

Article 4
Commercial Zoning Districts

Section 4.1	C-D Downtown Commercial District
Section 4.2	C-1 General Commercial District
Section 4.3	C-2 Heavy Service Commercial District

4.1 C-D, Downtown Commercial District

A. Purpose. This district is intended to accommodate civic, limited commercial services, housing, and offices in Downtown. Uses are restricted to civic, housing, light retail, offices, personal services, and public services to serve the needs of Edgerton residents. The intent is to allow creative reuse and rehabilitation of existing building.

B. Use Restrictions. In District C-D, no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for those listed as permitted or conditional contained below.

C. Permitted Uses.

1. Uses listed in C-1, General Commercial District, except for the following uses.
 - a. Automobile service station.
 - b. Convenience stores, with or without gasoline sales.
 - c. Drive through food service.
 - d. Gasoline service stations.
 - e. Use of a single family residential structure that is inhabited and being used as a residence as of June 10, 2008 and such use was a previously legal conforming use, except that a residential use that is voluntarily rezoned after June 10, 2008 shall only be allowed to continue in accordance with a Conditional Use permit granted pursuant to Section 4.1D. (Ord. 842; 2008)

D. Uses Permitted by Condition (Conditional Uses). The following uses may be permitted with a conditional use permit obtained pursuant to the provisions of Article 7.

1. Uses listed in C-1, General Commercial District
2. Use of a single family residential structure that was a previously legal conforming use and is inhabited and being used as a residence at the time the landowner makes application for rezoning. Any conditional use permit granted pursuant to this provision shall have a duration of no more than one year after the effective date of the ordinance approving the conditional use permit. (Ord. 842; 2008)

E. District Regulations.

1. No merchandise shall be stored or displayed outside a building except for occasional sidewalk sales and no equipment shall be stored outside unless it is fully screened from view.
2. All development proposals in the C-D District shall be subject to approval of a site plan in accordance with Article 10.
3. All buildings with a metal exterior shall provide a facia (surface covering material) composed of stone, brick, wood, or custom siding, or a combination of these materials, that extends to at least three quarters of the total surface of the

building front and any other building surface required by the Planning Commission.

4. The Planning Commission may require additional landscaping materials, open space buffering, and or screening materials for all buildings that abut an area zoned or planned for residence.
5. Building tones and scale shall be in keeping with the general appearance of neighboring properties.
6. All areas used for refuse collection shall be screened from view.

F. Setback, Yard and Area Regulations

Table of Setbacks, Yards, and Area for C-D Zoning District			
Front Yard Setback	Side Yard Setback	Rear Yard Setback	Maximum Building Height
<p>No front yard shall be required when existing, adjacent buildings have no front yard.</p> <p>In areas where there are no existing commercial uses, the front yard shall be determined by site plan review and is dependent on the need for access, parking, and landscaping. When no determination is indicated by the site plan, a minimum front yard of 10' is required.</p>	<p>No side yard is required when adjacent buildings share a common wall or lot line.</p> <p>In areas where there are no adjacent commercial uses, all commercial buildings must maintain a 16' wall-to-wall separation.</p>	<p>Unless waived by the Planning Commission, all buildings in the C-D district must maintain a five (5') rear yard from the building wall and/or mechanical equipment used to service the premise.</p>	<p>No building in the C-D district shall be constructed to a height greater than 2 stories without a variance from the Planning Commission.</p>

(Ord. 842; 2008)

4.2 C-1, General Commercial District

A. Purpose. This district is intended to provide limited commercial services and offices to the community or residential neighborhoods. Uses are restricted to light retail, offices, personal services, and public services to serve the daily needs of residents. The intent is to encourage harmonious integration of retail centers at a neighborhood scale or accommodate limited commercial services and goods situated along Highway 56.

B. Use Restrictions. In District C-1, no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for those listed as permitted or conditional uses contained below.

C. Permitted Uses.

1. Ambulance service.
2. Amusement and video arcades.
3. Automobile service station.
4. Auction room.

5. Alterations and tailoring.
6. Apparel.
7. Antiques.
8. Apartments located above the first floor of a business.
9. Appliance and electronics repair.
10. Art galleries and studios.
11. Automotive parts, no outdoor storage.
12. Automated teller machine.
13. Bakeries and confectionery establishments.
14. Barbers, hair styling and similar personal services.
15. Bed and breakfast.
16. Books and periodicals.
17. Bus passenger station.
18. Cameras and photo equipment.
19. Crafts.
20. Church or place of worship.
21. Clubs or cultural group.
22. Computer sales and service.
23. Carpeting and floor covering.
24. Caterer.
25. Convenience stores, with or without gasoline sales.
26. Drugs and cosmetics.
27. Dry cleaners.
28. Discount stores.
29. Drive through food service.
30. Exterminator, pest.
31. Farmers market.
32. Florist and gift shops.
33. Food store.
34. Financial institutions, including drive-through banks.
35. Furniture store.
36. Funeral home, mortuary.
37. Greeting cards and stationery.
38. Gasoline service stations.
39. Garden supplies.
40. Hardware stores.
41. Health or fitness clubs.
42. Health related sales and services.
43. Home lighting and fixtures.
44. Housewares and kitchenware.
45. Interior decorating.
46. Internet providers.
47. Jewelry.
48. Laundry, self-serve.
49. Locksmiths.
50. Medical services and offices.

51. Microbrewery.
52. Music and musical instruments.
53. Office, general.
54. Office supplies.
55. Optical shops.
56. Package sales of alcoholic liquor or cereal malt beverages.
57. Paint and wallpaper.
58. Pet stores.
59. Photocopying and retail printing.
60. Picture framing.
61. Postal and mailing services.
62. Publicly owned and operated community buildings, public museums, public libraries, or meeting facilities.
63. Restaurants and other eating establishments, but this does not include drive through facilities.
64. Single family residence, but only if the structure was inhabited and being used as a residence as of June 10, 2008, and such use was a previously legal conforming use, except that a residential use that is voluntarily rezoned after June 10, 2008 shall only be allowed to continue in accordance with a conditional use permit granted pursuant to Section 4.2D. (Ord. 843)
65. Shoe repair.
66. Sporting goods and bicycles.
67. Taxidermist.
68. Taverns and bars.
69. Theaters, indoor.
70. Toys and hobby supplies.
71. Public utilities.
72. U.S. Post offices.
73. Veterinarian (domesticated pets only).
74. Video rentals, except adult videos.
75. Reserved.
76. Accessory uses.
77. Any commercial or office use that meets the intent and purpose of this section and is keeping with the general character of the district. (Ord. 843; 2008)

D. Uses Permitted by Condition (Conditional Uses). The following uses may be permitted with a conditional use permit obtained pursuant to the provisions of Article 7.

1. Parking lots detached from the principal use.
2. Recycling collection station.
3. Reserved.
4. Communications towers over 60 feet in height
5. Amusement parks and video arcades
6. Car washes
7. Self-storage
8. Automobile service and repair
9. Automobile body shop

10. Welding shops
11. Miniature golf course
12. Camps, travel trailer, or RV parks
13. Lumberyards.
14. Use of single family structure that was a previously legal conforming use and is inhabited and being used as a residence at the time the landowner makes application for rezoning. Any conditional use permit granted pursuant to this provision shall have a duration of no more than one year after the effective date of the ordinance approving the conditional use permit. (Ord. 843;2008)

E. Setback, Yard and Area Regulations.

Table of Setbacks, Yards, and Area for C-1 Zoning District				
Minimum Open Space	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Maximum Building Height
20 percent of net site area.	15'	No side yard is required, except when a side lot line abuts residentially zoned property, then a 20 foot setback is required. On the street side of a corner lot, a side yard setback of 15 feet is required.	No rear yard is required, except when a structure abuts residentially zoned property, then a 15 foot setback is required.	30'

F. District Regulations.

1. No merchandise shall be stored or displayed outside a building and no equipment shall be stored outside a building.
2. All development proposals in the General Commercial District shall be subject to approval of a site plan in accordance with Article 10.

G. Appearance Regulations.

1. All buildings with a metal exterior shall provide a facia (surface covering material) composed of stone, brick, wood, or custom siding, or a combination of these materials, that extends to at least three quarters of the total surface of the building front and any other building surface required by the Planning Commission.
2. The Planning Commission may require additional landscape materials, open space buffering, and/or screening materials for all buildings that abut an area zoned for residence.
3. Building tones and color shall be in keeping with the general appearance of the adjacent properties.
4. All areas used for refuse and refuse containers shall be screened from view.

H. Parking and Loading.

1. Parking shall be provided at a rate of four (4) spaces on the premises for each 1,000 square feet of total floor area. The Planning Commission may require parking be provided at a rate consistent with the rated building occupancy and its designed capacity. A site plan shall list the intended occupancy of the building, the number of employees, and the proposed parking spaces. Such parking space shall be at least nine (9) feet by twenty (20) feet.
2. All parking spaces shall maintain a fifteen (15) foot open space setback from a street right-of-way. The Planning Commission may require the planting of trees or shrubs in the open space setback.
3. All parking spaces shall be marked and at least one space shall be handicapped accessible and one per 25 spaces thereafter.
4. All parking shall be on a surface prepared from concrete or asphalt.
5. All commercial buildings shall provide a designated off-street space for the loading and unloading of goods and merchandise. (Ord. 843; 2008)

4.3 C-2, Heavy Service Commercial

A. Purpose. The C-2 district is composed of certain uses that require extensive lot frontages, storage requirements, promote heavy traffic generation, extended hours operations, and are customarily associated with intensive commercial use of land.

B. Use Restrictions. In district C-2, no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except those listed as permitted or conditional use and contained below.

C. Permitted Uses.

1. All uses permitted by right or condition in the C-1 district
2. Automobile sales, new and used.
3. Truck stops
4. Car and truck washes
5. Lumber yards
6. Laboratory, medical or dental
7. Manufactured home sales
8. Motels and hotels; meeting facilities
9. Automobile service and repair
10. Automobile body shop
11. Motorcycle sales and service
12. Trailer sales and rental
13. Use of a single family residential structure that is inhabited and being used as a residence as of June 10, 2008 and such use was a previously legal conforming use, except that a residential use that is voluntarily rezoned after June 10, 2008 shall only be allowed to continue in accordance with a Conditional Use permit granted pursuant to Section 4.3D. (Ord. 844; 2008)

D. Uses Permitted by Condition (Conditional Uses). The following uses may be permitted with a conditional use permit obtained pursuant to the provisions of Article 7.

1. Communications towers over 60 feet in height.
2. Asphalt or concrete plant.
3. Camps, travel trailer, or RV parks.
4. Adult entertainment – sexually oriented businesses
5. Use of single family structure that was a previously legal conforming use and is inhabited and being used as a residence at the time the landowner makes application for rezoning. Any conditional use permit granted pursuant to this provision shall have a duration of no more than one year after the effective date of the ordinance approving the conditional use permit. (Ord. 844; 2008)

E. Setback, Yard and Area Regulations

Table of Setbacks, Yards, and Area for C-2 Zoning District			
Front Yard Setback	Side Yard Setback	Rear Yard Setback	Maximum Building Height
<p>A 40 foot front yard setback shall be required. The Planning Commission may waive this provision when adjacent commercial uses do not have a front yard setback.</p> <p>In areas where there are no existing commercial uses, the front yard shall be determined by the site plan review and is dependent on the need for access, parking, and landscaping. When no determination is indicated by the site plan, a minimum front yard of 15’ is required.</p>	<p>No side yard is required when adjacent buildings share a common wall or lot line.</p> <p>In areas where there are no adjacent commercial uses, all commercial buildings must maintain a 16’ wall-to-wall separation.</p>	<p>Unless waived by the Planning Commission, all buildings in the C-2 district must maintain a five (5) foot rear yard setback from the building wall and/or mechanical equipment used to service the premise. When a structure abuts residentially zoned property, then a 15 foot setback is required.</p> <p>No building shall be placed closer than three (3 feet) to a dedicated utility, service, or travel easement.</p>	<p>No building in the C-2 district shall be constructed to a height greater than 3 stories without a variance from the Planning Commission.</p>

F. District Regulations.

1. No merchandise shall be stored or displayed outside a building unless located within an outdoor display confinement area. However, daily sidewalk sales and temporary displays shall be permitted in areas immediately adjacent to the business during business hours.
2. All development proposals in the C-2 District shall be subject to approval of a site plan in accordance with Article 10.

G. Appearance Regulations.

1. The Planning Commission may require additional landscape materials, open space buffering, and/or screening materials for all buildings that abut an area zoned for residence.
2. Building tones and coloration shall be in keeping with the general appearance of the adjacent properties.
3. All areas used for the refuse and refuse containers shall be screened from view.
4. No materials shall be openly stored to the exterior of the building unless a solid screening enclosure is provided.

H. Parking and Loading.

1. Parking shall be provided at a rate of four (4) spaces on the premises for each 1,000 square feet of total floor area. The Planning Commission may require parking be provided at a rate consistent with the occupancy building and its designed capacity. A site plan shall list the intended occupancy of the building, the number of employees, and the proposed parking spaces. Such parking space shall be at least nine (9) feet by twenty (20) feet.
2. All parking spaces shall maintain a fifteen (15) foot open space setback from a street right-of-way. The Planning Commission may require the planting of trees or shrubs in the open space setback.
3. All parking spaces shall be marked and at least one space shall be handicapped accessible and one per 25 thereafter.
4. All parking shall be on a surface prepared from concrete or asphalt.
5. All commercial buildings shall provide a designated off-street space for the loading and unloading of goods and merchandise.