

Chapter 18.40

BP BUSINESS PARK

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18.40.010 Statement of Intent

The zoning of property as BP, Business Park District, is intended to allow development of a mix of research and development, office, light assembly, warehousing and limited retail and service uses in a planned business park setting. This district is a planned zoning district designed to provide for high-quality development with increased amenities and open space. In appropriate circumstances, property zoned BP may be located adjacent to residential uses. (Ord. 02-54 § 2, 2002)

18.40.020 Permitted Uses

No building, structure, land or premises shall be used, and no building or structure shall hereafter be erected, constructed, reconstructed, moved or altered, except for one (1) or more of the uses set forth herein, or similar uses, in accordance with the Use Matrix in Chapter 18.76, subject to all applicable development and performance standards.

- A. Uses permitted by right: Because the BP district is a "planned" district which is intended for use in developing cohesive office/industrial parks, land uses may be limited as a condition of zoning approval. Generally, the following uses shall be permitted subject to applicable development and performance standards of Section 18.40.040:
 - 1. Any uses permitted by right in District C-O, CP-O, M-1 or MP-1 except eating places with drive-through or drive-in service; frozen food services, including lockers; mini-storage warehouses; miscellaneous manufacturing industries; and retail nurseries, lawn and garden supply stores, subject to applicable development and performance standards.
 - 2. Golf courses and clubhouses, public and private (except miniature golf, driving ranges, etc.).
 - 3. Health and allied services, not elsewhere classified.
 - 4. Museums and art galleries.
 - 5. Manufacturing and distribution of sporting goods, including dolls, toys and games.
 - 6. Manufacturing and distribution of apparel and other finished products made from fabrics and similar material.
 - 7. Retail and wholesale of furniture, carpet, paint, plumbing and lighting fixtures.
 - 8. Data processing, sales and services.
- B. Conditionally permitted uses: The following uses may be permitted, subject to compliance with applicable conditions.
 - 1. Accessory uses, subject to the provisions of Chapter 18.56, Accessory Uses and Structures.

2. The personal service and retail uses listed in paragraph "a" below shall be permitted, subject to the following limitations:
 - a. Permitted Uses:
 - (1) Barber and beauty shops.
 - (2) Drinking places (alcoholic liquor and cereal malt beverages).
 - (3) Laundry, cleaning and garment services and dry cleaning pick-up only.
 - (4) Newsdealers and newsstands.
 - b. None of these uses may be housed in a freestanding building.
 - c. The floor area devoted to these uses shall not exceed ten (10) percent of the gross floor area of any building.
3. Temporary sales and events subject to the provisions of Section 18.54.040.
4. Outdoor play areas for child day-care services, subject to site plan approval by the City Planner.
5. Eating places with outdoor service areas, subject to site plan approval by the City Planner.
- C. Special Uses: As specified in the Use Matrix, Chapter 18.76, or Chapter 18.54, Special Uses, may be permitted with a special use permit obtained pursuant to the provisions of Chapter 18.12, Applications and Procedures. (Ord. 02-54 § 2, 2002)

18.40.030 Height and Area Regulations for BP Developments

The maximum height of buildings and structures, the minimum district size, setbacks for parking/paving and buildings, and minimum landscaped open space ratio shall be as follows, except as provided in Chapter 18.58, Height and Area Exceptions:

- A. Minimum district size -- twenty-five (25) net acres.
- B. Minimum lot size -- one (1) net acre, provided that at least eighty (80) percent of the lots within the business park must be three (3) net acres or larger.
- C. Maximum height:
 1. Buildings -- twelve (12) stories, not exceeding one hundred forty-four (144) feet from finished grade.
 2. Structures other than buildings (and signs) -- seventy-five (75) feet from finished grade, provided such structure is set back from all property lines a distance equal to or greater than its height.
- D. Minimum setbacks:
 1. Buildings:
 - a. Forty (40) feet from arterial street right-of-way and fifteen (15) feet from other street right-of-way.
 - b. A minimum of fifty (50) feet from property lines adjoining land zoned AG through TN, inclusive, depending upon existing topography and vegetation, the size of development, building size and land uses. Additional setback may be required in accordance with adopted buffer design guidelines.
 - c. Ten (10) feet from property lines adjoining land zoned C-O through M-3, inclusive.

2. Parking/paving:
 - a. Thirty (30) feet from street right-of-way.
 - b. A minimum of thirty (30) feet from property lines adjoining land zoned AG through TN, inclusive, depending upon existing topography and vegetation, the size of development, building size and land uses. Additional setback may be required in accordance with adopted buffer design guidelines.
 - c. Ten (10) feet from property lines adjoining land zoned C-O through M-3, inclusive.
 3. The Planning Commission may allow a ten (10) foot setback for buildings less than forty (40) feet in height or parking when the proposed development is adjacent to property zoned AG but shown as commercial or industrial on the Future Land Use Plan.
 4. Minimum setbacks from properties zoned AG through TN, inclusive, may be modified if the applicant demonstrates one (1) or more of the following, and provided that the area proposed for modification is illustrated on the site development plan:
 - a. An alternative higher quality development design with no negative impacts to either the residential or nonresidential properties.
 - b. Development restrictions imposed on the property to ensure low impact land uses, low scale buildings, and a site design arrangement in which adjoining residential properties will not be negatively impacted by any such reductions.
 - c. Existing topography, hedgerows or natural features provide significant screening and an appropriate buffer for adjoining properties.
 - d. Significant buffers are provided on adjoining residential properties and such properties will not be negatively impacted by any such reductions.
 - e. The setback requirements impose an unnecessary hardship upon the property owner arising from conditions unique to the property and alternative site design, building design and building arrangements are not possible. In such instances, findings shall be prepared that the conditions of Section 18.12.350.B have been met.
- E Minimum landscaped open space ratio -- twenty-five (25) percent of net site area. (Ord. 02-54 § 2, 2002)

18.40.040 Development and Performance Standards for BP Developments

- A. Planned district projects shall emphasize orderly development at a quality level exceeding that found in projects developed under conventional zoning in accordance with Chapter 18.14. Planned district zoning is reserved for those areas that are sensitive due to natural features, adjoining land uses, or high visibility. Planned districts shall not be used to reduce standards and requirements, but shall be used as a means to improve development quality.
- B. Development plans as specified in Chapter 18.12, Applications and Procedures, are required for developments zoned BP.
- C. Parking and Loading -- see Chapter 18.60.

- D. Signage -- see Chapter 18.64. An overall signage plan shall be submitted with preliminary development plans. Signage within an area zoned BP shall be harmonious in color, sizing and location.
- E. Landscaping and Screening -- see Chapter 18.62 and Chapter 18.68, Subdivision and Lot Splits. A master landscaping and screening plan shall be submitted for review and approval with preliminary development plans. Additional landscaping or other buffering treatments shall be provided in accordance with adopted buffer design guidelines where adjacent to property zoned AG through TN, inclusive.
- F. Storage:
 - 1. All operations, other than limited storage of motorized machinery and equipment, materials, products or equipment, shall be conducted within a fully enclosed building.
 - 2. All storage of motorized machinery and equipment, materials, products or equipment shall be within a fully enclosed building or in a storage area or yard. Said storage shall be limited to twenty (20) percent of the ground floor area of the building or tenant space, screened in accordance with the provisions of Chapter 18.62, Landscaping and Screening, and paved or surfaced with an approved seal coat per approval by the City Engineer.
- G. Noise levels in accordance with Chapter 6.18 of the Municipal Code.
- H. Unless a waiver is approved by the Planning Commission or Governing Body for a solar design or improved site design, buildings should be oriented so that fronts of buildings face the street frontage of the property.
- I. Sale of merchandise from a vehicle or temporary structure is prohibited, except as provided for by a temporary sales and events permit.
- J. No merchandise or equipment may be displayed outside a building unless located within an outdoor display confined area not to exceed twenty (20) percent of the ground floor area of the building or tenant space. However, daily sidewalk sales and temporary displays, not to exceed one hundred fifty (150) square feet in area or twenty (20) percent of the ground floor area of the building or tenant space, whichever is less, shall be permitted on sidewalk areas immediately adjacent to the business during business hours. All such merchandise and display shall be temporary in nature and shall be moved inside the business after business hours.
- K. Eating establishments may have an outdoor service area that is accessory to the main restaurant function. The outdoor service area must be a well-defined space, designed and serviced to keep debris from blowing off the premises. Patrons must gain entrance through the main entrance to the restaurant, but at least one (1) exit must be provided for fire safety. (Ord. 02-54 § 2, 2002)

(Pages 215 and 216 reserved.)