

**Section 5.13 C-1 Downtown Commercial District**

5.13.01 *Intent:* This district is intended to provide appropriate development regulations for Downtown Fairbury. Mixed uses are encouraged within the C-1 District, without allowing activities which would have a negative effect on the downtown area. The grouping of uses is designed to strengthen the downtown's role as a center for trade, service, and civic life

**5.13.02 Compatible Use Categories:**

The following are Use Categories identified in Section 5.06 of this Ordinance. Specific uses within the Use Categories may be allowed as a Permitted Use, Conditional Use, and Temporary Use or not permitted. Refer to Section 5.06 to determine the level allowed.

1. Cultural Services
2. Residential Living
3. Community Services/Civic Uses
4. Day-care, Public and Private Schools
5. Public Parks and Open Space
6. Public and Private Utilities
7. Animal Care
8. Business and Household Services
9. Financial Services
10. Food and Beverage Services
11. Retail Services
12. Special Commercial
13. Medical Offices
14. General Office Uses
15. Recreational Commercial

**5.13.03 Permitted Uses:**

Permitted Uses are allowed outright provided the uses and/or structure meet the minimum bulk requirements of the District.

**5.13.04 Conditional Uses:**

The following uses are subject to any conditions listed in this section as well as any conditions relating to the placement of said use on a specific tract of ground in the C-1 District as recommended by the Planning Commission and City Council and approved by the City Council.

**1. Uses with specific basic conditions required:**

**Convenience store with limited fuel sales** provided the following minimum requirements are met:

- a. The use has a minimum lot area of 10,000 square feet
- b. All surfaces associated with the sale of gasoline shall be on an all-weather surface.

**Service station and minor automobile repair services** provided the following minimum requirements are met:

- a. The use has a minimum lot area of 10,000 square feet
- b. All surfaces associated with the sale of gasoline shall be on an all-weather surface.

**Mortuaries and funeral chapels.**

- a. Minimum lot area of 12,000 square feet

**5.13.05 Temporary Uses:**

Temporary uses may be permitted provided a Temporary Use Permit is obtained and said temporary use is eliminated at the expiration of the permit. See Section 4.23.

**5.13.06 Accessory Uses and Structures:**

Refer to the definitions of Accessory Uses and Structures, as well as Table 5.06 and Sections within Article 4 for more detail.

**5.13.07 Height and Lot Requirements:** The height and minimum lot requirements shall be as follows unless otherwise noted:

Use	Lot Area (SF)	Lot Width (feet)	A Front Yard (feet)	B Rear Yard (feet)	C Side Yard (feet)	Max. Height (feet)	Max. Building Coverage (%)
Permitted Uses	3,500	25	0	0*	0**	45***	100
Conditional Uses	3,500	25	0	0*	0**	45***	100
Accessory Buildings	-	-	0	0*	0**	20	-

\* None, except that when adjacent to any residential district, the Rear Yard setback shall be 25 feet, except when separated by an alley.

\*\* None, except that when adjacent to any residential district, the Side Yard setback shall be 8 feet, except when separated by an alley.

\*\*\* The maximum height of any use shall be decreased to 35 feet when located within 100 feet of any residential district.

#### 5.13.08 Use Limitations:

1. When adjacent to any residential district, no parking, drives, or signs shall be allowed in the required front yard with 15 feet of such residential district.
2. When adjacent to any residential district, new construction shall provide permanent screen with a height of six feet or six feet four inches if a fence, in order to minimize impacts on residentially zoned property, pursuant to Section 9.06.
3. No outdoor storage, except the display of merchandise for sale to the public, shall be permitted.
4. Exterior lighting fixtures shall be shaded wherever necessary to avoid casting direct light on any property located in a residential or mobile home district. In addition, no glare shall be visible to any traffic on any public street.
5. All business, service, repair, processing, storage or merchandise display on property abutting or facing a lot in a residential district shall be conducted wholly within an enclosed building, unless screened from the residential district by a sight-obscuring fence permanently maintained at least six feet in height.
6. Openings to structures on sides adjacent to or across the street from a residential district shall be prohibited if such access or openings will cause glare, excessive noise or other adverse effects on residential properties.
7. Motor vehicle, boat, or trailer rental or sales lots shall be drained and surfaced with crushed rock or pavement, except in those portions of the lot maintained as landscape area.
8. All new primary buildings/structures constructed within the C-1 Downtown Commercial District shall have a brick or concrete/plaster style façade on front face of the building.