

CHAPTER 40 - ZONING CODE

<u>ARTICLE</u>	<u>TITLE</u>	<u>PAGE</u>
<i>I</i>	<i>GENERAL PROVISIONS AND SAVING CLAUSES</i>	
	<i>Section 40-1-1 - Purpose</i>	<i>40-1</i>
	<i>Section 40-1-2 - Scope</i>	<i>40-1</i>
	<i>Section 40-1-3 - Jurisdiction</i>	<i>40-2</i>
	<i>Section 40-1-4 - Annexed Territory</i>	<i>40-2</i>
	<i>Section 40-1-5 - Interpretation</i>	<i>40-2</i>
	<i>Section 40-1-6 - Disclaimer of Liability</i>	<i>40-2</i>
	<i>Section 40-1-7 - Separability</i>	<i>40-2</i>
	<i>Section 40-1-8 - Repealer</i>	<i>40-2</i>
<i>II</i>	<i>DEFINITIONS</i>	
	<i>Section 40-2-1 - Construction of Terms</i>	<i>40-3</i>
	<i>Section 40-2-2 - Selected Definitions</i>	<i>40-3</i>
<i>III</i>	<i>GENERAL ZONING REGULATIONS</i>	
	<i>Section 40-3-1 - Establishment of Districts</i>	<i>40-17</i>
	<i>Section 40-3-2 - Zoning Map and District Boundaries</i>	<i>40-17</i>
	<i>Section 40-3-3 - Annual Publication</i>	<i>40-17</i>
	<i>Section 40-3-4 - Determining Territory of Districts with Precision</i>	<i>40-17</i>
	<i>Section 40-3-5 - General Prohibition</i>	<i>40-18</i>
	<i>Section 40-3-6 - Unlisted Uses Prohibited</i>	<i>40-18</i>
	<i>Section 40-3-7 - Temporary Uses</i>	<i>40-18</i>
	<i>Section 40-3-8 - One Building and All Yards on One Lot</i>	<i>40-18</i>
	<i>Section 40-3-9 - Access Required</i>	<i>40-19</i>
	<i>Section 40-3-10 - Limitations</i>	<i>40-19</i>
	<i>Section 40-3-11 - Front Setbacks – Corner/Through Lots</i>	<i>40-19</i>
	<i>Section 40-3-12 - Front Setbacks in Certain Built-Up Areas</i>	<i>40-19</i>
	<i>Section 40-3-13 - Exceptions to Height Limits</i>	<i>40-19</i>
	<i>Section 40-3-14 - Exceptions to Setback Lines</i>	<i>40-19</i>
	<i>Section 40-3-15 - Accessory Uses</i>	<i>40-19</i>
	<i>Section 40-3-16 - Specifically Prohibited Accessory Uses</i>	<i>40-20</i>
	<i>Section 40-3-17 - Sewers, Septic Tanks</i>	<i>40-20</i>
	<i>Section 40-3-18 - Schedule; Area and Bulk Regulations; Parking Requirements</i>	<i>40-20</i>
	<i>Section 40-3-19 - Schedule; Permitted Uses, Accessory Uses; Special Uses</i>	<i>40-20</i>
<i>IV</i>	<i>SUPPLEMENTARY ZONING REGULATIONS</i>	
	<i>Section 40-4-1 - Applicability of Article</i>	<i>40-21</i>
	<i>Section 40-4-2 - Camping Trailers</i>	<i>40-21</i>
	<i>Section 40-4-3 - Fences, Walls</i>	<i>40-21</i>
	<i>Section 40-4-4 - Filling Stations</i>	<i>40-22</i>
	<i>Section 40-4-5 - Home Occupations</i>	<i>40-22</i>
	<i>Section 40-4-6 - Hospitals, Nursing Homes</i>	<i>40-23</i>
	<i>Section 40-4-7 - Junk Yards</i>	<i>40-23</i>

<u>ARTICLE</u>	<u>TITLE</u>	<u>PAGE</u>
IV	SUPPLEMENTARY ZONING REGULATIONS (CONTINUED)	
	Section 40-4-8 - Sanitary Landfills	40-23
	Section 40-4-9 - Schools	40-24
	Section 40-4-10 - Private Swimming Pools	40-24
	Section 40-4-11 - Utility Substations	40-24
	Section 40-4-12 - (Approved) Manufactured Homes/Modular Units	40-25
	Section 40-4-13 - Mobile Homes	40-25
	Section 40-4-14 - Mobile Homes – Individual	40-25
	Section 40-4-15 - Mobile Home Parks and Courts	40-27
	Section 40-4-16 - Kennels	40-27
	Section 40-4-17 - Agricultural Activities	40-27
	Section 40-4-18 - Rental Storage Units	40-28
	Section 40-4-19 - Lakes, Ponds and Dams	40-28
V	SUPPLEMENTARY OFF-STREET PARKING AND LOADING REGULATIONS	
	Section 40-5-1 - Applicability of Article	40-29
	Section 40-5-2 - Existing Parking/Loading Facilities	40-29
	Section 40-5-3 - Parking Design and Maintenance Standards	40-29
	Section 40-5-4 - Location of Parking	40-30
	Section 40-5-5 - Business and Industrial Districts	40-30
	Section 40-5-6 - Parking Surfaces	40-30
	Section 40-5-7 - Design and Location of Off-Street Loading Facilities	40-31
VI	NONCONFORMITIES	
	Section 40-6-1 - Purpose of Article	40-32
	Section 40-6-2 - Nonconforming Lots	40-32
	Section 40-6-3 - Residential	40-32
	Section 40-6-4 - Other Districts	40-32
	Section 40-6-5 - Nonconforming Structures	40-32
	Section 40-6-6 - Nonconforming Uses Occupying a Structure	40-32
	Section 40-6-7 - Nonconforming Use of Land	40-33
	Section 40-6-8 - Nonconformities Under Permit Authority	40-33
VII	SIGN CODE	
	Section 40-7-1 - Sign Permit Required; Fee	40-34
	Section 40-7-2 - Exemptions	40-34
	Section 40-7-3 - Examination of Plans; Issuance	40-34
	Section 40-7-4 - When Permit Becomes Null and Void	40-34
	Section 40-7-5 - Painting Requirements Generally	40-34
	Section 40-7-6 - Permit Number, Date of Erection, and Voltage To be Painted on Signs	40-35
	Section 40-7-7 - Removal of Certain Signs	40-35
	Section 40-7-8 - Unsafe and Unlawful Signs	40-35
	Section 40-7-9 - Not to Obstruct Fire Escapes	40-35
	Section 40-7-10 - To be Marked with Erector's Name	40-35
	Section 40-7-11 - Loads and Allowable Stresses	40-35
	Section 40-7-12 - Ground Signs	40-36

<u>ARTICLE</u>	<u>TITLE</u>	<u>PAGE</u>
VII	<i>SIGN CODE (CONTINUED)</i>	
	<i>Section 40-7-13 - Roof Signs</i>	<i>40-36</i>
	<i>Section 40-7-14 - Wall Signs</i>	<i>40-37</i>
	<i>Section 40-7-15 - Projecting Signs</i>	<i>40-37</i>
	<i>Section 40-7-16 - Marquee Signs</i>	<i>40-38</i>
	<i>Section 40-7-17 - Allowable Sizes and Locations</i>	<i>40-38</i>
VIII	<i>ADULT BUSINESS</i>	
	<i>Section 40-8-1 - Special Use Permit Required</i>	<i>40-39</i>
	<i>Section 40-8-2 - Location Restrictions</i>	<i>40-39</i>
	<i>Section 40-8-3 - Prohibited Conduct</i>	<i>40-39</i>
	<i>Section 40-8-4 - Sales Practice Violations</i>	<i>40-40</i>
	<i>Section 40-8-5 - Hours of Operation</i>	<i>40-42</i>
	<i>Section 40-8-6 - Signs and/or Exterior Display</i>	<i>40-42</i>
	<i>Section 40-8-7 - Public Health Standards</i>	<i>40-42</i>
	<i>Section 40-8-8 - Vicarious Liability</i>	<i>40-43</i>
	<i>Section 40-8-9 - Penalty</i>	<i>40-43</i>
IX	<i>ADMINISTRATION AND ENFORCEMENT</i>	
	<i>Section 40-9-1 - Zoning Administrator</i>	<i>40-44</i>
	<i>Section 40-9-2 - Duties</i>	<i>40-44</i>
	<i>Section 40-9-3 - Temporary Certificates of Zoning Compliance</i>	<i>40-44</i>
	<i>Section 40-9-4 - Information Required</i>	<i>40-45</i>
	<i>Section 40-9-5 - Fee, Duration of Certificate</i>	<i>40-45</i>
	<i>Section 40-9-6 - Permanent Certificates of Zoning Compliance</i>	<i>40-46</i>
	<i>Section 40-9-7 - Procedures for Violation</i>	<i>40-46</i>
	<i>Section 40-9-8 - Corrective Action Order</i>	<i>40-47</i>
	<i>Section 40-9-9 - Stop Work Order</i>	<i>40-47</i>
	<i>Section 40-9-10 - Emergency Measures</i>	<i>40-47</i>
	<i>Section 40-9-11 - Complaints</i>	<i>40-47</i>
	<i>Section 40-9-12 - Penalties for Violation</i>	<i>40-47</i>
X	<i>SPECIAL USES AND AMENDMENTS</i>	
	<i>Section 40-10-1 - Special Use Permits</i>	<i>40-48</i>
	<i>Section 40-10-2 - Applicant</i>	<i>40-48</i>
	<i>Section 40-10-3 - Hearing</i>	<i>40-48</i>
	<i>Section 40-10-4 - Notices Concerning Special Use</i>	<i>40-48</i>
	<i>Section 40-10-5 - Factors Considered</i>	<i>40-48</i>
	<i>Section 40-10-6 - Recommendation by Planning Commission, Standards</i>	<i>40-49</i>
	<i>Section 40-10-7 - Temporary Use Permits</i>	<i>40-49</i>
	<i>Section 40-10-8 - Amendments</i>	<i>40-49</i>
	<i>Section 40-10-9 - Filing</i>	<i>40-49</i>
	<i>Section 40-10-10 - Hearing</i>	<i>40-49</i>
	<i>Section 40-10-11 - Notices Concerning Amendment</i>	<i>40-49</i>
	<i>Section 40-10-12 - Advisory Report/Findings of Fact</i>	<i>40-50</i>
	<i>Section 40-10-13 - Decision by City Council</i>	<i>40-50</i>

<u>ARTICLE</u>	<u>TITLE</u>	<u>PAGE</u>
<i>X</i>	<i>SPECIAL USES AND AMENDMENTS (CONTINUED)</i>	
	<i>Section 40-10-14 - When Two-Thirds (2/3) Vote is Required</i>	<i>40-50</i>
	<i>Section 40-10-15 - Notice to Applicant of Written Protest</i>	<i>40-50</i>
<i>XI</i>	<i>PLANNING COMMISSION AND VARIANCES</i>	
	<i>Section 40-11-1 - Planning Commission Established</i>	<i>40-51</i>
	<i>Section 40-11-2 - Appeals</i>	<i>40-51</i>
	<i>Section 40-11-3 - Filing, Record Transmittal</i>	<i>40-51</i>
	<i>Section 40-11-4 - Stay of Further Proceedings</i>	<i>40-51</i>
	<i>Section 40-11-5 - Hearing</i>	<i>40-51</i>
	<i>Section 40-11-6 - Notice</i>	<i>40-52</i>
	<i>Section 40-11-7 - Decision by the Planning Commission</i>	<i>40-52</i>
	<i>Section 40-11-8 - Lot Size/Bulk Variance</i>	<i>40-52</i>
	<i>Section 40-11-9 - Application</i>	<i>40-52</i>
	<i>Section 40-11-10 - Hearing</i>	<i>40-52</i>
	<i>Section 40-11-11 - Notices Concerning Variance</i>	<i>40-52</i>
	<i>Section 40-11-12 - Standards for Variances</i>	<i>40-53</i>
	<i>Section 40-11-13 - Recommendation by Planning Commission</i>	<i>40-53</i>
	<i>Section 40-11-14 - Unauthorized Variances (Use Variance)</i>	<i>40-53</i>
	<i>Section 40-11-15 - Filing Fees</i>	<i>40-53</i>