
Sec. 40-122. C-1 Neighborhood Commercial District.

- (a) *Purpose.* This section applies to the C-1 Neighborhood Commercial District. The C-1 district is intended to provide for the location and grouping of uses to a type designed to dispense commodities, provide professional services or provide personal services. These uses are intended to be small in nature, serving the everyday needs of the surrounding neighborhood rather than large areas of the parish. These uses should be located to allow for convenient pedestrian circulation, common parking and a village-type atmosphere. Uses which may create noise, odors, hazards, unsightliness, or which may generate excessive traffic should not be located in this district. The residential character of the area surrounding this district shall be of primary consideration when conditional uses or exceptions to these regulations are reviewed.
- (b) *Permitted uses.* Only the following permitted uses shall be allowed in the C-1 Neighborhood Commercial District and no structure or land shall be erected, structurally altered, or enlarged for any other than a use permitted hereunder with the exception of uses lawfully established prior to the effective date of the ordinance from which this chapter is derived; and conditional uses in compliance with the provisions of subsection (c) of this section. See section 40-154 for minimum standards that apply to certain uses.
 - (1) *Retail and service uses.* The following general retail and services uses shall be located in buildings of 4,000 square feet of floor space or less. However, if more than one use occupies a building, the entire building can have no more than 12,000 square feet of floor space:
 - a. Retail outlets.
 - b. Antique shops.
 - c. Appliance stores.
 - d. Art and school supply stores.
 - e. Bakeries.
 - f. Barbershops and beauty shops.
 - g. Book or stationery stores.
 - h. Convenience stores of less than 2,000 square feet.
 - i. Custom dressmaking and sewing shops.
 - j. Delicatessens.
 - k. Florists.
 - l. Garden supply centers and greenhouses.
 - m. Gift shops.
 - n. Hardware stores.
 - o. Hobby shops.
 - p. Ice cream shops.
 - q. Interior decorating shops.
 - r. Jewelry stores.
 - s. Photography shops and studios.
 - t. Restaurants.
 - u. Show stores and repair shops.

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- v. Sporting goods stores.
 - w. Toy stores.
 - x. Wearing apparel shops.
- (2) *Service establishments.*
- a. Animal hospital providing boarding of animals in completely enclosed and soundproof buildings.
 - b. Barbershops and beauty shops.
 - c. Catering.
 - d. Dance and music studio, not serving or selling alcohol.
 - e. Dry cleaning and laundries.
 - f. Locksmith shop.
 - g. Radio and television repair.
 - h. Self-service laundry.
 - i. Shoe repair.
- (3) *Offices.*
- a. Law offices.
 - b. Architecture or engineering offices.
 - c. Accountant offices.
 - d. Real estate offices.
 - e. Insurance offices.
 - f. Doctor, dentist or chiropractor offices.
 - g. Other professional offices.
 - h. Loan agencies.
 - i. Travel agencies.
 - j. Newspaper office, but not printing.
- (4) *Residential uses.*
- a. Inns or guest houses of ten guest rooms or less.
 - b. Dwelling units located above any first floor designed for business users.
 - c. Residential uses permitted under the terms and conditions of the A-3 Single Family Residential District. Section 40-118.
- (5) *Miscellaneous uses.* Churches, temples and synagogues.
- (c) *Conditional uses.* Conditional uses are prohibited unless application for the use has been processed by the village and such use has been favorably approved by the zoning commission. See section 40-152 for the procedures and requirements that apply to conditional uses and section 40-154 for minimum standards that apply to certain uses.
- (1) *Retail and service uses.*

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- a. Restaurants greater than 4,000 square feet.
 - b. Restaurants with alcohol sales, not including adult entertainment.
 - c. Convenience stores greater than 2,000 square feet.
 - d. Drug stores.
 - e. Dry cleaning, laundries and self-service.
 - f. Food stores under 2,000 square feet.
 - g. Automobile service stations.
 - h. Farmer's market or vegetable stands.
 - i. Any other retail establishment not specifically permitted herein but which has economic compatibility with established uses on adjoining premises and which meets the intent and purpose of this district.
- (2) *Public uses.*
- a. Museums and libraries.
 - b. Police and fire stations.
 - c. Public utility facilities.
 - d. Post office.
 - e. Municipal uses.
- (3) *Cultural and recreational uses.*
- a. Golf course.
 - b. Community center.
 - c. Parks and playgrounds.
 - d. Sports or gymnasium.
 - e. Athletic field.
- (4) *Educational uses.*
- a. Elementary school, public or private.
 - b. Day care centers.
 - c. Nursery schools, pre-schools, and kindergartens, provided there is minimum play area of 75 square feet for each child which is enclosed to a height of not less than four feet.
 - d. Institution of fine arts.
 - e. Adult education classes.
- (5) *Medical uses.*
- a. Clinics, day-time opening.
 - b. Veterinary clinics.
- (6) *Miscellaneous uses.*
- a. Civic clubs, lodges, fraternal and religious institutions.

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- b. Meeting halls.
 - (7) *Accessory uses.*
 - a. Any use normally and customarily incidental to any use permitted under this section.
 - b. Temporary buildings for construction purposes.
 - c. Parking lots.
 - (d) *Administrative permits*
 - (1) *Purpose.* This section is designed to allow flexible seasonal uses with buildings of 100 square feet of floor space or less, in accordance with zoning classifications. A staff review will be required to oversee hours of operation and parking requirements.
 - (2) *Allowable administrative permits.*
 - a. Snowball stands between April 1 and September 30.
 - b. Christmas tree sales between November 1 and January 1.
 - c. Sale of farm products grown locally.
 - (e) *Site and structure provisions.*
 - (1) *Minimum lot area; nonresidential.* The lot area for each zoning lot which is provided with central water and sewerage utilities shall be 8,400 square feet. For each lot which lacks either central water or central sewerage facilities, the minimum area shall be 12,000 square feet.
 - (2) *Minimum area regulations.*
 - a. *Minimum lot width.* For each zoning lot provided with central water and sewerage facilities, the minimum lots width shall not be less than 60 feet. For each zoning lot without either central water or sewerage facilities, the minimum lot width shall be 80 feet.
 - b. *Front yard.* Front building lines shall conform to the average building lines in a developed block, but in no case shall it be less than ten feet from the property line. On corner or through lots, the required front yard will be provided on both streets. Where off-street parking facilities are provided in the front yard, the minimum building setback shall be determined in accordance with the following table. All setbacks shall be measured from the right-of-way line of the street or road.

Minimum Setback In Addition To Landscape Requirements For Commercial Buildings With Off-Street Parking Between The Front Facade And The Street Right-Of-Way Line

	Type of Parking				
	Parallel	30	45	60	98
Sidewalk plus one row of parking and one driving lane	28'	32'	37'	44'	48'
Sidewalk plus two rows of parking and one driving lane	40'	45'	50'	59'	79'

Sidewalk plus two rows of parking and two driving lanes	50'	55'	60'	69'	89'
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- c. *Side yard.* The minimum side yard (each side) for permanent buildings shall be one-half the height of the building, measured from the building slab or foundation to the adjacent lot line (on side). Other accessory, temporary, or secondary buildings on the lot shall include a minimum five-foot side yard. No side yard shall be required for nonresidential uses except on the sides of lots abutting an adjacent existing dwelling or residential district, in which case there shall be a side yard as provided in subsection (f) of this section.
 - d. *Rear yard.* The minimum rear yard (each side) for permanent buildings shall be one-half the height of the building, measured from the building slab or foundation to the adjacent lot line (in rear). Other accessory, temporary, or secondary buildings on the lot shall include a minimum of five foot rear yard. No rear yard is required for nonresidential uses except where a lot abuts an existing dwelling or residential district, in which case there shall be a side yard as provided in subsection (f) of this section.
- Exception: Legal lots of record developed prior to the enactment of the village's zoning ordinance that do not meet the minimum lot area and lot width requirements of the zoning classification which they are located in may have minimum side and rear yards of five feet each. These standards shall be required in both the C-1 and C-2 districts.
- (3) *Height regulations.* No building or structure shall exceed 35 feet in height above base flood elevation as set forth in the flood hazard ordinance.
 - (4) *Off-street parking and loading zone requirements.* Off-street parking and loading zones will be provided as put forth in section 40-179.
- (f) *Transitional yards.* Where a C-1 district adjoins a residential district, transitional yards shall be provided in accordance with the following regulations:
- (1) In a C-1 district, where a side lot line coincides with a side or rear lot line of property in an adjacent residential district, a yard shall be provided along such side lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this chapter for a residential use on the adjacent property in the residential district.
 - (2) In a C-1 district, where a rear lot line coincides with a rear or side lot line of property in an adjacent residential district, a yard shall be provided along such rear lot line. Such yard shall be equal in dimensions to the minimum rear yard which would be required under this chapter for a residential use on the adjacent property in the residential district.
- (g) *District standards.* All uses of land structures in the C-1 neighborhood commercial district are subject to the general standards and regulations of this chapter. In addition, all uses located in this district shall be subject to the following standards:
- (1) *Signs and lighting.*
 - a. *Signs.* Signs may be non-flashing illuminated. Off-site signs are prohibited in the C-1 district.
 - b. *Exterior lighting.* All exterior lighting shall be shaded or inwardly directed in such a manner so that no direct lighting or glare is cast upon adjacent residential or institutional lots. The intensity of such lighting shall not exceed two footcandles as measured at the abutting property line.
 - (2) *Utilities.*

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- a. *Sewer.* If an available public central system adjoins the property and is within 300 feet of the proposed use, the system must be utilized. All private systems must be approved by the state health department before issuance of a building permit.
 - b. *Water.* Any private water well must be located a minimum of 50 feet from any sewer disposal unit.
 - c. *Street improvements.* Any road or street constructed to serve any zoning lot for any use must meet standards set forth in the subdivision regulations.
- (3) *Fire marshal approval.* A certificate attesting to the state fire marshal's approval of plans for all construction and improvements as per the state fire code must be provided to the village clerk prior to issuance of a building permit.

(Ord. of 9-10-2001(1), § 18.21)