

CHAPTER XIII

"C-3" COMMERCIAL ZONE

(Ord. No. 89-11; 9/5/89)

(Ord. No. 91-2; 2/28/91)

(Ord. No. 96-03; 5/2/96)

(Ord. No. 09-01; 3/31/09)

SECTION 13.01 DESCRIPTION AND PURPOSE

This zone is intended to provide for uses which, although commercial in nature, exhibit a number of industrial characteristics in their operation. Such uses, however, do not, in all cases, require the level of public services necessary for more intense industrial activities and can, therefore, be located outside of industrial areas where development costs are not prohibitive. Such uses need not be located along major roadways but in all cases development standards must be applied to ensure that such commercial uses do not have a negative effect on adjacent land uses.

SECTION 13.02 USE REGULATIONS. Land and/or buildings in the "C-3" Zone may be used for the following, subject to the site development standards of Section 13.06 herein:

- (a) Blacksmith and/or welding shop.
- (b) Vehicle repair or body shops.
- (c) Building material storage.
- (d) Commercial laundry.
- (e) Kennels.
- (f) Public utility service or storage yard.
- (g) Truck and/or trailer repair shop.
- (h) Well drilling contractors.
- (i) Other uses similar to the above as determined by the Zoning Administrator.
- (j) Antennas and towers not exceeding 35 feet in height subject to Section 2.42 herein. (Ord. No. 96-03; 5/2/96)
- (k) Any On-Site Use Wind Energy System, including Structure-Mounted Wind Energy Systems, which is 65 feet or less in total height subject to Section 2.46 herein. (Ord. No. 09-01; 3/31/09)

SECTION 13.03 SPECIAL USES. The following uses may be permitted as a special land use when approval is obtained from the Planning Commission. Such uses are subject to the provisions of Chapter XXI herein.

- (a) Coal, coke, or wood yards.
- (b) Contractors equipment storage yard or rental or leasing of equipment normally used by contractors.

- (c) Farm equipment sales, service, and storage.
- (d) Retail lumber yard and mill and sash work incidental thereto.
- (e) Stone monument works.
- (f) Other similar uses as determined by the Zoning Administrator.
- (g) Antennas and towers exceeding a height of 35 feet as regulated by Section 21.07. (Ord. No. 96-03; 5/2/96)
- (h) Any Wind Energy System, including Structure-Mounted Wind Energy Systems, which is greater than 65 feet in total height and Anemometer (MET) Towers subject to Section 21.09 herein. (Ord. No. 09-01; 3/31/09)

SECTION 13.04 AREA REGULATIONS. No building or structure nor the enlargement of any building or structure shall be hereafter erected unless the following yard area requirements are provided and maintained:

- (a) **BUILDING SETBACK** - All buildings constructed in this district shall have a setback from the street right-of-way of not less than seventy-five (75) feet. Where any existing adjacent commercial structure is closer than seventy-five (75) feet to the right-of-way, a setback equal to the average of seventy-five (75) feet and the average of all commercial buildings within four hundred (400) feet on each side of the proposed building or between adjacent side streets, whichever is the lesser, will be allowed. In no case shall a front yard of less than fifty (50) feet be permitted. For corner lots, the provisions of Section 12.04(b) shall apply.
- (b) **SIDE YARD** - There shall be no side yard requirement in this district except where a building is not constructed to the property line there shall be maintained a minimum side yard of fifteen (15) feet for fire protection purposes, where a "C-3" Zone abuts a residential zone on the side, a side yard of at least fifty (50) feet must be maintained.
- (c) **REAR YARD** - There shall be a rear yard of at least twenty-five (25) feet except that where a commercial zone abuts a residential zone in the rear a minimum of fifty (50) feet must be maintained.
- (d) **LOT WIDTH** - Each lot or parcel shall have a minimum width of one hundred fifty (150) feet.
- (e) **GREENBELT** - A greenbelt, as determined by the Alpine Township Landscape Guidelines, shall be erected and maintained on the side and rear of any commercial premises where the same abuts a residential or rural agricultural zone, and such greenbelts shall also be required where commercial premises and uses abut existing nonconforming residential uses. (Ord. No. 89-11; 9/5/89)
- (f) **SIDEWALKS** - As required by Section 11.04(g) herein.

(g) STRUCTURE FACADE - As required by Section 11.04(h) herein.

SECTION 13.05 HEIGHT REGULATIONS. No building shall exceed thirty (30) feet or two stories in height, whichever is lesser.

SECTION 13.06 SITE DEVELOPMENT STANDARDS. The following site development standards are designed to mitigate negative impacts on nearby properties.

- (a) All uses are to be conducted within a completely enclosed building or within an area enclosed on all sides by a solid fence, greenbelt, or wall at least six feet in height; provided, however, that no goods, materials, or objects shall be stacked higher than the fence, greenbelt, or wall, and provided further that all business shall be conducted in such a manner that no noise, smoke, dust, vibration, or any other like nuisance shall exist to affect the adjoining properties adversely.
- (b) Operations which involve the use or storage of diesel powered equipment or heavy trucks shall keep all such vehicles at least one hundred fifty (150) feet from the nearest residential dwelling unit and shall not operate such vehicles in a manner which will be a nuisance to nearby residents.
- (c) The location of driveways shall be determined during site plan review. Driveways shall be located to minimize negative impacts upon nearby properties.
- (d) Operations which involve the repair or storage of damaged vehicles shall immediately remove all fluids from such vehicles if there is evidence that leaking of fluids is occurring or could occur. This is necessary to minimize fire hazard and to prevent such fluids from contaminating groundwater and surface water.

SECTION 13.07 OFF-STREET PARKING. Off-street parking facilities must be provided for all uses in this district in accordance with the requirements of Chapter XIX.

SECTION 13.08 SITE PLAN REVIEW. A site plan shall be required for all uses permitted in this zoning district according to the requirements of Chapter XVIII herein.