
Chapter 17.26

C-C

COMMERCIAL CENTER ZONE

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17.26.010 GENERALLY.

The regulations set out in this chapter shall apply in the C-C (commercial center) zone. This zone is intended for those areas in the City that are planned for large scale mixed use development centers consisting of commercial and high density residential uses.

17.26.020 USES PERMITTED.

The following uses are permitted in a C-C zone:

- A. Any use listed in the Uses Permitted section in the C-O, C-1 and C-2 zones.
- B. Any of the following uses:
 - 1. Apartment hotel, roominghouse, single room occupancy.
 - 2. Bus, train and other transit station, provided that transit vehicles are not stored on-site and no repair work or servicing of transit vehicles is conducted on-site.
 - 3. Parking garage or surface lot.
 - 4. Police, fire and other emergency service alarm centers.
 - 5. Post office and other courier or parcel delivery service.
 - 6. Sidewalk use, including but not limited to outdoor seating, subject to issuance of an encroachment permit.
 - 7. Multiple family dwelling.
 - 8. Single family dwelling provided it is attached to and accessory to a commercial use.
- C. Mixed combinations of uses allowed in subsections A and B above are permitted.
- D. Accessory buildings, structures or uses necessary to support the principal use located on the same lot or parcel of land.

17.26.030 USES PERMITTED SUBJECT TO PLANNING DIRECTOR REVIEW AND APPROVAL.

The following uses may be permitted in the C-C zone subject to review and approval by the Planning Director:

- A. Public utility structures.
- B. Water pump stations.
- C. Itinerant merchant, including street vendors, subject to City permit and business license.
- D. Promotional activities as defined in this code.
- E. Public benefit features pursuant to Section 17.26.090.

17.26.040 USES PERMITTED ONLY BY CONDITIONAL USE PERMIT.

While any use may be permitted by conditional use permit pursuant to Subsection B of Section 17.64.020, the following uses are not permitted in the C-C zone except by conditional use permit issued in accordance with the procedures provided in Chapter 17.64 of this title:

- A. Bars, nightclubs, cabarets, cocktail lounges or other establishment selling alcoholic beverages for on-site consumption where said use, including entertainment, is the primary business.
- B. Food and/or shelter service agencies as defined in Section 17.04.285.
- C. Kennels.
- D. Scientific research and testing services.
- E. Swap meets, flea markets and auction houses.
- F. Single family dwellings which are not accessories to a commercial use.

17.26.050 ADDITIONAL REQUIREMENTS.

The following requirements shall apply to all development permitted by this chapter:

- A. All permitted and conditional uses pursuant to this chapter shall be subject to site plan review as provided in Chapter 17.08.
- B. Landscaping shall be subject to the requirements of Chapter 17.61.
- C. Off-street parking and loading shall be subject to the requirements of Chapter 17.58.
- D. Signs shall be subject to the requirements of Chapter 17.60.
- E. Commercial development proposed adjacent to property zoned or designated for residential development shall be required to be separated by a solid masonry wall constructed a minimum height of 6 feet from highest grade. Any wall located within or along the front yard area shall not exceed a height of 4 feet. Along street frontages, landscaping shall be required in lieu of or in combination with a solid wall, as determined by the Community Development Director, to screen the proposed development from the residential uses.
- F. Open storage of material and equipment permitted in this zone shall be surrounded and screened by a solid wall or fence, including solid gates where necessary, not less than 6 feet in height. Materials shall not be stacked above the height of the screening.
- G. All outside mechanical equipment shall be enclosed or screened from public street view. Bases of towers and antennas shall be screened or enclosed to a height of 15 feet above grade if not camouflaged.
- H. Roof-top areas of commercial structures shall be completely screened from view by parapets or other finished architectural features constructed to a height of the highest equipment and unfinished structural element or architectural feature of the building. This requirement shall apply to all new commercial construction and remodeling of existing commercial structures which involve a change of 50% or more of the roof structure or an addition of 50% or more to the floor area of the commercial structure.

17.26.060 BUILDING HEIGHT.

Building height requirements in a C-C zone shall not exceed 180 feet (approximately 12 stories).

17.26.070 FRONT, SIDE AND REAR YARDS.

- A. There shall be no minimum front, side or rear yard in a C-C zone ; however, where a lot abuts any R, E, MH zone, or PUD project of a single family nature, there shall be a minimum setback from any side or rear property line of 20 feet.

17.26.080 FLOOR AREA RATIO.

- A. The maximum floor area ratio (F.A.R.) in a C-C zone shall be 3.0; however, additional floor area may be permitted by the approval of public benefit features pursuant to Section 17.25.090.
- B. The following areas shall be exempt from the FAR calculation:
1. All gross floor area below grade.
 2. Mechanical equipment storage areas located on roof.
 3. Parking areas, excluding parking garages.
 4. Gross floor area of public benefit features constructed pursuant to Section 17.25.090.
 5. Top deck of a parking structure if it is not covered by a roof.

17.26.090 PUBLIC BENEFIT FEATURES.

- A. Additional floor area may be permitted by the Planning Director above the base floor area ratio when the project includes one or more of the following public benefit features:
1. **Open space, atrium, plaza, or garden available to the public.**
 - a. Intent. These areas are intended to provide public open space which provides quiet retreats from surrounding activity in the intensely developed areas of downtown or a center. While relatively small, they should be flexible in design to accommodate passive recreational activities, as well as allow events and public gatherings. They should also be strategically located to denote important places, create a focus for surrounding development, and increase light and air at the street level. Weather protected areas can serve to function as an interior park to give the public relief from extreme weather conditions.

- b. Bonus area. In order to be eligible for a bonus, the open space area shall be a minimum of 3,000 square feet in size, with a maximum bonus area of 10,000 square feet. The area shall be one continuous space, with elements such as but not limited to landscaping, fountains, seating, and public art.
- c. The open space area shall be directly accessible from a public sidewalk with accessibility to the handicapped meeting State handicapped requirements.
- d. Permanent art may be incorporated as part of the open areas as set forth in this subsection.
- e. Kiosks, displays, art exhibits, and retail vendors are permitted provided they are portable in nature and use of the open area by the public is not precluded. The total area occupied by such uses shall not exceed 25% of the total open area.
- f. Interior pedestrian lighting shall be provided.
- g. Directory or directional signs may be permitted pursuant to Chapter 17.60.

2. **Sculptured building tops.**

- a. Intent. Sculptured building tops are intended to provide visual interest and variety in the downtown or center skyline. They have the greatest impact in the downtown area where the tallest buildings are permitted. A sculptured building top which modifies the silhouette of a building by reducing the area of the top floors, reduces the overall bulk of the building to produce a more interesting building form. As the building increases in height, its upper portion should become more slender and ornamental. Mechanical equipment on the roof would be enclosed and integrated into the design of the building.
- b. Bonus area. The bonus area shall be the sum of all reductions on qualifying floors plus an automatic 10,000 square foot reduction. The reduced floor area shall only occur within the upper 30% of the total occupied building height. The maximum reduced floor area eligible for a bonus shall be 30,000 square feet.

3. Public art work.

- a. Intent. There is a broad view of what constitutes art, and it is desired to encourage a high-quality, imaginative interpretation of the various media. Works of art may be merely decorative, or both decorative and functional. Over time, new materials and art forms may be developed. Therefore, art work may include, but is not limited to 2 or 3 dimensional works in all media such as oil or acrylic on canvas, textiles, photography, ceramics, wood, paper, metal, stone, etc. Art work may also include fountains, mobiles, special wall or paving surfaces, mosaics, murals, landscaping elements, and other decorative features. Interdisciplinary projects and collaborations are encouraged, as are works involving sound, touch and other senses.
- b. Bonus area. The maximum bonus area shall be 5,000 square feet. The City Council shall adopt parameters that define public art work and criteria that will determine the amount of bonus area that may be allowed by the Planning Director.
- c. Art work shall be an integral part of the design of the building or public open space, and shall be compatible in bulk, scale, design, texture, color, and shape with the space in which it is located. It shall be located so that it is clearly visible to people using the public space, and whenever possible, visible from the street.
- d. The setting for art work shall be designed in such a way as to provide comfort and amenity, and accommodate people viewing it by incorporating such features as steps, ledges, benches and other seating, or provide rails or other architectural features to lean against.
- e. The property owner shall be responsible for the maintenance of all art features for the life of the building or open space.

4. Voluntary building setback.

- a. Intent. Voluntary building setbacks are intended to expand the landscaped area along streets to encourage additional open space along public streets that link large open space areas, parks and plazas.

- b. Bonus area. The maximum bonus area shall be 10 feet times the street frontage along the street the additional setback is provided.
 - c. The additional setback area shall provide ample room for landscaping that will complement existing street landscaping and the building.
 - d. The minimum additional setback shall be 5 feet in order to count as bonus area for a minimum continuous distance of 60 feet, or the entire frontage of the lot the building is located if the lot is less than 60 feet in width.
5. **Overhead weather protection.**
- a. Intent. Overhead weather protection is intended to improve pedestrian comfort along pedestrian routes.
 - b. Bonus area. All area protected.
 - c. Overhead protections shall be permanent and nonretractable with a minimum width of protection of 6 feet.
 - d. At least $\frac{1}{2}$ of the overhead protection shall be over the sidewalk within the public right-of-way. An encroachment permit shall be obtained from the Public Works Department.
 - e. No covering shall extend more than 10 feet or to a point within 2 feet from the curb flow line, whichever is less. The entire area under the weather protection shall be unobstructed by structural elements such as columns.
 - f. The lower edge of the overhead protection shall be a minimum of 8 feet and a maximum of 12 feet above the sidewalk.
 - g. The minimum length of the overhead protection shall be 60 feet or if less, the entire length of the building in order to qualify for bonus area.

6. Day care facilities (children and adult).

- a. Intent. Day care facilities provide a safe and supportive environment for a wide range of educational, social and health related services for both children and adults. Encouraging the integration of these facilities into mixed use developments allow these services to be near both homes and workplaces helping care-givers better manage quality time at both work and home. The location of these facilities near employment centers and residential neighborhoods can also contribute to reducing automobile congestion, air pollution, and enhance the ability to blend civic, volunteer and work interests into sustainable communities.
- b. Bonus area. The entire area devoted for such use to a maximum floor area of 20,000 square feet.
- c. The Planning Director must approve CC&R's (Conditions, Covenants and Restrictions), contract, agreement or other such document for the establishment and continued operation for only those day care facilities requesting bonus area as a public benefit feature under the provisions of this chapter. This document shall be recorded to assure that obligations benefiting the building extend to its future owners.

B. GENERAL CONDITIONS FOR PUBLIC BENEFIT FEATURES.

1. Public benefit features shall be installed at the same time as the additional bonus area. The Planning Director may extend the time allowed when installation is not feasible due to construction scheduling or other good cause; however, final occupancy shall not be issued until all features have been provided.
2. Public benefit features shall remain for the life of the building which includes the additional floor area. A feature may only be diminished or discontinued if the additional floor area allowed in return for the specific feature is permanently removed, or by replacing it with another public benefit feature of at least the equivalent value as approved by the Planning Director.
3. Changes in the design, function or architectural features in a public benefit feature shall be approved by the Planning Director.

4. Unless otherwise stated in the specific conditions for the public benefit feature, the property owner shall be responsible for all elements of maintenance of an approved public benefit feature.

17.26.100 MINIMUM LOT AREA.

There shall be no lot minimum requirement in a C-C zone; however, all buildings used exclusively for dwelling purposes shall comply with the provisions of the R-4 zone.

17.26.110 DISTANCE BETWEEN BUILDINGS ON THE SAME LOT.

None; however, all buildings used exclusively for dwelling purposes shall comply with the provisions of the R-4 zone.