

Chapter 405

ZONING DISTRICTS

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Section 405.005. "R1-L" — Low Density Single-Family Residential District. [Ord. No. 2115, 9-28-2023]

- A. Purposes. The intent of the "R1-L" Low Density Single-Family Residential District is designed for twelve thousand (12,000) square foot single-family detached residential uses at low densities of approximately four (4) dwelling units per acre. Internal stability, harmony, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and by consideration of the proper functional relationship and arrangement of the different uses permitted in this district which is intended for areas that have access for vehicular traffic from collector or higher classification streets without crossing minor streets in adjoining neighborhoods.
- B. Uses Permitted.
1. One (1) single-family dwelling.
 2. Accessory buildings and uses customarily, incidental and subordinate to the uses permitted, all located on the same lot or parcel, and regulated as provided in Sections 410.010 and 410.020.
 3. Incidental temporary buildings used for construction, which buildings must be removed upon completion or abandonment of the construction work.
- C. Conditional Uses. The following uses shall be permitted only if authorized by the Planning and

Zoning Commission as provided in Section 410.040.

1. Churches or other places of worship, including parish houses and Sunday schools, but excluding overnight shelters and temporary outdoor revivals, on a minimum of two (2) acres of land, to provide sufficient land area for off-street parking, buffer yards and proper site design to lessen impact on adjoining residential neighborhoods.
2. Golf courses and country clubs.
3. Public parks and playgrounds.
4. Public school, elementary and high, and educational institutions having a curriculum the same as ordinarily given in public schools, on a minimum of two (2) acres of land, to provide sufficient land area for off-street parking, buffer yards and proper site design to lessen impact on adjoining residential neighborhoods.
5. Any use conforming at the time the district is mapped.
6. Group Homes. The exterior appearance of the home and property shall be in reasonable conformance with the general neighborhood standards. No group home shall be located within two thousand five hundred (2,500) feet of another group home.
7. Social Service Agency. The exterior appearance of the home and property shall be in reasonable conformance with the general neighborhood standards. No social service agency shall be located within two thousand five hundred (2,500) feet of another social service agency.

If there is a transitional home associated with the social service agency, Section 410.041 shall apply.

- D. General Regulations. Property and buildings in the "R1-L" District shall be subject to the following regulations:
1. Street Frontage. Each lot shall have eighty (80) foot frontage on a dedicated City street.
 2. Platting Requirements. Each dwelling shall be located on its own individually platted lot. If areas for common use of occupants of the development are shown on the plat, satisfactory arrangements shall be made for the maintenance of the common open space and facilities, whether in the form of a neighborhood association or public dedication. The plat shall indicate the easements and covenants appurtenant thereto.
 3. Off-Street Parking. As required by Section 410.110 of this Chapter.
 4. Accessory Buildings And Structures. As required by Section 410.010 of this Chapter.
 5. Trees. There shall be a requirement of at least one (1) tree and two (2) shrubs for each platted lot in order to enhance private space. The tree shall be of a variety that provides shade and screening and shall be at least six (6) feet in height at the time of planting.
- E. Height And Area Regulations. The height and area regulations shall be provided in accordance with the requirements set forth in Section 405.040 of this Chapter.

Section 405.010. "R1-M" — Medium Density Single-Family Residential District. [Ord. No. 2115 ¹,

1. Editor's Note: Former Section 405.010, "R-1" — Single-Family Residence District, was repealed 9-28-2023 by Ord. No. 2115. Prior

9-28-2023 |

- A. Purpose. The intent of the "R1-M" Medium Density Single-Family Residential District is designed for ten thousand (10,000) square foot single-family detached residential uses at moderate densities of approximately five (5) dwelling units per acre. Internal stability, harmony, attractiveness, order, and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities and by consideration of the proper functional relationship and arrangement of the different uses permitted in this district.
- B. Uses Permitted.
1. One (1) single-family dwelling.
 2. Accessory buildings and uses customarily, incidental and subordinate to the uses permitted, all located on the same lot or parcel, and regulated as provided in Sections 410.010 and 410.020.
 3. Incidental temporary buildings used for construction, which buildings must be removed upon completion or abandonment of the construction work.
- C. Conditional Uses. The following uses shall be permitted only if authorized by the Planning and Zoning Commission as provided in Section 410.040.
1. Churches or other places of worship, including parish houses and Sunday schools, but excluding overnight shelters and temporary outdoor revivals, on a minimum of two (2) acres of land, to provide sufficient land area for off-street parking, buffer yards and proper site design to lessen impact on adjoining residential neighborhoods.
 2. Golf courses and country clubs.
 3. Public parks and playgrounds.
 4. Public school, elementary and high, and educational institutions having a curriculum the same as ordinarily given in public schools, on a minimum of two (2) acres of land, to provide sufficient land area for off-street parking, buffer yards and proper site design to lessen impact on adjoining residential neighborhoods.
 5. Any use conforming at the time the district is mapped.
 6. Group Homes. The exterior appearance of the home and property shall be in reasonable conformance with the general neighborhood standards. No group home shall be located within two thousand five hundred (2,500) feet of another group home.
 7. Social Service Agency. The exterior appearance of the home and property shall be in reasonable conformance with the general neighborhood standards. No social service agency shall be located within two thousand five hundred (2,500) feet of another social service agency.
- If there is a transitional home associated with the social service agency, Section 410.041 shall apply.
- D. General Regulations. Property and buildings in the "R1-M" District shall be subject to the following regulations:

history includes: R.O. 2014 §405.010; Ord. No. 201; Ord. No. 1571; and Ord. No. 1862. New Residential District regulations are set out in Sections 405.005 through 405.015.

1. Street Frontage. Each lot shall have seventy (70) foot frontage on a dedicated City street.
 2. Platting Requirements. Each dwelling shall be located on its own individually platted lot. If areas for common use of occupants of the development are shown on the plat, satisfactory arrangements shall be made for the maintenance of the common open space and facilities, whether in the form of a neighborhood association or public dedication. The plat shall indicate the easements and covenants appurtenant thereto.
 3. Off-Street Parking. As required by Section 410.110 of this Chapter.
 4. Accessory Buildings And Structures. As required by Section 410.010 of this Chapter.
 5. Trees. There shall be a requirement of at least one (1) tree and two (2) shrubs for each platted lot in order to enhance private space. The tree shall be of a variety that provides shade and screening and shall be at least six (6) feet in height at the time of planting.
- E. Height And Area Regulations. The height and area regulations shall be provided in accordance with the requirements set forth in Section 405.040 of this Chapter.

Section 405.015. "R1-H" — High Density Single-Family Residential District. [Ord. No. 2115, 9-28-2023]

- A. Purposes. The intent of the "R1-H" High Density Single-Family Residential District is designed for eight thousand (8,000) square foot single-family detached residential uses at higher densities of approximately six (6) dwelling units per acre. Internal stability, harmony, attractiveness, order, and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities and by consideration of the proper functional relationship and arrangement of the different uses permitted in this district. This district is intended for areas that have access for vehicular traffic from collector or higher classification streets without crossing minor streets in adjoining neighborhoods.
- B. Uses Permitted.
1. One (1) single-family dwelling.
 2. Accessory buildings and uses customarily, incidental and subordinate to the uses permitted, all located on the same lot or parcel, and regulated as provided in Sections 410.010 and 410.020.
 3. Incidental temporary buildings used for construction, which buildings must be removed upon completion or abandonment of the construction work.
- C. Conditional Uses. The following uses shall be permitted only if authorized by the Planning and Zoning Commission as provided in Section 410.040.
1. Churches or other places of worship, including parish houses and Sunday schools, but excluding overnight shelters and temporary outdoor revivals, on a minimum of two (2) acres of land, to provide sufficient land area for off-street parking, buffer yards and proper site design to lessen impact on adjoining residential neighborhoods.
 2. Golf courses and country clubs.
 3. Public parks and playgrounds.
 4. Public school, elementary and high, and educational institutions having a curriculum the same

as ordinarily given in public schools, on a minimum of two (2) acres of land, to provide sufficient land area for off-street parking, buffer yards and proper site design to lessen impact on adjoining residential neighborhoods.

5. Any use conforming at the time the district is mapped.
6. Group Homes. The exterior appearance of the home and property shall be in reasonable conformance with the general neighborhood standards. No group home shall be located within two thousand five hundred (2,500) feet of another group home.
7. Social Service Agency. The exterior appearance of the home and property shall be in reasonable conformance with the general neighborhood standards. No social service agency shall be located within two thousand five hundred (2,500) feet of another social service agency.

If there is a transitional home associated with the social service agency, Section 410.041 shall apply.

- D. General Regulations. Property and buildings in the "R1-H" District shall be subject to the following regulations:
1. Street Frontage. Each lot shall have sixty (60) foot frontage on a dedicated City street.
 2. Platting Requirements. Each dwelling shall be located on its own individually platted lot. If areas for common use of occupants of the development are shown on the plat, satisfactory arrangements shall be made for the maintenance of the common open space and facilities, whether in the form of a neighborhood association or public dedication. The plat shall indicate the easements and covenants appurtenant thereto.
 3. Off-Street Parking. As required by Section 410.110 of this Chapter.
 4. Accessory Buildings And Structures. As required by Section 410.010 of this Chapter.
 5. Trees. There shall be a requirement of at least one (1) tree and two (2) shrubs for each platted lot in order to enhance private space. The tree shall be of a variety that provides shade and screening and shall be at least six (6) feet in height at the time of planting.
- E. Height And Area Regulations. The height and area regulations shall be provided in accordance with the requirements set forth in Section 405.040 of this Chapter.

Section 405.020. "R-2" — Two-Family Residence District. [R.O. 2014 §405.020; Ord. No. 201 §§220 — 222, 11-14-1967 ; Ord. No. 1863, 7-11-2019]

- A. The following regulations shall apply to every lot, building site or parcel in an "R-2" Residence District and shall be subject to all of the general provisions of this Title.
- B. *Uses Permitted.*
1. One (1) Two-Family dwelling.
 2. One (1) Single-Family dwelling.
 3. Accessory buildings and uses customarily incident to the uses permitted, all located on the same lot or parcel, and regulated as provided in Sections 410.010 and 410.020.
 4. Temporary buildings for use incident to construction, which buildings must be removed upon

completion or abandonment of the construction work.

5. Temporary signs as regulated in Section 405.010, Subsection (B)(4).

C. *Conditional Use.* The following uses shall be permitted only if authorized by the Planning and Zoning Commission as provided in Section 410.040.

1. Planned Unit Development as regulated in Section 410.120.

2. Public, parochial or private schools as regulated in Section 405.010, Subsection (C)(1).

3. Churches as regulated in Section 405.010, Subsection (C)(2).

4. Municipal parks and playgrounds and community clubhouse.

5. Parking lot when established to fulfill parking requirements for an existing or permitted use in the district.

6. Group Homes. No group home shall be located within five hundred (500) feet of another group home or social service agency. The exterior appearance of the home and property shall be in reasonable conformance with the general neighborhood standards. Group homes shall be eleemosynary or not-for-profit in nature.

7. Social Service Agency. No social service agency shall be located within five hundred (500) feet of another social service agency. The exterior appearance of the home and property shall be in reasonable conformance with the general neighborhood standards.

If there is a Transitional Home associated with the social service agency, Section 410.041 shall apply.

Section 405.030. "R-3" — Multiple-Family Residence District. [R.O. 2014 §405.030; Ord. No. 201 §§230 — 232, 11-14-1967 ; Ord. No. 904 §1, 11-18-1999 ; Ord. No. 1460 §1, 8-12-2010 ; Ord. No. 1544 §1, 8-9-2012]

A. The following regulations shall apply to every lot, building site or parcel in an "R-3" Residence District and shall be subject to all of the general provisions of this Title.

B. *Uses Permitted.*

1. One (1) multiple-family dwelling.

2. Boarding house.

3. Bed and breakfast

4. One (1) two-family dwelling.

5. One (1) single-family dwelling.

6. Accessory buildings and uses customarily incident to the uses permitted, all located on the same lot or parcel, and regulated as provided in Sections 410.010 and 410.020.

7. Temporary building or use as regulated in Section 405.020, Subsection (B)(4).

8. Temporary signs as regulated in Section 405.010, Subsection (B)(4).

C. *Conditional Uses.* The following uses shall be permitted only if authorized by the Planning Commission as provided in Section 410.040. [**Ord. No. 1857, 7-11-2019 ; Ord. No. 1864, 7-11-2019 ; Ord. No. 2008, 9-23-2021**]

1. Dwelling group.
2. Planned unit development as regulated in Section 410.120.
3. Public, parochial or private schools as regulated in Section 405.010, Subsection (C)(1).
4. Churches as regulated in Section 405.010, Subsection (C)(2).
5. Municipal parks and playgrounds and community clubhouse.
6. Parking lot when established to fulfill parking requirements for an existing or permitted use in the district.
7. Hospitals and clinics, nursing homes, but not including the housing or treatment of animals.
8. Private clubs, fraternities, sororities, and lodges, not including those whose activities are the providing of services customarily carried on as a business.
9. Private nurseries, day schools, kindergartens and children's homes.
10. Convalescent homes and housing for the aged.
11. Professional office.
12. Group Homes. No group home shall be located within five hundred (500) feet of another group home or social service agency. The exterior appearance of the home and property shall be in reasonable conformance with the general neighborhood standards. Group homes shall be eleemosynary or not-for-profit in nature.
13. Social Service Agency. No social service agency shall be located within five hundred (500) feet of another social service agency. The exterior appearance of the home and property shall be in reasonable conformance with the general neighborhood standards.

If there is a Transitional Home associated with the social service agency, Section 410.041 shall apply.

14. Adult day care facilities.

Section 405.035. "R-4" — Patio Home Residence District. [R.O. 2014 §405.035; Ord. No. 738 §3, 6-8-1995]

A. The following regulations shall apply to every lot, building site or parcel in an "R-4" Patio Home Residence District and shall be subject to all of the general provisions of this Title except as specifically modified for this district, which said modifications shall then control.

B. *Uses Permitted.*

1. One (1) patio home (two (2) residence units).
2. Accessory buildings and uses customarily incident to the uses permitted, all located on the same lot or parcel, and regulated as provided in Sections 410.010 and 410.020.

- 3. Temporary buildings for use incident to construction, which buildings must be removed upon completion or abandonment of the construction work.
 - 4. Temporary signs pertaining to the lease or sale of a building or premises; provided that such signs do not exceed four (4) square feet in area and no more than one (1) for the identical purpose may be exhibited.
- C. *Conditional Uses.* The following uses shall be permitted only if authorized by the Planning and Zoning Commission as provided in Section 410.040. [**Ord. No. 1865, 7-11-2019**]
- 1. Group Homes. No group home shall be located within five hundred (500) feet of another group home or social service agency. The exterior appearance of the home and property shall be in reasonable conformance with the general neighborhood standards. Group homes shall be eleemosynary or not-for-profit in nature.
 - 2. Social Service Agency. No social service agency shall be located within five hundred (500) feet of another social service agency. The exterior appearance of the home and property shall be in reasonable conformance with the general neighborhood standards.

If there is a Transitional Home associated with the social service agency, Section 410.041 shall apply.

Section 405.040. Residential Density Requirements. [R.O. 2014 §405.040; Ord. No. 201 §260, 11-14-1967 ; Ord. No. 738 §4, 6-8-1995 ; Ord. No. 1643 §1, 9-25-2014 ; Ord. No. 1914, 5-28-2020]

Density Requirements	"R-1" Single-Family	"R-2" Two-Family	"R-3" Multi-Family	"R-4" Patio Home
Minimum Lot or Building Site Area (linear feet)				
Single-Family dwelling	10,000	6,000	6,000	8,000
Family (two-family unit)	—	3,000 per family	3,000 per family	4,000 per dwelling unit
Family over two (2)	—	—	3,000 per family for first two (2) families - 1,000 each family over two (2).	—
Churches, Schools	20,000	20,000	20,000	20,000
Hospitals	—	—	20,000	—
All other permitted uses	10,000	10,000	10,000	10,000
Minimum Lot Width (feet)				
Dwelling - internal lot	70	70	60	70 (35 each side)

Density Requirements	"R-1" Single-Family	"R-2" Two-Family	"R-3" Multi-Family	"R-4" Patio Home
Dwelling - external lot	80	80	70	80 (40 each side)
Maximum Height of Buildings (feet)				
Principal building	35	35	35	35
Accessory buildings and uses	See Section 410.010 Accessory Buildings and Uses			
Other exceptions	(See Section 410.060)			
Minimum Front Yard (feet)				
Principal buildings	25	25	25	25
Accessory buildings and uses	See Section 410.010 Accessory Buildings and Uses			
Other exceptions	When any immediately adjacent existing buildings are at the old 35 foot setback, the 35 foot setback will be used for any new construction. (See Section 410.190)			
Minimum Side Yard (feet)				
Dwellings:				
Single-family and Two-family	7	7	6	6 (exterior lot line)
to 20 foot height	7	7	6	
in excess of 20 foot height	8	8	7	0 (interior lot line)
Multiple-family	—	—	10	
Other permitted uses	Ten (10) feet plus one (1) foot for every foot by which building exceeds thirty-five (35) feet in width.			
External lots - (street side yard)	15	15	15	15
Accessory buildings and uses	See Section 410.010 Accessory Buildings and Uses			
Other exceptions	(See Section 410.190)			
Minimum Rear Yard (feet)				
Principal building	20	20	20	20
Accessory buildings and uses	See Section 410.010 Accessory Buildings and Uses			
Other permitted uses	Twenty (20) feet plus one (1) foot for every foot by which building exceeds thirty-five (35) feet in length.			
Other exceptions	(See Section 410.070)			

Section 405.050. "B-1" — Neighborhood Business District. [R.O. 2014 §405.050; Ord. No. 201 §§310, 311, 11-14-1967]

- A. This business district is for the conduct of retail trade and to provide personal services to meet the regular needs and for the convenience of people of adjacent residential areas. Because these shops and stores may be an integral part of the neighborhood closely associated with residential, religious, recreational, and educational elements, more restrictive requirements for air, light, open space and off-street parking are made than are provided for in other commercial districts.
- B. *Uses Permitted.* [**Ord. No. 1866, 7-11-2019 ; Ord. No. 1882, 9-26-2019**]
1. All uses permitted in any residential district subject to all provisions specified for such residential districts.
 2. Bakeries and confectioneries not employing more than six (6) persons.
 3. Barber shops and beauty parlors.
 4. Banks and savings and loan companies.
 5. Custom service in the business of dressmaking, millinery or tailoring.
 6. Self-service laundries having not more than two (2) employees in the performance of service upon the premises.
 7. Drug stores having no curb or parking lot delivery service of fountain products.
 8. Grocery and/or meat shop.
 9. Dry cleaning plants, or establishments doing dry cleaning, if such plant or business has not more than seven (7) employees.
 10. Restaurant not including drive-in facilities.
 11. Offices.
 12. Social Service Agencies (except with associated Transitional Homes).
 13. Mobile vending units when in compliance with 410.095, Mobile Vending Units (Food Trucks).
 14. Subject to all regulations otherwise provided by ordinance advertising signs as defined herein are permissible, as regulated in Chapter 407.

Section 405.060. "B-2" — Central Business District. [R.O. 2014 §405.060; Ord. No. 201 §§320 — 322, 11-14-1967 ; Ord. No. 1186 §1, 1-12-2006 ; Ord. No. 1449 §1, 7-22-2010 ; Ord. No. 1450 §1, 7-22-2010 ; Ord. No. 1451 §1, 7-22-2010 ; Ord. No. 1452 §1, 7-22-2010]

- A. This business district is intended for the conduct of personal and business services and the general retail business of the community. Persons living in the community and in the surrounding trade territory require direct and frequent access. Traffic generated by the uses will be primarily passenger vehicles and only those trucks and commercial vehicles required for stocking and delivery of retail goods.
- B. *Uses Permitted.*

1. All uses permitted in any "B-1" Neighborhood Business District.
2. Appliance repair shops, provided not more than five (5) people may be engaged in the repair service, and no equipment powered by greater than five (5) horsepower motors. This does not authorize the manufacture of any item, article or product.
3. Automotive parts and machine service.
4. Bakeries and confectioneries.
5. Beer parlor, tavern or nightclub.
6. Bicycle and motor-driven cycles and repair shops.
7. Billiard hall.
8. Bowling alley.
9. Clinics, not including the housing or treatment of animals.
10. Dance, gymnastic and karate instruction centers.
11. Dog groomers.
12. Feed stores, not including the milling or grinding of feed products.
13. Fitness centers.
14. Florist shop.
15. Food and cold storage lockers.
16. Grocery stores, including supermarkets and dairy products stores.
17. Hardware stores.
18. Hotels.
19. Lodge halls and similar uses.
20. Motor hotels.
21. Parking lots.
22. Pawnshops and gun shops.
23. Printing shops and newspaper plants.
24. Public buildings and public uses.
25. Radio stations.
26. Railroad, bus and cab depots.
27. Schools, business and commercial.
28. Theaters, not including drive-in.

29. Undertaking establishments.
30. Subject to all regulations otherwise provided in this and other ordinances, advertising signs as defined herein are permissible as regulated in Chapter 407. Billboards as defined herein are prohibited.

C. *Conditional Uses.*

1. Light industrial uses, which do not constitute a nuisance by reason of noise, vibration, odor, dust, smoke, gas or other offensive conditions (see Section 410.040).
2. Kennels.

Section 405.070. "B-3" — General Business Districts. [R.O. 2014 §405.070; Ord. No. 201 §§330 — 332, 11-14-1967 ; Ord. No. 1013 §§1 — 2, 5, 3-27-2003 ; Ord. No. 1453 §1, 7-22-2010 ; Ord. No. 1454 §1, 7-22-2010 ; Ord. No. 1536 §1, 6-14-2012]

A. This business district is for conduct of retail trade and to provide personal services which, due to their character, create an increased traffic flow and higher density of land use. Because of these characteristics less restrictive uses and requirements are made in this district than are found in a Neighborhood Business District, or a Central Business District.

B. *Uses Permitted.*

1. All uses permitted in any "B-1" Neighborhood Business District, or "B-2" Central Business District.
2. Gasoline and oil filling stations.
3. Restaurants and eating establishments, including drive-ins.
4. Theaters, including drive-in.
5. Fruit and vegetable market.
6. Garage, automobile repair and machine work.
7. Lumberyards.
8. Used car sales, not including salvage or wrecking of any kind.
9. Metal fabrication and welding.
10. Subject to all regulations otherwise provided by ordinance, advertising signs as defined herein as regulated in Chapter 407 are permissible. Billboards are prohibited.

C. *Conditional Uses.*

1. Light industrial uses which do not constitute a nuisance by reason of noise, vibration, odor, dust, smoke, gas or other offensive conditions.
2. Adult entertainment businesses.
 - a. *Definitions.* The following definitions shall be applicable to the following conditional use provisions:

ADULT BOOKSTORE — A commercial use having more than ten percent (10%) of its floor area or stock-in-trade, books, photographs, pictures, magazines, and other periodicals or materials which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

ADULT CABARET — A commercial use that involves one (1) or more of the following:

- (1) Dancers, go-go dancers, exotic dancers, male or female impersonators or similar entertainers or any live entertainment and which excludes minors or from which minors are prohibited by Statute or ordinance, and whether or not any such business is licensed to sell alcoholic beverages.
- (2) A nightclub, bar, restaurant, or similar use which regularly features:
 - (a) A person or persons in a state of nudity; or
 - (b) Live performances which are characterized by the exposure of specified anatomical areas or by specified sexual activities, including topless or bottomless dancers, exotic dancers or strippers; or
 - (c) Films, motion pictures, video cassettes or tapes, slides, cd roms, dvds, Internet or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas.

ADULT ENTERTAINMENT — A commercial use that involves one (1) or more of the following:

- (1) Any building, use or part thereof in which is provided services of which a principal feature or characteristics is the nudity or partial nudity of any person.
- (2) Any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, goods, including books, magazines, pictures, slides, film, phonograph records, prerecorded magnetic tape, cd rom, dvd, Internet and other reading, viewing and encounters, the principal feature of which is the nudity or partial nudity of any person, or in respect of which the word "nude", "naked", "topless", "bottomless", "sexy", or any other word or any picture, symbol or representation having like meaning or implication is used in any advertisements.
- (3) Any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations.
- (4) Adult cabaret or adult motion picture theater.

ADULT MOTION PICTURE THEATER — A commercial use which shall be in an enclosed building and which presents motion picture films, video cassettes, television, cd rom, dvd, Internet, or any other such visual media distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas as hereinafter defined for observation by patrons therein.

ADULT STORE — A commercial use which has devoted more than ten percent (10%) of its floor area or stock-in-trade to the sale, rental or any form of consideration of any one (1) or more of the following: books, magazines, periodicals or other printed matter,

photograph, films, motion pictures, video cassettes, video tapes, cd roms, dvds, Internet or other visual representations which depict or describe specified sexual activities or specified anatomical areas or instruments, devices or paraphernalia which depicts specific anatomical areas or are designed for use in connection with specific sexual activity.

ADULT USE — A commercial use that involves one (1) or more of the following:

- (1) Adult bookstore.
- (2) Adult store.
- (3) Adult motion picture theater.
- (4) Adult cabaret.
- (5) Adult entertainment.
- (6) Specified sexual activities.
- (7) Specified anatomical areas.

SPECIFIED ANATOMICAL AREAS — Less than completely and opaquely covered human genitals, pubic region, buttocks and female breast below a point immediately above the areola and human male genitals in a discernibly erect state even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITIES — Human genitals in a state of sexual stimulation or arousal, acts of human masturbation, sexual intercourse or sodomy, fondling or other erotic touching of human genitals, pubic region, buttocks or female breasts.

- b. The Planning and Zoning Commission may approve a conditional use for the special use of adult bookstores, adult cabarets, adult entertainment, adult motion picture theaters, and/or adult stores, only if the following requirements have been met:
 - (1) Shall be located on a lot having at least one hundred (100) feet of frontage on an arterial street, and access shall be only from an arterial street.
 - (2) Shall be located entirely within an enclosed building.
 - (3) Shall have no openings, entries or windows which permit view into the building from any street, sidewalk or other public place.
 - (4) Shall not be located within one thousand (1,000) feet of any religious institution, school, day care, park, public building, or any property of residential zoning or use. Such distance shall be measured in a straight line without regard to intervening properties from the closest exterior wall of the building in which the adult use is located to the closest property line of the religious institution, school or public park, or the property zoned for residential use.
 - (5) Shall not be located or expanded within one thousand (1,000) feet of any other adult use. The distance between an adult use and another adult use shall be measured in a straight line without regard to intervening structures from the closest exterior structural wall of each business.
 - (6) Shall be provided with a screen, consisting of approved trees and shrubbery, which

shall be planted and maintained at a minimum of eight (8) feet high by twenty (20) feet wide along interior lot lines or where the lot abuts a residential district, except for approved access points.

- (7) Shall have at least one (1) parking space per seventy-five (75) feet of interior floor area.
 - (8) Shall not have more than one (1) wall-mounted sign and one (1) freestanding sign.
 - (9) Shall not have signage in excess of forty (40) square feet total.
 - (10) Shall not have signage which moves, blinks, flashes, or simulates movement.
- c. Any property owner who may be determined to have a non-conforming use at the time of passage of this Subsection shall comply with this Subsection by removing such non-conforming use within a period not to exceed one hundred eighty (180) days from the date of passage hereof.
- 3. Car washes.
 - 4. Self-Service Storage Facilities. See additional provisions in Supplementary Zoning Regulations (Section 410.091, Self-Service Storage Facilities). [**Ord. No. 1858, 7-11-2019**]
 - 5. Comprehensive marijuana dispensary facilities as governed by Article XIV of the Missouri State Constitution and applicable State rules and regulations for such facilities and Conditional Use Permit standards set forth in Section 410.092(B), Comprehensive Marijuana Facilities. [**Ord. No. 1870, 7-25-2019 ; Ord. No. 2098, 7-13-2023**]

Section 405.080. Business Districts Density Requirements. [R.O. 2014 §405.080; Ord. No. 201 §360, 11-14-1967 ; Ord. No. 1915, 5-28-2020]

Density Requirements	"B-1" Neighborhood Business	"B-2" Central Business	"B-3" General Business
Minimum Lot Area (square feet)			
Per Building	6,000	None	None
Minimum Lot Width (feet)			
Per Building	50	None	None
Maximum Height of Building (feet)			
Principal Building	35	60	35
Accessory Building	15	15	15
Minimum Front Yard (feet)			
Principal Building	30	None	25
Minimum Side Yard (feet)			
Principal Building	15 feet when abutting a residential district	15 feet when abutting a residential district	15 feet when abutting residential district
Minimum Rear Yard (feet)			

Density Requirements	"B-1" Neighborhood Business	"B-2" Central Business	"B-3" General Business
Principal Building	20	None	15
NOTE:	Residential uses located in all business districts shall have the same front, side, and rear yard requirements as those in an "R-3" Multi-Family District.		
For accessory buildings and uses in Business Districts, see Section 410.010, Accessory Buildings and Uses.			

Section 405.090. "I-1" — Light Industrial District. [R.O. 2014 §405.090; Ord. No. 201 §§410 — 411, 413, 11-14-1967 ; Ord. No. 443 §1, 4-22-1982 ; Ord. No. 1455 §1, 7-22-2010]

A. This industrial district is intended primarily for production and assembly plants that are conducted so the noise, odor, dust, and glare of such operation is completely confined within an enclosed building. These industries may require direct access to rail, air, or street transportation routes. However, the size and volume of the raw materials and finished products involved should not produce the volume of freight generated by the uses of the heavy industrial district.

B. Uses Permitted. [Ord. No. 1859, 7-11-2019 ; Ord. No. 1871, 7-25-2019]

1. All uses permitted in "B-3" District, except residential uses.
2. Assembly or repair of electrical and mechanical appliances, instruments, devices, and the like.
3. Vehicle finishing, repair, and the like.
4. Building material production, storage, and sales uses.
5. Food distribution and storage plants.
6. Construction and agricultural equipment distribution, repair, storage, and sales.
7. Transportation, storage and trucking yards.
8. Agricultural feed and grain storage and sales.
9. Laundry, cleaning, and dyeing works.
10. Sheet metal, plumbing, and blacksmith shops.
11. Wholesale business, storage warehouses, and the like.
12. Bottling works.
13. Research laboratories.
14. Sign shops and service.
15. Upholstering and furniture repair shops.
16. General contractors.
17. Heating and HVAC businesses.
18. Self-Service Storage Facilities. See additional provisions in Supplementary Zoning Regulations

(Section 410.091, Self-Service Storage Facilities).

19. Comprehensive marijuana cultivation facilities, comprehensive marijuana-infused products manufacturing facilities, and comprehensive marijuana testing facilities as governed by Article XIV of the Missouri State Constitution and applicable State rules and regulations for such facilities and in compliance with the supplemental zoning regulations set forth in Section 410.092(C), Comprehensive Marijuana Facilities. [**Ord. No. 2099, 7-13-2023**]

- C. *Uses Prohibited.* Those uses are prohibited which may be obnoxious or offensive by reason of odor, dust, smoke, gas, or noise.

Section 405.100. "I-2" — Heavy Industrial District. [R.O. 2014 §405.100; Ord. No. 201 §§420 — 423, 11-14-1967 ; Ord. No. 759 §§1 — 2, 1-11-1996 ; Ord. No. 977, 5-9-2002 ; Ord. No. 1443 §1, 6-24-2010 ; Ord. No. 1456 §1, 7-22-2010 ; Ord. No. 1457 §1, 7-22-2010 ; Ord. No. 1535 §1, 6-14-2012]

- A. This industrial district is intended to provide for heavy industrial uses not otherwise provided for in the districts established by this Title. The intensity of uses permitted in this district makes it desirable that they be located downwind and separate from residential and commercial uses whenever possible.
- B. *Uses Permitted.* Any use permitted in "I-1" Light Industrial District, unless otherwise prohibited by this Section.
- C. *Conditional Uses Permitted.* Provided that the location of such use has been approved by the Planning and Zoning Commission according to Section 410.040, the following are permitted:
1. Dehydration plant.
 2. Grain elevator and grain storage.
 3. Wholesale or bulk storage of gasoline or other petroleum products. (See fire prevention ordinance for other requirements.)
 4. Propane storage.
 5. Towing companies.
 6. Recycling center. [**Ord. No. 1642 §2, 9-25-2014**]
- D. *Uses Prohibited.*
1. Any residential use.
 2. Distillation of bones.
 3. Sanitary land fill, reduction or incineration of trash, garbage, offal or dead animals.
 4. Stockyards.
 5. Central mixing plant for cement, mortar, plaster, concrete mix, paving material or asphalt.
 6. Fertilizer manufacture.
 7. Manufacturing of: cement lime ingredient, lime, gypsum and plaster.

8. Smelting of any ore or metal.
9. Junk, automobile or salvage yard of any kind.
10. Any use inconsistent with or expressly prohibited by the ordinances of the City.

Section 405.110. "I-P" — Planned Industrial Park District. [R.O. 2014 §405.110; Ord. No. 201 §§430 — 431, 11-14-1967]

- A. The owner, or owners, of any contiguous and compact tract of land containing not less than five (5) acres may submit to the Planning and Zoning Commission a petition for the rezoning and subsequent exclusive use and development of all of such tract of land as a Planned Industrial Park District. In a Planned Industrial Park District, no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, or altered until such use, erection, construction, reconstruction or alteration shall have been specifically authorized by the Board of Aldermen, after study and recommendation by the Planning and Zoning Commission.
- B. *Uses Permitted.* Any industrial use, upon approval of the Board of Aldermen as provided in the paragraph above, shall be permitted in a Planned Industrial Park District provided no nuisance will result with regard to:
 1. Smoke and other particulate matter.
 2. Noise.
 3. Odor.
 4. Fire and explosive hazard.
 5. Gases.
 6. Glare or heat.
 7. Vibration.
 8. Water pollution.
 9. Other factors detrimental to the health, safety, and welfare of the area.
- C. The Planning and Zoning Commission shall satisfy themselves that the conditions listed above are met before recommending approval of any use in a Planned Industrial Park District. Pursuant to this Section, the applicant shall be required to furnish:
 1. Data describing all processes and equipment involved in the proposed use.
 2. Plans showing location and design of structures, delivery points, loading areas, walls, fences, screen planting, signs, lighting devices, and pedestrian walks.
 3. Plans illustrating adequate off-street parking in accordance to standards established by the Planning and Zoning Commission.
 4. Traffic routing system so designed as to minimize nuisance effects due to the generation of traffic to and from the use.
 5. Comprehensive landscaping plan.

- 6. Any other information the Planning and Zoning Commission may need to adequately consider the effect that the proposed uses may have upon the cost of providing municipal services to the area. All sewage disposal systems and requirements for such systems must be approved by the City Engineer before a building permit is issued.
- D. The Planning and Zoning Commission shall further satisfy itself that the uses proposed for any Planned Industrial Park District shall be compatible with the adjacent and nearby uses of land, both existing and contemplated; and to the adequacy of street and highway access to the district to ensure that there is sufficient capacity for uses dependent on automotive transportation; and that the design and landscaping is in harmony with adjacent residential areas; and that the general plan is consistent with the intent and purposes of this Title to promote public health, safety, morals, or general welfare.
- E. The Planning and Zoning Commission may require the applicant to file a performance bond with the City Clerk during the period of construction, reconstruction, or alteration, such bond to be in an amount, determined by the Commissioners, to be sufficient to ensure completion of landscaping and parking plans as submitted.

Section 405.120. Industrial Districts Density Requirements. [R.O. 2014 §405.120; Ord. No. 201 §460, 11-14-1967 ; Ord. No. 1975, 1-14-2021]

Density Requirements	"I-P" Industrial Park	"I-1" Light Industry	"I-2" Heavy Industry
Minimum Lot Area (percent)			
Lots comprised of 1 acre or less	N/A (See minimum lot size requirements per Section 405.110 (A))	Building coverage not to exceed 50% of the lot area.	Building coverage not to exceed 50% of the lot area.
Lots comprised of more than 1 acre	*	Building coverage will not exceed 50% of the lot area.	Building coverage will not exceed 50% of the lot area.
Minimum Lot Width (feet)			
Per building	*	100	100
Maximum Height of Buildings (feet)			
Principal building	*	40	40
Accessory building		15	15
Minimum Front Yard (feet)			
Principal building for lots comprised of 1 acre or less	*	25**	25**
Principal building for lots comprised of more than 1 acre		40	40
Minimum Side Yard (feet)			

Density Requirements	"I-P" Industrial Park	"I-1" Light Industry	"I-2" Heavy Industry
Principal Building for lots not immediately adjacent to a residential zoning district	*	Zero (0)	Zero (0)
Principal Building for lots immediately adjacent to a residential zoning district	*	The greater of 20 feet or a buffer minimum width, if applicable. See 410.146(D)).**	The greater of 20 feet or a buffer minimum width, if applicable. See 410.146(D)).**
Minimum Rear Yard (feet)			
Principal building	*	20 feet if adjacent to a non-residential district. 40 feet adjacent to a residential district.**	20 feet if adjacent to a non-residential district. 40 feet adjacent to a residential district.**
Accessory Buildings and Uses	See Section 410.010	See Section 410.010	See Section 410.010
*Planned Industrial Park District (I-P) requirements shall be as set forth by the Planning Commission and the Board of Aldermen. **Buffers along street frontages and adjacent to residentially zoned property may be located within/ overlap with minimum setback requirements. (See 410.146(D))			

Section 405.130. "A" — Agriculture District. [R.O. 2014 §405.130; Ord. No. 201 §§510 — 512, 11-14-1967]

- A. This district is intended to provide a location for the land situated on the fringe of the urban area, that is used for agricultural purposes, but will be undergoing urbanization in the foreseeable future. Therefore, the agricultural uses and activities should not be detrimental to urban land uses. It is not intended that this district provide a location for a lower standard of residential, commercial, or industrial development than is authorized in other districts. The types of uses, area and intensity of use of land which is authorized in this district is designed to encourage and protect any agricultural uses until urbanization is warranted and the appropriate changes in district classification are made.
- B. *Uses Permitted.*
 - 1. Agricultural uses and their accessory structures, as defined in Section 400.080.
 - 2. Farm houses, to the extent they qualify as agricultural accessory uses.
- C. *Conditional Uses.* The following uses shall be permitted only if authorized by the Planning and Zoning Commission as provided in Section 410.040. [**Ord. No. 2068, 1-12-2023**]
 - 1. Churches or similar places of worship, with their accessory structures.
 - 2. Public, parochial or private schools and institutions of higher learning.
 - 3. Public parks, public playgrounds, public institutions, and recreational areas operated by membership organizations for the benefit of their members and not for gain.

Section 405.140. Agricultural District Density Requirements. [R.O. 2014 §405.140; Ord. No. 201 §560, 11-14-1967]

- A. The minimum building site area shall be twenty thousand (20,000) square feet.
- B. The minimum lot width shall be one hundred (100) feet.
- C. The maximum height of a principal building shall not exceed thirty-five (35) feet, except as provided in Section 410.060. For accessory buildings the maximum height shall not exceed fifteen (15) feet, except that required farm structures shall have no height limitations unless located in an existing, or proposed, flight zone in which case existing Federal regulations shall apply.
- D. The minimum depth of the front yard shall be fifty (50) feet.
- E. The minimum width of each side yard shall be twenty (20) feet.
- F. The minimum depth of the rear yard shall be twenty (20) feet.

Section 405.150. "P" — Parking District. [R.O. 2014 §405.150; Ord. No. 201 §§520 — 521, 523, 11-14-1967]

- A. Certain areas are reserved for the purpose of providing space for off-street parking of automobiles, and to avoid the absorption of land needed for this use by other types of business uses.
- B. *Uses Permitted.* The operation and maintenance of a parking lot, subject in each case to approval by the Planning and Zoning Commission under regulations similar to "Conditional Uses" in Section 410.040.
- C. *Uses Not Permitted.* One (1) building of size sufficient to operate a parking lot shall be permitted; however, no facilities for servicing automobiles shall be permitted including filling stations, washing or repairing.