

# LAND USE ORDINANCE 2008-04

## CHAPTER 17

### COMMERCIAL DISTRICT (C)

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#### **17.1. PURPOSE.**

To provide an area within the Town of Leeds where a wide variety of goods and services can be provided.

#### **17.2. PERMITTED USES.**

**17.2.1. Bakery.**

**17.2.2. Auto parts store where new and rebuilt auto parts can be purchased.**

**17.2.3. Automobile, new, and used sales.**

**17.2.4. Barber shop and/or beauty shop.**

**17.2.5. Professional offices.**

**17.2.6. Clinics, medical and/or dental.**

**17.2.7. Greenhouse and/or nursery; soil and lawn service.**

**17.2.8. Hobby and/or craft store.**

**17.2.9. Sporting goods and recreational items store.**

**17.2.10. Laundry and/or dry cleaners, laundromat.**

**17.2.11. Mobile homes and/or recreational vehicles sales and service.**

**17.2.12. Motor boats new and used sales and service.**

**17.2.13. Post office.**

**17.2.14. Recreational vehicle park and campground.**

**17.2.15. Automotive repair garage**

- 17.2.16. Tire sales and service.**
- 17.2.17. Grocery store.**
- 17.2.18. Pharmacy.**
- 17.2.19. Restaurant and/or cafe.**
- 17.2.20. Ice cream store.**
- 17.2.21. Variety store.**
- 17.2.22. Hardware store.**
- 17.2.23. Office supply.**
- 17.2.24. Shoe store.**
- 17.2.25. Sign Sales.**
- 17.2.26. Florist Shop.**
- 17.2.27. Furniture sales and repair.**
- 17.2.28. Fruit and/or vegetable stand.**
- 17.2.29. Electric and or plumbing shop.**
- 17.2.30. Clothing and accessories store.**
- 17.2.31. Bank or financial institution.**
- 17.2.32. Travel agency.**
- 17.2.33. New and used book store.**
- 17.2.34. Manufacturing and sale of confectionary goods.**

**17.3. CONDITIONAL USES.**

All new or modifications to the exterior of a structure will require a conditional use permit even if the intended use is authorized.

- 17.3.1. Animal hospital, small animals only, providing that all activity be conducted within a completely enclosed building.**

**17.3.2.** Automobile repair and storage including paint, body and fender, brake, muffler, transmission work provided it all be conducted within an enclosed building. The storage is only on a temporary basis not to exceed six (6) months.

**17.3.3. Gunsmith.**

**17.3.4. Hotels and motels.**

**17.3.5. Limited non polluting manufacturing.**

**17.3.6. Rental agency for home and garden tools.**

**17.3.7. Second hand store.**

**17.3.8. Storage rental units.**

**17.3.9. Propane station at service station only.**

**17.3.10. Public utilities.**

**17.3.11. Hospital.**

**17.3.12. Service station.**

**17.3.13. Uninhabited accessory building.**

This building is not to be used to store retail merchandise, hazardous chemicals and must be less than five hundred (500) square feet in area and not more than twelve feet in height.

#### **17.4. DEVELOPMENT STANDARDS.**

##### **17.4.1. Height Requirements.**

No building or structure shall be erected to a height greater than thirty-five (35) feet without a conditional use permit and only then if the structure is more than 100 ft from the nearest residential zone.

##### **17.4.2. Minimum area, width, and yard setback regulations.**

District	Area	Width	Front	Side	Rear
C	10,000 sq. ft.	*	25 feet	10 feet	10 feet

\* The width requirement varies depending on the placement of the buildings. In a mall type setting, the minimum width is zero, as many of the buildings will not be facing the street. In a single business, setting the minimum width requirement is 85 feet.

**17.4.3.** Several of the businesses listed as permitted uses and/or those listed as conditional uses (providing the use is approved) may be combined into a mall type setting. Only compatible businesses can be grouped together into a mall setting. In a mall setting, the setback requirements may change based on the number of business units, size of lot, available parking, and location.

**17.5. CONDITIONAL USE EVALUATION CRITERIA.**

**17.5.1.** Conditional use evaluation criteria are contained in various Leeds Ordinances depending on the subject, and general criteria relating to a specific use can be found in Chapter 7 of this Ordinance. All criteria must be complied with to obtain a conditional use permit plus any additional conditions the Planning Commission or Town Council apply.

**17.5.2.** Businesses that produce heavy passenger car or truck traffic shall be required to have a complete traffic study performed by a professional specializing in traffic studies to determine if the amount and time of the heavy traffic would have a detrimental effect to the health , safety, and welfare of the Leeds residents, the Town or the neighborhood in general.

**17.6. SIGNS.**

See Sign Ordinance, Chapter 22.

**17.7. PROCEDURE TO OBTAIN CONDITIONAL USE AUTHORIZATION.**

See Chapter 7, Conditional Uses for requirements, criteria, and procedures.

**17.8. LIGHTING.**

All lighting must comply with the Leeds Lighting Ordinance.

**17.9. PARKING.**

Compliance with parking requirements in Chapter 6 is mandatory.

**17.10. SPECIAL PROVISIONS.**

**17.10.1.** All material and merchandise, except vehicles in running order, shall be stored in an enclosed building or within an enclosure surrounded by a sight-obscuring fence or wall of not less than six (6) feet in height and no material or merchandise shall be stored to a height of more than the height of the enclosing fence or wall. The fence or wall if adjacent to residential property may not exceed six (6) feet in height without a conditional use permit. The fence or wall must not be closer than fifty (50) feet to any street.

**17.10.2.** No trash, rubbish, weeds or other combustible materials shall be allowed to remain on any lot outside of approved containers in any commercial district. No junk, debris, abandoned or dismantled automobile or automobile parts or any other items that appear to be abandoned, or similar material shall be stored or allowed to remain on any lot in this district.

**17.10.3.** All solid waste storage facilities shall be located at the rear of the main building or else behind a sight-obscuring fence or wall that will prevent the facility from being seen from a public street, parking lot, or residential housing.