

Division 7. Business Park District Regulations***Sec. 36-231. Purpose of division.**

The provisions of this division deal with business park uses of land and structures in the city.

Sec. 36-232. Business Park (BP) district restrictions and performance standards.

No structure or premises within any BP district shall be used for any use allowed as permitted, permitted with conditions, Conditional Use Permit, or Planned Unit Development, unless it complies with the following regulations:

- (1) All activities conducted in a BP district shall be conducted wholly within an enclosed structure except as specifically permitted.
- (2) Outdoor storage shall be prohibited in the BP district.
- (3) All delivery service entrances to a building in the BP district shall be from a public alley, service alley, or off-street parking lot.
- (4) No vehicular curb-cuts shall be permitted within a distance of 50 feet from any intersection, unless the City Engineer determines that such a curb-cut is necessary and will be safe for pedestrians or bicyclists using nearby trails, sidewalks, or roadways.
- (5) Access shall be to a roadway identified in the comprehensive plan as a collector or arterial or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.
- (6) Off-street parking shall not be located between any buildings and an adjacent residential property line.
- (7) The Zoning Administrator shall review plans for all loading docks, which to the greatest extent possible should be screened from the right-of-way and should not be located between the principal building and any adjacent residential property line.
- (8) Truck activity routes shall be reviewed to account for the expected level of pedestrian traffic. Such routes should be designed to minimize impacts to pedestrian and bicycle routes and safety issues during periods of truck activity.
- (9) The processes and equipment used to conduct the business of a primary use on any site in the BP district shall meet the following requirements:
 - a. *Vibration.* Any vibration discernible beyond the property line to the human sense of feeling for three minutes or more duration (cumulative) in any one hour and any vibration producing a particle velocity of more than 0.035 inch per second are prohibited.
 - b. *Glare or heat.* Any operation producing intense glare or heat shall be performed within an enclosure so as not to be perceptible at the property line.

***Cross reference(s)--**Businesses and licenses, ch. 8.

- c. *Noise.* Noise levels both inside and outside of buildings must meet federal, state and local requirements which may be amended from time to time.
 - d. *Air pollution.* All emissions shall meet federal, state and local requirements which may be amended from time to time.
- (10) Uses located upon parcels located adjacent to a parcel zoned, guided or used for residential purposes may operate only between the hours of 7:00 AM and 10:00 PM. The Zoning Administrator may, in writing, waive this performance standard if it can be demonstrated that overnight operations will have no negative effects on adjacent properties.
- (11) Sidewalks at least five feet in width shall be provided along all sides of the lot that abut a public street.
- (Ord. No. 2457-14, 11-28-14)

Sec. 36-233. BP business park district.

(a) Purpose/effect. The purposes of the BP business park district are to:

- (1) Encourage the creation of significant employment centers that accommodate a diverse mix of office and light industrial uses and jobs.
- (2) Allow for redevelopment and intensification of sites to provide a greater diversity of employment opportunities within the community, increase development densities and jobs per acre, and improve overall site aesthetics and building design.
- (3) Shape redevelopment to meet the requirements of the market to provide efficient building types with sufficient access, high clear heights, truck courts, and aesthetically pleasing building exteriors and sites.
- (4) Encourage and support the appropriate evolution and expansion of individual businesses to improve the climate for business growth and foster conditions favorable to increasing the amount of finished square footage and the number of jobs per acre in BP areas.
- (5) Protect planned Business Park areas from encroachment from non-affiliated or incompatible uses, while enhancing their compatibility with nearby residential areas.
- (6) Promote and support the redevelopment or rehabilitation of physically and economically obsolete or underutilized buildings and sites.
- (7) Promote business park developments that utilize efficient land use and building designs, including multi-story buildings, multi-tenant buildings, and structured parking.
- (8) Encourage and support new business park developments that are designed as employment centers that are integrated into the community with strong connections to adjacent public streets and spaces, natural features, transit, and other community amenities.
- (9) Encourage shared parking between uses, including flexible parking arrangements to allow for multi-modal use of available transit and regional trail facilities.
- (10) Provide opportunities for multi-modal activity on streets and an improved, desirable environment for pedestrians and other non-motorized modes of transportation.

(Ord. No. 2457-14, 11-28-14)

(b) Permitted uses. The following uses with a floor area ratio (FAR) of less than 1.0 are permitted in the BP district:

- (1) Banks.
- (2) Business / trade school.
- (3) College / University.
- (4) Libraries.
- (5) Medical and dental office or laboratory.
- (6) Museums/art galleries.
- (7) Offices.
- (8) Parks and open spaces.
- (9) Parks and recreation.
- (10) Police and fire stations.
- (11) Research and Development.
- (12) Transit stations.

(c) Uses permitted with conditions. A structure or land in any BP district may be used for one or more of the following uses if it has a floor area ratio (FAR) of less than 1.0 and complies with the performance standards as stated in Section 36-232 and the conditions stated below:

- (1) *Adult day care.* The conditions are as follows:
 - a. The use must have a minimum of 150 square feet of outdoor area per adult under care dedicated to outdoor activity or be within ¼ mile of a city park.
- (2) *Brewery.* The conditions are as follows:
 - a. The brewery shall not produce more than 20,000 barrels of malt liquor per year.
 - b. Up to 25% of the gross floor area of the Brewery may be used for any combination of retail and a taproom.
(Ord. No. 2418-12, 9-14-12; Ord. No. 2469-15, 6-1-2015)
- (3) *Catering.* The conditions are as follows:
 - a. Any exhaust system venting to the outdoors shall be located away from residential areas.
 - b. Outside storage of catering vehicles or associated equipment is prohibited.
- (4) *Communication antennas.* The conditions are as follows:
 - a. Antennas must be attached to an existing structure.
 - b. Antennas shall be subject to all provisions of Section 36-368, "Communication Towers and Antennas".

- (5) *Educational*. Educational uses for students, grades K-12, subject to conditions as follows:
- a. The use must have a minimum of 40 square feet of outdoor area per student dedicated to outdoor student activity or be within ¼ mile of a city park.
 - b. The use may not exceed 25% of the gross floor area of a single-story building or 50% of the ground floor in a multi-story building.
- (6) *Group day care/nursery schools*. The conditions are as follows:
- a. The on-site outdoor activity areas shall be enclosed by a fence.
 - b. City parks may be utilized to meet up to 50 percent of the required outdoor activity areas with the following conditions:
 1. The park must have age-appropriate play equipment.
 2. There is a clearly defined and maintained sidewalk or improved trail connecting the facility to the park.
 - c. The use may not exceed 50% of the gross floor area of a single-story building. For multi-story buildings, the use is allowed on the ground floor only, and may not exceed 50% of the ground floor.
 - d. An off-street passenger loading area shall be provided in order to maintain vehicular and pedestrian safety.
- (7) *Indoor entertainment*, the conditions are as follows:
- a. The use may not exceed 25% of the gross floor area of a multi-use building.
 - b. The use must be so located as to be visible and easily accessible to pedestrians from the public right-of-way.
- (8) *Public service structures*. The conditions are as follows:
- a. All structures shall be located a minimum of ten feet from any parcel that is zoned residential.
 - b. All service drives shall be paved.
- (9) *Restaurants, retail, limited animal handling, or service*. The conditions are as follows:
- a. The uses may not exceed 25% of the gross floor area of a single-story building or 50% of the ground floor area in a multi-story building.
 - b. The uses must be so located as to be visible and easily accessible to pedestrians from the public right-of-way.
- (Ord. No. 2621-21, 7-6-2021)
- (10) *Studios*. The conditions are as follows:
- a. The use may not exceed 50% of the gross floor area of a multi-use building.
- (11) *Light assembly or low impact manufacturing and processing up to 60% of building*.
- a. All outdoor activities such as loading and unloading shall be located a minimum of 100 feet from any parcel that is zoned residential and used or subdivided for residential, or has an occupied institutional building, including but not limited to schools, religious institutions and community centers, and where possible shall be located on the side of the building farthest from any parcel that is zoned or used for residential, or has an occupied institutional building, including but not limited to schools, religious institutions and community centers.

(12) *Warehouse/storage up to 60% of building.*

- a. All outdoor activities such as loading and unloading shall be located a minimum of 100 feet from any parcel that is zoned residential and used or subdivided for residential, or has an occupied institutional building, including but not limited to schools, religious institutions and community centers, and where possible shall be located on the side of the building farthest from any parcel that is zoned or used for residential, or has an occupied institutional building, including but not limited to schools, religious institutions and community centers. (Ord. No. 2457-14, 11-28-14)

(13) *Micro distillery.* The conditions are as follows

- a. Up to 25% of the gross floor area of the micro distillery may be used for any combination of retail and a micro distillery cocktail room. (Ord. 2492-16, 5-16-16)

(d) Uses permitted by conditional use permit. No structure or land in a BP district shall be used for the following uses except by conditional use permit. These uses shall comply with all standards of the Zoning Ordinance and shall only be permitted if findings are produced indicating that there are no adverse impacts upon the health, safety, and welfare of the community.

- (1) *Uses allowed as "Permitted" or "Permitted with Conditions" in the BP district with a floor area ratio (FAR) equal to or greater than 1.0.*
- (2) *More than one principal building.*
 - a. Uses where more than one principal building is located on a single lot.
- (3) *Parking ramps.*
 - a. A minimum of 40% of the street level frontage of a parking ramp located adjacent to a street designated as a "Collector" or higher in the Comprehensive Plan shall be dedicated to non-parking uses.
 - b. Parking ramps shall be designed so that vehicles are not visible from the sidewalk and the only openings at street level are those to accommodate vehicle ingress and egress.
 - c. Snow removal areas shall not be located in the front yard or side yard abutting a street.

(Ord. No. 2444-13, 8-30-13, Ord. No. 2457-14, 11-28-14)

(e) Accessory uses. Within any BP district, the following shall be permitted accessory uses, subject to any required conditions:

- (1) *Food service.* The conditions are as follows:
 - a. The use must be located on the ground floor.
 - b. The use may not exceed 25% of the building's total floor area.
- (2) *Incidental repair or processing* ancillary to the principal use that does not exceed 5 percent of the gross floor area, subject to the following conditions:
 - a. The use shall be located to the rear of the principal structure.
 - b. The use shall meet all conditions of Sections 36-232 (a) and (b).
- (3) *Large Item Retail Sales.* The conditions are as follows:
 - a. The use may not exceed 15% of the building's total floor area.

- (4) Outdoor seating and service of food and beverages is permitted as an accessory use with the following conditions:
- a. The use must be separated from any adjacent residential use by a building wall or six-foot fence. This provision will not apply if the residential use is located on an upper story above the principal use.
 - b. No speakers or other electronic devices which emit sound are permitted if the use is located within 500 feet of a residential use.
 - c. The hours of operation shall be limited to 7:00 a.m. to 10:00 p.m. if the use is located within 500 feet of a residential use.

(Ord. No. 2637-21, 12-6-21)

- (5) Parking ramps, subject to the following conditions:
- a. A minimum of 40% of the street level frontage of a parking ramp located adjacent to a street designated as a "Collector" or higher in the Comprehensive Plan shall be dedicated to non-parking uses. This requirement may be adjusted at the direction of the Planning Commission based on specific reasons related to site design.
 - b. Parking ramps shall be designed so that vehicles are not visible from the sidewalk and the only openings at street level are those to accommodate vehicle ingress and egress.
 - c. Snow removal areas shall not be located in the front yard or side yard abutting a street.

(6) *Parking lots.*

(7) *Post office customer service.*

(8) *Showroom.*

(9) *Solar energy systems.* (Ord. No. 2640-22, 1-18-22)

(Ord. No. 2457-14, 11-28-14; Ord. No. 2462-15, 2-2-15; Ord. No. 2640-22, 1-18-22)

(f) Dimensional standards. The dimensional standards are as follows:

- (1) The height of structures or buildings on sites within the BP zoning district shall be limited as follows:
 - a. Sites located immediately adjacent to property zoned R-1 or R-2 shall be limited to the lesser of four (4) stories or 55 feet in height.
 - b. Sites separated by a public right-of-way or not immediately adjacent to property zoned R-1 or R-2 shall be limited to the lesser of eight (8) stories or 110 feet in height.
- (2) The floor area ratio for structures or buildings within the BP district shall not exceed 2.0, nor shall the floor area ratio be less than 0.4.
- (3) Required yard depth (building setbacks) shall follow the requirements of Table 36-233 (a) except when superseded by the following:
 - a. No building shall be located closer than 30 feet or the building height, whichever is greater, to a single-family residential property line.

- b. The maximum front yard or side yard abutting a street (build-to line) may be increased to 25 feet from the property line if a courtyard, plaza, or seating area is incorporated into the development adjacent to the public street.
- c. The maximum yard (build-to line) requirement shall apply to at least 50% of a structure’s elevation along the front yard or side yard abutting a street.

Table 36-233 (a)				
	Front	Rear	Side	Side yard abutting a street
Minimum yard	5 feet	10 feet	5 feet	5 feet
Maximum yard	10 feet	None	None	10 feet

- (4) Each lot shall contain designed outdoor recreation area (DORA) at the ratio of 0.12 times the gross lot area, with the following exceptions and conditions:
 - a. DORA shall not be required for any building or portion of a building dedicated to warehouse, showroom, parking ramp, or parking lot uses.
 - b. DORA may be reduced by up to 25% if it is connected to and located within a quarter mile of the regional trail system.
 - c. DORA shall be developed into functional and aesthetic yard areas, plazas, courtyards, and/or pedestrian facilities compatible with or enlarging upon existing pedestrian links and open space.
 - d. DORA shall be sited to enhance ecological habitat and increase opportunities for shared public use with the city’s system of parks and open space whenever possible.

(Ord. No. 2414-12, 6-1-2012; Ord. No. 2418-12, 9-14-2012; Ord. No. 2444-13, 8-30-2013; Ord. No. 2444-13, 8-30-13; Ord. No. 2449-13, 11-15-13, Ord. No. 2457-14, 11-28-14; Ord. No. 2462-15, 2-2-15; Ord. No. 2469-15, 6-1-2015; Ord. No. 2492-16, 5-16-16; Ord. No. 2621-21, 7-6-2021; Ord. No. 2637-21, 12-6-21; Ord. No. 2640-22, 1-18-22; Ord. No. 2641-22, 1-18-22)

Secs. 36-234-36-240. Reserved.