

**ARTICLE X  
STANDARD ZONING DISTRICT REGULATIONS**

**Section 10.01 Regulation of the Uses of Land or Structures**

Regulations pertaining to the use of land and/or structures, and the physical development thereof within each of the zoning districts as established in Article XI, are hereby established and adopted.

**Section 10.02 Rules of Application**

10.02.01 Identification of Uses

Listed uses are to be defined by their customary name or identification, except as specifically defined or limited in this Ordinance.

10.02.02 Permitted Uses

- A. Only a use designated as permitted shall be allowed matter of right in any zoning district, and any use not so designated shall be prohibited unless:
  - 1. A permitted use may be added to a zoning district by formal amendment, in conformance with Article V of this Ordinance.
  - 2. An unlisted use may be determined by the Planning and Zoning Commission to be a similar use, pursuant to Sections 10.02.05 of this Article.
- B. In no case shall there be more than one (1) principal building used for single-family residential purposes on any individual zoning lot.

10.02.03 Accessory Uses

An accessory use or structure is a subordinate use or structure clearly incidental and secondary to the principal permitted building or use, and located on the same lot with such principal building or use. Accessory uses or structures shall be allowed in accordance with the specific district regulations, and the requirements of Article XXXII of this Ordinance.

10.02.04 Conditional Uses

A use designated as a conditional use shall be allowed in the zoning district where the designation occurs, when such use, its location, extent and method of development will not substantially alter the character of the vicinity, or unduly interfere with or adversely impact of use of adjacent lots.

To this end, the Planning and Zoning Commission shall, in addition to the development standards for the specific district, set forth additional requirements as will render the conditional use compatible with existing and future use of adjacent lots in the vicinity, in accordance with Article V of this Ordinance.

10.02.05 Similar Uses

Determination as to whether a use is similar to uses permitted by right shall be considered as an expansion of use regulations of the district and not as a variance applying to a particular situation. An use found similar shall thereafter be considered as a permitted use in that district.

Applications for zoning permits for uses not specifically listed in the permitted building or use classifications of the zoning district, which the applicant feels qualify as a similar use under the provisions of this Section, shall be submitted to Planning and Zoning Commission.

Within sixty (60) days after such submittal, the Planning and Zoning Commission shall determine whether the requested use is similar to those uses permitted in the specific district. In order to find that a use is similar, the Planning and Zoning Commission shall find that all of the following conditions exist:

- A. Such use is not listed as a permitted or conditional use in another zoning district.
- B. Such use conforms to basic characteristics of the district to which it is to be added and is more appropriate to it than to any other district.
- C. Such use creates no danger to health and safety, creates no offensive noise, vibration, dust, heat, smoke, odor, glare, or other objectionable influences, and does not create traffic congestion to an extent greater than normally resulting from uses listed in the classification to which it is to be added.

10.02.06 Development Standards

Development standards set forth shall be the minimum allowed for uses permitted in that district. If development standards are in conflict with requirements of any other lawfully adopted rule, regulation, or law, the most restrictive standard shall govern.

10.02.07 Development Plan

For particular uses in specific districts, a Development Plan will be cited as required. In such cases, the Development Plan shall be submitted by the applicant at the time of the application for a zoning permit. The Development Plan shall contain a site plan for the property, drawn to approximate scale, showing all

property lines and building outlines, access drives, parking areas, and other notable physical features. The Development Plan shall also show the size, design, materials and location of all signage proposed for the development. The Development Plan shall contain a narrative description of the proposed use, and how such use will impact adjacent residential property.

The Development Plan shall be reviewed by the Planning and Zoning Commission and must be approved as a condition for the issuance of a zoning permit. In approving a Development Plan, the Planning and Zoning Commission shall find that the following criteria have been met:

- A. The proposed building or use shall have sufficient yard space to provide for adequate parking and screening of adjacent residential areas in accordance with this Ordinance.
- B. The Development Plan for the proposed facility has incorporated measures to lessen and/or alleviate adverse impacts on adjacent residential areas and to protect the residential character of such areas.
- C. The location, design and operation of the proposed use shall not impose undue adverse impacts on surrounding residential neighborhoods.

10.02.08 Essential Services

Essential Services, as defined and specified in Article II of this Ordinance, shall be permitted in any and all zoning districts within the City.