

# ZONING REGULATIONS

## *400 Attachment 3*

### **City of Hollister**

#### **APPENDIX 1**

#### **"C-3" Commercial District Permitted And Conditional Uses**

**[Ord. No. 98-26, 6-18-1998; Ord. No. 02-06, 3-21-2002; Ord. No. 03-48, 11-20-2003; Ord. No. 14-20, 1-22-2015; Ord. No. 18-46, 7-5-2018; Ord. No. 19-73, 12-5-2019; Ord. No. 21-07, 2-4-2021; Ord. No. 23-08, 4-6-2023; Ord. No. 23-35, 12-7-2023]**

- A. "C-3" Commercial District Permitted Uses.
1. Air-conditioning and heating sales and service.
  2. Alcoholic (intoxicating) beverages.
    - a. Establishments that serve alcoholic (intoxicating) beverages for consumption on the premises: bars, lounges, taverns, restaurants and private clubs shall be permitted in this zoning district.
    - b. Sale of package beer, wine or liquor sales for consumption off the premises shall be permitted in this zoning district, unless the property is adjacent to a residential zone.
  3. Amusement establishments — bowling alleys, dance halls, and other similar places of recreation when conducted wholly within a completely enclosed building.
  4. Art, book, school supply and stationery stores.
  5. Automobile repair, sales and service, including automobile body repair and rebuilding and painting of automobiles.
  6. Automobile washing, including the use of mechanical conveyors, blowers and steam cleaning.
  7. Bakery shop, including the baking and processing of food products when prepared for retail use on the premises only.
  8. Banks, financial institutions, savings and loan associations.
  9. Barber and beauty shops.
  10. Battery and tire service stations.
  11. Beverage, non-alcoholic, bottling and distributing.
  12. Bicycle repair, sales and rental.

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13. Blueprinting and photocopying business.
14. Boat showrooms.
15. Building supply businesses of any type.
16. Bus passenger terminal.
17. Camera and photographic supply shops for retail sales.
18. Candy and ice cream stores.
19. Clubs and fraternal organizations, catering establishments.
20. Custom dressmaking, millinery, tailoring or shoe repair when conducted for retail sales on the premises only.
21. Department stores.
22. Drug stores.
23. Dry goods store, haberdashery and wearing apparel stores.
24. Electrical appliance store and repair, but not including appliance assembly or manufacturing.
25. Feed and seed store/farm supply.
26. Florist shop for retail trade on premises only.
27. Food and fruit stores.
28. Frozen food lockers.
29. Funeral home/mortuary.
30. Furniture store and upholstery.
31. Furrier, when conducted for retail trade on the premises only.
32. Garden supplies and seed stores.
33. Gift shops.
34. Hardware stores.
35. Hobby stores.

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36. Hotels, including dining and meeting rooms, when business uses occupy the street frontage except for an entrance to the hotel lobby.
37. Household appliance store and repair shop.
38. Interior decorating shops, including upholstery and making of draperies, slip covers, and other similar articles, when conducted as part of the retail operations and secondary to the main use.
39. Jewelry store and watch repair.
40. Launderette, laundromat, or similar self-service dry cleaning establishment.
41. Leather goods and luggage store.
42. Library.
43. Meat markets.
44. Medical clinics.
45. Merchandise establishments — adult.
46. Messenger or telegraph service station.
47. Mobile food vendors.
48. Motel.
49. Newsstand.
50. Off-street parking facilities in an open lot or a covered building.
51. Offices, business and professional.
52. Paint and wallpaper store.
53. Pet shop or animal hospital when conducted wholly within an enclosed building.
54. Photography studio, art gallery or studio, including the developing of film and pictures when conducted as part of the retail business on the premises.
55. Plumbing, heating and roofing supply shops when conducted wholly within a building.
56. Post office.

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57. Public utility collection offices.
  58. Recreation places, including bowling alley, dance hall, gymnasium, skating rink, archery range, miniature golf, or other similar places of amusement or entertainment when operated for pecuniary profit.
  59. Restaurant, non-drive-in and drive-in car service.
  60. Service stations, excluding any such operation which may include the repair or servicing of motor vehicles, except as defined under "Minor Automobile Repair."
  61. Service stations, public garages and other motor vehicle services provided all pumps, underground storage tanks, lubricating and other devices are located at least twenty (20) feet from any street right-of-way; provided all fuel, oil or similar substances are stored inside or underground; and provided all automobile parts, dismantled vehicles and similar articles are stored within a building.
  62. Shops for outdoor recreational or utility vehicles not exceeding one thousand five hundred (1,500) lbs., to include rentals, lease, or retail sales. All incidental repairs, replacement of parts and motor services shall be conducted completely within a building. No painting, restoration or overhaul.
  63. Sporting goods store.
  64. Tailor shop.
  65. Theaters, indoor.
  66. Tobacco shop
  67. Trailer sales on an open lot with or within a building (no residential occupancy).
  68. Variety store.
  69. Wearing apparel store.
  70. Welding service.
  71. Any similar business not listed shall be zoned accordingly.
- B. "C-3" Commercial District Conditional Uses.
1. Adult day care facilities may be permitted provided they meet the general requirements of this Code listed in Section 400.180(B) and the Planning Department and Administration find the following conditions present or establish provisions therefore.

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- a. The following as defined in Missouri Statute 660.400 and the current adopted Edition of the International Building Code shall apply for adult day care facilities:
- (1) "Adult," an individual over the age of eighteen (18).
  - (2) "Adult day care program," a group program designed to provide care and supervision to meet the needs of five (5) or more functionally impaired adults for periods of less than twenty-four (24) hours but more than two (2) hours per day in a place other than the adult's own home.
  - (3) "Adult day care provider," the person, corporation, partnership, association or organization legally responsible for the overall operation of the adult day care program.
  - (4) "Department," the Missouri Department of Social Services.
  - (5) "Adult day care facilities," shall include buildings and structures occupied by more than five (5) persons over the age of eighteen (18) who receive custodial care for fewer than twenty-four (24) hours per day by persons other than parents or guardian, relatives by blood, marriage or adoption, and in a place other than the home of the person cared for.
  - (6) "Custodial care," assistance with day-to-day living tasks.
  - (7) "Participant," means a functionally impaired adult who is enrolled in an adult day care program.
  - (8) "Related," any of the following by blood, marriage or adoption: parent, child, grandchild, brother, sister, half-brother, half-sister, stepparent, uncle, aunt, niece, nephew, or first cousin.
- b. The facility shall be licensed per Missouri Statutes 660.402 to 660.420.
- c. Shall be on a parcel of land or lot sized appropriately based on the number of participants and staff to meet these requirements: a drop-off and pick-up area large enough to allow for multiple vehicles to be off the right-of-way, off-street parking, providing outdoor recreation area, and where this use is adjacent to residential uses a landscaped buffer per Appendix 6 of Chapter 400 of the City Code if a privacy fence is not used. In no case shall this use be on a residentially zoned parcel that is less than fifteen thousand (15,000) square feet.
- d. The side and rear property lines shall be fenced. Preferably by a privacy fence that will act as a buffer.

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- e. The side and rear setback (yard area) shall be a minimum of twenty-five (25) feet for a newly constructed facility.
  - f. The facility shall provide an outdoor recreation or relaxation area. This may be in the twenty-five (25) feet wide area of the setbacks.
  - g. The building shall be designed to meet the requirements for an I-4 Institutional use per the latest Edition of the International Codes as adopted by the City. This requirement shall apply to existing buildings proposed to be used for this purpose. This requirement meets or exceeds the State minimum.
  - h. The facility shall provide a paved parking at a rate of one (1) space for each employee on the largest shift plus one (1) visitor parking space for every four (4) participants. An adequately sized paved drop-off/pick-up area shall also be provided to accommodate participants who needed assistance and can move through the process without causing traffic to back up onto a street.
  - i. No adult care business shall be permitted in an occupied dwelling or home.
2. Adult Merchandise Establishments.
- a. Purpose. The purpose of these regulations is to protect residential property values by restricting the location of adult merchandise establishments. National studies indicate that such businesses are perceived to have a negative impact on residential property values. Dispersion of adult merchandise establishments is required in order to avoid concentration of uses that have a negative impact on adjoining property values.
  - b. Location. An adult merchandise establishment as defined in Section 400.020. Such uses are prohibited within the area circumscribed by a circle that has a radius of five hundred (500) feet from any residential zoning district, school, park, or church. Adult merchandise establishments shall not be located within the area circumscribed by a circle that has a radius of one thousand (1,000) feet from any other adult merchandise establishment or any establishment that is licensed to sell alcoholic beverages within the City limits of Hollister.
  - c. Distances. The distances provided in this Subsection shall be measured by following a straight line, without regard to intervening structures or objects, from the adult merchandise establishment to the nearest point of the parcel of property containing a school, park, or church, or the residential zoning district boundary line the nearest other adult merchandise establishment.
3. Brewery.
- a. A building or establishment for producing (brewing) beer, ale or other malt liquors. This facility may include retail sales of any beer, ale or other malt liquors produced at that location.

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- b. No brewery shall be located within five hundred (500) feet of any then-existing elementary or secondary school, State-licensed day care, church or any residentially zoned parcel.
  - c. For purposes of determining distances, used in Subsection (B)(3)(b) of this Section, from elementary or secondary schools, State-licensed day cares or churches, the distance will be measured in a straight line from the nearest, exterior, structural surface of the primary building; excluding steps, overhangs, awnings, entryways, etc., of a school, church or day care to the nearest, exterior, structural surface of the primary brewery building; excluding steps, overhangs, awnings, entryways, etc. This measurement will be expressed in feet.
  - d. For purposes of determining distances, used in Subsection (B)(3)(b) of this Section, from residentially zoned parcels, the distance will be measured in a straight line from the nearest boundary of the residentially zoned parcel to the nearest boundary of the parcel on which the brewery is sited. This measurement will be expressed in feet.
4. Campground — Real property, other than State-owned property, which contains parcels for rent to transient guests for pay or compensation, which may include temporary utility hookups for use by transient guests, and where such transient guests generally use tents, recreational vehicles or some other form of temporary shelter while on the rented premises. Campground shall be construed to include tourist camps, tourist cabins and tourist courts.
- a. Commercial business license shall be obtained from the City of Hollister to operate a campground.
  - b. Pursuant to the authority granted by Sections 67.1360 and 67.1362, RSMo., a tax for tourism purposes is hereby imposed on charges for sleeping rooms to be paid by transient guests of hotels, motels, nightly rentals, bed and breakfast inns, campgrounds and any docking facility which rents slips to recreational boats which are used for sleeping to the extent and in the manner provided for in Sections 37.1360 and 67.1362, RSMo. The rate of the tax shall be five percent (5%).
  - c. Minimum of three (3) acres.
  - d. One (1) RV unit and one (1) vehicle parking per site.
  - e. Utilities (electrical, water, and sewer) hook-ups shall be provided.
  - f. Provisions of an on-site waste disposal.
  - g. Registration office shall provide adequate paved parking for RV's and patrons.

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- h. A campground map layout to include each site clearly numbered and consistent with the placement shown on map layout with dimensions.
  - i. A campground may have a home for the owner/manager's private use.
  - j. The campground shall not be expanded except by conditional permit review.
5. Cemeteries and mausoleums.
- a. Minimum of one (1) acre.
  - b. Only endowed cemeteries shall be permitted, and, prior to approval, the applicant shall comply with all Missouri statutory requirements.
  - c. Access to the cemetery and mausoleum shall be from a dedicated public street, and all driveways and internal streets shall conform to the standards set forth in Parking Regulations Section 400.160.
6. Child care facility may be permitted, provided the following conditions are present or establish provisions therefore.
- a. Use as proposed or specific plans filed with the application conforms to these regulations and other ordinances of the City.
  - b. Day care centers shall be licensed by the Division of Family Services according to Sections 210.201 — 210.245, RSMo., prior to the issuance of a business license.
  - c. A day care center may have one (1) unlighted identification sign, not exceeding four (4) square feet in area, attached to and parallel with the wall of the day care home. No part of the sign shall extend into the required setback area of the structure.
  - d. The use of all lands or buildings arranged, designed or intended for recreational space, required parking for staff and patrons shall be located behind the front yard setback line. At least one (1) on-site parking space shall be provided for each on-duty staff person.
  - e. Outdoor activities shall be provided within a fenced area and limited to the hours between 8:00 A.M. and 8:00 P.M. No structured area for active recreational structures shall be located in a front yard or within ten (10) feet of a side or rear lot line.
7. Churches or similar places of worship with their accessory structures.
- a. Not including mission or revival tents.



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shall certify that any waste from this operation shall not adversely affect our wastewater plant in any way.

- b. Backflow protection shall be provided on water service line and tested/inspected annually by a certified backflow preventer tester.
  - c. Shall submit a list of chemicals to be used with MSDS sheets.
  - d. Ventilation from the building shall be adequate for the employees' safety and the exhaust shall not be noxious to the adjoining properties.
12. High-rise building.
- a. Height of seventy-six (76) feet and above shall meet the requirements of our current adopted International Fire Code.
13. Hospitals or penal or correctional institutions.
- a. Minimum of five (5) acres.
  - b. Penal or correctional institutions shall be prohibited within the area circumscribed by a circle that has a radius of fifteen hundred (1,500) feet from any residential zoning district, school, park, or church.
14. Massage therapists.
- a. Shall be licensed in the Missouri Division of Professional Registration: Board of Therapeutic Massage and submit copies of their license.
  - b. Shall keep their license current with the Missouri Division of Professional Registration through the required continuing education.
  - c. They may work in a doctor's office in any zone where the office is physically located.
15. Microbrewery.
- a. A building or establishment for producing (brewing) beer, with an annual production of ten thousand (10,000) barrels or less. This facility may include retail sales of beer produced at that location.
  - b. No Microbrewery shall be located within five hundred (500) feet of any then-existing elementary or secondary school, State-licensed day care, church or any residentially zoned parcel.
  - c. For purposes of determining distances, used in Subsection (B)(15)(b) of this Section, from elementary or secondary schools, State-licensed day cares or churches, the distance will be measured in a straight line from the nearest,

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exterior, structural surface of the primary building; excluding steps, overhangs, awnings, entryways, etc., of a school, church or day care to the nearest, exterior, structural surface of the primary microbrewery building; excluding steps, overhangs, awnings, entryways, etc. This measurement will be expressed in feet.

- d. For purposes of determining distances, used in Subsection (B)(15)(b) of this Section, from residentially zoned parcels, the distance will be measured in a straight line from the nearest, boundary of the residentially zoned parcel to the nearest boundary of the parcel on which the microbrewery is sited. This measurement will be expressed in feet.
16. Multiple-family dwellings.
    - a. For new structures built as multi-family dwellings in “C-3” zone — maximum density, lot dimensions, setbacks and building height shall meet the requirements of Table 400.1 for the "R-4" zone.
    - b. For structures built as mixed commercial and residential in “C-3” zone only. The residential use shall be above the commercial uses and shall not be accessed through the commercial uses.
    - c. All other zoning regulations would apply such as parking and buffering requirements.
  17. Nursing and convalescent homes. An institution or agency licensed by Missouri Department of Health and Senior Services for reception, board care, or treatment of three (3) or more unrelated individuals.
  18. Open-air flea market (temporary).
    - a. Shall be licensed to operate for not more than sixty (60) days in a calendar year.
    - b. Days of operation shall not exceed fourteen (14) consecutive days at any one time.
    - c. All requirements of Section 400.180(B) of this Section and other ordinances of the City of Hollister shall be followed.
    - d. With the application a site plan shall be submitted showing the layout of the sales area with approximate number of vendor spaces, parking with approximate number of spaces available, circulation routes and location of restroom facilities.
    - e. All parking shall be off-street parking.

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19. Outdoor amusement/recreation establishments operated for pecuniary profit.
  - a. Hours of operation shall be limited from 10:00 A.M. to 12:00 P.M.
  - b. Adequate restroom facilities for both sexes shall be provided on the premises of such amusement or entertainment. Such facilities may be of a temporary nature.
  - c. All electrical wiring and lighting shall be inspected and approved by the City Building Department and shall meet the current adopted National Electrical Code Section 590.
  - d. Adequate facilities for the disposal of trash and debris shall be provided on the premises.
  - e. The area or premises where such amusement or recreation is conducted shall be cleaned and policed after the cessation of such amusement or recreation and all trash, litter and debris shall be removed.
20. Pet grooming businesses.
  - a. Pets shall be on a leash or in a carrier at all times while in transit from a vehicle to the shop and from the shop to a vehicle.
  - b. The pet owners and shop operator are responsible for any necessary cleaning up after the pets whether on sidewalk, street, grass or inside the shop.
  - c. Pets shall not be boarded at the shop.
  - d. Any outside waste containers shall have lids that seal to avoid the potential to draw insects or other animals. Excess flies, rodents or other animals around the exterior area shall be considered a nuisance.
  - e. A purpose-built hair strainer shall be used to eliminate clogging and contamination of wastewater transfer infrastructure.
21. Picnic areas and/or fishing lakes.
  - a. All parking shall be off-street parking.
  - b. Adequate restroom facilities shall be provided to accommodate the number of people anticipated in the facility's design.
22. Radio, television and other communication towers.
  - a. Towers shall be positioned on the property so that no part of the tower lay across the property line if the tower came down (i.e., if the tower is two

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hundred (200) feet tall, it shall be at least two hundred (200) feet from any property line).

- b. The property for tower locations shall be platted with road frontage (not just accessed via an easement across another property).
  - c. Co-location of facilities. At times it may be possible to co-locate telecommunications systems on City towers through permission of the Board of Aldermen. Telecommunication towers constructed within the City limits by a telecommunication service provider may be capable of accommodating antennas for two (2) or more additional telecommunication service providers (hereinafter referred to as "additional capacity").
23. Recreational vehicle parks.
- a. Recreational vehicle parks may be permitted provided they meet the general requirements of this Code.
    - 1) Commercial business license shall be obtained from the City of Hollister to operate a RV park.
    - 2) Pursuant to the authority granted by Sections 67.1360 and 67.1362, RSMo., a tax for tourism purposes is hereby imposed on charges for sleeping rooms to be paid by transient guests of hotels, motels, nightly rentals, bed and breakfast inns, campgrounds and any docking facility which rents slips to recreational boats which are used for sleeping to the extent and in the manner provided for in Sections 37.1360 and 67.1362, RSMo. The rate of the tax shall be five percent (5%).
    - 3) Minimum of five (5) acres.
    - 4) Shall have one (1) additional vehicle parking space per each recreational vehicle site.
    - 5) Utilities (electrical, water, and sewer) hook-ups shall be provided.
    - 6) Provisions for waste/trash/garbage disposal in an enclosed area.
    - 7) Registration office shall provide adequate paved parking for RVs and patrons.
    - 8) A recreational vehicle park map layout to include each site clearly numbered and consistent with the placement shown on map layout with dimensions.
    - 9) Provide the City a written copy of park rules prior to issuance of conditional use permit.

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- 10) The recreational vehicles park shall not be expanded except by conditional use permit review.
  - 11) Only on land shown in the designated floodplain as shown on Hollister's Flood Insurance Rate Map (FIRM — official floodplain map).
- b. RVs designed to be self-propelled or permanently towable by a vehicle shall be fully licensed and ready for highway use:
- 1) RVs ready for highway use means that it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and has no permanently attached additions.
  - 2) All vehicles required to tow a towable RV shall be fully licensed and ready for highway use.
  - 3) No tie-downs.
- c. RVs shall not be on a lot site more than one hundred eighty (180) consecutive days. They may change to another lot site that is not adjacent to current lot site.
- d. Well-maintained sites:
- 1) Appliances shall not be permitted outside of a RV.
  - 2) Any furnishings to be assembled with tools shall not be permitted outside of a RV.
  - 3) External storage sheds, outbuildings, racks or shelves shall not be permitted outside of a RV.
  - 4) There shall be no additions built on to any recreational vehicle.
  - 5) Storage under a RV shall not be permitted.
  - 6) Temporary tents (easy ups or similar assemblies) shall be allowed for weather coverage only but are not to be used for overnight lodging or storage.
  - 7) No construction materials shall be permitted outside of a RV.
  - 8) Tarps shall not be permitted to cover up a RV, items on picnic tables or covering up items on lot.
  - 9) No washing of a RV or motor vehicle.

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- 10) No permanent fences allowed. Only portable fences shall be permitted for pets.
  - 11) No RV or vehicle repairs or maintenance shall be permitted on the premises.
  - 12) Sewer connections on the lot site shall be constructed with a threaded end for a screw on cap. Connections to sewer or water shall not have leaks. No discharge of sewage or gray water on the ground.
  - 13) Skirting on RVs shall not be permitted except during the time period from October 1st thru March 31st. All skirting shall be removed during all other times of the year. Plastic sheeting, plywood, tarps or other makeshift skirting items which require tools to attach to a RV shall not be permitted.
- e. One (1) RV to be used for year around employee housing may be placed on a site and shall meet the elevation and anchoring requirements for manufactured homes.
24. Self-service storage (mini-storage).
- a. All driving surfaces up to and in front of the doors of the buildings shall be paved. This would include the public street accessing the compound.
  - b. The entire area that has rental space shall be fenced and gated. That fence shall meet the regulations of Hollister's Fence Code Section 500.280 through Section 500.310.
  - c. All other requirements of Section 400.180(B) shall be met.
25. Tanning beds as an accessory use to beauty/barber shops shall comply with City Code Section 605.210.
26. Tanning salons shall comply with City Code Section 605.210.
27. Tattoo parlors.
- a. The facility, operator and all artists shall comply with the provisions of City Code Chapter 640.
  - b. Tattoo artists shall comply and show proof of compliance with Missouri Division of Professional Registration: Office of Tattooing, Body Piercing & Branding and submit copies of their license.

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28. Veterinarians or kennel.
    - a. Any outdoor exercise area for the animals shall be enclosed by a privacy fence and must be behind the building.
    - b. Outside animal runs shall be sanitized regularly to control odor, disease and insects.
    - c. Between the hours of 8:00 P.M. and 8:00 A.M. all animals shall be kept in an enclosed, adequately ventilated heated and/or air-conditioned space that not only protects the animals from the elements but is soundproofed enough that the sound level coming from the building measured at adjoining property lines shall not exceed sixty (60) dbA.
  
  29. Winery.
    - a. A building or establishment for producing (fermenting) wine. This facility may include retail sales of any wine produced at that location.
    - b. No Winery shall be located within five hundred (500) feet of any then-existing elementary or secondary school, State-licensed day care, church or any residentially zoned parcel.
    - c. For purposes of determining distances, used in Subsection (B)(29)(b) of this Section, from elementary or secondary schools, State-licensed day cares or churches, the distance will be measured in a straight line from the nearest, exterior, structural surface of the primary building; excluding steps, overhangs, awnings, entryways, etc., of a school, church or day care to the nearest, exterior, structural surface of the primary winery building; excluding steps, overhangs, awnings, entryways, etc. This measurement will be expressed in feet.
    - d. For purposes of determining distances, used in Subsection (B)(29)(b) of this Section, from residentially zoned parcels, the distance will be measured in a straight line from the nearest, boundary of the residentially zoned parcel to the nearest boundary of the parcel on which the winery is sited. This measurement will be expressed in feet.
- C. "C-3" Commercial District Minimum Requirements.
1. The minimum requirements in the "C-3" Commercial District are as follows:
    - a. Minimum lot size: ten thousand (10,000) square feet.
    - b. Maximum density building area per floor is determined by engineering for site and approved by jurisdiction having authority.
    - c. Minimum front setback: twenty-five (25) feet.

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- d. Minimum side setback: None.
  - e. Minimum back setback.
    - (1) Building height of thirty-five (35) feet or less shall have ten-foot setback.
    - (2) Building height of more than thirty-five (35) feet shall have twenty-five-foot setback.
  - f. Maximum building height: seventy-five (75) feet/seven (7) stories.
2. Except as hereinafter provided:
- a. No building or land shall be used or occupied and no building or part thereof shall be erected, moved or altered unless in conformity with the regulations specified for the district in which it is located.
    - (1) Commercial businesses that rely on outside sales such as lumberyards, auto dealership, boat sales lot, manufactured home sales lot, etc., shall be on property that is zoned properly.
    - (2) Commercial businesses that wish to have goods displayed outside may do so if: the square footage of the outside display area does not exceed twenty percent (20%) of the square footage of the inside display area up to a maximum of one thousand (1,000) square feet of outside display area, the outside display does not block sidewalks, drives or required parking and the use is an approved use in the district. This is not permitted in "H-1" Historic District, "C-1" Commercial District home occupations, food service and tavern type establishments. Businesses wishing to exceed these limits need a Special Use Permit.
  - b. No building shall be erected or altered to have a narrower or smaller rear yard, front yard, side yard, inner or outer court than is specified for the district in which such building is to be located.
  - c. No part of a yard or other open space about any buildings required for the purpose of complying with the provisions of the standards in this Chapter shall be included as a part of a yard or other open space similarly required for another building.
3. Within the "C-3" Commercial District, the following regulations shall apply:
- a. Intended purpose. This district is for heavy commercial uses which depend on high visibility and generate high traffic volumes or cater to the traveling public.

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- b. District area. This district area includes U.S. Highway 65, Highway 165 and V Highway.
- c. Buffer zone. On lots abutting any residential district, there shall be provided one (1) twenty-foot wide landscaped buffer planted in accordance with Appendix 6 of Chapter 400. A landscape plan shall be submitted along with the site plan and the owner shall maintain all plantings. A combination of plantings and fencing or other methods (such as berms or ornamental walls) may also be used if approved by the Planning Commission as long as the desired effect of shielding residential areas from commercial areas is accomplished.
  - (1) No less than twenty percent (20%) of the total lot area shall be devoted to open space including required buffer zones. Open space shall contain living ground cover and other landscaping and materials.
  - (2) Maximum impervious surface of all buildings, structures, parking, loading or any other surfaces that reduce and prevent absorption of stormwater shall not exceed eighty percent (80%) of this total area.
- d. Use limitations.
  - (1) No use shall emit noise or odor that will or may create a nuisance detrimental to the neighborhood. Maximum sound level measured at the boundary of any residential district shall not exceed sixty (60) dba.
  - (2) All refuse storage areas shall be screened from view.
  - (3) Lighting shall be designed to reflect away from residential areas.
- e. Parking requirements. See Section 400.160.
  - (1) Each owner shall keep available on their building site a maintained parking lot large enough to prevent on-street parking.
  - (2) Accessible parking spaces shall be provided in compliance with the Accessibility Chapter of the currently adopted Edition of the International Building Code and ICC A117.1 Accessible and Usable Buildings and Facilities.