

## **ARTICLE 13. C-3 HEAVY COMMERCIAL**

### **Sec. 1301. Purpose.**

C-3 districts are intended to provide distinct areas for commercial activities which provide products and services that require locations along major arterial roads, arterial and thoroughfare highway intersections due to the need to transport and display heavy bulk materials, generate heavy traffic and which provide services that would not be appropriately located within C-1 and C-2 zoning districts. Neat and orderly outside storage is permitted in conjunction with permitted uses and conditional uses within this district. Uses in this district shall be located on streets or roads, with a minimum classification of arterial.

### **Sec. 1302. Boundaries of C-3 districts.**

- A. The official map (section 2301 of this ordinance) shows the boundaries of all C-3 districts within Pike County. Article 23 also contains additional information concerning interpreting district boundaries, amending boundaries, etc.

### **Sec. 1303. Permitted uses.**

- A. The following principal uses are permitted in C-3 districts:
1. Any C-1 or C-2 permitted use;
  2. Any retail business or service which has continuous, unenclosed outside storage.
  3. Automobile and truck sales.
  4. Automobile service station which conducts major automotive repair; Automobile service station meeting the following standards:
    - (a) Major repair, body and fender work and painting are permitted;
    - (b) All structures and buildings, including storage tanks, but not including signs, must be set back at least 25 feet from all side and rear property lines which do not abut a public road right-of-way;
    - (c) All pumps, buildings and structures, including storage tanks, but not including signs, must be placed so as to maintain the minimum required front yard along the right-of-way line of any abutting road;
    - (d) Driveway curb cuts must be located at least 20 feet from the intersection of right-of-way lines of any road intersection;
    - (e) Driveway curb cuts must be designed and located so as to minimize interference with the flow of vehicular or pedestrian traffic;
  5. Boat sales.
  6. Commercial kennels.
  7. Dry cleaning plants not employing more than twenty (20) persons.
  8. Farmers' markets.
  9. Feed and seed stores.

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10. Heavy equipment sales, service or rental.
  11. Major automotive repair.
  12. Mini-warehouses and warehouses.
  13. Mobile home sales lots.
  14. Hotels and motels.
  15. Outdoor theaters.
  16. Recreational vehicle sales and service.
  17. Tire retreading.
  18. Used car and truck sales.
  19. Other heavy commercial and service activities not primarily of an industrial or manufacturing nature as may be determined by the zoning administrator to be similar to the above listed uses and which are in harmony with the purposes of this district, but not including those uses which are not mentioned in this district but are enumerated in another district.
  20. Bed and breakfast inn.
  21. Cabinetry shop.
  22. Club, private.
  23. Driving range.
  73. Auctions.
  78. Golf driving range.
  79. Pawn shops, provided no unenclosed, outside storage shall be permitted on the premises.
  81. Street vendors provided that:
    - a. Parking must be available for customers and no street vendor shall occupy parking spaces as otherwise required by this ordinance or amendments thereto.
    - b. No structures signs, or goods associated with the street vendor business shall be located closer than twenty (20) feet from any street right-of-way.
    - c. Shall not block or otherwise hinder ingress into or egress from a site or impede traffic circulation within the site.
    - d. Shall not block or otherwise hinder pedestrian traffic.
    - e. All advertising signs shall be in compliance with this ordinance and shall not be in excess of the allowed signage for the zoning district. Where such street vendor is on the same premises as another regular business, street vendor signage shall be considered temporary signs under this ordinance and must meet the requirements thereof.
- B. The following principal uses are permitted as special use permits in C-3 districts:
1. Tower or antenna meeting the standards and development criteria established in the Pike County Ordinance to Establish Standards for Telecommunications Antennas and Towers.
- C. The following accessory uses are permitted in C-3 districts:
1. Those determined by the administrative officer to be customarily appurtenant to those uses permitted in this district.
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- 2. Tower, domestic or antenna, domestic.
  - 3. Shipping container, temporary.
  - 4. Mobile food service unit, temporary.
- D. The following accessory uses are permitted as special use permits in C-3 districts:
- 1. Tower or antenna meeting the standards and development criteria established in the Pike County Ordinance to Establish Standards for Telecommunications Antennas and Towers.
- E. All accessory uses must meet the following standards:
- 1. They may not be located closer than five (5) feet to any property line.
  - 2. Accessory buildings and structures not attached to the principal building must be located at least ten (10) feet from the principal building on the lot.
- F. All uses not permitted within C-3 districts by this section are specifically prohibited.

**Sec. 1304. Development standards for C-3 districts.**

In addition to the development standards contained in Article 4 of this ordinance, the following standards are required by C-3 districts:

A.	<i>Minimum heated floor area for buildings:</i>	One thousand (1,000) square feet.
B.	<i>Minimum lot area:</i>	
	1. <i>Unsewered areas:</i>	One (1) acre
	2. <i>Sewered areas:</i>	Twenty-one thousand seven hundred eighty (21,780) square feet
C.	<i>Minimum lot width at right-of-way:</i>	One hundred (100) feet.
D.	<i>Minimum front-yard setback:</i>	Fifty (50) feet.
E.	<i>Minimum side-yard setback:</i>	Fifteen (15) feet, but thirty (30) feet if a corner lot.
F.	<i>Minimum rear-yard setback:</i>	Twenty (20) feet.
G.	<i>Maximum building height:</i>	Sixty (60) feet, provided the respective structure is serviced by an approved sprinkler fire suppression system. In structures that are not serviced by an approved sprinkler fire suppression system, the maximum building height shall be thirty-five (35) feet. This height limit does not apply to projections affixed to buildings, which projection is not intended for human habitation.

- H. *Minimum frontage width:* Seventy-five (75) feet. Minimum frontage width shall be reduced to fifty (50) feet for lots abutting the turnaround portion of dead-end streets (cul-de-sacs).
- I. *Sight distance:* Within thirty (30) feet of the pavement edge, plants cannot be of a type which will exceed a height of thirty (30) inches at maturity and/or a trunk diameter of four (4) inches. There may be some flexibility in regard to the maximum trunk diameter when protected by a guardrail or some other suitable type barrier beyond thirty (30) feet from pavement edge. Almost any type of planted vegetation is permissible.
- J. *Applicability to land and buildings:* No building, structure or land may be used or occupied—And no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved, or

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structurally altered—Unless in conformity with all of the regulations specified for the district in which it is located.

- K. *Every use must be on a lot:* No building or structure may be erected or use established unless upon a lot as defined by this ordinance.
- L. *Only one principal building per lot:* Only one (1) principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.
- M. *Open space not to be encroached upon:* No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces, and other such required development standards contained in the ordinance. Shrubbery, driveways, retaining walls, fences, curbs, and buffers (see definition in Article 2) are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.
- N. *Reduction of yards or lot area:* Except as otherwise provided in this ordinance, a lot existing at the time of passage of this ordinance may *not* be reduced, divided, or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirement of this ordinance for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.
- O. *Lots with multiple frontage:* In the case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.
- P. *Landlocked lots:* In the case of a landlocked lot (lot without direct access to a public street or road) lawfully existing as of the effective date of this ordinance, the property owner is entitled to one (1) building permit, as long as all of the following requirements are met:
  - 1. No other principal building exists or is being constructed on the property.
  - 2. No other valid building permit has been issued prior to the effective date of this ordinance and is currently valid.
  - 3. The property was and continues to be under single ownership since the effective date of this ordinance.
  - 4. The property owner has acquired a thirty-foot easement to a city, county, or state-maintained street, and the easement has been duly recorded and made a part of the property deed.
  - 5. In the event the property is divided, no additional permits will be issued.
- Q. Flag (panhandle) lots are prohibited in the C-3 zoning district.
- R. *Yards and other open spaces.* No part of a yard, other open space, off-street parking, or loading space required for another building may be included as a part of the yard, off-street parking, or loading space required for another building, except as specifically provided for in this ordinance.
- S. *Substandard lots.* Any lot existing at the time of the adoption of this ordinance, which has an area or a width which is less than required by this ordinance, is subject to the following exceptions and modifications:
  - 1. *Single lots:* When a lot has an area or frontage, which does not conform with the requirements of the district in which it is located, but was a lot at the effective date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.
- T. *Encroachment of public rights-of-way.* No building, structure, service area, required off-street parking, or loading/unloading facility is permitted to encroach on public rights-of-way.

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- U. *Physical design standards.* Minimum design standards for driveways, loading areas, and other such physical site improvements are contained in applicable development regulations of Pike County. Consult the administrative officer for specific requirements.
  - V. *Off-street parking and service requirements:* Minimum standards for off-street parking and service requirements are contained in the Pike County Standard for Off-Street Parking (Article 27).
  - W. *Other applicable development regulations:* Information concerning any other applicable development regulations may be obtained by consulting the administrative officer.
  - X. *Signs:* Minimum design and location standards for signs are contained in the Pike County Sign Requirements (Article 25). Consult that article for specific requirements.
  - Y. *Yards abutting railroads.* Side yards and rear yards shall be a minimum of ten (10) feet adjacent to railroad rights-of-way.