

## CHAPTER 17.160

### COMMERCIAL DEVELOPMENT MIXED USE DISTRICT C-D

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**17.160.010: PURPOSE:**

To provide areas in appropriate locations where a mixed use of businesses, commercial, entertainment and related activities may be established and maintained. (Ord. 07-30 § 2)

**17.160.020: PERMITTED USES:**

A. All uses and structures contained herein are listed by number as designated in the standard land use code published and maintained by the planning department.

B. The following uses are permitted in the C-D zone:

Use No.	Use Classification
1113	Single-family dwelling, attached to nonresidential.
2772	Bookbinding and miscellaneous related work (library bookbinding only).
4700	Communications.
4800	Utilities (lines and right of way only).
5220	Heating and plumbing equipment.
5230	Paint, glass, and wallpaper.
5240	Electrical supplies.
5251	Hardware.
5254	Janitorial supplies.
5255	Building maintenance materials.
5256	Swimming pool supplies.
5310	Shopping centers/department stores.
5320	Mail order houses.
5330	Variety stores.
5390	Retail trade - general merchandise.
5400	Food stores (except 5412).
5600	Apparel and accessories.
5700	Furniture, home furnishings, and equipment.
5810	Eating places.
5910	Drug and proprietary.
5913	Medical cannabis pharmacy.
5940	Books, stationery, art, and hobby supplies.
5950	Sporting goods, bicycles, and toys.

5970	Jewelry.
5984	Ice dealers (automated machines or pick up stations only).
5990	Miscellaneous retail trade.
6100	Finance, insurance, and real estate services (except 6112, 6123, 6124, 6141 - surety bail bonding only).
6213	Dry cleaning.
6216	Self-service laundries.
6218	Rug cleaning and repair.
6220	Photographic services.
6230	Beauty and barber services.
6250	Apparel repair, alteration, and cleaning, shoe repair services (except 6256).
6291	Clothing rental.
6292	Costume rental.
6296	Massage therapy.
6299	Other personal services.
6310	Advertising services (office only).
6320	Consumer credit reporting services.
6330	Duplicating, mailing, stenographic, and office services.
6340	Dwelling and building services (6342, 6345 office only).
6350	News syndicate services.
6360	Employment services.
6390	Business services (except 6394, 6397).
6493	Watch, clock, jewelry repair, engraving.
6496	Locksmiths and key shops.
6498	Saw, knife, and tool sharpening.
6499	Miscellaneous small item repair.
6500	Professional services (except 6513, 6516).
6600	Contract construction services (office only).
6700	Governmental services (except 6714, 6740, 6750, 6770).
6814	Charter school.
6817	Residential facility for the disabled.
6900	Miscellaneous service organizations.
8224	Pet grooming.

C. Accessory buildings which are customarily used in conjunction with and are incidental to the principal uses and structures allowed in the C-D Zone.

(Ord. 19-37 § 4: Ord. 07-40 § 3: Ord. 07-30 § 2)

**17.160.030: CONDITIONAL USES:**

The following uses and structures are permitted in the C-D Zone only after a conditional use permit has been approved by the Planning Commission and subject to the terms and conditions thereof:

Use No.	Use Classification
1113	Single-family dwelling, attached to nonresidential.
1210	Bed and breakfast homestay and inn, rooming and boarding houses (subject to meeting the requirements of the R-M-25 Zone).
1210.1	Supervised youth group home.
1241	Retirement homes, independent living or congregate care (subject to meeting the area, height and yard requirements of the R-M-25 Zone).
1511	Hotels.
1512	Motels.
2710	Newspaper publishing and printing.

2742	Commercial printing (only related to retail sales of printed products).
3920	Manufacture of musical instruments (handmade orchestral stringed instruments: violins, violas, cellos and string basses).
4100	Railroad, rapid rail transit, and street railway transportation.
4210	Bus transportation (except 4214).
4290	Motor vehicle transportation.
4600	Automobile parking.
4800	Utilities (except lines and right-of-way).
4923	Travel arranging services (travel agencies).
5120	Drugs, chemicals, and allied products (except 5123, 5129).
5130	Dry goods and apparel.
5140	Groceries and related products.
5160	Electrical goods.
5170	Hardware, plumbing, heating equipment, and supplies.
5181	Commercial and industrial machinery, equipment, and supplies.
5183	Professional equipment and supplies.
5184	Equipment and supplies for service establishments.
5186	Office machinery, equipment, and accessories.
5189	Other machinery, equipment, and supplies.
5196	Paper, paper products, and kindred supplies.
5197	Furniture - commercial home furnishings.
5198	Lumber and construction materials (no outside storage).
5199	Other wholesale trade.
5211	Lumberyards (no outside storage).
5212	Building materials (no outside storage).
5313	Surplus stores (no outside storage).
5340	Merchandise vending machine operators.
5350	Direct selling organizations.
5412	Convenience store (7-11, Circle K type facilities).
5510	Motor vehicle sales.
5520	Automobile accessories (except tire recapping and vulcanizing).
5530	Service stations.
5590	Automotive, marine crafts, and accessories.
5820	Drinking places.
5920	Liquor, package (State store).
5930	Antiques and secondhand merchandise (except 5935, 5939).
5960	Garden supplies.
6112	Check cashing.
6123	Pawnbrokers.
6124	Bail bonds.
6141	Surety bail bond.
6241	Funeral home.
6256	Locker clubs.
6294	Escort services.
6295	Tattooing.
6297	Reiki business (or other similar business/establishment).
6299	Personal services (wedding chapels and reception centers only).
6342	Disinfecting and exterminating.
6345	Sewer maintenance.
6381	Auction house.
6394	Equipment rental and leasing services.

6397	Automobile, truck, and trailer rentals.
6410	Automobile repair services (except 6412 and 6419.1).
6420	Electrical appliance repair.
6494	Furniture repair.
6497	Gunsmiths.
6510	Medical and other health services (except 6516, pertaining to skilled nursing, convalescent, and rest home facilities).
6516	Skilled nursing, convalescent and rest home facilities. (Does not include asylums.)
6516.1	Assisted living facilities.
6800	Educational services.
7100	Cultural activities and nature exhibitions.
7211	Amphitheaters.
7212	Motion picture theaters (indoor).
7213	Drive-in movies (outdoor theaters).
7214	Legitimate theaters.
7219	Other entertainment assembly.
7220	Sports assembly (except 7223, 7224).
7230	Public assembly.
7391	Penny arcades and other coin operated amusements.
7392	Miniature golf.
7394	Go-cart tracks.
7395	Card rooms.
7396	Dance halls, ballrooms.
7397	Billiard and pool halls.
7398	Auto racing, miniature.
7399	Other amusements, NEC. (Trampoline pits only.)
7414	Ice skating.
7415	Roller skating.
7417	Bowling alleys.
7419	Other sports activities.
7425	Gyms, athletic clubs, spas.
7451	Archery range (indoor only).
7452	Pistol and rifle range (indoor only).
7490	Recreation.
7606	Parks.
8121	Indoor farming. Includes crops grown wholly indoors for commercial distribution to other locations and/or retail sale on site.
8221	Veterinarian services (providing operation is completely enclosed within an air conditioned building).
8222	Animal hospital services.

(Ord. 19-20: Ord. 16-41: Ord. 16-23)

**17.160.040: AREA, WIDTH, FRONTAGE AND YARD REGULATIONS:**

None, except twenty feet (20') to the boundary line of any Residential District or to the right-of-way line of any dedicated street. (Ord. 07-30 § 2)

**17.160.050: FRONT YARD:**

A. The minimum depth of the front yard for main buildings shall be twenty feet (20'). The first ten feet (10') of property except for drive approaches shall be landscaped as herein specified. Covered and unenclosed outdoor dining areas for eating or drinking establishments may be allowed to encroach up to ten feet (10') if the Planning Commission finds that the proposed outdoor dining area meets the following criteria:

1. Architecturally compatible with the form, materials and colors of the main building;
2. Does not result in a violation of minimum parking requirements;

3. Does not negatively impact vehicular or pedestrian safety;
4. Does not impede access to adjoining or nearby properties; and
5. Maintains or provides the required ten feet (10') of landscaped setback as herein specified.

B. For main buildings fronting on State Street between 4600 South and 4800 South the front yard setback shall be either zero feet (0') (no setback) or a minimum of ten feet (10'). In the case of a setback of ten feet (10'), landscaping, plaza or courtyard elements shall be required as provided in subsection 17.160.100A1 of this chapter. (Ord. 19-12: Ord. 11-05)

**17.160.060: HEIGHT REGULATIONS:**

A. Height: The height of a structure located within one hundred feet (100') of the nearest boundary of a Residential Zone District may not exceed thirty five feet (35'). Beyond one hundred feet (100'), the building height may increase one foot (1') of height for each additional four feet (4') of setback from the Residential Zone District.

B. Measurement Of Distances:

1. For purposes of this section, the width of public or private roadways shall be included in computing setback distances. For example, if a roadway is located on the boundary of a Residential Zoning District, the measurements required under this section shall be made from the property line of that roadway which is nearest the residential use or zone. Otherwise, the measurement shall be made from the Residential Zoning District boundary.

2. Setback distances to structures located pursuant to this section shall be measured from the nearest Residential Zoning District boundary, except as otherwise provided in this section, to the nearest exterior wall of the structure.

C. Authority: Nothing in this section shall be construed to limit the authority of the Planning Commission to review building materials, design elements and other aesthetic considerations as it deems proper to mitigate or modify the visual impact of the height of buildings upon surrounding land uses.

D. Decision Of Building Official: The City building official shall determine the height of a building under this section. That decision is deemed to be an administrative decision and may be appealed to the Appeal Authority as provided in this title. (Ord. 14-10: Ord. 07-30 § 2)

**17.160.070: DESIGN REVIEW AND APPROVAL:**

All main buildings and structures require site and architectural plan review and approval from the Planning Commission. (Ord. 07-30 § 2)

**17.160.080: REFUSE CONTAINERS ENCLOSED:**

All refuse container areas shall be enclosed by a solid barrier fence not to exceed eight feet (8') in height. (Ord. 07-30 § 2)

**17.160.090: PARKING REGULATIONS:**

A. When the office uses or net usable square footage is unknown, off street parking will be calculated at one parking stall for each two hundred (200) square feet of net office area or retail floor area.

B. All medical, dental and related office uses will require one off street parking stall for each two hundred (200) square feet of net usable office area.

C. All other office uses will be calculated at the ratio of four (4) off street parking stalls for each one thousand (1,000) square feet of net usable floor area or as determined by the Planning Commission.

D. Retail use parking shall be calculated at the rate of one parking space for each two hundred (200) square feet of net floor area.

E. Off street parking will not be permitted in any fire lane, aisle space or front yard setback areas except as allowed by this chapter. (Ord. 07-30 § 2)

**17.160.100: LANDSCAPING REGULATIONS:**

A. 1. Ten feet (10') of landscaping shall be required along all frontage areas not occupied by drive accesses.

2. For buildings fronting on State Street between 4600 South and 4800 South that have a setback of ten feet (10'), landscaping, plaza or courtyard elements are required and shall be approved by the Planning Commission or Community and Economic Development Department.

B. All landscaping must be sprinkled and planted with substantial live plant material for the purpose of buffering, screening and beautifying the site. At plant maturity the landscaping should represent, as a minimum standard, compatibility with surrounding developed properties and uses and must be permanently maintained by the owner or occupants.

C. Landscaping adjacent to residential zoning will require a minimum buffer of ten feet (10').

D. Landscaping adjacent to off street parking within the yard area will require a minimum landscaped area of five feet (5') providing it does not abut residential zoning.

E. Landscaping shall also be installed in all park strips to the same standards as other on site landscaping.

F. Approved landscaping must cover a minimum of ten percent (10%) of the development site. (Ord. 11-05)

**17.160.110: FENCING REGULATIONS:**

Where the site abuts a Residential Zone, a six foot (6') high solid masonry wall shall be located along the property line and be in compliance with the City Fencing Ordinance. (Ord. 07-30 § 2)