

Secs. 28-654—28-670. - Reserved.

DIVISION 18. - C-4 CENTRAL COMMERCIAL DISTRICT

Sec. 28-671. - Purpose.

The C-4 central commercial district is intended to provide for a wide variety of business, residential and civic activities within the central core area of the city region. The district regulations are designed to encourage a mix of functions, including retail, service, office and residential, to create and maintain vitality in the central area as a focus for the community, while recognizing the specific intense urban character of the core.

(Ord. No. 1986-49, § 1(4.1801), 9-16-86)

Sec. 28-672. - Permitted uses.

Permitted uses in the C-4 district are:

- (1) Townhouse dwellings.
- (2) Multiple-family dwellings.
- (3) Clinics and lab services, but not including veterinary clinics.
- (4) Financial institutions.
- (5) Clubs, lodges, fraternities and sororities where the chief activity is not a business.
- (6) Commercial and vocational schools.
- (7) Convalescent or rest homes.
- (8) Dressmaking, millinery, tailor shops, shoe repair shops and similar shops.
- (9) Child care facilities.
- (10) Office buildings.
- (11) Personal service shops.
- (12) Restaurants.
- (13) Retail sales excluding automobiles, trucks, farm machinery, construction machinery and equipment, agricultural and farm supplies and motorcycles.
- (14) Studios of artists, photographers, crafts and custom trades.
- (15) Hotels, motels and motor hotels.
- (16) Physical culture and health services, including gymnasiums and reducing salons.
- (17) Travel bureaus.
- (18) Repair and servicing of bicycles, radios, televisions, appliances, keys and similar consumer articles.
- (19) Indoor recreational facility.
- (20) Craft studios and custom trades, such as bookbinding, jewelry making and upholstering.
- (21) Public uses, such as parks, libraries, buildings and municipal zoos.
- (22) Schools including public and private schools, elementary and secondary schools, preschools, kindergartens, nursery schools and special schools, provided the use meets all setback, lot size and other development requirements applicable.

- (23) Houses of worship, convents, rectories, parsonages and parish houses.
- (24) Fire stations, police stations, artesian wells, pumping stations, lakes, boat docks, boathouses, water supply reservoirs, filter beds, water tanks, towers or standpipes and marinas.
- (25) Railroad rights-of-way, railroad tracks, bridges and signals.
- (26) Public utilities; poles, wires and transmission and/or distribution lines and other transmission and distributing appurtenances, but not including storage facilities, electrical energy production facilities, transformers or relay substations.
- (27) Commercial parking facilities.
- (28) Accessory signs subject to the provisions of article VIII of this chapter.
- (29) Other accessory uses subject to the provisions of section 28-926.
- (30) Alcoholic beverages, sale for off-premises consumption.
- (31) Alcoholic beverages, sale for on-premises consumption; provided the use is located in a structure which is at least 100 feet from a lot zoned R-1 or R-2.
- (32) Automotive and motor vehicle repair, service and gas sales.
- (33) Bakeries, retail.
- (34) Broadcasting stations, radio and TV.
- (35) Catering establishments.
- (36) Cleaning, dyeing, and laundry plants, commercial.
- (37) Home occupations subject to the provisions of section 28-928 and all other applicable provisions of this chapter.
- (38) Laundries, self-serve commercial.
- (39) Office and business equipment sales offices.
- (40) Equipment rental (small domestic).
- (41) Photostating and copy services.
- (42) Printing, blueprinting, binding, publishing, lithographing, and engraving.
- (43) Indoor amusement facility.
- (44) Religious, philanthropic and educational institutions, museums.
- (45) Restaurants, retail sales, or personal, automobile or financial services providing goods or services directly to customers in motor vehicles outside of an enclosed structure.
- (46) Theaters (not drive-in).
- (47) Commercial funeral home.
- (48) Parcel and package delivery and express services.
- (49) Wholesale buying clubs.
- (50) Auto, retail gas sales, only with convenience stores.
- (51) Accessory off-street parking and loading facilities, but such use shall not be subject to the provisions of article VII of this chapter.
- (52) Any residential use utilizing any floor or floors other than the ground floor.
- (53) Any residential use combined with any other use that is allowed in this district, providing that the residential use is intended for occupancy by the proprietor or employees of the respective business or use with which it is combined, (i.e., artist studio, guard quarters, etc.).

- (54) Licensed group homes.
- (55) Micro-breweries.
- (56) Bed and breakfast inn provided that a bed and breakfast facility license has been issued in accordance with chapter 13 of this Code.
- (57) Wireless communication system antennas on alternate independent support structures.
- (58) Reserved.
- (59) Retail sales exclusively outside an enclosed building, provided that a private open air vending permit has been issued in accordance with Chapter 13 of this Code for such use.
- (60) Adult day care facilities.
- (61) Small packaging and shipping services.
- (62) Enclosed outside storage subject to the provisions of section 28-926.
- (63) Mortuary services as an accessory use to a commercial funeral home and subject to the provisions of section 28-926.
- (64) Excavation, mining and/or removal of material limited to sand, soil or gravel, as an accessory use for the purpose of construction on the property or development of the property for a permitted use by right or by special permit; provided the excavation, mining and/or removal of material meet the following:
 - a. The amount of material being removed from the site is not more than 125,000 cubic yards;
 - b. A site grading permit is issued meeting all requirements of article III, division 3 of this chapter for a period of time that is specified in the site grading permit which period of time shall be reasonable for the amount of work that is being done as part of the construction on the property or development of the property for a permitted use, as determined by the building official; and
 - c. If excavation, mining and/or removal of material is intended to create a water body or lake as an accessory use, the area of the water body or lake cannot exceed ten percent of the total area of the tract or lot where it is being constructed. This applies to the parent tract or lot and further division of the parent tract or lot will not permit additional water bodies or lake to exceed ten percent of the total area of the parent tract or lot.
- (65) Reserved.
- (66) Farmers' markets (except on lots containing only single-family uses) provided that a farmers' market permit has been issued in accordance with chapter 13 of this Code.
- (67) Sale of alcohol for off-premise consumption provided that such use occurs at a permitted farmers' market.
- (68) Community gardens provided that a community garden permit has been issued in accordance with chapter 13 of this Code (unless such permit is not required under chapter 13 of this Code).
- (69) Temporary commercial parking facility.
- (70) Bed and breakfast homestay establishment provided that a bed and breakfast facility license has been issued in accordance with chapter 13 of this Code.
- (71) Short term rental type I provided that a short term rental facility license has been issued in accordance with chapter 13 of this Code, and such use is in a mixed use building or adaptive reuse of an existing building.
- (72) Short term rental type II provided that a short term rental facility license has been issued in accordance with chapter 13 of this Code, and such use is in a mixed use building or adaptive reuse of an existing building.

- (73) Short term rental type III provided that a short term rental facility license has been issued in accordance with chapter 13 of this Code.

(Ord. No. 1986-49, § 1(4.1802), 9-16-86; Ord. No. 1987-3, § 9, 2-17-87; Ord. No. 1987-24, §§ 3, 12, 15, 16, 20, 12-21-87; Ord. No. 1987-58, § 9, 10-27-87; Ord. No. 1988-45, § 10, 10-18-88; Ord. No. 1990-13, §§ 2, 3, 4-17-90; Ord. No. 1990-61, §§ 6, 8, 12, 15, 16, 12-18-90; Ord. No. 1995-3, § 2, 3-7-95; Ord. No. 1997-2, § 1(d), 2-4-97; Ord. No. 1997-25A, § 1, 6-17-97; Ord. No. 1997-30, § 1(h), 7-1-97; Ord. No. 2003-0383, § 1, 7-1-03; Ord. No. 2004-0122, § 1, 4-6-04; Ord. No. 2005-287, § 2, 5-3-05; Ord. No. 2005-437, § 2, 8-2-05; Ord. No. 2007-290, § 3, 5-1-07; Ord. No. 2010-131, § 1, 3-2-10; Ord. No. 2010-692, § 1, 12-7-10; Ord. No. 2010-693, § 1, 12-7-10; Ord. No. 2011-116, § 1, 3-1-11; Ord. No. 2013-483, § 1, 8-20-13; [Ord. No. 2014-432, § 1, 8-5-14](#); Ord. No. [2017-703](#), § 2, 8-1-17)

Sec. 28-673. - Special uses.

Uses which may be allowed in the C-4 district by special permit in accordance with the provisions of section 28-121 et seq. are:

- (1) Airport or heliport, subject to approval of the Federal Aviation Administration.
- (2) Hospitals.
- (3) Monopole and stealth antenna structures at any height for wireless communication system.
- (4) Cemeteries.
- (5) Nurseries or greenhouses, retail.
- (6) Flea markets.
- (7) Schools; colleges and universities.
- (8) Carpet cleaning.
- (9) Public utilities; shops, yards, generation, storage and substations.
- (10) Veterinarian clinics (no outside kennel).
- (11) Reserved.
- (12) Vocational rehabilitation.
- (13) Wholesale sales and distribution.
- (14) Lattice antenna and guy wire antenna structures for wireless communication system if at a height of 90 feet or less.
- (15) Reserved.
- (16) Transitional shelter II.
- (17) Shelters.
- (18) Excavation, mining and/or removal of any material, including, but not limited to, sand, soil and gravel, as an accessory use for the purpose of construction on the property or development of the property for a permitted use by right or by special permit, if (1) the amount of material being removed from the site is more than 125,000 cubic yards, or (2) the excavation and/or mining involving the removal of material is intended to construct a water body or lake as an accessory use and the area of the water body or lake exceeds ten percent of the total area of the lot or tract where it is being constructed; provided the excavation, mining and/or removal is conducted in accordance with all terms and conditions of the special use permit, the surface mining and

excavation guidelines and all other applicable ordinances and codes of the city and meets the following conditions:

- a. The property on which the excavation, mining and/or removal operation is conducted is not located within 1,000 feet of 26 or more dwelling units, and
- b. Trucks used to transport excavated material from an excavation or mining operation site shall not be driven on a local or collector street that provides vehicular access to a residential subdivision containing 26 or more dwelling units.

(19) Self-storage warehouses in an enclosed, climate-controlled structure.

(20) Crematory services as an accessory use to a commercial funeral home and subject to the provisions of section 28-926.

(Ord. No. 1986-49, § 1(4.1803), 9-16-86; Ord. No. 1987-24, § 1, 12-21-87; Ord. No. 1987-58, § 8, 10-27-87; Ord. No. 1988-45, § 1, 10-18-88; Ord. No. 1989-33, § 1, 8-15-89; Ord. No. 1990-13, § 4, 4-17-90; Ord. No. 1997-2, § 1(d), 2-4-97; Ord. No. 1997-30, § 1(i), (k), 7-1-97; Ord. No. 1998-53, § 1, 2-2-99; Ord. No. 2003-0383, § 1, 7-1-03; Ord. No. 2003-0405, § 1, 7-15-03; Ord. No. 2004-0332, § 1, 6-15-04; Ord. No. 2010-692, § 1, 12-7-10; Ord. No. 2013-481, § 1, 8-20-13; Ord. No. 2013-483, § 1, 8-20-13; Ord. No. [2015-283](#), § 1, 5-5-15; Ord. No. [2018-568](#), § 1, 6-5-18)

Sec. 28-674. - Lot area.

There shall be no minimum lot area or width required in the C-4 district.

(Ord. No. 1986-49, § 1(4.1804), 9-16-86)

Sec. 28-675. - Height restrictions.

There shall be no height limit in the C-4 district.

(Ord. No. 1986-49, § 1(4.1805), 9-16-86)

Sec. 28-676. - Yard requirements.

There shall be no minimum yard requirements in the C-4 district, except that:

- (1) Any rear or side yard abutting an R-3 or O district shall not be less than 15 feet.
- (2) Any rear or side yard abutting an R-1 or R-2 district shall not be less than 25 feet.
- (3) Provisions applicable under section 28-904 will apply.
- (4) The required side or rear yard adjacent to a lot in an R-1A, R-1B or R-1C district shall be increased by one foot for each two feet, or fraction thereof, by which the principal structure exceeds 25 feet in height.

(Ord. No. 1986-49, § 1(4.1806), 9-16-86; Ord. No. 1987-24, § 5, 12-21-87)

Sec. 28-677. - Additional regulations.

Uses in the C-4 district shall also comply with the following regulations:

- (1) Section 28-171 requiring review of development plans for all uses.

- (2) Chapter 9 regulating development in the escarpment zone.
- (3) Chapter 11 regulating development in floodplains.
- (4) A permit is required for all site work of property and for the construction or substantial alteration of a parking lot. "Substantial alteration" includes the adding of spaces or reconstruction of the parking lot area. Single-family residential uses shall be exempt from this requirement.

(Ord. No. 1986-49, § 1(4.1807), 9-16-86; Ord. No. 1998-82, § 1, 5-4-99)

Sec. 28-678. - Distance requirements.

- (a) A transitional shelter located in the C-4 district shall be located at least 500 feet from any lot used for a school, day care center, or another transitional shelter, community home II, shelter, or halfway house.
- (b) A shelter located in the C-4 district shall be located at least 500 feet from any lot used for a school, day care center, or another shelter, community home II, transitional shelter, or halfway house and shall be located at least 500 feet from property zoned R-1A or R-1B.

(Ord. No. 2004-0332, § 1, 6-15-04)