

Chapter 18.34

C-2 GENERAL BUSINESS DISTRICT and CP-2 PLANNED GENERAL BUSINESS DISTRICT

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18.34.010 Statement of Intent

The zoning of property as C-2, General Business District, or CP-2, Planned General Business District, is intended to provide for development of a variety of general commercial uses. Limited outside storage and display of merchandise is permitted in these districts as an accessory to the principal use. The C-2 and CP-2 districts would be appropriate for development of most shopping centers.

The CP-2, Planned General Business District, is intended specifically for development of commercial uses or shopping centers in areas which are sensitive because of adjoining residential land uses or features. In addition, the CP-2 district allows development of uses with drive-in or drive-through service with appropriate restrictions. (Ord. 02-54 § 2, 2002)

18.34.020 Permitted Uses

No building, structure, land or premises shall be used, and no building or structure shall hereafter be erected, constructed, reconstructed, moved or altered except for one (1) or more of the uses set forth herein, or similar uses, in accordance with the Use Matrix in Chapter 18.76, subject to all applicable development and performance standards.

A. Uses permitted by right:

1. The following uses shall be permitted in the C-2 district subject to the performance standards of Section 18.34.040:
 - a. All uses permitted by right in District C-O and C-1 subject to the applicable development and performance standards.
 - b. Auto supply (parts) stores -- retail.
 - c. Automotive services, except repairs and car washes.
 - d. Catalog and mail order houses.
 - e. Cemeteries, funeral services, crematories and mortuaries.
 - f. Depository institutions with drive-through lanes.
 - g. Drinking places (alcoholic liquor and cereal malt beverages).
 - h. Eating places, including drive-through and drive-in service.
 - i. Electrical repair shops.
 - j. Fuel dealers -- retail.
 - k. Gasoline service stations.
 - l. General merchandise stores -- retail.

- m. Health and allied services, not elsewhere classified.
 - n. Hotels, motels, rooming houses, camps and other lodging places.
 - o. Individual and family social services.
 - p. Indoor tennis, racquetball, soccer and other athletic facilities.
 - q. Insurance offices with one-bay automobile damage assessment area.
 - r. Job training and vocational rehabilitation services.
 - s. Liquor stores.
 - t. Motion picture theaters (except drive-in).
 - u. Retail nurseries, lawn and garden supply stores with no outdoor storage or display except within a confined area.
 - v. Reupholstering and furniture repair.
 - w. Services, not elsewhere classified.
 - x. Single-bay car washes which are accessory to a gasoline sales/convenience store use.
 - y. Social services, unclassified.
 - z. U.S. Post offices.
 - aa. Used merchandise stores -- retail.
 - bb. Veterinary clinics, small animal hospitals, dog kennels without outside runs.
 - cc. Vocational schools.
 - dd. Watch, clock and jewelry repair.
2. The following uses shall be permitted in the CP-2 district subject to the performance standards in Section 18.34.060:
- a. All uses permitted by right in the C-2 district subject to the applicable development and performance standards.
 - b. Automobile parking lots and structures (freestanding).
 - c. Automotive repair and maintenance shops.
 - d. Colleges, universities, professional schools and junior colleges (public or private).
 - e. Hospitals.
 - f. Specialty outpatient facilities, not elsewhere classified.
- B. Conditionally permitted uses: The following uses shall be permitted, subject to compliance with applicable conditions:
- 1. Accessory uses, subject to the provisions of Chapter 18.56.
 - 2. Temporary sales and events subject to the provisions of Section 18.54.040.
 - 3. Outdoor play areas for child day-care services, subject to site plan approval by the City Planner.
 - 4. Eating places with outdoor service areas, subject to site plan approval by the City Planner.

- C. Special uses: As specified in the Use Matrix, Chapter 18.76, or Chapter 18.54, special Uses, may be permitted with a special use permit obtained pursuant to the provisions of Chapter 18.12, Applications and Procedures. (Ord. 02-54 § 2, 2002)

18.34.030 Height and Area Regulations for C-2 Developments

The maximum height of buildings and structures, the minimum district size, setbacks for buildings and parking/paving, maximum floor area ratio and minimum landscaped open space ratio shall be as follows, except as otherwise provided in Chapter 18.58, Height and Area Exceptions:

- A. Minimum district size -- ten (10) net acres, except where adjoined by land zoned C-O through M-3, inclusive.
- B. Maximum height -- three (3) stories, not exceeding forty (40) feet from finished grade.
- C. Minimum setbacks:
1. Buildings:
 - a. Forty (40) feet from arterial street right-of-way and fifteen (15) feet from other street right-of-way.
 - b. A minimum of forty (40) to fifty (50) feet from property lines adjoining land zoned AG through TN, inclusive, depending upon existing topography and vegetation, the size of development, building size and land uses. Additional setback may be required in accordance with adopted buffer design guidelines.
 - c. Properties in the "Original Town" adjacent to land zoned AG through TN, inclusive, shall be determined as part of site and development plan review and approval in accordance with the provisions of Chapter 18.12, Applications and Procedures.
 - d. Ten (10) feet from property lines adjoining land zoned C-O through M-3, inclusive.
 2. Parking/paving:
 - a. Fifteen (15) feet from street right-of-way.
 - b. A minimum of twenty (20) to thirty (30) feet from property lines adjoining land zoned AG through TN, inclusive, depending upon existing topography and vegetation, the size of development, building size and land uses. Additional setback may be required in accordance with adopted buffer design guidelines.
 - c. Properties in the "Original Town" adjacent to land zoned AG through TN, inclusive shall be determined as part of site and development plan review and approval in accordance with the provisions of Chapter 18.12, Applications and Procedures.
 - d. Ten (10) feet from property lines adjoining land zoned C-O through M-3, inclusive.
 3. The Planning Commission may allow a ten (10) foot setback for buildings less than forty (40) feet in height or parking when the proposed development is adjacent to property zoned AG but shown as commercial or industrial on the Future Land Use Plan.
- D. Minimum landscaped open space ratio -- twenty-five (25) percent of net site area. (Ord. 02-54 § 2, 2002)

18.34.040 Development and Performance Standards for C-2 Developments

- A. Parking and Loading -- see Chapter 18.60.
- B. Signage -- see Chapter 18.64.
- C. Landscaping and Screening -- see Chapter 18.62. Additional landscaping or other buffering treatments shall be provided in accordance with adopted buffer design guidelines where adjacent to property zoned AG through TN, inclusive.
- D. Display:
 - 1. No merchandise or equipment may be displayed outside a building unless located within an outdoor display confinement area not to exceed twenty (20) percent of the ground floor area of the building or tenant space. However, daily sidewalk sales and temporary displays, not to exceed one hundred fifty (150) square feet in area or twenty (20) percent of the ground floor area of the building or tenant space, whichever is less, shall be permitted on sidewalk areas immediately adjacent to the business during business hours. All such merchandise and display shall be temporary in nature and shall be moved inside the business after business hours.
 - 2. Outdoor display of landscape plantings, materials and supplies, and lawn and garden supplies (as accessory sales for businesses with other commercial activities) are subject to the following:
 - a. Seasonal landscape plantings may be displayed outside of an outdoor display confinement area on a seasonal basis upon approval of a temporary sales and events permit. Plantings shall be kept off the public sidewalks and streets, shall not be placed within a required parking/paving setback area, shall not reduce the capacity of a parking lot below that required by Chapter 18.60, Parking and Loading, and shall not hinder the movement of pedestrians on any sidewalk around the building.
 - b. Landscape materials and lawn and garden supplies are required to be located within an outdoor display confinement area. However, such materials and supplies may be displayed outside of an outdoor display confinement area on a seasonal basis upon approval of a temporary sales and events permit. Materials and supplies shall be kept off the public sidewalks and streets, shall not be placed within a required parking/paving setback area, shall not reduce the capacity of a parking lot below that required by Chapter 18.60, Parking and Loading, and shall not hinder the movement of pedestrians on any sidewalk around the building.
 - 3. Outdoor display and storage of landscape plantings, materials and supplies, and lawn and garden supplies associated with retail nurseries and/or lawn and garden supply stores (stand alone developments not associated with other commercial activities) and not located within an outdoor display confinement area may be permitted on a permanent basis with a special use permit obtained pursuant to the provisions of Chapter 18.12, Applications and Procedures.
- E. Noise levels in accordance with Chapter 6.18 of the Municipal Code.
- F. Unless a waiver is approved by the Planning Commission or Governing Body for a solar design or improved site design, buildings should be oriented so that fronts of buildings face the street frontage of the property.
- G. The provisions of Chapter 18.12, Applications and Procedures, relating to site plans are applicable to District C-2.

- H. Drive-up and drive-through service associated with a restaurant shall be developed in accordance with the following criteria:
 - 1. Order boxes -- fifty (50) feet from property zoned AG through TN, inclusive; in addition, speakers within order boxes shall be directed away from property zoned AG through R-5, inclusive.
 - 2. Solid screening shall be provided between order stations and property zoned AG through R-5, inclusive.
- I. Sale of merchandise from a vehicle or temporary structure is prohibited, except as provided for by temporary sales and events permit.
- J. Temporary or permanent storage of merchandise is prohibited in trucks, trailers, cargo carriers, shipping containers or other similar vehicles, containers or structures.
- K. Eating establishments may have an outdoor service area that is accessory to the main restaurant function. The outdoor service area must be a well-defined space, designed and serviced to keep debris from blowing off the premises. Patrons must gain entrance through the main entrance to the restaurant, but at least one (1) exit must be provided for fire safety. (Ord. 02-54 § 2, 2002)

18.34.050 Height and Area Regulations for CP-2 Developments

Unless specifically stated, C-2 height and area regulations in Section 18.34.030 shall govern.

- A. Minimum district size -- one (1) net acre.
- B. Maximum height -- twelve (12) stories, not exceeding one hundred forty-four (144) feet from finished grade.
- C. Minimum setbacks:
 - 1. From street right-of-way and from nonresidential property lines may be reduced as follows:
 - a. Setbacks of buildings may be reduced to fifteen (15) feet from a street right-of-way.
 - b. Setbacks of buildings and paved areas from property lines adjoining land zoned C-O through M-3, inclusive, may be reduced to seven and one-half (7½) feet.
 - 2. From properties zoned AG through TN, inclusive, may be modified if the applicant demonstrates one (1) or more of the following, and provided that the area proposed for modification is illustrated on the site development plan:
 - a. An alternative higher quality development design with no negative impacts to either the residential or nonresidential properties.
 - b. Development restrictions imposed on the property to ensure low impact land uses, low scale buildings and a site design arrangement in which adjoining residential properties will not be negatively impacted by any such reductions.
 - c. Existing topography, hedgerows or natural features provide significant screening and an appropriate buffer for adjoining properties.
 - d. Significant buffers are provided on adjoining residential properties and such properties will not be negatively impacted by any such reductions.

- e. The setback requirements impose an unnecessary hardship upon the property owner arising from conditions unique to the property and alternative site design, building design and building arrangements are not possible. In such instances, findings shall be prepared that the conditions of Section 18.12.350.B have been met.
- D. Minimum landscaped open space ratio -- may be reduced to ten (10) percent of net site area upon expressed findings that other amenities or conditions will be gained to the extent that an equal or higher quality development is produced. (Ord. 02-54 § 2, 2002)

18.34.060 Development and Performance Standards for CP-2 Developments

- A. Planned district projects shall emphasize orderly development at a quality level exceeding that found in projects developed under conventional zoning in accordance with Chapter 18.14, Zoning Districts. Planned district zoning is reserved for those areas that are sensitive due to natural features, adjoining land uses, or high visibility. Planned districts shall not be used to reduce standards and requirements, but shall be used as a means to improve development quality.
- B. Development plans as specified in Chapter 18.12, Applications and Procedures, are required for all developments zoned CP-2.
- C. Parking and Loading -- see Chapter 18.60.
- D. Signage -- see Chapter 18.64.
- E. Landscaping and Screening -- see Chapter 18.62. Additional landscaping or other buffering treatment shall be provided in accordance with adopted buffer design guidelines where adjacent to property zoned AG through TN, inclusive.
- F. Display – see Section 18.34.040.D.
- G. Noise levels in accordance with Chapter 6.18 of the Municipal Code.
- H. Unless a waiver is approved by the Planning Commission or Governing Body for a solar design or improved site design, buildings should be oriented so that fronts of buildings face the street frontage of the property.
- I. Drive-up and drive-through service associated with a restaurant shall be developed in accordance with the criteria in Section 18.34.040.H.
- J. Eating establishments with an outdoor service area that is accessory to the main restaurant function shall be developed in accordance with the criteria in Section 18.34.040.K.
- K. Sale of merchandise from a vehicle or temporary structure is prohibited, except as provided for by a temporary sales and events permit.
- L. Temporary or permanent storage of merchandise is prohibited in trucks, cargo carriers, shipping containers or other similar vehicles, containers or structures. (Ord. 02-54 § 2, 2002)

(Pages 195 and 196 reserved.)