

SECTION 3.4: C-1: NEIGHBORHOOD COMMERCIAL ZONE

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SECTION 3.410 PURPOSE

To provide for the location of needed small businesses and services in the City Center for the convenience of nearby residents. Businesses are intended to fit into the residential character of the neighborhood and not create either architectural or traffic conflicts.

SECTION 3.420 OUTRIGHT USES PERMITTED A permitted use is a use which is permitted outright subject to the applicable provisions of this code. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Section 13.091.

In a C-1 Zone the following uses and their accessory uses are permitted outright.

1. Retail business primarily for the convenience of nearby residents, these uses are limited to; grocery, drug, barber and beauty shops.
2. Home occupations (see Section 6.050).
3. Government facility limited to post office.
4. Offices.
5. Manufactured dwelling, recreation vehicle or construction office used during the construction period of a permitted or conditional use for which a building permit has been issued, but not to exceed one year.
6. Soda Fountain.

SECTION 3.430 CONDITIONAL USES PERMITTED A conditional use is a use the approval of which is at the discretion of the Planning Commission as set forth in Article 8 Conditional Uses. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Section 13.091.

In a C-1 Zone the following conditional uses and their accessory uses are permitted subject to the provisions of Article 8 and standards in Section 3.440.

1. Neighborhood Café (subject to the standards of Section 8.050 (5)).
2. Variety stores.

SECTION 3.435 PROHIBITED USES A prohibited use is one which is expressly prohibited in the zone. In addition, uses not specifically listed as permitted or conditional in the zone, or deemed to be similar uses permitted to Section 13.091 are also prohibited.

1. The sale or holding out for sale or allowing others to sell or hold out for sale, more than (1) new or used vehicle, motor home, trailer, recreational vehicle, motorcycle, or boats at any one time on a tax lot.¹
2. Prohibited uses as defined in Section 3.14 Tsunami Hazard Overlay Zone.

Section 3.436 ADDITIONAL USE RESTRICTIONS

Development as defined in Section 1.030 #53 may be restricted by an overlay zone. A relevant overlay zone may include one or more as follows: Section 3.10 Flood Hazard Overlay Zone; Section 3.11 Aquatic Conservation Zone; 3.12 Beaches and Dunes Overlay Zone; Section 3.13 Freshwater Wetland and Lake Overlay Zone; Section 3.14 Tsunami Hazard Overlay Zone; Section 3.15 Airport Overlay Zone.

SECTION 3.440 C-1 ZONE STANDARDS

In a C-1 Zone the following standards shall apply.

1. Uses shall include applicable R-1 Zone standards except:
 - Minimum lot size can be 5,000 square feet, and
 - Except where property owners offer joint easement of 25-foot side yards for accessibility to on site waste disposal facilities.
2. No off-street parking is required in the C-1 zone except for residential dwellings and neighborhood cafes located in new structures.
3. Transportation Improvements.
As specified in Article 4, Transportation Improvements and Access Management.

EXCEPTIONS TO STANDARDS

SECTION 3.445 GENERAL EXCEPTIONS TO LOT SIZE REQUIREMENTS

If a lot or the aggregate of contiguous lots in residential and commercial zones held in a single ownership are recorded in the office of the County Clerk at the time of the passage of Ordinance 477 (dated January 24, 1978) has an area or dimension which does not meet the respective lot size requirements, the holdings may be occupied by a use permitted in this zone subject to the other requirements of this zone, provided that, if there is an area deficiency, residential use shall be limited to a single-family dwelling. However, no dwelling shall be built on a lot with less area than 4,000 square feet. However, an owner is entitled to an exception only if his property is isolated. If the owner of an undersized holding owns another lot adjacent to it, he is not entitled to an exception. Rather, he must combine the two holdings to form one which will meet, or more closely approximate the area requirements of this ordinance.

SECTION 3.455 GENERAL EXCEPTIONS TO BUILDING HEIGHT LIMITATIONS

Projections such as chimneys, spires, domes, elevator shaft housings, towers, aerials, flagpoles, and other similar objects not used for human occupancy are not subject to the building height limitations of this ordinance.