

1003.137 "C-4" Highway Service Commercial District Regulations.

1. Scope of Provisions.

This section contains the district regulations of the "C-4" Highway Service Commercial District. These regulations are supplemented and qualified by additional general regulations appearing elsewhere in this Chapter which are incorporated as part of this section by reference. The "C-4" Highway Service Commercial District encompasses areas adjacent to major or arterial highways wherein certain commercial activities are regulated in such a manner that will reduce conflicts, congestion, and other hazards related to high volume and high-speed traffic on the highways. It is the purpose of these regulations to encourage the establishment of certain highway service commercial activities while prohibiting those uses which provide no important service to highway users.

2. Permitted Land Uses and Developments.

The following land uses and developments are permitted in this District:

- (1) Automatic vending facilities for (a) ice and solid carbon dioxide (dry ice); (b) beverages; (c) confections.
- (2) Filling stations, including emergency towing and repair services, provided that no automobile, truck, or other vehicle may be parked or stored in the open on the premises for longer than twenty-four (24) hours. A convenience store, limited in size to 5,000 square feet of gross floor area, may be permitted in conjunction with such filling station. (O.No. 19718 - Adopted 11/10/99).
- (3) Hotels and motels.
- (4) Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles, shall be:
 - (a) adequately screened with landscaping, fencing or walls, or any combination thereof, or
 - (b) placed underground, or
 - (c) enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.All plans for screening these facilities shall be submitted to the Department of Planning for review. No building permit or installation permit shall be issued until these plans have been approved by the Department of Planning.
- (5) Offices or office buildings. (O.No. 13382 - Adopted 7/9/87).
- (6) Parking areas, including garages, but not including the outdoor storage of wrecked or otherwise damaged or immobilized vehicles for a period in excess of seventy-two (72) hours.
- (7) Police, fire, and postal stations.
- (8) Restaurants, including banquet facilities. (O.No. 19718 - Adopted 11/10/99)
- (9) Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, trailers, construction equipment, agricultural equipment, and boats, as well as associated repairs and necessary outdoor storage of said vehicles.
- (10) Signs (advertising).
- (11) Vehicle service centers.
- (12) Telecommunication towers up to one hundred (100) feet in height and co-used telecommunication towers or disguised support structures of one hundred twenty (120) feet in height or less. (O. No. 18420 - Adopted 3/20/97).
- (13) Vehicle repair facilities.
- (14) Vehicle washing facilities.

3. Conditional Land Use and Development Permits issued by the Commission.

The following land uses and developments may be permitted under conditions and requirements specified in Section 1003.181 Conditional Use Permits:

- (1) Fishing tackle and bait shops. Open storage and display are prohibited.
- (2) Highway Department garages.
- (3) Public utility facilities.
- (4) Sewage treatment facilities, not including individual sewage treatment facilities permitted as an accessory use.
- (5) Souvenir shops and stands, not including any zoological displays, or permanent open storage and display of manufacturing goods.
- (6) Storage and repair garages for public mass transit vehicles.
- (7) Telecommunication towers up to two hundred (200) feet in height. (O. No. 18420 - Adopted 3/20/97).
- (8) Terminals for buses and other public mass transit vehicles.
- (9) Towed vehicle storage yards, wherein no individual vehicle may be stored for a period exceeding ninety (90) days and involving no auto repair and no salvage or sale of automobile parts. A ten (10) foot high sight-proof fence shall be provided along all limits of the property.
- (10)

4. Accessory Land Uses and Developments.

Subject to compliance with the procedures of this section, accessory buildings, structures, and uses are permitted in conjunction with a permitted land use or development or (unless restricted by applicable condition) a conditional land use or development when such accessory building, structure or use is customarily found in conjunction with the primary use, is a reasonably necessary incident to the primary use, is clearly subordinate to the primary use, and serves only to further the successful utilization of the primary use. Accessory uses include the following:

- (1) Devices for the generation of energy, such as solar panels, wind generators, and similar devices.
- (2) Dwelling or lodging units, only for watchmen, caretakers, or other personnel whose residence on the premises is essential to the operation of a permitted or conditional use or uses.
- (3) Individual sewage treatment facilities serving an individual building or use, as approved by the appropriate regulatory agency. The sewage treatment facility shall not exceed 5,000 gallons per day flow.
- (4) Signs (business, directional, and information).

5. Performance Standards.

All uses in the "C-4" Highway Service Commercial District shall operate in conformity with the appropriate performance standards contained in Section 1003.163 Zoning Performance Standard Regulations.

6. Height Limitations for Structures.

Other than telecommunication towers, the maximum height of structures in this District shall be as follows: A public utility tower authorized by Conditional Use Permit may be erected to any height not in conflict with the application of regulations in Section 1003.161 Air Navigation Space Regulations. Hotels shall not exceed forty-five (45) feet in height above the average finished ground elevation at the perimeter of such structure. The total height of any other structure, not including roof top mechanical equipment attached to such structure, shall not exceed thirty (30) feet in height above the average finished ground elevation at the perimeter of such structure. (O. No. 18420 - Adopted 3/20/97).

7. Lot Area and Lot Dimension.

The lot area and lot dimension requirements for land uses and developments in this District shall be as follows:

(1) Minimum Lot Area

- (a) Parcels containing a business engaged in either the sales, rental, or leasing of new and used vehicles, including automobiles, trucks, trailers, construction equipment, agricultural equipment, and boats, shall be situated on tracts of land at least one (1) acre in area.
- (b) Towed vehicle storage yards shall be situated on tracts of land at least one (1) acre in area.
- (c) Sewage treatment facilities, not including individual sewage treatment facilities permitted as an accessory use, shall be situated on tracts of land at least 10,000 square feet in area.
- (d) All other uses shall be situated on lots sufficient to meet other requirements of this section.

(2) Minimum Lot Dimension Requirements.

Every lot, tract or parcel of land utilized for any purpose permitted in this District shall have a roadway frontage of not less than 200 feet if fronting on a two-lane road or 300 feet if fronting on a four-lane road. Such frontage requirement shall be necessary on only one roadway which provides direct access to the lot, tract or parcel of land. Any lot or tract of record on the effective date of this Ordinance which is less than the required width may be used as a site for only one (1) use listed in Subsection 2 together with related parking areas, signs, and Accessory Uses and Developments.

8. Minimum Yard Requirements.

(1) Front Yard: General.

No structure is allowed within fifty (50) feet of any roadway right-of-way line.

(2) Front Yard: Specific Regulations and Exceptions.

- (a) Notwithstanding any other provision of this Chapter, on corner lots, no structure or plant material exceeding three (3) feet in height above the elevation of the street pavement is allowed within the sight distance triangle.
- (b) Boundary walls or fences, six (6) feet in height or less, are allowed within the minimum front yard setback.
- (c) Permitted information signs, six (6) feet in height or less, are allowed within the minimum front yard setback.
- (d) Permitted directional signs, three (3) feet in height or less, are allowed within the minimum front yard setback.
- (e) Light standards for parking lot lighting, filling station pumps, and free standing business signs are allowed no closer than twenty-five (25) feet from any roadway right-of-way line.
- (f) Filling station canopies are allowed no closer than fifteen (15) feet from any roadway right-of-way line.
- (g) Light standards for street lighting or at points of ingress or egress are allowed within the minimum front yard setback when approved by the Department of Planning.
- (h) Required fencing for towed vehicle storage yards is allowed no closer than twenty-five (25) feet from any roadway right-of-way line. This setback shall be adequately landscaped as approved on a plan by the Department of Planning.

- (i) Any area used for outdoor storage or display of merchandise, equipment, or vehicles which is located opposite and visible from property in the "NU" Non-Urban, "PS" Park and Scenic, or any "R" Residence District shall be effectively screened by a five (5) foot high sight-proof fence if determined necessary and required by the Department of Planning on review of a site plan for such use. The Department of Planning may approve the use of topographic features, landscaping, or walls in lieu of fencing where such alternates are determined to be appropriate.
- (3) Side and Rear Yards: General.
- No structure, or any storage or display of merchandise, equipment, or vehicles is allowed within twenty (20) feet of a property line adjoining property in the "NU" Non-Urban, "PS" Park and Scenic, or any "R" Residence District.
- (4) Side and Rear Yards: Specific Regulations and Exceptions.
- (a) Any structure exceeding thirty (30) feet in height which adjoins property in the "NU" Non-Urban, "PS" Park and Scenic, or any "R" Residence District, other than a public utility tower authorized by a Conditional Use Permit, must be set back from such property line an additional one (1) foot for every two (2) feet in height above thirty (30) feet.
 - (b) Any area used for the outdoor storage or display of merchandise, equipment, or vehicles which adjoins property in the "NU" Non-Urban, "PS" Park and Scenic, or any "R" Residence District shall be effectively screened by a five (5) foot high sight-proof fence located no closer than ten (10) feet from said adjoining property line. The setback shall be adequately landscaped as approved on a plan by the Department of Planning. When requested by the property owner, the Department of Planning may approve the use of topographic features, landscaping, or walls in lieu of fencing where such alternates will achieve comparable effect.
 - (c) Required fencing for towed vehicle storage yards shall be located no closer than twenty (20) feet from any adjoining property line. These setbacks shall be adequately landscaped as approved on a plan by the Department of Planning.
 - (d) All other boundary walls or fences six (6) feet in height or less, are permitted within the minimum side and rear yard setbacks required from property in the "NU" Non-Urban, "PS" Park and Scenic, or any "R" Residence District.
 - (e) Light standards for parking lot lighting are allowed no closer than ten (10) feet of any side or rear yard line which adjoins property in the "NU" Non-Urban, "PS" Park and Scenic, or any "R" Residence District.
- (5) Notwithstanding any other provisions of this Chapter, telecommunication towers shall not be closer to a "PS" Park and Scenic District, "NU" Non-Urban District or "R" Residence District property than a distance equivalent to the height of the proposed telecommunication tower. A greater setback may be required by the conditions of a Conditional Use Permit. (O. No. 18420 - Adopted 3/20/97).

9. Off-Street Parking and Loading Requirements.

Off-street parking and loading requirements and setbacks for parking areas, loading spaces, and internal drives are set forth in Section 1003.165 Off-Street Parking and Loading Requirements.

10. Sign Regulations.

Sign regulations are set forth in Section 1003.168 Sign Regulations.