

Chapter 16

BC - COMMUNITY BUSINESS DISTRICT/ZONE

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10-16-1: DESCRIPTION AND PURPOSE

The BC Community Business District is intended to create, preserve and enhance areas with a wide range of retail sales and service establishments serving both long- and short-term needs in compact locations typically appropriate to commercial clusters near intersections of major thoroughfares. This district also includes some development that does not strictly fit the description of this chapter but also does not merit a zoning district.

10-16-2: PERMITTED AND NONPERMITTED BUILDINGS AND USES

The primary business operations, except for vehicle/recreational vehicle/trailers/ manufactured, modular or mobile homes sales, newsstands, private or public parking areas, nurseries and service station pump islands shall be in an entirely enclosed building unless otherwise specified by a conditional use permit. Temporary uses may be allowed subject to regulations cited in § 10-1-12 of this title.

Accessory exterior storage affiliated with principal uses shall not be allowed in any area in front of the principal building(s) on a property and shall be otherwise screened from view with a sight obscuring fence, wall or hedge not to exceed eight feet (8') in height.

Bars, taverns, and cocktail lounges are not and shall not be allowed in or on any property having frontage on or within three hundred feet (300') of Garrity Boulevard. Existing bars, taverns, cocktail lounges fronting that boulevard are considered legally nonconforming in accordance with the provisions of chapter 3 of this title but may not be expanded as also stated in that chapter.

10-16-3: BUILDING HEIGHT REGULATIONS

In the BC district there is no building height limitation, except when said district abuts upon a residential district, in which case the maximum permitted building height allowed on a BC property shall not exceed

the maximum building height permitted in that residential district for a distance, into the commercial property of fifty feet (50') from the abutting boundary.

10-16-4: PROPERTY AREA, WIDTH AND YARD REQUIREMENTS

The following minimum requirements shall be observed:

10-16-4.A: Property Area: No minimum is/shall be required.

10-16-4.B: Property Width: No minimum is/shall be required.

10-16-4.C: Front Yard/Street Side (Setback):

Use	Property Line Location	Minimum Setback				
		Adjacent to Private Street or Service Drive	Adjacent to Local Road*	Adjacent to Collector or Arterial Road	Adjacent to commercial or industrial zoned property	Adjacent to RS or RD zoned property
Commercial or Commercial/Residential	Front	0'	15'	20'	0'	10'
Commercial or Commercial/Residential	Side or Rear	0'	15'	15'	0'	10'
Residential	Front	0' for structures 20' for garage and/or parking	15' for structures 20' for garage and/or parking	20'	0'	20'
Residential	Side or Rear	0' for structures 20' for garage and/or parking	15' for structures 20' for garage and/or parking	20'	0'	10' with building height limitation (see 10-16-3)

* Except downtown zones which have a 0' setback from local roads

Exception- Parking Lot: When an intervening sight obscuring fence at least six feet (6') tall that obscures visibility of a parking lot is placed between that commercially zoned property and an adjoining single- or two-family residential zoned property, then a zero-foot (0') setback may be allowed in order to separate/screen the commercial property's parking lot from the residentially zoned property.

10-16-4.D: Access: All lots/parcels developed/"built out," or proposed to be developed/"built out," with structures thereon shall have, or be demonstrated to have, legal access to a public street, before the City may issue or approve construction of any structures on that lot/parcel (as iterated in the definition of "property" in § 10-1-2, "Definitions," and subsection 10-1-7.B.1 of this title). Lots/parcels developed in this zone do not have to have direct lot/parcel frontage on a public street however, only legal access to the same.

10-16-5: MAXIMUM PROPERTY COVERAGE

None specified.

10-16-6: OTHER REQUIRED CONDITIONS

The following additional conditions shall apply:

10-16-6.A: Setback from Residential Districts: In any BC district directly across the street from any Residential or Agricultural Zoning district, or Residential or Agricultural land use setting on the comprehensive plan, the commercial property's parking and loading facilities shall be distant at least twenty feet (20') from the intervening street's edge upon the commercial property. The requirements of this subsection shall not, however, apply where such Residential or Agricultural Zoning District, or any Agricultural or Residential land use setting is separated from the BC district by a street planned to have a right-of-way of eighty feet (80') or more.

10-16-7: DESIGN REVIEW, PARKING, PARKING LOT LANDSCAPING, SIGNAGE, PROPERTY LANDSCAPING, AND OPEN SPACE

All uses shall conform to the façade design, parking, parking lot landscaping, signage, open space and property landscaping requirements in chapters 22, 23, 33 and 34 of this title. Additionally:

10-16-7.A: Landscaping: The following landscape standards (in addition to those listed in chapters 22 and 33 of this title) shall apply to new construction or expanded construction (as defined by § 10-1-6 of this title) within the BC zone:

10-16-7.A.1: Location(s) and Quantity of Landscaping Required:

10-16-7.A.1.a: General Location Requirement: Landscaping shall be emplaced on a site wherever a structure, pedestrian pathway or parking lot is not located.

10-16-7.A.1.b: Arrangement: Landscaping shall be designed by a landscape architect and shall serve to highlight the building entrances and pedestrian plazas without encroaching into public right-of-way or impede pedestrian and vehicular views or intrude into required vision triangles.

10-16-7.A.1.c: Around Building Exteriors: Shrubs and flowerbeds shall be required around any new building's exterior. Landscaping is also required in all yard areas of the development to enhance the appearance of a building when viewed from a right-of-way that abuts the development site.

10-16-7.A.1.d: Screening: Evergreens may be used to help screen mechanical equipment and service areas (refer to mechanical unit screening, subsection 10-34-10.A.2 of this title).

10-16-7.A.1.e: Growth Coverage: Plants used in landscaping around a building or on a development site shall be selected to complement the scale of the development area and any building(s) thereon.

10-16-7.A.2: Landscaping Components Requirements:

10-16-7.A.2.a: Composition of added plants selected (aside from what is required by chapter 33 of this title for a landscape strip along an arterial or collector street) shall be comprised of at least fifty percent (50%) flowering trees.

10-16-7.A.2.b: Landscaping shall be designed so that fifty percent (50%) coverage of the site occurs after the first year and ninety percent (90%) coverage occurs after five (5) years.

10-16-7.A.3: Stormwater Retention: Planter areas may be used to absorb on site stormwater in accordance with City stormwater regulations.