in the district.

- (30) Restaurants.
- (31) Theater; nonadult.
- (32) Grave monument and marker sales/display; provided that there is no engraving, stone cutting, or assembly in conjunction therewith.

(b) *Provisional uses:*

- (1) Automobile rental establishments subject to the requirements of article XXVI.
- (2) Automobile service stations, type[s] I and II subject to the requirements of article XXVI.
- (3) Automotive or vehicle carwash facility subject to the requirements of article XXVI.
- (4) Day care facility, type II.
- (5) Small animal hospital or veterinary clinic for small domestic animals subject to the requirements of article XXVI.
- (6) Dwelling units other than medical care and community living facilities located above the ground floor.
- (7) Vehicle surface parking lot in association with a principal use subject to the requirements of article XXVI.

(c) *Uses permitted by conditional use permit:* The following uses may be granted a conditional use permit by the governing body provided by article XXV:

- (1) Amusement indoor establishments, including dance, pool, and billiard halls; archery ranges, shooting galleries, pinball, electronic and video games arcade; taverns and similar establishments licensed by the city to sell and dispense cereal malt beverages for drink on premises.
- (2) Automotive service station, type III, subject to the requirements of article XXVI.
- (3) Commercial recreational facilities which are used primarily for physical exercise, recreation, and/or health maintenance including fitness centers, spas, suntanning salons, skating rinks, swimming pools, gymnasiums, game courts, golf courses,

golf driving ranges, pitch and putt, miniature golf courses and similar activities, including locker and training areas.

- (4) Public use facility.
- (5) Private or public utility structures facilitating the transmission, distribution and/or collection systems, including substations, distribution stations, pump stations, reservoirs, towers, transmission equipment buildings and similar such uses.
- (6) Communication towers, telecommunication equipment and accessory facilities other than those provided for elsewhere in this chapter as exempt as set forth by definition; and subject to the requirements of article XXVI.
- (7) Vehicle surface parking lot and/or multi-level parking structure as specified by the application, in association with a principal use.

(Ord. No. 16754, § 31, 9-13-94; Ord. No. 17138, § 18, 7-1-97; Ord. No. 17652, § 1, 10-26-00)

**Sec. 48-16.03. Dimensional requirements.**

(a) *Minimum lot area and maximum intensity of use:*

- (1) Minimum lot area: 10,000 square feet.
- (2) Maximum ground floor area: 50,000 square feet.
- (3) Residential dwellings shall not exceed a density of one dwelling unit per 400 square feet of lot area.

(b) *Minimum yard requirements and maximum structure height:*

- (1) Front yard: 25 feet.
- (2) Side yard: Ten feet.
- (3) Rear yard: 25 feet.
- (4) If the recorded plat of subdivision provides for a greater minimum yard requirement than provided by this district, the provisions of the plat shall prevail.

- (5) The applicable side yard of a corner lot and the rear yard of a double frontage lot shall conform to the minimum front yard requirements of this district.
- (6) Height: 60 feet.

**Sec. 48-16.04. General provisions.**

All principal and accessory uses permitted within this zone are subject to the following requirements:

- (a) *Accessory uses and requirements:*
  - (1) Permitted accessory uses and requirements. See article XXIX.
  - (2) Off-street parking requirements. See article XXX.
  - (3) Sign regulations. See article XXXI.
- (b) *Other provisions:*
  - (1) Dimensional requirements. See article XXVII.
  - (2) Nonconforming uses. See article XXVIII.

**Sec. 48-16.05. Special provisions.**

Outside sales and storage of supplies, materials, products and equipment is prohibited.

**Sec. 48-16.06. Development alternatives.**

(a) The development of "C-2" commercial district uses with multiple principal structures and/or uses may follow the provisions of article XXIV, Planned Unit Development District.

(b) The development of "C-2" commercial district shall apply to subdivided land of record which meets the objectives and requirements of this district, the subdivision of land regulations, and the applicable plat of subdivision stipulations.

**ARTICLE XVII. C-3 COMMERCIAL DISTRICT**

**Sec. 48-17.00. Purpose: intent.**

This district is established to provide for those commercial activities which serve a major seg-

ment of the total community population. In addition to a variety of retail goods and services, these centers may typically feature a number of large traffic generators that require access from major thoroughfares. The extent and range of activities permitted are in the moderate to medium intensity range.

**Sec. 48-17.01. Regulations generally.**

The regulations set forth in this article or set forth elsewhere in this chapter when referred to in this article are the district regulations for the "C-3" commercial district.

**Sec. 48-17.02. Use regulations.**

(a) *Permitted uses:*

- (1) Permitted uses in the "C-2" commercial district; and store, shop, or facility for the conduct of a retail business or service similar in use and nature to the types of uses listed herein and specifically excepting those types of activities provided for in less restricted districts.
- (2) Commercial recreational facilities which are used primarily for physical exercise, recreation, and/or health maintenance including fitness centers, spas, suntanning salons, skating rinks, swimming pools, gymnasiums, game courts, golf courses, golf driving ranges, pitch and putt, miniature golf courses and similar activities, including locker and training areas.
- (3) Home improvement and building supply centers except as provided elsewhere within this district, all product display, inventory, processing, and servicing shall be within completely enclosed buildings.
- (4) Motor vehicle sales area and service facility in conjunction thereto, including the sale or lease of new or used automobiles and light trucks with a gross vehicle weight of 12,000 pounds or less. Not permitted within this district are sale areas and service facilities relating to recreational vehicles, trucks with a gross vehicle weight

- (2) All other uses: 7,500 square feet minimum lot area.
- (b) *Maximum gross floor area limitations:*
- (1) Ground floor area: 20,000 square feet.
- (c) *Minimum yard requirements and maximum structure height:*
- (1) Front yard: 25 feet.
- (2) Side yard:
- a. Structures not exceeding 50 feet in height: five feet.
  - b. Structures exceeding 50 feet in height: Ten feet.
- (3) Rear yard: 25 feet.
- (4) If the recorded plat of subdivision provides for a greater minimum yard requirement than provided by this district, the provisions of the plat shall prevail.
- (5) The applicable side yard of a corner lot and the rear yard of a double frontage lot shall conform to the minimum front yard requirements of this district.
- (6) Height: 75 feet.

#### Sec. 48-13.04. General provisions.

All principal and accessory uses permitted within this zone are subject to the following requirements:

- (a) *Accessory uses and requirements:*
- (1) Permitted accessory uses and requirements. See article XXIX.
  - (2) Off-street parking requirements. See article XXX.
  - (3) Sign regulations. See article XXXI.
- (b) *Other provisions:*
- (1) Dimensional requirements. See article XXVII.
  - (2) Nonconforming uses. See article XXVIII.

#### Sec. 48-13.05. Development alternatives.

(a) The development of "O&I-2" office and institutional district uses with multiple principal structures and/or uses may follow the provisions of article XXIV, Planned Unit Development District.

(b) The development of "O&I-2" office and institutional district shall apply to subdivided land of record which meets the objectives and requirements of this district, the subdivision of land regulations, and the applicable plat of subdivision stipulations.

### ARTICLE XIV. O&I-3 OFFICE AND INSTITUTIONAL DISTRICT

#### Sec. 48-14.00. Purpose; intent.

This district is established to provide for a wide range of nonresidential and noncommercial uses such as general purpose office, professional and service, or administrative operations, research, testing and development. Among others, an objective of this district is to provide for a high intensity of use of considerable magnitude and located on a sufficient land area to accommodate the factors of employment, transportation and other land use considerations. The district shall permit uses and activities pertaining to product showrooms for the display, demonstration, training, selection and sale of goods not for delivery on the premises. Product installation, service, repair and maintenance is not permitted in the district.

#### Sec. 48-14.01. Regulations generally.

The regulations set forth in this article or set forth elsewhere in this chapter when referred to in this article are the district regulations for the "O&I-3" office and institutional district.

#### Sec. 48-14.02. Use regulations.

- (a) *Permitted uses:*
- (1) Business or vocational school; technical college; training academy, dance studio.
  - (2) Community center.
  - (3) Cultural facility.

- (4) Community living facility, type I.
- (5) Community living facility, type II.
- (6) Funeral home or mortuary including the display and sale of products associated with the ceremonies, burial or cremation of the deceased; and crematorium.
- (7) Hospital which may contain a food service facility in which food and beverage is offered or prepared for sale or for service with or without charge on the premises, and retail sales, all of which are clearly incidental and subordinate to and customary in connection with the principal use.
- (8) Medical care facility, type II.
- (9) Offices for conducting affairs of business, profession, service, industry or government, including financial institutions and human health care clinics which may contain a pharmacy.
- (10) Portrait or artist studio.
- (11) Printing plant.
- (12) Private membership association, club, lodge or fraternal organization and eligible as a class B private club subject to applicable licensing requirement.
- (13) Public or private elementary and secondary school.
- (14) Public parks, playgrounds, trails, paths, recreation areas, golf courses, scenic and historic sites, and associated recreational and leisure facilities, including but not limited to shelters, pools, court games, maintenance structures and associated parking to the above uses.
- (15) Radio and television broadcasting studio; recording studio.
- (16) Reception, conference and assembly facility.
- (17) Research laboratory.
- (18) Crisis center, type I.

- (2) Small animal hospital or veterinary clinic for small domestic animals subject to requirements of article XXVI.
- (3) Religious assembly subject to the requirements of article XXVI.
- (4) Dwelling units other than medical care and community living facilities, located above the ground floor.
- (5) Vehicle surface parking lot in association with a principal use subject to the requirements of article XXVI.

(c) *Uses permitted by conditional use permit:*  
 The following uses may be granted a conditional use permit by the governing body provided by article XXV:

- (1) Bed and breakfast inn.
- (2) Commercial radio, television, broadcasting and/or receiving towers.
- (3) Food service facility in which food and beverage is offered or prepared for sale or for service with or without charge on the premises and clearly incidental and subordinate to a principal use.
- (4) Heliport.
- (5) Private or public utility structures facilitating the transmission, distribution, and/or collection systems, including substations, distribution stations, pump stations, reservoirs, towers, transmission equipment buildings and similar such uses.
- (6) Public use facility.
- (7) Restaurant.
- (8) Retail sales of a nature clearly incidental and subordinate to and customary in connection with, a principal use.
- (9) Communication towers, telecommunication equipment and accessory facilities other than those provided for elsewhere in this chapter as exempt as set forth by definition; and subject to the requirements of article XXVI.

(b) *Provisional uses:*

- (1) Day care facility, type II subject to the requirements of article XXVI.

- (10) Vehicle surface parking lot and/or multi-level parking structure as specified by the application.

(Ord. No. 16754, § 9, 9-13-94; Ord. No. 16957, § 5, 6-4-96; Ord. No. 17138, § 16, 7-1-97)

**Sec. 48-14.03. Dimensional requirements.**

(a) *Minimum lot area and maximum intensity of use:*

- (1) Residential dwelling: 400 square feet/unit of lot area with a minimum lot area of 7,500 square feet.
- (2) All other uses: 7,500 square feet minimum lot area.

(b) *Minimum yard requirements and maximum structure height:*

- (1) Front yard: Front and all street side yards shall be one-third of the height of the structure with a minimum yard depth of 25 feet and a maximum required depth of 75 feet.
- (2) Side yard:
  - a. Structures not exceeding 75 feet in height: Ten feet.
  - b. Structures exceeding 75 feet in height: 20 feet.
- (3) Rear yard: 25 feet.
- (4) If the recorded plat of subdivision provides for a greater minimum yard requirement than provided by this district, the provisions of the plat shall prevail.
- (5) The applicable side yard of a corner lot and the rear yard of a double frontage lot shall conform to the minimum front yard requirements of this district.
- (6) Height: No height regulations shall apply except when in conflict with the provisions of the airport hazard ordinance.

**Sec. 48-14.04. General provisions.**

All principal and accessory uses permitted within this zone are subject to the following requirements:

- (a) *Accessory uses and requirements:*
- (1) Permitted accessory uses and requirements. See article XXIX.

- (2) Off-street parking requirements. See article XXX.

- (3) Sign regulations. See article XXXI.

(b) *Other provisions:*

- (1) Dimensional requirements. See article XXVII.

- (2) Nonconforming uses. See article XXVIII.

**Sec. 48-14.05. Development alternatives.**

(a) The development of "O&I-3" office and institutional district uses with multiple principal structures and/or uses may follow the provisions of article XXIV, Planned Unit Development District.

(b) The development of "O&I-3" office and institutional district shall apply to subdivided land of record which meets the objectives and requirements of this district, the subdivision of land regulations, and the applicable plat of subdivision stipulations.

**ARTICLE XV. C-1 COMMERCIAL DISTRICT**

**Sec. 48-15.00. Purpose; intent.**

This district is established to provide for limited commercial facilities which are to serve as convenient services to a residential neighborhood or limited geographic area of the community. Shops in this district should be useful to the majority of the neighborhood residents, should be economically supportable by nearby population, and should not draw community-wide patronage. The location of this district will be determined based upon the compatibility and design considerations of the limited geographic area affected.

**Sec. 48-15.01. Regulations generally.**

The regulations set forth in this article or set forth elsewhere in this chapter when referred to in this article are the district regulations for the "C-1" commercial district.

Sec. 48-15.02. Use regulations.

(a) *Permitted uses when conforming to the provisions of section 48-15.03 relating to limitations and conditions:*

- (1) Antique shop.
- (2) Bed and breakfast inn.
- (3) Book, magazine, tobacco, card and stationery shop.
- (4) Candy shop.
- (5) Camera and film shop; photography and artist studio; frame shop.
- (6) Delicatessen.
- (7) Floral shop.
- (8) Gift shop.
- (9) Grocery, meat, dairy product and bakery sales.
- (10) Hardware shop.
- (11) Hobby, toy and game shop.
- (12) Home decorating shop.
- (13) Liquor sales, packaged goods.
- (14) Lock and key shop.
- (15) Offices for business, professional, and government services.
- (16) Patio/garden shop.
- (17) Personal and health care services including: beauty, cosmetic and barber shops; self-service laundromats; dry cleaning and laundry receiving stations with processing done elsewhere; tailor and shoe repair shops.
- (18) Pharmacy and drugstore.
- (19) Pet grooming studios, including accessory product sales only when clearly incidental and subordinate to the care and grooming of pets and further when no more than 20 percent of the total floor area of any establishment shall be used for any product sales and no boarding or kennel facilities may be provided.
- (20) Public and private elementary and secondary school.

- (21) Religious assembly.
- (22) Restaurant with maximum seating capacity of 50 persons.
- (23) Sewing, needlework and piece good shop.
- (24) Sporting goods shop.
- (25) Travel agency.
- (26) Variety shop.
- (27) Video/audio sales and/or rental.
- (28) Wearing apparel and accessory shops, including jewelry and shoe sales.

(b) *Provisional uses:*

- (1) Dwellings units other than medical care and community living facilities, located above the ground floor.

(c) *Uses permitted by conditional use permit:*  
The following uses may be granted a conditional use permit by the governing body provided by article XXV:

- (1) Automotive service station, type I, subject to the requirements of article XXVI.
- (2) Day care facility, type II subject to the requirements of article XXVI.
- (3) Vehicle surface parking lot and/or multi-level parking structure as specified by the application in association with a principal use.
- (4) Private or public utility structures facilitating the transmission, distribution, and/or collection systems, including substations, distribution stations, pump stations, reservoirs, towers, transmission equipment buildings and similar such uses.
- (5) Communication towers, telecommunication equipment and accessory facilities other than those provided for elsewhere in this chapter as exempt as set forth by definition; and subject to the requirements of article XXVI.

(Ord. No. 17138, § 17, 7-1-97; Ord. No. 17503, § 2, 5-22-00)

**Sec. 48-15.03. Use limitations and conditions of the district.**

(a) *Conditions for uses permitted:* All uses permitted in the "C-1" commercial district are subject to the following conditions and limitations:

- (1) All business establishments shall be retail or service establishments dealing directly with consumers.
- (2) All business, service, storage and display of goods shall be conducted within a completely enclosed building.
- (3) Restaurants and establishments of the "drive-in" and/or "carry-out" type offering goods or services directly to customers in motor vehicles shall not be permitted.
- (4) Unless separated by a street no building or structure in the "C-1" commercial district shall be located within 100 feet of an adjacent "R" district boundary line, unless such building or structure is effectively screened from such "R" district property by a wall, fence, or densely planted compact hedge, not less than five feet nor more than eight feet in height; in the event of such screening, the transitional yard requirements shall be equal in dimension to the minimum yard which would be required by this ordinance for residential use on the adjacent "R" lot.
- (5) Individual self-contained business establishments within a multitenant structure are restricted to a maximum gross floor area of 2,000 square feet each, exclusive of any floor area devoted to off-street parking or loading facilities. Single-tenant business establishments are restricted to a maximum gross floor area of 4,000 square feet each, exclusive of any floor area devoted to off-street parking or loading facilities.

**Sec. 48-15.04. Dimensional requirements.**

(a) *Minimum lot area and maximum intensity of use:*

- (1) Minimum lot area: 7,500 square feet.

- (2) Maximum total gross ground floor area per multitenant structure: 15,000 square feet.
- (3) Residential dwellings shall not exceed a density of one dwelling unit per 1,500 square feet of lot area.

(b) *Minimum yard requirements and maximum structure height:*

- (1) Front yard: 25 feet.
- (2) Side yard: Ten feet.
- (3) Rear yard: 25 feet.
- (4) If the recorded plat of subdivision provides for a greater minimum yard requirement than provided by this district, the provisions of the plat shall prevail.
- (5) The applicable side yard of a corner lot and the rear yard of a double frontage lot shall conform to the minimum front yard requirements of this district.
- (6) Height: 35 feet.

**Sec. 48-15.05. General provisions.**

All principal and accessory uses permitted within this zone are subject to the following requirements:

- (a) *Accessory uses and requirements:*
  - (1) Permitted accessory uses and requirements. See article XXIX.
  - (2) Off-street parking requirements. See article XXX.
  - (3) Sign regulations. See article XXXI.
- (b) *Other provisions:*
  - (1) Dimensional requirements. See article XXVII.
  - (2) Nonconforming uses. See article XXVIII.

**Sec. 48-15.06. Development alternatives.**

(a) The development of "C-1" commercial district uses with multiple principal structures and/or uses may follow the provisions of article XXIV, Planned Unit Development District.