

**§ 155.092 PLANNED COMMERCIAL CENTERS (PCC).**

(A) **Approval of certain types of centers by Planning and Zoning Commission.** In any commercial district, the Planning and Zoning Commission may approve a neighborhood-type shopping center or a community-type shopping center subject to the provisions hereinafter set forth under this subchapter.

(B) **Development plan.**

(1) The development plan shall show such items as the size of the project, the location and approximate shapes of buildings, road ingress and egress patterns, parking areas, storm drainage and water and sewerage facilities, and such other information as is necessary for the Planning and Zoning Commission to give the necessary consideration.

(2) It shall be the duty of the Planning and Zoning Commission to ascertain whether the location, size, and other characteristics of the site, and the proposed plan, comply with the following conditions:

(a) The proposed PCC will not cause points of traffic congestion on existing or planned future roads in the areas of such proposed location; and

(b) The plans provide for a PCC consisting of one or more groups of establishments in buildings of integrated and harmonious design, together with adequate and properly arranged traffic and parking facilities and landscaping, so as to result in an attractive and efficient shopping center.

(C) **General regulations.** The following regulations shall apply to a PCC:

(1) **Yards.**

(a) No building shall be erected within 50 feet of a public street right-of-way line, and no parking lot or other facility or accessory use, except permitted signs and planting, shall be located within ten feet of any public street right-of-way line.

(b) No building shall be located within 25 feet of any other boundary line, and any such line which adjoins a Residential District, if deemed necessary by the Planning and Zoning Commission, shall be screened by a solid wall or compact evergreen hedge at least six feet in height, or by such other screening device as may be deemed appropriate and adequate.

~~(D) **Accessory uses.** Regardless of the underlying zoning district, the Planning and Zoning Commission may allow residential uses as an accessory use to a PCC as follows:~~

~~—(1) **Second story.** Provided the structure is not more than a total of two stories, residential units may be provided on the second story of the structure. No residential use is permitted on the first story of any structure within the PCC:~~

~~—(2) **Floor area.** A residential unit shall be no less than 600 square feet and no greater than 1,000 square feet in size. The area of all residential units shall not exceed 50% of the total area of the structures within the PCC:~~

~~—(3) **Concurrency management.** All residential units shall be subject to §§ 156.01 through 156.07.~~

~~—(4) **Development impact fees.** All residential units shall be subject to §§ 33.55 through 33.69.~~

~~—(5) **Redevelopment.** A PGC existing as of February 26, 2007, may be redeveloped to include residential units on the second story of any existing structure, provided that:~~

~~—(a) An amended site plan is approved by the Planning and Zoning Commission; and~~

~~—(b) Compliance with §§ 156.01 through 156.07 and 33.55 through 33.69 is achieved prior to any change of use.~~

~~—(6) **Parking.** In addition to any parking required for the PGC, the Planning and Zoning Commission may require an additional parking space per residential unit and may, in its discretion, restrict the additional parking to use by the residential tenant.~~

(Ord. 2022-19, passed 10-20-2022)

### **§ 158.083 COMMERCIAL AND INDUSTRIAL DISTRICTS: REGULATION OF ACCESSORY USES.**

(A) **Accessory uses in the Commercial Districts.** Accessory uses in the commercial districts shall be as follows:

(1) Uses and structures customarily accessory and incidental to any principal permitted use, nonconforming use, or authorized conditional use, including but not limited to:

(a) Business signs pertaining to “use on the premises”, provided that such signs are located as regulated in § [158.114](#).

(b) Storage modules subject to the following standards:

1. The exterior surface shall be painted and kept in good repair;
2. The storage module shall be vented as needed for safety purposes;
3. The storage module shall be screened from the adjacent roadway;
4. Storage modules shall not be stacked; and

5. The number of storage modules shall be determined by the Zoning Administrator, but shall not exceed 25% of the area of the principal structure.

(c) The above or below ground storage of not greater than 2,000 gallons, in aggregate capacity, of petroleum products which is not sold at retail or wholesale, and subject to all applicable MDE and NFPA regulations. Commercial establishments providing petroleum for retail sale shall be regulated in the same manner as a principal use.

(d) Drive-thru service when accessory to a principal permitted or conditional use in the C-2 or C-3 District.

(e) Car wash when accessory to a principal permitted or conditional use in the C-2 or C-3 District.

(f) Outdoor storage of vehicles when accessory to a self- service storage facility.

(g) Equipment, vehicle and materials storage when accessory to general service or office, provided that in the C-1 District, the storage is located in an area of the property comprising no more than 43,560 square feet.

(h) Winery, micro-brewery, and limited distillery when accessory to a restaurant or tavern.

(i) Consumption or tasting of alcohol produced on-site, food sales to accompany the beverage tasting, retail sales of novelty or gift items related to the beverage, guided tours, and promotional activities at a micro-brewery, limited distillery, or winery.

(j) Fertilizer storage or sales, not in prepared packing, when accessory to a permitted or conditional use in the C-2 or C-3 District, subject to approval by the Zoning Administrator in accordance with § [158.130\(G\)](#).

(k) Solar energy generating systems, subject to the requirements of § [158.153](#).

(l) Pursuant to § [155.092](#), dwellings accessory to a Planned Commercial Center [when approved prior to December 18, 2025](#).

(m) A single dwelling directly related to a commercial use.