

SECTION 10.25 MC (MIXED COMMERCIAL) ZONE

- A. **PURPOSE:** The purpose of the Mixed Commercial (MC) Zone is to promote new development and redevelopment of underutilized land by permitting a wide range of commercial retail, service, and office land uses which typically require convenient access to the interstate and regional transportation system.

Development and redevelopment within this zone is permitted to occur at densities and intensities ranging from small scale operations containing one tenant located in an individual building on an individual lot up to large scale operations featuring several tenants in a multi-story building containing a diverse range of land uses. These regulations are intended to promote development and redevelopment that is consistent and compatible with the character and form of existing land uses.

- B. **APPLICABILITY:** The requirements of this section shall not apply to existing single-family homes that are used exclusively for residential purposes within the MC Zone. Additions or renovations to such structures, along with customary accessory uses, are permitted subject to the zoning requirements of a residential use located within the R-1G Zone. Existing single-family homes that are partially or fully destroyed may be rebuilt as a matter of right.

- C. **PERMITTED USES:** One or more of the following uses may be permitted.

1. Clinics, Offices, and Laboratories – medical or dental
2. Offices
3. Restaurants, eating and drinking places, including entertainment facilities, including drive-ins and drive-thru's
4. Retail and service uses, including drive-ins and drive-thru's:
 - a. Apparel shop, clothing store, and tailor shop
 - b. Art and art supplies
 - c. Auto repair, light
 - d. Bakery and bakery goods store, provided the products are sold exclusively on the premises
 - e. Banks and other financial institutions, including savings, loan, and finance companies
 - f. Barber or beauty shop
 - g. Book, stationery, or gift shop
 - h. Camera and photographic supplies
 - i. Candy store, soda fountain, ice cream store, including drive-ins and drive-thru's
 - j. Daycare center
 - k. Delicatessen
 - l. Drug store

- m. Dry cleaning and laundry pick-up station
- n. Fitness Center, health club or gym
- o. Florist shop
- p. Food store and supermarket
- q. Furniture store
- r. Garden supplies
- s. Glass, china, or pottery store
- t. Hardware store
- u. Health spa, skin care
- v. Hobby shop
- w. Home improvement center
- x. Household and electrical appliances, radio and television store, including repair
- y. Interior decorating studio, paint and wallpaper store
- z. Jewelry store, including repair
- aa. Leather goods and luggage store
- bb. Music, musical instruments, and records, tapes, compact discs, and the like, including incidental repair
- cc. Nail salon
- dd. Opticians, optometrists, and optical goods
- ee. Package liquor and wine store
- ff. Service station
- gg. Shoe store, with incidental repair
- hh. Sporting goods
- ii. Studio for professional work or teaching of any form of fine arts, photography, music, drama, or dance
- jj. Tanning salon
- kk. Toy store
- ll. Retail sales and service businesses not listed above, but which are determined by the zoning administrator to be of a similar use or activity to the above permitted uses

D. **CONDITIONAL USES:** The following uses subject to the approval of the board of adjustment, as set forth in section 9.14 and 18.7 of this ordinance:

- 1. Churches and other buildings for the purpose of religious worship

E. **ACCESSORY USES:**

- 1. Customary accessory buildings and uses
- 2. Outdoor dining, used in connection with a restaurant, provided that such area meets the following requirements:
 - a. Such area shall be designated to clearly identify the limits of the outdoor dining area, which shall not include any drive-thru facility

and shall not remove or otherwise preclude use of required parking spaces.

- b. Such area shall meet all building setback requirements for the district.
- c. Such area shall not exceed twenty five percent of the maximum seating capacity of the indoor dining area.
- d. Entertainment, unamplified music shall be permitted between the hours of 6:00 pm and 11:30 pm.
- e. Outdoor dining areas shall be operated no later than Midnight, Sunday through Thursday, and 2:30 am on Friday and Saturday

F. **AREA AND HEIGHT REGULATIONS:** No building shall be erected or structurally altered hereafter except in accordance with the following regulations:

- 1. Minimum lot area - Ten thousand (10,000) square feet
- 2. Minimum lot width at building setback line - Seventy (70) feet
- 3. Minimum front yard depth - Thirty (30) feet
- 4. Minimum side yard width on each side of lot - No restrictions, except when adjacent to a dedicated street, road, highway, or other right-of-way when the required width shall be the same as required for a minimum front yard depth in this zone. When buildings abut each other, firewall construction, as required by the building code, shall be required. In the event a side yard is provided, it shall never be less than fifteen (15) feet
- 5. Minimum rear yard depth - Fifteen (15) feet
- 6. Maximum building height - Forty (40) feet or three (3) stories
- 7. In the case of this zone, more than one principal building, as defined herein, may be constructed on one lot

G. **OFF-STREET PARKING AND LOADING AND/OR UNLOADING:** Off-street parking and, when applicable, loading and/or unloading facilities shall be provided in accordance with Articles XI and XII of this ordinance. All uses within the MC Zone are permitted to utilize up to a 30% reduction from the minimum off-street parking requirements. Shared parking agreements per section 11.0, E., are encouraged to be used in this zone.

H. **FENCES, WALLS, AND SIGNS:** The location, height, and type of all fences, walls, and signs shall be in accordance with Articles XIII and XIV of this ordinance.

I. **EROSION AND SEDIMENTATION CONTROL:** Effective erosion and sedimentation controls shall be planned and applied in accordance with Section 9.7 of this ordinance.

J. LANDSCAPING: All landscaping shall be provided per Section 9.17. In no case shall the minimum planting strip be required to exceed the minimum setback requirement established for this zone.

K. OTHER DEVELOPMENT CONTROLS:

1. No outdoor storage of any material (usable or waste) shall be permitted in this zone except within enclosed containers.
2. No private lighting shall be permitted which would glare from this zone onto any street, or into any adjacent property.
3. No use producing objectionable odors, noise, or dust shall be permitted within five hundred (500) feet from the boundary of any residential zone.
4. A site plan, as regulated by Section 9.19 of this ordinance, shall be required for any use in this zone.
5. Off-street parking and loading and/or unloading areas may be located in front and side yard areas in this zone, provided that no off-street parking areas shall be closer than five (5) feet to the street, road, highway, or right - of - way line or boundary line of any adjacent district. This five (5) foot area shall remain open and unobstructed except by items specifically permitted in yard areas in this ordinance.
6. Permitted uses within the MC Zone may supply off-street parking within three hundred (300) feet from such lot served, providing that such off-street parking facilities are unable to be provided on the same lot or contiguous to the same lot as the building being served and is limited to employee parking. In addition, said off-street parking shall be located in the same zone as the use being served.
7. All business activities permitted within this zone shall be conducted within a completely enclosed building with the exception of outdoor areas associated with a daycare facility, outdoor dining used in connection with a restaurant, drive-in and drive-thru operations, and off-street parking and loading and/or unloading areas.

L. DEVELOPMENT AGREEMENT:

The City reserves the right to require a development agreement with the City for any development greater than two (2) acres, or a development of a national or regional chain commercial use. If a development agreement is required, design concepts shall be submitted to the City and evaluated based on the design recommendations in the Crescent Springs Gateway Study.