

## Sec. 35-229. CN Neighborhood Commercial.

### Sec. 35-229.1. Purpose and Intent.

The purpose of the Neighborhood Commercial district is to provide areas within residential neighborhoods for local retail businesses to serve the daily needs for food, drugs, gasoline, and other incidentals of residents in the immediate area. The intent is to provide local-serving commercial establishments while preserving the residential character of the area.

### Sec. 35-229.2. Processing.

1. No permits for development, including grading, shall be issued except in conformance with Sec. 35-314. (Land Use Permits).
2. Prior to the issuance of any Land Use Permit for buildings and structures which total 5,000 or more square feet in gross floor area, a Final Development Plan shall be approved as provided in Sec. 35-317. (Development Plans).
3. Prior to the issuance of any Land Use Permit for buildings or structures, all final plans of buildings and structures shall be approved by the Board of Architectural Review, as provided in Sec. 35-329. (Architectural Review).

### Sec. 35-229.3. Permitted Uses.

1. Retail stores, shops, or establishments supplying commodities to meet the day-to-day needs of residents in the neighborhood, such as a food market (less than 3,000 square feet of net floor space), liquor store, prescription pharmacy, delicatessen, pizza take-out, flower shop, furniture store, hardware store, hobby shop, and ice cream shop. *(Amended by Ord. 3989, 2/21/92)*
2. Repair and service uses such as dry cleaner sub-station, small appliance repair, barber shop, beauty parlor, shoe repair, and tailor. *(Amended by Ord. 3989, 2/21/92)*
3. Christmas tree sales. *(Amended by Ord. 3989, 2/21/92)*
4. ~~Non-Residential Child Care Center, pursuant to Section 35-292a.3. *(Added by Ord. 4379, 11/16/99)*~~
5. Any other light retail business use which the Planning Commission finds is of similar character to those enumerated in this Section and is not more injurious to the health, safety, or welfare of the neighborhood because of noise, odor, dust, vibration, traffic congestion, danger to life and property, or other similar causes.

### Sec. 35-229.4. Uses Permitted with a Major Conditional Use Permit.

*(Retained for future use)*

### Sec. 35-229.5. Uses Permitted with a Minor Conditional Use Permit.

1. Residences, provided the residential use is secondary, as defined in DIVISION 2, DEFINITIONS, to a primary commercial use on the same lot.

2. Sale of produce from a temporary stand. *(Amended by Ord. 3578, 07/14/86)*
3. Automobile service station. *(Amended by Ord. 3989, 2/21/92)*
4. Drive-thru photo film processing service. *(Amended by Ord. 3989, 2/2/92)*

**Sec. 35-229.6. Minimum Lot Size.**

None.

**Sec. 35-229.7. Setbacks for Buildings and Structures.**

1. Front:
  - a. Fifty (50) feet from the centerline and twenty (20) feet from the right-of-way line of any public street.
2. Side:
  - a. Five (5) feet.
  - b. On corner lots, the side yard along the side street shall conform to the front yard provisions of this district.
3. Rear:
  - a. Ten (10) percent of the depth of said lot, but in no case shall the rear yard setback be required to exceed ten (10) feet.
  - b. In addition, for any lot that has a rear boundary which abuts a lot zoned residential, the required rear yard setback shall be not less than twenty-five (25) feet.

**Sec. 35-229.8. Distance Required Between Buildings on the Same Building Site.**

None, except that residential buildings shall have a minimum distance of five (5) feet from any other detached building on the same building site. *(Amended by Ord 3793, 01/09/90)*

**Sec. 35-229.9. Lot Coverage.**

Not more than thirty (30) percent of the net area shall be occupied by buildings and structures.

**Sec. 35-229.10. Height Limit.**

No building or structure shall exceed a height of thirty-five (35) feet.

**Sec. 35-229.11. Parking.**

As provided in DIVISION 6, PARKING REGULATIONS.

**Sec. 35-229.12. Landscaping/Screening.**

1. A landscape plan shall be submitted to and approved by the Planning and Development Department. All parking areas shall be landscaped as required under DIVISION 6, PARKING REGULATIONS. *(Amended by Ord. 3794, 01/09/90)*
2. Along each side or rear boundary abutting a residential district there shall be provided a minimum five (5) foot wide landscaped area and an ornamental wall not less than five (5)

feet in height extending to within twenty (20) feet of the street right-of-way line of existing or proposed streets. Said wall shall be reduced in height to three (3) feet along that portion located within the front setback.

*Sec. 35-229.13. Additional Requirements.*

1. All uses shall be conducted wholly within a completely enclosed building except for service stations or other outdoor uses when appropriately screened and as approved by the Planning Commission or Director.
2. Areas for trash or outdoor storage shall be enclosed and architecturally screened in such a manner as to conceal all trash or stored material from public view.

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