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## Article 9: Commercial Zoned Districts (C-1:C-4)

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### SECTION 9-1 INTENT

**9-101.** It is the intent of the commercial zoning districts to provide for areas of compatible commercial and service businesses.

### SECTION 9-2 COMMERCIAL ZONING DISTRICTS

**9-201.** The following commercial zoning districts are hereby created: C-1, Office and Service Business District; C-2, Restricted Commercial District; C-3, General Commercial District; and C-4 Central Business District. Additional C-4 Central Business District regulations are set out in Article 10.

### SECTION 9-3 PERMITTED AND CONDITIONAL USES

**9-301.** In the commercial zoning districts the uses listed in Table 9-1 within the designated zoning districts are permitted uses or conditional uses when so designated. Conditional uses require the issuance of a Conditional Use Permit in accordance with the provisions of Article 26.

No building or land shall be used and no building or structure shall be erected, altered or enlarged, which is arranged, intended or designed for other than one of the uses indicated in the following Table 9-1.

**TABLE 9-1****P = Indicates Permitted Uses C = Indicates Conditional Uses**

	<b>USE</b>	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>C-4</b>
1.	Ambulance service.			<b>P</b>	<b>P</b>
2.	Amusement places, indoor.			<b>P</b>	<b>P</b>
3.	Animal hospitals.			<b>P</b> <sup>(1)</sup>	<b>P</b> <sup>(1)</sup>
4.	Any public building or land use by any department of the City, county, state or federal government	<b>C</b>	<b>C</b>	<b>C</b>	<b>P</b>
5.	Artists, authors, composers, studios and galleries	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>
6.	Auditoriums, exhibition halls, fairgrounds, stadiums and similar uses.			<b>P</b>	<b>P</b>
7.	Automobile and truck wash services.			<b>P</b>	<b>C</b>
8.	Churches, similar places of worship.	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b> <sup>(2)</sup>
9.	Convenience stores.		<b>P</b> <sup>(3)</sup>	<b>P</b>	<b>P</b>
10.	Day care facilities: childcare centers, day care homes, family day care homes, group day care homes and preschools.	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>
11.	Dry cleaners-laundries, including self-service.			<b>P</b>	<b>P</b>
12.	Dwellings: When dwelling unit(s) located on other than ground floor of commercial structure.	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>
13.	Electric-telephone substations and similar public utility uses.		<b>P</b>	<b>P</b>	<b>P</b>
14.	Food catering service, lockers-storage.			<b>P</b>	<b>P</b>
15.	Fraternal-civic-social organizations.	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>
16.	Funeral, crematory and mortuary services		<b>P</b>	<b>P</b>	<b>P</b>
17.	Furniture repair, upholstering			<b>P</b>	<b>P</b>
18.	Garden supplies – nurseries, greenhouses.			<b>P</b>	<b>P</b>
19.	Golf driving ranges.			<b>C</b>	<b>C</b>
20.	Health and exercise spas, gymnasiums.	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>
21.	Hospitals, clinics, laboratories.	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>
22.	Hotels and motels.		<b>C</b>	<b>P</b>	<b>P</b>
23.	Industrial laundry and linen supply services.			<b>C</b>	<b>C</b>
24.	Kennels-boarding and breeding.			<b>C</b>	<b>C</b>
25.	Miniature golf, outdoor.		<b>P</b>	<b>P</b>	<b>C</b>
26.	Mini-storage, self-storage.		<b>C</b> <sup>(7)</sup>	<b>C</b> <sup>(7)</sup>	<b>C</b> <sup>(7)</sup>
27.	Manufactured home sales.			<b>P</b>	<b>P</b>
28.	Monument engraving and sales.			<b>P</b>	<b>P</b>
29.	Motor vehicle repair and body shops, provided all work shall be performed and all materials shall be stored within an enclosed building.			<b>C</b>	<b>C</b>
30.	Nursing homes, rest homes, convalescent homes and similar facilities.	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>
31.	Offices: professional-business-educational-industrial-religious-philanthropic-public.	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>
32.	Package liquor store.		<b>C</b>	<b>C</b>	<b>C</b>
33.	Printing, including newspaper publishing.			<b>P</b>	<b>P</b>
34.	Private clubs.			<b>P</b> <sup>(4)</sup>	<b>P</b> <sup>(4)</sup>
35.	Race track and courses – vehicle and animal.			<b>C</b>	<b>C</b>

USE		C-1	C-2	C-3	C-4
36.	Radio and television broadcasting studios (without transmission towers).	P	P	P	P
37.	Radio or television broadcasting studios (with transmission towers).		P	P	P
38.	Radio, television or telephone transmitting station or towers, subject to further regulations set out in Article 23.		C	C	C
39.	Recreation centers.			P	P
40.	Recreational vehicles – trailers, equipment sales.			P	P
41.	Restaurants.	C	P	P	P
42.	Retail sales and rental of goods and merchandise including, but not limited to: antiques; apparel; appliances; bakeries; bicycles; books and stationery; building materials; carpet and other floor coverings; cigarettes; clocks; farm machinery and supplies; florists; food and groceries; furniture; hardware; heating, plumbing, and air conditioning equipment; jewelry; musical instruments; motor vehicles, parts and supplies; pet shops; pharmacies; photographic supplies and cameras; office equipment and supplies; and service stations.	P/ C(5)	P	P	P
43.	Retail sales of services including, but not limited to: banks, barber and beauty shops; building contractors, including air-conditioning, heating, plumbing and electrical; cleaning and repair; interior decorating; lawn care and landscaping; locksmith; message service; outdoor advertising; pet grooming; photocopying and blueprinting; and stenographic, duplicating and mailing services.	P	P	P	P
44.	Schools: a. Public and private elementary schools b. Public and private secondary schools c. Postsecondary educational institutions d. Business and training/vocational schools	C C P C	C C P C	C C P P	C C P P
45.	Storage or warehousing, except for products of a highly explosive, combustible or volatile nature.			C	C
46.	Taverns, bars and drinking establishments.			P(4)	C(4)
47.	Theaters, indoor.		P	P	P
48.	Theaters, outdoor.			C	C
49.	Travel trailer parks.			C(6)	
50.	Wholesale establishment.			C	C

**Permitted and conditional uses footnotes:**

- (1) Providing all services, runs and pens are within an enclosed building.
- (2) Parsonages and similar uses when located in the C-4 District must comply with the same floor area regulations as set out in Item 12 (Dwellings) of Table 9-1.
- (3) Including the self-service dispensing of gasoline and related petroleum products, providing there is no motor vehicle repair or service.
- (4) Provided not located within 200 feet of: a church, a school or a hospital.
- (5) If display and/or sales area exceeds 2,000 sq. ft., regardless of number of stories.
- (6) Subject to requirements set out in Section 9-11.

(7) Subject to requirements set out in Section 9-602.

**SECTION 9-4 INTENSITY OF USE**

**9-401.** (Reserved)

**SECTION 9-5 HEIGHT AND YARD REGULATIONS**

**9-501.**

- a. *Height:* Except as otherwise provided in Article 20, no building or structure shall exceed forty-five (45) feet in height in the C-1, C-2 or C-3 zoning districts.
- b. *Yard:* Front, side and rear yards shall be measured from the property line and shall comply with Table 9-2. Additional yard regulations are set out in Section 20-2.

**TABLE 9-2**

<i>District</i>	<i>Front Yard</i>	<i>Side Yard</i>	<i>Rear Yard(1)</i>
C-1	25 ft.	5 ft. – 1 or 2 stories 8ft. – 3 stories	25 ft.
C-2	25 ft.	10 ft. where property adjoins any residential-zoned district. In all other cases – 0.	10 ft. where property adjoins any residential-zoned district.
C-3	10 ft.	10 ft. where property adjoins any residential-zoned district. In all other cases – 0.	10 ft. where property adjoins any residential-zoned district.
C-4	0	0	0

(1) There shall be a thirty (30) foot rear yard for structures of three (3) stories or more in all zones.

**SECTION 9-6 DEVELOPMENT STANDARDS**

**9-601.**

- a. C-1 zoning district: All business, storage, service of goods shall be located completely within an enclosed structure.
- b. C-2, C-3 zoning districts: All outdoor storage shall be screened from public view by at least ninety percent (90%) density screening, unless such goods are for resale to the public.
- c. All commercial zones: Where allowed, gasoline or other fuel dispensing pumps, excluding canopies, must be located at least twelve (12) feet from any property line.
- d. All new commercial development or redevelopment that exceeds 50 percent of the fair market value of the existing development shall include a public sidewalk with minimum width of four (4) feet and a minimum thickness of four (4) inches. Such sidewalk shall be placed on the public right-of-way along any arterial or collector street frontage. The Board of Zoning Appeals may grant an exception in instances where sufficient right-of-way is not available for construction of sidewalk or where this requirement would create an undue hardship upon the property owner.
- e. Rooftop equipment shall be screened from view from the ground near the building with vertical extensions of the building walls or with parapets or other architectural design features of the same materials used on the wall of the building. Where the topography permits, it is desirable to screen such equipment from adjacent property, but it is not the intent of this requirement to increase the height of the screening significantly above that of the equipment to screen it from view from tall buildings or from higher ground. Raised exterior walls or screen walls should be designed to enclose groups of equipment.

**Commented [JW1]:** Adapted from the former Subdivision Regulations Section 13-701 paragraph a.

- f. The form and proportion of building should be consistent or compatible with the scale, form and proportion of existing development in the immediate area.
- g. The rhythm of structural mass to voids, such as windows and glass doors, of a front facade should relate favorably to the rhythms established in adjacent buildings.
- h. Overly long horizontal facades (walls) should be articulated with variations in the building plane and parapet height, materials and colors, entrance canopies, landscaping and other design or site plan features. Parking lots along the facade can also relieve horizontally through the use of landscaped fingers and island containing trees and shrubs.
- i. Architectural design should create visual interest through the use of different textures, complementary colors, shadow lines and contrasting shapes. The use of walls in a single color, with little detailing or completely bland, is discouraged.
- j. Monotony of design in single or multiple building projects shall be avoided. Variation of detail, form, and siting shall be used to provide visual interest.
- k. Careful consideration of durable materials, proportions, and shapes, emphasizing the importance of roofs as integral and embracing elements of the over-all design, is encouraged.
- l. Use of masonry materials (face brick, stucco, stone) is encouraged. The use of aluminum siding, metal ribbed panels, and extensive mirrored glass surfaces is discouraged. Evaluation of building materials shall be based on the quality of its design and relationship and compatibility to building materials in the immediate neighborhood. Corrugated metal facades should be complemented with abundant use of masonry, whether brick, stone, stucco or split-face block, especially along perimeter streets. Architectural metal panels may be an acceptable substitute for masonry. Appropriate landscaping can be used to complement and enhance a building's design, color and material.
- m. Architectural treatments (e.g., building material, colors, facade design, roof lines, screening) shall be consistent and compatible on all sides. Treatment that is uniform on all sides will be deemed to meet the requirements of this principle. Adjacent land uses, visibility from public streets, use of screening devices (walls, fences, berms, landscaping) are criteria to be considered when varying this treatment.

**Commented [JW2]:** Adapted from the former Subdivision Regulations Section 13-701 paragraphs c-j

**9-602. Mini-warehouse facilities shall be developed in accordance with the following minimum standards:**

- a. Off street parking shall be provided as follows:
  - 1. Parking shall be provided by parking/driving lanes adjacent to the buildings. These lanes shall be at least twenty feet (20') wide for one-way access lanes and at least twenty-five feet (25') wide for two-way access lanes.
  - 2. One parking space for every one hundred fifty (150) storage cubicles shall be located adjacent to the leasing office. A minimum of three (3) such spaces shall be required.
  - 3. Required parking spaces may not be rented as or used for vehicle storage, unless identified on the site plan or development plan.
- b. There shall be landscaped screening and fencing around the perimeter of the project. The fencing shall be a minimum of six feet (6') in height. When a development borders an arterial street, or adjoining residential or commercial development, the fence shall be constructed of decorative material approved by the Zoning Administrator along those sides. Chain link fencing may be used on sides that adjoin other industrial property of similar or greater intensity, as approved by the Zoning Administrator.

**Commented [JW3]:** Adapted from the former Subdivision Regulations Section 13-702

- c. The buildings shall be architecturally compatible with the existing neighborhood. To that end, newly constructed mini-warehouse storage units either shall (a) install a screen to shield door openings from residentially zoned property and public right-of-way, or (b) face door openings away from any residentially zoned property or public right-of-way.

#### **SECTION 9-7 SIGN REGULATIONS**

**9-701.** Sign regulations for the commercial districts are set out in Article 27.

#### **SECTION 9-8 PARKING REGULATIONS**

**9-801.** Parking regulations for the commercial districts are set out in Article 22.

#### **SECTION 9-9 OFF-STREET LOADING AND UNLOADING REGULATIONS**

**9-901.** Off-street loading and unloading regulations for the commercial districts are set out in Article 22.

#### **SECTION 9-10 SUPPLEMENTAL REGULATIONS**

**9-1001.** Supplemental regulations for the commercial districts are set out in Article 20.

#### **SECTION 9-11 TRAVEL TRAILER PARKS**

**9-1101. Definition.** As used in this article, the term travel trailer park means a campground for travel trailers, motor homes, camping trailers, recreational vehicles, camping tents and accessory service buildings and facilities for campgrounds.

**9-1102. Where Permitted.** A travel trailer park shall be allowed to locate only in the C-3 District and only upon issuance of a Conditional Use Permit issued in accordance with the provisions of this Article and Article 26.

#### **9-1103. General Requirements.**

- a. Any tract of land permitted as a travel trailer park after the effective date of these regulations must be at least five (5) acres in area.
- b. The applicant for a conditional use permit for a travel trailer park shall prepare and submit a schedule of construction, which shall provide for commencement of construction within a period of one (1) year following the approval of the permit by the Governing Body, and which shall provide that construction shall be completed within a period of two (2) years.
- c. The applicant shall prepare or cause to be prepared a development plan and shall present five (5) copies of said plan for review by the Planning Commission and Governing Body. This plot plan shall show the proposed development and shall conform with the following requirements:
  - 1. The travel trailer park shall be located on a well-drained site that is not subject to objectionable noise, smoke, odors, or other objectionable influences including unpredictable or sudden flooding. Exposed ground surfaces in all parts of the park shall be paved, covered with stone or other solid materials or protected with a vegetative growth capable of preventing and eliminating dust.
  - 2. Travel trailer parks shall have a maximum density of twenty (20) trailer spaces per acre. A minimum of one thousand two hundred fifty (1,250) square feet shall be provided for each trailer space.
  - 3. Each travel trailer space shall be at least twenty (20) feet wide and fifty (50) feet deep and shall have a clearly defined or marked border.

4. Trailers shall be placed on each space so that there is at least a ten (10) foot clearance between trailers. No trailer or other structure shall be located closer than twenty (20) feet from any building within the park or from any property line surrounding the park, except where such property line is a public street. No trailer or other structure shall be located closer than twenty-five (25) feet from any public street.
5. All parks shall be provided with safe and convenient vehicular access to each trailer space. Surfacing and maintenance shall provide a smooth, hard and dense surface which should be well drained and shall meet the following requirements:
  - (a) One-way, no parking, 15-foot width.
  - (b) One-way, parking on one side only, 20-foot width.
  - (c) Two-way, no parking, 24-foot width.
  - (d) Two-way, parking on one side only, 27-foot width.
  - (e) Two-way, parking on both sides, 30-foot width.
6. All roadways and walkways within the travel trailer park shall be hard-surfaced and adequately lighted at night with electric lamps.
7. A recreation area shall be provided at a central location in the park. The size of such recreation area shall be no less than two hundred (200) square feet for each trailer space in the park.
8. A solid or semi-solid fence, wall, or evergreen hedge six (6) feet in height and having a visual density of at least ninety (90) percent shall be installed and maintained by the owner when the district abuts a residential zoning district except that said fence, wall, or hedge shall be reduced to forty-two (42) inches in height when located in a front yard. A district shall not be considered as abutting if it is separated by a street or alley right-of-way.
9. One dwelling unit which may be a mobile home may be permitted on the site for the park operator.
10. Travel trailer spaces shall be rented by the day or week only, and the occupant of a travel trailer space shall remain in the same travel trailer park area no more than thirty (30) days.

**9-1104. Water Supply.** An accessible, adequate, safe and potable supply of water shall be provided in each travel trailer park. Where a public supply of water is available, connection shall be made thereto and its supply used exclusively. The public health agency having jurisdiction shall approve all private sources of water.

**9-1105. Sewage Systems.** An approved sewage system shall be provided within each travel trailer park. Where a public sewage system is located within 500 feet of the boundary of the park, connection shall be made thereto. The appropriate health authority shall approve all private sewage systems. A sanitary disposal station shall be provided at the rate of one such station for every hundred (100) trailer spaces and shall be approved by the zoning administrator. Such stations shall be screened from other activities by visual barriers such as fences, walls, or natural growth and shall be separated from any trailer or adjoining property by a distance of at least fifty (50) feet.

**9-1106. Electrical.** Electrical wiring systems shall be installed in accordance with applicable City- adopted electrical codes. Main power lines not located underground shall be suspended at least eighteen (18) feet above the ground. There shall be a minimum of eight (8) feet of vertical clearance between any trailer and the overhead wiring.

**9-1107. Service Buildings.** One or more service buildings shall be provided, meeting the following requirements:

- a. Be located not nearer than twenty-five (25) feet from a trailer or a property line.



- b. Be so located that any trailer which it serves shall not be parked more than two hundred (200) feet from the building.
- c. Be of permanent type moisture-resistant construction to permit frequent washing and cleaning and be adequately lighted.
- d. Have one (1) flush type toilet, one lavatory and one (1) shower or bathtub for females; and one flush type toilet, one (1) lavatory, one (1) shower or bathtub for males for up to nine (9) trailers. One additional unit of the above plumbing facilities shall be provided for each sex for each ten (10) additional trailers served or major fraction thereof. All lavatories, bathtubs and showers shall be connected with both hot and cold running water.
- e. Have adequate heating facilities to maintain a temperature of seventy degrees Fahrenheit (70F.) in the building and provide hot water one hundred forty degrees Fahrenheit (140F.) at a minimum rate of eight (8) gallons per hour for the required fixture units.
- f. Have all rooms well ventilated with all openings effectively screened.
- g. Have an accessible, adequate, safe and potable water supply of cold water.
- h. Have at least one (1) water closet or other facility suitable for the cleaning and sanitizing of bedpans or other waste receptacles.
- i. Comply with all applicable chapters of the City's Building Code regarding the construction of buildings and the installation of electrical, plumbing, heating, and air conditioning systems.
- j. Be maintained in a clean, sanitary condition and kept free of any condition that will menace the health of any occupants of the public or constitute a nuisance.

**9-1108. Storm Shelters.** Each travel trailer park shall provide a storm shelter for those persons living within the park. The shelter shall be based upon the following criteria or a protection plan approved by the Arkansas City Civil Defense Director or representative of the Director.

- a. Storm shelters shall be provided one (1) shelter for each forty (40) trailer spaces. A minimum of one (1) shelter shall be provided for each park.
- b. A minimum of five hundred (500) cubic feet of air space shall be provided in the storm shelter for each trailer space and shall be provided with an auxiliary forced air ventilation system.
- c. Storm shelter plans shall be approved by the Building Inspector before the shelter is constructed.

**9-1109. Solid Waste.** The storage, collection and disposal of refuse in the travel trailer park shall be conducted so as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards, or air pollution. All refuse shall be stored in flytight, watertight, rodent-proof containers, which shall be located not more than one hundred fifty (150) feet from any trailer space. All refuse shall be collected at least twice weekly.

**9-1110. Open Fires.** Cooking shelters, barbecue pits, fireplaces, wood-burning stoves and incinerators shall be so located, constructed, maintained and used as to minimize fire hazard and smoke nuisance both on the property on which used and on neighboring properties. No open fire shall be permitted, except in facilities provided by the park operator. No open fire shall be left unattended. No fuel shall be used and no material burned which emits dense smoke or objectionable odors.

**9-1111. Register of Occupants.** It shall be the duty of the park operator to keep a register containing a current record of all trailer owners and occupants located within the park. The register shall contain the following information:

- a. The name and address of each trailer owner or tenant.
- b. The name and address of each owner of a motor vehicle.

- c. The date of arrival and departure of each trailer.
- d. The license tag number of each motor vehicle.

The park owner, manager or caretaker shall keep the register available for inspection at all times by law enforcement officers, public health officials and other officials whose duties necessitate acquisition of the information contained in the register.