

Sec. 86-92. - CG commercial, general district.

- (a) *District intent.* The CG district is intended for general commercial activity. Businesses in this category require larger land area and a location convenient to automotive traffic. Pedestrian traffic will be found in this district. The district is not suitable for heavily automotive-oriented uses. It is not the intent of this district that it shall be used to encourage extension of strip commercial areas.
- (b) *Determination of uses.* Uses in the district are regulated through the establishment of categories of uses that are further described by category characteristics, typical permitted uses, accessory uses, and restrictions. The zoning administrator shall utilize district intent and the following criteria to determine if a proposed use is appropriate for the district category of uses:
 - (1) *Category of use* establishes the major heading that is meant to define, organize and encompass the range of specific types of uses allowed.
 - (2) *Category characteristics* describe the general nature of the types of uses for which the category of use is intended.
 - (3) *Typical permitted uses* establish the specific list of uses typically found and permitted under this category of use. Like uses not specifically identified, but essentially comparable to the typical uses listed, may be approved by the zoning administrator if the nature and impacts of that use are similar to those of the listed uses.
 - (4) *Accessory uses and structures* provide the permitted accessory uses and structures for the category of use.
 - a. Accessory uses and structures:
 - 1. Are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures.
 - 2. Are located on the same lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership.
 - 3. Do not involve operations or structures inconsistent with the character of the district.
 - b. Dwelling units on the same premises and in connection with permitted principal uses and structures are allowed only for occupancy by owners or employees thereof.
 - c. Other accessory uses are identified for specific categories of use and specific permitted uses in this section.

- d. Like accessory uses not specifically identified, but essentially comparable to the accessory uses listed may be approved by the zoning administrator if the nature and impacts of that use are similar to those of the listed accessory uses.

(5) *Restrictions* provide additional detail and guidance regarding restrictions on the application of the category of use.

(c) *Commercial, general—Permitted uses.*

| Category of Use | | |
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| 1) Retail Commercial Category Characteristics: Uses providing primarily for the display and sale of new and used merchandise at retail within an enclosed building. | | |
| Typical Permitted Uses | Accessory Uses | Restrictions |
| <ul style="list-style-type: none"> Retail sale of apparel, toys, sundries and notions, books and stationery, leather goods and luggage, art, hardware, jewelry, electronics, sporting goods, musical instruments, office equipment and supplies, furniture, home furnishings, auto parts and accessories, antiques, food, swimming pool supplies, appliances, and the like | <p>Indoor manufacturing and production of items for sale on-premises only.</p> <p>Repair of goods sold on-premises.</p> | <p>Outdoor sale and display of merchandise requires special exception.</p> <p>No animal kennels associated with pet shops.</p> |
| <ul style="list-style-type: none"> Convenience stores | | |
| <ul style="list-style-type: none"> Grocery stores | | |

| • Pharmacies | | |
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| • Produce markets | | |
| • Bakeries | | |
| • Florists | | |
| • Gift shops | | |
| • Hobby shops | | |
| • Automotive convenience centers as defined in <u>Section 86-570</u> | | |
| • Pet shops | | |
| 2) Personal and Business Services. Category Characteristics: Uses providing for one's personal care and for rendering professional services to individuals and businesses. | | |
| Typical Permitted Uses | Accessory Uses | Restrictions |
| • Hair and beauty care | | No animal kennels associated with pet grooming. |
| • Pet grooming | | |
| • Health spas | | |
| • Shoe repair | | No transmitter towers are allowed in relation to radio and television stations. |

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| • Clothing repair and alteration | | |
| • Dry cleaning/laundry services | | |
| • Copying and duplication services | | |
| • Photography studios | | |
| • Funeral home | | |
| • Radio or television stations | | |
| • Electronics repair | | |
| • Interior decorators | | |
| 3) Commercial Recreation, Entertainment (Completely Indoors). Category Characteristics: Uses providing primarily for private, indoor commercial recreation and entertainment. | | |
| Typical Permitted Uses | Accessory Uses | Restrictions |
| • Studios for instruction in dance, music, yoga, cheer/gymnastics, and similar activities | Sale and rental of clothing and equipment associated with the on-site activity. | |
| • Movie theaters | Sale of food and drinks for on-premises consumption. | |

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| • Bowling alleys | | |
| • Billiard parlors | | |
| • Swimming pools | | |
| 4) Professional, Medical, and Business Offices. Category Characteristics: Uses providing primarily for professional, medical, administrative or clerical occupations or services. | | |
| Typical Permitted Uses | Accessory Uses | Restrictions |
| • Medical and dental clinics | | Boarding of animals associated with an animal hospital or clinic shall be within a completely enclosed structure. |
| • Animal hospitals and clinics | | |
| • Newspaper offices | | |
| • Travel agency | | |
| • Employment office | | Pain management clinics as defined in <u>Section 86-570</u> require special exception. No printing or circulation activities associated with newspaper offices. |

5) Bank, Financial Institutions.**Category Characteristics:** Uses providing primarily for financial services.

| Typical Permitted Uses | Accessory Uses | Restrictions |
|------------------------------------|-----------------------|--------------|
| • Banks and financial institutions | Drive-thru facilities | |
| • Credit unions | | |
| • Savings and loans | | |
| • Credit agencies | | |
| • Other lending institutions | | |

6) Eating Establishments.**Category Characteristics:** Uses providing primarily for the sale of food for consumption on the premises.

| Typical Permitted Uses | Accessory Uses | Restrictions |
|------------------------|--|---|
| • Restaurants | Drive-thru facilities. | Drive-in restaurants require special exception. |
| | Reserved parking for pick-up of takeout items. | |

7) Vocational, Trade, and Business Schools.**Category Characteristics:** Uses providing primarily for private education and training for professional, technical, and business occupations including those providing career employment skills.

| Typical Permitted Uses | Accessory Uses | Restrictions |
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| <ul style="list-style-type: none"> • Vocational, trade, and business schools | | All activities associated with school must be conducted within completely enclosed buildings. |
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8) Marinas, Docks and Piers.

| Typical Permitted Uses | Accessory Uses | Restrictions |
|---|---|--------------------------------------|
| <ul style="list-style-type: none"> • Marinas • Commercial and noncommercial piers and docks | Boat rental, marine fuel sales, sale of fishing and marine related items including bait and tackle. | Boat storage lots are not permitted. |

9) Institutional.

Category Characteristics: Uses of a public, private, or quasi-public nature providing primarily educational, religious, and civic facilities and services.

| Typical Permitted Uses | Accessory Uses | Restrictions |
|---|----------------|--------------|
| <ul style="list-style-type: none"> • Houses of worship | | |

10) Civic, Service Organizations.

Category Characteristics: Uses providing primarily private non-profit club functions.

| Typical Permitted Uses | Accessory Uses | Restrictions |
|--|----------------|--------------|
| <ul style="list-style-type: none"> • Clubs such as civic, social, veteran, fraternal and humanitarian, and similar organizations. | | |

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| • Private libraries | | |
| 11) Commercial Parking Lots, Garages. Category Characteristics: Uses providing primarily for the parking of automobiles on an hourly, daily, or monthly basis, including in an improved surface lot or in a structure designed for such purpose. | | |
| Typical Permitted Uses | Accessory Uses | Restrictions |
| • Commercial parking lots | | |
| • Commercial parking garages | | |
| 12) Existing Single-Family and Two-Family Dwellings. | | |
| | Accessory Uses | Restrictions |
| | | New single-family and two-family dwellings are not permitted in this zoning district. |

(d) *Commercial, general—Special exceptions.*

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| Category of Use |
| 1) Automotive Service Stations as defined in <u>Section 86-570</u> . |
| 2) Multi-Family Dwellings as defined in <u>Section 86-570</u> . |
| 3) Motorbus Terminals. |

4) **Essential Services as defined in Section 86-570.**

| Typical Special Exception Uses | Accessory Uses | Restrictions |
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| <ul style="list-style-type: none"> Electrical substations, lift stations and similar installations. | | Does not include electric or gas generation plants. |

5) **Outdoor Display and Sale of Retail Merchandise**

| Typical Special Exception Uses | Accessory Uses | Restrictions |
|--|----------------|--------------|
| <ul style="list-style-type: none"> Sale and display in other than completely enclosed buildings of any merchandise otherwise allowed as a permitted use in this district. | | |

6) **Temporary Lodging.**

Category Characteristics: Uses offered or available for temporary lodging for a term less than one month.

| Typical Special Exception Uses | Accessory Uses | Restrictions |
|---|----------------|--------------|
| <ul style="list-style-type: none"> Hotels and motels | | |
| <ul style="list-style-type: none"> Interval occupancy accommodations | | |

| 7) Outdoor Recreation Category Characteristics: Uses providing primarily for private, outdoor commercial recreation. | | |
|---|----------------|---|
| Typical Special Exception Uses | Accessory Uses | Restrictions |
| <ul style="list-style-type: none"> • Miniature golf courses | | |
| 8) Pain Management Clinic as defined in <u>Section 86-570</u>. | | |
| 9) Package stores for sale of alcoholic beverages, and bars or taverns for on-premises consumption of alcoholic beverages. | | |
| 10) Plant nurseries. | | |
| 11) Boat liveries. | | |
| 12) Drive-in restaurants. | | |
| 13) Brewpubs. | | |
| | Accessory Uses | Restrictions |
| | Food service | Brewed beer may only be sold for on-site consumption. |

(e) *Commercial, general—Conditional uses.*

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| Category of Use |
| 1) Structures in excess of 35 feet, but no more than 85 feet in height. |

(f) *Commercial, general—Prohibited uses.*

| Category of Use |
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| 1) Adult Entertainment Establishments as defined in <u>Section 86-570</u>. |
| 2) New single- or two-family dwellings. |
| 3) Manufacturing activities except as specifically permitted or permissible. |
| 4) Warehousing or storage, except as accessory to and within the same structure as a permitted or permissible use. |
| 5) Pawn shops. |
| 6) Any use which is potentially dangerous, noxious or offensive to neighboring uses in the district or to those who pass on public ways by reason of smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference with radio or television reception, or radiation, or likely for other reason to be incompatible with the character of the district. |

(g) *Maximum residential density.* Maximum number of dwelling units per acre in the CG district is 18.

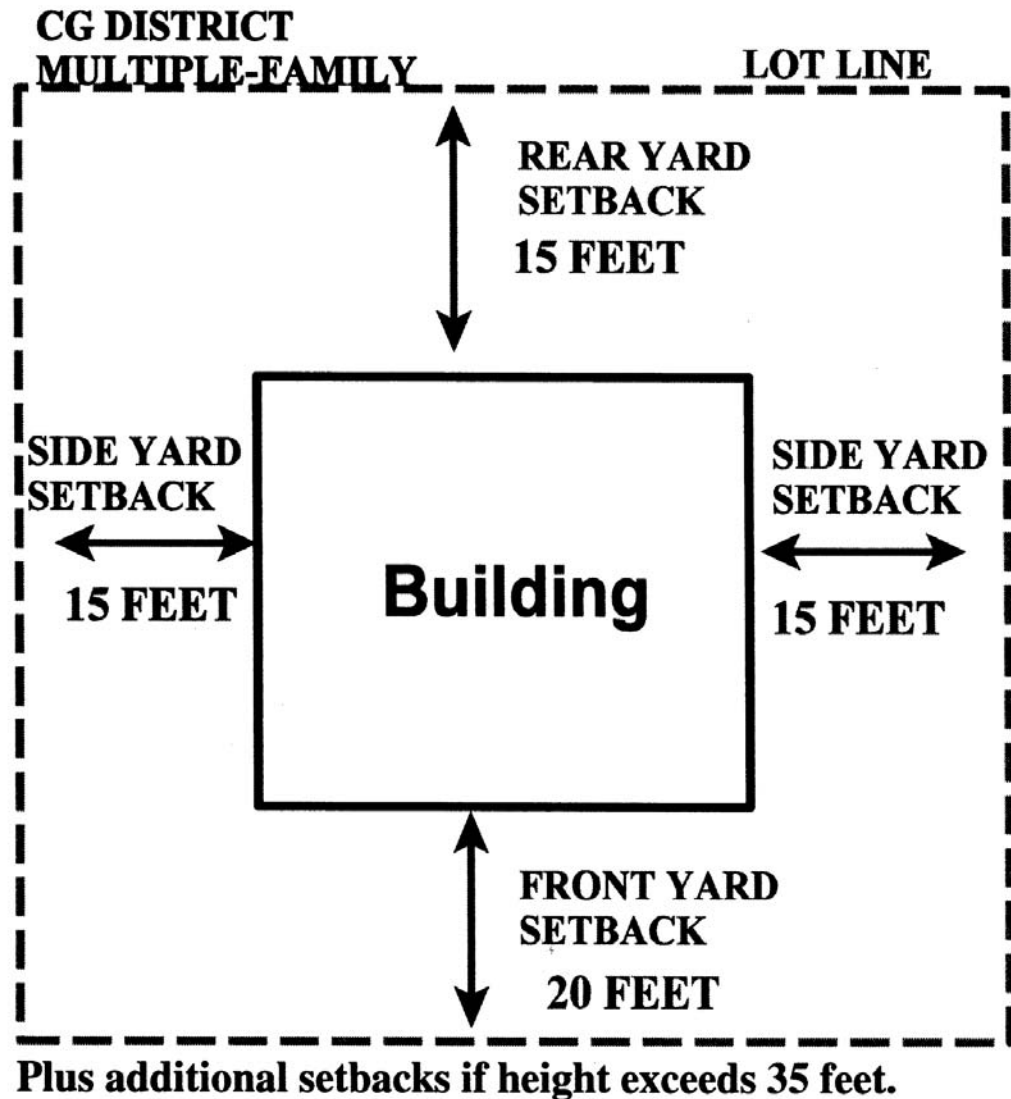
(h) *Minimum lot requirements (area and width).* Minimum lot requirements in the CG district are:

- (1) Multiple-family dwellings: Width, 100 feet; area, 2,420 square feet per dwelling unit.
- (2) Other permitted or permissible uses and structures: None, except as needed to meet other requirements set out in this section.

(i) *Maximum lot coverage by all buildings.* Maximum lot coverage in the CG district is:

- (1) Multiple-family dwellings and their accessory buildings: 30 percent.
- (2) Other permitted or permissible buildings: Unrestricted, except as needed to

meet other requirements set out in this section.



CG Setbacks

(j) *Minimum yard requirements.* Minimum yard requirements in the CG district are:

(1) *Commercial, service, office, hotel, motel or similar activities:*

- a. Front yard: 20 feet; provided that, where a CG zoned lot is located in a block a portion of which is zoned residential, requirements of the residential district apply to the CG zoned lot.
- b. Side yard:
 1. Fire-resistive construction: Buildings may be:
 - i. Set to the side property line; or
 - ii. Set not less than eight feet back from the side property line.
 2. Non-fire-resistive construction: Buildings must be set back not less

than eight feet from the side property line.

- c. Rear yard: Ten feet.

Buildings above 35 feet shall provide additional side and rear yards at a ratio of one foot of yard for each three feet of building height, and a front yard of 25 feet or one-half of the building height, whichever is greater.

(2) Automotive service stations and automotive convenience centers:

- a. Front yard:

- 1. Structures: 20 feet.
- 2. Gas pumps: 15 feet.

- b. Side yard:

- 1. Structures: Eight feet.
- 2. Gas pumps: 25 feet from residentially zoned property, 15 feet from all other properties.

- c. Rear yard:

- 1. Structures: Ten feet.
- 2. Gas pumps: 25 feet from residentially zoned property, 15 feet from all other properties.

(3) Special provisions:

- a. Where a CG zoned lot abuts property zoned residential, with or without an intervening alley, then, at the time of development of the CG zoned lot, a landscaped buffer is required for rear yards and for side yards as the case may be. Such rear or side yards shall not be less than 20 feet in width or depth. No yards are required adjacent to the mean high-water line or adjacent to railroad rights-of-way.

- b. Reserved.

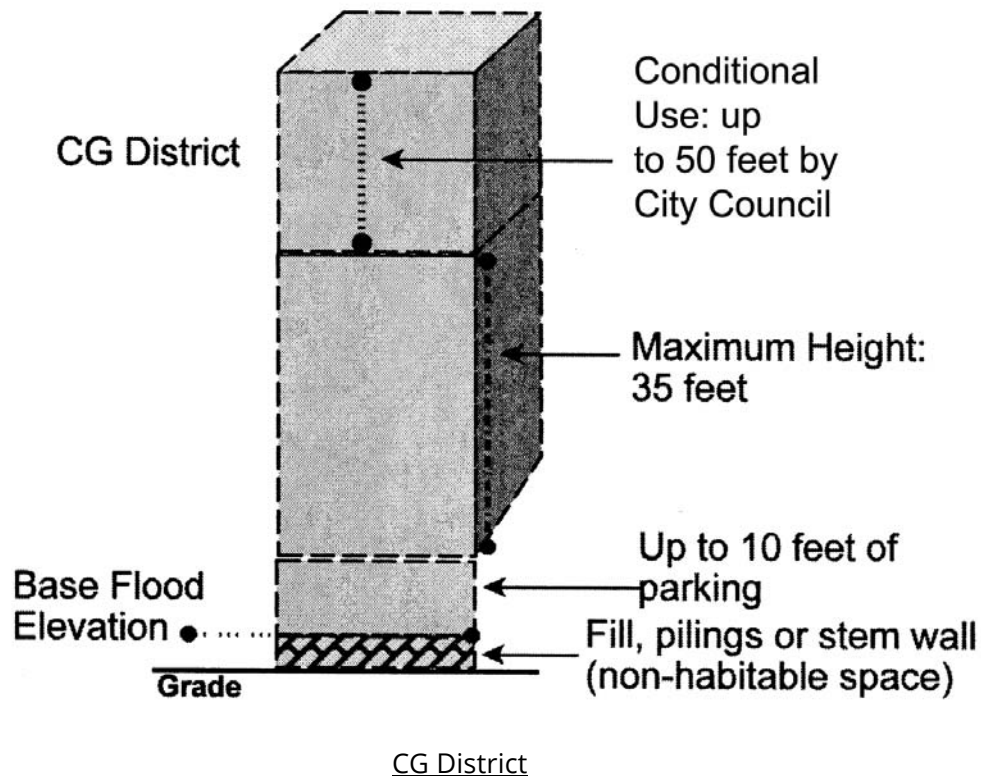
(4) Multiple-family dwellings:

- a. Front yard: 20 feet.
- b. Side yard: 15 feet.
- c. Rear yard: 15 feet.
- d. Waterfront yards: 20 feet.

(5) Other permitted or permissible uses:

- a. Front yard: 20 feet.
- b. Side yard: Ten feet.

- c. Rear yard: 15 feet.
- d. Waterfront yards: 20 feet.
- (6) Buildings above 35 feet shall provide additional side and rear yards at a ratio of one foot of yard for each three feet of building height and a front yard of 25 feet or one-half of the building height, whichever is greater.
- (k) *Maximum height of structures.* No portion of a structure shall exceed 35 feet in the CG district, except as permissible by conditional use. An additional ten feet for one story devoted primarily to parking within the structure may be added to the limit.



(Ord. No. 2003-32, § 3, 10-28-03; Ord. No. 2005-27, § 5, 6-14-05; Ord. No. 2013-03, § 4, 2-12-13; Ord. No. 2014-05, § 4, 2-11-14; Ord. No. 2016-10, § 2, 8-23-16)