

Sec. 165.34. - C-2 Arterial Commercial District.

- (a) *Intent.* The C-2 district is intended to provide for certain areas of the city for the development of service, retail, and other nonresidential uses which because of certain locational requirements and operational characteristics are appropriately located in close proximity to arterial and other main thoroughfares. Residential-type structures are also permitted. The district is further characterized by a typical need for larger lot sizes, off-street parking, adequate setbacks, clear vision, safe ingress and egress, and access to other adjacent thoroughfares.
- (b) *Permitted uses.* The following uses are permitted in the C-2 district:
- (1) Sales and display rooms and lots, including yards for the storage or display of new or used building materials but not for any scrap or salvage operation storage or sales.
 - (2) Offices and clinics.
 - (3) Churches and publicly owned and operated buildings and facilities.
 - (4) Hotels and motels.
 - (5) Any other retail or service sales business, including food preparation for sale off-premises. Repair businesses shall have limited outdoor storage privileges for items being repaired by them. Items, including motor vehicles, brought to any business for repair may be stored outside the business for up to 30 days. An additional 30 days of outdoor storage may be secured with written application to the zoning administrator. Additional extensions for outdoor storage shall only be given upon a finding of good cause by the zoning administrator following written application. Motor vehicles brought to businesses for repair may not be stored on any city street or alley for more than 24 hours.
 - (6) Publicly owned and operated buildings and facilities.
 - (7) Dwellings, single-family and multifamily.
 - (8) All other uses as allowed in the Central Business Commercial District.
- (c) *Accessory uses.* Uses of land or structures customarily incidental and subordinate to a permitted use in the C-2 district include the following:
- (1) Private recreational facilities.
 - (2) Living quarters of persons employed on the premises and not rented or otherwise used as a separate dwelling.
 - (3) Private garages.
 - (4) Parking lots.
 - (5) Temporary buildings for the uses incidental to construction work. Such buildings shall be removed upon the completion or abandonment of the construction work.
- (d)

Special exceptions. The following uses may be permitted in the C-2 district subject to specific conditions and requirements intended to make them compatible with and acceptable to adjacent uses:

- (1) Animal shelters.
- (2) Public or private utility substations, relay stations, etc.
- (3) Communication towers, wind generation equipment, freestanding solar generation equipment.
- (4) Zero lot line structures.

(e) *Bulk regulations.* The following requirements shall provide for light and air around permitted uses and building in the C-2 district:

	<i>Minimum Lot Area</i>	<i>Minimum Lot Width and Depth (feet)</i>	<i>Minimum Front Yard (feet)</i>	<i>Minimum Side Yard (feet)</i>	<i>Minimum Rear Yard (feet)</i>	<i>Maximum Height</i>
All uses	7,500	60 (width); 60 (depth)	45	If adjacent to a residential district, the side yard shall be equal to the minimum side yard required in the adjacent district, but in no instance less than 10 feet; corner lots shall be 12 feet	If adjacent to a residential district, the rear yard shall be equal to the minimum rear yard required in the adjacent district, but in no instance less than 20 feet, unless bordering with an alley in which case it shall be 25 feet	3 stories or 45 feet
Accessory uses	N/A	N/A	N/A	5	None	3 stories or 45 feet

(f)

Buffering. The use of buffering shall be required between any C-2 district and abutting residential and agricultural zoning districts and land uses. Abutting districts shall include lots fronting on a street which form the boundary line between any C-2 district and residential and agricultural zoning district as well as any abutting lot line between said districts. Buffering shall take place in any required yard, including front, side or rear. The following provisions shall apply:

- (1) The buffer shall be equal to the minimum side yard required in the adjacent district, but in no instance less than eight feet. Corner lots shall be ten feet.
- (2) All buffer areas shall be landscaped or fenced to provide a complete visual screen. Buffering may include any of the following:
 - a. Fencing.
 - b. Landscaping consisting of native plant and tree species.
 - c. Berms. Berms may be used if city native plant and tree landscaping requirements can still be met. Berms must be vegetated to minimize erosion and to slow stormwater runoff. Berms may be up to six feet measured vertically from the natural elevation of the yard.
- (3) Maintenance. All buffered areas shall be kept free of litter, debris, noxious weeds and species of plants identified by the state DNR as exotic or invasive.
- (g) *Zero lot line structures.* In addition to any specific conditions and requirements as established by the board of adjustment, zero lot line structures within a C-2 district which utilize shared walls as part of the structure shall be exempt from the minimum side yard bulk regulations as to their attached or semi-detached components provided all of the following conditions are met:
 - (1) Common walls shall be fireproof as per the Universal Building Code. No openings in common walls shall be permitted per state code.
 - (2) Each unit shall have a separate utility service.
 - (3) Before the issuance of a development permit, there shall be filed on record with the county recorder binding covenants or declarations detailing the respective unit owners' responsibilities and liabilities with regard to repair and maintenance of common walls and other common aspects of the structure. Those covenants or declarations shall ensure adjoining property owners reciprocal ten-foot-wide maintenance easements to provide access to maintain the common walls located upon common boundary lines. In addition, the covenants or declarations shall provide a mechanism for the owners of the units to address common issues of concern such as landscaping, exterior appearance, and type of roofing.
- (h) *Animal shelters.* An animal shelter proposal will be reviewed by the board of adjustment and shall be permitted only when it conforms to the following and is subject to any additional conditions as may be warranted to mitigate deleterious effects of the proposed use:
 - (1)

Animals housed at the shelter shall remain inside during the hours between 8:00 p.m. and 7:00 a.m.

(2) Animals housed at the shelter shall not be allowed to run loose outside of the fenced enclosure.

(3) The animal shelter shall be kept in a high state of cleanliness at all times.

(i) *Off-street parking.* For off-street parking regulations, see section 165.87.

(j) *Off-street loading.* For off-street loading regulations, see section 165.87.

(k) *Signs.* For sign regulations, see section 165.87.

(Ord. No. 453, § 165.14, 9-2-2014)