

---

nonconforming use may continue only in the manner and to the extent it existed at the time it became nonconforming.

**404.11.** Expansion or Enlargement of Nonconforming Use. A nonconforming use may be expanded or enlarged to an extent not exceeding twenty-five percent (25%) of the land area and/or building ground floor area existing at the time it became nonconforming; every such expansion shall require the approval of the Board of Adjustment but in no case shall ~~it~~ the total be greater than twenty-five percent (25%).

**404.22.** Abandonment or Discontinuance of a Nonconforming Use. Whenever a nonconforming use is abandoned or has been discontinued for a period of one (1) year, such use shall not thereafter be re-established, and any future uses shall be in conformity with the provisions of this Ordinance, and as amended thereafter. Once changed to a conforming use, no structure or land shall be permitted to revert to a nonconforming use. A business license will serve as prima facie evidence of any operational use.

## ARTICLE 5. SCHEDULE OF DISTRICT REGULATIONS ADOPTED

### Sec. 501. SFR - Single-Family Residence.

This zoning district is comprised of single-family residential areas and certain areas where such development is desirable. Regulations are designated to stabilize and protect the single-family character of the district, to promote and encourage creation of a desirable environment for family life, and to prohibit all incompatible activities. Principal uses are single-family dwellings on individual lots.

**501.1 Approvals required.** No structure or building shall be built or remodeled upon land in a Single-Family Residence (SFR) district until all required subdivision or site plan approvals have been obtained.

**501.2 Location. The following criteria shall be considered in establishing and maintaining a SFR district:**

(a) Conforms to appropriate designation in the general-General planPlan.

(b) Corresponds to an existing district or development in an area annexed into the City.

**501.3 Divisions of SFR district.** The SFR district shall be further divided into the following density districts, as hereinafter described and regulated and to be so designated on the Official Zoning Districts Map: SFR32; SFR16; SFR12; SFR8; SFR6.

**501.4 Permitted principal uses.** One (1) single-family residence per lot as defined in subsection 501.8.

**501.5 Permitted conditional uses.** See Section 310. Permitted: Subsections 310 2,D, E, F, G, H, I, J, N, (C)(4),(5),(6),(7),(8),(9),(10),(14) and Subsections of 310(D).

**501.6 Permitted accessory uses.**

A. Any use customarily incidental to a permitted principal use, such as:

1. Private or carport for storage of vehicle;
2. Garden house, toolhouse, ramada, swimming pool.

B. Permitting the placement of carports open on at least two sides to encroach fully into any side yard, as long as sight triangle is maintained.

C. Accessory dwelling units: See Section 310.

designed to stabilize and protect the character of the district, to promote and encourage creation of a favorable environment for family-life, and to prohibit all incompatible activities. Principal uses are limited to single-family and two-family dwellings, apartments, and townhomes, which conform to the residential character of the district.

**502.2 Approvals required.** No structure or building shall be built or remodeled upon land in MFR district until all necessary site plan and/or subdivision plat approvals have been obtained.

**502.3 Location.** The following criteria shall be considered in establishing and maintaining a MFR district:

- A. Conforms to appropriate designation in the general plan.
- B. Corresponds to an existing district or development in an area annexed into the City.

**502.4 Permitted principal uses.**

- A. One (1) single-family residence per lot.
- B. Two-family dwellings or two (2) attached single-family dwellings on a single lot.
- C. Dwellings for three (3) or more families in one (1) building or in a group of buildings, including apartments, row house and town houses.

**502.5 Permitted conditional uses.** See Section 310, items 310(C)(4),(5),(6),(7),(8),(9),(10),(14) and Subsections of 310(D).2.D, E, F, G, H, I, J, N, O.

**502.6 Permitted accessory uses.**

- A. Any use customarily incidental to a permitted principal use, such as:
  - 1. Private garage or carport for storage of vehicles;
  - 2. Garden house, tool house, ramada, swimming pool.
- B. Accessory dwelling units, see Section 310.
- C. Home occupations per Section 324.
- D. Recreation and health facilities which are designed and clearly intended for the use of the residents of the project.
- E. Recreational vehicles may be parked and/or stored in all residential zones provided the vehicles are not situated in required yard setbacks and are fully screened from adjoining lots and streets.

**502.7 Property development standards.** Special Requirements: Any multiple family project which exceeds twenty-five (25) dwelling units per acre may be processed as a planned area development under the provisions of Article 9.

- A. Area and yards.
  - 1. Single-family house. This dwelling type consists of a single-family residence located on a privately-owned lot, which has private yards on all four (4) sides of the house. The following table specifies the minimum standards for single-family homes:

Minimum Size in Feet	
Street (Front)	20 Feet
Side	5 Feet
Street (Side)	10 Feet
Rear	20 Feet
Minimum Lot Length in Feet	100

1. For a lot having its rear lot line contiguous with an alley line, no rear setback shall be required for the accessory building(s).
2. For a corner lot abutting a key lot and not separated therefrom by an alley, any accessory building shall be setback from the rear lot line a distance not less than the width of the least required side yard applicable to the main building.
3. For a corner lot, the street side setback shall be the same as for the main building.
4. No stable, barn, corral, animal shed or shelter shall be erected or maintained closer than seventy-five (75) feet to any property line, where permitted.

502.9 **Off-street parking and loading.** In accordance with the provisions in Article 6.

502.10 **Sign regulations.** In accordance with the provision of Article 7.

502.11 **Landscaping, screening and buffering.** Landscaping, screening, and buffering shall be provided as deemed adequate by the Planning and Zoning Commission or the Board of Adjustment and the Building Inspector. All landscaping shall meet the specifications set forth in any subsequent ordinance on landscaping.

(Ord. 817, § 1, 2002)

### **Sec. 503. MHR - Mobile Home Residence.**

503.1 **Purpose.** The district is comprised of areas developed or to be developed for mobile homes for residential purpose on individually owned lots or leased lot. Regulations are designed to stabilize and protect the residential character of the district to promote and encourage a suitable environment for families and to prohibit all incompatible activities.

503.2 **Approvals required.** No structure or use shall be built or remodeled in a MHR district until all necessary site plan and/or subdivision plat approvals have been obtained. Only mobile homes manufactured after June 15, 1976, will be approved. Pre-1976 mobile homes in place on or before November 27, 2005, will be allowed to remain as long as they meet Federal guidelines relating to safety.

503.3 **Location.** The following criteria shall be considered in establishing and maintaining a Mobile Home Residence zoning district:

1. Conforms to appropriate designation in the General Plan, or
2. Corresponds to an existing district or development in an area annexed into the City.

503.4 **Permitted principal uses.**

A. Mobile home subdivision with one (1) single-family residence per lot.

1. Permitted conditional uses. See Section 310, items 310(C)(4),(5),(6),(7),(8),(9),(10),(14),(15) and Subsections of 310(D).2.D, E, F, G, H, I, J, N, O, P.
2. Permitted accessory uses.
  - (a) Any use customarily incidental to a permitted principal use, such as:
    - (1) Private garage or carport for storage of vehicles;
    - (2) Garden house, toolhouse, ramada, swimming pool.
  - (b) Accessory dwelling units: See Section 310.
  - (c) Where the keeping of horses and other livestock is lawful, structures customarily accessory to such use.



- B. Corresponds to an existing district or development in an area annexed into the City.
- C. Shall be located at the intersection of two (2) collector streets or an arterial and collector street.
- D. Availability of pedestrian access form surrounding neighborhoods.
- E. Lack of LC or NC zoning district or use within one-fourth (¼) mile.

504.4 **Permitted principal uses.** Building, structures, or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged for the following uses:

- A. Retail sales (limited to 3,000 square feet of gross floor area).
  - 1. General merchandise or variety store.
  - 2. Food and beverage store; no drive-through window allowed if business sells alcoholic beverages.
  - 3. Drugs and pharmacy.
- B. Services (limited to 1,000 square feet of gross floor area per use and may be increased to 3,000 square feet if, Retail Sales floor area is reduced on a square foot basis.
  - 1. Professional, administrative, clerical or sales service.
  - 2. Day care centers.
    - (a) The proposed facility shall comply with all requirements of the county and state health departments and other applicable regulations.
    - (b) A solid wall or fence, a minimum of six (6) feet high and a landscape buffer shall be provided around play areas abutting any residential zone.
    - (c) Parking shall be provided at a rate of one (1) parking space for each ~~two~~ two hundred (200) square feet of net floor area. A maximum of one-half of the area for required parking may be used as a portion of the outdoor play area. If the building changes uses, all required parking areas shall be utilized as parking.
    - (d) Provision for child drop-off with pedestrian access to the building entrance shall be incorporated into the plan.
- C. Other neighborhood commercial uses of similar character, found by the Community Development Director to meet the purpose of the district.

504.5 **Permitted conditional uses.** See Section 310, Permitted: Subsections 310(C)(4),(5),(6),(7),(8),(9),(10),(12),(13),(14) and Subsections of 310(D)-2D, E, F, G, H, I, J, L, M, N, O.

504.6 **Permitted accessory uses.**

- A. Any use customarily incidental to a permitted principal use, such as:
  - 1. Private garage or carport for storage of vehicles;
  - 2. Garden house, toolhouse, ramada, swimming pool.
- B. Accessory dwelling unit, See Section 310.
- C. Where the keeping of horses and other livestock is lawful, structures customarily accessory to such use.
- D. Home occupations, See Section 324.

504.7 **Property development standards.**

- A. Required area: Less than one (1) acre.



- 
6. Vehicles and other obstructions may not be parked on any corner lot within the triangular area formed by the curb lines and a line connecting them at points thirty-three (33) feet from the intersection of the street lines.
  7. Service station structures that cease to be used for that purpose for at least one (1) year, shall be considered abandoned. Such abandoned buildings shall be removed and the underground fuel tanks shall be removed or filled with inert material. See subsection 404.2.

505.5 **Permitted conditional uses.** See Section 310(C) and (D).

505.6 **Permitted accessory uses.**

- A. Any use customarily incidental to a permitted principal use, such as:
  1. Private garage or carport for storage of vehicles;
  2. Garden house, toolhouse, ramada, swimming pool.
- B. Accessory dwelling units, see Section 310.
- C. Where the keeping of horses and other livestock is lawful, structures customarily accessory to such use.

505.7 **Property development standards.**

- A. Required area. No minimum area requirement, but any development over three (3) contiguous acres in gross area shall be processed as a planned area development under the provisions of Article 9.
- B. Minimum distance between main buildings. As prescribed by the Uniform Building Code as adopted by the City.
- C. Building height. No building shall exceed twenty-five (25) feet in height.
- D. Required yards.
  1. Front yard.
    - (a) There shall be a front yard having a depth of not less than forty (40) feet.
    - (b) Where a lot has double frontage on two (2) streets, the required front yard of not less than forty (40) feet shall be provided on both streets.
    - (c) Where a lot is located at the intersection of two (2) or more streets, the required front yards of not less than forty (40) feet shall be provided on one (1) street and a yard having a depth of not less than twenty (20) feet shall be provided on the intersecting street.
  2. Side and rear yard. Ten (10) feet.
- E. [Location.] All operations shall be conducted within completely enclosed building.

505.8 **Nonresidential accessory building.**

- A. Maximum height: Fifteen (15) feet above grade.
- B. Maximum yard coverage: Thirty-five (35) percent of rear yard.
- C. Location restrictions: No accessory building shall be erected in any minimum required front or side yard.
- D. Setback requirements: Accessory building shall be setback from the side lot line and the rear lot line a distance not less than three (3) feet, except:

- 
6. Laboratories: Medical, dental, blood bank.
  7. Physiotherapist.
  8. Studio: For professional work, or teaching of any form of commercial or fine arts, photography music, drama, dance, but not including sending or receiving tower.
  9. Broadcasting station and studio, radio or television, but not including sending or receiving tower.
  10. Nursing homes, retirement, or convalescent homes.
- B. Retail.
1. Art gallery.
  2. Establishments primarily supplemental in character to other permitted principal uses, such as: pharmacy, apothecary shop, sale of correction garments, prosthetic devices, and optical goods.
  3. Blueprint, print, lithographs, or photostatic copies not produced on the premises.
- C. Service.
1. Banks, finance offices, lending institutions, stock brokerage firms, saving and loan associations and credit unions (including drive-thru).
  2. Telephone answering service.
  3. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.

506.5 **Permitted conditional uses.** See Section 310(C) and (D).

506.6 **Permitted accessory uses.**

- A. Any uses customarily incidental to a permitted principal use, such as:
  1. Private garage or carport for storage of vehicles;
  2. Garden house, toolhouse, ramada, swimming pool.
- B. Accessory dwelling units, see Section 310.
- C. Where the keeping of horses and other livestock is lawful, structures customarily accessory to such use.

506.7 **Property development standard.**

- A. Required area: No minimum area requirement, but any development over three (3) acres in gross area shall be processed as a planned area development under the provisions of Article 9.
- B. Maximum building height: No building shall exceed thirty-five (35) feet in height except that within one hundred (100) feet of any UR, SFR, MFR, MHR, or RV district, no building shall exceed twenty-five (25) feet in height.
- C. Required yards:
  1. Front yards: Forty (40) feet.
  2. Where a lot has doubled frontage on two (2) streets, the required front yard shall be provided on both streets.
  3. Where a lot is located at the intersection of two (2) or more streets, the required front yard shall be provided on one (1) street and a yard having a depth of not less than twenty (20) feet shall be provided on the intersecting street.

---

35. Tire store excluding retreading.

36. Multi-unit storage facilities.

507.5 **Permitted conditional uses.** See Section 310(C) and (D).

507.6 **Permitted accessory uses.**

- A. Any use customarily incidental to a permitted principal use, such as:
  - 1. Private garage or carport for storage of vehicles;
  - 2. Garden house, toolhouse, ramada, swimming pool.
- B. Accessory dwelling units, See Section 310.
- C. Where the keeping of horses and other livestock is lawful, structures customarily accessory to such use.
- D. Home occupations, see Section 324.

507.7 **Property development standards.**

- A. Required area. No minimum area requirement, but any development over three (3) contiguous acres in gross area shall be processed as a planned area development under the provisions of Article 9.
- B. Maximum building height. No building shall exceed thirty-five (35) feet in height, except that within one hundred (100) feet of any SFR, MFR, or MHR district, no building shall exceed twenty-five (25) feet in height.
- C. Minimum distance between main buildings. As prescribed by the Uniform Building Code.
- D. Required yards:
  - 1. Front yard:
    - (a) There shall be a front yard having a depth of not less than forty (40) feet.
    - (b) Where a lot has double frontage on two (2) streets, the required front yard of not less than forty (40) feet shall be provided on both streets.
    - (c) Where a lot is located at the intersection of two (2) or more streets, the required front yard of not less than forty (40) feet shall be provided on one (1) street and a yard having a depth of not less than twenty (20) feet shall be provided on the intersecting street.
  - 2. Side and rear yard. Ten (10) feet.
- E. Specifications.] The following property development standards shall have the following specifications where applicable in Article 5 of these zoning regulations, and shall apply across the board as to all districts (GC, IP, LI and HI), as listed in the zoning regulations.
  - 1. Medical marijuana dispensary.
    - (a) The total maximum floor area of a medical marijuana dispensary shall not exceed two thousand five hundred (2,500) square feet.
    - (b) The secure storage area for the medical marijuana stored at the medical marijuana dispensary shall not exceed five hundred (500) square feet of the total two thousand five hundred (2,500) square foot maximum floor area of a medical marijuana dispensary.
    - (c) A medical marijuana dispensary shall be located in a permanent building and shall not be located in a trailer, cargo container, mobile or modular unit, mobile home, recreational vehicle or other motor vehicle.



---

508.2 **Location.** The following criteria shall be considered in establishing and maintaining an IP district:

- A. Conforms to appropriate designation in the General Plan.
- B. Corresponds to an existing district or development in an area annexed into the City.

508.3 **Permitted principal uses.**

- A. Industrial, scientific, or business research, development testing laboratories and offices.
- B. Electronic instruments and devices, assembling and manufacturing.
- C. Computer center.
- D. Motion picture studios.
- E. General office buildings.
- F. Medical and dental office building and clinics.
- G. Temporary construction offices and sheds, appurtenant signs and storage incidental to a construction project only for the duration of such project, not to exceed eighteen (18) months.
- H. Medical Marijuana Designated Caregiver Cultivation Location, subject to subsection 507.7.E.
- I. Medical Marijuana Dispensary Off-site Cultivation Location, subject to subsection 507.7.E.
- J. Medical Marijuana Qualifying Patient Cultivation Location subject to subsection 507.7.E.

508.4 **Permitted conditional uses.** See Section 310(C) and (D).

508.5 **Permitted accessory uses.**

- A. Any use customarily incidental to a permitted principal use, such as:
  - 1. Private garage or carport for storage of vehicles;
  - 2. Garden house, toolhouse, ramada, swimming pool.
- B. Accessory dwelling units, See Section 310.
- C. Where the keeping of horses and other livestock is lawful, structures customarily accessory to such use.

508.6 **Property development standards.**

- A. Minimum area: No minimum area requirement, but any development over ten (10) acres in gross area shall be processed as a planned area development under the provisions of Article 9.
- B. Building height: No building shall exceed twenty-five (25) feet in height.
- C. Required yards.
  - 1. Side and rear yard. Twenty five (25) feet.
  - 2. Front Yard. There shall be a front yard having a depth of not less than forty (40) feet.
- D. Minimum distance between main buildings: As prescribed by the Uniform Building Code.

508.7 **Nonresidential accessory buildings.**

- A. Maximum height. Fifteen (15) feet above grade.
- B. Maximum yard coverage. Thirty-five (35) percent of the required side and rear yards.

- 
- G. Spraying supplies and equipment, wholesaling and storage.
  - H. Towed or motor vehicle assembling, repairing including body and fender shops.
  - I. Truck, bus, and heavy equipment garages, dispatching and weighing stations.
  - J. Reserved.]
  - K. Mini-warehouses, for storage purpose only. No retailing is permitted form these facilities.
  - L. Retail commercial operations directly related to the primary industrial use, may be permitted, provided they do not exceed fifteen (15) percent of the gross floor area in the LI district.
  - M. Blacksmith or welding shop.
  - N. Contractors storage yard.
  - O. Kennels.
  - P. Veterinary hospital.
  - Q. Medical marijuana designated caregiver cultivation location, subject to subsection 507.7.E.
  - R. Medical marijuana dispensary off-site cultivation location, subject to subsection 507.7.E.
  - S. Medical marijuana qualifying patient cultivation location, subject to subsection 507.7.E.

509.5 **Permitted conditional uses.** See Section 310(C) and (D).

509.6 **Permitted accessory uses.**

- A. Any use customarily incidental to a permitted principal use, such as:
  - 1. Private garage or carport for storage of vehicles;
  - 2. Garden house, toolhouse, ramada, swimming pool.
- B. Accessory dwelling unit. See Section 310.
- C. Where the keeping of horses and other livestock is lawful, structures customarily accessory to such use.

509.7 **Property development standards.**

- A. Minimum area: No minimum size required for industrial use.
- B. Building height: No building shall, exceed thirty-five (35) feet in height.
- C. Required yards:
  - 1. Front yard setback: 40 feet.
  - 2. Side yard setback: Minimum of twenty-five (25) feet.
  - 3. Rear yard setback: Same as side yard setback.
- D. Minimum distance between main buildings. As prescribed by the Uniform Building Code.

509.8 **Nonresidential accessory buildings:**

- A. Maximum height: Fifteen (15) feet above grade.
- B. Maximum yard coverage: Thirty-five (35) percent of the required side and rear yard.
- C. Location Restrictions: No accessory building shall be erected in any minimum required front yard, except as otherwise provided in this code.