

## ARTICLE VIII

### General Commercial District (C-1)

Article 8: General Commercial District

- Section 8.1. Intent
- Section 8.2. Principal Permitted Uses
- Section 8.3. Conditional Uses
- Section 8.4. Permitted Accessory Uses
- Section 8.5. Bulk Regulations
- Section 8.6. Architectural Standards in Commercial Districts
- Section 8.7. Off-Street Parking
- Section 8.8. Sign Regulations
- Section 8.9. Zoning Permits Required

**Section 8.1 INTENT.**

The General Commercial district is designed to provide commercial uses necessary for the proper development of the community through a variety of retail stores and related activities and services to serve the general shopping needs of the trade area. Low impact development practices shall be constructed to cool, treat and filter the first 1.25 inches of rainfall from all impervious surfaces.

**Section 8.2. PRINCIPAL PERMITTED USES.**

Within the (C-1) General Commercial district, unless otherwise provided, a building or premises shall be used for only the following purposes.

Commercial Uses		Civic Uses
Admin. & Business Offices	Laundry Sales	Club or Lodge Hospital Services Public Assembly Religious Assembly Educational Facilities Daycare Center Government/Public Services Local Utility Services Park and Recreation Services Safety Services
Automotive Repair Services	Liquor Sales	
Automotive Sales or Rental	Maintenance & Service Facilities	
Automotive Washing	Medical Clinics/Offices	
Building Support Services	Nursery	
Commercial Off-Street Parking	Personal Improvement Services	
Community Center	Personal Services	
Condominium Storage Unit	Pet Services	
Construction Sales & Services	Professional Offices	
Consumer Repair Services	Restaurant (Convenience)	
Convenience Storage	Restaurant (General)	
Convenience Store	Service Station	
Financial Services	Shopping Center	
Funeral Services	Veterinary Services	
General Retail Sales	Visitor Habitation	
Golf Course	- Bed & Breakfast Inn	
Health Club or Recreation	- Campground	
Hospital Services	- Hotel-Motel	
Indoor Entertainment/Recreation	- Boarding House	
<i>Any other use interpreted by the Zoning Administrator to be a use similar to one of the above named uses and, in the administrator's opinion, conforms to the intent of this section.</i>		

**Section 8.3. CONDITIONAL USES.**

The following uses and structures are allowed subject to specific conditions and requirements as approved by the Board of Adjustment intended to make them compatible with and acceptable to adjacent uses.

Commercial Uses	Residential Uses	Industrial Uses
Agricultural Sales and Services Automobile Wrecking Yard Bar Commercial Auction Yards Communication Services Equipment Sales Equipment Repair Sales Kennel, Commercial Outdoor Entertainment Resort Enterprise Tattoo parlor or Tanning Salon Vehicle Storage Wind Energy Device	Assisted Living Facility Apartment Condominium Elder Family Home Family Home Multiple Family Residential Nursing or Convalescent Home Planned Unit Development Residential Care Services Townhouse Residential	Custom Manufacturing Limited Warehousing and Distribution

**Section 8.4. PERMITTED ACCESSORY USES.**

Permitted accessory uses shall not be the principal structure on any lot, and accessory uses are to remain incidental and secondary in size, use, and nature to the principal permitted use. The following accessory uses and structures shall be permitted.

1. Essential Services
2. Private garages, carports or storage building as an accessory to the principal building
3. Patios, cabanas, porches, gazebos, and incidental household storage buildings
4. Normal accessory buildings and structures for public recreation areas such as refreshment stands, playground equipment, all-weather shelters, tennis courts, barbecue pits, etc.
5. Customary accessory uses and structures incidental to permitted uses; however, the storage of any unlicensed and/or inoperable vehicle for more than three months is expressly prohibited.
6. Pickup campers, recreational vehicles, and motor homes may be stored, provided, however, that the owner or tenant of the property is in fact the actual owner and further provided that said units may not be occupied. In addition, storage shall be in an inconspicuous location.
7. Water retention ponds and stormwater basins.
8. Any other commercial use type not listed as a permitted use in the same district, and complies with all the following criteria.
  - a. Operated primarily for convenience of employees, clients or customers of the principal use.
  - b. Occupies less than 10 percent of the total floor area of the principal use.
  - c. Located and operated as an integral part of the principal use; not as a separate business use.

9. Temporary buildings for uses incidental to construction, which buildings shall be removed upon the completion or abandonment of construction, and in compliance with Section 11.16.
10. Accessory buildings and uses customarily incidental and subordinate to the above permitted and conditional uses, and in accordance with Section 11.12.

**Section 8.5. BULK REGULATIONS.**

The following minimum requirements shall be provided for light and open space around permitted and conditional uses and structures in the (C-1) General Commercial District, subject to the Supplemental District Regulations.

Minimum Lot Area -	Residential uses All other uses	10,000 square feet 10,000 square feet
Minimum Lot Width -	Residential uses  All other uses	80 feet except at entry points off cul-de-sacs 75 feet except at entry points off cul-de-sacs
Required Front Yard -	Residential uses All other uses	30 feet - minimum setback 20 feet - minimum setback
Required Side Yard -	Residential uses All other uses	10 feet - minimum setback no minimum setback, except when located adjacent to any “R” district in which case no less than 10 feet setback.
Street Side Yard (Corner Lot) -	All uses	Same as front yard setback
Required Rear Yard -	Residential uses All other uses	35 feet - minimum setback no minimum setback, except when located adjacent to any “R” district in which case no less than 25 feet setback.
Height -	35 feet - maximum height, provided that no structure shall be permitted to extend into approach zones, clear zones or other restricted air space required for the protection of any public airport.	

No minimum requirements for local utility facilities and essential services, except that buildings or other above ground structures or devices constructed in support of utilities or essential services must comply with minimum yard setback requirements.

**Section 8.6. ARCHITECTURAL STANDARDS IN COMMERCIAL DISTRICTS.**

1. *Architectural Standards.* Requirements, guidelines and standards set forth in this article shall apply to property within commercial zoning districts and commercial property under conditional use permits within the City of Okoboji.
2. *Statement and Intent.* In the interest of promoting the general welfare of the community and to protect the value of buildings and property, the image and character of the community is considered important. This is particularly so within the City of Okoboji for the reason the city is a small resort community with corporate boundaries determined by the ordinary high water marks of glacial lakes. To this extent, maintaining the beauty and visual attractiveness of the city contributes to the general welfare to the extent that it tends to stabilize and vitalize the local economy. The quality of architecture and building construction is important to the preservation and enhancement of this unique environmental heritage enjoyed within the City of Okoboji. As such, architectural design and use of materials for construction of any building within a commercial district shall be subject to the approval of a Design Review Committee and the approval of the City Council.
3. *Initiation of Procedure.* Ten (10) copies of architectural plans for buildings shall be submitted to the Okoboji Design Review Committee, together with an application for a zoning permit as required in Section 15.4 of this ordinance. Documentation to be submitted shall include building elevations showing the building's design and exterior materials, and all other information as deemed necessary to make a determination. Detailed information relating to any lighting or signage on the structure shall be provided, including backlit material or accent lighting. It shall be the responsibility of the Zoning Administrator to provide five (5) copies of the architectural plans to the City Council and five (5) copies to the Design Review Committee. The architectural design shall be in accordance with the standards as set forth in this section of the ordinance or as approved and as modified by both the Design Review Committee and the City Council.
  - a. *Wall Area Defined.* In the application of these requirements, some standards are based upon a percentage of the wall area. The wall area is defined as the total square feet of the exterior elevation of the building in a single plane that is perpendicular to the point-of-view in vertical to the ground. It does not contain the elevated area of a pitched room, but would include the area of a parapet wall. Each elevation must comply with the standards provided or as modified and approved by both the Design Review Committee and City Council.
  - b. *Structures within Commercial Districts.* Building architectural designs should recognize the importance of material strength and permanency through the selection of building material, and the principle of the structural strength and permanency shall dominate the structural and exterior materials and components. The primary material shall constitute at least 75% of the wall area, excluding glass, or as is approved by both the Design Review Committee and the City Council. The primary exterior material shall consist of a combination of brick, textured concrete block, stucco, or EIFS (Exterior Insulation and Finish Systems), natural or cultured stone, concrete, steel, vinyl or stone panels, provided that they contain some architectural relief, and provided they exhibit the structural strength and permanency desired. The standard shall apply to all sides of any building, or shall apply as modified and approved by both the Design Review Committee and the City Council. The remaining exterior material

shall be considered as building trim. For the purpose of this section, trim is defined as an ornamental design feature, that when removed, does not significantly alter the appearance of the building. It would commonly consist of building elements like moldings, cornices, parapets, frieze, sills, lintels, string course, and ledge. The maximum amount of trim on the wall area, excluding glass, shall not exceed 25% except as modified and approved by the Design Review Committee and by the City Council. No wood, masonite, asphaltic exterior wall, or roof material, aluminum or steel siding, non-architectural sheet metal, non-textured concrete block, or other similar materials shall constitute a portion of any building except as trim unless modified and approved by both the Design Review Committee and the City Council.

- c. General Provisions. Adequate treatment or screening of negative aspects of buildings, including, but not limited to, loading docks, loading areas, outside storage areas, garbage dumpsters, and heating, ventilation and air conditioning mechanical units from any public street and adjoining properties shall be required. Preference is given to locating loading docks or loading areas out of view from public streets.
4. Design Review Committee. The Design Review Committee shall consist of five members, one of whom shall be the Okoboji Zoning Administrator, and the other four of whom shall be appointed by the City Council every three years. The Zoning Administrator shall serve as chairperson of the Design Review Committee. The other members appointed by the council shall be residents of the City of Okoboji, though no member shall be a present member of the Board of Adjustment.
5. Review Process. Upon submittal of an application for a building permit in a commercial district, the applicant shall provide the Zoning Administrator with ten (10) copies of the architectural plans for the proposed building or structure. Within thirty days of submission of the application, together with the architectural plans, the Design Review Committee shall make a recommendation to the City Council, failing which the application shall be deemed as receiving a recommendation of approval from the Design Review Committee, provided, however, the applicant may agree to an extension of time. The committee's findings on each application shall be set forth in a formal motion, either recommending approval, recommending approve with conditions set forth by the Design Review Committee, or recommending disapproval. A majority of votes cast at any meeting at which a quorum is present shall be decisive of any recommendation. The committee shall then forward its recommendation to the City Council.
6. City Council Review. The City Council shall, after receipt of the recommendation of the committee, or after the time of any extension thereof has passed for the committee to file their recommendations, make approval or rejection of the application. City council approval of the plans shall require a majority of the votes cast at any meeting at which a quorum is present. The City Council's findings on each application shall be set forth in a written resolution to be filed in the office of the city clerk as a public record. The City Council's written resolution shall include any conditions required by the council and/or the Design Review Committee. Upon approval by the City Council, the Zoning Administrator shall issue a building permit, and construction may proceed consistent with the architectural plans and conditions approved by the City Council.

7. Appeal to the Board of Adjustment. The Okoboji Board of Adjustment shall be the body which shall grant any variances from the requirements provided in this article, including, but not limited to, conditions and/or requirements required by the Design Review Committee and/or the City Council. Such appeal shall be made in accordance with Section 17.3 of this ordinance relating to appeals to the Board of Adjustment from decisions of the Okoboji Zoning Administrator.

**Section 8.7. OFF-STREET PARKING.**

Off-street parking requirements shall be required for activities in the (C-1) General Commercial District in accordance with the provisions of Article XII of this ordinance. Required front yard setback area may be used for off-street parking facilities. The use of pervious surfaces for parking to enhance low impact development storm water management is encouraged. Low impact development practices shall be constructed to cool, treat and filter the first 1.25 inches of rainfall from all impervious surfaces.

**Section 8.8. SIGN REGULATIONS.**

Sign regulations shall be required for activities in the (C-1) General Commercial District in accordance with the provisions of Article XIII of the ordinance.

**Section 8.9. ZONING PERMIT REQUIRED.**

Zoning permits shall be required in accordance with the provisions of Section 15.4 of this ordinance.

## “QUICK REFERENCE GUIDE” ZONING DISTRICT BULK REGULATIONS

Zoning District	Minimum Lot Area	Minimum Lot Width	Required Front Yard	Required Side Yard	Required Rear Yard	Street Side Yard (Corner Lot)	Maximum Height
A-1 Agriculture	10 acres	200 ft.	50 ft.	50 ft.	50 ft.	50 ft.	35 ft. (for dwellings)  No height on ag uses
R-1 Single Family Residential	7,500 SF 10,000 other	50 ft.	30 ft.	10% of lot width but no less than 5 feet	35 ft.	30 ft.	35 ft.
R-2 Multiple Family Residential	7,500 SF 8,500 TF 10,000 MF 10,000 other	50 ft. SF 60 ft. TF 80 ft. MF 80 ft. other	30 ft.	5 ft. SF 7 ft. TF 10 ft. MF 10ft. other or 10% of lot width if greater than minimums	35 ft.	30 ft.	35 ft.
R-3 Lakeshore Residential	6,500 sq.ft.	75 ft.	35 ft. lakeshore side or nearest points of adjoining properties	10% of lot width but no less than 5 feet	No minimum on the street side	35 ft.	35 ft.
C-1 General Commercial	10,000 sq.ft.	80 ft. residential 75 ft. other uses	30 ft. residential 20 ft. other uses	10 ft. Residential None for other uses except 10 ft. by residential	35 ft. Residential None for other uses except 25 ft. by residential	30 ft. residential 20 ft. other uses	35 ft.

Note: SF= Single Family Residential; TF= Two Family Residential; MF= Multiple Family; DU= Dwelling Unit