

Sec. 117-139. - Commercial and industrial districts.

(a) *General description, commercial districts.* Commercial districts are principally intended for the provision of services and the conduct of business essential to support residents within the city and the surrounding area. Five different commercial districts exist to provide for the diversity of uses and appropriate locations required for the range of goods and services needed in the city. More specific descriptions of these districts follows:

- (1) *CR-1, commercial residence mixed use district.* The CR-1, commercial residence mixed use district shall be classified as a transitional zoning classification for mixed-use type developments. It allows commercial development, with a residential appearance, and professional uses to be completed in areas between existing commercial more of a retail nature, and single-family residential. By definition it represents transition. Therefore, the logical conclusion would be that a transitional use, such as quadraplexes shall be permitted in this district with commercial below or coordinated to blend or relate. Site plan review shall be subject to planning commission review and administrative approval upon commission recommendation.
- (2) *C-4, neighborhood commercial district.* This district provides for limited retail trade and services designed to serve adjacent residential neighborhoods, usually of a high or medium density character. Such districts should generally be limited to collector or arterial street locations or other carefully selected areas. Buildings are to be of residential character regarding outward appearance.
- (3) *C-3, general commercial district.* The purpose of this district is to provide appropriate locations for commercial and retail uses which are convenient and serve the needs of the traveling public. The district also provides locations for limited amounts of merchandise, equipment and material being offered for retail sale that are more suitable for storage and display outside the confines of an enclosed structure. Appropriate locations for this district are along heavily traveled arterial street. Development of groupings of facilities shall be encouraged, as opposed to less desirable strip commercial.
- (4) *C-2, downtown fringe commercial district.* This district provides for a transitional area between the downtown core commercial district (C-1) and the surrounding older residential areas which have yet to experience intrusions of other type uses. The fringe area is characterized by mixed uses, including offices, services, government facilities and housing. This district is generally considered an inappropriate location for large retail

uses greater than 3,000 square foot, with the exception of C-2 zoned land within the Hotel Corridor area, defined and bound by I-63 to the South, Caraway Road to the West, Richardson Drive to the East, and Race Street to the North.

- (5) *C-1, downtown core commercial district.* This district is characterized by concentrated development of permitted uses, including office and institutional, service, convenience and specialty retail, entertainment and housing. Redevelopment of the area is contemplated, with emphasis on an art and entertainment cluster. Accordingly, it is anticipated that one or more overlay or other special districts will be established to help foster transformation of the area.
- (b) *General description, industrial districts.* The industrial zoning districts are intended to provide for the development of light to heavy industrial uses and their related facilities. Certain commercial and other complementary uses are also permitted. Appropriate standards for the districts are designed to ensure compatibility with other similar uses and to minimize any conflicts with nonindustrial uses located in close proximity to industrial uses. More specific descriptions of these districts follows:
- (1) *I-1, limited industrial district.* This district is to accommodate freight terminals, warehousing, wholesaling, packaging, storage, fabrication, display and such limited manufacturing as does not create a nuisance for residential and commercial neighbors. Certain commercial uses are also permitted. Suitable transportation facilities are a necessity to this district.
- (2) *I-2, general industrial district.* This district is intended for the more intensive industries and those manufacturing facilities making products from raw materials. Regulations are the minimum for mutual protection between industries. Rail service is typically necessary, as is adequate highway access.
- (c) *Uses permitted.* Uses permitted in the commercial and industrial districts are set forth in the table in subsection (d) of this section. Where the letter "P" appears opposite a listed use and underneath a district, the use is permitted in that district by right subject to:
- (1) Providing off-street parking and loading facilities as required by section 117-324;
 - (2) Providing landscaping and screening as required by section 117-326; and
 - (3) Conformance with special conditions applying to certain uses as set forth in article VII of this chapter.
- (d) *Explanation of symbols.* Where the letter "C" appears instead of "P", the use is permitted subject to acquiring a conditional use permit as set forth in article V of this chapter. Where neither "P" nor "C" appears similarly within the table, the use is not permitted.

USE TABLE

COMMERCIAL AND INDUSTRIAL DISTRICTS

Uses	CR-1	C-4	C-3	C-2	C-1	I-1	I-2
<i>Residential uses</i>							
Single-family, detached							
Single-family, attached							
Duplex, triplex, fourplex	P						
Loft apartment	P				P		
Multifamily	P						
Manufactured housing unit						C	
<i>Civic and commercial uses</i>							
Airport or airstrip						C	
Animal care, general	C	C	P			C	
Animal care, limited	C	P	P				
Auditorium or stadium			C		C	C	
Automated teller machine	C	P	P	C	P	P	P
Bank or financial institution		P	P	C	P	P	P

	Bed and breakfast	C	P	P	P	P		
	Carwash		C	P	C	C	P	C
	Cemetery	P	P	P	P	P	P	P
	Church	P	P	P	P	C	P	P
	College or university	P	P	P	P	P	P	P
	Communication tower	C	C	C	C	C	P	P
	Construction sales and service						P	
	Convenience store	C	P	P	C	C	C	
	Day care, limited (family home)	P	P	P	P	P	C	C
	Day care, general	P	P	P	C	C	C	C
	Entertainment, adult			C			C	P
	Funeral home	C	C	P	C	C		
	Golf course		P	P	P	P		
	Government service	P	P	P	P	P	P	P
	Hospital	P	P	P	P	P		
	Hotel or motel			P	C	P		
	Indoor firing range						C	C

Library	P	P	P	P	P	P	P
Medical service/office	P	P	P	P	P	P	P
Museum	P	P	P	P	P	C	
Nursing home	C	P	P	P	C		
Office, general	P	P	P	P	P	C	
Parking lot, commercial			P		P	C	
Parks and recreation	P	P	P	P	P	C	C
Pawn shops			P			C	
Post office	C	P	P	P	P	C	
Recreation/entertainment, indoor		C	P	C	P	C	
Recreation/entertainment, outdoor		C	P			C	
Recreational vehicle park			P			P	
Restaurant, fast-food		C	P	C	C	P	
Restaurant, general		P	P	P	P	P	
Retail/service		C	P	C	P	C	
Safety services	P	P	P	P	P	P	P

School, elementary, middle and high	P	P	P	P	P	P	P
Service station		C	P	C	C	P	
Sign, off-premises*	C	C	P	C	C	P	
Utility, major	C	C	C	C	C	C	C
Utility, minor	P	P	P	P	P	P	P
Vehicle and equipment sales			P			P	
Vehicle repair, general			P			P	C
Vehicle repair, limited		C	P	C	C	P	C
Vocational school		C	P	C	P	P	C
Warehouse, residential (mini) storage			C			P	C
Vehicular and equipment storage yard						P	P
<i>Industrial, manufacturing and extractive uses</i>							
Asphalt or concrete plant						C	P
Auto wrecking or salvage yard						C	P
Basic industry						C	P

Freight terminal			C			P	P
Landfill (private)							C
Manufacturing, general						P	P
Manufacturing, limited						P	P
Mining or quarrying						C	P
Oil and gas drilling							P
Research services			C			P	P
Solid waste incinerator						C	C
Warehousing						P	P
Welding or machine shop						P	P
<i>Agricultural uses</i>							
Agriculture, animal			C			C	P
Agriculture, crop						C	P
Agriculture, farmers market			P		P	P	
Agriculture, product sales						C	P

Note.

Accessory uses permitted subject to provisions of article V of this chapter.

*Not permitted along the route generally known as Crowley's Ridge Parkway National Scenic Byway (see Section 14.32.11 for description).

**Permitted locations—off-premises sign permitted by right in C-3, I-1, & I-2 except where the property on which the sign is to be located adjoins a residentially zoned property then it shall become a conditional use. See section 117-259, pertaining to off-premises outdoor advertising sign.

(e) *Lot, yard, and height regulations.* No lot or yard shall be established or reduced in dimension or area in any commercial or industrial district that does not meet the minimum requirements, nor shall any building or structure be erected or enlarged that will cause the maximum lot coverage or maximum height regulations to be exceeded for such district as set forth in said table. A listing of supplements and exceptions to these regulations follows the table.

- (1) *Size reduced for public purpose.* When an existing lot is reduced because of conveyance to a federal, state, or local government for a public purpose, and the remaining area is at least 75 percent of the required minimum lot size for the district in which it is located, then that remaining lot shall be deemed to comply with minimum lot size requirements. The planning director may approve an exception to the minimum lot requirement when a proposed lot is less than five percent out of compliance. The planning director may approve an exception to the minimum setback requirements, when a proposed setback is one foot or less out of compliance.
- (2) *Utility exemption.* Utility facilities, using land or an unoccupied building requiring less than 1,000 square feet of site area, are exempt from minimum lot size requirements.
- (3) *Setback reduced for public purpose.* When an existing setback is reduced because of conveyance to a federal, state or local government for a public purpose, and the remaining setback is at least 75 percent of the required minimum setback for the district in which it is located, then that remaining setback shall be deemed to satisfy minimum setback requirements.
- (4) *Setback averaging.* When a majority of the lots have existing principal structures on them and the street setbacks of said principal structures are on lots within the same block, with the same zoning classification and fronting on the same side of the street and are less than the required street setback, applicants shall be allowed to use the average street setback on that block. In such cases, the average setback shall be the mean or average setback of all developed lots on the same side of the street within the same

block as the subject property and with the same zoning classifications, and in no case shall more than six lots on either side of the subject property be included in the calculation.

- (5) *Setbacks increased by height.* When adjacent to R-1A or more restrictive districts, multifamily residential and nonresidential structures over one story or 15 feet in height shall have an additional eight foot side and rear setback for every additional story or 15 feet in building height.
- (6) *Maximum height.* Maximum height limitation is 35 feet in CR-1, C-4, and C-2 districts; 45 feet in C-3 and I-1 districts; 75 feet in I-2 districts; and there shall be no limitation in the C-1 district. Chimneys, smokestacks, ventilators, cooling and water towers, bulkheads, grain elevators and silos, utility and flagpoles, belfries, spires and steeples, and monuments and ornamental towers, may be erected to any height not in conflict with the airport overlay district or other city ordinances. Communication towers are exempt only to the extent authorized through conditional use approval, if such use is not a use permitted by right.
- (7) When a nonresidential zone abuts a residential zone, setbacks for both shall be same as that setback for the abutting residential zone.

Dimension Requirements Commercial and Industrial Districts

Dimension		CR-1	C-4	C-3	C-2	C-1	I-1	I-1
<i>Minimum lot size</i>								
	Single-family (sq. ft.)	6,500	NP	NP	6,000	NS	NP	NP
	Duplex (sq. ft.)	7,200	NP	NP	7,200	NS	NP	NP
	Multifamily (area/family)	NP	NP	NP	3,600	NS	NP	NP

	Nonresidential uses (sq. ft.)	6,500	6,500	6,500	6,500	NS	6,500	10,000
	Minimum lot width (all uses)	50'	50'	50'	50'	25'	50'	100'
	Minimum lot depth (all uses)	100'	100'	100'	100'	NS	100'	100'
<i>Street setback</i>								
	Residential uses	25'	NP	NP	25'	NS	25'	NP
	Nonresidential uses	25'	25'	25'	25'	NS	25'	100'
	Interior side setback							
	Residential uses	7.5'	10'	NP	10'	NS	10'	NP
	Nonresidential uses	10'	10'	10'	10'	NS	10'	25'
<i>Rear setback</i>								
	Residential uses	20'	20'	NP	20'	NS	20'	NP

	Nonresidential uses	20'	20'	20'	20'	NS	20'	25'
	Maximum lot coverage (all uses)	50%	50%	60%	50%	100%	60%	60%
	Percent of total lot area (building floor area)	20	20	NS	20	NS	NS	NS

Note.

NP = Not permitted.

NS = No standard.

(Zoning Ord., § 14.20.02; Ord. No. 3434; Ord. No. 08-2007, 2-6-2007; Ord. No. 13:040, § 1, 8-20-2013; Ord. No. 15:035, §§ 1, 2, 9-15-2015)