

CHAPTER 1113
CN-2 Neighborhood Commercial District

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1113.01 PURPOSE.

The purpose of this district is to provide for the development of pedestrian-oriented uses that serve the small-scale retail, service, office, and entertainment needs of one or more fully developed residential neighborhoods, a residential area of approximately 5,000 to 15,000 persons. Stores, offices and other businesses in this district should generally be useful to the majority of the neighborhood residents within walking distance, as well as the specially needs of the community as a whole. Large-scale grocery and retail are not appropriate uses. Small-scale retail, service, and restaurant establishments should constitute the primary uses in this district. The district is intended to accommodate a physical pattern of development often found along village main streets and in neighborhood commercial areas of older cities.

This district also serves as a mixed-use transitional area between high intensity central business district uses and residential uses. Light production, manufacturing, and assembly uses are permitted at appropriate transitional areas as conditional uses. Civic and neighborhood-oriented uses, as well as some residential, should be secondary functions of buildings in this district. All uses should be relatively nuisance-free to surrounding residents and not detract from the residential purpose and character of the surrounding neighborhood. Access to this district should be directly from an arterial or collector street.
(Ord. 07-131. Passed 5-15-07.)

1113.02 PRINCIPAL USES PERMITTED.

A lot or building may be occupied by the following principal uses:

- (a) Financial institution.
- (b) Grocery store, including specialty foods such as bakery and delicatessen goods (limited to maximum of 5,000 SF per store).
- (c) Personal service establishment, except a tattoo parlor.
- (d) U.S. postal station.
- (e) Videotape rental store.
- (f) Copy service establishment.
- (g) Meeting Hall.
- (h) Optical, prosthetics, medical and dental supply store, limited to retail sales.
- (i) Pharmacy limited to the retail sale of drugs and pharmaceutical products

(limited to maximum of 5,000 SF per store).

- (j) Museum and art gallery.
- (k) Office use allowed in the CO-1 District.
- (l) Retail establishment (including a restaurant, does not include a drive-in restaurant), except those uses listed as conditional uses (limited to maximum of 5,000 SF per business).
(Ord. 07-131. Passed 5-15-07.)

1113.03 PROVISIONAL USES PERMITTED.

- (a) Dwelling located above the ground floor of another principal use allowed in this district, provided the density shall not exceed one (1) dwelling unit per 1,000 square feet of lot area for mixed-use buildings and 1,800 square feet for residential use buildings.
- (b) Duplex, subject to the dimensional requirements of the RM-12 district and provided the minimum lot area shall be 5,000 square feet and the minimum lot area per unit shall be 2,000 square feet.
- (c) Dwelling, single-family detached, subject to the dimensional requirements of the RS-8 district.
- (d) Dwelling, zero lot line or attached, subject to the requirements of Chapter 1135 and the dimensional requirements of the RM-12 district and provided the minimum lot area per unit shall be 1,800 square feet.
- (e) Religious institution subject to the requirements of Chapter 1135.
(Ord. 07-131. Passed 5-15-07.)

1113.04 CONDITIONAL USES PERMITTED.

A lot or building may be occupied by the following conditional uses:

- (a) Day-care center.
- (b) Public utility and public use, subject to the requirements of Chapter 1135.
- (c) Emergency housing, provided the minimum lot area shall be at least 300 square feet for each permanent resident and 200 square feet times the maximum permitted occupant load for guests.
- (d) Laundromat.
- (e) Laundry and dry cleaning pick-up and delivery services establishment.
- (f) School, specialized or general private instruction.
- (g) Commercial recreational use.
- (h) Theater (limited to maximum of 5,000 SF total theater space per building).
- (i) Club
- (j) Building construction and assembly.
- (k) Communication station, center, and studio (not including a tower).
- (l) Manufacture, compounding, processing, treatment assembling of articles or components from previously prepared materials such as, but not limited to, bone, canvas, cellophane, cement, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather (except a tannery), metal, paper, plastics, precious or semi-precious metals or stones, rubber, shells, textiles, tobacco, wax, wire, wood (except logging camps, sawmills, and planing mills), and yarns.

- (m) Wholesale trade and warehouse establishment.
- (n) Retail establishment in excess of 5,000 square feet (including a restaurant, does not include a drive-in restaurant).
- (o) Manufacture, processing and packaging of food and kindred products except grain milling and processing, stockyards and slaughter houses.
- (p) Dwelling located on the ground floor of another principle use, provided the density shall not exceed one (1) dwelling unit per 1,800 square feet of lot area.
- (q) Hotel.
- (r) Parking, non-accessory. All parking must be screening using urban screening. Urban screening shall consist of a natural stone or brick material and iron or similar material. Urban screening shall consist of a minimum of 10 percent opacity by including, at a minimum, one masonry post once every 10 feet. The materials for screening and their placement shall comply with the requirements of Subsection 1156.01 and 1161.02(h).
(Ord. 07-131. Passed 5-15-07.)
- (s) Community center, subject to requirements of Chapter 1135.
(Ord. 09-94. Passed 4-14-09.)

1113.05 ACCESSORY USES PERMITTED.

The accessory uses permitted in this district may include but are not limited to the following:

- (a) Storage space for a principal use, provided the space shall not exceed 40 percent of the total floor area for the principal use and all accessory uses, including the storage space.
(Ord. 07-131. Passed 5-15-07.)

1113.06 GENERAL PROVISIONS.

All principal and accessory uses and structures permitted within this district shall be subject to the requirements of Title Four and Title Five and to the supplemental requirements of Title Six, where applicable.
(Ord. 07-131. Passed 5-15-07.)

1113.07 SPECIAL PROVISIONS.

- (a) Development of a lot larger than two (2) acres shall be subject to the Special Provisions of Subsection 1108.07(b).
(Ord. 07-131. Passed 5-15-07.)