

Chapter 18.230

COMMERCIAL AND MIXED USE DISTRICTS (NC, PCD, WMU, DMU)

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18.230.010 Purpose.

The purpose of the commercial and mixed use districts is to encourage multiple commercial uses within each

district while limiting the scale of the commercial activity. The RUACP envisions urban commercial activities within the context of smaller scale development. For example, the RUACP limits the square footage of commercial developments in the planned commercial development and neighborhood commercial districts. This section of the RDC translates the language and intent of the RUACP into specific code limitations. The city encourages a range of commercial uses which meet specific urban design standards within each commercial and mixed use district. (Ord. 676 § 1 (part), 1995).

18.230.020 Uses.

A. Use Categories. The city permits the following primary uses subject to compliance with the master planning requirements of Chapter 18.500, site plan review, and compliance with concurrency and level-of-service standards of the CFP. This district is performance oriented, in that specific uses are less important than the impacts of such uses of the city and neighboring properties.

1. The limitations established in Table 18.230.020 function to: (a) encourage multiple uses in each district applicable; and (b) limit the scale of development within a district. Commercial uses with gross area square footage in excess of fifty thousand square feet are not consistent with the RUACP, because they are out-of-character with Ridgely's small town character. The traffic congestion, runoff and air quality impacts characteristic of large "big box" commercial development create a nuisance.

2. The planning director shall determine the appropriateness of multiple-use establishments, consistent with the policies of the RUACP and the use characteristic of this chapter. The planning director shall refer uses that do not fit clearly into either the "permitted" category or the "prohibited" category to the hearing examiner for review as a Type III conditional use. This referral decision shall not be appealable.

a. For purposes of determining use classification, gross ground floor (in square feet) is determinative. This approach recognizes that the use itself is often less important for determining whether a use is permitted, than the use's size and design.

b. For the purpose of determining building, structure or object classification in Table 18.230.020, the classifications are defined as:

- (1) Class NC: 3,000 sq. ft. or less
- (2) Class I: 10,000 sq. ft. or less
- (3) Class II: 10,000 to 25,000 sq. ft.
- (4) Class III: 25,001 to 50,000 sq. ft.

3. The RUACP and this chapter do not permit commercial uses or buildings, including department stores and other multi-purpose uses, in excess of fifty thousand square feet in gross floor area.

B. Primary and Secondary Uses. The planning director may distinguish between primary and secondary uses.

1. Primary uses are uses permitted outright by this chapter.

2. Secondary uses have the following characteristics:

- a. They occupy twenty percent or less of the gross ground floor of the building or structure;
- b. The secondary use does not occupy the store-front area visible from the primary entrance;
- c. They do not have significant adverse impacts on either the city, the environment or the surrounding neighborhood which can not be readily mitigated;
- d. They are listed as a conditional use in Table 18.230.020; and
- e. Light manufacturing may be considered as a secondary use in a commercial or mixed use zone if the product or products manufactured at that location are made available for immediate resale to retail customers at the location at which they are made.

3. The planning director may permit secondary uses which are listed as conditional uses in commercial and mixed use districts through a Type II review process. Where the secondary use is not listed as a conditional use in the underlying commercial district, the secondary use request shall be processed as a Type III land use process.

TABLE 18.230.020

"P" Permitted uses subject to site plan review and code standards.

"C" Conditional uses which may be permitted subject to the approval of a conditional use permit.

"X" Uses specifically prohibited.

"NA" Not applicable.

	NC	PCD	DMU	WMU
A. Residential				
1. Residential uses, including ground floor residences, not less than 8 units per net acre or more than 16 units per net acre.	X	X	X1	X
2. Ground floor commercial with upper story living units, not less than 8 units per net acre nor more than 22 units per net acre.	P	C	P	P
3. House boat moorages.	NA	NA	NA	C

B. Retail Sales.

1. Retail sales—Low Impact. This category includes a wide range of retail sales, including grocery stores, general and specialty merchandise. Low-impact retail sales uses typically do not have offensive odors, noise, or visual impacts. Such uses usually do not have significant truck traffic and have no outdoor storage areas.

(a) NC	P	NA	NA	NA
(b) Class I	X	P	P	P
(c) Class II	X	P	C	C
(d) Class III	X	P	C	C

2. Adult Entertainment. Adult entertainment uses include bookstores, movie theaters, nude dancing establishments and other similar uses. Such uses are limited to I-5 commercial locations, away from existing schools and established residential neighborhoods in Ridgefield.

X	C	X	X
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3. Restaurants and Lodging. This category includes restaurants, delicatessens, taverns, fast-food, coffee shops, motels, hotels, bed and breakfasts and similar uses.

(a) Drive through	X	C	X	X
(b) Sit down	C	P	P	P
(c) Hotel	X	P	P	P
(d) Motel	X	P	C	C
(e) Bed and breakfast, hostels	C	C	P	P
(f) Travel trailer, camper parks	X	C	X	C

4. Retail Sales—High Impact. High impact (heavy) commercial uses include outdoor nurseries, lumber and building materials, farm equipment, heavy equipment rental, and the like. Such uses typically have large, outdoor storage areas, significant truck traffic and often rely on heavy equipment. Such uses may be noisy or have other off-site impacts. However, if impacts can be fully mitigated, such uses may be permitted conditionally in certain zoning districts.

(a) NC	X	NA	NA	NA
(b) Class I	X	P	C	C
(c) Class II	X	C	C	C
(d) Class III	X	C	C	X

5. Retail Sales—Auto, Truck and Marine Related Sales and Service. Such uses usually depend on large amounts of through traffic with freeway visibility or access. Typically, these uses have large parking lots and storage areas. Occasionally, such uses may be appropriate away from major streets, depending upon their use and design characteristics. For example, a boat sales and repair use might be appropriate in the Waterfront Mixed Use District, whereas a used car lot would not.

(a) NC	X	NA	NA	NA
(b) Class I	X	P	C	C
(c) Class II	X	P	C	C
(d) Class III	X	P	X	X

C. Services.

1. Offices and Clinics. This category includes business, financial, professional, medical and health, managerial, real estate, insurance and similar uses. Office and clinic uses typically are conducted entirely indoors and have no off-site impacts, other than customer traffic.

(a) NC	C	NA	NA	NA
(b) Class I	X	P	P	P
(c) Class II	X	P	P	P
(d) Class III	X	P	C	C

2. Educational, Religious, Clubs, Organizations, Public Service and Amusement Uses. These uses serve the general public and can generate high traffic volumes. These uses typically do not involve significant truck traffic and have limited off-site impacts, including customer/membership traffic and noise.

(a) NC,	C	NA	NA	NA
(b) Class I	X	P	P	P
(c) Class II	X	P	C	C
(d) Class III	X	P	C	C

1 In the DMU zoning district, ground floor residential uses may be conditionally permitted uses where the site proposed for ground floor residential use abuts a residential zoning district.

(Ord. 815 § 1, 2003; Ord. 802 § 4 (part), 2002; Ord. 676 § 1 (part), 1995).

18.230.025 Accessory uses.

In addition to recognized accessory uses, the review authority may permit on-site hazardous waste treatment and storage facilities, subject to state siting criteria, as accessory uses in all commercial districts. Ord. 676 § 1 (part), 1995)

18.230.040 Lot requirements.

For lot and development area requirements, see Table 18.230.040 below:

TABLE 18.230.040

	NC	PCD	DMU	WMU
A. Maximum area of new zoning district.	3 acres	60 acres	N/A	N/A
B. Minimum development area.	1 acre	10 acres	None	2 acres
C. Minimum lot area in square feet.	5,000	10,000	5,000	5,000
D. Minimum lot width.	50	200	50	50
E. Minimum lot depth.	90	200	90	90
F. Minimum front yard setback.	10	20	0	0
G. Minimum side or rear yard setback:				
1. Abutting LDR or MDR zones	20	20	10	10
2. Not abutting one of the above.	10	10	0	0
H. Minimum landscaped area.	25%	15%	0	15%
I. Maximum impervious surface coverage.	75%	85%	100%	85%

(Ord. 676 § 1 (part), 1995).

18.230.050 Signs.

Signs are permitted according to the provisions of Chapter 18.710. (Ord. 676 § 1 (part), 1995).

18.230.060 Off-street parking and loading.

Off-street parking and loading shall be provided as required in Chapter 18.720. (Ord. 676 § 1 (part), 1995).

18.230.070 Landscaping.

See, Table 18.230.040. Areas which are to be maintained in their natural setting shall be so designated on a landscape plan, protected through a conservation easement or other effective means, and subject to review and approval by the planning director. (Ord. 676 § 1 (part), 1995).

18.230.080 Other provisions.

Outdoor storage or display areas shall occupy no more than ten percent of gross square footage except for

plant sales that shall occupy no more than seventy-five percent of gross square footage. See also Chapter 18.340 applying to conditional and nonconforming uses and Chapter 18.500, site plan review. (Ord. 676 § 1 (part), 1995).

18.230.090 Special provisions.

A. Neighborhood Commercial (NC) District.

1. Neighborhood commercial districts are in-tended to provide for the shopping and service needs of the immediate urban neighborhood in which they are located.
2. The RUACP encourages neighborhood commercial development near NW Sevier Road, designed to serve residents who live within a half-mile of the neighborhood commercial complex.
3. The following provisions ensure that the ap-plication of this district will protect surrounding properties, ensure safe traffic circulation, and provide areas with uses serving interregional and intra-regional traffic.
 - a. Neighborhood commercial development ar-eas shall not exceed three acres, and no single business shall occupy more than three hundred square feet of ground floor area.
 - b. Neighborhood commercial development shall serve an existing market area of at least on thousand persons within a half-mile radius.
 - c. Neighborhood commercial development shall place parking at the rear of buildings, to en-courage pedestrian, bus and bicycle access. The city shall not allow parking between the front of a buld-ing and a public street.
 - d. Neighborhood commercial development shall not occur until adjacent MDR land is at least eighty percent developed.

B. Planned Commercial Development (PCD) District.

1. This district shall apply only within a half-mile of the I-5 junction.
2. The minimum development area for planned commercial development is ten acres, with a minimum of one hundred employees. Where smaller individual sites are located between developed sites, the master plan may include adjoining, developed sites to meet the ten-acre minimum, in which case the hearing examiner may waive the minimum employee figure.
3. The hearing examiner shall only approve planned commercial development following a thorough analysis of traffic and public facilities im-pacts. The city shall not pay for transportation and public facilities improvements required as a result of this analysis.
4. A plan for future annexation to the city and for the coordinated provision of urban services shall accompany all proposals for development of any commercial sites outside the city. This plan shall include: a commitment by the owner and/or devel-oper to connect to future city services, and a non-remonstrance agreement related to local im-provement districts and annexation to the city of Ridgefield.
5. The proponent of a PCD development proposal shall coordinate access to planned commercial developments with Clark County transportation policies. Curb cuts shall be at least two hundred feet apart, or greater depending on county standards and local traffic conditions.
6. To minimize adverse economic impacts on downtown Ridgefield and adverse environmental impacts, no business (including multi-purpose de-partment or warehouse stores) within the PCD dis-trict shall occupy a floor area of greater than fifty thousand square feet. In shopping centers, the anchor business shall not exceed fifty thousand square feet in floor area, and secondary business shall not exceed twenty-five thousand square feet in floor area.
 - a. The city shall not permit outdoor sales, except on a temporary basis, in the absence of a permanent commercial structure.
 - b. Under no circumstances shall outdoor dis-plays occupy more than ten percent of the gross floor area of commercial buildings on the site.

C. Downtown Mixed Use (DMU) District.

1. The DMU district encompasses the original commercial core of the city. The purpose of the dis-trict is to preserve the character defining elements of the core area and to encourage new use and development that reflects the scale, materials and use patterns of the business core.
2. Downtown commercial development shall place parking at the rear buildings, to encourage pe-destrian, bus and bicycle access. The city shall not allow parking between the front of a building and a public street except as a nonconforming use pursuant to Chapter 18.340.
3. New downtown commercial and residential and government office buildings shall be subject to design review to ensure compatibility with Ridgefield's existing commercial character.

D. Waterfront Mixed Use (WMU) District.

1. The WMU district encompasses the land be-tween Railroad Avenue and Lake River, except for those lands designated urban public (UP). The pur-pose of the district is to preserve and enhance the natural resources base of the area and to connect the city to its waterfront through mixed-use development and pedestrian and water related travel consistent with the RUACP.
2. Waterfront developments are limited to a minimum of two acres per development activity so as to encourage comprehensive site development. Where smaller individual sites are located between developed sites to meet the ten-acre minimum.
3. The city may approve waterfront developments only after the proponent provides a thorough analysis of traffic and public facilities impacts. The city may condition approval of a WMU land use application upon the applicant's provision of their proportionate share of transportation and public facilities improvements required as

a result of this analysis.

4. Continued public access to the waterfront area shall be insured through an access plan approved by the planning director.

5. Parking lots shall be screened from public view and shall not be located between the waterfront and any commercial or residential structure.

6. In recognition of the time needed to attract business within the WMU district, the period of discontinuance of nonconforming use pursuant to Section 18.240.040(A)(5) shall be two years.

7. The city may impose an environmental transition (ET) overly zone upon all or part of any property in the WMU zone which, after investigation by either state or federal environmental protection agencies, is determined by said agency or agencies to constitute an environmental hazard. (Ord. 802 § 4 (part), 2002; Ord. 676 § 1 (part), 1995).