

§ 152.020 HIGHWAY COMMERCIAL DISTRICT (H-C DISTRICT).

(A) *Purpose.* This district is intended to provide for those commercial uses which are appropriate to major thoroughfare or highway locations, and are dependent upon thoroughfare travel, and for those establishments that require large land areas.

(B) *Uses permitted outright.* The following uses are permitted in the H-C District:

- (1) Any commercial enterprise conducted in accordance with the provisions of this section;
- (2) Accessory uses and buildings customarily appurtenant to a permitted use, or approved conditional use, such as incidental storage are permitted;
- (3) Government facilities;
- (4) Rest stops or waysides; and
- (5) Urban farming, gardening, horticulture, field crops, orchards, berries, nursery or flower stock and other agricultural uses for subsistence or commercial purposes, as described in § 152.051;

(C) *Conditional use.* The following conditional uses may be permitted subject to a conditional use permit as per § 152.071:

- (1) Apartments;
- (2) A caretaker's dwelling, accessory or incidental to a use on the subject property;
- (3) Manufactured dwelling parks subject to the requirements of § 152.051; and
- (4) Recreational vehicle parks subject to the requirements of § 152.051.

(D) *Height regulations.* No building or structure shall be hereafter erected, enlarged or structurally altered to exceed a height of 45 feet. For exceptions, see § 152.050(C).

(E) *Lot, site development and building design requirements.* The following lot requirements and design standards shall be observed and apply to all new development.

(1) *Building sites.*

(a) *Size and shape.* The size, shape, width and orientation of building sites shall be appropriate for the type of development and use contemplated, and shall be consistent with the lot size provisions as per site plan review.

(b) *Lot and parcel side lines.* The lines of lots and parcels, as far as practicable, shall run at right angles to the street upon which they face, except that on curved streets they shall run radial to the curve.

(2) *Site and building design.* The following site and building design standards are required.

(a) Buildings and their entrances shall be oriented towards the street for pedestrian circulation, safety and crime prevention except if conditions such as lot size, shape, topography or other circumstances over which the applicant has no control apply to the property.

(b) Unless otherwise provided, required parking and loading spaces may be located in a required front yard where parking and loading may occur in all but the first ten feet of yard area from

any public right-of-way. Parking spaces may be located within a required side or rear yard.

(c) Garages accessed by the alley may be provided for attached housing, duplexes, triplexes and fourplexes to reduce the dominance of the garage and automobile presence on the property, and improve attractive and pedestrian-friendly streetscapes.

(d) Alleys are encouraged in new development. Alleys may be provided under recorded access easements and do not count against required minimum lot area.

(e) Permanent solid waste containers and receptacles shall be screened away from public view.

(f) Address numbers on buildings are oriented towards the street for clear identification of the building.

(g) Pedestrian and bicycle access and circulation:

1. *Continuous pathways.* The pathway system shall extend throughout the development site, and connect to all future phases of development, adjacent trails, public parks and open space areas whenever possible. The developer may also be required to connect or stub pathway(s) to adjacent streets and private property, in accordance with the provisions of this Development Code.

2. *Safe, direct and convenient pathways.* Pathways within developments shall provide safe, reasonably direct and convenient connections between primary building entrances, and all adjacent streets.

3. *Pathway connectivity.* Pathways (for pedestrians and bicycles) shall be provided at or near mid-block where the block length exceeds the length required by street standard of § 152.052. Pathways shall also be provided where cul-de-sacs or dead-end streets are planned, to connect the ends of the streets together, to other streets and/or to other developments as per cul-de-sac standards of § 152.051. Pathways used to comply with these standards shall conform to all of the following criteria:

a. Multi-use pathways (i.e., for pedestrians and bicyclists) are no less than six feet wide and located within a ten foot right-of-way or easement that allows access for emergency vehicles; and

b. If surrounding streets are lighted, pathways shall also be adequately lit.

(F) *Signs.* As per § 152.055.

(G) *Access requirements.* Access requirements will be determined on the basis of the traffic capacity analysis as per § 152.052, and the city's Transportation System Plan.

(H) *Off-street parking and loading.* Off-street parking and loading space shall be provided as required in § 152.054.

(I) *Other required conditions.*

(1) All business, service, repair, processing, storage or merchandise display on property abutting or across the street from a lot in an R-7.5, R-5.0 or R-O District shall be conducted wholly within an enclosed building unless screened from the "R" District by a sight-obscuring fence or wall not less than six feet nor more than eight feet in height. Said fence or wall shall not extend into a required front yard area.

(2) Motor vehicle, boat or trailer rental, sales or storage lot shall be drained and surfaced with rock or pavement, except in those portions of the lot maintained as landscaped areas.

(3) Solid waste containers and receptacles shall be screened and away from public view.

(4) Separate stores, shops, businesses, offices or establishments owned and/or operated separately which are parts of shopping mall or shopping center concept or complex may only contain permitted uses as defined in this section.

(5) The emission of disturbing vibrations or of unpleasant odorous gases or matter in such quantity or at such amplitude as to be readily detectable at any point beyond the property line of the use creating the vibrations or odors is prohibited.

(6) All uses in the H-C District shall be carried on in such a manner that they do not create smoke, gas, odor, dust, sound, vibration, soot, heat, glare or lighting to a degree which might be obnoxious or offensive to persons residing in or conducting business in this or any other district.

(7) All conditional use permits are required to be taken through the site plan review process as listed in § 152.071.

(8) New development or substantial remodel is subject to the site development standards and requirements as listed in § 152.052, the design and landscaping standards as listed in § 152.053 and the site plan review process as listed in § 152.070.

(9) All alterations of non-conforming uses or structures are required to be taken through the review process as described in § 152.073.

(Ord. 1285, passed 3-3-2014; Ord. 1335, passed 7-2-2018) Penalty, see § 152.999