

ARTICLE 14

COMMERCIAL ZONED DISTRICTS (C-1:C-4)

Sections:

- 14-1 Intent
- 14-2 Commercial Zoning Districts
- 14-3 Permitted and Conditional Uses
- 14-4 Intensity of Use
- 14-5 Height, Area and Yard Regulations
- 14-6 Development Standards
- 14-7 Sign Regulations
- 14-8 Parking Regulations
- 14-9 Off-Street Loading and Unloading Regulations
- 14-10 Supplemental Regulations
- 14-11 Travel Trailer Parks
- 14-12 Site Plans

SECTION 14-1 INTENT

14-101. It is the intent of the commercial zoning districts to provide for areas of compatible commercial and service businesses. See sections 4-12:15.

SECTION 14-2 COMMERCIAL ZONING DISTRICTS

14-201. The following commercial zoning districts are hereby created: C-1, Office and Service Business District; C-2, Restricted Commercial District; C-3, General Commercial District; and C-4, Central Business District.

SECTION 14-3 PERMITTED AND CONDITIONAL USES

14-301. In the commercial zoning districts the uses listed in Table 14-1 within the designated zoning districts are permitted uses or conditional uses when so designated. Conditional uses require the issuance of a Conditional Use Permit in accordance with the provisions of Article 26.

No building or land shall be used and no building or structure shall be erected, altered or enlarged, which is arranged, intended or designed for other than one of the uses indicated in the following Table 14-1.

CITY OF OTTAWA, KANSAS – ZONING REGULATIONS

Article 14

TABLE 14-1

P = Indicates Permitted Uses

C = Indicates Conditional Uses

USE		C-1	C-2	C-3	C-4
1.	Adult businesses			C (7)	
2.	Ambulance service.			P	P
3.	Amusement places, indoor.			P	P
4.	Animal hospitals.			P (1)	P (1)
5.	Any public building or land use by any department of the City, county, state or federal government.	C (2)	C (2)	P (2)	P (2)
6.	Artists, authors, composers, studios and galleries.	P	P	P	P
7.	Auditoriums, exhibition halls, fairgrounds, stadiums and similar uses.			P	P
8.	Automobile wash services.			P	P
9.	Bed & Breakfast.	C	C		
10.	Bowling alleys.			P	P
11.	Building contractors, including air conditioning, heating, plumbing and electrical.			P	P
12.	Churches, similar places of worship.	P	P	P	P
13.	Day care facilities: child care centers, day care homes, family day care homes, group day care homes and preschools.	P	P	P	P
14.	Dry cleaners and laundries, including self-service.			P	P
15.	Dwellings: a. When dwelling unit(s) located on ground floor of commercial structure, but not to exceed 50% of structure's ground floor area.	C		C	P
	b. When dwelling unit(s) located on other than ground floor of commercial structure.	P		P	P
16.	Electric, telephone and sewer substations.	P	P	P	P
17.	Food catering service, lockers-storage.			P	P
18.	Fraternal, civic and social organizations.			P	P
19.	Funeral, crematory and mortuary services.	P		P	P
20.	Furniture repair, upholstery.			P	P
21.	Garden supplies, nurseries, greenhouses.			P	P

CITY OF OTTAWA, KANSAS – ZONING REGULATIONS

Article 14

USE		C-1	C-2	C-3	C-4
22.	Golf driving ranges, outdoor.			C	
23.	Health and exercise spas, gyms.	P (3)	P (3)	P	P (3)
24.	Hospitals, clinics, laboratories.	P (3)	P (3)	P	P (3)
25.	Hotels, motels.			P	P
26.	Industrial laundry and linen supply services.			C	C
27.	Kennels; boarding and breeding, when within an enclosed structure.			C	
28.	Manufactured home sales.			P	
29.	Miniature golf.			P	P
30.	Mini-storage, self-storage.			C	
31.	Monument sales.			P	P
32.	Motor vehicle repair shops and body shops.			P (4)	C(4),(3)
33.	Nursing homes, rest homes, convalescent homes and similar facilities.	P (3)	P (3)	P	P (3)
34.	Offices: professional, business, educational, religious, philanthropic and public	P (3)	P (3)	P	P (3)
35.	Commercial printing, including newspaper publishing.			P	P
36.	Private clubs, bars, taverns and drinking establishments.			P (5)	P (5)
37.	Radio and television broadcasting studios (without transmission towers).	P		P	P
38.	Radio or television broadcasting studios (with transmission towers).			P	C
39.	Radio, television or telephone transmitting station or towers, subject to further regulations set out in Article 29.			C	C
40.	Recreational vehicles, trailers, equipment rental or sales.			P	
41.	Research-development-testing other than those involving explosives, hazardous or toxic materials.	C		P	P
42.	Restaurants.		P (3)	P	P (3)

CITY OF OTTAWA, KANSAS – ZONING REGULATIONS

Article 14

	USE	C-1	C-2	C-3	C-4
43.	Retail sales and rental of goods and merchandise including, but not limited to: antiques; apparel; appliances; bakeries; bicycles; books and stationery; building materials; carpet and other floor coverings; cigarettes; clocks; convenience stores; farm machinery and supplies; food and groceries; furniture; hardware; heating, plumbing, and air conditioning equipment; jewelry; liquor; musical instruments; motor vehicles, parts and supplies; pet shops; pharmacies, photographic supplies and cameras; computers, office equipment and supplies; and service stations.		P (3)	P	P (3)
44.	Retail sales of services including, but not limited to: banks; barber and beauty shops; cleaning and repair; diaper services; interior decorating; lawn care and landscaping; locksmith; message service; outdoor advertising; pet grooming; photocopying and blueprinting; and stenographic, duplicating and mailing services.	C	P	P	P
45.	Schools: a. Public and private elementary schools.	C	C	C	C
	b. Public and private secondary schools.	C	C	C	C
	c. Postsecondary educational institutions.			P	P
	d. Business, remedial education, training and vocational schools.	C	C	P	P
46.	Storage or warehousing, except for products of a highly explosive, combustible or volatile nature.			C	C
47.	Theaters, indoor.			P	P
48.	Theaters, outdoor.			C	
49.	Travel trailer parks.			C (6)	
50.	Truck wash services.			C	
51.	Wholesale establishment.			C	C (3)

Permitted and conditional use footnotes:

1. Providing all services, runs and pens are within an enclosed building.
2. Except for uses of an industrial nature, and uses involving outdoor storage of materials.
3. Subject to intensity standards of Section 14-4.
4. Provided all work is performed and all materials are stored within an enclosed building. No more than three (3) vehicles or one (1) per service bay, whichever is greater, may be parked outside a building.
5. Provided not located within 200 feet of a church, school or hospital.
6. Subject to requirements set out in Section 14-11.
7. Provided the Adult Business:
 - a. At all times holds a current and valid adult business permit issued by the City; and
 - b. Complies with the following separation distances:
 - (1) For adult bookstores, adult video stores, and adult news racks, as those terms are defined in Section 11-1002 of the Ottawa Municipal Code: At least 500' from any structure lawfully used as a library, church, hospital, public or private school, public park or playground, or another adult business.
 - (2) For any other adult business, as that term is defined in Section 11-1002 of the Ottawa Municipal Code, other than those subject to subsection 7.b.(1) above: At least 1,000' from any structure lawfully used as a library, church, hospital, public or private school, public park or playground, or another adult business.

14-302. No adult business shall be located within the boundaries of the Urban Growth Area other than as: (1) an adult business located in Franklin County's C-2 Highway Commercial District with a valid special use permit issued in compliance with Section 11-3.01 of the Franklin County Zoning Regulations, or (2) an adult business located upon land rezoned to City of Ottawa C-3 General Commercial District with a valid conditional use permit issued in compliance with Section 14-3 of the City of Ottawa Zoning Regulations.

SECTION 14-4 INTENSITY OF USE

14-401.

- a. For any use, whether permitted or conditional, indicated in Table 14-1 as being subject to intensity standards, structures shall not exceed the following ground floor areas:

C-1:	5,000 sq. ft.
C-2:	5,000 sq. ft.
C-3:	No limitation.
C-4:	10,000 sq. ft.
- b. The standards in this section may be not be varied from, whether by administrative variance and/or by action of the Board of Zoning Appeals, by an amount greater than 25% of the standard from which variation is sought.

SECTION 14-5 HEIGHT, AREA AND YARD REGULATIONS

14-501.

- a. *Height:* Except as otherwise provided in Article 24, no building or structure shall exceed forty-five (45) feet in height in the C-1, C-2, C-3 and C-4 zoning districts.
- b. *Area:* In the commercial zoning districts the minimum lot width shall be twenty-five (25) feet and minimum lot depth fifty (50) feet.
- c. *Yard:* Front, side and rear yards shall comply with Table 14-2. Additional yard regulations are set out in Section 24-2.

TABLE 14-2

<i>District</i>	<i>Front Yard (1)</i>	<i>Side Yard</i>	<i>Rear Yard (2)</i>
C-1	20 ft.	5 ft. – 1 or 2 stories 8ft. – 3 stories	20 ft.
C-2	20 ft.	10 ft. where property adjoins any residential-zoned district.	25 ft. where property adjoins any residential-zoned district.
C-3	0	10 ft. where property adjoins any residential-zoned district.	25 ft. where property adjoins any residential-zoned district.
C-4	0	0	0

- (1) Front yards adjacent to arterial or collector streets shall comply with Article 24.
- (2) There shall be a thirty (30) foot rear yard for structures of three (3) stories or more in all zones.

SECTION 14-6 DEVELOPMENT STANDARDS

14-601.

- a. C-1, C-2 and C-4 zoning districts: All business, storage, service of goods shall be located completely within an enclosed structure.
- b. C-3 zoning district: All outdoor storage shall be screened from public view by at least ninety percent (90%) density screening, unless such goods are for resale to the public.
- c. All commercial zones: Where allowed, gasoline or other fuel dispensing pumps, excluding canopies, must be located at least twelve (12) feet from any property line.
- d. C-4 zoning district: A building or structure may occupy 100 percent (100%) of a lot in the C-4 district. If the entire lot is so occupied no landscaping or screening otherwise required by these regulations shall apply.

SECTION 14-7 SIGN REGULATIONS

14-701. Sign regulations for the commercial districts are set out in Article 27.

SECTION 14-8 PARKING REGULATIONS

14-801. Parking regulations for the commercial districts are set out in Article 22.

SECTION 14-9 OFF-STREET LOADING AND UNLOADING REGULATIONS

14-901. Off-street loading and unloading regulations for the commercial districts are set out in Article 23.

SECTION 14-10 SUPPLEMENTAL REGULATIONS

14-1001. Supplemental regulations for the commercial districts are set out in Article 24.

SECTION 14-11 TRAVEL TRAILER PARKS

14-1101. Definition. As used in this Article, the term travel trailer park means a campground for travel trailers, motor homes, camping trailers, recreational vehicles, camping tents and accessory service buildings and facilities for campgrounds.

14-1102. Where Allowed. A travel trailer park shall be allowed to locate only in the C-3 District and only upon issuance of a Conditional Use Permit issued in accordance with the provisions of this Article and Article 26.

14-1103. General Requirements.

- a. Any tract of land permitted as a travel trailer park after the effective date of these regulations must be at least five (5) acres in area.
- b. The applicant for a conditional use permit for a travel trailer park shall prepare and submit a schedule of construction, which shall provide for commencement of construction within a period of one (1) year following the approval of the permit by the Governing Body, and which shall provide that construction shall be completed within a period of two (2) years.
- c. The applicant shall prepare or cause to be prepared a development plan and shall present ten (10) copies of said plan for review by the Planning Commission and Governing Body. This plot plan shall show the proposed development and shall conform with the following requirements:
 - 1. The travel trailer park shall be located on a well-drained site that is not subject to objectionable noise, smoke, odors, or other objectionable influences including unpredictable or sudden flooding. Exposed ground surfaces in all parts of the park shall be paved, covered with stone or other solid materials or protected with a vegetative growth capable of preventing and eliminating dust.

2. Travel trailer parks shall have a maximum density of twenty (20) trailer spaces per acre. A minimum of one thousand two hundred fifty (1,250) square feet shall be provided for each trailer space.
3. Each travel trailer space shall be at least twenty (20) feet wide and fifty (50) feet deep and shall have a clearly defined or marked border.
4. Trailers shall be placed on each space so that there is at least a ten (10) foot clearance between trailers. No trailer or other structure shall be located closer than twenty (20) feet from any building within the park or from any property line surrounding the park, except where such property line is a public street. No trailer or other structure shall be located closer than twenty-five (25) feet from any public street.
5. All parks shall be provided with safe and convenient vehicular access to each trailer space. Surfacing and maintenance shall provide a smooth, hard and dense surface which should be well drained and shall meet the following requirements:
 - (a) One-way, no parking, 15-foot width.
 - (b) One-way, parking on one side only, 20-foot width.
 - (c) Two-way, no parking, 24-foot width.
 - (d) Two-way, parking on one side only, 27-foot width.
 - (e) Two-way, parking on both sides, 30-foot width.
6. All roadways and walkways within the travel trailer park shall be hard-surfaced and adequately lighted at night with electric lamps.
7. A recreation area shall be provided at a central location in the park. The size of such recreation area shall be no less than two hundred (200) square feet for each trailer space in the park.
8. A solid or semi-solid fence, wall, or evergreen hedge six (6) feet in height and having a visual density of at least ninety (90) percent shall be installed and maintained by the owner when the district abuts a residential zoning district except that said fence, wall, or hedge shall be reduced to forty-two (42) inches in height when located in a front yard. A district shall not be considered as abutting if it is separated by a street or alley right-of-way.
9. One dwelling unit which may be a mobile home may be permitted on the site for the park operator.
10. Travel trailer spaces shall be rented by the day or week only, and the occupant of a travel trailer space shall remain in the same travel trailer park no more than thirty (30) consecutive calendar days.
11. A properly ventilated and constructed storm shelter shall be provided in a central or other convenient location within the travel trailer park. Each shelter size shall be equal to at least 21 square feet of shelter floor area per travel trailer space. Storm shelters shall be constructed in accordance with all applicable City-adopted building codes.

14-1104. Water Supply. An accessible, adequate, safe and potable supply of water shall be provided in each travel trailer park. Where a public supply of water is available, connection shall be made thereto and its supply used exclusively. The public health agency having jurisdiction shall approve all private sources of water.

14-1105. Sewage Systems. An approved sewage system shall be provided within each travel trailer park. Where a public sewage system is located within five hundred (500) feet of the boundary of the park, connection shall be made thereto. The appropriate health authority shall approve all private sewage systems. A sanitary disposal station shall be provided at the rate of one such station for every hundred (100) trailer spaces and shall be approved by the zoning administrator. Such stations shall be screened from other activities by visual barriers such as fences, walls, or natural growth and shall be separated from any trailer or adjoining property by a distance of at least fifty (50) feet.

14-1106. Electrical. Electrical wiring systems shall be installed in accordance with applicable City-adopted electrical codes. Main power lines not located underground shall be suspended at least eighteen (18) feet above the ground. There shall be a minimum of eight (8) feet of vertical clearance between any trailer and the overhead wiring.

14-1107. Service Buildings.

- a. A central service building containing the necessary toilet and other plumbing fixtures specified below shall be provided in travel trailer parks having camping spaces for units which do not have self-contained water and sewage systems. Such service buildings shall be located within a three hundred (300) foot radius of the spaces to be served.

Number of Spaces	Toilets		Urinals M	Lavatories		Showers		Service Sink
	M	F		M	F	M	F	
1 - 15	1	1	1	1	1	1	1	1
16 - 30	1	2	1	2	2	1	1	1
31 - 45	2	2	1	3	3	1	1	1
46 - 60	2	3	2	3	3	2	2	1
61 - 80	3	4	2	4	4	2	2	1
81 - 100	3	4	2	4	4	3	3	1

- b. Parks having more than one hundred (100) travel trailer spaces shall also provide: One additional toilet and lavatory for each sex for each additional forty (40) travel trailer spaces or fraction thereof; and one (1) additional men's urinal for each additional one hundred (100) travel trailer spaces or fraction thereof.

- c. Where a travel trailer park is designed for and exclusively limited to use by camping units with self-contained water and sewage systems, only the following minimum sanitary facilities shall be required: For each one hundred (100) trailer spaces or fractional part thereof, there shall be one (1) flush toilet, one (1) lavatory, and one (1) shower for each sex.

14-1108. Solid Waste. The storage, collection and disposal of refuse in the travel trailer park shall be conducted so as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards, or air pollution. All refuse shall be stored in flytight, watertight, rodent-proof containers, which shall be located not more than one hundred fifty (150) feet from any trailer space. All refuse shall be collected at least twice weekly.

14-1109. Open Fires. Cooking shelters, barbecue pits, fireplaces, wood-burning stoves and incinerators shall be so located, constructed, maintained and used as to minimize fire hazard and smoke nuisance both on the property on which used and on neighboring properties. No open fire shall be permitted, except in facilities provided by the park operator. No open fire shall be left unattended. No fuel shall be used and no material burned which emits dense smoke or objectionable odors.

14-1110. Register of Occupants. It shall be the duty of the park operator to keep a register containing a current record of all trailer owners and occupants located within the park. The register shall contain the following information:

- a. The name and address of each trailer owner or tenant.
- b. The name and address of each owner of a motor vehicle.
- c. The date of arrival and departure of each trailer.
- d. The license tag number of each motor vehicle.

The park owner, manager or caretaker shall keep the register available for inspection at all times by law enforcement officers, public health officials and other officials whose duties necessitate acquisition of the information contained in the register.

SECTION 14-12 SITE PLANS

14-1201. Site plan approval may be required of commercial development prior to the issuance of a building permit. Requirements for such site plans and the procedure for site plan review and approval are set out in Article 28.