

CHAPTER 63: GENERAL REGULATIONS

Section

- 63.01 Applicability
- 63.02 Signs
- 63.03 Manufactured home parks
- 63.04 Non-conformity
- 63.05 Residential exclusion
- 63.06 Non-conformity regulations
- 63.07 Conditional uses
- 63.08 Procedure
- 63.09 Variance

§ 63.01 APPLICABILITY.

The General Regulations contained within this Article, shall apply in all Land Use Zoning Districts, and for all buildings, structures and uses within said district, as said regulations apply to said uses.

§ 63.02 SIGNS.

(A) No signs shall resemble, imitate or approximate the shape, color, form or general intent of any sign placed for vehicular or pedestrian safety.

(B) No sign shall be so placed as to interfere with vehicular vision or pedestrian safety.

(C) No sign shall be externally illuminated by flashing or rotating light sources.

§ 63.03 MANUFACTURED HOME PARKS.

Manufactured Home Parks, established after the effective date of adoption of this ordinance shall comply with the following regulations:

(A) No manufactured home shall occupy more than 25 percent of the lot for the manufactured home.

(B) All manufactured homes shall be placed on a structurally solid pad.

(C) The wheels or any similar transporting devices for a manufactured home shall not be removed.

(D) All manufactured homes shall be anchored or tied down to the pad to prevent overturning or uplifting.

(E) All proposals for new manufactured home parks shall be presented to the City Council in a preliminary site plan fashion, prior to the development of a detailed site subdivision.

(F) Manufactured homes shall be located so as to be no closer than 20 feet in any direction from any other manufactured home.

(G) A buffer area composed of permanent plantings and similar landscaping features shall extend at least 50 feet on any side of a manufactured home park abutting occupied single-family residential property outside of the manufactured home park.

§ 63.04 NON-CONFORMITY.

Any building, structure, use or combination thereof, which does not conform to the exact specification of this ordinance, are hereby deemed and declared to be a non-conformity. Non-conformities shall be subjected to the following regulations:

§ 63.05 RESIDENTIAL EXCLUSION.

Any primary structure or use, which is occupied and used as a residential dwelling unit, shall not be subjected to the requirements regulating or non-conformities, provided, the following conditions are met:

(A) A non-conformity exception certificate is filed with the enforcement officer.

(B) No expansion, which would increase the non-conformity in regard to dimensional requirements, is undertaken.

§ 63.06 NON-CONFORMITY REGULATIONS.

The following regulations shall apply to non-conformities:

(A) No non-conformity may be expanded in area, size or intensity.

(B) Official notice of the non-conformity through fire, wind, destructive acts, and other acts of God or man, to a point where more than 50 percent of the structure of non-conformity shall not be reestablished, except in conformity with this ordinance.

(C) If any non-conformity is abandoned or unused for a period of over 12 calendar months, the non-conformity shall not be reestablished.

§ 63.07 CONDITIONAL USES.

A conditional use constitutes a use that would not be appropriate generally or without restriction throughout a land use-zoning district, but which, if controlled as to number, area, location of relation to a neighborhood would not be injurious to the public health, safety, or general welfare.

§ 63.08 PROCEDURE.

(A) An applicant for a conditional use permit shall be made to the enforcement officer, who shall promptly refer it to the Planning Commission. The application shall include with the application, all pertinent data and information specifying that the use would be appropriate in the area requested.

(B) The Planning Commission shall hold a public hearing on the application.

(C) The Planning Commission shall submit a report of its findings to the City Council.

(D) Planning Commission shall indicate its reasons for the recommendation in writing to the Council.

(E) The City Council shall review and consider the proposal for a conditional use permit at a public hearing, where all individuals may have an opportunity to be heard.

(F) The City Council shall make its findings known, and specify in writing, its reasons for their decision.

§ 63.09 VARIANCE.

To assist on the fair and equitable application of this ordinance, the Board of Adjustment may issue a variance to the strict and specific regulations of this ordinance, due to irregular shape of lots, topographic features and unreasonable hardships, which would deprive the owner of the unreasonable use of the land and building, involved. Variances shall only be issued if the following conditions are met:

(A) That the variance does not change the use of property allowed in a specific zoning district.

(B) That there are special conditions or circumstances peculiar to such land and/or buildings and these conditions do not generally apply to other land and structures in the neighborhood.

(C) That through no action of the owner, the property or building would not provide reasonable use of property if the variance were not granted.

(D) That the variance, if granted, would not nullify the intent or purpose of this ordinance.

(E) That the variance, if granted, would allow usage of the building or property in harmony with surrounding uses of land and buildings.

