

Article 12

Commercial Zoning Districts

Section 12.100	C-1, Central Business District
Section 12.101	C-2, Limited Neighborhood Commercial District
Section 12.102	C-3, General Commercial District

12.100 C-1, Central Business District

1. Purpose and Intent. This district is intended to accommodate civic, commercial services, housing, and offices in Downtown.
2. Uses Permitted. The following uses and similar uses are permitted within the C-1, Central Business District.
 - a) Food and restaurant businesses. These include grocery stores, restaurants, bakeries, caterers, farmers markets, liquor stores, bars, microbreweries and similar businesses.
 - b) Household, personal care, and retail type businesses. These include clothing sales and repair stores, barbers, appliance and furniture stores, laundry and dry-cleaning facilities, hardware and home maintenance stores, and similar businesses.
 - c) Entertainment type businesses. These include theaters, sporting goods sales and repairs stores, pet stores, video rental and sales (except adult videos), exercise or instruction facilities and similar businesses.
 - d) Auto and transportation type businesses. These include auto sales, auto servicing and repair shops, auto supply stores, fuel stations, bus or taxi terminals and similar businesses.
 - e) Professional offices and businesses. These include banks, post offices, mailing services, internet and phone providers, printing and publishing businesses, business supplies stores, computer and similar technology related businesses, taxidermists, consumer and business products repair and servicing businesses, and similar businesses.
 - f) Other uses. These include churches, clubs and lodges, funeral homes, ambulance and emergency services, hotels and motels, bed and breakfast establishments, apartments located above the first floor, parking as needed for permitted uses, schools and training facilities, government properties and uses including utilities, publicly owned uses such as libraries and parks, and any other business, profession or service which, in the opinion of the Zoning Administrator are of the same scale and intensity as those uses listed above.

3. Conditional Uses. The following uses may be permitted, subject to procedures listed in, Section 4.102.
 - a) Car wash.
 - b) Communication towers 60 feet or greater in height, subject to the provisions of Article 15, Supplementary Use Regulations.
 - c) Warehousing for goods related to permitted use activities in the district.
4. The following property development regulations shall apply to all sites in the C-1 District.
 - a) Maximum building height of 45 feet or by Planning Commission review.
 - b) Minimum front yard: None Required.
 - c) Minimum side yard: No side yard is required except when a side yard has a common boundary with property in a residential district and then there shall be a setback of 5 feet with screening meeting the requirements of Article 18.
 - d) Minimum rear yard: No rear yard is required except when a side yard has a common boundary with property in a residential district and then there shall be a setback of 5 feet with screening meeting the requirements of Article 18.
 - e) The Zoning Administrator may adjust setbacks for averaging with adjacent buildings.
5. Appearance Codes. All new commercial buildings established after the effective date of this ordinance shall comply with the following requirements.
 - a) Scrap materials, non-operative motor vehicles or machinery, disassembled machinery, debris, solid waste containers, construction materials or equipment, and used machinery parts must be stored in the rear of the lot. Screening may be required at the discretion of the Zoning Administrator, meeting the requirements of Article 18.
 - b) All outdoor lighting must be shielded and focused to direct light onto the premises and away from adjoining residential properties.
6. Parking Regulations. There are no requirements for off street parking in C-1 Zones.
7. Special Regulations. Multiple commercial structures are allowed on a single zoning lot when the lot is under one ownership.

12.101 C-2, Limited Neighborhood Commercial District

1. Purpose and Intent: This district is intended to allow retail, commercial, office and institutional uses in and near residential areas. In general, the activities and uses in this district should be compatible with the residential character of the neighborhood, should have very little outside activity.

2. Permitted Uses, The following uses shall be permitted within the C-2 Limited Neighborhood Commercial District.
 - a) All uses permitted in C-1, Downtown Commercial District, Section 12.100, Uses Permitted, except the following uses:
 - i. Auto service.
 - ii. Gas stations.
 - iii. Automobile dealers, new and used.
 - iv. Bar or nightclub.
 - v. Commercial printing and publishing.
 - vi. Drive-through food service.
 - vii. Hotel or motel.
 - b) Any commercial or office use that meets the intent and purpose of this section and is keeping with the general character of the district.
3. Conditional Uses: The following uses may be permitted, subject to the procedures listed in Section 4.102.
 - a) Auto service.
 - b) Gas Stations.
 - c) Automobile dealers, new and used.
 - d) Bar or nightclub.
 - e) Commercial printing and publishing.
 - f) Drive-through food service.
 - g) Hotel or motel.
4. The following property development regulations shall apply to all sites in the C-2 District.
 - a) Maximum building height is 45 feet.
 - b) Minimum front yard setback is 15 feet.
 - c) Minimum side yard is 8 feet on each side. For corner lots, if KDOT site triangle regulations require a greater setback, then KDOT regulations must be followed.
 - d) Minimum rear yard is 25 feet. When the rear yard abuts a railroad right of way, no rear yard setback is required.
 - e) The Zoning Administrator may adjust setbacks for averaging with adjacent buildings.
5. Appearance Codes: All new commercial buildings established after the effective date of this ordinance shall comply with the following requirements.
 - a) Scrap materials, non-operative motor vehicles or machinery, disassembled machinery, debris, solid waste containers, construction materials or equipment, and used machinery parts must be stored in the rear of the lot.
 - b) All outdoor lighting must be shielded and focused to direct light onto the premises and away from adjoining residential properties.
6. Parking Regulations:

- a) There are no requirements for off street parking in C-2 Zones for existing structures. New Commercial buildings shall meet requirements of Article 20, Parking and Loading Regulations.
 - b) Parking areas located in the side or rear yards of the principal building used exclusively for the storage of vehicles, or for remote, reserve parking may use recycled asphalt or gravel on compacted earth.
7. Special Regulations: Multiple commercial structures are allowed on a single zoning lot when the lot is under one ownership.

12.102 C-3, General Commercial District

1. Purpose and Intent: This district is intended to accommodate commercial services, offices, and businesses in locations outside of downtown. The C-3 district is generally intended to be suitable in locations along the highway or major streets; at specific sites where it is determined that business is harmonious with the surrounding neighborhood. The district is also intended to accommodate uses which are heavy traffic generators, uses which require increased parking and storage needs and businesses which must use outside storage facilities.
2. Permitted Uses: The following uses shall be permitted within the C-3 General Commercial Business District.
 - a) All uses permitted in C-1, Downtown Commercial District, Section 12.100.
 - b) Agricultural supplies including farm implement and other heavy equipment sales and services.
 - c) Car washes.
 - d) Exterminators.
 - e) Landscape and horticultural services and sales.
 - f) Lumberyards.
 - g) Manufactured home dealers.
 - h) Self-storage Buildings.
 - i) Auction businesses.
 - j) Any commercial or office uses that meets the intent and purpose of this section and is keeping with the general character of the district.
3. Conditional Uses. The following uses may be permitted, subject to the procedures listed in Section 4.102.
 - a) Camps, travel trailer, or RV parks.
 - b) Communications towers over 60 feet in height.
 - c) Petroleum products (storage and distribution).
 - d) Recycling collection stations.
 - e) Welding shops.
 - f) Truck stops.

4. The following property development regulations shall apply to all sites in the C-3 District.
 - a) Maximum building height is 45 feet.
 - b) Minimum front yard set back is 15 feet.
 - c) Minimum side yard setback is 8 feet. If KDOT site triangle regulations require a greater setback, then KDOT regulations must be followed.
 - d) Minimum rear yard is 25 feet. When the rear yard abuts a railroad right of way, no rear yard setback is required.
 - e) The Zoning Administrator may adjust set backs for averaging with adjacent buildings.
5. Appearance Codes. All new commercial buildings established after the effective date of this ordinance shall comply with the following requirements.
 - a) Scrap materials, non-operative motor vehicles or machinery, disassembled machinery, debris, solid waste containers, construction materials or equipment, and used machinery parts must be stored in the rear of the lot.
 - b) All outdoor lighting must be shielded and focused to direct light onto the premises and away from adjoining residential properties.
6. Parking Regulations. All development in the C-3 District shall comply with the parking and loading requirements in Article 20.
7. Special Regulations. Multiple commercial structures are allowed on a single zoning lot when the lot is under one ownership.