

CHAPTER 167

ZONING REGULATIONS – DISTRICT REGULATIONS

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167.01 REGULATIONS. Any regulations contained elsewhere in the Zoning Regulations which are applicable shall apply to the districts referred to in this chapter.

167.02 SINGLE-FAMILY RESIDENTIAL DISTRICT. The R-1a Single-Family Residential District is established for the purpose of low density single-family dwelling control and to allow home occupations, certain public facilities, and certain special uses. It is intended that no uses be permitted in this district which will devalue property for residential purposes or interfere with the health, safety, order, or general welfare of persons residing in the district. Regulations are intended to control population density and to provide adequate open space around buildings and structures.

1. Principal Permitted Uses. Only the uses of buildings or premises listed in this subsection are permitted in the R-1a District.

- A. One-family dwelling on each lot or building site.
- B. Public or private parks, playgrounds, golf course, and other outdoor recreational facilities that are commonly, but not necessarily, operated on a non-profit basis; however, amusement parks, golf-driving ranges, and golf miniature putting courses, normally operated for profit and employing manufactured or constructed facilities of an unnatural or non-environmental design shall be excluded.
- C. Agricultural crops, including truck gardening, but not the raising of poultry, pets, or livestock for commercial purposes, or on a scale that would be objectionable because of noise or odor to surrounding residences.

2. Accessory Uses. The following accessory uses are permitted in the R-1a District:

- A. Normal accessory buildings and structures for a dwelling such as private garages, swimming pools, children's playhouses (not used for dwelling purposes), radio and television receiving antennas, barbecue pits, playground equipment, tennis courts, etc.
- B. Normal accessory buildings and structures for public recreation areas such as refreshment stands, playground equipment, all-weather shelters, tennis courts, barbecue pits, etc.
- C. Domestic animals such as cats, dogs, birds, tropical fish, etc., which are normally allowed to run free or are housed within the dwelling. Horses,

cows, sheep, chickens, etc. normally considered farm or wild and untamed animals shall be excluded except as otherwise provided in the Zoning Regulations.

D. Flower and vegetable gardening for noncommercial purposes.

E. Greenhouse and horticultural nurseries for noncommercial gain.

F. Home occupations of a professional, talented or artistic nature such as beautician, doctor, engineer, lawyer, real estate or insurance agent, tailor, seamstress, watchmaker, dentist, designer, sculptor; however, those occupations normally classified as a trade and requiring the substantial use of contractors or mechanics' tools or equipment such as carpenters, electricians, monument cutters, painters, plumbers, etc., shall be excluded.

3. Height Regulations. No principal building in an R-1a District shall exceed 35 feet in height.

4. Accessory Buildings. The regulations pertaining to the use of accessory buildings are set out in Section 166.06.

5. Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed in any R-1a District:

Principal Use	Lot Area	Lot Frontage	Front Yard Depth	Side Yard Least Width Any One Side	Minimum Width Sum of Both Side Yards	Rear Yard Depth
Dwellings	9,600 square feet	80 feet	30 feet	7 feet	15 feet	35 feet
Other Uses	one acre	150 feet	50 feet	25 feet	50 feet	50 feet

6. Off-Street Parking. The regulations for off-street parking are contained in Section 166.12.

[The next page is 971]

167.03 ONE- AND TWO-FAMILY RESIDENTIAL DISTRICT. The R-1 One- and Two-Family Residential District is established for the purpose of low to medium density single-family dwelling control and to allow home occupations, certain public facilities, and certain special uses. This district takes into account areas that were platted into smaller lots during early years of City growth.

1. Principal Permitted Uses. Only the use of buildings or premises listed in this subsection are permitted in the R-1 District.

A. One- and two-family dwelling on each lot or building site.

B. Public or private parks, playgrounds, golf course, and other outdoor recreational facilities that are commonly, but not necessarily, operated on a non-profit basis; however, amusement parks, golf-driving ranges, and golf miniature putting courses, normally operated for profit and employing manufactured or constructed facilities of an unnatural or non-environmental design shall be excluded.

C. Agricultural crops, including truck gardening, but not the raising of poultry, pets, or livestock for commercial purposes, or on a scale that would be objectionable because of noise or odor to surrounding residences.

2. Accessory Uses. The following accessory uses are permitted in the R-1 District:

A. Normal accessory buildings and structures for a dwelling, such as private garages, swimming pools, children's playhouses (not used for dwelling purposes), radio and television receiving antennas, barbecue pits, playground equipment, tennis courts, etc.

B. Normal accessory buildings and structures for public recreation areas, such as refreshment stands, playground equipment, all-weather shelters, tennis courts, barbecue pits, etc.

C. Domestic animals such as cats, dogs, birds, tropical fish, etc., which are normally allowed to run free or are housed within the dwelling. Horses, cows, sheep, chickens, etc. normally considered farm or wild and untamed animals shall be excluded except as otherwise provided in the Zoning Regulations.

D. Flower and vegetable gardening for noncommercial purposes.

E. Greenhouses and horticultural nurseries for noncommercial gain.

F. Home occupations of a professional, talented or artistic nature such as beautician, doctor, engineer, lawyer, real estate or insurance agent, tailor, seamstress, watchmaker, dentist, designer, sculptor; however, those occupations normally classified as a trade and requiring the substantial use of contractors or mechanics' tools or equipment, such as carpenters, electricians, monument cutters, painters, plumbers, etc., shall be excluded.

3. Height Regulations. No principal building in an R-1 District shall exceed 35 feet in height.

4. Accessory Buildings. The regulations pertaining to the use of accessory buildings are set out in Section 166.06.

5. Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed in any R-1 District:

Principal Use	Lot Area	Lot Frontage	Front Yard Depth	Side Yard Least Width Any One Side	Minimum Width Sum of Both Side Yards	Rear Yard Depth
Dwellings	7,500 square feet	60 feet	30 feet	7 feet	15 feet	35 feet
Other Uses	one acre	150 feet	50 feet	25 feet	50 feet	50 feet

6. Off-Street Parking. The regulations for off-street parking are contained in Section 166.12.

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167.04 MEDIUM DENSITY RESIDENTIAL DISTRICT. The R-2 Medium Density Residential District is established for the purpose of allowing a slightly higher density than in the R-1 District and yet retaining the residential character. This district allows single-family homes, two-family structures (duplexes), home occupations, certain community facilities and certain conditional uses.

1. Principal Permitted Uses. Only the use of buildings or premises listed in this subsection are permitted in the R-2 District.

A. Any use permitted in the R-1 District, provided such use complies with the minimum requirements of the R-2 District.

B. Multi-family dwellings, including rooming houses; provided, however, land use density shall not exceed 10 dwelling units per acre of land under ownership, exclusive of road right-of-way.

C. Day nursery schools and childcare centers, provided that no building, structure, or accessory use for property so used is located less than 30 feet from any other principal building on any other lot in an R District; and further provided, there is established and well maintained in connection therewith a completely fenced play lot of not less than 1,000 square feet in area for the first 20 or fewer children under care, with 25 square feet added to such play lot area for each additional designated child capacity of the principal building.

D. Nursing or convalescent home.

2. Accessory Uses. The following accessory uses are permitted in the R-2 District:

A. Any use permitted in the R-1 District, provided such use complies with the minimum requirements of the R-2 District.

B. Playground areas and equipment accessory to multi-family dwellings.

C. Multi-family entertainment and service centers, provided that such areas shall not be located to the front of the principal building at ground level or above and that such areas are screened from public view.

D. Storage garage accessory to the principal building.

3. Height Regulations. No principal building in an R-2 District shall exceed 35 feet in height.

4. Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed in any R-2 District, subject to the modified requirements:

Principal Use	Lot Area	Lot Frontage	Front Yard Depth	Side Yard Least Width Any One Side	Minimum Width Sum of Both Side Yards	Rear Yard Depth
Dwellings and Day Nurseries	7,500 square feet	60 feet	30 feet	7 feet	15 feet	35 feet
Other Uses	one acre	150 feet	50 feet	25 feet	50 feet	50 feet

5. Building Floor Area to Lot Area Ratio. The building floor area ratio shall not exceed the following in any R-2 District:

<u>Height of Building</u>	<u>Total Floor Area To Lot Area Ratio</u>
1 story	0.30
2 story	0.50
2½ story	0.60

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167.05 MULTI-FAMILY RESIDENTIAL DISTRICT. The R-3 Multi-Family Residential District is established to provide a district suitable for family living in an area characterized by medium to high residential uses. This district allows all the uses permitted in R-1 and R-2 Districts. Said District should only be established in areas where street and utility systems are adequate to accommodate high density development.

1. Principal Permitted Uses. Only the use of buildings or premises listed in this subsection are permitted in the R-3 District.

A. Any use permitted in the R-2 District, provided such use complies with the minimum requirements of the R-3 District.

B. Multi-family dwellings, including rooming houses; provided, however, land use density shall not exceed 16 dwelling units per acre of land under ownership, exclusive of road right-of-way.

2. Accessory Uses. Any use permitted in the R-2 District, provided such use complies with the minimum requirements of the R-3 District.

3. Height Regulations. No principal building in an R-3 District shall exceed 35 feet in height.

4. Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed in any R-3 District, subject to the modified requirements:

Principal Use	Lot Area	Lot Frontage	Front Yard Depth	Side Yard Least Width Any One Side	Minimum Width Sum of Both Side Yards	Rear Yard Depth
Dwellings and Day Nurseries	7,500 square feet	60 feet	30 feet	10 feet	20 feet	35 feet
Other Uses	one acre	150 feet	50 feet	25 feet	50 feet	50 feet

5. Building Floor Area to Lot Area Ratio. The building floor area ratio shall not exceed the following in any R-3 District:

<u>Height of Building</u>	<u>Total Floor Area To Lot Area Ratio</u>
1 story	0.30
2 story	0.50
2½ story	0.60

[The next page is 989]

167.06 LIMITED COMMERCIAL DISTRICT. The C-1 Limited Commercial District is intended to provide certain areas along the major streets of the City for the development of business, professional, and public service offices and office buildings.

1. Principal Permitted Uses. Only the use of structures or land listed in this section are permitted in the C-1 District.

A. Any use permitted in an R-3 District, provided such use complies with the minimum requirements of the C-1 District.

B. Retail business or service establishments, such as the following:

- Animal hospital
- Antique shops
- Apparel shops, infant, teenage and adult
- Art goods and bric-a-brac shops
- Artist shops and studios
- Bakery in which products are sold only at retail and only on the premises
- Banks, including drive-in teller service
- Barber shop or beauty salon
- Bookstore
- Bowling alleys
- Candy shops, retail sales only
- Cigar and cigarette stores
- Clothing store
- Collection office of a public utility
- Confectionary and ice cream stores
- Curio stores
- Dairy store
- Drugstore
- Florist shop, retail sales only
- General hardware stores
- Gift shop
- Hobby shop
- Ice cream parlor
- Jewelry stores
- Leather goods store
- Mail order offices, display room
- Medical, dental, and optometrist offices
- Messenger offices
- Millinery shops
- Music store, record shop and video
- Newsstand
- Notions
- Paint and wallpaper store
- Pet shop
- Photographic store and/or studio
- Professional and sales offices
- Radio and television sales and repair
- Shoe and shoe repair shops
- Soda fountain and cafe, provided no alcoholic beverages are served or sold
- Soft drink stands
- Souvenir stores and variety stores

- C. Any use that is found by the Zoning Administrator to be a use similar to one of the above named uses and, in the opinion of the Zoning Administrator, conforms to the intent of this section.
- D. Outdoor advertising signs and billboards in accordance with the provisions of Section 166.14.
- 2. Accessory Uses. Any accessory uses permitted in the R-3 District, provided that such use complies with the minimum requirements of the C-1 District.
- 3. Height Regulations. No principal building in a C-1 District shall exceed 35 feet in height.
- 4. Lot Area, Frontage and Yard Requirements. The minimum requirements for any C-1 use shall be as specified in the R-3 District. For other permitted uses:
 - A. Lot area – 7,500 square feet.
 - B. Lot width – 50 feet.
 - C. Front yard depth – 45 feet.
 - D. Side yard least width on one side – None required except adjoining any 25-foot R District, in which case not less than 25 feet.
 - E. Side yard minimum sum of both sides – None required except adjoining any 25-foot R District, in which case not less than 25 feet.
 - F. Rear yard depths – None required except adjoining any 25-foot R District, in which case not less than 25 feet.

All yards abutting a public thoroughfare shall be considered front yards and shall comply with the requirements for front yards.

- 5. Minimum Open Space. The total land area devoted to open space and landscaping in a C-1 District shall not be less than 20 percent of the gross land area included in the building lot. Such open space shall be maintained as grassed and landscaped area and shall not include access drives, parking areas, structures or buildings, except ornamental structures included as part of the landscaping theme.
- 6. Site Plans. Site plans shall be required in accordance with the provisions of Section 165.06 for all uses in C-1 Districts.

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167.07 TRANSITIONAL COMMERCIAL/RESIDENTIAL DISTRICT. The C-1a Transitional Commercial/Residential District is intended and designed to provide certain areas of the City for the development of professional and business offices in areas where residential dwellings predominate. The district is intended to include primarily established residential areas where changing conditions have made limited office use suitable and not incompatible with the basic residential character of the district. The C-1a District is also intended for certain residential areas which by reason of proximity to existing commercial areas and major streets would be suitable for limited office use. It is further the intention of this section that the classification as C-1a of an area will aid in the preservation and stabilization of property values. To this end, it is the intention that new buildings or the conversion and alteration of existing buildings be compatible by means of landscaping, open space and architectural treatment with neighboring residences. Only the use of structures or land listed in this section are permitted in the C-1a District.

1. Principal Permitted Uses. Any use permitted in the R-3 District and C-1 District, excluding, however, those uses permitted in Section 167.06, but allowing for those uses normally housed in a professional or business office.
2. Special Limitations. The following special limitations apply in the C-1a District:
 - A. No existing building shall be altered or reconstructed in such a way so as to appear to be anything but residential in character.
 - B. All new construction shall by means of external treatment appear to be residential in character.
 - C. No off-street parking areas shall be located in any required front yard.
 - D. There shall be no display of goods from windows, doors or other openings.
3. Accessory Uses. The following accessory uses are permitted in the C-1a District:
 - A. Accessory uses and structures customarily incidental to any principal permitted use.
 - B. Prescription pharmacy accessory to a medical clinic.
4. Height Regulations. No principal building in the C-1a District shall exceed 35 feet in height.
5. Lot Area, Frontage and Yard Requirements. The minimum requirements for any C-1a use shall be as specified in the R-3 District. For other permitted uses:
 - A. Lot area – 7,500 square feet.
 - B. Lot width – 50 feet.
 - C. Front yard depth – 45 feet.
 - D. Side yard least width on one side – None required except adjoining any 25-foot R District, in which case not less than 25 feet.
 - E. Side yard minimum sum of both sides – None required except adjoining any 25-foot R District, in which case not less than 25 feet.

- F. Rear yard depths – None required except adjoining any 25-foot R District, in which case not less than 25 feet.

All yards abutting a public thoroughfare shall be considered front yards and shall comply with the requirements for front yards.

6. Minimum Open Space. The total land area devoted to open space and landscaping in a C-1a District shall not be less than 20 percent of the gross land area included in the building lot. Such open space shall be maintained as grassed and landscaped area and shall not include access drives, parking areas, structures or buildings, except ornamental structures included as part of the landscaping theme.

7. Site Plans. Site plans shall be required in accordance with the provisions of Section 165.06 for all uses in the C-1a District.

[The next page is 1001]

167.08 HIGHWAY COMMERCIAL DISTRICT. The C-2 Highway Commercial District is intended to provide for neighborhood shopping areas outside the downtown area. These districts include, as well, much of the strip commercial property, major streets, and highways of the City. These uses permitted are intended to accommodate the general retail consumer and the needs and services of the automobile traveling consumer.

1. Principal Permitted Uses. Only the use of structures or land listed in this section are permitted in the C-2 District.

A. Any uses permitted in the C-1 District, provided such use complies with the minimum requirements of the C-2 District.

B. Retail business or service establishments such as the following:

Animal hospital, veterinary clinic or kennel, provided any exercising runway or pasture is at least 200 feet from any R District

Automobile, trailer and farm implement establishment for display, hire, sales, and minor repairs, including sales lots, but not including body and fender work

Auto parts

Ballrooms and dance halls

Bicycle sales

Billiard parlors and pool halls

Business, commercial, dancing or music schools

Car wash

Clothes cleaning and laundry pick-up stations

Cocktail lounge or tavern

Convenience stores

Dance and/or music studio

Furniture store

Garden shops

Gasoline service station

Grocery, delicatessen or meat market, except those dealing in live poultry

Household appliance stores

Landscape garden plant stores

Launderette

Locker plants for storage and retail only

Night clubs

Plumbing, heating, cooling, ventilating, electrical for sales and services

Post office substation

Printing

Restaurants

Sign painting shops

Small engine repair

C. Any use that is found by the Zoning Administrator to be a use similar to one of the above named uses and, in the opinion of the Zoning Administrator, conforms to the intent of this section.

D. Outdoor advertising signs and billboards in accordance with the provisions of Section 166.14.

2. Accessory Uses. Any accessory uses permitted in the C-1 District, provided that such use complies with the minimum requirements for the C-2 District.

3. Height Regulations. No principal building in the C-2 District shall exceed 35 feet in height.
4. Lot Area, Frontage and Yard Requirements. The minimum requirements for any C-2 use shall be as specified in the R-3 District. For other permitted uses:
 - A. Lot area – 7,500 square feet.
 - B. Lot width – 50 feet.
 - C. Front yard depth – 45 feet.
 - D. Side yard least width on one side – None required except adjoining any 25-foot R District, in which case not less than 25 feet.
 - E. Side yard minimum sum of both sides – None required except adjoining any 25-foot R District, in which case not less than 25 feet.
 - F. Rear yard depths – None required, except adjoining any 25-foot R District, in which case not less than 25 feet.

All yards abutting a public thoroughfare shall be considered front yards and shall comply with the requirements for front yards.

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167.09 CENTRAL BUSINESS DISTRICT. The C-3 Central Business District is established to provide a district of concentrated retail commercial and service uses that are intended to serve the needs of the local trade area. The C-3 District is intended to be located only in the downtown area of the City and to be expanded out from the central area in an orderly and progressive manner as demand for additional commercial land is generated.

1. Principal Permitted Uses. Only the use of structures or land listed in this section are permitted in the C-3 District.

A. Any use permitted in the C-2 District, provided such use complies with the minimum requirements of the C-3 District.

B. Manufacture or treatment of products clearly incidental to the conduct of a retail business conducted on the premises.

C. Printing or publishing houses.

2. Accessory Uses. The following accessory uses are permitted in the C-3 District:

A. Accessory uses permitted in the C-2 District.

B. Any exterior or roof sign the height of which shall not exceed 40 percent of the building height above the roof line, but not to exceed 50 feet above the roof line in any case. For buildings less than 40 feet in height, the maximum height above the roof line for any exterior or roof sign shall be 16 feet.

C. Apartment Units except in the basement or story abutting street grade, provided adequate off-street parking is provided.

(Ord. 711 – Mar. 17 Supp.)

3. Height Regulations. No building in the C-3 District shall exceed 35 feet in height.

4. Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed:

A. Lot area, lot area per family, and front yard depths – None required, unless abutting the proposed right-of-way of a thoroughfare shown on Official Major Thoroughfare Plan, in which case the building setback line shall be the proposed right-of-way line.

B. Side yard least width on any one side, width minimum sum of both side yards – None, except adjacent to an R District, in which case not less than 10 feet.

C. Rear yard depths – None, except abutting an R District, in which case not less than 25 feet.

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167.10 PLANNED OFFICE/COMMERCIAL PARK DISTRICT. The C-4 Planned Office/Commercial Park District is intended and designed to provide areas of the City for development of: (i) business, professional and public service offices; (ii) a broad range of both primary and accessory general commercial services; and (iii) certain primary and accessory retail and personal service uses. The C-4 District is defined to be a planned commercial area, under unit ownerships of not less than five acres, and is characterized by the planned layout of buildings and common site improvements, such as access drives, parking and loading areas, lighting, signs, pedestrian walkways, and landscaping.

1. Permitted Principal Uses. Principal permitted uses in the C-4 District are as follows:

- A. Business and professional offices.
- B. Clinics or group medical offices, but not including animal clinics or hospitals.
- C. Commercial service offices and shops, such as business machines servicing and repair; photocopying, printing and binding; data processing; temporary manpower services; building maintenance services; car and truck rentals; packaging and delivery services; communication, telephone sales and telemarketing services; office machine sales; and similar commercial service uses.
- D. Laboratories, research, experimental, testing.
- E. Office buildings serving the management, research, design, marketing and production needs of the general business community.
- F. Office building owned and operated by a public agency or authority.
- G. Commercial trade schools and business colleges.
- H. Manufacturing, assembling, compounding, processing, packaging, or other comparable treatment of the following:

- Bakery goods, candy and food products;
- Cameras and other photographic equipment;
- Electric and neon signs outdoor advertising signs;
- Medical, dental and drafting instruments;
- Musical instruments, toys, novelties, and rubber metal hand stamps;
- Pottery and other ceramic products using only previously pulverized clay, and kilns fired only by electricity or gas;
- Products from previously prepared materials such as bone, canvas, cellophane, cloth, cork, rope, cord, twine, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, cardboard, plastics, natural and synthetic rubber, precious or semiprecious metals or stones, shells, textiles, tobacco, wax, wood, yarns, light metal mesh, pipe, rods, strips, or wire;
- Small precious instruments such as barometers, clocks, watches and compasses;
- Warehouses for storage of merchandise or material in connection with the uses permitted in this district only.

2. Permitted Accessory Uses. Permitted accessory uses in the C-4 District are accessory uses and structures customarily incidental to any principal permitted use.

3. C-4 Development Plan; Petition. The owner or owners of any tract land of not less than five acres shall petition the Council, in accordance with the provisions of Section 165.07, to a change to the C-4 District classification. Such petition shall be accompanied by a development plan, indicating how the petitioner intends to meet the requirements of this chapter. Said development plan shall include evidence concerning the feasibility of the project and its effect of surrounding property and shall also include the following:
 - A. A development plan outlining, in detail, the areas to be developed for buildings, the areas to be developed for parking, the location of sidewalks and driveways, points of vehicular access, the location and height of walls, the location and type of landscaping, and the location, size and number of signs.
 - B. Methods and feasibility of providing water, storm and sanitary sewer facilities.
4. C-4 Development Review Procedures.
 - A. The petition and all attachments shall be referred to the Planning and Zoning Commission for study and report after public hearing. The Commission shall review the adequacy of public services, the proposed improvements and the conformity of the proposed development with the standards of the comprehensive plan and with recognized principles of civic design, land use planning, and landscape architecture. After public hearing, the Commission may approve or disapprove the development plan and request for rezoning as submitted, or require that the petitioner amend the plan to preserve the intent and purpose of this chapter to promote public health, safety and general welfare.
 - B. The petition and development plan, along with the Commission's recommendations or the request for rezoning, shall then be forwarded to the Council. The Council, after public hearing, may approve or disapprove the development plan and request for rezoning, as reported, or may require such changes as are necessary to preserve the intent and purpose of this chapter to promote public health, safety and the general welfare.
5. C-4 Development Plan Approval. The Council may make the approval of the development plan contingent upon the completion of construction and improvements within a reasonable period of time; provided, however, in the determination of such period, the Council shall consider the scope and magnitude of the development project and any schedule of construction and improvements submitted by the developer. Any proposed change in the development plan, after approval by the Council, shall be resubmitted and considered in the same manner as the original proposal.
6. Area and Size Regulations. The following area and size requirements shall be observed in the C-4 District:
 - A. Minimum lot area – 5 acres.
 - B. Minimum yards – A minimum yard of 50 feet shall be required from all property lines. No other minimum yards are required.
 - C. Maximum height – 60 feet.
7. Minimum Open Space. The total land area devoted to open space in the C-4 District shall not be less than 20 percent of the gross land area included in the building

lot. Such open space shall be maintained as grassed and landscaped areas, interior and exterior malls, pedestrian walks, and ornamental structures when part of the landscaping theme. Open space shall not include structures or buildings, off-street parking areas, loading areas, and access drives.

8. Off-Street Parking and Loading. Spaces for off-street parking and loading shall be provided in accordance with the provisions of Section 166.12.

9. Restriction on Noxious Conditions. No use shall be permitted to be established or maintained which, by reason of its nature or manner of operation, is or may become hazardous, noxious, or offensive owing to the emission of odor, dust, smoke, cinders, gas, fumes, noise, vibrations, refuse matter, or water-carried waste.

[The next page is 1021]

167.11 LIGHT INDUSTRIAL DISTRICT. The M-1 Light Industrial District is established to provide areas in the City in which light industrial or manufacturing firms can engage in processing, assembling, manufacturing, warehousing, and storage, and for related incidental service facilities. The activities conducted in this district will create no obnoxious sounds, glare, dust, or odor.

1. Permitted Principal Uses. Principal permitted uses in the M-1 District are as follows:

A. Any business or service establishment permitted in a C District which is incidental to an industrial or manufacturing use.

B. Industrial, manufacturing, major repair, processing, storage, and wholesale establishments and services such as the following:

- Automobile body and fender repair shop
- Automobile construction, assembly or factories specializing in the rework or rebuilding of automobile components
- Automobile repair garage
- Bag, carpet and rug cleaners
- Bakeries
- Carpenter and cabinet shops
- Concrete mixing, concrete products manufacture
- Contractor's equipment and materials storage yard
- Creamery, bottling works, dairy ice cream manufacturing, ice manufacturing and cold storage
- Enameling, lacquering or japanning
- Flammable liquids, underground storage only, not to exceed 25,000 gallons and located not less than 200 feet from any R District
- Foundry casting lightweight non-ferrous metals or electric foundry not causing noxious fumes or odors
- Laboratories, experimental, film or testing
- Laundries
- Lumber and building supply yards
- Machine shop
- Milk distributing station
- Motor freight terminal
- Sawmill, planing mill, including manufacture of wood products
- Sheet metal shops

C. Any residential use shall be prohibited, except for caretaker's quarters incidental to a permitted industrial use.

2. Accessory Uses. Any accessory use customarily accessory and incidental to a permitted principal use.

3. Required Conditions. No use shall be permitted to be established or maintained which, by reason of its nature or manner of operation, is or may become hazardous, noxious, or offensive or which pollutes the air or water due to the emission of cinders, dust, gas fumes, noise, odor, smoke, refuse matter or water-carried waste.

4. Height Regulations. No building in the M-1 District shall exceed 45 feet in height.

5. Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed:

Use	Lot Area	Lot Width	Front Yard Depth*	Side Yard* Width Any One Side	Rear Yard Depth
All uses	10,000 square feet	75 feet	45 feet	10 feet **	45 feet**
<p>* All yards in the M-1 District abutting a public thoroughfare shall be considered front yards and shall comply with the requirements for a front yard.</p> <p>** M-1 District adjacent to any R District, the minimum setback shall be 50 feet from the M-1 District boundary line, except in such cases where the district line is construed to following the centerline of a public thoroughfare, wherein such cases shall be determined by the provisions for the required minimum front yard depth.</p>					

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167.12 HEAVY INDUSTRIAL DISTRICT. The M-2 Heavy Industrial District is established to provide areas in the City where heavy industrial, manufacturing, and other types of firms can engage in processing, manufacturing, and related activities protected from the encroachment of residential uses. This district is intended to allow extensive obnoxious sounds, glare, dust, or odor. Certain extremely obnoxious or hazardous uses will require special permission to locate in the district.

1. Use Regulations. A building or premises in the M-2 Heavy Industrial District may be used for any purpose whatsoever, subject to the requirements and conditions contained in this section.

A. No occupancy permit shall be issued for any use in conflict with any ordinance of the City or law of the State regulating nuisances.

B. No occupancy permit shall be issued for any dwelling, school, hospital, clinic or other institution for human care, except where incidental to a permitted principal use.

C. No occupancy permit shall be issued for any of the following uses until and unless the location of such use shall have been authorized by the Council after reports by the Commission, City Engineer, Chief of the Fire Department and the Health Department:

- Abattoirs and slaughter houses or stock yards
- Acid manufacture or wholesale storage of acids
- Cement, lime, gypsum, or plaster of Paris manufacture
- Chemical manufacturing
- Distillation of bones
- Explosive manufacture or storage
- Fat rendering
- Fertilizer manufacture
- Garbage, offal or dead animals reduction or dumping, provided that all refuse is earth covered daily
- Gas manufacture and cylinder recharging
- Glue, size or gelatine manufacture
- Petroleum or its products, refining or wholesale storage of
- Rubber goods manufacture
- Sand or gravel pits provided they are enclosed by a fence that provides an effective barrier against trespassing
- Smelting of tin, copper, zinc or iron ores
- Transmitting stations
- Wholesale storage of gasoline

(Ord. 717 – Mar. 17 Supp.)

2. Required Conditions.

A. The best practical means known for the disposal of refuse matter or water-carried waste, the abatement of obnoxious or offensive odor, dust, smoke, gas, noise or similar nuisance, shall be employed.

B. All principal buildings and all accessory buildings or structures, including loading and unloading facilities, shall be located at least 200 feet from any R District and not less than 100 feet from any other district except an M-1 District.

3. Height Regulations. No structure in the M-2 District shall exceed in height the distance measured to the centerline of the nearest street from any portion of the proposed building or structure, except as modified herein.

4. Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed in the M-2 District:

Use	Lot Area	Lot Frontage	Front Yard Depth	Side Yard Least Width Any One Side	Minimum Width Sum of Both Side Yards	Rear Yard Depth
Any use	1 acre	200 feet	40 feet	20 feet*	40 feet*	40 feet*
* All yards in the M-2 District abutting a public thoroughfare shall be considered front yards and shall comply with the requirements for a front yard.						

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167.13 AGRICULTURE DISTRICT. The A-1 Agriculture District is intended and designed to provide for continued use of the agricultural resources and agricultural lands within the City which are not expected to develop in urban uses in the immediate future. The purpose of this zoning district is to provide for areas of managed growth in which agricultural and other non-urban uses of property may continue and/or for the preservation of farm ground, until such time as the City is able to provide municipal services and urban development can take place. Before installation of facilities providing municipal services, the City must and the property owner may initiate rezoning of property to uses consistent with the Comprehensive Plan.

1. Principal Permitted Uses. Only the uses of structures or land listed in this section are permitted in the A-1 District.

- A. Agriculture and the usual agricultural buildings and structures; but not including commercial livestock feed lots, poultry farms, grain storage and grain drying facilities.
- B. One- and two-family dwellings.
- C. Churches, chapels, temples, and similar places of worship.
- D. Public and parochial schools, elementary and secondary, and colleges and universities.
- E. Publicly owned parks, playgrounds, golf courses, and recreation areas.
- F. Private non-commercial recreational areas and centers, including country clubs, swimming pools, golf courses, and riding stables; but not including automotive race tracks, miniature golf courses, drive-in theaters and similar commercial uses.
- G. Cemeteries, including mausoleums.
- H. Nurseries, greenhouses and truck gardens.
- I. Public water supply and sewage treatment facilities.
- J. Electrical and natural gas transmission and regulating facilities.

2. Special Use Permits. The following uses may be permitted in the A-1 District, subject to approval by the Board of Adjustment after notice and public hearing. In its determination upon the particular use at the location requested, the Board shall consider all of the following conditions: (i) the proposed location, design, construction and operation of the particular use adequately safeguards the health, safety, and general welfare of persons residing or working in adjoining or surrounding property; (ii) such use shall not impair an adequate supply of light and air to surrounding property; (iii) such use shall not unduly increase congestion in the streets, or public danger of fire and safety; (iv) such use shall not diminish or impair established property values in adjoining or surrounding property; (v) such use shall be in accord with the intent, purpose, and spirit of this chapter and the Comprehensive Plan of the City. The uses subject to these provisions are as follows:

Any public building erected and used by any department of the Township, County, State or Federal Government, not previously allowed as a principal permitted use

- Kennels for the raising, breeding, and boarding of dogs or other small animals, provided that all buildings, including exercise runways, are at least 200 feet from all property lines.
- Mining and extraction of minerals and raw materials, including sand and gravel, subject to prior approval of the Iowa Natural Resources Commission of any such operation located in or on the flood plain of any river or stream
- Mink and chinchilla farms and ranches
- Private gun clubs, skeet-shooting ranges and similar uses
- Publicly owned or private aircraft landing fields or airports
- Public or private sanitary landfills and solid waste disposal facilities

Applications for a special use permit under the terms of this section shall be accompanied by evidence concerning the feasibility of the proposed request and its effect on surrounding property and shall include a site plan defining the areas to be developed for buildings and structures, the areas to be developed for parking, the locations of driveways and the points of ingress and egress, including access roads where required, the location and height of walls, the location and type of landscaping, the location, size and number of signs and the manner of providing water supply and sewage treatment facilities. In the event a special use permit is granted under the terms of this section, any change thereafter in the approved use or site plan shall be resubmitted and considered in the same manner as the original proposal.

3. Accessory Uses. The following accessory uses are permitted in the A-1 District:

- A. Uses of land or structures customarily incidental and subordinate to one of the permitted principal uses unless otherwise excluded.
- B. Private garage or carport.
- C. Home occupations as permitted in other sections of this chapter.
- D. The taking of boarders or the leasing of rooms by a resident family, provided the total number of boarders and roomers does not exceed three per building.
- E. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.
- F. Church bulletin boards.
- G. Roadside stands for the sale of products grown on the premises.

4. Exemptions from Building Permits, Fees and Inspections. Agricultural related buildings that are used for farm purposes only shall be exempt from paying permit fees or be subject to any inspections.

5. Bulk Regulations. The following minimum requirements shall be observed, subject to the modifications contained in other sections of this chapter.

- A. Lot Area: dwellings – 87,020 square feet; no minimum required for other permitted uses.
- B. Lot Width – 300 feet.
- C. Front Yard – 75 feet.

- D. Side Yards: Dwellings, 1 and 1½ stories, total side yard – 30 feet; minimum on one side – 10 feet.
- E. Rear Yard – 50 feet.
- F. Maximum Height – no limitation.
- G. Maximum Number of Stories – no limitation.

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167.14 ONE- AND TWO-FAMILY RESIDENTIAL/LIGHT INDUSTRIAL DISTRICT.

The RM-1 One- and Two-Family Residential/Light Industrial District is established to provide for a transitional zone where one- and two-family residences and certain types of business and commercial uses may co-exist in a mutually compatible environment. The district will allow low density housing, home occupations, certain public facilities, certain special uses, light industrial uses, including processing, assembling, manufacturing, warehousing and storage and related incidental service facilities. The light industrial uses in this district will create no hazardous, noxious or offensive conditions, including noise, glare, dust and odor.

1. Principal Permitted Uses. Principal permitted uses in the RM-1 District are as follows:

- A. One- and two-family dwelling on each lot or building site.
- B. Agricultural crops, including truck gardening but not the raising of either livestock or domestic pets for commercial purposes or on a scale that would be objectionable because of noise or odor.
- C. Any business or service establishment permitted in a C District that is incidental to an industrial or manufacturing use.
- D. Light industrial, manufacturing, repair, processing, storage and wholesale establishments such as the following:

- Automobile mechanical and body and fender repair
- Back office and call center
- Bag, carpet and rug cleaners
- Bakeries
- Carpenter and cabinet shops
- Container and box manufacturing
- Contractor's equipment and materials storage
- Creamery, bottling works, dairy product manufacturing, ice manufacturing and cold storage
- Electrostatic painting, enameling or lacquering
- Freight warehousing and storage
- Greenhouses and nurseries
- Laboratories
- Laundries
- Lumber and building supplies
- Machine shop
- Metalworking, including die-casting, fabrication, plating, polishing and stamping
- Printing and publishing
- Sheet metal shop

2. Accessory Uses. The following accessory uses are permitted in the RM-1 District:

- A. Normal accessory buildings and structures for a dwelling, such as private garages, swimming pools, children's playhouses, radio and television receiving antennas, playground equipment, etc.
- B. Domestic pets such as cats, dogs, birds, etc. but not livestock or wild animals on parcels of two acres in area or less.
- C. Home occupations of any type.

D. Any other accessory use customary and incidental to any permitted principal use.

3. **Required Conditions.** No use shall be permitted to be established or maintained in the RM-1 District which, by its nature or its manner of operation, is or may become hazardous, noxious, or offensive or which will pollute the land, air, or water due to any emission of dust, particulate matter, fumes, noise, odor, smoke, refuse or liquid waste.

4. **Height Regulations.** No building in the RM-1 District shall exceed 40 feet in height for a dwelling and 45 feet in height for a non-dwelling.

5. **Lot Area, Frontage and Yard Requirements.** The following minimum requirements shall be observed in the RM-1 District:

Use	Lot Area	Lot Width	Front Yard Depth*	Side Yard* Width	Rear Yard Depth
Dwellings	7,500 square feet	60 feet	30 feet	7 feet any one side yard; 15 feet minimum sum of both side yards	35 feet
Other uses	10,000 square feet	75 feet	45 feet	10 feet	45 feet
* All yards in the RM-1 District abutting a public thoroughfare shall be considered front yards and shall comply with the requirements for a front yard.					

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167.15 MODIFIED LIGHT INDUSTRIAL DISTRICT. The MM-1 Modified Light Industrial District is established to provide a light industrial zone located in a commercial area with restrictions provided which will allow certain types of businesses and commercial uses to co-exist in a mutually compatible environment. The district will allow many of the same types of businesses that were allowed in the light industrial district with those eliminated which were not compatible to a commercial district. The modified light industrial uses in this district create no hazardous, noxious or offensive conditions, including noise, glare, dust and/or odor.

1. Principal Permitted Uses. Principal permitted uses in the MM-1 District are as follows:

A. Any business or service establishment permitted in a C District which is incidental to industrial or manufacturing use.

B. Light industrial, manufacturing, repair, processing, storage and wholesale establishments such as the following:

- Automobile body and fender repair shop
- Automobile repair garage
- Bag, carpet and rug cleaners
- Bakeries
- Carpenter and cabinet shops
- Contractor's equipment and materials storage yard
- Creamery, bottling works, dairy ice cream manufacturing, ice manufacturing and cold storage
- Enameling, lacquering or japanning
- Foundry casting lightweight nonferrous metals. or electric foundry not causing noxious fumes or odors
- Laboratories - experimental, film or testing
- Laundries
- Lumber and building supply yards
- Machine shop
- Milk distributing station
- Motor freight terminal
- Sawmill, planing mill, including manufacture of wood products
- Sheet metal shops.

2. Accessory Uses. All accessory uses customary and incidental to any permitted principal use.

3. Required Conditions. No use shall be permitted to be established or maintained which, by its nature or its manner of operation, is or may become hazardous, noxious, or offensive or which will pollute the land, air, or water due to any emission of dust, particulate matter, fumes, noise, odor, smoke, refuse or liquid waste. Any outside storage located on the property in this district shall require an 8-foot privacy fence.

4. Height Regulations. No building in the MM-1 District shall exceed 45 feet in height.

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5. Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed:

Use	Lot Area	Lot Width	Front Yard Depth*	Side Yard* Width	Rear Yard Depth
Non-dwellings	10,000 square feet	75 feet	45 feet	10 feet	45 feet
* All yards in the MM-1 District abutting a public thoroughfare shall be considered front yards and shall comply with the requirements for a front yard.					

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