

SECTION 40: C-1 COMMERCIAL-ONE DISTRICT

(orig. 2-3-41; revised 7-27-78; am. 7-11-06)

A. Subdistrict Categories

The Commercial-One District is divided into various subdistricts as set forth below: (orig. 7-27-78)

1. Convenience Level: Minimum area - 1 acre, unless the existing property ownership and any adjacent property in the same ownership total less than 1 acre as of the date of the enactment of this 1 acre minimum requirement. (orig. 7-27-78)
2. Neighborhood Level: Minimum area – 6 acres. (orig. 7-27-78)
3. Community Level: Minimum area – 10 acres. (orig. 7-27-78)
4. Regional Level: Minimum area – 30 acres. (orig. 7-27-78)

B. Permitted Uses

1. Convenience Level

Intent and Purpose: To provide small scale convenience shopping facilities within neighborhoods in a manner that would not be incompatible with residential development. (orig. 7-27-78)

- a. All uses permitted in RC-I Zone District. (orig. 7-27-78)
- b. Convenience grocery store with less than 10,000 square feet gross leasable area (GLA). (orig. 7-27-78)
- c. Gas station, service station, or car wash. (orig. 7-27-78)
- d. Auto repair facilities with no more than 4 bays. (orig. 7-27-78)
- e. Convenience retail shopping facilities with less than 5,000 square feet GLA, including but not limited to drug stores, liquor stores, florists, news stands, hardware stores, livestock feed stores, auto supply stores, and retail food specialty shops which sell food products not intended to be consumed on the premises, such as butcher shops, candy stores, bakeries, dairy product shops, delicatessens. (orig. 7-27-78; am. 12-11-78)
- f. Restaurants, including fast-food and carry-out facilities, provided they meet the following criteria: (orig. 7-27-78; am. 12-11-78)
 - (1) Restaurants, excluding fast-food and carry-out facilities, with less than 4,000 square feet GLA. (orig. 7-27-78; am. 12-11-78)
 - (2) Single or limited item fast-food and carry-out restaurants not offering sandwiches or other main course items with less than 1,200 square feet GLA and with no drive-through service or service directly to the customer in a motor vehicle. (orig. 7-27-78; am. 12-11-78)
- g. Convenience service establishments, including but not limited to: barber and beauty shops, cleaners, shoe repair shops, laundries. (orig. 7-27-78)
- h. Electronic funds transfer facility substation, photo service facility. (orig. 7-27-78)
- i. Low intensity specialty goods and services of less than 5,000 square feet GLA, including but not limited to: art gallery, antiques, artisan shops, photo studio, gift shop, plant store or nursery, taxidermy, furniture store, pet store, blue-print, newspaper office, apparel, appliances. (orig. 7-27-78)

- j. Rental stores, excluding automobiles, campers, trailers and heavy equipment. (orig. 7-27-78)
- k. Taverns, lounges and private clubs. (orig. 7-27-78)
- l. Telecommunications Land Uses shall comply with the provisions of the Telecommunication Uses Section of this Zoning Resolution. (orig. 6-29-04; am. 7-11-06)

2. Neighborhood Level

Intent and purpose: To provide for small scaled, limited convenience retail facilities at the neighborhood level, typically including a market and small retail and service shops. (orig. 7-27-78)

- a. All uses permitted in the convenience level. No square feet limitation. (orig. 7-27-78)
- b. Supermarket. (orig. 7-27-78)
- c. Banks and other financial institutions. (orig. 7-27-78)
- d. All office uses. (orig. 7-27-78)
- e. Arcades, pool halls, dance and other lesson-type studios. (orig. 7-27-78)
- f. Fast-food, drive-in or carry-out restaurants. (orig. 12-11-78)

3. Community Level

Intent and Purpose: To allow for the establishment of uses appropriate for community business districts and to provide for a wide range of goods and services in community level areas. (orig. 7-27-78)

- a. All uses permitted in the neighborhood level. (orig. 7-27-78)
- b. Department stores and/or discount stores with less than 75,000 square feet GLA. (orig. 7-27-78)
- c. Nightclubs, discotheques. (orig. 7-27-78)
- d. Entertainment facilities, including but not limited to movie theaters, bowling alleys, skating rinks, pool halls. (orig. 7-27-78)
- e. Building materials retail stores. (orig. 7-27-78)
- f. Recreational facilities, including but not limited to swimming, tennis, health and court sports facilities. (orig. 7-27-78)
- g. Hotels and motels. (orig. 7-27-78)
- h. Public and private colleges and schools including: trade, vocational and professional schools and student and faculty housing, when located on the same lot or tract as the school for which the housing is being provided. (orig. 1-7-92)

4. Regional Level

Intent and Purpose: To create a zone classification equivalent to relatively high intensity major centers; to establish and maintain intensive commercial activities and specialized service establishments that require centralized locations within a large urban population; to provide a full range of merchandise and services usually obtainable in major department stores and their complimentary specialty shops; and to permit the development of major financial and administrative complexes that may serve a region. (orig. 7-27-78)

- a. All uses permitted at the Community Level. (orig. 7-27-78)
- b. Department stores. (orig. 7-27-78)

C. Accessory Uses

- 1. Living quarters for not more than one family in a commercial building not a dwelling. (orig. 7-27-78)
- 2. Retail sale of permissible fireworks in a temporary firework sales facility, provided the facility complies with the requirements of N.3. and obtains a yearly permit from the County. (orig. 2-5-02; am. 12-17-02; am. 7-1-03)
- 3. Customer and employee parking of operable motor vehicles, either open or covered. (orig. 7-23-02)

D. Special Uses

The following uses shall be permitted only upon review by the Planning Commission and approval by the Board of County Commissioners: (orig. 8-6-80)

- 1. Holding areas for motor vehicles (operable or inoperable) removed from public roads and awaiting disposition by proper legal authorities. Such motor vehicles shall be enclosed by a closed fence (one preventing view) at least 8 feet in height. (orig. 8-6-80)
- 2. Oil and gas drilling operations. Such operations shall conform to the standards contained in Drilling and Production of Oil and Gas Section of this Zoning Resolution, except as modified by the Board of County Commissioners in the resolution approving the Special Use. (orig. 10-17-83; am. 12-17-02; am. 7-11-06)
- 3. A group living facility, other than homes for social rehabilitation, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender. (orig. 2-1-00)

E. Minimum Area Requirement

- 1. Convenience Level

One acre, which may be satisfied by either of the following: (orig. 7-27-78; am. 5-1-79; am. 12-17-02)

- a. Area of lot or tract, or the total area of 2 or more contiguous lots or tracts held in single ownership; or (orig. 5-1-79)
- b. Area of Plat or Exemption from Platting in which subject lot is located, provided that said property together with sufficient contiguous property to satisfy this minimum area requirement were in the Commercial-One Zone District or were in a comparable commercial use area of a Planned Development Zone District at the time of such platting or exemption. (orig. 5-1-79)

- 2. Neighborhood Level

Six acres, which may be satisfied by either of the following: (orig. 7-27-78; am. 12-11-78; am. 12-17-02)

- a. Area of lot or tract, or the total area of 2 or more contiguous lots or tracts held in single ownership; or (orig. 12-11-78)
- b. Area of Plat or Exemption from Platting in which subject lot is located, provided that said property together with sufficient contiguous property to satisfy this minimum area requirement were in the Commercial-One Zone District or were in a comparable commercial use area of a Planned Development Zone District at the time of such platting or exemption. (orig. 12-11-78)

3. Community Level

Ten acres, which may be satisfied by either of the following: (orig. 7-27-78; am. 12-11-78; am. 12-17-02)

- a. Area of lot or tract, or the total area of two or more contiguous lots or tracts held in single ownership; or (orig. 12-11-78)
- b. Area of Plat or Exemption from Platting in which subject lot is located, provided that said property together with sufficient contiguous property to satisfy this minimum area requirement were in the Commercial-One Zone District or were in a comparable commercial use area of a Planned Development Zone District at the time of such platting or exemption. (orig. 12-11-78)

4. Regional Level

Thirty acres, which may be satisfied by either of the following: (orig. 7-27-78; am. 12-11-78; am. 12-17-02)

- a. Area of lot or tract, or the total area of two or more contiguous lots or tracts held in single ownership; or (orig. 12-11-78)
- b. Area of Plat or Exemption from Platting in which subject lot is located, provided that said property together with sufficient contiguous property to satisfy this minimum area requirement were in the Commercial-One Zone District or were in a comparable use area of a Planned Development Zone District at the time of such platting or exemption. (orig. 12-11-78)

F. Minimum Development Standards

C-1 Sub-District	Setbacks – Structural			Setbacks – Gas Pump			Building Height
	Front	Sides	Rear	Front	Sides	Rear	
Convenience	50 ft.	20 ft.	20 ft.	18 ft.	18 ft.	20 ft.	35 ft.
Neighborhood	50 ft.	20 ft.	20 ft.	18 ft.	18 ft.	20 ft.	46 ft.
Community	50 ft.	50 ft.	50 ft.	18 ft.	18 ft.	20 ft.	60 ft.
Regional	50 ft.	50 ft.	50 ft.	18 ft.	18 ft.	20 ft.	80 ft.

Corner lots must comply with the vision clearance triangle requirements as specified in the Definitions Section of this Zoning Resolution. (orig. 7-1-03)

G. Signs and Outdoor Advertising Devices

Signs and outdoor advertising devices shall comply with the provisions of the Signs and Outdoor Advertising Devices Section of this Zoning Resolution. (orig. 7-20-81; am. 12-17-02; am. 7-11-06)

H. Lighting

Lighting shall comply with the provisions of the Lighting Section of this Zoning Resolution. (orig. 12-17-02; am. 7-11-06)

I. Architecture

Architecture shall comply with the provisions of the Architecture Section of this Zoning Resolution. (orig. 12-17-02; am. 7-11-06)

J. Parking

Parking shall comply with the provisions of the Off-Street Parking and Loading Section of this Zoning Resolution. (orig. 12-17-02; am. 7-11-06)

K. Landscaping And Open Space

Landscaping and open space shall comply with the provisions of the Landscaping Section of this Zoning Resolution. (orig. 12-17-02; am. 7-11-06)

L. Enclosure Of Activities

Commercial activities, except restaurants, childcare facilities, plant nurseries, and parking lot sales accessory to a permitted use when located on the same lot, shall take place in a completely enclosed building. (orig. 7-27-78; am. 6-14-88)

M. Fences

1. Maximum fence height: 8 feet. (orig. 8-6-80)
2. Fence permits are required for any fence over 42 inches in height. (orig. 8-6-80)
3. No barbed wire shall be permitted as material for a boundary or perimeter fence. However, boundary or perimeter fences may include not more than 4 strands of barbed wire as the top 18 inches or less of the fence, which may be angled inward up to 45 degrees, provided the lowest strand of barbed wire is at least 6 feet above the ground. (orig. 8-6-80)
4. No electric fence is allowed as a boundary or perimeter fence. (orig. 8-6-80)
5. Fences on corner lots must comply with the vision clearance triangle requirements as specified in the Definitions Section of this Zoning Resolution, except that fences constructed of woven wire or ornamental iron which are 80 percent open may be erected up to a maximum height of 8 feet. (orig. 8-6-80; am. 7-1-03)
6. Where allowed, accessory outside storage shall be enclosed and concealed by a closed fence (one preventing view) at least 6 feet in height. When abutting a residential zone district, fencing shall be wooden or masonry, or replaced with mature hedge. Such fence shall be constructed and maintained in good condition. As used in this Section, accessory outdoor storage shall not include employee or customer parking lots or merchandise displayed for sale. Accessory outside storage shall not exceed the height of the fence, except for operable vehicles, trailers, and other equipment designed to be towed or lifted as a single component. Where the topography of the land is such that a fence would not prevent view from adjoining property or right-of-way, the Zoning Administrator or his/her appointed designee may waive this requirement. No accessory outdoor storage shall be allowed within a required front setback or within any required landscaping area. (orig. 8-6-80; am. 12-17-02)

N. General Requirements

1. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 5-10-82)
2. No structure may be erected, placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 5-10-82)

3. A temporary fireworks sales facility (i.e., tent rather than the stakes) must be a minimum of 100 feet from the property line of adjacent property located in a residential or agricultural zone district. Accessory storage of fireworks is permitted if fully enclosed in a metal storage container, and must be a minimum of 50 feet from the property line of adjacent property located in a residential or agricultural zone district. (orig. 2-5-02)