

ARTICLE IV. ZONING DISTRICT PROVISIONS

SECTION 401. INTENT – The following Zoning Districts are hereby established for the interpretation of this Ordinance. The establishment, usage, and design of the Districts and their Boundaries shall conform to the stated purpose of each district and the intent of the Clearwater County Comprehensive Land Use Plan.

SECTION 402. GENERAL PROVISIONS – The following provisions shall be applicable to all properties, irrespective of Zoning District:

1. Any use not specifically listed as an Outright Use or a Conditional Use shall be prohibited, unless the owner can demonstrate that the proposed use is substantially similar to a use allowed either Outright or Conditionally, in which case the proposed use shall be treated as a Conditional Use;
2. No more than two (2) dwellings shall be allowed on any parcel of land that has one (1) deed to that parcel, except as explicitly allowed in this Ordinance;
3. Allowed uses, dimensional requirements, and other regulations contained in this article shall be applicable unless provided otherwise by ordinance.
4. Where parcels are described within a deed by aliquot part, each Section shall be assumed, for the purpose of determining conformance with lot size provisions contained herein, to comprise exactly six hundred forty (640) acres.
 - a. This provision shall not apply to any section comprising less than 608 acres.

SECTION 403. USES PROHIBITED IN ALL ZONES – The following uses shall be prohibited in all districts under all circumstances:

1. Any detention center, or any other facility designed to house adults or juveniles who are being detained pursuant to a court order for status offenses or acts that are deemed criminal offenses if committed by an adult;
2. Any private adult or juvenile detention or correction facility, to include prisons;
3. Any facility primarily designed to provide for the rehabilitation of adults or juveniles that have been adjudicated guilty whether by a court in this or any other state of a sexual or otherwise violent offense;
 - a. This prohibition shall not be construed to include facilities providing treatment for mental illness, by licensed mental health professionals, of non-violent offenders;
 - b. This prohibition shall not be construed to include facilities providing substance abuse rehabilitation or counseling of non-violent offenders.
4. Any business or facility which is intended to treat or rehabilitate adult or juvenile sexual offenders or persons who have committed any felony which is related to the reason for treatment;
5. Non-tribal Casinos, Card Rooms, Race or Sports Booking Rooms, or other facilities established for the purpose of providing gambling services;
6. Any use or intended use which is prohibited by State or Federal Law at the time of adoption of this Ordinance.

SECTION 404. LOW DENSITY RURAL DISTRICT (F-1) – The Low Density Rural district shall be established to preserve and protect the diminishing supply of agricultural, horticultural, and silvicultural land. This district shall also serve to control the infiltration of

urban development into agricultural areas which would adversely affect agricultural operators.

1. The following uses and their accessory uses shall be permitted outright:
 - a. Farming
 - b. Forestry
 - c. Single-Family Dwelling
 - d. Two-Family Dwelling
 - e. Road Construction
 - f. Camps for management of logging operations
 - g. Mobile Home
 - h. Non-commercial Recreational Facilities
 - i. Airport Approach Zone
2. All other uses and their accessory uses, except uses prohibited in Section 403, shall be Conditional Uses permitted when authorized in accordance with Article VI.
3. Lots located within a Low Density Rural District shall meet the following minimum dimensional requirements:
 - a. The minimum lot depth shall be two hundred fifty (250) feet;
 - b. The minimum lot width shall be two hundred fifty (250) feet;
 - c. The minimum lot area in an F-1 District shall be five (5) acres.
4. In the F-1 District, the required setbacks for all buildings shall be fifty (50) feet from the centerline of a road, thirty (30) feet from the front property line if not abutting a road, and twenty (20) feet from the side and rear property lines.
5. Signage shall be permitted provided the following conditions are met:
 - a. One name plate sign of not more than two and one-half (2 ½) square feet in area shall be permitted for each dwelling unit;
 - b. One temporary sign of not more than six (6) square feet shall be permitted for the purpose of advertising the sale, lease, or rental of the property on which the sign is located;
 - c. One temporary sign of not more than forty-eight (48) square feet in area shall be permitted for the purpose of advertising the sale of a tract of land or of lots within a subdivision;
 - d. One temporary sign of not more than thirty-two (32) square feet in area shall be permitted for the purpose of advertising the sale of farm products;
 - e. One sign of not more than twenty-five (25) square feet in area shall be permitted for the purpose of identifying a conditional use. Upon termination of said conditional use, the sign shall be immediately discontinued;
 - f. All signs shall be set back from the property line at least two (2) feet, and shall not obstruct the vision of persons entering any roadway.

SECTION 405. MEDIUM DENSITY RURAL DISTRICT (F-2) – The Medium Density Rural District shall be established to provide residential and recreational sites in rural settings which are not suitable for traditional residential districts, and which are not prime agricultural or timber lands.

1. The following uses and their accessory uses shall be permitted outright:
 - a. Farming
 - b. Forestry
 - c. Single-Family Dwelling
 - d. Two-Family Dwelling
 - e. Road Construction
 - f. Camps for management of logging operations
 - g. Mobile Home
 - h. Non-commercial Recreational Facilities
 - i. Airport Approach Zone
2. All other uses and their accessory uses, except uses prohibited in Section 403, shall be Conditional Uses permitted when authorized in accordance with Article VI.
3. Lots located within a Medium Density Rural District shall meet the following minimum dimensional requirements:
 - a. The minimum lot depth shall be one hundred fifty (150) feet;
 - b. The minimum lot width shall be one hundred fifty (150) feet;
 - c. The minimum lot area in an F-2 District shall be one (1) acre.
4. In the F-2 District, the required setbacks for all buildings shall be fifty (50) feet from the centerline of a road, thirty (30) feet from the front property line if not abutting a road, and twenty (20) feet from the side and rear property lines.
5. Signage shall be permitted provided the following conditions are met:
 - a. One name plate sign of not more than two and one-half (2 ½) square feet in area shall be permitted for each dwelling unit;
 - b. One temporary sign of not more than six (6) square feet shall be permitted for the purpose of advertising the sale, lease, or rental of the property on which the sign is located;
 - c. One temporary sign of not more than forty-eight (48) square feet in area shall be permitted for the purpose of advertising the sale of a tract of land or of lots within a subdivision;
 - d. One temporary sign of not more than thirty-two (32) square feet in area shall be permitted for the purpose of advertising the sale of farm products;
 - e. One sign of not more than twenty-five (25) square feet in area shall be permitted for the purpose of identifying a conditional use. Upon termination of said conditional use, the sign shall be immediately discontinued;
 - f. All signs shall be set back from the property line at least two (2) feet, and shall not obstruct the vision of persons entering any roadway.

SECTION 406. AGRICULTURAL AND TIMBER PRODUCTION DISTRICT (F-3) – The Agricultural and Timber Production District shall be established to preserve and protect the diminishing supply of agricultural, horticultural, and silvicultural land. This district shall also serve to control the infiltration of urban development into agricultural areas which would adversely affect agricultural operators.

1. The following uses and their accessory uses shall be permitted outright:
 - a. Farming
 - b. Forestry
 - c. Single-Family Dwelling
 - d. Two-Family Dwelling
 - e. Road Construction
 - f. Camps for management of logging operations
 - g. Mobile Home
 - h. Recreational Facilities
 - i. Airport Approach Zone
2. All other uses and their accessory uses, except uses prohibited in Section 403, shall be Conditional Uses permitted when authorized in accordance with Article VI.
3. Lots located within a Agricultural and Timber Production District shall meet the following minimum dimensional requirements:
 - a. The minimum lot depth shall be five hundred (500) feet;
 - b. The minimum lot width shall be five hundred (500) feet;
 - c. The minimum lot area in an F-3 District shall be twenty (20) acres.
 - d. Each householder owning a lot in an F-3 District shall be allowed to divide such lot once for the purpose of separating one home site from agricultural or silvicultural land. The designated home site shall be not less than 5 acres in area, and shall comply with Section 406.3.a-b.
4. In the F-3 District, the required setbacks for all buildings shall be fifty (50) feet from the centerline of a road, thirty (30) feet from the front property line if not abutting a road, and twenty (20) feet from the side and rear property lines.
5. Signage shall be permitted provided the following conditions are met:
 - a. One name plate sign of not more than two and one-half (2 ½) square feet in area shall be permitted for each dwelling unit;
 - b. One temporary sign of not more than six (6) square feet shall be permitted for the purpose of advertising the sale, lease, or rental of the property on which the sign is located;
 - c. One temporary sign of not more than forty-eight (48) square feet in area shall be permitted for the purpose of advertising the sale of a tract of land or of lots within a subdivision;
 - d. One temporary sign of not more than thirty-two (32) square feet in area shall be permitted for the purpose of advertising the sale of farm products;

- e. One sign of not more than twenty-five (25) square feet in area shall be permitted for the purpose of identifying a conditional use. Upon termination of said conditional use, the sign shall be immediately discontinued;
- f. All signs shall be set back from the property line at least two (2) feet, and shall not obstruct the vision of persons entering any roadway.

SECTION 407. SUBURBAN RESIDENTIAL DISTRICT (R-1) – The Suburban Residential District shall be established to encourage organized, centralized residential development which enhances the ability of the County to provide essential services, while preserving the low population densities characteristic of suburban areas.

1. The following uses and their accessory uses shall be permitted outright:
 - a. Row farming
 - b. Single Family Dwelling
 - c. Two Family Dwelling
 - d. Mobile Home
2. The following uses and their accessory uses shall be permitted when authorized in accordance with Article VI:
 - a. Public Use, including Telecommunications Structures
 - b. Semi-public Use
 - c. Multi-Family Dwelling
 - d. Airport Approach Zone
 - e. Home Occupation
 - f. Mobile Home Court
 - g. Commercial Use
3. Lots located within a Suburban Residential District shall meet the following minimum dimensional requirements:
 - a. The minimum lot depth shall be seventy-five (75) feet;
 - b. The minimum lot width shall be seventy-five (75) feet;
 - c. For a single-family or two-family dwelling served by public water and sewer facilities the minimum lot area shall be 7,500 square feet;
 - d. For a single-family or two-family dwelling which is not served by public water and sewer facilities, the minimum lot area shall be 7,500 square feet, unless the Regional Health District Official determines that additional area is necessary to meet minimum health standards;
 - e. For multi-family dwellings the minimum lot area shall be 7,500 square feet plus 2,500 square feet for each dwelling unit in excess of two (2). All multi-family dwellings shall be served by public water and sewer facilities.
4. Setback requirements in R-1 Districts shall be as follow:

- a. The front setback distance shall be fifty (50) feet, measured from the centerline of the road. If not abutting a road, the front setback distance shall be twenty (20) feet, measured from the property line;
 - b. Side setback distances shall be ten (10) feet, except that on a corner lot the setback distance shall be twenty (20) feet, measured from the property line;
 - c. Rear setback distances shall be twenty (20) feet, measured from the property line.
5. In an R-1 District, no building shall exceed a height of thirty-five (35) feet.
 6. Signage shall be permitted provided the following conditions are met:
 - a. One name plate sign of not more than two and one-half (2 ½) square feet in area shall be permitted for each dwelling unit;
 - b. One temporary sign of not more than six (6) square feet shall be permitted for the purpose of advertising the sale, lease, or rental of the property on which the sign is located;
 - c. One temporary sign of not more than forty-eight (48) square feet in area shall be permitted for the purpose of advertising the sale of a tract of land or of lots within a subdivision;
 - d. One sign of not more than fifteen (15) square feet in area shall be permitted for the purpose of identifying a conditional use occurring on the property. Upon termination of said conditional use, the sign shall be discontinued;
 - e. All signs shall be set back from the property line at least two (2) feet, and shall not obstruct the vision of persons entering any roadway.

SECTION 408. MEDIUM-HIGH DENSITY RESIDENTIAL DISTRICT (R-2) – The Medium-High Density Residential District shall be established to encourage organized, centralized residential development which enhances the ability of the County to provide essential services, and to promote residential population densities suitable for the establishment of central water and sewer systems. All properties within an R-2 District must be served by both public water and sewer facilities.

1. The following uses and their accessory uses shall be permitted outright:
 - a. Single-Family Dwelling
 - b. Two-Family Dwelling
 - c. Multi-Family Dwelling
 - d. Mobile Home
2. The following uses and their accessory uses shall be permitted when authorized in accordance with Article VI:
 - a. Day Care Facility
 - b. Hospital, Nursing or Retirement Home
 - c. Medical, Dental, or other outpatient clinic
 - d. Mobile Home Court
 - e. Public Use, except Telecommunications Structures which shall be prohibited

- f. Semi-public Use
 - g. Home Occupation
 - h. Boarding/Rooming House
 - i. Commercial Use
3. Lots located within a Suburban Residential District shall meet the following minimum dimensional requirements:
 - a. The minimum lot depth shall be seventy-five (75) feet;
 - b. The minimum lot width shall be seventy-five (75) feet;
 - c. For a single-family or two-family dwelling the minimum lot area shall be 7,500 square feet;
 - d. For multi-family dwellings the minimum lot area shall be 7,500 square feet plus 2,500 square feet for each dwelling unit in excess of two (2).
 4. Yard requirements in R-2 Districts shall be as follow:
 - a. Front setback distances shall be twenty (20) feet, measured from the property line;
 - b. Side setback distances shall be ten (10) feet, except that on a corner lot the setback distance of the side abutting the road shall be twenty (20) feet, measured from the property line;
 - c. Rear setback distances shall be twenty (20) feet, measured from the property line.
 5. In an R-2 District, no building shall exceed a height of forty-five (45) feet.
 6. Signage restrictions in R-2 Districts shall be the same as the restrictions set forth for R-1 Districts.

SECTION 409. RURAL RESIDENTIAL DISTRICT (R-3) – The Rural Residential district shall be established to separate high impact agricultural and commercial operations allowed in rural districts from generally suburban development. Rural Residential Districts shall be established in those areas where populated F-1 or F-2 districts are adjacent to established Residential districts (R1 or R2) or residential zones of incorporated areas.

1. The following uses and their accessory uses shall be permitted outright in R-3 Districts:
 - a. Farming operations not prohibited in Section 409.3
 - b. Forestry
 - c. Single-Family Dwelling
 - d. Two-Family Dwelling
 - e. Road Construction
 - f. Camps for management of logging operations
 - g. Mobile Home
 - h. Non-commercial Recreational Facilities

- i. Airport Approach Zone
2. The following uses and their accessory uses shall be permitted when authorized in accordance with Article VI, unless prohibited in Section 409.3:
 - a. Commercial Use
 - b. Industrial Use
 - c. Public Use
 - d. Semi-Public Use
 - e. Mobile Home Courts
 - f. Signs
 - g. Commercial Recreational Facilities
 - h. Airports
 - i. Telecommunications Structures
3. The Following uses shall be prohibited in the R-3 District:
 - a. Wrecking Yards
 - b. Junk Yards
 - c. Keeping of swine or goats
 - d. Feedlots
 - e. Keeping of fowl, for any purpose
 - f. Sport Shooting Ranges
 - g. Chemical Storage or Manufacturing
 - h. Landfills
 - i. Kennels
 - j. Quarries
4. Lots located within a R-3 District shall meet the following dimensional requirements:
 - a. Minimum lot width shall be 150 feet;
 - b. Minimum lot depth shall be 150 feet;
 - c. Minimum lot area shall be one (1) acre.
5. Setback distance requirements in Rural Residential District shall be the same as the minimal requirements for Medium Density Rural Districts.
6. Signage shall be permitted provided the following conditions are met:
 - a. One name plate sign of not more than two and one-half (2 ½) square feet in area shall be permitted for each dwelling unit;
 - b. One temporary sign of not more than six (6) square feet shall be permitted for the purpose of advertising the sale, lease, or rental of the property on which the sign is located;

- c. One temporary sign of not more than forty-eight (48) square feet in area shall be permitted for the purpose of advertising the sale of a tract of land or of lots within a subdivision;
- d. One temporary sign of not more than thirty-two (32) square feet in area shall be permitted for the purpose of advertising the sale of farm products;
- e. One sign of not more than twenty-five (25) square feet in area shall be permitted for the purpose of identifying a conditional use occurring on the property. Upon termination of said conditional use, the sign shall be discontinued;
- f. All signs shall be set back from the property line at least two (2) feet, and shall not obstruct the vision of persons entering any roadway.

SECTION 410. LIGHT COMMERCIAL DISTRICT (C-1) – The Light Commercial District shall be established to permit the establishment of businesses suitable to serve the commercial and personal service needs of residential development.

1. The following uses and their accessory uses shall be permitted outright:
 - a. All Dwelling types
 - b. Personal grooming shops
 - c. Medical, dental, or other outpatient clinics, pharmacies
 - d. Financial Service and Real Estate Offices
 - e. Professional Offices
 - f. Indoor Restaurants
 - g. Laundry services, both self service and commercial
 - h. Home appliance repair shops
 - i. Boutiques or other specialized retail shops dealing in items intended for personal use (i.e. Jewelry Stores, Gift Shops, Sporting Goods Stores)
 - j. Hotels and Motels
 - k. Stores dealing in Home Appliances, Home Furnishings, Hardware, or Computer Equipment.
 - l. Automobile Fueling Stations (not to include vehicle repair)
 - m. Businesses providing services intended primarily for maintenance of dwelling units (i.e. Locksmiths, Plumbers, Gardeners)
 - n. Businesses providing Network or other Computer Service; Internet based non-retail businesses
 - o. Retail Nurseries, Florists, Commercial Greenhouses
 - p. Indoor Theaters
 - q. Travel agencies
 - r. Stores or shops dealing in retail foodstuffs
 - s. Stores or shops dealing in retail apparel or footwear
 - t. Licensed Day care facilities
 - u. Department stores (not to provide automotive sales or service)
 - v. Parks, playgrounds, athletic fields
 - w. Apartments for permanent residency within Store buildings
 - x. Hobby Shops
 - y. Photographic Studios
 - z. Places of religious worship
2. The following uses and their accessory uses shall be permitted when authorized in accordance with Article VI:
 - a. Signs
 - b. RV Campground/Park

- c. Home Occupation not specified above
 - d. Mobile Home Court
 - e. Telecommunications Structures
 - f. Semi-public Use other than places of religious worship
3. Lots located within a Light Commercial District shall meet the following minimum dimensional requirements:
- a. The minimum lot depth shall be seventy-five (75) feet;
 - b. The minimum lot width shall be seventy-five (75) feet;
 - c. For a single-family or two-family dwelling the minimum lot area shall be 7,500 square feet;
 - d. For multi-family dwellings the minimum lot area shall be 7,500 square feet plus 2,500 square feet for each dwelling unit in excess of two (2);
 - e. For all non-residential lots the minimum lot area shall be 7,500 square feet.
4. Except as provided in Section 410.7, yard requirements in C-1 Districts shall be as follow:
- a. Front or rear setback distances shall be twenty (20) feet, measured from the centerline of the street;
 - b. Side setback distances shall be ten (10) feet, except that on a corner or on a lot abutting a residential District, the setback distance of the side abutting a road or residential District shall be twenty (20) feet, measured from the property line.
5. In a C-1 District, no building shall exceed a height of forty-five (45) feet.
6. Signage shall be permitted provided the following conditions are met:
- a. Signs shall be limited to those identifying a business or nameplate signs identifying a residence;
 - b. Moving or intermittent signs are prohibited;
 - c. Signs may project above or be attached to the building containing the business identified by the sign, provided that the sign does not exceed the building height limitation;
 - d. The total area of all signs on a property shall not exceed one (1) square foot per linear foot of lot frontage on the street from which the property is addressed;
 - e. No sign shall cast light upon any property in a residential District.
7. The following limitations shall apply to all properties in a C-1 District.
- a. Before a new commercial use building is constructed or an existing building enlarged or otherwise altered, building plans shall be submitted to the Commission and the Clearwater County Building Inspector;
 - b. Parties intending a new commercial usage of a property shall submit a business plan to the Administrator;
 - c. All proposed uses in C-1 Districts shall be subject to Board approval. In considering the plans for a proposed use, the Board shall consider the effects of

the use on surrounding residential property and may impose conditions which in its judgment are necessary to protect such property from any adverse effects of the proposed use. Such conditions will include, but are not necessarily limited to:

- a. Screening of the proposed use by fence or landscaping;
- b. Increasing yard requirements;
- c. Limitation of signs or lighting.
- d. All activity in connection with a use permitted outright shall be confined to an enclosed building, with the exception of off street parking or loading;
- e. Off-street parking shall conform to provisions of Section 421;
- f. All lots within a C-1 District must be served by both public sewer and water facilities;
- g. All commercial structures within a C-1 District must provide public access.

SECTION 411. GENERAL COMMERCIAL DISTRICT (C-2) – The General Commercial District shall be established to permit the establishment of general business uses that are wholesale and/or retail sales and service in nature.

1. The following uses and their accessory uses shall be permitted outright:
 - a. All uses permitted outright in a C-1 District, exclusive of residential uses
 - b. Automobile, RV, Mobile Home, Boat or other Vehicle sales and service, repair, or cleaning (to include car washes)
 - c. Stores dealing in automotive parts, automotive accessories, or tires
 - d. Outdoor theatres
 - e. Farm or other Heavy Machinery sales and service.
 - f. Indoor recreation or amusement establishment.
 - g. Building Material Supply Store
 - h. Department store, Shopping Center/Mall
 - i. Taxidermist
 - j. Mortuary/Funeral Home
 - k. Wholesale food distributors, Wholesale Bakeries
 - l. Outdoor Restaurants (drive-in restaurants)
 - m. Frozen Food Lockers
 - n. Self-Service, Commercial, or Industrial Storage
 - o. Printing Plant
 - p. Retail or wholesale stores or outlets dealing primarily in items not intended for personal or household use.
2. The following uses and their accessory uses shall be permitted when authorized in accordance with Article VI:
 - a. All Dwelling Types

- b. Bar or tavern
 - c. Billboard
 - d. Veterinary Clinic
 - e. Mobile Home Court
 - f. Public Use, including Telecommunications Structures
 - g. Semi-public Use
3. Lots located within a C-2 District shall meet the same minimum dimensional requirements as lots within C-1 Districts.
 4. Except as provided in Section 411.7, setback requirements in C-2 Districts shall be subject to the same restrictions as those in the C-1 District.
 5. In a C-2 District, no building shall exceed a height of forty-five (45) feet.
 6. Signage in C-2 Districts shall be subject to the same restrictions as those in the C-1 District.
 7. The following limitations shall apply to all properties in a C-2 District:
 - a. Before a new commercial use building is constructed or an existing building enlarged or otherwise altered, building plans shall be submitted to the Commission and the Clearwater County Building Inspector;
 - b. Parties intending a new commercial usage of a property shall submit a business plan to the Board and the Administrator;
 - c. All proposed uses in C-1 Districts shall be subject to Board approval. In considering the plans for a proposed use, the Board shall consider the effects of the use on surrounding residential property and may impose conditions which in its judgment are necessary to protect such property from any adverse effects of the proposed use. Such conditions will include, but are not necessarily limited to:
 - a. Screening of the proposed use by fence or landscaping
 - b. Increasing yard requirements
 - c. Limitation of signs or lighting
 - d. All activity in connection with a use permitted outright shall be confined to an enclosed building, with the exception of off street parking or loading;
 - e. Off-street parking shall conform to provisions of Section 421;
 - f. All lots within a C-2 District must be served by both public sewer and water facilities;
 - g. All structures within a C-2 District must provide public access.

SECTION 412. LIGHT INDUSTRIAL DISTRICT (M-1) – The Light Industrial District shall be established to permit the development of manufacturing and wholesale business establishments which are relatively free of objectionable pollution, but which require extensive use of public infrastructure.

1. The following uses and their accessory uses shall be permitted outright:
 - a. Uses permitted outright in a C-1 or C-2 District, exclusive of residential uses
 - b. Wholesale Distribution

- c. Manufacturing, Fabrication, Processing, Repairing, Packing or Storage except those uses listed in Section 412.3 as prohibited uses.
2. In an M-1 District, the following uses and their accessory uses are permitted when authorized in accordance with Article VI:
 - a. Billboard
 - b. Grain Storage
 - c. Public Use
 - d. Wrecking Yard
 - e. Lumber Manufacturing Plant
 - f. Residential, to include Mobile Home Courts
3. The following uses are prohibited in an M-1 District unless allowed as Conditional Use: (04-02-07)
 - a. Any use listed as an outright use in an M-2 District
4. Lots located within an M-1 District shall meet the same minimum dimensional requirements as lots within C-1 Districts.
5. In an M-1 District, minimum yard requirements shall be as follow:
 - a. Front setback distances shall be twenty (20) feet, measured from the property line;
 - b. Side or rear setback distances shall be fifty (50) feet if abutting the boundary of residential district, if not abutting a residential district, the side or rear setback distance shall be ten (10) feet.
6. No building shall exceed a height of forty-five (45) feet.
7. Signage in M-1 Districts shall be subject to the same restrictions as those in the C-1 District.
8. The following limitations shall apply to all properties in an M-1 District:
 - a. Any use which is injurious to health, or is offensive to the senses, or an obstruction to the free use of property, or obstructs the free passage or use, in the customary manner, of any waterway or public byway shall be deemed a nuisance, and shall be prohibited;
 - b. Materials shall be stored and the property shall be maintained in a manner which will not attract or aid in the propagation of insect or animal pests, or otherwise create a health hazard;
 - c. All uses which abut or face a Residential District shall be wholly contained within an enclosed building or screened from view by a sight obscuring fence or other barrier at least eight (8) feet high;
 - d. Access to properties in an M-1 District from a public street shall be located so as to minimize traffic congestion and avoid directing industrial traffic onto residential streets;
 - e. Building entrances or other openings adjacent to a Residential or Commercial District shall be prohibited if they cause glare, excessive noise or otherwise affect the use or value of the adjacent property.

- f. Properties in an M-1 District shall be served by both public water and sewer facilities.

SECTION 413. HEAVY INDUSTRIAL DISTRICT (M-2) – The Heavy Industrial District shall be established to permit the development of major manufacturing, processing, warehousing, and major research and testing operations, while providing restrictions upon those uses sufficient to protect public infrastructure from unnecessary damage.

1. The following uses and their accessory uses shall be permitted outright:
 - a. Uses permitted outright in an M-1 District
 - b. Concrete or Cement products manufacturing
 - c. Meat packing and/or processing
 - d. Petroleum Product Storage or Distribution Facility
 - e. Wood Processing Plant
 - f. Asphalt Plant
 - g. Truck Terminal
 - h. Marina
 - i. Tire Retreading Plant
2. In an M-2 District, the following uses and their accessory uses are permitted when authorized in accordance with Article VI:
 - a. Billboard
 - b. Cement Manufacturing
 - c. Public Use, including Telecommunications Structures
 - d. Wrecking Yard
 - e. Hazardous Material Storage or Manufacturing
 - f. Mobile Home Court
 - g. Residential Use
3. The following uses are prohibited under all circumstances in an M-2 District:
 - a. Feedlot
4. Lots located within an M-2 District shall meet the same minimum dimensional requirements as lots within C-1 Districts.
5. In an M-2 District, minimum yard requirements shall be the same as those for an M-1 District.
6. No building shall exceed a height of forty-five (45) feet.
7. Signage in M-2 Districts shall be subject to the same restrictions as those in the C-1 District.
8. In an M-2 District, limitations on uses shall be the same as those limitations in an M-1 District.

SECTION 414. RURAL DEVELOPMENT DISTRICT (D-1) – The Rural Development District shall be established to control the impact of residential, commercial, or industrial development in areas identified by the County as areas of substantial future growth, and to aid the transition of such areas, once substantially developed, to zoning districts which are more compatible with the general character of development.

1. The following uses and their accessory uses shall be permitted outright:
 - a. Single-Family Dwelling
 - b. Two-Family Dwelling
 - c. Mobile Home
 - d. Non-commercial Recreational Facilities
2. The following uses and their accessory uses shall be permitted when authorized in accordance with Article VI, unless prohibited in Section 414.3:
 - a. Commercial Use
 - b. Industrial Use
 - c. Public Use
 - d. Semi-Public Use
 - e. Mobile Home Courts
 - f. Signs
 - g. Commercial Recreational Facilities
 - h. Airports
 - i. Telecommunications Structures
 - j. Road construction
 - k. Farming operations not prohibited in Section 414.3
 - l. Forestry
3. The Following uses shall be prohibited in the D-1 District:
 - a. Wrecking Yards
 - b. Junk Yards
 - c. Keeping of swine or goats
 - d. Feedlots
 - e. Keeping of fowl, for any purpose
 - f. Sport Shooting Ranges
 - g. Chemical Storage or Manufacturing
 - h. Landfills
 - i. Kennels
 - j. Quarries
4. Lots located within a D-1 District shall meet the following dimensional requirements:
 - a. Minimum lot width shall be 150 feet;
 - b. Minimum lot depth shall be 150 feet;

- c. Minimum lot area shall be one (1) acre.
5. Setback requirements in D-1 Districts shall be as follow, except in those subdivided areas where Alternative Minimum Standards are approved:
 - a. The front setback distance shall be fifty (50) feet, measured from the centerline of the road. If not abutting a road, the front setback distance shall be twenty (20) feet, measured from the property line;
 - b. Side setback distances shall be ten (10) feet, except that on a corner lot the setback distance shall be twenty (20) feet, measured from the property line;
 - c. Rear setback distances shall be twenty (20) feet, measured from the property line.
6. Signage shall be permitted provided the following conditions are met:
 - a. One name plate sign of not more than two and one-half (2 ½) square feet in area shall be permitted for each dwelling unit;
 - b. One temporary sign of not more than six (6) square feet shall be permitted for the purpose of advertising the sale, lease, or rental of the property on which the sign is located;
 - c. One temporary sign of not more than forty-eight (48) square feet in area shall be permitted for the purpose of advertising the sale of a tract of land or of lots within a subdivision;
 - d. One temporary sign of not more than thirty-two (32) square feet in area shall be permitted for the purpose of advertising the sale of farm products;
 - e. One sign of not more than twenty-five (25) square feet in area shall be permitted for the purpose of identifying a conditional use occurring on the property. Upon termination of said conditional use, the shall be discontinued;
 - f. All signs shall be set back from the property line at least two (2) feet, and shall not obstruct the vision of persons entering any roadway.

SECTION 420. SUPPLEMENTARY REGULATIONS – The following restrictions shall apply to all Zoning Districts:

1. Every lot shall abut a road other than an alley for no less than twenty (20) feet.
2. A clear vision area shall be maintained on the corners of all property adjacent to the intersection of two roads, railroads, or any combination thereof.
 - a. A clear vision area shall contain no fencing, signage, landscaping, or other temporary or permanent obstruction exceeding two (2) feet in height, measured from the top of the curb, or where no curb exists, from the established centerline grade of the road. Trees are permitted if all branches and foliage are removed to a height of eight (8) feet above the top of the curb;
 - b. A clear vision area shall consist of a triangular area two (2) sides of which are street lines and the third side of which is a line across the corner of the lot connecting the ends of the other two sides. The size of the clear vision area is determined by the distance from the intersection or the two street lines to the third side, measured along the street;
 - a. In all zoning districts the distance for determining the clear vision area shall be thirty (30) feet, unless the county Road & Bridge Department requires a greater distance.
3. A home occupation when conducted as an accessory use to a dwelling in a residential district shall be subject to the following:
 - a. No person shall be employed other than a member of the family residing on the premises;
 - b. No exterior display shall be permitted;
 - c. No exterior storage of materials shall be permitted;
 - d. Signage shall be restricted to the provisions for the district in which the home occupation is located.

SECTION 421. OFF STREET PARKING – At the time a new structure is erected or enlarged, or the use of an existing structure is changed, off street parking shall be provided as set forth in this section.

1. The following provisions shall apply to all Zoning Districts:
 - a. When square footage is specified, the area measured shall be the gross floor area of the building, but shall exclude any space within the building devoted to off street parking or loading;
 - b. When the number of employees is specified, the persons counted shall be those working on the premises, including proprietors, during the largest shift at peak season;
 - c. All fractions of spaces shall be counted as whole space;
 - d. The provision and maintenance of off street parking and loading spaces are the continuing obligation of the property owner. Subsequent use of property shall be conditional upon the unqualified continuance and availability of the amount of parking and loading space required by this Ordinance. Should the owner or occupant of a lot or building alter or expand the use to which the property is put, thereby increasing off street parking requirements, the commencement of that

use shall be a violation of this Ordinance until that time at which the required parking and loading are provided;

- e. No building or other permit shall be issued until plans are presented that show property that is and will remain available for exclusive use as off street parking and loading space;
- f. Parking and loading requirements for buildings and uses not specified herein shall be determined by the Planning and Zoning Commission, based upon the requirements for comparable uses;
- g. If several uses occupy a single structure or lot, the total requirements for off street parking shall be the sum of the requirements for each use computed separately;
- h. Owners of two or more uses, structures, or lots may agree to utilize jointly the same parking and loading spaces when the hours of operation do not coincide or overlap, provided that satisfactory legal evidence in the form of deed, lease, or contract establishing joint use is presented to the Commission;
- i. Required parking spaces shall be located not more than three hundred (300) feet from the building or use which they serve;
- j. Required parking spaces shall be available for the parking of passenger vehicles for residents, patrons, customers, or employees only and shall not be used for the storage of vehicles or materials or for the parking of trucks used in conducting the business or use;
- k. Design requirements for parking lots shall be as follows:
 - a. Individual parking spaces shall be not less than ten (10) feet in width, and not less than twenty-five (25) feet in length;
 - b. Areas used for parking and maneuvering shall have durable surfaces maintained adequately for all weather use;
 - c. Access aisles shall be wide enough to permit easy turning and maneuvering;
 - d. Groups of more than four (4) parking spaces shall be served by a driveway so that no backing movements or other maneuvering is required within a street.

2. Specific requirements shall be as follow:

USE	NUMBER OF SPACES REQUIRED
Single or Two Family Dwelling	2 per dwelling unit
Office	1 per 300 gross square feet
Retail	1 per 200 gross square feet
Restaurant	1 per 100 gross square feet
Warehouse	1 per 500 gross square feet
Assembly, including places of worship	1 per 500 gross square feet
Medical Office	1 per 200 gross square feet
Nursing Home	1 per employee plus 1 per two patient beds
Hotel/Motel	1 per guest room plus 1 per 500 square feet of common area
Industry	1 per 500 gross square feet
Multi-Family Dwelling, Apartment	1 per dwelling unit, plus one per each two dwelling

	units in excess of four units
Mobile Home Park	See Section 605.2.c

SECTION 422. OFF STREET LOADING – At the time a new structure is erected or enlarged, or the use of an existing structure is changed, off street loading shall be provided as set forth in this section.

1. The following provisions shall apply to all Zoning Districts:
 - a. A school, kindergarten, nursery, or day care facility having a capacity greater than 15 students shall have a driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children;
 - b. Buildings or structures to be built or substantially altered and which receive and distribute material or merchandise by truck shall provide and maintain off street loading berths in sufficient numbers and sizes to adequately serve the needs of the particular use. Use of loading docks or other loading areas shall in no way interfere with or impede the passage of traffic on streets or roads;
 - c. Vehicles in off street loading berths shall not protrude into a public right-of-way or sidewalk. When possible, loading berths shall be located so that vehicles are not required to back or maneuver in a public street;
 - d. The provision and maintenance of off loading spaces are the continuing obligation of the property owner. Subsequent use of property shall be conditional upon the unqualified continuance and availability of the amount of loading space required by this Ordinance. Should the owner or occupant of a lot or building alter or expand the use to which the property is put, thereby increasing off street loading requirements, the commencement of that use shall be a violation of this Ordinance until that time at which the required loading spaces are provided;
 - e. Off street parking space used to fulfill the requirements of this Ordinance shall not be used for loading and unloading except during periods of the day when it is not required to meet parking needs.

SECTION 423. EXCEPTIONS – The following exceptions to provisions of Article IV shall apply to all Zoning Districts:

1. Projections from buildings, including cornices, eaves, canopies, gutters, chimneys, flues and similar architectural devices shall not be considered to be invasive of yard requirements if not extending more than twenty-four (24) inches into a required yard;
2. If a lot or the aggregate of contiguous lots or parcels platted prior to the adoption of this Ordinance does not meet the dimensional requirements of this Ordinance, said lot or parcel may be put to a use permitted outright, subject to the requirements of the district in which the property is located, except that a residential use shall be limited to a single-family dwelling;
3. The following exceptions to the front yard requirements are authorized for a lot in any district:
 - a. If there are dwellings on both abutting lots having front yards of less than the required depth for the district, the front yard for the lot need not exceed the average front yard of the abutting lots;

- b. If there is a dwelling on one abutting lot with a front yard depth of less than the required depth for the district, the front yard for the lot need not exceed a depth of one-half (1/2) the difference between the required yard depth and the depth of the yard of the abutting lot;
 - c. The commission may establish greater yard requirements when a yard abuts a street which the Board has designated for widening.
- 4. The following exceptions to building height limitations shall apply to structures in any district:
 - a. Chimneys, tanks, church spires, belfries, domes, monuments, fire-hose towers, observation towers, transmission towers, smokestacks, flagpoles, cooling towers, elevator shafts, and other similar structures and projections shall not be subject to height limitations unless they occur in airport approach zones;
 - b. Building permits may be issued for buildings which exceed 45 feet in height, only if such height is approved by the Board, and is not in violation of applicable building codes.