

CHAPTER 1165
M-3 Planned Office and Mixed Use District

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CROSS REFERENCES

Interpretation and compliance – see P. & Z. Ch. 1123
Supplemental site and use regulations – see P. & Z. Ch.1181
Special use regulations – see P. & Z. Ch. 1183
Planned Districts – see P. & Z. Ch. 1185
Nonconforming uses – see P. & Z. Ch. 1187
Flood plain management – see BLDG. Ch. 1317
Soil erosion and sediment control – see BLDG. Ch. 1323
Housing and property maintenance standards – see PROP. STDS. Ch. 1711
Property performance standards – see PROP. STDS. Ch. 1717

1165.01 PERMITTED USES.

- (a) Permitted uses are as follows:
- (1) Offices.
 - (2) Financial institutions, including, but not limited to, banks, savings and loans, credit unions and brokers, including drive-thru and drive-up ATM machines.
 - (3) Schools, including public, private, business, daycares and preschools.
 - (4) Churches, synagogues, and other places of worship.
 - (5) Private clubs or lodges.
 - (6) Public buildings or public facilities.
 - (7) Senior housing and nursing homes.
(Ord. 2003-1. Passed 3-13-03.)
 - (8) Multiple-family dwellings.
 - (9) Townhouses that are a minimum of two-stories in height.
 - (10) Retail sales and services but not including: any sale, rental, repair, maintenance, or treatment of automotive or recreational vehicles, boats, or machinery; sale of gasoline or other oil products or services; or any drive-thru or drive-up use except if use is located below the surface development and not visible at grade.
 - (11) Restaurants and other food services but not including any drive-thru or drive-up use.
 - (12) Entertainment and health and recreation facilities.
 - (13) Hospitals and surgery centers.
 - (14) Hotels and motels.
 - (15) Funeral homes.
 - (16) Conference centers.
 - (17) Research and development facilities within an enclosed building.
 - (18) Any other similar use as determined by the Zoning Administrator.

1165.02 ACCESSORY USES.

(a) There shall not be exterior storage or sales of any materials either on a temporary or permanent basis.

(b) Accessory buildings and uses customarily incident to the above uses are permitted, but shall be complimentary to the main building and surrounding properties.

(c) More than one (1) main building may be located upon the lot, but only when such buildings conform to all open space requirements around the lot for the district in which the lot is located.

(d) Grading, filling, excavating or any change in the grade or property that involves the moving, depletion or replacement of more than 100 cubic yards of material or changes the existing elevation by more than one (1) foot requires a permit. At no time shall any grading be detrimental to surrounding property in appearance or in the diversion of stormwater drainage.

(e) Vending machines located outside of a building shall be limited to three (3) per building. (Ord. 2003-1. Passed 3-13-03.)

1165.03 PARKING REQUIREMENTS.

(a) Location of Parking Spaces and Vehicle Types That May Be Parked.

(1) Parking of passenger cars, station wagons, panel trucks, vans and pickup trucks are permitted; however, any vehicle in excess of 10,000 pounds gross vehicle weight is not permitted.

(2) Exceptions. Any type commercial vehicle, regardless of gross vehicle weight delivering or picking up merchandise for delivery or employed in performing a repair or construction service, may park for purpose of making such pickup or delivery, or for the duration of the period during which a repair or construction service is being performed on or to property in the area where parked.

(3) No trucks, truck trailers, automobiles or vehicles of any type shall be on skids, jacks, or any other device that will make them immobile or inoperable, except for emergency repairs.

(4) No trucks or trailers of any kind shall be used for storage purposes.

(b) Number of Required Spaces.

(1) Offices: one (1) parking space for each 250 square feet of floor area.

(2) Schools: one (1) parking space for each four (4) seats in the main auditorium or two (2) spaces for each classroom, whichever is greater.

(3) Colleges: one (1) parking space for each two seats in every classroom training station or assembly room.

(4) Churches, synagogues, and other places of worship: one (1) parking space for each four (4) seats in the main auditorium.

(5) Private clubs or lodges: one (1) parking space for each 300 square feet of floor area.

(6) Nursing homes: one (1) parking space for each five (5) beds.

(7) Banks and financial institutions: one (1) parking space for each 200 square feet of floor area.

(8) Public buildings: one (1) parking space for each 300 square feet of floor area.

- (9) Nurseries, daycares and similar private uses: one (1) parking space for each five (5) children based on maximum permitted children for such building.
(Ord. 2003-1. Passed 3-13-03.)
- (10) Dwelling units: two (2) parking spaces for each dwelling unit.
- (11) Retail sales and service: one (1) parking space for each 200 square feet of floor area.
- (12) Health and recreation facilities: one (1) parking space per patron based on the occupancy load as established plus one space per employee on the maximum working shift.
- (13) Places of public assembly, including auditoriums or theaters, with fixed seats: one (1) space for each four (4) seats.
- (14) Arena, auditorium, banquet, exhibition or meeting halls, without fixed seats: one (1) parking space per 50 square feet of floor area.
- (15) Hospitals: one (1) parking space for each three (3) beds, plus one (1) parking space for each person, employed on each shift.
- (16) Laboratories and research and development facilities: one (1) parking space for each 300 square feet of floor area.

1165.04 AREA REQUIREMENTS.

- (a) Minimum depth of front yard: thirty (30) feet. (Parking may be provided in the required front yard if approved by the City as provided for in Chapter 1185).
- (b) Minimum width of side yard: five (5) feet.
- (c) Minimum lot area shall be two (2) acres.
- (d) Minimum lot width shall be 150 feet if abutting a secondary road.
(Ord. 2003-1. Passed 3-13-03.)

1165.05 HEIGHT REQUIREMENTS.

The maximum height is one hundred (100) feet.
(Ord. 2003-1. Passed 3-13-03.)

1165.06 SITE DESIGN REQUIREMENTS.

- (a) Unless modified by the City as provided for in Chapter 1185, driveway openings to public streets shall be limited to one (1) driveway per 150 feet of project frontage, and driveway openings shall not exceed thirty (30) feet in width.
- (b) Curbs shall be provided along all drives that do not abut parking spaces. All parking areas shall be edged with curbs.
- (c) Whenever possible and practical, parking lots, with bays containing more than twenty (20) spaces, shall provide ingress and egress at both ends of each parking bay or parking lot.
- (d) Underground storm drainage facilities shall be provided for all roads and drives and parking areas. All storm drainage shall be directed into established surface or underground storm drainage facilities. Stormwater retention basins shall be designed into landscaped areas as natural appearing ponds or as architectural design features. Dry detention ponds shall be designed into landscaped areas.

(e) Sidewalks shall be provided for internal pedestrian circulation within the project so as to connect parking spaces with the buildings.

(f) Unless modified or waived by the City as provided for in Chapter 1185, sidewalks shall be provided along the front property line on the property or on the street right of way between the property line and the edge of the street paving or curb.

(g) All parking areas and walkways shall be illuminated so as to produce a minimum illumination of 1.0 footcandle within such areas. All exterior lighting shall be erected so as not to create more than 0.2 footcandle of light onto adjacent single-family residential areas and no exterior lighting shall exceed 10 footcandles. All lighting shall be served with underground cable and underground served poles.

(h) The site shall be landscaped in accordance with the Landscape Standards in Chapter 1188, unless equivalent plans are approved by the City as provided for in Chapter 1185, and a separate plan shall be submitted detailing each of the landscape elements of the site.

(i) Any part of lot area not used for buildings or other structures, or for roads, walks, parking, service areas or accessways shall be landscaped with grass, ground cover, trees and shrubs.

(j) In the absence of paving for walks or drives, foundation plantings shall be planted and maintained along all front and side exterior walls of all buildings at the ratio of one (1) thirty-six (36) inch spread evergreen shrub for every five (5) lineal feet of exterior wall.

(k) All dumpsters shall be screened with a solid wall (materials to compliment the primary structure) at least six (6) feet in height with a minimum clear width of ten (10) feet with self-latching gates.

(l) Dumpster pads shall be constructed in accordance with standards established elsewhere in the Code of Ordinances.

(m) All electric, telephone and cable lines shall be placed underground.

(n) All buildings shall have an unobstructed fire lane to the building.
(Ord. 2003-1. Passed 3-13-03.)

1165.07 PLAN APPROVAL.

(a) No construction or external alteration of buildings shall be permitted except in accordance with the provisions of Chapter 1185 PLANNED DISTRICTS.

(b) Changes to the site that result in greater compliance with 1165.07 SITE DESIGN REQUIREMENTS and Chapter 1188 LANDSCAPE STANDARDS may be approved administratively.

1165.08 ENFORCEMENT AND PENALTY.

This Chapter is subject to enforcement and penalty as specified in Chapter 1129.