

Sec. 106-94. C-1 commercial district-downtown.

- (a) *Intent.* The C-1 commercial district-downtown, intended to provide for the orderly appropriate regulations to ensure the compatibility of the diverse uses typical of the downtown area without inhibiting the potential for maximum development of commercial, cultural, entertainment and other activities which contribute to its role as the heart of the city intended to provide for orderly attractive grouping at appropriate locations.
- (b) *Permitted uses.* Permitted uses in the C-1 district are as follows:
 - (1) Administrative and public service offices.
 - (2) Antique and collector's stores.
 - (3) Appliance stores.
 - (4) Art galleries.
 - (5) Bakeries.
 - (6) Banks, savings and loan associations and other financial institutions.
 - (7) Barber and beauty shops.
 - (8) Book or stationery stores.
 - (9) Bowling alleys.
 - (10) Business offices.
 - (11) Camera and photographic supply stores.
 - (12) Clinics.
 - (13) Clothing stores.
 - (14) Confectioneries, soda fountains and ice cream stores.
 - (15) Delicatessens.
 - (16) Department stores.
 - (17) Drugstores.
 - (18) Electronic equipment sales, service and repair.
 - (19) Florists.
 - (20) Furniture stores.
 - (21) Furriers and fur apparel.
 - (22) Gift stores.
 - (23) Grocery stores and specialty foodstores.
 - (24) Hardware stores.
 - (25) Hobby and craft shops.

- (26) Hotels and motels.
- (27) Insurance sales offices.
- (28) Interior decorators.
- (29) Jewelry stores.
- (30) Law offices.
- (31) Lodges and clubs.
- (32) Medical clinics.
- (33) Music stores.
- (34) Newspaper and magazine stores.
- (35) Office supplies and business machine stores.
- (36) Optical stores.
- (37) Packaged beverage stores.
- (38) Paint, glass and wallpaper stores.
- (39) Parking lots and structures.
- (40) Physical fitness centers.
- (41) Plumbing and heating supplies.
- (42) Professional offices of an architect, engineer, landscape architect, lawyer, accountant, doctor, Christian Science practitioner, dentist, optometrist, clergy or other similarly recognized professions.
- (43) Public utility offices.
- (44) Publishing houses.
- (45) Radio and television broadcast studios without transmitting or receiving towers.
- (46) Real estate sales offices.
- (47) Restaurants, except drive-in restaurants.
- (48) Self-service laundry and dry cleaning establishments.
- (49) Shoe stores and leather goods stores.
- (50) Soda fountains and ice cream stores.
- (51) Sporting goods stores.
- (52) Studios for photography, painting, music, sculpture, dance or other recognized fine art.
- (53) Tailor or dressmaking shops.
- (54) Taverns and cocktail lounges.
- (55) Theaters.

- (56) Tobacco stores.
 - (57) Travel agency.
 - (58) Variety stores.
 - (59) Video tape sales and rental.
 - (60) Other similar businesses.
- (c) *Permitted accessory uses.* Permitted accessory uses in the C-1 district are as follows:
- (1) Garages located in the rear yard used for storage of vehicles used in conjunction with the operation of the business.
 - (2) Off-street parking and loading areas.
 - (3) Residential quarters for the owner, proprietor, commercial tenant, employee or caretaker located in the same building as the business.
 - (4) Rental efficiency, one-bedroom and two-bedroom apartments located in the rear of a business establishment or on a nonground level, provided that there shall be a minimum floor area of 350 square feet for an efficiency apartment, 500 square feet for a one-bedroom apartment and 600 square feet for a two-bedroom apartment. The apartment shall not occupy more than 50 percent of the ground floor.
 - (5) Satellite dish antennas less than 30 inches in diameter shall be allowed anywhere except in any front yard of any lot.
 - (6) Roof-mounted solar collectors which do not detract from the appearance of the structure, provided that the location of the collector is approved by the plan commission.
- (d) *Conditional uses.* For conditional uses in the C-1 district see sections 106-122, 106-124, 106-125, 106-126 and 106-129.
- (e) *Lot area and width.* Lots in the C-1 district shall provide sufficient area and width for the principal structure and its accessory structures, off-street parking and loading areas, and required yards.
- (f) *Building height and area.* No principal building or parts of a principal building in the C-1 district shall exceed 45 feet in height. No accessory building shall exceed 15 feet in height.

(g) *Building Design and Construction Requirements:* C1 commercial district. Any buildings hereinafter constructed, expanded, remodeled or otherwise improved within this District shall be designed in such a manner so that it provides a basic harmony with and does not detract from the overall attractiveness of surrounding development. Any improvements within pedestrian view from Main Street shall be constructed of the following materials:

1. Brick
2. Concrete masonry. Units shall be those generally described by the National Concrete Masonry Association as “customized architectural concrete masonry units” or shall be broken faced brick type units with marble aggregate or split face or broke off concrete block. There shall be no exposed concrete block on the exterior of any building. Any concrete masonry units that have a gray cement color shall be coated.
3. Concrete may be poured-in-place, tilt-up, or precast. Poured-in-place and tilt-up walls shall have a finish of stone, a texture or a coating. Textured finish, except in special cases, shall be coated. Precast units which are not uniform in color shall be coated. Coating shall be an approved cementitious or epoxy type with a ten (10) year minimum life expectancy.
4. Natural stone.
5. Wood.
6. Any other material approved by the Plan Commission.

(h) *Setback and yards.*

- (1) No minimum setback shall be required in the C-1 district.
- (2) No minimum side yard is required in the C-1 district, except as provided in section 106-46.
- (3) There shall be a rear yard of not less than 25 feet in the C-1 district.

(i) *Erosion control.*

- (1) Topsoil removal and the sale of topsoil removed from a parcel is a conditional use in all districts except the CD conservancy district. The plan commission shall require the use of adequate soil erosion control measures to prevent pollution of surface waters caused by runoff.
- (2) See article XII of this chapter for additional provisions about erosion control.

(j) *Plans and specifications to be submitted to the city building inspector.* To encourage a business environment that is compatible with the historic and residential character of the C-1 commercial district, building permits for permitted uses in the C-1 commercial district shall not be issued without review of the building inspector in accordance with the guidelines set forth in sections 1003—1007 [106-242—106-246]. Such review and approvals shall be concerned with general layout, building plans, architectural design, ingress, egress, parking, landscaping, and open space utilization. Review and approval of new construction or exterior remodeling ensures that the proposed improvements are architecturally compatible with the general character of the surrounding neighborhood and the aesthetic goals of the community, and that the relationship of existing or proposed structures and uses on the site are compatible with adjoining properties.