

CHAPTER 10-02. ESTABLISHMENT OF ZONING DISTRICTS

DIVISION 10-02-001. ESTABLISHMENT OF ZONING DISTRICTS

10-02-001-0001. ESTABLISHMENT OF ZONING DISTRICTS:

The incorporated areas of the City of Flagstaff, Arizona are hereby divided into zoning districts of such number and character as are necessary to achieve compatibility of uses within each district; to implement the adopted City of Flagstaff General Plan, known as the *Growth Management Guide 2000*; and to achieve the other purposes of this Ordinance. (See Chapter 10-01.)

DIVISION 10-02-002. ZONING DISTRICTS

10-02-002-0001. ZONING DISTRICTS:

For the purpose of this Ordinance, all land and water areas in the City are divided into eighteen (18) zoning districts designated as follows, plus seventeen (17) Established zoning districts described in Division 10-02-005. (Ord. 2007-42, 11-20-2007)

Rural/Open Space Districts:

- Rural Residential (RR) District
- Public Lands (PL) District
- Public Lands Forest (PLF) District

Residential Districts:

- Estate Residential (ER) District
- Suburban Residential (SR) District
- Residential (R1) District
- Urban Residential (UR) District
- Medium Density Residential (MR) District
- High Density Residential (HR) District
- Manufactured Housing (MH) District

Commercial Districts:

- Suburban Commercial (SC) District
- Urban Commercial (UC) District
- Residential Business (RB) District

Industrial and Facility Districts:

- Business Park (BP) District
- Business Park Intermediate (BPI) District (Ord. 2002-15, 11-05-02)
- Light Industrial (LI) District
- Heavy Industrial (HI) District
- Airport Overlay (AO) District

The following additional zoning districts are also established in the City:

- Historic Design Review Overlay (HDRO) District (Ord. 1956, 10-7-97)
See Section 10-02-004-0006 and Chapter 10-15.

- Townsite Historic Design Review Overlay (THDRO) District (Ord. 2007-34, 06-19-2007)
See Section 10-02-004-0007 and Chapter 10-15.

- Landmarks Design Review Overlay (LDRO) District (Ord. 2008-10, 03-18-2008)
See Section 10-02-004-0008 and Chapter 10-15.

- Traditional Neighborhood (TND) District (Ord. 2007-42, 11-20-2007)
See Section 10-02-004-0009 and Chapter 17.

- Established Development Districts
See Division 10-02-005.

DIVISION 10-02-003. MAP OF ZONING DISTRICTS

10-02-003-0001. MAP OF ZONING DISTRICTS:

- A. Zoning districts established by this Ordinance are bounded and defined as shown on the Zoning Map of the City of Flagstaff which, together with all explanatory materials contained thereon, are hereby made a part of this Ordinance.
- B. INTERPRETATION OF ZONING DISTRICT BOUNDARIES. The following rules shall be used to determine the precise location of any zoning district boundary shown on the Zoning Map of the City of Flagstaff:
 - 1. Boundaries shown as following or approximately following the limits of any municipal corporation shall be construed as following such limits.
 - 2. Boundaries shown as following or approximately following streets and alleys shall be construed as following the centerlines of such streets and alleys.
 - 3. Boundary lines shown as following or approximately following platted lot lines or other property lines as shown on the City of Flagstaff subdivision plat maps shall be construed as following such lines.
 - 4. Boundaries shown as following or approximately following the centerlines of streams and rivers shall be construed as following the channel centerline of such water courses. In the event of a natural change in the location of such streams, rivers, or other water courses, the zoning district boundary shall be construed as moving with the channel centerline.
 - 5. Boundaries defined by the legal descriptions accompanying Zoning Map amendment ordinances shall be construed as following such limits.
 - 6. Boundaries shown as separated from, and parallel or approximately parallel to, any of the features listed in Paragraphs 1. through 4. above, shall be construed to be parallel to such features and at such distances there from as are shown on the Zoning Map.
 - 7. Where a street or alley is officially vacated, the property formerly located in such street or alley shall be included within the zone of the adjoining property on either side thereof. In the event such new street or alley was a boundary between two (2) or more different zones, the new zone boundary shall be the former centerline of such vacated street or alley, provided no new parcels are created.
- C. The Airport Overlay (AO) District boundaries shall be based upon airport noise impact area maps and clear zone area maps of the Airport Master Plan adopted by the City of Flagstaff. Boundaries shall be subject to periodic updating and amendment of the Airport Master Plan. The Airport Overlay (AO) District shall be established in like manner as any other zoning district permitted by this Ordinance.

DIVISION 10-02-004. STATEMENT OF PURPOSE AND INTENT OF ZONING DISTRICTS

10-02-004-0001. STATEMENT OF PURPOSE AND INTENT OF ZONING DISTRICTS:

The zoning districts of the Zoning Ordinance of the City of Flagstaff are divided into five (5) zoning district types including rural/open space districts, residential districts, commercial districts, industrial and facility districts, and existing development conservation districts. The following sections specify the purpose and intent of each of the new zoning districts established by this Ordinance. Division 10-02-005 outlines the zoning districts that encompass the established developed areas of the City, including vacant areas within those districts.

10-02-004-0002. RURAL/OPEN SPACE DISTRICTS:

The Rural/Open Space Districts are intended to preserve both the private and public open space areas of the City of Flagstaff allowing limited residential development within the Rural Residential (RR) District areas. There are three Rural/Open Space Districts: the Rural Residential (RR) District and two (2) Public Lands (PL) Districts.

- A. RURAL RESIDENTIAL (RR) DISTRICT. The Rural Residential (RR) District is intended for use in rural parts of the City to provide both housing and limited agricultural uses in those non-urban areas of the City which cannot be economically and efficiently provided with all those City services which are necessary for urban living. As a residential district it is primarily designed for the utilization and enjoyment of the City's unique mountain environment with a minimum of municipal services and improvements. These areas are designated "VL", Very Low Density Residential, on the City's General Plan/Land Use Plan. This district is also intended to be used to protect against premature development in areas on the fringe of the urban service area to which the City is unable to extend urban services, such as water and other services that would make the land suitable for more intensive development for general urban uses. In this sense the RR District may be considered a "holding zone" for vacant lands until such time as circumstances warrant more intensive development which would require a zoning change. These areas are designated in categories other than "VL" on the Land Use Plan. In all cases the City's General Plan and its Land Use Plan shall guide appropriate densities and development options in the RR District. (Ord. 1997, 6-15-99)
- B. PUBLIC LANDS (PL) DISTRICT. Public lands, or those lands held in ownership of public or quasi-public agencies, constitute a large area of the City of Flagstaff and are, therefore, set aside in a district reflective of the present and potential land uses of this public land. The Public Lands (PL) District is intended to preserve or encourage the continuation of open space and other public lands in designated areas of the City of Flagstaff.
- C. PUBLIC LANDS FOREST (PLF) DISTRICT. This district is intended for use in areas of the City for U.S. Forest, state, county, and municipal permanent forest preserve lands that do not allow development of any kind. This district is further intended to promote the management and preservation of forest types which form a part of the unique environmental characteristics of the City. This designation is further intended to separate these uses from customary urban uses.

10-02-004-0003. RESIDENTIAL DISTRICTS:

The Residential Districts are intended to provide areas for new residential development and preserve or encourage the continuation of residential uses in designated areas of the City of Flagstaff. There are seven (7) Residential Districts: the Estate Residential (ER) District, the Suburban Residential (SR) District, the Residential R1 District, the Urban Residential (UR) District, the Medium Density Residential (MR) District, the High Density Residential (HR) District, and the Manufactured Housing (MH) District. The various housing types mentioned in this Section are described in Chapter 10-05, as are several other housing types. The types mentioned below and in Chapter 10-05 are only suggested housing options. Other housing types and development options will also be considered subject to approval by the Planning Director. (Ord. 1997, 6-15-99)

- A. ESTATE RESIDENTIAL (ER) DISTRICT. The Estate Residential (ER) District is intended to provide for estate-type housing on large lots. The district is intended to encourage landscaping and buffers that make this district look as rural in appearance as possible. The cluster options in this district are further intended to promote natural resource protection for use in the more rural part of the City of Flagstaff. This district is primarily designed for the utilization and enjoyment of the City's unique mountain environment. Where substantial areas of open space are provided, this district permits single-family dwellings of the single-family detached cluster house, lot-line house, village house, twin house, patio house, and atrium house types in planned developments. Land subdivided or developed within this district shall be served by public water and sewer facilities, except for existing lots of record. (Ord. 2000-08, 6/6/00)
- B. SUBURBAN RESIDENTIAL (SR) DISTRICT. The Suburban Residential (SR) District is intended to provide for development in areas where the development pattern is already suburban in character. The single-family lots are large enough to permit the development of forested areas of the City into suburban residential areas with a density that will foster good urban development while retaining the natural beauty and the environment of the City. The district permits low to moderate density development. Where substantial areas of open space are provided, this district permits single-family dwellings of the single-family detached cluster house, lot-line house, village house, twin house, patio house, and atrium house types in planned developments. Land subdivided or developed within this district shall be served by public water and sewer facilities. (Ord. 2000-08, 6/6/00)
- C. RESIDENTIAL (R1) DISTRICT. The Residential (R1) District is intended to provide for areas in which the principal land use is single-family residential. It is also intended that this district be used to allow for the development of single-family dwellings of the single-family detached house, lot-line house, village house,

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patio house, and atrium house types, as well as other types listed as Planned Options in Chapter 10-05. The atrium form of housing is intended to be used in transitional areas to buffer single-family from non-residential or multiple-family districts. Using this housing type along the edge of the lot also protects areas with sensitive environmental characteristics. Land subdivided or developed within this district shall be served by public water and sewer facilities. (Ord. 2000-08, 6/6/00)

- D. **URBAN RESIDENTIAL (UR) DISTRICT.** The Urban Residential District (UR) is intended to provide high quality, low to moderate density residential areas where the principal land use is residential. This district is further intended to provide for greater design flexibility for residential development and more efficient and effective use of open space. It is also intended that this district allow for the development of slightly higher density dwellings of the single-family detached house, lot-line house, village house, patio house, twin house, duplex, triplex, atrium house, weak-linked townhouse, townhouse, deck townhouse, and terrace house types. These options also include "luxury" and "planned affordable" developments. A planned affordable development is similar to a standard planned development but is allowed a higher gross density under the guidelines established by this Ordinance. Land subdivided or developed within this district shall be served by public water and sewer facilities. (Ord. 2000-08, 6/6/00)
- E. **MEDIUM DENSITY RESIDENTIAL (MR) DISTRICT.** The Medium Density Residential (MR) District is intended to provide for areas in which the principal land use is moderate density residential. It is also intended that this district be used to allow for the development of single-family dwellings of the detached house, lot-line house, village house, duplex, triplex patio house, atrium house, weak-link townhouse, and townhouse types. This district also allows planned affordable development which is similar to a standard planned development but is allowed a higher gross density under the guidelines established by this Ordinance. Land subdivided or developed within this district shall be served by public water and sewer facilities. (Ord. 2000-08, 6/6/00)
- F. **HIGH DENSITY RESIDENTIAL (HR) DISTRICT.** The High Density Residential (HR) District is intended to provide for multiple-family residential areas in which the principal land use is high density residential. The district is intended to provide an environment having maximum living amenities on site while providing affordable housing as an option. The district permits all dwelling unit types in Division 10-05-003 except for cluster and manufactured housing, so as to provide a high density residential that meets the needs of the residents of the City of Flagstaff. This district also allows planned affordable development which is similar to a standard planned development but is allowed a higher gross density under the guidelines established by this Ordinance. Land subdivided or developed within this district shall be served by public water and sewer facilities. (Ord. 2000-08, 6/6/00)
- G. **MANUFACTURED HOUSING (MH) DISTRICT.** The Manufactured Housing (MH) District is intended to provide for the orderly planned development of manufactured housing parks and subdivisions to accommodate manufactured houses and for related accessory uses that are incidental and not detrimental to the residential environment. Land subdivided or developed within this district shall be served by public water and sewer facilities. (Ord. 2000-08, 6/6/00)

10-02-004-0004. COMMERCIAL DISTRICTS:

The Commercial Districts are intended to preserve or encourage the continuation of commercial uses in designated areas of the City of Flagstaff. There are three (3) Commercial Districts: the Suburban Commercial (SC) District, the Urban Commercial (UC) District, and the Residential Business (RB) District.

- A. **SUBURBAN COMMERCIAL (SC) DISTRICT.** The Suburban Commercial (SC) District is intended to provide for convenience and neighborhood commercial uses in areas with suburban character by controlling the intensity of use and landscaping. The uses should provide for retail and service establishments which supply commodities or perform services meeting the needs of the neighborhood. The district encourages the orderly development of dispersed commercial areas. In addition, the district is intended to allow for high-density residential uses in the form of multi-family housing, including apartments and condominiums. The provisions of this district ensure that such commercial district will be compatible with adjacent, non-commercial development and will minimize the undesirable effects of heavy traffic, type of activity, and site development requirements. (Ord. 2007-20, 3-20-07)

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- B. **URBAN COMMERCIAL (UC) DISTRICT.** The Urban Commercial (UC) District is intended to provide for a full range of services for the auto oriented public and to meet community and regional needs. In addition, the district is intended to allow for residential uses in the form of apartments, condominiums, and multi-family housing. The provisions of this district are also intended to provide for convenient, controlled access and parking, particularly in the newly developing areas of the City. These areas are primarily developing at the entrances of the City, and are intended to make the City of Flagstaff more attractive as a tourist destination while providing needed commercial activity. (Ord. 2007-20, 3-20-07)
- C. **RESIDENTIAL BUSINESS (RB) DISTRICT.** The Residential Business (RB) District is intended to provide for the stable mixing of residential use with low-intensity small scale business uses. Most of these areas have a predominantly single-family character, but are under economic pressure to transition to commercial areas. These neighborhoods may accept the conversion of homes to other uses or the development of modest scale buildings that are similar to those in the area. The conversion or construction of land uses of a higher level of intensity, such as commercial or office-related or even small attached housing units, is acceptable as long as the scale and landscape character of the neighborhood is not destroyed. In addition, the district is intended to allow for residential uses in the form of multi-family housing, including apartments and condominiums. Other housing types are allowed by right or as a conditional use. The district is further intended to minimize, through appropriate standards, the potential adverse impacts of such land use changes upon the surrounding neighborhood areas. (Ord. 2007-20, 3-20-07)

10-02-004-0005. INDUSTRIAL AND FACILITY DISTRICTS:

The Industrial and Facility Districts are intended to preserve or encourage the continuation of industrial- and facility-related uses in designated areas of the City of Flagstaff. There are five (5) Industrial and Facility Districts: the Business Park (BP) District, the Business Park Intermediate (BPI) District, the Light Industrial (LI) District, the Heavy Industrial (HI) District, and the Airport Overlay (AO) District. (Ord. 2002-15, 11-05-02)

- A. **BUSINESS PARK (BP) DISTRICT.** The Business Park (BP) District is intended to provide for the development of a mix of office, research and production, and quality light industrial uses with the emphasis on office and research uses. The uses are to be grouped in a campus or park-like setting and shall be performed or carried out entirely within a completely enclosed building. The district is further intended to promote the provision of ample off-street parking and loading areas, open space, and landscape buffers in areas adjacent to non-business development or other incompatible land uses. In addition, the district is intended to allow for residential uses in the form of multi-family housing, including apartments and condominiums. (Ord. 1741, 3-17-92) (Ord. 2007-20, 3-20-07)
- B. **BUSINESS PARK INTERMEDIATE (BPI) DISTRICT.** The Business Park Intermediate (BPI) District is intended to provide for the development of uses similar to, but more intensive than, the Business Park (BP) District, including selected light industrial uses not permitted in the BP District, as permitted uses (some as conditional uses) in the BPI District. All such uses would be in completely enclosed buildings, and the performance standards (e.g., floor area ratio) and resource protection standards, are different from the BP District. (Ord. 2002-15, 11-05-02)
- C. **LIGHT INDUSTRIAL (LI) DISTRICT.** The Light Industrial (LI) District is intended to provide for manufacturing, industrial, warehousing, and related uses with limited and screened exterior storage. It may be used as a transitional district between commercial and Heavy Industrial District areas, or as a free-standing industrial district.
- D. **HEAVY INDUSTRIAL (HI) DISTRICT.** The Heavy Industrial (HI) District is intended to provide for manufacturing and industrial development of a less restrictive nature than in the Light Industrial (LI) District. Uses with large amounts of exterior storage or processing that generate noise, dust, or other nuisances fall within this category. The Heavy Industrial (HI) District should be located only in those areas where the relationship to surrounding land use would create fewer problems of compatibility and would not necessitate such stringent regulatory controls. This district is further intended not to abut any residential or commercial district.

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- E. AIRPORT OVERLAY (AO) DISTRICT. The Airport Overlay (AO) District is intended to allow for the coordination, planning, and development of land uses in the vicinity of the City of Flagstaff's Pulliam Municipal Airport, but limits uses and heights and requires noise protection. The district ensures that land uses in the airport area are mutually compatible with the operation of the airport and that any public investment in the airport is protected. In addition, the Airport Overlay (AO) District shall also have the following purposes:
1. The Airport Overlay (AO) District is established for the general purpose of controlling conflicts between land uses and noise generated by aircraft and to protect the public health, safety, and welfare from the adverse impacts associated with excessive noise. The Airport Overlay (AO) District shall also provide acoustical performance standards as set forth in Chapter 10-03.
 2. The Airport Overlay (AO) District is further intended to regulate land uses within designated existing or projected airport impact areas by providing height restrictions which will assure safe, unobstructed access for all aircraft which enter and exit Pulliam Airport.
 3. This district shall be in addition to and shall overlay all other zoning districts where it is applied so that any parcel of land lying in the Airport Overlay (AO) District shall also lie in one or more of the other zoning districts provided by this Ordinance. The effect is to create a new district which has the characteristics and limitations of both the underlying and the overlying districts.
 4. Furthermore, through the adoption of this Ordinance and Zoning Map, public hearing and adequate notice is hereby provided to landowners and prospective landowners that airport operations should be considered as possibly affecting the use of property within the Airport Overlay (AO) District.

10-02-004-0006. HISTORIC DESIGN REVIEW OVERLAY (HDRO) DISTRICT.

- A. INTENT AND PURPOSE.
The intent of the Historic Design Review Overlay District is to provide design guidelines for the development of properties located within the boundaries of the District. The design guidelines are intended to promote the preservation and unique character of all structures within the District. (Ord. 1956, 10-7-97)
- B. APPLICABILITY.
The Historic Design Review Overlay District applies to all properties located within the area bounded by the east side of Humphreys Street to the west side of Verde Street, and by the north side of Route 66 to the south side of Cherry Avenue, including portions of Flagstaff Townsite and Railroad Addition Subdivisions. (Ord. 1956, 10-7-97) The Design Handbook for Downtown Flagstaff can be obtained as a separate document from the Planning Division. (Ord. 2002-15, 11-05-02)

10-02-004-0007. TOWNSITE HISTORIC DESIGN REVIEW OVERLAY (THDRO) DISTRICT.

Note: this Section adopted under Ord. 2007-34, 06-19-2007.

- A. INTENT AND PURPOSE.
The intent of the Townsite Historic Design Review Overlay District is to provide additional design guidelines to those already provided in Chapter 10-16, Design Review Guidelines, and design review by the Historic Preservation Commission for the development of properties located within the boundaries of the District. The requirements of the District are intended to promote the preservation and unique character of the District and all structures within the District.
- B. APPLICABILITY.
The Townsite Design Review Overlay District applies to all properties located within the area shown on the Official City of Flagstaff Zoning Map with the designation "THDRO", roughly bounded by West Santa Fe Avenue to the south, West Dale Avenue to the north, North Toltec Street to the west, and the Rio de Flag to the east. The Townsite Historic Design Review Overlay District Design Standards and Guidelines can be obtained as a separate document from the Planning Division or the Historic Preservation Officer.

10-02-004-0008. LANDMARKS DESIGN REVIEW OVERLAY (LDRO) DISTRICT.

Note: this Section adopted under Ord. 2008-10, 03-18-2008.

A. INTENT AND PURPOSE.

The intent of the Landmarks Design Review Overlay District is to provide additional design guidelines to those already provided in Chapter 10-16, Design Review Guidelines, and design review by the Historic Preservation Commission for the development of properties located within the boundaries of the District. The requirements of the District are intended to promote the preservation and unique character of all structures within the District.

B. APPLICABILITY.

The Landmarks Design Review Overlay District may apply to any individual property within the City of Flagstaff upon successful approval of a zone change following the procedures established in Section 10-15-003-0002. Such individual properties are shown on the Official City of Flagstaff Zoning Map with the designation "LDRO". The Landmarks Design Review Overlay District Design Standards and Guidelines can be obtained as a separate document from the Planning Division or the Historic Preservation Officer.

10-02-004-0009. TRADITIONAL NEIGHBORHOOD DISTRICT (Ord. 2007-42, 11-20-2007)

A. INTENT AND PURPOSE.

The intent of the Traditional Neighborhood District established in Chapter 17 is to provide options and standards for development that emphasize the features of Traditional Neighborhoods. As such, the Traditional Neighborhood District is intended to accommodate, encourage and promote innovatively designed developments involving Residential and non-residential land uses, which together form an attractive and harmonious Mixed Use development with an internally consistent hierarchy of building and street types using Traditional Neighborhood design principles. A Traditional Neighborhood development of this type may be designed as a large scale separate entity able to function as an individual neighborhood (See Chapter 17, Section 3.0 New Community Plans), or as a smaller scale urban Infill project (See Chapter 17, Section 4.0 Infill Community Plans). Chapter 17 therefore provides alternatives to the requirements of the Subdivision Regulations in Chapter 10-11, and the other zoning districts and regulations of this Code. (Ord. 2007-42, 11-20-2007)

B. APPLICABILITY.

The requirements of Chapter 17 apply to all subdivision, development and new land uses on property designated with the Traditional Neighborhood District (TND) zone after January 18, 2008, instead of the otherwise applicable provisions of the Land Development Code, except where this Section explicitly defers to specific requirements of the Land Development Code. Where a provision in the Traditional Neighborhood District varies from the regulations provided in other codes, ordinances, regulations, and standards of the City of Flagstaff, including, without limitation, the other provisions of the Land Development Code (except local codes and ordinances dealing with health and safety), the provisions in the Traditional Neighborhood District and its associated Form-based Code shall govern. (Ord. 2007-42, 11-20-2007)

DIVISION 10-02-005. ESTABLISHED DEVELOPMENT DISTRICTS

10-02-005-0001. ESTABLISHED DEVELOPMENT DISTRICTS:

Division 10-02-005 outlines the zoning districts that encompass the existing established developed areas of the City of Flagstaff. To denote such districts, an "E" has been added to each district title.

10-02-005-0002. RESIDENTIAL DISTRICTS ESTABLISHED:

Certain areas of the City are classified as residential established districts, designated by the primary symbol "R-E" and established to provide a means of regulating the distribution of population in conformance with the adopted General Plan.

10-02-005-0003. R-R-E, SINGLE-FAMILY RESIDENTIAL RURAL DISTRICT ESTABLISHED:

- A. INTENT AND PURPOSE. The R-R-E District is designed to protect the established neighborhoods and for the development of privately-owned lands for residential and agricultural uses in those non-urbanizing areas of the City which cannot economically and efficiently be provided all those City services which are necessary for urban living. This district is primarily designed for the utilization and enjoyment of the City of Flagstaff's unique mountain environment with a minimum of services and improvements. These areas are designated "VL", Very Low Density Residential, on the City's General Plan/Land Use Plan. This district is also used to protect the undeveloped areas on the fringe of urban development, pending development for general urban or residential purposes. In this sense the R-R-E District may be considered a "holding zone" for vacant lands until such time as circumstances warrant more intensive development which would require a zoning change. These areas are designated in categories other than "VL" on the Land Use Plan. In all cases the City's General Plan and its Land Use Plan shall guide appropriate densities and development options in the R-R-E District. (Ord. 1997, 6-15-99)
- B. PERMITTED USES. The following uses are permitted and no building shall be designed, erected, structurally altered, or enlarged except for the following:
1. One (1) single-family dwelling for each lot.
 2. Accessory buildings and structures. See Subsection D. below, and Division 10-03-005, Accessory Uses and Structures. (Ord. 1997, 6-15-99) (Ord. 2007-20, 3-20-07)
 3. Raising or keeping of cattle, goats, horses, sheep, rabbits, poultry or other animals subject to the provisions of Title 6, Police Regulations, of the City Code. (Ord. 1997, 6-15-99)
 4. Home occupations. See Section 10-03-006-0001. (Ord. 1997, 6-15-99)
 5. Equestrian, biking, or hiking trails.
 6. Public parks or recreation facilities.
 7. Condominiums. (Ord. 1997, 6-15-99)
 8. Bed and breakfast establishments.
- C. CONDITIONAL USES. The following uses shall be permitted provided that in each instance a Conditional Use Permit has been authorized pursuant to Chapter 10-10 and continued in full force and effect:
1. Churches and church-related facilities.
 2. Government or public services, utilities, and their facilities necessary to provide services for urban development.
 3. Unclassified Uses. See Section 10-02-005-0024. (Ord. 1997, 6-15-99)
- D. PROPERTY DEVELOPMENT STANDARDS.
1. Lot Area.
 - a. Two hundred seventeen thousand eight hundred (217,800) square feet (5 acres) minimum where a public water supply and public streets are not available to serve the subject property.
 - b. Forty three thousand five hundred sixty (43,560) square feet (1 acre) minimum where a public water supply and either public or private rural streets, improved as required by the Subdivision Regulations and the Engineering Standards, are available to serve the subject property. See Division 10-07-004, Private Streets, and Chapter 10-11, Subdivision and Minor Land Division Regulations. (Ord. 1997, 6-15-99)

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2. Lot Dimensions (Minimum).
 - a. Width. Two hundred (200) feet minimum for five (5) acre parcel at the setback line, one hundred (100) feet minimum for one (1) acre parcel.
 - b. Average depth. Two hundred fifty (250) feet minimum for five (5) acre parcel, two hundred (200) feet minimum for one (1) acre parcel.
 3. Maximum Lot Coverage inclusive of an Accessory Dwelling Unit. Twenty (20) percent. (Ord. 2007-20, 3-20-07)
 4. Minimum Yard Area. No main building or accessory building shall be located closer than twenty-five (25) feet from the front property line or any access easement and ten (10) feet of any other property line.
 5. Height. The maximum height of any building shall be thirty-five (35) feet.
 6. Placement of Buildings and Structures. See Section 10-03-005-0001E for the minimum separation requirements distance between a main building and an accessory building. See Division 10-03-005 for special provisions for permitted encroachments into minimum required yards. (Ord. 2007-20, 3-20-07)
 7. Off-street Parking. A minimum of two (2) parking spaces shall be provided for each residential unit. Paved parking is not required unless served by a paved access roadway. For parking for other permitted uses, see Chapter 10-07.
 8. All lighting fixtures providing illumination of any ground area or building exterior shall be in accordance with Chapter 10-08.
- E. STREET FRONTAGE, ACCESS. Each lot or parcel shall have frontage on a dedicated public street or an approved irrevocable access easement as follows:
1. Five (5) acre parcels shall have frontage on an access easement approved by the City Engineer.
 2. One (1) acre parcels shall have frontage on either a public or private roadway improved with a paved roadway satisfactory to the City Engineer.
- F. LANDSCAPING. Minimum landscaping to be installed per Chapter 10-06.

10-02-005-0004. R-S-E, SINGLE-FAMILY SUBURBAN RESIDENTIAL DISTRICT ESTABLISHED:

- A. INTENT AND PURPOSE. The R-S-E District is designed to protect established neighborhoods and the development of forested areas of the City into suburban residential areas with a density that will foster good urban development while maintaining the natural beauty and environment of the City of Flagstaff. The following development regulations shall apply to the R-S-E District.
- B. PERMITTED USES. The following uses are permitted and no building or structure shall be designed, erected, structurally altered, or enlarged except for the following:
 1. One (1) single-family dwelling for each lot.
 2. Accessory buildings and structures. See Subsection D. below, and Division 10-03-005, Accessory Uses and Structures. (Ord. 1997, 6-15-99) (Ord. 2007-20, 3-20-07)
 3. Home occupations. See Section 10-03-006-0001. (Ord. 1997, 6-15-99)
 4. Equestrian, biking, or hiking trails.

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5. Bed and breakfast establishments.
 6. Condominiums. (Ord. 1997, 6-15-99)
- C. **CONDITIONAL USES.** The following uses shall be permitted provided that in each instance a Conditional Use Permit has been authorized pursuant to Chapter 10-10 and continued in full force and effect:
1. Churches and church-related facilities.
 2. Government or public services, utilities and their facilities necessary to provide services for urban development.
 3. Unclassified Uses. See Section 10-02-005-0024. (Ord. 1997, 6-15-99)
- D. **PROPERTY DEVELOPMENT STANDARDS.**
1. Lot area. Fifteen thousand (15,000) square feet minimum.
 2. Lot dimensions
 - a. Width. Seventy-five (75) feet minimum at building setback line.
 - b. Average depth. One hundred twenty-five (125) feet minimum.
 3. Maximum lot coverage. Thirty (30) percent. Detached ADUs or ADUs attached to a single-family residence are excluded from lot coverage limitations – Refer to Section 10-03-005-0001F. (Ord. 2007-20, 3-20-07)
 4. Minimum yard areas
 - a. Front. Twenty-five (25) feet.
 - b. Side yards. Each lot shall have minimum side yards as follows: (Ord. 1997, 6-15-99)
 - (1) Interior lots. A total of twenty (20) feet, with a minimum of an eight (8) foot side yard on the smaller side. (Ord. 1997, 6-15-99)
 - (2) Corner lots. Eight (8) feet on the interior lot line, and twenty (20) feet on the exterior lot line. (Ord 1997, 6-15-99)
 - c. Rear yard. Twenty-five (25) feet.
 5. Height. The maximum height of any building shall be thirty-five (35) feet.
 6. Placement of buildings and structures. See Section 10-03-005-0001E for minimum separation requirements between a main building and an accessory buildings. See Division 10-03-005 for special provisions for permitted encroachments into minimum required yards. (Ord. 2007-20, 3-20-07)
 7. Off-street parking. A minimum of two (2) off-street parking spaces, plus one (1) additional parking space for each roomer. See Chapter 10-07 for special provisions.
 8. Landscaping. Minimum landscaping requirements shall be provided in accordance with Chapter 10-06.

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9. Illumination. All lighting fixtures providing illumination of any ground area or building exterior shall be in accordance with Chapter 10-08.

E. STREET FRONTAGE, ACCESS. Each lot shall have frontage on a dedicated public street.

10-02-005-0005. R-1-E, SINGLE-FAMILY RESIDENTIAL DISTRICT ESTABLISHED:

A. INTENT AND PURPOSE. The R-1-E district is designed to provide for the protection of the established neighborhood and development of one-family detached dwellings, not more than one such dwelling on each lot, and for accessory uses as are related, incidental and not detrimental to the residential environment. The following regulations shall apply in the R-1-E, Single-Family Residential Zone/Established.

B. PERMITTED USES. No building or structure or land shall be used and no building or structure shall be designed, erected, structurally altered, or enlarged except for the following:

1. One-family dwellings, not more than one (1) dwelling unit on a lot.
2. Accessory buildings and structures. See Subsection D. below, and Division 10-03-005, Accessory Uses and Structures. (Ord. 1997, 6-15-99) (Ord. 2007-20, 3-20-07)
3. Domestic animals may be kept in connection with each dwelling unit and the provisions of Section 10-02-005-0025 shall apply.
4. Home occupations. See Section 10-03-006-0001. (Ord. 1997, 6-15-99)
5. Bed and breakfast establishments.
6. Condominiums. (Ord. 1997, 6-15-99)
7. Small Unit Single-Family. (See Section 10-03-006-0001.) (Ord. 1997, 6-15-99)

C. CONDITIONAL USES. The following uses shall be permitted provided that in each instance a conditional use permit has been authorized pursuant to Chapter 10-10 and continued in full force and effect:

1. Churches and church-related facilities.
2. Government or public services, utilities, and their facilities necessary to provide services for urban development.
3. Unclassified Uses. See Section 10-02-005-0024. (Ord. 1997, 6-15-99)

D. PROPERTY DEVELOPMENT STANDARDS. The following property development standards shall apply to all land or structures in the R-1-E Zone.

1. Lot area. Lots within R-1-E Districts shall have the following minimum areas:
 - a. Seven thousand (7,000) square feet for interior lots; eight thousand (8,000) square feet for corner lots; except as noted in "b" below. (Ord. 1997, 6-15-99)
 - b. Development on areas of lots exceeding twenty-five (25) percent slope shall only be permitted by Conditional Use Permit, using the natural resource protection factors for residential zones in Division 10-04-004 and Table 10-04-004-0004. (Ord. 1997, 6-15-99)
2. Lot Dimensions, Minimum. Lots within R-1-E Districts shall have the following minimum dimensions:

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- a. Width.
 - (1) Interior lots. Sixty (60) feet at building setback line.
 - (2) Corner lots. Sixty-five (65) feet at building setback line.
 - b. Depth. One hundred (100) feet. (Ord. 1997, 6-15-99)
 3. Maximum Lot Coverage. Thirty-five (35) percent. Detached ADUs or ADUs attached to a single-family residence are excluded from lot coverage limitations – Refer to Section 10-03-005-0001F. (Ord. 1997, 6-15-99) (Ord. 2001-14, 09-04-01) (Ord. 2007-20, 3-20-07)
 4. Minimum Yard Areas.
 - a. Front yards. Each lot shall have a minimum front yard of fifteen (15) feet, except for covered or uncovered parking facilities, which shall have a minimum front yard of twenty-five (25) feet. (Ord. 1997, 6-15-99) (Ord. 2001-14, 09-04-01)
 - b. Side yards. Each lot shall have minimum side yards as follows:
 - (1) Interior lots. Eight (8) feet.
 - (2) Corner lots. Eight (8) feet on the interior lot line. Twenty (20) feet on the exterior lot line, except on existing lots with less than eight thousand (8,000) square feet or less than sixty-five (65) feet in width, which shall have a minimum exterior side yard of fifteen (15) feet. (Ord. 1997, 6-15-99)
 - c. Rear yards. Each lot shall have minimum rear yards as follows:
 - (1) Twenty-five (25) feet, except for accessory structures, and (Ord. 2001-14, 09-04-01):
 - (2) A one or two-story residential building may be built to fifteen (15) feet from the rear property line, provided that portion of the structure located closer than twenty-five (25) feet to the rear property line does not exceed fifty (50) percent of the lot width.
 5. Placement of Buildings and Structures. See Section 10-03-005-0001E for minimum separation requirements between a main building and an accessory building. See Division 10-03-005 for special provisions for permitted encroachments into minimum required yards. (Ord. 2007-20, 3-20-07)
 6. Height. No building or structure shall have a height greater than thirty-five (35) feet.
 7. Off-street parking. Minimum of two (2) off-street parking spaces. See Chapter 10-07 for special provisions.
 8. Minimum landscaping requirements shall be provided in accordance with Chapter 10-06 of this Ordinance.
 9. Illumination. All lighting fixtures providing illumination of any ground area or building exterior shall be in accordance with Chapter 10-08.
- E. Street Frontage, Access. Each lot shall have frontage onto a dedicated public street.

10-02-005-0006. RM-L-E, ONE AND TWO-FAMILY RESIDENTIAL DISTRICT ESTABLISHED:

- A. **INTENT AND PURPOSE.** The RM-L-E District is designed to protect established neighborhoods and to provide for the development of units having low residential density in the form of one-family dwellings and/or two-family dwellings (duplexes) on a lot.
- B. **PERMITTED USES.** No building or structure or land shall be used and no building or structure shall be designed, erected, structurally altered, or enlarged except for the following:
1. One-family dwellings.
 2. Two-family dwellings.
 3. Accessory buildings and structures. See Subsection D. below and Division 10-03-005, Accessory Uses and Structures. (Ord. 1997, 6-15-99) (Ord. 2007-20, 3-20-07)
 4. Home occupations. See Section 10-03-006-0001. (Ord. 1997, 6-15-99)
 5. Planned Residential Development. Use the development standards for the MR, Medium Density Residential District in Table 10-04-002-0003 and Section 10-05-003-0001. (Ord. 2002-15, 11-05-02)
 6. Bed and breakfast establishments.
 7. Condominiums. (Ord. 1997, 6-15-99)
 8. Small Unit Single-Family. (See Section 10-03-006-0001.) (Ord. 1997, 6-15-99)
 9. Secondary Single-Family dwellings. See Section 10-03-006-0001. (Ord. 1997, 6-15-99)
- C. **CONDITIONAL USES.** The following uses shall be permitted provided that in each instance a Conditional Use Permit has been authorized pursuant to Chapter 10-10 and continued in full force and effect.
1. Churches and church-related facilities.
 2. Government or public services, utilities and their facilities necessary to provide services for urban development.
 3. Unclassified Uses. See Section 10-02-005-0024. (Ord. 1997, 6-15-99)
- D. **PROPERTY DEVELOPMENT STANDARDS.** The following property development standards shall apply to all land or structures in the RM-L-E District: (Ord. 1997, 6-15-99)
1. Lot Area. Six thousand (6,000) square feet minimum, with a minimum of three thousand (3,000) square feet of lot area per dwelling unit. (Ord. 1997, 6-15-99)
 2. Lot Dimensions. (Ord. 1997, 6-15-99)
 - a. Width. (Ord. 1997, 6-15-99)
 - (1) Interior lots. Fifty (50) feet at building setback line. (Ord. 1997, 6-15-99) (Ord. 2002-15, 11-05-02)
 - (2) Corner lots. Fifty (50) feet at building setback line. (Ord. 1997, 6-15-99) (Ord. 2002-15, 11-05-02)
 - b. Depth. One hundred (100) feet.) (Ord. 1997, 6-15-99)

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3. Maximum Lot Coverage. Thirty-five (35) percent. (Ord. 1997, 6-15-99)
4. Minimum Yard Areas. (Ord. 1997, 6-15-99)
 - a. Front yard. Fifteen (15) feet. (Ord. 1997, 6-15-99)
 - b. Side yard. (Ord. 1997, 6-15-99)
 - (1) Interior lots. Six (6) feet. (Ord. 1997, 6-15-99)
 - (2) Corner lots. Six (6) feet on the interior lot line. Six (6) feet on the exterior lot line. (Ord. 1997, 6-15-99) (Ord. 2002-15, 11-05-02)
 - c. Rear yard. Fifteen (15) feet. (Ord. 1997, 6-15-99)
5. Open Yard Area. As an alternative to the minimum yard areas provided in paragraph D-4. above, at least 350 sq. ft. of open yard area per dwelling unit may be provided. This allows the designer of a residential project more flexibility to incorporate natural resources, particularly trees, into the design of the project. An open yard area may be approved subject to the following conditions: (Ord. 2007-20, 3-20-07)
 - a. The open yard area may be established as a single area (the area per dwelling unit combined) with a minimum dimension of twenty (20) feet measured perpendicular to the boundary of the yard, or it may be established as separate areas each with a minimum dimension of fifteen (15) feet measured perpendicular to the boundary of the yard. (Ord. 2007-20, 3-20-07)
 - b. The rear yard may be reduced to no less than six (6) feet. (Ord. 2007-20, 3-20-07)
 - c. The open yard area shall be located behind the front yard setback line. (Ord. 2007-20, 3-20-07)
 - d. The open yard area shall not include any driving or parking surface for use by motor vehicles or trailers. (Ord. 2007-20, 3-20-07)
6. Placement of Buildings and Structures. See Section 10-03-005-0001E for minimum separation requirements between a main building and an accessory building. See Division 10-03-005 for special provisions for permitted encroachments into minimum required yards. (Ord. 1997, 6-15-99) (Ord. 2007-20, 3-20-07)
7. Height. No building or structure shall have a height greater than thirty-five (35) feet. (Ord. 1997, 6-15-99)
8. Off-street parking. There shall be a minimum of two (2) off-street parking spaces per unit. See Chapter 10-07 for special provisions.
9. Street frontage, access. Each lot shall have frontage onto a public street.
10. Landscaping. Minimum landscaping requirements shall be provided in accordance with Chapter 10-06 of this Ordinance.
11. Illumination. All lighting fixtures providing illumination of any ground area or building exterior shall be in accordance with Chapter 10-08.

10-02-005-0007. RM-M-E, MULTIPLE-FAMILY RESIDENTIAL DISTRICT ESTABLISHED:

- A. INTENT AND PURPOSE. The RM-M-E District is designed to protect established neighborhoods and to provide for the development of medium through high residential densities in an environment having maximum living amenities. It is the purpose of the RM-M-E District to promote greater residential design flexibility, more efficient use of open space, and better separation of pedestrian and vehicular traffic.
- B. PERMITTED USES. No building or structure or land shall be used, and no building or structure shall be designed, erected, structurally altered, or enlarged except for the following:
 - 1. One-family dwellings.
 - 2. Two-family dwellings.
 - 3. Multiple-family dwellings.
 - 4. Accessory buildings and structures. See Subsection D. below and Division 10-03-005, Accessory Uses and Structures. (Ord. 1997, 6-15-99) (Ord. 2007-20, 3-20-07)
 - 5. Home occupations. See Section 10-03-006-0001. (Ord. 1997, 6-15-99)
 - 6. Planned Residential Development. Use the development standards for the HR, High Density Residential District in Table 10-04-002-0003 and Section 10-05-003-0001. (Ord. 1997, 6-15-99)
 - 7. Condominiums. (Ord. 1997, 6-15-99)
 - 8. Bed and Breakfast Establishments.
 - 9. Small Unit Single-Family. (See Section 10-03-006-0001) (Ord. 2002-15, 11-05-02)
 - 10. Secondary Single-Family dwellings. See Section 10-03-006-0001. (Ord. 1997, 6-15-99)
- C. CONDITIONAL USES. The following uses shall be permitted provided that in each instance a Conditional Use Permit has been authorized pursuant to Chapter 10-10 and continued in full force and effect:
 - 1. Churches and church-related facilities.
 - 2. Offices.
 - 3. Government or public services, utilities and their facilities necessary to provide services for urban development.
 - 4. Fraternities and fraternity houses, sororities and sorority houses. See Section 10-03-006-0001. (Ord. 2002-15, 11-05-02)
 - 5. Unclassified Uses. See Section 10-02-005-0024. (Ord. 1997, 6-15-99)
- D. PROPERTY DEVELOPMENT STANDARDS. The following property development standards shall apply to all land or structures in the RM-M-E District:
 - 1. Lot Area.
 - a. Six thousand (6,000) square feet, except as noted in "b" below. (Ord. 1997, 6-15-99)
 - b. Areas of lots exceeding twenty-five (25) percent slope shall only be developed by Conditional Use Permit, using the natural resource protection factors for residential zones in Division 10-04-004 and Table 10-04-004-0004. (Ord. 1997, 6-15-99)

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2. Lot Dimensions.
 - a. Width. Each lot having an area of nine thousand (9,000) square feet or less shall have a minimum width as follows:
 - (1) Interior lots. Fifty (50) feet, except for merged non-conforming lots, the width for which shall be fifty (50) feet. (Ord. 2002-15, 11-05-02)
 - (2) Corner lots. Fifty (50) feet. (Ord. 2002-15, 11-05-02)
 - b. Each lot having an area of more than nine thousand (9,000) square feet shall have a minimum width as follows:
 - (1) Interior lots, seventy (70) feet.
 - (2) Corner lots, seventy-five (75) feet.
 - c. Depth.
 - (1) Each lot having an area of six thousand (6,000) to nine thousand (9000) square feet shall have a minimum depth of seventy-five (75) feet. (Ord. 1997, 6-15-99)
 - (2) Each lot having an area of more than nine thousand (9,000) square feet shall have a minimum depth of one hundred (100) feet. (Ord. 1997, 6-15-99)
3. Density. There shall be a maximum number of dwelling units for each lot or parcel of land based upon the following: (Ord. 1997, 6-15-99)

| Area of Lot | Required Lot Area Per Dwelling Unit |
|------------------------------|-------------------------------------|
| 6,000 to 9,000 square feet | 3,000 square feet |
| 9,001 to 14,000 square feet | 2,500 square feet |
| 14,001 to 24,000 square feet | 2,000 square feet |
| 24,001 and over | 1,500 square feet |

Provided, however, that a lot of record under six thousand (6,000) square feet shall be permitted to develop only one (1) dwelling unit.

4. Maximum lot coverage. Forty (40) percent.
5. Yards.
 - a. Front. Each lot shall have a minimum front yard of fifteen (15) feet.
 - b. Side. Each lot shall have a minimum side yard as follows:
 - (1) Interior lots, corner lots, and reverse corner lots: Six (6) feet on interior lot lines, and six (6) feet on exterior lot lines. (Ord. 1997, 6-15-99) (Ord. 2002-15, 11-05-02)
 - c. Rear. Each lot shall have a minimum rear yard of fifteen (15) feet.

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6. Open Yard Area. As an alternative to the minimum yard areas provided in paragraph D-5. above, at least 350 sq. ft. of open yard area per dwelling unit may be provided. This allows the designer of a residential project more flexibility to incorporate natural resources, particularly trees, into the design of the project. An open yard area may be approved subject to the following conditions: (Ord. 2007-20, 3-20-07)
 - a. The open yard area may be established as a single area (the area per dwelling unit combined) with a minimum dimension of twenty (20) feet measured perpendicular to the boundary of the yard, or it may be established as separate areas each with a minimum dimension of fifteen (15) feet measured perpendicular to the boundary of the yard. (Ord. 2007-20, 3-20-07)
 - b. The rear yard may be reduced to no less than six (6) feet. (Ord. 2007-20, 3-20-07)
 - c. The open yard area shall be located behind the front yard setback line. (Ord. 2007-20, 3-20-07)
 - d. The open yard area shall not include any driving or parking surface for use by motor vehicles or trailers. (Ord. 2007-20, 3-20-07)
 7. Placement of Buildings and Structures. See Section 10-03-005-0001E for minimum separation requirements between a main building and an accessory building. See Division 10-03-005 for special provisions for permitted encroachments into minimum required yards. (Ord. 2007-20, 3-20-07) (Ord. 2007-20, 3-20-07)
 8. Height. Limitations on height are based primarily on the relationship of building coverage on the lot or parcel of land to the floor area ratio. A Conditional Use Permit shall be required for buildings or structures over sixty (60) feet in height. (Ord. 1741, 3-17-92)
 9. Minimum landscaping requirements shall be provided in accordance with Chapter 10-06 of this Ordinance.
 10. Illumination. All lighting fixtures providing illumination of any ground area or building exterior shall be in accordance with Chapter 10-08.
- E. OFF-STREET PARKING. Minimum off-street parking shall be provided in accordance with Chapter 10-07 of this Ordinance.
- F. USABLE OPEN SPACE. Usable Open Space means any horizontal surface, including courtyards, deck areas, landscape areas, and balconies, which is usable by and accessible to the occupants of a dwelling unit or commercial use for outdoor recreational or service purposes, and does not include areas for driveways, loading or off-street parking. There shall be a minimum outdoor living space, provided as follows:
1. Multiple dwellings under twenty (20) units, three hundred (300) square feet per dwelling unit.
 2. Multiple dwellings twenty (20) units and over, two hundred (200) square feet per dwelling unit.
- G. STREET FRONTAGE, ACCESS. Each lot shall have frontage on a dedicated public street.

10-02-005-0008. RM-MO-E, MULTIPLE-FAMILY RESIDENTIAL DISTRICT OVERLAY ESTABLISHED:

- A. INTENT AND PURPOSE. The RM-MO-E District is designed to protect established neighborhoods and to provide an overlay zone in selected areas of the City to encourage a higher and better use of existing recorded lots. This Overlay Zone is to be used to assist in the community development objectives of revitalizing certain older areas of the City. The Overlay Zone will not change the use of the property within the designated district from the uses permitted in the basic zoning district but will increase the flexibility of development.

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- B. PERMITTED USES. The uses permitted in the RM-MO-E Overlay Zone shall be the same as those in the underlying basic zone except that residential uses of one, two, three, four, or five units can be developed under the development standards found in this Section.
- C. PROPERTY DEVELOPMENT STANDARDS.
1. The lot sizes shall be related to the number of residential units per lot as follows:

| | |
|---------------------------|------------------------|
| One residential unit | 5,000 sq. ft. per unit |
| Two residential units | 2,500 sq. ft. per unit |
| Three residential units | 2,000 sq. ft. per unit |
| Four and five residential | 1,750 sq. ft. per unit |
 2. Lot Dimensions.
 - a. Width. Minimum fifty (50) feet.
 - b. Depth. Minimum one hundred (100) feet.
 3. Maximum Lot Coverage. Forty (40) percent. (Ord. 1997, 6-15-99)
 4. Yards. The following minimum yard areas apply:
 - a. Front. Ten (10) feet.
 - b. Side. A total of ten (10) feet, with a minimum of three (3) feet on one side.
 - c. Rear. Ten (10) feet.
 5. Open Yard Area. As an alternative to the minimum yard areas provided in paragraph C-4. above, at least 350 sq. ft. of open yard area per dwelling unit may be provided. This allows the designer of a residential project more flexibility to incorporate natural resources, particularly trees, into the design of the project. An open yard area may be approved subject to the following conditions: (Ord. 2007-20, 3-20-07)
 - a. The open yard area may be established as a single area (the area per dwelling unit combined) with a minimum dimension of twenty (20) feet measured perpendicular to the boundary of the yard, or it may be established as separate areas each with a minimum dimension of fifteen (15) feet measured perpendicular to the boundary of the yard. (Ord. 2007-20, 3-20-07)
 - b. The rear yard may be reduced to no less than five (5) feet. (Ord. 2007-20, 3-20-07)
 - c. The open yard area shall be located behind the front yard setback line. (Ord. 2007-20, 3-20-07)
 - d. The open yard area shall not include any driving or parking surface for use by motor vehicles or trailers. (Ord. 2007-20, 3-20-07)
 6. Height. A two (2) story limit.
 7. Minimum landscaping requirements shall be provided in accordance with Chapter 10-06.
 8. Placement of Buildings and Structures. See Section 10-03-005-0001E for minimum separation requirements between a main building and an accessory building. See Division 10-03-005 for special provisions for permitted encroachments into minimum required yards. (Ord. 2007-20, 3-20-07)

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9. Illumination. All lighting fixtures providing illumination of any ground area or building exterior shall be in accordance with Chapter 10-08.
10. Off-street parking. Minimum off-street parking shall be provided in accordance with Chapter 10-07.

10-02-005-0009. M-H-E, MANUFACTURED HOME PARK DISTRICT - ESTABLISHED:

- A. INTENT AND PURPOSE. The M-H-E District is designed to protect established neighborhoods and provide the orderly planned development of manufactured home subdivisions to accommodate manufactured homes primarily and conventionally framed or constructed single-family residences secondarily, and for accessory uses as are related, incidental, and not detrimental to the residential environment. The following regulations shall apply in the M-H-E, Manufactured Home District. (Ord. 2007-20, 3-20-07)
- B. PERMITTED USES. No land, building, or structure shall be used and no building or structure shall be erected, structurally altered, or enlarged except for the following:
 1. Manufactured home subdivision.
 2. Manufactured homes, not more than one (1) unit per lot in a subdivision.
 3. Single-family residence, subject to the Property Development Standards of Section 10-02-005-0009D. (Ord. 2007-20, 3-20-07)
 4. Manufactured home park. (Ord. 1997, 6-15-99) (Ord. 2007-20, 3-20-07)
 5. Accessory buildings and structures. See Subsection D.1.1. below and Division 10-03-005, Accessory Uses and Structures. (Ord. 1997, 6-15-99) (Ord. 2007-20, 3-20-07)
 6. Recreational facilities, incidental to a manufactured home subdivision or park. (Ord. 1997, 6-15-99)
 7. Home occupations. See Section 10-03-006-0001. (Ord. 1997, 6-15-99)
- C. CONDITIONAL USES. The following uses shall be permitted provided that in each instance a Conditional Use Permit has been authorized pursuant to Chapter 10-10 and continued in full force and effect:
 1. Churches and church-related facilities. (Ord. 1997, 6-15-99)
 2. Civic and community clubs.
 3. Single-family residence for owner or manager of park.
 4. Schools, public and private elementary.
 5. Recreational vehicle or travel trailer parks and facilities. (See Section 10-03-003-0002.) (Ord. 1997, 6-15-99)
 6. Unclassified Uses. See Section 10-02-005-0024. (Ord. 1997, 6-15-99)
- D. PROPERTY DEVELOPMENT STANDARDS.
 1. Manufactured Home Subdivision
 - a. The minimum area for a subdivision shall be five (5) acres.
 - b. Minimum lot size shall be four thousand (4,000) square feet. (Ord. 1997, 6-15-99)
 - c. Minimum front yard shall be fifteen (15) feet.

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- d. Minimum side yard shall be eight (8) feet on interior lot and twelve (12) feet on exterior lot lines.
 - e. Minimum rear yard shall be ten (10) feet.
 - f. Maximum lot coverage shall not exceed forty-three (43) percent. (Ord. 1997, 6-15-99)
 - g. The maximum height of any structure shall not exceed twenty (20) feet.
 - h. Every manufactured home subdivision map shall include a definition of the buildable area, which is the area where a manufactured home, other structure, or automobile can legally be located on each lot.
 - i. Two (2) paved off-street parking spaces shall be provided on each lot with a minimum size of nine (9) feet by eighteen (18) feet each. No parking space shall be located in an exterior yard (front or exterior side). (Ord. 1997, 6-15-99)
 - j. Not less than ten (10) percent of the gross site area shall be reserved for common areas or open space. The ownership of said common areas shall be transferred to a homeowners association.
 - k. The pertinent sections of the Subdivision Regulations shall govern the subdivision.
 - l. See Division 10-03-005 for special provisions for permitted encroachments into minimum required yards. (Ord. 2007-20, 3-20-07)
2. Manufactured Home Park. (Ord. 2007-20, 3-20-07)
- a. The minimum area of the manufactured home park shall be five (5) acres.
 - b. The density of manufactured home park developments shall be regulated by separation requirements and recreational requirements as set forth in these standards. (Ord. 2007-20, 3-20-07)
 - c. Maps showing location of all parking spaces, buildable areas, and accessory commercial buildings and common buildings, and for all common open areas, shall be included with and made a part of the Conditional Use Permit approval.
 - d. The area in which buildings, structures, manufactured homes, single-family homes, and accessory buildings are located shall be shown on a map for each site. This area is called the buildable area. The maximum length and width of any manufactured home shall be shown on the map within each buildable area. (Ord. 2007-20, 3-20-07)
 - e. No manufactured home, structure, single-family residence or accessory building may be located outside of the buildable areas indicated on the map. (Ord. 2007-20, 3-20-07)
 - f. No buildable area may be located any closer than sixteen (16) feet from another buildable area.
 - g. No buildable area may be closer than eight (8) feet from property boundaries.
 - h. There shall be a minimum distance of eight (8) feet between the front of the buildable area and any private street. There shall be a minimum distance of twelve (12) feet between the side of a buildable area and a private street. A minimum distance of twenty-five (25) feet shall exist between any buildable area and a public street with no access from a buildable area onto a public street.

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- i. Two (2) paved off-street parking spaces shall be provided on each unit site with a minimum size of nine (9) feet by eighteen (18) feet each, and shown on the required map. No parking space shall be located in an exterior yard. (Ord. 1997, 6-15-99)
- j. One (1) guest parking space for each eight (8) manufactured home sites shall be provided in a common parking area.
- k. Screening: All manufactured home parks shall be screened from any adjacent non-manufactured home parks or public streets with a masonry wall, adequate planting, or solid material fence a minimum of six (6) feet in height. (Ord. 2007-20, 3-20-07)
- l. Recreation Area: Not less than ten (10) percent of the gross site area shall be devoted to recreational facilities and common area.
 - (1) Recreation areas shall generally be provided in a central location. In larger areas, recreational facilities can be decentralized if at least one (1) area of two-thirds (2/3) acre can be provided.
 - (1) Recreation areas may include space for community buildings and community use facilities, such as indoor recreation areas, swimming pools, hobby and repair shops, and service buildings. If compliance of this provision results in undue hardship, and/or individual lot areas are substantially above minimum standards and provide for sufficient outdoor recreation, an exemption shall be granted to an extent that an absolute minimum one hundred (100) square feet per lot be considered sufficient for the site of a centralized recreation area, provided that no recreation area shall contain less than five thousand (5,000) square feet.
 - (3) All recreation areas shall be maintained in a dust free condition.
 - (4) Recreational buildings and developments (such as swimming pools) shall provide a bonus in computing open space requirements as follows: for each square foot of recreational building, open space requirements shall be reduced by three (3) square feet.
- m. Streets.
 - (1) All private streets shall be improved in accordance with Development Standards set by the City Engineer.
 - (2) All manufactured home parks shall be provided with safe, convenient paved vehicular access from abutting streets to each mobile home lot.
 - (3) Entrances to a manufactured home park shall have two (2) separated direct connections to public streets and shall be designed to allow free movement of traffic on such adjacent streets. (Ord. 2007-20, 3-20-07)
 - (4) Access to a manufactured home park shall not be through a residential area to reach a collector route. (Ord. 2007-20, 3-20-07)
- n. All outdoor lighting with the exceptions of street lights shall be in accordance with Chapter 10-08.
- o. The Manufactured Home Space: (Ord. 1997, 6-15-99)
 - (1) The limits of each manufactured home space shall be marked on the ground by suitable means. Location of space limits on the ground shall be the same as shown on the required map. (Ord. 1997, 6-15-99)

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- (2) The manufactured home space shall be improved to provide adequate support for the placement and tie-down of the manufactured home. (Ord. 1997, 6-15-99)
 - (3) Each manufactured home space shall be provided with an outdoor living and service area. Such area shall be improved as necessary to assure reasonable privacy and comfort. The minimum area shall not be less than three hundred (300) square feet with at least a dimension of fifteen (15) feet. This area shall not be a part of the buildable area. (Ord. 1997, 6-15-99)
- p. Solid Waste Disposal System. Solid waste collection stands shall be provided for all waste containers. Such stands shall be so designed as to prevent containers from being tipped and minimize spillage and container deterioration and to facilitate cleaning of the area. Solid waste collection stands shall be screened adequately from view.
- q. Storage Area. Storage areas shall be provided for the storage of boats, travel trailers, utility trailers and extra vehicles at the following ratio: Three hundred (300) square feet for each four (4) manufactured home spaces. Each storage area shall be enclosed with a chain link or comparable fence six (6) feet in height and shall be screened from exterior view. (Ord. 2007-20, 3-20-07)
- r. Travel Trailer Parking Spaces. A properly designed manufactured home park located on a major highway or primary or secondary arterial City street may be designed to utilize a maximum of twenty (20) percent of the manufactured home park site to accommodate travel trailers or similar recreational vehicles in accordance with standards included in Chapter 10-03, Section 10-03-003-0002. (Ord. 1997, 6-15-99)
- s. Minimum landscaping requirements shall be provided in accordance with Chapter 10-06.

10-02-005-0010. RESERVED (Ord. 2000-08, 6/6/00)**10-02-005-0011. COMMERCIAL DISTRICTS - ESTABLISHED:**

Certain areas of the City are classified as established commercial districts by the primary symbol "C-E" to provide for the various types of retail sales, professional services, and facilities needed to serve the community.

10-02-005-0012. C-1-E, NEIGHBORHOOD COMMERCIAL DISTRICT ESTABLISHED:

- A. INTENT AND PURPOSE. The C-1-E District is designed to protect established commercial neighborhoods and to provide for retail and service establishments which supply commodities or perform services to meet the daily needs of the adjacent residential neighborhood. These districts shall be in locations where analysis of the residential population demonstrates that such facilities are justified. The development of residential uses in addition to commercial uses is also encouraged in this district to provide diversity in housing choices. The development standards of this district are established to promote the integration of these areas into the adjacent residential neighborhood so that residential property values will be preserved and potential conflicts minimized. (Ord. 2007-20, 3-20-07)
- B. PERMITTED USES.
1. Retail trade businesses or establishments engaged in selling or offering for sale personal property to the public, including the rendering of services incidental to said sales, and businesses, professional services, and trades engaged primarily in rendering or offering services to the adjacent residential neighborhoods. All such uses in the category shall be conducted within a completely enclosed building.
 2. Convenience food market, not exceeding five thousand (5,000) square feet in gross floor area.

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3. Dry-cleaning pick-up station, no processing on the premises.
 4. Personal service shops, such as barber and beauty shops.
 5. Photo finishing services, pick-up station.
 6. Restaurant or cafe, excluding drive-in types.
 7. Other retail and service establishments not exceeding three thousand five hundred (3,500) square feet of gross floor area.
 8. Residential uses subject to the provisions of the RM-M-E District provided that all residential uses are located either on the second story or above. (Ord. 2007-20, 3-20-07)
 9. Bed and Breakfast Establishments.
 10. Home day care or day care center. (Ord. 2007-20, 3-20-07)
 11. Accessory buildings and structures. See Division 10-03-005, Accessory Uses Regulations and Structures. (Ord. 1997, 6-15-99) (Ord. 2007-20, 3-20-07)
- C. EXCLUDED USES. The following uses are specifically excluded from the C-1-E District: (Ord. 1997, 6-15-99)
1. Junk yards. (Ord. 1997, 6-15-99)
 2. Lumber yards. (Ord. 1997, 6-15-99)
 3. Transportation or trucking yards or terminals. (Ord. 1997, 6-15-99)
 4. Warehousing. (Ord. 1997, 6-15-99)
 5. Wholesale business. (Ord. 1997, 6-15-99)
 6. Outdoor storage or display of goods or material, unless specifically provided for under Permitted Uses or Conditional Uses. (Ord. 1997, 6-15-99)
 7. Any other use whose primary purpose or nature is first specified as a permitted use in the C-2-E, C-3-E, C-4-E, C-5-E, I-1-E, I-2-E, or I-3-E Districts, unless specifically listed as a permitted or conditional use in this District. (Ord. 1997, 6-15-99)
- D. CONDITIONAL USES. The following uses shall be permitted provided that in each instance a Conditional Use Permit has been authorized pursuant to Chapter 10-10 and continued in full force and effect:
1. Automobile service stations, not including body, motor repair, or painting, and not including truck stops. All service, except the sale of gasoline and oil, shall be entirely within an enclosed building. No equipment rental or outside storage or display of used or new merchandise shall be permitted. (Ord. 1741, 3-17-92)
 2. Churches and church-related facilities. (Ord. 1997, 6-15-99)
 3. Unclassified Uses. See Section 10-02-005-0024. (Ord. 1997, 6-15-99)

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- E. LIMITATIONS ON USES. Every use permitted in the C-1-E District shall be subject to the following limitations:
1. Storage shall be limited to accessory storage of commodities sold at retail on the premises and shall be within an enclosed building.
 2. All lighting fixtures providing illumination of any ground area or building exterior shall be in accordance with Chapter 10-08.
 3. Every C-1-E District lot shall have frontage on a public street.
- F. PROPERTY DEVELOPMENT STANDARDS. The following property development standards shall apply to all land and buildings in the C-1-E District:
1. Floor Area Ratio. 0.8, except where residential uses are proposed above commercial uses, the gross floor area of residential uses may be excluded from the floor area ratio calculations for a commercial building. (Ord. 2007-20, 3-20-07)
 2. Building Height.
 - a. No building used only for commercial uses shall exceed fifteen (15) feet in height, except as approved in a Conditional Use Permit. (Ord. 2007-20, 3-20-07)
 - b. Where residential uses are proposed above commercial uses, a building shall be limited to two (2) stories with the first floor a maximum of twelve (12) feet and the second floor a maximum of ten (10) feet measured from floor to ceiling. (Ord. 2007-20, 3-20-07)
 3. Area and Minimum Lot Size. The land area within a contiguous C-1-E District shall not be less than thirty thousand (30,000) square feet and not over one hundred fifty thousand (150,000) square feet. The minimum lot size for any one business shall be six thousand (6,000) square feet with a minimum lot width of fifty (50) feet, and a minimum lot depth of one hundred (100) feet.
 4. Yards.
 - a. Front Yard. Each development shall maintain a front yard equivalent to the adjacent residential properties, or not less than fifteen (15) feet. Front yard areas shall not be used for off-street parking.
 - b. Side Yards. No setback is required, except that each development shall maintain a fifteen (15) foot side yard where the side of the lot abuts a residential district.
 - c. Rear Yard. No setback is required, except that each development shall maintain a fifteen (15) foot rear yard when the lot line abuts a residential district or alley.
 5. Rubbish or Refuse Storage Area. Every development in the C-1-E District shall have a refuse storage area constructed and provided in accordance with City standards. The location and design shall be approved by the Development Review Board.
- G. OFF-STREET PARKING. The provisions of Chapter 10-07 shall apply.
- H. SIGNS. The provisions of Chapter 10-08 shall apply.
- I. LANDSCAPING. Minimum landscaping requirements shall be provided in accordance with Chapter 10-06.

10-02-005-0013. C-2-E, COMMUNITY COMMERCIAL DISTRICT ESTABLISHED:

- A. **INTENT AND PURPOSE.** The C-2-E, Community Commercial District Established, is designed to protect established neighborhoods and provide for and encourage the orderly development of dispersed commercial areas designed to serve community-wide needs. Such areas provide a wide variety of goods and services in predominately established, built-up areas, and must be consistent with the overall development of the City and its environs. The development of residential uses in addition to commercial uses is also encouraged in this district to provide diversity in housing choices. The provisions of this district are intended to ensure that such commerce will be compatible with adjacent, non-commercial development and to minimize the undesirable effects of heavy traffic, type of activity, and site requirements. (Ord. 2007-20, 3-20-07)
- B. **PERMITTED USES.** No building, structure, or premise shall be erected, altered, enlarged, or used, except for the following:
1. Retail trade businesses or establishments engaged primarily in selling or offering for sale personal property to the public, including rendering of services incidental to said sale, and businesses, professional services, and trades engaged primarily in rendering or offering services to the general public, provided that, except for the following, such use or uses will be conducted within a completely enclosed building:
 - a. Car washes.
 - b. Commercial parking lot. See Section 10-03-006-0001. (Ord. 1997, 6-15-99)
 - c. Commercial recreation.
 - d. Automobile service stations, including motor repair and complete servicing, but not including automotive top, body, upholstery or paint shops, or tire retreading and repair shops. (Ord. 1741, 3-17-92)
 - e. Drive-up or drive-through facilities housing free-standing service uses, such as vending machines, kiosks, and recycling machines as incidental uses in shopping centers. If there are more than (2) two such facilities proposed for any one (1) shopping center, they may be required to be grouped together in a landscaped area for common access and ease of maintenance.
 - f. Nurseries, garden centers, produce markets or other similar outdoor uses. See Section 10-03-005-0001. (Ord. 1997, 6-15-99) (Ord. 2002-15, 11-05-02)
 2. Incidental manufacturing as processing is permitted but subject to the provisions of this Section--Limitations on Uses.
 3. Bed and breakfast establishments.
 4. Residential uses subject to the provisions of the RM-M-E District provided that all residential uses are located either on the second story or above. (Ord. 2007-20, 3-20-07)
 5. Restaurants. (Ord. 1997, 6-15-99)
 6. Offices. (Ord. 1997, 6-15-99)
 7. Home day care or day care center. (Ord. 2007-20, 3-20-07)
 8. Accessory buildings and structures. See Division 10-03-005, Accessory Uses and Structures. (Ord. 1997, 6-15-99) (Ord. 2007-20, 3-20-07)
- C. **EXCLUDED USES.** The following uses are specifically excluded from the C-2-E District:
1. Junk yards.

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2. Lumber yards.
3. Transportation or trucking yards or terminals.
4. Warehousing, except incidental to a permitted retail trade use.
5. Wholesale business.
6. Outdoor storage or display of goods or material, unless specifically provided for under Permitted Uses or Conditional Uses. (Ord. 1997, 6-15-99)
7. Any other use whose primary purpose or nature is first specified as a permitted use in the C-3-E, C-4-E, I-1-E, I-2-E, or I-3-E Districts, unless specifically listed as a permitted or conditional use in this District. (Ord. 1997, 6-15-99)

D. **CONDITIONAL USES.** The following uses shall be permitted provided that in each instance a Conditional Use Permit has been authorized pursuant to Chapter 10-10 and continued in full force and effect: (Ord. 2007-20, 3-20-07).

1. New and used automobile and truck sales and services.
2. Churches and church-related facilities. (Ord. 1997, 6-15-99)
3. Automobile repair or vehicle repair garages, including automotive top or upholstery shops, but excluding body or paint shops, or tire retreading and repair shops, provided the storage or parking of inoperable motor vehicles shall be within an enclosed building or a compound yard enclosed by a six (6) foot high solid fence or wall, except for driveway openings. (Ord. 1741, 3-17-92) (Ord. 2002-15, 11-05-02)
4. Large scale planned developments of two (2) or more buildings having a minimum area of five (5) acres on which a combination of commercial facilities and/or residential dwelling units are compatibly and harmoniously arranged. If residential uses are proposed above commercial uses and building height is less than sixty (60) feet, the requirement for a conditional use permit shall be waived. (Ord. 2007-20, 3-20-07)
5. Mini-storage warehousing operations. (See Section 10-03-006-0001). (Ord. 1741, 3-17-92) (Ord. 2002-15, 11-05-02)
6. Walk-in movie theatres.
7. Trade schools.
8. Funeral homes and chapels, mortuaries. (Ord. 2002-15, 11-05-02)
9. Lodges or fraternal associations, including union halls.
10. Veterinary clinics but not veterinary hospitals, kennels or animal shelters. (Ord. 2002-15, 11-05-02)
11. Drive-up or drive-through facilities housing free-standing service uses, such as vending machines, kiosks, and recycling machines as accessory uses to existing retail establishments, provided that there are no residential uses within one hundred fifty (150) feet of the property on which the use is to be located.
12. Fraternities and fraternity houses, sororities and sorority houses. (See Section 10-03-006-0001.) (Ord. 2002-15, 11-05-02)
13. Unclassified Uses. See Section 10-02-005-0024. (Ord. 1997, 6-15-99)

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- E. LIMITATIONS ON USES. Every use permitted in the C-2-E District shall be subject to the following limitations:
1. Storage shall be limited to accessory storage of commodities sold at retail on the premises and shall be within an enclosed building.
 2. All lighting fixtures providing illumination of any ground area or building exterior shall be in accordance with Chapter 10-08.
 3. Every C-2-E District lot shall have frontage on a public street.
 4. All products incidental to a permitted use which are manufactured or processed on the premises shall be sold on the premises and at retail only, and shall be further limited as follows:
 - a. Such activity shall be restricted to not over twenty-five (25) percent of ground floor area of the building or buildings.
 - b. Not more than five (5) employees shall be engaged in such activity.
- F. PROPERTY DEVELOPMENT STANDARDS.
1. Floor Area Ratio (F.A.R.)/Lot Coverage/Building Height. Lot coverage and building height are controlled by the maximum F.A.R. of 2.5, except where residential uses are proposed above commercial uses, the gross floor area of residential uses may be excluded from the floor area ratio calculations for a commercial building. A Conditional Use Permit shall be required for buildings or structures over sixty (60) feet in height. (Ord. 1741, 3-17-92) (Ord. 2007-20, 3-20-07)
 2. Area and Minimum Lot Size. The land area within a contiguous C-2-E District shall not be less than one hundred thirty thousand (130,000) square feet nor larger than nine hundred thousand (900,000) square feet. The minimum lot size for any one business shall be nine thousand (9,000) square feet with a minimum street frontage lot width of sixty (60) feet and a minimum lot depth of one hundred (100) feet.
 3. Yards.
 - a. Front Yards. No front yard is required, except when required by adoption of building setback lines along specified streets.
 - b. Side Yards. No setback is required, except each development shall maintain a fifteen (15) foot side yard where the side of the lot abuts a residential district. On all exterior lot lines there shall be a street bufferyard governed by Table 10-06-003-0004.B. (Ord. 997, 6-15-99)
 - c. Rear Yards. No setback is required, except each development shall maintain a fifteen (15) foot rear yard where the lot line abuts a residential district.
 4. Rubbish or Refuse Storage Area. Every development in the C-2-E District shall have a refuse storage area constructed and provided in accordance with City standards. The location and design shall be approved by the Development Review Board.
- G. OFF-STREET PARKING. The provisions of Chapter 10-07 shall apply. Many existing developments in this district do not comply with minimum Land Development Code parking requirements. All projects subject to redevelopment shall be required to provide the minimum parking required for that project within the C-2-E zoning district within which it is located. (Ord. 2007-20, 3-20-07)
- H. SIGNS. The provisions of Chapter 10-08 shall apply.
- I. LANDSCAPING. Minimum landscaping requirements shall be provided in accordance with Chapter 10-06.

10-02-005-0014. C-3-E, HIGHWAY COMMERCIAL DISTRICT ESTABLISHED:

- A. **INTENT AND PURPOSE.** The C-3-E District is designed to protect established commercial neighborhoods and to provide for a full range of services for the motoring public and for the community in general. This district is designed for location on major streets and highways. The development of residential uses in addition to commercial uses is encouraged in this district to provide diversity in housing choices provided that residential uses are located either on the second story or above, or behind commercial buildings so that they are buffered from adjoining highway corridors. The provisions of this District are intended to provide for the convenience of the motoring public without increasing any additional traffic burdens upon the adjacent streets and highways. (Ord. 2007-20, 3-20-07)
- B. **PERMITTED USES.** No building, structure, or premise shall be erected, altered, enlarged, or used except for the following:
1. Retail trade businesses or establishments engaged primarily in selling or offering for sale personal property to the public, including rendering of services incidental to said sale; and businesses, professional services, and trades engaged primarily in rendering or offering services to the general public, provided that, except for the following, such use or uses are to be conducted within a completely enclosed building:
 - a. Car washes.
 - b. Commercial parking lots. See Section 10-03-006-0001. (Ord. 1997, 6-15-99)
 - c. Commercial recreation.
 - d. Display and parking of motor vehicles, mobile homes, and travel trailers, incidental to a permitted use.
 - e. Equipment rental yard.
 - f. Lumber yards, provided all open storage shall be within a compound enclosed with an eight (8) foot high chain link fence or wall.
 - g. Drive-up or drive-through facilities housing free-standing service uses, such as vending machines, kiosks, and recycling machines as incidental uses in shopping centers. If there are more than two (2) such facilities proposed for any one (1) shopping center, they may be required to be grouped together in a landscaped area for common access and ease of maintenance.
 - h. Vehicle towing or impound yards, provided that all vehicle storage shall be within a yard enclosed by a six (6)-foot-high solid fence or wall, except for gated and screened driveway openings. (Ord. 1997, 6-15-99)
 - i. Nurseries, garden centers, produce markets, or other similar outdoor uses. (See Section 10-03-005-0001. (Ord. 1997, 6-15-99) (Ord. 2002-15, 11-05-02)
 2. Automobile service stations, including motor repair and complete servicing, but not including automotive top, body, upholstery or paint shops, or tire retreading and repair shops. (Ord. 1741, 3-17-92)
 3. Automobile and trailer rental.
 4. Automobile and truck sales and service, new and used.
 5. Bars, cocktail lounges, taverns, or other on-sale alcoholic beverage establishments.
 6. Theaters, walk-in and drive-in.

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7. Motels, hotels, and bed and breakfast establishments.
8. Mobile home and travel trailer rental, sales, and service.
9. Recreational vehicle or Travel trailer parks and facilities. See Section 10-03-003-0002. (Ord. 1997, 6-15-99)
10. Incidental manufacturing as processing is permitted but is subject to the provisions of this Section-- Limitations on Uses.
11. Residential uses subject to the provisions of the RM-M-E District provided that all residential uses are located either on the second story or above, or behind commercial buildings so that they are buffered from adjoining highway corridors. (Ord. 2007-20, 3-20-07)
12. Restaurants. (Ord. 1997, 6-15-99)
13. Offices. (Ord. 1997, 6-15-99)
14. Home day care or day care center. (Ord. 2007-20, 3-20-07)
15. Homeless shelter, provided that two or more homeless shelters are spaced no less than one-half mile apart. (Ord. 2007-20, 3-20-07)
16. Accessory buildings and structures. See Division 10-03-005, Accessory Uses and Structures. (Ord. 1997, 6-15-99) (Ord. 2007-20, 3-20-07)

C. EXCLUDED USES. The following uses are specifically excluded from the C-3-E District:

1. Junk yards.
2. Truck yards or terminals.
3. Warehousing, except where incidental to a permitted retail use.
4. Wholesaling.
5. Outdoor storage or display of goods or material, unless specifically provided for under Permitted Uses or Conditional Uses. (Ord. 1997, 6-15-99)
6. Any other use whose primary purpose or nature is first specified as a permitted use in the C-4-E, I-1-E, I-2-E, or I-3-E Districts, unless specifically listed as a permitted or conditional use in this District. (Ord. 1997, 6-15-99)

D. CONDITIONAL USES. The following uses shall be permitted provided that in each instance a Conditional Use Permit has been authorized pursuant to Chapter 10-10 and continued in full force and effect: (Ord. 2007-20, 3-20-07)

1. Churches and church-related facilities. (Ord. 1997, 6-15-99)
2. Automobile repair or vehicle repair garages, including automotive top, body, upholstery or paint shops, but excluding tire retreading and repair shops, provided the storage or parking of inoperable motor vehicles shall be within an enclosed building or a compound yard enclosed by a six (6) foot high solid fence or wall, except for driveway openings. (Ord. 1741, 3-17-92) (Ord. 1997, 6-15-99)
4. Large scale planned developments of two (2) or more buildings having a minimum area of five (5) acres on which a combination of commercial facilities and/or residential dwelling units are compatibly and harmoniously arranged. If residential uses are proposed above commercial uses

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and building height is less than sixty (60) feet, the requirement for a conditional use permit shall be waived. (Ord. 2007-20, 3-20-07)

4. Mini-storage warehousing operations. See Section 10-03-006-0001. (Ord. 1997, 6-15-99) (Ord. 2002-15, 11-05-02)
5. Trade schools.
6. Funeral homes, chapels, mortuaries. (Ord. 2002-15, 11-05-02)
7. Lodges or fraternal associations including union halls.
8. Veterinary clinics, but not veterinary hospitals, kennels or animal shelters. (Ord. 2002-15, 11-05-02)
9. Liquefied petroleum gas or fuel oil storage for retail sales.
10. Research and development uses.
11. Drive-up or drive-through facilities housing free-standing service uses, such as vending machines, kiosks, and recycling machines as incidental uses in non-shopping center locations.
12. Homeless shelter, if two or more homeless shelters are spaced less than one-half mile apart. (Ord. 2007-20, 3-20-07)
13. Unclassified Uses. See Section 10-02-005-0024. (Ord. 1997, 6-15-99)

E. **LIMITATION ON USES.** Every use permitted in the C-3-E District shall be subject to the following limitations:

1. Storage shall be limited to accessory storage of commodities sold at retail on the premises and shall be within an enclosed building.
2. All lighting fixtures providing illumination of any ground area or building exterior shall be in accordance with Chapter 10-08.
3. Every C-3-E District lot shall have frontage on a public street.
4. All products incidental to a permitted use which are manufactured or processed on the premises shall be sold on the premises and at retail only, and shall be further limited as follows:
 - a. Such activity shall be restricted to not over twenty-five (25) percent of ground floor area of the building or buildings.
 - b. Not more than five (5) employees shall be engaged in such activity.

F. **PROPERTY DEVELOPMENT STANDARDS.**

1. Floor Area Ratio (F.A.R.)/Lot Coverage/Building Heights. Lot coverage and building height are controlled by the maximum F.A.R. of 3.0, except where residential uses are proposed above commercial uses, the gross floor area of residential uses may be excluded from the floor area ratio calculations for a commercial building. A Conditional Use Permit shall be required for buildings or structures over sixty (60) feet in height. (Ord. 1741, 3-17-92) (Ord. 2007-20, 3-20-07)
2. Area and Minimum Lot Size. The land area within a contiguous C-3-E District shall not be less than one hundred thirty thousand (130,000) square feet nor larger than nine hundred thousand (900,000)

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square feet. The minimum lot size for any one (1) business shall be nine thousand (9,000) square feet with a minimum street frontage lot width of sixty (60) feet and a minimum lot depth of one hundred (100) feet.

3. Yards.
 - a. Front Yards. No front yard is required, except when required by adoption of building setback lines along specified streets.
 - b. Side Yards. No setback is required, except each development shall maintain a fifteen (15) foot side yard where the side of the lot abuts a residential district. On all exterior lot lines (adjacent to a public street), there shall be a street bufferyard governed by Table 10-06-003-0004.B. (Ord. 1997, 6-15-99)
 - c. Rear Yards. No setback is required, except each development shall maintain a fifteen (15) foot rear yard when the lot line abuts a residential district. (Ord. 1997, 6-15-99)
4. Rubbish or Refuse Storage Area. Every development in the C-3-E District shall have a refuse storage area constructed and provided in accordance with City standards. The location and design shall be approved by the Development Review Board.

G. OFF-STREET PARKING. The provisions of Chapter 10-07 shall apply.

H. SIGNS. The provisions of Chapter 10-08 shall apply.

I. LANDSCAPING. Minimum landscaping requirements shall be provided in accordance with Chapter 10-06.

10-02-005-0015. C-4-E, COMMERCIAL SERVICE DISTRICT ESTABLISHED:

A. INTENT AND PURPOSE. The C-4-E District is designed to protect established commercial neighborhoods and to provide for those service industries and support activities necessary to maintain viable commercial retail trade centers. The development of residential uses in addition to commercial uses is encouraged in this district to provide diversity in housing choices provided that residential uses are located on the second story or above. (Ord. 2007-20, 3-20-07)

B. PERMITTED USES. No building, structure, or premise shall be erected, enlarged, altered, or used except for the following uses:

1. Retail trade businesses or establishments engaged primarily in selling or offering for sale personal property to the public, including rendering of services incidental to said sale; and businesses, professional services, and trades engaged primarily in rendering or offering to the general public.
2. Automobile service stations. (Ord. 1741, 3-17-92)
3. Automobile repair or vehicle repair garages, including automotive top, body, upholstery or paint shops and tire retreading and repair shops, provided the storage or parking of wrecked or inoperable motor vehicles shall be within an enclosed building or a compound yard enclosed by a six (6) foot high solid fence or wall, except for driveway openings. (Ord. 1741, 3-17-92)
4. Bakeries, wholesale.
5. Building and/or plumbing contractors' storage or supply yards, provided that if not within an enclosed building it shall be within an area enclosed on all sides with a solid wall or fence not less than six (6) feet high.
6. Carpenter or cabinet shops.

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7. Machine shops or metal working shops including arc and gas welding, providing that all work shall be conducted within an enclosed building.
8. New or used car sales.
9. Mini-storage warehousing operations (See Section 10-03-006-0001). (Ord. 1741, 3-17-92) (Ord, 2002-15, 11-05-02)
10. Mobile home or travel trailer sales and service.
11. Travel trailer parks and facilities. (See Section 10-03-003-0002.) (Ord. 2002-15, 11-05-02)
12. Equipment rental yard, including heavy construction equipment such as dump trucks, tractors, graders, etc.
13. Parcel service deliveries.
14. Truck terminal or yard.
15. Lumber yards, provided all open storage shall be within a compound enclosed with an eight (8) foot high fence or wall.
16. Used car lots.
17. Frozen food lockers.
18. Feed stores.
19. Wholesale distributors.
20. Residential uses subject to the provisions of the RM-M-E District provided that all residential uses are located either on the second story or above. (Ord. 2007-20, 3-20-07)
21. Bed and breakfast establishments.
22. Restaurants. (Ord. 1997, 6-15-99)
23. Offices. (Ord. 1997, 6-15-99)
24. Home day care or day care center. (Ord. 2007-20, 3-20-07)
25. Homeless shelter, provided that two or more homeless shelters are spaced no less than one-half mile apart. (Ord. 2007-20, 3-20-07)
26. Accessory buildings and structures. See Division 10-03-005, Accessory Uses and Structures. (Ord. 1997, 6-15-99) (Ord. 2007-20, 3-20-07)

C. EXCLUDED USES. The following uses are specifically excluded from the C-4-E Districts:

1. Junk yards.
2. Warehousing, except where incidental to a permitted retail use.
3. Any other use whose primary purpose or nature is first specified as a permitted use in the I-1-E, I-2-E, or I-3-E Districts, unless specifically listed as a permitted or conditional use in this District. (Ord. 1997, 6-15-99)

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- D. **CONDITIONAL USES.** The following uses shall be permitted provided that in each instance a Conditional Use Permit has been authorized pursuant to Chapter 10-10 and continued in full force and effect: (Ord. 2007-20, 3-20-07)
1. Churches and church-related facilities. (Ord. 1997, 6-15-99)
 2. Trade schools.
 3. Lodges or fraternal associations including union halls.
 4. Veterinary hospitals, but not kennels or animal shelters. (Ord. 2002-15, 11-05-02)
 5. Liquefied petroleum gas or fuel oil storage for retail sales.
 6. Homeless shelter, if two or more homeless shelters are spaced less than one-half mile apart. (Ord. 2007-20, 3-20-07)
 7. Unclassified Uses. See Section 10-02-005-0024. (Ord. 1997, 6-15-99)
- E. **LIMITATIONS ON USES.** Every use permitted in the C-4-E District shall be subject to the following limitations:
1. Storage shall be limited to accessory storage of commodities sold on the premises and shall be within an enclosed building.
 2. All lighting fixtures providing illumination of any ground area or building exterior shall be in accordance with Chapter 10-08.
 3. Every C-4-E District lot shall have frontage on a public street.
 4. All products incidental to a permitted use which are manufactured or processed on the premises shall be sold on the premises and at retail only, and shall be further limited as follows:
 - a. Such activity shall be restricted to not over fifty (50) percent of ground floor area of the building or buildings.
 - b. Not more than ten (10) employees shall be engaged in such activity.
- F. **PROPERTY DEVELOPMENT STANDARDS.**
1. **Floor Area Ratio (F.A.R.)/Lot Coverage/Building Height.** Lot coverage and building height are controlled by the maximum F.A.R. of 2.0, except where residential uses are proposed above commercial uses, the gross floor area of residential uses may be excluded from the floor area ratio calculations for a commercial building. A Conditional Use Permit shall be required for buildings or structures over sixty (60) feet in height. (Ord. 1741, 3-17-92) (Ord. 2007-20, 3-20-07)
 2. **Area and Minimum Lot Size.** The land area within a contiguous C-4-E District shall not be less than one hundred thirty thousand (130,000) square feet nor larger than nine hundred thousand (900,000) square feet. The minimum lot size for any one business shall be nine thousand (9,000) square feet with a minimum street frontage lot width of sixty (60) feet and a minimum lot depth of one hundred (100) feet.
 3. **Yards.**
 - a. **Front Yards.** No front yard is required, except when required by adoption of building setback lines along specified streets.

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- b. Side Yards. No setback is required, except each development shall maintain a fifteen (15) foot side yard where the side lot line abuts a residential district. On all exterior lot lines adjacent to a public street, there shall be a street bufferyard governed by Table 10-06-003-0004.B. (Ord. 1997, 6-15-99)
- c. Rear Yards. No setback is required, except each development shall maintain a fifteen (15) foot rear yard where the lot line abuts a residential district.
- 4. Rubbish or Refuse Storage Area. Every development in the C-4-E District shall have a refuse storage area constructed and provided in accordance with City standards. The location and design shall be approved by the Development Review Board.
- G. OFF-STREET PARKING. The provisions of Chapter 10-07 shall apply.
- H. SIGNS. The provisions of Chapter 10-08 shall apply.
- I. LANDSCAPING. Minimum landscaping requirements shall be provided in accordance with Chapter 10-06.

10-02-005-0016. C-5-E, CENTRAL BUSINESS DISTRICT ESTABLISHED:

- A. INTENT AND PURPOSE. The C-5-E District is designed to protect the established central business districts and to provide for a concentrated central core accommodating retail commercial and personal services of all kinds, governmental, business, financial, professional, and general offices to satisfy the needs of the community and surrounding trade area. The uses in this area require a central location accessible to all routes entering the City and grouped so that the shopper or user can park and visit a number of stores and offices on foot. The development of residential uses in addition to commercial uses is encouraged in this district to provide diversity in housing choices provided that residential uses are located on the second story or above. (Ord. 2007-20, 3-20-07)
- B. PERMITTED USES. No building, structure, or premises shall be erected, altered, enlarged, or used except for the following:
 - 1. Retail trade businesses or wholesale businesses in conjunction with retail businesses engaged primarily in selling or offering for sale personal property or consumer goods or products to the public, including rendering of services incidental to said sale, and businesses, professional services, and trades engaged primarily in rendering or offering services to the general public, provided that, except for the following, such use or uses are to be conducted within a completely enclosed building:
 - a. Commercial parking lot. See Section 10-03-006-0001. (Ord. 1997, 6-15-99)
 - b. Commercial recreation.
 - c. Automobile service stations, not including body, motor repair, or painting and not including truck stops. All service except the sale of gasoline and oil, shall be entirely within an enclosed building. No equipment rental or outside storage or display of used or new merchandise shall be permitted. (Ord. 1741, 3-17-92)
 - 2. Incidental manufacturing as processing is permitted but is subject to the provisions of this Section-- Limitations on Uses.
 - 3. Hotels and motels.
 - 4. Walk-in movie or theaters.
 - 5. Off-street parking lots or parking garages.

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6. Residential uses subject to the provisions of the RM-M-E District provided that all residential uses are located either on the second story or above. (Ord. 2007-20, 3-20-07)
 7. Bed and breakfast establishments.
 8. Home day care or day care center. (Ord. 2007-20, 3-20-07)
 9. Accessory buildings and structures. See Division 10-03-005, Accessory Uses and Structures. (Ord. 1997, 6-15-99) (Ord. 2007-20, 3-20-07)
- C. EXCLUDED USES. The following uses are specifically excluded from the C-5-E District:
1. Lumber yards.
 2. Junk yards.
 3. Transportation or trucking yards or terminals.
 4. Warehousing, except incidental to a permitted retail trade use.
 5. Wholesale businesses, except incidental to a permitted retail trade use.
 6. Any other use whose primary purpose of nature is first specified as a permitted use in the C-4-E, I-1-E, I-2-E, or I-3-E Districts unless otherwise permitted in this Section.
- D. CONDITIONAL USES. The following uses shall be permitted provided that in each instance a Conditional Use Permit has been authorized pursuant to Chapter 10-10 and continued in full force and effect: (Ord. 2007-20, 3-20-07)
1. Churches and church-related facilities. (Ord. 1997, 6-15-99)
 2. Large scale commercial and/or residential developments having a total floor area of two hundred thousand (200,000) square feet or more. If residential uses are proposed above commercial uses and building height is less than sixty (60) feet, the requirement for a conditional use permit shall be waived. (Ord. 2007-20, 3-20-07)
 3. New and used automobile sales and service, provided that the service of vehicles is an accessory use to the principal use of an automobile dealership. (Ord. 1997, 6-15-99)
 4. Trade schools.
 5. Funeral homes, chapels, mortuaries. (Ord. 2002-15, 11-05-02)
 6. Lodges or fraternal associations, including union halls.
 7. Unclassified Uses, but excluding day care centers. See Section 10-02-005-0024. (Ord. 1997, 6-15-99) (Ord. 2007-20, 3-20-07)
- E. LIMITATION ON USES. Every use permitted in the C-5-E District shall be subject to the following limitations:
1. Storage shall be limited to accessory storage of commodities sold at retail on the premises and shall be within an enclosed building.
 2. All lighting fixtures providing illumination of any ground area or building exterior shall be in accordance with Chapter 10-08.

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3. Every C-5-E District lot shall have frontage on a public street.
4. All products incidental to a permitted use which are manufactured or processed on the premises shall be limited as follows:
 - a. Such activity shall be restricted to not over twenty-five (25) percent of ground floor area of the building or buildings.
 - b. Not more than five (5) employees shall be engaged in such activity.

F. PROPERTY DEVELOPMENT STANDARDS.

1. Floor Area Ratio (F.A.R.)/Lot Coverage/Building Height. A Conditional Use Permit shall be required for buildings or structures over sixty (60) feet in height. (Ord. 1741, 3-17-92)
2. Area and Minimum Lot Size. The land area in the C-5-E District is normally defined as the original Business District of the City and may be expanded as future demand warrants. The minimum lot size shall be seven thousand (7,000) square feet with a minimum street frontage of fifty (50) feet.
3. Yards.
 - a. Front Yards. No front yard is required, except when required by adoption of building setback lines along specified streets.
 - b. Side Yards. No setback is required, except each development shall maintain a fifteen (15) foot side yard where the side of the lot abuts a residential district. (Ord. 1997, 6-15-99)
 - c. Rear Yards. No setback is required, except each development shall maintain a fifteen (15) foot rear yard where the lot line abuts a residential district.
4. Rubbish or Refuse Storage Area. Every development in the C-5-E District shall have a refuse storage area constructed and provided in accordance with City standards. The location and design shall be approved by the Development Review Board.

G. OFF-STREET PARKING. Parking shall be provided for:

1. An enclosed building addition that results in an increase in the gross floor area of twenty-five (25) percent or more; or (Ord. 1997, 6-15-99)
2. A new building that is constructed on a previously vacant site; or (Ord. 1997, 6-15-99)
3. That portion of a new building's or new addition's gross floor area that exceeds the site's previous existing building's gross floor area, excluding unenclosed decks and patios. (Ord. 1997, 6-15-99)
4. The provisions of Chapter 10-07 shall apply. Many existing developments in this district do not comply with minimum Land Development Code parking requirements. All projects subject to redevelopment shall be required to provide the minimum parking required for that project within the C-5-E zoning district within which it is located. (Ord. 2007-20, 3-20-07)

H. SIGNS. The provisions of Chapter 10-08 shall apply.

I. LANDSCAPING. Minimum landscaping requirements shall be provided in accordance with Chapter 10-06.

10-02-005-0017. INDUSTRIAL DISTRICTS ESTABLISHED:

Certain areas of the City are classified as established industrial districts by the primary symbol "I-E" to provide for the various types of manufacturing, fabrication, storage, and other industrial uses.

10-02-005-0018. I-1-E, RESTRICTED INDUSTRIAL DISTRICT ESTABLISHED:

A. INTENT AND PURPOSE. The I-1-E District is designed to protect established industrial areas and to provide a use area for wholesaling, storage, packaging, display, distribution, retail uses, light manufacturing, and assembling and fabrication of products.

B. PERMITTED USES.

1. Automobile repair or vehicular repair garages, including automotive top, body, upholstery or paint shops, and tire retreading and repair shops, provided the storage or parking of wrecked or inoperable motor vehicles shall be within an enclosed building or a compound yard enclosed by a six (6) foot high solid fence or wall, except for driveway openings. (See Section 10-03-006-0001 for regulations.) (Ord. 1741, 3-17-92) (Ord. 2002-15, 11-05-02)
2. Building and/or plumbing contractors' storage or supply yards.
3. Mini-storage warehousing operations. (See Section 10-03-006-0001) (Ord. 1741, 3-17-92) (Ord. 2002-15, 11-05-02)
4. Truck terminal or yard.
5. Lumber yards.
6. Frozen food lockers.
7. Union halls.
8. Wholesale distributors.
9. Warehouse and storage operations, including outdoor storage, provided the entire storage yard is screened by a minimum six (6)-foot-high solid fence or wall or chain link fencing with slats. Any expansions of existing storage yards or buildings with storage yards, of twenty-five (25) percent or more, shall also provide screening for the entire yard area. (Ord. 1997, 6-15-99)
10. The manufacturing, assembling, compounding, packaging, and processing of articles or products from previously prepared materials, including recycling facilities. (Ord. 1997, 6-15-99)
11. Residence for owner, manager, or caretaker. (Ord. 2007-20, 3-20-07)
12. Homeless shelters. (Ord. 2007-20, 3-20-07)
13. Adult entertainment. See Section 10-03-006-0001Z. (Ord. 2008-03, 02-05-2008)
14. Accessory uses and buildings customarily incidental to a permitted use. See Division 10-03-005, Accessory Uses and Structures. (Ord. 1997, 6-15-99) (Ord. 2007-20, 3-20-07)

C. EXCLUDED USES. The following uses are specifically excluded from the I-1-E District:

1. Junk yards.
2. Those uses first listed as Permitted Uses in the I-2-E and I-3-E Districts.

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- D. **CONDITIONAL USES.** The following uses shall be permitted provided that in each instance a Conditional Use Permit has been authorized pursuant to Chapter 10-10 and continued in full force and effect: (Ord. 2007-20, 3-20-07)
 - 1. Trade schools.
 - 2. Retail or commercial uses, including offices. (Ord. 1997, 6-15-99)
 - 3. Veterinary hospitals, kennels or animal shelters. (Ord. 2002-15, 11-05-02)
 - 4. Liquefied petroleum gas storage for retail sales and fuel oil storage for wholesale or retail sales.
 - 5. Unclassified Uses. See Section 10-02-005-0024. (Ord. 1997, 6-15-99)
- E. **LIMITATIONS ON PERMITTED USES.** Every use in the I-1-E District shall be subject to the following limitations:
 - 1. A six (6) foot high solid wall or fence shall be constructed and maintained on all property lines which abut a residential district.
 - 2. All lighting fixtures providing illumination of any ground area or building exterior shall be in accordance with Chapter 10-08.
 - 3. Every lot in an I-1-E District shall have frontage on a public street.
- F. **PROPERTY DEVELOPMENT STANDARDS.**
 - 1. **Floor Area Ratio (F.A.R.)/Lot Coverage/Building Heights.** Lot coverage and building height are controlled by the maximum F.A.R. of 1.0 which shall include off-street parking, loading, and outside storage. A Conditional Use Permit shall be required for buildings or structures over sixty (60) feet in height. (Ord. 1741, 3-17-92)
 - 2. **Area and Minimum Lot Size.** The minimum lot size for any one (1) development shall be twenty thousand (20,000) square feet with a minimum street frontage lot width of one hundred (100) feet and a minimum lot depth of one hundred fifty (150) feet.
 - 3. **Yards.**
 - a. **Front Yards.** There shall be a minimum front yard of twenty-five (25) feet.
 - b. **Side Yards.** No setback is required, except each development shall maintain a fifteen (15) foot side yard where the side of the lot abuts a residential district. On all exterior lot lines (adjacent to a public street), there shall be a street bufferyard governed by Table 10-06-003-004.B. (Ord. 1997, 6-15-99)
 - c. **Rear Yards.** No setback is required, except each development shall maintain a fifteen (15) foot rear yard where the lot line abuts a residential district.
 - 4. **Rubbish or Refuse Storage Area.** Every development in the I-1-E District shall have a refuse storage area constructed and provided in accordance with City standards. The location and design shall be approved by the Development Review Board.
- G. **OFF-STREET PARKING.** The provisions of Chapter 10-07 shall apply.
- H. **SIGNS.** The provisions of Chapter 10-08 shall apply.
- I. **LANDSCAPING.** Minimum landscaping requirements shall be provided in accordance with Chapter 10-06.

10-02-005-0019. I-2-E, INTERMEDIATE INDUSTRIAL DISTRICT ESTABLISHED:

- A. INTENT AND PURPOSE. The I-2-E District is designed to protect established industrial areas and to provide a use area for the location of clean and quiet industries that are in proximity to commercial development. These regulations are intended to provide structures and operations that will confine noise, dust, odors, and glare of operation within an enclosed building. The recommended uses should not create excessive demands for sewage, water, gas, and similar services.
- B. PERMITTED USES.
 - 1. Any use permitted in the I-1-E District (not including C.U.P. uses).
 - 2. Manufacture of durable products, such as concrete, lumber and wood products, furniture, primary metal industries, machinery, and transportation equipment.
 - 3. Residence for owner, manager, or caretaker. (Ord. 2007-20, 3-20-07)
 - 4. Homeless shelters. (Ord. 2007-20, 3-20-07)
 - 5. Adult entertainment. See Section 10-03-006-0001Z. (Ord. 2008-03, 02-05-2008)
 - 6. Accessory uses and buildings customarily incidental to a permitted use. See Division 10-03-005, Accessory Uses and Structures. (Ord. 1997, 6-15-99) (Ord. 2007-20, 3-20-07)
- C. EXCLUDED USES. The following uses are specifically excluded from the I-2-E District: (Ord. 1997, 6-15-99)
 - 1. Those uses first listed as Permitted Uses in the I-3-E District, unless specifically listed as permitted or conditional uses in this District. (Ord. 1997, 6-15-99)
- D. CONDITIONAL USES. The following uses shall be permitted provided that in each instance a Conditional Use Permit has been authorized pursuant to Chapter 10-10 and continued in full force and effect: (Ord. 2007-20, 3-20-07)
 - 1. Trade schools.
 - 2. Retail and commercial uses.
 - 3. Veterinary hospitals, kennels or animal shelters. (Ord. 2002-15, 11-05-02)
 - 4. Liquefied petroleum gas or fuel oil storage for wholesale or retail sales.
 - 5. Unclassified Uses. See Section 10-02-005-0024. (Ord. 1997, 6-15-99)
- E. LIMITATION ON USES. Every use in the I-2-E District shall be subject to the following limitations:
 - 1. A six (6) foot high solid wall or fence shall be constructed and maintained on all property lines which abut a residential district.
 - 2. All lighting fixtures providing illumination of any ground area or building exterior shall be in accordance with Chapter 10-08.
 - 3. Every lot in an I-2-E District shall have frontage on a public street.
- F. PROPERTY DEVELOPMENT STANDARDS.
 - 1. Floor Area Ratio (F.A.R.)/Lot Coverage/Building Height. Lot coverage and building height are controlled by the maximum F.A.R. of 1.5 which shall include off-street parking, loading, and outside

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storage. A Conditional Use Permit shall be required for buildings or structures over sixty (60) feet in height. (Ord. 1741, 3-17-92)

2. Area and Minimum Lot Size. The minimum lot size for any one (1) development shall be twenty thousand (20,000) square feet with a minimum lot width of one hundred (100) feet and a minimum lot depth of one hundred fifty (150) feet.
3. Yards.
 - a. Front Yards. There shall be a minimum front yard of twenty-five (25) feet.
 - b. Side Yards. No setback is required, except each development shall maintain a fifteen (15) foot side yard where the side of the lot abuts a residential district. On all exterior lot lines (adjacent to a public street), there shall be a street bufferyard governed by Table 10-06-003-0004.B. (Ord. 1997, 6-15-99)
 - c. Rear Yards. No setback is required, except each development shall maintain a fifteen (15) foot rear yard where the lot line abuts a residential district.
4. Rubbish or Refuse Storage Area. Every development in the I-2-E District shall have a refuse storage area constructed and provided in accordance with City standards. The location and design shall be approved by the Development Review Board.

G. OFF-STREET PARKING. The provisions of Chapter 10-07 shall apply.

H. SIGNS. The provisions of Chapter 10-08 shall apply.

I. LANDSCAPING. Minimum landscaping requirements shall be provided in accordance with Chapter 10-06.

10-02-005-0020. I-3-E, INTENSIVE INDUSTRIAL DISTRICT ESTABLISHED:

A. INTENT AND PURPOSE. The I-3-E District is designed to protect established industrial areas and to provide a use area for those manufacturing and other industrial activities objectionable to business and residential uses by reason of operational characteristics. This District should not adjoin any residential or commercial district and is intended to provide a place for manufacturing products from raw materials.

B. PERMITTED USES.

1. Any use permitted in the I-2-E District (not including C.U.P. uses).
2. Car wrecking yards, junk yards, and uses of a similar nature subject to the provisions of Chapter 10-03.
3. Storage of flammable liquids, gasses, and bulk fuels.
4. Livestock auction areas; livestock feed yards; cattle, horses, and sheep loading pens; and sales areas.
5. Railroad shops and similar heavy service facilities.
6. Manufacture or processing of durable and non-durable goods.
7. Residence for owner, manager, or caretaker. (Ord. 2007-20, 3-20-07)
8. Adult entertainment. See Section 10-03-006-0001Z. (Ord. 2008-03, 02-05-2008)
9. Accessory uses and buildings customarily incidental to a permitted use. See Division 10-03-005, Accessory Uses and Structures. (Ord. 1997, 6-15-99) (Ord. 2007-20, 3-20-07)

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- C. **CONDITIONAL USES.** The following uses shall be permitted provided that in each instance a Conditional Use Permit has been authorized pursuant to Chapter 10-10 and continued in full force and effect: (Ord. 2007-20, 3-20-07)
1. Trade schools.
 2. Retail and commercial uses.
 3. Quarrying operations, including extraction and disposal uses. See Section 10-03-003-0002.F for additional standards. (Ord. 1997, 6-15-99)
 4. Veterinary hospitals, kennels or animal shelters. (Ord. 2002-15, 11-05-02)
 5. Unclassified Uses. See Section 10-02-005-0024. (Ord. 1997, 6-15-99)
- D. **LIMITATIONS ON USES.** Every use in the I-3-E District shall be subject to the following limitations:
1. A six (6) foot high solid wall or fence shall be constructed and maintained on all property lines which abut a residential district.
 2. All lighting fixtures providing illumination of any ground area or building exterior shall be in accordance with Chapter 10-08.
 3. Every lot in an I-3-E District shall have frontage on a public street.
- E. **PROPERTY DEVELOPMENT STANDARDS.**
1. **Floor Area Ratio (F.A.R.)/Lot Coverage/Building Height.** Lot coverage and building height are controlled by the maximum F.A.R. of 2.5 which shall include off-street parking, loading and outside storage. A Conditional Use Permit shall be required for buildings or structures over sixty (60) feet in height. (Ord. 1741, 3-17-92)
 2. **Area and Minimum Lot Size.** The minimum lot size for any one (1) development shall be twenty thousand (20,000) square feet with a minimum lot width of one hundred (100) feet and a minimum lot depth of one hundred fifty (150) feet.
 3. **Yards.**
 - a. **Front Yards.** There shall be a minimum front yard of twenty-five (25) feet.
 - b. **Side Yards.** No setback is required, except each development shall maintain a fifteen (15) foot side yard where the side of the lot abuts a residential district. On all exterior lot lines (adjacent to a public street), there shall be a street bufferyard governed by Table 10-06-003-0004.B. (Ord. 1997, 6-15-99)
 - c. **Rear Yards.** No setback is required, except each development shall maintain a fifteen (15) foot rear yard where the lot line abuts a residential district.
- F. **OFF-STREET PARKING.** The provisions of Chapter 10-07 shall apply.
- G. **SIGNS.** The provisions of Chapter 10-08 shall apply.
- H. **LANDSCAPING.** Minimum landscaping requirements shall be provided in accordance with Chapter 10-06.

10-02-005-0021. R&D-E, RESEARCH AND DEVELOPMENT INDUSTRIAL DISTRICT ESTABLISHED:

A. INTENT AND PURPOSE.

1. This District is designed to protect established research and development areas and to provide sufficient space in appropriate locations for those industrial uses which are free from danger of fire, explosions, toxic or noxious matter, radiation, smoke, dust and other hazards, and from offensive noise, vibration, odor, heat, glare, and other objectionable influences; to protect such industrial activities from the adverse effects of other incompatible industrial uses, as well as from residential and commercial activities by providing for the separation of these uses.
2. The intent and purpose provisions of this Section are to create and preserve an industrial area where the character of the industrial structures and activities would be the same as those normally found in Industrial/Research "Parks" and to provide an industrial area with an open, attractively landscaped park-like appearance in keeping with the natural scenic beauty of the community.

B. PERMITTED USES.

1. The manufacture, compounding, processing, assembling, packaging, treatment, or fabrication of such products as art objects, jewelry; instruments for medical, dental, engineering, scientific, and other professional purposes; optical instruments and lenses; electronic components and equipment; printed matter; and research and development activities of an industrial or scientific nature.
2. Trade or vocational training schools.
3. Recreational and dining facilities for use in connection with the operation of a permitted use, and solely for use by employees and guests of the permitted use.
4. Accessory uses or structures customarily incidental to a permitted uses. See Division 10-03-005, Accessory Uses and Structures. (Ord. 1997, 6-15-99) (Ord. 2007-20, 3-20-07)
5. Residence for caretaker, necessary employees or security personnel provided that the residential structure is equipped with a hazardous materials alarm and/or security system. (Ord. 2007-20, 3-20-07)

C. LIMITATIONS ON PERMITTED USES. Every use in the R & D-E District shall be subject to the following limitations:

1. All lighting fixtures providing illumination of any exterior ground area or building exterior shall be in accordance with Chapter 10-08.
2. All uses shall be carried out within an entirely enclosed building with the exception of parking areas, loading berths, and employee recreation facilities.

D. PROPERTY DEVELOPMENT STANDARDS.

1. Floor Area Ratio/Lot Coverage.
 - a. Floor Area Ratio shall be 0.5 maximum.
 - b. Not more than twenty-five (25) percent of the area of the lot may be covered by buildings, including accessory buildings.
2. Building Height. No building shall exceed thirty-five (35) feet in height.
3. Lot Area and Yards.
 - a. Minimum required lot area shall be two (2) acres.

- b. Every lot in a R&D-E District shall have a minimum seventy-five (75) foot street frontage lot width.
 - c. Minimum required front yard shall be one hundred (100) feet.
 - d. Minimum required side yards shall be thirty (30) feet.
 - e. Minimum required rear yard shall be fifty (50) feet. In instances where side and/or rear yards abut a street, the minimum required side and/or rear yards, measured from the street right-of-way, shall be sixty-five (65) feet.
 - f. For any permitted industrial use abutting a residential district, the minimum distance between any building and a residential district boundary shall in all cases be one hundred (100) feet. Not less than seventy-five (75) feet of such required space shall be adjacent to the residential boundary and devoted to landscaping; the remainder of such space may be used for off-street parking.
4. Distance Between Buildings. Minimum distance between main buildings or main building and accessory building(s) shall be ten (10) feet.
5. Screening. Ground level electric transformers, air conditioning equipment, solid waste storage disposal areas, and similar facilities shall be screened from public view.
- E. OFF-STREET PARKING.
- 1. Off-street parking shall be provided in accordance with Chapter 10-07.
 - 2. All off-street parking areas shall be screened from adjacent properties by a six (6) foot opaque fence, wall, or landscaping treatment.
- F. PERFORMANCE STANDARDS. Upon application for a site plan review, the owner, developer, or his agent shall submit a narrative report setting forth the levels or inherent dangers, if any, of the following:
- 1. Vibration.
 - 2. Noise.
 - 3. Air pollution.
 - 4. Odors and toxicity of materials.
 - 5. Electromagnetic radiation.
 - 6. Fire and explosion.
 - 7. Radioactive materials.
 - 8. Glare and heat.
 - 9. Non-radioactive liquids or solid wastes.
- The City may require a written report from a recognized independent testing laboratory as to satisfactory levels or inherent dangers of materials or processes proposed in this district. Furthermore, the City may forward any such data submitted in the narrative report and/or independent testing laboratory report to the Arizona Department of Health Services for further study and recommendations.
- G. LANDSCAPING. Minimum landscaping requirements shall be provided in accordance with Chapter 10-06.

10-02-005-0022. PUBLIC LANDS DISTRICTS ESTABLISHED:

Public lands, or those lands held in ownership of public or quasi-public agencies, constitute a large sector of the City of Flagstaff and are, therefore, set aside in districts reflecting the present and future land uses of this public land. This designation separates these uses from the customary urban uses and is reflected on the official Zoning Map. Development should strive to create a park like atmosphere.

10-02-005-0023. PL-O&B-E, PUBLIC LANDS OPEN SPACE AND BUILDINGS DISTRICT ESTABLISHED:

- A. **INTENT AND PURPOSE.** The PL-O&B-E District is designed to protect established public lands and to provide an area within the City for the location of parks, public open space, governmental buildings and facilities, schools and school grounds, quasi-public buildings and facilities, and related uses.
- B. **PERMITTED USES.**
1. Parks and open spaces.
 2. Public recreation facilities.
 3. Public schools and playgrounds.
 4. Universities and colleges.
 5. Governmental office buildings and grounds.
 6. Museums, observatories, and similar quasi-public facilities.
 7. Libraries.
 8. Governmental service and maintenance facilities.
 9. Municipal water production and storage facilities and sewage treatment facilities.
 10. Municipal airports.
 11. Residences for caretakers, security personnel and necessary employees. (Ord. 2007-20, 3-20-07)
 12. Accessory uses or structures customarily incidental to a permitted use. See Division 10-03-005, Accessory Uses Regulations and Structures. (Ord. 1997, 6-15-99) (Ord. 2007-20, 3-20-07)
- C. **CONDITIONAL USE PERMITS.**
1. Public services, public and private utility company facilities. See Section 10-03-003-0002 for additional standards.
- D. **DEVELOPMENT STANDARDS.** Design standards should encourage open space. Setback and yard requirements shall be the same as those of the adjacent use district. A Conditional Use Permit shall be required for buildings or structures over sixty (60) feet in height. (Ord. 1741, 3-17-92)
- E. **LANDSCAPING.** Minimum landscaping requirements shall be provided in accordance with Chapter 10-06.
- F. **OFF-STREET PARKING.** The provisions of Chapter 10-07 shall apply.
- G. **OUTDOOR LIGHTING.** All lighting fixtures providing illumination of any ground area or building exterior shall be in accordance with Chapter 10-08.
- H. **SIGNAGE.** The provisions of Chapter 10-08 shall apply.

10-02-005-0024. UNCLASSIFIED USES FOR ESTABLISHED DEVELOPMENT DISTRICTS:

- A. INTENT AND PURPOSE. Unclassified uses, by their peculiar nature of prevalent need, are uses which are declared unclassified in respect to their relationship to one or more of the various districts established in this Ordinance. Said uses may be permitted in any (E) zoning district subject to the granting of the Conditional Use Permit as set forth below.
- B. CONDITIONAL USES: (Ord. 1974, 6/19/98) The following uses shall be permitted provided that in each instance a Conditional Use Permit has been authorized pursuant to Chapter 10-10 and continued in full force and effect: (Ord. 2007-20, 3-20-07)
 - 1. Airport/landing strips, heliport, or helistop. See Section 10-03-003-0002 for additional standards.
 - 2. Cemeteries.
 - 3. Columbariums, crematories, or mausoleums when situated in a cemetery.
 - 4. Commercial radio, television antennas, and commercial communication transmitters or towers, including telecommunications facilities. See Section 10-03-003-003 for additional standards. (Ord. 1974, 6/19/98)
 - 5. Public services, including government facilities, or private utility facilities. See Section 10-03-003-0002 for additional standards. (Ord. 1997, 6-15-99)
 - 6. Hospitals, convalescent homes or hospitals, homes for aged or children.
 - 7. Day care centers, subject to the minimum development standards of A.R.S. (Ord. 2007-20, 03-20-07)
 - 8. Passenger transportation facilities, such as railroad or bus terminals, and service facilities for commercial motor vehicles used for commercial passenger transportation, but excluding travel agencies or taxicabs. (Ord. 1997, 6-15-99)
 - 9. Golf course, including commercially operated driving range, clubhouse, and incidental accessory uses.
 - 10. Railroad facilities.
 - 11. Equestrian recreational facilities.
 - 12. Schools, unless permitted in the Zoning District where the school is to be located. (Ord. 1997, 6-15-99)
 - 13. Residential housing and service facilities for the following: chronically ill tenants, domestic violence victims, outpatient clients, and developmentally disabled. (See Chapter 10-14 for definition of "family").
- C. PROPERTY DEVELOPMENT STANDARDS. The property development standards of the various zoning districts shall prevail upon the use of land by the unclassified uses.

10-02-005-0025. EXCEPTIONS AND MODIFICATIONS FOR ESTABLISHED DEVELOPMENT DISTRICTS:

- A. GENERAL. Uses permitted or subject to Conditional Use Permit in any (E) district under the district provisions of this Ordinance shall be subject to the requirements of the district provisions as supplemented or modified by the provisions of this Section.

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- B. ANIMALS. Animals and fowls, where permitted in a district, shall be kept only in accordance with Flagstaff City ordinances and codes. Proponents of such uses shall show that adequate measures will be taken to prevent odor, dust, noise, or drainage from becoming a nuisance to uses on other properties. No incineration of animal refuse shall be permitted on the premises.

- C. MANUFACTURED HOMES AND RECREATIONAL VEHICLES. (Ord. 1997, 6-15-99)
 - 1. Manufactured Homes and Recreational Vehicles. Parking or placement of a manufactured home or recreational vehicle in any district for residential or storage purposes shall be prohibited except as follows: (Ord. 1997, 6-15-99)
 - a. A manufactured home may be placed only in a manufactured home park or subdivision in any district where such park or subdivision is permitted, except as provided herein. (Ord. 1997, 6-15-99)
 - b. A camping or vacation trailer, recreation vehicle or boat may be stored in the rear or interior side yard, garage, or carport on any lot in any district, provided that; 1) there is a principal use of the property, to which such storage would be accessory; 2) no living quarters shall be maintained or any business conducted in connection therewith while such trailer or vehicle is so parked or stored; and 3) the required parking on the lot is maintained in addition to the area used for the stored vehicle(s).

 - 2. Manufactured Homes and trailers may be used under the following circumstances and shall be limited to other than residential uses as follows:
 - a. As a construction office use while a new building is under construction on the same lot. If such manufactured home is used as a real estate sales office, a temporary use permit is required. See Section 10-03-004-0001 for temporary uses. (Ord. 1997, 6-15-99)
 - b. With a temporary use permit, to operate a business by the owner or lessee during the time of construction of a new building on the same commercial or industrial site. See Section 10-03-004-0001. (Ord. 1997, 6-15-99)
 - c. For "a" and "b" above, such manufactured homes or trailers shall be removed from the site prior to the issuance of a certificate of occupancy for the new building on the same lot. (Ord. 1997, 6-15-99)

 - 3. A non-conforming manufactured home lot that has been vacant of manufactured homes for more than six (6) months shall not again be devoted to manufactured home use.

 - 4. A non-conforming manufactured home may not be replaced except as follows:
 - a. A manufactured home of the same or lesser floor area may replace a non-conforming manufactured home provided that the non-conforming lot has been used as a manufactured home residence within the last six (6) months.
 - b. A manufactured home of larger floor area may replace a non-conforming manufactured home in a manufactured home park provided that current setbacks can be met. (Ord. 1997, 6-15-99)
 - c. Minimum space between manufactured homes or between a manufactured home and a building shall not be less than ten (10) feet at any point.
 - d. Minimum space between a manufactured home and the property lines shall be five (5) feet.

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5. A non-conforming manufactured home may not be replaced by a travel trailer or recreational vehicle of eight (8) feet by thirty-two (32) feet dimensions or smaller. (Ord. 1997, 6-15-99)
6. Overnight parking of travel trailers, motor homes, boats or other recreational vehicles is prohibited at shopping centers, vacant lots or other locations where camping activities are not specifically permitted by this Code. Owners of such properties will be required to post their properties with "no camping" signs or take other corrective measures pursuant to Chapter 10-13, Enforcement, if such activities occur on a frequent or persistent basis. (Ord. 1997, 6-15-99)

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