

ARTICLE 14

“R – 3” MULTIPLE-FAMILY DWELLING DISTRICT

22-14.01 INTENT AND PURPOSE OF DISTRICT: The “R – 3” Multiple-Family Dwelling District is intended for the purpose of allowing high residential density land use with the co-mingling of compatible single-family and two-family dwellings, apartments, home occupations, certain community facilities, and certain special uses, yet retaining the basic residential qualities.

22-14.02 DISTRICT REGULATIONS: In District “R – 3” no building shall be used and no building or structure shall be erected, altered or enlarged which is arranged, intended, or designed for other than one of the uses listed in § 22-14.03.

22-14.03 USE REGULATIONS: All uses first allowed in Districts “R”, “R-1” and “R-2” and the following:

1. Multiple-family dwellings, including apartment houses and apartment hotels.
2. Boarding and lodging houses.
3. Townhouses and condominiums.
4. The following may be allowed by special use permit when submitted, reviewed and approved by the Board of Zoning Appeals.
 - A. Any public building erected on land used by any department of the City, County, State or Federal Government.
 - B. Bed and breakfast homes and inns.
 - C. Cemetery or crematory.
 - D. Telephone exchange, electric substations and regulator stations, or other public utilities.
 - E. Public and private parking on lots adjacent, contiguous or across the alley from a district classified as “R-3”, “I”, “C-1” and “C-2”.
 - F. Home Occupations.

22-14.04 INTENSITY OF USE REGULATIONS: Except as hereinafter provided, all dwellings hereafter erected, enlarged, relocated, or re-constructed shall be located upon lots containing the following areas:

1. A lot on which there is erected a single-family dwelling shall contain an area of not less than five thousand (5,000) square feet.
2. A lot on which there is erected a two-family dwelling shall contain an area of not less than three thousand (3,000) square feet per family.
3. A lot on which there is erected a multiple family dwelling shall contain an area of not less than six thousand (6,000) square feet, or two thousand (2,000) square feet per family.
4. Dormitories, lodging houses, nursing homes and boarding houses shall provide not less than five hundred (500) square feet of lot area for each occupant.

5. Where a single lot of record, as of the effective date of this Ordinance, as defined in the definitions section of this Ordinance, has less than five thousand (5,000) square feet and its boundary lines, along their entire length, touched lands under other ownership on the effective date of this Ordinance and have not since been changed, such lot may be used only for single-family dwelling purposes, or for any other non-dwelling use permitted in this district, providing said structure does not occupy more than forty (40) percent of the lot area and providing the structure conforms with other requirements of this district.

22-14.05 HEIGHT REGULATIONS No building shall exceed forty-five (45) feet in height, except as provided in the additional height, area and use regulations of this Ordinance.

22-14.06 YARD REGULATIONS:

1. Front Yard:

- A. There shall be a front yard having a depth of not less than twenty-five (25) feet, except as required for arterial and collector streets . (See additional height, area and use regulations)
- B. Where lots have a double frontage, the required front yard shall be provided on both streets.
- C. Where a lot is located at the intersection of two (2) or more streets, there shall be a front yard on each street side of the corner lot; provided, however, that the buildable width of a single lot of record, as of the effective date of this Ordinance, shall not be reduced to less than twenty-eight (28) feet, except as required to preserve a setback of not less than six (6) feet.

2. Side Yard:

- A. Except as hereinafter provided in the following paragraph and in the additional height, area and use regulations of this Ordinance, there shall be a side yard having a width of not less than five (5) feet on each side of a building thirty-five (35) feet or less in height, and there shall be a side yard having a width of not less than eight (8) feet on each side of a building in excess of thirty-five (35) feet but less than forty-five (45) feet in height.
- B. Wherever a lot of record as of the effective date of this Ordinance has a width of fifty (50) feet or less, the side yard on each side of a building may be reduced to a width of not less than ten (10) percent of the width of the lot, but in no instance shall it be less than three (3) feet.

3. Rear Yard:

- A. Except as hereinafter provided in the additional height, area and use regulations of this Ordinance, there shall be a rear yard having a depth of not less than twenty-five (25) feet or twenty (20) percent of the depth of the lot, whichever amount is smaller.

22-14.07 SIGN REGULATIONS: See ARTICLE 26.

22-14.08 PARKING AND LOADING REGULATIONS: See ARTICLE 27.

22-14.09 LANDSCAPING REGULATIONS: See ARTICLE 30.

ARTICLE 15

“PUD” PLANNED UNIT DEVELOPMENT DISTRICT

22-15.01 INTENT AND PURPOSE OF DISTRICT: The provisions of this Article are intended for application in instances where tracts of land of considerable size are developed, redeveloped, or renewed as integrated and harmonious units, and where the overall design of such units warrants modification of the standards contained elsewhere in this Ordinance. To be eligible under this section, the Planned Unit Development must:

1. Reflect compatibility with the comprehensive plan.
2. Be composed of such uses and in such proportions as are appropriate to the integrated function of the development within the context of established community growth patterns.
3. Be so designed in its space allocation, orientation, texture, materials, landscaping, and other features as to produce an environment of stable and desirable character, complementing the design and values of adjacent areas of the community.

22-15.02 DISTRICT REGULATIONS: This district is intended to provide for land development consistent with the intent and purpose of this Ordinance, the Subdivision Regulations, and the Comprehensive Plan. No land or building shall be designed or used for other than one of the uses in § 22-15.03.

22-15.03 USE REGULATIONS:

1. All private institutional facilities and public uses.
2. All residential units permitted by right or exception in any residential district.
3. Commercial and office use.

22-15.04 INTENSITY OF USE REGULATIONS: The minimum area of a tract of land to be zoned as a “PUD” within a parent district shall be three (3) acres. The gross density of the “PUD” may not exceed fifteen (15) dwelling units per acre.

22-15.05 HEIGHT REGULATIONS: No building shall exceed forty-five (45) feet in height.

22-15.06 YARD REGULATIONS: Except as may otherwise be permitted, the following shall be the minimum setback requirements:

1. Front Yard:
 - A. The planned development tract shall have a front yard of not less than twenty-five (25) feet, except as required for arterial and collector streets in ARTICLE 30.
 - B. Where the planned development tract has a double frontage, the required front yard shall be provided on both streets or roads.
 - C. Where a planned development tract is located at the intersection of two (2) or more streets or roads, there shall be a front yard on each street side of the corner lot. No accessory building shall project beyond the front yard line on either street or road.

2. **Side Yard:** Except as may be hereinafter required in the additional height, area, and use regulations there shall be a side yard having a width of not less than fifteen (15) feet on each side of the planned development tract.
3. **Rear Yard:** The planned development tract shall have a rear yard having a depth of not less than twenty-five (25) feet.
4. **Interior Structures:** The minimum separation for individual structures within the “PUD” District shall be not less than the average height of the highest structural projection of adjacent buildings.

22-15.07 GENERAL REQUIREMENTS: Interior lots and general development of the tract may vary according to several site design practices as influenced by existing topography. In general, the following guidelines shall apply:

1. Every single-family structure shall have access to a public street, or if group or courtyard parking is used, each unit shall be provided with an easement. If a public street is not provided in the “PUD”, then a private street shall be under the control of a homeowners or development association.
2. All open spaces shall be protected by fully recorded covenants running with the land.
3. The street layout for internal roads and connections to county or township roads shall be submitted in the form of road engineering plans.
4. The developer shall provide central water and sewerage facilities for the “PUD”. These shall be submitted as approved written agreements.
5. Each PUD shall form an association to provide for maintenance of common open space facilities and any areas which are to be held in common by the residents or occupants. All such areas shall be clearly marked on the development plan.
6. If the association created for maintaining open space and other common facilities fails to operate and keep open areas, facilities, or roads in a reasonable condition, the Governing Body shall assess a tax or create a benefit district and perform the proper maintenance.

22-15.08 PROCEDURES FOR REVIEW AND APPROVAL: When a property owner or developer intends to develop a tract of land containing at least the minimum area and involving more than two (2) commercial establishments, or in the case of a residential area, more than two (2) dwelling units, application may be made for zoning the property to a “PUD”.

The zoning change, if approved, shall be an amendment to the official Zoning Map.

An applicant for a change in zoning to “PUD” must satisfy the Planning Commission and the Governing Body that he/she has the ability to carry out the proposed plan and shall prepare and submit a schedule for construction.

Such applicant also shall prepare and submit a Preliminary Development Plan for review and approval by the Planning Commission and the Governing Body which shall include:

1. A topographic map showing contours at intervals of two (2) feet.
2. A plot plan showing:

- A. Building and sign structure locations on the tract.
 - B. Access to streets.
 - C. Parking arrangement and number of spaces.
 - D. Interior drives and service areas.
 - E. Area reserved for public open space.
3. Location map showing the development and zoning of the adjacent property within two hundred (200) feet, including the location and the types of buildings and structures thereon and the current ownership thereof.
 4. The full legal description of the boundaries of the properties to be included in the area to be zoned "PUD".
 5. A map showing the general arrangement of streets within an area of two hundred (200) feet from the boundaries of the area to be zoned "PUD".
 6. A map showing location of proposed sewer, water, and other utility lines.
 7. A description of general character of proposed buildings and any signs to be placed on the site.
 8. A construction schedule.

The applicant may further be asked to furnish other information, such as typical building floor plans, building elevations to show the general architectural character of the buildings, some indications as to size and type of landscape plant materials, pavements, and other major site improvements.

The applicant may be asked to submit the tentative financial plan and description of the intended means of financing any proposed common areas of common improvements and statements covering ownership and maintenance of common easements or other common areas, such as open space or recreational facilities.

Within sixty (60) days after the filing of a preliminary application, a public hearing shall be held after proper notice before the Planning Commission.

Following the hearing, but within sixty (60) days, the Planning Commission may either grant approval, modify, or disapprove the preliminary plan.

If the preliminary plan is disapproved, the Planning Commission shall set forth their reasons, in writing, to the applicant.

Upon approval of the Preliminary Development Plan by the Planning Commission, the applicant shall prepare and submit a final Development Plan which shall incorporate any changes or alterations requested. Alterations in the preliminary schedule of construction shall be submitted at this time. The final Development Plan and the Planning Commission's recommendations shall be forwarded to the City Council for their review and final action.

All plans and documents shall become a part of the amendment and shall form the basis for issuance of a zoning permit in conformity therewith.

Changes in the Development Plan which increase the number of dwelling units or establishments, change the arrangement of buildings, increase the number of parking stalls, or increase in the size or number of other improvements, or change alignment of driveways or roadways shall require a re-submission for approval of the application for rezoning. Any minor changes or adjustments or decrease in the number of dwelling units, common facilities, and recreation facilities may be approved by the Zoning Administrator without re-submission.

Upon approval of the final plan, the Governing Body shall specify the stages of the "PUD", if any, and the number of building permits to be issued for each stage. The Governing Body shall also place on the record all agreements for performance, covenants, and restrictions.

In the event that, within eighteen (18) months following approval by the City Council, the applicant has not proceeded with construction in accordance with the plan so approved, the Planning Commission shall initiate action to re-zone the property to the original zoning district. A public hearing, as required by law, shall be advertised and held at which time the applicant shall be given an opportunity to show why construction has been delayed. Following the hearing, the Planning Commission shall make findings of fact and shall make a recommendation to the City Council.

ARTICLE 16

“M – H” MANUFACTURED HOME DISTRICT

22-16.01 INTENT AND PURPOSE OF DISTRICT: It is intended that this district be established to permit manufactured homes on permanent foundations where a lot or a group of lots is owned by the manufactured home owner.

This district is intended to be appended as an overlay to any of the residential districts to provide an opportunity for individual siting and use of manufactured homes for single-family dwellings consistent with the use and density characteristics of the surrounding neighborhood.

22-16.02 DISTRICT REGULATIONS: In the “M - H” District, no building shall be used and no building or structure shall be erected, altered, or enlarged which is arranged, intended, or designed for other than one of the uses in **22-16.03** below.

22-16.03 USE REGULATIONS:

1. Manufactured homes on permanent foundations.
2. Uses and structures permitted under the provisions of the regulations of the parent district, of which this district is made a part.

22-16.04 INTENSITY OF USE REGULATIONS: A manufactured home in an “M – H” District shall be located on a lot which conforms with the minimum lot size requirements of the parent district, of which this district is made a part.

22-16.05 LOT COVERAGE: A manufactured home and accessory buildings shall not cover more than forty (40) percent of the lot area.

22-16.06 HEIGHT REGULATIONS: The height requirements of the parent district, of which this district is made a part, shall be the maximum height requirements.

22-16.07 YARD REGULATIONS: The yard requirements of the parent district, of which this district is made a part, shall be the minimum yard requirements.

22-16.08 SIGN REGULATIONS: The sign regulations of the parent district, of which this district is made a part, shall be the minimum requirements for signs unless otherwise approved by the Planning Commission and the Governing Body.

22-16.09 PARKING AND LOADING REGULATIONS: The parking and loading requirements of the parent district, of which this district is made a part, shall be the minimum requirements unless otherwise prescribed and/or approved by the Planning Commission and the Governing Body.

22-16.10 LANDSCAPING REGULATIONS: The landscaping requirements of the parent district, of which this district is made a part, shall be the minimum requirements, unless otherwise approved by the Planning Commission and the Governing Body.

22-16.11 SPECIAL MANUFACTURED HOME REQUIREMENTS: Manufactured homes sited on individually owned lots shall be subject to the following special requirements:

1. Manufactured homes shall be mounted on a foundation of permanent design.

2. All open space below such manufactured home not completely enclosed by the permanent foundation shall be skirted, blocked, or otherwise screened using solid materials which will assure positive closure.
3. Each manufactured home shall be an independent dwelling unit, connected to all utilities.
4. Each manufactured home shall be provided with anchors and tie-downs of adequate capacity to provide stability against high winds and adverse weather conditions.
5. Each independent manufactured home shall be sited in such a manner as to preserve the visual character of the neighborhood, which shall include provisions for landscaping and other site improvements as well as off-street parking.

ARTICLE 17

“M – P” MANUFACTURED HOME PARK DISTRICT

22-17.01 INTENT AND PURPOSE OF DISTRICT: It is the intent of the “M - P” Manufactured Home Park District to permit low density manufactured home uses in a park-like atmosphere. The Manufactured Home Park District is intended for those areas where the owner proposes to develop and rent or lease individual sites.

22-17.02 DISTRICT REGULATIONS: In the “M – P” District, no building shall be used and no building shall be erected, altered, or enlarged which is arranged, intended, or designed for other than uses listed in § 22-17.03 below.

22-17.03 USE REGULATIONS:

1. Independent manufactured homes located on well drained concrete slabs.
2. Parks and playgrounds.
3. Manufactured housing service buildings, such as coin-operated washers and dryers, for exclusive use of residents of the manufactured home park.
4. Office for manager of the manufactured home park.
5. Storage building for vehicles used to tow manufactured housing units.
6. Storage building for blocks, skirts, pipe, and other material and equipment required to set up a manufactured house.
7. Accessory uses and buildings, including swimming pools, bath houses, patios, etc., for exclusive use of manufactured housing residents.
8. Child care centers.
9. Home Occupations.
10. Churches and other similar places of worship.

22-17.04 PARK REQUIREMENTS:

1. A tract to be used for a manufactured housing park shall be large enough to accommodate twenty-five (25) or more manufactured units.
2. Each manufactured housing park space shall be not less than thirty-five (35) feet wide.
3. Manufactured housing parks shall have a maximum density of eight (8) manufactured units per gross acre, and each space shall have not less than three thousand (3,000) square feet.
4. The manufactured housing park shall be located on a well-drained site properly graded to insure rapid drainage.
5. Manufactured housing parks shall provide screening when they abut residential property.

6. Each manufactured housing park having more than ten (10) lots for rent shall reserve an area for child recreation according to the following schedule:

NUMBER OF MANUFACTURED HOUSING UNITS	MINIMUM AREA OF PLAYGROUND
0 - 1-	none required
10 – 20	1,500 square feet
21 – 25	2,500 square feet
25 and over	100 square feet per lot

7. The recreation area shall be located so as to be free from hazards and provided with play equipment.
8. All new manufactured housing parks shall provide a storm shelter for the occupants. All existing manufactured housing parks (at the date of the adoption of this Ordinance) are encouraged to provide storm shelters.
9. The manufactured housing shelter shall be approved, after the submission of plans by the applicant, by the Zoning Administrator. The shelter shall be constructed below ground level as a concrete structure and provided with heavy metal doors. It shall be located so as to be accessible to the park residents in a central place with access to the shelter clearly marked.
10. Manufactured housing units shall be located so that there is at least a twenty (20) foot clearance between manufactured houses; provided, however, with respect to manufactured houses parked end-to-end, the clearance shall not be less than ten (10) feet. No manufactured housing unit shall be located less than ten (10) feet from the front driveway.
11. No manufactured housing unit shall be located less than twenty-five (25) feet from any property line of the manufactured housing park or from any community building within the park, including any washroom, toilet, laundry facilities, or office.
12. All manufactured housing spaces shall abut on an internal driveway that is not less than twenty-four (24) feet in width; 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 twenty-eight (28) feet, and if parallel parking is permitted on both sides of the street, the width shall be increased to thirty-six (36) feet. Such driveways shall have unobstructed access to a public street or highway and shall have, as a minimum, a gravel surface or be paved and well maintained and lighted.
13. Manufactured housing parks containing more than twenty (20) units shall provide each lot with a concrete pad for parking two (2) vehicles separate from the road. The minimum pad size shall be fourteen (14) feet wide and sixteen (16) feet in depth. In parks containing less than twenty (20) units, the parking space may be constructed of crushed rock finished to a depth of eight (8) inches.
14. All roadways and sidewalks within the manufactured housing park shall be hard surfaced or gravel surfaced and provided with night lighting using lamps spaced at intervals of not more than one hundred (100) feet.
15. All electrical distribution systems and telephone service systems to each manufactured housing space, except outlets and risers, shall be underground. Each manufactured housing space shall be provided with a 110-volt and 220-volt service with a minimum 100-ampere individual service outlet.

16. Whenever master television antenna systems are to be installed, the complete plans and specifications for the system must be submitted for approval. Distribution to individual manufactured housing spaces shall be underground and shall terminate adjacent to the electrical outlet.

17. Laundry facilities for the exclusive use of the manufactured housing occupants may be provided in a service building.
18. An adequate supply of pure water for drinking and domestic purposes shall be supplied by pipes to all buildings and manufactured housing spaces within the park. Each manufactured housing space shall be provided with a cold water tap at least four (4) inches above the ground. An adequate supply of hot water shall be provided at all times in the service buildings for all washing and laundry facilities.
19. All manufactured housing units within the "M – P" District shall be connected to an approved public water supply and an approved sanitary sewer system with at least a four (4) inch sewer connection to each manufactured housing unit. The sewer connection shall be provided with suitable fittings so that a water-tight connection can be made between the manufactured housing drain and the sewer connection. Such individual unit connections shall be so constructed that they can be closed when not linked to a manufactured housing unit and shall be trapped in such a manner as to maintain them in an odor-free condition.
20. Each manufactured housing unit shall be secured by anchoring the superstructure against uplift, sliding, rotation, and overturning; in accordance with state and local regulations and manufacturers recommendations.
21. The owner or operator shall include with the required plan the method of refuse collection and the location of refuse containers. Refuse and garbage handling methods shall meet the following minimum requirements:
 - A. Storage collection and disposal of refuse in a park shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accidents, fire hazards or air pollution.
 - B. All refuse shall be stored in fly-tight, water-tight, rodent-proof containers. Containers shall be provided in sufficient number and capacity to properly store all refuse.
 - C. Refuse racks shall be provided for all refuse containers. Such racks shall be designed as to prevent the containers from being tipped, to minimize spillage and container deterioration and to facilitate cleaning around them.
 - D. Refuse and garbage shall be removed from the park at least once each week. All refuse shall be collected and transported in covered vehicles or covered containers.
 - E. The park owner or operator shall insure that containers at all stands are emptied at least once each week and maintained in a useable sanitary condition.
22. If only independent manufactured housing spaces are to be provided, no service building will be required; however, when such service building is required, it shall comply with the following regulations:
 - A. Be located twenty (20) feet or more from any manufactured housing unit.
 - B. Be adequately lighted.
 - C. Have the interior finished with moisture-resistant material to permit frequent washing and cleaning.

- D. Provide at least one (1) lavatory, water closet, and shower for each sex; one (1) laundry tray, one (1) floor drain, and hot and cold water.
 - E. Have adequate heating facilities for the building and equipment which will furnish an ample supply of heated water during time of peak demands.
 - F. Have all rooms well ventilated with all openings effectively screened.
23. A solid or semi-solid fence or wall, maximum 6 feet high, shall be provided between the mobile home park district and any adjoining property or property immediately across an alley which is zoned for residential purposes other than for mobile homes. Said fence shall be so located as defined by this regulation. In lieu of said fence or wall, as defined by this regulation a landscape buffer may be provided not less than 15 feet in width, and said landscape buffer shall be planted with coniferous and deciduous plant material so as to provide proper screening for the park. When the landscape buffer is used in lieu of the fence or wall, the landscape buffer shall not be included as any part of a required rear yard for a mobile home space. The fence, wall, or landscape buffer shall be properly maintained by the Owner or Operator.
24. The Owner or operator shall include with the required plan a budget for financing the proposed improvements.

22-17.05 APPLICATION PROCEDURE:

- 1. The applicant for a manufactured housing park shall prepare or cause to be prepared an application for rezoning and a development plan and shall present ten (10) copies of the plan for review by the Planning Commission. The development plan shall show topography and the location and size of:
 - A. Manufactured housing sites.
 - B. Service buildings.
 - C. Off-street parking areas.
 - D. Electrical outlets.
 - E. Sewer outlets.
 - F. Water outlets.
 - G. Water lines.
 - H. Sewer lines.
 - I. Recreational areas.
 - J. Landscaped areas and walls or fences.
 - K. Roadways.
 - L. Sidewalks.

2. Following a rezoning hearing, as required by law and preliminary approval of the development plan, the Planning Commission shall submit the plan together with a record of the hearing plus its formal recommendations to the Governing Body for final approval.
3. When final approvals have been obtained, the Zoning Administrator shall issue a permit to operate the manufactured housing park.
4. Upon the issuance of the permit for a manufactured home park or court, the City shall have the authority to have said manufactured home inspected by the proper inspecting officer of the City, and if it shall be found that the holder of said permit has made any false or misleading statements in his application or has placed or caused to be placed more manufactured homes in said mobile home park or court than provided for and set forth in said application for permit, or that said holder of said permit has violated or caused to be violated any provision of this Article, the City Governing Body shall have the power to revoke said permit.
5. If the City shall determine upon proper inspection by the inspecting officer of the City, that the sanitary condition of the manufactured home park shall have become so unsanitary as to endanger health or welfare of occupants of said manufactured home park or the surrounding community, or that said sanitary facilities have become inadequate to properly protect the occupants of said manufactured park, the City Governing Body shall have the power to require the holder of said manufactured home park permit, within ten (10) days, to set said manufactured home park in proper sanitary condition. If, upon notice from the City to the holder of the permit as aforesaid, the owner or manager of said manufactured home park shall fail or refuse to place said park or court in sanitary condition, the City Governing Body shall have the right to revoke said permit.
6. Whenever a property zoned "M-P" ceases to be used for such purposes for a period of two (2) years, the Planning Commission shall initiate action and hold a public hearing to rezone said property back to its former zoning district classification.
7. After the effective date of this Ordinance, no new manufactured housing park may be operated and no existing park expanded, except in accordance with these Regulations and under permit from the Zoning Administrator.

ARTICLE 18

“S – I” COLLEGE AND INSTITUTIONAL DISTRICT

22-18.01 INTENT AND PURPOSE OF DISTRICT: The “S – I” College and Institutional District is established for the purpose of assuring that the growth and expansion of the schools and other major public institutions within the City of Lindsborg may be continued in a planned, harmonious, efficient, and orderly manner, with provision for the convenience, safety, health, and general welfare of the public.

22-18.02 DISTRICT REGULATIONS: In the “S – I” District, no building or land shall be used, and no building or structure shall be erected, altered, or enlarged, which is arranged, intended, or designed for other than one of the uses listed in this article.

22-18.03 USE REGULATIONS:

1. Single-family dwellings.
2. Residential design manufactured housing.
3. Colleges and universities of higher learning, including dormitory accommodations.
4. Vocational-technical schools.
5. Public and private elementary and secondary schools.
6. Hospitals.
7. Libraries
8. Nursing homes.
9. Churches and similar places of worship.
10. Child Care, Adult Care.
11. Museums.
12. Home Occupations.
13. Group Homes.
14. Uses and structures incidental to the principal use including parking lots, dormitories, dining halls and kitchens, supply stores operated by the principal use, fraternities and sororities, activities and structures maintained for educational or research purposes, and other similar uses customarily incidental to the operation of the principal permitted use.

Mobile structures may be utilized as accessory buildings in the “S – I” District, however, such mobile structures shall not be arranged, designed, intended or used as a dwelling unit, and shall not be utilized on a lot which contains a structure to be used as a residence. Mobile structures shall be on a permanent foundation unless otherwise permitted by the City.

15. The following uses may be allowed by special use permit when submitted, reviewed, and approved by the Board of Zoning Appeals and subject to conditions as the Board may impose:
 - A. Any public building erected or land used by a department of the City, County, State, or Federal Government.
 - B. Telephone exchange, electric substations and regulator stations, or other public utilities.
 - C. Commercial radio, television, navigation, or military control stations, transmitters, or towers.

22-18.04 DEVELOPMENT MASTER PLAN REQUIRED: In the “S – I” College and Institutional District, except for single-family residential uses, no building, structure, sign, parking lot, or other improvement shall be erected, modified, or placed in use, nor shall a building permit be issued, unless such improvement is in accordance with a development master plan for the entire site. Such development master plan shall include as a minimum:

1. General topographic conditions and method of drainage, including notation of any areas of defined flood plain coverage.
2. A site utilization concept showing:
 - A. Locations and sizes of buildings, parking lots, and interior drives.
 - B. Locations, sizes, and dimensions of game courts, ball fields, walkways, and signs.
 - C. Routing and sizes of utility services including required easements and locations of any transformer stations or other aboveground appurtenances.
 - D. Locations and sizes of fences and walls.
 - E. Type, intensity, and nature of landscaping, including boundary screening where appropriate.
 - F. General aesthetic quality of structures with respect to visual harmony with surrounding development.
3. Relationship of proposed development to surrounding areas of the community, including sidewalk and street connections, and provision for continuation of utility system routings, if required.
4. The Development Master Plan shall include evidence of formal adoption by the Governing Body of the institution as the official guide for long-range development.

22-18.05 INTENSITY OF USE REGULATIONS: Lots and tracts in the “S – I” District shall be subject to the following requirements:

1. A lot on which there is erected a single-family dwelling shall contain an area of not less than five thousand (5,000) square feet per family. The principal building and accessory structures shall not cover more than forty (40) percent of the lot area.
2. Tract sizes and building coverage for institutional uses shall be as shown on the formally adopted Development Master Plan, provided:

- A. Buildings and accessory structures shall not cover more than sixty (60) percent of the area of the tract.

22-18.06 HEIGHT REGULATIONS: No building shall exceed forty-five (45) feet in height, except as otherwise provided in the additional height, area, and use regulations in this Ordinance unless otherwise permitted by the City.

22-18.07 YARD REGULATIONS: Except as required for arterial and collector streets, (see additional height, area, and use regulations) yard requirements shall be as follows:

1. Front Yard:

- A. Single-family dwellings - twenty-five (25) feet.
- B. Institutional uses - as shown on the Development Master Plan with fifteen (15) feet minimum for buildings. Parking lots may be constructed within eight (8) feet of the front property line.
- C. On corner lots there shall be a front yard along each street.

2. Side Yard:

- A. Single-family dwellings - six (6) feet.
- B. Institutional uses - as shown on the Development Master Plan with eight (8) feet minimum for buildings and parking lots.

1. Rear Yard:

- A. Single-family dwellings - twenty-five (25) feet.
- B. Institutional uses - as shown on the Development Master Plan with fifteen (15) feet minimum for buildings. Parking lots may be constructed within eight (8) feet of the rear property line.

22-18.08 SIGN REGULATIONS: See ARTICLE 26.

22-18.09 PARKING & LOADING REGULATIONS: See ARTICLE 27

22-18.10 LANDSCAPING REGULATIONS: See ARTICLE 30.

ARTICLE 19

“C – S” HIGHWAY SERVICE DISTRICT

22-19.01 INTENT AND PURPOSE OF DISTRICT: The “C – S” Highway Service District is intended for the purpose of grouping limited highway services in appropriate areas. Floor area is restricted, off-street parking, and landscaping is required in order to reduce possible adverse effects on adjacent properties.

22-19.02 DISTRICT REGULATIONS: In the “C – S” District, no building shall be used and no building or structure shall be erected, altered, or enlarged which is arranged, intended, or designed for other than one of the uses in § 22-19.03 below:

22-19.03 USE REGULATIONS:

1. Ambulance services.
2. Animal hospitals or clinics.
3. Automobile, truck and other motor vehicle sales, service, repair and rental.
4. Boat sales and rental.
5. Building materials, retail sales.
6. Campgrounds.
7. Camp sites and commercial recreation facilities.
8. Car wash.
9. Electrical and telephone substations.
10. Farm and construction equipment sales; outdoor display shall be permitted provided that no machinery shall be displayed, parked, or stored in any required yard.
11. Feed and seed stores, including garden and lawn supplies.
12. Garden supplies and landscape nursery.
13. Lumber yards.
14. Motels or motor hotels.
15. Newsstands.
16. Parking lots, customer and private.
17. Parks, playgrounds, and community buildings.
18. Portable Concession stands subject to the detailed regulations of the City.

19. Private clubs, fraternities, sororities and lodges.
20. Restaurants and drive-ins.
21. Self-service laundries and dry-cleaning stores.
22. Service stations.
23. Taverns.
24. Truck sales, service, and repair, provided there is no outside repair or repair storage.
25. Truck terminals.
26. The following uses of land may be allowed in this district by special use permit when submitted, reviewed, and approved by the Board of Zoning Appeals:
 - A. Amusement parks.
 - B. Collection and distribution of recyclable items.
 - C. Manufactured home sales, subject to the following regulations:
 - 1) **Sales Activities:** In the “C – S” Highway Service District, manufactured home sales activities shall be limited to the display, storage, and sale of completed, undamaged manufactured home units, including all activities necessary to prepare said units for display on the property and transport off the property. Said activities shall include the placement or removal of towing equipment, tires and axles, blocks, skids, jacks, skirting and steps, and the connection and disconnection of utilities. Said activities shall not include construction on or in the manufactured home.
 - 2) **Density:** No more than eight (8) manufactured homes may exist on each acre of property used for manufactured home sales at any given time.
 - D. Miniature golf courses.

22-19.04 INTENSITY OF USE REGULATIONS:

1. Where the lot will be served by public water and sewer, the minimum lot size shall be ten thousand (10,000) square feet.
2. Where water and sewer service will be privately developed on the lot, the minimum lot size shall be eighty thousand (80,000) square feet.

22-19.05 LOT COVERAGE: The principal and accessory buildings shall not cover more than fifty (50) percent of the lot area.

22-19.06 HEIGHT REGULATIONS: No building or structure shall exceed forty-five (45) feet in height.

22-19.07 YARD REGULATIONS:

1. Front Yard:

- A. There shall be a front yard having a depth of not less than twenty-five (25) feet except as required for arterial streets and collector streets in ARTICLE 30.
- B. Where a lot has double frontage or is a corner lot, a front yard shall be provided on both streets. No accessory buildings or structures shall project beyond the setback line of either street.

2. Side Yard: Where a “C – S” Zone abuts any residential District Zone, a side yard of not less than fifteen (15) feet shall be provided. Such side yard shall be completely enclosed with a board fence or other acceptable enclosure which shall be not less than six (6) feet in height.

3. Rear Yard: There shall be a rear yard having a depth of not less than twenty-five (25) feet.

22-19.08 SIGN REGULATIONS: See ARTICLE 26.

22-19.09 PARKING AND LOADING REGULATIONS: See ARTICLE 27.

22-19.10 LANDSCAPING REGULATIONS: See ARTICLE 30

ARTICLE 20

“C – 1” NEIGHBORHOOD SHOPPING DISTRICT

22-20.01 INTENT AND PURPOSE OF DISTRICT: It is the intent of the “C – 1” Neighborhood Shopping District to permit retail sales of convenience goods and services. This district is established for the purpose of providing services to existing and future neighborhoods.

22-20.02 DISTRICT REGULATIONS: In the “C – 1” District, no building shall be used and no building or structure shall be erected, altered, or enlarged, which is arranged, intended, or designed for other than one of the uses listed in § 22-20.03 below.

22-20.03 PERMITTED USES:

1. Banks and other savings and lending institutions, except drive-ins.
2. Barber shops.
3. Beauty shops.
4. Candy and ice cream stores. (except drive-ins)
5. Cleaning and laundry pick-up stations.
6. Custom dressmaking, furrier, millinery, tailor shops. (employing less than five persons)
7. Drug stores.
8. Electric and telephone substations.
9. Fix-it shops. (radio, television and small appliances)
10. Flower and gift shops.
11. Grocery stores. (meat and delicatessen)
12. Hardware stores.
13. Laundry. (self-service)
14. Key shops.
15. Medical, dental and health clinics. (for people only)
16. Messenger and telegraph stations.
17. Newsstands.
18. Non-profit religious, educational and philanthropic institutions.
19. Arts and crafts and art studios.

- 20. Offices - business, professional and public.
- 21. Parks, playgrounds and community buildings.
- 22. Parking lots. (customer and private)
- 23. Photographer studio.
- 24. Portable concession stands subject to the detailed regulations of the City.
- 25. Restaurants and tea rooms. (except for drive-ins)
- 26. Service Stations.
- 27. Shoe repair and shoeshine shops.

22-20.04 INTENSITY OF USE REGULATIONS: Area occupied by buildings in this district shall not exceed forty (40) percent of the ground area on which the building is located.

22-20.05 HEIGHT REGULATIONS: No building shall exceed forty (40) feet in height.

22-20.06 YARD REGULATIONS:

1. Front Yard:

- A. There shall be a front yard having a depth of not less than twenty-five feet except as required in the additional height, area and use regulations of this ordinance for arterial and collector streets.
- B. Where a lot or lots have double frontage, the required front yard shall be provided on both streets.
- C. Where a lot is located at the intersection of two or more streets, there shall be a front yard on each street side of the lot.
- D. No accessory building shall project beyond the front yard line on either street.

2. Side Yard:

- A. There shall be a side yard on each side of a building and said yard shall not be less than ten (10) feet.

3. Rear Yard:

- A. Except as otherwise provided in the additional height, area and use regulations of this Ordinance, there shall be a rear yard for buildings in this district which rear yard shall have a depth of not less than twenty-five (25) feet.

22-20.07 SIGN REGULATIONS: See ARTICLE 26.

22-20.08 PARKING AND LOADING REGULATIONS: See ARTICLE 27

22-20.09 LANDSCAPING REGULATIONS: See ARTICLE 30.

ARTICLE 21

“C – 2” RETAIL BUSINESS DISTRICT

22-21.01 INTENT AND PURPOSE OF DISTRICT: The “C – 2” Retail Business District is intended for the purpose of grouping retail merchandising activities into a concentrated area servicing the general shopping needs of the trade area. Principal permitted uses include department stores, apparel stores, general retail sales and services,, and similar uses appropriate for comparison shopping. The grouping is intended to strengthen the business level of the central business activity.

22-21.02 DISTRICT REGULATIONS: In District “C – 2” no building shall be used and no building or structure altered, enlarged or erected, which is arranged, intended or designed for other than one of the uses listed in § 22-21.03 below.

22-21.03 USE REGULATIONS:

1. Adding machine and other small business machine repair, sales and service.
2. Amusement places.
3. Antique shops and stores, providing all merchandise is displayed and used inside a building.
4. Apparel and accessory stores.
5. Apartments on floors other than the ground floor.
6. Appliance stores.
7. Art, art supply stores, arts and crafts shops.
8. Artist studios.
9. Automobile parking lots and garages.
10. Bakery and pastry shops. (retail only)
11. Banks and other saving and lending institutions.
12. Barber shops, beauty shops, and chiropody, massage or similar personal services.
13. Books and stationery stores.
14. Business and technical schools including schools for photography, dancing and music.
15. Cigar and tobacco stores.
16. Custom dressmaking, millinery, tailoring and similar trades.
17. Delicatessens and catering establishments.
18. Department stores.

19. Drug stores and prescription shops.
20. Dry goods and notion stores. (including coin shops and fabric shops)
21. Electric appliance sales and repair shops.
22. Electric substations, telephone exchange and utility regulator stations.
23. Florist shops and garden shops, retail only.
24. Funeral home and mortuaries.
25. Furniture and home furnishing stores. (retail only)
26. Government buildings, including churches.
27. Grocery, fruit and vegetable stores. (retail only)
28. Hardware stores.
29. Hobby, stamp and coin shops.
30. Hotels and Motels, including accessory uses.
31. Interior decorator's shop.
32. Jewelry and metal craft stores and shops.
33. Laundries and dry cleaning establishments.
34. Leather goods and luggage stores.
35. Libraries
36. Lock and key shops.
37. Lumberyard.
38. Mail order catalog stores.
39. Manufacturing of arts and crafts for retail sale.
40. Medical, dental and health clinics.
41. Medical and orthopedic appliance stores.
42. Meeting halls and auditoriums (including union halls, Elk's Lodge, American Legion Home, VFW, Mason, etc.).
43. Messenger and telecommunication services.
44. Music stores and studios, including repair shops.

45. Newspaper offices.
46. Portable concession stands subject to the detailed regulations of the City.
47. Printing shops and printing supply stores.
48. Newsstands.
49. Offices and Office buildings.
50. Office supply and office equipment sales and service stores.
51. Optician and optometrist shops.
52. Paint, glass and wallpaper stores.
53. Parks and open spaces.
54. Pet shops.
55. Photographic equipment sales and supply stores.
56. Photographic studios.
57. Picture framing shops.
58. Restaurants and tea rooms.
59. Real estate and insurance offices.
60. Rental storage units.
61. Self-service laundries and self-service dry cleaning establishments.
62. Sewing machine shops and stores.
63. Shoe stores.
64. Shoe repair and shoeshine shops.
65. Sporting and athletic goods stores.
66. Taverns.
67. Television and radio sales and service establishments.
68. Theaters.
69. Thrift Shops.
70. Toy Stores.

- 71. Travel Bureaus.
- 72. Utility company offices.
- 73. Variety stores.
- 74. Watch and watch repair shops.
- 75. Accessory uses customarily incidental to the above uses.

22-21.04 INTENSITY OF USE REGULATIONS: No requirements except those to meet fire regulations.

22-21.05 HEIGHT REGULATIONS. No building shall exceed sixty (60) feet in height except as otherwise provided in the additional height, area and use regulations of this Ordinance.

22-21.06 YARD REGULATIONS.

- 1. Front Yard: No front yard is required for any building in the “C – 2” Retail Business District.
- 2. Side Yard: No side yard is required for any building in the “C – 2” Retail Business District.
- 3. Rear Yard: All buildings erected after the effective date of this Ordinance shall provide a 15-foot rear yard.

22-21.07 PRECISE PLAN OF DESIGN REQUIREMENT AND PROCEDURE.

- 1. Purpose. It is hereby found and declared that the City of Lindsborg lies in a natural setting of scenic and historical beauty; that this natural setting of scenic and historical beauty generates a strong characteristic for development of this community; that the locale of the City of Lindsborg in an area of beautiful scenic environment and historically significant location contributes a material economic advantage to the citizens, business and industry within the City and particularly to the property owners who reside therein; that the development of the community in an orderly manner with compatible uses and appearance of structures within and between zones and with the natural environment is necessary to maintain property values, to encourage permanency of desirable residential area, to promote trade and commerce, to stimulate tourism, and to assure a continuation of sound economic growth of the City and the well-being of its economy and its people.

While encouraging the broadest possible range of individual and creative design and without depriving a property owner of an efficient and full use thereof which is otherwise lawfully allowed, the use and development of property located within the downtown commercial district in the City of Lindsborg shall be regulated by precise plans. A precise plan is found to be necessary to assure that the nature and appearance of any use and development will be compatible and harmonious with the use and enjoyment of surrounding properties and will not have a material or substantially deleterious effect upon the historic, economic, social, and cultural well-being and development of the community for the peace, health, safety, and general economic welfare of its habitants.

- 2. Design Review Board Established. A Design Review Board is hereby created. Such Board shall consist of five members all of whom shall be taxpayers and residents of the City. They shall be appointed by the mayor and with the consent of the City Council. One member of the Board shall

be a member of the Planning Commission, and two members shall be owners or operators of currently active business concerns located within the territorial jurisdiction of the Precise Plan of

Design. One member of said Board shall be appointed to serve for a period of one year, two for a period of two years, and two for a period of three years. Thereafter, appointments shall be made for three years. Vacancies shall be filled by appointment, by the same authority, for the unexpired term only. Members of the Board shall serve without compensation.

- A. The Board shall annually elect one of its members as chairman, and shall appoint a secretary who may be an officer or an employee of the City.
 - B. The Board shall adopt bylaws and rules of procedure for the conduct of business.
 - C. Meetings of the Board shall be held at the call of the chairman and at such other times as the Board may determine.
 - D. The Board shall keep minutes of its proceedings, showing evidence presented, findings of fact by the Board, decisions of the Board and voting upon each question. Records of all official actions of the Board shall be filed in its office and shall be a public record.
 - E. A majority of members of the Board shall constitute a quorum and a majority of those present shall be necessary for the approval of an item of business.
3. Precise Plan of Design Required. No person shall modify the exterior appearance of any building or structure, nor shall any building permit be issued for the erection or modification of any building or structure, nor shall any sign be erected or placed in use, unless a precise plan of design describing said modification, erection or sign shall have been submitted and approved as hereinafter stated.
4. Guidelines and Standards. A precise plan of design shall be drawn to scale of one inch equals thirty feet (1" = 30') or other scale acceptable to the Design Review Board and shall specify and include:
- A. The location, size, height, and number of stories of all buildings and structures, including signs, walls, and fences;
 - B. The location, size, dimensions of yards, courts, and setbacks, and all other open spaces between buildings and structures;
 - C. The location, size, dimensions, and type of construction of all driveways, parking areas, walkways and means of access, ingress and egress, drainage;
 - D. The locations, dimensions, and methods of improvement of all property to be dedicated to the public or public utilities; and
 - E. All exterior elevations and architectural features, the nature, texture, and color of all materials to be used, including signs; the locations, type, and intensity of all exterior lighting; and the intent, location and nature of all landscaped areas and landscape materials.
5. Appearance Guidelines.
- A. To implement the intent and purpose of this Article, the City Council shall adopt Appearance Guidelines to be used in the review process for each precise plan of design submitted. These Appearance Guidelines shall set forth acceptable colors, materials and construction techniques for the "C - 2" District. In order to facilitate development of the "C - 2" District, and to provide for unique and artistic designs for buildings, structures and signs

therein, these Appearance Guidelines shall not be construed as mandatory requirements, but are only to present examples of acceptable design.

- B. In applying these Appearance Guidelines to precise plans of design submitted for approval, the City Administrator and Design Review Board shall consider: The nature of specific uses and the requirements of utility with respect to the structures proposed for uses; site dimensions with relation to the structures proposed and the required utility thereof; the adequacy and conformity and harmony of external design, colors, materials, and architectural features with neighboring structures and natural environment; the effect of the location and use of the improvements proposed on the parcel with improvements existing or permitted on neighboring sites; the proximity of parcels to surrounding property zones for less dense use, particularly residential; the relation of topography, grade, and finish ground elevation of the site being improved to that of neighboring sites; and the proper facing of main elevation with respect to nearby streets and improvements on neighboring sites; and any other matter relevant to assure the purpose specified above.
6. Procedure.
- A. When required by 3. above, a precise plan of design shall be filed with the City Administrator for approval by the Design Review Board.
 - B. When the precise plan of design, as filed, complies with all applicable conditions of this ordinance, and further obviously complies with the Appearance Guidelines adopted by the City Council, the City Administrator may approve said plan on behalf of the Design Review Board.
 - C. If the City Administrator fails to approve a precise plan of design within ten (10) calendar days of the filing date, the plan shall be considered by the Design Review Board at a public hearing, to be held within twenty (20) calendar days of the date of filing. Notice of the time and place of said hearing shall be given to all the owners and commercial tenants of land located within one hundred (100) feet of the property for which the precise plan of design is submitted, at least 3 days prior to said hearing.
 - D. At said hearing, the Design Review Board shall review the precise plan of design, and afford those present the opportunity to be heard on the merits of the plan. The Design Review Board shall review the precise plan of design to insure that the functional arrangement and the general appearance of the structure or sign conforms to the intent and purposes of this article and the Appearance Guidelines.
 - E. The precise plan of design, as submitted, may be disapproved, conditionally approved, or modified if the Design Review Board finds that the plan:
 - 1) Would substantially depreciate property values in the vicinity; or
 - 2) Would be substantially and materially incompatible with the natural environment and beauty of surrounding properties in the City in particular and the surrounding area in general; or
 - 3) Would deter an orderly and attractive development of the community in general and surrounding property in particular; or
 - 4) Would otherwise adversely affect the public, peace, safety or general economic welfare; or

5) Would not materially comply with the adopted guidelines and standards; or if none of these findings is made, the plan shall be approved.

E. If a precise plan of design is not approved, the Design Review Board, within ten (10) days of the termination of the public hearing thereon, shall provide the applicant with a written statement of the decision and set forth therein the reason (s) for the decision.

7. Appeal Procedure.

A. An appeal of the decision of the Design Review Board may be taken to the Board of Zoning Appeals by any party aggrieved thereby. The Board of Zoning Appeals shall have the authority to reverse or remand a decision on appeal, only if it finds that:

- 1) The procedures specified in this article have not been properly applied; or
- 2) The Decision by the Design Review Board constitutes an abuse of discretion, or is arbitrary and capricious.

B. An appeal must be filed within twenty (20) days receipt by the applicant of the written decision of the Design Review Board. To constitute filing a written Notice of Appeal, stating precisely the grounds of appeal, shall be presented to the City Administrator, together with a filing fee of \$50.00, which fee shall be waived if the appellant is the City or an agency thereof.

C. A hearing on the appeal shall be held within twenty (20) days of filing, and notice of the time and place of said hearing shall be given to the appellant, within ten (10) days of the hearing.

D. A decision on the appeal shall be rendered, in writing, to the appellant, within ten (10) days of the hearing.

E. The appeal procedure stated in the article shall be the exclusive procedure for appeal of a decision on a precise plan of design, notwithstanding any other provisions of this Zoning Ordinance.

8. Precise Plan.

A. When the precise plan of design complies with all applicable conditions and limitations of this Ordinance, the Design Review Board shall approve the plan without holding a Public Hearing. If the Review Board does not approve the plan within ten (10) days of the filing date, the Board shall schedule the plan for a Public Hearing in accordance with the procedures of Section 6 above.

B. For each precise plan of design requiring review by the Design Review Board, a Public Hearing shall be held not more than thirty (30) days from the date of filing. The Board shall review the precise plan to insure that the functional arrangement and the general appearance of the structure conforms to the intent and requirements of this article. The Board may approve, disapprove, conditionally approve, or modify the precise plan. The precise plan of design as submitted may be disapproved, conditionally approved, or modified if the Design Review Board or City Council finds that the design:

- 1) Would substantially depreciate property values in the vicinity; or

- 2) Would be substantially and materially incompatible with the natural environment and beauty of surrounding properties in the City in particular and the surrounding area in general; or
 - 3) Would deter an orderly and attractive development of the community in general and surrounding property in particular; or
 - 4) Would otherwise adversely affect the public, peace, safety, or general economic welfare; or Would not materially comply with the adopted guidelines and standards.
 - 5) Would not materially comply with the adopted guidelines and standards.
 - 6) A precise plan of design may be approved and adopted subject to the granting of a change of zone, variance, or the approval of a final subdivision map. The Planning Commission of the City Council may require an approved precise plan of design to be submitted prior to the granting of a zoning variance.
- C. Within thirty (30) days after the termination of the Public Hearing and if a precise plan of design is in any way rejected, conditionally approved, or modified without the consent and approval of the applicant, the Design Review Board shall by Resolution render its decision and set forth the reasons for the action taken. The Resolution is effective upon its adoption.
- D. Not later than ten (10) calendar days following the date the Resolution is adopted, a copy of the Resolution shall be mailed to the applicant.
- E. Within twenty (20) days after the effective date of the Resolution the applicant or any person or political entity aggrieved may appeal the Design Review Board's decision to the Board of Zoning Appeals.

22-21.08 SIGN REGULATIONS. All signs erected hereafter in this district shall conform to the "Precise Plan of Design" required in Section 3 above.

22-21.09 PARKING REGULATIONS. No parking required.

22-21.10 PARKING AND LOADING REGULATIONS. See **ARTICLE 27.**

ARTICLE 22

“C – 3” GENERAL BUSINESS DISTRICT

22-22.01 INTENT AND PURPOSE OF DISTRICT: The “C – 3” General Business District is intended for the purpose of providing for general business expansion outside the central business district. Floor area is restricted and off-street parking and landscaping are required in order to reduce possible adverse effects on adjacent properties.

22-22.02 DISTRICT REGULATIONS: In District “C – 3” no building shall be used, and no building or structure shall be erected, altered or enlarged, which is arranged, intended or designed for other than one of the uses provided in § 22-22.03.

22-22.03 USE REGULATIONS: Only the following uses shall be permitted in District “C – 3”.

1. Adding machine and other small business machine repair, sales and service.
2. Amusement places.
3. Antique shops and stores, providing all merchandise is displayed and used inside a building.
4. Apartments on floors other than the ground floor.
5. Arts and crafts and artist studios.
6. Automobile accessory and supply stores.
7. Automobile sales and service.
8. Bicycle and motorcycle shops.
9. Bowling alleys and recreational buildings.
10. Building materials and supply.
11. Business and technical schools including schools for photography, dancing and music.
12. Car washers.
13. Churches and similar places of worship and parish houses.
14. Commercial recreation uses. (Bowling alleys, miniature golf courses and similar uses)
15. Electric substations, telephone exchange and utility regulator stations.
16. Farm implement sales and service.
17. Fix-it shops. (radio, television, and small household appliances)
18. Furniture, appliances and home furnishing stores.

19. Garage and automobile repair shops, including automobile body and fender work and automobile painting.
20. Grocery stores.
21. Heating, plumbing and air conditioning shops, providing all merchandise is located in a building.
22. Hotels and motels, including accessory uses.
23. Household appliance stores.
24. Insurance offices.
25. Liquor Stores.
26. Mini-warehouses, self storage.
27. Office supply and office equipment sales and service stores.
28. Parks, playgrounds and community buildings.
29. Parking lots. (customer and private)
30. Pawn shops.
31. Portable concession stands subject to the detailed regulations of the City.
32. Rental storage units.
33. Restaurants.
34. Service Stations.
35. Small precision component parts manufacturing.
36. Storage units.
37. Truck terminals.
38. Truck sales and service.
39. Tavern.

22-22.04 INTENSITY OF USE REGULATIONS:

1. Every lot shall have an area of not less than 5,000 square feet and an average width of not less than 50 feet.
2. The total ground area occupied by buildings and structures shall not exceed 40 percent of the total area. For the purpose of this regulation, total ground area shall include all areas to be devoted to public open spaces, sidewalks or open courts.

22-22.05 HEIGHT REGULATIONS: No building or structure shall exceed forty-five (45) feet in height.

22-22.06 YARD REGULATIONS:

1. Front Yard:

- A. There shall be a front yard having a depth of not less than 25 feet except as required for arterial streets and collector streets in ARTICLE 30.
- B. Where a lot has double frontage or is a corner lot, a front yard shall be provided on both streets. No accessory buildings or structures shall project beyond the front line of either street.

2. Side Yard and Rear Yard:

- A. Where a "C – 3" Zone abuts on "R", "R-1", "R-2", "R-3", "PUD", "M-H" District Zones a side and or rear yard of not less than 15 feet shall be provided.

22-22.07 SIGN REGULATIONS: See ARTICLE 26.

22-22.08 PARKING & LOADING REGULATIONS: See ARTICLE 27.

22-22.09 LANDSCAPING REGULATIONS: See ARTICLE 30.

ARTICLE 23

“I – 1” LIGHT INDUSTRIAL DISTRICT

22-23.01 INTENT AND PURPOSE OF DISTRICT: The “I-1” Light Industrial District is intended for the purpose of allowing certain industrial uses which do not:

1. Require intensive land coverage.
2. Generate large volumes of vehicular traffic.
3. Create obnoxious sounds, glare, dust or odor.

Height and land coverage are controlled to insure compatibility with adjoining uses.

22-23.02 DISTRICT REGULATIONS: In District “I-1”, no building or land shall be used and no building or structure shall be erected, altered or enlarged, which is arranged, intended or designed for other than one of the uses listed in this article.

22-23.03 USE REGULATIONS:

1. Animal hospitals or clinics.
2. Bait and fishing tackle and related services.
3. Bottling works.
4. Building material sales. (except for ready-mix concrete and similar uses which emit dust, odor or smoke)
5. Carpenter, cabinet, plumbing or sheet metal shops.
6. Contractor’s office and equipment storage yard, providing the storage yard is completely enclosed with a six-foot solid fence or wall.
7. Dog kennels.
8. Dry cleaning and or laundry plants.
9. Frozen food lockers.
10. Greenhouses and nurseries, retail and wholesale.
11. Light manufacturing operations, providing that such use is not noxious or offensive by reason of vibration or noise beyond the confines of the building or emission of dust, fumes, gas, odor or smoke.
12. Machinery sales and storage lots.
13. Mini-warehouses, self storage.
14. Monument sales and storage lots.

15. Motor vehicle and farm implement sales and storage.
16. Public utility and public service uses as follows:
 - A. Electric Power Plants.
 - B. Substations.
 - C. Railroads.
 - D. Telephone exchanges, micro-wave towers, radio towers.
 - E. Television towers, telephone transmission buildings.
 - F. Public utility storage yards.
17. Restaurants.
18. Service stations, including convenience food services.
19. Sign printing and manufacturing.
20. Truck and rail terminals.
21. Upholstery shops.
22. Warehouses or storage houses.
23. Wholesale merchandise sales and storage.

22-23.04 INTENSITY OF USE REGULATIONS:

1. A building structure or use allowed in this district may occupy all that portion of the lot except for that area required for off-street parking and off-street loading and unloading and their access roads and as otherwise required in this article.
2. In the case where the required off-street parking and/or loading and unloading will be provided within the building or structure, then the structure may cover the entire lot except as otherwise required in this article.

22-23.05 HEIGHT REGULATIONS

When a building or structure is within one hundred fifty feet of a residential district zone, said building or structure shall not exceed forty-five (45) feet in height.

22-23.06 YARD REGULATIONS:

1. Front Yard:
 - A. A front yard of thirty (30) feet shall be required for uses permitted in this district except as provided in the additional height, area and use regulations of this Ordinance.

2. Side Yard and Rear Yard:

- A. No side yard or rear yard shall be required for uses in this district except where such use abuts a residential district zone, in which case there shall be required fifteen (15) feet of side and or rear yard on the side of the lot and or on the rear of the lot which abuts the residential district; said fifteen feet shall contain a fence or wall and a shrub border to screen residential zoned property from the proposed use. The wall and shrub border shall be adequately maintained by the property owner.

3. Rear Yard:

- A. A rear yard of fifteen (15) feet shall be required.

22-23.07 PARKING REGULATIONS: Uses allowed in this district shall provide one off-street parking space for each one thousand square feet of gross floor area. Said parking spaces shall be provided within two hundred feet from the proposed structure.

- 1. Plans and approval required. Plans showing layout and design of all required off-street parking areas shall be submitted and approved by the Building Official, prior to issuing a building permit. Before approving the parking layout, the Building Official shall satisfy himself that the spaces provided are usable and meet standard design criteria. All required off-street parking area, including access drives, shall be improved with asphalt, concrete or similar dust-free surface and all parking spaces shall be clearly marked.
- 2. Performances. In lieu of construction of the required parking lot, the Governing Body of the City may accept a corporate surety bond, cashier's check, escrow account or other like security in an amount to be fixed by the Governing Body and conditioned upon the actual completion of such work or improvement, within a specified time, and the Governing Body may enforce such bond by all equitable means.
- 3. Exceptions. Off-street parking requirements in this district may be waived by the Governing Body when it can be established that off-street parking, to satisfy the above requirement is provided or is available, either private or public, on adjoining property or within one hundred fifty (150) feet of the proposed use. In determining whether or not sufficient off-street parking is available to satisfy the requirements of this section, vacant land or spaces allotted to other uses shall not be considered.

22-23.08 TRAFFIC REGULATIONS:

- 1. No loading or unloading operation shall be permitted in the right-of-way of any street or alley.
- 2. Curb cuts for access to parking and loading and unloading areas shall be first approved by the City. In making application for such curb cuts, the applicant shall present his proposal in writing and provide the City with sufficient plans showing location, width and type surface proposed across the public right-of-way.

22-23.09 SIGN REGULATIONS: See ARTICLE 26.

22-23.10 PARKING & UNLOADING REGULATIONS: See ARTICLE 27.

22-23.11 LANDSCAPING REGULATIONS: See ARTICLE 30.

ARTICLE 24

“I – 2” HEAVY INDUSTRIAL DISTRICT

22-24.01 INTENT AND PURPOSE OF DISTRICT. The “I-2” Heavy Industrial District is intended for the purpose of allowing basic or primary industries which are generally not compatible with residential and or commercial activity. Certain extremely obnoxious or hazardous uses will require special permission to locate in this district.

22-24.02 DISTRICT REGULATIONS: In District “I-2”, no building or land shall be used and no building or structure shall be erected, altered or enlarged, which is arranged, intended, or designed for other than one of the uses listed in this article.

22-24.03 USE REGULATIONS: All uses listed in “I-1” Light Industrial District

1. Auto sales and repair.
2. Blacksmith and welding shops.
3. Building materials, storage and sales.
4. Contractor’s office and equipment storage yard.
5. Electric Power Plants.
6. Feed and seed stores.
7. Grain elevators.
8. Lumber yards.
9. Manufacturing, processing or fabrication establishments which are not noxious or offensive by reason of vibration, noise, dust fumes, gas, odor or smoke.
10. Mini-warehouses, self storage.
11. Mobile home manufacture, sales, and storage.
12. Poultry storage or slaughtering.
13. Public utility and public service uses.
14. Radiator repair shops.
15. Storage yards providing the storage yard is completely enclosed with a six-foot fence or wall.
16. Wholesale houses.
17. The following uses of land may be allowed in this district by special use permit when submitted, reviewed and approved by the Board of Zoning Appeals.

- A. Automobile wrecking yard, junk yards and scrap processing yards when said yard is completely enclosed with a six foot solid fence and no junk or scrap is stored outside the fence or wall, subject, however, to the restrictions in the article on the Board of Zoning Appeals.
- B. Petroleum and natural gas refining and processing.
- C. Stockyards and slaughter houses.
- D. Ready-mix concrete and asphalt mix plants.
- E. Storage of bulk oil, gas and explosives.
- F. Other uses which may be noxious or offensive by reason of the emission of odor, dust, smoke, gas, noise or vibration.

22-24.04 INTENSITY OF USE REGULATIONS:

- 1. A building, structure or use allowed in this district may occupy all that portion of a lot except for the area required for off-street parking, off-street loading and unloading and their access roads and or arterial or collector streets in **ARTICLE 30**.
- 2. In the case where the required off-street parking and or loading and unloading will be provided within the building or street, then the building or structure may cover the entire lot except as required for arterial and or collector streets in **ARTICLE 30**.

22-24.05 HEIGHT REGULATIONS:

- 1. When a building or structure is within 150 feet of a residential district zone, said building or structure shall not exceed 45 feet in height.
- 2. When a building or structure is more than 150 feet from a residential district zone, said building or structure height shall not exceed 150 feet and shall not conflict with airport approach zones.

22-24.06 YARD REGULATIONS:

- 1. Front Yard:
 - A. No front yard shall be required for uses permitted in this district, except as required for arterial or collector streets in **ARTICLE 30**.
- 2. Side Yard:
 - A. No side yard shall be required for uses in this district except where such use abuts a residential district zone, in which case there shall be required 15 feet of side yard on the side of the lot which abuts the residential district.
- 3. Rear Yard:
 - A. A rear yard of 15 feet shall be required.

22-24.07 SIGN REGULATIONS: See ARTICLE 26.

22-24.08 PARKING & LOADING REGULATIONS: See ARTICLE 27.

22-24.09 LANDSCAPING REGULATIONS: See ARTICLE 30.