



Sec. 41-423. Applicability of division.

- (a) C5 (arterial commercial) districts are specifically subject to the regulations contained in this division.
- (b) No building permit shall be issued for the construction or enlargement of any building or structure in the C5 district until a site plan has been submitted to the zoning administrator pursuant to section 41-430 and approved by him as conforming to the requirements of this division.
- (c) After approval of a site plan for a lot in the C5 district pursuant to section 41-430, no person shall cause such lot to be developed or maintained in nonconformity with such approved site plan or any approved revision thereof.
- (d) Separately owned units of real property may be deemed a single lot for purposes of this division if they are subject to conditions, covenants and restrictions and reciprocal easements of access which provide for unified responsibility for vehicle access and parking, landscaping, and signage.
- (e) Two-family dwellings permitted in the C5 district shall not be subject to the operational and design regulations set forth in sections 41-425 through 41-429. Such dwellings shall be subject to the standards set forth for such uses in the R2 (multiple-family residence) district.

Sec. 41-424. Uses permitted in the C5 district. The following uses are permitted in the C5 district:

- (a) Administrative and professional offices.
- (b) Retail and service uses.
- (c) Automobile parking lots, but excluding the sale or storage of automobiles, trucks, trailers, boats, or tractors, whether new or used.
- (d) Churches, chapels, mortuaries, and theaters.
- (e) Government buildings.
- (f) Restaurants and cafes, other than those specified in section 41-424.5.
- (g) Schools and studios operated for commercial or public purposes.
- (h) Child care facilities.

- (i) The printing, publishing, and circulation of a newspaper, including plant and office.
- (j) Two-family dwellings not exceeding one (1) unit per three thousand (3,000) square feet of lot area, provided such units front on a secondary or local street.
- (k) Cyber cafes subject to compliance with the requirements of section 41-198.200.

Sec. 41-424.5. Uses subject to a conditional use permit in the C5 district. The following uses may be permitted in the C5 district subject to the issuance of a conditional use permit:

- (a) Hotels, motels, lodging houses, care homes, fraternity houses, and sorority houses.
- (b) Dwelling units when erected above the ground floor of a commercial structure when the ground floor is devoted exclusively to nonresidential uses.
- (c) Hospitals.
- (d) Public utility structures, including electric distribution and transmission substations.
- (e) Eating establishments with drive-through or walk-up window service.
- (f) Service stations and automobile servicing.
- (g) Car wash establishments, provided they are wholly enclosed.
- (h) Laundries.
- (i) Indoor swap meets, bulk merchandise stores, and home improvement warehouse stores.
- (j) Eating establishments open at any time between the hours of 12:00 a.m. and 5:00 a.m. and located within one hundred fifty (150) feet of residentially zoned or used property, measured from property line to property line.
- (k) Laundromats, subject to the development and performance standards set forth in section 41-199.
- (l) Retail markets having less than twenty thousand (20,000) square feet of floor area which are open at any time between the hours of 12:00 midnight and 5:00 a.m.

- (m) Banquet facilities, subject to development and operational standards set forth in section 41-199.1.
- (n) Banquet facilities as an ancillary use, subject to development and operational standards set forth in section 41-199.1.
- (o) Adult day care facilities.
- (p) Superstores.

Sec. 41-425. Operational Standards.

- (a) All business activities shall be conducted or located within an enclosed building, except as otherwise provided in section 41-195.
- (b) Storage of goods and supplies shall be limited to those sold at retail on the premises or utilized in the course of business.

Sec. 41-426. Walls. Where property within this district is to be used for professional or commercial purposes and has a lot line in common with any lot in a residential district there shall be erected a solid masonry wall not less than six (6) feet high along all such common lines. Where a wall of such height is prohibited by this chapter or any other ordinance the wall shall be the maximum allowable height. Further, where an alley separates the property in this district from property in a residential district said block wall shall be erected along the property line abutting the alley except at points of ingress/egress to the parking area.

Sec. 41-427. Yard, building setback, landscaping, lot size, and lot frontage requirements in the C5 district. Yard, building setback, landscaping, lot size and lot frontage requirements in the C5 district are the same as those prescribed for the C1 district by sections 41-368, 41-369, 41-370, 41-372, and 41-373.

Sec. 41-428. Vehicle access.

- (a) There shall be no more than one (1) vehicle entryway and one (1) vehicle exit way for each one hundred fifty (150) feet of street frontage of the lot. No such entryway or exit way shall be located within one hundred fifty (150) feet of any street intersection corner radius.
- (b) The design of vehicle accessways, driveways, and parking areas shall be safe and practical.

Sec. 41-431. Service stations and automobile servicing in the C5 district. In addition to the provisions of this chapter for commercial uses, service stations and automobile servicing are subject to the requirements of section 41-374.