

Chapter 17.76 COMMERCIAL ZONES

17.76.010 Purpose.

This chapter provides regulations applicable to primary uses in the commercial zoning districts established by Section 17.16.10 (zoning districts established). The commercial zoning districts are as follows:

- A. Retail Commercial District. The purpose of the retail commercial district (C-R) is to provide for areas where shopping centers may be established to serve surrounding residential neighborhoods and the outlying districts. The regulations of this district are designed to promote a combination of retail and service facilities to meet the needs of residents of the surrounding area.
- B. Highway Commercial District. The purpose of the highway commercial district (C-H) is to provide for areas in appropriate locations adjacent to thoroughfares where activities dependent upon or catering to thoroughfare traffic may be established, maintained and protected. The regulations of this district are designed to encourage centers for retail, commercial, entertainment, automotive and tourist housing facilities and other appropriate highway-related activities. Zoning regulations for this district are provided in more detail in the I-80 corridor revitalization district.

(Ord. No. 519, 8-8-2012)

17.76.020 Permitted use types.

Primary uses are permitted in commercial zones subject to the requirements of this title as designated below:

- A. Principally permitted use, designated as "P";
- B. Conditionally permitted use, designated as "CUP"; and
- C. Administratively permitted use, designated as "AP."

Primary use types not listed or designated by a dash (-) are not permitted in that zone district.

Accessory uses and structures are permitted in commercial zones subject to the requirements set forth in Chapter 17.96.

SEE CHAPTER 17.32 "PERMIT AND VARIANCE REQUIREMENTS" FOR INFORMATION ON USE PERMITS AND OTHER TYPES OF PERMITS THAT MAY BE REQUIRED, REGARDLESS OF HOW A USE IS CLASSIFIED IN THIS CHART

COMMERCIAL ZONE DISTRICTS PERMITTED USES		
AGRICULTURAL AND OPEN SPACE USE TYPES	C-R	C-H
Resource Protection and Restoration	CUP	CUP
CIVIC USE TYPES	C-R	C-H
Community Assembly ⁽¹⁰⁾	AP/CUP	-
Community Services	AP	AP
Hospital Services		
General Hospital Services	AP/CUP	AP/CUP
Psychiatric Hospital Services	CUP	CUP
Libraries and Museums, Private	P	P

Public Parking Services	P	P
Schools		
College and University	CUP	AP
Elementary and Secondary	CUP	AP
Private Elementary and Secondary	CUP	AP
Social Services		
Food Distribution ⁽²⁾	AP/CUP	AP/CUP
Food Service ⁽³⁾	AP/CUP	AP/CUP
Emergency Shelter ⁽⁴⁾	AP/CUP	AP/CUP
Power Generating Facilities ⁽⁸⁾		
Emergency	AP	AP
Supplemental/Individual Use	AP	AP
Passive Power	P	P
RESIDENTIAL USE TYPES	C-R	C-H
Caretaker/Employee Housing	CUP	CUP
Dwelling ⁽⁹⁾		
Multifamily	CUP	-
Single-family	CUP	CUP
Two-family	CUP	CUP
Family Day Care Home, Small	P	-
Family Day Care Home, Large ⁽¹⁴⁾	CUP	-
Single Room Occupant	-	-
COMMERCIAL USE TYPES	C-R	C-H
Adult-oriented Businesses ⁽¹⁾	CUP	CUP
Animal Sales and Service ⁽¹²⁾		
Grooming and Pet Stores	P	P
Kennels ⁽¹¹⁾	AP	AP
Veterinary Clinic	P	P
Veterinary Hospital	AP	AP
Automotive and Equipment		
Automotive Body and Equipment Repair	AP/CUP	P
Automotive Rentals	P	P
Automotive Repairs	CUP	P
Automotive Sales	P	P
Carwash and Detailing	AP	P
Commercial Parking	P	P
Heavy Equipment Rental and Sales	P	P
Gasoline Sale	AP	P
Banks and Financial Services	P	P
Bars and Drinking Places	AP	AP
Broadcasting and Recording Studios	P	P
Building Material Stores	P	P
Business Support Services	P	P
Commercial Cannabis Activities		
Cultivation	P	P
Cultivation Nursery	P	P

Distributor	P	P
Manufacturer	P	P
Microbusiness	P	P
Retailer	P	P
Testing Laboratory	P	P
Commercial Recreation		
Amusement Center	P	P
Indoor Entertainment	P	P
Indoor Sports and Recreation	P	P
Outdoor Entertainment	AP	P
Outdoor Sports and Recreation	P	P
Large Amusement Complexes	AP	P
Community Care Facility	AP	-
Day Care Center	AP	-
Eating and Drinking Establishments		
Fast Food with Drive-Through	AP	P
Convenience	P	P
Full Services	P	P
Food and Beverage Retail Sales	P	P
Long-Term Care Facility	CUP	-
Maintenance and Repair	P	P
Medical Services, General	P	P
Neighborhood Commercial	P	-
Nightclubs ⁽⁵⁾	AP	AP
Nursery, Retail	P	P
Offices, Professional	P	P
Personal Services	P	P
Retail Sales and Services	P	P
Specialized Education and Training		
Vocational Schools	P	P
Specialty Schools	P	P
Storage Facility, Self-service ⁽¹³⁾	AP	P
INDUSTRIAL USE TYPES	C-R	C-H
Day care centers, secondary	CUP	CUP
Laundries, Commercial	P	P
Printing and Publishing	P	P
Research Services	P	P
Wholesaling and Distribution, Light	AP	P
TRANSPORTATION AND COMMUNICATION USE TYPES	C-R	C-H
Telecommunication Facilities ⁽⁶⁾	P/AP/CUP	P/AP/CUP
Heliport	CUP	CUP
Intermodal Facilities ⁽⁷⁾	CUP	CUP

Notes:

(1) Additional requirements are contained in Chapter 17.128.

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- (2) Additional requirements are contained in Chapter 17.148.
 - (3) Additional requirements are contained in Chapter 17.144.
 - (4) Additional requirements are contained in Chapter 17.140.
 - (5) Additional requirements are contained in Chapter 17.164.
 - (6) Additional requirements are contained in Chapter 17.132.
 - (7) Additional requirements are contained in Chapter 17.136.
 - (8) Additional requirements are contained in Chapter 17.180.
 - (9) Supportive and transitional housing are considered residential use types.
 - (10) Food service or distribution facilities are allowed in conjunction with this use with approval of an admin permit pursuant to Chapters 17.144 and 17.148.
 - (11) Kennels are also subject to the regulations set forth in Colfax Municipal Code Chapter 6.12 (kennels).
 - (12) These establishments are exempt from Municipal Code Chapter 6.20 (limitations on number of animals).
 - (13) Additional requirements are contained in Chapter 17.176.
 - (14) Additional requirements are contained in Chapter 17.160.
- (Ord. No. 519, 8-8-2012; Ord. No. 542, § 1(Exh. B), 7-8-2020)

17.76.030 Commercial zone general development standards.

- A. General. Permitted uses and structures shall comply with the city's adopted community design guidelines, applicable specific plans, approved design review permit and any other applicable requirements of this title.
- B. Maximum Height. Notwithstanding these requirements referred to in subsection A. of this section, maximum height limits in the commercial zoning districts are as follows unless otherwise modified by an approved design review permit or specific plan:

Zoning District	Height Limit
Retail Commercial (C-R)	30'
Highway Commercial (C-H)	35'

- C. Clear Vision Triangle, Nonresidential. The following standards shall apply to the installation of structures on corner parcels:
 1. On a corner parcel, no fence, wall, hedge, sign or other structure, shrubbery, mounds of earth, or other visual obstruction over thirty-six (36) inches in height above the top of the existing or planned curb elevation shall be erected, placed, planted, or allowed to grow within a commercial clear vision triangle (see Chapter 17.12, definitions). The foregoing provision shall not apply to public utility poles; trees trimmed (to the trunk) to a line at least eight feet above the elevation of the intersection; saplings or plant species of open growth habits and not planted in the form of a hedge, which are so planted and trimmed as to leave, at all seasons, a clear and unobstructed crossview; supporting members of appurtenances to permanent structures existing on the date that the ordinance codified in this chapter becomes effective; and official warning signs or signals.
 2. The clear vision triangle standards are subject to mandatory code enforcement for health and safety reasons and discretionary code enforcement for aesthetic reasons.

D. Area, Lot Width and Yards.

1. The following minimum requirements shall be observed in the retail commercial district (C-R), except where increased for conditional uses:

Lot Area (Sq. Feet)	Front	Side	Rear
5,000	None, except where the abutting side lot line is in a residential district, then not less than required for such residential district	None, except where a side lot line is abutting a residential district, then not less than the side yard required for such residential district	10 feet, except where abutting a residential district

2. The following minimum requirements shall be observed in the highway commercial district (C-H), except where increased for conditional uses:

Lot Area (Square Feet)	Lot Coverage (Maximum Percent)	Yards in Feet Front	Yards in Feet Side	Yards in Feet Rear
5,000	50	25	None, except where abutting a residential district, then not less than 20 feet	10 feet, except where abutting a residential district, then not less than 25 feet

E. Exceptions to Height Limits. Notwithstanding the requirements of subsection 17.76.030B., the following structures are permitted to exceed the maximum height limits, as follows:

1. Architectural Features, Mechanical Equipment. Chimneys, vents, and other architectural or mechanical appurtenances on buildings may be a maximum of fifteen (15) percent higher than the height limit of the applicable zone.

F. All uses in the commercial districts must comply with any applicable requirements set forth in Article IV - general development regulations and Article V - special area and specific use regulations.

(Ord. No. 519, 8-8-2012)