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Zoning Ordinances
Section 21
Highway Commercial (C-H)

[Find in Page](#)

[Email this article](#)

[Ordinances Main Index](#)

[Back](#)

CHAPTER 21. HIGHWAY COMMERCIAL (C-H)

21-1 Purpose

To provide areas adjacent to highways or major streets where activities dependent upon thoroughfare traffic and the traveling public may be established and protected. All development within this zone will be subject to requirements in chapter 9-A (Entry Corridor Protection Overlay zone) and Chapter 9 (Design Review and Site Development Standards).

21-2 Permitted Uses

1. Accessory uses and buildings customarily incidental to the permitted uses.
2. Air conditioning, sales and service.
3. Art shop.
4. Athletic and Sporting goods store, excluding sale or repair of motor boats, motor vehicles aor motors.
5. Auto body shop.
6. Automobile or recreation vehicle sales ansd services in combined facilities.
7. Automobile parts sales
8. Automobile repair and storage including paint, body and fender brake muffler, transmission work provided conducted within an enclosed building.
9. Automobile, new or used sales and service incidental to sales.
10. Bakery, manufacturing limited to good retailed on premise.
11. Bank or financial institution.
12. Barber shop and beauty shop.
13. Bicycle sales ad service, Indoors.
14. Bowling Alley.
15. Building Materials sales.
16. Camera Store.
17. Car wash.
18. Carpet and rug cleaning.
19. Church
20. Clinics, medical, dental and hospitals.
21. Clothing and accessory store.
22. Coal and fuels sales office.
23. Convenience markets.
24. Data processing service and supplies.
25. Delicatessen.
26. Department store.
27. Drug store.
28. Electrical and heating appliances, and fixtures sales and service.
29. Farm implement sales.

30. Florist shop.
 31. Furniture sales and repair.
 32. Government building or uses, non-industrial.
 33. Greenhouse and nursery, soil and lawn services.
 34. Grocery Store.
 35. Gunsmith.
 36. Hardware store.
 37. Hobby and crafts store.
 38. Hotels and motels.
 39. Insurance agency.
 40. Janitorial service and supply.
 41. Jewelry store, sales and service.
 42. Laundry or dry cleaner, Laundromat.
 43. Library.
 44. Medical/dental clinic, laboratories.
 45. Mortuary.
 46. Motel and Hotel.
 47. Music store.
 48. Office supply, office machines sales and service.
 49. Pet and pet supply store.
 50. Pharmacy.
 51. Photographic supplies.
 52. Planned development.
 53. Planned Development.
 54. Plumbing shop.
 55. Post Office.
 56. Printing, lithography. Publishing or reproductive sales and service.
 57. Professional offices.
 58. Real Estate agency.
 59. Recreation facility.
 60. Rental agency for home and garden tools.
 61. Restaurant or café.
 62. Restaurant, Drive-In.
 63. Restaurant.
 64. Roller skating rink.
 65. Second hand store.
 66. Service station.
 67. Shoe repair or shoe shine shop.
 68. Shoe store.
 69. Sign manufacturing or sign painting.
 70. Storage Rental units.
 71. Supermarket.
 72. Theater, indoor.
 73. Tire sales and service.
 74. Toy store, retail.
 75. Truck stop.
 76. Variety store.
 77. Vegetable stand.
- 21-3 Conditional Uses

1. Accessory uses and buildings customarily incidental to the conditional uses.
2. Animal Hospital (large or small).
3. Boarding Kennels. (Indoors).
4. Bus terminal.
5. Campground or Recreation Coach Park.
6. Public utilities and essential services.
7. Residential uses.
8. Service stations.
9. Welding shop.

21-4 Floor Area

In no case shall the gross floor area of a structure exceed the amount equal to eight tenths (.8) multiplied by net lot area in square feet.

21-5 Height Regulations

No building shall be erected to a height greater than two and one-half (2 ½) stories or thirty-five (35) feet without a Conditional Use Permit.

21-6 Area, Width, and Yard Regulations

District	Area	Yards in Feet			
		Width	Front	Side	Rear
CH	12,000 sq.ft.	none	20	20	20

21-7 Special Provisions

1. All material and merchandise, except vehicles in running order, shall be stored in an enclosed building or within an enclosure surrounded by a sight-obscuring fence or wall of not less than six (6) feet in height and no material or merchandise shall be stored to a height of more than the height of the enclosing fence or wall.

2. No trash, rubbish, weeds or other combustible material shall be allowed to remain on any lot outside of approved containers in any General Commercial District. No junk, debris, abandoned or dismantled automobile or automobile parts or similar material shall be stored or allowed to remain on any lot in any General Commercial District.

3. All solid waste storage facilities shall be located at the rear of the main building or else behind a sight-obscuring fence or wall which will prevent the facility from being seen from a public street.

B. Gross Floor Limitation.

Retail establishments shall not exceed 40,000 square feet of gross floor area within the Highway Commercial, (C-H). No retail establishment shall be permitted to place any one building or any combination of building that exceed 40,000 square feet within said Zone. In no event shall any retail establishment, corporation, business, or entity have one or more buildings on adjoining parcels, wherein the building or buildings would exceed a total of 40,000 square feet. Attempts to circumvent or exceed this maximum 40,000 square feet shall be strictly prohibited.

3. Definitions. The following definitions shall apply to this Section.

a. "Retail Establishments" means retail business or businesses, conducted in two or more buildings, where the retail business or businesses:

- i. are engaged in the selling of similar or related goods, wares or merchandise, and operate under Common Ownership or Management, or
- ii. share check stands, storage facilities, a warehouse, or a distribution facility, or
- iii. otherwise operate as associated, integrated or cooperative business enterprises under Common Ownership or Management.

b. "Combination of Buildings" means two or more buildings that are on adjoining parcels as measured from the outside exterior wall of two of the

buildings.

c. "Common Ownership or Management" means owned, leased, possessed, managed or otherwise controlled in any manner directly or indirectly,

i. by the same individual(s) or entity(ies) including but not limited to corporation(s), partnership(s) limited liability comp(ies) or trust(s), or by different individuals or entities, including but not limited to corporations, partnerships, limited liability companies or trusts where such individual(s) or entity(ies) have a controlling ownership or contractual right with other individual(s) or entity(ies) with respect to the Retail Businesses, or where the same individual(s) or entity(ies) act in any manner as an employee, owner, partner, agent, stockholder, director, member officer or trustee of the entity(ies).

d. "Gross Floor Area" shall mean the sum of:

i. the total horizontal area, in square feet, of all floors of a building as measured at outside the exterior walls and including all interior courtyards, and

ii. the total horizontal area, in square feet, of all portions of the site outside of the exterior walls of buildings used for the display, storage, or sale of any goods, wares or merchandise.

For the purpose of this section an interior courtyard means a space bounded on three or more sides by walls but not a roof.

e. "Retail Business" means a business engaged in the sale of goods to individual consumers, usually in small quantities, and not to be placed in inventory for resale. A Retail Business does not include:

i. health centers, governmental uses, community centers, theaters, or religious or fraternal uses, or

ii. a business where retail sales are an incidental or accessory use to the primary use. This definition shall not include churches, public schools, hospitals, public civic centers, or public recreational facilities, or other facilities owned by or operated strictly for the benefit of the public.

21-8 Signs

See Section 6-A.

[Top of Page](#)

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