

Sec. 35-224A. C-1 Limited Commercial.

(Added by Ord. 4145, 2/8/94; amended by Ord. 4319, 6/23/98)

Sec. 35-224A.1. Purpose and Intent.

The purpose of the C-1 zone district is to provide areas for commercial activities, including both retail businesses and service commercial activities, that serve the local community. This zone district allows diverse uses, yet restricts the allowable uses to those that are also compatible with neighboring residential land uses in order to protect such uses from any negative impacts such as noise, odor, lighting, traffic, or degradation of visual aesthetic values.

Sec. 35-224A.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 exceed 5,000 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. (Board of Architectural Review.)

Sec. 35-224A.3. Permitted Uses.

1. Retail stores, shops or establishments supplying commodities for residents in the surrounding neighborhood, provided that such enterprises are conducted entirely within an enclosed building, such as bakeries, ice cream shops, grocery and liquor stores, hardware and appliance stores, clothing and shoe stores, sporting goods stores, pet shops, prescription pharmacies, florist shops, automobile accessory stores, garden supply stores and other similar uses, but not including uses which are incompatible with their adjoining residential uses due to noise, glare, odor and hazardous material concerns, such as amusement enterprises, miniature golf courses, automobile and machinery sales or service establishments, music recording studios, pool supply stores or car washes.
2. Service uses conducted entirely indoors such as laundry, laundromats, dry-cleaning substations, barber shops, beauty parlors, shoe repair and tailor shops, photography studios, radio and repair shops, physical fitness studios, and other similar uses.
3. Restaurants and cafes, including outdoor restaurant, cafe or tea room.

4. Financial institutions such as banks, excluding corporate offices, and savings and loan offices and general business offices which would serve the neighborhoods, such as real estate offices and general practitioners' offices, but not including trade or business schools.
5. Retail Plant nurseries.
6. Community non-profit recycling facility.
7. Child Care Facilities.
8. Single Family Residence, on a lot where there is no commercial use, subject to the regulations set out in Section 35-224.6, Minimum Lot Size, and in Section 35-219 (R-1/E-1). (Amended by Ord. 4319, 6/23/98)
9. On lots where commercial uses are present, residential uses that are secondary to the primary commercial use.
10. Any other uses which the Planning Commission determines to be similar in character to those enumerated in this section and not more injurious to health, safety, or welfare of the neighborhood because of noise, odor, dust, smoke, or vibration.
11. Accessory uses, buildings and structures which are customarily incidental to any of the above uses provided:
 - a. There shall be no manufacture, assembly, processing, or compounding of products other than such as are customarily incidental or essential to retail establishments.
 - b. Such operations are not injurious to the health, safety, or welfare of the neighborhood because of noise, odor, dust, smoke, vibration, danger to life and property, or other similar causes.

Sec. 35-224A.4. Uses Permitted with a Major Conditional Use Permit.

1. Small animal hospitals, provided all animals are kept within a completely enclosed, ~~soundproofed building designed to eliminate outdoor odor and reduce the level of noise~~ from such animals to the extent that adjacent residential properties will not be adversely affected in any way by noise or odors.
2. Hotels and Motels.

Sec. 35-224A.5. Uses Permitted with a Minor Conditional Use Permit.

1. Automobile service station, provided no gasoline is stored above ground.
2. Sales of fresh fruit, vegetables, and flowers from a motor vehicle or stand not affixed to the ground.
3. Community Center.

Sec. 35-224A.6. Minimum Lot Size.

1. None, except for parcels where residences are the only use and in those instances the minimum lot size shall be 7,000 square feet per unit.

Sec. 35-224A.7. Setbacks.

1. Front: Thirty (30) feet from centerline and fifteen (15) feet from right-of-way. Open canopies, porches, and similar unenclosed structures may extend to within five (5) feet of the public right-of-way.
2. Side: Ten percent of the width of the lot but no less than five (5) feet and no greater than ten (10) feet.
3. Rear: Ten (10) percent of the depth of the lots, but in no case shall the rear setback be required to exceed ten (10) feet; except that for any lot having a rear boundary abutting a lot zoned for residential uses, the required rear yard setback shall be no less than twenty-five (25) feet.

Sec. 35-224A.8. Distance Required Between Buildings on the Same Building Site.

None, except that buildings devoted wholly or partially to a residential use shall have a minimum distance of five (5) feet from any other detached building on the same building site.

Sec. 35-224A.9. Height Limit.

1. No building or structure shall exceed 35 feet to the highest point of roof.

Sec. 35-224A.10. Parking.

As required in DIVISION 6, PARKING REGULATIONS, except that required parking spaces may be provided in publicly owned parking lots of legally constituted Parking Districts as long as the spaces provided are within a distance of no greater than 500 feet as measured along streets, not alleys, from the property line, subject to approval of the availability of the parking spaces by the Parking District Governing Board and the Director.

Sec. 35-224A.11. Landscaping.

1. Along each side abutting a residential district, there shall be provided a minimum 5-ft-wide landscaped area. In addition, a minimum of 15 feet in width from the street right-of-way shall be landscaped.
2. For developments not requiring a Development Plan, a landscape plan shall be approved by the Planning and Development Department and installation and maintenance guaranteed by performance securities as set forth in Section 35-289. (Landscape Plan).

3. All parking areas shall be landscaped as required under DIVISION 6, PARKING REGULATIONS.

Sec. 35-224A.12. Storage.

Areas for trash or outdoor storage shall be enclosed and screened in such a manner as to conceal all trash or stored material from public view

[Faint, illegible text, likely bleed-through from the reverse side of the page]