

CHAPTER 11 ZONING DISTRICTS AND DISTRICT PROVISIONS

ORDINANCE 1125 HIGHWAY COMMERCIAL/BUSINESS DISTRICT

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ORDINANCE 1125 HIGHWAY COMMERCIAL/BUSINESS DISTRICT

Section 1125.01: PURPOSE. The two major purposes of this district are to encourage the continuation of a viable downtown area by allowing retail, service, office and entertainments facilities as well as public and semi-public uses; and to accommodate the types of businesses that are oriented to the traveling public and require highway access. Limited residential uses will be allowed to locate above the commercial establishments as conditional uses.

Section 1125.02: PERMITTED USES. The following uses shall be permitted in this district:

1. Commercial establishments offering merchandise or services to the general public in return for compensation. Such establishment to include but not be limited to the following:
 - a. Retail establishments such as groceries, bakery, departments stores, hardware, drug, clothing and furniture stores.
 - b. Personal services such as laundry, barber, shoe repair shop and photography studios.
 - c. Existing drinking establishments, including restaurants, cafes, and supper clubs.
 - d. Professional services such as attorney's offices, architects and medical and dental clinics.
 - e. Repair services such as jewelry and radio and television repair shops.
 - f. Banks, finance, insurance and real estate services.
 - g. Entertainment and amusement services such as motion picture theaters, bowling, alleys, art galleries.
 - h. Lodging services such as hotel and motel.
2. Public and semi-public buildings such as post office, city hall, fire station and police station.
3. Private Clubs
4. Hospitals and medical centers
5. Automobile parking lots, parking garages, bus stations
6. Farm implement dealers
7. Drive-in restaurant
8. Recreation equipment sales
9. Motels and hotels
10. Auto service stations and convenience stores
11. Seasonal produce stand
12. Auto sales lot
13. Cafes and restaurants
14. Places of Worship

Section 1125.03: ACCESSORY USES. The following shall be permitted as accessory uses in this district and shall not require a conditional use permit or variance:

Uses incidental to the principal uses such as off-street parking and loading and unloading areas, storage of merchandise.

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Section 1125.04: CONDITIONAL USES. The following shall not be permitted without a conditional use permit:

1. Apartments, but only if they are located above the first floor level and have a separate entrance from the business establishment below.
2. Auto body repair or paint shops
3. On and Off sale liquor establishments
4. Light industry such as printing shops that require direct contact with public
5. Wholesaling
6. Other uses which in the opinion of the City Council are of the same general character as the permitted uses and which will not have a detrimental effect on the Highway Commercial Business District.

Section 1125.05: PERFORMANCE STANDARDS. All uses in this district shall be subject to the following standards:

1. Height Regulations

The maximum height of any building shall be 2 stories or 35 feet.

2. Front Yard Regulations

- a. There shall be a front yard setback having a depth of not less than 10 feet except in a block where two or more structures have been built facing the same street, the setback for the remaining lots in that block fronting on the same street shall be determined by the average setback of existing buildings.
- b. Where a lot is located at the intersection of two or more roads or highways, there shall be a front yard setback on each road or highway side of each corner lot. No accessory buildings shall project beyond the front yard of either road.

3. Side and Rear Yard Regulations

Side Yard

There shall be no minimum side yard requirements except that no building shall be located within 50 feet of any side lot line abutting a lot in any Residential District.

Rear Yard

The minimum rear yard shall be 25 feet.

4. Lot Area

Lot area restrictions - None

5. Screening and Fencing

The City may require the screening or fencing of commercial uses on side and rear yards which face Residential Districts.

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6. General Regulations

Requirements for signs, parking, shopping centers, and other regulations are set forth in this Code.