

- (f) Family day care center.
  - (g) Residential home and residential facility.
  - (h) A manufactured dwelling or recreational vehicle used during construction of a permitted use for which a building permit has been issued, but not to exceed 6 months duration.
  - (i) Bed and breakfast.
  - (j) Public utility structure such as a substation.
  - (k) Structural shoreline stabilization.
- (2) **Conditional Uses Permitted.** In an S/R/R zone, the following conditional uses and their accessory uses are permitted.
- (a) Resort-type commercial establishments such as gift shops, restaurants, and other services, excluding gasoline service stations.
  - (b) Expansion of existing motels.
  - (c) Hospital, sanitarium, rest home and nursing home.
  - (d) Churches and community meeting halls.
  - (e) Parks and publicly owned recreation areas.
  - (f) Private recreation uses such as tennis courts, swimming pools and racquetball facility when not in conjunction with a permitted or conditional use.
  - (g) Bed and breakfast.
  - (h) Public utility structure such as a substation.

[Amended by Ordinance #277, August 28, 1990]

- (3) **Standards.** The standards in the Special Residential/Resort (S/R/R), shall be the same as the standards of the Residential Resort (R-R) Zone, Section 3.030(3).

[Section (3) added by Ordinance #93-299, March 24, 1990]

**Section 3.050. Commercial Zone (C-1).**

- (1) **Uses Permitted Outright:** In a C-1 zone, the following uses and their accessory uses are permitted outright:
- (a) Retail activities.
  - (b) Services such as banks, barber and beauty shops, small repair shops, printing shops, laundries.
  - (c) Eating and drinking establishments.
  - (d) Amusement activities.
  - (e) Business and professional offices.
  - (f) Motels, hotels, and bed and breakfast.
  - (g) Churches or community meeting halls.

- (h) Hospital, sanitarium, nursing home or rest home.
- (i) Arts or craft studios.
- (j) Public utility structure such as a substation.
- (k) Parks and publicly owned recreation areas.
- (l) Government or municipal structure.
- (m) Home occupation (See Section 4.090).
- (n) Private recreation uses such as tennis courts, and swimming pools or racquetball facility, when not in conjunction with another permitted use.
- (o) Family day care center and day care center.
- (p) Residential home.
- (q) Residential facility.
- (r) Signs in accordance with Section 4.050.
- (s) Mobile Food Unit.
- (t) A manufactured dwelling or recreational vehicle used during the construction of a permitted use for which a building permit has been issued, but not to exceed 6 months duration.
- (u) Structural shoreline stabilization.
- (v) Residential Use, limited to the second story or above, and no more than 50% of the ground floor, on the condition that a commercial use be located on at least 50% of the area of the ground floor

[Amended by Ordinance #18-432, January 8, 2020]

(2) **Conditional Uses Permitted.** In a C-1 zone, the following conditional uses and accessory uses are permitted:

- (a) Service stations, car lots, lumber yards, mobile home dealerships, public or private parking facilities, boat dealers, farm equipment dealers, or similar uses which require large land areas. These uses are intended to be outside of the immediate downtown area (between N. 4th to S. 3rd, the oceanfront and Beacon Street) and located on U.S. Highway 101. The Planning Commission or City Council shall consider this when issuing conditional use permits.
- (b) Cabinet or wood working shops, plumbing, heating, electrical, paint or other contractor storage, retail or sale shops.
- (c) Second hand sales with all merchandise enclosed within a structure.
- (d) Wholesale warehouse or storage establishments.
- (e) Tire retreading, welding or machine shops.

(f) Single family dwellings including modular housing and manufactured homes, duplexes and multiple family dwellings. Manufactured homes shall be subject to the standards of Section 4.091.

[Amended by Ordinance #18-432, January 8, 2020]

(3) **Standards.** In a C-1 zone, the following standards shall apply:

- (a) Building setbacks shall be governed by fire protection standards administered by the Building Official.

- (b) Maximum building height shall be 45 feet, except that on the oceanfront from North Third Avenue to North Sixth Avenue the maximum building height shall be 20 feet.
- (c) Where a 45 foot building height is permitted, the first story shall be a minimum of 12 feet in height as measured from grade and shall be designed to accommodate future potential commercial use.
- (d) Multiple story buildings shall use architectural design features to differentiate the first story and the first story shall be designed to accommodate future potential commercial use.
- (e) The height above grade of an overhang or awning shall be a minimum of 10 feet above the sidewalk grade and 12 feet above the street grade where no sidewalk exists.
- (f) For commercial uses, permanent landscaping consisting of native vegetation is encouraged. Hardscape features such as benches, walkways, and outdoor seating areas shall be compliant with the American with Disabilities Act Accessibility Guidelines.
- (g) Where a commercial use abuts a residential zone, the commercial use shall provide a sight-obscuring fence or hedge of at least 5 feet in height. Floodlights shall be shielded so as not to cast glare on an adjacent residential use.
- (h) Storage of merchandise, waste disposal equipment, or similar material shall be screened from view.
- (i) Automobile service stations shall have a minimum lot size of 10,000 square feet, with a minimum width of 100 feet.
- (j) Commercial uses shall have permanent facilities, such as an office, which are connected to City services including water and sewer.

**Section 3.070. Waterfront Development Zone (WD).** [Deleted by Ordinance No. 01-369, September 12, 2001]

Pages 31 & 32 intentionally missing due to deletion of WD Zone.

**Section 3.080. Special Area Wetlands (SA).** In an SA Zone the following regulations shall apply:

(1) Purpose. The purpose of the SA Zone is to conserve significant freshwater wetlands and the shoreland and aquatic environment of Rockaway Beach's lakes.

Low intensity uses which do not result in major alterations are appropriate in the zone. High intensity recreation, related to boating is appropriate on the lakes.

[Amended by Ordinance #277, August 28, 1990]

(2) **Uses Permitted Outright.** In an SA zone, the following uses are permitted outright:

- (a) Low intensity recreation;
- (b) Passive restoration measures;
- (c) Vegetative shoreline stabilization;
- (d) Individual dock limited to a maximum of 200 square feet for recreation or fishing use, plus necessary piling;
- (e) Submerged cable, sewer line, water line or other pipeline.
- (f) Storm water outfall.

[Amended by Ordinance #277, August 28, 1990]

(3) **Conditional Uses Permitted.** In an SA zone the following conditional uses are permitted subject to the provisions of Article 6.