

§ 155.150 PURPOSE.

The purpose of the Community Commercial Zone is to provide the proper areas for the development of sound commercial facilities to serve the community and to set up those standards of development necessary to insure that the commercial area will be wholesome, prosperous and harmonize with adjoining land uses. ('64 Code, § 44.00)

§ 155.151 PRINCIPAL PERMITTED USES.

The following are the principal permitted uses in the C-4 Zone:

- (A) Any of the principal permitted uses listed in the C-1 Zone regulations.
 - (B) Retail establishments offering convenience and shoppers' goods for the community including:
 - (1) Addressing and letter service.
 - (2) Antique or curio shops.
 - (3) Appliance or major appliance stores.
 - (4) Bicycle sales, repair or rental.
 - (5) Catering service.
 - (6) Department stores.
 - (7) Drapery stores.
 - (8) Dry goods stores.
 - (9) Employment agencies.
 - (10) Floor-covering stores.
 - (11) Furniture stores.
 - (12) Garden and patio supplies, but not including open-air sales or storage.
 - (13) Hard stores.
 - (14) Interior decorators' studios.
 - (15) Janitorial service.
 - (16) Leather or luggage stores.
 - (17) Locksmiths' shops.
 - (18) Men's furnishings stores.
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- (19) Music stores.
 - (20) Office equipment or stationery stores.
 - (21) Paint or wallpaper stores.
 - (22) Pet or pet supply stores.
 - (23) Sporting goods stores.
 - (24) Supermarkets.
 - (25) Taxidermy shops.
 - (C) Service establishments and offices, including:
 - (1) Blueprinting.
 - (2) Eating establishments (except those serving liquor which shall be subject to the requirements of § 155.628).
 - (3) Furniture upholstery shops.
 - (4) Ice vending machines.
 - (5) Poodle clipping shops.
 - (6) Post offices.
 - (7) Tailor shops.
 - (8) Wedding chapels.
 - (D) Auto sales and service establishments; provided, all operations including sales, display, storage and repair work are conducted within completely enclosed buildings, including:
 - (1) Auto parts and accessory stores.
 - (2) Auto repair garages, except body and fender work.
 - (3) Auto sales, new agencies.
 - (4) Auto sales, used agencies.
 - (5) Auto upholstery shops.
 - (6) Brake relining shops.
 - (7) Mechanical car wash.
 - (8) Muffler shops.
 - (E) Service stations.
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- (F) Entertainment and commercial amusement establishments (except those serving liquor which shall be subject to the requirements of § 155.628 or those entertainment uses subject to § 155.723), including:
- (1) Billiard and pool halls.
 - (2) Bowling alleys.
 - (3) Cocktail bars and lounges.
 - (4) Dance halls or pavilions.
 - (5) Ice skating or roller skating rinks.
 - (6) Night clubs.
 - (7) Social halls.
 - (8) Theaters.
- (G) Clubs, schools and studios including:
- (1) Art schools or studios.
 - (2) Barber colleges.
 - (3) Beauty colleges.
 - (4) Business schools.
 - (5) Clubs and lodges and similar organizations.
 - (6) Dance schools or studios.
 - (7) Drama schools or studios.
 - (8) Gymnasiums and health studios.
 - (9) Language schools.
 - (10) Music schools or studios.
 - (11) Swimming schools.
 - (12) Fortune-telling, provided all requirements of § 155.633 are met.
- (H) Financial establishments including:
- (1) Banks.
 - (2) Finance offices.
 - (3) Savings and loan associations.
 - (4) Stockbrokers.
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(5) Title insurance companies.

(6) Trust companies.

('64 Code, § 44.01) (Am. Ord. 358, passed 7-10-69; Ord. 793, passed 5-23-91; Ord. 834, passed 2-24-94; Am. Ord. 852, passed 7-13-95)

Cross-reference:

Business regulations; permits, see Title XI

Conditional use permits, see §§ 155.710 - 155.724

§ 155.152 ACCESSORY USES.

The following accessory uses are permitted in the C-4 Zone: those accessory uses and structures customarily appurtenant to a permitted use, such as incidental storage facilities.

('64 Code, § 44.02)

§ 155.153 CONDITIONAL USES.

The following uses shall be permitted in the C-4 Zone only after a valid conditional use permit has first been issued:

- (A) Open-air sales, display and storage, including:
 - (1) New auto sales.
 - (2) Plant nurseries or garden supplies.
 - (3) Tool and equipment rental.
 - (4) Used auto sales.
 - (B) Bakeries and creameries.
 - (C) Laundries, cleaning and dyeing establishments.
 - (D) Drive-in dairy stores, including the processing of milk.
 - (E) Frozen food locker.
 - (F) Carpenter shops, electrical, plumbing and heating shops.
 - (G) Printing, typesetting, publishing and lithograph shops.
 - (H) Bus terminals and similar transit facilities.
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- (I) The manufacturing, processing or treatment of products which are clearly incidental to the retail business conducted on the premises; provided:
 - (1) That not more than 25% of the total floor area is used for such manufacturing or processing.
 - (2) That not more than five persons are employed in such manufacturing or processing.
 - (3) That such operations are not objectionable to adjoining properties due to noise, odor, dust, smoke, vibration or other similar causes.
 - (J) Outdoor advertising.
 - (K) Drive-in restaurants, ice cream and refreshment stands with limited or no indoor customer seating area.
 - (L) Swimming pools, commercial.
 - (M) Mortuaries or funeral homes.
 - (N) Drive-in theaters.
 - (O) Hospitals, nursing homes and sanitariums.
 - (P) Secondhand stores or pawnshops.
 - (Q) Trailer parks.
 - (R) Trampoline centers, outdoor baseball batting cages, and similar commercial amusement establishments.
 - (S) Highway patrol offices and appurtenant facilities.
 - (T) Sale and service of new and used boats; provided all requirements of § 155.657 are met.
 - (U) Outdoor rummage sale or swap meet.
 - (V) Amusement arcades or businesses establishing five or more coin-operated games on the premises.
 - (W) Motorcycle sales, service and repair.
 - (X) Sports centers, including arenas for boxing, wrestling and similar sporting events.
 - (Y) Hotels and motels.
 - (Z) Churches.
 - (AA) Collection stations for recyclable household articles and materials such as clothing, paper, glass, aluminum cans and small articles of furniture, where such uses are fully enclosed.
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- (BB) Bingo parlors and game rooms, except as otherwise provided in § 155.617.
 - (CC) Animal hospitals and veterinary clinics.
 - (DD) Retail sale, lease or transfer of any firearm(s).
 - (EE) Public and quasi-public buildings and uses of a recreational, educational, religious, cultural or public service nature, including electrical distribution substations; provided, that the Planning Commission determines that there is a definite showing of necessity for such uses in the location requested. Storage yards, warehouses or similar facilities shall not be permitted.
 - (FF) Adult businesses, as defined in § 155.003 of this chapter (subject to compliance with § 155.723(A)).
 - (GG) Businesses conducting amusement, entertainment or burlesque activities, as defined in § 155.003 of this chapter (subject to compliance with § 155.723(A)).
 - (HH) Dance halls or pavilions (subject to compliance with § 155.723(A)).
 - (II) Nightclubs (subject to compliance with § 155.723(A)).
 - (JJ) Wine tasting facility, provided all requirements of § 155.628 are met.
 - (KK) Massage parlors and similar uses, as defined in § 155.003 of this chapter (subject to compliance with § 155.724(A)).
 - (LL) Single room occupancy (SRO) housing.
- ('64 Code, § 44.03) (Am. Ord. 358, passed 7-10-69; Ord. 793, passed 5-23-91; Ord. 834, passed 2-24-94; Am. Ord. 846, passed 11-22-94; Am. Ord. 1085, passed 2-23-17) Penalty, see § 10.97

Cross-reference:

Pawn shops, secondhand stores, and the like, see § 110.01 - 110.30

§ 155.154 PROPERTY DEVELOPMENT STANDARDS.

The following property development standards shall apply to the C-4 Zone. The provisions of §§ 155.445 through 155.463 shall also apply. ('64 Code, § 44.04) Penalty, see § 10.97

§ 155.155 LOT AREA, WIDTH AND DEPTH.

- (A) There shall be no minimum lot area. However, no C-4 Zone District shall be created with less than 60,000 square feet. ('64 Code, § 44.05)
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(B) There are no requirements for lot width. ('64 Code, § 44.06)

(C) There are no requirements for lot depth. ('64 Code, § 44.07) Penalty, see § 10.97

§ 155.156 POPULATION DENSITY.

Residential uses are not permitted in the C-4 Zone. ('64 Code, § 44.08) Penalty, see § 10.97

§ 155.157 BUILDING HEIGHT.

No building or structure erected in this zone shall have a height greater than 75 feet.

('64 Code, § 44.09) Penalty, see § 10.97

§ 155.158 FRONT YARD.

Each lot in the C-4 Zone shall have a front yard of not less than 20 feet extending across the full width of the lot.

('64 Code, § 44.10) (Am. Ord. 358, passed 7-10-69; Am. Ord. 746, passed 4-13-89) Penalty, see § 10.97

§ 155.159 SIDE YARD.

There shall be no side yard requirements except where the C-4 Zone adjoins a street, agricultural or residential zone, school or park, in which case there shall be a side yard of not less than 20 feet on the side or sides adjoining said street, agricultural or residential zones, school or park. In the case of a reversed corner lot, the side yard adjoining the street shall be not less than 20 feet in width.

('64 Code, § 44.11) (Am. Ord. 358, passed 7-10-69; Am. Ord. 746, passed 4-13-89) Penalty, see § 10.97

§ 155.160 REAR YARD.

There shall be no rear yard requirements, except where the C-4 Zone adjoins a street, agricultural or residential zone, school or park, in which case there shall be a rear yard of not less than 20 feet adjoining said street, agricultural or residential zone, school or park.

('64 Code, § 44.12) (Am. Ord. 358, passed 7-10-69; Am. Ord. 746, passed 4-13-89) Penalty, see § 10.97

§ 155.161 PERMITTED ENCROACHMENTS IN REQUIRED YARDS.

Certain encroachments shall be permitted in required yard areas. The type of encroachments and the distance they may extend into yard areas are set forth in §§ 155.385 through 155.598 of this chapter. ('64 Code, § 44.13) Penalty, see § 10.97

§ 155.162 DISTANCE BETWEEN BUILDINGS.

There are no requirements for distance between buildings. ('64 Code, § 44.14)

§ 155.163 MINIMUM SIZE OF BUILDINGS.

There are no requirements for the minimum size of buildings. ('64 Code, § 44.15)

§ 155.164 LOT COVERAGE.

The area covered by buildings or structures shall not exceed 50% of the total lot area.
('64 Code, § 44.16) Penalty, see § 10.97

§ 155.165 PERMITTED FENCES, HEDGES AND WALLS.

Fences, hedges and walls shall be permitted; except, that in a required front yard or required side or rear yard, where adjoining a dedicated street, the height shall not exceed three and one-half feet. ('64 Code, § 44.16.1) (Am. Ord. 358, passed 7-10-69) Penalty, see § 10.97

§ 155.166 REQUIRED WALLS.

A solid masonry wall not less than six feet in height nor less than eight inches in thickness shall be built and maintained on those sides of property in a C-4 Zone which adjoins an agricultural or residential zone, school or park; except, that said wall shall be three and one-half feet where it adjoins the front yard setback area. The wall need not be installed until the property is developed for commercial uses.

('64 Code, § 44.17) (Am. Ord. 358, passed 7-10-69) Penalty, see § 10.97

§ 155.167 REQUIRED OFF-STREET PARKING AND LOADING.

Off-street parking and loading facilities shall be provided in accordance with the §§ 155.475 through 155.502 of this chapter. ('64 Code, § 44.18) Penalty, see § 10.97

§ 155.168 REQUIRED ACCESS.

Access to off-street parking facilities shall be provided in accordance with the provisions of §§ 155.475 through 155.502 of this chapter. ('64 Code, § 44.19) Penalty, see § 10.97

§ 155.169 SIGNS.

No signs shall be permitted in the C-4 Zone except in accordance with the following provisions. The provisions of §§ 155.515 through 155.536 regarding signs shall also apply:

- (A) The total sign area allowed for any one store or building shall be limited to a size determined by the lineal feet of said store or building frontage, or to a percentage of the total area of the street facing store or building elevation, whichever is greater, in accordance with the following: three square feet of sign area for each lineal foot of store or building frontage or 10% of the street facing building elevation area, whichever is greater.
- (B) Signs shall only contain subject matter or advertising which refers to the name of the establishment or to goods and services sold on the premises on which the sign is located.
- (C) Signs shall be limited to building wall signs, fascia signs and monument signs except that electronic message boards and freestanding center signs shall be permitted in accordance with division (K) of this section and § 155.525 of this chapter, respectively, and except that freestanding signs other than those specifically permitted by this section shall be permitted if authorized by a valid conditional use permit. The Planning Commission shall establish criteria and conditions for the approval of conditional use permits for freestanding signs.
- (D) Signs on buildings shall be limited to wall signs and fascia signs. No sign shall extend above the roof line or above a parapet wall around the roof nor project more than one foot from the building wall.
- (E) Freestanding and monument signs shall be spaced at intervals of not less than 100 feet along the street frontage of the lot served and not less than 50 feet from a freestanding or monument sign located on an adjacent lot.
- (F) Freestanding signs shall not exceed 40 square feet in area or a height of 20 feet, except as otherwise provided in division (K) of this section and § 155.525 of this chapter. Monument signs shall not exceed 40 square feet in area or an overall height of five feet.
- (G) Signs which move, or which have moving parts or flashing lights shall not be permitted except as provided in this subchapter.

- (H) Architect's or builder's signs, or temporary tract signs shall be permitted in accordance with the provisions of §§ 155.515 through 155.536 of this chapter.
- (I) Direction signs, each not exceeding six square feet in area, shall be permitted in connection with off-street parking and loading facilities.
- (J) Two signs, each not exceeding 16 square feet in area, located not closer than 50 feet apart, shall be permitted as a temporary use pertaining to the sale, lease or rental of the site, unit or structures on the site. Such sign(s) shall be removed from the site upon occupancy of the site, structure or unit.
- (K) Electronic message board signs, reader boards, or other similar signs utilizing programmed lights, and the like, shall only be permitted in conjunction with multi-tenant shopping centers comprising 10 or more acres in size. Such electronic message board signs, reader boards or similar signs, shall be limited to a maximum sign area of 200 square feet, with only one such sign for each shopping center. Electronic message boards shall not exceed 20 feet in height unless development plan approval is first granted by the Planning Commission.

('64 Code, § 44.20) (Am. Ord. 358, passed 7-10-69; Am. Ord. 700, passed 9-11-86) Penalty, see § 10.97

§ 155.170 LANDSCAPING.

The following landscaping provisions shall apply in the C-4 Zone. In addition, the landscaping provisions of §§ 155.545 through 155.559 shall also apply:

- (A) Where a C-4 Zone adjoins a dedicated street, a minimum area equivalent to 20 square feet for each lineal foot of frontage on said street shall be suitably landscaped and maintained. The landscaped area shall be located on private property behind the planned street width line and shall be clearly visible from the street frontage. The landscaped area shall include a minimum 15 foot wide landscaped strip between the on-site parking areas and the property line adjoining the public street, excepting locations for driveways.
 - (B) In addition, all areas shall have landscaping installed equivalent to 6% of the total parking areas. This landscaping shall be distributed so that 50% of the landscaping is located around the perimeter of the parking area, and the balance located within the parking area.
 - (C) For property with frontage on a major or secondary highway, the front yard landscaped area shall consist of a grass lawn with undulating earth berms two to three feet in height and minimum 24 inch box trees.
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- (D) The parkway portion of the adjoining dedicated street shall be improved with sidewalks and/or landscaping and street trees in accordance with the requirements of the Director of Public Works.
 - (E) Where fences or walls, including building walls, are constructed adjacent to a public street within 20 feet on the front property line, or side property line in the case of a corner lot, the entire area between the fence or wall and the property line shall be landscaped.
 - (F) Concrete curbs shall be installed along the borders of all on-site landscaped areas where said landscaped areas interface with driveways, off-street parking and loading areas and other similar facilities.
 - (G) The Planning Commission shall have the authority to grant a temporary waiver of required landscaping in accordance with the provisions of § 155.557.
- ('64 Code, § 44.21) (Am. Ord. 358, passed 7-10-69; Am. Ord. 367, passed 12-11-69; Am. Ord. 700, passed 9-11-86; Am. Ord. 746, passed 4-13-89) Penalty, see § 10.97
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§ 155.171 OTHER REQUIRED CONDITIONS.

The following additional conditions shall apply in the C-4 Zone:

- (A) Any existing residential structures in this zone shall not be used for both residential and commercial purposes at the same time.
- (B) All roof-mounted mechanical equipment and/or duct work which projects above the roof or roof parapet of a building and is visible from adjacent property or a public street at ground level shall be screened by an enclosure which is consistent with the architecture of the building.
- (C) All exterior walls of buildings shall be either painted or surfaced with decorative materials. Gutters, downspouts, vents, louvers, exposed flashing, doors and other building elements shall be painted consistent with the color scheme of the building.
- (D) All uses shall be conducted within a completely enclosed building except as follows:
 - (1) Automobile service stations.
 - (2) Off-street parking and loading facilities.
 - (3) Outdoor uses permitted by conditional use permit.

- (E) All buildings and/or uses on property shall be provided with outdoor trash and refuse storage areas sufficient to provide adequate, safe and efficient storage of waste and refuse expected to be produced. A minimum of one such outdoor trash and refuse area not less than four and one-half feet in width and six feet in length shall be provided for each building and/or use on property; however, the Director of Planning and Development may require additional storage areas if determined necessary to adequately serve any building and/or use. All outdoor trash and refuse storage areas shall be screened from view on all sides by a solid fence, wall or structure a minimum of five feet in height and shall be located so as to be readily accessible to users and collection personnel.

('64 Code, § 44.22) (Am. Ord. 358, passed 7-10-69; Am. Ord. 700, passed 9-11-86; Ord. 822, passed 3-11-93) Penalty, see § 10.97

§ 155.172 PRINCIPAL PERMITTED USES – TELEGRAPH ROAD CORRIDOR.

Notwithstanding the list of uses set forth in § 155.151, the following are the principal permitted uses in the C-4 Zone, for the properties with frontage on Telegraph Road:

- (A) Any of the principal permitted uses as listed in § 155.142.
- (B) Retail establishments offering convenience and shoppers' goods for the community including:
- (1) Addressing and letter service.
 - (2) Antique or curio shops.
 - (3) Appliance or major appliance stores.
 - (4) Bicycle sales, repair or rental.
 - (5) Catering service.
 - (6) Department stores.
 - (7) Drapery stores.
 - (8) Dry goods stores.
 - (9) Employment agencies.
 - (10) Floor-covering stores.
 - (11) Furniture stores.
 - (12) Garden and patio supplies, but not including open-air sales or storage.
 - (13) Hardware stores.
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- (14) Leather or luggage stores.
 - (15) Locksmiths' shops.
 - (16) Men's furnishings stores.
 - (17) Music stores.
 - (18) Office equipment or stationery stores.
 - (19) Paint or wallpaper stores.
 - (20) Pet or pet supply stores.
 - (21) Sporting goods stores.
 - (22) Supermarkets.
 - (C) Service establishments and offices, including:
 - (1) Print shops.
 - (2) Eating establishments (except those serving liquor which shall be subject to the requirements of § 155.628).
 - (3) Pet grooming shops.
 - (4) Post offices.
 - (5) Tailor shops.
 - (D) Auto parts and accessory stores, provided all operations including sales, display, storage and repair work are conducted within completely enclosed buildings.
 - (E) Financial establishments including:
 - (1) Banks.
 - (2) Finance offices.
 - (3) Savings and loan associations.
 - (4) Stockbrokers.
 - (5) Title insurance companies.
- (Ord. 967, passed 3-24-05)

§ 155.173 ACCESSORY USES – TELEGRAPH ROAD CORRIDOR.

The following accessory uses are permitted in the C-4 Zone for properties with frontage along Telegraph Road: accessory uses and buildings customarily appurtenant to a permitted use such as incidental storage facilities. (Ord. 967, passed 3-24-05)

§ 155.174 CONDITIONAL USES – TELEGRAPH ROAD CORRIDOR.

Notwithstanding the list of uses set forth in § 155.123, the following are the conditional uses permitted in the C-4 Zone, for the properties with frontage on Telegraph Road, only after a valid conditional use permit has first been granted by the Planning Commission:

- (A) Any of the conditional uses as listed in § 155.144.
- (B) Bakeries.
- (C) Drive-thru restaurants.
- (D) Highway patrol offices and appurtenant facilities.
- (E) Amusement arcades or businesses establishing five or more coin-operated games on the premises.
- (F) Hotels and motels.
- (G) Churches.
- (H) Public and quasi-public buildings and uses of a recreational, educational, religious, cultural or public service nature, including electrical distribution substations; provided, that the Planning Commission determines that there is a definite showing of necessity for such uses in the location requested. Storage yards, warehouses or similar facilities shall not be permitted.
- (I) Clubs, schools and studios including:
 - (1) Art schools or studios.
 - (2) Barber colleges.
 - (3) Beauty colleges.
 - (4) Business schools.
 - (5) Clubs and lodges and similar organizations.
 - (6) Dance schools or studios.
 - (7) Drama schools or studios.
 - (8) Gymnasiums and fitness centers.
 - (9) Language schools.
 - (10) Music schools or studios.
 - (11) Swimming and diving schools.

(J) Entertainment and commercial amusement establishments (except those serving liquor which shall be subject to the requirements of § 155.628 or those entertainment uses subject to § 155.723), including:

- (1) Billiard and pool halls.
- (2) Bowling alleys.
- (3) Cocktail bars and lounges.
- (4) Ice skating or roller rinks.
- (5) Theaters.

(K) Service stations.

(Ord. 967, passed 3-24-05)