

CP-1

Planned Commercial District

Section 1401. Use. The following special regulations shall apply to the CP-1 district. No building may be erected or used and no lot may be used or occupied in the CP-1 district except for the following purposes and providing that building location and site plan has been approved in accordance with regulations herein set forth:

The regulations for planned districts are intended to provide a means for the establishment of designated commercial and industrial use which will be so located and planned that such use, when deemed appropriate to the area, shall be developed with special provisions to minimize traffic hazards, provide adequate off-street parking and to protect neighboring residential areas. Planned districts shall be defined as CP-1, CP-2, MP and P-0 districts.

- a. Any use permitted in R-3 districts.
- b. Professional Office or Studio.
- c. Delicatessen store, dairy lunch or similar establishment for serving lunches and non-intoxicating beverages, but not including restaurants or cafes. Drive-in eating establishments, where patrons are served food through outdoor windows or counters or where food would be served outdoors, shall not be permitted.
- d. Personal service shops, such as beauty parlor, shoe shine and barber shop.
- e. Custom dressmaking, millinery and tailoring.
- f. Shops or stores for the sale of books, non-intoxicating beverages, tobacco, confections, drugs, flowers, notions and sundry small household articles.
- g. Accessory land use and buildings customarily incident to any of the above uses.
- h. Off-street parking and unloading spaces.
- i. Signs and name plates, when affixed flush with the front of the building and not extending above it.
- j. The foregoing uses do not include and, therefore, exclude the sale of gasoline or motor fuels, the operation of an automotive service station and adult business uses, regardless of the provisions of Subsection g of this Section.

k. The CP-1 district, to be known as "Neighborhood Store District," is intended to provide for limited commercial uses in residential neighborhoods.

(Ordinance 559, June 20, 1959, Sections 901 and 905, as amended by Ordinance 578, June 10, 1960, Article IX, Ordinance 752, September 16, 1969, Section 3, Ordinance 929, February 6, 1978, Section 1, Ordinance 962, September 11, 1979, Section 1(A), by Ordinance 1020, February 6, 1982, Section 1, Ordinance 1056, August 3, 1983, Section 4, and by Ordinance 1198, February 8, 1988, Section 13.)

Section 1402. Lot Area, Width and Yards. All CP-1, districts shall be subject to the following regulations and to such subsequent regulations as are set forth for each district:

a. **Lot Area.** The minimum lot area per dwelling unit shall be not less than the area prescribed for R-3 districts for the CP-1 district, or the area prescribed for R-4 districts for the CP-2 and MP districts.

(1) CP-1 District.

1-Family Dwelling	6,000 square feet
2-Family Dwelling	9,000 square feet
Multiple-Family Dwelling (per unit)	2,000 square feet
Personal Care Boarding Home for Adults:	
Large (per unit)	1,200 square feet
Small	6,000 square feet

(2) CP-2 District.

1-Family Dwelling	5,000 square feet
2-Family Dwelling	8,000 square feet
Multiple-Family Dwelling (per unit)	500 square feet
Personal Care Home for Adults:	
Large (per unit)	500 square feet
Small	6,000 square feet

b. **Yards.**

(1) Front. The minimum front yard depth shall be30 feet

(2) Side. Side yards for buildings used for dwelling purposes shall be not less than 10 feet. No side yards shall be required for buildings used for commercial or non-residential purposes, except when abutting residential districts, in which case the side yard shall be not less than 40 feet.

Side yards for buildings in the P-O district shall be20 feet.

(3) Rear. Rear yards in the CP-1, CP-2, MP and PO districts shall be not less than 40 feet when abutting residential districts and not less than 20 feet when abutting non-residential districts, and shall remain unobstructed with buildings and structures.

(4) Perimeter Planting. Within the CP-2 and MP districts, all required front yards must be landscaped with living plant material in accordance with the provisions of Section 2404.i of this Chapter. Special screening regulations along lot perimeter lines in the CP-1 district are found in Paragraph (6) of this Subsection.

(5) Parking Areas. Within the CP-1 and PO districts, off-street parking areas shall be set back a minimum of 10 feet from a side or rear property line when such line abuts an R-1- or R-2-zoned district or abuts an alley adjacent to an R-1- or R-2-zoned district. In no case shall parking be permitted in a front yard.

(6) Screening. For any commercial use within the CP-1 district, the following additional screening requirements are required along the lot's perimeter wherever it abuts an R-1- or R-2-zoned district or abuts a street or alley adjacent to an R-1- or R-2-zoned district:

The entire length of the perimeter lot line so described must contain a continuous, view-restrictive screen at least 6 feet in height designed to obscure the view of commercial buildings and parking areas from residentially-zoned districts. The screen's length must be comprised of trees, shrubs or a combination thereof. A minimum of 50 percent of the screen's length shall be evergreen material. All living screening must be at least 6 feet in height at time of planting and be spaced closely enough to provide for view restriction. Walls, earth mounds, fences, or any combination thereof, may be included with the living plant material to complement and provide variety to the screen but may not be exclusively used for screening. Special consideration should be given to form, color, texture, density, growth habits and maintenance requirements. Grass or other living ground cover shall be planted, mulched and maintained on all portions of the landscape strip not occupied by other landscape material.

The foregoing regulations may be reduced to provide a view-restrictive screen equivalent to 50 percent off the length of the perimeter lot line whenever such lot line abuts an R-3-, R-3B- or R-4-zoned district or it abuts a street or alley adjacent to an R-3- or R-4-zoned district. The 50 percent requirement may not be met with a single continuous hedgerow; rather, the creation of special design effect by grouping trees, shrubs and other landscape features is encouraged.

(7) Design Standards. On all roofs which contain air-conditioning and other similar types of mechanical/electrical equipment, a view-restrictive screen, that is the same height above the roof as is the equipment, must be located around the perimeter of the roof. Such screen may consist of a decorative type fencing or mesh or may be an extension of the parapet. The screen's purpose is to hide the equipment from the view of a person standing at street level.

c. Open Space.

(1) CP-1 Districts. A maximum of 35 percent of the total lot area may be covered by buildings.

(2) CP-2 District. A minimum of 30 percent open space is required for all uses.

(3) MP District. A minimum of 25 percent open space is required for all uses.

(4) PO District. A maximum of 75 percent of a lot may be covered with impervious surfaces .

(Ordinance 559, June 20, 1959, Section 904, as amended by Ordinance 578, June 10, 1960, Articles VIII and XII, Ordinance 834, December 4, 1973, Section 1, Ordinance 878, September 9, 1975, Ordinance 941, September 11, 1978, Section 128, Ordinance 943, October 4, 1978, Ordinance 962, September 12, 1979, Section 1(D), Ordinance 1020, February 6, 1982, Section 2, Ordinance 1034, December 10, 1982, Section 9, Ordinance 1219, September 8, 1988, Sections 1 and 2, Ordinance 1537, August 27, 1997, Section 9, Ordinance 1737, February 5, 2003, Sections 2 and 3., and by Ordinance 1841, April 4, 2006, Section 13., and by Ordinance 1899, July 7, 2008, Section 1 and 2.)

Section 1403. Height. The maximum height permitted in this District shall be:

Buildings35 feet
(not to exceed 3 stories)
All Other Structures35 feet
except as provided for in Section 503.d(2).

(Ordinance 559, June 20, 1959, Section 905, as amended by Ordinance 834, December 4, 1973, Section 1, Ordinance 878, September 9, 1975, and by Ordinance 1466, March 21, 1995.)

Section 1404.²⁶⁰

Section 1405. Signs. The addition, relocation or modification of any sign in a Planned District shall be reviewed by the Design Review Board. Specific regulations regarding signs in planned districts are found in Section 118.b of Chapter XV of this Codification. Additional regulations pertaining to height and ground pole signs in the CP-1 district are found n Chapter XV, Sections 106 and 112, respectively, of this Codification.

(Ordinance 1032, August 4, 1982, Section 1, as amended by Ordinance 1219, September 8, 1988, Section 3, and by Ordinance 1284, July 10, 1990, Section 11.)