

CHAPTER 400: ZONING REGULATIONS**ARTICLE VIII. "COR" COMMERCIAL/OFFICE/RETAIL DISTRICT****ARTICLE VIII. "COR" COMMERCIAL/OFFICE/RETAIL DISTRICT****SECTION 400.730: INTENT AND PURPOSE**

The "COR" District provides for the development of commercial uses in three (3) categories. The permitted uses hereunder include convenience retail shopping and low intensity office uses which are limited in area and which do not generate substantial volumes of pedestrian or vehicular traffic at any time during the day. The second (2nd) level of development calls for site plan review and approval. This procedure is designed to protect against potential environmental problems arising from the amount of traffic, the size of the project or the amount of parking to meet the needs of the project. The third (3rd) category of uses is allowed only by special permit. (R.O. 2008 §280.062)

ARTICLE VIII. "COR" COMMERCIAL/OFFICE/RETAIL DISTRICT**SECTION 400.740: AUTHORIZED USES**

A. *Basic Permitted Uses.* The following uses shall be permitted, provided that the total gross floor area of any single store, shop, establishment or office facility shall not exceed five thousand (5,000) square feet in area. No minimum lot area is required except as otherwise set forth in this Article.

1. Stores in which beverages, pharmaceuticals, household supplies, wearing apparel and personal use items are sold at retail.
2. Service establishments, including:
 - a. Barbershops.
 - b. Beauty parlors.
 - c. Dry cleaning pickup stations.
 - d. Self-service laundry and dry cleaning establishments.
 - e. Shoe repair shops.
 - f. Custom dressmaking.
 - g. Tailoring.

3. Grocery stores, bakeries and delicatessens.
4. Churches and church schools.
5. Business, institutional, governmental and professional offices.
6. Financial institutions without drive-in or drive-through facilities.
7. Professional offices except medical clinics.
8. Any use which, in the judgment of the Commission, is identical or similar to any of the above listed uses and which conforms with the intent and purpose and the lot size, height and yard regulations of this Article.

B. *Uses Permitted By Site Plan Approval.* The following uses shall be permitted in the "COR" District, provided that the total gross floor area of any single store, shop, establishment or office shall not exceed 1.25 floor area ratio (FAR) and further providing that the following uses shall be permitted in accordance with the provisions of site plan review, [Article XI](#). No minimum lot area is required except as specifically designated.

1. All uses permitted in [Section 400.740\(A\)](#) that exceed ten thousand (10,000) square feet; for such uses that exceed five thousand (5,000) square feet but are not more than ten thousand (10,000) square feet, those uses that the Building Official believes require site plan review because of the detrimental impact upon the public health, safety and welfare, based upon traffic considerations, parking availability, provision for public utilities, noise and visual impact, pedestrian convenience and safety and the impact on public facilities and the surrounding neighborhood.
2. Household appliance sales and repair.
3. Home and office furniture stores.
4. Garden supplies, including outdoor storage of material and equipment commonly associated with garden supplies and outdoor display of merchandise in conjunction therewith. Review of such outdoor storage and display under [Article XI](#) of this zoning ordinance shall be limited to:
 - a. Adequacy of screening of bulk material and equipment from adjacent streets and properties whether through installation of fencing, plantings or similar means; location and spatial separation; or employment of other methods singly or in combination and including, without limitation, establishment of maximum permissible height of stored bulk materials and equipment;
 - b. Adequacy of means of containment to prevent loss or spillage of bulk materials;
 - c. Limitation of bulk materials storage to rear yards and, provided that adequate screening and containment can be achieved, to side yards; and
 - d. Appropriateness of any location within a front yard or side yard proposed for display of merchandise and non-bulk materials for sale at retail.

For purposes of this paragraph the term "*front yard*" shall mean the required yard which is bounded by the street providing the principal access to the lot. The term "*rear yard*" shall mean the required yard most nearly opposite the front yard.

5. Seasonal garden center, including outdoor storage of material and equipment commonly associated with garden supplies and outdoor display of merchandise in conjunction therewith. Review of such outdoor storage and display under [Article XI](#) of this zoning ordinance shall be limited to:

- a. The location of any associated structure and outdoor storage and materials is adequately screened from any adjacent single-family homes in an "SR" Single-Family Residential District.
- b. Adequacy of means of containment to prevent loss or spillage of bulk materials.
- c. Any structures utilized in conjunction with a seasonal garden center are subject to approval by the Fire Chief and must obtain a building permit and business license.
- d. Site placement of any structure utilized in conjunction with a seasonal garden center is subject to the following:
 - (1) Is exempt from [Article XII](#) Special Permits of this Chapter.
 - (2) Appropriateness of any location within a front yard or side yard proposed for display of merchandise and non-bulk materials for sale at retail.
 - (3) Limitation of bulk materials storage to rear yards and, provided that adequate screening and containment can be achieved, to side yards.

For purposes of this paragraph the term "*front yard*" shall mean the required yard which is bounded by the street providing the principal access to the lot. The term "*rear yard*" shall mean the required yard most nearly opposite the front yard.

- (4) In no case shall the required parking on the site grounds be reduced to less than seventy-five percent (75%) of the required parking noted in [Article XIV](#) of this Chapter.
 - (5) In the case of a temporary structure or outdoor storage that is placed in a surface parking lot, adequate provision of circulation on the site grounds is addressed.
 - (6) Must ensure that at all times during operation and use, facilities and utilities, including, but not limited to, restrooms, electricity and water, are provided.
6. Hardware, paint, glass or wallpaper sales.
 7. Medical or dental clinic or laboratories, excluding residential or outpatient facilities for the treatment of alcohol or other drug abuse.
 8. Printing, lithography and publishing (including office duplicating).
 9. Business, institutional, governmental, professional and medical offices at a density of up to 2.0 FAR on a site of at least seventy-five hundredths (0.75) acre.
 10. Housing designed exclusively to meet the needs of the elderly or handicapped at a density up to 2.0 FAR on a site of at least seventy-five hundredths (0.75) acre.

C. *Special Permit Uses.* The following uses may be permitted in the "COR" District if deemed

appropriate by the Council under the provisions of [Article XII](#) of this Chapter and provided that the total gross floor area of any single store, shop, establishment or office shall not exceed 1.25 floor area ratio.

1. Carpentry, cabinet, furniture refinishing or upholstery shop.
2. Car wash, where provided as part of an existing automobile service station or filling station.
3. Day care center or day nursery.
4. Financial institution with drive-in or drive through facilities.
5. Heliport, including accessory facilities.
6. Hotel or motel.
7. Pet sales.
8. Private club whose chief activity is customarily carried on as a business.
9. Establishment for the conduct of recreational or amusement activities, including bowling alleys, skating rinks, movie theaters, etc.
10. Restaurant, including outdoor seating where full table service is provided. For purposes of parking requirements of [Section 400.1400\(3\)](#) of this Chapter, the areas designated for outdoor seating shall be considered floor area and shall be included in the calculation of required parking spaces.
11. Fast-food restaurant on a contiguous site of three (3) acres or more; provided however, that any fast-food restaurant which:
 - a. Began operating as such on its current site prior to the enactment of this [Subsection 400.740\(C\)\(11\)](#); and
 - b. Has maintained continuous operations as such on the same site within the "COR" Commercial/Office/Retail District may apply for, and be granted, a special permit use to rebuild the fast-food restaurant on that current site, despite the site's containing less acreage than the minimum designated under this [Subsection 400.740\(C\)\(11\)](#).
12. Sales of new motor vehicles and sales of used motor vehicles if accessory to and located on the same lot as sales of new motor vehicles.
13. Veterinary office, clinic or hospital.
14. Wholesale activity.
15. Warehousing of finished goods provided:
 - a. The lot abuts a lot lying within the "LID" Light Industrial District; and
 - b. At least twenty-five percent (25%) of the floor area of such use is devoted to office space or some other use permitted in a "COR" Commercial/Office/Retail District.

16. *Drive-thru or drive-in facilities.* Any use permitted in [Section 400.740\(A\), \(B\), \(C\)\(1--15\)](#) which provides drive-thru or drive-in services as part of an accessory function to the use.

17. Motor vehicle oriented business (MVOB) as part of a planned commercial development containing not less than six (6) contiguous acres provided:

- a. Planned commercial developments containing a total of ten (10) contiguous acres shall contain not more than one (1) MVOB. Planned commercial developments containing more than ten (10) contiguous acres shall contain not more than two (2) MVOBs.
- b. MVOBs shall provide vehicular ingress and egress via the primary access of the planned commercial development.

As used in this Section, the term "*planned commercial development*" shall mean a site which:

- a. Is designed and approved under a single development plan;
- b. Contains three (3) or more uses which are authorized within the "COR" District; and
- c. Maintains a uniform design and appearance of all building exteriors with respect to style, color, material and texture.

If developed in phases, a minimum of forty percent (40%) of the total floor area proposed in the planned commercial development shall be constructed prior to or concurrently with construction of any MVOB.

D. *Exception To Site Plan Review And Special Permit Requirements.* Notwithstanding any provision of this Chapter to the contrary, neither compliance with the provisions of site plan review, [Article XI](#), nor the issuance of a special permit pursuant to the provisions of [Article XII](#) shall be required in the "COR" District for buildings or uses therein that contain an area of not more than ten thousand (10,000) square feet, unless the Building Official believes site plan review or a special permit is necessary because of the detrimental impact upon the public health, safety and welfare, based upon traffic considerations, available parking, provision for public utilities, noise and visual impact and the impact on public facilities and the surrounding neighborhoods. (R.O. 2008 §280.064; Ord. No. 1585 §1--2, 8-23-88; Ord. No. 1588 §1, 9-13-88; Ord. No. 1683 §3, 12-11-90; Ord. No. 1684 §2, 12-18-90; Ord. No. 1729 §1, 2-11-92; Ord. No. 1733 §1, 4-14-92; Ord. No. 1760 §2, 8-25-92; Ord. No. 1820 §1, 6-14-94; Ord. No. 1851 §1, 4-11-95; Ord. No. 2259 §1, 11-9-04; Ord. No. 2451 §1, 4-26-11; Ord. No. 2454 §1, 7-12-11)

ARTICLE VIII. "COR" COMMERCIAL/OFFICE/RETAIL DISTRICT

SECTION 400.750: LOT SIZE, HEIGHT AND YARD REGULATIONS

The following requirements shall apply to the uses authorized under [Section 400.740](#):

1. *Minimum lot size requirements.*
 - a. *Lot width.* Seventy-five (75) feet.

- b. *Lot depth.* One hundred (100) feet.
2. *Maximum structure height.* Thirty-five (35) feet, provided that buildings of a greater height may be authorized if approved under the procedures for site plan review.
3. *Right-of-way setback.*
 - a. Lots less than 120,000 square feet:
 - No greater than twenty (20) feet from Olive Boulevard right-of-way.
 - No less than twenty (20) feet from any other street right-of-way.
 - b. Lots 120,000 square feet or greater:
 - No less than twenty (20) feet from any street right-of-way.
4. *Side and rear yard setbacks.* None required where the side or rear lot line coincides with one (1) side or rear lot line of property zoned "COR". However, if a side or rear yard is provided, no such yard shall be less than five (5) feet in width.
5. *Transitional yard.* Where the side or rear lot line directly abuts a side or rear lot line in an adjacent residential zoning district ("SR", "AR" or "PRO" with residential use), then a landscaped yard at least twenty (20) feet in width shall be provided. In instances when twenty (20) feet does not exist, then a closed fence at least six (6) feet but not more than eight (8) feet shall be provided. (R.O. 2008 §280.066; Ord. No. 2290 §1, 9-27-05; Ord. No. 2388 §1, 9-9-08; Ord. No. 2406 §1, 7-14-09)

ARTICLE VIII. "COR" COMMERCIAL/OFFICE/RETAIL DISTRICT

SECTIONS 400.760--400.810: RESERVED