

## CHAPTER 12

### NEIGHBORHOOD COMMERCIAL – “C-1” DISTRICT

#### 12. GENERAL.

The following regulations shall apply in all “C-1” Districts.

##### 12.1 USE REGULATIONS.

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part for other than one or more of the following specified uses in accordance with the limitations hereinafter specified:

- (1) Any use permitted in “R-O” District, subject to the use, area, yard, height, lot coverage and minimum floor area regulations specified in said district.
- (2) The following kinds of retail stores: Book and Stationary; Confectionery or Ice Cream; Drugs; Newsstand or Sundry; Florists; Fruit or Vegetable; Liquor Package; meat Market or Delicatessen; Music; Film Exchange and Photographic Supplies; Shoes; Clothing; China and Crockery; Variety.
- (3) Art Supplies.
- (4) Bakery Goods Shop.
- (5) Banks and Finance Offices.
- (6) Personal Service Shops such as Barber Shops, Beauty Parlors, and Shoe Polishing Stands.
- (7) Dry Cleaning Agencies or Pressing Establishments.
- (8) Clubs or Lodges, Fraternal or Religious Associations.
- (9) Custom Dressmaking or Millinery Shops.
- (10) Laundry Agencies.
- (11) Leather Goods.
- (12) Convalescent homes and Nursing Homes.
- (13) Mortuary, Undertaker or Embalming Establishment and Funeral Homes.
- (14) Offices – Professional or Business.

- (15) Optical Stores.
- (16) Photographers.
- (17) Radio, Television and Phonograph Sales.
- (18) Restaurants, Tea Rooms or Cafes (excluding dancing or entertainment).
- (19) Shoe Repair Shop.
- (20) Sporting Goods.
- (21) Tailor Shops.
- (22) Parking Lots and Parking Garages.
- (23) Watch and Jewelry Repair.
- (24) Furniture Store.
- (25) Office Furniture and Equipment.
- (26) Interior Decorating.
- (27) Automobile Service Station.
- (28) Broadcasting Stations (excluding transmitter or tower).
- (29) Ticket Agency.
- (30) Telephone Exchange and Telegraph Office.
- (31) Other Uses: Other uses or enterprises similar to the above, which, in the judgement of the Plan Commission are similar to and not more objectionable to the general welfare than the uses listed. Other uses so determined shall be regarded as listed uses. In no instance, however, shall the Plan Commission determine, nor the regulations be so interpreted, that the uses shall be permitted in a District when such use is specifically listed as first permissible in a less restricted District.

## 12.2 LIMITATIONS ON USES.

- (1) All activities, including sales, display, preparation and storage, shall be conducted entirely within a completely enclosed building.

(2) No second hand or used merchandise shall be offered for sale, displayed or stored.

(3) All products shall be sold at retail on the premises.

12.3. AREA

(1) Non- Residential Use.

(a) There shall be no required area or width of lot for non-residential uses.

12.4 YARDS

(1) Non-Residential Use

(a) There shall be a minimum 5 foot front, side, and rear yard required except where a lot in a "C-1" district abuts upon a lot in any "R" (Residential) District, a yard at least ten (10) feet in width shall be provided on the side adjacent to said "R" District.

12.5 HEIGHT

(1) No building or structure or part thereof shall be erected or altered to a height exceeding three (3) stories. (Said three (3) stories not to exceed 45 feet).

## CHAPTER 13

### PLANNED SHOPPING CENTER – “C-2” DISTRICT

#### GENERAL.

The following regulations shall apply in all “C-2” Districts.

#### 13.1 PURPOSE OF DISTRICT

The “C-2” Planned Shopping Center District is intended for locations where there is a need for controlling the design and arrangement of buildings and structures, access and circulation, and the relations to surrounding areas to provide for efficient functioning of the shopping area and to insure adequate protection to adjacent and nearby residential areas. These objectives can only be attained by review and specific approval of the site plans for each development in such planned shopping center districts.

#### 13.2 USE REGULATIONS

- (1) Any commercial use permitted in a “C-1” District.
- (2) Department Store.
- (3) Discount House.
- (4) Supermarket.
- (5) Sale of Flowers and Plants.
- (6) Laundromat.
- (7) Automobile Service Stations.

#### 13.3 LIMITATIONS ON USES

- (1) Except for automobile parking lots and filling stations, all storage shall be conducted entirely within a completely enclosed structure.
- (2) No second-hand or used merchandise shall be offered for sale, displayed or stored.
- (3) All products shall be sold at retail on the premises.



#### 13.4 APPROVAL OF DEVELOPMENT PLAN

- (1) Any building, structure and/or use shall be erected, altered, installed and maintained in full conformity with the provisions of this Ordinance and with development plans which have been approved by the Commission.
- (2) In passing upon and approving development plans, the Commission shall consider the location, size, height, spacing, appearance, character and use of any building, structure or use and their appurtenances, access and circulation for vehicles and pedestrians, streets, parking areas, yards and open spaces, and the relationship to adjacent property. The Commission shall not approve such development plan unless it finds that such plan conforms to all applicable provisions of this Ordinance, that the safety and convenience of the public are properly provided for and that adequate protection and separation are provided for contiguous and nearby residential property. The Commission may attach to its approval of a development plan any reasonable conditions, limitations or requirements which are found necessary in its judgment to effectuate the purpose of this section and to carry out the spirit and purpose of this Ordinance.
- (3) A development plan for the purpose of this section shall include, but is not limited to, the following plans, designs, specifications and information:
  - (a) Site Plan with grades or contours.
  - (b) Elevations and floor plans of all buildings and structures.
  - (c) Location and character of all outside facilities for waste disposal.
  - (d) All curb cuts, driveways, parking areas and surfacing materials of same.
  - (e) All pedestrian walks, malls, yards and open areas.
  - (f) Location, height and material of all walls, fences and screen planting.
  - (g) Location, size, character, height and orientation of all signs.
  - (h) Off street parking in the ratio of four (4) square feet of parking area to one (1) square foot of retail sales space.

- (i) Roadways shall be designated on the development plan as a dedicated public road or the developer must provide proper demonstration to the Commission that access for each building site and or structure is provided. This demonstration can be in the form of a written agreement or an easement.

### 13.5 YARDS

#### (1) Non-Residential Use

- (a) There shall be a minimum 5 foot front, side, and rear yard required except where a lot in a "C-2" district abuts upon a lot in any "R" (Residential) District, a yard at least ten (10) feet in width shall be provided on the side adjacent to said "R" District.

### 13.6 HEIGHT

- (1) No building or structure shall be erected or altered to a height exceeding four (4) stories. (Said 4 stories not to exceed fifty (50) feet).

### 13.7 RECORDING OF FINAL DETAILED DEVELOPMENT PLAN

The Final Detailed Development Plan must be recorded within one (1) year from the date of approval. If not recorded within this time limit, the Plan shall be considered null and void.

## CHAPTER 14

### HIGHWAY COMMERCIAL – “C-3” DISTRICT

The following regulations shall apply in all “C-3” Districts.

#### 14.1 PURPOSE OF DISTRICT

To provide for retail commercial, amusement and transient residential uses which are appropriate to highway location.

#### 14.2 USE REGULATIONS

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part for other than one of the following specific permitted uses in accordance with the limitations hereinafter specified.

- (1) Any use permitted in “C-1” Districts subject to the use regulations specified in said District.
- (2) Automobile washing establishment; automobile, truck and trailer rentals; new and used automobile, trucks, motorcycle and trailer sales; repair and service garages.
- (3) Automobile seat cover installations.
- (4) Ambulance Service.
- (5) Amusement enterprises, including boxing or sports arena, bowling alley, golf driving range, pony riding (without stables) skating rink.
- (6) Agricultural implement sales (new and used).
- (7) Awning Sales.
- (8) Boat Sales, Service and Rentals (including sale of boat motors and accessories).
- (9) Drive-in business, including theaters, refreshment stands, restaurants, barbecue stands, and dairy products.
- (10) Electrical repair shops, home appliance repairs.
- (11) Electrical and plumbing fixtures.
- (12) Feed Stores.

- (13) Hotel, Motel and Motor Hotel.
- (14) Laundries and Dry Cleaning Establishments, including coin-operated laundries, provided that:
  - (a) A laundry shall not exceed, for all washing units combined, a total rated capacity of 200 pounds.
  - (b) A Dry Cleaning Establishment shall not use more than two (2) clothes cleaning units which shall have a rated capacity of not more than forty pounds per unit; nor use cleaning fluid which is explosive or inflammable at temperatures below 138.5 degrees F.
- (15) Greenhouse, Nursery.
- (16) Grocery Store or Food Market.
- (17) Monuments (sale and display only).
- (18) Pawn Shop.
- (19) Pest Control Agency.
- (20) Parking lots and parking garage.
- (21) Plant and scrub nursery.
- (22) Photographic Development Laboratory.
- (23) Race Track – horse or dog.
- (24) Research and Testing Laboratory.
- (25) Second hand stores.
- (26) Sharpening and grinding shop.
- (27) Taxidermist.
- (28) Theatrical Studios.
- (29) Tire and battery stores.
- (30) Trade Associations and Union Halls.

- (31) Wholesale Merchandise Broker.
- (32) Veterinary and Veterinary Clinics.
- (33) Accessory uses and structures.
- (34) The following uses if approved as "CONDITIONAL USES":
  - (a) Circus or transient amusement.
  - (b) Freight or truck yard or terminal.
  - (c) Farm and Contractor's equipment storage yard or plant or rental of equipment.
  - (d) Building material sales yard, including the sale of lumber, rock, sand and gravel but excluding concrete mixing.
  - (e) Dance Halls.
  - (f) Night Clubs.
  - (g) Bars, Saloons, Taverns.
  - (h) Public utilities, including electric distribution substations and the like.
  - (i) Dairy Supplies.
  - (j) Machinery.
  - (k) Industrial Equipment.
  - (l) Produce.
  - (m) Restaurant and Hotel Supplies and Equipment.
  - (n) Swimming Pool Supplies and Equipment.
  - (o) Welding Supplies and Equipment.
  - (p) Accessory Uses and Structures.

- (35) Other Uses: Other uses or enterprises similar to the above, which in the judgment of the Plan Commission are similar to and not more objectionable to the general welfare than the uses listed. "OTHER USES" so determined shall be regarded as "LISTED USES". In no instance, however, shall the Commission determine, nor the regulations be so interpreted, that a USE shall be permitted in a District when such USE is specifically listed as first permissible in a less restricted District.

#### 14.3 LIMITATIONS ON USES

- (1) Except for open air sales of new or used automobiles, trailers, or trucks; amusement enterprises; drive-in businesses; race tracks; parking lots and parking garages; boat sales and rentals; all activities, including sale, display, and preparation, shall be conducted entirely within a completely enclosed building except as may be specified hereafter.
- (2) Any of the stores, shops or commercial establishments may be operated as a retail and/or wholesale establishment.
- (3) Open storage of materials and equipment shall be permitted only when in conjunction to the USE of an office, store, or other commercial building, located on the front portion of the same lot, and provided that:
- (a) Such storage is located on the rear one-half of the lot.
  - (b) The storage area is completely enclosed by a solid wall or fence (with necessary openings) not less than six (6) feet in height;
  - (c) No equipment or material is stored having a height greater than that of the wall or fence enclosing the storage area.
- (4) Storage of merchandise and/or materials shall be permitted within the rear portion of a building when in conjunction with the operation of an office, store, or other commercial use, located within the front portion of the same building, and provided that:
- (a) The office, store or commercial use occupies a minimum of twenty-five (25) percent of the total floor area of the building or structure.

- (5) Open air sales of new or used automobiles, trailers, or trucks, located on land adjacent (either abutting or separated by an alley) to an "R" (Residential) District, shall be separated from the land in the "R" District by a solid wall or fence at least six (6) feet in height.

14.4 AREA

- (1) Non-Residential Use.

- (a) There shall be no required area or width of lot for non-residential use.

14.5 YARDS

- (1) Non-Residential Use.

- (a) There shall be a minimum of 5 feet front, side, and rear yard required except where a lot in a "C-3" District abuts upon a lot in and "R" (Residential) District, a yard at least ten (10) feet in width shall be provided on the side adjacent to said "R" District.

14.6 HEIGHT

- (1) No building or structure, or part thereof shall be erected or altered to a height exceeding three (3) stories. (Said 3 stories not to exceed 45 feet).

## CHAPTER 15

### GENERAL COMMERCIAL – “C-4” DISTRICTS

#### GENERAL.

The following regulations shall apply in all “C4” Districts.

#### 15.1 USE REGULATIONS.

No building or structure or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses in accordance with the limitations hereafter specified:

- (1) Any USE permitted in the “C-1” District, subject to the Use Regulations specified in said District.
- (2) Automobile washing establishment; automobile, truck and trailer rentals; new and used automobile truck, motorcycle, and trailer sales, repair and service garages.
- (3) Automobile seat cover installation.
- (4) Ambulance Service.
- (5) Amusement enterprises including boxing or sports arena, bowling alley, skating rink.
- (6) Armory.
- (7) Auditorium.
- (8) Awning Sales.
- (9) Bars, Saloons, Taverns.
- (10) Bicycle Sales and Repairs.
- (11) Boat Sales, Service and Rentals (including sale of boat motors and accessories).
- (12) Blue Printing and Photostating, Job Printing Publishing.
- (13) Business College, private school and trade school operated as a commercial enterprise.
- (14) Department Store.



- (15) Electrical repair shops, home appliance repairs.
- (16) Electrical and plumbing fixtures.
- (17) Employment office.
- (18) Feed Stores.
- (19) Hotels, motels and motor hotels.
- (20) Laundries and Dry Cleaning Establishments, including coin-operated laundries, provided that:
  - (a) A laundry shall not exceed for all washing units combined, a total rated capacity of 200 pounds.
  - (b) A Dry Cleaning Establishment shall not use more than two (2) clothes cleaning units which shall have a rated capacity of not more than forty pounds per unit; nor use cleaning fluid which is explosive or inflammable at temperatures below 138.5 degrees F.
- (21) Letter servicing and mimeographing.
- (22) Lithographing or Engraving Establishments.
- (23) Music conservatory.
- (24) Motor Bus Terminals.
- (25) Night Clubs.
- (26) Pawn Shop.
- (27) Pest Control Agency.
- (28) Parking lots and parking garage.
- (29) Pool and Billiard Room.
- (30) Photographic Development Laboratory.
- (31) Research and Testing Laboratory.
- (32) Second-hand Stores.

- (33) Supermarket, Discount House.
- (34) Sharpening and grinding shop.
- (35) Sheet Metal-Fabricating shop.
- (36) Theatrical Studios and Theaters.
- (37) Tire and battery stores.
- (38) Taxidermist.
- (39) Trade Associations and Union Halls.
- (40) Veterinary and Veterinary Clinics.
- (41) Wholesale Merchandise Broker.
- (42) The following uses if approved as a "Conditional Use":

(A) Sale and display of the following:

- (1) Agricultural Implements.
- (2) Building Supplies.
- (3) Construction Equipment.
- (4) Dairy Supplies.
- (5) Machinery.
- (6) Industrial Equipment.
- (7) Produce.
- (8) Restaurant and Hotel Supplies and Equipment.
- (9) Swimming Pool Supplies and Equipment.
- (10) Welding Supplies and Equipment.
- (11) Flowers, Plants and Shrubs.

(B) USES to be conducted wholly within a completely enclosed structure or within an area enclosed on all sides with a solid, opaque barrier (i.e. wall, fence, etc.), with necessary openings, not less than six (6) feet in height.

- (1) Building material and yard sales, including the sale of rock, sand, gravel, and the like as an incidental part of the main business, but excluding concrete batch plants.
- (2) Power-driven excavating, or road building equipment, commonly used by contractors.

- (3) Lumber Yards.
- (4) Building Contractor's Shop.
- (5) Freight, or Truck Yard or Terminal.

(C) The following Service Establishments:

- (1) Battery charging and repair.
- (2) Bookbinding.
- (3) Distribution Service.
- (4) Diaper Service.
- (5) Janitorial Services.
- (6) Linen supply.
- (7) Milk Distributing Station but not involving any bottling on the premises.
- (8) Tinsmith.

(D) The following repair shop uses:

- (1) Awning and canvas shop.
- (2) Cabinet and Carpenter shop.
- (3) Electrical contractor shop.
- (4) Furniture repair shop.
- (5) Glass shop.
- (6) Heating contractor shop.
- (7) Plumbing shop.
- (8) Restaurant and store fixture shop.
- (9) Sign shop.
- (10) Upholstering shop.
- (11) Welding shop.

(E) Wholesale, Warehouse and Storage Uses.

(43) Accessory uses and structures.

- (44) Other Uses: Other uses or enterprises similar to the above which in the judgment of the commission are similar to and not more objectionable to the general welfare than the uses listed. "OTHER USES" so determined, shall be regarded as 'LISTED USES". In no instance, however, shall the Commission determine, nor the regulations be so interpreted, that a USE shall be permitted in the District when such use is specifically listed as first permissible in a less restricted District.

## 15.2 LIMITATIONS ON USES

- (1) Any use conforming with the standard for an "M-1" Industrial District provided that not more than 10 percent of the rentable floor area of any floor of a building is devoted to such use. In determining the floor area so used, it shall be the entire rentable floor area occupied by concerns engaged in such production activities exclusive of that used for office, display, waiting rooms or clerical work.
- (2) Except for open air sales of new or used automobiles, trailers, or trucks; amusement enterprises; parking lots and parking garages; boat sales and rentals, all activities, including sale, display, and preparation, shall be conducted entirely within a completely enclosed building except as may be specified hereafter.
- (3) Any of the stores, shops or commercial establishments may be operated as a retail and/or wholesale establishment.
- (4) Open storage of materials and equipment shall be permitted only when in conjunction with the use of an office, store or other commercial building, located on the same lot and provided that:
  - (a) The storage area is completely enclosed by a solid, opaque barrier (i.e. wall, fence, etc.), with necessary openings, not less than six (6) feet in height.
  - (b) No equipment or material is to be stored having a height greater than that of the wall enclosing the storage area.
- (5) Storage of merchandise and/or materials shall be permitted within the rear portion of a building when in conjunction with the operation of an office, store, or other commercial use, located within the front portion of the same building, and provided that:
  - (a) The office, store, or commercial use occupies a minimum of twenty-five percent (25%) of the total floor area of the building or structure.
- (6) Open air sales of new or used automobiles, trailers, or trucks, located on land adjacent (either abutting or separated by an alley) to an "R" (Residential) District, shall be separated from the land in the "R" District by a solid, opaque barrier (i.e. wall, fence, etc.), with necessary openings, at least six (6) feet in height.

15.3 AREA.

(1) Non-Residential Use.

- (a) There shall be no required area or width of lot.

15.4 YARDS

(1) Non-Residential Use.

- (a) There shall be a minimum of 5 feet front, side, and rear yard required except where the side of a lot in a "C-4" District abuts upon a lot in any "R" (Residential) District. In that event a side yard at least ten (10) feet in width shall be provided on the side of a lot adjacent to the "R" District.

15.5 HEIGHT

- (1) No building or structure or part thereof shall be erected or altered to a height exceeding three (3) stories. (Said three (3) stories not to exceed 45 feet.)