

(b) *Rear yard.* There shall be a rear yard setback line requirement of 20 feet; except in the R-7 residential district as it applies to the location of utility buildings and garages, and in lieu thereof the following shall apply:

- (1) The rear setback line restriction shall be 3½ feet where two rear lines of properties abut in the R-7 district.
- (2) The rear setback line restriction shall be ten feet when the rear line of one property abuts the sideline of another property in the R-7 district.
- (3) There shall be no rear setback line requirement where an alley separates the rear lines of two properties in the R-7 district.

(c) *Side yard.* There shall be a side yard on each side of any dwelling of at least ten feet, and on each side.

(Ord. No. 001-2001, § 15.6, 2-13-2001)

Sec. 23-347. Lot size regulations.

The minimum lot size for the R-7 single-family village residential district shall be subject to existing standards within the development. No lot size within an R-7 district shall be reduced from the present existing size of that lot as platted. Lots may be added in combination to make bigger lots; provided that no lot is reduced in size from the existing lot size.

(Ord. No. 001-2001, § 15.7, 2-13-2001)

Sec. 23-348. Minimum dwelling size regulations.

The principal structure shall be no less than the adjacent structures' square footage within the district.

(Ord. No. 001-2001, § 15.8, 2-13-2001)

Secs. 23-349—23-370. Reserved.

DIVISION 10. C-1 CENTRAL BUSINESS DISTRICT

Sec. 23-371. Intent.

The purpose of this district is to preserve the downtown commercial district and provide loca-

tions for shopping facilities that are commonly found in the retail commercial uses of the historic downtown orientation. The CBD (central business district) would also provide for loft-style living and other residential concepts associated with a downtown city. Such facilities should be located to allow for minimal lot line requirements, but not to forsake the public safety and general welfare. In addition, the frequency and distribution patterns reflect the downtown orientation, without jeopardizing the historic significance of the central business district.

(Ord. No. 001-2001, § 16.1, 2-13-2001)

Sec. 23-372. Required conditions.

Retail sales, displays of merchandise, and storage must be within an appropriate enclosure (building, or structure) as specified by law or ordinance. However, the commission may grant an exception to this requirement as a conditional use where it finds that enforcement would create an unreasonable hardship. No single business activity shall occupy more than 40,000 square feet of building area. Specified residential uses will be permitted in the C-1 district as conditional uses after review and recommendation by the planning commission and a formal approval by the city council set forth in division 2 of this article and section 23-343. This mixed-use environment will help preserve the historic character of the downtown area and allow for a greater degree of flexibility in dealing with existing properties.

(Ord. No. 001-2001, § 16.2, 2-13-2001)

Sec. 23-373. Permitted uses.

The following uses are permitted:

- (1) Appliance stores, including repairs and services, but not appliance salvage and/or storage yards.
- (2) Art and antique stores, art galleries, museums and institutions of a similar nature.
- (3) Bakeries—retail.
- (4) Health clubs, spas, and other similar activities.
- (5) Bicycle stores.

- (6) Book, stationery, camera, photographic supply stores, and newsstands.
 - (7) Confectionery stores.
 - (8) Clothing and shoes, millinery, dry goods and notion stores.
 - (9) Ice cream parlors.
 - (10) Drugstores.
 - (11) Furniture and home furnishings stores.
 - (12) Florist, nurseries, and gift shops.
 - (13) Grocery, fruit, vegetable, meat markets, delicatessens, catering stores, and supermarkets.
 - (14) Hardware and paint stores (no outside uncovered unfenced storage areas).
 - (15) Jewelry stores.
 - (16) Barbershops and beauty shops.
 - (17) Dressmaking and tailoring shops.
 - (18) Laundry and dry cleaning pickup stations, and self-service laundries.
 - (19) Retail and repair shoe shops.
 - (20) Garden supply stores (no outside uncovered unfenced storage areas).
 - (21) Any other retail sales or service establishments similar in character to those permitted.
 - (22) Professional, and business office, that include banks and financial institutions.
 - (23) Accessory buildings and uses located on the same lot or parcel of land as the main structure and customarily incidental to the permitted or conditional use.
 - (24) Cafes, grills, lunchcounters, and restaurants.
- (Ord. No. 001-2001, § 16.3, 2-13-2001)

Sec. 23-374. Conditional uses.

Structures and land may be used under specific conditions for only the following purposes:

- (1) Automobile service stations, but not including repair garages and salvage yards.
- (2) Auction houses.
- (3) Print shops.
- (4) Theaters and cinemas, but not including drive-in theaters.
- (5) Churches and other places of worship, attendant educational and recreational buildings, and their appurtenant accessory uses (e.g., cemeteries, mausoleums, etc.).
- (6) Kindergartens, day care centers and homes, and nursery or play schools.
- (7) Golf, swimming, tennis, or country clubs, public and private community clubs or associations, athletic fields, parks and recreational areas. The size and intensity of the proposed use as it relates to adjacent land uses shall be a determining factor.
- (8) Private clubs, and fraternal order of lodges.
- (9) Variety retail shops.
- (10) Hospitals, clinics, and convalescent or nursing homes.
- (11) Temporary uses, including sale of Christmas trees, carnivals, church bazaars, and sale of seasonal fruits and vegetables from roadside stands, but such use is not to be permitted for a period to exceed two months in any calendar year.
- (12) Dry cleaning and laundry establishments, provided that such operation is for local service only and no work is done on the premises for other similar establishments or pickup stations.
- (13) Colleges, public and private schools, and libraries.
- (14) Recreational, amusement, and entertainment facilities.
- (15) Funeral homes, not including crematoriums.
- (16) Self-serve carwashing facilities, provided they are located on an arterial street.
- (17) Bed and breakfast inns, provided all parking can be maintained on the lot and not along collector and secondary streets.
- (18) Loft-style dwellings (see section 23-375 for standards).

(19) Taxicab businesses.

(20) Climate controlled storage.
(Ord. No. 001-2001, § 16.4, 2-13-2001; Ord. No. 14-2005, § 1, 11-8-2005; Ord. No. 2008O-05, § 1, 4-8-2008)

Sec. 23-375. Standards for dwellings.

Dwellings within the district shall be loft-style, as defined in this chapter, and must follow the same procedures as specified in the conditional use permits (see section 23-48).
(Ord. No. 001-2001, § 16.4.1, 2-13-2001)

Sec. 23-376. Yard requirements.

The following minimum building setback requirements shall be provided for all buildings and structures as measured from street right-of-way lines:

- (1) Front yard: zero feet;
- (2) Rear yard: zero feet; and
- (3) Side yard: zero feet.

(Ord. No. 001-2001, § 16.5, 2-13-2001)

Sec. 23-377. Building height regulations.

No building or structure shall exceed 50 feet in height.
(Ord. No. 001-2001, § 16.6, 2-13-2001)

Sec. 23-378. Minimum lot size regulations.

The principal lot size shall be no less than the adjacent contiguous lots sizes within the C-1 zoning district.
(Ord. No. 001-2001, § 16.7, 2-13-2001)

Sec. 23-379. Minimum lot width regulations.

The lot width shall be no less than the adjacent contiguous lots square footage within the C-1 zoning district.
(Ord. No. 001-2001, § 16.8, 2-13-2001)

Sec. 23-380. Parking space standards.

Parking space standards shall be as established in article V, division 3 of this chapter.
(Ord. No. 001-2001, § 16.9, 2-13-2001)

Secs. 23-381—23-400. Reserved.

DIVISION 11. C-2 NEIGHBORHOOD COMMERCIAL DISTRICT

Sec. 23-401. Intent.

The purpose of this district is to provide locations for neighborhood shopping facilities in which are found retail commercial uses which have a neighborhood orientation and which supply necessities usually requiring frequent purchasing with a minimum of consumer travel. Such facilities should be located so that their frequency and distribution patterns reflect their neighborhood orientation. In addition, such facilities should not be so large or so broad in scope of services as to attract substantial amounts of trade from outside the neighborhood commercial zone and should not be located in close proximity to other commercial areas.
(Ord. No. 001-2001, § 17.1, 2-13-2001)

Sec. 23-402. Required conditions.

(a) Retail sales, displays of merchandise, and storage must be within an appropriate enclosure (building or structure) as specified in the city's standard building and housing codes. However, the commission may grant an exception to this requirement as a conditional use where it finds that enforcement would create an unreasonable hardship. No single business activity shall occupy more than 40,000 square feet of building area.

(b) Specified conditional uses will be permitted within the C-2 district after review and recommendation by the planning commission and a formal approval by the city council, pursuant to section 23-404. This mixed-use environment will help preserve the historic character of any existing neighborhoods and allow for a greater degree of flexibility in dealing with existing properties.
(Ord. No. 001-2001, § 17.2, 2-13-2001)

Sec. 23-403. Permitted uses.

Structures and land may be used for only the following purposes:

- (1) All uses permitted within the C-1 central business district.

- (2) Pet shops and pet grooming establishments, provided that no pets are left outside.

(Ord. No. 001-2001, § 17.3, 2-13-2001; Ord. No. 8-2005, § 1, 8-11-2005)

Sec. 23-404. Conditional uses.

Structures and land may be used under specific conditions for only the following purposes:

- (1) Public utility structures and buildings, including electric and natural gas substations, telephone exchanges, and similar structures for the storage of supplies, equipment, or service operations, when properly screened.
- (2) Veterinary hospitals treating small animals only, provided that any structure or outside area used for such purposes shall be a minimum of 100 feet from any residential district.
- (3) Minor shopping centers. The following guidelines govern construction of shopping centers:
 - a. Shopping centers shall not exceed 60,000 square feet in gross floor area.
 - b. Leading tenants shall not exceed 40,000 feet in gross floor area.
 - c. These strip shopping centers shall be limited to 250 feet in length, and may not exceed this length in the C-2 zoning district.
 - d. Shopping centers shall be located along arterial, collector or secondary streets.
 - e. Required green space and open space buffers, as required by this chapter.
- (4) Group personal care homes and supportive living homes.
- (5) Motels, hotels and bed and breakfast facilities, provided that the number of rooms available for occupancy does not exceed 50.
- (6) Fast food restaurants.
- (7) Taxicab businesses.

- (8) Kindergarten[s], daycare center[s], nursery[ies] or playschool[s].

- (9) Adult day care.

(Ord. No. 001-2001, § 17.4, 2-13-2001; Ord. No. 8-2005, § 1, 8-11-2005; Ord. No. 14-2005, § 1, 11-8-2005; Ord. No. 2007O-11, § 1, 11-13-2007; Ord. No. 2019O-03, § 2, 2-12-2019)

Sec. 23-405. Yard requirements.

The following minimum building setback requirements shall be provided for all buildings and structures, as measured from street right-of-way lines:

- (1) Front yard: 40 feet on major streets, and 40 feet on minor streets.
- (2) Rear yard: None required, except 15 feet if not abutting an alley, and 20 feet if abutting a residential district.
- (3) Side yard: None required, except 15 feet if any side yard is provided, and 20 feet if abutting a residential district.

(Ord. No. 001-2001, § 17.5, 2-13-2001)

Sec. 23-406. Building height regulations.

No building or structure shall exceed 50 feet in height.

(Ord. No. 001-2001, § 17.6, 2-13-2001)

Sec. 23-407. Parking space standards.

Parking space standards shall be as established in article V, division 3 of this chapter.

(Ord. No. 001-2001, § 17.7, 2-13-2001)

Secs. 23-408—23-430. Reserved.

DIVISION 12. C-3 GENERAL COMMERCIAL DISTRICT

Sec. 23-431. Intent.

The C-3 general commercial district is intended to promote general commercial activities in appropriate and concentrated locations along major streets and the existing city center.

(Ord. No. 001-2001, § 18.1, 2-13-2001)

Sec. 23-432. Required conditions.

(a) Retail sales, displays of merchandise, and storage must be within an appropriate enclosure (building or structure) as specified in the city's standard building and housing codes. However, the commission may grant an exception to this requirement as a conditional use where it finds that enforcement would create an unreasonable hardship. No single business activity shall occupy more than 40,000 square feet of building area.

(b) Specified conditional uses will be permitted in the C-3 district after review and recommendation by the planning commission and a formal approval by the city council (see section 23-434). This mixed-use environment will help preserve the historic character of the downtown area and allow for a greater degree of flexibility in dealing with existing properties.
(Ord. No. 001-2001, § 18.2, 2-13-2001)

Sec. 23-433. Permitted uses.

Structures and land may be used for only the following purposes:

- (1) All permitted uses in the C-1 central business and C-2 neighborhood commercial districts.
- (2) Bottling works for soft drinks.
- (3) Painting, blueprinting, bookbinding, photostatting, lithograph, and publishing establishments.
- (4) Newspaper publishing establishments.
- (5) Sanitariums or convalescent or nursing homes.
- (6) Bowling alleys and billiard rooms.
- (7) Office buildings.
- (8) Radio and television broadcasting studios.
- (9) Telephone offices or communications centers.
- (10) Accessory buildings and uses located on the same lots or parcels of land as the main structures and customarily incidental to the permitted or conditional uses.

(11) Major shopping centers. The following guidelines govern construction of shopping centers:

- a. Shopping centers may exceed 40,000 square feet in gross floor area.
- b. Shopping centers shall be located along arterial, collector or secondary streets.
- c. Required green space and open space buffers, as required by this chapter.

(12) Fast food restaurants.
(Ord. No. 001-2001, § 18.3, 2-13-2001; Ord. No. 8-2005, § 1, 8-11-2005)

Sec. 23-434. Conditional uses.

Structures and land may be used under specific conditions for only the following purposes:

- (1) Ice plants.
- (2) Drive-in theaters.
- (3) Public utility structure and buildings, including electric and natural gas substations, telephone exchanges, communication towers, radio and television stations and similar structures for the storage of supplies, equipment, or service operations, when properly screened.
- (4) Churches and other places of worship with attendant educational and recreational buildings and their appurtenant accessory uses (i.e., cemeteries, mausoleums, etc.).
- (5) Colleges, private and public schools, and libraries.
- (6) Kindergartens, day care centers and homes, and nursery or play schools.
- (7) Hospitals, clinics, or convalescent and nursing homes.
- (8) Bus, railroad, and air terminal facilities.
- (9) Drive-in restaurants.
- (10) Automobile laundries or carwashes.
- (11) Milk bottling and distribution plants and ice cream manufacturing plants.

- (12) Places of assembly, including auditoriums, stadiums, coliseums, dancehalls and nightclubs.
 - (13) Produce and farmer's markets.
 - (14) Wholesale warehouses.
 - (15) Garages, tire retreading and recapping establishments, provided that no buildings for such uses are located within 100 feet of a residential district.
 - (16) Veterinary hospitals or clinics, provided any structure used for such purpose shall be a minimum of 100 feet from any residential district, and provided further that such uses shall not adversely affect adjacent uses.
 - (17) Recreational, amusement, or entertainment facilities.
 - (18) Trade shops, including sheet metal, roofing, upholstering, electrical, plumbing, Venetian blind, cabinetmaking and carpentry, rug and carpet cleaning and sign painting shops, provided that all operations are conducted entirely within a building and are not within 100 feet of any residential district.
 - (19) Trade or business schools.
 - (20) Group personal care homes and supportive living homes.
 - (21) Automobile service stations.
 - (22) Miniwarehouses, subject to the following conditions:
 - a. The warehouse is limited to storage, and to provide one warehouse office only; this office shall be used for the daily operation of the miniwarehouse.
 - b. All storage shall be within the building area.
 - c. No commercial sales or uses shall be conducted on the site. Any auctions are limited to the sales of contents, and there shall be no more than nine per year.
 - d. A fencing and landscaping plan shall be approved by the commission.
 - (23) Retail sales, displays of merchandise, and storage.
 - (24) Auction houses.
 - (25) Bed and breakfast inns, provided that all parking can be maintained on the lot and not along collector or secondary streets.
 - (26) Major shopping centers. The following guidelines govern construction of shopping centers:
 - a. Shopping centers may exceed 60,000 square feet in gross floor area.
 - b. Leading tenants shall not exceed 40,000 square feet in gross floor area.
 - c. Shopping centers shall be located along arterial, collector, or secondary streets.
 - d. Required green space and open space barriers shall be as required by this chapter.
 - (27) Taxicab businesses.
 - (28) Pawn shops.
 - (29) Adult day care.
- (Ord. No. 001-2001, § 18.4, 2-13-2001; Ord. No. 8-2005, § 1, 8-11-2005; Ord. No. 14-2005, § 1, 11-8-2005; Ord. No. 2008O-11, § 1, 11-18-2008; Ord. No. 2019O-03, § 3, 2-12-2019)

Sec. 23-435. Yard requirements.

The following minimum building setback requirements shall be provided for all buildings and structures as measured from the street right-of-way lines:

- (1) Front yard: 35 feet on major streets, and 30 feet on minor streets;
- (2) Rear yard: 20 feet, provided that when abutting an area zoned the same, it shall be 15 feet; and
- (3) Side yard: 20 feet, provided that when abutting an area zoned the same, it shall be 15 feet.

(Ord. No. 001-2001, § 18.5, 2-13-2001)

Sec. 23-436. Building height regulations.

No building or structure shall exceed 50 feet in height.

(Ord. No. 001-2001, § 18.6, 2-13-2001)

Secs. 23-437—23-460. Reserved.

DIVISION 13. O-I OFFICE-INSTITUTIONAL DISTRICT

Sec. 23-461. Intent.

The O-I office-institutional districts are intended to promote and preserve districts with lower density office activities, institutional, clinical, and professional types uses. This district also allows for a mix of certain compatible residential activities. The O-I district in many cases is a practical tool for providing transition from residential uses where it is elected not to use a buffer. The O-I development standards require adequate yard space and off-street parking and service facilities. Permitted uses are restricted to protect the character of the city and from encroachment of uses capable of adversely affecting the limited character of the district.

(Ord. No. 001-2001, § 19.1, 2-13-2001)

Sec. 23-462. Required conditions.

Specialized retail sales, displays of merchandise, and storage must be within a completely enclosed building. Certain residential uses will be allowed in the O-I district as conditional uses; particular commercial uses will be permitted as conditional uses after review by the planning commission and city council (see sections 23-44 through 23-48). This mixed-use environment will help preserve the historic character and allow for a greater degree of flexibility in the use of transitional zones with other existing properties.

(Ord. No. 001-2001, § 19.2, 2-13-2001; Ord. No. 8-2005, § 1, 8-11-2005)

Sec. 23-463. Permitted uses.

Structures and land may be used for only the following purposes:

- (1) Office buildings.

- (2) Colleges, private and public schools, and libraries.
- (3) Kindergartens, nursery or play schools, and day care centers and homes.
- (4) Trade or business schools.
- (5) Hospitals, clinics, or convalescent and nursing homes.
- (6) Veterinary hospitals or clinics, provided that any structure used for such purpose shall be a minimum of 100 feet from any residential district, and provided further that such use shall not adversely affect adjacent uses.
- (7) Convalescent and nursing homes.
- (8) Funeral homes, not including crematoriums.
- (9) Museums and institutions of a similar nature.
- (10) Churches and other places of worship with attendant educational and recreational buildings, and their appurtenant accessory uses (e.g., cemeteries, mausoleums, etc.).
- (11) Private clubs, fraternal orders, or lodges.
- (12) Real estate offices.
- (13) Bed and breakfast inns, provided that all parking can be maintained on the lot and not along collector or secondary streets.
- (14) Accessory buildings and uses located on the same lot or parcel of land as the main structure and customarily incidental to the permitted or conditional uses.

(Ord. No. 001-2001, § 19.3, 2-13-2001)

Sec. 23-464. Conditional uses.

Structures and land may be used under specific conditions for only the following purposes:

- (1) Places of assembly, including auditoriums, stadiums, coliseums, convention centers, and visitor centers.
- (2) Golf, swimming, tennis, or country clubs, public and private community clubs or associations, athletic fields, parks and recreational areas. The size and intensity