

Town of Section, Alabama
Zoning Ordinance

- draft -

July 27, 2012

PREAMBLE

This zoning ordinance has been formulated **[and adopted]** to promote the health, safety and general welfare of the citizens of Section, Alabama. The policies contained herein are intended to accompany the Town of Section Sustainable Development Framework Plan and the Town of Section Zoning Map. Together, these documents aim to preserve the rural heritage and small-town character of Section while encouraging community, cultural and economic development.

ARTICLE I. AUTHORITY AND INTERPRETATION

Section 1 – Title

This ordinance shall be known as the Zoning Ordinance of Section, Alabama and may be cited as the Zoning Ordinance.

Section 2 - Authority

This Zoning Ordinance is adopted under the authority granted by Sections 11-52-70 through 11-52-84 et seq, Code of Alabama 1975 as amended.

Section 3 – Interpretation

3.1 The requirements of this Ordinance shall be interpreted as minimum requirements.

3.2 When the requirements imposed by the Zoning Ordinance are either more or less restrictive than comparable requirements in any other applicable ordinance, code, regulation or subdivision standard or neighborhood covenant, the provisions that are more restrictive or impose higher standards shall apply.

Section 4 – Glossary of Development Terms

4.1 The Glossary of Development Terms is adopted as a part of this Zoning Ordinance to define certain words and phrases within the Zoning Ordinance.

4.2 The Glossary of Development Terms may be amended independently of this ordinance. The most recent version of the Glossary shall be considered in effect and applied with this ordinance.

ARTICLE II. ADMINISTRATION AND ENFORCEMENT

Section 1 – Administrative Officer

The Zoning Ordinance shall be administered and enforced by the Building Official.

Section 2 – Building Permit Requirement

2.1 It shall be unlawful to (a) commence the excavation for the construction of any building, accessory structure, other structure or any required on-site improvement of facility; (b) store building materials; (c) erect temporary field offices; (d) commence the moving, alteration, or repair exceeding \$1000.00 in cost (except decorating such as painting or wallpapering, replacement of appliances and temporary emergency repairs such as holes in roofs or exterior walls caused by natural causes); or (e) other repairs, regardless of cost, that change the character of any building, accessory structure, other structure, or use until the Building Official has issued a building permit.

2.2 Each application for a building permit in a commercial, industrial, and multi-family zone; and each commercial site where the owner/developer undertakes a project that increases the square footage of the building by a cumulative total of fifty percent (50%) or more shall include a landscape plan in accordance with the tree protection and landscape requirements set forth elsewhere in this ordinance.

2.3 Other required licenses permits, such as those to move a building, structure or manufactured home, shall be obtained in conjunction with the building permit.

Section 3 – Consultation with Building Official

Prior to filing an application for a building permit the owner/developer is encouraged to consult with the Building Official and the Town Council to identify all the requirements that must be met.

Section 4 – Compliance with State Law Required

4.1 In accordance with the Code of Alabama and regulations of the Board for Registration of Architects and Board of Licensure for Professional Engineers and Land Surveyors:

- 1) Every development plan showing the actual shape, proportions and dimensions of the lot or land to be used or built upon shall be certified by a registered surveyor.
- 2) All work that is typically considered to be engineering work shall be stamped by a registered engineer.
- 3) All work requiring a registered architect shall be stamped by a registered architect.

Section 5 – Complete Application Required

5.1 Every application for a building permit for excavation, alteration or construction or application for a permit to move a building, structure or use, shall be accompanied by a plan providing adequate information to determine that the proposed action is in compliance with applicable codes, ordinances and regulations. It shall be the responsibility of the owner / developer to provide a completed application and adequate information to fully describe the proposed development project. The application shall include any additional information required to apply for uses permitted on appeal variances, conditional uses or development plan reviews and regulatory reviews as appropriate for the proposed development.

5.2 Applications shall not be considered complete until all fees are paid. The fees shall be in the amount shown in the most recent "Schedule of Development Fees" as adopted by the Town Council.

Section 6 – Department and Agency Review

Upon receipt of an application the Building Official shall have the authority to submit the application and proposed development plan to appropriate departments and agencies for review and comment. Written comments from the department and agency reviews shall be made available to the appropriate boards and commissions responsible for reviewing the project.

Section 7 – Review Process*

Section 8 – Approval of Application and Plans Required for Issuance of Building Permit*

Section 9 – Enforcement*

Section 10 – Inspection for Certificate of Occupancy*

Section 11 – Criteria for Issuance of Certificate of Occupancy*

ARTICLE III. ZONING BOARD OF ADJUSTMENT*

[RESERVED]

ARTICLE IV. REVIEWS BY TOWN COUNCIL*

[RESERVED]

ARTICLE V. AMENDMENT OF ZONING ORDINANCE*

[RESERVED]

*These sections will be completed pending further discussions with the Town.

ARTICLE VI. APPLICATION REQUIREMENTS

[RESERVED]

ARTICLE VII. JURISDICTION, ZONING BOUNDARIES, DISTRICTS AND MAPS

Section 1 – Jurisdiction

1.1 The requirements of this Zoning Ordinance shall apply within the corporate limits of the Town of Section as they exist at the time of adoption or as the corporate limits may be amended in the future.

1.2 All territory hereafter annexed to the City shall be considered to be in the RC district until otherwise classified.

Section 2 – Districts

2.1 For the purposes of this ordinance the Town is divided into a) use districts that cover the entire corporate limits and b) overlay districts that only apply to designated areas. Where use and overlay districts overlap the requirements shall be cumulative. In the event of conflict, the more restrictive requirement, whether set by the use or overlay district, shall apply.

2.2 The following use districts are established:

R-1	Residential District	(Low Density Single Family)
R-2	Residential District	(Medium Density Single Family)
R-3	Residential District	(Multi-family)
VC	Business District	(Village Center Commercial)
HC	Business District	(Highway Commercial)
M-1	Manufacturing	(Light Manufacturing)
RP	Rural Preservation	(Agricultural/Rural)

2.3 The boundaries of the above districts are established as shown on the appropriate Zoning Map.

Section 3 – Zoning Map

3.1 *General Map* – The boundaries of the above use districts are established as shown on the general Zoning Map of the Town of Section. The map shall be identified by name and signature of the Mayor and attested by the City Clerk. The general map may be used for display and publication.

3.2 *Map Atlas* – For purposes of maintaining a zoning map with greater detail, a map atlas containing an index and sectional maps may be used. All dimensions and explanations included on the sectional maps are adopted and made a part of this Zoning Ordinance.

3.3 *Overlay District Maps* – The boundaries of the above overlay districts are established as shown on the overlay district map. They may be included in or distinct from

the general map. The overlay district map shall be identified by name and signature of the Mayor and attested by the City Clerk and may be used for display and publication.

Section 4 – Location and Interpretation of District Boundaries

The exact location of zoning district boundaries on the Zoning Map(s) shall be determined using the following rules:

4.1 *Corporate Limits:* When district boundaries are indicated as following the corporate limits, the corporate limit lines shall be construed to be the district boundaries.

4.2 *Lot Lines:* When district boundaries are indicated as following lot lines, the lot lines shall be construed to be the district boundaries.

4.3 *Centerlines:* When district boundaries are indicated as following the center line of streets and alleys, waterways, or such lines extended, the centerlines or the extensions of these lines shall be construed to be the district boundaries.

4.4 *Parallel Lines:* When district boundaries are indicated approximately parallel to corporate limits, lot lines, the center lines of streets, alleys or waterways, the zoning district lines shall be construed as being parallel to and at the distance indicated on the Zoning Map. If no dimension is given on the Zoning Map, the distance shall be determined by use of the scale appearing on the Zoning Map.

4.5 *Divisions of Land:* When district boundaries divide land that is in single ownership and less than ten acres in area, the district lines, unless specified by dimensions, shall be determined by use of the scale appearing on the Zoning Map. The district regulation applying to the majority of the lot or land area (51% or more) shall only be extended to the entire lot or land by a ruling made by the Town Council. Any other interpretations or extensions involving five acres or more shall require rezoning.

4.6 *Vacated Rights-of-Way:* When a public right-of-way for a street, alley or other public land, or a private right-of-way such as a railroad, is officially vacated or abandoned through proper legal procedure as established by the Code of Alabama, 1975 as amended, the district regulations applicable to the property to which the vacated or abandoned land reverted shall apply to the vacated or abandoned land. If necessary, the zoning district boundary shall be adjusted to comply with the decision to vacate public property.

4.7 *Interpretation by the Town Council:* In the case of any uncertainty, the Town Council shall determine the exact location of district boundaries. The Town Council may also order detailed maps prepared for any part of the Town to interpret, following guidelines contained in preceding paragraphs, the exact location of the zoning district boundaries.

ARTICLE VIII. REQUIREMENTS FOR ALL DISTRICTS

Section 1 Existing Nonconforming Uses

1.1 Any use or structure that exists at the time of initial adoption of this Zoning Ordinance and which does not conform to the provisions of the Ordinance shall be granted approval by the Town of Section regardless of compliance with permitted uses and other guidelines contained herein.

- 1.2 Nonconforming uses and structures shall not be:
- a. Changed to another nonconforming use or structure;
 - b. Reestablished after discontinuance for two years;
 - c. Extended except in conformity to this ordinance;
 - d. Rebuilt after fire or damage exceeding its full value about the foundation for tax purposes.

ARTICLE IX. LANDSCAPING, BUFFERING AND SCREENING

[RESERVED]

ARTICLE X. SIGNS

[RESERVED]

ARTICLE XI. RESIDENTIAL USE DISTRICTS

Section 1 – R-1 Classification

The purpose of the R-1 district is to protect existing detached single dwelling unit residential areas, to promote the development of new, low population density residential areas and to ensure the long-term, continued stability of these areas. In some areas where public water and sewer are not available, the density in this district may be lower as a result of meeting health department requirements for lot area.

1.0 Uses Permitted

- 1.1 *Uses of Land* – Children’s play areas and play equipment, private swimming pools and other residential-related activities.
- 1.2 *Uses of Buildings* – Residential, detached single dwelling units.
- 1.3 *Accessory Uses and Structures* – Private garages, tool houses and garden sheds, private barbeque pits and similar residential-related accessory structures.

2.0 Conditional Uses Subject to Development Plan Review by the Town Council

- 2.1 *Uses of Land* – Country clubs and golf courses.
- 2.2 *Uses of Buildings* – Home occupations and instruction provided they met the requirements set forth elsewhere in this ordinance. Churches and similar places of worship; day care homes.
- 2.3 *Accessory Uses and Structures* – Public utility structures, including electrical substations gas metering stations, sewage pumping stations and similar structures.

3.0 Uses Prohibited

- 3.1 *Uses of Land* – Kennels, open storage of material or goods. Any commercial or industrial uses including parking of recreational vehicles, campers or similar vehicles owned by persons other than the primary occupants of the property, provided the primary occupant and vehicle are owned by the same individual(s).
- 3.2 *Uses of Buildings* – Manufactured housing, commercial, and industrial buildings and structures.
- 3.3 *Accessory Uses and Structures* – All accessory uses and structures customarily associated with prohibited uses.

4.0 Required Lot Area and Minimum Lot Width at Building Line

- 4.1 *Minimum Lot Area* – The minimum lot area shall be the larger of the lot area specified below or as required by the health department in public water and sewer are not available.

Interior Lot – 15,000 square feet

Corner Lot – 18,750 square feet

- 4.2 *Minimum Width at Building Line*

Interior Lot – 100 feet

Corner Lot – 125 feet

5.0 Required Setbacks, Maximum Coverage, Building Separation and Height

- 5.1 *Minimum Depth of Front Yard* – 40 feet

- 5.2 *Minimum Depth of Rear Yard* – 40 feet
- 5.3 *Minimum Depth of Side Yard* – 15 feet
- 5.4 *Maximum Building Area and Impervious Coverage*
 - Maximum Building Area – 25%
 - Maximum Impervious Coverage – 50%
- 5.5 *Minimum Building Separation* – 20 feet
- 5.6 *Maximum Height*
 - Principle Building – 2 ½ stories or 35 feet
 - Accessory Buildings and Structures – 1 ½ stories or 25 feet

Section 2 – R-2 Classification

The purpose of the R-2 district is to provide protection of existing, detached single dwelling unit residential areas, promote the development of new moderate density residential areas and ensure the long-term, continued stability of these areas. The ability to achieve the moderate density development anticipated in this district is primarily contingent on both public water and sanitary sewer service being available.

1.0 Uses Permitted

- 1.1 *Uses of Land* – Children’s play areas and play equipment, private swimming pools and other residential-related activities. Raising chickens for hobby and permitted within this district provided that the total number of fowl does not exceed 10 females, the fowl are contained within a fenced area, and the contained fowl are not located within the side or front yards. Roosters are not permitted within this district.
- 1.2 *Uses of Buildings* – Residential, detached single dwelling units.
- 1.3 *Accessory Uses and Structures* – Private garages, tool houses and garden sheds, private barbeque pits and similar residential-related accessory structures.

2.0 Conditional Uses Subject to Development Plan Review by the Town Council

- 2.1 *Uses of Land* – Country clubs and golf courses.
- 2.2 *Uses of Buildings* – Home occupations and instruction provided they met the requirements set forth elsewhere in this ordinance. Day care homes, day nurseries and day care centers. Churches and similar places of worship. Private schools having curricula substantially the same as that ordinarily given in such public schools and provided they are located on residential collector or arterial streets. Nursing homes provided they are located on residential collector or arterial streets.
- 2.3 *Accessory Uses and Structures* – Public utility structures, including electrical substations gas metering stations, sewage pumping stations and similar structures, and communication towers provided they meet the policies of the Town Council.

3.0 Uses Prohibited

- 3.1 *Uses of Land* – Kennels, open storage of material or goods. Any commercial or industrial uses including parking of recreational vehicles, campers or similar vehicles owned by persons other than the primary occupants of the property, provided the primary occupant and vehicle are owned by the same individual(s).

3.2 *Uses of Buildings* – Manufactured housing, commercial, and industrial buildings and structures.

3.3 *Accessory Uses and Structures* – All accessory uses and structures customarily associated with prohibited uses.

4.0 Required Lot Area and Minimum Lot Width at Building Line

4.1 *Minimum Lot Area* – The minimum lot area shall be the larger of the lot area specified below or as required by the health department in public water and sewer are not available.

Interior Lot – 10,000 square feet

Corner Lot – 12,250 square feet

4.2 *Minimum Width at Building Line*

Interior Lot – 60 feet

Corner Lot – 75 feet

5.0 Required Setbacks, Maximum Coverage, Building Separation and Height

5.1 *Minimum Depth of Front Yard* – 35 feet

5.2 *Minimum Depth of Rear Yard* – 40 feet

5.3 *Minimum Depth of Side Yard* – 15 feet

5.4 *Maximum Building Area and Impervious Coverage*

Maximum Building Area – 25%

Maximum Impervious Coverage – 55%

5.5 *Minimum Building Separation* – 15 feet

5.6 *Maximum Height*

Principle Building – 2 ½ stories or 35 feet

Accessory Buildings and Structures – 1 ½ stories or 25 feet

Section 3 – R-3 Classification

The purpose of the R-3 district is to provide protection of existing medium density residential and to promote the development of medium density residential areas in a manner that encourages owner occupancy and provides medium density residential housing, for lease and for rent, to residents of the Town in areas served by both public water and sanitary sewer service.

1.0 Uses Permitted

1.1 *Uses of Land* – Children’s play areas and play equipment, private swimming pools and other residential-related activities.

1.2 *Uses of Buildings* – Residential, single and multiple dwelling units of up to 8 dwelling units per acre. Group day care homes and day nurseries, senior housing.

1.3 *Accessory Uses and Structures* – Private garages, tool houses and garden sheds, private barbeque pits and similar residential-related accessory structures.

2.0 Conditional Uses Subject to Development Plan Review by the Town Council

2.1 *Uses of Land* – Uses customarily associated with the primary uses.

2.2 *Uses of Buildings* – Churches and similar places of worship. Private schools having curricula substantially the same as that ordinarily given in such public schools, provided they are located on residential collector or arterial streets. Home occupations and instruction provided they meet the requirements set forth elsewhere in this ordinance. Nursing homes, provided they are located on a residential collector or arterial street.

2.3 *Accessory Uses and Structures* – Public utility structures, including electrical substations gas metering stations, sewage pumping stations and similar structures, and communication towers provided they meet the policies of the Town Council.

3.0 *Uses Prohibited*

3.1 *Uses of Land* – Kennels, open storage of material or goods. Any commercial or industrial uses including parking of recreational vehicles, campers or similar vehicles owned by persons other than the primary occupants of the property, provided the primary occupant and vehicle are owned by the same individual(s).

3.2 *Uses of Buildings* – Commercial and industrial buildings and structures.

3.3 *Accessory Uses and Structures* – All accessory uses and structures customarily associated with prohibited uses.

4.0 *Required Lot Area and Minimum Lot Width at Building Line*

4.1 *Minimum Lot Area*

Interior Lot – 8,500 square feet

Corner Lot – 10,500 square feet

Each additional dwelling unit above duplex – 2,000 square feet

4.2 *Minimum Width at Building Line*

Interior Lot – Single Dwelling Unit - 70 feet

Duplex Dwelling Unit - 85 feet

Each additional dwelling unit above duplex - 15 feet

Corner Lot – Single Dwelling Unit - 85 feet

Duplex Dwelling Unit - 100 feet

Each additional dwelling unit above duplex – 10 feet

5.0 *Required Setbacks, Maximum Coverage, Building Separation and Height*

5.1 *Minimum Depth of Front Yard* – 30 feet

5.2 *Minimum Depth of Rear Yard* – 35 feet

5.3 *Minimum Depth of Side Yard* – 10 feet

5.4 *Maximum Building Area and Impervious Coverage*

Maximum Building Area – 30%

Maximum Impervious Coverage – 65%

5.5 *Minimum Building Separation* – 15 feet

5.6 *Maximum Height* –

Principle Building – 2 ½ stories or 35 feet

Accessory Buildings and Structures – 1 ½ stories or 25 feet

ARTICLE XII. COMMERCIAL USE DISTRICTS

Section 3 – VC (Village Center) Classification

The VC district is intended to provide a concentrated central core of retailing and services, as well as areas that accommodate central administrative business, financial, general, and professional offices and related services. The district regulations are designed to preserve and/or adapt existing structures, to increase the stability of retail development by encouraging continuous retail frontage, and to promote a convenient pedestrian-oriented environment for business and commerce.

1.0 Uses Permitted

1.1 *Uses of Land* – All uses that are customarily associated with the primary uses permitted in this district.

1.2 *Uses of Buildings* – Retail or wholesale business where over-the-counter sales are made and not specifically restricted or prohibited, provided that not over 50% of the establishment's floor area is used for warehousing purposes. Residential structures existing at the time of adoption and residential uses on upper floors of commercial structures. Antiques, auto accessories, appliances, clothing, pharmacy, dry goods, florist, foods, furniture, hardware hobby and craft supplies, sporting goods, jewelry, leather goods and repair, notions, office supplies, paint and wallpaper, toys, reading material, seed and feed, bakery retail, banks, offices, barber or beauty shops.

1.3 *Accessory Uses and Structures* – All accessory uses and structures customarily associated with the primary use.

2.0 Conditional Uses Subject to Development Plan Review by the Town Council

2.1 *Uses of Land* – All uses that are customarily associated with the conditional uses permitted in this district.

2.2 *Uses of Buildings* – Apartments of five or more units, dry cleaners, buildings of electrical or heating supply where no outside storage is required. Manufacturing incidental to retail sales where articles are sold on premises, funeral parlors, places of amusement or assembly, service stations, bus stations. Any business use not specifically named which, in the opinion of the Town Council, comes within the spirit or intent of this zoning district.

2.3 *Accessory Uses and Structures* – All accessory uses and structures customarily associated with the primary use. Temporary structures for special events upon approval by the Town Council.

3.0 Uses Prohibited

3.1 *Uses of Land* – Stockyards, live animals, coal yard, lumber yard or mill, manufactured home communities, automobile wrecking. All outside storage of discarded material, except normal refuse for scheduled collection.

3.2 *Uses of Buildings* – New residences and apartments with less than five units except for residential uses on upper floors of commercial buildings. Manufactured homes.

3.3 *Accessory Uses and Structures* – Gasoline or oil storage above ground in excess of 500 gallons.

4.0 Dimensions

It is the intent of this ordinance that lots of sufficient size be provided for all permitted or conditional uses including adequate parking, loading space, yard space and drive area

that are necessary for normal operations of the business. Exceptions are subject to the review and approval of the Town Council.

5.0 Other Requirements

5.1 Where a lot in this district abuts a lot in a residential district, a continuous visual buffer shall be provided and maintained along the property line of the two lots.

5.2 All outside storage of permitted materials will be enclosed by a six (6) foot opaque fence, including normal refuse for scheduled collection.

Section 2 – HC (Highway Commercial) Classification

The HC District is intended to provide business areas to meet the most frequent shopping needs of an immediate neighborhood. Because these shops and stores will be most frequently used by town residents, rather than non-resident occupants of transient vehicles, more restrictive requirements for air, light and open space are warranted.

1.0 Uses Permitted

1.1 *Uses of Land* – All uses that are customarily associated with the primary uses permitted in this district.

1.2 *Uses of Buildings* – Neighborhood retail stores, shops, markets and services such as grocery, food, general merchandise, apparel, household and hardware, radio and television, pharmacy and sundries, jewelry and gifts, florists, pet shops, pickup laundry or cleaning, barber or beauty shops.

1.3 *Accessory Uses and Structures* – All accessory uses and structures customarily associated with permitted uses.

2.0 Conditional Uses Subject to Development Plan Review by the Town Council

2.1 *Uses of Land* – All uses that are customarily associated with the conditional uses allowed by the Town Council in this district.

2.2 *Uses of Buildings* – Churches and similar places of worship. Libraries, hospitals, banks, professional offices, planned shopping centers limited to five acres in size, restaurants, laundromats, and apartments with five or more units. Major auto repair, places of amusement and assembly, funeral homes, manufacturing incidental to retail business where articles are sold at retail on the premises, dry cleaners and laundries. Cabarets or night clubs, whether or not operated by non-profit organizations. Other neighborhood service type businesses not specifically named which in the opinion of the Town Council is consistent with the spirit or intent of the zoning district.

2.3 *Accessory Uses and Structures* – All accessory uses and structures customarily associated with primary use approved for the site.

3.0 Uses Prohibited

3.1 *Uses of Land* – Stockyards, live animals, coal yard, lumber yard or mill, manufactured home communities, automobile wrecking. All outside storage of discarded material, except normal refuse for scheduled collection.

3.2 *Uses of Buildings* – New residences and apartments with less than five units except for residential uses on upper floors of commercial buildings. Manufactured homes.

3.3 *Accessory Uses and Structures* – Gasoline or oil storage above ground in excess of 500 gallons.

4.0 *Dimensions*

It is the intent of this ordinance that lots of sufficient size be provided for all permitted or conditional uses including adequate parking, loading space, yard space and drive area that are necessary for normal operations of the business. Exceptions are subject to the review and approval of the Town Council.

5.0 *Required Setbacks, Maximum Coverage, Building Separation and Height*

5.1 *Minimum Depth of Front Yard* – 25 feet

5.2 *Minimum Depth of Rear Yard* – 20 feet

5.3 *Minimum Depth of Side Yard* – 20 feet

5.4 *Maximum Building Area and Impervious Coverage*

Maximum Building Area – 40%

Maximum Impervious Coverage – 70%

5.5 *Minimum Building Separation* – 30 feet

5.6 *Maximum Height* – 2 stories or 30 feet

ARTICLE XIII. MANUFACTURING USE DISTRICT

General Requirements

1.0 *Development Plan Review*

All industrial development and expansion proposals are subject to development plan review by the Town Council. As part of the development plan review process the Planning Commission is authorized to require various site improvements to maintain the spirit and intent of the zoning ordinance.

2.0 *Unidentified Manufacturing Uses*

Manufacturing uses not specifically named in the manufacturing district shall not be allowed in the M-1 district as conditional uses until the use has been submitted to the Town Council to determine whether the use can be permitted in the M-1 district and the Zoning Ordinance is amended. The Town Council shall consider the types of uses allowed in the M-1 district, site improvements, such as buffers and landscaping, and other appropriate factors to determine the compatibility of the proposed use with other uses in the manufacturing district.

3.0 *Compliance with Requirements for All Districts*

All manufacturing uses shall provide adequate space to meet the requirements for parking, service bays, including refuse containers even if a regular collection of waste material is scheduled, lighting, landscaping and buffering as required in other sections of this ordinance.

4.0 *Dimensional Requirements*

4.1 *Lot Size* – It is the intent of this ordinance that lots of sufficient size shall be provided for proposed manufacturing and related uses. Dimensions and sizes of lots shall accommodate required buffering and landscaping requirements in addition to the space required for the normal operations of the industry, business or service.

4.2 *Front Yard* – The first 20' of front yard setback immediately adjacent to the right of way shall be maintained for landscaping as required elsewhere in this ordinance. In the event an industrial site is located on a corner lot, then 20' setbacks adjacent to each street frontage shall be maintained for landscaping.

4.3 *Buffering and Landscaping Requirements*

When a lot in any manufacturing district abuts a lot in a residential district, a continuous buffer shall be provided and maintained along the property line between the two lots. The buffer shall be a minimum of 6 feet tall and a maximum of 10 feet tall.

M-1 Classification

The M-1 General Manufacturing Use District is established to create areas within the city where light manufacturing and major office activities can be located in proximity to efficient transportation services and be readily accessible to employees.

1.0 Conditional Uses

1.1 *Uses of Land* – Access and circulation drives, parking, loading and storage areas for the vehicles incidental to operation of the business provided they meet the setback requirements and are properly screened and landscaped as required elsewhere in this ordinance.

All exterior storage shall be screened and buffered from public rights of way and adjacent properties. The screening shall be a minimum of six feet in height and a maximum of 10 feet in height. Stored materials or goods shall not be taller than the screening provided.

1.2 *Uses of Buildings* – Light manufacturing uses such as textiles, small farm machines and supplies, baking plants. Combination offices associated with wholesaling, warehousing and storage plants. Major office complexes and research laboratories located on sites of five acres or more.

1.3 *Accessory Uses and Structures* – All accessory uses and structures customarily associated with the industrial, warehousing, and wholesaling permitted as conditional uses provided all other requirements set forth elsewhere in this ordinance are met.

2.0 Uses Prohibited

2.1 *Uses of Land* – Auto salvage operations, junkyards, landfills, All open, bulk or any exterior screened storage of a material or supply that is considered a hazardous material, volatile or commonly recognized as having adverse characteristics. Characteristics such as noise, vibration, dust, fumes, smoke, gas, effluent discharge or run-off, fire, or emissions that interfere with the reception or transmission of electronic signals will be considered adverse if one or more occur during the placement, storage or retrieval of the supply material or goods.

2.2 *Uses of Buildings* – All residential and commercial uses. Any manufacturing use that is commonly viewed as having adverse characteristics or that is deemed detrimental to neighboring property during the development plan review.

2.3 *Accessory Uses and Structures* – The storage or use of any volatile and/or hazardous materials for goods, or any material, good or process having commonly recognized adverse characteristics.

3.0 Required Lot Area and Minimum Lot Width at Building Line

3.1 *Minimum Lot Area* – 22,500 square feet

3.2 *Minimum Lot Width at Building Line* – 150 feet

3.3 It is the intent of this ordinance that lots of sufficient size be provided by increasing, when necessary, the area and/or width required for any manufacturing related use to provide adequate parking and loading space in addition to the space required for the normal operations of the business or service.

4.0 Required Setbacks, Maximum Coverage, Building Separation and Height

4.1 *Minimum Depth of Front Yard* – The minimum front setback to the building line shall be 65 feet. The first 20 feet adjacent to the right of way shall be used to meet landscaping requirements. The next 45 feet of the front yard may be used for access drives and parking. When a manufacturing use is developed on a single lot located between two

existing industries, the front yard setback shall be the greater of: a minimum of 20 feet, or the average setback of the immediately adjacent manufacturing uses.

4.2 *Minimum Depth of Rear Yard* – The rear setback to the building line for both primary or accessory buildings is 45 feet. The first 20 feet adjacent to the rear property line shall be used for utility easements and to meet buffering, screening and landscaping requirements. The next 25 feet of the rear and side yards can be used for access drives, parking, loading and outside storage areas provided they are screened and buffered in accordance with the requirements of this ordinance.

4.3 *Minimum Depth of Side Yard* – 40 feet

4.4 *Maximum Building Area and Impervious Coverage*

Maximum Building Area – 40%

Maximum Impervious Coverage – 70%

4.5 *Minimum Building Separation* – 30 feet

4.6 *Maximum Height* – 40 feet or three stories

5.0 Other Requirements [reserved]

ARTICLE XV. RURAL PRESERVATION USE DISTRICT

Rural Preservation Classification (RP)

The purpose of the RP district is to preserve the rural character of those areas which are more suitable located outside the urbanized portion of the city by promoting agriculture and agricultural related uses and by discouraging premature and improper forms of development.

1.0 Uses Permitted

1.1 *Uses of Land* – Family farms, commercial farming, dairying, pasturage, animal and poultry husbandry, tree farming, orchards, and other similar uses. Small scale farms utilizing sustainable agriculture practices, environmental sensitivity and land conservation are particularly encouraged within this district. Forests, forestation and wildlife and nature study preserves. Publicly owned or private parks of a nonprofit nature; including campgrounds. Summer or winter resort areas, hunting, fishing or country clubs, game preserves, and similar uses. Residential, detached single dwelling units.

Single manufactured homes are allowed in this district provided the owner of the property and the owner of the manufactured home are the same entity. The manufactured home shall be positioned on the lot in accordance with all district requirements and in a reasonably similar orientation to other residential buildings in the area. Each shall contain a minimum of 720 square feet and shall be attached to a permanent foundation. The manufactured home shall have exterior siding material that is compatible with other residential buildings in the area. All towing devices, ditches, wheels and axles shall be removed or fully enclosed with material used for underpinning of the manufactured home. Underpinning shall be installed, using a compatible material, around the bottom outer edge of the manufactured home.

1.2 *Uses of Buildings* – All buildings customarily associated with the primary use.

1.3 *Accessory Uses and Structures* – All accessory uses and structures customarily associated with the primary use.

2.0 Conditional Uses Subject to Development Plan Review by the Town Council

2.1 *Uses of Land* – All uses that are customarily associated with the conditional uses permitted in this district.

2.2 *Uses of Buildings* – Any business use not specifically named which, in the opinion of the Town Council, comes within the spirit or intent of this zoning district.

2.3 *Accessory Uses and Structures* – All accessory uses and structures customarily associated with the primary use. Temporary structures for special events upon approval by the Town Council.

3.0 Uses Prohibited

3.1 *Uses of Land* – Animal Feeding Operations (AFOs), Concentrated Agricultural Feeding Operations (CAFOs), stockyards, kennels, coal yard, lumber yard or mill, mining, extractive industries, industrial uses, manufactured home communities, automobile wrecking yard.

3.2 *Uses of Buildings* – Residences and apartments with more than two units, retail commercial not associated with the primary agricultural use of the land.

3.3 *Accessory Uses and Structures* – Gasoline or oil storage above ground in excess of 500 gallons.

4.0 Required Lot Area and Minimum Lot Width at Building Line

4.1 *Minimum Lot Area* – The minimum lot area shall be the larger of the lot area specified below or as required by the health department in public water and sewer are not available.

Interior Lot – 5 acres

Corner Lot – 5 acres

4.2 Minimum Width at Building Line

Interior Lot – 250 feet

Corner Lot – 250 feet

5.0 Required Setbacks, Maximum Coverage, Building Separation and Height

It is the intent of this ordinance that lots of sufficient size be provided for all permitted or conditional uses including adequate parking, loading space, yard space and drive area that are necessary for normal operations of the business. Exceptions are subject to the review and approval of the Town Council.

5.1 *Minimum Depth of Front Yard* – 50 feet

5.2 *Minimum Depth of Rear Yard* – 60 feet

5.3 *Minimum Depth of Side Yard* – 100 feet

5.4 Maximum Building Area and Impervious Coverage

Maximum Building Area – 10%

Maximum Impervious Coverage – 15%

5.5 *Minimum Building Separation* – 25 feet

5.6 Maximum Height

Principle Building – 2 ½ stories or 35 feet

Accessory Buildings and Structures – 50 feet

6.0 Other Requirements

6.1 Where a lot in this district abuts a lot in a residential district, a continuous visual buffer shall be provided and maintained along the property line of the two lots.

ARTICLE XVIII. GLOSSARY OF TERMS
[reserved)