

Chapter 15

COMMERCIAL DISTRICTS

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10-15-010: PURPOSE, SCOPE, AND OBJECTIVES

The purpose of the Commercial Zones is to create orderly, efficient, aesthetic and appropriate commercial developments which will support and enhance the Coalville City Community. This section includes the general description and permitted and conditional uses in each Commercial Zone. To preserve the rural, small-town character of the community, commercial and retail stores larger than twenty-five thousand (25,000) square feet are Conditional in Coalville City. The Following Zones are hereby created under this Code and may be collectively referred to as the Commercial Zones.

A. Community Commercial (CC) Zone:

The purpose of this Zone is to encourage commercial and retail development. Businesses that provide services directly to the residents of Coalville will be highly encouraged. Transportation, parking and other site design issues may limit the types of businesses approved in the CC Zone. The location of the CC Zone is designed to provide a focal point for the community center of Coalville City and provide convenient pedestrian and vehicle access without hazards and conflicts in residential neighborhoods.

The provisions contained herein will be used to encourage greater integrity and aesthetic improvements as these areas are developed, redeveloped and improved. Integrated and coordinated landscaping, parking, access, signing and building

designs will be considered. New construction should be in harmony with the historic characteristics of the community. The uses characteristic of this zone are small retail, office, business/service stores and shops. Parking must conform to Section 6 herein and is encouraged to be located at the side or behind the building. This zone is commercial in nature and typical domesticated farm animals are not allowed.

Approval procedures, landscaping requirements and design guidelines are applicable in the CC Zone. These regulations can be found under Special Provisions herein.

B. Highway Commercial (HC) Zone:

The Highway Commercial Zone is established to provide for the service commercial needs of motorists on Interstate 80. The location of the HC Zone is in close proximity of the off-ramps of Interstate 80, which provide convenient access for higher traffic volumes without hazards and without traversing through residential areas. The uses characteristic of this zone are highway service, limited retail, convenience stores, and shops. Sign standards are provided for in Chapter 5. This zone is commercial in nature and typical domesticated farm animals are not allowed.

10-15-020: CODES AND SYMBOLS

In the following Section of this Chapter, uses of land or buildings which are allowed in the various districts are shown as "permitted uses," indicated by a "**P**" in the appropriate column, or as "conditional uses," indicated by a "**C**" in the appropriate column.

If a use is not allowed in a given district, it is either not named in the use list or it is indicated in the appropriate column by an "**N**". No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained in the commercial districts except as provided in this ordinance.

	CC	HC
1. BUILDINGS		
Buildings Smaller than Twenty Five Thousand (25,000) square feet.	P	P
Buildings Larger than Twenty Five Thousand (25,000) square feet	C	C
2. ACCESSORY USES/BUILDINGS AND TEMPORARY BUILDINGS:		
Accessory Uses and Buildings customarily incidental to the permitted uses	P	P

Accessory Uses and Buildings customarily incidental to the conditional uses	P	P
Temporary Buildings for uses incidental to construction, work, including living quarters for a guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work	P	P
3. AUTOMOBILE SALES AND SERVICES:		
Automobile fuel or service Station	P	P
Automobile Dealership, new or used. The parcel or lot shall be a minimum of one (1) acre in size with a minimum street frontage of one-hundred (100) feet. Incidental service and repair are to be conducted within an enclosed building.	C	C
Automobile lube and oil center	C	C
Automobile parts, new or reconditioned stored parts and business conducted within enclosed building	P	P
Automobile service and Repair, provided all work and storage is conducted within a completely enclosed building	C	C
Car Wash; automatic or manual. Provided property not adjacent to residential property line	P	P
Parking lot. Incidental to a use conducted on premises	C	C
Parking lot. Not incidental to a use conducted on the premises	C	C
4. DWELLINGS AND OTHER LIVING QUARTERS:		
Assisted Living Facility	P	P
Bed and Breakfast	P	P
Boarding House	C	C
Dwellings, existing only, no new or conversion to a greater number of residential units. Any permitted modification shall comply with the zoning standards	C	C
Dwellings, Single Family Detached	P	P
Dwellings, Two Family Attached	C	C
Dwellings within Historic District	C	C
Homeless Shelter	C	C
Hotel; Motels	P	P
Multi-Family Dwellings/Units	C	C
Nursing Home	P	N
Protective Housing Facility	C	C
Residential Facility for Elderly Persons	C	C
Residential Facility for Persons with a Disability	P	P
Single or Multiple Family Dwellings, located in the same structure as a principal commercial use	C	C
Transitional Housing Facility	C	C

5. Public and Quasi-Public:	C	C
Church; Religious Institution	P	P
College, private or public	P	P
Essential Service Facilities	P	P
Parks	P	P
Golf Courses; Swimming Pools and other Recreation Areas	P	P
Public Buildings	P	P
Public Utility Installations	P	P
School, Charter	P	P
School, Private	P	P
School, Public	P	P
School, Trade or Vocational	P	P
University and College, Private or Public	P	P
6. RECREATION AND ENTERTAINMENT:		
Art Gallery, Art Museum	P	C
Archery Shop and/or Range, conducted within enclosed building	P	C
Athletic Club; Health Club; Spa Fitness Center; Sports Courts	P	C
Bicycle Shop	P	P
Bowling Alley	P	P
Commercial Campgrounds, RV Parks	N	C
Dance Studio	P	C
Gymnasium	P	C
Martial Arts Studio; Karate Studio	P	C
Miniature Golf Course	P	P
Recreation Center	P	P
Sexually-Oriented Business	N	N
Social Club, Billiards or Pool Hall	C	C
Swimming Pool	P	P
Skating Rink	P	C
Theater, Indoor	P	P
7. SALES AND RELATED SERVICES		
Appliance and Furniture Store	P	P
Art Shop and/or Art Supply	P	P
Bakery; Candy Making; Confectionery; Nut Shop	P	P
Bookstore	P	P
Building Material/Hardware Sales conducted within enclosed building	P	P
Catering Establishment	P	P
Clothing Store	P	P
Copy Center; Printing; Publishing	P	P
Delicatessen	P	P

Department Store	P	P
Fast Food establishment with drive-in or drive-up window	P	P
Fast Food establishment without drive-in or drive-up window	P	P
Florist Shop	P	P
Greenhouse; Nursery; Plant Materials	P	P
Grocery Store; Health Food Store	P	P
Gunsmith	P	P
Home Improvement & Garden Store	P	P
Mail Service; Private Postal Service	P	P
Monument Sales	P	P
Music and/or Movie Store	P	P
Office Supply; Office Machines, sales and repair	P	P
Pawn Shop AND Payday Loan Establishments; shall not be located within 5,280 feet (one mile) of another pawn shop inside or outside the City jurisdictional boundaries. The distance shall be measured in a straight line, without regard to intervening structures or zoning districts, from the entry door of each shop. One (1) pawn shop shall be allowed for every ten thousand (10,000) residents living in Coalville City. The total population figures shall be based on the U.S. Census Bureau's annual estimates	C	C
Pet Shop; Pet Grooming	P	P
Pharmacy; Drugstore	P	P
Photographer or Photography Shop	P	P
Price-Point Retail Establishment shall not be located within 5,280 feet (one mile) of another pawn shop inside or outside the City jurisdictional boundaries. The distance shall be measured in a straight line, without regard to intervening structures or zoning districts, from the entry door of each shop. One (1) price-point retail establishment shall be allowed for every ten thousand (10,000) residents living in Coalville City. The total population figures shall be based on the U.S. Census Bureau's annual estimates	C	C
Repair Services, (e.g. appliances, heating and air conditioning, plumbing)	P	P
Restaurant; Café; Microbrewery; Eating Establishment with or without on premise alcohol consumption sales	P	P
Secondhand or Thrift Store conducted within enclosed building	P	P
Seed and/or Feed Store, conducted within enclosed building, no outside bins	P	P
Shopping Center, containing only permitted uses.	P	P
Social Clubs, Bars, Private Clubs	C	C
Specialty Retail Stores, (e.g. gift, hobby, craft, jewelry, interior decorating, antiques)	P	P
Sporting Goods Store	P	P

State Liquor Store	C	C
Tire Store, sales and repair; conducted within an enclosed building and no outside storage	C	C
8. SERVICE ACTIVITIES		
Animal Hospital, small animals only; provided all animals are maintained and kept within enclosed building	P	P
Business or Financial Services	P	P
Clinic, Dental or Medical	P	P
Crisis Nursery	P	P
Day Care Center	P	C
Depository Institution (e.g. Bank, credit union)	P	P
Hospital	P	P
Key and Lock Service	P	P
Laboratories, dental or medical	P	P
Laundry cleaning, automatic self-help	P	P
Laundry Cleaning, drop off dry cleaning, and/or pressing, on-site or off-site	P	P
Mortuary; Funeral Home	P	C
Non-Depository Institution, shall not be located within 5,280 feet (one mile) of another pawn shop inside or outside the City jurisdictional boundaries. The distance shall be measured in a straight line, without regard to intervening structures or zoning districts, from the entry door of each shop. One (1) Non-Depository Institution shall be allowed for every ten thousand (10,000) residents living in Coalville City. The total population figures shall be based on the U.S. Census Bureau's annual estimates	C	C
Office, Business or Professional	P	P
Personal Service, (e.g, barber and beauty shop, tanning salon, tailor shop, shoe repair)	P	P
Physical Therapy; Sports Therapy; Massage Therapy	P	P
Reception Center; Social Hall	P	P
Rehabilitation/Treatment Facility	C	C
Rental Shops; no outside display or storage	P	P
Rental Equipment; including moving equipment and vehicles, excluding truck-tractor or semi-trailer	C	C
Storage Facilities, Total number of units allowed is subject to conditional approval. Not permitted in Historical overlay	C	C
Surgical Center	P	P
Tattoo Establishment; including body art, body piercing, scarification and branding	C	C
Taxidermist	P	P
Travel Bureau	P	P
9. TRANSPORTATION		

Bus Stops	P	P
Freight Transportation Service	P	P
Park and Ride Facilities	C	C
Taxi Hub	C	C
Taxi Service	C	C
Towing Service	P	P
Transfer Company	C	C
Truck Stop and Service Facilities	C	P

10-15-030: RESIDENTIAL USES WITHIN COMMERCIAL ZONES

Any proposed Residential Use or Development within the commercial zone shall be subject to the R-8 Zoning Restrictions contained in Title 10 Chapter 14.

10-15-040: AREA, WIDTH, FRONTAGE, YARD AND COVERAGE

- A. The area, width, frontage, and yard standards shall be regulated by the following, except that no commercial use building shall be located closer than fifteen (15) feet to any residential district boundary line or to any public right-of-way that continues as frontage into a residential district within the same City block, not including Main Street, unless in compliance with the exception noted below through a conditional use permit.

Exception: A commercial building that meets all of the following requirements:

- Not greater than two thousand (2,000) square feet in area
- Less than twenty (20) feet in height
- Built with materials that are aesthetically compatible to a residential district
- Located adjacent to residential lots rear or side yard
- In the opinion of the Planning Commission does not adversely affect the residential district due to noise, odor or similar nuisances

- B. **Lot Frontage:** Each lot or parcel of land in the Commercial Zones shall have adequate frontage on a public street; except for residential lots which are accessed by a private driveway.
- C. **Lot Area:** Lot area requirements in the Commercial Zones shall be dictated by off-street parking, adequate circulation, and site design requirements. The maximum floor area ratio shall not exceed sixty percent (60%) of the lot or parcel.
- D. **Lot Width:** There shall be no requirements for lot width, provided all off-street parking and circulation regulations can be satisfied.

10-15-050: HEIGHT REGULATIONS

The maximum height for all buildings and structures shall be thirty-five (35) feet.

10-15-060: PROTECTION OF RESIDENTIAL PROPERTY - SETBACKS

- A. Where a commercial development adjoins any residential zone or residential use, there shall be provided along the adjoining property line a six (6) foot solid masonry wall. A wall is not required along the adjoining property line in the required front yard setback.
 - a. If a wall is installed along the property line in the required front yard setback it shall comply with the height and location standards as referenced in the Regulations Governing Fences and Walls Section of this Title.
- B. Where a multiple family residential development adjoins any single family residential use, there shall be provided along the adjoining property line a six (6) foot solid fence or masonry wall (chain link fencing with slats is not considered a solid fence or wall for purposes of this Section). A fence or wall is not required along the adjoining property line in the required front yard setback.
 - a. If a fence or wall is installed along the property line in the required front yard setback it shall comply with the height and location standards as referenced in the Regulations Governing Fences and Walls Section of this Title.
- C. **Front-Yard Setback:** Each structure in the Commercial Zones shall be located at least twenty (20) feet from the edge of any public street, provided however, that no off-street parking shall be located closer than ten (10) feet from any public street. Commercial structures within the Historic District along Main Street do not require a front setback and may be located adjacent to the public sidewalk.
- D. **Side-Yard Setback:** Each structure in the Commercial Zones shall be located at least twelve (12) feet from the nearest building and no less than three (3) feet from the property line.
- E. **Rear-Yard Setback:** Each structure in the Commercial Zones shall be located at least twelve feet - (12) feet from the rear property line or adjacent building in order to provide for adequate alleyways for deliveries.

10-15-070: LANDSCAPING AND OUTDOOR AMENITIES

Landscaped areas and Outdoor Amenities are used to frame and soften structures, to define site functions, to enhance the quality of the environment, provide outdoor seating, and to screen undesirable views. Landscaping and Outdoor Amenities should complement the buildings and surroundings to make a positive contribution to the aesthetics and function of both the specific site and the area. The following characteristics will need to be addressed in the design of each commercial project:

- A. Landscaped areas can incorporate many kinds of designs. Xeriscapes and more traditional Landscapes are the most common. Xeriscape designs should include
1. A ground cover (rock, bark, water wise grasses, ect)
 2. Shrubs or trees (buffalo grass, native trees, ect)

Traditional Landscape designs should generally incorporate planting utilizing a three tiered system;

1. grasses and groundcover;
2. shrubs and vines; and
3. trees.

Xeriscape and water wise plants are encouraged by the city to reduce water usage.

- B. All areas not covered by approved buildings and structures or required parking, must be completely landscaped and maintained. All areas not covered by an approved building, required parking, trees or shrubs shall be covered by grass or another acceptable ground cover such as bark, wood chips, or decorative rocks. Dirt, weeds and similar materials are not considered acceptable ground cover.
- C. All required landscaping must be properly maintained.
- D. Plant materials will be placed in a manner that avoids interference with project lighting or restriction of access to emergency apparatus such as fire hydrants or fire alarm boxes. Landscaping should preserve the clear view area defined in this Title.
- E. Planting areas will be protected from vehicular and pedestrian encroachment by raised planting surfaces, bumper guards, or the use of curbs.
- F. Plants in containers or planter boxes and outdoor seating areas are encouraged for areas adjacent to store fronts along walkways provided that the containers, planter boxes, seating amenities, or any other enhancements do not obstruct pedestrian or vehicular circulation.
- G. Vines and climbing plants integrated upon buildings, trellises, and perimeter walls are not only attractive, but also help discourage graffiti and are encouraged in appropriate areas.
- H. Existing mature trees, riparian corridors, and view sheds should be preserved and incorporated into the project landscaping.
- I. Storm drainage facilities should be incorporated into the landscape design and appear to be a part of the overall project.

- J. No species of trees or large shrub should be planted under overhead lines or over underground utilities if its natural growth may interfere with the installation or maintenance of any public or private utility.
- K. A complete landscaping plan is considered part of an application for Site Plan review and shall include the types and sizes of all planting materials. Each plan should include a variety of planting material and a mixture of evergreen and deciduous trees.

10-15-080: PARKING

All Commercial buildings must follow the parking provisions provided in Chapter 6 herein.

- A. Have a maximum of one (1) driveway approach for each one hundred (100) feet of public street frontage.
- B. Said driveway approaches shall be no more than thirty-five (35) feet in width nor less than sixteen (16) feet (for one-way traffic).
- C. Proposed driveway approaches, and associated paving in the public right-of-way with asphalt, concrete or any other impervious surface that will encase, cover, or in any way come into contact with any public utility located in the public right-of-way, will cause the property owner to provide adequate expansion joints in the paving surface as to allow ease of access to such public utilities.

In such cases where this situation exists the property owner shall submit a design detail for protecting the allowed access of any utilities that may be affected by the proposed excavation work, in addition to the required excavation permit.

- D. For commercial and industrial uses and apartments with seventeen (17) or more parking spaces, the driveway approach shall be no closer than forty (40) feet to the intersection of two (2) streets.

10-15-090: SIGNS

All signs erected in the Commercial Zones shall be in conformance with the sign provisions of Title 9 of this Code.

10-15-100: SPECIAL PROVISIONS

- A. Any area outside of a building used for any commercial activities other than off-street parking and loading shall be completely enclosed within a solid fence or

wall of a height sufficient to completely screen such activity from the street or from adjoining parcels (chain link fencing with slats is not considered a solid fence or wall for purposes of this Section).

- B. All commercial uses shall be conducted from enclosed buildings except automobile fuel or service stations, carwashes, automobile and recreational vehicle sales, rental or lease, off-street parking and loading, plant material nurseries, outdoor restaurants, and commercial recreation, unless otherwise permitted by planned unit development or conditional use permit.
- C. All uses shall be free from objectionable noise, hazards, or nuisances.

10-15-110: USES NOT LISTED

The Zoning Administrator shall have the authority to identify and categorize unlisted uses within the listed permitted or conditional uses of this Chapter, based on a finding of substantial similarity of character, origin, and impact, etc., to a listed use, and when so categorized such use shall thereafter be recognized and treated the same as a listed use.

10-15-120: TRASH, WASTE, STORAGE, AND ABANDONED VEHICLES

No trash, used materials, wrecked, or non-operational or abandoned vehicles or equipment shall be placed or stored within a public right-of-way, on any public sidewalk or in any required yard setback areas. All such materials must be screened from public streets and adjacent property or stored within an enclosed building.

All storage areas within a side yard and rear yard shall be screened from the public or adjoining residential area view by appropriate fencing or landscaping methods and placed in a rear area of the main building if possible.

No hazardous materials, chemicals or oils/solvents shall be stored in areas that do not meet Health Department regulations or are accessible to the public.

