

Sec. 22-181. - Principal permitted uses.

The following uses shall be permitted in a C-3 highway commercial district:

- (1) Animal hospitals/kennels;
- (2) Apothecaries;
- (3) Appliance sales and repair;
- (5) Auto car wash;
- (6) Auto parts (new);
- (7) Auto sales and service;
- (8) Bakeries;
- (9) Banks and credit unions;
- (10) Barbershops and beauty shops;
- (11) Boat sales;
- (12) Building supplies retail;
- (13) Building trades/services;
- (14) Bus station;
- (15) Churches;
- (16) Commercial and public parking lots and garages;
- (17) Convenience stores;
- (18) Dance schools and similar instruction;
- (19) Farm implement/heavy machinery sales and service;
- (20) Financial institutions;
- (21) Funeral homes;

- (22) Furniture showrooms;
- (23) Garden supplies;
- (24) Golf driving range;
- (25) Governmental building and uses;
- (26) Grocery stores
- (27) Hardware retail;
- (28) Hospitals/professional medical complex (emergency care);
- (29) Hotels, motels and associated conference facilities;
- (30) Indoor machinery sales
- (31) Laundromats and dry cleaners;
- (32) Miniature golf courses;
- (33) Mobile home sales;
- (34) Offices (general and professional);
- (35) Private meeting halls and fraternal organizations with an occupancy of less than fifty (50) people;
- (36) Public utilities with storage and service yards, blind fence;
- (37) Restaurants, both indoor and drive-ins;
- (38) Retail stores;
- (39) Taxicab stands;
- (40) Vending companies;
- (41) Outdoor advertising signs (billboards) allowed in C-3 zoning districts immediately adjacent to I-95.

(Code 1974, § 25-52; Ord. No. 1997.01, 1-2-97; Ord. No. 1999.01, 2-4-99; Ord. No. 02004-02, 3-4-04; Ord. No. 02008-05, 2-7-08; Ord. No. O2014-17, 12-9-2014)

Sec. 22-182. - Accessory uses.

The following regulations shall govern permitted accessory uses within the C-3 highway commercial district:

- (1) Automobile parking shall be only for automobiles in operating condition. Automobile storage may exceed no more than seventy-two (72) hours.
- (2) Swimming pools shall be no nearer than fifty (50) feet to a lot used or zoned for single-family dwelling purposes, as measured from the edge of the pool. All pools shall be enclosed by a fence at least four (4) feet in height.
- (3) Child care center for use of employees and not the general public.

(Code 1974, § 25-53; Ord. No. 02004-05, 3-4-04)

Sec. 22-183. - Dimensional requirements.

The following dimensional requirements shall apply within the C-3 highway commercial district:

(1) *Minimum lot size:*

- a. In town: Ten thousand (10,000) square feet.
- b. In fringe: One-half (½) acre (twenty-one thousand seven hundred eighty (21,780) square feet).
- c. Depth: Seventy-five (75) feet.
- d. Width: Seventy-five (75) feet.

(2) *Minimum yard sizes:*

- a. In town:
  - 1. Front: Twenty (20) feet from front property line.
  - 2. Rear: Ten (10) feet; buffer of blind fence must separate from residential district which abuts.
  - 3. Side: Ten (10) feet (each side); blind fence must separate C-3 highway commercial district from an abutting residential district.
- b. In fringe:
  - 1. Front: Forty (40) feet from front property line.
  - 2. Rear: Twenty (20) feet; buffer of blind fence must separate C-3 highway commercial district from an abutting residential district.

(Code 1974, § 25-54; Ord. No. O2007-12, 9-6-07)

Sec. 22-184. - Special use permit for adult oriented business.

In any C-3 district, the zoning board of adjustment may grant a special use permit for an adult oriented business, provided the board finds that the evidence presented at the hearing establishes each of the following:

- (1) No such business shall be located within two thousand (2,000) feet of any other sexually oriented business, as measured in a straight line from property line to property line.
- (2) No such business shall be located within one thousand (1,000) feet of a church, public or private elementary school, child

day care nursery, public park, residentially used or residentially zoned property, or any establishment with an on-premise ABC license, as measured on a straight line from property line to property line.

- (3) There shall be no more than one (1) adult oriented business on the same property or in the same building, structure, or portion thereof.
- (4) No other principal or accessory use may occupy the same building, structure, property or portion thereof of any adult oriented business.
- (5) Except for signs as permitted under article IV of this chapter, there shall be no other advertisements, displays, or other promotional materials visible to the public from pedestrian sidewalks, walkways, or vehicular use areas.
- (6) Each facility shall provide off-street parking in accordance with Article V, Off-Street Parking.
- (7) If such special use permit is granted, the permit is valid for two (2) years from the date of approval. Upon expiration of the permit, the sexually oriented business [shall be] in violation of the locational requirements until the applicant applies for and receives another permit. If the board of adjustment denies such permit, the applicant may not reapply for a permit until at least twelve (12) months have elapsed since the date of the board of adjustment's action for the same property or any part thereof.
- (8) That all other applicable provisions of the City Code of Ordinances will be observed.

(Ord. of 7-6-95, § 2)

Secs. 22-185—22-190. - Reserved.