

176.23 C-3P COMMERCIAL PARK. The C-3P, Commercial Park District is intended to provide for retail and service and related office uses in an environment free from intrusion by heavier commercial or residential uses. This district is intended to accommodate new development in the outlying areas of the community adjacent to Major Streets as defined in Section 176.38 of this Zoning Ordinance.

1. Principal Permitted Uses. The following principal uses are permitted in the C-3P District:

A. Retail businesses which supply commodities on the premises:

- (1) Retail businesses permitted in the C-2 District.
- (2) Automobile, boat, camper, farm implement, heavy equipment, mobile home, motorcycle, bicycle, and recreational vehicle sales, service, and rental.
- (3) Automobile service stations, gas stations, car washes, tire, battery and automobile accessory sales and service.
- (4) Restaurants, cocktail lounges, and taverns, including the serving of beer and alcoholic beverages, and also including drive-in and drive-through service.

B. Personal service businesses which perform services on the premises:

- (1) Personal service establishments permitted in the C-2 District.
- (2) Animal hospitals, veterinary clinics, and kennels, but not including unenclosed kennels, provided that any building associated with such uses shall be at least 100 feet from any lot in an "R" district.
- (3) Athletic and amusement establishments such as miniature golf courses, "pitch and putt" and "par three" golf courses, bowling alleys, billiard and pool centers, dancing establishments, gymnasiums, swimming pools, skating rinks, indoor archery ranges and shooting galleries, tennis courts, handball and racquetball courts, coin-operated game establishments, and similar uses.
- (4) Hotels, motels and resorts.

- C. Business service establishments:
 - (1) Business service establishments permitted in the C-2 District.
 - (2) Office services including xerographic and offset printing, and mailing services.
- D. Professional office establishments permitted in the C-2 District.
- E. Public, quasi-public, and governmental buildings and facilities.
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 - (2) Bus depots.
 - (3) Ambulance services.
 - (4) Day care centers.

2. Conditional Uses. The following conditional uses are permitted in the C-3P District only when authorized by the Zoning Board of Adjustment as provided in Section 176.36.

- A. Public, quasi-public buildings and facilities essential to the physical welfare of an area such as electrical distribution substations, gas regulator stations, water storage facilities, and similar uses.
- B. Radio or television broadcasting stations, studios or facilities.
- C. Amusement parks, including permanent carnivals and outdoor amusement facilities, provided that such facilities shall be located at least 500 feet from any lot in an "R" or "O" district, or any public or private school, library, park, playground, or other recreational facility, and at least 500 feet from the nearest property line or any church, synagogue, chapel, or similar place of religious worship or instruction.
- D. Similar and compatible uses to those allowed as principal permitted uses in this district.

3. Site and Structure Requirements.

- A. Minimum lot area - 25,000 square feet.
- B. Minimum lot width - 75 feet.

C. Front yard setback - 40 feet along streets classified as Expressways, Major Arterials and Minor Arterials in Section 176.38; 25 feet for other street frontages.

D. Side yard setback - 15 feet; corner side yard setback - 30 feet along streets classified as Expressways, Major Arterials and Minor Arterials in Section 176.38; 15 feet for other street frontages.

E. Rear yard setback - 25 feet.

F. Maximum height - 3 stories or 45 feet, whichever is less, except that the maximum height may increase by one (1) foot for each one-half (½) foot that the front, rear and side yard setbacks are increased over the required minimums, up to a maximum of 150 feet in height with no limit on the number of stories.

G. Open space required - Minimum of 25% of the first three (3) acres and 10% of the area over three acres of the total area of the lot.

4. Other Provisions.

A. Accessory Uses. Uses and structures accessory to a principal permitted use or a conditional use are permitted subject to the provisions of Section 176.32.

B. Temporary Uses. Temporary uses are permitted subject to the provision of Section 176.35(13).

C. Signs. Signs are permitted subject to the provisions of Section 176.31, except that no portable signs pursuant to Subsection 176.31(5)(C) shall be allowed.

D. Off-street Parking and Loading. Off-street parking and loading facilities shall be provided according to the provisions of Section 176.29.

E. Open Storage. All operations, including the storage of anything except merchandise displayed for sale or lease, or equipment and vehicles, shall be conducted in a fully enclosed building or entirely behind solid walls or fences which conceal them from visibility from off the lot.

F. Performance Standards. No flammable, reactive, explosive, toxic, or radioactive materials may be stored, handled or utilized unless the Building Official and the Fire Chief determine that such use does not constitute a hazard to adjacent

properties based upon standards and criteria set forth in local, State and Federal codes, rules and/or regulations.

G. Landscaping/Open Space Requirements. The required open space shall be landscaped. The landscaping and open space requirements for this zoning district shall be established by resolution of the Council from time to time. Said requirements shall by reference be effective as a part of this ordinance.

H. Screening. Any portions of a C-3P zoned parcel containing exterior storage, parking or loading or service areas shall be screened as provided in Subsection 176.29(2)(H)(7) in order to protect non-commercial property from the activity located on C-3P zoned property. The screening shall be composed of a combination of solid fencing, opaque plant materials, earthen structures and/or retaining walls of sufficient height to effectively screen the property from view of the non-commercial property.