

ARTICLE 15 - (C-R) COMMERCIAL-RESIDENTIAL ZONING DISTRICT

(As amended 5/1/2000, via BOS Resolution No. 36-00; 9/18/2000 via BOS Resolution No. 79-00, 12/10/2001 via BOS Resolution No. 101-01, 4/29/02 via BOS Resolution No. 30-02, 3/11/02 via BOS Resolution No. 16-02), 8/28/12 BOS via Resolution 02-12)

Section 1501 - Purpose.

The principal purpose of this zoning district is to provide for shops and services in convenient locations to meet the daily needs of families in the immediate residential neighborhoods and wholesaling or distribution activities in locations where there is adequate access to major streets or highways. Principal uses permitted in this zoning district include retail and wholesale commerce, commercial entertainment, and some uses of a light manufacturing nature.

Section 1502 - Use Regulations.

A building or premises shall be used only for the following purposes:

1. Any use permitted in the "R-3" zoning district subject to all the regulations specified in the use regulations for such "R-3" zoning district unless the use is otherwise regulated in this article.
2. Antique stores.
3. Art and dance instruction and art galleries.
4. Art metal and ornamental iron shops.
5. Automobile laundries, provided steam cleaning is confined to a completely enclosed building.
6. Automobile parts and supplies.
7. Automobile repair shops and garages provided all operations are conducted within a completely enclosed building.
8. Automobile sales and rentals including display room.
9. Awning and canvas stores.
10. Banks.
11. Bakeries and candy stores, including the manufacturing of bakery and candy products for on-site retail sales only.
12. Barber and beauty shops.
13. Bars and liquor stores.

14. Baths, Turkish, including masseurs.
15. Blueprinting and Photostatting establishments.
16. Boat sales.
17. Book, stationary and gift stores.
18. Bowling alleys.
19. Catering establishments.
20. Cabinet and carpenter shops.
21. Clock and watch repair shops.
22. Clothing and costume rentals.
23. Clothing and dry goods stores.
24. Contractor's Yard.
25. Craft shops which include ceramics, mosaics, fabrics, jewelry, leather goods, silk screening, dress designing, sculpturing and wood carving.
26. Dance halls and night clubs.
27. Day nurseries and nursery schools.
28. Delicatessen stores.
29. Drive-in restaurants and refreshment stands.
30. Drug stores and soda fountains.
31. Electrical shops.
32. Equipment rentals and sales.
33. Feed stores.
34. Florist shops.
35. Funeral homes and chapels.
36. Furniture stores.
37. Frozen food lockers.

38. Gasoline service stations with underground storage of fuels. If over 500 gallons of fuel is stored above ground, a Special Use Permit will be required.
39. Grocery stores and meat markets provided there is no slaughtering of animals or poultry on the premises.
40. Hardware and appliance stores.
41. Hotels and motels.
42. Ice cream stores.
43. Ice distributing stations.
44. Jewelry stores.
45. Kennel, as defined in Article 30, provided that the kennel and any outdoor exercise area or other outdoor area is completely fenced and set back from all lot lines abutting a residential zoning district or preexisting residential use a distance of not less than twenty feet (20').
46. Key and gun shops, including incidental repair work.
47. Laboratories, medical and dental.
48. Laundry agencies and self-service laundries.
49. Lumber yards, including operations incidental to piece sales.
50. Milk depots.
51. Miniature golf courses.
52. Manufactured Home and Recreational Vehicle sales.
53. Music conservatory and music instruction.
54. Offices.
55. Paint and wallpaper stores.
56. Parking lots.
57. Pet shops, not involving the treatment or boarding of cats or dogs.
58. Photographers and artists' studios.
59. Plumbing shops.

60. Pool halls.
61. Printing, lithography and publishing establishments.
62. Private schools operated as a commercial enterprise.
63. Precision and musical instrument repair shops, including optical repair.
64. Public garages.
65. Radio and television broadcasting stations and studios, but not including transmitter towers and stations.
66. Radio and television stores and repair shops.
67. Restaurants and cafes.
68. Retail stores.
69. Shoe repair shops.
70. Stone monument shops.
71. Tailor shops.
72. Taxidermists.
73. Tinsmith shops.
74. Trade schools.
75. Upholstery shops.
76. Used car and truck sales lots.
77. Variety stores.
78. Wholesale stores.
79. Accessory buildings and uses customarily incidental to the above uses.
80. Manufactured Home Parks and Recreational Vehicle Parks, subject to securing a Special Use Permit and the following:
 1. A Manufactured Home Park shall comply with the requirements set forth in Section 1402(6) of this Ordinance.
 2. A Recreational Vehicle Park shall comply with the requirements set forth in Section 1402(6) of this Ordinance to the extent they are applicable to

Recreational Vehicles and Recreational Vehicle spaces. In order to permit flexibility in the development of Recreational Vehicle Parks, the strict application of regulations pertaining to an individual Recreational Vehicle space, and to the location thereon of Recreational Vehicles, need not be applied provided any variance there from is consistent with the purpose of this Ordinance. Open space is to be maintained at a ratio of two (2) square feet for each square foot of covered area and the average area per Recreational Vehicle space in the Recreational Vehicle Park is not less than one thousand (1,000) square feet, except that there shall be no variation in required minimum distance between Recreational Vehicles, buildings, and front lot lines.

81. A use similar to any of the foregoing permitted uses may be allowed upon a written determination by the Director of Development Services that the proposed use is similar in nature and impact to the permitted use and is consistent with the overall purposes of the zoning district. The Director's determination may be appealed to the Board of Adjustment pursuant to Article 28 hereof. The burden shall be upon the property owner to prove by clear and convincing evidence that the proposed use is similar to the permitted use.

Section 1503 - Sign Regulations.

The sign regulations are as provided in Article 23 hereof.

Section 1504 - Height Regulations.

The height of building shall not exceed either thirty (30) feet or two stories and a basement, as defined in Sections 3002.13 and 3002.83.

Section 1505 - Yard Regulations.

Yards are not required except as follows:

1. Front Yard: Where the frontage between two (2) intersecting streets is located partly in a Rural or Residential zoning district there shall be a front yard equal to the front yard required in the adjoining Rural or Residential zoning district, but such yard need not exceed twenty (20) feet in depth.
2. Side Yard:
 - a. If a lot is occupied by a dwelling, there shall be a side yard on each side of the dwelling having a width of not less than five (5) feet.
 - b. Where a lot is adjacent to Rural or Residential zoning district, there shall be a side yard on the side of the lot adjacent to such Rural or Residential zoning district having a width of not less than ten (10) feet.
 - c. Where a corner lot abuts a Rural or Residential zoning district whether or not separated by an alley, there shall be a side yard on the street side

of such corner lot having a width of not less than ten (10) feet.

- d. If a side yard is otherwise provided it shall have a width of not less than three (3) feet.
3. Rear Yard:
 - a. If a lot is occupied by a dwelling, there shall be a rear yard having a depth of not less than fifteen (15) feet, or, in the case of legally recorded undersized lot or parcel fifteen percent (15%) of the total lot depth.
 - b. Where a lot abuts a Rural or Residential zoning district whether or not separated by an alley, there shall be a rear yard having a depth of not less than twenty (20) feet.

Section 1506 - Intensity of Use Regulations.

The intensity of use regulations are as follows:

1. Lot Area: Any lot used for dwelling purposes shall have a minimum lot area of six thousand (6,000) square feet.
2. Lot Width: Any lot used for dwelling purposes shall have a minimum width of sixty (60) feet.
3. Lot Area per Dwelling Unit: The minimum lot area per dwelling unit shall be one thousand (1,000) square feet.
4. Lot Coverage: The maximum lot coverage shall be fifty percent (50%) of the lot area.

Section 1507 - Parking Regulations.

The parking regulations are as provided in Section 2510 hereof.

Section 1508 - Loading and Unloading Regulations.

The loading and unloading regulations are as provided in Section 2511 hereof.

Section 1509 - Additional Regulations.

The additional regulations are as follows:

1. Any use including incidental or accessory storage, not within a completely enclosed building shall be screened from lots in adjoining Rural or Residential zoning districts by a solid fence or wall at least six (6) feet in height.
2. Any lighting shall be placed so as to reflect the light away from adjoining Rural or Residential zoning districts.