

## **10-4-21.2: USE REGULATIONS:**

(A) Permitted Uses: Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

### **1. Communications And Utilities:**

- a. Underground and aboveground transmission lines.
- b. Utility-owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground.

### **2. Parks:**

- a. Open space.
- b. Private parks and playgrounds without crowd attracting facilities.
- c. Public parks and playgrounds without crowd attracting facilities.

### **3. Residential:**

- a. Household units in upper floors of commercial or professional buildings.

### **4. Retail Trade:**

- a. Bakery.
- b. Bookstore.
- c. Craft shop, in conjunction with retail business.
- d. Eating places.
- e. Florist shop.
- f. Food, drugs, etc.
- g. General merchandise.
- h. Hardware store.
- i. Hobby and toy store.

- j. Ice cream store.
- k. Import store.
- l. Laundering and dry-cleaning.
- m. Laundromats.
- n. Music store.
- o. Pet shop.
- p. Sporting goods store.

5. Services:

- a. Beauty and barbershops.
- b. Copy center - self-service.
- c. Daycare services.
- d. Duplicating and stenographic offices.
- e. In-home daycare services.
- f. Photography studios.

Notwithstanding the foregoing list of permitted uses, any such use which broadcasts amplified music or sound by speakers to the exterior of a building shall also require a special use permit. (Ord. 2620, 8-2-1999)

(B) Special Uses: A special use permit may be granted for a permanent use that is not in conflict with the Comprehensive Plan and that is not permitted outright because it may conflict with other uses in the District unless special provisions are taken. Special use permits may be granted for the following uses:

1. Communications And Utilities:

- a. Utility-owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') aboveground.

2. Cultural Facilities:

- a. Botanical gardens and arboretums.

b. Historic sites and monuments.

c. Libraries, museums and art galleries.

d. Planetariums and aquariums.

3. Governmental Facilities:

a. Fire stations and police stations.

b. Governmental office buildings.

c. Water treatment plants.

4. Medical Facilities:

a. Doctors' offices.

b. Hospitals and clinics.

c. Rehabilitation services.

5. Miscellaneous:

a. Any facility with drive-through service.

6. Parks:

a. Park concessions.

b. Public parks and playgrounds with crowd attracting facilities.

7. Public Assembly:

a. Auditoriums.

b. Religious facilities.

c. Schools - private, single purpose.

d. Schools - private, vocational and/or academic.

e. Schools - public.

f. Theaters - indoor.

**8. Retail Trade:**

- a. Alcoholic beverages, when consumed on the premises where sold.
- b. Apparel and accessories.
- c. Car wash facilities.
- d. Commercial greenhouses.
- e. Farm and garden supplies.
- f. Gasoline service stations.
- g. Taxidermy studio. (Ord. 2526, 5-20-1996)

**9. Services:**

- a. Advertising.
- b. Apparel repair and alteration.
- c. Dog grooming and/or kennels.
- d. Employment agency.
- e. Finance and investment offices.
- f. Insurance and related business.
- g. Professional organizations.
- h. Professional services.
- i. Real estate and related business.
- j. Tattoo parlors or dermagraphic studios approved by the South Central District Health Department or other State regulatory agency.
- k. Welfare and charitable facilities. (Ord. 2550, 6-2-1997)

**10. Sports Facilities:**

- a. Indoor recreation facility.
- b. Miniature golf courses.

- c. Outdoor, public and commercial ice and roller skating facilities.
- d. Outdoor, public and commercial swimming pools.
- e. Outdoor, public and commercial tennis courts.

11. Transportation:

- a. Bus facilities, including pickup shelters.
- b. Taxicab office.

(C) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this Title is made that the use is similar enough to a use listed above that distinction between them is of little consequence.

## **10-4-21.3: PROPERTY DEVELOPMENT STANDARDS:**

The following property development standards shall apply to all land and buildings in the NCO District:

(A) **District Size And Spacing:** An NCO District shall not be less than five (5) acres nor more than twenty (20) acres. Only one overlay is allowed in each area generally described on the Comprehensive Plan Map as a Neighborhood Commercial Center.

(B) **Lot Area:**

1. Nonresidential uses shall provide a lot area of sufficient size to provide for the building, required setbacks, off-street parking and landscaping.
2. Residential uses shall provide the lot area required by the underlying residential zone.

(C) **Lot Occupancy:**

1. Nonresidential Uses: No requirement.
2. Residential Uses: Same as the underlying district.

(D) **Building Height:**

1. Nonresidential Uses: No building shall exceed twenty five feet (25') in height.
2. Residential Uses: Same as the underlying district.

(E) **Yards:**

1. Nonresidential Uses: Same as the underlying district, except buildings exceeding three thousand (3,000) square feet shall have a yard of fifty feet (50') from the property line on street frontages.
2. Residential Uses: Same as the underlying district.

(F) **Access:** All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on the subdivision plat.

(G) **Landscaping:**

1. Nonresidential uses shall have, as a minimum, twenty percent (20%) of the site landscaped.
  - a. Parking rows shall be separated by landscaping of at least five feet (5') in width for the entire length of the parking rows except for walkways.
  - b. Landscaping of thirty feet (30') in depth behind the sidewalk or property line should be provided

surrounding the project. Such landscaping shall have fifty percent (50%) of the area bermed to a height of three feet (3').

2. Residential Uses: Same as the underlying district.

**(H) Off-Street Parking:**

1. All uses shall comply with the provisions of Chapter 10 of this Title.

**(I) Signs:**

1. Nonresidential Uses: Signing shall be limited to:

- a. One freestanding monument sign which shall not exceed fifty (50) square feet for each street frontage included in the NCO District. Signs utilizing indirect lighting may be lighted from six o'clock (6:00) A.M. to eleven o'clock (11:00) P.M.
- b. One flush wall-mounted sign per business, not to exceed one square foot of signing for each foot of width of the wall upon which the sign is to be placed, but not to exceed one hundred fifty (150) square feet. Signs utilizing internal illumination may be lighted from six o'clock (6:00) A.M. to eleven o'clock (11:00) P.M.
- c. No other external advertising devices allowed, i.e., banners, pennants, etc.

2. Residential Uses: Same as the underlying district.

**(J) Walls, Fences And Landscaping: Same as the underlying district.**

**(K) Additional Requirements:**

1. Nonresidential Uses: The following additional requirements shall also be met:

- a. All buildings shall be of a residential architectural style with gable or hip roof with a minimum 3/12 pitch and twelve inch (12") eave.
- b. Hours of store operation within the NCO District shall be between the hours of six o'clock (6:00) A.M. to eleven o'clock (11:00) P.M.
- c. Single occupancy buildings not to exceed twenty five thousand (25,000) square feet.
- d. No exterior display of merchandise/goods (or storage).
- e. Totally enclosed refuse containers.
- f. Additional requirements as may be determined by the City Council through the PUD process.

2. Residential Uses: Same as the underlying district. (Ord. 2526, 5-20-1996)