

Section 5.23A HC-5 Highway Commercial District

5.2301A PURPOSE

The purpose of this district is to provide for the location of smaller scale specialized uses in addition to limited retail, office and service uses.

5.2302A PERMITTED USES - Use By Right subject to any minimum standards as listed in Section 8.01 of these regulations

All uses permitted in the HC-4 District and,

1. Adult Uses- Establishments consisting of, including, or having the characteristics of any of the following:
 - a. Adult theaters
 - b. Adult Cabarets
 - c. Adult stores
 - d. Massage Parlors
 - e. Escort Agencies

5.2303A Administrative Permits

The purpose of an Administrative Permit is to provide for a Staff review of certain uses. The following uses are prohibited unless application for the use has been processed by the Department of Planning and are in conformance with the minimum standards for that use as outlined in Section 8.01 - Minimum Standards:

- A. Snowball Stands between April 1 and September 30. (Amended 11/05/09 OCS#09-2151)
- B. Christmas Tree Sales between November 1 and January 1. (Amended 11/05/09 OCS#09-2151)
- C. Seasonal Seafood Peddlers using temporary structures provided that the use is temporary and valid for a period not greater than 6 months. (Amended 11/05/09 OCS#09-2151)
- D. Seasonal Produce stands, provided that the use is temporary and valid for a period not greater than 6 months. (Amended 11/05/09 OCS#09-2151)
- E. Fireworks sales (where allowed) (Amended 11/05/09 OCS#09-2151)
- F. On location television or film productions where no sets/structures are being constructed that would require the issuance of a building permit, specifically structures must be of a temporary nature and not capable of being occupied under the International Building Code/International Residential Code as determined by the Chief Building Official, or assigns. (amended 09/03/15 ZC15-07-055 OCS#15-3393)
- G. On location television or film productions where any sets/structures requiring the issuance of a building permit as determined by the Chief Building Official, or assigns are permitted when the set/structure meets all applicable codes of the relevant zoning district.” (amended 09/03/15 ZC15-07-055 OCS#15-3393)

- H. Mobile Food Trucks when meeting the Minimum Standards for Specific Uses outlined in Section 8.01 of these regulations. (amended 01/03/2017 2016-380-ZC OCS#17-3659)

All temporary uses not specifically permitted in these regulations are expressly prohibited.

5.2304A SITE AND STRUCTURE PROVISIONS

- A. Maximum Building Size – The maximum building size in the HC-5 District shall be twenty thousand (20,000) square feet.
- B. Minimum Lot Area
No new lot shall be created that is less than twenty thousand (20,000) square feet in area.
- C. Minimum Area Regulations
1. Minimum Lot Width - For each zoning lot provided with central water and sewerage facilities, the minimum lots width shall not be less than eighty (80) feet.
 2. Street Planting Areas – All areas along the street(s) or road (or roads) which a property abuts shall comply with the standards of Section 7.0106 “Street Planting Areas” of these regulations.
 3. Side and Rear planting areas – All areas located along the side and rear interior property lines shall comply with the Section 7.0107 “Side and Rear Buffer Planting Area Requirements” of these regulations.
 4. Transitional Yard - Where a HC District adjoins a residential district, transitional yards shall be provided in accordance with paragraphs 1 and 2 listed above or the following regulations whichever is more restrictive:
 - a. Where lots in a HC District front on a street and at least eighty (80) percent of the frontage directly across the street between two (2) consecutive intersecting streets is in a residential district, the setback regulations for the residential district shall apply to the said lots in the commercial district.
 - b. In a HC District, where a side lot line coincides with a side or rear lot line of property in an adjacent residential district, a yard shall be provided along such side lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this ordinance for a residential use on the adjacent property in the residential district.
 - c. In a HC District, where a rear lot line coincides with a rear or side lot line of property in an adjacent residential district, a yard shall be provided along such rear lot line. Such yard shall be equal in dimensions to the minimum rear yard which would be required under this ordinance for a residential use on the adjacent property in the residential district.
 - d. In a HC District, where the extension of a front or side lot line coincides with the front line of an adjacent lot located in a residential district, a yard equal in depth to the minimum setback required by this ordinance on such adjacent lot in the residential district shall be provided along such front or side lot line for a

distance of at least 25 feet, including the width of any intervening alley from such lot in the residential district.

- e. Where a building is taller than 25 feet in height, one additional foot of setback shall be required in each yard. Each façade is measured separately and the additional depth is required perpendicular to that façade.

D. Maximum Lot Coverage

The lot coverage of all principal and accessory buildings on a zoning lot shall not exceed fifty (50) percent of the total area of the lot. However, parking and landscape requirements for the intended use must be met in all instances. Therefore, maximum lot coverage may in some cases be less.

E. Height Regulations

- 1. No portion of a building or dwelling for residential or business purposes located within 100 feet of a residentially zoned property shall exceed thirty-five (35) feet in height above the natural grade of the property at the location of the structure or base flood elevation as established in Flood Ordinance 791, whichever is higher.
- 2. In no case shall any building or dwelling for residential or business purposes exceed sixty (60) feet in height above the natural grade of the property at the location of the structure or base flood elevation as established in Flood Ordinance 791, whichever is higher.

F. Design criteria

- 1. Landscaping - All Landscaping shall be in compliance with the provisions of Section 7.01 of these regulations
- 2. Signage - All signage shall be in compliance with Section 7.02 of these regulations
- 3. Lighting - All site lighting shall be in compliance with Section 7.03 of these regulations
- 4. Parking/Loading - All parking and loading will be in compliance with Section 7.07 of these regulations