Article XVII.
C-M Commercial District Regulations

Sec. 1. Use regulations.

In the C-M Commercial District, no land shall be used and no building shall be erected for or converted to any use other than:

(1) Any use permitted in the LR-M(1) and LR-M(2) districts.

(2) Driving instruction school.

(3) Hotel—Full service.

(4) Motor vehicle rental—Limited to a maximum of ten light load vehicles in a business located in a multi-tenant building.

(5) Motor vehicle sales/leasing-new.

(6) Parking lot or garage—Commercial off-street.

(Ord. No. 771-A, § 1, 4-10-72; Ord. No. 797-A, § 1, 8-7-72; Ord. No. 989-A, § 1, 12-30-75; Ord. No. 1093-A, § 3, 10-31-77; Ord. No. 2226-A, § 1(3), 12-22-80; Ord. No. 2728-A, § 4, 5-22-89; Ord. No. 3009-A, § 1C, 2-13-95; Ord. No. 3063-A, § 1, 2-26-96; Ord. No. 3377-A, § 1, 1-14-02; Ord. No. 3715, § 6, 7-14-08)

Sec. 2. Building regulations.

Type of materials. All buildings shall be of masonry construction. A maximum of 15 percent of the building facade area may be constructed of noncombustible construction other than masonry construction including factory certified installation of commercial grade Class PB Exterior Insulation and Finish System (EIFS). Said EIFS materials must be installed above a height of eight feet and in no case shall EIFS be installed, even as a recladding material, below a height of eight feet. In determining the percentage allowance, the total of all sides of the building shall be utilized in the calculation and a maximum of 20 percent of the facade per elevation shall be constructed of noncombustible construction.

(Ord. No. 3172-A, § 2, 4-13-98; Ord. No. 3377-A, § 1, 1-14-02)

Sec. 3. Height regulations.

No building or structure shall exceed eight stories and a maximum of 130 feet in height, and further provided that the following limitations shall apply:

(a) Where all or a portion of a lot or tract is within 300 feet of a residential, duplex, or apartment zoning district, including street and alley rights-of-way:

  (1) Building height shall be limited to one story not to exceed 25 feet in height for a building located within 150 feet of a residential, duplex, or apartment zoning district.

  (2) Building height shall be limited to two stories, not to exceed 25 feet in height for the first story and 15 feet in height for the second story, for a building located between 150 feet and 300 feet from a residential, duplex, or apartment zoning district;

(3) Building height shall be limited to 50 feet, not to exceed 25 feet in height for the first story and 15 feet in height for each additional story, for a building located more than 300 feet from a residential, duplex, or apartment zoning district, provided, however, that one foot of additional building height shall be permitted for each two feet of setback provided, up to the maximum eight story height allowed.

(b) Where no portion of a lot or tract is within 300 feet of a residential, duplex, or apartment zoning district, including street and alley right-of-way, building height shall be limited to 50 feet at the setback line, not to exceed 25 feet for the first story and 15 feet for each additional story, provided, however, that two feet of additional building height shall be permitted for each one foot of setback provided, up to the maximum eight story height allowed.

(Ord. No. 916-A, § 4, 8-19-74; Ord. No. 2418-A, § 4, 4-16-84; Ord. No. 3172, § 6, 4-13-98; Ord. No. 3377-A, § 1, 1-14-02)

Sec. 4. Area regulations.

(a) *Front setback.*

(1) There shall be a front setback having a minimum depth of 40 feet.

(2) On corner lots or where lots have double frontage, running through from one street to another, the required front setback shall be provided on both streets.

(3) Gasoline pumps and pump islands shall be set back at least 24 feet from the lot line adjacent to a street and canopies shall be set back at least ten feet from the lot line adjacent to a street.

(b) *Side setback.* No side setback shall be required except:

(1) On a corner lot, a side setback of 40 feet shall be required on the side adjacent to the street.

(2) Where the side of a building faces on a residential, duplex, or apartment district, the screening and open space requirements of chapter 21, Subdivision and Development, of the Code of Ordinances, shall apply.

(c) *Rear setback.* No rear setback shall be required except where the rear of a building faces on a residential, duplex, or apartment district, the screening and open space requirements of chapter 21, Subdivision and Development, of the Code of Ordinances, shall apply.

(d) *Floor area ratio.* No building shall be constructed, erected or altered in such a manner so as to exceed a maximum floor area ratio of 0.6:1 on any lot, tract or parcel of land zoned C-M.

(e) *Setback lines.* Gasoline pumps and pump islands shall be set back at least 24 feet from the right-of-way line. Canopies shall be set back at least ten feet from the right-of-way line.

(Ord. No. 243-A, 10-24-61; Ord. No. 916-A, § 4, 8-19-74; Ord. No. 1001-A, § 3, 2-24-76; Ord. No. 2085-A, § 2, 3-5-79; Ord. No. 2376-A, § 3(2), 10-17-83; Ord. No. 2418-A, § 4, 4-16-84; Ord. No. 3377-A, § 1, 1-14-02; Ord. No. 3598, § 7, 3-26-07)

Sec. 5. Reserved.

Editor's note: *Ord. No. 3598, § 11, adopted March 26, 2007, repealed § 5, which pertained to site plan approval and derived from Ord. No. 469-A, § 1, adopted March 21, 1967; Ord. No. 635-A, § 1, adopted Oct. 13, 1969; Ord. No. 2816-A, § 21, adopted Jan. 14, 1991; and Ord. No. 2872-A, § 5, adopted Feb. 25, 1992.*

Sec. 6. Outside storage and display of goods, wares or merchandise.

(a) The outside storage and display of goods, wares or merchandise in a C-M commercial district shall be subject to the same regulations as contained in the LR-M(1) district regulations.

(b) In addition, each lot used for the purpose of motor vehicle sales must make provisions for off-street loading and unloading of motor vehicle transports.

(Ord. No. 599-A, § 3, 12-2-68; Ord. No. 2728-A, § 4, 5-22-89; Ord. No. 3598, § 14, 3-26-07)

Sec. 7. Reserved.

Editor's note: *Ord. No. 3598, § 11, adopted March 26, 2007, repealed § 7, which pertained to landscaping plan approval and derived from Ord. No. 635-A, § 2, adopted Oct. 13, 1969; Ord. No. 2418-A, § 9a, adopted April 16, 1984; Ord. No. 2816-A, § 21, adopted Jan. 14, 1991; and Ord. No. 2872-A, § 8, adopted Feb. 25, 1992.*

End of Article XVII