

CHAPTER 10 - "C1" NEIGHBORHOOD COMMERCIAL DISTRICT

Section 10-1. Regulations:

The regulations set forth in this chapter or set forth elsewhere in this zoning ordinance when referred to in this chapter are the regulations in the "C1" Neighborhood Commercial District.

Section 10-2. General Description:

The C1 (Neighborhood Commercial) District is intended to support the establishment of highly limited scale neighborhood commercial centers that offer basic convenience type goods and services to the immediately surrounding residential neighborhoods. It is not intended to permit major commercial or service establishments in such districts nor any automobile service stations. Extension of this district along major streets in a "strip" fashion is not intended and shall be discouraged. Property zoned C1 falls within the Neighborhood Commercial Land Use designation on the Future Land Use Plan.

Section 10-3. Uses Permitted:

- a) Retail businesses, such as general merchandise, groceries, liquor, hardware, and apparel stores; eating and drinking establishments (excluding drive-in and drive-through services and designed to accommodate no more than fifty (50) persons at one time).
- b) Business services, such as banks and other financial institutions, and professional offices.
- c) Personal services, such as barber and beauty shops, photographic studios, laundromats and dry cleaning establishments, tailors.
- d) Repair services, such as radio shops, appliance shops, upholstery shops (not involving furniture manufacturing) and shoe repair shops.
- e) Public/semi-public facilities, such as armories, parks, police and fire stations, telephone exchange buildings, and civic centers.
- f) Professional offices, banks, attorneys, accountants, real estate, and other similar office uses.
- g) Pet shops, limited to cats, dogs, fish and other small animals provided all pets are confined within a building and same do not create an odor, noise or nuisance affecting the adjacent occupants.
- h) Day care centers must show evidence of application for day care center and all appropriate federal, state, and local regulations must be fulfilled.
- i) Temporary/seasonal outdoor sales uses, subject to the following requirements:
 - 1) Sales area may operate between the hours of 7:00 a.m. and 9:00 p.m.
 - 2) A site plan shall be provided illustrating that the location of the temporary/seasonal sales facility meets all required parking lot setbacks, unless otherwise determined by the City.
 - 3) Must be placed on an approved hard surface such as bituminous or concrete.
 - 4) Parking shall be available to those purchasing goods from the temporary/seasonal sales area.
 - 5) Temporary/seasonal sales facilities may not be permanently connected to permanent utilities, including electric, gas, sewer, water, and phone. An exception shall be made for below ground electrical service.

- 6) One (1) temporary banner not exceeding forty (40) square feet may be used in conjunction with the temporary/seasonal sales operation.
- 7) Trash containers shall be provided on site for debris. All waste from the operation shall be properly disposed of.
- 8) Temporary/seasonal sales may occur up to two (2) times a year on a specific property of a business or businesses and no longer than sixty (60) consecutive days with sixty (60) days between events.
- j) Places of Public Assembly
- k) Other uses of similar nature or general character to those specifically permitted in the district.
- l) Essential service structures.

Section 10-4. Conditional Uses:

Within any C1 district, no structure or land shall be used for the following uses except by a conditional use permit:

- a) Antennas, radio, television, cellular towers as regulated by this ordinance.
- b) Buildings in excess of thirty-five (35) feet in height.
- c) Clinic.
- d) Convenience store with fuel sales subject to the following:
 - 1) Motor fuel facilities shall be installed in accordance with State and City standards. Additionally, adequate space shall be provided to access gas pumps and to allow maneuverability around the pumps. Underground fuel storage tanks are to be positioned to allow adequate access by motor fuel transports and unloading operations which do not conflict with circulation, access and other activities on site.
 - 2) A protective canopy located over pump islands may be an accessory structure on the property and may be located twenty (20) feet or more from the front property line, provided adequate visibility both on and off site is maintained.
 - 3) The hours of operation shall be limited to 6:00 AM to 10:00 PM, unless extended by the Council as part of the special use permit.
 - 4) All canopy lighting shall be recessed or fully shielded.
- e) Drive-through uses subject to the following:
 - 1) Location of menu board and location of drive-through stacking shall be approved by the Traffic Engineer.
 - 2) A minimum of six (6) vehicle stacking distance shall be accommodated on site.

Section 10-5. Limitations on Permitted Uses, Conditional Uses and Interim Uses:

The uses permitted in Section 10-3 hereof shall be limited in the following manner:

- a) There shall be no storage of:
 - 1) wares offered for sale or
 - 2) items being repaired or to be used in the course of effecting repairs - unless the storage area and repairs are completely enclosed in a principal structure.
- b) No places of assembly are permitted which are designed to accommodate more than fifty (50) persons at any one time unless the place of assembly constitutes a part of or is associated with a use that is permitted in an R district such as a school or church.

- c) Only parking spaces may be maintained which are incidental to one of the uses set forth in Section 10-3; that is, no parking garages or pay parking lots are permitted.
- d) No uses on premises abutting a local (non-arterial and non-collector) street are permitted which can reasonably be anticipated to generate an annual average daily traffic count in excess of two hundred-fifty (250) vehicles entering or exiting the premises.
- e) No loud or unpleasant noises, bright, or glaring lights, offensive or noxious fumes or odors, or perceptible vibrations may be emitted from the premises.
- f) No building shall exceed ten thousand (10,000) square feet in finished floor area. Buildings are limited to two (2) stories above ground.

Section 10-6. Lot, Height, Area and Yard Requirements:

- a) Maximum height of any building shall not exceed thirty-five (35) feet.
- b) Maximum coverage:
 - 1) Commercial – No limit except as limited by yard requirements and must meet off-street parking requirements.
- c) Minimum yards are as follows:
 - 1) Front – twenty-five (25) feet. If located on a platted or proposed collector or arterial street – fifty (50) feet.
 - 2) Side-street side (corner) and double fronted street side lots twenty-five (25) feet on each street side. If located on a platted or proposed collector or arterial street – fifty (50) feet.
 - 3) Parking lot – ten (10) feet along all public streets.
 - 4) Side – interior side – zero (0) except where the side of the lot adjoins the "AG" District or any "R" district in which case the minimum side yard shall be fifteen (15) feet.
 - 5) Rear – zero (0) except where the rear of the lot adjoins the "AG" District or any "R" district in which case the minimum rear yard shall be twenty-five (25) feet.
 - 6) All yards are subject to the limitations, exceptions and other modifications set forth in Chapter 21.
- d) Minimum lot area – ten thousand (10,000) square feet.
- e) Minimum lot dimensions – one hundred (100) feet
- f) Buffer strips will be required along lot lines adjacent to a more restrictive zoning district according to requirements in Chapter 24.

Section 10-7. Building Design and Materials for C1-District:

All buildings shall be designed to accomplish the goals and policies of the comprehensive plan. Building materials shall be attractive in appearance, of a durable finish, and be of a quality that is compatible and harmonious with adjacent structures. All buildings shall be of good aesthetic and architectural quality to ensure they will maintain and enhance the property values of neighboring properties and not adversely impact the community's public health, safety and general welfare.

- a) Design Elements: All new building fronts and refacing of existing buildings shall include a minimum of three (3) of the following elements:
 - 1) Accent materials that are different from exterior building finishes;
 - 2) A visually pleasing front entry that, in addition to doors, shall be accented a minimum of one hundred-fifty (150) square feet around the door entrance for single occupancy

- buildings and a minimum of three hundred (300) square feet total for the front of multi-tenant buildings (this area shall be counted as one (1) element);
- 3) Twenty-five percent (25%) window coverage on each front that faces a street;
 - 4) Contrasting yet complementary, material colors;
 - 5) A combination of horizontal and vertical design features;
 - 6) Irregular building shapes; or
 - 7) Other architectural features in the overall architectural concept including such things as awnings, eaves, overhangs, various roof lines/profiles, use of columns or posts, enhanced windows or door detail, etc.
- b) **Accent Materials:** Accent materials shall be wrapped around walls visible from public view. Painting shall not be substituted for visual relief, accenting, or a required element. No wall shall exceed one hundred (100) feet in length without visual relief. "Visual relief" may be defined as the incorporation of design features such as windows, horizontal and vertical patterns, contrasting material colors, or varying wall depths. Use of fiber cement trim, soffit and fascia shall be allowed as accent materials.
- c) **Exterior Building Finishes:**
- 1) The exterior building façade finishes of any façade viewable from a street or parking lot shall consist of materials comparable in grade and quality to the following list. A minimum of two (2) shall be used:
 - a. Brick.
 - b. Natural stone.
 - c. Integral colored split face (rock face) concrete block.
 - d. Cast in place concrete or pre-cast concrete panels (not to include raked or plain finish).
 - e. Wood, provided the surfaces are finished for exterior use or wood of proven exterior durability is used, such as cedar, redwood, or cypress.
 - f. Architectural metal (limited to thirty-five percent (35%) of surface of any building wall) with semi or fully concealed fasteners provided such panels are factory fabricated and finished with a durable non-fade surface and their fasteners are of a corrosion resistant design.
 - g. Glass curtain wall panels.
 - h. Stucco, EFIS (Engineered Finishing Insulation System).
 - i. Other materials determined as acceptable by the Planning Director.
 - 2) Side and rear elevations not viewable from a street or parking lot shall be permitted to use one material within this façade(s) provided no wall shall exceed one hundred (100) feet in length without visual relief.
 - 3) Any exposed metal or fiberglass finish shall be limited to thirty-five percent (35%) of the surface of any building wall. Any metal finish utilized in the building shall be a minimum of twenty-six (26) gauge steel. All sides of the principal and accessory structures are to have essentially the same or coordinated, harmonious exterior finish materials and treatment.
- d) **Building and Roofing Materials:** All building and roofing materials shall meet current accepted industry standards, and tolerances, and shall be subject to review and approval by the Planning Director for quality, durability, and aesthetic appeal.
- e) **Trash and Recyclable Materials:** All trash and recyclable materials and handling equipment shall be stored within the principal structure or stored within an accessory structure

constructed of building materials compatible with the principal structure, maintenance free or composite materials or a steel sub-structure wrapped with composite material that matches the principal building. Wood or Chain link fencing with and/or without slats is not a permitted enclosure material. The structure shall have a swinging doors or an overhead door on tracks with a person door provided.

- f) Utilities: The view of all rooftop equipment and related piping, ducting, electrical and mechanical utilities shall be camouflaged through placement on the roof; or screened from the ground level view. Screening may include parapet walls, penthouses, or other architecturally integrated elements. Wood fencing or chain-link with slats shall not be used for screening.

The term "ground level view" for this provision shall be defined as the view of the front entrance from the property line from the main floor elevation. If abutting perimeter property lines are higher than ten (10) feet above the finished floor elevation of the building, rooftop screening is not required. A ground level view perspective plan shall be provide demonstrating how rooftop units will be screened from view.

- g) External Loading and Service Areas: External loading and service areas must be one hundred percent (100%) screened from the ground level view from contiguous residential or commercial properties and adjacent streets, except at access points.
- h) Additions, Alterations to existing Buildings:
 - 1) A one-time building addition of twenty-five percent (25%) or less of the existing floor area does not have to comply with the standards of this Section after adoption of the ordinance. For any building addition of more than twenty-five percent (25%) of the existing floor area, but less than fifty percent (50%) of the area, the addition shall comply with the standards of this Section.
 - 2) When an existing building is expanded over fifty percent (50%) but below seventy-five percent (75%) of the existing square footage the building addition plus the existing building area shall meet the standards of this Section with an enhanced entry or building accenting added to the existing portion to bring the existing building closer to conformance.
 - 3) When an existing building is completely refaced or building remodeled over seventy-five percent (75%) of the existing square footage the building, the addition plus the existing building area shall meet the standards of this Section.