

CHAPTER 7

COMMERCIAL, BUSINESS AND INDUSTRIAL DISTRICTS

ARTICLE A. C-1 NEIGHBORHOOD COMMERCIAL DISTRICT

SECTION:

- 9-7A-1: Purpose
- 9-7A-2: Uses Allowed
- 9-7A-3: Conditional Uses Permitted
- 9-7A-4: Area And Coverage Requirements
- 9-7A-5: Setback Requirements
- 9-7A-6: Building Height
- 9-7A-7: Off Street Parking And Loading Requirements
- 9-7A-8: Signs

9-7A-1: **PURPOSE:** The purpose of the C-1 neighborhood commercial district is to provide small scale distinct districts regulated to provide local commercial service needs and to restrict incompatible uses which may be better located in downtown or highway oriented shopping areas due to the size of the shopping center, location within the community, residential neighborhood areas being served and other factors. (Ord. 281-07, 9-4-2007)

9-7A-2: **USES ALLOWED:**

Bed and breakfast establishment.

Boarding and rooming house.

Clinic and office of a medical nature.

Crafts shop.

Daycare business.

Home business.

Home occupation.

Mortuary.

Multiple-family dwelling, no more than four (4) units per building.

Office of a professional or administrative nature.

Personal service shop.

Radio or television studio.

Retail store.

Single- and two-family dwellings.

Single-family attached dwelling, no more than four (4) units per building.

Temporary building as necessary for construction purposes for a period not to exceed one year. (Ord. 281-07, 9-4-2007)

9-7A-3: CONDITIONAL USES PERMITTED:

Bank.

Building for nonprofit community functions.

Building for public service uses.

Church.

Club or lodge.

Home for ambulatory aged and rest home.

Hospital.

Housing for the elderly.

Multiple-family dwelling consisting of more than four (4) units per building.

Nursing home, convalescent hospital.

Recreation/fitness center.

Restaurant and/or cafe.

School.

Single-family attached dwelling, more than four (4) units per building. (Ord. 281-07, 9-4-2007; amd. 2010 Code)

9-7A-4: AREA AND COVERAGE REQUIREMENTS:

- A. There shall be no minimum lot size; except, that residential uses shall have the same area requirements as set forth in the R-2 district. (Ord. 281-07, 9-4-2007)
- B. Not more than forty percent (40%) of the lot may be covered by buildings or structures. (Ord. 281-07, 9-4-2007; amd. 2010 Code)
- C. No individual building may have a footprint greater than five thousand (5,000) square feet, exclusive of decks and porches. No part of any individual building may be less than twenty feet (20') from any part of any other individual building. (Ord. 281-07, 9-4-2007; amd. Ord. 297-08, 10-21-2008)

9-7A-5: SETBACK REQUIREMENTS:

- A. Front Yard Or Street:
 - 1. No building or structure shall be erected nearer than twenty feet (20') from right of way line of Little Avenue or nearer than ten feet (10') from any other street right of way.
 - 2. No building or structure shall be erected where the average distance between the building foundation and the right of way is less than fifteen feet (15'), as calculated by dividing the amount of square area between the building footprint and right of way by the length of the building line.
- B. Side Yard: No building or structure shall be erected nearer than ten feet (10') from any side property line.
- C. Rear Yard: No building or structure shall be erected nearer than ten feet (10') from any rear property line where the abutting property is

zoned commercial; or nearer than twenty feet (20') from any rear property line where the abutting property is zoned residential. (Ord. 297-08, 10-21-2008)

9-7A-6: **BUILDING HEIGHT:** Any building or structure or portion thereof hereafter erected shall not exceed thirty five feet (35') in height above grade, unless a height exception is granted by the planning and zoning commission following the procedures in chapter 2, article D of this title. (Ord. 315-10, 6-15-2010)

9-7A-7: **OFF STREET PARKING AND LOADING REQUIREMENTS:** All off street parking and loading shall be governed by chapter 4 of this title. (Ord. 281-07, 9-4-2007; amd. 2010 Code)

9-7A-8: **SIGNS:** The erection of signs is regulated by title 8, chapter 2 of this code, and the commercial design standards and guidelines. (Ord. 281-07, 9-4-2007)

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ARTICLE B. CBD CENTRAL BUSINESS DISTRICT

SECTION:

- 9-7B-1: Purpose
- 9-7B-2: Uses Allowed
- 9-7B-3: Conditional Uses Permitted
- 9-7B-4: Lot Area
- 9-7B-5: Setback Requirements
- 9-7B-6: Building Height
- 9-7B-7: Off Street Parking And Loading Requirements
- 9-7B-8: Signs

9-7B-1: **PURPOSE:** The purpose of the CBD central business district is to provide for the business and civic functions that make up the city's historic core. The central business district has a strong pedestrian character and provides for concentrated small scale commercial activity which serves the needs of the community and visitors. (Ord. 281-07, 9-4-2007)

9-7B-2: **USES ALLOWED:**

Bank.

Bed and breakfast establishment.

Club or lodge.

Hotel.

Motel.

Office of a medical nature.

Office of a professional or administrative nature.

Personal service shop.

Restaurant or cafe.

Retail store.

Tavern, lounge or pub.

Theater, indoor. (Ord. 281-07, 9-4-2007)

9-7B-3: **CONDITIONAL USES PERMITTED:**

Bowling alley, dance hall or similar establishment.

Building for nonprofit community functions.

Commercial or private parking lot.

Crafts shop.

Home business.

Microbrewery.

Radio or television studio.

Recreation/fitness center.

Single-, SFAD and multi-family residential units; provided, that the residential use shall not front upon the main street at ground level. (Ord. 281-07, 9-4-2007)

9-7B-4: **LOT AREA:** There shall be no minimum lot size; except, that residential uses shall have the same area requirements as set forth in the R-3 district. (Ord. 281-07, 9-4-2007)

9-7B-5: **SETBACK REQUIREMENTS:**

A. No front, rear, or side yards shall be required except when a building or group of buildings abuts upon a residential district.

- B. A yard having a width of not less than ten feet (10') shall be provided on the side or sides of any lot abutting a residential district.
- C. A yard with a depth of not less than fifteen feet (15') shall be provided at the rear of any lot abutting a residential district. A rear yard may be used for off street parking and loading. (Ord. 281-07, 9-4-2007)

9-7B-6: BUILDING HEIGHT:

- A. **Maximum Height:** Any building or structure or portion thereof hereafter erected shall not exceed fifty feet (50') in height above grade, unless a height exception is granted by the planning and zoning commission following the procedures in chapter 2, article D of this title.
- B. **Height Step Down:** Buildings shall not exceed thirty five feet (35') in height when located less than one hundred feet (100') from any residential or neighborhood commercial zone, unless a height exception is granted by the planning and zoning commission following the procedures in chapter 2, article D of this title. Buildings that are partially within one hundred feet (100') of a residential zone shall step down in roof elevation (i.e., from 45 feet to 35 feet) to be consistent with the thirty five foot (35') limit. (Ord. 315-10, 6-15-2010)

9-7B-7: OFF STREET PARKING AND LOADING REQUIREMENTS:
All off street parking and loading shall be governed by chapter 4 of this title. (Ord. 281-07, 9-4-2007; amd. 2010 Code)

9-7B-8: SIGNS: The erection of signs is regulated by title 8, chapter 2 of this code, and the commercial design standards and guidelines. (Ord. 281-07, 9-4-2007)

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ARTICLE C. C-2 DOWNTOWN COMMERCIAL DISTRICT

SECTION:

- 9-7C-1: Purpose
- 9-7C-2: Uses Allowed
- 9-7C-3: Conditional Uses Permitted
- 9-7C-4: Area Requirements
- 9-7C-5: Setback Requirements
- 9-7C-6: Building Height
- 9-7C-7: Off Street Parking And Loading Requirements
- 9-7C-8: Signs

9-7C-1: **PURPOSE:** The purpose of the C-2 downtown commercial district is to provide distinct districts regulated to fulfill general shopping, retail needs and travel or highway related service requirements within the community. (Ord. 281-07, 9-4-2007)

9-7C-2: **USES ALLOWED:**

Those uses allowed in the C-1 district, as regulated therein.

Automobile gas/service station.

Bank.

Boarding and rooming house.

Bowling alley, dance hall or similar commercial establishment for public gatherings or recreational use.

Club or lodge.

Commercial or private off street parking lot.

Hotel.

Motel.

Radio and television studio.

Recreation/fitness center.

Restaurant or cafe.

Tavern, lounge or pub.

Temporary building as necessary for construction purposes, and for a period not to exceed one year.

Theater, indoor. (Ord. 281-07, 9-4-2007)

9-7C-3: CONDITIONAL USES PERMITTED:

Auto repair shop.

Automobile sales lot, surfaced.

Building for nonprofit community functions.

Building for public service uses.

Church.

Home business.

Hospital.

Microbrewery.

Single-family, SFAD and multi-family residential units; provided, that the residential use shall not front upon the main street at ground level.

Temporary on site rock crushing for on site construction and maintenance meeting the standards found in section 9-3-9 of this title.

Trailer sales and rental. (Ord. 281-07, 9-4-2007; amd. Ord. 314-10, 5-18-2010)

9-7C-4: AREA REQUIREMENTS:

- A. Lot Area: There shall be no minimum lot size; except, that residential uses shall have the same area requirements as set forth in the R-3 district.
- B. Building Area: The footprint of a building occupied by a single business shall not exceed fifty thousand (50,000) square feet in area. (Ord. 281-07, 9-4-2007)

9-7C-5: SETBACK REQUIREMENTS:

- A. No front, rear, or side yards shall be required except when a building or group of buildings abuts upon a residential district.
- B. A yard having a width of not less than ten feet (10') shall be provided on the side or sides of any lot abutting a residential district.
- C. A yard with a depth of not less than fifteen feet (15') shall be provided at the rear of any lot abutting a residential district. A rear yard may be used for off street parking and loading. (Ord. 281-07, 9-4-2007)

9-7C-6: BUILDING HEIGHT:

- A. Maximum Height: Any building or structure or portion thereof hereafter erected shall not exceed thirty five feet (35') in height above grade, or forty five feet (45') in height above grade when upper floors include a residence, unless a height exception is granted by the planning and zoning commission following the procedures in chapter 2, article D of this title.
- B. Height Step Down: Buildings shall not exceed thirty five feet (35') in height when located less than one hundred feet (100') from any residential or neighborhood commercial zone, unless a height exception is granted by the planning and zoning commission following the procedures in chapter 2, article D of this title. Buildings that are partially within one hundred feet (100') of a residential zone shall step down in roof elevation (i.e., from 45 feet to 35 feet) to be consistent with the thirty five foot (35') limit. (Ord. 315-10, 6-15-2010)

9-7C-7: **OFF STREET PARKING AND LOADING REQUIREMENTS:**
All off street parking and loading shall be governed by chapter
4 of this title. (Ord. 281-07, 9-4-2007; amd. 2010 Code)

9-7C-8: **SIGNS:** The erection of signs is regulated by title 8, chapter 2
of this code, and commercial design standards and guide-
lines. (Ord. 281-07, 9-4-2007)

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**ARTICLE D. C-3 SERVICE AND HIGHWAY
COMMERCIAL DISTRICT**

SECTION:

- 9-7D-1: Purpose
- 9-7D-2: Uses Allowed
- 9-7D-3: Conditional Uses Permitted
- 9-7D-4: Area Requirements
- 9-7D-5: Setback Requirements
- 9-7D-6: Building Height
- 9-7D-7: Off Street Parking And Loading Requirements
- 9-7D-8: Signs

9-7D-1: **PURPOSE:** The purpose of the C-3 service and highway commercial district is to provide areas where activities of a service nature may be carried out and which are more intensive in character than in the other commercial districts. (Ord. 281-07, 9-4-2007)

9-7D-2: **USES ALLOWED:**

- Auction establishment.
- Auto and/or truck repair shop.
- Auto body and paint shop.
- Auto/gas service station.
- Automobile sales lot, surfaced.
- Building for nonprofit community functions.

"Business services" as defined in section 9-1-5 of this title.

Club or lodge.

Commercial parking lot.

Cottage industry.

Crafts shop.

Mortuary.

Motel.

Office of a professional nature.

Office of an administrative nature.

Radio and/or television studio.

Recreation/fitness center.

Sale of hay, grain, seed and related supplies.

Sale of salvaged goods within an enclosed building.

Temporary building as necessary for construction purposes, and for a period not to exceed one year.

Trailer sales and rental. (Ord. 281-07, 9-4-2007)

9-7D-3: **CONDITIONAL USES PERMITTED:**

Animal hospital.

Bottling and distribution plant.

Contractor's shop within a building and including outside incidental storage which shall be adequately screened from view by surrounding properties with obscuring fences.

Food processing facility.

Grain elevator and bulk storage.

Industrial laundry and dry cleaning.

Kennel.

Microbrewery.

Recreational vehicle park.

Sale of heavy building material and machinery.

Sheet metal, roofing or sign painting shop.

Storage warehouse.

Temporary on site rock crushing for on site construction and maintenance meeting the standards found in section 9-3-9 of this title.

Trade or industrial school.

Transit or trucking terminal.

Wholesaling, warehousing, storage and distribution. (Ord. 281-07, 9-4-2007; amd. Ord. 314-10, 5-18-2010)

9-7D-4: AREA REQUIREMENTS:

- A. Lot Area: There shall be no minimum lot size. (Ord. 281-07, 9-4-2007; amd. 2010 Code)
- B. Building Area: The footprint of a building occupied by a single business shall not exceed fifty thousand (50,000) square feet in area. (Ord. 281-07, 9-4-2007)

9-7D-5: SETBACK REQUIREMENTS:

- A. No front, rear, or side yards shall be required except when a building or group of buildings abut upon a residential district.
- B. A yard having a width of not less than ten feet (10') shall be provided on the side or sides of any lot abutting a residential district.
- C. A yard with a depth of not less than fifteen feet (15') shall be provided at the rear of any lot abutting a residential district. A rear

yard may be used for off street parking and loading. (Ord. 281-07, 9-4-2007)

9-7D-6: BUILDING HEIGHT:

- A. **Maximum Height:** Any building or structure or portion thereof hereafter erected shall not exceed thirty five feet (35') in height above grade, or forty five feet (45') in height above grade when upper floors include a residence, unless a height exception is granted by the planning and zoning commission following the procedures in chapter 2, article D of this title.
- B. **Height Step Down:** Buildings shall not exceed thirty five feet (35') in height when located less than one hundred feet (100') from any residential or neighborhood commercial zone, unless a height exception is granted by the planning and zoning commission following the procedures in chapter 2, article D of this title. Buildings that are partially within one hundred feet (100') of a residential zone shall step down in roof elevation (i.e., from 45 feet to 35 feet) to be consistent with the thirty five foot (35') limit. (Ord. 315-10, 6-15-2010)

9-7D-7: OFF STREET PARKING AND LOADING REQUIREMENTS:
All off street parking and loading shall be governed by chapter 4 of this title. (Ord. 281-07, 9-4-2007; amd. 2010 Code)

9-7D-8: SIGNS: The erection of signs is regulated by title 8, chapter 2 of this code, and commercial design standards and guidelines. (Ord. 281-07, 9-4-2007)

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ARTICLE E. M-1 LIGHT INDUSTRIAL DISTRICT

SECTION:

- 9-7E-1: Purpose
- 9-7E-2: Uses Allowed
- 9-7E-3: Conditional Uses Permitted
- 9-7E-4: Lot Area
- 9-7E-5: Setback Requirements
- 9-7E-6: Building Height
- 9-7E-7: Off Street Parking And Loading Requirements
- 9-7E-8: Signs

9-7E-1: **PURPOSE:** The purpose of the M-1 light industrial district is to provide for and encourage the grouping of light industrial uses. Uses must be capable of operating in a location where appearance of buildings and the treatment of the land about them will be unobtrusive and not detrimental to surrounding commercial or residential uses. (Ord. 281-07, 9-4-2007)

9-7E-2: **USES ALLOWED:**

Auction establishment.

Auto body and paint shop.

Auto gas/service station.

Auto sales and service.

Bottling and distribution plant.

"Business services" as defined in section 9-1-5 of this title.

Commercial or private off street parking lot.

Contractor's shop.

Cottage industry.

Crafts shop.

Food processing.

Grain elevator and bulk storage such as for potatoes, hay, and other similar uses.

Industrial laundry and dry cleaning.

Manufacturing, assembling, fabricating, processing, packing, repairing, or storage uses which have not been declared a nuisance by statute, resolution or any court of competent jurisdiction, and provided these uses shall not cause:

A. Unreasonable dust, smoke, gas, fumes, noise, vibration, or odor beyond the boundaries of the site on which such use is conducted; nor

B. Hazard of fire, explosion, or other physical damage to any adjacent building or vegetation.

Radio or television studio.

Sale of hay, grain, seed and related supplies.

Sale of heavy building material and machinery.

Sale of salvaged goods within an enclosed building.

Sheet metal, roofing or sign painting shop.

Storage of contracting equipment, maintenance or operating equipment of public agencies or public utilities or materials and equipment of a similar nature.

Storage warehouse.

Temporary building as necessary for construction purposes, and for a period not to exceed one year.

Trade or industrial school.

Trailer sales and rentals.

Truck repair/service station.

Wholesaling, warehousing, storage, and distribution. (Ord. 281-07, 9-4-2007)

9-7E-3: **CONDITIONAL USES PERMITTED:**

Animal hospital/vet clinic.

Broadcasting tower for radio or television.

Impound yard or any similar safe storage facility.

Kennel.

Microbrewery.

Private amusement park, ballpark, racetrack or similar uses.

Public utility installation.

Sawmill or log production facility.

Storage for wholesale or for distribution in bulk of any flammable liquid aboveground or belowground.

Temporary on site rock crushing for on site construction and maintenance meeting the standards found in section 9-3-9 of this title.

Transit or trucking terminal. (Ord. 281-07, 9-4-2007; amd. Ord. 314-10, 5-18-2010)

9-7E-4: **LOT AREA:** There shall be no minimum lot size. (Ord. 281-07, 9-4-2007)

9-7E-5: SETBACK REQUIREMENTS:

- A. Front Yard: The front yard setback shall be a minimum of twenty feet (20') when a lot abuts, touches, adjoins, or is across the street from a residential district; otherwise, no front yard setback is required.
- B. Side Yards: The side yard shall be a minimum of twenty feet (20') when a lot abuts, touches, or adjoins a residential district; otherwise, no side yard setback is required.
- C. Rear Yard: The rear yard shall be a minimum of twenty feet (20') when a lot abuts, touches, or adjoins a residential district; otherwise, no rear yard setback is required. (Ord. 281-07, 9-4-2007)

9-7E-6: BUILDING HEIGHT:

- A. Maximum Height: Any building or structure or portion thereof hereafter erected shall not exceed forty five feet (45') in height above grade, unless a height exception is granted by the planning and zoning commission following the procedures in chapter 2, article D of this title.
- B. Height Step Down: Buildings shall not exceed thirty five feet (35') in height when located less than one hundred feet (100') from any residential or neighborhood commercial zone, unless a height exception is granted by the planning and zoning commission following the procedures in chapter 2, article D of this title. Buildings that are partially within one hundred feet (100') of a residential zone shall step down in roof elevation (i.e., from 45 feet to 35 feet) to be consistent with the thirty five foot (35') limit. (Ord. 315-10, 6-15-2010)

9-7E-7: OFF STREET PARKING AND LOADING REQUIREMENTS:
All off street parking and loading shall be governed by chapter 4 of this title. (Ord. 281-07, 9-4-2007; amd. 2010 Code)

9-7E-8: SIGNS: The erection of signs is regulated by title 8, chapter 2 of this code. (Ord. 281-07, 9-4-2007)