CHAPTER 15

BUSINESS/RESIDENTIAL ZONE (BR)

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11-15-010 Purpose.

The intent of this zone is to provide an area in the City for a mix of professional and government offices, limited commercial uses, and residential land uses. The standards and guidelines contained herein are further intended to encourage compatibility between new and existing development, to enhance the physical appearance of the district, and, where applicable, to reinforce the historic character and development pattern of the district.

11-15-020 Permitted Uses.

The following are permitted uses in the BR Zone subject to site development review. No other permitted uses are allowed, except as provided by Section 11-4-105(6):

(1) Agriculture;
(2) Business and professional offices;
(3) Class "A" beer outlet;
(4) Commercial testing laboratories;
(5) Data processing services;
(6) Day care, pre-school;
(7) Financial institutions;
(8) Funeral home;
(9) Neighborhood service establishments (low impact retail and service uses such as bakery, bookstore, dry-cleaning, hair styling, coin laundry, pharmacy, art supply/gallery, craft store, photo-copy center, etc.);
(10) Printing, publishing;
(11) Public park;
(12) Public utility lines and rights-of-way;
(13) Reception center;
(14) Research services;
(15) Residential facility for the elderly;
(16) Residential facility for the handicapped;
(17) Seasonal fruit/produce vendor stands;
(18) Signs complying with provisions of the Sign Ordinance;
(19) Single-family dwelling;
(20) Two-family dwelling;
(21) Uses customarily accessory to a listed permitted use.
(22) Home occupations complying with the Home Occupation Chapter of this Title, except as specified in Section 11-15-030 below.

11-15-030 Conditional Uses

The following are conditional uses in the BR Zone. No other conditional uses are allowed, except as provided by Section 11-4-105(6):

(1) Apartment dwelling group;
(2) Athletic or tennis club;
(3) Car wash;
(4) Commercial indoor recreation (movie theater, video arcade, bowling alley, etc.);
(5) Commercial outdoor recreation, minor (family reunion center, outdoor reception facilities, picnic grounds, tennis courts, etc.);
(6) Convenience store (sale of grocery items, non-prescription drugs, and/or gasoline from building with less than five thousand (5,000) square feet gross floor area);
(7) Fast food establishments, attached (walk-in service only, no exterior walk-up or vehicle drive-thru service);
(8) Fuel sales and/or storage;
(9) Greenhouse/garden center (retail or wholesale);
(10) Hotels, motels;
(11) Multiple-family buildings with three or more units;
(12) Neighborhood grocery (grocery store not exceeding fifteen thousand (15,000) square feet in gross floor area);
(13) Nursing home, convalescent center;
(14) Pet store or pet grooming establishment;
(15) Public and quasi-public uses except the following prohibited uses: correctional/detention facilities, half-way houses, drug or alcohol rehabilitation facilities, facilities for the treatment or confinement of the mentally ill, homeless shelters, domestic violence shelters, and other similar facilities including those which may allow or require that clients stay overnight or longer;
(16) Public or quasi-public uses, material additions or modifications on a developed site;
(17) Public utility substations, wireless transmission towers except as specified in Section 11-28-190, generating plants, pumping stations, and buildings;
(18) Reduction of minimum setbacks for office/commercial buildings located next to residential uses within the BR zone (see Section 11-15-105(c);
(19) Restaurant (traditional sit-down);
(20) shopping center (commercial complex);
(21) Small Auto Dealership;
(22) Temporary uses;
(23) Uses customarily accessory to a listed conditional use.
(24) Home occupations as identified in Section 11-35-104 of this Title.

11-15-040 Lot Standards for Residential Uses.

(1) The minimum lot size for single-family residential uses in the BR zone shall be eight thousand (8,000) square feet. Dimensions, setbacks, maximum height of buildings, and related provisions for single-family residential uses in the BR zone shall comply with standards for the R zone as specified in Chapter 11 of this Title.

(2) Lot size, dimensions, setbacks, maximum height of buildings, and related provisions for multiple-family residential uses in the BR zone shall comply with standards specified in Chapter 13 of this Title.

(3) Development of apartment dwelling groups shall comply with provisions of Section 11-13-080 of this Title.

11-15-050 Lot Standards for Office/Commercial Uses.

(1) Building setbacks:

(a) Front and side yards. No setback is required for office/commercial buildings and structures except as specified in (c) below;

(b) Where office/commercial development in a BR zone share a common property line with a residential zone, the minimum setback for the yard(s) abutting the residential zone shall be the same as that required for such residential zone.

(c) Where office/commercial development in a BR zone share a common property line with a residential use within the zone, the minimum front, side, and rear yard setbacks shall be ten (10) feet unless, upon receipt and review of a conditional use application, a lesser, or no, setback is approved by the Planning Commission.

(d) Parking shall not be permitted within the minimum required setbacks.

(2) Minimum lot size: The minimum lot size for each separate office/commercial use in the BR Zone shall be one half (½) acre unless otherwise provided by a conditional use permit. This standard shall not apply to lots legally established prior to the effective date of this Chapter.

(3) Lot width: The minimum lot width for commercial or office uses in a BR zone shall be one hundred (100) feet unless otherwise provided by a conditional use permit. For individual lots with a single use, one hundred (100) feet of frontage shall be provided on a fully improved public street. These standards shall not apply to lots legally established prior to the effective date of this Chapter.

(4) Maximum lot coverage: The maximum percentage of lot coverage for all buildings and structures in a BR zone shall be fifty percent (50%).

11-15-060 Height Standards.

No building or structure in a BR Zone shall exceed forty (40) feet in height.

11-15-070 Design Standards.

(1) All areas of a developed site not occupied by buildings, required parking, driveways, sidewalks, or service areas, shall be appropriately landscaped with lawn, trees, shrubs, and other landscaping materials in accordance with an approved landscaping plan.

(2) Parking lots shall be provided with landscaping around the periphery and in islands and bays in the interior of the lot. The minimum width of such landscaping shall be ten (10) feet.

(3) For new office/commercial development, landscaping shall be required on a minimum of fifteen percent (15%) of the gross area of the site. For residential development,

landscaping shall be required on forty percent (40%) of the gross area of the site. Gross area is interpreted as the total site area remaining after any required street dedication.

(4) Street trees shall be planted along the frontage of development sites and shall be spaced at not more than thirty (30) feet on center. The minimum caliper size for street trees shall be two (2) inches.

(5) In landscape buffers adjacent to residential zones or uses, a mix of evergreen and deciduous trees shall be planted at a ratio of not less than one (1) tree for each three hundred (300) square feet of landscape area. For listed conditional uses, this requirement may be increased if, in the opinion of the Planning Commission, additional screening or buffering is necessary on a specific site.

(6) All uses located in the zone shall be conducted entirely within a fully enclosed building. There shall be no outside storage of materials or equipment, other than motor vehicles licensed for street use, except as specifically approved by the Planning Commission in conjunction with a conditional use application.

(7) Trash storage and dumpsters shall be located in an area convenient for pick-up and shall be screened from view by a six (6) foot masonry wall.

(8) All new utility transmission lines shall be placed underground. Transformers, meters and similar apparatus shall be at or below ground level and shall be screened from public view by a wall or fence, landscaping, earth berming, or special architectural treatment acceptable to the Planning Commission.

(9) All uses shall be free from objectionable or excessive odor, dust, smoke, noise, radiation or vibration.

Chapter 14 Residential-Suburban R-S-20 Repealed 4/1/92, Ord. 92-08
Business Residential Zone BR Established 10/19/94, Ord. 94-42
11-14-103(19) Amended, 4/2/97, Ord. 97-17
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11-15-040 Amended, 7/07/99, Ord. 99-33
11-15-050 Amended 8/01/01, Ord. 2001-28
11-15-030, Amended 8/6/03, Ord. 2003-31
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11-16-030, Amended 03/04/14, Ord. 2014-07