

CHAPTER 153
Neighborhood Commercial Zoning District (C-1)

SECTION:

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153.075 REGULATIONS

The following regulations shall apply in all C-1 districts and shall be subject to the provisions of Section 153.180 through 153.185 of this Title.

153.076 USES PERMITTED

The following uses shall be allowed providing that (a) the use is conducted wholly within an enclosed building or within a six (6) foot high solid uniformly painted fence, and; (b) no operation shall cause an unreasonable amount of noise, odor, dust, mud, smoke, vibration or electrical interference detectable off the site.

(A) Churches (excluding open-air or tent), day care centers, private or vocational schools, and public swimming pools.

(B) Offices, professional and other.

(C) Parking lots

(D) Public or quasi-public utilities and buildings except those listed in Section 153.077(I) of this Title.

(E) Retail sales only when conducted entirely within an enclosed building including:

1. **Appliance (sales and service)**
2. **Bakery (no baking permitted on-site)**
3. **Camera**
4. **Candy (no candy-making on-site)**
5. **China**
6. **Clothing**
7. **Confections**

8. Drapery (sewing and sales)
9. Pharmacy
10. Dry goods
11. Florists
12. Food
13. Groceries
14. Ice dealer (less than 5 tons, sales only)
15. Jewelry (excluding wholesale manufacture)
16. Liquor store
17. News dealer
18. Radio (sales and service)
19. Shoes
20. Stationery
21. Television (sales and service)
22. Variety
23. Other uses which are determined by the Community Development Director to be similar

(F) Service establishments only when conducted entirely within an enclosed building, including bank, barber shop, beauty shop, cafe, clinic (except veterinary), delicatessen, dressmaking, ice cream parlor, launderette, restaurant, tailor and upholstery.

(G) Garage sales as defined in Section 153.003 of this Title.

(H) Signs as allowed in Sections 153.280 through 153.285 of this Title.

(I) Temporary construction building to house tools and equipment or containing supervisory offices in connection with construction projects during active construction on the same property.

(J) Temporary uses such as a circus, carnival, fair or festival provided they meet the following requirements:

1. The use shall be temporary in nature and shall not last more than four days.
2. The organizers of the event shall notify the Police Department of their intentions at least 30 days prior to the scheduled beginning of the event.
3. A business license shall be obtained as required by Section 118-18 of the City Code.
4. Licenses will only be issued to local businesses or shopping centers when conducted on the same property as the business/shopping center or to local non-profit organizations.
5. The use need not be in an enclosed building or fenced.

(K) Home occupations as defined in Section 153.003 and regulated in Title 11 Section 110 when conducted within an existing home.

(L) Accessory buildings normally incidental to permitted uses provided that such buildings are constructed concurrent with, or subsequent to the construction of the permitted use. (Ord. 98-02)

153.077 USES PERMITTED WITH A USE PERMIT

(A) Alcohol treatment center, hospital (including mental and sanitarium).

(B) Bakery or candy store where baked goods or candy are made on the premises.

(C) Borrow pit to a depth of more than 3 feet.

(D) Church (including open-air), fairgrounds, and race track other than as allowed in Section 153.076(J).

(E) Duplex, dwelling group, labor camp, single family dwelling or mobile home park which meets the "Mobile Home Park Standards" as adopted by resolution of the City Council. (Ord. 88-14)

(F) Hobby kennels that meet the following requirements:

1. No more than 10 dogs over 4 months old.
2. All dogs must be owned by the property owner.
3. Kennel must be accessory to existing single family dwelling.

(G) Natural mineral resources, the development of, or exploration for, together with the necessary buildings, apparatus, or appurtenances incidental thereto.

(H) Second hand stores or used merchandise (the sale of secondhand automobiles, wrecked automobiles and junk are prohibited) offered for sale provided that all materials displayed or offered for sale be within an enclosed building. (Ord. 98-02)

(I) Utility facilities including communication equipment buildings and electrical substations, together with the necessary buildings, apparatus or appurtenances thereto.

(J) One mobile home if the following requirements are met:

1. The mobile home shall be clearly secondary to the commercial use of the property.
2. There are no other residences on the property.
3. The mobile home shall not be rented or leased independent of the principal use to which

it is necessary.

4. The exterior of the mobile home shall be compatible with the commercial building(s) on the property.
5. The permit shall be reviewed annually to ensure continued compliance with the provisions of this Title.
6. A finding shall be made that other feasible security measures have been tried and that there is a demonstrated need for additional security.

(K) Apartments, boarding houses, multiple dwelling, dwelling groups and rooming houses provided it is determined that the use will not adversely affect commercial uses in the area and that commercial uses will not adversely affect the proposed use.

(L) Service stations (excluding major repair)

(M) Residential care homes for more than seven persons provided it is determined that the care home will not adversely affect commercial uses in the area and that commercial uses will not adversely affect the proposed care home.

153.078 BUILDING REQUIREMENTS

(A) Height Limit:

1. No structure (excepting conventional television aerials) shall exceed two stories or 35 feet.
2. No fence, hedge, or screen planting (excluding wire fences, and non-solid fences which do not limit visibility as determined by the Planning Director) shall be constructed or permitted to grow in excess of three (3) feet in height within any front yard or side yard of a corner lot.

(B) Building Site Area Required:

1. Minimum area, dwellings:
 - a. For one and two family dwellings - 6000 square feet.
 - b. For each unit in excess of two dwelling units - 2000 square feet, not to exceed 20 units per net acre.
2. Minimum area, commercial uses - Sufficient to provide the minimum yard and parking requirements.
3. Minimum width, interior lot - 55 feet.
4. Minimum width, corner lot - 65 feet.

5. Minimum depth - 100 feet. (Ord. 87-11)

(C) Yards and Open Spaces Required - Single family dwellings, duplexes, and triplexes

1. Front yard and side yard of a corner lot - None except that a building shall not be closer than 10 feet to any street less than 70 feet in width.
2. Side or rear yard, interior lot - None except if the C-1 district abuts an "R" district the side yard shall be 5 feet.
3. Detached accessory buildings - 10 feet from any other buildings on the lot.
4. No vehicle opening of a building shall be closer than 20 feet to the property line or planned right-of-way line towards which the opening faces.

(D) Yards and Open Spaces Required - Uses other than single family dwellings, duplexes, and triplexes

1. Front, side or rear yard - The minimum setbacks shall be as required by Section 153.183(D).
2. Detached accessory buildings - 10 feet from any other buildings on the lot.]
3. No vehicle opening of a building shall be closer than 20 feet to the property line or planned right-of-way line towards which the opening faces.
4. Loading docks shall be so located that trucks will head in and head out and not use the public street for maneuvering, loading and unloading. (Ord. 90-01)

(E) Floor Area Ratio Requirements - Residential Uses:

1. For single story buildings - 0.60:1.0
2. For two story buildings - 0.80:1.0

153.079 DEVELOPMENT STANDARDS

(A) **Nuisances:** No operation shall be conducted on any premises in such a manner as to cause an unreasonable amount of noise, odor, dust, smoke vibration or electrical interference detectable off the site. (Ord. 87-11)

(B) **Screening:** An eight (8) foot high solid, decorative masonry wall shall be constructed along the property line adjacent to any residential zone or any PD zoning for residential use except that no such wall shall be required if said property line abuts an alley. (Ord. 90-01)

(C) **Landscaping:** A landscaping plan for all uses (except single family dwellings, duplexes and tri-

plexes) including plant species, initial size, location, growth characteristics and method of irrigation shall be approved by the Planning Director prior to issuance of any permit. Such required landscaping shall be installed prior to final inspection and shall be maintained by the property owner. Approval shall be based on the degree of compliance with Landscape Standards as adopted from time to time by the City Council. (Ord. 87-11; Amended Ord. 89-22)

(D) **Trash Storage Area.** Trash bins (except single family dwellings, duplexes, or dwelling groups) shall be provided in a fully enclosed trash storage area. This area or areas shall be provided at locations that are readily accessible to residents and sanitation collectors.

(E) **Off-street Parking.** Off-street parking shall be provided as required in Section 10-13-5. A circulation plan for all non-residential uses shall be required for all new development and shall include truck loading and unloading facilities. (Ord. 87-11)

(F) **Open Space Requirements:** All multiple residential uses of two (2) or more dwelling units on one lot shall provide a fenced play ground (or other open space in the case of an adult only facility) of at least fifty (50) square feet per unit with a minimum area of 300 square feet provided regardless of the number of units. This area shall not be a lineal open space but should have a width to depth ratio not exceeding 1:2. Except in very large complexes (more than 50 units) this required open space shall be in one location. (Ord. 89-22)

(G) **Site Plan Review:** Proposals to construct any thing other than a single family dwelling, a duplex, a triplex or a four-plex on a parcel shall be subject to site plan review by the Planning Commission prior to issuance of a building permit. This review shall include, but not be limited to, comparison of the project with the Architectural and Subdivision Design Standards as adopted by the City Council. (Ord. 90-01)