

**General Comments**

Zoning districts refer to the type of use within the district and will be based in compatibility of their designed functions in conjunction to the neighboring districts.

**Purpose**

Use districts are designed to divide areas into residential, commercial and mixed uses. This allows specific standards for each district governing use, lot size, building height, required yard size and setbacks. There are permitted uses for each district and sets of procedures for applying the zoning ordinance specific to each district.

**SECTION 301—DISTRICT CLASSIFICATIONS**

**301.1 Classification.** In order to classify, regulate and restrict the locations of *uses* and locations of *buildings* designated for specific areas; and to regulate and determine the areas of *yards*, *courts* and other *open spaces* within or surrounding such *buildings*, property is hereby classified into districts as prescribed in this chapter.

**C** Zoning is classified by the purpose it will serve. There are numerous zoning classifications within a jurisdiction to regulate residential, commercial, industrial, mixed-use and other special districts. The districts will denote what type of development is allowed within the zone. This is done for the orderly compatibility of areas within a jurisdiction. The districts will help plan for future land use within a specified zone.

**SECTION 302—MINIMUM AREAS FOR ZONING DISTRICTS**

**302.1 Minimum areas.** The minimum areas that may constitute a separate or detached part of any of the following zoning districts on the zoning map or subsequent amendments to said zoning map shall be as shown in Table 302.1. Where a nonresidential district is directly across the *street* from or abuts the district with the same or less restrictive classification, the area of the land directly across the *street* or abutting the property may be included in the calculations in meeting the minimum district size requirements.

**TABLE 302.1—MINIMUM AREAS FOR ZONING DISTRICTS**

| ZONING DISTRICT | MINIMUM AREA <sup>a</sup> OF THE DISTRICT |
|-----------------|---|
| A, Division 1   | No minimum                                |
| A, Division 2   | [JURISDICTION TO INSERT NUMBER]           |
| A, Division 3   | [JURISDICTION TO INSERT NUMBER]           |
| C, Division 1   | [JURISDICTION TO INSERT NUMBER]           |
| C, Division 2   | [JURISDICTION TO INSERT NUMBER]           |
| C, Division 3   | [JURISDICTION TO INSERT NUMBER]           |
| C, Division 4   | [JURISDICTION TO INSERT NUMBER]           |
| CR, Division 1  | [JURISDICTION TO INSERT NUMBER]           |
| CR, Division 2  | [JURISDICTION TO INSERT NUMBER]           |
| FI, Division 1  | [JURISDICTION TO INSERT NUMBER]           |
| FI, Division 2  | [JURISDICTION TO INSERT NUMBER]           |
| FI, Division 3  | [JURISDICTION TO INSERT NUMBER]           |
| R, Division 1   | [JURISDICTION TO INSERT NUMBER]           |
| R, Division 2   | [JURISDICTION TO INSERT NUMBER]           |
| R, Division 3   | [JURISDICTION TO INSERT NUMBER]           |

For SI: 1 acre = 4047 m<sup>2</sup>.  
a. The adopting jurisdiction should fill in with appropriate land areas expressed in acres.

**C** Minimum areas are designed for maximum usage of the parcel within the designated area. Each jurisdiction can set their respective minimum areas based on the layout of their zoning map. An area designated for single-family residential use within the jurisdiction may not be as large as the area needed for an industrial use. All areas designated in this code are expressed in size by acreage.

**SECTION 303—ZONING MAP**

**303.1 General.** The boundaries of each zoning district are to be indicated on the official zoning map as approved by the legislative authority. Said map and subsequent amendments thereto shall be considered to be a part of this code.

**C** The zoning map is adopted by the local jurisdiction and, from time to time, may be amended. As an area experiences growth, considerations need to be made for the future land use priorities. The same can be said in declining populations where there may be more open space because of the removal of structures that are dilapidated and no longer in use. The map will reflect the different land use zones, each with their respective guidelines for development.

**SECTION 304—ANNEXED TERRITORY**

**304.1 Classification.** Any territory hereafter annexed shall automatically, upon such annexation, be classified as R, Division 1a, residential district, and be subject to all conditions and regulations applicable to property in such district.

**C** Many jurisdictions will annex property into their jurisdiction. When the annexation occurs, the classification of the land will become a single-family residential zoned district. The annexed territory is done for municipal purposes by adding additional territory to an existing city. This has been done to provide additional resources to those areas not specifically serviced by the neighboring jurisdiction. The annexed territory will now comply with the existing zoning laws adopted for single-family residential zones.

**SECTION 305—CONDITIONAL USES**

**305.1 General.** The principal objective of this zoning code is to provide for an orderly arrangement of compatible *buildings* and land *uses*, and for the property location of all types of *uses* required for the social and economic welfare of the community. To accomplish this objective, each type and kind of *use* is classified as permitted in one or more of the various *use* districts established by this code. However, in addition to those *uses* specifically classified and permitted in each district, there are certain additional *uses* that it may be necessary to allow because of the unusual characteristics of the service they provide the public. These *conditional uses* require particular considerations as to their proper location to adjacent, established or intended *uses*, or to the planned growth of the community. The conditions controlling the locations and operation of such special *uses* are established by the applicable sections of this code.

**C** Conditional uses will be allowed in zoning districts where the initial land use regulations did not specify all uses that could be applicable at the time of the adoption of the code. Careful consideration is given to a conditional use to make sure the use is relevant to the needs of the community in that specific zone. The request for the approval of the conditional use is achieved through an application process and maintenance of qualifying conditions.

## AGRICULTURAL ZONES

**General Comments**

The purpose of an agricultural district is to establish and protect areas designed for farming, open space parks and outdoor recreational uses.

**Purpose**

Agricultural districts provide areas that are not subject to development of urban facilities and services.

**SECTION 401—AGRICULTURAL ZONES DEFINED**

**401.1 Agricultural zone.** Allowable agricultural (A) zone uses shall be:

**Division 1.** Any designated *open space* as set forth in this code.

**Division 2.** Any agricultural use, including, but not limited to, dwellings, maintenance/storage *buildings* and other such uses necessary for the *principal use*.

**Division 3.** Any public *park* land or other similar recreational use, including, but not limited to, amusement rides, office *buildings*, retail *buildings* and dwellings necessary for the maintenance of the *principal use*.

**C** Agricultural use zones are divided into three categories by respective divisions. Any open space use in an agricultural zone is subject to minimum lot size, maximum density requirements that are the number of structures allowed per acre of open space, characteristics for lot dimensions, setback requirements and maximum building height. There are a few exceptions to the height requirements in an agricultural zone and those are for access storage structures, windmills and similar structures such as telecommunication towers. The height requirements may be approved by the code official and be allowed to exceed the recommended heights designated for the zone. Agricultural zones will allow for a primary structure and any other structures needed for the use in that division. The final division allows for public access areas used for recreational purposes. A commercial building in a Division 3 agricultural zone can include office or retail buildings that are necessary for the operation of the primary recreational use. An example would be offices needed for employees who may work the amusement park or gift stores that are located in that amusement park.

**SECTION 402—BULK REGULATIONS**

**402.1 General.** The minimum area, setbacks, *density* and maximum height shall be as prescribed in Table 402.1.

**C** Based on the use in each zone, all requirements are to be met using Table 402.1. Park size can be reduced, provided that approval has been granted by the code official.

**TABLE 402.1—AGRICULTURAL (A) ZONE BULK REGULATIONS (in feet, unless noted otherwise)<sup>a</sup>**

| ZONE DIVISION | MINIMUM LOT AREA (acres) | MAXIMUM DENSITY (units/acre) | LOT DIMENSIONS    |                   | SETBACK REQUIREMENTS |                   |                   | MAXIMUM BUILDING HEIGHT <sup>b</sup> |
|---------------|--------------------------|------------------------------|-------------------|-------------------|----------------------|-------------------|-------------------|--------------------------------------|
|               |                          |                              | Minimum lot width | Minimum lot depth | Minimum front yard   | Minimum side yard | Minimum rear yard |                                      |
| 1             | 20                       | 1 dwelling unit/20 acres     | 600               | 600               | 30                   | 15                | 60                | 35                                   |
| 2             | 10                       | 1 dwelling unit/10 acres     | 400               | 400               | 30                   | 15                | 60                | 35                                   |
| 3             | 5                        | 1 dwelling unit/5 acres      | 250               | 250               | 30                   | 15                | 60                | 35                                   |

For SI: 1 foot = 304.8 mm, 1 acre = 4047 m<sup>2</sup>.

a. Open spaces and parks can be of a reduced size, if approved.

b. Access storage structures, windmills and similar structures shall be permitted to exceed the maximum height where approved by the code official.