

Chapter 18.31

NC NEIGHBORHOOD CENTER

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18.31.010 Statement of Intent

The zoning of property as NC, Neighborhood Center, is intended to provide for development of small-scale neighborhood office, low intensity retail business, and civic uses, as well as limited accessory residential uses in conformance with the residential design principles of Chapter 18.29, TN, Traditional Neighborhood. A NC is pedestrian-oriented, as opposed to automobile oriented, and is designed to encourage pedestrian movement between residential and nonresidential areas. Nonresidential uses in a NC are intended to blend into the residential character of the neighborhood.

This district is a planned zoning district intended to provide for design flexibility to create high-quality mixed-use development adjacent to and within developing residential neighborhoods, as well as redevelopment areas in the "Original Town" portion of the City. This district is intended as the method of providing for "nonresidential" uses in areas identified as "residential" by the *Comprehensive Plan*. However, it is recognized that many conventional, use segregated residential areas of the community may not be considered appropriate for mixed-use development. Careful consideration and analysis shall be given before granting NC zoning. Approval of this district in residential areas shall not be considered to be a matter of right.

Uses permitted in this district are intended to provide services to adjoining neighborhoods. This district is not considered appropriate for conventional strip commercial pad sites, high traffic generating or automotive oriented uses, or uses oriented toward regional shopping facilities as permitted in Chapter 18.34, C-2/CP-2 and Chapter 18.36, C-3/CP-3. (Ord. 02-54 § 2, 2002)

18.31.020 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 in this district are intended to provide services to nearby neighborhoods only. NC developments are to be pedestrian oriented, rather than automobile oriented. The following nonresidential uses shall be permitted in the NC district, except for those uses conditionally permitted or requiring a special use permit, subject to the regulations for NC developments of Section 18.31.030 and the performance standards of Section 18.31.040:
1. Auto and home supply stores with no outdoor storage or display (SIC 5531).
 2. Finance, insurance and real estate (SIC Division H), all uses.
 3. Passenger transportation arrangement (SIC 472).

4. Public Administration (SIC Division J), all uses; provided the following shall be prohibited:
 - a. Correctional institutions (SIC 9223).
 5. Retail trade (SIC Division G), all uses; provided the following shall be prohibited:
 - a. Wholesale trade, not otherwise classified (SIC 50, 51).
 - b. Outdoor nurseries, lawn and garden supply stores (SIC 526).
 - c. Mobile home dealers (SIC 527).
 - d. Automotive dealers (SIC 55), all uses, except gasoline service stations, auto and home supply stores, and automobile parking lots & structures (freestanding).
 - e. Nonstore retailers (SIC 596).
 - f. Fuel dealers (SIC 598).
 6. Services (SIC Division I), all uses; provided the following shall be prohibited:
 - a. Camps and recreational vehicle parks (SIC 703).
 - b. Industrial launderers (SIC 7218).
 - c. Crematories (SIC 726).
 - d. Miscellaneous equipment rental and leasing requiring outdoor display or storage (SIC 735).
 - e. Automotive Repair, Services, and Parking (SIC 75), all uses.
 - f. Drive-in motion picture theaters (SIC 7833).
 - g. Amusement parks, outdoor (SIC 7996).
 7. Telephone, telegraph and other message communications services (SIC 481, 482).
 8. Veterinary clinics, small animal hospitals and dog kennels without outside runs (SIC 0742).
 9. U.S. Post Office (SIC 4311).
- B. Conditionally permitted uses: The following uses shall be permitted, subject to compliance with applicable conditions:
1. The following residential uses shall be permitted in the NC district as accessory uses, subject to the regulations for NC developments of Section 18.31.030 and performance standards of Section 18.31.050. Residential uses are also subject to approval of preliminary and final development plans, pursuant to Chapter 18.12, Applications and Procedures:
 - a. Dwelling units located above the first floor of a business.
 - b. Single-family residences.
 - c. Two-family residences.
 - d. Multifamily condominium (attached) dwellings, townhouse or row house.
 2. The following uses may be permitted, subject to approval of preliminary and final development plans, pursuant to Chapter 18.12, Applications and Procedures:

- a. Automobile parking lots and structures.
 - b. Eating places with outdoor service area and outdoor eating places.
 - c. Elementary and secondary schools, public and private.
 - d. Gasoline service stations (SIC 554).
 - e. Outdoor play areas for child day-care services
 - f. Radio, television or microwave towers and equipment located on or within a structure exceeding sixty (60) feet in height and entirely screened from view.
 - g. Residential real estate sales offices (model homes).
 - h. Wind generation towers.
- 3. Accessory uses, subject to the provisions of Chapter 18.56.
 - 4. Temporary sales and events subject to the provisions of Section 18.54.040.
- 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)

18.31.030 Regulations for NC Developments

The maximum height of buildings and structures, the minimum district size, the maximum district size, setbacks for buildings and parking/paving, maximum floor area ratio and minimum landscape open space ratio shall be as follows, except as provided in Chapter 18.58, Height and Area Exceptions. Modifications to these requirements may be granted if such changes meet the purpose and intent of this district. Once property has been zoned NC, changes in the regulations and/or the development plan are subject to the provisions of Section 18.12.200 and 18.12.210.

- A. District size:
 - 1. Minimum district size -- four (4) net acres.
 - 2. Maximum district size -- ten (10) net acres.
 - 3. The maximum district size may be increased if the additional area is used for residential purposes in conformance with this chapter and the requirements of the Mixed Residential Area of Chapter 18.29, TN Traditional Neighborhood.
- B. Height and Area Regulations:

REGULATION	COMMERCIAL MULTI-FAMILY CONDOMINIUM	TOWNHOUSE	SINGLE-FAMILY & TWO-FAMILY	CIVIC ¹
Minimum Lot Size	3,600 SF 4,000 SF on corner lot	2,000 SF 2,500 SF on corner lot	3,600 SF ² 4,000 SF on corner lot ²	3,600 SF 4,000 SF on corner lot
Maximum Lot Size ³	43,560 SF	4,000 SF	None	43,560 SF
Minimum Lot Width ⁴	40 FT 45 FT on corner lot	20 FT 25 FT on corner lot	40 FT ² 45 FT on corner lot ²	40 FT 45 FT on corner lot
Maximum Site Area	43,560 SF	20,000 SF	None	43,560 SF

REGULATION	COMMERCIAL MULTI-FAMILY CONDOMINIUM	TOWNHOUSE	SINGLE-FAMILY & TWO-FAMILY	CIVIC ¹
Minimum Frontage Buildout ⁵	80%	80%	None	60%
Maximum Height	50 FT	35 FT	35 FT	75 FT
Minimum Setback from Arterial Street Right-of-Way	Determined at Development Plan Approval	Determined at Development Plan Approval	Determined at Development Plan Approval	Determined at Development Plan Approval
Maximum Front Yard Setback	5 FT	5 FT	15 FT	5 FT
Minimum Front Yard Setback	-0-	-0-	10 FT	-0-
Minimum Street Side Yard Setback	5 FT	5 FT	10 FT	5 FT
Minimum Interior Side Yard Setback	-0-	-0-	5 FT ²	-0-
Minimum Rear Yard Setback	-0-	5 FT	5 FT	5 FT
Maximum Building Coverage	70%	70%	55 %	70%
Maximum Impervious Coverage ⁶	90%	90%	65 %	90%

1 See 18.29.100, Regulations for Major Civic Uses.

2 See 18.29.060.B, Zero Lot Line Dwellings.

3 The maximum lot size may be increased for developments with multiple tenants in which the land area is maintained under the same ownership.

4 On a courtyard or curved street, the minimum lot width between the front lot line and the minimum front yard setback is 15 feet for a townhouse lot and 30 feet for other lots.

5 The City Planner may reduce the minimum frontage buildout to accommodate a protected tree or significant tree cluster.

6 The maximum impervious coverage can be achieved only if the development incorporates plazas, squares, and other public amenities and civic spaces which are considered in meeting open space requirements.

C. Maximum business (tenant) footprint: five thousand (5,000) square feet of gross floor area per tenant, except for food stores and hardware stores which shall not exceed fifteen thousand (15,000) square feet of gross floor area.

D. Minimum landscaped open space ratio -- twenty-five (25) percent of net site area. Plazas, squares, and other public amenities and civic spaces shall be considered in meeting open space requirements. (Ord. 02-54 § 2, 2002)

18.31.040 Development and Performance Standards for Nonresidential Uses in NC Developments

A. Development plans as specified in Chapter 18.12, Applications and Procedures, are required for all developments.

B. Architectural Design:

1. No freestanding buildings with only one (1) individual tenant shall be permitted, unless the building is designed to create the appearance of multiple tenants, storefronts and entrances.

2. Buildings shall be "street-oriented" to create a desirable pedestrian environment between the building and the street. Street orientation should include a consistent building setback line a short distance from street right-of-way; entrances, storefronts, and display windows facing the

street; and on-site parking areas located on the side or rear of the building.

3. Nonresidential buildings shall be designed to be architecturally integrated into the residential area and shall incorporate "human scale" design. Such design is proportioned to reflect pedestrian scale and movement, and to encourage interest at the street level.
 4. No building facade shall have the appearance of a rear facade. Architectural details such as materials, texture, pattern, color, and building form used on the front facade shall be incorporated on all building facades. However, such requirements shall not apply to any facade(s) facing service courts or other areas generally not visible to the public.
 5. Automotive canopies (freestanding or attached to the building) shall not be permitted unless designed as an integral part of the building and site design. Such automotive elements shall not be readily noticeable and shall be secondary to the building's overall pedestrian orientation and appearance.
 6. All service and loading areas shall be entirely screened from view. Loading docks and overhead doors shall be prohibited unless incorporated into the building design and screened or located in a manner to not be readily visible.
 7. Other design requirements as deemed appropriate by the Planning Commission to ensure compatibility with residential areas.
- C. Parking Loading -- see Chapter 18.60. The following also applies in the NC Neighborhood Center:
1. Not more than one hundred twenty-five (125) percent of the required parking for a use may be provided on-site.
 2. Off-street parking lots should be located behind or along the side(s) of buildings. Where visible from a street, parking lots must be screened by landscaping or street walls not less than three (3) feet and not more than four (4) feet in height. Parking lots between the building and the street shall be prohibited, except for secondary parking areas approved by the Planning Commission.
 3. Shared parking areas shall be required. Off-street parking areas shall be small in scale and divided into parking fields not to exceed fifty (50) parking spaces, unless otherwise approved by the Planning Commission.
 4. A use may apply adjacent on-street parking toward the minimum parking requirements.
 5. Due to the pedestrian orientation of NC developments, the Planning Commission may reduce parking requirements when deemed appropriate.
- D. Signage -- see Chapter 18.64.
- E. Landscaping and Screening -- see Chapter 18.62. However, internal and perimeter landscape requirements may be adjusted by the Planning Commission as deemed appropriate to achieve the design principles of this district.
- F. Display: No merchandise, equipment or vehicles may be stored or displayed outside a building. However, the following exceptions shall apply:
1. Daily sidewalk sales with 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. Seasonal landscape plantings may be displayed outside, on a seasonal basis, as accessory sales to a business with other commercial activities 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.
 3. A business may have no more than two (2) delivery vehicles, provided that the delivery vehicles shall be customary passenger automobiles or small pickup trucks or vans.
- G. Drive-through facilities: Drive-through and other facilities that allow people to remain in vehicles while receiving products or services are prohibited. This prohibition does not apply to the fueling facilities of a convenience store or gasoline service station.
- H. Gasoline Service Station: A service station shall be limited to a maximum of two (2) fueling stations and may have the capability of fueling a total of not more than four (4) vehicles at one time. A maximum of one (1) bay door each for entry and exit shall be permitted to the service area. A maximum of five (5) vehicles may be stored outside on a temporary basis not to exceed twenty-four (24) hours in duration.
- I. Noise levels in accordance with Chapter 6.18 of the Municipal Code.
- J. Sale of merchandise from a vehicle or temporary structure is prohibited, except as provided for by a temporary sales and events permit.
- K. Telecommunications towers and equipment shall be located on or within a structure or be an architectural component of the building and may exceed sixty (60) feet in height. No freestanding towers are permitted.
- L. Veterinary clinics, small animal hospitals and dog kennels shall be conducted entirely within an enclosed structure. No outside runs are permitted. ([Ord. 02-54 § 2, 2002](#))

18.31.050 Development and Performance Standards for Accessory Residential Uses in NC Developments

Residential uses in this district are permitted only when accessory to nonresidential uses. Residential dwellings and apartments may be permitted on upper stories of nonresidential buildings or when adjacent to such buildings and uses, such as when located around a neighborhood commercial square or plaza or when located immediately across a local street. Conventional single-family, duplex, triplex and apartment complexes are not permitted. Residential uses in the NC shall comply with the design principles and regulations of Mixed Residential Area (MRA) and Neighborhood Center Area (NCA) of Chapter 18.29 TN, Traditional Neighborhood, as well as with the following:

- A. Development plans as specified in Chapter 18.12, Applications and Procedures, are required for all developments.
- B. Residential structures shall be architecturally integrated into the development and shall have similar appearance, height and massing as adjacent structures.

- C. A residential use with street level living space must have a finished first floor elevation not less than (18) eighteen inches above or below the elevation of the sidewalk at the front lot line.
- D. The main entrance of a structure must face the street and be clearly articulated through the use of architectural detailing.
- E. A stoop, open porch, or balcony may extend into the front setback not more than five (5) feet.
- F. Rear vehicular access from an alley is required unless otherwise approved by the Planning Commission. If driveway access is provided from the street, the garage doors may not face the street unless located a minimum of twenty (20) feet behind the front building face of the principal structure for attached garages, or unless a detached garage is placed behind the principal structure. (Ord. 02-54 § 2, 2002)

(Pages 178 through 180 reserved.)