

ORDINANCE 967

AN ORDINANCE ADOPTED BY THE CITY OF CENTRAL CITY, NEBRASKA, TO AMEND SECTIONS OF THE CENTRAL CITY ZONING REGULATIONS, TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM, AND TO PROVIDE FOR THE EFFECTIVE DATE THEREOF.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF CENTRAL CITY, NEBRASKA THAT THE CITY'S ZONING REGULATIONS BE AMENDED AS FOLLOWS:

SECTION 1. That portions of Section 3.3 Definitions be amended to read as follows:

ACCESSORY STRUCTURE: A structure that is incidental to and associated with a specific principal use or building on the same site.

ACCESSORY USE: A use that is incidental to and customarily associated with a specific principal use on the same site.

AGRICULTURAL USE: Agricultural use includes the planting, cultivating, harvesting, and storage of grains, hay, or plants commonly grown in and around Central City; or the raising and feeding of livestock or poultry.

a. Horticulture

The growing of horticultural and floricultural specialties, such as flowers, shrubs, or trees intended for ornamental or landscaping purposes. This definition may include accessory retail sales under certain conditions. Typical uses include wholesale plant nurseries and greenhouses.

b. Crop Production

The raising and harvesting of tree crops, row crops or field crops on an agricultural or commercial basis. This definition may include accessory retail sales under certain conditions.

c. Animal Production

The raising of animals or production of animal products, such as eggs or dairy products on an agricultural or commercial basis on a site which is also used for crop production or where grazing of natural vegetation is the major feed source; or the raising of animals for recreational or educational use. Typical uses include grazing, ranching, free ranch dairy farming, and poultry farming.

d. Confined Animal Feeding Operation (CAFO)

The use of a site of any size for the confined feeding or holding of 1,000 or more animal units of livestock or poultry, or of a site with a gross density of 2 or more animal units per acre, within buildings lots, pens, or other close quarters which are not used for crop production or where grazing of natural vegetation is not the major feed source. Livestock and poultry shall include any animal or fowl that are used primarily for use as food or food products for human consumption, or for laboratory or testing purposes. A CAFO does not include areas which are used for the raising of crops or other vegetation, and upon which livestock are allowed to graze or feed. For the purpose of calculating animal units, the animal unit equivalents for each type of livestock are established as follows:

<u>Type of Livestock</u>	<u>Equivalent Animal Units Per Acre</u>
Slaughter and feed cattle	1.00
Mature dairy cattle	1.40
Swine	0.75
Sheep	0.20
Horses	2.00
Turkeys	0.20
Ducks	0.20
Chickens	0.10

e. Livestock Sales

The use of a site for the temporary confinement and exchange or sale of livestock. Typical uses include sale barns.

FAMILY: One or more persons occupying a single dwelling unit, provided that unless all members are related by blood, marriage, or adoption, no such family shall contain over four members.

SALVAGE VS. JUNK YARD

1. An area of 200 square feet or more; or
2. Two or more inoperable motor vehicles, or used parts and materials thereof, which taken together equal the bulk of two or more motor vehicles.

Inoperable Motor Vehicles means any motor vehicle, recreational vehicle, boat, trailer or semi-trailer which lacks a current registration or component part which renders the vehicle unfit for legal use upon the public right-of-way.

Salvage Dealer means any person who buys, sells, transfers, delivers, or stores junk, including every person who carries on such business at a shop, a salvage yard or as a peddler, and any person who by advertisement, sign or otherwise holds himself or herself out as a salvage dealer, or dealer in old or discarded metals, machinery, rags, paper stock, and the like.

Salvage Yard means any place not fully enclosed within a building where a salvage dealer, in connection with the salvage dealer business, stores or deposits junk encompassing either:

1. An area of 200 square feet or more; or
2. Two or more inoperable motor vehicles, or used parts and materials thereof, which taken together equal the bulk of two or more motor vehicles.

SECTION 2. That Section 4.2 Districts Created be amended to read as follows:

4.2 DISTRICTS CREATED

For the purpose of the Ordinance, there are hereby created zoning districts, as named and described in Article 5 of the Zoning Ordinance.

1. AG-UR Agricultural Urban Reserve District (Minimum area 10 Acres)
2. AG-R Agricultural Residential District (Minimum area 1.5 Acres)
3. R-1 Residential District (single and two family)
4. R-2 Residential Multi-Family District (3 and over units)
5. C-1 Commercial Central Business District
6. C-2 Highway Commercial District
7. I-1 Light Industrial

8. I-2 Heavy Industrial

SECTION 3. That Article 5 be amended in its entirety to read as shown in the attachment to this Ordinance labeled **Article 5 Zoning Districts**:

SECTION 4. That Article 10 Board of Zoning Adjustment, Subsection 10.41 be amended to read as follows:

10.41 Appeals to the Board may be taken by any person aggrieved, or by any officer, department, or governmental agency affected by any decision of the zoning administrator. Such appeal shall be made within twenty (20) days from the date of the decision by the zoning administrator. A fee of two-hundred (200) dollars shall accompany the application upon filing of each variance with the Board. The appeal filed in writing shall define the appeal being requested and the grounds therefor. The zoning administrator shall forthwith transmit to the Zoning Board of Adjustment all the documents constituting the record upon which the action appealed from was taken.

SECTION 5. That all ordinances and parts of ordinances passed and approved prior to the passage and approval of this ordinance and in conflict therewith are hereby repealed.

SECTION 6. That this ordinance shall be in full force and take effect from and after its passage, approval, and publication according to law.

SECTION 7. This ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED this 11th day of February, 2013.

CITY OF CENTRAL CITY

Attest:

By: _____
Clayton Erickson, Mayor

Linda Jensen, City Clerk

ARTICLE 5

ZONING DISTRICTS

5.1 AG-UR AGRICULTURAL URBAN RESERVE DISTRICT

5.11 INTENT: This district is intended to provide for agricultural and low-density, acreage residential development in selected areas adjacent or in close proximity to the corporate limits of the City. Generally, these districts are located near urban and built-up areas within reasonable reach of fire protection and hard surfaced roads.

5.12 PERMITTED PRINCIPALS USES AND STRUCTURES: The following shall be permitted as uses by right:

1. Agricultural uses, excluding the expansion of existing or development of new intensive livestock facilities operations exceeding one animal unit per acre;
2. Single-family dwelling;
3. Irrigation and flood control projects;
4. Child care home;
5. Public parks and recreational areas;
6. Community buildings and/or facilities owned and/or occupied by public agencies;
7. Public and/or private schools;
8. Churches, places of worship and cemeteries; and
9. Fish hatcheries and facilities.
10. Breeding/grazing, or otherwise of exotic species.
11. Commercial Kennels.

5.13 PERMITTED ACCESSORY USES AND STRUCTURES: The following accessory uses and structures shall be permitted:

1. Accessory uses and structures normally appurtenant to the permitted uses and structures.
2. Home occupations in conformance with Article 8.3.
3. Residences including mobile homes for farm residence or adjacent farm residence for relatives of consanguinity and marriage or farm workers.
4. Roadside stands for sale of agricultural produce.

5.14 PERMITTED SPECIAL USES: A building or premises may be used for the following purposes in the Urban Reserve District if a special permit for such use has been obtained in accordance with Article 6 of these regulations:

- 1. Airports and heliports, including crop dusting;
- 2. Agricultural service establishments primarily engaged in performing agricultural, animal husbandry or horticultural services;
- 3. Alcohol distilling plants up to and over ten thousand (10,000) gallons yearly plant capacity with zoning permit;
- 4. Child care center;
- 5. Radio and television towers and transmitters;
- 6. Camp grounds;
- 7. Wind generating systems;
- 8. Kennels;
- 9. Public and private charitable institutions.
- 10. Greenhouses and nurseries;
- 11. Animal clinics, animal hospitals, and veterinarian services;
- 12. Auction/sale barns and yards; and

5.15 PROHIBITED USES AND STRUCTURES: All other uses and structures which are not specifically permitted or not permissible as exceptions shall be prohibited from the Urban Reserve District.

5.16 MINIMUM AREA REQUIREMENTS:

MINIMUM AREA REGULATIONS PERMITTED USES

Lot Area	10 acres
Lot Width	150 feet
Required Front Yard	35 feet or 75 feet from street center line, which is greatest
Required Rear Yard	35 feet
Required Side Yard	20 feet

5.17 MAXIMUM HEIGHT: Thirty-five feet (35'); however, non-residential structures shall have no height limitations except in conformance with the Airport Environs District.

5.18 PARKING REGULATIONS: Parking shall be in conformance with the provisions of Article 7 of these regulations.

5.2 AG-R AGRICULTURAL RESIDENTIAL DISTRICT

5.21 INTENT: This district is intended to provide for agricultural and low-density, acreage residential development in selected areas adjacent or in close proximity to the corporate limits of the City. Generally, these districts are located near urban and built-up areas within reasonable reach of fire protection and hard surfaced roads.

5.22 PERMITTED PRINCIPALS USES AND STRUCTURES: The following shall be permitted as uses by right:

1. Agricultural uses, excluding the expansion of existing or development of new intensive livestock facilities operations exceeding one animal unit per acre;
2. Single-family dwelling;
3. Irrigation and flood control projects;
4. Child care home;
5. Public parks and recreational areas;
6. Community buildings and/or facilities owned and/or occupied by public agencies;
7. Public and/or private schools;
8. Churches, places of worship and cemeteries; and
9. Fish hatcheries and facilities.
10. Breeding/grazing, or otherwise of exotic species.
11. Commercial Kennels.

5.23 PERMITTED ACCESSORY USES AND STRUCTURES: The following accessory uses and structures shall be permitted:

1. Accessory uses and structures normally appurtenant to the permitted uses and structures.
2. Home occupations in conformance with Article 8.3.
3. Residences including mobile homes for farm residence or adjacent farm residence for relatives of consanguinity and marriage or farm workers.
4. Roadside stands for sale of agricultural produce.

5.24 PERMITTED SPECIAL USES: A building or premises may be used for the following purposes in the AG-R Agricultural Residential District if a special permit for such use has been obtained in accordance with Article 6 of these regulations:

1. Agricultural service establishments primarily engaged in performing agricultural, animal husbandry or horticultural services;
2. Child care center;
3. Radio and television towers and transmitters;
4. Wind generating systems;

5. Kennels;
6. Public and private charitable institutions.
7. Greenhouses and nurseries;

5.25 PROHIBITED USES AND STRUCTURES: All other uses and structures which are not specifically permitted or not permissible as exceptions shall be prohibited from the AG-R Agricultural Residential District.

5.26 MINIMUM AREA REQUIREMENTS:

MINIMUM AREA REGULATIONS PERMITTED USES

Lot Area	1.5 acres
Lot Width	150 feet
Required Front Yard	35 feet or 75 feet from street center line, which is greatest
Required Rear Yard	35 feet
Required Side Yard	20 feet

5.27 MAXIMUM HEIGHT: Thirty-five feet (35'); however, non-residential structures shall have no height limitations except in conformance with the Airport Environs District.

5.28 PARKING REGULATIONS: Parking shall be in conformance with the provisions of Article 7 of these regulations.

5.3 R-1 RESIDENTIAL DISTRICT

5.31 INTENT: This district is intended to provide for low density residential uses consisting of single family dwelling units and accessory structures.

5.32 PERMITTED PRINCIPAL USES AND STRUCTURES: The following shall be permitted as uses by right:

1. Single-family dwellings;
2. Two-family dwellings;
3. Manufactured homes which comply with the provisions of Article 8.4;
4. Nursery, primary and secondary education;
5. Public parks, buildings and grounds;
6. Child care homes;
7. Public uses: including but not limited to public parks, playgrounds, recreational uses, fire stations, public elementary and high schools, public utilities and utility distribution systems; and
8. Places of worship such as churches and synagogues.
9. Residential Kennels.

5.33 PERMITTED ACCESSORY USES AND STRUCTURES: The following accessory uses and structures shall be permitted:

1. Home occupations in accordance with Article 8.3; and
2. Accessory uses and structures normally appurtenant to permitted uses and structures and as stipulated in Article 8.10.

5.34 PERMITTED SPECIAL USES: A building or premises may be used for the following purpose in the R-1 Residential District if a special permit for such use has been obtained in accordance with Article 6 of these regulations.

1. Medical clinics;
2. Mortuaries;
3. Child care center;
4. Expansion of nonconforming uses;
5. Museum and art galleries;
6. Nursing homes;
7. Public and private golf courses;
8. Retirement homes;
9. Bed and breakfast homes; and
10. Townhouses.
11. Tea Rooms.

5.35 PROHIBITED USES AND STRUCTURES: All other uses and structures which are not specifically permitted or not permissible as special uses shall be prohibited from the R-1 Residential District.

5.36 HEIGHT AND AREA REGULATIONS: The maximum height and minimum area regulations shall be as follows:

a) General Requirements:

	Lot Area Sq. Ft.	Lot Width	Required Front Yard	Required Side Yard	Required Rear Yard	Height
Single Family Dwelling	7,000	65'	25'	8'	15'	35'
Two Family Dwelling	3,500 per family	32.5' per family	25'	8'	15'	35'
Other Permitted Uses	10,000	65'	25'	8'	15'	35'

- b) There shall be a required front yard setback of twenty-five (25) feet on each street side of a double frontage lot;
- c) Building and structures shall not exceed two and one half (2 1/2) stories in height;

- d) The side yard setback between individual units of two-family dwellings may be reduced to zero, if a one-hour fire rated constructed common wall between units starting at the basement level and continuing through to the roof line is maintained.

5.37 PARKING REGULATIONS: Parking within the R-1 Residential Ordinance District shall be in conformance with the provisions of Article 7 of this Ordinance.

5.4 R-2 RESIDENTIAL DISTRICT

5.41 INTENT: It is the intent of this district to provide for the medium density residential uses and development of residential dwellings including mobile home parks. Mobile home parks are considered as a residential use and should be located in areas where services and amenities are available such as those found in conventional residential uses.

5.42 PERMITTED PRINCIPAL USES AND STRUCTURES: The following shall be permitted as uses by right:

1. Single family dwellings;
2. Two-family dwellings;
3. Multi-family, Town-home dwellings;
4. Manufactured Homes in accordance with the provisions in Article 8.4;
5. Child care homes;
6. Community buildings;
7. Public uses: including but not limited to public parks, playgrounds, recreational uses, fire stations, public elementary and high schools, public utilities and utility distribution systems; and
8. Places of worship such as churches and synagogues.
9. Residential Kennels.

5.43 PERMITTED ACCESSORY USES AND STRUCTURES: The following accessory uses and structures shall be permitted:

1. Home occupations in accordance with Article 8.3; and
2. Accessory uses and structures normally appurtenant to the permitted uses and structures and as stipulated in Article 8.10.

5.44 PERMITTED SPECIAL USES: A building or premises may be used for the following purposes in the R-2 Residential District if a special permit for such use has been obtained in accordance with Article 6 of these regulations:

1. Mobile home park;
2. Child care center;
3. Bed and breakfast homes;
4. Communication and utility buildings and uses;

5. Medical clinics;
6. Funeral homes and mortuaries;
7. Clubs, fraternities, lodges, and meeting places of a non-commercial nature;
8. Retirement and/or nursing homes;
9. Public and/or private golf courses; and
10. Tea Rooms.
11. Condominium / Townhouse type construction "0" based lot line, when legally Subdivided and when a common wall is located exactly on the lot line.

5.45 PROHIBITED USES AND STRUCTURES: All other uses and structures which are not specifically permitted or not permissible as special uses shall be prohibited from the R-2 Residential District.

5.46 HEIGHT AND AREA REGULATIONS: The maximum height and minimum area regulations shall be as follows:

a) General Requirements

	Lot Area Sq. Ft.	Lot Width	Required Front Yard	Required Side Yard	Required Rear Yard	Height
Single Family Dwelling	6,000	50'	25'	8'	15'	35'
Two Family Dwelling	3,000 per family	25' per family	25'	8'	15'	35'
Multi-Family Housing	3,000 per family	50'	25'	8'	15'	45'
Other Permitted Uses	10,000	50'	25'	8'	15'	35'

- b) There shall be a required front yard setback of twenty-five (25) feet on each street side of a double frontage lot;
- c) Buildings on corner lots with a width less than fifty (50) feet shall provide a second frontage on the street side of not less than seven (7) feet, provided that the buildable width need not be reduced to less than twenty-eight (28) feet, yards remaining shall be designated side yards each with a minimum depth of three (3) feet;
- d) Buildings on corner lots with a width of fifty (50) feet or greater shall provide a second frontage on the street side of not less than twenty-five (25) feet, yards remaining shall be designated side yards with a minimum depth of eight (8) feet;
- e) Building and structures shall not exceed three (3) stories in height; and

- f) Mobile home parks shall have a minimum tract of one (1) acre.

5.47 PARKING REGULATIONS: Parking within the R-2 Residential District shall be in conformance with the provisions of Article 7 of these regulations.

5.48 USE LIMITATIONS: Each mobile home park shall be designed in accordance with the following minimum design standards:

1. Minimum Design Standards:

- a) The park shall be located on a well-drained site, properly graded to ensure rapid drainage and freedom from stagnant pools of water.
- b) Mobile home parks hereafter approved shall have a maximum density of seven (7) mobile homes per gross acre, and minimum area of four thousand four hundred (4,400) square feet shall be provided for each mobile home space.
- c) Each mobile home space shall be at least forty (40) feet wide at the front setback line and clearly defined.
- d) Mobile homes shall be located on each space so as to maintain a setback of no less than twenty-five (25) feet from any public street, highway right-of-way, or R-2 District boundary; as to maintain a setback of no less than twenty (20) feet from the edge of a park roadway or sidewalk; as to maintain a setback of no less than fifteen (15) feet from a rear boundary line that is not common to any public street, highway right-of-way, or R-2 District boundary; and as to maintain a setback of no less than five (5) feet from any side boundary line of a mobile home space.
- e) All mobile homes shall be so located to maintain a clearance of not less than twenty (20) feet from another mobile home and as to maintain a clearance of not less than fifteen (15) feet between any mobile home and any appurtenance to a mobile home. No mobile home shall be located closer than twenty (20) feet from any building within the park.
- f) Mobile home spaces when front upon a private roadway shall not be of less than twenty-four (24) feet in width, including curbs, if required, provided, however, that no on-street parking is permitted.

If parallel parking is permitted on one side of the street, the width shall be increased to thirty-six (36) feet. All roadways shall have unobstructed access to a public street.

- g) Common walks shall be provided in locations where pedestrian traffic is concentrated; for example, to the entrance and to the office and other important facilities.
 - h) All roadways and sidewalks within the mobile home park shall be constructed in accordance with City standards and shall be adequately lighted at night. A street must be completely constructed prior to the occupancy of any mobile home space fronting on said street.
 - i) A community building may be provided which may include recreation facilities, laundry facilities, storm shelter, and other similar uses.
 - j) A storm shelter or an approved evacuation plan to a designated storm shelter will be provided.
 - k) A landscape buffer may be required to provide screening for the park.
2. Tie-downs and ground anchors: all mobile homes shall be secured to the ground by tie downs and ground anchors in accordance with industry standards.
 3. Blocking: All mobile homes shall be blocked at a maximum of ten (10) foot centers around the perimeter of each mobile home, and this blocking shall provide sixteen (16) inches bearing upon the stand.
 4. Pad Requirements: Shall be flexible surface with a minimum of five (5) inch thick gravel, stone or compacted surface, treated to discourage plant growth, constructed to discharge water and edged to prohibit fraying or spreading of surfacing materials, or shall be a hard surface of a minimum of two eighteen (18) inch wide concrete ribbons or slabs capable of carrying the weight and of sufficient length to support all blocking points of the mobile home.
 5. Fire Safety Standards: When liquefied petroleum gas is used in a mobile home park, containers for such gas shall not hold more than five hundred (500) gallon water capacity, shall be the liquefied petroleum gas containers approved by the United States Commerce Commission for its intended purpose, and shall be attached to the mobile home in a manner approved by the Liquefied Petroleum Gas Association.
 6. Skirting: Each mobile home shall be skirted within thirty (30) days after placement in the park by enclosing the open area under the unit with a material that is compatible with the exterior finish of the mobile home.

5.49 APPLICATION REQUIREMENTS:

1. An application for a mobile home park shall require the preparations of a preliminary Mobile Home Park Plan, drawn to a scale of not less than 1"=100', and ten (10) copies of said Plan including a reproducible Mylar shall be submitted to the Planning Commission for its review and recommendations. Said Plan shall be designed in accordance with "Minimum Design Standards" of these regulations, and shall have contours shown at two-foot intervals.
2. Upon approval of the preliminary mobile home park plan by the Planning Commission, the applicant shall prepare and submit a final plan, which shall incorporate any changes or alterations requested. The final plan and the Planning Commission recommendations shall be forwarded to the Governing Body for their review and final action.
3. Any substantial deviation from the approved plan, as determined by the Zoning Administrator, shall constitute a violation of the zoning certificate authorizing construction of the project. Changes in plans shall be resubmitted for reconsideration and approval by the Planning Commission and Governing Body.

5.5 C-1 COMMERCIAL BUSINESS DISTRICT

5.51 INTENT: This district is designed to provide for a wide range of retail, office, amusement and service uses normally found in a Central Business District. Highest density and intensity of use are permitted in this district.

5.52 PERMITTED PRINCIPAL USES AND STRUCTURES: The following shall be permitted as uses by right:

1. Antique shops;
2. Apartments on floors other than ground floor;
3. Automobile sales and services;
4. Automotive wash facilities;
5. Bakery;
6. Banks, savings and loan associations, credit unions and finance companies;
7. Barbershops, beauty parlors and shoeshine shops;
8. Business offices;
9. Child care homes and centers;
10. Commercial recreation facilities (bowling alleys, miniature golf courses and similar uses);
11. Detached banking facilities (ATM);
12. Dry cleaning or laundry establishments;
13. Food service, restaurants and taverns;
14. Food storage lockers;
15. Funeral homes and mortuaries;
16. Garden centers;

17. Messenger and telegraph stations;
18. Motels and hotels;
19. Museums and art galleries;
20. Nursery, primary and secondary education;
21. Office buildings;
22. Parking lots, parking garages and other off-street parking facilities;
23. Personal and professional services;
24. Photography studios;
25. Private schools, including but not limited to business or commercial schools, and dance or music academies,
26. Public and private charitable institutions;
27. Public parks, buildings and grounds;
28. Public uses of an administrative, public service or cultural type including city, county, state or federal administrative centers and courts, libraries, police and fire stations and other public buildings, structures, and facilities;
29. Public utility facilities;
30. Sales and showrooms, including service facilities and rental of equipment, provided all displays and merchandise are within the enclosure walls of the buildings;
31. Service stations; and
32. Stores or shops for the sale of goods at retail and /or wholesale.

5.53 PERMITTED ACCESSORY USES AND STRUCTURES: The following accessory uses and structures shall be permitted:

1. Home occupations in accordance with Article 8.3; and
2. Accessory uses and structures normally appurtenant to permitted uses and structures and to uses and structures permitted as special uses and as stipulated in Article 8.10.
3. Communication towers and antennas which are accessory to a permitted use and comply with the bulk regulations for the district in which they are located or which are mounted on and so not extend more than 20 feet above an existing structure shall be permitted. All other communication towers and antennas are subject to section 5.54.

5.54 PERMITTED CONDITIONAL USES AND STRUCTURES: The following shall be when in conformance with the conditions prescribed herein:

1. Single family dwelling must comply with all provisions of the R-2 Residential District;
2. Two-family dwellings must comply with all provisions of the R-2 Residential District; and
3. Multiple family dwellings must comply with all provisions of the R-2 Residential district.

5.55 PERMITTED SPECIAL USES: A building or premises may be used for the following purposes in the C-1 Commercial Business District if a special permit for such use has been obtained in accordance with Article 6 of these regulations.

1. Bed and breakfast guest home; and
2. Recycling center.

5.56 PROHIBITED USES AND STRUCTURES: All other uses and structures which are not specifically permitted or not permissible as special uses shall be prohibited from the C-1 Commercial Business District.

5.57 SCREENING REQUIREMENTS:

1. Where a site adjoins or is located across an alley from the Residential District, a solid wall or fence or compact evergreen hedge six (6) feet in height shall be required on the property line common to such districts, except in a required front yard.
2. Open storage of materials attendant to a permitted use or special permit use shall be permitted only within an area surrounded or screened by a solid wall or fence.

5.58 PROHIBITED USES:

No use shall be permitted and no process, equipment or materials shall be used which are found by the City to be objectionable to persons living or working in the vicinity by reasons of odor, fumes, dust, smoke, cinders, dirt, refuse, noise, vibrations, illumination, glare, or unsightliness or to involve any hazard of fire or explosion.

5.59 HEIGHT AND AREA REGULATIONS: The maximum height and minimum area regulations shall be as follows:

- a) General Requirements:

	Lot Area Sq. Ft.	Lot Width	Required Front Yard	Required Side Yard	Required Rear Yard	Height
Single Family Dwelling	6,000	50'	25'	5'	15'	35'
Two Family Dwelling	3,000 per family	25' per family	25'	5',0' if party wall	15'	35'
Multi-Family Housing	2,200 per unit	50'	0'	0'	0'	45'
Other Permitted Uses	2,500	25'	0'	0', 10 when abutting a residential district	0'	45'

5.6 C-2 HIGHWAY COMMERCIAL DISTRICT

5.61 INTENT: The C-2 Highway Commercial District is intended for the purpose of servicing highway travelers and providing limited commercial services. Off-street parking is required in order to reduce possible adverse effects on adjacent properties.

5.62 PERMITTED PRINCIPLE USES AND STRUCTURES: The following shall be permitted as uses by right:

1. Automobile sales;
2. Automobile wash facilities;
3. Churches and other religious institutions;
4. Construction sales and services;
5. Commercial operations and businesses, intended for the purpose of servicing travel and recreational users;
6. Commercial recreational facilities (bowling alleys, miniature golf courses and similar uses);
7. Detached banking facilities (ATM);
8. Electric and telephone substations;
9. Farm implement sales and services;
10. Garden centers and nurseries;
11. Irrigation equipment sales and services;
12. Mini warehouses;
13. Mobile homes sales;
14. Motels, including accessory service uses, such as swimming pools, liquor stores and restaurants;
15. Restaurants and cafes;
16. Service stations;
17. Single family, Multi-family homes;
18. Stores or shops for sale of goods at retail & wholesale;
19. Utilities, including shops and offices; and
20. Medical clinics.
21. Residential Kennels.

5.63 PERMITTED ACCESSORY USES AND STRUCTURES: The following accessory uses and structures shall be permitted:

1. Accessory uses and structures normally appurtenant to the permitted uses and structures and to uses and structures permitted as special uses.
2. Communication towers and antennas which are accessory to a permitted use and comply with the bulk regulations for the district in which they are located or which are mounted on and so not extend more than 20 feet above an existing structure shall be permitted. All other communication towers and antennas are subject to section 5.54.

5.64 PERMITTED SPECIAL USES: A building or premises may be used for the following purposes in the C-2 Highway Commercial District if a special use permit for such use has been obtained in accordance with Article 6 of these regulations.

1. Private clubs and lodges;
2. Facilities for the commercial storage or sale of fertilizer or toxic or flammable agriculture chemicals;
3. Radio studios, transmitters, communication towers and antennas shall be permitted subject to approval by the board of adjustment after public hearing. Notice of the hearing shall be provided to all owners of record of property within 300 feet of the subject property. In its determination, the board of adjustment shall consider all of the following:

(1) Any service building or equipment located at grade shall be screened from adjoining residential uses.

(2) Any tower shall be adequately set back and screened from adjoining residential uses.

(3) The adverse visual impact of a tower shall be minimized through careful design, sitting landscape screening and innovative camouflaging techniques.

(4) Collocation and shared use shall be preferred over the construction of additional towers.

(5) The applicant shall present a signed lease agreement, a recorded declaration of covenants, or other satisfactory evidence showing that the owner/operator of a tower is obligated to promptly remove the tower at the end of the lease term or when the antenna thereon is no longer used, and that the site will be sodded unless otherwise approved by the zoning administrator for compatibility with the surrounding area.

(6) The height of a tower, except a tower accessory to a radio or television studio, shall not exceed 180 feet inclusive of any antenna.

4. Recycling centers.
5. Impound lot.
6. Multi-family

5.65 SCREENING REQUIREMENTS:

1. Where a site adjoins or is located across an alley from the Residential District, a solid wall or fence or compact evergreen hedge six (6) feet in height shall be required on the property line common to such districts, except in a required front yard.

2. Open storage of materials attendant to a permitted use or special permit use shall be permitted only within an area surrounded or screened by a solid wall or fence.

5.66 PROHIBITED USES:

1. All other uses and structures which are not specifically permitted or permissible as special uses shall be prohibited from the C-2 Highway Commercial District.

5.67 MINIMUM LOT REQUIREMENTS:

1. The minimum lot area for permitted uses shall be ten thousand (10,000) square feet and twenty thousand (20,000) when not served by public water and sewer.
2. The minimum lot area for uses prescribed as special uses shall be subject to the approval of the City Council.

5.68 MINIMUM YARD REQUIREMENTS:

- a) General Requirements:

	Lot Area Sq. Ft.	Lot Width	Required Front Yard	Required Side Yard	Required Rear Yard	Height
Permitted Uses	10,000 or 20,000 when not served by public utilities	none	25'	5', 10' when abutting a residential district	0'; 15' when abutting a residential district	50', 35' when within 100' of a residential district

5.69 PARKING REGULATIONS:

1. Parking within the C-2 Highway Commercial District shall be in conformance with the provisions of Article 7 of these regulations.

5.7 C-3 COMMERCIAL STORAGE DISTRICT

5.71 INTENT: The C-3 Commercial Storage District is intended provide owner occupied storage facilities. To allow for outside open storage of automobiles, campers, trailers motorboats, etc. Including the construction of storage buildings, with minimal building setback requirements. This area may not be supported by public utilities other than minimal electrical needs and allows for the production of goods and services.

5.72 MINIMUM SIZE: No contiguous area of less the Two (2) acres may be Zoned or Re-Zoned C-3

5.73 PERMITTED PRINCIPLE USES ANS STRUCTURES: The following shall be permitted as uses by right:

1. Storage buildings.

2. Construction storage, including sales and services with light assembly or preparation of articles and merchandise.
3. Open storage of automobiles, campers, trailers, motorboats and the like upon lots when designated upon and approved within an original subdivision.

5.74 PERMITTED SPECIAL USES: Outdoor Storage Lots; Lots may be designated outdoor storage lots in support of the parking of campers, trailers or motor boats only with a revocable special use permit obtained in accordance with Article 6 of these regulations.

5.75 SCREENING REQUIREMENTS:

Where a site adjoins or is located across the alley from a Residential District, a solid wall or fence or compact evergreen hedge six (6) feet in height shall be required on the property line common to such districts, except in a required front yard.

5.76 PROHIBITED USES AND STRUCTURES:

All other uses and structures which are not specifically permitted shall be prohibited from the C-3 Commercial Storage District. No vehicles, supplies, parts equipment or any other items may be kept or stored outside of the enclosed structure, except in a common storage area specifically designated for outside storage.

5.77 AREA AND HEIGHT REQUIREMENTS:

Minimum Requirements:

	Lot Area Sq. Ft.	Lot Width	Required Front Yard	Required Side Yard	Required Rear Yard	Height
Permitted Uses	600	10'	5'	5'	5'	35'

5.78 PARKING REGULATIONS:

Parking within the C-3 Commercial Storage District shall be allowed only upon private property, not upon paved streets or that area maintained as street driving surface.

5.8 I-1 LIGHT INDUSTRIAL DISTRICT

5.81 INTENT: This district will provide space for a wide range of industrial and structures which are able to meet certain performance standards to protect nearby non-commercial and non-individual uses from undesirable environmental conditions.

5.82 PERMITTED PRINCIPAL USES AND STRUCTURES: The following shall be permitted as uses by right:

1. Assembly, manufacture, or preparation of articles and merchandise from the following types of previously prepared materials: bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, honey, horn, lacquer, leather, paper, plastics, precious or semi-precious metals or stones, shell, textiles, tobacco, wax, wire, wood (excluding sawmills, lumber mills, planning mills, and molding plants, but not cabinet shops woodworking shops), yarn, or paint not employing a boiling process.
2. Assembly of electrical appliances or equipment, electronic instruments and devices, radios, phonographs, television, including the manufacture of small parts such as coils, condensers, transformers, crystal holders.
3. Assembly of metal products.
4. Manufacture of figurines, pottery, or similar ceramic products using only previously pulverized clay.
5. Manufacture of musical instruments, novelties, rubber or metal stamps, toys.
6. Manufacture of optical goods, scientific or precision instruments or equipment.
7. Manufacture of artificial limbs, dentures, hearing aids, surgical instruments or dressings, or other devices employed by the medical and dental professions.
8. Manufacture, compounding, processing, packaging, or treatment of such products as bakery goods, candy, cosmetics, dairy products or meat, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries, except that the rendering of fat or oil; fish or meat slaughtering; and processing of fermented food such as sauerkraut, vinegar, or yeast shall be excluded.
9. Manufacture or maintenance of signs, billboards, commercial advertising structures, or name plates.
10. Manufacture of medicines.
11. Auto, truck, trailer, or boat storage; truck rental or sales.
12. Automobile painting or upholstering.
13. Building of marine pleasure craft.
14. Building materials storage or sale yard.
15. Bottling plant
16. Cabinet or carpenter's shop.
17. Communication towers and antennas as described within Section 5.54.
18. Coin machine manufacture or repair.
19. Contractor's equipment storage.
20. Cold storage plant.;
21. Dairy products processing.
22. Dwelling for caretaker or watchman working on the property.
23. Electroplating shop.
24. Equipment sales, rental, storage, or repair.
25. Farm machinery sales or service.
26. Fuel supply outlet or distributor, providing no dust is produced.
27. Laundry, dry cleaning, dyeing, or rug cleaning plant.
28. Railroad tracks and facilities such as switching yards, spur or holding tracks, freight depots.

29. Sheet metal shop or other metal working shop, machine shop not using drop hammer or punch press.
30. Plumbing contractor.
31. Veterinarian animal clinics.
32. Warehousing.
33. Welding shop.
34. Wholesale distributor or outlet.
35. Other similar uses, but not including a use first listed in the I-2 District.

5.83 PERMITTED ACCESSORY USES: Accessory uses and structures normally appurtenant to permitted uses and structures.

5.84 PERMITTED SPECIAL USES: A building or premises may be used for the following purposes in the I-1 Industrial District if a special permit for such use has been obtained in accordance with Article 6 of these regulations.

1. Governmental structure or use.
2. Drive-in theater.
3. One family dwellings
4. Alcohol distillation and blending plants.

5.85 PROHIBITED USES AND STRUCTURES: All other uses and structures which are not specifically permitted or not permissible as special uses shall be prohibited from the I-1 Industrial District. In addition, the following limitations shall apply:

1. All business, service, repair, processing, storage, or merchandise display on property abutting or facing a lot in a residential district shall be conducted wholly within an enclosed building unless screened from the residential zone by a sight-obscuring fence permanently maintained at least six (6) feet in height.
2. Openings to structures on sides adjacent to or across a street from a residential district shall be prohibited if such access or openings will cause glare, excessive noise, or other adverse effects on residential properties.
3. Motor vehicle, boat, or trailer rental, sales, or storage lots shall be drained and surfaced with crushed rock or pavement except in those portions of the lot maintained as landscape area.
4. Yards abutting or across a street from a residential district shall be continuously maintained in lawn or other landscaping unless screened from the residential district as provided in the aforementioned limitation (#1).
5. Access points from a public road to properties in an I-1 District shall be so located as to minimize traffic congestion and to avoid directing traffic onto local access of a primarily residential character.
6. All materials including wastes shall be stored and all grounds shall be maintained in a manner which will not attract or aid the propagation of insects or rodents or create a health hazard.

7. The emission of odorous gases or matter in such quantities as to be readily detectable at any point beyond the property line of the use creating the odors is prohibited.
8. The emission of smoke, dust, noise, odor or vibration which is detectable beyond the property line shall be prohibited.

5.86 HEIGHT AND AREA REGULATIONS: The maximum height and minimum area regulations shall be as follows:

a) General Requirements:

	Lot Area Sq. Ft.	Lot Width	Required Front Yard	Required Side Yard	Required Rear Yard	Height
Permitted Uses	6,000	50'	25'	10', 25' when abutting a residential district	20'	50', 35' when within 100' of a residential district

5.87 PARKING REGULATIONS: Parking within the I-1 Industrial District shall be in conformance with the provisions of Article 7 of these regulations.

5.9 HEAVY INDUSTRIAL

5.91 INTENT: The intent of this district space for some commercial and a wide range of industrial uses.

5.92 PERMITTED PRINCIPAL USES AND STRUCTURES: The following shall be permitted as uses by right:

1. Any use permitted in an I-1 District.
2. Acetylene gas manufacture.
3. Aircraft manufacture.
4. Alcoholic beverage manufacture.
5. Asphalt manufacture or refining.
6. Asphalt or concrete mixing plant.
7. Automobile manufacture.
8. Blast furnace.
9. Boiler works.
10. Brick, tile, terra cotta or clay products manufacture.
11. Coal and petroleum products, refining or wholesale storage of petroleum.
12. Communication towers and antennas as described within Section 5.54.

13. Concrete, cinder, pumice block manufacture.
14. Creosote treatment or manufacture.
15. Emery cloth or sand paper manufacture.
16. Fat rendering or tallow, grease or lard refining or manufacturing of products from fats.
17. Flour and feed milling and storage.
18. Forge plant.
19. Gas (illuminating or heating).
20. Glucose or starch manufacture.
21. Iron, steel, brass or copper foundry, fabrication or works.
22. Nitrating process.
23. Oilcloth or linoleum manufacture.
24. Oiled rubber or leather goods manufacture.
25. Paint, oil, shellac, varnish, or turpentine manufacture.
26. Paper manufacture.
27. Rock crushers.
28. Rolling mills.
29. Rubber, natural or synthetic, or treatment from crude or scrap materials or the manufacture of articles there from.
30. Salt works.
31. Sauerkraut or pickle, etc., manufacture.
32. Sawmills.
33. Shoe polish manufacture.
34. Soap manufacture.
35. Soda ash manufacture.
36. Stone mill.
37. Sugar manufacture.
38. Tar or asphalt roofing or waterproofing manufacture.
39. Vinegar manufacture.
40. Yeast plant.
41. Other similar uses which in the judgment of the Board of Appeals are of the same general character as those listed in Section 5.92.

5.93 PERMITTED ACCESSORY USES: Accessory uses and structures normally appurtenant to permitted uses and structures.

5.94 PERMITTED SPECIAL USES: A building or premise may be used for the following purposes in an I-2 District if a special permit for such a use has been obtained in accordance with Article 6 of these regulations.

1. Abattoirs or slaughter houses, including meat packing plants.
2. Acid manufacture.
3. Ammonia, bleaching powder or chlorine manufacture.
4. Automobile or machine wrecking and salvage yards.
5. Crematory.
6. Disinfectants, cattle dips, exterminators or insecticides manufacture.

7. Dyestuff manufacture.
8. Fertilizer and industrial chemical manufacture.
9. Fireworks or explosive manufacture or storage or the handling or explosives.
10. Gas manufacture or storage (other than illuminating or heating), = Alcohol distillation and blending plants.
11. Gelatin, glue or size manufacture or process involving recovery from animal material.
12. Incineration or other reduction of garbage.
13. Junk yards, including the handling and bailing of paper, rags, or junk of other description.
14. The manufacture of cement, lime, gypsum or plaster of paris.
15. Pulp mills.
16. Pyroxylin or celluloid manufacture, or explosives or inflammable cellulose or pyroxylin products manufacture.
17. Stock yards.
18. Tanning, curing, or storage of raw hides or skins.
19. Governmental structure or use.
20. Drive-in theater.

5.95 PROHIBITED USES AND STRUCTURES: All other uses and structures which are not specifically permitted or not permissible as special uses shall be prohibited from the I-2 Heavy Industrial District. In addition, the following items shall be adhered to as limitations on use:

1. All business, service, repair, processing, storage, or merchandise display on property abutting or facing a lot in a residential district shall be conducted wholly within an enclosed building unless screened from the residential zone by a sight-obscuring fence permanently maintained at least six (6) feet in height.
2. Openings to structures on sides adjacent to or across a street from a residential district shall be prohibited if such access or openings will cause glare, excessive noise, or other adverse effects on residential properties.
3. Motor vehicle, boat, or trailer rental, sales, or storage lots shall be drained and surfaced with crushed rock or pavement except in those portions of the lot maintained as landscape areas.
4. Yards abutting or across a street from a residential district shall be continuously maintained in lawn or other landscaping unless screened from the residential district as provided in paragraph 1 of this Section.
5. Access points from a public road to properties in an I-2 District shall be so located as to minimize traffic congestion and to avoid directing traffic onto local access streets of a primarily residential character.
6. All materials including wastes shall be stored and all grounds shall be maintained in a manner which will not attract or aid the propagation of insects or rodents or create a health hazard.

7. The emission of noise, odor, dust or vibration in such quantities as to be readily detectable at any point beyond the property line of the use creating the odors is prohibited.

5.96 HEIGHT AND AREA REGULATIONS:

	Lot Area Sq. Ft.	Lot Width	Required Front Yard	Required Side Yard	Required Rear Yard	Height
Permitted Uses	5,000	50'	25'	8'	20'	85', 40' when within 100' of a residential district

5.97 PARKING REGULATIONS: Parking within the I-1 Heavy Industrial District shall be in conformance with the provisions of Article 7 of these regulations.