

Section 5.18 NC-5 Retail and Service District

5.1801 PURPOSE

The purpose of this district is to provide for the location of small scale retail and services near residential neighborhood to provide products and services to nearby residents.

5.1802 PERMITTED USES - Use By Right subject to any minimum standards as listed in Section 8.01 of these regulations

All uses permitted in the NC-4 District and,

1. Farmers Market
2. Restaurant > 5000 sq. ft
3. Restaurant w/lounge
4. Food Store under 3000 sq. feet (no gas service allowed)
5. Dry Cleaning, Laundries and Self-Service Laundries

5.1803 ADMINISTRATIVE PERMITS

- A. On location television or film productions where no sets/structures are being constructed that would require the issuance of a building permit, specifically structures must be of a temporary nature and not capable of being occupied under the International Building Code/International Residential Code as determined by the Chief Building Official, or assigns. (amended 09/03/15 ZC15-07-055 OCS#15-3393)
- B. On location television or film productions where any sets/structures requiring the issuance of a building permit as determined by the Chief Building Official, or assigns are permitted when the set/structure meets all applicable codes of the relevant zoning district.” (amended 09/03/15 ZC15-07-055 OCS#15-3393)
- C. Mobile Food Trucks when meeting the Minimum Standards for Specific Uses outlined in Section 8.01 of these regulations. (amended 01/03/2017 2016-380-ZC OCS#17-3659)

5.1804 SITE AND STRUCTURE PROVISIONS

- A. Maximum Building Size – The maximum building size in the NC-5 District shall be twelve thousand five hundred (12,500) square feet footprint with no more than twenty percent (20%) additional upstairs mezzanine space for storage. (amended 09/01/11 ZC11-05-035 OCS#11-2587)
- B. Minimum Lot Area
No new lot shall be created that is less than twenty thousand (20,000) square feet in area.
- C. Minimum Area Regulations
 1. Minimum Lot Width - For each zoning lot provided with central water and sewerage facilities, the minimum lots width shall not be less than sixty (60) feet. For each zoning lot without either central water or sewerage facilities, the minimum lot width shall be eighty (80) feet.

2. Street Planting Areas – All areas along the street(s) or road (or roads) which a property abuts shall comply with the standards of Section 7.0106 “Street Planting Areas” of these regulations.
3. Side and Rear planting areas – All areas located along the side and rear interior property lines shall comply with the Section 7.0107 “Side and Rear Buffer Planting Area Requirements” of these regulations.
4. Transitional Yard - Where a NC District adjoins a residential district, transitional yards shall be provided in accordance with paragraphs 1 and 2 listed above or the following regulations whichever is more restrictive:
 - a. Where lots in a NC District front on a street and at least eighty (80) percent of the frontage directly across the street between two (2) consecutive intersecting streets is in a residential district, the setback regulations for the residential district shall apply to the said lots in the commercial district.
 - b. In a NC District, where a side lot line coincides with a side or rear lot line of property in an adjacent residential district, a yard shall be provided along such side lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this ordinance for a residential use on the adjacent property in the residential district.
 - c. In a NC District, where a rear lot line coincides with a rear or side lot line of property in an adjacent residential district, a yard shall be provided along such rear lot line. Such yard shall be equal in dimensions to the minimum rear yard which would be required under this ordinance for a residential use on the adjacent property in the residential district.
 - d. In a NC District, where the extension of a front or side lot line coincides with the front line of an adjacent lot located in a residential district, a yard equal in depth to the minimum setback required by this ordinance on such adjacent lot in the residential district shall be provided along such front or side lot line for a distance of at least 25 feet, including the width of any intervening alley from such lot in the residential district.
 - e. Where a building is taller than 25 feet in height, one additional foot of setback shall be required in each yard. Each façade is measured separately and the additional depth is required perpendicular to that façade.

D. Maximum Lot Coverage

The lot coverage of all principal and accessory buildings on a zoning lot shall not exceed fifty (50) percent of the total area of the lot. However, parking and landscape requirements for the intended use must be met in all instances. Therefore, maximum lot coverage may in some cases be less.

E. Height Regulations

No building or dwelling for residential or business purposes shall exceed thirty-five (35) feet in height above the natural grade of the property at the location of the structure or base flood elevation as established in Flood Ordinance 791, which ever is higher.

F. Design criteria

1. Landscaping - All Landscaping shall be in compliance with the provisions of Section 7.01 of these regulations
2. Signage - All signage shall be in compliance with Section 7.02 of these regulations
3. Lighting - All site lighting shall be in compliance with Section 7.03 of these regulations
4. Parking/Loading - All parking and loading will be in compliance with Section 7.07 of these regulations