



CITY OF BATTLE CREEK

COMMUNITY SERVICES DEPARTMENT – PLANNING AND ZONING

AGENDA PLANNING COMMISSION MEETING

Date: Wednesday, June 24, 2026

Time: 4:00 P.M.

Where: Room 301, City Hall

1. Call to Order
2. Attendance
3. Approval of Minutes: May 27, 2026
4. Correspondence
5. Additions or Deletions to the Agenda
6. Public Hearings/Deliberations:

A. ZONING ORDINANCE TEXT AMENDMENT #A26-03

Petition from the City of Battle Creek to consider an amendment to Chapter 1240 Zoning Districts and Map, Chapter 1241 Schedule of Regulations, and Chapter 1250, Section 1250.04 Form-based development standards for T-3, T-4, and T-5 of the zoning code to add a T-6 zoning district that will encompass part of the Lakeview District specifically those properties that are currently zoned B-2. The new district will include regulations that reflect the recommendations of the Lakeview District Subplan to create a mixed-use walkable district.

B. ZONING MAP AMENDMENT #PRZ26-0002

Petition from the City of Battle Creek to rezone properties along Beckley Road and Capital Avenue, currently zoned “B-2 Reginal Commercial District” to “T-6 Lakeview District” pursuant to Sections 1281.01 and 1240.16 of the zoning code.

7. Old Business:
8. New Business:
9. Comments by the Public
10. Comments by the Staff and Commission Members
11. Adjournment

**CITY OF BATTLE CREEK
PLANNING COMMISSION
10 North Division, Battle Creek, MI 49014
Minutes for May 27, 2026**

MEETING CALLED TO ORDER: By Chairman Hughes at 4:00 p.m.

ATTENDANCE: Roll call was taken.

Chairperson Hughes, present
Vice Chairperson O’Donnell, absent
Commissioner Morris, present
Commissioner Gray, present
Commissioner Furmato, present

Commissioner Denison, present
Commissioner Moton, absent
Mayor Behnke, present
Commissioner White, absent

Staff Present: Travis Sullivan, Planning Administrator, Darcy Schmitt, Planning Supervisor, Melody Carlsen, Administrative Assistant, Patrick Batterson, Assistant City Attorney.

APPROVAL OF MINUTES: April 22, 2026.

MOTION MADE BY COMMISSIONER GRAY TO APPROVE THE APRIL 22, 2026 MEETING MINUTES. MOTION SECONDED BY COMMISSIONER FURMATO.

ROLL VOTE: Chairperson Hughes asked everyone in favor to signify by saying “aye”.

ALL IN FAVOR, NONE OPPOSED, MOTION APPROVED.

CORRESPONDENCE: None.

ADDITIONS/DELETIONS: None.

PUBLIC HEARINGS/DELIBERATIONS: None.

OLD BUSINESS:

A. ZONING ORDINANCE TEXT AMENDMENT #A25-01:

Petition from the City of Battle Creek to consider an amendment to Section 1262.02 of the zoning code to require yards be improved with either natural or living groundcover including grass, plant material, rocks, stones, mulch, etc. in residential districts. Pursuant to Section 1281.01 of the Zoning Code.

Staff Presentation: Travis Sullivan gave the staff report for #A25-01.

Questions from Commissioners:

Chairman Hughes asked staff to verify the wording changes within the proposed text amendment changes.

Public Comment:

Dean Warden, 223 Martha Dr, expressed his dislike of new construction not finishing lawns after building and homeowners maintain their lawn, also feels there should be some kind of enforcement for people who do not maintain their lawns.

James Moreno, 1451 Main St, has concerns that the commission does not have a clear picture of this issue within the city, believes there should be some weight behind enforcing this.

Questions from Commissioners:

Commissioner Denison feels homeowners are expected to take care of their properties.

Commissioner Furrato asked staff what the policy was for tall grass. Feels a lawn ordinance is a slippery slope and is not in support of adding an additional check and balance something else for someone to pay attention to.

Mayor Behnke stated he does not support this request and would like to work with the City Commission on rebuilding and empower people in code to work with constituents. Feels the city getting involved would send the wrong message.

**MOTION MADE BY MAYOR BEHNKE TO TABLE ITEM #A25-01 PERMANENTLY.
SECONDED BY COMMISSIONER GRAY.**

Commissioner Gray has concerns with equitable and fair reporting in neighborhoods.

Chairman Hughes believes there should be some kind of standard for ground coverage over all zoning districts. Supports tabling this item.

ROLL VOTE: Chairman Hughes asked for a roll vote.

FIVE IN FAVOR, ONE OPPOSED, MOTION APPROVED TO PERMANENTLY TABLE ITEM #A25-01.

NEW BUSINESS: None.

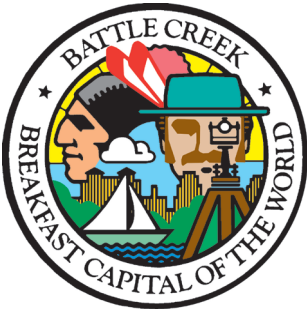
COMMENTS BY THE PUBLIC:

Dean Warden of 223 Martha Dr, is extremely disappointed with the outcome of item #A25-01. Feels it is hypocritical of commissioners not to support a lawn ordinance, that they would not do this in their neighborhood and that this action does not support the neighborhoods.

James Moreno of 451 Main Street, agrees with the equitable enforcement comment that was made and stated there must be equity across the city. Feels the commission and City Manager should support Code Compliance.

COMMENTS FROM COMMISSION MEMBERS AND STAFF: None.

ADJOURNMENT: Chairman Hughes adjourned the meeting at 4:29.



Battle Creek City Planning Commission

Staff report for the June 24, 2026 meeting

To: Planning Commissioners

From: Adam Jenks, Planner

Subject: Text Amendment A26-03, Lakeview District Plan Zoning Requirements

Summary

Planning and Zoning staff recommends that the Planning Commission consider an amendment to Chapter 1240 Zoning Districts and Map, Chapter 1241 Schedule of Regulations, and Chapter 1250, Section 1250.04 Form-based development standards for T-3, T-4, and T-5 of the zoning code to add a T-6 zoning district that will encompass part of the Lakeview District; specifically, those properties that are currently zoned B-2 and make minor corrections to each Chapter. The new district will include regulations that reflect the recommendations of the Lakeview District Subplan to create a mixed-use walkable district.

Background Information

The Lakeview District and its Beckley Road commercial corridor is a significant economic hub of the City of Battle Creek and the surrounding region. Historically, the corridor existed as an arterial roadway servicing the Lakeview Square Mall. Over time, the area developed into a multifaceted district of the city, extending beyond the immediate highway activity and traditional retail.

In coordination with the Lakeview Downtown Development Authority and other key stakeholders, the City of Battle Creek staff embarked on a series of public engagements dating back to 2023 with the intention of developing strategies to enhance the economic vibrancy of the Beckley Road Commercial Corridor. The resulting efforts produced the Lakeview District Subplan, a document that informs and supplements the city master plan. The plan focuses on three main thematic objectives of placemaking, green infrastructure, and reducing automobile dependence.

To achieve these objectives, consultants from the Progressive planning firm determined a new zoning designation is appropriate to accommodate and encourage the desired scale and land use communicated by stakeholders. There is a desire to foster a wider range of housing types, recreational amenities, restaurant options, and hospitality investment. Greater flexibility is needed in regard to both land use and dimensional limits in order to absorb potential development that fits the character outlined in the plan. Therefore, a new form-based code zoning designation is recommended to achieve the aforementioned objectives.

The establishment of the T-6 Lakeview Business District will help accommodate existing commercial uses and buildings within the subject area by reducing the number of nonconforming uses, while also providing additional commercial and residential options for vacant properties and parking spaces in an effort to stimulate economic investment in the area. Staff anticipates that the proposed rezoning would not create any new dimensional or use-related nonconformities, while also permitting a wider range of housing types by right.

Figure 1 below indicates the current zoning of the subject parcels and the surrounding area. Table 1 provides the address (if available), parcel number, and current zoning of each parcel included within the proposed area of rezoning.

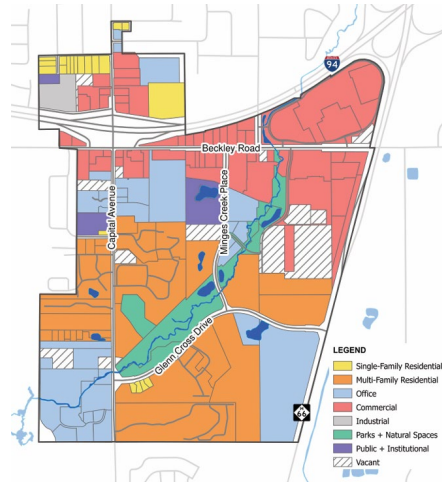


Figure 1 shows the area proposed to be covered by the text amendment.

Proposed Changes

The development of the proposed T-6 district necessitated amendments to Chapters 1240, 1241, and 1250. The following is a description of the proposed amendments to each Chapter.

Chapter 1240 Zoning Districts and Map includes the following proposed amendments:

- The Table of Permitted Uses under 1240.02 was amended to reflect the uses that are proposed for the T-6 district.
- Medical or Dental Clinic<5,000 s. f. was added to the chart as it was not listed in the chart and is one of the uses that will be allowed in this district.
- The T-6 Lakeview District was added under 1240.16 to include the uses and the dimensional requirements under the proposed amendment.

A comparison of the uses allowed under the B-2 Regional Commercial District that currently regulates the subject properties and the proposed T-6 Lakeview District below provides a quick comparison of the proposed use changes.

B-2 District	Proposed T- 6 District	
<i>Permitted Uses</i>	<i>Permitted Uses</i>	<i>Notes</i>
Arena/Theater	No	This does not include movie theaters only large arena and

		theaters for live entertainment.
Artisan/Maker Space	Yes	
Assisted Senior Living	No	
Automobile Car Wash Establishment	No, a new car wash would not be allowed.	An existing car wash would be placed under the “Existing Use” ¹ category.
Automobile or Vehicle Dealership	No	
Automobile Repair	No	An existing business would be listed under the “Existing Use” category
Automobile Service Station	Yes	
Banquet and Meeting Hall	Yes	
Bar, Tavern, or Saloon	Yes	
Bookstore	Yes	
Brewpub	Yes	
Catering Businesses	Yes	
Child Care Centers	Yes	
Convalescent Home, Nursing Home, or Home for the Aged	No	
Distillery, Winery-w/ or w/o food	Yes	
Drive-Thru Business	Yes	
Essential Services	Yes	
Event Center	No	
Financial Institutions	Yes	
Funeral Homes, Mortuaries, and Crematoriums	Yes	
Government/Public Uses	Yes	
Greenhouse/Nursery (Principal Use)	Yes	
Hospital >20,000	No	An existing business would be listed under the “Existing Use” category
Hotel	Yes	
Indoor Recreation	Yes	Includes movie theaters
Institutions of Higher Education	Yes	
Kennels/Veterinarian	No	
Marihuana: Adult-Use Marihuana Microbusiness	No, a new business would not be allowed.	An existing business would be listed under the “Existing Use” category.

¹ Existing Use means a use of a particular parcel established lawfully prior to adoption of such provisions which subsequently prohibit said use. The term “Existing Use” is distinct from “Nonconforming Use” in that an existing use may continue in perpetuity until such time that a permitted use is established on the parcel in its place.

Marihuana: Adult-Use Marihuana Retailers	No , a new business would not be allowed.	An existing business would be listed under the “Existing Use” category.
Marihuana: Medical Marihuana Provisioning Center	No , a new business would not be allowed.	An existing business would be listed under the “Existing Use” category.
Marihuana: Medical and Adult Use Marihuana Safety Compliance Facility	No	
Marihuana: Medical and Adult Use Marihuana Secure Transporter	No	
Medical or Dental Clinic	Yes, only if less than 20,000 sq. ft.	An existing business would be listed under the “Existing Use” category.
Microbrewery	Yes	
Motel	Yes	
Nightclub	No	
Office	Yes, if less than 17, 000 sq. ft.	An existing business would be listed under the “Existing Use” category.
Outdoor Recreation/ Private	Yes	
Outdoor Recreation/ Public	Yes	
Pawn Broker	No	
Personal Service Establishment	Yes	
Private Club	Yes	
Private K-12 Schools	No	
Public K-12 Schools	Yes	
Religious Institutions	Yes	
Research and Development	No	
Restaurant <ul style="list-style-type: none"> • Carry-Out • Drive-In • Drive Thru • Full Service • Limited Service 	Yes	
Retail Sales > 17,000 sq. ft.	Yes	
Self-Storage Facilities	No	An existing business would be listed under the “Existing Use” category.
Vehicle Repair, Major	No	An existing business would be listed under the “Existing Use” category.
<i>Special Use Permits</i>	<i>Special Use Permits</i>	
Adaptive Reuse	Yes	
Cemetery	No	An existing business would be listed under the “Existing Use” category.

		category.
Parking as a Principal Use	Yes	
Transportation and Logistics	No	
Automobile Repair (Section 1251.05)	No	An existing business would be listed under the “Existing Use” category.
Warehouse	No	
Wholesale	No	
<i>Additional Uses Allowed in the Proposed T-6 district not Allowed in the B-2 district</i>	<i>Additional Uses Allowed in the Proposed T-6 district not Allowed in the B-2 district</i>	
No	Multiple Family Dwelling Unit	
No	Single Family Dwelling Unit Attached	
No	Transitional and Supportive Home, more than 1-6	
No	Transitional and Supportive Home, more than 6	

Chapter 1241 Schedule of Regulations includes the following proposed amendments:

- The proposed T-6 district dimensional requirements were added to the schedule of regulations.
- Footnotes to the schedule of regulations were amended to add reference to the T-6 district.

Chapter 1250 Supplemental Zoning District Standards include the following proposed amendments:

- References to the T-6 Lakeview District were added to the “Statement of Purpose” and the “Waiver Requirements”.
- References to the T-6 Lakeview District were added to the “Architectural Standards for New Construction and Adaptive Reuse”.
- Language was added to specify primary and secondary materials that can be used in the T-6 district. Any of these standards can be considered to be waived by the Planning and Zoning Administrator on a case-by-case request.
- Overly cumbersome design standards along with the associated graphic were removed from the code.

Public Hearing and Notice Requirements

As required by the Zoning Enabling Act of 2006, as amended, a public hearing is required for an ordinance amendment, and a notice listing the date, time, and subject of a public hearing is required to be advertised no less than fifteen days prior to the hearing. This request has been scheduled for the, June 24, 2026 Planning Commission meeting, with notice of the hearing published in the June 4, 2026 edition of the Battle Creek Shopper.

Neighborhood Outreach

Neighborhood outreach occurred through the planning process related to the development of the Lakeview Business District Subplan. Engagement with stakeholders and community members included online surveys, informal virtual forums, focus group sessions, three open house events and a walking audit of the existing pedestrian facilities. The Lakeview District Subplan was adopted by city council on April 23, 2025.

Staff Recommendation

Staff finds that the proposed amendments to the zoning ordinance are needed to complete the zoning implementation step for the Lakeview District Subplan.

Should the Planning Commission have no concerns with the proposed text amendments, staff recommends that the Planning Commission recommend to the City Commission approval of the proposed text amendments **based upon findings detailed in this staff report and in the attached documents.**

Support Material

Chapter 1240 proposed text amendment markup

Chapter 1240 proposed text amendment clean copy

Chapter 1241 proposed text amendment markup

Chapter 1241 proposed text amendment clean copy

Chapter 1250 proposed text amendment markup

Chapter 1250 proposed text amendment clean copy

Chapter 1240 Zoning Districts and Maps

1240.01 DISTRICTS ESTABLISHED.

In order to classify, regulate and restrict the location of trades, industries, and buildings designed for specified uses, to regulate and limit the height and bulk of buildings hereafter erected or structurally altered, to regulate and limit the intensity of the use of lot areas, and to regulate and determine the areas of yards, courtyards and other open spaces within and surrounding such buildings, the City is hereby divided into districts, as follows:

- G Green District
- AG Agricultural District
- R-1R Single Family Residential District
- R-1A Single-Family Residential District
- R-1B Single-Family Residential District
- R-2 Two Family Residential District
- R-3 Multiple Family Residential District
- MFR High Density Multiple Family Residential District
- B-1 Corridor Commercial District
- B-2 Regional Commercial District
- T-3 Neighborhood Commercial District
- T-4 Downtown Commercial
- T-5 Core Downtown Commercial District
- T-6 Lakeview District
- I-1 Light Industrial District
- I-2 Heavy Industrial District
- S Spark District

1240.02 TABLE OF PERMITTED USES.

The following table lists the permitted uses and special land uses in each zoning district. When a use is classified by square footage, the square footage listed refers to the gross square footage of a building and not the square footage of an individual tenant unit. A use classified by capacity, refers to the capacity established by the City Fire Inspector. Whenever a specific development standard is included for a particular use in the table below, any development must comply with the requirement of the referenced section in addition to all of the other applicable requirements of this Code. All development standards for specific uses are listed in Section 1251 and in other areas of this Code. Additionally, any use that is a special land use must also comply with the standards of Section 1281.05.

		G	AG	R1-R	R1-A	R1-B	R-2	R-3	MFR	B-1	B-2	T-3	T-4	T-5	<u>T-6</u>	I-1	I-2	S	Use Standard	
A	Accessory Use																			
A ^s	Accessory Use Requiring SLU Approval																			
E	Existing Use																			
P	Permitted Use																			
S	Special Use																			

Residential Uses

<i>Accessory Dwelling Unit</i>				A ^s	A ^s	A ^s	A	A				A	A	A				A		
<i>Bed and Breakfast</i>	P	P	P	P	P	P	P	P				P								1251.09
<i>Home Occupation</i>	A	A	A	A	A	A	A								<u>A</u>					1251.18
<i>Multi-Family Dwelling Units</i>							P	P				P	P	P	<u>P</u>			P		1251.33
<i>Personal-Scale Wind Energy Facility</i>	A	A	A	A	<u>A^s</u> <u>A</u>	<u>A^s</u> <u>A</u>						A						A		1251.39
<i>Rooming and Boarding Houses</i>						P	P													1251.43

S

Uses	G	AG	R1 -R	R1- A	R1- -B	R- 2	R- 3	MFR	B- 1	B-2	T- 3	T- 4	T-5	<u>T-6</u>	I-1	I-2	S	Use Standar d
<i>Single Family Dwelling Unit Attached</i>							P	P			P	P	E				P	
<i>Single Family Dwelling Unit Detached</i>	P	P	P	P	P	P	P	P	E	E	P	E	E	<u>P</u>	E	E	P	
<i>State Licensed Child Care Family Home, 1-7 Children</i>	A	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	A	A	A	1251.45
<i>State Licensed Child Care Group Home, 8-14 Children</i>	A	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	A	A	A	1251.46
<i>State Licensed Child Care Center</i>	P							P	P	P	P	P	P	<u>P</u>	P	P	P	
<i>State Licensed Residential Facility, Adult Foster Care Family Home, 1-6 Persons</i>	P	P	P	P	P	P	P	P			P	P						1251.47
<i>State Licensed Residential Facility Adult Foster Care Small Group Home, 7-12 Persons</i>	S	S	S	S	S	S	S	S			<u>A</u>							1251.48
<i>State Licensed Residential Facility Adult Foster Care Large Group Home 13-20 Persons</i>	S	S	S	S	S	S	S	S										
<i>Transitional and Supportive Home, 1-6 Persons</i>			P	P	P	P	P	P			P	P		<u>P</u>				1251.49

Uses	G	AG	R1-R	R1-A	R1-B	R-2	R-3	MFR	B-1	B-2	T-3	T-4	T-5	<u>T-6</u>	I-1	I-2	S	Use Standard
<i>Transitional and Supportive Home, <u>m</u>More than 6 Persons</i>			S	S	S	S	S	S			P	P		<u>P</u>				1251.50
<i>Community Residential Facility and Group Homes</i>						S	S	S										1251.48
<i>Two-Family Dwelling Units</i>						P	P	P			P	P	P	<u>P</u>			P	
Commercial Uses																		
<i>Adult Business</i>									S						S	S		1251.02
<i>Agri-Tourism</i>		S																
<i>Arena/Theater</i>									P	<u>P</u>							P	
<i>Artisan/Maker Space</i>									P	P	S	P	P	<u>P</u>	P	P	P	
<i>Assisted Senior Living</i>							P	P	P	<u>PS</u>	P	P					P	1251.03
<i>Automobile Car Wash Establishment</i>									P	P				<u>E</u>	S	S		1251.04
<i>Automobile Repair</i>									P	P				<u>E</u>	P	P		1251.05
<i>Automobile Service Station</i>									S	P				<u>E</u>	P	P		1251.06

Uses	G	AG	R1-R	R1-A	R1-B	R-2	R-3	MFR	B-1	B-2	T-3	T-4	T-5	<u>T-6</u>	I-1	I-2	S	Use Standard
<i>Automobile or Vehicle Dealership</i>									P	<u>P</u>					P			1251.07
<i>Banquet and Meeting Hall < 100 cap.</i>	S						S	S	P	P	P	P	P				P	1251.08
<i>Banquet and Meeting Hall > 100 cap.</i>	S						S	S	P	P		P	P				P	1251.08
<i>Bar, Tavern, or Saloon</i>									S	P	S	P	P	<u>P</u>	S	S	P	
<i>Bookstore</i>									P	P	P	P	P	<u>P</u>			P	
<i>Brewpub</i>									P	P	S	P	P	<u>P</u>	P	P	P	
<i>Catering Business</i>									P	P	P	P	P	<u>P</u>				
<i>Convalescent Home, Nursing Home, or Home for the Aged</i>							P	P	P	P	P	P	S				S	1251.13
<i>Distillery, Winery – w/ or w/o Food</i>	P	P	S						P	P	S	P	P	<u>P</u>	P	P	P	
<u><i>Drive-Thru Business</i></u>									<u>P</u>	<u>P</u>				<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>1251.14</u>
<i>Event Center</i>									P	P		P	P					
<i>Farm Equip. and Heavy Machinery Sales</i>															P	P		

Uses	G	AG	R1-R	R1-A	R1-B	R-2	R-3	MFR	B-1	B-2	T-3	T-4	T-5	<u>T-6</u>	I-1	I-2	S	Use Standard
<i>Financial Institutions</i>									P	P	P	P	P	<u>P</u>	P	P	P	
<i>Funeral Homes, Mortuaries, and Crematoriums (No Crematoriums B-1, T-3,4)</i>									P*	P	S*	S*			S			
<i>Hospital > 20,000 s.f.</i>								S	S	S		S	S	<u>E</u>	S	S		1251.19
<i>Hotel</i>										P	S	P	P	<u>P</u>			P	1251.20
<i>Independent Senior Living with Services</i>							P	P	P		P	P	P	<u>P</u>			P	1251.21
<i>Indoor Recreation</i>	P								P	P	P	P	P	<u>P</u>			P	
<i>Kennels/Veterinarian</i>	S	S	S						P	P					S	<u>P</u>	<u>S</u>	1251.23
<i>Marihuana: Adult-Use Marihuana Microbusiness</i>									P	P	S			<u>E</u>	P	P		1251.24 1251.26 1251.27
<i>Marihuana: Adult-Use Marihuana Retailers</i>									P	P	S	P	P	<u>E</u>	P	P		1251.24 1251.25 1251.27
<i>Marihuana: Medical Marihuana Provisioning Center</i>									P	P	S	P	P	<u>E</u>	P	P		1251.24 1251.30

Uses	G	AG	R1-R	R1-A	R1-B	R-2	R-3	MFR	B-1	B-2	T-3	T-4	T-5	<u>T-6</u>	I-1	I-2	S	Use Standard
																		1251.27
<u>Medical or Dental Clinic < 5,000 s. f.</u>									<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	<u>P</u>				
Medical or Dental Clinic <20,000 s.f.								P	P	P	S	P	P	<u>E</u>	<u>P</u>		P	
Motel										P	S	P	P	<u>P</u>			P	1251.34
Microbrewery									P	P	S	P	P	<u>P</u>	P	P	P	1251.35
Nightclub									S	P	S	P	P		S	S	P	
Office < 5,000 s.f.									P	P	P	P	P		A	A	P	
Office 5,000 – 17,000 s.f.									P	P	P	P	P	<u>P</u>	A	A	P	
Office > 17,000 s.f.									P	P	S	P	P	<u>E</u>	A	A	P	
Outdoor Recreation/Private	P	P							P	P				<u>P</u>				1251.36
Outdoor Recreation/Public	P	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P	1251.36
Outdoor Storage									A	A				<u>A</u>	A	A		1251.37
Pawn Broker									P	P	S							

Uses	G	AG	R1 -R	R1- A	R1- -B	R- 2	R- 3	MFR	B- 1	B-2	T- 3	T- 4	T-5	<u>T-6</u>	I-1	I-2	S	Use Standar d
<i>Personal Service Establishment</i>									P	P	P	P	P	<u>P</u>			P	1251.40
<i>Private Club</i>									P	P	P	P	P	<u>P</u>				
Restaurant																		
<i>Carry-Out Restaurant</i>									P	P	P	P	P	<u>P</u>	P	P	P	
<i>Drive-In Restaurant</i>									P	P	P	S		<u>P</u>	P	P	P	
<i>Drive-Thru Restaurant</i>									P	P	S	S		<u>P</u>	P	P		1251.14
<i>Full-Service Restaurant</i>									P	P	P	P	P	<u>P</u>	P	P	P	
<i>Limited-Service Restaurant</i>									P	P	P	P	P	<u>P</u>	P	P	P	
<i>Retail Sales < 5,000 s.f.</i>									P	P	P	P	P	<u>P</u>	S	S	P	
<i>Retail Sales 5,000 – 17,000 s.f.</i>									P	P	P	P	P	<u>P</u>	S	S	P	
<i>Retail Sales > 17,000 s.f.</i>									P	P	S	P	P	<u>P</u>	S	S	P	
<i>Tree Farm</i>	P	P																
<i>Vehicle Repair, Major</i>									S	S				<u>E</u>	P	P		1251.54

Uses	G	AG	R1-R	R1-A	R1-B	R-2	R-3	MFR	B-1	B-2	T-3	T-4	T-5	<u>T-6</u>	I-1	I-2	S	Use Standard
Vehicle Repair, Minor									P	P				<u>E</u>	P	P		
Industrial Uses																		
Junk and Salvage Yard															S	S		1251.22
Manufacturing															P	P		
Marihuana: Medical and Adult Use Marihuana Grow Operation															P	P		1251.24 1251.27 1251.28
															P	P		1251.24 1251.27 1251.29
															P	P		1251.24 1251.27 1251.31
Marihuana: Medical and Adult Use Marihuana Processing Facility									P	P					P	P		1251.24 1251.27 1251.32
									P	P					P	P		1251.24 1251.27 1251.32
									P	P					P	P	P	1251.24 1251.27 1251.32
Research and Development									S	P		S			P	P	P	
Self-Storage Facilities									P	P								1251.44

Uses	G	AG	R1-R	R1-A	R1-B	R-2	R-3	MFR	B-1	B-2	T-3	T-4	T-5	<u>T-6</u>	I-1	I-2	S	Use Standard
Transportation and Logistics									S	S					P	P	P	
Utility-Scale Solar Energy Facility		S	S						A	A					P	P		1251.52
Utility-Scale Wind Energy Facility		S	S													S		1251.53
Warehouse									S	S					P	P	P	
Wholesale									S	S					P	P	P	
Other Uses																		
Accessory Buildings	A	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	A	A	A	1260.01
Adaptive Reuse	S	S	S	S	S	S	S	S	S	S	S	S	S	<u>S</u>	S	S	P	1251.01
Campground	S	S	S	S	S	S												1251.09
Cemetery		S	S	S	S	S	S	S	S	S	S			<u>E</u>	S	S	S	1251.10
Community Garden	P	P	P	P	P	P	P	P			P						P	1251.11
Essential Services	P	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P	1240.21(b)
Farmer's Market	A/S	A/S									A/S	A	A				A	1251.15

Uses	G	AG	R1 -R	R1- A	R1- -B	R- 2	R- 3	MFR	B- 1	B-2	T- 3	T- 4	T-5	<u>T-6</u>	I-1	I-2	S	Use Standar d
Food Truck									A	A	A	A	A	<u>A</u>	A	A	A	
General and Specialized farms, including crops and the raising and keeping for profit of cattle, hogs, horses, ponies, sheep and similar livestock		P																1251.17
Government/Public Uses									P	P	P	P	P	<u>P</u>	P		P	1251.16
Greenhouse/Nursery (Principal Use)	P	P	P							P				<u>P</u>	P		P	
Institutions of Higher Education	S	S	S	S	S	S	S	P	P	P	S	P	P	<u>P</u>	P	P	P	
Marinas	S										S						S	
Parking as a Principal Use										S		S	S	<u>S</u>	S	S	S	
Private K-12 Schools			S	S	S	S	S	S	P	P	S	S	P				S	
Private Garden	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	1251.41
Public K-12 Schools			P	P	P	P	P	P	P	P	P	P	P	<u>P</u>			P	

Uses	G	AG	R1 -R	R1- A	R1- -B	R- 2	R- 3	MFR	B- 1	B-2	T- 3	T- 4	T-5	<u>T-6</u>	I-1	I-2	S	Use Standar d
<i>Public and private conservation areas and structures for the conservation of open space, water, soil, forest, and wildlife resources</i>	P	P																
<i>Religious Institutions</i>	S	S	S	S	S	S	S	S	P	P	P	P	P	<u>P</u>	P	P	P	1251.42
<i>Telecommunications</i>	Refer to Section 1251.49 to see where telecommunication towers are permitted.																1251.49	
<i>Mobile Home Park Overlay District</i>	Refer to Section 1250.05 for Mobile Home Park requirements.																1250.05	

1240.03 G GREEN DISTRICT.

(a) Purpose

It is the purposes of this district to:

1. Preserve and protect natural and man-made water areas, flood plains, marshes, and wetlands from development other than open spaces or recreational uses
2. Preserve and protect agricultural districts and/or wildlife habitats
3. Limit residential and commercial development and encourage design that preserves natural environments
4. Retain natural drainage patterns
5. Preserve and protect the values of distinctive geologic, topographic, botanic, historic, or scenic areas

(b) Permitted Uses

- Bed and Breakfast (Section 1251.09)
- Community Garden (Section 1251.12)
- Child Care Centers
- Distillery, Winery – w/ or w/o food
- Essential Services
- Greenhouse/Nursery (Principal Use)
- Indoor Recreation
- Outdoor Recreation/Private (Section 1251.36)
- Outdoor Recreation/Public (Section 1251.36)
- Public and private conservation areas and structures for the conservation of open space, water, soil, forest, and wildlife resources
- Single Family Dwelling Unit Detached
- State Licensed Residential Facility, Adult Foster Care Family Home, 1-6 Persons (Section 1251.47)
- Tree Farm

(c) Special Land Uses

- Adaptive Reuse (Section 1251.01)
- .
- Banquet and Meeting Hall (Section 1251.08)
- Campground (Section 1251.10)
- Farmers Market (Section 1251.15)
- Institutions of Higher Education
- Kennels (Section 1251.23)
- Marinas
- Religious Institutions (Section 1251.42)
- State Licensed Residential Facility, Adult Foster Care Small Group Home, 7-12 Persons (Section 1251.48)
- State Licensed Residential Facility, Adult Foster Care Large Group Home, 13-20 Persons (Section 1251.48)

Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses.

(d) Accessory Uses

- Accessory Buildings (Section 1260.01)
- Farmers Market (Section 1251.15)
- Home Occupation (Section 1251.18)
- Personal-Scale Wind Energy Facility (Section 1251.39)
- Private Gardens (Section 1251.41)

<ul style="list-style-type: none"> • State Licensed Child Care Family Home, 1-7 Children (Section 1251.45) • State Licensed Child Care Group Home, 8-14 Children (Section 1251.46) 	
(e) Dimension Regulations	
Lot Standards	G
Minimum Lot Area (sq. ft.)	Not Required
Maximum Residential Units Per Acre	1
Minimum Lot Width (ft.)	150
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	Not Required
Primary Dwelling Setbacks Requirements	
Front Yard Setback (ft.)	35
Rear Yard Setback (ft.)	35
Side Yard Setback (ft.)	15
Primary Dwelling Height Requirement	
Maximum Building Height	35 ft., 2.5 stories
<p>Footnotes: Refer to Section 1241.03 Footnotes to Schedule of Regulations wherever a footnote is referenced in lowercase letters in parentheses. Some uses have specific standards that overrule the dimensional regulations above under Section 1241.07. Refer to Chapter 1251 for additional dimensional regulations for specific uses.</p>	

1240.04 AG AGRICULTURAL DISTRICT.

(a) Purpose	
<p>It is the purposes of this district to provide rural areas used predominantly for general farming operations. Although urban development is occurring at a substantial rate in the City, agriculture remains an important economic activity, and in the proper interest of the welfare of present and future residents, it is considered necessary to conserve an effective environment for stable, productive agricultural operations.</p> <p>The regulations of this chapter, therefore, are designed to:</p> <ol style="list-style-type: none"> 1. Protect and stabilize the essential characteristics of these areas 2. Minimize conflicting land uses detrimental to farm enterprises 3. Exclude development which requires highway, drainage, and other public utilities and facilities in excess of those required by agricultural uses 	
(b) Permitted Uses	(c) Special Land Uses
<ul style="list-style-type: none"> • Bed and Breakfast (Section 1251.09) • Community Garden (Section 1251.12) • Distillery, Winery – w/ or w/o food 	<ul style="list-style-type: none"> • Adaptive Reuse (Section 1251.01) • Agri-Tourism • Campground (Section 1251.10)

<ul style="list-style-type: none"> • Essential Services • General and specialized farms, including crops and the raising and keeping of livestock (Section 1251.17) • Greenhouse/Nursery (Principal Use) • Outdoor Recreation/Private (Section 1251.36) • Outdoor Recreation/Public (Section 1251.36) • Public and private conservation areas and structures for the conservation of open space, water, soil, forest, and wildlife resources • Single Family Dwelling Unit Detached • State Licensed Residential Facility, Adult Foster Care Family Home, 1-6 Persons (Section 1251.47) • Tree Farm 	<ul style="list-style-type: none"> • Cemetery (Section 1251.11) • Farmers Market (Section 1251) • Institutions of Higher Education • Kennels/Veterinarian (Section 1251.23) • Religious Institutions (Section 1251.42) • State Licensed Residential Facility, Adult Foster Care Small Group Home, 7-12 Persons (Section 1251.48) • State Licensed Residential Facility, Adult Foster Care Large Group Home, 13-20 Persons (Section 1251.48) • Utility-Scale Solar Energy Facility (Section 1251.52) • Utility-Scale Wind Energy Facility (Section 1251.53)
<p>Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses.</p>	
<p>(d) Accessory Uses</p> <ul style="list-style-type: none"> • Accessory Buildings (Section 1260.01) • Farmers Market (Section 1251.15) • Home Occupation (Section 1251.18) • Personal-Scale Wind Energy Facility (Section 1251.39) • Private Gardens (Section 1251.39) • State Licensed Child Care Family Home, 1-7 Children (Section 1251.45) • State Licensed Child Care Group Home, 8-14 Children (Section 1251.46) 	
<p>(e) Dimension Regulations</p>	
Lot Standards	AG
Minimum Lot Area (sq. ft.)	Not Required
Maximum Residential Units Per Acre	.33
Minimum Lot Width (ft.)	150
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	Not Required
<p>Primary Dwelling Setback Requirements</p>	
Front Yard Setback (ft.)	(c)
Rear Yard Setback (ft.)	(c)
Side Yard Setback (ft.)	(c)

Primary Dwelling Height Requirement	
Maximum Building Height	35 ft., 2.5 stories
<p>Footnotes: Refer to Section 1241.03 Footnotes to Schedule of Regulations wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations above under Section 1241.07. Refer to Chapter 1251 for additional dimensional regulations for specific uses.</p>	

1240.05 R-1R SINGLE-FAMILY RESIDENTIAL DISTRICT.

(a) Purpose	
<p>It is the purpose of this district to establish residential properties of a semi-rural character that includes areas of the City presently without water and sewerage services and likely to remain without such services, in whole or in part, indefinitely. The R-1R Single-Family Rural Residential District includes existing low-density one-family properties, as well as areas within which such developments appear both likely and desirable.</p>	
(b) Permitted Uses	(c) Special Land Uses
<ul style="list-style-type: none"> • Bed and Breakfast (Section 1251.09) • Community Garden (Section 1251.12) • Essential Services • Greenhouse/Nursery (Principal Use) • Outdoor Recreation/Public (Section 1251.35) • Public K-12 Schools • Single Family Dwelling Unit Detached • State Licensed Residential Facility, Adult Foster Care Family Home, 1-6 Persons (Section 1251.47) • State Licensed Residential Facility, Adult Foster Care Small Group Home, 7-12 Persons (Section 1251.48) • Transitional and Supportive Home, 1-6 Persons (Section 1251.49) 	<ul style="list-style-type: none"> • Adaptive Reuse (Section 1251.01) • . • Campground (Section 1251.10) • Cemetery (Section 1251.11) • Distillery, Winery – w/ and w/o food • Institutions of Higher Education • Private K-12 Schools • Kennels/Veterinarian (Section 1251.23) • Religious Institution (Section 1251.42) • State Licensed Residential Facility, Adult Foster Care Large Group Home, 13-20 Persons (Section 1251.48) • Transitional and Supportive Home, More than 6 Persons • Utility-Scale Solar Energy Facility (Section 1251.52) • Utility-Scale Wind Energy Facility (Section 1251.53)
<p>Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses.</p>	
(d) Accessory Uses	
<ul style="list-style-type: none"> • Accessory Buildings (Section 1260.01) • Home Occupation (Section 1251.18) • Personal-Scale Wind Energy Facility (Section 1251.39) 	

- Private Gardens (Section 1251.41)
- State Licensed Child Care Family Home, 1-7 Children (Section 1251.45)
- State Licensed Child Care Group Home, 8-14 Children (Section 1251.46)

(e) Dimension Regulations

Lot Standards	R-1R
Minimum Lot Area (sq. ft.)	Not Required
Maximum Residential Units Per Acre	1.45
Minimum Lot Width (ft.)	120
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	Not Required
Primary Dwelling Setback Requirements	
Front Yard Setback (ft.)	35
Rear Yard Setback (ft.)	35
Side Yard Setback (ft.)	15
Primary Dwelling Height	
Maximum Building Height	35 ft., 2.5 stories
<p>Footnotes: Refer to Section 1241.03 Footnotes to Schedule of Regulations wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations above under Section 1241.07. Refer to Chapter 1251 for additional dimensional regulations for specific uses.</p>	

1240.06 R-1A SINGLE-FAMILY RESIDENTIAL DISTRICT.

(a) Purpose

It is the purpose of this district to establish areas of primarily single-family detached residential properties of a semi-suburban to suburban, low-density character, usually served by City water and sewer.

(b) Permitted Uses

- Bed and Breakfast (Section 1251.09)
- Community Garden (Section 1251.12)
- Essential Services
- Outdoor Recreation/Public (Section 1251.36)
- Public K-12 Schools
- Single Family Dwelling Unit Detached

(c) Special Land Uses

- Adaptive Reuse (Section 1251.01)
- Campground (Section 1251.10)
- Cemetery (Section 1251.11)
- Institutions of Higher Education
- Private K-12 Schools
- Personal-Scale Wind Energy Facility (Section 1251.39)
- Religious Institutions (Section 1251.42)

<ul style="list-style-type: none"> • State Licensed Residential Facility, Adult Foster Care Family Home, 1-6 Persons (Section 1251.49) • State Licensed Residential Facility, Adult Foster Care Small Group Home, 7-12 Persons (Section 1251.48) • Transitional and Supportive Home, 1-6 Persons (Section 1251.47) 	<ul style="list-style-type: none"> • State Licensed Residential Facility, Adult Foster Care Large Group Home, 13-20 Persons (Section 1251.48) • Transitional and Supportive Home, <u>m</u>More than 6 Persons (Section 1251.50)
Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses.	
(d) Accessory Uses	
<ul style="list-style-type: none"> • Accessory Buildings (Section 1260.01) • Accessory Dwelling Unit attached to the primary dwelling, with SLU approval • Home Occupation (Section 1251.18) • Private Gardens (Section 1251.41) • State Licensed Child Care Family Home, 1-7 Children (Section 1251.45) • State Licensed Child Care Group Home, 8-14 Children (Section 1251.46) 	
(e) Dimension Regulations	
Lot Standards	R-1A
Minimum Lot Area (sq. ft.)	Not Required
Maximum Residential Units Per Acre	5.80
Minimum Lot Width (ft.)	60
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	30
Primary Dwelling Setback Requirements	
Attached accessory dwellings shall comply with the primary dwelling setback requirements.	
Front Yard Setback (ft.)	30
Rear Yard Setback (ft.)	35
Side Yard Setback (ft.)	8
Primary Dwelling Height Requirement	
Attached accessory dwellings shall comply with the primary dwelling height requirements	
Maximum Building Height	35 ft., 2.5 stories
Footnotes: Refer to Section 1241.03 Footnotes to Schedule of Regulations wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations	

above under Section 1241.07. Refer to Chapter 1251 for additional dimensional regulations for specific uses.

1240.07 R-1B SINGLE-FAMILY RESIDENTIAL DISTRICT.

(a) Purpose	
It is the purpose of this district to establish primarily single-family detached residential properties of a suburban, medium-density character. This district includes those areas, which are serviced by City water and sewer.	
(b) Permitted Uses	(c) Special Land Uses
<ul style="list-style-type: none"> • Bed and Breakfast (Section 1251.09) • Community Garden (Section 1251.12) • Essential Services • Outdoor Recreation/Public (Section 1251.36) • Public K-12 Schools • Single Family Dwelling Unit Detached • State Licensed Residential Facility, Adult Foster Care Family Home, 1-6 Persons (Section 1251.47) • Transitional and Supportive Home, 1-6 Persons (Section 1251.49) 	<ul style="list-style-type: none"> • Adaptive Reuse (Section 1251.01) • Campground (Section 1251.10) • Cemetery (Section 1251.11) • Institutions of Higher Education • Private K-12 Schools • Personal-Scale Wind Energy Facility (Section 1251.39) • Religious Institutions (Section 1251.42) • State Licensed Residential Facility, Adult Foster Care Small Group Home, 7-12 Persons (Section 1251.48) • State Licensed Residential Facility, Adult Foster Care Large Group Home, 13-20 Persons (Section 1251.48) • Transitional and Supportive Home, <u>m</u>More than 6 Persons (section 1251.50)
Refer to Section 1230.06 for definitions for uses and refer to Chapter 1251 for development standards for specific uses.	
(d) Accessory Uses	
<ul style="list-style-type: none"> • Accessory Buildings (Section 1260.01) • Accessory Dwelling Unit attached to the primary dwelling, with SLU approval • Home Occupation (Section 1251.18) • Private Gardens (Section 1251.41) • State Licensed Child Care Family Home, 1-7 Children (Section 1251.45) • State Licensed Child Care Group Home, 8-14 Children (Section 1251.46) 	
(e) Dimension Regulations	
Lot Standards	R-1B
Minimum Lot Area (sq. ft.)	Not Required
Maximum Residential Units Per Acre	8.7
Minimum Lot Width (ft.)	50

Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	30
Primary Dwelling Setback Requirements	
Attached accessory dwellings shall comply with the primary dwelling setback requirements.	
Front Yard Setback (ft.)	25
Rear Yard Setback (ft.)	30
Side Yard Setback (ft.)	6
Primary Dwelling Height Requirement	
Attached accessory dwellings shall comply with the primary dwelling height requirements	
Maximum Building Height	35 ft., 2.5 stories
Footnotes: Refer to Section 1241.03 Footnotes to Schedule of Regulations wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations above under Section 1241.07. Refer to Chapter 1251 for additional dimensional regulations for specific uses.	

1240.08 R-2 TWO FAMILY RESIDENTIAL DISTRICT.

(a) Purpose	
It is the purpose of this district to establish a mix of single- and two-family residential properties of an urban, medium-density character. Limited commercial uses, which tend to complement residential areas should be expected. This district includes street and utility elements expected in an urban setting. Further, this district provides a buffer between single-family and multifamily neighborhoods.	
(b) Permitted Uses	(c) Special Land Uses
<ul style="list-style-type: none"> • Bed and Breakfast (Section 1251.09) • Community Garden (Section 1251.12) • Essential Services • Outdoor Recreation/Public (Section 1251.36) • Public K-12 Schools • Rooming and Boarding Houses, not to Exceed 4 Boarders (Section 1251.43) • Single Family Dwelling Unit Detached • Two-Family Dwelling Units • State Licensed Residential Facility, Adult Foster Care Family Home, 1-6 Persons (Section 1251.47) 	<ul style="list-style-type: none"> • Adaptive Reuse (Section 1251.01) • Campground (Section 1251.10) • Cemetery (Section 1251.11) • Institutions of Higher Education • Religious Institutions (Section 1251.42) • Private K-12 Schools • State Licensed Residential Facility, Adult Foster Care Small Group Home, 7-20 Persons (Section 1251.48) • State Licensed Residential Facility, Adult Foster Care Large Group Home, 13-20 Persons (Section 1251.48)

<ul style="list-style-type: none"> Transitional and Supportive Home, 1-6 Persons (Section 1251.49) 	<ul style="list-style-type: none"> Transitional and Supportive Home, <u>m</u>More than 6 Persons (Section 1251.50)
Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses.	
(d) Accessory Uses	
<ul style="list-style-type: none"> Accessory Building (Section 1260.01) Accessory Dwelling Unit attached to the primary dwelling unit, with SLU approval Home Occupation (Section 1251.18) Personal-Scale Wind Energy Facility, with SLU approval (Section 1251.39) Private Gardens (Section 1251.41) State Licensed Child Care Family Home, 1-7 Children (Section 1251.45) State Licensed Child Care Group Home, 8-14 Children (Section 1251.46) 	
(e) Dimension Regulations	
Lot Standards	R-2
Minimum Lot Area (sq. ft.)	Not Required
Maximum Residential Units Per Acre	8.70
Minimum Lot Width (ft.)	60
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	25
Primary Dwelling Setback Requirements	
Attached accessory dwellings shall comply with the primary dwelling setback requirements.	
Front Yard Setback (ft.)	25
Rear Yard Setback (ft.)	25
Side Yard Setback (ft.)	5
Primary Dwelling Height Requirement	
Attached accessory dwellings shall comply with the primary dwelling height requirements	
Maximum Building Height	35 ft., 2.5 stories
<p>Footnotes: Refer to Section 1241.03 Footnotes to Schedule of Regulations wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations above under Section 1241.07. Refer to Chapter 1251 for additional dimensional regulations for specific uses.</p>	

1240.09 R-3 MULTIPLE FAMILY RESIDENTIAL DISTRICT.

(a) Purpose	
<p>It is the purpose of this district to establish high-density multi-family developments located in suburban and urban areas, and commercial development with relatively low intensities that often complement residential neighborhoods. Further, this district supports housing styles of mid- and high-level buildings consisting of garden apartments, and townhome condominiums. The high density of this district is intended to support nearby commercial districts, and provide a transition between commercial and mid-density districts.</p>	
(b) Permitted Uses	(c) Special Land Uses
<ul style="list-style-type: none"> • Assisted Senior Living (Section 1251.03) • Bed and Breakfast (Section 1251.09) • Community Garden (Section 1251.12) • Convalescent Home, Nursing Home, or Home for the Aged (Section 1251.13) • Essential Services • Independent Senior Living with Services (Section 1251.21) • Multi-Family Dwelling Units (Section 1251.33) • Outdoor Recreation/Public (section 1251.36) • Public K-12 Schools • Rooming and Boarding Houses, <u>u</u>Up to 10 Boarders (Section 1251.43) • Single Family Dwelling Unit Attached • Single Family Dwelling Unit Detached • Two-Family Dwelling Units • State Licensed Residential Facility, Adult Foster Care Family Home, 1-6 Persons (Section 1251.47) • Transitional and Supportive Home, 1-6 persons (Section 1251.49) 	<ul style="list-style-type: none"> • Adaptive Reuse (Section 1251.01) • Banquet and Meeting Hall < 100 capacity (Section 1251.08) • Cemetery (Section 1251.11) • Institutions of Higher Education • Private K-12 Schools • Religious Institutions (Section 1251.42) • State Licensed Residential Facility, Adult Foster Care Small Group Home, 7-12 Persons (Section 1251.48) • State Licensed Residential Facility, Adult Foster Care Large Group Home, 13-20 Persons (Section 1251.48) • Transitional and Supportive Home, <u>m</u>More than 6 Persons (Section 1251.50)
<p>Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses.</p>	
(d) Accessory Uses	
<ul style="list-style-type: none"> • Accessory Buildings (Section 1260.01) • Accessory Dwelling Unit attached or detached from the primary dwelling. • Home Occupation (Section 1251.18) • Private Gardens (Section 1251.39) • State Licensed Child Care Family Home, 1-7 Children (Section 1251.45) • State Licensed Child Care Group Home, 8-14 Children (Section 1251.46) 	

(e) Dimension Regulations	
Lot Standards	R-3
Minimum Lot Area (sq. ft.)	Not Required
Maximum Residential Units Per Acre	15
Minimum Lot Width (ft.)	40
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	25
Primary Dwelling Setback Requirements	
Attached accessory dwellings shall comply with the primary dwelling setback requirements.	
Front Yard Setback (ft.)	25
Rear Yard Setback (ft.)	25 (f)
Side Yard Setback (ft.)	5 (f)
Primary Dwelling Height Requirement	
Attached accessory dwellings shall comply with the primary dwelling height requirements	
Maximum Building Height	45 ft., 4 stories
Detached Accessory Dwelling Setback Requirements	
Detached Accessory Dwellings shall be located in the rear yard.	
Rear Yard Setback (ft.)	8
Side Yard Setback (ft.)	8
Detached Accessory Dwelling Height Requirement	
Maximum Building Height	20 ft., 1.5 stories
Footnotes: Refer to Section 1241.03 Footnotes to Schedule of Regulations wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations above under Section 1241.07. Refer to Chapter 1251 for additional dimensional regulations for specific uses.	

1240.10 MFR HIGH DENSITY MULTIPLE FAMILY DISTRICT.

(a) Purpose
It is the purpose of this district to accommodate new types of diversified residential developments of high densities, usually requiring a large tract of unplatted land. The types of residential structures include garden apartments, terrace apartments and row housing units

and those special types of housing structures similar in character and density to multiple family housing.

(b) Permitted Uses	(c) Special Land Uses
<ul style="list-style-type: none"> • Assisted Senior Living (Section 1251.03) • Bed and Breakfast (Section 1251.09) • Child Care Centers • Community Garden (Section 1251.12) • Convalescent Home, Nursing Home, or Home for the Aged (Section 1251.13) • Essential Services • Independent Senior Living with Services (Section 1251.21) • Institutions of Higher Education • Medical or Dental Clinic <20,000 sq. ft. • Multi-Family Dwelling Units (Section 1251.33) • Outdoor Recreation/Public (Section 1251.36) • Public K-12 Schools • Single Family Dwelling Unit Attached • Single Family Dwelling Unit Detached • Two-Family Dwelling Units • State Licensed Residential Facility, Adult Foster Care Family Home, 1-6 Persons (Section 1251.47) • Transitional and Supportive Home, 1-6 Persons (Section 1251.49) 	<ul style="list-style-type: none"> • Adaptive Reuse (Section 1251.01) • Banquet and Meeting Hall (Section 1251.08) • Cemetery (Section 1251.11) • Hospital > 20,000 sq. ft. (Section 1251.19) • Private K-12 Schools • Religious Institutions (Section 1251.42) • State Licensed Residential Facility, Adult Foster Care Small Group Home, 7-12 Persons (Section 1251.48) • State Licensed Residential Facility, Adult Foster Care Large Group Home, 13-20 Persons (Section 1251.48) • Transitional and Supportive Home, <u>m</u>More than 6 Persons (Section 1251.50)
<p>Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses.</p>	
(d) Accessory Uses	
<ul style="list-style-type: none"> • Accessory Buildings (Section 1260.01) • Accessory Dwelling Unit attached or detached from the primary dwelling • Private Gardens (Section 1251.41) • State Licensed Child Care Family Home, 1-7 Children (Section 1251.45) • State Licensed Child Care Group Home, 8-14 Children (Section 1251.46) 	
(e) Dimension Regulations	
Lot Standards	MFR
Minimum Lot Area (sq. ft.)	See Section 1241.03(e)
Maximum Residential Units Per Acre	20(d)(e)

Minimum Lot Width (ft.)	120
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	30
Primary Dwelling Setback Requirements	
Attached accessory dwellings shall comply with the primary dwelling setback requirements	
Front Yard Setback (ft.)	35
Rear Yard Setback (ft.)	20
Side Yard Setback (ft.)	20
Primary Dwelling Height Requirement	
Attached accessory dwellings shall comply with the primary dwelling height requirements	
Maximum Building Height	45 ft., 4 stories
Detached Accessory Dwelling Setbacks	
Detached accessory dwellings shall be located in the rear yard.	
Rear Yard Setback (ft.)	8
Side Yard Setback (ft.)	8
Detached Accessory Dwelling Height Requirement	
Maximum Building Height	20 ft., 1.5 stories
Footnotes: Refer to Section 1241.03 Footnotes to Schedule of Regulations wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations above under Section 1241.07. Refer to Chapter 1251 for additional dimensional regulations for specific uses.	

1240.11 B-1 CORRIDOR COMMERCIAL DISTRICT.

(a) Purpose	
It is the purpose of this district to accommodate those retail and business service activities that serve the whole community and the metropolitan region. Such activities require land and structure uses that are typically compact and densely grouped, generating a large volume of pedestrian and vehicular traffic. It is the purpose of these regulations to permit the establishment of a wide variety of business enterprises and to provide flexibility for adaptation to new merchandising techniques.	
(b) Permitted Uses	(c) Special Land Uses
<ul style="list-style-type: none"> Arena/Theater 	<ul style="list-style-type: none"> Adaptive Reuse (Section 1251.01)

- | | |
|---|--|
| <ul style="list-style-type: none"> • Artisan/Maker Space • Assisted Senior Living (Section 1251.03) • Automobile Car Wash Establishment (Section 1251.04) • Automobile or Vehicle Dealership (Section 1251.07) • Automobile Repair (Section 1251.05) • Banquet and Meeting Hall (Section 1251.08) • Bookstore • Brewpub • Catering Businesses • Child Care Centers • Convalescent Home, Nursing Home, or Home for the Aged (Section 1251.13) • Distillery, Winery – w/ or w/o food • Drive-Thru Business (Section 1251.14) • Essential Services • Event Center • Financial Institutions • Funeral Homes, Mortuaries • Government/Public Uses (Section 1251.16) • Indoor Recreation • Institutions of Higher Education • Pawn Broker • Private Club • Private K-12 Schools • Public K-12 Schools • Kennels/Veterinarian (Section 1251.23) • Marihuana: Adult-Use Marihuana Microbusiness (Sections 1251.23, 1251.25) • Marihuana: Adult-Use Marihuana Retailers (Sections 1251.24, 1251.25) • Marihuana: Medical Marihuana Provisioning Center (Section 1251.24, 1251.30) • Marihuana: Medical and Adult-Use Marihuana Safety Compliance Facility (Sections 1251.24, 1251.31) | <ul style="list-style-type: none"> • Adult Business (Section 1251.01) • Automobile Service Station (Section 1251.04) • Bar, Tavern, or Saloon • Cemetery (Section 1251.11) • Hospital > 20,000 sf. (Section 1251.19) • Nightclub • Research and Development • Transportation and Logistics • Vehicle Repair, Major (Section 1251.54) • Warehouse • Wholesale |
|---|--|

- Marihuana: Medical and Adult-Use Marihuana Secure Transporter (Sections 1251.24, 1251.32)
- Medical or Dental Clinic =< 20,000 s.f.
- Microbrewery (Section 1251.35)
- Office
- Outdoor Recreation/Private (Section 1251.36)
- Outdoor Recreation/Public (Section 1251.36)
- Outdoor Storage (Section 1251.37)
- Personal Service Establishment (Section 1251.40)
- Religious Institutions (Section 1251.42)
- Restaurant
 - Carry-Out
 - Drive-In
 - Drive Thru (Section 1251.14)
 - Full Service
 - Limited Service
- Retail Sales
- Self-Storage Facilities (Section 1251.44)
- Vehicle Repair, Minor

Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses.

(d) Existing Uses

- Single Family Dwelling Unit Detached

(e) Accessory Uses

- Accessory Buildings (Section 1260.01)
- Food Truck
- Outdoor Storage (Section 1251.37)
- Private Gardens (Section 1251.41)
- State Licensed Child Care Family Home, 1-7 Children (Section 1251.45)
- State Licensed Child Care Group Home, 8-14 Children (Section 1251.46)
- Utility-Scale Solar Energy Facility (Section 1251.52)

(f) Prohibited Uses

- Sale, rental, or display of motor vehicles, trailers, or boats
- Manufacturing and processing establishments not selling their entire output at retail on the site

(g) Dimension Regulations	
Lot Standards	B-1
Minimum Lot Area (sq. ft.)	Not Required
Maximum Residential Units Per Acre	NA
Minimum Lot Width (ft.)	60
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	Not Required
Primary Dwelling Setback Requirements	
Attached accessory dwellings shall comply with the primary dwelling setback requirements	
Front Yard Setback (ft.)	20
Rear Yard Setback (ft.)	15 (h)
Side Yard Setback (ft.)	15 (g)
Primary Dwelling Height Requirement	
Attached accessory dwellings shall comply with the primary dwelling height requirements	
Maximum Building Height	45 ft., 3 stories
Detached Accessory Dwelling Setback Requirements	
Detached accessory dwellings shall be located in the rear yard.	
Rear Yard Setback (ft.)	8
Side Yard Setback (ft.)	8
Detached Accessory Dwelling Height Requirement	
Maximum Building Height	20 ft., 1.5 stories
Footnotes: Refer to Section 1241.03 Footnotes to Schedule of Regulations wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations. Refer to Chapter 1251 for additional dimensional regulations for specific uses.	

1240.12 B-2 REGIONAL COMMERCIAL DISTRICT.

(a) Purpose	
<p>It is the purpose of this district to accommodate those specialized retail and business service activities herein specified that serve the whole community, as well as persons traveling on interstate highways, and typically may be grouped around a major interstate highway interchange (I-94) generating a considerable volume of vehicular traffic. It is the purpose of these regulations to permit the establishment of a limited variety of business enterprises and to provide flexibility for adaptation to new merchandising techniques as may develop, particularly where the use of motor vehicles is involved. In order to utilize the full potential effectiveness of this District, certain functions that would operate more effectively in other districts and that would interfere with the general business effectiveness of this District have been intentionally excluded.</p>	
(b) Permitted Use	(c) Special Land Uses
<ul style="list-style-type: none"> • Arena/Theater • Artisan/Maker Space • Assisted Senior Living • Automobile Car Wash Establishment (Section 1251.04) • Automobile or Vehicle Dealership (Section 1251.07) • Automobile Repair (Section 1251.05) • Automobile Service Station (section 1251.06) • Banquet and Meeting Hall (Section 1251.08) • Bar, Tavern, or Saloon • Bookstore • Brewpub • Catering Businesses • Child Care Centers • Convalescent Home, Nursing Home, or Home for the Aged (Section 1251.13) • Distillery, Winery – w/ or w/o food • Drive-Thru Business (Section 1251.14) • Essential Services • Event Center • Financial Institutions • Funeral Homes, Mortuaries, and Crematoriums • Government/Public Uses (Section 1251.16) 	<ul style="list-style-type: none"> • Adaptive Reuse (Section 1251.01) • Cemetery (Section 1251.11) • Parking as a Principal Use • Transportation and Logistics • Vehicle Repair, Major (Section 1251.54) • Warehouse • Wholesale

- Greenhouse/Nursery (Principal Use)
- Hospital > 20,000 sq._ft. (Section 1251.19)
- Hotel (Section 1251.20)
- Indoor Recreation
- Institutions of Higher Education
- Kennels/Veterinarian (Section 1251.23)
- Marihuana: Adult-Use Marihuana Microbusiness (Sections 1251.24, 1251.26)
- Marihuana: Adult-Use Marihuana Retailers (Sections 1251.24, 1251.25)
- Marihuana: Medical Marihuana Provisioning Center (Sections 1251.24, 1251.30)
- Marihuana: Medical and Adult-Use Marihuana Safety Compliance Facility (Sections 1251.24, 1251.31)
- Marihuana: Medical and Adult-Use Marihuana Secure Transporter (Sections 1251.24, 1251.32)
- Medical or Dental Clinic =< 20,000 sq._ft.
- Microbrewery (Section 1251.35)
- Motel (Section 1251.34)
- Nightclub
- Office
- Outdoor Recreation/Private (Section 1251.36)
- Outdoor Recreation/Public (Section 1251.36)
- Pawn Broker
- Personal Service Establishment (Section 1251.39)
- Private Club
- Private K-12 Schools
- Public K-12 Schools
- Religious Institutions (Section 1251.42)
- Research and Development
- Restaurant
 - Carry-Out
 - Drive-In
 - Drive Thru (Section 1251.14)

<ul style="list-style-type: none"> ○ Full Service ○ Limited Service ● Retail Sales > 17,000 sq. ft. ● Self Storage Facilities (Section 1251.44) ● Vehicle Repair, Major 	
<p>Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses</p>	
<p>(d) Existing Uses</p>	
<ul style="list-style-type: none"> ● Single Family Dwelling Unit Detached 	
<p>(e) Accessory Uses</p>	
<ul style="list-style-type: none"> ● Accessory Buildings (Section 1260.01) ● Food Truck ● Outdoor Storage (Section 1251.37) ● Private Gardens (Section 1251.41) ● State Licensed Child Care Family Home, 1-7 Children (Section 1251.45) ● State Licensed Child Care Group Home, 8-14 Children (Section 1251.46) ● Utility-Scale Solar Energy Facility (Section 1251.52) 	
<p>(f) Dimension Regulations</p>	
Lot Standards	B-2
Minimum Lot Area (sq. ft.)	25,000
Maximum Residential Units Per Acre	NA
Minimum Lot Width (ft.)	150
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	Not Required
Front Yard Setback (ft.)	35
Rear Yard Setback (ft.)	20
Side Yard Setback (ft.)	20
Maximum Building Height	60 ft.
<p>Footnotes: Refer to Section 1241.03 Footnotes to Schedule of Regulations wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations above under Section 1241.07. Refer to Chapter 1251 for dimensional regulations for specific uses.</p>	

1240.13 T-3 NEIGHBORHOOD COMMERCIAL DISTRICT.

(a) Purpose	
It is the purpose of this district to establish and preserve areas for those commercial uses and facilities which are especially useful in close proximity to residential areas, while minimizing the undesirable impact of such uses on the neighborhoods which they serve.	
(b) Permitted Uses	(c) Special Land Uses
<ul style="list-style-type: none"> • Assisted Senior Living (Section 1251.03) • Banquet and Meeting Hall < 100 Capacity (Section 1251.08) • Bed and Breakfast (Section 1251.09) • Bookstore • Catering Businesses • Child Care Centers • Community Garden (Section 1251.12) • Convalescent Home, Nursing Home, or Home for the Aged (Section 1251.13) • Essential Services • Financial Institutions • Government/Public Uses (Section 1251.14) • Indoor Recreation • Independent Senior Living with Services (Section 1251.21) • Medical or Dental Clinic < 5,000 sq. ft. • Multi-Family Dwelling Units (Section 1251.33) • Office < 17,000 sq. ft. • Outdoor Recreation/Public (Section 1251.36) • Personal-Scale Wind Energy Facility (Section 1251.39) • Personal Service Establishments (Section 1251.40) • Private Club • Public K-12 Schools • Religious Institutions (Section 1251.42) • Restaurant <ul style="list-style-type: none"> ○ Carry-Out ○ Drive-In ○ Full Service 	<ul style="list-style-type: none"> • Adaptive Reuse (Section 1251.01) • Artisan/Maker Space • Bar, Tavern, or Saloon • Brewpub • Cemetery (Section 1251.11) • Distillery, Winery – w/ or w/o food • Drive Thru Business (Section 1251.14) • Farmers' Market (Section 1251.15) • Funeral Homes, Mortuaries • Hotel (Section 1251.20) • Institutions of Higher Education • Pawn Broker • Private K-12 Schools • Marihuana: Medical Marihuana Provisioning Center (Sections 1251.24, 1251.30) • Marihuana: Adult-Use Marihuana Retailers (Sections 1251.24, 1251.25) • Marihuana: Adult-Use Marihuana Microbusiness (Sections 1251.24, 1251.26) • Marinas • Medical or Dental Clinic 5,000 to < 20,000 sq. ft. • Microbrewery (Section 1251.35) • Motel (Section 1251.20) • Nightclub • Office >= 17,000 sq. ft. • Retail Sales >= 17,000 sq. ft. • Restaurant <ul style="list-style-type: none"> ○ Drive-Thru (Section 1251.14)

<ul style="list-style-type: none"> ○ Limited Service ● Retail Sales < 17,000 sq. ft. ● Single Family Dwelling Unit Attached ● Single Family Dwelling Unit Detached ● Two-Family Dwelling Units ● State Licensed Residential Facility, Adult Foster Care Family Home, 1-6 Persons (Section 1251.47) ● Transitional and Supportive Home, 1-6 Persons (Section 1251.49) ● Transitional and Supportive Home, <u>m</u>More than 6 Persons (Section 1251.50) 	
<p>Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses. Refer to Section 1250.04, Form Based Development Standards for the T-3, T-4, and T-5, <u>and T6</u> Districts for additional development requirements.</p>	
<p>(d) Accessory Uses</p>	
<ul style="list-style-type: none"> ● Accessory Buildings (Section 1260.02) ● Food Truck ● Accessory Dwelling Unit attached or detached from the primary dwelling ● Farmers Market (Sections 1251.15) ● Private Gardens (1251.41) ● State Licensed Child Care Family Home, 1-7 Children (Section 1251.45) ● State Licensed Child Care Group Home, 8-14 Children (Section 1251.46) 	
<p>(e) Dimension Regulations</p>	
<p style="text-align: center;">Lot Standard</p>	<p style="text-align: center;">T-3</p>
<p style="text-align: center;">Minimum Lot Area (sq. ft.)</p>	<p style="text-align: center;">Not Required</p>
<p style="text-align: center;">Maximum Residential Units Per Acre</p>	<p style="text-align: center;">20(d)</p>
<p style="text-align: center;">Minimum Lot Width (ft.)</p>	<p style="text-align: center;">30</p>
<p style="text-align: center;">Minimum Lot Depth (ft.)</p>	<p style="text-align: center;">100 (Section 1240(a)(7))</p>
<p style="text-align: center;">Maximum Percent of Building Coverage</p>	<p style="text-align: center;">40</p>
<p>Primary Dwelling Setback Requirements</p>	
<p>Attached accessory dwellings shall comply with the primary dwelling setback requirements</p>	
<p style="text-align: center;">Front Yard Setback (ft.)</p>	<p style="text-align: center;">See Section 1250.04(d)(1)A</p>
<p style="text-align: center;">Rear Yard Setback (ft.)</p>	<p style="text-align: center;">20 (h)</p>
<p style="text-align: center;">Side Yard Setback (ft.)</p>	<p style="text-align: center;">10 (g)</p>
<p>Primary Dwelling Height Requirement</p>	

Attached accessory dwellings shall comply with the primary dwelling height requirements	
Maximum Building Height	36 ft., 3 stories
Detached Accessory Dwelling Setback Requirements	
Detached accessory dwellings shall be located in the rear yard.	
Rear Yard Setback (ft.)	8
Side Yard Setback (ft.)	8
Detached Accessory Dwelling Height Requirement	
Maximum Building Height	20 ft., 1.5 stories
<p>Footnotes: Refer to Section 1241.03 wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations above under Section 1241.07. Refer to Chapter 1251 for additional dimensional regulations for specific uses.</p>	

1240.14 T-4 DOWNTOWN COMMERCIAL DISTRICT.

(a) Purpose	
It is the purpose of this district to encourage the development, redevelopment and use of properties in a manner compatible with the character of the downtown area and consistent with the protection and enhancement of property values.	
(b) Permitted Uses	(c) Special Land Uses
<ul style="list-style-type: none"> • Artisan/Maker Space • Assisted Senior Living (Section 1251.03) • Banquet and Meeting Hall (Section 1251.08) • Bar, Tavern, or Saloon • Bookstore • Brewpub • Catering Businesses • Child Care Centers • Convalescent Home, Nursing Home, or Home for the Aged (Section 1251.13) • Distillery, Winery – w/ or w/o food • Essential Services • Event Center • Farmers Market (Section 1251.15) • Financial Institutions 	<ul style="list-style-type: none"> • Adaptive Reuse (Section 1251.01) • Drive-Thru Business (Section 1251.14) • Funeral Homes, Mortuaries • Hospital > 20,000 sq. ft. (Section 1251.19) • Private K-12 Schools • Parking as a Principal Use • Research and Development • Restaurant <ul style="list-style-type: none"> ○ Drive-In ○ Drive-Thru (Section 1251.14)

- Government/Public Uses (Section 1251.16)
- Hotel (Section 1251.20)
- Independent Senior Living with Services (Section 1251.21)
- Indoor Recreation
- Institutions of Higher Education
- Marihuana: Adult-Use Marihuana Retailers (Sections 1251.24, 1251.25)
- Marihuana: medical Marihuana Provisioning Center (Sections 1251.24, 1251.30)
- Medical or Dental Clinic < 20,000 sq. ft.
- Microbrewery (Section 1251.35)
- Motel (Section 1251.34)
- Multi-Family Dwelling Units (Section 1251.33)
- Nightclub
- Office
- Outdoor Recreation/Public (Section 1251.36)
- Personal Service Establishments (Section 1251.40)
- Private Club
- Public K-12 Schools
- Religious Institutions (Section 1251.42)
- Retail Sales
- Restaurant
 - Carry-Out
 - Full Service
 - Limited Service
- Single Family Dwelling Unit Attached
- State Licensed Residential Facility, Adult Foster Care Family Home, 1-6 Persons (Section 1251.48)
- Transitional and Supportive Home, 1-6 Persons (Section 1251.49)
- Transitional and Supportive Home, **m**More than 6 Persons (Sections 1251.50)
- Two-Family Dwelling Units

Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses. Refer to Section 1250.04, Form Based Development Standards for the T-3, T-4, ~~and~~ T-5 and T-6 Districts for additional development requirements.

(d) Existing Uses

- Single Family Dwelling Unit Detached

(e) Accessory Uses

- Accessory Buildings (Section 1260.02)
- Accessory Dwelling Unit attached or detached from the primary dwelling
- Farmers Market (Section 1251.15)
- Food Truck
- Private Gardens (Section 1251.40)
- State Licensed Child Care Family Home, 1-7 Children (Section 1251.45)
- State Licensed Child Care Group Home, 7-12 Children (Section 1251.46)

(f) Dimension Regulations

Lot Standards	T-4
Minimum Lot Area (sq. ft.)	Not Required
Maximum Residential Units Per Acre	20 (d)
Minimum Lot Width (ft.)	40
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	Not Required
Primary Dwelling Setback Requirements	
Attached accessory dwellings shall comply with the setback requirements of the primary dwelling	
Front Yard Setback (ft.)	See Section 1250.04(d)(1)A
Rear Yard Setback (ft.)	Not Required
Side Yard Setback (ft.)	Not Required
Primary Dwelling Height Requirement	
Attached accessory dwellings shall comply with the height requirements of the primary dwelling height	
Maximum Building Height	Not Required
Detached Accessory Dwelling Setback Requirements	
Detached accessory dwellings shall be located in the rear yard.	
Rear Yard Setback (ft.)	8

Side Yard Setback (ft.)	8
Detached Accessory Dwelling Height Requirement	
Maximum Building Height	20 ft., 1.5 stories
Footnotes: Refer to Section 1241.03 wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations. Refer to Chapter 1251 for additional dimensional regulations for specific uses.	

1240.15 T-5 CORE DOWNTOWN COMMERCIAL DISTRICT.

(a) Purpose	
<p>It is the purpose of this district to revitalize commercial areas which, through business relocation, substantial change in surrounding uses, changes in the market, or a combination thereof, require the orderly placement of business establishments to provide the maximum use of buildings to accommodate and respond to changes in vehicular and pedestrian traffic flow. To permit the full potential of this district, certain uses which would interfere with the general effectiveness of this District have been intentionally excluded, and uses permitted herein are intended to be strictly limited in their definition. Further, to promote uses that support a walkable downtown environment, mix of uses within a single building, and uses that create activity throughout the day and week.</p>	
(b) Permitted Uses	(c) Special Land Uses
<ul style="list-style-type: none"> • Artisan/Maker Space • Banquet and Meeting Hall (Section 1251.08) • Bar, Tavern, or Saloon • Bookstore • Brewpub • Catering Businesses • Child Care Centers • Distillery, Winery – w/ or w/o food • Essential Services • Event Center • Financial Institutions • Government/Public Uses (Section 1251.16) • Hotel (Section 1251.20) • Independent Senior Living with Services (Section 1251.21) • Indoor Recreation • Institutions of Higher Education 	<ul style="list-style-type: none"> • Adaptive Reuse (Section 1251.01) • Convalescent Home, Nursing Home, or Home for the Aged (Section 1251.13) • Hospital > 20,000 sq. ft. (Section 1251.19) • Parking as a Principal Use

- Marihuana: Adult-Use Marihuana Retailers (Sections 1251.24, 1251.25)
- Marihuana: Medical Marihuana Provisioning Center (Sections 1251.24, 1251.30)
- Medical or Dental Clinic <= 20,000 sq. ft.
- Microbrewery (Section 1251.35)
- Motel (Section 1251.34)
- Multi-Family Dwelling Units (Section 1251.33)
- Nightclub
- Office
- Outdoor Recreation/Public (Section 1251.35)
- Personal Service Establishments (Section 1251.38)
- Private Club
- Private K-12 Schools
- Public K-12 Schools
- Religious Institutions (Section 1251.42)
- Restaurant
 - Carry-Out
 - Drive-In
 - Full Service
 - Limited Service
- Retail Sales
- Two Family Dwelling Units

Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses. Refer to Section 1250.04, Form Based Development Standards for the T-3, T-~~4~~5, and T-5, and T-6 Districts for additional development requirements.

(d) Existing Uses

- **Single Family Dwelling Unit Attached**
- **Single Family Dwelling Unit Detached**

(e) Accessory Uses

- Accessory Buildings (Section 1260.02)
- Accessory Dwelling Unit attached or detached from the primary dwelling
- Farmers Market (Section 1251.15)
- Food Truck
- Private Gardens (Section 1251.41)
- State Licensed Child Care Family Home, 1-7 Children (Section 1251.45)

- State Licensed Child Care Group Home, 8-14 Children (Section 1251.46)

(f) Dimension Regulations

Lot Standards	T-5
Minimum Lot Area (sq. ft.)	Not Required
Maximum Residential Units Per Acre	20 (d)
Minimum Lot Width (ft.)	30
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	Not Required
Primary Dwelling Setback Requirements	
Attached accessory dwellings shall comply with the setback requirements of the primary dwelling	
Front Yard Setback (ft.)	See Section 1250.04(d)(1)A
Rear Yard Setback (ft.)	Not Required
Side Yard Setback (ft.)	Not Required
Primary Dwelling Height Requirement	
Attached accessory dwellings shall comply with the height requirements of the primary dwelling	
Maximum Building Height	Not Required
Detached Accessory Dwelling Setback Requirements	
Detached accessory dwellings shall be located in the rear yard	
Rear Yard Setback (ft.)	8
Side Yard Setback (ft.)	8
Detached Accessory Dwelling Height Requirement	
Maximum Building Height	20 ft., 1.5 stories
Footnotes: Refer to Section 1241.03 wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations above under Section 1241.07. Refer to Chapter 1251 for additional dimensional regulations for specific uses.	

1240.16 T-6 LAKEVIEW DISTRICT.**(a) Purpose**

It is the purpose of this district to revitalize commercial areas which, through business relocation, substantial change in surrounding uses, changes in the market, or a combination thereof, require the orderly placement of business establishments to provide the maximum use of buildings to accommodate and respond to changes in vehicular and pedestrian traffic flow. To permit the full potential of this district, certain uses which would interfere with the general effectiveness of this District have been intentionally excluded. Further, it is intended to promote uses that support a walkable environment, mix of uses within a single building, and uses that create activity throughout the day and week.

(b) Permitted Uses

- Artisan/Maker Space
- Automobile Service Station
- Banquet and Meeting Hall (Section 1251.08)
- Bar, Tavern, or Saloon
- Bookstore
- Brewpub
- Catering Businesses
- Child Care Centers
- Distillery, Winery – w/ or w/o food
- Drive-Thru Business
- Essential Services
- Financial Institutions
- Green house/Nursery (Principal Use)
- Government/Public Uses (Section 1251.16)
- Hotel (Section 1251.20)
- Independent Senior Living with Services (Section 1251.21)
- Indoor Recreation
- Institutions of Higher Education
- **Medical or Dental Clinic < 20,000 sq. ft.**
- Microbrewery (Section 1251.35)
- Motel (Section 1251.34)
- Multi-Family Dwelling Units (Section 1251.33)
- Office < 17,000 sq. ft.
- Outdoor Recreation/Private (1251.36)

(c) Special Land Uses

- Adaptive Reuse (Section 1251.01)
- Parking as a Principal Use

- Outdoor Recreation/Public (1251.36)
- Personal Service Establishments (Section 1251.38)
- Private Club
- Public K-12 School
- Religious Institutions (Section 1251.42)
- Restaurant
 - Carry-Out
 - Full Service
 - Limited Service
 - Drive-In
 - Drive-Thru
- Retail Sales
- Single Family Dwelling Unit Attached
- Transitional and Supportive Home, 1-6 (1251.49)
- Transitional and Supportive Home, more than 6 (1251.50)
- Two Family Dwelling Units

Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses. Refer to Section 1250.04, Form Based Development Standards for the T-3, t-4, T-5, and T-6 Districts for additional development requirements.

(e) Existing Use

- Automobile Car Wash Establishment
- Automobile Repair (Section 1251.05)
- Cemetery
- Marihuana: Adult-Use Marihuana Microbusiness (Sections 1251.23, 1251.25)
- Marihuana: Adult-Use Marihuana Retailers (Sections 1251.24, 1251.25)
- Marihuana: Medical Marihuana Provisioning Center (Section 1251.24, 1251.30)
- Medical or Dental Clinic > 20,000 sq. ft.
- Office > 17,000
- Vehicle Repair, Major (1251.54)

(f) Accessory Uses

- Accessory Buildings (Section 1260.02)
- Food Truck
- Home Occupation (1251.18)
- Private Gardens (Section 1251.41)
- State Licensed Child Care Family Home, 1-7 Children (Section 1251.45)
- State Licensed Child Care Group Home, 8-14 Children (Section 1251.46)

<u>(g) Dimension Regulations</u>	
<u>Residential Lot Standards</u>	<u>T-6</u>
<u>Minimum Lot Area (sq. ft.)</u>	<u>3,000</u>
<u>Maximum Residential Units Per Acre</u>	<u>(d)</u>
<u>Minimum Lot Width (ft.)</u>	<u>30</u>
<u>Minimum Lot Depth (ft.)</u>	<u>100 (Section 1240(a)(7))</u>
<u>Maximum Percent of Building Coverage</u>	<u>Not Required</u>
<u>Setback Requirements</u>	
<u>Front Yard Setback (ft.)</u>	<u>See Section 1250.04(d)(1)A</u>
<u>Rear Yard Setback (ft.)</u>	<u>30 ft.</u>
<u>Side Yard Setback (ft.)</u>	<u>10 ft.</u>
<u>Height Requirement</u>	
<u>Maximum Building Height</u>	<u>60 ft.</u>
<u>Commercial/Mixed Use Lot Standards</u>	
<u>Minimum Lot Area (sq. ft.)</u>	<u>Not Required</u>
<u>Minimum Lot Width (ft.)</u>	<u>30 ft.</u>
<u>Minimum Lot Depth (ft.)</u>	<u>100 (Section 1240(a)(7))</u>
<u>Maximum Percent of Building Coverage</u>	
<u>Setback Requirements</u>	
<u>Front Yard Setback (ft)</u>	<u>See Section 1250.04(d)(1)A</u>
<u>Rear Yard Setback (ft.)</u>	<u>20 ft.</u>
<u>Side Yard Setback (ft.)</u>	<u>20 ft.</u>
<u>Height Requirement</u>	
<u>Maximum Building Height</u>	<u>60 ft.</u>
<u>Footnotes: Refer to Section 1241.03 wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations above under Section 1241.07. Refer to Chapter 1251 for additional dimensional regulations for specific uses.</u>	

1240.176 I-1 LIGHT INDUSTRIAL DISTRICT.

(a) Purpose

The I-1 Light Industrial District is intended to accommodate those industrial uses that generate noise, glare, odors, dust, vibration, air and water pollution, fire and safety hazards, the emission of any potentially harmful or obnoxious matter or radiation or any other nuisance characteristics. It is established as one in which the principal use of the land is for industrial activities wholly compatible with all other uses permitted in this District, commercial

establishments not engaging in retail sales and service establishments which, if doing retail business, are of the type not generally requiring the customer to call at the place of business.

(b) Permitted Uses	(c) Special Land Uses
<ul style="list-style-type: none"> • Artisan/Maker Space • Automobile or Vehicle Dealership (Section 1251.07) • Automobile Repair (Section 1251.05) • Automobile Service Station (Section 1251.06) • Brewpub • Child Care Center • Distillery, Winery – w/ or w/o food • Drive-Thru Business (Section 1251.14) • Essential Services • Farm Implements and Heavy Machinery Sales • Financial Institutions • Government/Public Uses (Section 1251.16) • Greenhouse/Nursery (Principal Use) • Institutions of Higher Education • Limited Service Restaurant • Manufacturing • Marihuana: Adult-Use Marihuana Microbusiness (Sections 1251.24, 1251.26) • Marihuana: Adult-Use Marihuana Retailers (Sections 1251.24, 1251.25) (must be co-located with a Grower or Processor) • Marihuana: Medical and Adult-Use Marihuana Grow Operation (Sections 1251.24, 1251.28) • Marihuana: Medical and Adult-Use Marihuana Processing Facility (Sections 1251.24, 1251.29) • Marihuana: Medical Marihuana Provisioning Center (Sections 1251.24, 1251.30) (must be co-located with a Grower or Processor) • Marihuana: Medical and Adult-Use Marihuana Safety Compliance Facility (Sections 1251.24, 1251.31) 	<ul style="list-style-type: none"> • Adaptive Reuse (Section 1251.01) • Adult Business (Section 1251.02) • Automobile Car Wash Establishment (Section 1251.04) • Bar, Tavern, or Saloon • Cemetery (Section 1251.11) • Funeral Homes, Mortuaries, and Crematoriums • Hospital > 20,000 sq. ft. (Section 1251.19) • Junk or Salvage Yard (Section 1251.22) • Kennels (Section 1251.23) • Nightclub • Parking as a Principal Use • Retail Sales

- Marihuana: Medical and Adult-Use Marihuana Secure Transporter (Sections 1251.24, 1251.32)
- Microbrewery (Section 1251.34)
- Outdoor Recreation/Public (Section 1251.36)
- Religious Institutions (Section 1251.42)
- Research and Development
- Restaurant
 - Carry-Out
 - Drive-In
 - Drive-Thru (Section 1251.14)
 - Full Service
 - Limited Service
- Transportation and Logistics
- Utility-Scale Solar Energy Facility (Section 1251.52)
- Vehicle Repair, Major (Section 1251.53)
- Vehicle Repair, Minor ([Section 1251.05](#))
- Warehouse
- Wholesale

Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses.

(d) Existing Uses

- Single Family Dwelling Unit Detached

(e) Accessory Uses

- Accessory Buildings (Section 1260.01)
- Office
- Outdoor Storage (Section 1251.37)
- Private Gardens (Section 1251.41)
- State Licensed Child Care Family Home, 1-7 Children (Section 1251.45)
- State Licensed Child Care Group Home, 8-14 Children (Section 1251.46)

(f) Dimension Regulations

Lot Standard	I-1
Minimum Lot Area (sq. ft.)	2,900
Maximum Residential Units Per Acre	NA
Minimum Lot Width (ft.)	60
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))

Maximum Percent of Building Coverage	Not Required
Front Yard Setback (ft.)	25
Rear Yard Setback (ft.)	50 (h)
Side Yard Setback (ft.)	25 (g)
Maximum Building Height	Not Required

Footnotes: Refer to Section 1241.03 wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations above. Refer to Chapter 1251 for additional dimensional regulations for specific uses.

1240.187 I-2 HEAVY INDUSTRIAL DISTRICT.

(a) Purpose

The purpose of this district is to provide suitable locations for manufacturing, assembling and fabricating uses, including large-scale or specialized industrial operations requiring good access by road and/or railroad and public and utility services.

(b) Permitted Uses

- Artisan/Maker Space
- Automobile Repair (Section 1251.05)
- Automobile Service Station (Section 1251.06)
- Brewpub
- Child Care Centers
- Distillery, Winery – w/ or w/o food
- Drive-Thru Business (Section 1251.14)
- Essential Services
- Farm Implements and Heavy Machinery Sales
- Financial Institutions
- Institutions of Higher Education
- Kennels (Section 1251.23)
- Manufacturing
- Marihuana: Adult-Use Marihuana Microbusiness (Sections 1251.24, 1251.26)
- Marihuana: Adult-Use Marihuana Retailers (Sections 1251.24, 1251.25) (must be co-located with a Grower or Processor)

(c) Special Land Uses

- Adaptive Reuse (Section 1251.01)
- Adult Business (Section 1251.01)
- Automobile Car Wash Establishment (Section 1251.04)
- Bar, Tavern, or Saloon
- Cemetery (Section 1251.11)
- Hospital > 20,000 sq. ft. (Section 1251.19)
- Junk or Salvage Yard (Section 1251.22)
- Nightclub
- Parking as a Principal Use
- Retail Sales
- Utility-Scale Wind Energy Facility (Section 1251.53)

- Marihuana: Medical and Adult-Use Marihuana Grow Operation (Sections 1251.24, 1251.28)
- Marihuana: Medical and Adult-Use Marihuana Processing Facility (Sections 1251.24, 1251.29)
- Marihuana: Medical Marihuana Provisioning Center (Sections 1251.24, 1251.30) (must be co-located with a Grower or Processor)
- Marihuana Medical and Adult-Use Marihuana Safety Compliance Facility (Section 1251.24, 1251.31)
- Marihuana: Medical and Adult Use Marihuana Secure Transporter (Section 1251.24, 1251.32)
- Microbrewery (Section 1251.35)
- Outdoor Recreation/Public (Section 1251.36)
- Religious Institutions (Section 1251.42)
- Research and Development
- Restaurant
 - Carry-Out
 - Drive-In
 - Drive-Thru (Section 1251.14)
 - Full Service
 - Limited Service
- Transportation and Logistics
- Utility-Scale Solar Energy Facility (Section 1251.52)
- Vehicle Repair, Major (Section 1251.54)
- Vehicle Repair, Minor
- Warehouse
- Wholesale

Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses.

(d) Existing Uses

- Single Family Dwelling Unit Detached

(e) Accessory Uses

- Accessory Buildings (Section 1260.02)
- Carry-Out Restaurant

- Outdoor Storage (Section 1251.37)
- Office
- Private Gardens (Section 1251.40)
- State Licensed Child Care Family Home, 1-7 Children
- State Licensed Child Care Group Home, 8-14 Children

(f) Dimension Regulations

Lot Standards	I-2
Minimum Lot Area (sq. ft.)	2,900
Maximum Residential Units Per Acre	NA
Minimum Lot Width (ft.)	60
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	Not Required
Front Yard Setback (ft.)	25
Rear Yard Setback (ft.)	25 (h)
Side Yard Setback (ft.)	25 (g)
Maximum Building Height	Not Required

Footnotes: Refer to Chapter 1241 wherever a footnote is referenced in parentheses after one of the dimension regulations. Additionally, some uses have specific standards that overrule the dimensional regulations above. Refer to Chapter 1251 for dimensional regulations for specific uses.

1240.198 S SPARK DISTRICT.

(a) Purpose

It is the purpose of this district to encourage and facilitate redevelopment by implementing the following mixed-use policies:

1. **Mix of Land Compatible Land Uses:** Permit a range of compatible land uses, such as residential (from single-family to multi-family), public, institutional, office, retail, personal services use, and appropriate general business uses.
2. **Walkability:** Create a walkable, pedestrian-oriented development that does not conflict with motorized traffic.
3. **Building Location and Site Design:** Ensure that buildings have a strong relationship to the street by requiring development to be human-scale through appropriate building location and site design, including developing areas that include civic spaces and pedestrian amenities and requiring on-street parking along interior streets.
4. **Use of Buildings:** Allow compatible mixed uses to be located in a single building.

(b) Permitted Uses

- Adaptive Reuse (Section 1251.01)
- Arena/Theater
- Artisan/Maker Space

(c) Special Land Uses

- Cemetery (Section 1251.11)
- Convalescent Homes, Nursing Homes, or Homes for the Aged (Section 1251.13)

- | | |
|--|--|
| <ul style="list-style-type: none"> • Assisted Senior Living (Section 1251.03) • Banquet and Meeting Hall (Section 1251.08) • Bar, Tavern, or Saloon • Bookstore • Brewpub • Child Care Centers • Community Garden (Section 1251.10) • Distillery, Winery – w/ or w/o food • Drive-Thru Business (Section 1251.14) • Essential Services • Financial Institutions • Government/Public Uses (Section 1251.16) • Greenhouse/Nursery (Principal Use) • Hotel (Section 1251.20) • Independent Senior Living with Services (Section 1251.21) • Indoor Recreation • Institutions of Higher Education • Medical or Dental Clinic < 20,000 sq. ft. • Microbrewery (Section 1251.35) • Motel (Section 1251.34) • Multi-Family Dwelling Units (Section 1251.33) • Nightclub • Office • Outdoor Recreation/Public (Section 1251.36) • Outdoor Recreation/Private (Section 1251.36) • Personal Service Establishments (Section 1251.40) • Public K-12 Schools • Religious Institutions (Section 1251.42) • Research and Development • Restaurant <ul style="list-style-type: none"> ○ Carry-Out ○ Drive-In ○ Drive-Thru (Section 1251.14) ○ Full Service | <ul style="list-style-type: none"> • Private K-12 Schools • Kennels (Section 1251.23) • Marinas • Parking as a Principal Use |
|--|--|

<ul style="list-style-type: none"> ○ Limited Service ● Retail Sales ● Single Family Dwelling Unit Attached ● Single Family Dwelling Unit Detached ● Transportation and Logistics ● Two-Family Dwelling Units ● Warehouse ● Wholesale 	
<p>Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses.</p>	
<p>(d) Accessory Uses</p>	
<ul style="list-style-type: none"> ● Accessory Buildings (Section 1260.02) ● Accessory Dwelling Unit attached or detached from the primary dwelling ● Farmers Market (Section 1251.15) ● Personal-Scale Wind Energy Facility (Section 1251.39) ● Private Gardens (Section 1251.41) ● State Licensed Child Care Family Home, 1-7 Children (Section 1251.45) ● State Licensed Child Care Group Home, 8-14 Children (Section 1251.45) 	
<p>(e) Dimension Regulations</p>	
Lot Standards	S
Minimum Lot Area (sq. ft.)	Not Required
Maximum Residential Units Per Acre	20
Minimum Lot Width (ft.)	60
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	Not Required
Primary Dwelling Setback Requirements	
<p>Attached accessory dwellings shall comply with the setback requirements of the primary dwelling</p>	
Front Yard Setback (ft.)	Not Required
Rear Yard Setback (ft.)	Not Required
Side Yard Setback (ft.)	Not Required
Primary Dwelling Height Requirement	
<p>Attached accessory dwellings shall comply with the height requirements of the primary dwelling</p>	
Maximum Building Height	Not Required

Detached Accessory Dwelling Setback Requirements	
Detached accessory dwellings shall be located in the rear yard.	
Rear Yard Setback (ft.)	8
Side Yard Setback (ft.)	8
Detached Accessory Dwelling Height Requirement	
Maximum Building Height	20 ft., 1.5 stories
Footnotes: Refer to Section 1241.04 wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule these dimensional regulations above under Section 1241.07. Refer to Chapter 1251 for additional dimensional regulations for specific uses. All development in the S Spark District is eligible for administrative approval subject to the discretion of the Zoning Administrator.	

1240.2019 OFFICIAL ZONING MAP AND INTERPRETATION.

The boundaries of the districts are shown upon the map, which is made a part of this Zoning Code, which map is designated as the "Official Zoning Map." Such map and all the notations, references and other information shown thereon are a part of this Zoning Code and have the same force and effect as if they were fully set forth or described herein.

Where, due to the scale, illegibility or detail of the map, there is uncertainty, contradiction or conflict as to the location of a district boundary, the interpretation of the exact location of such boundary shall be determined by the Zoning Board of Appeals.

1240.219 DISTRICT BOUNDARY UNCERTAINTIES.

Where uncertainty exists or arises with respect to the boundaries of the various districts as shown on the zoning district map accompanying and made a part of this zoning ordinance in its original form, the following rules apply:

(a) The district boundaries are either streets, alleys, rights of way or watercourses, unless otherwise shown. Where such districts are bounded approximately by streets, alleys, rights of way or watercourses, the same shall be construed to be the boundaries of the districts unless such boundaries are fixed by dimensions as shown on the map.

(b) Where the district boundaries are not otherwise indicated, and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be the lot lines. Where such districts are bounded approximately by lot lines, the lot lines shall be construed to be the boundaries of the districts, unless the boundaries are fixed by dimensions as shown on the map.

(c) In any determined by the use of the scale appearing on the map, unless the same are indicated by dimensions as shown on the map.

1240.224 ZONING DISTRICTS.

(a) Conformity with District Regulations Required. Except as hereinafter provided:

(1) No building or structure shall be erected, converted, enlarged, reconstructed, moved or structurally altered, nor shall any building or land be used, except for a purpose permitted in the district in which the building or land is located.

(2) No building shall be erected, converted, enlarged, reconstructed or structurally altered to exceed the height limit established for the district in which the building is located.

(3) No building shall be erected, converted, enlarged, reconstructed or structurally altered except in conformity with the yard and lot area regulations of the district in which the building is located.

(4) No building shall be erected or structurally altered to the extent specifically provided hereinafter except in conformity with the off-street parking and loading regulations of the district in which such building is located, except for as otherwise allowed in Chapter 1270.

(5) No building or structure shall be enlarged or altered and no use of a premises shall be changed in any way which increases its nonconformity, except for as otherwise allowed in Chapter 1270.

(6) The minimum yards, parking spaces and other open spaces, including the lot area per family, required by this Zoning Code for each and every building existing at the time of passage of this Zoning Code (November 24, 2020) or for any building hereafter erected, shall not be encroached upon or considered as yard or open space requirements for any other building, nor shall any lot area be reduced beyond the district requirements of this Zoning Code.

(7) Every building hereinafter erected or structurally altered shall be on a lot, provided that a lot may be subdivided or a series of lots may be increased in number and decreased in size, so long as each new lot is not less than 100 feet in depth and in conformity with the width requirements of Chapter 1240. In no case shall there be more than one main building on one lot unless otherwise provided in this Zoning Code.

(b) Essential Services. Essential services shall be permitted as authorized and regulated by law and ordinances of the City. It is the intention of this Zoning Code to exempt such essential services from the application of this Zoning Code.

(c) Land Under Water; Streets. All areas within the City which are under water or a public right-of-way and not shown as included within any district shall be subject to all of the regulations of the district which immediately adjoins the water or right-of-way area. If the water or right-of-way area adjoins two or more districts, the boundaries of each district shall be construed to extend into the water or right-of-way area in a straight line until they meet the other district.

(d) Annexed Land.

(1) Whenever any areas are annexed to the City, one of the following conditions shall prevail:

A. All lots, tracts or land which may hereafter be annexed to the City shall be classified as being in whichever district as most clearly conforms to the zoning that existed in the annexed area. Such classifications shall be recommended by the Planning Commission to the City Commission and the City Commission shall approve the same by resolution.

B. If any lot, tract or land is not subject to zoning at the time of annexation, it shall be classified as R-1A Single-Family whenever the land is vacant and otherwise shall be classified into whatever district of this Zoning Code most closely conforms to the existing use of the annexed area. Such classification shall be approved in the same manner as described for property that is zoned when annexed.

(2) In all cases, there shall be a public hearing, within a reasonable time after annexation, on the question of a permanent zoning classification. The hearing before the Planning

Commission and the subsequent action by the City Commission shall follow the procedure to establish amendments in accordance with Section 1281.01(c).

(e) Vacation of Streets. Whenever any street, alley or other public way is vacated by official action of the City Commission or by the courts, the zoning district adjoining each side of such street, alley or other public way shall be automatically extended to the center of such vacation and all area included in the vacation shall then and henceforth be subject to all appropriate regulations of the extended district.

(f) Uses Not Specifically Mentioned. The City Zoning Administrator or their designee shall have the power to classify a use, which is not specifically mentioned in this Zoning Code, along with a comparable permitted or prohibited use for the purpose of the use regulations in any district. The City Planning and Zoning Administrator or their designee may refer these appeals to the Zoning Board of Appeals.

Chapter 1240 Zoning Districts and Maps

1240.01 DISTRICTS ESTABLISHED.

In order to classify, regulate and restrict the location of trades, industries, and buildings designed for specified uses, to regulate and limit the height and bulk of buildings hereafter erected or structurally altered, to regulate and limit the intensity of the use of lot areas, and to regulate and determine the areas of yards, courtyards and other open spaces within and surrounding such buildings, the City is hereby divided into districts, as follows:

- G Green District
- AG Agricultural District
- R-1R Single Family Residential District
- R-1A Single-Family Residential District
- R-1B Single-Family Residential District
- R-2 Two Family Residential District
- R-3 Multiple Family Residential District
- MFR High Density Multiple Family Residential District
- B-1 Corridor Commercial District
- B-2 Regional Commercial District
- T-3 Neighborhood Commercial District
- T-4 Downtown Commercial
- T-5 Core Downtown Commercial District
- T-6 Lakeview District
- I-1 Light Industrial District
- I-2 Heavy Industrial District
- S Spark District

1240.02 TABLE OF PERMITTED USES.

The following table lists the permitted uses and special land uses in each zoning district. When a use is classified by square footage, the square footage listed refers to the gross square footage of a building and not the square footage of an individual tenant unit. A use classified by capacity, refers to the capacity established by the City Fire Inspector. Whenever a specific development standard is included for a particular use in the table below, any development must comply with the requirement of the referenced section in addition to all of the other applicable requirements of this Code. All development standards for specific uses are listed in Section 1251 and in other areas of this Code. Additionally, any use that is a special land use must also comply with the standards of Section 1281.05.

		G	AG	R1-R	R1-A	R1-B	R-2	R-3	MF-R	B-1	B-2	T-3	T-4	T-5	T-6	I-1	I-2	S	Use Standard
Uses																			
<i>A</i>	Accessory Use																		
<i>A^s</i>	Accessory Use Requiring SLU Approval																		
<i>E</i>	Existing Use																		
<i>P</i>	Permitted Use																		
<i>S</i>	Special Use																		
Residential Uses																			
<i>Accessory Dwelling Unit</i>				<i>A^s</i>	<i>A^s</i>	<i>A^s</i>	<i>A</i>	<i>A</i>				<i>A</i>	<i>A</i>	<i>A</i>				<i>A</i>	
<i>Bed and Breakfast</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>				<i>P</i>							1251.09
<i>Home Occupation</i>	<i>A</i>	<i>A</i>	<i>A</i>	<i>A</i>	<i>A</i>	<i>A</i>	<i>A</i>							<i>A</i>					1251.18
<i>Multi-Family Dwelling Units</i>							<i>P</i>	<i>P</i>				<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>			<i>P</i>	1251.33
<i>Personal-Scale Wind Energy Facility</i>	<i>A</i>	<i>A</i>	<i>A</i>	<i>A</i>	<i>A^s</i>	<i>A^s</i>						<i>A</i>						<i>A</i>	1251.39
<i>Rooming and Boarding Houses</i>						<i>P</i>	<i>P</i>												1251.43

Uses	G	AG	R1-R	R1-A	R1-B	R-2	R-3	MF R	B-1	B-2	T-3	T-4	T-5	T-6	I-1	I-2	S	Use Standard
<i>Single Family Dwelling Unit Attached</i>							P	P			P	P	E				P	
<i>Single Family Dwelling Unit Detached</i>	P	P	P	P	P	P	P	P	E	E	P	E	E	P	E	E	P	
<i>State Licensed Child Care Family Home, 1-7 Children</i>	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	1251.45
<i>State Licensed Child Care Group Home, 8-14 Children</i>	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	1251.46
<i>State Licensed Child Care Center</i>	P							P	P	P	P	P	P	P	P	P	P	
<i>State Licensed Residential Facility, Adult Foster Care Family Home, 1-6 Persons</i>	P	P	P	P	P	P	P	P			P	P						1251.47
<i>State Licensed Residential Facility Adult Foster Care Small Group Home, 7-12 Persons</i>	S	S	S	S	S	S	S	S										1251.48
<i>State Licensed Residential Facility Adult Foster Care Large Group Home 13-20 Persons</i>	S	S	S	S	S	S	S	S										
<i>Transitional and Supportive Home, 1-6 Persons</i>			P	P	P	P	P	P			P	P		P				1251.49

Uses	G	AG	R1-R	R1-A	R1-B	R-2	R-3	MF R	B-1	B-2	T-3	T-4	T-5	T-6	I-1	I-2	S	Use Standard
<i>Transitional and Supportive Home, more than 6 Persons</i>			S	S	S	S	S	S			P	P		P				1251.50
<i>Community Residential Facility and Group Homes</i>						S	S	S										1251.48
<i>Two-Family Dwelling Units</i>						P	P	P			P	P	P	P			P	
Commercial Uses																		
<i>Adult Business</i>									S						S	S		1251.02
<i>Agri-Tourism</i>		S																
<i>Arena/Theater</i>									P	P							P	
<i>Artisan/Maker Space</i>									P	P	S	P	P	P	P	P	P	
<i>Assisted Senior Living</i>							P	P	P	P	P	P					P	1251.03
<i>Automobile Car Wash Establishment</i>									P	P				E	S	S		1251.04
<i>Automobile Repair</i>									P	P				E	P	P		1251.05
<i>Automobile Service Station</i>									S	P				E	P	P		1251.06

Uses	G	AG	R1 -R	R1- A	R1 -B	R- 2	R- 3	MF R	B- 1	B-2	T- 3	T- 4	T-5	T-6	I-1	I-2	S	Use Standar d
<i>Automobile or Vehicle Dealership</i>									P	P					P			1251.07
<i>Banquet and Meeting Hall < 100 cap.</i>	S						S	S	P	P	P	P	P				P	1251.08
<i>Banquet and Meeting Hall > 100 cap.</i>	S						S	S	P	P		P	P				P	1251.08
<i>Bar, Tavern, or Saloon</i>									S	P	S	P	P	P	S	S	P	
<i>Bookstore</i>									P	P	P	P	P	P			P	
<i>Brewpub</i>									P	P	S	P	P	P	P	P	P	
<i>Catering Business</i>									P	P	P	P	P	P				
<i>Convalescent Home, Nursing Home, or Home for the Aged</i>							P	P	P	P	P	P	S				S	1251.13
<i>Distillery, Winery – w/ or w/o Food</i>	P	P	S						P	P	S	P	P	P	P	P	P	
<i>Drive-Thru Business</i>									P	P				P	P	P	P	1251.14
<i>Event Center</i>									P	P		P	P					
<i>Farm Equip. and Heavy Machinery Sales</i>															P	P		

Uses	G	AG	R1-R	R1-A	R1-B	R-2	R-3	MF R	B-1	B-2	T-3	T-4	T-5	T-6	I-1	I-2	S	Use Standard
<i>Financial Institutions</i>									P	P	P	P	P	P	P	P	P	
<i>Funeral Homes, Mortuaries, and Crematoriums (No Crematoriums B-1, T-3,4)</i>									P*	P	S*	S*			S			
<i>Hospital > 20,000 s.f.</i>								S	S	S		S	S	E	S	S		1251.19
<i>Hotel</i>										P	S	P	P	P			P	1251.20
<i>Independent Senior Living with Services</i>							P	P	P		P	P	P	P			P	1251.21
<i>Indoor Recreation</i>	P								P	P	P	P	P	P			P	
<i>Kennels/Veterinarian</i>	S	S	S						P	P					S	P	S	1251.23
<i>Marihuana: Adult-Use Marihuana Microbusiness</i>									P	P	S			E	P	P		1251.24 1251.26 1251.27
<i>Marihuana: Adult-Use Marihuana Retailers</i>									P	P	S	P	P	E	P	P		1251.24 1251.25 1251.27
<i>Marihuana: Medical Marihuana Provisioning Center</i>									P	P	S	P	P	E	P	P		1251.24 1251.30

Uses	G	AG	R1-R	R1-A	R1-B	R-2	R-3	MF-R	B-1	B-2	T-3	T-4	T-5	T-6	I-1	I-2	S	Use Standard
																		1251.27
<u>Medical or Dental Clinic < 5,000 s. f.</u>									P	P	P	P	P	P				
Medical or Dental Clinic <20,000 s.f.								P	P	P	S	P	P	E	P		P	
Motel										P	S	P	P	P			P	1251.34
Microbrewery									P	P	S	P	P	P	P	P	P	1251.35
Nightclub									S	P	S	P	P		S	S	P	
Office < 5,000 s.f.									P	P	P	P	P		A	A	P	
Office 5,000 – 17,000 s.f.									P	P	P	P	P	P	A	A	P	
Office > 17,000 s.f.									P	P	S	P	P	E	A	A	P	
Outdoor Recreation/Private	P	P							P	P				P				1251.36
Outdoor Recreation/Public	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	1251.36
Outdoor Storage									A	A				A	A	A		1251.37
Pawn Broker									P	P	S							

Uses	G	AG	R1 -R	R1- A	R1- -B	R- 2	R- 3	MF R	B- 1	B-2	T- 3	T- 4	T-5	T-6	I-1	I-2	S	Use Standar d
<i>Personal Service Establishment</i>									P	P	P	P	P	P			P	1251.40
<i>Private Club</i>									P	P	P	P	P	P				
Restaurant																		
<i>Carry-Out Restaurant</i>									P	P	P	P	P	P	P	P	P	
<i>Drive-In Restaurant</i>									P	P	P	S		P	P	P	P	
<i>Drive-Thru Restaurant</i>									P	P	S	S		P	P	P		1251.14
<i>Full-Service Restaurant</i>									P	P	P	P	P	P	P	P	P	
<i>Limited-Service Restaurant</i>									P	P	P	P	P	P	P	P	P	
<i>Retail Sales < 5,000 s.f.</i>									P	P	P	P	P	P	S	S	P	
<i>Retail Sales 5,000 – 17,000 s.f.</i>									P	P	P	P	P	P	S	S	P	
<i>Retail Sales > 17,000 s.f.</i>									P	P	S	P	P	P	S	S	P	
<i>Tree Farm</i>	P	P																
<i>Vehicle Repair, Major</i>									S	S				E	P	P		1251.54

Uses	G	AG	R1 -R	R1- A	R1- -B	R- 2	R- 3	MF R	B- 1	B-2	T- 3	T- 4	T-5	T-6	I-1	I-2	S	Use Standar d
<i>Vehicle Repair, Minor</i>									P	P				E	P	P		
Industrial Uses																		
<i>Junk and Salvage Yard</i>															S	S		1251.22
<i>Manufacturing</i>															P	P		
<i>Marihuana: Medical and Adult Use Marihuana Grow Operation</i>															P	P		1251.24
																		1251.27
<i>Marihuana: Medical and Adult Use Marihuana Processing Facility</i>															P	P		1251.24
																		1251.27
<i>Marihuana: Medical and Adult Use Marihuana Safety Compliance Facility</i>									P	P					P	P		1251.24
																		1251.27
<i>Marihuana: Medical and Adult Use Marihuana Secure Transporter</i>									P	P					P	P		1251.24
																		1251.27
<i>Research and Development</i>									S	P		S			P	P	P	
<i>Self-Storage Facilities</i>									P	P								1251.44

Uses	G	AG	R1-R	R1-A	R1-B	R-2	R-3	MF R	B-1	B-2	T-3	T-4	T-5	T-6	I-1	I-2	S	Use Standard
<i>Transportation and Logistics</i>									S	S					P	P	P	
<i>Utility-Scale Solar Energy Facility</i>		S	S						A	A					P	P		1251.52
<i>Utility-Scale Wind Energy Facility</i>		S	S													S		1251.53
<i>Warehouse</i>									S	S					P	P	P	
<i>Wholesale</i>									S	S					P	P	P	
Other Uses																		
<i>Accessory Buildings</i>	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	1260.01
<i>Adaptive Reuse</i>	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	1251.01
<i>Campground</i>	S	S	S	S	S	S												1251.09
<i>Cemetery</i>		S	S	S	S	S	S	S	S	S	S			E	S	S	S	1251.10
<i>Community Garden</i>	P	P	P	P	P	P	P	P			P						P	1251.11
<i>Essential Services</i>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	1240.21(b)
<i>Farmer's Market</i>	A/S	A/S									A/S	A	A				A	1251.15

Uses	G	AG	R1 -R	R1- A	R1- -B	R- 2	R- 3	MF R	B- 1	B-2	T- 3	T- 4	T-5	T-6	I-1	I-2	S	Use Standar d
<i>Food Truck</i>									A	A	A	A	A	A	A	A	A	
<i>General and Specialized farms, including crops and the raising and keeping for profit of cattle, hogs, horses, ponies, sheep and similar livestock</i>		P																1251.17
<i>Government/Public Uses</i>									P	P	P	P	P	P	P		P	1251.16
<i>Greenhouse/Nursery (Principal Use)</i>	P	P	P							P				P	P		P	
<i>Institutions of Higher Education</i>	S	S	S	S	S	S	S	P	P	P	S	P	P	P	P	P	P	
<i>Marinas</i>	S										S						S	
<i>Parking as a Principal Use</i>										S		S	S	S	S	S	S	
<i>Private K-12 Schools</i>			S	S	S	S	S	S	P	P	S	S	P				S	
<i>Private Garden</i>	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	1251.41
<i>Public K-12 Schools</i>			P	P	P	P	P	P	P	P	P	P	P	P			P	

Uses	G	AG	R1 -R	R1- A	R1- -B	R- 2	R- 3	MF R	B- 1	B-2	T- 3	T- 4	T-5	T-6	I-1	I-2	S	Use Standar d
<i>Public and private conservation areas and structures for the conservation of open space, water, soil, forest, and wildlife resources</i>	P	P																
<i>Religious Institutions</i>	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P	P	P	1251.42
<i>Telecommunications</i>	Refer to Section 1251.49 to see where telecommunication towers are permitted.																1251.49	
<i>Mobile Home Park Overlay District</i>	Refer to Section 1250.05 for Mobile Home Park requirements.																1250.05	

1240.03 G GREEN DISTRICT.

(a) Purpose

It is the purposes of this district to:

1. Preserve and protect natural and man-made water areas, flood plains, marshes, and wetlands from development other than open spaces or recreational uses
2. Preserve and protect agricultural districts and/or wildlife habitats
3. Limit residential and commercial development and encourage design that preserves natural environments
4. Retain natural drainage patterns
5. Preserve and protect the values of distinctive geologic, topographic, botanic, historic, or scenic areas

(b) Permitted Uses

- Bed and Breakfast (Section 1251.09)
- Community Garden (Section 1251.12)
- Child Care Centers
- Distillery, Winery – w/ or w/o food
- Essential Services
- Greenhouse/Nursery (Principal Use)
- Indoor Recreation
- Outdoor Recreation/Private (Section 1251.36)
- Outdoor Recreation/Public (Section 1251.36)
- Public and private conservation areas and structures for the conservation of open space, water, soil, forest, and wildlife resources
- Single Family Dwelling Unit Detached
- State Licensed Residential Facility, Adult Foster Care Family Home, 1-6 Persons (Section 1251.47)
- Tree Farm

(c) Special Land Uses

- Adaptive Reuse (Section 1251.01)
- .
- Banquet and Meeting Hall (Section 1251.08)
- Campground (Section 1251.10)
- Farmers Market (Section 1251.15)
- Institutions of Higher Education
- Kennels (Section 1251.23)
- Marinas
- Religious Institutions (Section 1251.42)
- State Licensed Residential Facility, Adult Foster Care Small Group Home, 7-12 Persons (Section 1251.48)
- State Licensed Residential Facility, Adult Foster Care Large Group Home, 13-20 Persons (Section 1251.48)

Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses.

(d) Accessory Uses

- Accessory Buildings (Section 1260.01)
- Farmers Market (Section 1251.15)
- Home Occupation (Section 1251.18)
- Personal-Scale Wind Energy Facility (Section 1251.39)
- Private Gardens (Section 1251.41)

<ul style="list-style-type: none"> • State Licensed Child Care Family Home, 1-7 Children (Section 1251.45) • State Licensed Child Care Group Home, 8-14 Children (Section 1251.46) 	
(e) Dimension Regulations	
Lot Standards	G
Minimum Lot Area (sq. ft.)	Not Required
Maximum Residential Units Per Acre	1
Minimum Lot Width (ft.)	150
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	Not Required
Primary Dwelling Setbacks Requirements	
Front Yard Setback (ft.)	35
Rear Yard Setback (ft.)	35
Side Yard Setback (ft.)	15
Primary Dwelling Height Requirement	
Maximum Building Height	35 ft., 2.5 stories
<p>Footnotes: Refer to Section 1241.03 Footnotes to Schedule of Regulations wherever a footnote is referenced in lowercase letters in parentheses. Some uses have specific standards that overrule the dimensional regulations above under Section 1241.07. Refer to Chapter 1251 for additional dimensional regulations for specific uses.</p>	

1240.04 AG AGRICULTURAL DISTRICT.

(a) Purpose	
<p>It is the purposes of this district to provide rural areas used predominantly for general farming operations. Although urban development is occurring at a substantial rate in the City, agriculture remains an important economic activity, and in the proper interest of the welfare of present and future residents, it is considered necessary to conserve an effective environment for stable, productive agricultural operations.</p> <p>The regulations of this chapter, therefore, are designed to:</p> <ol style="list-style-type: none"> 1. Protect and stabilize the essential characteristics of these areas 2. Minimize conflicting land uses detrimental to farm enterprises 3. Exclude development which requires highway, drainage, and other public utilities and facilities in excess of those required by agricultural uses 	
(b) Permitted Uses	(c) Special Land Uses
<ul style="list-style-type: none"> • Bed and Breakfast (Section 1251.09) • Community Garden (Section 1251.12) • Distillery, Winery – w/ or w/o food 	<ul style="list-style-type: none"> • Adaptive Reuse (Section 1251.01) • Agri-Tourism • Campground (Section 1251.10)

<ul style="list-style-type: none"> • Essential Services • General and specialized farms, including crops and the raising and keeping of livestock (Section 1251.17) • Greenhouse/Nursery (Principal Use) • Outdoor Recreation/Private (Section 1251.36) • Outdoor Recreation/Public (Section 1251.36) • Public and private conservation areas and structures for the conservation of open space, water, soil, forest, and wildlife resources • Single Family Dwelling Unit Detached • State Licensed Residential Facility, Adult Foster Care Family Home, 1-6 Persons (Section 1251.47) • Tree Farm 	<ul style="list-style-type: none"> • Cemetery (Section 1251.11) • Farmers Market (Section 1251) • Institutions of Higher Education • Kennels/Veterinarian (Section 1251.23) • Religious Institutions (Section 1251.42) • State Licensed Residential Facility, Adult Foster Care Small Group Home, 7-12 Persons (Section 1251.48) • State Licensed Residential Facility, Adult Foster Care Large Group Home, 13-20 Persons (Section 1251.48) • Utility-Scale Solar Energy Facility (Section 1251.52) • Utility-Scale Wind Energy Facility (Section 1251.53)
<p>Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses.</p>	
<p>(d) Accessory Uses</p> <ul style="list-style-type: none"> • Accessory Buildings (Section 1260.01) • Farmers Market (Section 1251.15) • Home Occupation (Section 1251.18) • Personal-Scale Wind Energy Facility (Section 1251.39) • Private Gardens (Section 1251.39) • State Licensed Child Care Family Home, 1-7 Children (Section 1251.45) • State Licensed Child Care Group Home, 8-14 Children (Section 1251.46) 	
<p>(e) Dimension Regulations</p>	
Lot Standards	AG
Minimum Lot Area (sq. ft.)	Not Required
Maximum Residential Units Per Acre	.33
Minimum Lot Width (ft.)	150
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	Not Required
<p>Primary Dwelling Setback Requirements</p>	
Front Yard Setback (ft.)	(c)
Rear Yard Setback (ft.)	(c)
Side Yard Setback (ft.)	(c)

Primary Dwelling Height Requirement	
Maximum Building Height	35 ft., 2.5 stories
<p>Footnotes: Refer to Section 1241.03 Footnotes to Schedule of Regulations wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations above under Section 1241.07. Refer to Chapter 1251 for additional dimensional regulations for specific uses.</p>	

1240.05 R-1R SINGLE-FAMILY RESIDENTIAL DISTRICT.

(a) Purpose	
<p>It is the purpose of this district to establish residential properties of a semi-rural character that includes areas of the City presently without water and sewerage services and likely to remain without such services, in whole or in part, indefinitely. The R-1R Single-Family Rural Residential District includes existing low-density one-family properties, as well as areas within which such developments appear both likely and desirable.</p>	
(b) Permitted Uses	(c) Special Land Uses
<ul style="list-style-type: none"> • Bed and Breakfast (Section 1251.09) • Community Garden (Section 1251.12) • Essential Services • Greenhouse/Nursery (Principal Use) • Outdoor Recreation/Public (Section 1251.35) • Public K-12 Schools • Single Family Dwelling Unit Detached • State Licensed Residential Facility, Adult Foster Care Family Home, 1-6 Persons (Section 1251.47) • State Licensed Residential Facility, Adult Foster Care Small Group Home, 7-12 Persons (Section 1251.48) • Transitional and Supportive Home, 1-6 Persons (Section 1251.49) 	<ul style="list-style-type: none"> • Adaptive Reuse (Section 1251.01) • . • Campground (Section 1251.10) • Cemetery (Section 1251.11) • Distillery, Winery – w/ and w/o food • Institutions of Higher Education • Private K-12 Schools • Kennels/Veterinarian (Section 1251.23) • Religious Institution (Section 1251.42) • State Licensed Residential Facility, Adult Foster Care Large Group Home, 13-20 Persons (Section 1251.48) • Transitional and Supportive Home, ore than 6 Persons • Utility-Scale Solar Energy Facility (Section 1251.52) • Utility-Scale Wind Energy Facility (Section 1251.53)
<p>Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses.</p>	
(d) Accessory Uses	
<ul style="list-style-type: none"> • Accessory Buildings (Section 1260.01) • Home Occupation (Section 1251.18) • Personal-Scale Wind Energy Facility (Section 1251.39) 	

- Private Gardens (Section 1251.41)
- State Licensed Child Care Family Home, 1-7 Children (Section 1251.45)
- State Licensed Child Care Group Home, 8-14 Children (Section 1251.46)

(e) Dimension Regulations

Lot Standards	R-1R
Minimum Lot Area (sq. ft.)	Not Required
Maximum Residential Units Per Acre	1.45
Minimum Lot Width (ft.)	120
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	Not Required
Primary Dwelling Setback Requirements	
Front Yard Setback (ft.)	35
Rear Yard Setback (ft.)	35
Side Yard Setback (ft.)	15
Primary Dwelling Height	
Maximum Building Height	35 ft., 2.5 stories

Footnotes: Refer to Section 1241.03 Footnotes to Schedule of Regulations wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations above under Section 1241.07. Refer to Chapter 1251 for additional dimensional regulations for specific uses.

1240.06 R-1A SINGLE-FAMILY RESIDENTIAL DISTRICT.

(a) Purpose

It is the purpose of this district to establish areas of primarily single-family detached residential properties of a semi-suburban to suburban, low-density character, usually served by City water and sewer.

(b) Permitted Uses

- Bed and Breakfast (Section 1251.09)
- Community Garden (Section 1251.12)
- Essential Services
- Outdoor Recreation/Public (Section 1251.36)
- Public K-12 Schools
- Single Family Dwelling Unit Detached

(c) Special Land Uses

- Adaptive Reuse (Section 1251.01)
- Campground (Section 1251.10)
- Cemetery (Section 1251.11)
- Institutions of Higher Education
- Private K-12 Schools
- Personal-Scale Wind Energy Facility (Section 1251.39)
- Religious Institutions (Section 1251.42)

<ul style="list-style-type: none"> • State Licensed Residential Facility, Adult Foster Care Family Home, 1-6 Persons (Section 1251.49) • State Licensed Residential Facility, Adult Foster Care Small Group Home, 7-12 Persons (Section 1251.48) • Transitional and Supportive Home, 1-6 Persons (Section 1251.47) 	<ul style="list-style-type: none"> • State Licensed Residential Facility, Adult Foster Care Large Group Home, 13-20 Persons (Section 1251.48) • Transitional and Supportive Home, more than 6 Persons (Section 1251.50)
Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses.	
(d) Accessory Uses	
<ul style="list-style-type: none"> • Accessory Buildings (Section 1260.01) • Accessory Dwelling Unit attached to the primary dwelling, with SLU approval • Home Occupation (Section 1251.18) • Private Gardens (Section 1251.41) • State Licensed Child Care Family Home, 1-7 Children (Section 1251.45) • State Licensed Child Care Group Home, 8-14 Children (Section 1251.46) 	
(e) Dimension Regulations	
Lot Standards	R-1A
Minimum Lot Area (sq. ft.)	Not Required
Maximum Residential Units Per Acre	5.80
Minimum Lot Width (ft.)	60
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	30
Primary Dwelling Setback Requirements	
Attached accessory dwellings shall comply with the primary dwelling setback requirements.	
Front Yard Setback (ft.)	30
Rear Yard Setback (ft.)	35
Side Yard Setback (ft.)	8
Primary Dwelling Height Requirement	
Attached accessory dwellings shall comply with the primary dwelling height requirements	
Maximum Building Height	35 ft., 2.5 stories
Footnotes: Refer to Section 1241.03 Footnotes to Schedule of Regulations wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations	

above under Section 1241.07. Refer to Chapter 1251 for additional dimensional regulations for specific uses.

1240.07 R-1B SINGLE-FAMILY RESIDENTIAL DISTRICT.

(a) Purpose	
It is the purpose of this district to establish primarily single-family detached residential properties of a suburban, medium-density character. This district includes those areas, which are serviced by City water and sewer.	
(b) Permitted Uses	(c) Special Land Uses
<ul style="list-style-type: none"> • Bed and Breakfast (Section 1251.09) • Community Garden (Section 1251.12) • Essential Services • Outdoor Recreation/Public (Section 1251.36) • Public K-12 Schools • Single Family Dwelling Unit Detached • State Licensed Residential Facility, Adult Foster Care Family Home, 1-6 Persons (Section 1251.47) • Transitional and Supportive Home, 1-6 Persons (Section 1251.49) 	<ul style="list-style-type: none"> • Adaptive Reuse (Section 1251.01) • Campground (Section 1251.10) • Cemetery (Section 1251.11) • Institutions of Higher Education • Private K-12 Schools • Personal-Scale Wind Energy Facility (Section 1251.39) • Religious Institutions (Section 1251.42) • State Licensed Residential Facility, Adult Foster Care Small Group Home, 7-12 Persons (Section 1251.48) • State Licensed Residential Facility, Adult Foster Care Large Group Home, 13-20 Persons (Section 1251.48) • Transitional and Supportive Home, more than 6 Persons (section 1251.50)
Refer to Section 1230.06 for definitions for uses and refer to Chapter 1251 for development standards for specific uses.	
(d) Accessory Uses	
<ul style="list-style-type: none"> • Accessory Buildings (Section 1260.01) • Accessory Dwelling Unit attached to the primary dwelling, with SLU approval • Home Occupation (Section 1251.18) • Private Gardens (Section 1251.41) • State Licensed Child Care Family Home, 1-7 Children (Section 1251.45) • State Licensed Child Care Group Home, 8-14 Children (Section 1251.46) 	
(e) Dimension Regulations	
Lot Standards	R-1B
Minimum Lot Area (sq. ft.)	Not Required
Maximum Residential Units Per Acre	8.7
Minimum Lot Width (ft.)	50

Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	30
Primary Dwelling Setback Requirements	
Attached accessory dwellings shall comply with the primary dwelling setback requirements.	
Front Yard Setback (ft.)	25
Rear Yard Setback (ft.)	30
Side Yard Setback (ft.)	6
Primary Dwelling Height Requirement	
Attached accessory dwellings shall comply with the primary dwelling height requirements	
Maximum Building Height	35 ft., 2.5 stories
Footnotes: Refer to Section 1241.03 Footnotes to Schedule of Regulations wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations above under Section 1241.07. Refer to Chapter 1251 for additional dimensional regulations for specific uses.	

1240.08 R-2 TWO FAMILY RESIDENTIAL DISTRICT.

(a) Purpose	
It is the purpose of this district to establish a mix of single- and two-family residential properties of an urban, medium-density character. Limited commercial uses, which tend to complement residential areas should be expected. This district includes street and utility elements expected in an urban setting. Further, this district provides a buffer between single-family and multifamily neighborhoods.	
(b) Permitted Uses	(c) Special Land Uses
<ul style="list-style-type: none"> • Bed and Breakfast (Section 1251.09) • Community Garden (Section 1251.12) • Essential Services • Outdoor Recreation/Public (Section 1251.36) • Public K-12 Schools • Rooming and Boarding Houses, not to Exceed 4 Boarders (Section 1251.43) • Single Family Dwelling Unit Detached • Two-Family Dwelling Units • State Licensed Residential Facility, Adult Foster Care Family Home, 1-6 Persons (Section 1251.47) 	<ul style="list-style-type: none"> • Adaptive Reuse (Section 1251.01) • Campground (Section 1251.10) • Cemetery (Section 1251.11) • Institutions of Higher Education • Religious Institutions (Section 1251.42) • Private K-12 Schools • State Licensed Residential Facility, Adult Foster Care Small Group Home, 7-20 Persons (Section 1251.48) • State Licensed Residential Facility, Adult Foster Care Large Group Home, 13-20 Persons (Section 1251.48)

<ul style="list-style-type: none"> Transitional and Supportive Home, 1-6 Persons (Section 1251.49) 	<ul style="list-style-type: none"> Transitional and Supportive Home, more than 6 Persons (Section 1251.50)
Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses.	
(d) Accessory Uses	
<ul style="list-style-type: none"> Accessory Building (Section 1260.01) Accessory Dwelling Unit attached to the primary dwelling unit, with SLU approval Home Occupation (Section 1251.18) Personal-Scale Wind Energy Facility, with SLU approval (Section 1251.39) Private Gardens (Section 1251.41) State Licensed Child Care Family Home, 1-7 Children (Section 1251.45) State Licensed Child Care Group Home, 8-14 Children (Section 1251.46) 	
(e) Dimension Regulations	
Lot Standards	R-2
Minimum Lot Area (sq. ft.)	Not Required
Maximum Residential Units Per Acre	8.70
Minimum Lot Width (ft.)	60
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	25
Primary Dwelling Setback Requirements	
Attached accessory dwellings shall comply with the primary dwelling setback requirements.	
Front Yard Setback (ft.)	25
Rear Yard Setback (ft.)	25
Side Yard Setback (ft.)	5
Primary Dwelling Height Requirement	
Attached accessory dwellings shall comply with the primary dwelling height requirements	
Maximum Building Height	35 ft., 2.5 stories
<p>Footnotes: Refer to Section 1241.03 Footnotes to Schedule of Regulations wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations above under Section 1241.07. Refer to Chapter 1251 for additional dimensional regulations for specific uses.</p>	

1240.09 R-3 MULTIPLE FAMILY RESIDENTIAL DISTRICT.

(a) Purpose	
<p>It is the purpose of this district to establish high-density multi-family developments located in suburban and urban areas, and commercial development with relatively low intensities that often complement residential neighborhoods. Further, this district supports housing styles of mid- and high-level buildings consisting of garden apartments, and townhome condominiums. The high density of this district is intended to support nearby commercial districts, and provide a transition between commercial and mid-density districts.</p>	
(b) Permitted Uses	(c) Special Land Uses
<ul style="list-style-type: none"> • Assisted Senior Living (Section 1251.03) • Bed and Breakfast (Section 1251.09) • Community Garden (Section 1251.12) • Convalescent Home, Nursing Home, or Home for the Aged (Section 1251.13) • Essential Services • Independent Senior Living with Services (Section 1251.21) • Multi-Family Dwelling Units (Section 1251.33) • Outdoor Recreation/Public (section 1251.36) • Public K-12 Schools • Rooming and Boarding Houses, up to 10 Boarders (Section 1251.43) • Single Family Dwelling Unit Attached • Single Family Dwelling Unit Detached • Two-Family Dwelling Units • State Licensed Residential Facility, Adult Foster Care Family Home, 1-6 Persons (Section 1251.47) • Transitional and Supportive Home, 1-6 persons (Section 1251.49) 	<ul style="list-style-type: none"> • Adaptive Reuse (Section 1251.01) • Banquet and Meeting Hall < 100 capacity (Section 1251.08) • Cemetery (Section 1251.11) • Institutions of Higher Education • Private K-12 Schools • Religious Institutions (Section 1251.42) • State Licensed Residential Facility, Adult Foster Care Small Group Home, 7-12 Persons (Section 1251.48) • State Licensed Residential Facility, Adult Foster Care Large Group Home, 13-20 Persons (Section 1251.48) • Transitional and Supportive Home, more than 6 Persons (Section 1251.50)
<p>Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses.</p>	
(d) Accessory Uses	
<ul style="list-style-type: none"> • Accessory Buildings (Section 1260.01) • Accessory Dwelling Unit attached or detached from the primary dwelling. • Home Occupation (Section 1251.18) • Private Gardens (Section 1251.39) • State Licensed Child Care Family Home, 1-7 Children (Section 1251.45) • State Licensed Child Care Group Home, 8-14 Children (Section 1251.46) 	

(e) Dimension Regulations	
Lot Standards	R-3
Minimum Lot Area (sq. ft.)	Not Required
Maximum Residential Units Per Acre	15
Minimum Lot Width (ft.)	40
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	25
Primary Dwelling Setback Requirements	
Attached accessory dwellings shall comply with the primary dwelling setback requirements.	
Front Yard Setback (ft.)	25
Rear Yard Setback (ft.)	25 (f)
Side Yard Setback (ft.)	5 (f)
Primary Dwelling Height Requirement	
Attached accessory dwellings shall comply with the primary dwelling height requirements	
Maximum Building Height	45 ft., 4 stories
Detached Accessory Dwelling Setback Requirements	
Detached Accessory Dwellings shall be located in the rear yard.	
Rear Yard Setback (ft.)	8
Side Yard Setback (ft.)	8
Detached Accessory Dwelling Height Requirement	
Maximum Building Height	20 ft., 1.5 stories
Footnotes: Refer to Section 1241.03 Footnotes to Schedule of Regulations wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations above under Section 1241.07. Refer to Chapter 1251 for additional dimensional regulations for specific uses.	

1240.10 MFR HIGH DENSITY MULTIPLE FAMILY DISTRICT.

(a) Purpose
It is the purpose of this district to accommodate new types of diversified residential developments of high densities, usually requiring a large tract of unplatted land. The types of residential structures include garden apartments, terrace apartments and row housing units

and those special types of housing structures similar in character and density to multiple family housing.

(b) Permitted Uses	(c) Special Land Uses
<ul style="list-style-type: none"> • Assisted Senior Living (Section 1251.03) • Bed and Breakfast (Section 1251.09) • Child Care Centers • Community Garden (Section 1251.12) • Convalescent Home, Nursing Home, or Home for the Aged (Section 1251.13) • Essential Services • Independent Senior Living with Services (Section 1251.21) • Institutions of Higher Education • Medical or Dental Clinic <20,000 sq. ft. • Multi-Family Dwelling Units (Section 1251.33) • Outdoor Recreation/Public (Section 1251.36) • Public K-12 Schools • Single Family Dwelling Unit Attached • Single Family Dwelling Unit Detached • Two-Family Dwelling Units • State Licensed Residential Facility, Adult Foster Care Family Home, 1-6 Persons (Section 1251.47) • Transitional and Supportive Home, 1-6 Persons (Section 1251.49) 	<ul style="list-style-type: none"> • Adaptive Reuse (Section 1251.01) • Banquet and Meeting Hall (Section 1251.08) • Cemetery (Section 1251.11) • Hospital > 20,000 sq. ft. (Section 1251.19) • Private K-12 Schools • Religious Institutions (Section 1251.42) • State Licensed Residential Facility, Adult Foster Care Small Group Home, 7-12 Persons (Section 1251.48) • State Licensed Residential Facility, Adult Foster Care Large Group Home, 13-20 Persons (Section 1251.48) • Transitional and Supportive Home, more than 6 Persons (Section 1251.50)
<p>Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses.</p>	
(d) Accessory Uses	
<ul style="list-style-type: none"> • Accessory Buildings (Section 1260.01) • Accessory Dwelling Unit attached or detached from the primary dwelling • Private Gardens (Section 1251.41) • State Licensed Child Care Family Home, 1-7 Children (Section 1251.45) • State Licensed Child Care Group Home, 8-14 Children (Section 1251.46) 	
(e) Dimension Regulations	
Lot Standards	MFR
Minimum Lot Area (sq. ft.)	See Section 1241.03(e)
Maximum Residential Units Per Acre	20(d)(e)

Minimum Lot Width (ft.)	120
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	30
Primary Dwelling Setback Requirements	
Attached accessory dwellings shall comply with the primary dwelling setback requirements	
Front Yard Setback (ft.)	35
Rear Yard Setback (ft.)	20
Side Yard Setback (ft.)	20
Primary Dwelling Height Requirement	
Attached accessory dwellings shall comply with the primary dwelling height requirements	
Maximum Building Height	45 ft., 4 stories
Detached Accessory Dwelling Setbacks	
Detached accessory dwellings shall be located in the rear yard.	
Rear Yard Setback (ft.)	8
Side Yard Setback (ft.)	8
Detached Accessory Dwelling Height Requirement	
Maximum Building Height	20 ft., 1.5 stories
Footnotes: Refer to Section 1241.03 Footnotes to Schedule of Regulations wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations above under Section 1241.07. Refer to Chapter 1251 for additional dimensional regulations for specific uses.	

1240.11 B-1 CORRIDOR COMMERCIAL DISTRICT.

(a) Purpose	
It is the purpose of this district to accommodate those retail and business service activities that serve the whole community and the metropolitan region. Such activities require land and structure uses that are typically compact and densely grouped, generating a large volume of pedestrian and vehicular traffic. It is the purpose of these regulations to permit the establishment of a wide variety of business enterprises and to provide flexibility for adaptation to new merchandising techniques.	
(b) Permitted Uses	(c) Special Land Uses
<ul style="list-style-type: none"> Arena/Theater 	<ul style="list-style-type: none"> Adaptive Reuse (Section 1251.01)

- | | |
|---|--|
| <ul style="list-style-type: none"> • Artisan/Maker Space • Assisted Senior Living (Section 1251.03) • Automobile Car Wash Establishment (Section 1251.04) • Automobile or Vehicle Dealership (Section 1251.07) • Automobile Repair (Section 1251.05) • Banquet and Meeting Hall (Section 1251.08) • Bookstore • Brewpub • Catering Businesses • Child Care Centers • Convalescent Home, Nursing Home, or Home for the Aged (Section 1251.13) • Distillery, Winery – w/ or w/o food • Drive-Thru Business (Section 1251.14) • Essential Services • Event Center • Financial Institutions • Funeral Homes, Mortuaries • Government/Public Uses (Section 1251.16) • Indoor Recreation • Institutions of Higher Education • Pawn Broker • Private Club • Private K-12 Schools • Public K-12 Schools • Kennels/Veterinarian (Section 1251.23) • Marihuana: Adult-Use Marihuana Microbusiness (Sections 1251.23, 1251.25) • Marihuana: Adult-Use Marihuana Retailers (Sections 1251.24, 1251.25) • Marihuana: Medical Marihuana Provisioning Center (Section 1251.24, 1251.30) • Marihuana: Medical and Adult-Use Marihuana Safety Compliance Facility (Sections 1251.24, 1251.31) | <ul style="list-style-type: none"> • Adult Business (Section 1251.01) • Automobile Service Station (Section 1251.04) • Bar, Tavern, or Saloon • Cemetery (Section 1251.11) • Hospital > 20,000 sf. (Section 1251.19) • Nightclub • Research and Development • Transportation and Logistics • Vehicle Repair, Major (Section 1251.54) • Warehouse • Wholesale |
|---|--|

- Marihuana: Medical and Adult-Use Marihuana Secure Transporter (Sections 1251.24, 1251.32)
- Medical or Dental Clinic =< 20,000 s.f.
- Microbrewery (Section 1251.35)
- Office
- Outdoor Recreation/Private (Section 1251.36)
- Outdoor Recreation/Public (Section 1251.36)
- Outdoor Storage (Section 1251.37)
- Personal Service Establishment (Section 1251.40)
- Religious Institutions (Section 1251.42)
- Restaurant
 - Carry-Out
 - Drive-In
 - Drive Thru (Section 1251.14)
 - Full Service
 - Limited Service
- Retail Sales
- Self-Storage Facilities (Section 1251.44)
- Vehicle Repair, Minor

Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses.

(d) Existing Uses

- Single Family Dwelling Unit Detached

(e) Accessory Uses

- Accessory Buildings (Section 1260.01)
- Food Truck
- Outdoor Storage (Section 1251.37)
- Private Gardens (Section 1251.41)
- State Licensed Child Care Family Home, 1-7 Children (Section 1251.45)
- State Licensed Child Care Group Home, 8-14 Children (Section 1251.46)
- Utility-Scale Solar Energy Facility (Section 1251.52)

(f) Prohibited Uses

- Sale, rental, or display of motor vehicles, trailers, or boats
- Manufacturing and processing establishments not selling their entire output at retail on the site

(g) Dimension Regulations	
Lot Standards	B-1
Minimum Lot Area (sq. ft.)	Not Required
Maximum Residential Units Per Acre	NA
Minimum Lot Width (ft.)	60
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	Not Required
Primary Dwelling Setback Requirements	
Attached accessory dwellings shall comply with the primary dwelling setback requirements	
Front Yard Setback (ft.)	20
Rear Yard Setback (ft.)	15 (h)
Side Yard Setback (ft.)	15 (g)
Primary Dwelling Height Requirement	
Attached accessory dwellings shall comply with the primary dwelling height requirements	
Maximum Building Height	45 ft., 3 stories
Detached Accessory Dwelling Setback Requirements	
Detached accessory dwellings shall be located in the rear yard.	
Rear Yard Setback (ft.)	8
Side Yard Setback (ft.)	8
Detached Accessory Dwelling Height Requirement	
Maximum Building Height	20 ft., 1.5 stories
Footnotes: Refer to Section 1241.03 Footnotes to Schedule of Regulations wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations. Refer to Chapter 1251 for additional dimensional regulations for specific uses.	

1240.12 B-2 REGIONAL COMMERCIAL DISTRICT.

(a) Purpose	
<p>It is the purpose of this district to accommodate those specialized retail and business service activities herein specified that serve the whole community, as well as persons traveling on interstate highways, and typically may be grouped around a major interstate highway interchange (I-94) generating a considerable volume of vehicular traffic. It is the purpose of these regulations to permit the establishment of a limited variety of business enterprises and to provide flexibility for adaptation to new merchandising techniques as may develop, particularly where the use of motor vehicles is involved. In order to utilize the full potential effectiveness of this District, certain functions that would operate more effectively in other districts and that would interfere with the general business effectiveness of this District have been intentionally excluded.</p>	
(b) Permitted Use	(c) Special Land Uses
<ul style="list-style-type: none"> • Arena/Theater • Artisan/Maker Space • Assisted Senior Living • Automobile Car Wash Establishment (Section 1251.04) • Automobile or Vehicle Dealership (Section 1251.07) • Automobile Repair (Section 1251.05) • Automobile Service Station (section 1251.06) • Banquet and Meeting Hall (Section 1251.08) • Bar, Tavern, or Saloon • Bookstore • Brewpub • Catering Businesses • Child Care Centers • Convalescent Home, Nursing Home, or Home for the Aged (Section 1251.13) • Distillery, Winery – w/ or w/o food • Drive-Thru Business (Section 1251.14) • Essential Services • Event Center • Financial Institutions • Funeral Homes, Mortuaries, and Crematoriums • Government/Public Uses (Section 1251.16) 	<ul style="list-style-type: none"> • Adaptive Reuse (Section 1251.01) • Cemetery (Section 1251.11) • Parking as a Principal Use • Transportation and Logistics • Vehicle Repair, Major (Section 1251.54) • Warehouse • Wholesale

- Greenhouse/Nursery (Principal Use)
- Hospital > 20,000 sq. ft. (Section 1251.19)
- Hotel (Section 1251.20)
- Indoor Recreation
- Institutions of Higher Education
- Kennels/Veterinarian (Section 1251.23)
- Marihuana: Adult-Use Marihuana Microbusiness (Sections 1251.24, 1251.26)
- Marihuana: Adult-Use Marihuana Retailers (Sections 1251.24, 1251.25)
- Marihuana: Medical Marihuana Provisioning Center (Sections 1251.24, 1251.30)
- Marihuana: Medical and Adult-Use Marihuana Safety Compliance Facility (Sections 1251.24, 1251.31)
- Marihuana: Medical and Adult-Use Marihuana Secure Transporter (Sections 1251.24, 1251.32)
- Medical or Dental Clinic =< 20,000 sq. ft
- Microbrewery (Section 1251.35)
- Motel (Section 1251.34)
- Nightclub
- Office
- Outdoor Recreation/Private (Section 1251.36)
- Outdoor Recreation/Public (Section 1251.36)
- Pawn Broker
- Personal Service Establishment (Section 1251.39)
- Private Club
- Private K-12 Schools
- Public K-12 Schools
- Religious Institutions (Section 1251.42)
- Research and Development
- Restaurant
 - Carry-Out
 - Drive-In
 - Drive Thru (Section 1251.14)

<ul style="list-style-type: none"> ○ Full Service ○ Limited Service ● Retail Sales > 17,000 sq. ft. ● Self Storage Facilities (Section 1251.44) ● Vehicle Repair, Major 	
<p>Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses</p>	
<p>(d) Existing Uses</p>	
<ul style="list-style-type: none"> ● Single Family Dwelling Unit Detached 	
<p>(e) Accessory Uses</p>	
<ul style="list-style-type: none"> ● Accessory Buildings (Section 1260.01) ● Food Truck ● Outdoor Storage (Section 1251.37) ● Private Gardens (Section 1251.41) ● State Licensed Child Care Family Home, 1-7 Children (Section 1251.45) ● State Licensed Child Care Group Home, 8-14 Children (Section 1251.46) ● Utility-Scale Solar Energy Facility (Section 1251.52) 	
<p>(f) Dimension Regulations</p>	
Lot Standards	B-2
Minimum Lot Area (sq. ft.)	25,000
Maximum Residential Units Per Acre	NA
Minimum Lot Width (ft.)	150
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	Not Required
Front Yard Setback (ft.)	35
Rear Yard Setback (ft.)	20
Side Yard Setback (ft.)	20
Maximum Building Height	60 ft.
<p>Footnotes: Refer to Section 1241.03 Footnotes to Schedule of Regulations wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations above under Section 1241.07. Refer to Chapter 1251 for dimensional regulations for specific uses.</p>	

1240.13 T-3 NEIGHBORHOOD COMMERCIAL DISTRICT.

(a) Purpose	
It is the purpose of this district to establish and preserve areas for those commercial uses and facilities which are especially useful in close proximity to residential areas, while minimizing the undesirable impact of such uses on the neighborhoods which they serve.	
(b) Permitted Uses	(c) Special Land Uses
<ul style="list-style-type: none"> • Assisted Senior Living (Section 1251.03) • Banquet and Meeting Hall < 100 Capacity (Section 1251.08) • Bed and Breakfast (Section 1251.09) • Bookstore • Catering Businesses • Child Care Centers • Community Garden (Section 1251.12) • Convalescent Home, Nursing Home, or Home for the Aged (Section 1251.13) • Essential Services • Financial Institutions • Government/Public Uses (Section 1251.14) • Indoor Recreation • Independent Senior Living with Services (Section 1251.21) • Medical or Dental Clinic < 5,000 sq. ft. • Multi-Family Dwelling Units (Section 1251.33) • Office < 17,000 sq. ft. • Outdoor Recreation/Public (Section 1251.36) • Personal-Scale Wind Energy Facility (Section 1251.39) • Personal Service Establishments (Section 1251.40) • Private Club • Public K-12 Schools • Religious Institutions (Section 1251.42) • Restaurant <ul style="list-style-type: none"> ○ Carry-Out ○ Drive-In ○ Full Service 	<ul style="list-style-type: none"> • Adaptive Reuse (Section 1251.01) • Artisan/Maker Space • Bar, Tavern, or Saloon • Brewpub • Cemetery (Section 1251.11) • Distillery, Winery – w/ or w/o food • Drive Thru Business (Section 1251.14) • Farmers' Market (Section 1251.15) • Funeral Homes, Mortuaries • Hotel (Section 1251.20) • Institutions of Higher Education • Pawn Broker • Private K-12 Schools • Marihuana: Medical Marihuana Provisioning Center (Sections 1251.24, 1251.30) • Marihuana: Adult-Use Marihuana Retailers (Sections 1251.24, 1251.25) • Marihuana: Adult-Use Marihuana Microbusiness (Sections 1251.24, 1251.26) • Marinas • Medical or Dental Clinic 5,000 to < 20,000 sq. ft. • Microbrewery (Section 1251.35) • Motel (Section 1251.20) • Nightclub • Office >= 17,000 sq. ft. • Retail Sales >= 17,000 sq. ft. • Restaurant <ul style="list-style-type: none"> ○ Drive-Thru (Section 1251.14)

<ul style="list-style-type: none"> ○ Limited Service ● Retail Sales < 17,000 sq. ft. ● Single Family Dwelling Unit Attached ● Single Family Dwelling Unit Detached ● Two-Family Dwelling Units ● State Licensed Residential Facility, Adult Foster Care Family Home, 1-6 Persons (Section 1251.47) ● Transitional and Supportive Home, 1-6 Persons (Section 1251.49) ● Transitional and Supportive Home, more than 6 Persons (Section 1251.50) 	
<p>Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses. Refer to Section 1250.04, Form Based Development Standards for the T-3, T-4, T-5, and T6 Districts for additional development requirements.</p>	
<p>(d) Accessory Uses</p>	
<ul style="list-style-type: none"> ● Accessory Buildings (Section 1260.02) ● Food Truck ● Accessory Dwelling Unit attached or detached from the primary dwelling ● Farmers Market (Sections 1251.15) ● Private Gardens (1251.41) ● State Licensed Child Care Family Home, 1-7 Children (Section 1251.45) ● State Licensed Child Care Group Home, 8-14 Children (Section 1251.46) 	
<p>(e) Dimension Regulations</p>	
<p style="text-align: center;">Lot Standard</p>	<p style="text-align: center;">T-3</p>
<p style="text-align: center;">Minimum Lot Area (sq. ft.)</p>	<p style="text-align: center;">Not Required</p>
<p style="text-align: center;">Maximum Residential Units Per Acre</p>	<p style="text-align: center;">20(d)</p>
<p style="text-align: center;">Minimum Lot Width (ft.)</p>	<p style="text-align: center;">30</p>
<p style="text-align: center;">Minimum Lot Depth (ft.)</p>	<p style="text-align: center;">100 (Section 1240(a)(7))</p>
<p style="text-align: center;">Maximum Percent of Building Coverage</p>	<p style="text-align: center;">40</p>
<p>Primary Dwelling Setback Requirements</p>	
<p>Attached accessory dwellings shall comply with the primary dwelling setback requirements</p>	
<p style="text-align: center;">Front Yard Setback (ft.)</p>	<p style="text-align: center;">See Section 1250.04(d)(1)A</p>
<p style="text-align: center;">Rear Yard Setback (ft.)</p>	<p style="text-align: center;">20 (h)</p>
<p style="text-align: center;">Side Yard Setback (ft.)</p>	<p style="text-align: center;">10 (g)</p>
<p>Primary Dwelling Height Requirement</p>	

Attached accessory dwellings shall comply with the primary dwelling height requirements	
Maximum Building Height	36 ft., 3 stories
Detached Accessory Dwelling Setback Requirements	
Detached accessory dwellings shall be located in the rear yard.	
Rear Yard Setback (ft.)	8
Side Yard Setback (ft.)	8
Detached Accessory Dwelling Height Requirement	
Maximum Building Height	20 ft., 1.5 stories
Footnotes: Refer to Section 1241.03 wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations above under Section 1241.07. Refer to Chapter 1251 for additional dimensional regulations for specific uses.	

1240.14 T-4 DOWNTOWN COMMERCIAL DISTRICT.

(a) Purpose	
It is the purpose of this district to encourage the development, redevelopment and use of properties in a manner compatible with the character of the downtown area and consistent with the protection and enhancement of property values.	
(b) Permitted Uses	(c) Special Land Uses
<ul style="list-style-type: none"> • Artisan/Maker Space • Assisted Senior Living (Section 1251.03) • Banquet and Meeting Hall (Section 1251.08) • Bar, Tavern, or Saloon • Bookstore • Brewpub • Catering Businesses • Child Care Centers • Convalescent Home, Nursing Home, or Home for the Aged (Section 1251.13) • Distillery, Winery – w/ or w/o food • Essential Services • Event Center • Farmers Market (Section 1251.15) • Financial Institutions 	<ul style="list-style-type: none"> • Adaptive Reuse (Section 1251.01) • Drive-Thru Business (Section 1251.14) • Funeral Homes, Mortuaries • Hospital > 20,000 sq. ft. (Section 1251.19) • Private K-12 Schools • Parking as a Principal Use • Research and Development • Restaurant <ul style="list-style-type: none"> ○ Drive-In ○ Drive-Thru (Section 1251.14)

- Government/Public Uses (Section 1251.16)
- Hotel (Section 1251.20)
- Independent Senior Living with Services (Section 1251.21)
- Indoor Recreation
- Institutions of Higher Education
- Marihuana: Adult-Use Marihuana Retailers (Sections 1251.24, 1251.25)
- Marihuana: medical Marihuana Provisioning Center (Sections 1251.24, 1251.30)
- Medical or Dental Clinic < 20,000 sq. ft.
- Microbrewery (Section 1251.35)
- Motel (Section 1251.34)
- Multi-Family Dwelling Units (Section 1251.33)
- Nightclub
- Office
- Outdoor Recreation/Public (Section 1251.36)
- Personal Service Establishments (Section 1251.40)
- Private Club
- Public K-12 Schools
- Religious Institutions (Section 1251.42)
- Retail Sales
- Restaurant
 - Carry-Out
 - Full Service
 - Limited Service
- Single Family Dwelling Unit Attached
- State Licensed Residential Facility, Adult Foster Care Family Home, 1-6 Persons (Section 1251.48)
- Transitional and Supportive Home, 1-6 Persons (Section 1251.49)
- Transitional and Supportive Home, more than 6 Persons (Sections 1251.50)
- Two-Family Dwelling Units

Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses. Refer to Section 1250.04, Form Based Development Standards for the T-3, T-4, T-5 and T-6 Districts for additional development requirements.

(d) Existing Uses

- Single Family Dwelling Unit Detached

(e) Accessory Uses

- Accessory Buildings (Section 1260.02)
- Accessory Dwelling Unit attached or detached from the primary dwelling
- Farmers Market (Section 1251.15)
- Food Truck
- Private Gardens (Section 1251.40)
- State Licensed Child Care Family Home, 1-7 Children (Section 1251.45)
- State Licensed Child Care Group Home, 7-12 Children (Section 1251.46)

(f) Dimension Regulations

Lot Standards	T-4
Minimum Lot Area (sq. ft.)	Not Required
Maximum Residential Units Per Acre	(d)
Minimum Lot Width (ft.)	40
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	Not Required
Primary Dwelling Setback Requirements	
Attached accessory dwellings shall comply with the setback requirements of the primary dwelling	
Front Yard Setback (ft.)	See Section 1250.04(d)(1)A
Rear Yard Setback (ft.)	Not Required
Side Yard Setback (ft.)	Not Required
Primary Dwelling Height Requirement	
Attached accessory dwellings shall comply with the height requirements of the primary dwelling height	
Maximum Building Height	Not Required
Detached Accessory Dwelling Setback Requirements	
Detached accessory dwellings shall be located in the rear yard.	
Rear Yard Setback (ft.)	8

Side Yard Setback (ft.)	8
Detached Accessory Dwelling Height Requirement	
Maximum Building Height	20 ft., 1.5 stories
Footnotes: Refer to Section 1241.03 wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations. Refer to Chapter 1251 for additional dimensional regulations for specific uses.	

1240.15 T-5 CORE DOWNTOWN COMMERCIAL DISTRICT.

(a) Purpose	
<p>It is the purpose of this district to revitalize commercial areas which, through business relocation, substantial change in surrounding uses, changes in the market, or a combination thereof, require the orderly placement of business establishments to provide the maximum use of buildings to accommodate and respond to changes in vehicular and pedestrian traffic flow. To permit the full potential of this district, certain uses which would interfere with the general effectiveness of this District have been intentionally excluded, and uses permitted herein are intended to be strictly limited in their definition. Further, to promote uses that support a walkable downtown environment, mix of uses within a single building, and uses that create activity throughout the day and week.</p>	
(b) Permitted Uses	(c) Special Land Uses
<ul style="list-style-type: none"> • Artisan/Maker Space • Banquet and Meeting Hall (Section 1251.08) • Bar, Tavern, or Saloon • Bookstore • Brewpub • Catering Businesses • Child Care Centers • Distillery, Winery – w/ or w/o food • Essential Services • Event Center • Financial Institutions • Government/Public Uses (Section 1251.16) • Hotel (Section 1251.20) • Independent Senior Living with Services (Section 1251.21) • Indoor Recreation • Institutions of Higher Education 	<ul style="list-style-type: none"> • Adaptive Reuse (Section 1251.01) • Convalescent Home, Nursing Home, or Home for the Aged (Section 1251.13) • Hospital > 20,000 sq. ft. (Section 1251.19) • Parking as a Principal Use

- Marihuana: Adult-Use Marihuana Retailers (Sections 1251.24, 1251.25)
- Marihuana: Medical Marihuana Provisioning Center (Sections 1251.24, 1251.30)
- Medical or Dental Clinic <= 20,000 sq. ft.
- Microbrewery (Section 1251.35)
- Motel (Section 1251.34)
- Multi-Family Dwelling Units (Section 1251.33)
- Nightclub
- Office
- Outdoor Recreation/Public (Section 1251.35)
- Personal Service Establishments (Section 1251.38)
- Private Club
- Private K-12 Schools
- Public K-12 Schools
- Religious Institutions (Section 1251.42)
- Restaurant
 - Carry-Out
 - Drive-In
 - Full Service
 - Limited Service
- Retail Sales
- Two Family Dwelling Units

Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses. Refer to Section 1250.04, Form Based Development Standards for the T-3, T-4, T-5, and T-6 Districts for additional development requirements.

(d) Existing Uses

- **Single Family Dwelling Unit Attached**
- **Single Family Dwelling Unit Detached**

(e) Accessory Uses

- Accessory Buildings (Section 1260.02)
- Accessory Dwelling Unit attached or detached from the primary dwelling
- Farmers Market (Section 1251.15)
- Food Truck
- Private Gardens (Section 1251.41)
- State Licensed Child Care Family Home, 1-7 Children (Section 1251.45)

- State Licensed Child Care Group Home, 8-14 Children (Section 1251.46)

(f) Dimension Regulations

Lot Standards	T-5
Minimum Lot Area (sq. ft.)	Not Required
Maximum Residential Units Per Acre	(d)
Minimum Lot Width (ft.)	30
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	Not Required
Primary Dwelling Setback Requirements	
Attached accessory dwellings shall comply with the setback requirements of the primary dwelling	
Front Yard Setback (ft.)	See Section 1250.04(d)(1)A
Rear Yard Setback (ft.)	Not Required
Side Yard Setback (ft.)	Not Required
Primary Dwelling Height Requirement	
Attached accessory dwellings shall comply with the height requirements of the primary dwelling	
Maximum Building Height	Not Required
Detached Accessory Dwelling Setback Requirements	
Detached accessory dwellings shall be located in the rear yard	
Rear Yard Setback (ft.)	8
Side Yard Setback (ft.)	8
Detached Accessory Dwelling Height Requirement	
Maximum Building Height	20 ft., 1.5 stories
<p>Footnotes: Refer to Section 1241.03 wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations above under Section 1241.07. Refer to Chapter 1251 for additional dimensional regulations for specific uses.</p>	

1240.16 T-6 LAKEVIEW DISTRICT.

(a) Purpose	
<p>It is the purpose of this district to revitalize commercial areas which, through business relocation, substantial change in surrounding uses, changes in the market, or a combination thereof, require the orderly placement of business establishments to provide the maximum use of buildings to accommodate and respond to changes in vehicular and pedestrian traffic flow. To permit the full potential of this district, certain uses which would interfere with the general effectiveness of this District have been intentionally excluded. Further, it is intended to promote uses that support a walkable environment, mix of uses within a single building, and uses that create activity throughout the day and week.</p>	
(b) Permitted Uses	(c) Special Land Uses
<ul style="list-style-type: none"> • Artisan/Maker Space • Automobile Service Station • Banquet and Meeting Hall (Section 1251.08) • Bar, Tavern, or Saloon • Bookstore • Brewpub • Catering Businesses • Child Care Centers • Distillery, Winery – w/ or w/o food • Drive-Thru Business • Essential Services • Financial Institutions • Green house/Nursery (Principal Use) • Government/Public Uses (Section 1251.16) • Hotel (Section 1251.20) • Independent Senior Living with Services (Section 1251.21) • Indoor Recreation • Institutions of Higher Education • Medical or Dental Clinic < 20,000 sq. ft. • Microbrewery (Section 1251.35) • Motel (Section 1251.34) • Multi-Family Dwelling Units (Section 1251.33) • Office < 17,000 sq. ft. • Outdoor Recreation/Private (1251.36) 	<ul style="list-style-type: none"> • Adaptive Reuse (Section 1251.01) • Parking as a Principal Use

- Outdoor Recreation/Public (1251.36)
- Personal Service Establishments (Section 1251.38)
- Private Club
- Public K-12 School
- Religious Institutions (Section 1251.42)
- Restaurant
 - Carry-Out
 - Full Service
 - Limited Service
 - Drive-In
 - Drive-Thru
- Retail Sales
- Single Family Dwelling Unit Attached
- Transitional and Supportive Home, 1-6 (1251.49)
- Transitional and Supportive Home, more than 6 (1251.50)
- Two Family Dwelling Units

Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses. Refer to Section 1250.04, Form Based Development Standards for the T-3, t-4, T-5, and T-6 Districts for additional development requirements.

(e) Existing Use

- Automobile Car Wash Establishment
- Automobile Repair (**Section 1251.05**)
- Cemetery
- Marihuana: Adult-Use Marihuana Microbusiness (Sections 1251.23, 1251.25)
- Marihuana: Adult-Use Marihuana Retailers (Sections 1251.24, 1251.25)
- Marihuana: Medical Marihuana Provisioning Center (Section 1251.24, 1251.30)
- Medical or Dental Clinic > 20,000 sq. ft.
- Office > 17,000
- Vehicle Repair, Major (1251.54)

(f) Accessory Uses

- Accessory Buildings (Section 1260.02)
- Food Truck
- Home Occupation (1251.18)
- Private Gardens (Section 1251.41)
- State Licensed Child Care Family Home, 1-7 Children (Section 1251.45)
- State Licensed Child Care Group Home, 8-14 Children (Section 1251.46)

(g) Dimension Regulations	
Residential Lot Standards	T-6
Minimum Lot Area (sq. ft.)	3,000
Maximum Residential Units Per Acre	(d)
Minimum Lot Width (ft.)	30
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	Not Required
Setback Requirements	
Front Yard Setback (ft.)	See Section 1250.04(d)(1)A
Rear Yard Setback (ft.)	30 ft.
Side Yard Setback (ft.)	10 ft.
Height Requirement	
Maximum Building Height	60 ft.
Commercial/Mixed Use Lot Standards	
Minimum Lot Area (sq. ft.)	Not Required
Minimum Lot Width (ft.)	30 ft.
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	
Setback Requirements	
Front Yard Setback (ft)	See Section 1250.04(d)(1)A
Rear Yard Setback (ft.)	20 ft.
Side Yard Setback (ft.)	20 ft.
Height Requirement	
Maximum Building Height	60 ft.
Footnotes: Refer to Section 1241.03 wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations above under Section 1241.07. Refer to Chapter 1251 for additional dimensional regulations for specific uses.	

1240.17 I-1 LIGHT INDUSTRIAL DISTRICT.

(a) Purpose

The I-1 Light Industrial District is intended to accommodate those industrial uses that generate noise, glare, odors, dust, vibration, air and water pollution, fire and safety hazards, the emission of any potentially harmful or obnoxious matter or radiation or any other nuisance characteristics. It is established as one in which the principal use of the land is for industrial activities wholly compatible with all other uses permitted in this District, commercial

establishments not engaging in retail sales and service establishments which, if doing retail business, are of the type not generally requiring the customer to call at the place of business.

(b) Permitted Uses	(c) Special Land Uses
<ul style="list-style-type: none"> • Artisan/Maker Space • Automobile or Vehicle Dealership (Section 1251.07) • Automobile Repair (Section 1251.05) • Automobile Service Station (Section 1251.06) • Brewpub • Child Care Center • Distillery, Winery – w/ or w/o food • Drive-Thru Business (Section 1251.14) • Essential Services • Farm Implements and Heavy Machinery Sales • Financial Institutions • Government/Public Uses (Section 1251.16) • Greenhouse/Nursery (Principal Use) • Institutions of Higher Education • Manufacturing • Marihuana: Adult-Use Marihuana Microbusiness (Sections 1251.24, 1251.26) • Marihuana: Adult-Use Marihuana Retailers (Sections 1251.24, 1251.25) (must be co-located with a Grower or Processor) • Marihuana: Medical and Adult-Use Marihuana Grow Operation (Sections 1251.24, 1251.28) • Marihuana: Medical and Adult-Use Marihuana Processing Facility (Sections 1251.24, 1251.29) • Marihuana: Medical Marihuana Provisioning Center (Sections 1251.24, 1251.30) (must be co-located with a Grower or Processor) • Marihuana: Medical and Adult-Use Marihuana Safety Compliance Facility (Sections 1251.24, 1251.31) 	<ul style="list-style-type: none"> • Adaptive Reuse (Section 1251.01) • Adult Business (Section 1251.02) • Automobile Car Wash Establishment (Section 1251.04) • Bar, Tavern, or Saloon • Cemetery (Section 1251.11) • Funeral Homes, Mortuaries, and Crematoriums • Hospital > 20,000 sq. ft. (Section 1251.19) • Junk or Salvage Yard (Section 1251.22) • Kennels (Section 1251.23) • Nightclub • Parking as a Principal Use • Retail Sales

<ul style="list-style-type: none"> • Marihuana: Medical and Adult-Use Marihuana Secure Transporter (Sections 1251.24, 1251.32) • Microbrewery (Section 1251.34) • Outdoor Recreation/Public (Section 1251.36) • Religious Institutions (Section 1251.42) • Research and Development • Restaurant <ul style="list-style-type: none"> ○ Carry-Out ○ Drive-In ○ Drive-Thru (Section 1251.14) ○ Full Service ○ Limited Service • Transportation and Logistics • Utility-Scale Solar Energy Facility (Section 1251.52) • Vehicle Repair, Major (Section 1251.53) • Vehicle Repair, Minor (Section 1251.05) • Warehouse • Wholesale 	
<p>Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses.</p>	
<p>(d) Existing Uses</p>	
<ul style="list-style-type: none"> • Single Family Dwelling Unit Detached 	
<p>(e) Accessory Uses</p>	
<ul style="list-style-type: none"> • Accessory Buildings (Section 1260.01) • Office • Outdoor Storage (Section 1251.37) • Private Gardens (Section 1251.41) • State Licensed Child Care Family Home, 1-7 Children (Section 1251.45) • State Licensed Child Care Group Home, 8-14 Children (Section 1251.46) 	
<p>(f) Dimension Regulations</p>	
Lot Standard	I-1
Minimum Lot Area (sq. ft.)	2,900
Maximum Residential Units Per Acre	NA
Minimum Lot Width (ft.)	60
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))

Maximum Percent of Building Coverage	Not Required
Front Yard Setback (ft.)	25
Rear Yard Setback (ft.)	50 (h)
Side Yard Setback (ft.)	25 (g)
Maximum Building Height	Not Required

Footnotes: Refer to Section 1241.03 wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule the dimensional regulations above. Refer to Chapter 1251 for additional dimensional regulations for specific uses.

1240.18 I-2 HEAVY INDUSTRIAL DISTRICT.

(a) Purpose	
The purpose of this district is to provide suitable locations for manufacturing, assembling and fabricating uses, including large-scale or specialized industrial operations requiring good access by road and/or railroad and public and utility services.	
(b) Permitted Uses	(c) Special Land Uses
<ul style="list-style-type: none"> • Artisan/Maker Space • Automobile Repair (Section 1251.05) • Automobile Service Station (Section 1251.06) • Brewpub • Child Care Centers • Distillery, Winery – w/ or w/o food • Drive-Thru Business (Section 1251.14) • Essential Services • Farm Implements and Heavy Machinery Sales • Financial Institutions • Institutions of Higher Education • Kennels (Section 1251.23) • Manufacturing • Marihuana: Adult-Use Marihuana Microbusiness (Sections 1251.24, 1251.26) • Marihuana: Adult-Use Marihuana Retailers (Sections 1251.24, 1251.25) (must be co-located with a Grower or Processor) 	<ul style="list-style-type: none"> • Adaptive Reuse (Section 1251.01) • Adult Business (Section 1251.01) • Automobile Car Wash Establishment (Section 1251.04) • Bar, Tavern, or Saloon • Cemetery (Section 1251.11) • Hospital > 20,000 sq. ft. (Section 1251.19) • Junk or Salvage Yard (Section 1251.22) • Nightclub • Parking as a Principal Use • Retail Sales • Utility-Scale Wind Energy Facility (Section 1251.53)

- Marihuana: Medical and Adult-Use Marihuana Grow Operation (Sections 1251.24, 1251.28)
- Marihuana: Medical and Adult-Use Marihuana Processing Facility (Sections 1251.24, 1251.29)
- Marihuana: Medical Marihuana Provisioning Center (Sections 1251.24, 1251.30) (must be co-located with a Grower or Processor)
- Marihuana Medical and Adult-Use Marihuana Safety Compliance Facility (Section 1251.24, 1251.31)
- Marihuana: Medical and Adult Use Marihuana Secure Transporter (Section 1251.24, 1251.32)
- Microbrewery (Section 1251.35)
- Outdoor Recreation/Public (Section 1251.36)
- Religious Institutions (Section 1251.42)
- Research and Development
- Restaurant
 - Carry-Out
 - Drive-In
 - Drive-Thru (Section 1251.14)
 - Full Service
 - Limited Service
- Transportation and Logistics
- Utility-Scale Solar Energy Facility (Section 1251.52)
- Vehicle Repair, Major (Section 1251.54)
- Vehicle Repair, Minor
- Warehouse
- Wholesale

Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses.

(d) Existing Uses

- Single Family Dwelling Unit Detached

(e) Accessory Uses

- Accessory Buildings (Section 1260.02)
- Carry-Out Restaurant

- Outdoor Storage (Section 1251.37)
- Office
- Private Gardens (Section 1251.40)
- State Licensed Child Care Family Home, 1-7 Children
- State Licensed Child Care Group Home, 8-14 Children

(f) Dimension Regulations

Lot Standards	I-2
Minimum Lot Area (sq. ft.)	2,900
Maximum Residential Units Per Acre	NA
Minimum Lot Width (ft.)	60
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	Not Required
Front Yard Setback (ft.)	25
Rear Yard Setback (ft.)	25 (h)
Side Yard Setback (ft.)	25 (g)
Maximum Building Height	Not Required

Footnotes: Refer to Chapter 1241 wherever a footnote is referenced in parentheses after one of the dimension regulations. Additionally, some uses have specific standards that overrule the dimensional regulations above. Refer to Chapter 1251 for dimensional regulations for specific uses.

1240.19 S SPARK DISTRICT.

(a) Purpose

It is the purpose of this district to encourage and facilitate redevelopment by implementing the following mixed-use policies:

1. **Mix of Land Compatible Land Uses:** Permit a range of compatible land uses, such as residential (from single-family to multi-family), public, institutional, office, retail, personal services use, and appropriate general business uses.
2. **Walkability:** Create a walkable, pedestrian-oriented development that does not conflict with motorized traffic.
3. **Building Location and Site Design:** Ensure that buildings have a strong relationship to the street by requiring development to be human-scale through appropriate building location and site design, including developing areas that include civic spaces and pedestrian amenities and requiring on-street parking along interior streets.
4. **Use of Buildings:** Allow compatible mixed uses to be located in a single building.

(b) Permitted Uses

- Adaptive Reuse (Section 1251.01)
- Arena/Theater
- Artisan/Maker Space

(c) Special Land Uses

- Cemetery (Section 1251.11)
- Convalescent Homes, Nursing Homes, or Homes for the Aged (Section 1251.13)

- | | |
|--|--|
| <ul style="list-style-type: none"> • Assisted Senior Living (Section 1251.03) • Banquet and Meeting Hall (Section 1251.08) • Bar, Tavern, or Saloon • Bookstore • Brewpub • Child Care Centers • Community Garden (Section 1251.10) • Distillery, Winery – w/ or w/o food • Drive-Thru Business (Section 1251.14) • Essential Services • Financial Institutions • Government/Public Uses (Section 1251.16) • Greenhouse/Nursery (Principal Use) • Hotel (Section 1251.20) • Independent Senior Living with Services (Section 1251.21) • Indoor Recreation • Institutions of Higher Education • Medical or Dental Clinic < 20,000 sq. ft. • Microbrewery (Section 1251.35) • Motel (Section 1251.34) • Multi-Family Dwelling Units (Section 1251.33) • Nightclub • Office • Outdoor Recreation/Public (Section 1251.36) • Outdoor Recreation/Private (Section 1251.36) • Personal Service Establishments (Section 1251.40) • Public K-12 Schools • Religious Institutions (Section 1251.42) • Research and Development • Restaurant <ul style="list-style-type: none"> ○ Carry-Out ○ Drive-In ○ Drive-Thru (Section 1251.14) ○ Full Service | <ul style="list-style-type: none"> • Private K-12 Schools • Kennels (Section 1251.23) • Marinas • Parking as a Principal Use |
|--|--|

<ul style="list-style-type: none"> ○ Limited Service ● Retail Sales ● Single Family Dwelling Unit Attached ● Single Family Dwelling Unit Detached ● Transportation and Logistics ● Two-Family Dwelling Units ● Warehouse ● Wholesale 	
<p>Refer to Section 1230.06 for definitions of uses and refer to Chapter 1251 for development standards for specific uses.</p>	
<p>(d) Accessory Uses</p>	
<ul style="list-style-type: none"> ● Accessory Buildings (Section 1260.02) ● Accessory Dwelling Unit attached or detached from the primary dwelling ● Farmers Market (Section 1251.15) ● Personal-Scale Wind Energy Facility (Section 1251.39) ● Private Gardens (Section 1251.41) ● State Licensed Child Care Family Home, 1-7 Children (Section 1251.45) ● State Licensed Child Care Group Home, 8-14 Children (Section 1251.45) 	
<p>(e) Dimension Regulations</p>	
Lot Standards	S
Minimum Lot Area (sq. ft.)	Not Required
Maximum Residential Units Per Acre	20
Minimum Lot Width (ft.)	60
Minimum Lot Depth (ft.)	100 (Section 1240(a)(7))
Maximum Percent of Building Coverage	Not Required
Primary Dwelling Setback Requirements	
<p>Attached accessory dwellings shall comply with the setback requirements of the primary dwelling</p>	
Front Yard Setback (ft.)	Not Required
Rear Yard Setback (ft.)	Not Required
Side Yard Setback (ft.)	Not Required
Primary Dwelling Height Requirement	
<p>Attached accessory dwellings shall comply with the height requirements of the primary dwelling</p>	
Maximum Building Height	Not Required

Detached Accessory Dwelling Setback Requirements	
Detached accessory dwellings shall be located in the rear yard.	
Rear Yard Setback (ft.)	8
Side Yard Setback (ft.)	8
Detached Accessory Dwelling Height Requirement	
Maximum Building Height	20 ft., 1.5 stories
Footnotes: Refer to Section 1241.04 wherever a footnote is referenced in lowercase letters in parentheses after one of the dimension regulations. Some uses have specific standards that overrule these dimensional regulations above under Section 1241.07. Refer to Chapter 1251 for additional dimensional regulations for specific uses. All development in the S Spark District is eligible for administrative approval subject to the discretion of the Zoning Administrator.	

1240.20 OFFICIAL ZONING MAP AND INTERPRETATION.

The boundaries of the districts are shown upon the map, which is made a part of this Zoning Code, which map is designated as the "Official Zoning Map." Such map and all the notations, references and other information shown thereon are a part of this Zoning Code and have the same force and effect as if they were fully set forth or described herein.

Where, due to the scale, illegibility or detail of the map, there is uncertainty, contradiction or conflict as to the location of a district boundary, the interpretation of the exact location of such boundary shall be determined by the Zoning Board of Appeals.

1240.21 DISTRICT BOUNDARY UNCERTAINTIES.

Where uncertainty exists or arises with respect to the boundaries of the various districts as shown on the zoning district map accompanying and made a part of this zoning ordinance in its original form, the following rules apply:

(a) The district boundaries are either streets, alleys, rights of way or watercourses, unless otherwise shown. Where such districts are bounded approximately by streets, alleys, rights of way or watercourses, the same shall be construed to be the boundaries of the districts unless such boundaries are fixed by dimensions as shown on the map.

(b) Where the district boundaries are not otherwise indicated, and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be the lot lines. Where such districts are bounded approximately by lot lines, the lot lines shall be construed to be the boundaries of the districts, unless the boundaries are fixed by dimensions as shown on the map.

(c) In any determined by the use of the scale appearing on the map, unless the same are indicated by dimensions as shown on the map.

1240.22 ZONING DISTRICTS.

(a) Conformity with District Regulations Required. Except as hereinafter provided:

(1) No building or structure shall be erected, converted, enlarged, reconstructed, moved or structurally altered, nor shall any building or land be used, except for a purpose permitted in the district in which the building or land is located.

(2) No building shall be erected, converted, enlarged, reconstructed or structurally altered to exceed the height limit established for the district in which the building is located.

(3) No building shall be erected, converted, enlarged, reconstructed or structurally altered except in conformity with the yard and lot area regulations of the district in which the building is located.

(4) No building shall be erected or structurally altered to the extent specifically provided hereinafter except in conformity with the off-street parking and loading regulations of the district in which such building is located, except for as otherwise allowed in Chapter 1270.

(5) No building or structure shall be enlarged or altered and no use of a premises shall be changed in any way which increases its nonconformity, except for as otherwise allowed in Chapter 1270.

(6) The minimum yards, parking spaces and other open spaces, including the lot area per family, required by this Zoning Code for each and every building existing at the time of passage of this Zoning Code (November 24, 2020) or for any building hereafter erected, shall not be encroached upon or considered as yard or open space requirements for any other building, nor shall any lot area be reduced beyond the district requirements of this Zoning Code.

(7) Every building hereinafter erected or structurally altered shall be on a lot, provided that a lot may be subdivided or a series of lots may be increased in number and decreased in size, so long as each new lot is not less than 100 feet in depth and in conformity with the width requirements of Chapter 1240. In no case shall there be more than one main building on one lot unless otherwise provided in this Zoning Code.

(b) Essential Services. Essential services shall be permitted as authorized and regulated by law and ordinances of the City. It is the intention of this Zoning Code to exempt such essential services from the application of this Zoning Code.

(c) Land Under Water; Streets. All areas within the City which are under water or a public right-of-way and not shown as included within any district shall be subject to all of the regulations of the district which immediately adjoins the water or right-of-way area. If the water or right-of-way area adjoins two or more districts, the boundaries of each district shall be construed to extend into the water or right-of-way area in a straight line until they meet the other district.

(d) Annexed Land.

(1) Whenever any areas are annexed to the City, one of the following conditions shall prevail:

A. All lots, tracts or land which may hereafter be annexed to the City shall be classified as being in whichever district as most clearly conforms to the zoning that existed in the annexed area. Such classifications shall be recommended by the Planning Commission to the City Commission and the City Commission shall approve the same by resolution.

B. If any lot, tract or land is not subject to zoning at the time of annexation, it shall be classified as R-1A Single-Family whenever the land is vacant and otherwise shall be classified into whatever district of this Zoning Code most closely conforms to the existing use of the annexed area. Such classification shall be approved in the same manner as described for property that is zoned when annexed.

(2) In all cases, there shall be a public hearing, within a reasonable time after annexation, on the question of a permanent zoning classification. The hearing before the Planning

Commission and the subsequent action by the City Commission shall follow the procedure to establish amendments in accordance with Section 1281.01(c).

(e) Vacation of Streets. Whenever any street, alley or other public way is vacated by official action of the City Commission or by the courts, the zoning district adjoining each side of such street, alley or other public way shall be automatically extended to the center of such vacation and all area included in the vacation shall then and henceforth be subject to all appropriate regulations of the extended district.

(f) Uses Not Specifically Mentioned. The City Zoning Administrator or their designee shall have the power to classify a use, which is not specifically mentioned in this Zoning Code, along with a comparable permitted or prohibited use for the purpose of the use regulations in any district. The City Planning and Zoning Administrator or their designee may refer these appeals to the Zoning Board of Appeals.

Chapter 1241
Schedule of Regulations

1241.01 STATEMENT OF PURPOSE.

The purpose of this Chapter is to provide area, height, and placement regulations for districts established by this Zoning Code.

1241.02 SCHEDULE OF REGULATIONS.

Schedule of Regulations									
Zoning District		Lot Area, Lot Width, and Building Coverage Requirements (Section 1247.07(a))			Minimum Yard Setbacks			Maximum Building Height	
	Max. Residential Units Per Acre	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Max. % Building Coverage	Front (ft.) (Section 1247.07 (b))	Side (ft.) (Section 1247.07 (c))	Rear (ft.)	Feet	Stories
G, Green District	1	Not Required	150	Not Required	35	15	35	35	2.5
AG, Agricultural District	.33	Not Required	150	Not Required	(c)	(c)	(c)	35	2.5
R-1R, Single Family Residential District	1.45	Not Required	120	Not Required	35	15	35	35	2.5

R-1A, Single Family Residential District	5.8	Not Required	60	30	30	8	35	35	2.5
R-1B, Single Family Residential District	8.7	Not Required	50	30	25	6	30	35	2.5
R-2, Two Family Residential District	8.7	Not Required	50	25	25	5	25	35	2.5
R-3, Multiple Family District	15	Not Required	40	25	25 (f)	5 (f)	25 (f)	45	4
MFR, High Density Multiple Family District	20	Not Required	120	30	35	20	20	45	4
B-1, Corridor Commercial District	NA	Not Required	60	Not Required	35	20	20	50	3
B-2, Regional Commercial District	NA	25,000	150	Not Required	35	20	20	50	3
T-3, Neighborhood Commercial District (Section	20(d)	Not Required	30	40	See Section 1250.04(d) (1)A 30	10 (g)	20 (h)	36	3

1241.03 (i))									
T-4, Downtown Commercial, Community Services, Community Open Space and Recreation (Section 1241.03(i))	20 (d)	Not Required	40	Not Required	See Section 1250.04(d) (1)A	Not Required	Not Required	Not Required	Not Required
T-5, Downtown Commercial District (Section 1241.03(i))	20 (d)	Not Required	30	Not Required	See Section 1250.04(d) (1)A	Not Required	Not Required	Not Required	Not Required
<u>T-6. Lakeview District (Section 1241.03(i))</u>	<u>(d)</u>	<u>3,000</u>	<u>30</u>	<u>Not Required</u>	<u>See Section 1250.04(d) (1)A</u>	<u>Not Required</u>	<u>Residential 20 ft. Commercial/ Mixed Use 30 ft.</u>	<u>60 ft.</u>	<u>NA</u>
I-1, Light Industrial District	NA	2,900	60	Not Required	25	25 (g)	50 (h)	Not Required	Not Required
I-2, Heavy Industrial District	NA	2,900	60	Not Required	25	25 (g)	50 (h)	Not Required	Not Required
S, Spark District	20	Not Required	60	Not Required	Not Required	Not Required	Not Required	Not Required	Not Required

<p>Footnotes: Refer to Section 1241.03 whenever a lowercase letter is referenced in parentheses. . Additionally, some uses have specification standards that overrule these dimensional regulations. Refer to Chapter 1251 for dimensional regulations for specific uses.</p>									

1241.03 FOOTNOTES TO SCHEDULE OF REGULATIONS.

(a) Whenever a lot has less area or width than required in this chapter, but was a lot of record at the time of the adoption of this Zoning Code (Ordinance 10-2020, adopted on November 24, 2020), such lot may be occupied by any of the uses permitted in the district in which it is located. The use must meet all of the other requirements of this Zoning Code.

(b) In R Districts, where required front yards exceed twenty-five feet, only one front yard in excess of twenty-five feet shall be required, except that south of I-94 on lots fronting on Beckley Road or Capital Avenue, S.W., all such front yards shall be a minimum of fifty feet.

(c) Thirty-five feet to dwelling only.

(d) The maximum residential density allowed in the MFR High Density Multiple Family District and the T-3 Neighborhood Commercial District shall not exceed twenty units per acre. There is no residential density limit in the T-4, ~~and T-5~~, and T-6 Districts. However, all other dimensional regulations in those districts shall apply.

(e) No new multifamily dwelling in the MFR High Density Multiple Family District shall be established having a site area of less than 7,500 sq. ft.

(f) Provided that the front and rear yards are increased by one foot for each foot of building height exceeding thirty-five feet, and that the side yards are increased over the minimum requirement by one foot for each two feet of building height over thirty-five feet.

(g) No side yard shall be required, except that a side yard shall be provided on the side of a lot or tract adjoining a residential use or district. If an alley separates such a lot from a residential use or district, no side yard shall be required.

(h) A rear yard shall be required only upon that portion of a lot or tract abutting on a residential district or adjacent to a residential use. Where a rear yard abuts an alley, the width of one-half of the alley may be considered part of the required yard.

(i) The schedule of regulations is intended to be complementary with the requirements of Section 1250.04, Form-Based Development Standards for the T-3, T-4, ~~and T-5~~ and T-6 Districts; however, in any instance where there is apparent conflict the provisions of Section 1250.04 shall control.

1241.04 HEIGHT REQUIREMENTS.

(a) Exceptions and Modifications.

(1) Chimneys, cooling towers, elevator bulkheads, fire towers, gas tanks, solariums, steeples, penthouses, stacks, stage towers, scenery lofts, tanks, water towers, ornamental

towers and spires, wireless, television or radio towers and necessary mechanical appurtenances shall not be included in determining the height or number of stories of a building.

(2) The limitation on the number of stories shall not apply to buildings used exclusively for storage purposes, provided that such buildings do not exceed the height permitted in the district in which they are located.

(b) Airport Height Restrictions. Additional height limitations exist in areas designated on the official zoning map within approach zones at the Battle Creek Executive Airport at Kellogg Field. These restrictions are further delineated in Section 1250.03.

1241.05 LOT AREA AND WIDTH REQUIREMENTS.

(a) Exceptions.

(1) Two or more parcels, lots of record or platted lots, when contiguous and held in common ownership, may be treated as a single lot for purposes of the dimensional requirements of this Zoning Code, provided that such lots are located in the same district. This does not prevent the use of the lots as separate stand-alone parcels.

(2) Where a single lot of record, platted lot or parcel of land is within two or more zoning districts, it may be treated as two or more lots for purposes of this Zoning Code, provided that each portion has the required frontage on a street or place and meets all of the other standards for the district in which it is located.

(3) Where a lot of record on the effective date of this Zoning Code (Ordinance 10-2020, adopted on November 24, 2020) is less than fifty feet in width, the required side yard may be reduced to 10% of the width of the lot, provided that no side yard is less than four feet.

(4) More than one main multiple dwelling or commercial or industrial building may be located upon a lot, provided that such building conforms to all yard requirements for the district in which the lot is located.

(5) For purposes of this Zoning Code, the width of a lot shall be determined to be the width at the required front yard setback line.

(b) Prohibition of Flag Lots. The creation of flag or panhandle lots is prohibited.

1241.06 SINGLE FAMILY RESIDENTIAL SITING REQUIREMENTS.

(a) Purpose and Application. This chapter is necessary in order for the City to more specifically address the special requirements and regulations associated with the on-site placement of manufactured housing to assure favorable comparison with site-built housing. However, it shall apply to all single-family dwellings.

(b) Location. The siting of a single-family dwelling may occur on any lot located in a district that permits such use, provided the dwelling meets the requirements established for that particular district and the requirements of this chapter.

(c) General Requirements.

(1) A single-family dwelling shall have a minimum first floor area of 450 square feet and a minimum width of twenty feet on the shortest side and a minimum internal height of seven and one-half feet.

(2) The building shall be located and constructed so as to meet the minimum off-street parking and loading requirements set forth in Chapter 1261, and conform to the Schedule of Regulations set forth in Chapter 1241, if located in an R District, any accessory buildings and uses shall meet the residential district requirements set forth in Section 1260.01.

(3) Construction of site-built and manufactured houses without mobile chassis shall be in compliance with the latest adopted Building Code of the City. Manufactured houses with mobile chassis, shall meet the requirements of the HUD Code.

(4) The dwelling shall be attached to a permanent foundation as required in the latest adopted Building Code of the City. Manufactured houses shall be supported and anchored as required by the latest adopted Building Code of the City, or as required by the Michigan Mobile Home Commission rules.

(5) When setting on a permanent foundation, wheels shall be removed from manufactured houses so equipped, and the screening of the towing mechanism, undercarriage or chassis shall be done with non-load bearing, fire-resistant skirting materials of similar or the same composition as the home's outside surface. Such screening shall be installed in a manner so as to resist damage under normal weather conditions, shall be vented and shall have an access panel provided for in accordance with the Michigan Mobile Home Commission rules.

(6) The dwelling shall be connected to a public sanitary sewer system if such exists within 200 feet of the structure or, if no public sewer is so available, a private septic tank may be established if it is approved by the County Health Department. The dwelling may be connected to a public water system if such is available, or to a private well approved by the County Health Department.

(7) Additions to dwellings shall be built in conformity with the latest adopted Building Code of the City, and shall be constructed with similar materials, be similar in appearance and be of similar quality of workmanship as in the original structure.

(8) Dwellings must include storage area, either in the basement, in an attic area, in closet areas or in a separate fully enclosed structure. Such storage area shall be at least 5% of the total square footage of interior living area of the dwelling or 525 cubic feet, whichever is less.

(9) Sixty percent of the roof configuration shall be a minimum of 2.5 inches per every twelve inches of run-slope and shall meet or exceed all applicable roof snow load and strength requirements.

(d) Design Standards.

(1) The dwelling shall be aesthetically compatible in design and appearance with adjacent existing residential buildings. Aesthetic compatibility shall not be construed to prohibit innovative design concepts involving, nor limit such matters as solar energy, view, unique land contour or relief from the common or standard designed home.

(2) The aesthetic compatibility of design and appearance shall be determined by the Planning and Zoning Administrator upon review of the plans submitted for a particular dwelling.

(3) Determination of incompatibility of a particular dwelling may be appealed by an aggrieved party to the Zoning Board of Appeals within a period of fifteen days of the receipt of notice of the Planning and Zoning Administrators decision.

(e) Exemption for Mobile Home Parks. The provisions of this chapter shall not apply to a mobile home located in a licensed mobile home park, except to the extent required by State or Federal law.

1241.07 YARD REQUIREMENTS.

(a) Building Projections. Every part of a required yard shall be open to the sky and unobstructed by a building, except for the following may project into required yards:

(1) Accessory buildings as permitted in Section 1260.01.

(2) The ordinary projection of sills, belt courses, cornices, eaves and ornamental features not exceeding twelve inches.

(3) Permanent awnings projecting not more than four feet into a required yard.

(4) Terraces, uncovered porches, wheelchair ramps and ornamental features that do not rise more than four feet above the ground.

(b) Front Yards.

(1) Lots having frontage on a lake, brook, stream, river or other watercourse shall be provided with a required front yard on this water frontage, as well as that, which might be required on any street frontage as specified for the district in which it is situated.

(2) On corner lots, a front yard shall be required along each street.

(3) Interior lots having a frontage on two streets shall be provided with the required front yard on both streets.

(4) Where front yards have been established, or may be required on each of two intersecting streets, there shall be a front yard on each street side of a corner lot, with the following exceptions:

A. In R Districts, where required front yards exceed twenty-five feet, only one front yard in excess of twenty-five feet shall be required, except that south of I-94 on lots fronting on Beckley Road or Capital Avenue, S.W., all such front yards shall be a minimum of fifty feet.

B. The width of the principal building located on a lot of record need not be less than twenty-feet when the owner of record can show that the ownership and control of any adjacent lot or lots of record are by another person.

(5) Where 40% or more of frontages on the same side of a street between intersecting streets are developed with buildings that have a front yard less in depth than otherwise required by this chapter, new buildings shall be erected no closer to the street than the average front yard so established by the existing buildings on both sides of the lot to be used, except that this subsection shall not apply south of I-94 to lots fronting Beckley Road or Capital Avenue, S.W.

(6) Where alleys separate lots, the width of the alley shall not be considered in the computation of frontage, nor shall the alley be considered an intersecting street.

(7) No storage or parking of vehicles is permitted on any portion of a required front yard in any R District or T-3 District, except as such parking or storage may intermittently occur on legally authorized driveways and as otherwise may be permitted in this Zoning Code, unless otherwise allowed in this code.

(c) Side Yards.

(1) For the purpose of the side yard regulations, a two-family or multiple dwelling may be considered as one building occupying one lot.

(2) Whenever the wall of any building adjoining a side yard within any Single-Family or Two-Family Residential District exceeds a length of fifty feet, the width of the side yard shall be increased by one foot for each ten feet of wall length in excess of fifty feet.

(d) Exceptions for Commercial and Industrial Districts.

(1) Parking shall be permitted in the required front yard in any B-1, B-2, I-1 or I-2 District.

(2) Whenever a commercial or industrial district adjoins an R District or a residential use, no off-street parking required for the commercial or industrial development shall be located within the required yard within fifty feet from the residential structure or the R District boundary.

(3) Fences of a concealment type, not to include chain link, shall be erected on the common lot line whenever such lot line separates a Commercial or Industrial District from an R District or a residential structure. Such fence shall be installed concurrently with the commercial or industrial use of the land or building. The height of such fence shall conform to the requirements of Section 1260.02 (e).

Chapter 1241
Schedule of Regulations

1241.01 STATEMENT OF PURPOSE.

The purpose of this Chapter is to provide area, height, and placement regulations for districts established by this Zoning Code.

1241.02 SCHEDULE OF REGULATIONS.

Schedule of Regulations									
Zoning District		Lot Area, Lot Width, and Building Coverage Requirements (Section 1247.07(a))			Minimum Yard Setbacks			Maximum Building Height	
	Max. Residential Units Per Acre	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Max. % Building Coverage	Front (ft.) (Section 1247.07 (b))	Side (ft.) (Section 1247.07 (c))	Rear (ft.)	Feet	Stories
G, Green District	1	Not Required	150	Not Required	35	15	35	35	2.5
AG, Agricultural District	.33	Not Required	150	Not Required	(c)	(c)	(c)	35	2.5
R-1R, Single Family Residential District	1.45	Not Required	120	Not Required	35	15	35	35	2.5

R-1A, Single Family Residential District	5.8	Not Required	60	30	30	8	35	35	2.5
R-1B, Single Family Residential District	8.7	Not Required	50	30	25	6	30	35	2.5
R-2, Two Family Residential District	8.7	Not Required	50	25	25	5	25	35	2.5
R-3, Multiple Family District	15	Not Required	40	25	25 (f)	5 (f)	25 (f)	45	4
MFR, High Density Multiple Family District	20	Not Required	120	30	35	20	20	45	4
B-1, Corridor Commercial District	NA	Not Required	60	Not Required	35	20	20	50	3
B-2, Regional Commercial District	NA	25,000	150	Not Required	35	20	20	50	3
T-3, Neighborhood Commercial District (Section	20(d)	Not Required	30	40	See Section 1250.04(d) (1)A 30	10 (g)	20 (h)	36	3

1241.03 (i))									
T-4, Downtown Commercial, Community Services, Community Open Space and Recreation (Section 1241.03(i))	(d)	Not Required	40	Not Required	See Section 1250.04(d) (1)A	Not Required	Not Required	Not Required	Not Required
T-5, Downtown Commercial District (Section 1241.03(i))	(d)	Not Required	30	Not Required	See Section 1250.04(d) (1)A	Not Required	Not Required	Not Required	Not Required
T-6. Lakeview District (Section 1241.03(i))	(d)	3,000	30	Not Required	See Section 1250.04(d) (1)A	Not Required	Residential 20 ft. Commercial/ Mixed Use 30 ft.	60 ft.	NA
I-1, Light Industrial District	NA	2,900	60	Not Required	25	25 (g)	50 (h)	Not Required	Not Required
I-2, Heavy Industrial District	NA	2,900	60	Not Required	25	25 (g)	50 (h)	Not Required	Not Required
S, Spark District	20	Not Required	60	Not Required	Not Required	Not Required	Not Required	Not Required	Not Required

<p>Footnotes: Refer to Section 1241.03 whenever a lowercase letter is referenced in parentheses. . Additionally, some uses have specification standards that overrule these dimensional regulations. Refer to Chapter 1251 for dimensional regulations for specific uses.</p>									

1241.03 FOOTNOTES TO SCHEDULE OF REGULATIONS.

(a) Whenever a lot has less area or width than required in this chapter, but was a lot of record at the time of the adoption of this Zoning Code (Ordinance 10-2020, adopted on November 24, 2020), such lot may be occupied by any of the uses permitted in the district in which it is located. The use must meet all of the other requirements of this Zoning Code.

(b) In R Districts, where required front yards exceed twenty-five feet, only one front yard in excess of twenty-five feet shall be required, except that south of I-94 on lots fronting on Beckley Road or Capital Avenue, S.W., all such front yards shall be a minimum of fifty feet.

(c) Thirty-five feet to dwelling only.

(d) The maximum residential density allowed in the MFR High Density Multiple Family District and the T-3 Neighborhood Commercial District shall not exceed twenty units per acre. There is no residential density limit in the T-4, T-5, and T-6 Districts. However, all other dimensional regulations in those districts shall apply.

(e) No new multifamily dwelling in the MFR High Density Multiple Family District shall be established having a site area of less than 7,500 sq. ft.

(f) Provided that the front and rear yards are increased by one foot for each foot of building height exceeding thirty-five feet, and that the side yards are increased over the minimum requirement by one foot for each two feet of building height over thirty-five feet.

(g) No side yard shall be required, except that a side yard shall be provided on the side of a lot or tract adjoining a residential use or district. If an alley separates such a lot from a residential use or district, no side yard shall be required.

(h) A rear yard shall be required only upon that portion of a lot or tract abutting on a residential district or adjacent to a residential use. Where a rear yard abuts an alley, the width of one-half of the alley may be considered part of the required yard.

(i) The schedule of regulations is intended to be complementary with the requirements of Section 1250.04, Form-Based Development Standards for the T-3, T-4, T-5 and T-6 Districts; however, in any instance where there is apparent conflict the provisions of Section 1250.04 shall control.

1241.04 HEIGHT REQUIREMENTS.

(a) Exceptions and Modifications.

(1) Chimneys, cooling towers, elevator bulkheads, fire towers, gas tanks, solariums, steeples, penthouses, stacks, stage towers, scenery lofts, tanks, water towers, ornamental

towers and spires, wireless, television or radio towers and necessary mechanical appurtenances shall not be included in determining the height or number of stories of a building.

(2) The limitation on the number of stories shall not apply to buildings used exclusively for storage purposes, provided that such buildings do not exceed the height permitted in the district in which they are located.

(b) Airport Height Restrictions. Additional height limitations exist in areas designated on the official zoning map within approach zones at the Battle Creek Executive Airport at Kellogg Field. These restrictions are further delineated in Section 1250.03.

1241.05 LOT AREA AND WIDTH REQUIREMENTS.

(a) Exceptions.

(1) Two or more parcels, lots of record or platted lots, when contiguous and held in common ownership, may be treated as a single lot for purposes of the dimensional requirements of this Zoning Code, provided that such lots are located in the same district. This does not prevent the use of the lots as separate stand-alone parcels.

(2) Where a single lot of record, platted lot or parcel of land is within two or more zoning districts, it may be treated as two or more lots for purposes of this Zoning Code, provided that each portion has the required frontage on a street or place and meets all of the other standards for the district in which it is located.

(3) Where a lot of record on the effective date of this Zoning Code (Ordinance 10-2020, adopted on November 24, 2020) is less than fifty feet in width, the required side yard may be reduced to 10% of the width of the lot, provided that no side yard is less than four feet.

(4) More than one main multiple dwelling or commercial or industrial building may be located upon a lot, provided that such building conforms to all yard requirements for the district in which the lot is located.

(5) For purposes of this Zoning Code, the width of a lot shall be determined to be the width at the required front yard setback line.

(b) Prohibition of Flag Lots. The creation of flag or panhandle lots is prohibited.

1241.06 SINGLE FAMILY RESIDENTIAL SITING REQUIREMENTS.

(a) Purpose and Application. This chapter is necessary in order for the City to more specifically address the special requirements and regulations associated with the on-site placement of manufactured housing to assure favorable comparison with site-built housing. However, it shall apply to all single-family dwellings.

(b) Location. The siting of a single-family dwelling may occur on any lot located in a district that permits such use, provided the dwelling meets the requirements established for that particular district and the requirements of this chapter.

(c) General Requirements.

(1) A single-family dwelling shall have a minimum first floor area of 450 square feet and a minimum width of twenty feet on the shortest side and a minimum internal height of seven and one-half feet.

(2) The building shall be located and constructed so as to meet the minimum off-street parking and loading requirements set forth in Chapter 1261, and conform to the Schedule of Regulations set forth in Chapter 1241, if located in an R District, any accessory buildings and uses shall meet the residential district requirements set forth in Section 1260.01.

(3) Construction of site-built and manufactured houses without mobile chassis shall be in compliance with the latest adopted Building Code of the City. Manufactured houses with mobile chassis, shall meet the requirements of the HUD Code.

(4) The dwelling shall be attached to a permanent foundation as required in the latest adopted Building Code of the City. Manufactured houses shall be supported and anchored as required by the latest adopted Building Code of the City, or as required by the Michigan Mobile Home Commission rules.

(5) When setting on a permanent foundation, wheels shall be removed from manufactured houses so equipped, and the screening of the towing mechanism, undercarriage or chassis shall be done with non-load bearing, fire-resistant skirting materials of similar or the same composition as the home's outside surface. Such screening shall be installed in a manner so as to resist damage under normal weather conditions, shall be vented and shall have an access panel provided for in accordance with the Michigan Mobile Home Commission rules.

(6) The dwelling shall be connected to a public sanitary sewer system if such exists within 200 feet of the structure or, if no public sewer is so available, a private septic tank may be established if it is approved by the County Health Department. The dwelling may be connected to a public water system if such is available, or to a private well approved by the County Health Department.

(7) Additions to dwellings shall be built in conformity with the latest adopted Building Code of the City, and shall be constructed with similar materials, be similar in appearance and be of similar quality of workmanship as in the original structure.

(8) Dwellings must include storage area, either in the basement, in an attic area, in closet areas or in a separate fully enclosed structure. Such storage area shall be at least 5% of the total square footage of interior living area of the dwelling or 525 cubic feet, whichever is less.

(9) Sixty percent of the roof configuration shall be a minimum of 2.5 inches per every twelve inches of run-slope and shall meet or exceed all applicable roof snow load and strength requirements.

(d) Design Standards.

(1) The dwelling shall be aesthetically compatible in design and appearance with adjacent existing residential buildings. Aesthetic compatibility shall not be construed to prohibit innovative design concepts involving, nor limit such matters as solar energy, view, unique land contour or relief from the common or standard designed home.

(2) The aesthetic compatibility of design and appearance shall be determined by the Planning and Zoning Administrator upon review of the plans submitted for a particular dwelling.

(3) Determination of incompatibility of a particular dwelling may be appealed by an aggrieved party to the Zoning Board of Appeals within a period of fifteen days of the receipt of notice of the Planning and Zoning Administrators decision.

(e) Exemption for Mobile Home Parks. The provisions of this chapter shall not apply to a mobile home located in a licensed mobile home park, except to the extent required by State or Federal law.

1241.07 YARD REQUIREMENTS.

(a) Building Projections. Every part of a required yard shall be open to the sky and unobstructed by a building, except for the following may project into required yards:

(1) Accessory buildings as permitted in Section 1260.01.

(2) The ordinary projection of sills, belt courses, cornices, eaves and ornamental features not exceeding twelve inches.

(3) Permanent awnings projecting not more than four feet into a required yard.

(4) Terraces, uncovered porches, wheelchair ramps and ornamental features that do not rise more than four feet above the ground.

(b) Front Yards.

(1) Lots having frontage on a lake, brook, stream, river or other watercourse shall be provided with a required front yard on this water frontage, as well as that, which might be required on any street frontage as specified for the district in which it is situated.

(2) On corner lots, a front yard shall be required along each street.

(3) Interior lots having a frontage on two streets shall be provided with the required front yard on both streets.

(4) Where front yards have been established, or may be required on each of two intersecting streets, there shall be a front yard on each street side of a corner lot, with the following exceptions:

A. In R Districts, where required front yards exceed twenty-five feet, only one front yard in excess of twenty-five feet shall be required, except that south of I-94 on lots fronting on Beckley Road or Capital Avenue, S.W., all such front yards shall be a minimum of fifty feet.

B. The width of the principal building located on a lot of record need not be less than twenty-feet when the owner of record can show that the ownership and control of any adjacent lot or lots of record are by another person.

(5) Where 40% or more of frontages on the same side of a street between intersecting streets are developed with buildings that have a front yard less in depth than otherwise required by this chapter, new buildings shall be erected no closer to the street than the average front yard so established by the existing buildings on both sides of the lot to be used, except that this subsection shall not apply south of I-94 to lots fronting Beckley Road or Capital Avenue, S.W.

(6) Where alleys separate lots, the width of the alley shall not be considered in the computation of frontage, nor shall the alley be considered an intersecting street.

(7) No storage or parking of vehicles is permitted on any portion of a required front yard in any R District or T-3 District, except as such parking or storage may intermittently occur on legally authorized driveways and as otherwise may be permitted in this Zoning Code, unless otherwise allowed in this code.

(c) Side Yards.

(1) For the purpose of the side yard regulations, a two-family or multiple dwelling may be considered as one building occupying one lot.

(2) Whenever the wall of any building adjoining a side yard within any Single-Family or Two-Family Residential District exceeds a length of fifty feet, the width of the side yard shall be increased by one foot for each ten feet of wall length in excess of fifty feet.

(d) Exceptions for Commercial and Industrial Districts.

(1) Parking shall be permitted in the required front yard in any B-1, B-2, I-1 or I-2 District.

(2) Whenever a commercial or industrial district adjoins an R District or a residential use, no off-street parking required for the commercial or industrial development shall be located within the required yard within fifty feet from the residential structure or the R District boundary.

(3) Fences of a concealment type, not to include chain link, shall be erected on the common lot line whenever such lot line separates a Commercial or Industrial District from an R District or a residential structure. Such fence shall be installed concurrently with the commercial or industrial use of the land or building. The height of such fence shall conform to the requirements of Section 1260.02 (e).

12CHAPTER 1250
Supplemental Zoning District Standards

1250.01 PLANNED UNIT RESIDENTIAL DEVELOPMENTS. **-NO CHANGE**

1250.02 SUBDIVISION REGULATIONS. **-NO CHANGE**

1250.03 AIRPORT APPROACH OVERLAY ZONING DISTRICT. **- NO CHANGE**

1250.04 FORM-BASED DEVELOPMENT STANDARDS FOR THE T-3, T-4, **AND T-5, T-6** DISTRICTS.

(a) Statement of Purpose. The purpose of the form-based development standards is to create clear and simple regulations for the design of new development or redevelopment within existing neighborhood commercial areas, parts of the Lakeview District and the historic downtown. The regulations of this section require development to have a physical form that complements the historic nature of existing development in the downtown Battle Creek and surrounding areas included in the T-3, Neighborhood Commercial District, T-4, Downtown Commercial District, ~~and~~ T-5, Core Downtown Commercial Districts and T-6, Lakeview District. Specifically, these regulations encourage a pedestrian friendly and walkable character, permit a mixture of land uses; encourage streets that serve the needs of pedestrians, bicycles, and motorized vehicle traffic equitably; encourage places for informal social activity and recreation in the Lakeview District and downtown area; and encourage building frontages that define the public space of streets. With proper physical form, a building can accommodate a wide range of uses without generating undue impact on neighboring properties or the downtown as a whole.

It is further the purpose of the form-based development standards to:

- (1) Create a core downtown area that maintains the traditional physical form of a historic downtown.
- (2) Create unique, walkable mixed-use developments including residential, retail, entertainment, office, and other compatible uses.
- (3) Promote the orderly development, redevelopment, and continued maintenance of Battle Creek's central business district.
- (4) Encourage shared parking areas throughout the downtown area rather than requiring each individual property owner to provide physical parking space on their property.
- (5) Create quantitative and qualitative building design guidelines that ensure new development is compatible with the historic character existent in downtown.
- (6) Ensure buildings create a solid streetwall that helps to define streets as public spaces.
- (7) Ensure that permitted uses complement each other in terms of character and location, and to ensure that uses in the T-3, T-4, ~~and~~ T-5 and T-6 Districts do not have an adverse impact on the overall economic and social vitality of the downtown and neighborhood commercial areas, street capacity, public utilities or services, or the overall image and function of the districts.

(8) Prevent automobile-oriented development from eroding or destroying the character of the downtown and Lakeview District area.

(9) Encourage harmonious residential infill and adaptive reuse of noteworthy buildings to provide a mix of housing types, unit sizes, and compatible uses within walking distance of Battle Creek's historic downtown area and Beckley Road and Capital Avenue area within the Lakeview District.

(10) Encourage accessible housing options in the downtown area.

(11)

(b) Existing development in the T-3, T-4, ~~and T-5~~ and T-6 Districts

(1) Expansions of developed sites.

A. Changes in existing condition 25% or less. Any activity on a developed site that would increase the floor area of the existing building by 25% or less need not comply with the requirements of this section. However, any new building area or site improvements should result in the site being more compliant, and shall not result in the site being less compliant with the requirement of this section. Additionally, properties located in the T3 District, abutting on a residential district or adjacent to a residential use, shall maintain a setback of 20 feet.

B. Changes in existing condition greater than 25%. Whenever a building expansion of greater than 25% of the floor area is proposed, the improvement activity shall comply with the requirements of this section. However, any new building area or site improvements should result in the site being more compliant, and shall not result in the site being less compliant with the requirement of this section. Additionally, properties located in the T3 District, abutting on a residential district or adjacent to a residential use, shall maintain a setback of 20 feet.

C. Expansions measured cumulatively. For the purposes of determining compliance with this section, expansions shall be measured cumulatively, with the baseline being the building area and improved site area that existed at the date of adoption of this Zoning Code.

(2) Redevelopment. Redevelopment of existing buildings shall comply with the Architectural Standards established in Section 1250.04(d).

A. Whenever 50% or less of the existing building will be demolished or replaced, the development activity need not comply with the requirements of this section. However, any site layout or building design changes that may occur as a result of the development activity should result in the site being more compliant with the requirements of this section.

B. Whenever more than 50% of an existing building will be demolished or replaced, the development activity shall comply with all of the requirements of this section.

(c) Waiver of Requirements.

(1) Purpose and limitations. For an activity in the T-3, T-4, ~~and T-5~~ and T-6 Districts, the Planning and Zoning Administrator may grant a waiver from certain dimensional requirements contained in this section. Regulations that may be altered through the waiver process are described in the various subsections of this section, along with the specific parameters by which the regulation may be altered.

Waivers are separate and distinct from dimensional variances in that they are limited in their bounds and are intended to permit reasonable use of property where the strict application

of the requirements of this section would not further the public purpose, and a relaxed or altered dimensional standard will still meet the intent and purpose of the T-3, T-4, ~~and T-5~~ and T-6 Districts.

Whenever a regulation may be altered through the waiver process, specific bounds are listed within which the waiver must be maintained. If an alteration to a dimensional requirement is requested that is greater than that listed in this section, the applicant must obtain a variance following the procedures and review standards Section 1280.03, Zoning Board of Appeals.

(2) Application and review procedures. The applicant shall clearly identify all requested waivers on the application and site plan. The reviewing authority shall evaluate the requested waivers and approve, approve with conditions, or deny the waiver request. In evaluating a waiver request, the reviewing authority shall take into account the following considerations:

A. Approval of the waiver will not result in development that is incompatible with or will negatively impact existing or potential future development in the vicinity of the property to be developed.

B. The requested waiver is consistent with the intent and purpose of this section.

C. The waiver will result in a superior development when compared with what could be achieved through the strict application of the requirements of this section.

D. A lesser waiver will not accomplish the same purpose as the requested waiver.

E. The waiver will not negatively impact the potential of adjacent parcels to develop according to the requirements of this section.

(3) Waivers from building design standards for new construction and adaptive reuse. The Planning and Zoning Administrator may waive the above requirements finding all of the following standards have been met:

A. The architectural design of the proposed structure is consistent with the character of the surrounding area.

B. The architectural design otherwise meets the building design standards of the T-3, T-4, ~~and T-5~~ and T-6 Districts.

C. The project brings the site more into compliance with the building design standards for new construction and purpose of the T-3, T-4, ~~and T-5~~ AND T-6 Districts.

(d) Architectural Standards for New Construction and Adaptive Reuse.

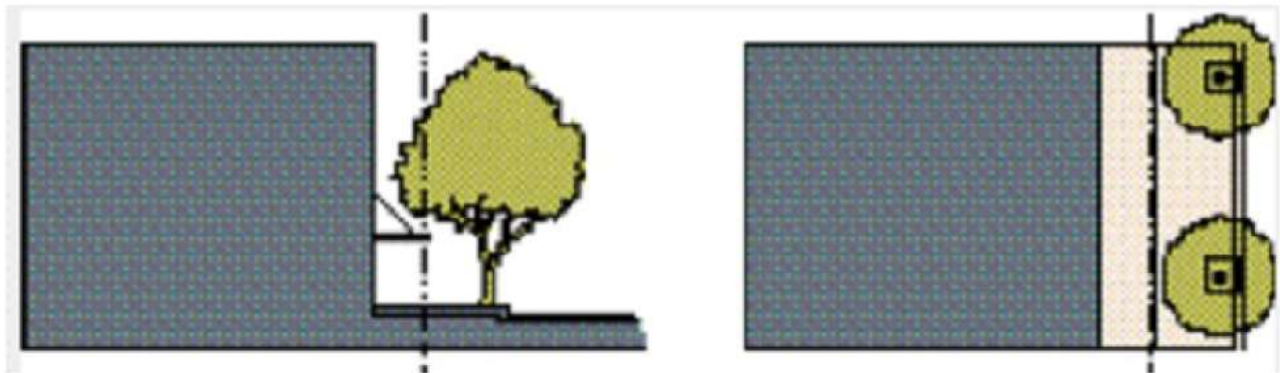
(1) Frontage requirements. Buildings in the T-3, T-4, ~~and T-5~~ and T-6 Districts shall comply with the following requirements, in addition to any applicable requirements of Section 1241.02, Schedule of Regulations. The requirements of this section and Section 1241.02 are intended to be complimentary; however, in any instance where there is an apparent conflict, the provisions of this section shall control.

A. Private frontage. The private frontage is the area between the right-of-way and the principal building façade. Buildings must contain architectural elements consistent with one of the following four private frontages. Each frontage is designed to be consistent with some or all of the uses permitted in the T-3, T-4, ~~and T-5~~ and T-6 Districts. A sidewalk shall connect each entrance into a private building to the parking area and to the public right-of-way sidewalk.

Note that the following table includes specific dimensional requirements for each of the frontages. Unless otherwise noted, the dimensional requirements are in addition to any other dimensional requirement of this Section.

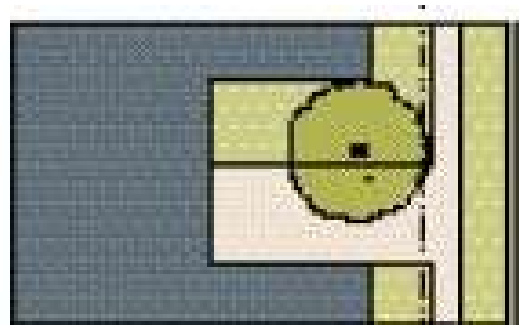
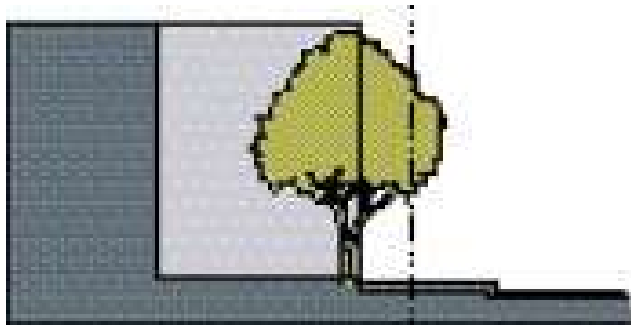
FRONTAGE TYPE	WHERE PERMITTED	DIMENSIONAL REQUIREMENTS
<p>Shopfront. A frontage where the building façade is located close to the front lot line with the building entrance at sidewalk grade. This frontage type is suitable for nonresidential use on the first floor.</p>	<p>T-3 T-4 T-5 <u>T-6</u></p>	<p>The building shall be set back a maximum of 5 feet from the front lot line.</p>

Shopfront illustration:



<p>Courtyard. A frontage where a portion of the building façade is close to the front lot line with a portion set back. The courtyard may accommodate tree plantings or a vehicle drop-off area. This frontage is suitable for any building use.</p>	<p>T-3 T-4 T-5 <u>T-6</u></p>	<p>The building shall be set back a maximum of 5 feet from the front lot line. The courtyard area shall be considered part of the front building façade for the purposes of determining compliance with the requirements of the required setback.</p>
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Courtyard Illustration:

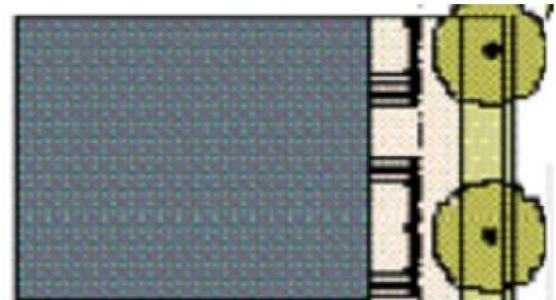
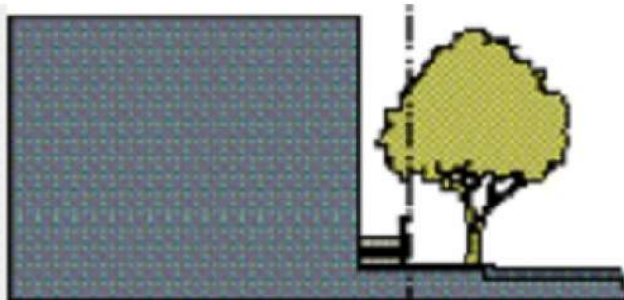


Stoop. A frontage where the floor is elevated from the sidewalk to provide privacy for first floor windows. The entrance is usually from an exterior stair and landing. This frontage is suitable for ground-floor residential use.

T-3
T-4
T-6

The building shall be set back a minimum of 7 feet from the front lot line. The stoop or porch area shall be set back a minimum of 2 feet from the front lot line.

Stoop Illustration:

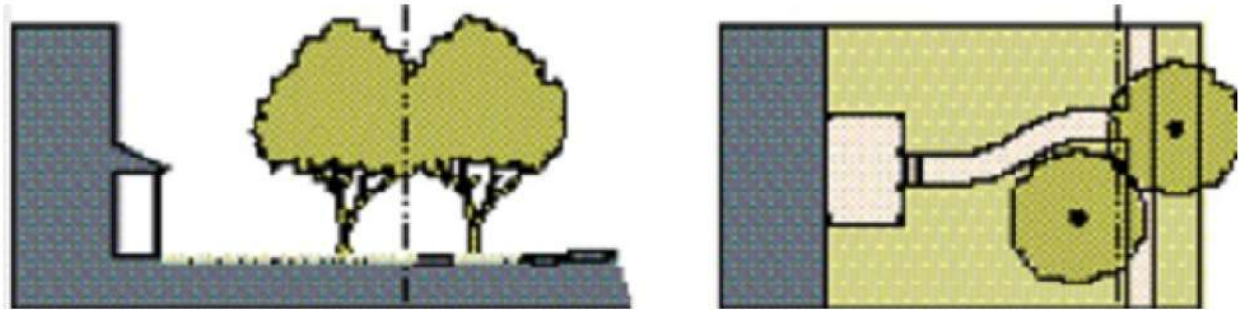


Lawn. A frontage where the building is set back from the street with a landscaped front yard area. This frontage is suitable for any building use.

T-3
T-4
T-6

The building shall be set back a minimum of 10 feet from the front lot line. Unenclosed front porches shall be set back a minimum of 5 feet from the front lot line.

Lawn Illustration:



(2) Minimum height. The minimum building height in the T-4, and T-5 Districts located within the downtown development boundaries delineated in the Battle Creek Downtown Plan adopted February 28, 2018 is twenty feet. All buildings shall be at least two stories. Outside of this boundary, there is no minimum height requirement.

(3) Building materials for buildings in the T-6 shall comply with the following building material requirements.

A. Primary building materials. Any of the following building materials shall be used on a minimum of 50% of the façade of the building. This shall be calculated as a percentage of the wall portion of the façade excluding doors and windows.

1. Brick
2. Wood or cement fiber siding (such as Hardie Board or Boral Siding);
3. Natural Stone (or integrally colored synthetic, equivalent or better);
4. Stucco (cement plaster);
5. Stucco (cement plaster);
6. Cast iron, copper, stainless steel (18-8 or better), and titanium metal siding;
7. Glass block;
8. Display glass, or
9. Glazed brick or decorative tile

B. Secondary building materials. Any of the following materials are permitted on 50% of the façade of the building and on all side and rear elevations, this list is not inclusive of all materials allowed. Additional materials may be approved by the Planning and Zoning Administrator.

(43) Building materials for buildings in T-4 and T-5 Districts located within the downtown development boundaries delineated in the Battle Creek Downtown Plan adopted February 28, 2018 shall comply with the following building material requirements:

A. Primary building materials. Any of the following building materials shall be used on a minimum of 60% of the façade of the building. This shall be calculated as a percentage of the wall portion of the façade excluding doors and windows.

1. Brick
2. Wood or cement fiber siding (such as Hardie Board or Boral Siding);
3. Exposed logs or timber;
4. Natural Stone (or integrally-colored synthetic, equivalent or better);
5. Stucco (cement plaster);
6. Cast iron, copper, stainless steel (18-8 or better), and titanium metal siding;
7. Display glass; or
8. Glazed brick or decorative tile

B. Secondary building materials. Any of the following materials are permitted on 40% of the façade of the building and on all side and rear elevations, this list is not inclusive of all materials allowed. Additional materials may be approved by the Planning and Zoning Administrator.

1. Ground- or split-faced block (integrally colored);
2. Glass block;
3. Metal accent;
4. Pre-cast masonry; or
5. Synthetic materials (only above the second story) as approved by the Planning and Zoning Administrator.

C. Waiver. This requirement may be waived, per Section 1250.04(c).

(54) Building materials for buildings located in the T-3 ~~District~~ or the T-4 Districts not located within the downtown development boundaries delineated in the Battle Creek Downtown Plan adopted February 28, 2018 shall comply with the following building material requirements:

A. Primary building materials. Any of the following building materials shall be used on a minimum of 50% of the façade of the building. This shall be calculated as a percentage of the wall portion of the façade excluding doors and windows.

1. Brick
2. Wood or cement fiber siding (such as Hardie Board or Boral Siding);
3. Exposed logs or timber
4. Natural Stone (or integrally-colored synthetic, equivalent or better);
5. Stucco (cement plaster);
6. Cast iron, copper, stainless steel (18-8 or better), and titanium metal siding;

7. Ground-or split-faced block (integrally colored);
 8. Glass block;
 9. Display glass; or
 10. Glazed brick or decorative tile
- B. Secondary building materials. Any of the following materials are permitted on 50% of the façade of the building and on all side and rear elevations, this list is not inclusive of all materials allowed. Additional materials may be approved by the Planning and Zoning Administrator.
1. Pre-cast masonry
 2. Metal accent;
 3. Synthetic materials (only above the second story) as approved by the Planning and Zoning Administrator
- C. Waiver. This requirement may be waived, per Section 1250.04(c).

(65) Ground floor design.

A. Building entrance(s). All buildings shall have their principal entrance or entrances open onto a street, sidewalk, or public space. The principal building entrance shall not open onto a parking lot, although a secondary or subordinate entrance may be provided to a parking lot.

B. Entryway alignment.

1. Nonresidential uses. For all buildings in the T-3, T-4, ~~and T-5~~ and T-6 Districts and buildings with nonresidential uses on the first floor, the ground floor of the principal entrance shall align with the elevation of the adjacent sidewalk. Sunken terraces or stairways to a basement shall not constitute principal entrances to a building for the purposes of this section. It is not the intent of this section to preclude the use of below or above grade entryways, provided that such entryways are secondary, not principal entrances.

2. Residential and live/work uses. For first-floor residential and live/work uses in the T-3, T-4, ~~and T-5~~ and T-6 Districts, the ground floor of the building (and consequently the principal entrance as well) may be raised up to thirty-six inches above the elevation of the adjacent sidewalk. This is intended to create greater privacy for first floor residential uses by elevating windows above the view of passing pedestrians.

(76) Windows and entryways. The following requirements apply to facades of buildings facing a public street or public space such as a plaza or square.

A. Windows. Windows above the ground floor shall have a height to width ratio of at least 2:1.

B. Ground floor facade transparency. All buildings with first floor nonresidential uses shall maintain transparency for at least 70% of the first-floor facade area between two and eight feet above grade level. Doors and windows provide transparency.

1. Window glass shall be clear, with at least 90 percent light transmission. (modifications as necessary to meet applicable building and energy code requirements)
2. Areas of solid wall shall not exceed a length of twenty feet.

(87) Recessed entrances. Recessed entrances are required in the T-4 and T-5 Districts located within the downtown development boundaries delineated in the adopted Battle Creek Downtown Plan. Doors located within the downtown development boundaries delineated in the Battle Creek Downtown Plan adopted with any amendments thereafter are required to be recessed into the face of the building to create a sense of entry and to add variety to the streetscape.

(98) Encroachments. The following building elements may encroach into a public right-of-way or setback area.

A. Balconies. Balconies on upper stories may encroach up to six feet into any required setback area and up to four feet into any right-of-way area.

B. Stoops. Unenclosed and uncovered front stoops may encroach up to five feet into a front yard setback area, provided that the stoop maintains a minimum setback of five feet from any right-of-way line.

C. Awnings.

(1) Awnings may encroach up to six feet from the face of the building into the setback area, or into the right-of-way area in the T-4 and T-5 and T-6 Districts.

(2) Awnings shall have a minimum height of eight feet between the sidewalk and the bottom of the awning or any support structure, and shall not exceed a height of twelve feet from the ground to the highest point of the canopy.

(3) If the awning encroachment of six feet would interfere with the placement of street lighting or street trees, the awning projection shall be reduced to resolve the conflict.

(4) Awnings shall be constructed out of fabric, and may not be internally illuminated. Metal or other materials may be used for awnings if a waiver is approved per Section 1250.04 (c).

D. Bay windows. Bay windows on the ground story may encroach up to three feet into any setback area, but may not encroach into a right-of-way area. Bay windows on upper floors may encroach up to three feet into any setback or right-of-way area.

E. Eaves. Roof eaves may encroach up to three feet into any setback or right-of-way area.

(9) Service areas. All service areas, including utility access, above ground equipment and dumpsters shall be located in side or rear yards and shall be screened from view from any street.

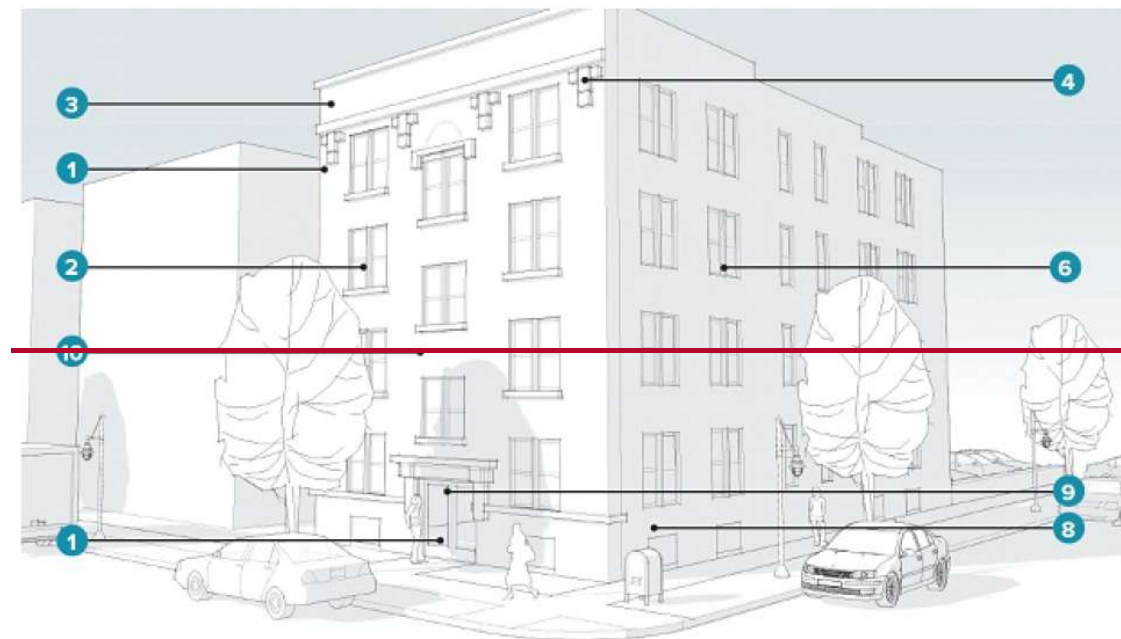
(10) Mechanical and utility equipment. Mechanical equipment, electrical and gas meter and service components, and similar utility devices (whether ground level, wall mounted, or roof mounted) shall be screened from view from the front property line. Exterior screening materials shall be the same as the predominant exterior materials of the principal building.

(11) Parking lots. Parking lots in the downtown district are only permitted in the rear yard, except that the Planning and Zoning Administrator may waive this requirement per Section 1250.04(c) where an ornamental fence or wall meeting the requirements of Section 1260.02 and landscaping are installed to screen the parking area.

~~—(e) Building Type Standards for New Construction.~~ New construction in the T-4, and T-5 Districts must conform to architectural and dimensional standards of the following building types:

~~—(1) Apartments.~~ A medium sized building that contains five to ten dwelling units either side-by-side or stacked between two floors. There can be one shared entry or individual entries facing the street.

Figure 12. Apartments.



Illustrated Required and Optional Design Standards:

~~— 1. Traditional building façade treatments (including masonry reliefs and/or motifs) and main entrances located along street of building address and along any adjacent street right-of-way on corner lots.~~

~~— 2. Window and door openings shall be recessed.~~

~~— 3. Building cornice (at top of building) of substantial height and decoration.~~

~~— 4. Horizontal molding or accent material projection dividing the façade into layers.~~

~~— 5. Pattern of solids and voids generated by the vertical and horizontal alignment of windows and doors in repeating sizes.~~

~~— 6. Window groupings encouraged, with groups of up to three allowable.~~

~~7. Main entrances at grade for accessibility, working in conjunction with interior lobby or vestibule and elevator(s).~~

~~8. Ground floor units (finished floor) thirty six inches to forty two inches above grade.~~

~~9. Main entrance articulation.~~

~~10. Prominent sills and/or heads required for windows located on building facades (discouraged along other exterior walls).~~

~~11. Parking lots permitted only in the rear yard, except that the Planning and Zoning Administrator may waive this requirement per Section 1250.04(c) where an ornamental fence or wall made of aluminum, stone, brick or other approved material meeting the requirements of Section 1260.02 and additional landscaping are installed to screen the parking area. No building entrances from side parking lots allowable.~~

~~12. Building façade treatments are required on building facades fronting on a public street, alley, or right-of-way.~~

~~13. Floor to floor heights limited to twelve feet.~~

~~(2) Carriage house/accessory dwelling unit. Also considered an accessory structure, a carriage house is a small building located in the rear of a residential lot and can contain a small dwelling unit or similar use. They are often above a garage but can also be at ground level.~~

~~Figure 13. Carriage House/ADU~~



~~Illustrated Required and Optional Design Standards:~~

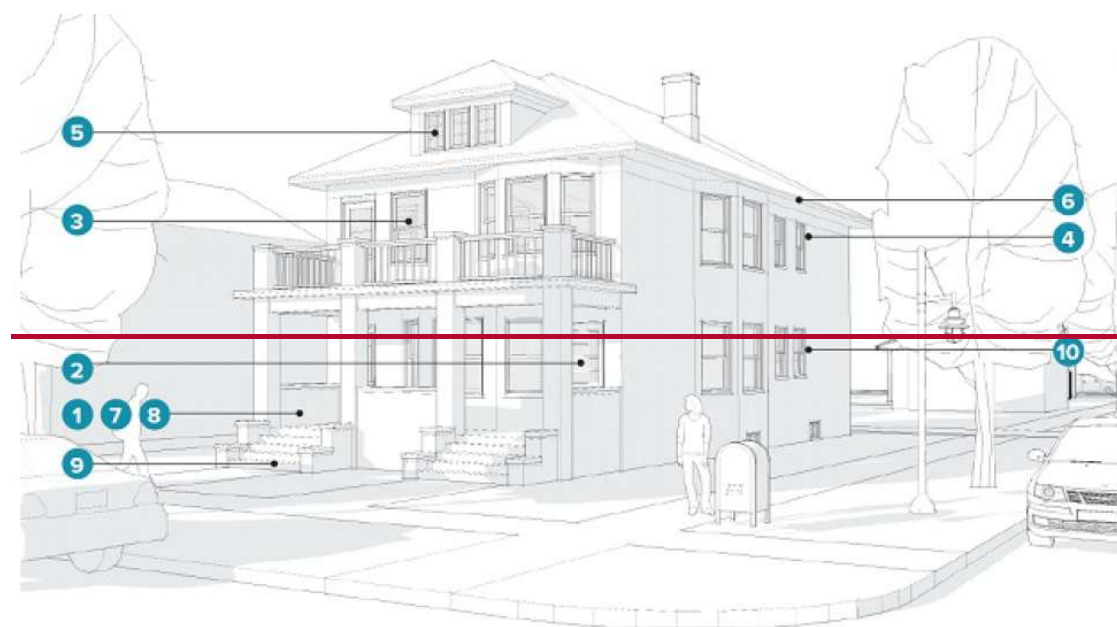
~~1. Small, traditionally-styled residential garage form containing one residential unit, indoor parking, or one residential unit above indoor parking. Ground floor finish floor twenty-four inches to thirty six inches above grade (if not above parking).~~

~~2. Window and door openings shall be recessed. (except for garage doors).~~

- ~~3. Window groupings encouraged, with groups of up to three allowable.~~
- ~~4. Residential entrance articulation and indoor stairway (stairway if more than one story).~~
- ~~5. Floor to floor heights limited to ten feet six inches.~~
- ~~6. Must be located in a rear yard or in a secondary front yard located along an alley.~~
- ~~7. Garage door openings, garage doors, garage door window panes, and garage door panels must all be square or rectangular. Door panels and window panes must be oriented vertically.~~

~~(3) Single family/duplex/triplex (stacked or adjacent). A small or medium sized building with one, two, or three dwelling units that may be stacked vertically or attached horizontally.~~

~~Figure 14. Single Family/ Duplex/ Triplex (Stacked or Adjacent)~~



~~Illustrated Required and Optional Design Standards:~~

- ~~1. Traditionally styled single-family house form containing one to three residential units with a main entrance at the front façade. Stacked duplex and triplex entrances may have separate doors or share a vestibule. Horizontal adjacent duplex and triplex units shall have their own independent main entrance on the front façade and may have alternate or service entrances along the sides and/or back.~~
- ~~2. Finished floor located twenty-four inches to thirty inches above grade.~~
- ~~3. Windows and doors shall be recessed.~~
- ~~4. Pattern of solids and voids generated by the vertical and horizontal alignment of windows and doors in variously repeating sizes.~~
- ~~5. Window groupings encouraged, with groups of up to three allowable.~~

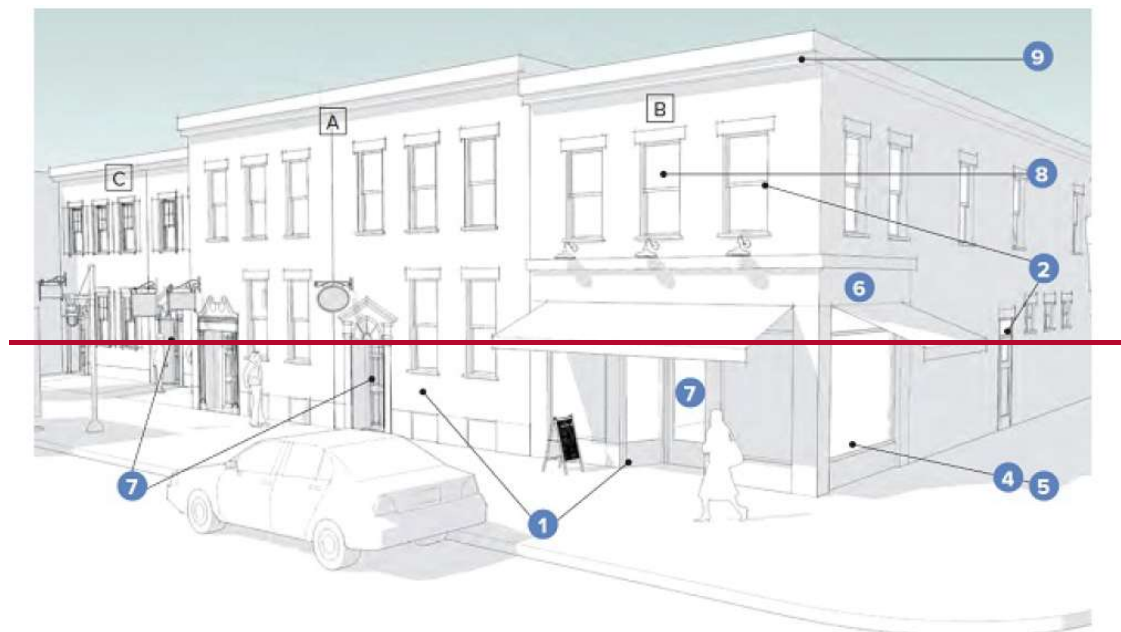
- 6. Building overhangs commensurate with style of architecture.
- 7. Ground floor twenty four inches to thirty inches above grade.
- 8. Minimum six feet six inches deep front porch maximum thirty inches above grade with optional decorative rail twenty-eight inches to thirty-six inches above porch floor.
- 9. Floor to floor heights limited to ten feet six inches.
- 10. Parking lots permitted only in the rear yard. Parking lots may be permitted in the side yard for larger projects with multiple buildings and multiple parking lots. No building entrances from side parking lots allowable.
- (4) Fourplex/four-family dwelling unit. A medium-sized building that contains four dwelling units split up two on the ground floor and two above, with a shared door facing the street.
- Figure 15. Fourplex/Four-Family Dwelling Unit.



- Illustrated Required and Optional Design Standards:
- 1. Traditional building façade treatments (including masonry reliefs and/or motifs) and main entrances located along street of building address and along any adjacent street right-of-way on corner lots.
- 2. Doors and windows shall be recessed.
- 3. Building cornice must have the most prominent shadow line.

- 4. Minimum one additional horizontal molding or accent material projection dividing the building into layers.
 - 5. Pattern of solids and voids generated by the vertical and horizontal alignment of windows and doors in repeating sizes.
 - 6. Window groupings encouraged, with groups of up to three allowable.
 - 7. Main entrances at grade for accessibility, working in conjunction with interior lobby or vestibule and lift or ramp servicing first floor units.
 - 8. Ground floor units finish floor elevation thirty-six inches to forty-two inches above grade.
 - 9. Main entrance articulation.
 - 10. Prominent sills and/or heads required for windows located on the building facade.
 - 11. Parking lots permitted only in the rear yard. Parking lots may be permitted in the side yard for larger projects with multiple buildings and multiple parking lots. No building entrances from side parking lots allowable.
 - 12. Floor to floor heights limited to ten feet six inches.
- (5) Live/work unit. A small to medium sized building that contains a ground floor office, service, or retail space with a dwelling unit above or behind it. The building can be attached or detached, and both the living and working space are owned or rented by one user.

— Figure 16. Live/Work Unit

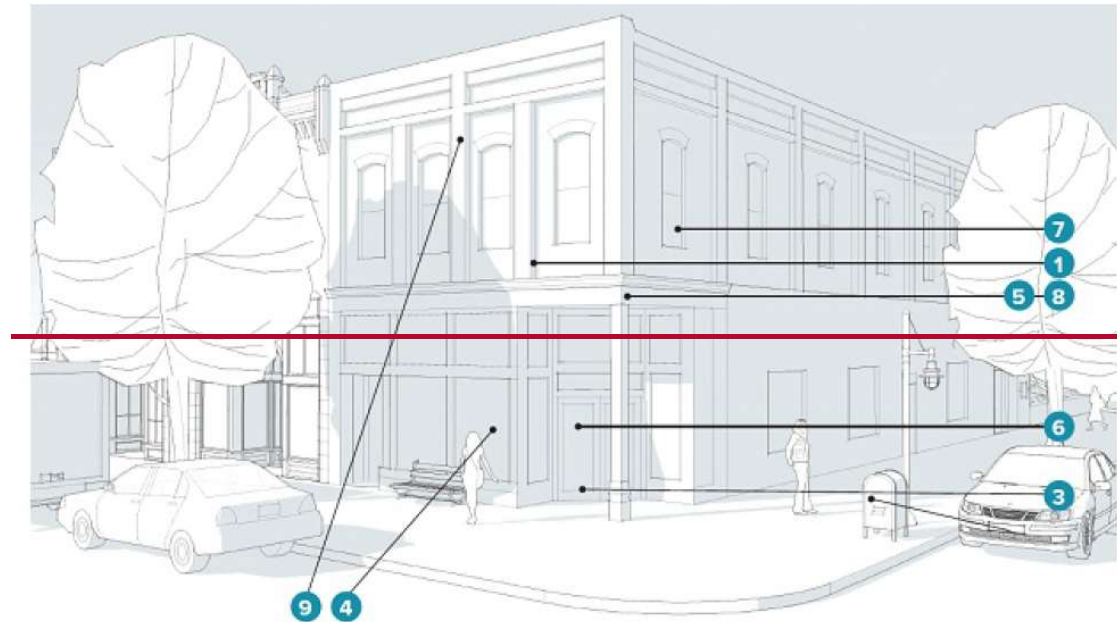


— Illustrated Required and Optional Design Standards:

- ~~1. Ground floor elevated thirty inches to forty-two inches above average grade at front of building with interior lift for accessibility (Type A). Main level may be accessible at grade with plate glass storefront (Type B) or if building is setback from right-of-way line minimum seven feet zero inches (Type C).~~
- ~~2. Traditional building façade treatments and main business entrances are required along streets of corresponding building addresses and corresponding right of way lines. Side and rear entrances shall be subordinate to the main entrance and allowed along a right of way line of intersecting streets only or a rear parking lot. Storefront main entrance at corner may substitute for that listed above (see Mixed Use Building).~~
- ~~3. Main business entrance doors must remain unlocked during business hours.~~
- ~~4. Open, plate glass shopfronts (Type B) encouraged at ground floor level along street of building address, with façade supported above by columns and beams and extending for a distance of twelve feet to fourteen feet around building corners at intersecting streets.~~
- ~~5. Plate glass material beginning fifteen inches to eighteen inches above finished grade (top of sidewalk) and extending to underside of beam, with alternate leaded or stained glass transoms minimum eight feet zero inches above finish grade.~~
- ~~6. Sign band and/or secondary cornice to be integral with any shopfronts, and located above plate glass shopfronts or transoms (Type B).~~
- ~~7. At grade doorways to be recessed.~~
- ~~8. Windows and doors shall be recessed. (except for shopfronts, which are to have plate glass column to column).~~
- ~~9. Building cornice (at top of building) casting tallest horizontal shadow upon building façade.~~
- ~~10. Pattern of solids and voids, coordinated within structural bays, generated by the vertical and horizontal alignment of rectangular windows and doors in repeating sizes. Full and segmented arches allowable atop rectangular windows in these locations (except for shopfronts).~~
- ~~11. Window groupings allowable.~~
- ~~12. Open ended, canvas, sloped awnings above shopfront windows. (Type B).~~
- ~~13. Decorative sills and/or headers required on windows located along exterior walls (except for shopfronts).~~
- ~~14. Parking lots permitted only in the rear yard, except that the Planning and Zoning Administrator may waive this requirement per Section 1250.04(c) where an ornamental fence or wall made of aluminum, stone, brick or other approved material meeting the requirements of Section 1260.02 and landscaping are installed to screen the parking area.~~
- ~~15. Floor to floor heights limited to fifteen feet.~~
- ~~16. Flat roof required.~~
- ~~(6) Mixed-use/commercial building. A small to medium sized building that contains ground floor commercial space with dwelling units and/or commercial space above. Any number of~~

dwelling units can be incorporated based on the desired level of density. Typically, there is one shared door for residential access facing the street.

Figure 17. Mixed-Use Building.



— Illustrated Required and Optional Design Standards:

— 1. Traditional building façade treatments (as well as main business entrances) to be located along streets of corresponding building addresses and corresponding to right of way lines. Side and rear entrances shall be subordinate to the main entrance and allowed along a right-of-way line of intersecting streets only or a rear parking lot. Storefront main entrance at corner may substitute for that listed above (see Mixed-Use Building).

— 2. Main entrance doors must remain unlocked during business hours.

— 3. Main level accessible at grade.

— 4. Open, plate-glass shopfronts (curtain walls), located at ground-floor level along street of building address, with façade supported above by columns and beams and extending for a distance of one structural bay around building corners at intersecting streets. Plate-glass material beginning fifteen inches to eighteen inches above finish-grade (top of sidewalk) and extending to underside of beam, with alternate leaded or stained-glass transoms minimum eight feet zero inches above finish-grade.

— 5. Sign band and/or secondary cornice integral with shopfronts and above plate-glass and/or transoms.

— 6. Recessed doorways located within shopfronts (see numerical parameters below).

— 7. Windows shall be recessed.

~~8. Horizontal molding or accent material band projection, casting a secondary horizontal shadow line, dividing the façade into layers. This feature is accepted on Art Deco-style buildings.~~

~~9. Vertical façade projections (corresponding to structural columns) casting vertical shadows on façade and articulating regular structural bays, each 20 feet to thirty feet in width.~~

~~10. Pattern of solids and voids above ground floor, coordinated within structural bays, generated by the vertical and horizontal alignment of rectangular windows and doors in repeating sizes. Full and segmented arches allowable atop rectangular windows in these locations.~~

~~11. Radii of arches on segmented arch windows must equal widths of corresponding windows.~~

~~12. Arched building tops prohibited.~~

~~14. Window groupings allowable above ground floor, corresponding to structural bays.~~

~~14. Open ended, canvas, sloped awnings above shopfront windows.~~

~~15. Decorative sills and/or headers on upper floor windows located on building façades.~~

~~16. Sides and backs of buildings not regulated by this code, except at corners (as illustrated here).~~

~~17. Building façade treatments optional along intersecting streets.~~

~~18. Towers, sculptures, and other characteristic forms and/or focal points encouraged (not illustrated).~~

~~19. Characteristic forms echoed or repeated within structural bays.~~

~~20. Parking lots permitted only in the rear yard, except that the Planning and Zoning Administrator may waive this requirement per Section 1250.04(c) where an ornamental fence or wall meeting the requirements of Section 1260.02 and landscaping are installed to screen the parking area.~~

~~21. Floor to floor heights limited to fifteen feet.~~

~~(7) Townhome/rowhouse. A small to medium sized building that contains side-by-side attached single family dwelling units. Typically, two to eight units make up a building, all with individual entrances facing the street.~~

~~—~~

Figure 18. Townhome/Rowhouse



~~Illustrated Required and Optional Design Standards:~~

~~1. Residential units existing side-by-side within building enclosure with each unit extending from foundation to roof.~~

~~2. Parking at rear or within building at ground floor with parking entrance at rear of building.~~

~~3. Side parking lots prohibited.~~

~~4. Recess windows.~~

~~5. Pattern of solids and voids generated by the vertical and horizontal alignment of windows and doors in variously repeating sizes.~~

~~6. Window groupings encouraged, with groups of up to three allowable.~~

~~7. Ground floor (finished floor) twenty-four inches to thirty inches above grade.~~

~~8. Minimum six feet six inches deep required front porch maximum thirty inches above grade with decorative rail twenty-eight~~twenty-eight~~ inches to thirty-six inches above porch floor (porches may be individual or shared and continuous across front of building).~~

~~9. Individual main entrance articulation. Porch may be shared (entrances may have separate doors or share a vestibule).~~

~~10. Floor to floor heights limited to ten feet six inches.~~

~~(8) Schedule of regulations by building types. The following dimensional standards by building type shall apply to new construction in the T-4, and T5 Districts. When in conflict with Section 1241.02, these regulations shall prevail.~~

SCHEDULE OF REGULATIONS BY BUILDING TYPE

1250.05 MHP-OD MOBILE HOME PARK OVERLAY DISTRICT.

(a) Purpose. The purpose of this chapter is to establish an overlay district zoning designation for mobile home parks in the city so as to establish specific areas within the city where mobile home parks shall be permitted by right as a supplement to the use permitted by one of the other zoning districts established by this Zoning Code and indicated on the zoning map, which shall be referred to as the “underlying district.”

(b) Definitions. As used in this chapter:

(1) “Mobile home” means a structure transportable in one or more sections which is built on a chassis and designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained in such structure.

(2) “Mobile Home Commission” means that body created pursuant to the Mobile Home Commission Act, Public Act 96 of 1987, as amended, being MCL 125.2301 et seq., with the authority to promulgate rules and standards for mobile home parks.

(3) “Mobile home park” means a parcel or tract of land under the control of a person, upon which parcel or tract three or more mobile homes are located on a continual, nonrecreational basis, and which is offered to the public for that purpose, regardless of whether a charge is made therefor, together with any building, structure, enclosure, street, equipment or facility used or intended for use incident to the occupancy of a mobile home. The term “mobile home park” does not include “seasonal mobile home park,” as defined by the Mobile Home Commission Act, Public Act 96 of 1987, as amended, being MCL 125.2301 et seq.

(c) Permitted Uses. In addition to the uses permitted in the underlying district, this chapter also permits, by right, the use of the premises as a mobile home park.

(d) Compliance with Rules of the Mobile Home Commission; Height, Yard, Lot Area, Lot Width, Building Coverage, Sign, Parking and Density Requirements.

(1) The use permitted by this chapter shall comply with all rules and standards for mobile homes and mobile home parks promulgated by the Mobile Home Commission, which rules and standards are adopted herein by reference.

(2) The height, yard, lot area, lot width, building coverage, sign and parking requirements of the underlying district shall be applicable to mobile home parks to the degree that such are not in conflict with the rules and standards promulgated by the Mobile Home Commission.

(3) Mobile home parks shall not have a density per acre of more than five mobile homes or in excess of the density factor for the underlying district, whichever is greater.

(e) Boundaries of Overlay Districts; Application for Designation.

(1) The boundaries of MHP-OD Mobile Home Park Overlay Districts shall be delineated on the official zoning map of the city and titled “MHP-OD.”

(2) The MHP-OD Mobile Home Park Overlay District zoning designation shall be applied for in the same manner provided for amendments to the Zoning Code for all or part of an underlying district.

(f) Administrative Remedies for Violations. In addition to the general penalty provided for violations of this Zoning Code, the city reserves all administrative remedies it may have before the Mobile Home Commission for a violation of this chapter or the rules and standards of the Mobile Home Commission.

12CHAPTER 1250
Supplemental Zoning District Standards

1250.01 PLANNED UNIT RESIDENTIAL DEVELOPMENTS. -NO CHANGE

1250.02 SUBDIVISION REGULATIONS. -NO CHANGE

1250.03 AIRPORT APPROACH OVERLAY ZONING DISTRICT. - NO CHANGE

1250.04 FORM-BASED DEVELOPMENT STANDARDS FOR THE T-3, T-4, T-5, T-6 DISTRICTS.

(a) Statement of Purpose. The purpose of the form-based development standards is to create clear and simple regulations for the design of new development or redevelopment within existing neighborhood commercial areas, parts of the Lakeview District and the historic downtown. The regulations of this section require development to have a physical form that complements the historic nature of existing development in the downtown Battle Creek and surrounding areas included in the T-3, Neighborhood Commercial District, T-4, Downtown Commercial District, T-5, Core Downtown Commercial Districts and T-6, Lakeview District. Specifically, these regulations encourage a pedestrian friendly and walkable character, permit a mixture of land uses; encourage streets that serve the needs of pedestrians, bicycles, and motorized vehicle traffic equitably; encourage places for informal social activity and recreation in the Lakeview District and downtown area; and encourage building frontages that define the public space of streets. With proper physical form, a building can accommodate a wide range of uses without generating undue impact on neighboring properties or the downtown as a whole.

It is further the purpose of the form-based development standards to:

- (1) Create a core downtown area that maintains the traditional physical form of a historic downtown.
- (2) Create unique, walkable mixed-use developments including residential, retail, entertainment, office, and other compatible uses.
- (3) Promote the orderly development, redevelopment, and continued maintenance of Battle Creek's central business district.
- (4) Encourage shared parking areas throughout the downtown area rather than requiring each individual property owner to provide physical parking space on their property.
- (5) Create quantitative and qualitative building design guidelines that ensure new development is compatible with the historic character existent in downtown.
- (6) Ensure buildings create a solid streetwall that helps to define streets as public spaces.
- (7) Ensure that permitted uses complement each other in terms of character and location, and to ensure that uses in the T-3, T-4, T-5 and T-6 Districts do not have an adverse impact on the overall economic and social vitality of the downtown and neighborhood commercial areas, street capacity, public utilities or services, or the overall image and function of the districts.
- (8) Prevent automobile-oriented development from eroding or destroying the character of the downtown and Lakeview District area.

(9) Encourage harmonious residential infill and adaptive reuse of noteworthy buildings to provide a mix of housing types, unit sizes, and compatible uses within walking distance of Battle Creek's historic downtown area and Beckley Road and Capital Avenue area within the Lakeview District.

(10) Encourage accessible housing options in the downtown area.

(11)

(b) Existing development in the T-3, T-4, T-5 and T-6 Districts

(1) Expansions of developed sites.

A. Changes in existing condition 25% or less. Any activity on a developed site that would increase the floor area of the existing building by 25% or less need not comply with the requirements of this section. However, any new building area or site improvements should result in the site being more compliant, and shall not result in the site being less compliant with the requirement of this section. Additionally, properties located in the T3 District, abutting on a residential district or adjacent to a residential use, shall maintain a setback of 20 feet.

B. Changes in existing condition greater than 25%. Whenever a building expansion of greater than 25% of the floor area is proposed, the improvement activity shall comply with the requirements of this section. However, any new building area or site improvements should result in the site being more compliant, and shall not result in the site being less compliant with the requirement of this section. Additionally, properties located in the T3 District, abutting on a residential district or adjacent to a residential use, shall maintain a setback of 20 feet.

C. Expansions measured cumulatively. For the purposes of determining compliance with this section, expansions shall be measured cumulatively, with the baseline being the building area and improved site area that existed at the date of adoption of this Zoning Code.

(2) Redevelopment. Redevelopment of existing buildings shall comply with the Architectural Standards established in Section 1250.04(d).

A. Whenever 50% or less of the existing building will be demolished or replaced, the development activity need not comply with the requirements of this section. However, any site layout or building design changes that may occur as a result of the development activity should result in the site being more compliant with the requirements of this section.

B. Whenever more than 50% of an existing building will be demolished or replaced, the development activity shall comply with all of the requirements of this section.

(c) Waiver of Requirements.

(1) Purpose and limitations. For an activity in the T-3, T-4, T-5 and T-6 Districts, the Planning and Zoning Administrator may grant a waiver from certain dimensional requirements contained in this section. Regulations that may be altered through the waiver process are described in the various subsections of this section, along with the specific parameters by which the regulation may be altered.

Waivers are separate and distinct from dimensional variances in that they are limited in their bounds and are intended to permit reasonable use of property where the strict application of the requirements of this section would not further the public purpose, and a relaxed or altered dimensional standard will still meet the intent and purpose of the T-3, T-4, T-5 and T-6 Districts.

Whenever a regulation may be altered through the waiver process, specific bounds are listed within which the waiver must be maintained. If an alteration to a dimensional requirement is requested that is greater than that listed in this section, the applicant must obtain a variance following the procedures and review standards Section 1280.03, Zoning Board of Appeals.

(2) Application and review procedures. The applicant shall clearly identify all requested waivers on the application and site plan. The reviewing authority shall evaluate the requested waivers and approve, approve with conditions, or deny the waiver request. In evaluating a waiver request, the reviewing authority shall take into account the following considerations:

A. Approval of the waiver will not result in development that is incompatible with or will negatively impact existing or potential future development in the vicinity of the property to be developed.

B. The requested waiver is consistent with the intent and purpose of this section.

C. The waiver will result in a superior development when compared with what could be achieved through the strict application of the requirements of this section.

D. A lesser waiver will not accomplish the same purpose as the requested waiver.

E. The waiver will not negatively impact the potential of adjacent parcels to develop according to the requirements of this section.

(3) Waivers from building design standards for new construction and adaptive reuse. The Planning and Zoning Administrator may waive the above requirements finding all of the following standards have been met:

A. The architectural design of the proposed structure is consistent with the character of the surrounding area.

B. The architectural design otherwise meets the building design standards of the T-3, T-4, T-5 and T-6 Districts.

C. The project brings the site more into compliance with the building design standards for new construction and purpose of the T-3, T-4, T-5 AND T-6 Districts.

(d) Architectural Standards for New Construction and Adaptive Reuse.

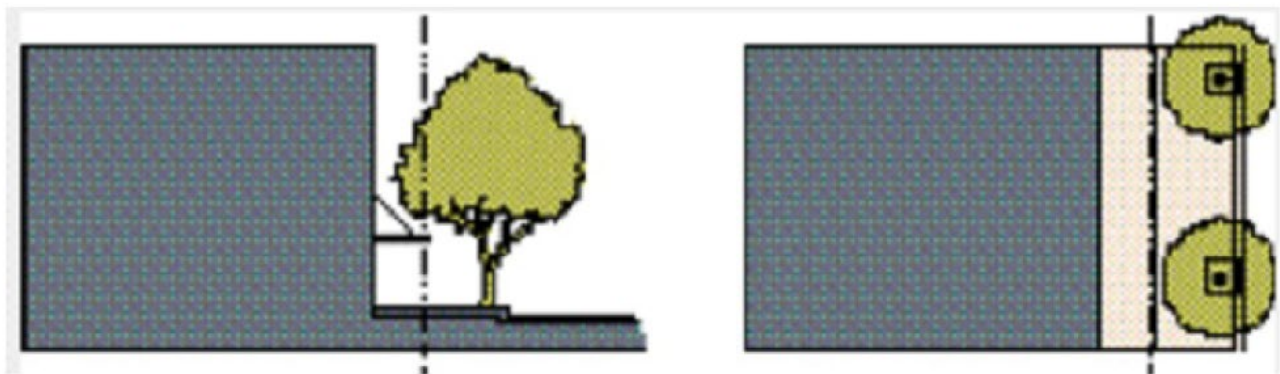
(1) Frontage requirements. Buildings in the T-3, T-4, T-5 and T-6 Districts shall comply with the following requirements, in addition to any applicable requirements of Section 1241.02, Schedule of Regulations. The requirements of this section and Section 1241.02 are intended to be complimentary; however, in any instance where there is an apparent conflict, the provisions of this section shall control.

A. Private frontage. The private frontage is the area between the right-of-way and the principal building façade. Buildings must contain architectural elements consistent with one of the following four private frontages. Each frontage is designed to be consistent with some or all of the uses permitted in the T-3, T-4, T-5 and T-6 Districts. A sidewalk shall connect each entrance into a private building to the parking area and to the public right-of-way sidewalk.

Note that the following table includes specific dimensional requirements for each of the frontages. Unless otherwise noted, the dimensional requirements are in addition to any other dimensional requirement of this Section.

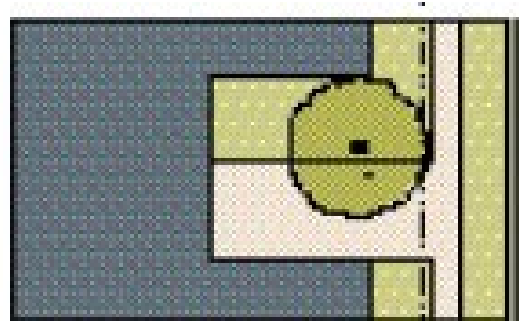
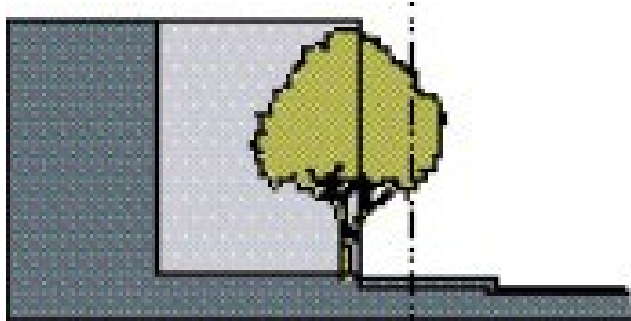
FRONTAGE TYPE	WHERE PERMITTED	DIMENSIONAL REQUIREMENTS
<p>Shopfront. A frontage where the building façade is located close to the front lot line with the building entrance at sidewalk grade. This frontage type is suitable for nonresidential use on the first floor.</p>	<p>T-3 T-4 T-5 T-6</p>	<p>The building shall be set back a maximum of 5 feet from the front lot line.</p>

Shopfront illustration:



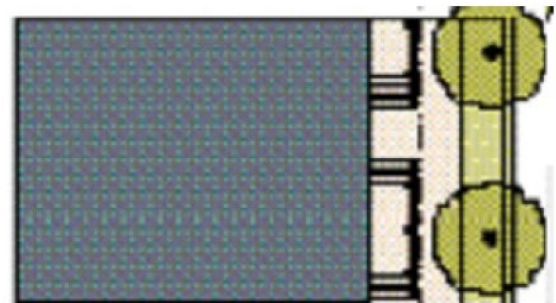
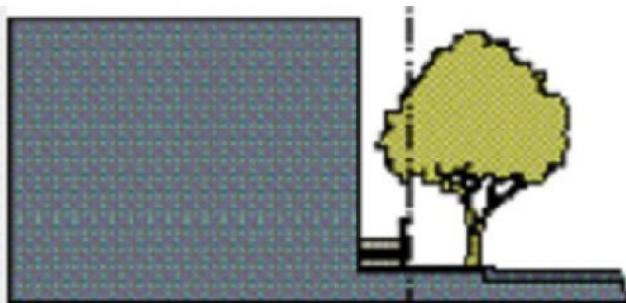
<p>Courtyard. A frontage where a portion of the building façade is close to the front lot line with a portion set back. The courtyard may accommodate tree plantings or a vehicle drop-off area. This frontage is suitable for any building use.</p>	<p>T-3 T-4 T-5 T-6</p>	<p>The building shall be set back a maximum of 5 feet from the front lot line. The courtyard area shall be considered part of the front building façade for the purposes of determining compliance with the requirements of the required setback.</p>
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Courtyard Illustration:



<p>Stoop. A frontage where the floor is elevated from the sidewalk to provide privacy for first floor windows. The entrance is usually from an exterior stair and landing. This frontage is suitable for ground-floor residential use.</p>	<p>T-3 T-4 T-6</p>	<p>The building shall be set back a minimum of 7 feet from the front lot line. The stoop or porch area shall be set back a minimum of 2 feet from the front lot line.</p>
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Stoop Illustration:



<p>Lawn. A frontage where the building is set back from the street with a landscaped front yard area. This frontage is suitable for any building use.</p>	<p>T-3 T-4 T-6</p>	<p>The building shall be set back a minimum of 10 feet from the front lot line. Unenclosed front porches shall be set back a minimum of 5 feet from the front lot line.</p>
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Lawn Illustration:



(2) Minimum height. The minimum building height in the T-4, and T-5 Districts located within the downtown development boundaries delineated in the Battle Creek Downtown Plan adopted February 28, 2018 is twenty feet. All buildings shall be at least two stories. Outside of this boundary, there is no minimum height requirement.

(3) Building materials for buildings in the T-6 shall comply with the following building material requirements.

A. Primary building materials. Any of the following building materials shall be used on a minimum of 50% of the façade of the building. This shall be calculated as a percentage of the wall portion of the façade excluding doors and windows.

1. Brick
2. Wood or cement fiber siding (such as Hardie Board or Boral Siding);
3. Natural Stone (or integrally colored synthetic, equivalent or better);
4. Stucco (cement plaster);
5. Stucco (cement plaster);
6. Cast iron, copper, stainless steel (18-8 or better), and titanium metal siding;
7. Glass block;
8. Display glass, or
9. Glazed brick or decorative tile

B. Secondary building materials. Any of the following materials are permitted on 50% of the façade of the building and on all side and rear elevations, this list is not inclusive of all materials allowed. Additional materials may be approved by the Planning and Zoning Administrator. (4) Building materials for buildings in T-4 and T-5 Districts located within the downtown development boundaries delineated in the Battle Creek Downtown Plan adopted February 28, 2018 shall comply with the following building material requirements:

A. Primary building materials. Any of the following building materials shall be used on a minimum of 60% of the facade of the building. This shall be calculated as a percentage of the wall portion of the façade excluding doors and windows.

1. Brick
2. Wood or cement fiber siding (such as Hardie Board or Boral Siding);
3. Exposed logs or timber;
4. Natural Stone (or integrally-colored synthetic, equivalent or better);
5. Stucco (cement plaster);
6. Cast iron, copper, stainless steel (18-8 or better), and titanium metal siding;
7. Display glass; or
8. Glazed brick or decorative tile

B. Secondary building materials. Any of the following materials are permitted on 40% of the façade of the building and on all side and rear elevations, this list is not inclusive of all materials allowed. Additional materials may be approved by the Planning and Zoning Administrator.

1. Ground- or split-faced block (integrally colored);
2. Glass block;
3. Metal accent;
4. Pre-cast masonry; or
5. Synthetic materials (only above the second story) as approved by the Planning and Zoning Administrator.

C. Waiver. This requirement may be waived, per Section 1250.04(c).

(5) Building materials for buildings located in the T-3 or T-4 Districts not located within the downtown development boundaries delineated in the Battle Creek Downtown Plan adopted February 28, 2018 shall comply with the following building material requirements:

A. Primary building materials. Any of the following building materials shall be used on a minimum of 50% of the façade of the building. This shall be calculated as a percentage of the wall portion of the façade excluding doors and windows.

1. Brick
2. Wood or cement fiber siding (such as Hardie Board or Boral Siding);
3. Exposed logs or timber
4. Natural Stone (or integrally-colored synthetic, equivalent or better);
5. Stucco (cement plaster);
6. Cast iron, copper, stainless steel (18-8 or better), and titanium metal siding;
7. Ground-or split-faced block (integrally colored);
8. Glass block;

- 9. Display glass; or
- 10. Glazed brick or decorative tile

B. Secondary building materials. Any of the following materials are permitted on 50% of the façade of the building and on all side and rear elevations, this list is not inclusive of all materials allowed. Additional materials may be approved by the Planning and Zoning Administrator.

- 1. Pre-cast masonry
- 2. Metal accent;
- 3. Synthetic materials (only above the second story) as approved by the Planning and Zoning Administrator

C. Waiver. This requirement may be waived, per Section 1250.04(c).

(6) Ground floor design.

A. Building entrance(s). All buildings shall have their principal entrance or entrances open onto a street, sidewalk, or public space. The principal building entrance shall not open onto a parking lot, although a secondary or subordinate entrance may be provided to a parking lot.

B. Entryway alignment.

1. Nonresidential uses. For all buildings in the T-3, T-4, T-5 and T-6 Districts and buildings with nonresidential uses on the first floor, the ground floor of the principal entrance shall align with the elevation of the adjacent sidewalk. Sunken terraces or stairways to a basement shall not constitute principal entrances to a building for the purposes of this section. It is not the intent of this section to preclude the use of below or above grade entryways, provided that such entryways are secondary, not principal entrances.

2. Residential and live/work uses. For first-floor residential and live/work uses in the T-3, T-4, T-5 and T-6 Districts, the ground floor of the building (and consequently the principal entrance as well) may be raised up to thirty-six inches above the elevation of the adjacent sidewalk. This is intended to create greater privacy for first floor residential uses by elevating windows above the view of passing pedestrians.

(7) Windows and entryways. The following requirements apply to facades of buildings facing a public street or public space such as a plaza or square.

A. Windows. Windows above the ground floor shall have a height to width ratio of at least 2:1.

B. Ground floor facade transparency. All buildings with first floor nonresidential uses shall maintain transparency for at least 70% of the first-floor facade area between two and eight feet above grade level. Doors and windows provide transparency.

- 1. Window glass shall be clear, with at least 90 percent light transmission. (modifications as necessary to meet applicable building and energy code requirements)
- 2. Areas of solid wall shall not exceed a length of twenty feet.

(8) Recessed entrances. Recessed entrances are required in the T-4 and T-5 Districts located within the downtown development boundaries delineated in the adopted Battle Creek Downtown Plan. Doors located within the downtown development boundaries delineated in the Battle Creek Downtown Plan adopted with any amendments thereafter are required to be recessed into the face of the building to create a sense of entry and to add variety to the streetscape.

(9) Encroachments. The following building elements may encroach into a public right-of-way or setback area.

A. Balconies. Balconies on upper stories may encroach up to six feet into any required setback area and up to four feet into any right-of-way area.

B. Stoops. Unenclosed and uncovered front stoops may encroach up to five feet into a front yard setback area, provided that the stoop maintains a minimum setback of five feet from any right-of-way line.

C. Awnings.

(1) Awnings may encroach up to six feet from the face of the building into the setback area, or into the right-of-way area in the T-4 T-5 and T-6 Districts.

(2) Awnings shall have a minimum height of eight feet between the sidewalk and the bottom of the awning or any support structure, and shall not exceed a height of twelve feet from the ground to the highest point of the canopy.

(3) If the awning encroachment of six feet would interfere with the placement of street lighting or street trees, the awning projection shall be reduced to resolve the conflict.

(4) Awnings shall be constructed out of fabric, and may not be internally illuminated. Metal or other materials may be used for awnings if a waiver is approved per Section 1250.04 (c).

D. Bay windows. Bay windows on the ground story may encroach up to three feet into any setback area, but may not encroach into a right-of-way area. Bay windows on upper floors may encroach up to three feet into any setback or right-of-way area.

E. Eaves. Roof eaves may encroach up to three feet into any setback or right-of-way area.

(9) Service areas. All service areas, including utility access, above ground equipment and dumpsters shall be located in side or rear yards and shall be screened from view from any street.

(10) Mechanical and utility equipment. Mechanical equipment, electrical and gas meter and service components, and similar utility devices (whether ground level, wall mounted, or roof mounted) shall be screened from view from the front property line. Exterior screening materials shall be the same as the predominant exterior materials of the principal building.

(11) Parking lots. Parking lots in the downtown district are only permitted in the rear yard, except that the Planning and Zoning Administrator may waive this requirement per Section 1250.04(c) where an ornamental fence or wall meeting the requirements of Section 1260.02 and landscaping are installed to screen the parking area.

1250.05 MHP-OD MOBILE HOME PARK OVERLAY DISTRICT.

(a) Purpose. The purpose of this chapter is to establish an overlay district zoning designation for mobile home parks in the city so as to establish specific areas within the city where mobile home parks shall be permitted by right as a supplement to the use permitted by one of the other zoning districts established by this Zoning Code and indicated on the zoning map, which shall be referred to as the “underlying district.”

(b) Definitions. As used in this chapter:

(1) “Mobile home” means a structure transportable in one or more sections which is built on a chassis and designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained in such structure.

(2) “Mobile Home Commission” means that body created pursuant to the Mobile Home Commission Act, Public Act 96 of 1987, as amended, being MCL 125.2301 et seq., with the authority to promulgate rules and standards for mobile home parks.

(3) “Mobile home park” means a parcel or tract of land under the control of a person, upon which parcel or tract three or more mobile homes are located on a continual, nonrecreational basis, and which is offered to the public for that purpose, regardless of whether a charge is made therefor, together with any building, structure, enclosure, street, equipment or facility used or intended for use incident to the occupancy of a mobile home. The term “mobile home park”

does not include “seasonal mobile home park,” as defined by the Mobile Home Commission Act, Public Act 96 of 1987, as amended, being MCL 125.2301 et seq.

(c) Permitted Uses. In addition to the uses permitted in the underlying district, this chapter also permits, by right, the use of the premises as a mobile home park.

(d) Compliance with Rules of the Mobile Home Commission; Height, Yard, Lot Area, Lot Width, Building Coverage, Sign, Parking and Density Requirements.

(1) The use permitted by this chapter shall comply with all rules and standards for mobile homes and mobile home parks promulgated by the Mobile Home Commission, which rules and standards are adopted herein by reference.

(2) The height, yard, lot area, lot width, building coverage, sign and parking requirements of the underlying district shall be applicable to mobile home parks to the degree that such are not in conflict with the rules and standards promulgated by the Mobile Home Commission.

(3) Mobile home parks shall not have a density per acre of more than five mobile homes or in excess of the density factor for the underlying district, whichever is greater.

(e) Boundaries of Overlay Districts; Application for Designation.

(1) The boundaries of MHP-OD Mobile Home Park Overlay Districts shall be delineated on the official zoning map of the city and titled “MHP-OD.”

(2) The MHP-OD Mobile Home Park Overlay District zoning designation shall be applied for in the same manner provided for amendments to the Zoning Code for all or part of an underlying district.

(f) Administrative Remedies for Violations. In addition to the general penalty provided for violations of this Zoning Code, the city reserves all administrative remedies it may have before the Mobile Home Commission for a violation of this chapter or the rules and standards of the Mobile Home Commission.



Battle Creek City Planning Commission

Staff report for the June 24, 2026 regular meeting

To: Planning Commissioners

From: Adam Jenks, Planner

Subject: Petition #PRZ26-0002 from the City of Battle Creek to rezone various properties located within the Beckley Road Lakeview District Plan currently zoned B-2 Regional Commercial District. The City of Battle Creek is requesting the area be rezoned to T-6 Lakeview Business District pursuant to Section 1281.01 of the zoning code.

Summary

Petition from the City of Battle Creek requesting a rezoning of 84 parcels located along the Beckley Road Corridor from B-2 Regional Commercial District to T-6 Lakeview Business District.

Background/Property Information

For additional background information and context related to the Lakeview District, please refer to the previous staff report information found in Text Amendment A26-03.

The establishment of the T-6 Lakeview Business District will help accommodate existing commercial uses and buildings within the subject area by reducing the number of nonconforming uses, while also providing additional commercial and residential options for vacant properties and parking spaces in an effort to stimulate economic investment in the area. Staff anticipates that the proposed rezoning would not create any new dimensional or use-related nonconformities, while also permitting a wider range of housing types by right.

The subject area includes a total of 84 parcels located primarily on an east-west orientation along Beckley Rd., with Capital Ave. largely being the western extent and M-66 to the east. All the parcels proposed for rezoning are currently zoned B-2 Regional Commercial District.

Please see Figure 1 below for aerial depiction of the Lakeview District. Figure 2 below indicates the current zoning of the subject parcels and the surrounding area. Table 1 provides the address (if available), parcel number, and current zoning of each parcel included within the proposed area of rezoning.

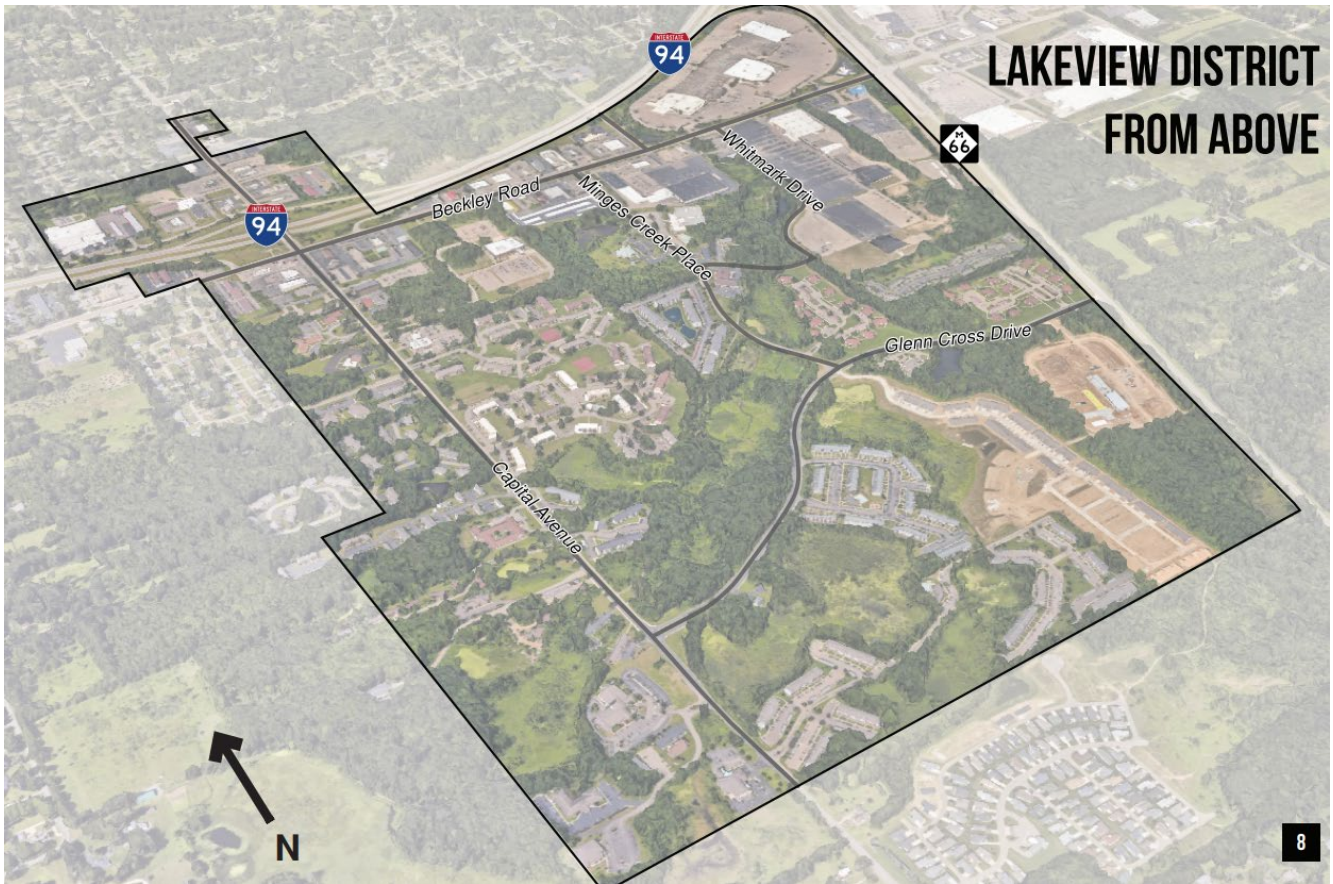


Figure 1: Aerial depiction of the Lakeview District.

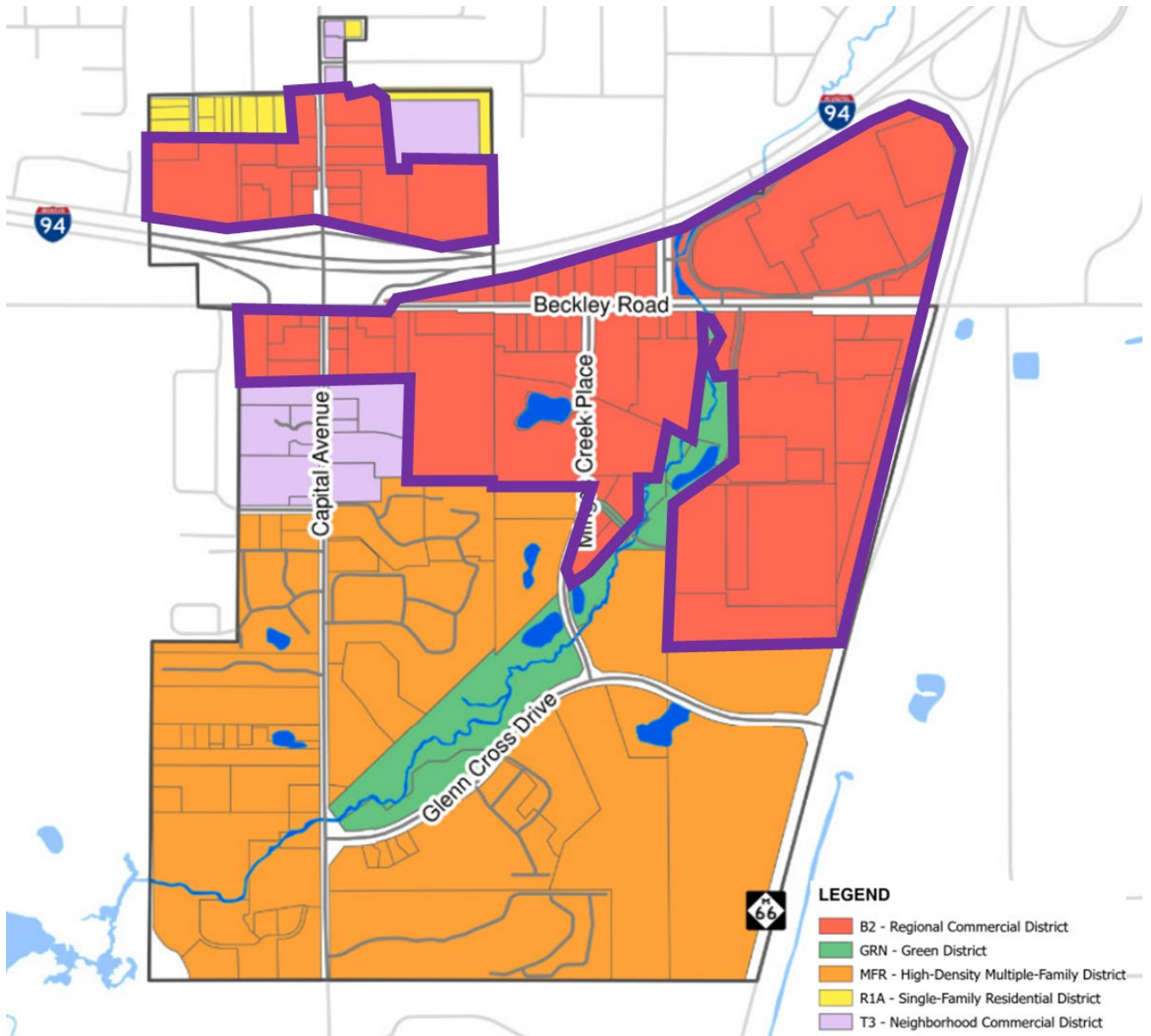


Figure 2: Existing zoning of subject parcels and surrounding parcels. Parcels that are subject to rezoning are outlined in dark purple.

No.	Address	Parcel Number	Current Zoning
1	110 Knapp Dr	0076-00-820-0	B-2 Regional Commercial District
2	2 Heritage Oak Ln Unit 1	4010-00-001-0	B-2 Regional Commercial District
3	2 Heritage Oak Ln Unit 2	4010-00-002-1	B-2 Regional Commercial District
4	2 Heritage Oak Ln Unit 3	4010-00-003-1	B-2 Regional Commercial District
5	2 Heritage Oak Ln Unit 4	4010-00-004-1	B-2 Regional Commercial District
6	2 Heritage Oak Ln Unit 5	4010-00-005-1	B-2 Regional Commercial District
7	21 Minges Creek Pl	5515-00-040-0	B-2 Regional Commercial District
8	2545 SW Capital Ave	0075-00-340-0	B-2 Regional Commercial District
9	2550 SW Capital Ave	6180-10-893-0	B-2 Regional Commercial District
10	2565 SW Capital Ave	0075-00-400-0	B-2 Regional Commercial District
11	2580 SW Capital Ave	0076-00-855-0	B-2 Regional Commercial District
12	2587 SW Capital Ave	0075-00-410-0	B-2 Regional Commercial District
13	2588 SW Capital Ave	0076-00-858-0	B-2 Regional Commercial District
14	2589 SW Capital Ave	0075-00-470-0	B-2 Regional Commercial District
15	2590 SW Capital Ave	0076-00-850-0	B-2 Regional Commercial District
16	2591 SW Capital Ave	0075-00-420-0	B-2 Regional Commercial District
17	2593 SW Capital Ave	0075-00-430-0	B-2 Regional Commercial District
18	2594 SW Capital Ave	0076-00-860-0	B-2 Regional Commercial District
19	2595 SW Capital Ave	0075-00-450-0	B-2 Regional Commercial District
20	2597 SW Capital Ave	0075-00-440-0	B-2 Regional Commercial District
21	2802 SW Capital Ave	0085-00-010-0	B-2 Regional Commercial District
22	2807 SW Capital Ave	0086-00-920-0	B-2 Regional Commercial District
23	2810 SW Capital Ave	0635-24-100-1	B-2 Regional Commercial District
24	2811 SW Capital Ave	0086-00-930-0	B-2 Regional Commercial District
25	2822 SW Capital Ave	0635-24-100-2	B-2 Regional Commercial District
26	2825 SW Capital Ave	0086-00-980-0	B-2 Regional Commercial District
27	2838 SW Capital Ave	0085-00-060-0	B-2 Regional Commercial District
28	3 Heritage Oak Ln	5515-00-045-0	B-2 Regional Commercial District
29	3035 SW Capital Ave	0636-11-489-0	B-2 Regional Commercial District
30	36 Minges Creek Pl	5515-00-050-0	B-2 Regional Commercial District
31	4765 Beckley Rd	0076-00-770-0	B-2 Regional Commercial District
32	4775 Beckley Rd	0076-00-790-0	B-2 Regional Commercial District
33	4785 Beckley Rd	0076-00-800-0	B-2 Regional Commercial District
34	4786 Beckley Rd	0085-00-080-0	B-2 Regional Commercial District
35	4840 Beckley Rd	0085-00-030-0	B-2 Regional Commercial District
36	50 Knapp Dr	0076-00-870-0	B-2 Regional Commercial District
37	5050 Beckley Rd	0086-00-910-1	B-2 Regional Commercial District
38	5074 Beckley Rd	0086-00-905-0	B-2 Regional Commercial District
39	5090 Beckley Rd	0086-00-900-0	B-2 Regional Commercial District
40	5195 Beckley Rd	0075-00-490-0	B-2 Regional Commercial District
41	5225 Beckley Rd	0075-00-500-0	B-2 Regional Commercial District
42	5230 Beckley Rd	0086-00-830-0	B-2 Regional Commercial District
43	5275 Beckley Rd	0075-00-540-0	B-2 Regional Commercial District
44	5276 Beckley Rd	5515-00-100-0	B-2 Regional Commercial District

45	5280 Beckley Rd	5515-00-095-0	B-2 Regional Commercial District
46	5285 Beckley Rd	0075-00-550-0	B-2 Regional Commercial District
47	5335 Beckley Rd	0075-00-560-0	B-2 Regional Commercial District
48	5340 Beckley Rd	5515-00-091-0	B-2 Regional Commercial District
49	5350 Beckley Rd	5515-00-085-0	B-2 Regional Commercial District
50	5352 Beckley Rd	5515-00-080-0	B-2 Regional Commercial District
51	5395 Beckley Rd	0075-00-570-0	B-2 Regional Commercial District
52	5401 Beckley Rd	0075-00-535-0	B-2 Regional Commercial District
53	5420 Beckley Rd	5515-00-035-0	B-2 Regional Commercial District
54	5421 Beckley Rd	0075-00-530-0	B-2 Regional Commercial District
55	5445 Beckley Rd	0075-00-515-0	B-2 Regional Commercial District
56	5466 Beckley Rd	5515-00-005-0	B-2 Regional Commercial District
57	5475 Beckley Rd	0075-00-510-0	B-2 Regional Commercial District
58	5500 Beckley Rd	0086-00-380-0	B-2 Regional Commercial District
59	5560 Beckley Rd	0086-00-365-0	B-2 Regional Commercial District
60	5568 Beckley Rd	0086-00-360-0	B-2 Regional Commercial District
61	5575 Beckley Rd	0075-00-700-0	B-2 Regional Commercial District
62	5700 Beckley Rd	0086-00-270-0	B-2 Regional Commercial District
63	5700 Beckley Rd	0086-00-250-0	B-2 Regional Commercial District
64	5700 Beckley Rd	0086-00-275-0	B-2 Regional Commercial District
65	5700 Beckley Rd F	0086-00-260-0	B-2 Regional Commercial District
66	5719 Beckley Rd	0625-47-400-0	B-2 Regional Commercial District
67	5725 Beckley Rd	0625-48-500-1	B-2 Regional Commercial District
68	5727 Beckley Rd	0625-49-000-2	B-2 Regional Commercial District
69	5735 Beckley Rd	0625-48-600-0	B-2 Regional Commercial District
70	5736 Beckley Rd	0095-00-050-0	B-2 Regional Commercial District
71	5738 Beckley Rd	0095-00-060-0	B-2 Regional Commercial District
72	5740 Beckley Rd	0095-00-080-0	B-2 Regional Commercial District
73	5775 Beckley Rd	0625-46-525-0	B-2 Regional Commercial District
74	5800 Beckley Rd	0095-00-070-0	B-2 Regional Commercial District
75	5801 Beckley Rd	0075-00-730-0	B-2 Regional Commercial District
76	5805 Beckley Rd	0625-49-819-1	B-2 Regional Commercial District
77	7 Heritage Oak Ln	0086-00-780-0	B-2 Regional Commercial District
78	75 Minges Creek Pl	0086-00-750-1	B-2 Regional Commercial District
79	8 Minges Creek Pl	5515-00-071-0	B-2 Regional Commercial District
80	Beckley Rd	0086-00-265-0	B-2 Regional Commercial District
81	Beckley Rd	0086-00-375-0	B-2 Regional Commercial District
82	Beckley Rd	0095-00-090-0	B-2 Regional Commercial District
85	Beckley Rd Rear	0086-00-280-0	B-2 Regional Commercial District
92	SW Capital Ave	0076-00-845-0	B-2 Regional Commercial District

Table 1: Detailed information describing each subject parcel, including the address (if available), parcel number, and current zoning of the parcel.

Applicable Zoning Ordinance Provisions

The subject area contains parcels currently zoned B-2 Regional Commercial District. The proposed rezoning would move the subject parcels into the newly created T-6 Lakeview District classification, availing each parcel to the permitted uses and dimensional requirements as prescribed by Section 1240.16 (T-6 Lakeview District).

The purpose of the T-6 Lakeview District is as follows:

“It is the purpose of this district to revitalize commercial areas which, through business relocation, substantial change in surrounding uses, changes in the market, or a combination thereof, require the orderly placement of business establishments to provide the maximum use of buildings to accommodate and respond to changes in vehicular and pedestrian traffic flow. To permit the full potential of this district, certain uses which would interfere with the general effectiveness of this District have been intentionally excluded. Further, it is intended to promote uses that support a walkable environment, mix of uses within a single building, and uses that create activity throughout the day and week.”

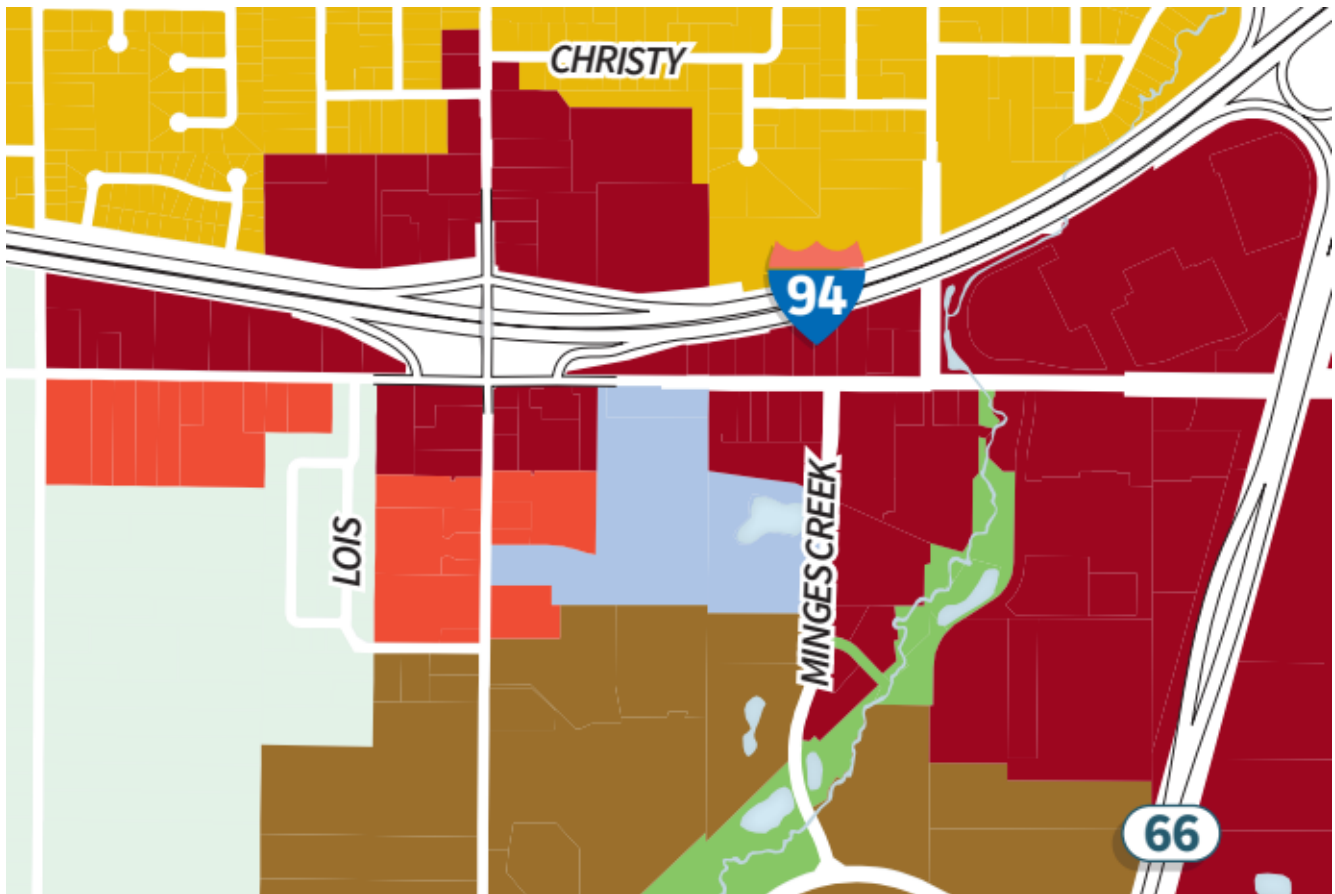
Section 1281.01 details the regulations and process related to zoning ordinance and map amendments, and is attached as a supporting document to this staff report. In summary, Section 1281.01 requires that a public hearing as required under the Michigan Zoning Enabling Act be sufficiently noticed and held by the Planning Commission, at which time a recommendation is made to the City Commission regarding the amendment. Following the public hearing, the recommendation of the Planning Commission and all pertinent documents are forwarded to the City Commission for consideration, which includes a process requiring two meetings (introduction of the proposed amendment, followed by Commission action on the proposed amendment at the following meeting).

Master Plan

The Planning Enabling Act of 2008 requires a master plan be prepared and adopted that will “guide and accomplish development that is coordinated, adjusted, harmonious, efficient, and economical; that considers the character of the planning jurisdiction and its suitability for particular uses, judged in terms of such factors as trends in land and population development; and will, in accordance with present and future needs, best promote public health, safety, morals, order, convenience, prosperity, and general welfare.”

The master plan focuses on desired land use patterns for typically a twenty-year time frame, and the enabling legislation and case law require that zoning be based upon this master plan. The City of Battle Creek Master Plan was adopted in 2018, and includes a Land Use Plan map, which is intended to guide in decision making with regard to planning and future land use patterns in accordance with the goals and vision articulated in the Master Plan.

Figure 3 below is a portion of the Land Use Plan map depicting the subject properties and the corresponding legend:



Land Use Classifications

- | | |
|--|---|
|  Agricultural & Rural Residential |  Production & Employment Center |
|  Traditional Neighborhood |  Community Open Space & Recreation |
|  Suburban Residential |  Transitioning Neighborhood |
|  Multi-Unit Residential |  Challenged Neighborhood |
|  Neighborhood Commercial |  Development Opportunity Centers |
|  Corridor Commercial |  Community Services |
|  Regional Commercial |  Urban Growth Boundary |
|  Downtown Commercial | |

Figure 3: Section of the 2018 Land Use Plan depicting the subject properties and surrounding area.

The subject area includes properties classified as the Regional Commercial and Community Services Place Types.

The Regional Commercial Place Type is defined as follows:

“The Regional Commercial Place Type is located along or within close proximity to the busiest roadways in the community, which support a high volume of local and regional traffic. The Place Type includes major retailers, national chains, specialty retailers and service providers, and shopping centers that draw consumers from the entire community, the larger regional market, and to travelers moving through the community along I-94. They provide unique entertainment and shopping experiences, along with auto-oriented uses and amenities accessible to individuals traveling greater distances. Compared to other commercial place types, Regional Commercial is high in intensity and features the largest scale of development..”

The Community Services Place Type is defined as follows:

“The Community Services land use designation includes a variety of properties and development which provide amenities and services to residents, support City infrastructure, and improve the overall quality of life within Battle Creek. Unlike the 11 land use place types, community service are included as a designation of land use on a specific parcel-by-parcel basis.

Properties are included within this designation either because they do not contribute to the overall character of the surrounding district, or because they are part of a larger campus which is enclosed or separated from adjacent areas. This can include City utilities; medical campuses and clinics; local, state, and federal government buildings; and schools or universities located on distinct campuses. It should be noted that not all community service uses are included within the designation. Where appropriate, these land uses are included within a specific land use place types given that they are either currently integrated or have potential to be incorporated within the surrounding place type.

Those areas included within the community services designation should be addressed individually to ensure the unique characteristics of the properties are properly managed. As opportunities arise, improvements should be made to better integrate community services within the surrounding area, such as pedestrian connections or public plazas and open spaces. Of the properties included within the community services designation, none are expected to see redevelopment or dramatic changes in land use. Should this occur, however, the City should work with property owners to transition land use in a manner that is appropriate with the surrounding land use place types and reflective of overall trends within the community..”

While each individual section of the proposed area of rezoning may not entirely align with the Land Use Plan map, it is important to remember that the Land Use Plan (including the Master Plan) is not a legally binding document. Economic conditions and trends related to the desired uses have shifted since the time of the master plan adoption in 2018. Proposed zoning changes, if approved by the City Commission, will be reflected in an updated Land Use Plan map which will be included in the coming update to the Master Plan.

It is also important to note that the proposed rezoning to the newly-created T6 zoning district aligns with the vision articulated within the Lakeview District Plan, which serves as a supplement to the adopted master plan.

Request for Rezoning

After consideration of the future needs of the Beckley Road commercial corridor and the existing conditions within the subject area, staff believes that a shift from the current regional commercial district

zoning to a T-6 Lakeview Business District will accommodate current businesses within the district as well as provide more diverse development opportunities for property owners. The proposed establishment of the T-6 district has the potential to encourage increased commercial (and potentially residential) activity along the Beckley Rd. corridor, which has developed beyond its original exclusively mall retail use.

Public Hearing and Notice Requirements

This request has been scheduled for the June 24, 2026 Planning Commission meeting, with notice of hearing published in the June 4, 2026 edition of the Battle Creek Shopper.

Neighborhood Outreach

For additional information and related to the Lakeview District Subplan and its public engagement, please refer to the previous staff report information found in Text Amendment A26-03.

Analysis and Recommendation

As this is a rezoning request, consideration should be given to the existing zoning district and the potential effect on the neighborhood, the proposed uses allowed by the new zoning classification as it relates to the surrounding zoning and land uses, existing infrastructure, and consistency with the Master Plan. Staff findings include the following:

- While the Land Use Plan within the adopted Master Plan identifies the subject properties as a combination of Regional Commercial and Community Services, it is important to recognize that the Master Plan is not a binding document, and is only one factor intended to help guide development decisions pursued by the City.
- The existing infrastructure is unlikely to be impacted by the proposal as the target area of this rezoning has historically enjoyed a combination of various commercial and multiple-family zoning. The area is serviced by water and sewer, with the majority of the area zoned for intensive business purposes prior to the 2020 ordinance rewrite.

Based on the above findings planning staff recommends that the Planning Commission recommend to the City Commission approval of Petition #PRZ26-0002, a request for rezoning of 84 parcels as described in this staff report along Beckley Road, Capital Avenue, Heritage Oak Lane, Knapp Drive, and Minges Creek Place, currently zoned B-2 Regional Commercial District to the T-6 Lakeview Business District.

Support Material

See information under item #A26-0003