

Chapter 17.40 - GB GENERAL BUSINESS ZONE

Sections:

17.40.010 - Purpose.

The purpose of the GB zone is to provide a location for the sale of commodities, performance of services, repair facilities, tourist oriented sales, and other types of general enterprise. The GB zone can also accommodate mixed use residential uses. The inclusion of mixed use residential land uses in commercial areas is encouraged to increase the area's population and pedestrian activity while reducing air pollution, energy consumption and transportation costs.

(Ord. 87-2 § 4.07-01, 1987)

(Ord. No. 2009-06, § 2(Exh. A-10), 9-9-2009)

17.40.020 - Principal permitted uses.

In the GB zone, the following uses are permitted:

- A. All residential uses as permitted in the R1 and R2 zones and principal permitted uses of the OP zone;
- B. Offices on the second floor and above, stores and shops supplying commodities or performing services, such as department stores, specialty shops, bakeries, and including regional shopping centers or major elements of such centers;
- C. Restaurants except drive-in, cocktail lounges, theaters and similar enterprises provided that such uses are conducted within a completely enclosed building;
- D. Hotels and motels;
- E. Mixed residential uses at a maximum density of 4 (four) units per acre may be included within any building devoted to a nonresidential use or uses permitted in the GB zone, provided that irrespective of lot size, a minimum of one residential unit is permitted.
- F. Any other similar business or service enterprise, except offices on the ground floor, consistent with the purpose of this chapter and which will not impair the present or potential use of adjacent properties shall be deemed a permitted use under this section upon an adopted motion of the planning commission. Such business or service establishments will be characterized by the following for ground level use:
 - 1. Nature of business depends upon walk-in traffic, and
 - 2. Nature of business provides sales tax revenue to the city of Nevada City, and
 - 3. Business provides products to a broad spectrum of the general public, and
 - 4. The proposal will not weaken the concentration and continuity of retail facilities at ground level, and will not break up an important shopping frontage, and
 - 5. If a manufacturing, assembly, fabricating or handcrafting process is involved, then the major retail outlet for such products will be on the premises where such processes are performed;
- G. Restrictions on ground level uses:
 - 1. No new or expanded office of any type may be located on the ground level of any building, unless the approving authority grants a conditional use permit and finds the use complies with Section 17.40.040(J). The cost of a conditional use permit for a ground level office shall be one hundred dollars (\$100.00).

(Ord. 2006-01 Exh. A §§ 1, 2, 2006; Ord. 87-2 § 4.07-02, 1987)

(Ord. No. 2009-06, § 2(Exh. A-10), 9-9-2009)

17.40.030 - Accessory uses.

In the GB zone, the following are accessory uses:

- A. Signs and advertising structure as regulated by Article II of Chapter 17.68 of this title;
- B. Accessory uses and buildings customarily appurtenant to a permitted use.

(Ord. 87-2 § 4.07-03, 1987)

17.40.040 - Conditional uses.

In the GB zone, the following are conditional uses:

- A. Public and quasi-public uses;
- B. Nightclubs, bowling alley, dancehall, rollerskating rink;
- C. Mortuaries;
- D. Automobile and truck service stations and garages for automobile;
- E. Repair and carwash when abutting any residential zone;
- F. Sidewalk cafes or outdoor restaurants, including below or above street level facilities which have seasonal uses;
- G. Commercial parking lots;
- H. One dwelling unit located in any building devoted to a nonresidential use or uses permitted in the GB zone;
- I. Health clubs;
- J. Ground level offices performing services including, but not limited to, mortgage lending, legal, insurance, real estate and bookkeeping upon written and adopted findings of the planning commission meeting the following criteria:
 - 1. The proposed office use will not detract from the compact, integrated character of the retail area, and
 - 2. The proposed office will not impair a generally continuous wall of building facades, and
 - 3. The proposed office will not weaken the concentration and continuity of retail facilities at ground level, and will not break up an important shopping frontage, and
 - 4. The proposed office will not interfere with the movement of people along an important pedestrian walkway, and
 - 5. The proposed office will conform in all significant respects with any applicable specific plans and ordinances that have been adopted by the city council pertaining to the historical district, and
 - 6. The proposed office will not upset the balance of facilities and enterprises so as to conflict with the purpose as described in Section 4.07-01 of the zoning ordinance (Section 17.40.010 of the municipal code) as hereinbefore stated, or
 - 7. The business demonstrates an overriding public benefit.

(Ord. 2006-01 Exh. A § 3, 2006; Ord. 87-2 § 4.07-04, 1987)

17.40.050 - Height regulations.

In the GB zone, the height regulation is forty feet; providing, however, that no building or structure shall be erected to such a height that it would be detrimental to the light, air or privacy of any other structure or use, existing or anticipated, or out of character with the district as a whole.

(Ord. 87-2 § 4.07-05, 1987)

17.40.060 - Development standards.

The following minimum requirements shall be observed in the GB zone except where increased for conditional uses:

- A. Lot area for single-family dwellings and multiple dwellings same as in the R2 zone;
- B. Front yard, none;
- C. Side Yards.
 - 1. Interior, none, except when abutting residential zones, then not less than nine feet,
 - 2. Corner, none, except when abutting residential zones, then not less than nine feet;
- D. Rear yard, none, except when abutting residential zones, then not less than nine feet.

(Ord. 87-2 § 4.07-06, 1987)

17.40.070 - Other required conditions in the GB zone.

- A. All uses are subject to the provisions of Chapter 17.80 of this title;
- B. All uses except for off-street parking and loading facilities, outdoor restaurants and recycling collection facilities shall be conducted wholly within a completely enclosed building, unless otherwise permitted by a conditional use permit.

(Ord. 88-2 § 5 (part), 1988; Ord. 87-2 § 4.07-07, 1987)