

**CHAPTER 1155**  
**Commercial District Regulations**

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**1155.01 INTENT.**

Commercial Districts (C-1, C-2 and C-3) and their regulations are established in order to achieve, among others, the following purposes:

- (a) To provide in appropriate and convenient locations, sufficient areas for business activities, including the exchange of goods and services;
- (b) To protect residential neighborhoods adjacent to business uses by regulating the types of establishments, particularly at the common boundaries, that would create congestion, noise or other objectionable influences;
- (c) To protect and stabilize both residential and nonresidential developments from congestion by requiring off-street parking facilities;
- (d) C-1 Neighborhood Commercial District. To provide Neighborhood Commercial Districts to accommodate a variety of retail and service establishments in a store-only district with development standards that ensure that new development is compatible with adjacent residential neighborhoods. Because of the small lots closely situated adjacent to residential districts, outdoor storage and display is not permitted.
- (e) C-2 General Commercial District. To accommodate commercial services and activities in locations adequately served by major streets and other facilities and to encourage the grouping of businesses in shopping centers.
- (f) C-3 Central Business District. To provide a central business district that preserves, maintains and promotes the existing historic, compact pedestrian orientation of the downtown area by maintaining retail sales and personal service uses along the primary street frontages, permitting buildings to be close to the street and to one another, and reducing the parking requirements for the district. To further achieve these objectives, the District has been divided into the “core area” and “outside

core area”. The core area is defined by the boundaries of the Downtown Bryan Historic District, as listed on the National Register, where development standards have been established to maintain the traditional character and arrangement of lots around the square. Slightly more generous development standards have been established for the areas adjacent to the downtown that make up the outside core area, where existing lot arrangements are more flexible. Design criteria have also been established for both areas to ensure consistent development throughout the entire C-3 District.

**1155.02 USE REGULATIONS.**

- (a) Uses Permitted by Right. A use listed in Schedule 1155.03 shall be permitted by right as a principal use in a district when denoted by the letter "P" provided that all requirements of other city ordinances and this Planning and Zoning Code have been met.
- (b) Conditional Uses. A use listed in Schedule 1155.03 shall be permitted as a conditional use in a district when denoted by the letter "C", provided the Planning Commission first makes the determination that the requirements of Chapter 1161 have been met according to the procedures set forth in Chapter 1185.
- (c) Accessory Uses. A use listed in Schedule 1155.03 shall be permitted as an accessory use in a district when denoted by the letter "A". Such use shall be permitted as a subordinate building or use when it is clearly incidental to and located on the same lot as the principal building or use. Accessory uses are further regulated in subsequent sections of this Planning and Zoning Code.
- (d) Use Not Listed in Schedule. Although a use may be indicated as a permitted principal, conditional or accessory use in a particular district, it shall not be approved on a parcel unless it can be located thereon in full compliance with all of the standards and other regulations of this Planning and Zoning Code applicable to the specific use and parcel in question. Any use not specifically listed as either a permitted principal or conditional use shall be a prohibited use in these zoning districts and shall only be permitted upon amendment of this Code and/or the Zoning Map as provided in Chapter 1121 or upon a finding that a use is substantially similar as provided in Chapter 1185.

**1155.03 SCHEDULE OF PERMITTED USES.**

|  | <b>C-1</b><br>Neighborhood<br>Commercial | <b>C-2</b><br>General<br>Commercial | <b>C-3</b><br>Central<br>Business |
|--|--|-------------------------------------|-----------------------------------|
| <b>(a) Residential</b>   |  |                                     |                                   |
| (1) Dwelling unit(s) above the first floor of a building   |  |                                     | P                                 |
| (2) Bed and breakfast establishment  |  |                                     | C                                 |
| <b>(b) Office and Professional Services</b>  |  |                                     |                                   |
| (1) Administrative, business and/or professional office  | P  | P                                   | P                                 |
| (2) Automated teller machine, freestanding   | C  | C                                   |                                   |
| (3) Bank or other financial institution  | P  | P                                   | P                                 |
| (4) Hospital   |  | C                                   |                                   |
| (5) Urgent care, medical clinic  |  | P                                   |                                   |
| <b>(c) Retail, Personal Services, Recreation</b>   |  |                                     |                                   |
| (1) Retail business in enclosed building   | P  | P                                   | P                                 |
| (2) Personal services in enclosed building   | P  | P                                   | P                                 |
| (3) Restaurant or other type of eating and/or drinking establishment in enclosed building                    | P  | P                                   | P                                 |
| (4) Animal hospital  | C  | P                                   |                                   |
| (5) Commercial recreation, indoor  |  | P                                   | C                                 |
| (6) Commercial recreation, outdoor   |  | C                                   |                                   |
| (7) Dance floor/entertainment in association with a permitted use  |  | C                                   | C                                 |
| (8) Drive-thru facility in association with a permitted use  | C  | P                                   | C                                 |
| (9) Funeral home   | C  | P                                   | C                                 |
| (10) Hotel or motel  |  | P                                   | C                                 |
| (11) Movie theater, indoor   |  | P                                   | C                                 |
| (12) Outdoor display/outdoor dining  | C  | C                                   | C                                 |
| P = Principal use permitted by right.<br>C = Conditional use.<br>Blank Cell = Use not permitted in district. |  |                                     |                                   |

Planning and Zoning Code Update

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|  | <b>C-1</b><br>Neighborhood<br>Commercial | <b>C-2</b><br>General<br>Commercial | <b>C-3</b><br>Central<br>Business |
|--|--|-------------------------------------|-----------------------------------|
| (13) Outdoor storage of goods and merchandise  |  | C                                   |                                   |
| (14) Recreational vehicle park   |  | C                                   |                                   |
| (15) Studio for instruction  |  | P                                   | C                                 |
| <b>(d) Automotive/ Transportation</b>  |  |                                     |                                   |
| (1) Auto sales and rental  |  | C                                   |                                   |
| (2) Automobile service station   |  | P                                   |                                   |
| (3) Car wash   |  | P                                   |                                   |
| (4) Gasoline station   | C  | P                                   | C                                 |
| (5) Public parking lot   | P  | P                                   | P                                 |
| (6) Public transportation terminal   |  | C                                   |                                   |
| (7) Farm implement and/or recreation vehicles sales  |  | C                                   |                                   |
| (8) Vehicle repair garage  |  | C                                   |                                   |
| <b>(e) Trade/Business Services</b>   |  |                                     |                                   |
| (1) Business services, including equipment repair and supply   |  | P                                   |                                   |
| (2) Cleaning and laundry plant   |  | P                                   |                                   |
| (3) Commercial business or trade school  |  | P                                   | C                                 |
| (4) Printing shop  |  | P                                   |                                   |
| <b>(f) Community Facilities / Other</b>  |  |                                     |                                   |
| (1) Assembly hall, membership club   | C  | P                                   | C                                 |
| (2) Church or other place of worship   | C  | P                                   | C                                 |
| (3) Congregate care facility   | C  | C                                   | C                                 |
| (4) Day care facility, adult and/or child  | C  | P                                   | C                                 |
| (5) Library or museum  | C  | P                                   | C                                 |
| (6) Public recreational areas, including a park and/or playground or swimming pool                           | P  | P                                   | P                                 |
| (7) Public safety facility   | C  | P                                   | C                                 |
| (8) School facility, public or private   | C  | P                                   | C                                 |
| (9) Public utility structure   | C  | C                                   | C                                 |
| P = Principal use permitted by right.<br>C = Conditional use.<br>Blank Cell = Use not permitted in district. |  |                                     |                                   |
| (10) Wireless telecommunication facility   | See Chapter 1169                         |                                     |                                   |

|   | <b>C-1</b><br>Neighborhood<br>Commercial | <b>C-2</b><br>General<br>Commercial | <b>C-3</b><br>Central<br>Business |
|---|--|-------------------------------------|-----------------------------------|
| <b>(g) Accessory Uses</b>   |  |                                     |                                   |
| (1) Accessory recreational facility   | A  | A                                   |                                   |
| (2) Off-street parking and loading facilities   | A  | A                                   | A                                 |
| (3) Signs   | A  | A                                   | A                                 |
| (4) Trash receptacles   | A  | A                                   | A                                 |
| P = Principal use permitted by right.<br>C = Conditional use.<br>A = Accessory use<br>Blank Cell = Use not permitted in district. |  |                                     |                                   |

**1155.04 LOT REQUIREMENTS.**

The minimum lot requirements for uses in Commercial Districts are specified in Schedule 1155.04.

(a) Schedule 1155.04 Minimum Lot Requirements.

|  | <b>C-1</b>     | <b>C-2</b>     | <b>C-3</b> |
|--|----------------|----------------|------------|
| (1) Minimum lot area                       | 30,000 sq. ft. | 30,000 sq. ft. | none       |
| (2) Minimum lot width at the building line | 100 feet       | 100 feet       | 20 feet    |
| (3) Minimum lot frontage                   | 100 feet       | 100 feet       | 20 feet    |

(b) Lots of Record. A lot of record existing on the effective date of this Planning and Zoning Code may be occupied by a use listed as a permitted principal use in Schedule 1155.03 for the district in which the lot is located even when the lot does not comply with the minimum requirements set forth in Schedule 1155.04, provided the use can be conducted in compliance with all other requirements set forth in this Planning and Zoning Code.

**1155.05 YARD REQUIREMENTS.**

Every permitted use of land and all buildings and structures shall be located on a lot in a manner that maintains the minimum front, side and rear yards set forth in this section for the district in which the lot is located, measured from the appropriate lot line. Each yard shall remain unobstructed by structures except as otherwise specifically permitted in this Code.

- (a) Front Yard. Each lot shall maintain the minimum front yard setback measured from the street right-of-way. Corner lots shall comply with the front yard setback for each lot line adjacent to a street right-of-way.
- (b) Schedule 1155.05: Minimum Requirements.

|   | C-1     | C-2     | C-3                      |                                  |
|---|---------|---------|--------------------------|----------------------------------|
|   |         |         | Core Area <sup>(a)</sup> | Outside Core Area <sup>(a)</sup> |
| (1) Front Yard  | 40 feet | 40 feet | <sup>(b)</sup>           | 10 feet                          |
| (2) Side or rear yard adjacent to a nonresidential district | 15 feet | 15 feet | 0 <sup>(c)</sup>         | 5 feet                           |
| (3) Side or rear yard adjacent to a residential district    | 40 feet | 40 feet | 15 feet                  | 15 feet                          |

Notes to Schedule 1155.05:

<sup>(a)</sup> See the Zoning Map for boundaries of the core area.

<sup>(b)</sup> Shall comply with Section 1155.05(c) below.

<sup>(c)</sup> However, when two adjacent buildings do not share a common wall, they shall maintain a minimum separation of 20 feet.

- (c) Maximum Front Yard In C-3 District Core Area. In the core area of the C-3 District, new construction shall comply with the maximum front yard requirements specified below:
  - (1) A front yard not exceeding a depth of five (5) feet shall be required when there is not an existing building along the block front within 100 feet.
  - (2) When the lot is within 100 feet of an existing building on both sides, the depth of the front yard shall not be greater than the average depth of the adjacent front yards.
  - (3) When the lot is within 100 feet of an existing building on only one side, the maximum depth of the front yard for the lot in question shall be determined by adding five feet plus the depth of the adjacent front yard of the existing building, and dividing by two.

**1155.06 HEIGHT REGULATIONS.**

Buildings and structures shall comply with the following height regulations based on the district in which the lot is located.

- (a) In the C-1 and C-2 Districts buildings and structures shall not exceed a height of 35 feet.
- (b) In the C-3 District buildings and structures located in the core area shall not exceed a height of 50 feet. Outside the core area, buildings and structures shall not exceed a height of 35 feet.
- (c) Notwithstanding the above regulations, accessory buildings structures that do not exceed 200 square feet in gross floor area shall not exceed a height of 18 feet.
- (d) Height exceptions are set forth in Section 1175.03 for appurtenant structures.

**1155.07 OFF-STREET PARKING REGULATIONS.**

Off-street parking and loading areas shall conform to the regulations of Chapter 1165 and to the parking requirements specified below.

- (a) Schedule 1155.07 Minimum Setbacks. Off-street parking shall be located in compliance with the minimum setbacks, measured from the street right-of-way or property line, as specified below unless otherwise noted.

| Minimum Setback   | C-1            | C-2            | C-3                      |                                  |
|---|----------------|----------------|--------------------------|----------------------------------|
|   |                |                | Core area <sup>(a)</sup> | Outside Core Area <sup>(a)</sup> |
| (1) Setback from the street right-of-way  | <b>20 feet</b> | <b>20 feet</b> | <b>5<sup>(b)</sup></b>   | <b>20<sup>(b)</sup></b>          |
| (2) Setback from side or rear lot line when adjoining a nonresidential district | <b>5 feet</b>  | <b>5 feet</b>  | <b>0</b>                 | <b>5 feet<sup>(c)</sup></b>      |
| (3) Setback from side or rear lot line when adjoining a residential district    | <b>15 feet</b> | <b>20 feet</b> | <b>10 feet</b>           | <b>10 feet</b>                   |

Notes to Schedule 1155.05:

- (a) See the Zoning Map for boundaries of the core area.
- (b) Or no closer than the building line, whichever is less.
- (c) Elimination of side and rear yard parking setbacks may be approved when joint agreement signed and the on-site circulation and parking between the two or more lots are properly designed and landscaped as set forth in Chapters 1165 and 1167.

- (b) Off-street parking spaces shall be provided in compliance with Chapter 1165.
- (c) Loading and service areas shall be located in the side or rear yard and shall comply with the parking setbacks in Schedule 1155.07.
- (d) The area within the parking setback shall be landscaped and screened in accordance with Chapter 1167.

**1155.08 ACCESSORY USE REGULATIONS.**

Accessory uses permitted in any Commercial District shall conform to the regulations of this Section.

- (a) Accessory Buildings. Accessory buildings that have a gross floor area of 200 square feet or less shall be located in a side or rear yard and shall comply with the parking setbacks set forth in Schedule 1155.07. All other buildings shall be considered principal buildings and shall conform to all lot and yard regulations and development plan review and approval requirements of the zoning district in which the lot is located.
- (b) Fences and Walls. Fences and walls may be erected in any Commercial District in compliance with the requirements set forth in Chapter 1167.
- (c) Signs. Signs shall conform to the regulations specified in Chapter 1163.

**1155.09 LANDSCAPE AND SCREENING REQUIREMENTS.**

Visual screening and landscape buffers shall be provided for all lots in nonresidential districts in accordance with the provisions set forth in Chapter 1167.

**1155.10 DESIGN CRITERIA FOR THE C-3 DISTRICT.**

In addition to the development standards set forth in this Chapter, all proposals in the C-3 Central Business District shall be subject to the supplemental design criteria outlined in this Section.

- (a) Applicability of Guidelines. The C-3 Central Business District entirely encompasses the Downtown Bryan Historic District (DBHD), herein referred to as the core area, which is bounded on the east by Walnut Street, on the south by Maple Street, on the west by Beech Street, and on the north by Bryan Street. The design of parcels surrounding the core area have been determined to contribute to the character and viability of the downtown and therefore, these design guidelines shall apply to the entire C-3 District except as specifically stated otherwise.
- (b) Purpose. The principles and criteria set forth below are intended to achieve among others the following purposes:



- (1) To strengthen, protect, enhance and improve the existing visual and aesthetic character of the C-3 District.
  - (2) To guide development and/or redevelopment of the C-3 District, thereby preserving the historic and architectural resources in the core area and in the remaining areas of the C-3 District;
  - (3) To ensure that the particular existing design features which contribute to the unique character of the C-3 District are retained and re-created in a manner that ensures the City will retain and enhance its sense of community.
  - (4) To ensure that new development and/or redevelopment respects the City's historic qualities and resources through compatible design.
  - (5) To protect and enhance property values.
  - (6) To provide standards for property owners, architects and contractors to aid in the preparation of appropriate plans;
  - (7) To provide the basis for consistency and objective decision-making by the C-3 Design Review Committee when evaluating proposed development.
- (c) Aesthetic Principles. The buildings in the C-3 District define an urban space that represents the essence of Bryan. In order to enhance the quality and compatibility of these buildings and thereby protect the character of the area, all proposed rehabilitation, restoration and new construction projects shall incorporate the common aesthetic principles that are represented in this urban environment. These principles include:
- (1) Proportion. The relationship of the dimensions of building details such as windows or doors, or entire facades from one building to the next shall create a desired harmony of buildings within and surrounding the proposed development area.
  - (2) Scale. The size of buildings and building elements with respect to each other as well as the human form shall be consistent with the prevailing scale of buildings within the C-3 District.
  - (3) Rhythm. The repetition of design in building details, such as the number and spacing of windows and doors, and backgrounds, such as walls, shall maintain the architectural rhythm of the existing facades.
  - (4) Variety and Unity. Projects shall blend both variety and unity in building design through varying levels of distinction in combining building elements in order to maintain a compatible built

environment that is characterized by unifying qualities of proportion, scale and rhythm.

- (d) Design Review Guidelines. The design criteria listed below have been established in order to protect, maintain and foster unity of architectural style and visual compatibility in the C-3 District, in conjunction with the aesthetic principles identified in subsection (c).
- (1) General Criteria Applicable to all Proposals in the C-3 District. In the C-3 District each proposal shall:
- A. Complement the height, width and general proportions of adjacent buildings so that an overall harmonious appearance is created.
  - B. Include architectural features that are appropriate and compatible with the design of existing buildings and structures, including the patterns of windows and doors, roof pitch, cornice lines, shutters, dormers, eaves and other decorative detail.
  - C. Require that when the wall of a building faces a public right-of-way, or parking area, or is within 45 degrees of facing a public right-of-way, a minimum of 50 percent of such wall area, measured between 2.5 feet and 8 feet above the average grade of the building façade, shall have display-type windows. The bottom edge of such window shall not be higher than three (3) feet above grade. A maximum of 20 percent of such window may be opaque.
  - D. Enhance the continuity along each block through the use of landscaping, street furniture, and brick paving.
  - E. Maintain or compliment existing building materials wherever possible.
  - F. Construct or renovate signs in compliance with the design requirements set forth in Section 1163.13.
- (2) Criteria Applicable to Proposals in the Core Area of the C-3 District. Any new construction or alterations proposed in the core area shall comply with the Design Guidelines prepared by Ohio State University for the Bryan, Ohio Case Study and with the following design criteria. Complete copies of the Guidelines are available in the Office of the Zoning Administrator. Each proposal shall:

- A. Preserve or restore original building facades to the extent practicable, including the removal of any applied facades that have original building details preserved beneath.
- B. Fill in open spaces between buildings of existing block facades, either through the development of a building, landscape features or a combination of both, to preserve or create a unified street wall.
- C. Maintain the repetitive window modules and storefront widths along established block facades.
- D. Preserve and/or develop, whenever possible, the distinguishing architectural styles from the turn-of-the-century reflected in many of the facade details, such as pressed metal or corbelled cornices. If major façade components are badly deteriorated or missing (and replicas are not feasible) great care should be taken to replace them with creative designs that reflect the proportions, scale and detail of the original.
- E. Maintain the design, scale and proportion of existing building windows:
  - 1. Preserve the original proportions of window openings during interior alterations.
  - 2. Maintain the original arrangement of glass panes whenever possible or duplicate similar configurations found along the square.
  - 3. Retain or duplicate the original materials of such window elements as sashes, frames, sills, jambs, and lintels.
  - 4. Maintain widths of single and double module windows that reflect the architectural lines of the upper part of the façade.
- F. Maintain the colors, textures and bonding patterns of brick found in existing historic structures.
- G. Utilize permitted color schemes during remodeling or new construction, limiting strong accent colors for special effects only.
- H. Maintain established materials and design of entrance door hardware.

- I. Enhance individual building design through plant material accents.

Any exterior construction or improvements proposed in the DBHD shall also be subject to the U.S. Secretary of Interior's Standards for Rehabilitation. Copies of the Standards are available in the Office of the Zoning Administrator.

- (e) Interpretive Illustrations for Design Guidelines. The C-3 Design Review Committee may prepare from time to time or authorize the preparation of illustrations that interpret the design guidelines set forth in this Section or modify the Ohio State University Design Guidelines. Such illustrations may include drawings, photographs of acceptable projects in Bryan and elsewhere, and/or drawings or photographs of projects, which have been approved pursuant to these regulations. Any such interpretive illustrations shall be approved by a majority vote of the C-3 Design Review Committee and, when approved, shall be considered administrative guidelines which assist in the interpretation of these design standards.
- (f) Review Procedures.
  - (1) All new and rehabilitation projects in the C-3 District shall be subject to the development plan review procedures set forth in Chapter 1183.
  - (2) A certificate of approval shall be obtained from the C-3 Design Review Committee prior to commencing any new construction, demolition or modification to a property in the C-3 District. All proposed changes shall be reviewed and approved by the C-3 Design Committee according to the procedures set forth in Section 1181.05.

#### **1155.11 PERFORMANCE STANDARDS.**

All uses shall comply with the following performance standards.

- (a) Waste Receptacles. All solid waste products, including empty packing boxes, that result from any permitted principal, conditional or accessory use shall either be disposed of, stored in buildings, or completely enclosed in containers. Such building, container or dumpster shall be located in a side or rear yard on a paved surface in compliance with the minimum parking setbacks established in Schedule 1155.07 as well as the screening requirements set forth in Section 1167.07.
- (b) Lighting. The placement, orientation, distribution patterns and fixture types of outdoor lighting shall ensure that light is directed away from any adjoining residential properties and streets and shall not be of excessive brightness or cause glare that is hazardous to pedestrians or drivers.

- (c) Enclosure. All uses and operations, except off-street parking and loading facilities, shall be performed wholly within enclosed buildings, unless specifically permitted otherwise.

**1155.12 SUPPLEMENTAL REGULATIONS FOR GASOLINE STATIONS.**

In addition to the above regulations, all gasoline stations shall comply with the following standards.

- (a) Fuel pumps and associated access aisles and canopies shall comply with the parking setbacks set forth in Section 1155.07.
- (b) The only services permitted to be performed on a vehicle shall be the dispensing of air and vehicle fluids such as fuel, oil and windshield wiper fluid.
- (c) Except while being serviced at a pump island, no vehicle shall be parked between the pumps and the front property line.

**1155.13 DEVELOPMENT PLAN REVIEW.**

All uses in a commercial district shall be permitted only after development plans have been reviewed and approved by the Planning Commission according to the procedures set forth in Chapter 1183.