

CHAPTER 17.20: NC NEIGHBORHOOD COMMERCIAL DISTRICT

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17.20.010 General description.

This district is established to provide areas in which the principal use of land is devoted to the neighborhood store or group of stores serving the population of the immediate area.

(Prior code Appendix A, Art. IV (§ 9 (A)))

17.20.020 Uses permitted.

Property and buildings in an NC neighborhood commercial district shall be used only for the following purposes:

1. Living and/or sleeping quarters shall be permitted only when constructed above the ground floor. No living and/or sleeping quarters shall be permitted in any detached accessory building or structure on the same lot to the rear of any other building;

2. Food markets including specialty foods such as:

- a. Bakery goods;

b. Delicatessen goods; and

c. Meat market.

3. Drugstores or fountains including:

a. Book and reading matter;

b. Stationery;

c. Tobacco;

d. Vanity goods; and

e. Pharmacy.

4. Bakeries whose products are sold only at retail and on the premises;

5. Banks;

6. Barbershops and/or beauty shops;

7. Cleaning and pressing collection stations;

8. Gift shops;

9. Self-service laundries;

10. Service or filling stations;

11. Shoe repair and shoeshine services;

12. Professional and business offices;

13. Beer sales for consumption off the premises;

14. Nameplate and sign, as regulated in Chapter 15.28 of this code;

15. Accessory buildings and uses customarily incidental to the preceding uses;

16. Hardware or home improvement retail establishments, provided all storage is within the enclosed retail structure; and

17. Rental of digital and video ~~cassette~~-equipment and ~~tapes~~materials. (Ord. 3518 (part), 1999: prior code Appendix A, Art.

IV (§ 9 (B)))

18 Child care centers;

A. Establishments which prepare food for take-out by customers and/or for delivery. This shall not include drive-in restaurants. Food consumption on the premises shall be permitted, provided that the customer eating areas do not exceed 749 square feet. Such establishments shall be designed to serve primarily the population of the immediate area;

~~B. Recreation establishments, including electronic video game arcades and poolrooms, which would intend to serve primarily juvenile and young adult customers;~~

C.B. Antique stores – retail sale of antique furniture, artwork, and collectible merchandise to the general public with no outside display or storage.

(Ord. 5372, 2008; Ord. 5097 (part), 2005; Ord. 3760 (part), 2001; Ord. 3518 (part), 1999; Ord. 3098, 1994; Ord. 3004 (part), 1993; Ord. 2899 (part), 1991; prior code Appendix A, Art. IV (§ 9 (J)))

17.20.30 Conditional uses.

~~D.C.~~ New, used and rental car sales:

1. All such facilities shall be paved; and

2. Such facilities shall in no way be exempted from any of the requirements of this zoning district, including but not limited to, screening landscaping and signage requirements.

~~E. Child care centers;~~

F.D. Liquor sales for consumption off the premises; however, if denied, no further application shall be made for the same property within 12 months;

G.E. Planned commercial developments as regulated in §§ 17:50.050 through 17.50.100;

H.F. Planned unit developments as regulated in §§ 17.50.050 through 17.50.100;

~~I.G. Establishments which prepare food for take-out by customers and/or for delivery. This shall not include drive-in restaurants. Food consumption on the premises shall be permitted, provided that the customer eating areas do not exceed 749 square feet. Such establishments shall be designed to serve primarily the population of the immediate area;~~

~~J.H. Recreation establishments, including electronic video game arcades and poolrooms, which would intend to serve primarily juvenile and young adult customers;~~

~~K. Drop-off centers for household recyclables; such centers do not involve processing;~~

~~L. Other uses which meet the intent of the district as determined by the Planning Commission. A site plan shall be submitted and approved by the Planning Commission, which includes the following, as applicable:~~

~~1. Type of use proposed;~~

~~2. Parking and circulation plan;~~

~~3. Landscaping plan;~~

~~4. Screening plan; and~~

~~5. Other information which the Planning Commission may deem necessary to make a determination~~

J. Off-premises signs in accordance with Chapter 15.28 and the requirements of § 17.50.380; and

K. Microcell wireless communications facilities on poles as defined in § 17.50.400B

~~L. Antique stores — retail sale of antique furniture, artwork, and collectible merchandise to the general public with no outside display or storage. (Ord. 5372, 2008; Ord. 5097 (part), 2005; Ord. 3760 (part), 2001; Ord. 3518 (part), 1999; Ord. 3098, 1994; Ord. 3004 (part), 1993; Ord. 2899 (part), 1991; prior code Appendix A, Art. IV (§ 9 (J)))~~

17.20.040 Temporary uses.

A. The Common Council shall have discretion to issue temporary use permits for a period not to exceed 1 year to allow a use permitted in light industrial zoning districts provided the Council finds that the following criteria are met:

1. The structure for which the temporary use permit is to be granted is vacant and is expected to remain vacant if the temporary use permit is not granted;

2. All area, setback and parking requirements of neighborhood commercial and light industrial zoning districts are met without the granting of a variance;

3. The proposed use does not produce more noise, dust, odor, vibration, blast or traffic than uses specifically permitted in neighborhood commercial zoning districts; and

4. The granting of a temporary use

permit is in the best interests of the city.

B. Temporary use permits issued under this section shall not be renewed more than twice.

C. The procedure for granting temporary use permits under this section shall be the same procedure as for authorizing conditional use permits as established under § 17.54.030.

(Ord. 3760 (part), 2001; prior code Appendix A, Art. IV (§ 9 (O)))

17.20.050 Area regulations.

The following requirements shall apply to all uses permitted in this district:

A. *Front yard.* All buildings shall set back from the street right-of-way lines not less than 25 feet.

B. *Side yard.* On the side of a lot adjoining a residential district there shall be a side yard of not less than 25 feet. There shall be a side yard setback from an intersection street of not less than 25 feet. In all other cases, a side yard for a commercial building shall not be required.

C. *Rear yard.* There shall be a rear yard, alley, service court or combination thereof, of not less than 30 feet in depth, and all of the service areas of all buildings shall be completely screened from public view with permanent ornamental screening materials.

D. *Setback from section lines.* Principal and accessory buildings and structures shall be set back no less than 58 feet from any section line. No setback is required from any legally vacated section line; however, if the vacated section line forms a property line, the applicable side, rear or front yard setbacks shall be observed.

E. *Maximum lot coverage.* No building or buildings shall cover more than 30% of the lot area. (Ord. 3744 (part), 2001; prior code Appendix A, Art. IV (§ 9 (C)))

(Prior code Appendix A, Art. IV (§ 9 (F)))

17.20.060 Height regulations.

No building shall exceed 2½ stories, or 35 feet in height, except as provided in § 17.50.260. (Prior code Appendix A, Art. IV (§ 9 (D)))

17.20.070 Off-street parking.

As regulated in § 17.50.270.
(Prior code Appendix A, Art. N (§ 9 (E)))

17.20.080 Screening requirements.

When a neighborhood commercial zoning district adjacent to a side or rear yard of a residential district, an opaque ornamental screening fence not less than 5 nor more than 6 feet in height shall be constructed along the adjacent property lines and shall be maintained in good condition.

(Ord. 3872 (part), 2002: prior code Appendix A, Art. IV (§ 9 (H)))

17.20.090 Landscaping.

When a neighborhood commercial district is adjacent to a residential district, landscaping shall be provided as regulated in the landscape regulations adopted by § 17.50.300. Fifty percent of the plant material shall be visible from the residential district whenever possible.

(Prior code Appendix A, Art. IV (§ 9 (I)))

17.20.100 Flood fringe building district.

Any land that is within the flood fringe building district as provided for in Chapter 15.32 of this code must comply with the additional requirements of that district.

