

Sec. 6.1360. - Commercial and industrial districts—Permitted accessory uses and structures.

- A. Dwelling unit for security, management or maintenance personnel.
- B. Fences and walls.
 - 1. Location. Fences and walls may be constructed on any side or rear property line but shall not be located in any required front yard setback or be closer to any public or private street than the required setback for a building. (See also the city encroachment policy for additional restrictions.)
 - 2. Fence materials may include those listed for residential uses as well as chain link. However, chain link fences shall not be used for screening purposes as slats are prohibited. Chain link may only be used for screening purposes when used in combination with evergreen trees or shrubs, planted on the outside of the fence, providing an opaque screen that satisfies the screening requirements in Article 8, Division III of this chapter.
- C. Flag poles.
- D. Food service and vending machines for tenants or employees.
- E. Gate house.
- F. Garden center. A garden center as an accessory use to a commercial center shall be fully contained within a screened -portion of the primary structure.
- G. Outdoor patios/decks. The following outdoor patios/decks shall be allowed as accessory uses with the conditions stated:
 - 1. Strip centers/in-line tenant space.
 - a. Outdoor patios/decks shall be set back a minimum of 100 linear feet from a residential district.
 - b. Outdoor patios/decks adjacent to a residential district shall:
 - (1) Provide a screened masonry wall from eight to ten feet in height around the patio/deck sides facing the residential district for the purpose of establishing a visual screen and block noise emanating from the patio area to the residential district. The wall height shall be sufficient to obscure the sight to the outdoor patio/deck from any adjacent residential dwelling's viewing station including patio, deck or window.
 - (2) Outdoor patios/decks that cannot meet the screening requirement of Subsection a. above are prohibited unless approved by the City Council.
 - Exception: When located within a development with a perimeter fence screen that provides the visual obscurity required in Subsection (1) above, then a six-foot height masonry screen wall shall be utilized for noise control.
 - 2. Standalone/pad site.
 - a. Outdoor patios/decks associated with standalone and pad site businesses shall:
 - (1) Provide a minimum setback of 100 feet to any residential district.
 - (2) Provide four-foot high security fencing around the patio/deck area when no residential adjacent property exists.
 - (3) Provide a screened masonry wall from eight to ten feet in height around the patio/deck sides when adjacent to residential.
 - (4) Provide noise control as further established below.
 - b. Outdoor patios/decks located in front of businesses on a sidewalk shall:
 - (1) Provide four-foot security fencing around the patio/deck perimeter.
 - (2) Provide noise control as further established below.

3. Noise control for both in-line and standalone businesses shall be established per City Code.
- H. Parking and loading areas.
- I. Private/public parking structure.
- J. Satellite dish antennae.
- K. Signs per Article 9 of this chapter.
- L. Solar collector (see Section 6.1450).
- M. Storage lot for vehicles engaged in the business. Per approved development plan or special use permit.
- N. Swimming pool, private. An indoor or outdoor swimming pool shall be allowed as an accessory structure/use to the following uses provided the district setbacks can be met:
 1. Fitness centers.
 2. Motels/hotels.
 3. Multi-family dwellings, garden apartment buildings/complexes.
 4. Clubs and organizations such as a YMCA.

O. Mobile food vending is regulated in Division V of this article.

P. Outdoor Vending Machines

1. Attached – Such accessory vending machines shall be attached to or built into exterior walls of the commercial business or integrated into a drive island. Examples include the following:

- A. Self-service car wash business dispensers offering such items as cleaners, waxes and towels for vehicle washing; and ATMs.
- B. Similar accessory uses and structures approved by the Director.

Retail sales of products being displayed outdoors, provided such products are being sold within the commercial building where the products are being displayed, shall not constitute an accessory use or structure. Said outdoor product display shall be located immediately adjacent to the wall of the building or within 20 feet of such wall, or in the case of a C-Store adjacent to the pump island, except for seasonal sales regulated by Division V of this article.

2. Detached- Requires a Final Development Plan and must meet the following criteria

- A. The outdoor vending machine shall be completely enclosed; and
- B. The outdoor vending machine shall be clad in the same materials as the primary building on site; and
- C. The structures shall have a gabled roof; and
- D. Structure shall be protected by measures such as curbing or bollards; and
- E. Shall not cause a shortage of on-site parking; and
- F. Shall not impede the flow of drainage; and
- G. The outdoor vending machine shall not be configured to encourage drive-through like circulation; and
- H. Shall not cause adverse impacts to site circulation; and
- I. Any landscaping removed to accommodate the Outdoor vending machine shall be replaced prior to a final building permit; and
- J. Vending machine footprint shall not exceed 300 square feet; and