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CHAPTER 22.16

COMMERCIAL DISTRICTS

22.16.010 General Provisions and Exceptions.

All uses shall be subject to the general provisions and exceptions prescribed in Chapter 22.34 of this Title. (Ord. 822 C.S. § 2 (part), 1975: prior code § 10,105.10.)

22.16.020 Purposes.

In addition to the objectives prescribed in Section 22.02.010 of this Title, the C Commercial Districts are included in the zoning regulations to achieve the following purposes:

- A. Provide appropriately located areas for retail stores, offices, service establishments, amusement establishments and wholesale businesses offering various ranges of commodities and services scaled to meet the needs of the different geographical areas and various categories of patrons they serve;
- B. Provide opportunities for retail stores, offices, service establishments and wholesale businesses to concentrate for the convenience of the public and in a mutually beneficial relationship to each other;
- C. Provide space for community facilities and institutions which appropriately may be located in commercial areas;
- D. Provide adequate space to meet the needs of modern commercial development, including off-street parking and truck loading areas;
- E. Minimize traffic congestion and to avoid the overloading of utilities by preventing the construction of buildings of excessive size in relation to the amount of land around them;
- F. Protect commercial properties from noise, odor, dust, dirt, smoke, vibration, heat, glare, heavy truck traffic and other objectionable influences incidental to industrial uses;
- G. Protect commercial properties from fire, explosion, noxious fumes and other hazards.

(Ord. 822 C.S. § 2 (part), 1975: prior code § 10,105.0.)

22.16.030 Permitted Uses—Generally.

The following uses shall be permitted in the commercial districts as set out in Sections 22.16.040 through 22.16.070. (Ord. 822 C.S. § 1 (part), 1975: prior code § 10,105.1 (part).)

22.16.040 Permitted Uses—NC-Neighborhood Commercial District.

Permitted uses are as follows:

- A. Professional and administrative offices;

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B. Retail stores and service establishments which supply commodities or provide services primarily to meet the needs of residents of a residential neighborhood, including:

Art and antique stores

Art and craft schools and colleges

Artist supply stores

Bakery goods stores

Banks

Barbershops and beauty shops

Bookstores and rental libraries

Business, professional, and trade schools and colleges

Candy stores

Cleaning and laundry agencies, including the use of 1 synthetic dry cleaning machine using nonflammable and non-explosive solvents and having a capacity of not more than 40 pounds per cycle

Clinics

Clothing stores

Department stores

Drugstores

Dry goods stores

Florists

Food lockers

Food stores, delicatessens and supermarkets

Furniture stores

Garden shops

Gift shops

Gymnasiums

Hardware stores

Hobby shops

Household appliance stores

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Interior decorating shops

Jewelry stores

Leather goods and luggage stores

Locksmiths

Medical and orthopedic appliance stores

Messenger offices

Millinery shops

Music and dance studios

Music stores

Newsstands

Office and business machine stores

Offices and office buildings other than professional and administrative offices

Optician and optometrist shops

Paint and wallpaper stores

Pet and bird stores

Photographic supply stores

Photography studios

Picture framing shops

Post offices

Pressing establishments

Radio and television repair shops

Realtors and real estate sales offices

Restaurants, but not including restaurants serving alcoholic beverages, except beer and wine only

Scientific instrument stores

Self-service laundries and/or self-service dry cleaning machines using nonflammable and non-explosive solvents

Shoe repair shops

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Shoe stores

Soda fountains

Sporting goods stores

Stamp and coin stores

Stationery and office supply stores

Tailor and dressmaking shops

Telegraph offices

Telephone exchanges

Toy stores

Travel bureaus

Umbrella repair shops

Variety stores

Watch and clock repair shops and other uses which are added to this list by the City Planning Commission in accord with the procedure prescribed in Chapter 22.34 of this Title;

- C. Dwelling units located above the ground floor of a building shall be permitted on a site with an area of not less than 1,500 square feet for each dwelling unit;
- D. Parking lots improved in conformity with the standards prescribed for required off-street parking facilities in Chapter 22.36 of this Title;
- E. Lodging houses and apartment hotels;
- F. Accessory structures and uses, not including warehouses on the same site with and necessary for or incidental to the operation of a permitted use;
- G. Christmas tree sales lots, nurseries, and garden supply stores, provided that all equipment, supplies and merchandise other than plants shall be kept within a completely enclosed building and that fertilizer of any type shall be stored and sold in packaged form only. (Ord. No. 1377 C.S., § 8, 2-5-2014; Ord. 1290 C.S. § 1, 2001; Ord. 1284 C.S. § 2, 2001; Ord. 822 C.S. § 2 (part), 1975: prior code § 10,105.1(a).)

22.16.050 Permitted Uses—CC-Central Commercial District.

Permitted uses are as follows:

- A. All the uses permitted in Section 22.16.040;
- B. Retail stores and service establishments including:
 - Addressograph stores

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Auction rooms

Bicycle shops

Blueprint and photostat shops

Bus depots and transit stations provided that no business or other transit vehicles shall be stored on the site and no repair work or servicing of vehicles shall be conducted on the site

Clothing and costume rental establishments

Department stores

Electrical appliance repair shops

Hand laundries

Household repair shops

Laboratories

Musical instrument repair shops

Plumbing, heating and ventilating equipment showrooms with storage of floor samples only

Printing shops

Radio and television broadcasting studios

Sign painting shops

Soda fountains

Taxidermists

Telephone exchanges

Upholstering shops

Wholesale establishments without stocks and other uses added to this list by the Planning Commission in accord with the procedure prescribed in Chapter 22.34 of this Title;

- C. Private clubs and lodges;
- D. Churches and other religious institutions;
- E. Public and private philanthropic and eleemosynary institutions;
- F. Public and private libraries, art galleries and museums;
- G. Automobile supply stores; hotels and motels; mortuaries.

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(Ord. 1284 C.S. § 2, 2001; Ord. 1042 C.S. § I, 1985; Ord. 822 C.S. § 2 (part), 1975: prior code § 10,105.1(b).)

22.16.060 Permitted Uses—TC-Thoroughfare Commercial District.

Permitted uses are as follows:

- A. All the uses permitted in Sections 22.16.040F, G and 22.16.050G;
- B. Automobile sales and services.

Bowling Alleys

Repair garages

Restaurants

Trailer sales and service

Veterinarians' offices and small animal hospitals including short-term boarding of animals and incidental care such as bathing and trimming, providing that all operations are conducted within a completely enclosed building which complies with the standards of sound proof construction which shall be prescribed by the Board of Adjustments.

Other uses which may be added to this list by the City Planning Commission in accord with the procedure prescribed in Chapter 22.34 of this Title. (Ord. 822 C.S. § 2 (part), 1975: prior code § 10,105.1(c).)

22.16.065 Permitted Uses—CR-Commercial Recreation District.

Permitted uses are as follows;

- A. Aquariums

Arboretums

Archery ranges

Auditoriums

Billiard and pool halls

Bowling alleys

Botanical gardens

Campgrounds

Clubs providing game playing areas with spectator facilities, including tennis, handball, volleyball courts, racquet ball, basketball and squash.

Community centers and recreational buildings

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Cultural centers

Dance halls and studios

Electronic games

Fishing ponds

Golf courses and driving ranges

Gymnasium

Horse training, boarding and stabling facilities and horse riding

Museums

Physical fitness and health clubs which are part of a complex and are not sole occupant of a building

Skating rinks

Swimming pools

Theaters within an enclosed building

Shooting galleries within an enclosed building

- B. Accessory structures and uses located on the same site as such permitted use.
- C. Other commercial recreation and outdoor uses not specifically listed above which are similar to and are no more objectionable than those listed may be permitted upon approval by the Planning Commission. (Ord. 931 C.S., § 1, 1980.)

22.16.066 Conditional Uses—CR-Commercial Recreation District.

The following conditional uses shall be permitted upon the granting of a conditional use permit, in accord with the provisions of Chapter 22.40 of this Title.

Conditional uses are as follows:

- A. Animal menageries

Amusement parks

Amphitheaters or open-air theaters

Bicycle riding recreation facilities including riding tracks and bicycle motocrosses (non-motorized)

Carnivals

Drive-in theaters

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Cafes and night clubs

Hotels and motels

Horse tracks

Miniature golf

Music studios

Open-air markets

Outdoor shooting galleries

Car race tracks (motorized vehicle)

Restaurants (not including fast food) contained in a free standing building in which the restaurant is the sole occupant or combined with a bar, cocktail lounge, live entertainment or dancing

Skateboard parks

Sports arena

Trap shooting

Water slides

² All uses permitted in Section 22.16.040 A and B when not abutting other commercial or office districts and not occupying more than fifty percent (50%) of the lot area (including required parking)

- B. Accessory structures and uses located on the same site as a conditional use.
- C. Other uses not specifically listed above which are similar to and are no more objectionable than those listed may be permitted upon the granting of a conditional use permit. (Ord. 931 C.S. § 2, 1980.)

22.16.070 Permitted Uses—SC-Service Commercial District.

Permitted uses are as follows:

- A. All the uses permitted in Section 22.16.050A and B;
- B. Commercial service establishments, including:
 - Automobile repairing, overhauling rebuilding and painting
 - Automobile sales and service
 - Automobile upholstery and top shops

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Automobile washing including the use of mechanical conveyors, blowers and steam cleaning

Bakeries

Blacksmith shops

Boat sales and service

Bookbinding

Bottle works

Building materials yards other than gravel, rock or cement yards

Cabinet shops

Carpenters shops

Carpet and rug cleaning and dyeing

Catering shops

Cleaning and dyeing

Cold storage plants

Contractors' equipment rental yards

Contractors' storage yards

Dairy products plants

Diaper supply services

Electrical repair shops

Exterminators

Feed and fuel stores

Freight forwarding terminals

Glass shops

Heating and ventilating shops

Household and office equipment and machinery repair shops

Ice storage houses

Kennels located not closer than 500 feet to an R District or a PA District

Laundries

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Linen supply services

Live storage, killing or dressing of poultry or rabbits for retail sale on the premises, located not closer than 500 feet to an R District or a PA District

Lumberyards not including planning mills or saw mills

Machinery sales and rentals

Mattress repair shops

Motorcycle sales and services

Nurseries and garden supply stores

Packing and crating

Parcel delivery service

Photographic developing and printing

Plumbing shops

Printing, lithographing and engraving

Public utility structures and installations

Railroad stations

Refrigeration equipment

Repair garages

Safe and vault repairing

Sheet metal shops

Small animal boarding located not closer than 500 feet to an R District or a PA District

Stone and monument yards

Storage yards for commercial vehicle

Tire sales, retreading and recapping

Tool or cutlery sharpening or, grinding

Trailer sales and services

Transit yards

Trucking terminals

Used car sales

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Veterinarians' offices and small animal hospitals located not closer than 500 feet to an R District or PA District

Veterinarians' offices and small animal hospitals including short-term boarding of animals and incidental care such as bathing and trimming, provided that all operations are conducted entirely within a completely enclosed building which complies with specifications of soundproof construction which shall be prescribed by the Board of Adjustments

Warehouses except for the storage of flammable liquids

Welding shops

Wholesale establishments and other uses which are added to this list by the City Planning Commission in accord with the procedure prescribed in Chapter 22.34 of this Title;

- C. Parking lots improved in conformity with the standards prescribed for off-street parking facilities in Chapter 22.36 of this Title;
- D. Accessory structures and uses on the same site with and necessary to the operation of a permitted use.
- E. Homeless Shelters, Emergency. Homeless shelters, emergency, subject to the development and operational standards of Section 22.34.230, Homeless Shelters. (Ord. No. 1379 C.S., § 17, 2-19-2014; Ord. 822 C.S., § 2 (part), 1975; prior code § 10.105.1(d).)

22.16.080 Conditional Uses.

The following conditional uses shall be permitted upon the granting of a conditional use permit, in accord with the provisions of Chapter 22.40 of this Title.

- A. Pumping stations, power stations, drainage ways and structures, storage tanks and transmission lines found by the City Planning Commission to be necessary for the public health, safety or welfare.
- B. Gasoline service stations, except as follows:
 - 1. The NC and CC Districts shall not include automotive repair services; all operations except the sale of gasoline and oil shall be conducted within a building enclosed on at least 3 sides;
 - 2. A gasoline filling station, when permitted on the granting of a use permit, shall be permitted on a corner provided that all signs, gasoline filling pumps and other equipment, including vehicles tending to obstruct the sight distance, shall be located at least 25 feet from the street line and side property line;
 - 3. Any existing gasoline service station which, as of the effective date of the ordinance codified in this Section, provides automotive service, repair, maintenance, accessory sales and installation and/or other related services or products as authorized pursuant to this Title, or maintains the availability of air and water for

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tires, batteries, radiators, etc., shall not discontinue such services, product availability or maintenance without first receiving approval of a conditional use permit pursuant to the provisions of Chapter 22.40 of this Title. In considering any such conditional use permit application, the Board of Adjustments shall, in addition to complying with the provisions of Sections 22.40.070 (A) (1) through (3), not grant such permit unless it also finds that:

The proposed discontinuation of service, product availability and/or facility availability and maintenance would not have a significant adverse effect, either by itself or by virtue of the cumulative effects of other similar actions, on the general motoring public, particularly including aged and/or handicapped individuals who may be dependent on such services, products or facilities.

- C. Accessory structures and uses located on the same site with and necessary for or incidental to the operation of a conditional use.
- D. Bars. Provided that on the basis of the use permit application and the evidence submitted, in addition to the findings required pursuant to Section 22.40.070, a Conditional Use Permit shall be granted only if the Zoning Administrator, or the Planning Commission, or City Council, on appeal, makes all of the following additional findings of fact:
 - 1. The proposed use will not adversely affect the welfare of the area residents, or result in an undue concentration of establishments dispensing alcoholic beverages in the area.
 - 2. The proposed use is located at an appropriate distance from:
 - a. Religious facilities, schools, public parks and playgrounds, and other similar uses; and
 - b. The size and proposed activity level (i.e., music, entertainment activities, food service, arcade games, or other amusement activities, etc.) will be compatible with the uses in and/or character of, the surrounding area.
 - 3. The applicant has committed to voluntarily provide a beverage service training program, should one be made available locally on a no-charge basis for employees who sell or dispense alcoholic beverages, and would provide them with the knowledge and skills needed to comply with their responsibilities under state law, including the following topics;
 - a. State laws relating to alcoholic beverages, particularly ABC regulations and penal provisions concerning sales to minors and intoxicated persons, driving under the influence, hours of legal operation, and penalties for violations of these laws;
 - b. The potential legal liabilities of owners and employees of businesses dispensing alcoholic beverages to patrons who may subsequently injure, kill, or harm themselves or others as a result of the excessive consumption of alcoholic beverages;
 - c. Alcohol as a drug and its effects on the body and behavior, including the operation of motor vehicles;

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- d. Methods of dealing with intoxicated customers and recognizing underage customers;
 - e. Methods to appropriately pace customer drinking to reduce the risk that the customer will leave the premises in an intoxicated manner;
 - f. Knowledge of mixology, including marketable alternatives to alcoholic beverages.
4. Nonconforming Uses. Establishments which were legally operating prior to March 7, 2014 may continue to operate as nonconforming uses in compliance with the provisions of Chapter 22.38 (Nonconforming Uses, Structures and Lots). In addition to those provisions, nonconforming establishments shall be required to apply for a use permit in compliance with this Section, if any of the following occur after March 7, 2014:
- a. The existing establishment requests permission for the ABC to change the establishments ABC license in any manner, including a change to the character or type of the license or a change in ownership;
 - b. The establishment's license is revoked by the ABC;
 - c. The establishment's liquor license is suspended for more than 45 days by the ABC; or
 - d. There is a 20 percent or larger expansion of the area within the establishment that is designated for the sale or consumption of alcoholic beverages.
- E. On-sale alcoholic beverage sales operated in conjunction with a bona-fide public eating place, which provides meals, which are prepared on-site in a full commercial kitchen conforming to all current requirements of the Contra Costa County Health Services Department, the Municipal Code of the City of Martinez and the City Building Official, but not including restaurants serving only beer, wine or both beer and wine.
- F. In the NC-Neighborhood Commercial District:
1. Private clubs and lodges;
 2. Churches and other religious institutions;
 3. Public and private philanthropic and eleemosynary institutions;
 4. Public and private libraries, art galleries and museums;
 5. Bowling alleys;
 6. Drive-in restaurants;
 7. Take-out restaurants;
 8. Bakeries and other specialty food establishments which bake or prepare goods primarily for retail sale from the same location;
 9. Nightclubs;
 10. Child daycare facilities.
- G. In the TC-Thoroughfare Commercial District:

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1. Drive-in restaurant;
 2. Take-out restaurants.
- H. In the SC-Service District:
1. Light manufacturing uses involving only the assembly, packaging, repairing or processing of previously prepared material, subject to the following limitations:
 - a. All activities, except incidental storage shall be conducted within a completely enclosed building;
 - b. The building shall be so constructed, the machinery and equipment shall be so installed and maintained, and the activity shall be so conducted so that all odor, dust, dirt, smoke, noise, vibration, illumination, glare and all other objectionable factors shall be confined or reduced to the extent that no annoyance or injury shall result to persons residing or working in the vicinity or to property located in the vicinity;
 - c. No machine shall be used which has more than 5 horsepower capacity;
 - d. No punch press exceeding 5 tons rated capacity and no drop hammer or automatic screw machine shall be used.
 2. Commercial amusement establishments including amusement parks, carnivals, circuses and other transient amusement enterprises.
- I. Dog fanciers' permit on sites of 20,000 square feet or more.
- J. In N-C and C-C Districts: Group care and rehabilitation facilities.
- K. In CC Districts: Commercial Amusement establishments in buildings, including card rooms, nightclubs, dance halls, bowling alleys, video arcades, skating rinks, theatres, and auditoriums.
- L. In CC Districts: Retail stores listed in Section 22.16.050(B) which have a regional market area.
- M. Lunch wagons, except downtown (north of Green Street, south of Marina Vista, between Berrellesa and Court Streets) provided that on the basis of the use permit application and the evidence submitted, the Planning Commission makes the following findings:
1. The use will not be detrimental to other businesses in the area;
 2. The use will not create a safety hazard;
 3. The use will meet the Design Review Criteria and Standards, Section 22.34.045;
 4. The use will not be a nuisance to neighboring properties especially residences.
- N. In the NC, CC, SC and TC Districts: Medical Marijuana dispensaries which shall only be permitted in accordance with Chapter 22.40.
- O. In the NC District:
1. Clinics;
 2. Liquor stores;

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3. Massage Parlors.

Provided that on the basis of the use permit application and the evidence submitted, in addition to the findings required pursuant to Section 22.40.070, a Conditional Use Permit shall be granted only if the Planning Commission, or the City Council, on appeal, makes all of the following additional findings of fact:

- a. The use will not be detrimental to other businesses in the area.
- b. The use as proposed and at the location requested, will not create a potentially adverse impact on surrounding uses.
- c. Approval of the use will not constitute an over-concentration of this use within a given commercial area.
- d. The proposed use will not result in the substantial aggravation of crime problems or make law enforcement unduly difficult.
- e. The operation of the use will not be a nuisance to neighboring properties or businesses.

P. In the CC Districts, retail stores and service establishments, subject to the findings listed in subsection (O) of this Section including:

1. Gunsmith shops;
2. Secondhand stores and pawnshops;
3. Bail bond shops (on or above the second floor, not on sites with frontage on Main Street or Ferry Street);
4. Check cashing shops;
5. Tattoo and body piercing parlors;
6. Billiard halls;
7. All conditional uses in the NC District.

Q. In the CC District:

1. Parcel delivery services including garage facilities for delivery trucks but excluding repair shop facilities;
2. Storage buildings for household goods (including mini-storage and self-storage facilities);
3. Storage garages;
4. Hotels and motels;
5. Dwelling units (located above the ground floor of a building, or at the rear of the ground floor, if the site fronts on Main Street or Ferry Street) may be allowed, with a site area per unit of not less than 1000 square feet.

R. In the SC District, all Conditional Uses, in the NC or CC Districts, subject to the same findings as required by the NC or CC District.

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- S. DN-N-C, CC, SC and TC Districts activities devoted primarily to the sale or exchange of tobacco-related products.
- T. Homeless Shelters, Ongoing. Homeless shelters, ongoing, within permitted religious or eleemosynary institutions. In addition to the applicable conditions of use permit approval pursuant to 22.40.070, Homeless Shelters, Ongoing, within permitted religious or eleemosynary institution, are subject to the development and operational standards of Section 22.34.230, Homeless Shelters. (Ord. No. 1379 C.S., § 18, 2-19-2014; Ord. No. 1377 C.S., § 9, 2-5-2014; Ord. 1328 C.S., § 6, 2006; Ord. 1290 C.S., § 2, 2001; Ord. 1284 C.S., § 3, 2001; Ord. 1277 C.S., § 4, 2000.)

22.16.090 Required Conditions-Generally.

The following conditions shall be required of uses within the C-Commercial Districts as set out in Sections 22.16.100 through 22.16.160. (Ord. 822 C.S. § 2 (part), 1975: prior code § 10,105.3 (part).)

22.16.100 Required Conditions-Specifications Generally.

No use shall be permitted and no process, equipment or materials shall be employed which are found by the City Planning Commission to be objectionable to persons residing or working in the vicinity or injurious to property located in the vicinity by reason of odor, fumes, dust, smoke, cinders, refuse, dirt, water-carried wastes, noise, vibration, illumination, glare, unsightliness or heavy truck traffic or to involve a hazard of fire or explosion. (Ord. 822 C.S. § 2 (part), 1975: prior code § 10,150.3(a).)

22.16.110 Required Conditions—NC and CC Districts.

In the NC and CC Districts all businesses, services and processes shall be conducted entirely within a completely enclosed structure, except for off-street parking and loading areas, gasoline service stations outdoor dining areas, nurseries, garden shops and Christmas tree sales lots. A use not conducted entirely within a completely enclosed structure, on a site abutting on or across a street or alley from an R District or a PA District shall be screened by a solid masonry wall, board fence or compact evergreen hedge not less than 6 feet in height if found by the Board of Adjustments to be unsightly. (Ord. 822 C.S. § 2 (part), 1975: prior code § 10,105.3(b).)

22.16.120 Required Conditions—TC and SC Districts.

In the TC and SC Districts, a business, service or process which is not conducted within a completely enclosed structure and which is located on a site abutting on or across a street or alley from property in an R, PA, NC or CC District, shall be required to be screened either by a solid masonry wall, board fence or compact evergreen hedge not less than 6 feet in height if found by the Board of Adjustments to be unsightly. (Ord. 822 C.S. § 2 (part), 1975: prior code § 10,105.3(c).)

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22.16.130 Required Conditions—SC District.

In the SC District, open storage or materials and equipment shall be permitted only within an area surrounded by a solid masonry wall board, fence or compact evergreen hedge (with gates where necessary) not less than 6 feet in height, provided that neither the area nor the wall fence or hedge shall be located in any required front yard or any required side yard on the street side of a corner lot and provided further that no materials or equipment shall be stored to a height greater than that of the wall, fence or hedge. (Ord. 822 C.S. § 2 (part), 1975: prior code § 10,105.3(d).)

22.16.140 Required Conditions—NC District—Products to be Sold Where Produced.

In the NC District, all products produced on the site. Of any of the permitted uses shall be sold primarily at retail on the site where produced. (Ord. 822 C.S. § 2 (part), 1975: prior code § 10,105.3(e).)

22.16.150 Required Conditions—NC District—Number of Employees.

In the NC district not more than five (5) persons shall be engaged in the production, repair or processing of materials, except that this provision shall not apply to bars, restaurants and soda fountains. (Ord. 822. C.S. § 2 (part), 1975: prior code § 10,105.3(f).)

22.16.160 Required Conditions—CC District.

In the CC District, not more than ten (10) persons shall be engaged in the production, repair or processing of materials, except that this provision shall not apply to bars, restaurants and soda fountains. (Ord. 822 C.S. § 2 (part), 1975: prior code § 10,105.3(g).)

22.16.165 Required Conditions—CR District.

In the CR District, a commercial recreation use which is not conducted within a completely enclosed structure and which is located on a site abutting or across a street from a property in the R or PA district, shall be required to be screened by a 6 foot solid masonry wall or board fence or landscaping or a combination thereof in order to minimize potential noise, odor and visual impacts. Additionally, increased setbacks may be required. No building(s) shall cover more than twenty-five percent (25%) of the lot area and all areas not covered by buildings, parking and loading, and vehicular access shall be landscaped. (Ord. 931 C.S. § 3, 1980.)

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22.16.170 Front Yard.

- A. The minimum front yard shall be as prescribed in Table J, subject to the exceptions listed below:

TABLE J

District	Minimum Front Yard
NC	15 feet
CC	5 feet
TC	15 feet
SC	5 feet

- B. Exceptions:

1. In the NC and TC Districts, on a site abutting on property in an R District and fronting on the same street, the minimum front yard shall be not less than the required front yard of the adjoining site in the R District.
2. In the CC and SC Districts, no Structure shall be closer than 15 feet to a street intersection, except that portions of a structure which are less than 3 ½ feet or more than 8 feet above sidewalk grade and one column, not exceeding 1 foot in any horizontal dimension shall not be subject to this requirement.
3. In the CC and SC Districts, on a site abutting on property in an R District and fronting on the same street, the minimum front yard shall be not less than, one-half the required front yard on the adjoining site in the R District.
4. In the CR District the front yard setback shall be 20 feet. The front yard shall increase 1 foot for every 2 feet of height above the lowest 12 feet of the height of the structure. (Ord. 931 C.S. § 4, 1980: Ord. 822 C.S. § 2 (part), 1975: prior code § 10,105.4.)

22.16.180 Side Yards.

The minimum side yard shall be as follows:

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- A. In the NC and TC Districts, a 15-foot side yard shall be required subject to the following exceptions:
1. Where the side property line of a site adjoins property in an R or a PA district, a solid decorative masonry wall or, decorative board fence 6 feet in height shall be located on the property line.
 2. Interior side yards may not be required where adjoining commercial properties are master planned, site planned and architecturally designed as a single unit.
- B. In the CC and SC districts, no side yards shall be required, subject to the following exceptions:
1. On a reversed corner lot adjoining property in an R District or a PA District, the minimum side yard shall be not less than $\frac{1}{2}$ the required front yard on the side adjoining key lot.
 2. Where the side property line of a site adjoins property in an R District or a PA District, the minimum side yard adjoining the R district or PA District shall be 10 feet. Where the side property line of a site adjoins property in an R District, a decorative masonry wall or decorative board fence 6 feet in height or screen planting shall be located on the property line or planting area.
- C. One foot shall be added to each required side for each 3 feet of height above the lowest 12 feet of height of a structure.
- D. In the CR District the side yard shall be 20 feet. The, side yards shall increase 1 foot for every 2 feet of height above the lowest 12 feet of height of the structure. (Ord. 931 C.S. § 5, 1980; Ord. 822 C.S. § 2 (part), 1975; prior code § 10,105.5.)

22.16.190 Rear Yards.

The minimum rear yards shall be as follows:

- A. In the NC and TC districts, a 15-foot rear yard shall be required in addition to the following conditions:
1. Where the rear property line of a site adjoins property in an R District, a solid masonry wall or board fence 6 feet in height shall be located on the property line.
 2. Interior rear yards may not be required where adjoining, commercial properties are master planned, site planned and architecturally designed as a single unit.
- B. In the CC and SC Districts, no rear yard shall be required subject to the following exceptions:
1. Where the rear property line of a site adjoins property in an R district or a PA District, the minimum rear yard shall be 10 feet. Where the rear property line of a site adjoins property in an R district, a solid masonry wall or board fence 6 feet in height shall be located on the property line.
 2. One foot shall be added to the rear yard for each 3 feet of height above the lowest 12 feet of height of a structure.

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- C. In the CR District the rear yard shall be 20 feet. The rear yard shall increase 1 foot for every 2 feet of height above the lowest 12 feet of height of the structures. (Ord. 931 C.S. § 6, 1980; Ord. 822 C.S. § 2 (part), 1975; prior code § 10,105.6.)

22.16.200 Height of Structures.

No structure shall exceed 30 feet in height in the NC, CR, TC or SC Districts. In the CC District, the height of structures shall not exceed 40 feet, or 3 stories. The Planning Commission may approve taller buildings by use permit. (Ord. 1328 C.S. § 7, 2006; Ord. 931 C.S. § 7, 1980; Ord. 822 C.S. § 2 (part), 1975; prior code § 10,105.7.)

22.16.210 Landscaped Areas.

Areas between the property line and structures or off-street parking or loading facilities shall be landscaped with plant material and permanently maintained. (Ord. 822 C.S. § 2 (part), 1975; prior code § 10,105.8.)

22.16.220 Off-Street Parking and Loading Facilities.

Off-street parking and loading facilities shall be provided in accordance with the requirements of Chapter 22.36 of this Title. (Ord. 822 C.S. § 2 (part), 1975; prior code § 10,105.9.)