

**Sec. 732-206. C-5 General Commercial District.**

*Statement of purpose:* The C-5 District is designed to provide areas for those retail sales and service functions whose operations are typically characterized by outdoor display, or sales of merchandise; by major repair of motor vehicles; by outdoor commercial amusement and recreational activities; or by activities or operations conducted in buildings or structures not completely enclosed. The types of uses found in this district tend to be outdoor functions, brightly lighted, noisy, etc. Therefore, to provide a location where such uses can operate in harmony with the vicinity, they should be grouped on heavy commercial thoroughfares and should avoid locating adjacent to protected districts.

(a) *Permitted C-5 uses.* Permitted uses in the C-5 District shall conform to the general commercial district regulations and performance of section 732-200 and the C-5 District development standards of section 732-206(b). The following uses shall be permitted in the C-5 District:

(1) Any use permitted in the C-1, C-3, or C-4 districts (except convalescent or nursing home, day care center).

(2) Automotive-related uses, including:

Automobile:

- Dealers
- Leasing, passenger
- Rental, passenger
- Body repair/paint shop

Glass replacement shop

Motorcycle:

- Dealers
- Rental
- Repair shop
- Paint shop

Recovery service

Repossession service

Tractor:

- Dealers
- Repair or service

Transmission repair shop

Truck or bus:

Dealers, one-half-ton load capacity or less (including servicing)

(3) Business and personal services, including:

Bottle exchanges

Equipment rental or leasing:

Light

Tool

Repossession service, other than automotive

(4) Caterer.

(5) Commercial or recreational amusement establishments, including:

Boat or canoe rental

Fishing lake operation, commercial or private

Gocart raceways (including rental)

Golf uses, including:

Cart rental

Driving range

Miniature

Pitch-n-putt

Railroads, scenic

Sports, professional or semi-professional

(6) Commissary restaurant.

(7) Newspaper publishing and printing.

(8) Repair services, including:

Antennas, household (installation and service)

Gas appliance

(9) Retail-type uses, including:

Flea market (outdoor)

Gravestones or monuments, finished

(10) Theatre, drive-in.

(11) Other uses similar and comparable in character to the above permitted uses.

(12) Accessory uses and structures, subordinate, appropriate and incidental to the above permitted uses, including supportive services directly related to and located in the same building with the primary use, shall be subject to the requirements of section 732-206(b)(1)i.

(13) Temporary structures, including fences, walls, buildings, barricades and

similar temporary structures incidental and necessary to the development of land during construction shall be subject to the requirements of section 732-214(e).

(b) *C-5 development standards.*

(1) *Use.*

a. No outside storage shall be permitted except:

1. The temporary and accessory storage of vehicles awaiting repair, provided such storage be located behind the established front building line.

2. Trash containers shall be permitted, provided that container (s) exceeding six (6) cubic feet shall:

i. Be completely screened on at least three (3) sides within a solid-walled or fenced stall not less than six (6) feet in height. The open side of the stall, if applicable, shall not face any protected district, nor shall it be viewed from any street frontage; and

ii. Be located behind the established front building line; and

iii. Not be located within a required yard or required transitional yard.

3. Recycling containers shall be permitted, subject to the requirements of section 732-214(d) (requirements for recycling containers).

b. The outdoor display of goods or materials for sale, lease or rental may be conducted, provided that display areas shall:

1. Not be located in any required yards, required transitional yards, off-street parking areas or off-street loading areas;

2. Be of concrete, asphaltic pavement, brick, flagstone or comparable material maintained in good condition;

3. Be maintained in an orderly manner;

4. Be provided with bumper or wheel guards along the perimeter of any vehicular display area; and

5. Not be located in any way which conflicts or interferes with walks, parking areas, loading areas, driveways, interior access driveways, interior access drives, or landscaped required yards.

c. Vending machines shall be permitted, provided the machine(s) shall:

1. Be located within a building; or

2. Be located on the exterior of a building abutting its exterior wall; and

3. Not be located within a required yard or required transitional yard.

d. Taverns, package liquor stores, night club establishments, and such establishments where alcoholic beverages may be carried out (except drug stores or grocery stores) shall:

1. Provide adequate outdoor convenience trash containers; and

2. Erect and maintain a decorative fence or wall along the perimeter of any outdoor seating area; and
  3. Not be located within one hundred (100) feet, measured in any direction, of a protected district. The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the zoning boundary of the protected district except when such establishment is separated from such protected district by an intervening street (see section 732-217, Diagram J); and
  4. Not be located within five hundred (500) feet, measured in any direction, of any commercial amusement/recreation establishment which caters to, or markets itself predominantly to, persons under twenty-one (21) years of age. The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the property line of the subject commercial amusement/recreation establishment.
- e. Fast food or drive-through restaurants, and such establishments where food may be carried out shall:
1. Provide adequate outdoor convenience trash containers; and
  2. Erect and maintain a decorative fence or wall along the perimeter of any outdoor seating area; and
  3. Not be located within one hundred (100) feet, measured in any direction, of a protected district. The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the zoning boundary of the protected district except when such establishment is separated from such protected district by an intervening street (see section 732-217, Diagram J).
- f. Any commercial amusement/recreation establishment which caters to, or markets itself predominantly to, persons under twenty-one (21) years of age shall not be located within five hundred (500) feet, measured in any direction, of any:
1. Substance abuse treatment facility;
  2. Tavern, package liquor store, night club establishment, or such establishment where alcoholic beverages may be carried out (except drug stores or grocery stores). The measurement shall be taken from the exterior of the building (or the tenant bay of the establishment if the use is in an integrated center), to the property line of the subject substance abuse treatment facility, tavern, package liquor store, night club, or establishment where alcoholic beverages may be carried out.
- g. Gasoline services, stations, convenience markets, services centers or functions, shall be subject to the following regulations:
1. Gasoline service stations, convenience markets, service centers or functions, service operation and sales shall not include the following:
    - i. Any outdoor operations (other than the dispensing or

similar temporary structures incidental and necessary to the development of land during construction shall be subject to the requirements of section 732-214(e).

(b) *C-5 development standards.*

(1) *Use.*

- a. No outside storage shall be permitted except:
  1. The temporary and accessory storage of vehicles awaiting repair, provided such storage be located behind the established front building line.
  2. Trash containers shall be permitted, provided that container(s) exceeding six (6) cubic feet shall:
    - i. Be completely screened on at least three (3) sides within a solid-walled or fenced stall not less than six (6) feet in height. The open side of the stall, if applicable, shall not face any protected district, nor shall it be viewed from any street frontage; and
    - ii. Be located behind the established front building line; and
    - iii. Not be located within a required yard or required transitional yard.
  3. Recycling containers shall be permitted, subject to the requirements of section 732-214(d) (requirements for recycling containers).
- b. The outdoor display of goods or materials for sale, lease or rental may be conducted, provided that display areas shall:
  1. Not be located in any required yards, required transitional yards, off-street parking areas or off-street loading areas;
  2. Be of concrete, asphaltic pavement, brick, flagstone or comparable material maintained in good condition;
  3. Be maintained in an orderly manner;
  4. Be provided with bumper or wheel guards along the perimeter of any vehicular display area; and
  5. Not be located in any way which conflicts or interferes with walks, parking areas, loading areas, driveways, interior access driveways, interior access drives, or landscaped required yards.
- c. Vending machines shall be permitted, provided the machine(s) shall:
  1. Be located within a building; or
  2. Be located on the exterior of a building abutting its exterior wall; and
  3. Not be located within a required yard or required transitional yard.
- d. Taverns, package liquor stores, night club establishments, and such establishments where alcoholic beverages may be carried out (except drug stores or grocery stores) shall:
  1. Provide adequate outdoor convenience trash containers; and

Transmission repair shop

Truck or bus:

Dealers, one-half-ton load capacity or less (including servicing)

(3) Business and personal services, including:

Bottle exchanges

Equipment rental or leasing:

Light

Tool

Repossession service, other than automotive

(4) Caterer.

(5) Commercial or recreational amusement establishments, including:

Boat or canoe rental

Fishing lake operation, commercial or private

Gocart raceways (including rental)

Golf uses, including:

Cart rental

Driving range

Miniature

Pitch-n-putt

Railroads, scenic

Sports, professional or semi-professional

(6) Commissary restaurant.

(7) Newspaper publishing and printing.

(8) Repair services, including:

Antennas, household (installation and service)

Gas appliance

(9) Retail-type uses, including:

Flea market (outdoor)

Gravestones or monuments, finished

(10) Theatre, drive-in.

(11) Other uses similar and comparable in character to the above permitted uses.

(12) Accessory uses and structures, subordinate, appropriate and incidental to the above permitted uses, including supportive services directly related to and located in the same building with the primary use, shall be subject to the requirements of section 732-206(b)(1)i.

(13) Temporary structures, including fences, walls, buildings, barricades and

- (9) *Signs.* Signs and sign structures shall comply with Chapter 734 of this Code. Additional regulations specific to adult entertainment businesses are found in section 732-216.
- (10) *Off-street parking.* Off-street parking facilities shall be provided in accordance with the off-street parking regulations of section 732-211.
- (11) *Off-street loading.* Off-street loading facilities shall be provided in accordance with the off-street loading regulations of section 732-212.
- (12) *Drive-through off-street stacking space requirements.* Off-street stacking spaces shall be provided in accordance with the drive-through or drive-in stacking space regulations of section 732-213.
- (13) *Additional developments requirements.* Site and landscape plans, street requirements, recycling containers, temporary use structures or buildings, temporary seasonal retail sales uses, or screening, landscaping and grounds maintenance, shall be in accordance with section 732-214.
- (14) *Special regulations, adult entertainment business.* In addition to the requirements of this section, adult entertainment businesses shall be in accordance with section 732-216, special regulations - adult entertainment business.