

§ 24-13. Establishment of zoning districts. [Amended by Ord. No. 96-1; Ord. 98-14; Ord. No. 99-4; Ord. 03-06; Ord. No. 03-25]

- A. In order to carry out the provisions of this chapter, the City is hereby divided into the following basic zoning districts determined by actual development conditions existing at the time of adoption of this chapter (September 12, 1984):
- (1) Established (E) — areas where the character of development is stable and few changes are anticipated or encouraged.
 - (2) Developing (D) — areas where most land is from vacant or rural use to urban use and densities.
 - (3) Redeveloping (R) — areas where many buildings and uses are likely to be rehabilitated or replaced, or the character of the area could change and such action is to be encouraged.
- B. The purpose of the three basic zoning districts is to recognize that areas of the City are in various stages of development, therefore calling for different degrees and emphasis in land use control. It is intended that the boundaries of the basic zoning districts shown on the zoning map, adopted contemporaneously herewith, will not usually be changed. It is further intended that the only anticipated change in basic zoning district boundaries will be from established or developing district to a redeveloping district, and such change would be justified only where it is demonstrated that the character of an area has so changed that its redevelopment is necessary and in the public interest.
- C. The basic zoning districts are further divided into the following use districts:
- (1) Residential (R);
 - (2) Business (B);
 - (3) Business/Light manufacturing (B/LM);
 - (4) Industrial (I);
 - (5) Public (P);
 - (6) Agricultural (A);
 - (7) Transitional (T);
 - (8) Open space (OS).

D. For more definitive use separation and for distinction by control of density, the basic zoning districts and use districts are further subdivided into the following specific zoning districts:

(1) Established districts (E).

Rural residential (RR-E) - areas which are primarily used for single unit residential in a "rural" setting on large lots.

Low density residential (LR-E) - an area which is used for single-unit residential development on lots ranging from six thousand square feet minimum but less than one-half acre.

Low density residential .5 (LR-E.5) - an area which is used for single unit residential development on lots ranging from one-half acre minimum but less than one acre.

Medium density residential (MR-E) - areas which are primarily used for or permit single-family residential and multiunit development at duplex, triplex or townhouse densities.

High density residential (HR-E) - areas which are primarily used for or permit multi-unit residential development at apartment densities.

Neighborhood business (NB-E) - areas with convenience retail services typified by quick service serving a single neighborhood or two at most.

Community business (CB-E) - community centers serving two or more neighborhoods, where retail-type stores predominate, anchored by a supermarket-type store.

Highway business (HB-E) - areas which serve the traveling public as well as local residents, they are oriented to vehicular traffic and service.

Regional business (RB-E) - center of the Evanston market area where a wide range of retail and commercial operations are permitted, including the largest regional-scale businesses.

Industrial (I-E) - industrial areas which were existing when this code was adopted, primarily developed for processing, storage, manufacturing and commercial uses.

Agricultural (A-E) - areas in a natural state or in which the growing of crops, flowers, trees or other similar farming or ranching activity is practiced.

Public (P-E) - areas in which public and semi-public facilities and uses are located, including governmental and educational uses.

(2) Developing districts (D).

Low density residential (LR-D) - areas which will be primarily developed for low-density residential uses, with complementary uses permitted under certain conditions.

Low density residential mixed (LR-M) - an area which is used for single-unit residential development, including single family dwellings and manufactured homes, on lots ranging from six thousand square feet minimum but less than one-half acre.

Low density residential mixed .5 (LR-M.5) - an area which is used for single-unit residential development, including single family dwellings and manufactured homes, on lots ranging from one-half acre minimum but less than one acre.

Medium density residential (MR-D) - areas which will be primarily developed at single-family residential and multiunit residential densities, and where attached dwelling units and compatible uses to serve the area will be encouraged with complementary uses permitted under certain conditions.

High density residential (HR-D) - areas which will be primarily developed at high-intensity residential and apartment densities, with complementary uses permitted under certain conditions.

Office (O-D) - areas which are expected to develop as office complexes and complementary uses.

Neighborhood business (NB-D) - areas with convenience retail services typified by quick service serving a single neighborhood or two at most.

Community business (CB-D) - retail centers serving a number of neighborhoods, where retail-type stores and convenience services will predominate.

Highway business (HB-D) - areas which will be developed to serve the traveling public as well as local residents, they are oriented to vehicular traffic and service.

Regional business (RB-D) - areas which will develop into a regional center for the Evanston market area, where a wide range of retail and commercial operations are permitted, including the largest regional-scale businesses.

Light industrial (LI-D) - areas which will be primarily developed for limited, environmentally-controlled manufacturing or intensive employment uses in an industrial park setting.

Heavy industrial (HI-D) - areas which will primarily be used for outdoor storage, heavy equipment storage and other types of industrial uses not compatible with residential neighborhoods.

Transitional (T-D) - areas adjacent to a commercial district which allow for single family homes and for the adaptive reuse of existing residential structures for business purposes. Existing structures may be renovated or modified, but shall not be replaced with a new building for a business.

Developable open space (DOS) - includes property ten acres minimum, which can be used for residential, agricultural, livestock and crop production purposes.

Natural open space (NOS) - includes property which contains topographically constrained areas, wetlands, vegetative area and water features which can be used for agricultural purposes, grazing, recreation and the preservation of nondevelopable land.

Rural residential (RR-1) - an area which offers single-unit residential development on lots ranging from one acre minimum but less than five acres.

Rural residential (RR-5) - an area which offers single-unit residential development on lots ranging from five acres minimum but less than ten acres.

(3) Redeveloping districts (R).

Business/Light manufacturing (B/LM) - areas where buildings and uses can transition to a mix of commercial and light manufacturing uses. Light manufacturing means a manufacturing use, primarily from previously prepared materials of finished products or parts, including processing, fabrication, assembly, treatment, product packaging, incidental storage, sales and distribution of such products but excluding basic industrial processing which involves the processing of raw materials. All uses shall be conducted inside an enclosed building. Any noise, vibration, smoke, vapor, dust, fumes, odor, glare, or other environmental contamination produced by such uses shall be confined to the lot upon which such uses are located and controlled in accordance with applicable local, state and federal law, rules and regulations.

Medium density residential (MR-R) - areas which are in the process of changing from existing development to a primary use of multi-unit residential units or mobile homes where each unit usually has direct access at ground level.

High density residential (HR-R) - areas which are in the process of changing from low density development to multi-family unit apartments.

Office (O-R) - areas primarily devoted to office buildings or transition areas that are moving from residential use to conversion of the buildings to office uses as a buffer between business or traffic areas and residential areas.

Highway business (HB-R) - areas in the process of changing from existing mixed development to serve the traveling public as well as local residents, the uses are oriented to vehicular traffic and service.

Regional business (RB-R) - areas in the process of changing from existing business, residential or industrial uses into a regional business service area with a wide range of retail and commercial uses at various scales of operation.

Transitional (T-R) - areas adjacent to a commercial district which will allow for a mixed use of residential structures, adaptive reuse of residential structures for business purposes and businesses utilizing new buildings.

§ 24-14. Zoning district map. [Amended by Ord. No. 94-26; Ord. 96-1; Ord. 02-10]

- A. The boundaries of the zoning areas and districts created by section 24-13 are hereby established as shown on maps entitled "Zoning District Map of the City of Evanston, Wyoming" which maps and all official amendments thereto are hereby made a part of this chapter. These maps and all official amendments thereto may be subject to the following special provisions and interpretations:
- (1) Unless otherwise defined on the zoning district maps, district boundary lines are lot lines; the centerlines of streets, alleys, railroad rights-of-way or such lines extended; section lines; corporate limit lines; center lines of stream beds; or other lines drawn to scale on the zoning district map.
 - (2) Areas subject to related official City regulations may be indicated on the zoning district maps where appropriate.
 - (3) As part of the zoning district map, the governing body has adopted a gaming overlay which illustrates areas where gaming establishments may be conditionally permitted.
 - (4) Whenever the governing body establishes a transitional developing district, it shall also consider and may adopt as an official amendment to the zoning district map, a transitional redeveloping overlay for the district. The overlay shall divide the land within the district into separate tracts which will set forth recommended tracts for the construction of new business buildings in the transitional redeveloping zone, that are of an adequate size to conduct business, have sufficient access to public streets, and would not leave remnant, isolated or unusable parcels. At a minimum, the construction of any new business building in a transitional redeveloping zone shall take place only on a single lot of at least 5,000 square feet or multiple lots of at least 10,000 square feet when combined unless a variance is obtained from the board of adjustment pursuant to Article XI of Chapter 24 of the City Code.
- B. When designating the tracts set forth in the transitional redeveloping overlay the City shall assure that each tract is of an adequate size to conduct business, has sufficient access to public streets, and that no remnant, isolated or unusable lots are created.

§ 24-15. Uses by right and conditional review. [Added by Ord. No. 94-26; amended by Ord. 96-1; Ord. No. 96-19; Ord. No.

97-13; Ord. No. 98-14; Ord. No. 99-4; Ord. No. 99-13; Ord. No. 00-6; Ord. No. 03-07; Ord. No. 03-26]

To facilitate public understanding of this chapter and for the better administration and convenience of use thereof, the following schedule of "uses allowed by right," and "uses permitted by conditional review" regulations for the various zoning districts is hereby adopted and declared to be a part of this chapter, and may be amended in the same manner as any other part of this chapter. In each zoning district, any use category not expressly permitted shall be deemed excluded. If a question arises as to whether a specific use does or does not come within the following expressed use categories, any person may apply to the planning department for a determination as to whether a specific use is expressly permitted.

A. Schedule of permitted land uses—Residential districts.

USES	DISTRICTS				
	LR-D		RR-E	MR-E	HR-E
	LR-E	LR-M	RR-1	MR-D	HR-D
	LR-E.5	LR-M.5	RR-5	MR-R	HR-R
(1) One-family dwelling	P	P	P	P	P
(2) Two-family attached dwelling	C	*	C	P	P
(3) Multifamily dwelling	P1	*	P1	P	P
(4) Boarding, rooming house, bed and breakfast	*	*	*	C	C
(5) Manufactured homes	*	P	P	P	*
(6) Manufactured home parks, subject to requirements of Article VII, Evanston Zoning Ordinance	*	*	*	C	*
(6.1) Manufactured home subdivisions	*	P	*	P	*
(7) Home occupancies	C2	C2	C2	C2	C2
(7.1) Home occupation childcare	C7	C7	C7	C7	C7
(8) Accessory uses which are subordinate to and devoted exclusively to the residential use of the premises	P	P	P	P	P
(9) Public, elementary, middle and senior high schools	C	C	C	C	C
(10) Private or independent elementary, middle or senior high schools	C	C	C	C	C
(11) Private parks, playgrounds, recreational facilities, playing fields and golf courses operated by a homeowner's association or membership club for use by members and/or the general public	C	C	C	C	C
(12) Recreational buildings and uses operated as part of and for the sole use of the occupants of a development	P1	P1	P1	P1	P1

USES	DISTRICTS				
	LR-D		RR-E	MR-E	HR-E
	LR-E	LR-M	RR-1	MR-D	HR-D
	LR-E.5	LR-M.5	RR-5	MR-R	HR-R
(13) Day care centers and child education facilities	C	C	C	C	C
(14) Hospitals, rest homes, convalescent homes and nursing homes	*	*	*	C	C
(15) Medical and dental clinics/offices	*	*	*	C1	C1
(16) Professional offices	C6	C6	C6	C1	C1
(17) Art or craft studio space and accessory gallery	*	*	*	C1	C1
(18) Essential municipal and public utility uses, facilities, services and buildings	C	C	C	C	C
(19) Neighborhood commercial business centers including personal service outlets and retailing of convenience goods meant primarily for residents of the neighborhood	C1	C1	C1	C1	C1
(20) Churches and places of worship	C	C	C	C	C
(21) Public parks and public golf courses	P	P	P	P	P
(22) Automobile parking lots as a principal use or as an accessory use to an establishment not located in the residential district	C3	C3	C3	C3	C3
(23) Windmills for generation of electrical power	C	C	C	C	C
(24) Private indoor or outdoor recreation and amusement including miniature golf putting courses, driving ranges, water slides and other similar uses	C4	C4	C4	C4	C4
(25) Mortuaries and funeral chapels and accessory uses	C5	C5	C5	C5	C5

- P = Permitted Use.
- C = Conditional Use Review. See section 24-6(B).
- * = Prohibited Use.
- P1 = Permitted only as part of a PUD.
- C1 = Permitted as a conditional review use in redeveloping districts; or permitted as part of a residential PUD in developing zones. Not allowed in established zones.
- C2 = See section 24-43A.
- C3 = See section 24-43D.
- C4 = Permitted as a conditional review use on property located contiguous to a Highway Business Commercial District.
- C5 = Permitted as a conditional review use in established districts only.
- C6 = Permitted as a conditional review use only on property located in an established district and which is adjacent to the Regional Business Zoning District.
- C7 = See Section 24-43E of the code.

B. Schedule of Permitted Land Uses - Commercial Districts and the Business/Light Manufacturing District. [Amended 12-16-2008 by Ord. No. 08-07; 7-2-2019 by Ord. No. 19-05]

Uses		Districts					
		B/LM-R	NB-E	CB-E	HB-E	O-D	RB-E
			NB-D	CB-D	HB-D	O-R	RB-D
					HB-R		RB-R
(1)	Motels and hotels, including accessory uses intended to serve only the hotel or motel, such as newsstands, gift shops, and similar incidental uses conducted entirely within the principal building	C	*	*	P	C	C
(2)	Office	P	P	P	P	P	C4
(2.1)	Office, professional	P	P	P	P	P	P
(3)	Membership clubs, not conducted primarily for gain	P	*	C	P	P	P
(4)	Public and private golf courses	*	*	C	P	*	C
(5)	Private indoor or outdoor recreation and amusement, including miniature golf putting courses, driving ranges, water slides, go cart tracks, and other similar uses	C	*	C	C	*	C
(6)	Restaurants, including the sale of alcoholic beverage with meals and which may include meal service on an outside patio, not including drive-in restaurants	P	C	P	P	P	P
(7)	Drive-in restaurants	C	*	C	C	*	C

		Districts					
			NB-E	CB-E	HB-E	O-D	RB-E
Uses		B/LM-R	NB-D	CB-D	HB-D	O-R	RB-D
			NB-D	CB-D	HB-R	O-R	RB-R
(8)	Automobile parking lots and parking structures, as a principal use	C	*	C	C	C	C
(9)	Duplicating and printing services whose building or use does not exceed 5,000 square feet in total floor area	P	*	P	P	P	P
(10)	Art or craft studio space and accessory gallery	P	P	P	P	C	P
(10.1)	Taxidermist	C	C	C	C	C	C
(11)	Municipal, county, state or federal facilities and buildings	P	P	P	P	P	P
(12)	Public parks and playgrounds	P	P	P	P	P	P
(13)	Gasoline stations without repair or service facilities	P	C	C	P	*	P
(14)	Gasoline service stations including repair and service facilities (but not including paint and body shops)	P	*	C	P	*	P

Uses		Districts					
		B/LM-R	NB-E	CB-E	HB-E	O-D	RB-E
			NB-D	CB-D	HB-D	O-R	RB-D
					HB-R		RB-R
(15)	Personal service outlets, including barber and beauty shops, shoe repair shops, self-service laundries, dry-cleaning outlets, appliance repair, travel agencies and photographic studios	P	P	P	P	C1	P
(16)	Establishments for the retailing of goods, including but not limited to clothing, grocery, sporting goods, hardware, electronic variety and specialty stores where the building or use does not exceed 5,000 square feet in total floor area	P	P	P	P	*	P
(17)	Establishments for retailing of goods, including but not limited to clothing, sporting goods, hardware, electronic, variety and specialty stores, where the building or use is greater than 5,000 square feet but does not exceed 25,000 square feet in total floor area	P	*	P	P	*	P

		Districts					
			NB-E	CB-E	HB-E	O-D	RB-E
Uses		B/LM-R	NB-D	CB-D	HB-D	O-R	RB-D
			NB-D	CB-D	HB-R	O-R	RB-R
(18)	Establishments for retailing of goods, including but not limited to department stores, furniture stores, catalog stores, superstores and retail warehouse/ wholesale club, where the building or use exceeds 25,000 square feet in total floor area	*	*	C/DR	*	*	P/DR
(19)	Supermarkets exceeding 25,000 square feet in total floor area	*	*	P/DR	*	*	P/DR
(19.1)	Supermarkets less than 25,000 square feet in total floor area	*	*	P	P	*	P
(20)	Indoor amusement and entertainment establishments, including but not limited to theaters, video arcades, bowling alleys	P	*	C	C	*	P
(20.1)	Gaming establishments	*	*	*	C7	*	*
(21)	Recreation and athletic membership clubs	P	*	C	P	C	P
(22)	Vehicle sales, recreational vehicle sales, mobile home sales, and vehicle accessory dealers and repair services, excluding junkyards	P	*	*	P	*	*

Uses		Districts					
		B/LM-R	NB-E	CB-E	HB-E	O-D	RB-E
			NB-D	CB-D	HB-D	O-R	RB-D
					HB-R		RB-R
(22.1)	Vehicle sales, recreational vehicle sales and vehicle accessory dealers and repair services, excluding junkyards	P	*	*	P	*	C5
(23)	Drive-in, walk-up and drive-up facilities, such as banks and automatic banking machines, liquor stores, photo stores and cleaning establishments	*	*	C	C	C	C
(24)	Financial institutions, including banks, savings and loans, finance companies and similar uses	*	*	P	C	C	P
(25)	Mortuaries and funeral chapels and accessory uses	P	C	C	P	C	C2

		Districts					
Uses		B/LM-R	NB-E	CB-E	HB-E	O-D	RB-E
			NB-D	CB-D	HB-D	O-R	RB-D
					HB-R		RB-R
(26)	Commercial uses, including, without limitation, animal hospitals without outdoor kennels, cold storage lockers, rental establishments, service garages, but only if there are adequate safeguards to protect adjoining properties from objectionable or harmful substances, conditions or operations	P	*	*	C	*	*
(26.1)	Car wash	P	*	C	C	*	C6
(26.2)	Rental establishments	C	*	C	C	*	C10
(27)	Single-unit detached and dwellings on ground floor	C	C	C	C	C	C
(28)	Dwellings on floors above and below the ground floor	C	C	C	C	C	P1
(29)	Mini self-storage facilities	P	*	*	C	*	C
(30)	Churches and places of worship	P	C	C	C	C	C
(31)	Lumber yards, building or plumbing supply stores with exterior storage of materials or equipment	C	*	*	C	*	*

Uses		Districts					
		B/LM-R	NB-E	CB-E	HB-E	O-D	RB-E
			NB-D	CB-D	HB-D	O-R	RB-D
					HB-R		RB-R
(32)	Day-care centers and child educational facilities	*	C	C	*	C	C
(33)	Public and private educational facilities and institutions	C	*	C	C	*	C
(34)	Transportation centers for buses, taxis or trains	P	*	C	C	*	C
(35)	Windmills for generation of electrical power	C	C	C	C	C	C
(36)	Package liquor stores	C	*	C	C	*	P
(37)	Bars, cocktail lounges, taverns	C	*	*	C	*	P
(38)	Microbrewery	C	*	*	C	*	P
(39)	Auto paint and body shops	P	*	*	C8	*	*
(40)	Building, electrical and plumbing contractors with on-site storage of equipment or materials	C	*	*	*	*	*
(41)	Woodworking and similar uses	P	*	*	*	*	*
(42)	Freight delivery, and pick-up	P	*	*	*	*	*
(43)	Greenhouse nursery stock production and sales	P	*	*	*	*	*
(44)	Light manufacturing, processing and assembly	P	*	*	*	*	P
(45)	Welding services	P	*	*	*	*	*

Uses		Districts					
		B/LM-R	NB-E	CB-E	HB-E	O-D	RB-E
			NB-D	CB-D	HB-D	O-R	RB-D
					HB-R		RB-R
(46)	Technology operations, including cryptocurrency mining, block chain and similar uses	P	*	*	*	*	C9
(47)	Accessory uses and buildings	P	P	P	P	P	P

P	=	Permitted use
Pl	=	Permitted in RB-E district only; conditionally permitted in RB-D districts and RB-R districts.
C	=	Conditional review use.
*	=	Prohibited use.
DR	=	Design review.
C1	=	Conditional review use permitted only when part of an office building, primarily not as a freestanding building.
C2	=	Conditional review use in RB-R and RB-E districts only; prohibited in RB-D district.
C3	=	Conditional review use permitted, limited to one unit per lot to be used only as a residence for one employee as caretaker unit.
C4	=	Office as the principal use on the first floor of buildings in the RB district shall only be permitted as conditional uses, but uses by right in the RB districts on all floors above or below the first or ground level floor.
C5	=	Prohibited in the Regional Business-Established Zone and the Regional Business-Redeveloping Zone but may be conditionally permitted in the Regional Business-Developing Zone on lots with a minimum size of 2.5 acres.
C6	=	Prohibited in the Regional Business Established Zone and the Regional Business Redeveloping Zone, but may be conditionally permitted in the Regional Business Developing Zone.
C7	=	As set forth in the gaming overlay, within the HB-E district only. A conditional use permit shall not be granted until all state and county licenses have been obtained by the applicant.
C8	=	Conditional review use in HB-E only.
C9	=	Conditionally permitted in the RB zoning district on floors above and below the ground floor or 1st floor level. Limited to no more than 100 servers.
C10	=	Permitted as a conditional review use in developing districts only. The rental of equipment or other items may be conducted on-site only if the cleaning, maintenance and repair of all rental equipment or other items shall be conducted and performed in an enclosed on-site building which shall confine and contain any noise, smoke, vapor, dust, odor, glare, vibration, fumes, or other environmental contamination. All waste, contamination or other environmental discharges produced by the cleaning, maintenance and repair of equipment or other rental items shall be controlled, treated and disposed of in accordance with the applicable state or federal regulations. An enclosed building means a structure surrounded by full-length walls from roof to ground, which may include doors and windows, and having a roof enclosing the entire structure. Any outdoor storage of equipment, equipment parts or other rental items shall be screened from view by landscaping or a fence.

C. Schedule of permitted land uses—Industrial districts.

DISTRICTS

I-E LI- D HI-D

USES

(1) Facilities for the manufacturing, fabrication, welding, processing, or assembly of products, research facilities, testing laboratories, oil, gas and mineral extraction service facilities which are conducted completely inside an enclosed building and provided that any noise, smoke, vapor, dust, odor, glare, vibration, fumes, or other environmental contamination produced by such facilities is confined to the building where such facilities are located and is controlled in accordance with the applicable state or federal regulations. Any outdoor storage of equipment or materials shall be screened from view by landscaping or a fence.

P P P

(2) All facilities for the manufacturing, fabrication, welding, processing, or assembly of products, research facilities, testing laboratories, oil and gas field and mineral extraction equipment storage (not including hazardous material which may produce effects on the environment that are measurable at or beyond the property line), provided that such facilities are not detrimental to the public health, safety or general welfare and provided that any noise, smoke, vapor, dust, odor, glare, vibration, fumes or other environmental contamination is controlled in accordance with the applicable state or federal regulations. Submittal of a plan of control for the above effects on the environment, and an estimate of the measurement of each at the property lines may be required before or after such a facility is operational.

C * P

DISTRICTS
LI-
I-E D HI-D

USES

(3) Commercial uses including, but not limited to, the following: lumber yards, nursery stock production and sales, yard equipment and supply dealers, firewood operations, building contractors and equipment, trucking services, disposal truck storage, rental establishments, car washes, animal hospitals, kennels, bulk cleaning and laundry plants, cold storage lockers; provided such facilities are adequately screened and provided any noise, smoke, vapor, dust, odor, glare, vibration, fumes, or other environmental contamination produced by such facilities is confined to the lot upon which such facilities are located.	C	*	P
(4) Transportation centers, service garages, warehouses, wholesale operations, household equipment and appliance repair, printing and duplicating services which may exceed 5,000 square feet in total floor area, furniture and carpet warehouses, provided such facilities are adequately screened and provided any noise, smoke, vapor, dust, odor, glare, vibration, fumes or other environmental contamination produced by such facilities is confined to the lot upon which such facilities are located.	P	C	P
(4.1) Retail/wholesale club.	P/DR	C/ DR	*
(5) Offices	P	P	P
(6) Day care centers and child educational facilities serving only the children of employees	P	P	C
(7) Automobile repair including paint and body shop	C	*	P

USES	DISTRICTS		
	I-E	LI-D	HI-D
(8) Gasoline service stations	P	C	P
(9) Sales, service, parking and storage of motor vehicles, mobile homes, campers, boats, bicycles, motorized equipment and accessories for vehicles, but not including junkyards	P	*	P
(10) Restaurants including alcoholic beverage licenses, intended to service the general industrial area in which they are located	P	P	P
(11) Junkyards, auto wrecking and salvage yards	C	*	C
(12) Helicopter landing areas	C	*	C
(13) Municipal buildings and facilities, public utility buildings and facilities including substations	C	C	P
(14) Recreational buildings and uses	P	P	P
(15) One accessory dwelling unit for a caretaker or security person overseeing the industrial use of the premises	C	C	C
(16) Accessory buildings and uses which are subordinate to and devoted exclusively to the industrial use of the premises.	P	P	P
(17) Extractive industries including oil and gas drilling, storage, and processing and/or storage of hazardous materials as defined in this code and section 2.101(c) of the Uniform Fire Code.	C	*	C
(18) Windmills for generation of electrical power.	C	C	C
(19) Private indoor or outdoor recreation and amusement including miniature golf putting courses, driving ranges, water slides, go cart tracks, and similar uses	C	C	C

- P = Permitted Use.
- C = Conditional Use Review.
- * = Prohibited.
- DR = Design Review.

D. Schedule of permitted land uses—Public, Agricultural and Open Space.

USES	DISTRICT			
	P-E	A-E	DOS	NOS
(1) Single-unit dwelling for persons owning or employed on the premises	P	P	P	C
(2) Crop production, orchards, nurseries, flower production, pastures, grazing, land and forest land	P	P	P	P
(3) Animal production and husbandry services, not including commercial feed lots	C	P	P	P
(4) Stables and riding academies	*	C	C	C
(5) Municipal, county, state and federal use, facilities, services and buildings	P	P	P	C
(6) Public colleges and universities	P	*	*	*
(7) Hospitals and universities	P	*	*	*
(8) Parks, playfields, playgrounds and golf courses operated by a public agency	P	P	P	P
(9) Fairgrounds	C	C	C	*
(10) Cemeteries	P	P	P	C
(11) Essential public utility users, facilities, services and buildings	P	P	P	*
(12) Campgrounds	*	C	C	C
(13) Extractive industries	*	C	C	*
(14) Accessory buildings and uses	P	P	P	C
(15) Public and private nonprofit uses providing a community service	C	*	*	*
(16) Churches	C	C	C	*

USES	DISTRICT			
	P-E	A-E	DOS	NOS
(17) Airports	C	C	C	*
(18) Heliports as an accessory use to a full service hospital	C	*	*	*
(19) Medical offices and clinics on a lot upon which a hospital is the principal use of a lot contiguous thereto, provided that the gross floor area of all such office or clinic use does not exceed 25% of the gross floor area of the hospital to which it is related and is occupied only by physicians and/or dentists	C	*	*	*
(20) Manufactured home parks/subdivision	*	C	C	*
(21) Manufactured house	C	P	P	C

P = Permitted Use.

C = Conditional Use Review.

* = Prohibited.

E. Schedule of permitted land uses—Transitional Developing and Transitional Redeveloping districts.

USES	DISTRICTS	
	T-D	T-R
Professional offices	C	P
Restaurants, including sale of liquor	C	P
Drive-thru restaurants	*	C
Parking (business related)	C	C
Art/craft studio or other similar use	C	P
Municipal, state or federal facilities and retail establishments	C	P
Convenience stores, with or without the sale of gas	*	C
Gasoline stations, without repair	*	C
Recreation/athletic clubs	C	P

USES	DISTRICTS	
	T-D	T-R
Nonprofit membership clubs	C	P
Printing Services	C	C
Public park/playground	P	P
Personal service outlets, including but not limited to, beauty shop, shoe repair, small appliance repair, travel agency, dry cleaning and other similar uses	C	P
Single-family dwelling	P	P
Telemarketing	C	C

P = Permitted Use.

C = Conditional Use Review.

* = Prohibited Use.

§ 24-16. Minimum setback, parking, area and bulk requirements. [Added by Ord. No. 84-45; amended by Ord. No. 94-26; Ord. No. 96-1; Ord. No. 98-14; Ord. No. 99-4; Ord. No. 02-10; Ord. 03-08; Ord. No. 03-27]

A. Established districts—Residential and Public. [Amended 2-2-2010 by Ord. No. 10-02]

Zoning Requirement	LR-M	LR-M.5	MR-E	HR-E	P-E
	LR-E	LR-E.5	E	E	E
(1) Minimum lot area (sq. ft.)	6,000	1/2 acre	6,000	6,000	6,000
	less than 1/2 acre	less than 1 acre			
(2) Minimum lot area per dwelling unit (sq. ft.)	6,000	1/2 acre	3,000	2,500	6,000
(3) Minimum number of off-street parking spaces per dwelling unit ^a	2	2	2	2	2

Zoning Requirement	LR-M	LR-M.5	MR-	HR-	P-E
	LR-E	LR-E.5	E	E	
(4) Minimum number of off-street parking spaces per 300 sq. ft. of floor area for nonresidential uses and their accessory uses except restaurants, bars, auditoriums and theaters ^b	1	1	1	1	.50
(5) Minimum landscaped front yard setback from a street right-of-way (which may include access driveways) for all principal and accessory buildings and uses (ft.) ^c	20	20	20	20	20
(6) Minimum landscaped side yard setback from a street for all buildings and uses (ft.) ^{c, d}	10	20	10	10	10
(7) Minimum side yard setback from an interior lot line for all principal uses (ft.) ^e	5	15	5	5	5
For all accessory uses (ft.) ^e	5	10	5	5	5
(8) Minimum rear yard setback for all principal uses (ft.) ^{e, f}	20	20	20	20	25
	(or 10 feet if there is an alley)				
For all accessory uses (ft.) ^{e, f}	5	5	5	5	5
(9) Maximum height for all principal uses (ft.) ^g	35	35	35	35	35

Zoning Requirement	LR-M	LR-M.5	MR-E	HR-E	P-E
	LR-E	LR-E.5	E	E	E
For all accessory uses (ft.)	25	25	25	25	25

B. Established districts—Rural Residential, Agricultural and Open Space. [Amended 2-2-2010 by Ord. No. 10-02]

Zoning Requirement	RR-E	RR-1	RR-5	A-E	DOS	NOS
(1) Minimum lot area (acres)	21,780 sq ft	1 acre less than 5	5 acres less than 10	10 acres	10 acres	0 acres
(2) Minimum lot area per dwelling unit (acres)	21,780 sq ft	1 acre	5 acres	10 acres	10 acres	10 acres
(3) Minimum number of off-street parking spaces per dwelling unit ⁹	2	2	2	2	2	2
(4) Minimum number of off-street parking spaces per 300 sq. ft. of floor area for nonresidential uses and their accessory uses except restaurants, bars, auditoriums and theaters ^b	1	1	1	1	1	1
(5) Minimum landscaped front yard setback from a street right-of-way (which may include access driveways) for all principal and accessory buildings and uses (ft.) ^c	35	35	35	40	40	40
(6) Minimum landscaped side yard setback from a street for all buildings and uses (ft.) ^{c, d}	20	20	20	25	25	25
(7) Minimum side yard setback from an interior lot line for all principal uses (ft.) ^e	15	15	15	20	20	20
For all accessory uses (ft.) ^e	10	15	15	20	20	20
(8) Minimum rear yard setback for all principal uses ^e	20	25	25	30	30	30
For all accessory uses (ft.) ^e	5	5	5	5	5	5
(9) Maximum height for all principal uses (ft.) ⁹	35	35	35	35	35	35
For all accessory uses (ft.)	25	25	25	25	25	25

C. Established districts—Commercial and Industrial. [Amended 12-16-2008 by Ord. No. 08-07]

Zoning Requirement	NB-				
	I-E	E	HB-E	CB-E	RB-E
(1) Minimum lot area (sq. ft.)	6,000	6,000	6,000	6,000	6,000
(2) Minimum lot area per principal building (sq. ft.)	6,000	3,000	3,000	2,500	2,500
(3) Minimum number of off-street parking spaces per dwelling unit ^a	2	2	2	2	2
(4) Minimum number of off-street parking spaces per 300 sq. ft. of gross floor area for nonresidential uses and their accessory uses, except restaurants, bars, auditoriums, theaters, ^b gaming establishments ^h and lodging facilities ^b	.50	1	1	1	.75
(5) Minimum landscaped front yard setback from a street right-of-way (which may include access driveways) for all principal and accessory buildings and uses (ft.) ^c	20	20	20	20	0
(6) Minimum landscaped side yard setback from a street for all buildings and uses (ft.) ^{c, d}		20 feet where located on an arterial; 10 feet on all other streets.			0

Zoning Requirement	I-E	NB-E	HB-E	CB-E	RB-E
(7) Minimum side yard setback from an interior lot line for all principal and accessory uses (ft.) ^e		0 feet where an alley exists or an agreement between abutting property owners; or 12 feet where no agreement exists between abutting side yard owners; or 30 feet where adjacent to residential, public or agricultural zones.			
(8) Minimum rear yard setback for all uses (ft.) ^f		0 feet, or 30 feet where adjacent to residential, public or agricultural zone.			0
(9) Maximum height for all principal uses (ft.) ^g	35	35	35	35	35
For all accessory uses (ft.)	25	20	20	20	20

D. Developing and Redeveloping districts—Residential and Transitional. [Amended 2-2-2010 by Ord. No. 10-02]

Zoning Requirement	LR-D	MR-D	HR-D	MR-R	HR-R	T-D
(1) Minimum usable open space per dwelling unit (sq. ft.)	5,000	3,000	2,000	2,000	1,600	2,000
(2) Minimum number of off-street parking spaces per dwelling unit ^a	2	2	2	2	2	2
(3) Minimum number of off-street parking spaces per 500 sq. ft. of gross floor area for non-residential uses and their accessory uses, except restaurants ^b	1.5	1.5	1.5	1	1	1
(4) Minimum landscaped front yard setback from a street right-of-way (which may include access driveways) for all principal and accessory buildings and uses (ft.) ^c	20	20	20	20	15	10

Zoning Requirement	LR-D	MR-D	HR-D	MR-R	HR-R	T-D
(5) Minimum side yard setback from an interior lot line for all principal buildings and uses (ft.) ^e	12 feet on one side, and 5 feet on another	12 feet or 1 foot per 2 feet bldg. height, whichever is greater			12 feet on one side, and 5 feet on the other	
(6) Setback from an interior side lot line for all accessory buildings and uses (ft.) ^e	5	5	5	5	5	5
(7) Minimum landscaped side yard setback from a street (which may include access and egress driveways) for all buildings and uses (ft.) ^{d, e}	10	10	10	10	10	10
(8) Minimum rear yard setback for all principal uses ^{e, f}	20 feet, or 1 ft. for every 2 ft. of building height, whichever is greater					20 feet, or 10 feet, if there is an alley
For all accessory uses (ft.) ^{e, f}	5	5	5	5	5	5
(9) Maximum height for all principal uses (ft.) ^g	35	35	35	35	35	35
For all accessory uses (ft.)	25	25	25	25	25	25

E. Developing and Redeveloping districts—Business/Light Manufacturing, Industrial, Office, Business and Transitional. [Amended 12-16-2008 by Ord. No. 08-07]

Zoning Requirement	B/LM-R					
	LI-D	HI-D	O-R	HB-R	RB-R	T-R
(1) Minimum usable open space per principal building	6,000	6,000	2,000	1,600	1,600	2,000
(2) Minimum number of off-street parking spaces per dwelling unit ^a	2	2	2	2	2	2
(3) Minimum number of off-street parking spaces per 300 sq. ft. of gross floor area for nonresidential uses and their accessory uses, not including lodging facilities ^b	.75	.75	1	1	.5	1
(4) Minimum landscaped front yard setback from a street right-of-way (which may include access driveways) for all principal and accessory buildings and uses (ft.) ^c	20	20	20	20	0	10
(5) Minimum side yard setback from an interior lot line for all principal and accessory buildings and uses (ft.) ^f	0 feet where an alley exists or an agreement between abutting property owners; or 12 feet where no agreement exists between abutting side yard owners; or 30 feet where adjacent to residential, public or agricultural zones.				0	5

Zoning Requirement	B/LM-R					
	LI-D	HI-D	O-R	HB-R	RB-R	T-R
(6) Minimum landscaped side yard setback from a street (which may include access and egress driveways) for all buildings and uses (ft.) ^{d, e, i}	20	20	20	20	0	10
(7) Minimum rear yard setback for all principal buildings and uses (ft.) ^f	20 feet, or 1 ft. for every 2 ft. of building height, whichever is greater.				0	5
For all accessory buildings and uses (ft.) ^f	3	3	3	3	0	5
(8) Maximum height for all principal uses (ft.) ^g	35	35	35	35	35	35
For all accessory uses (ft.)	20	20	20	20	20	16

F. Developing districts—Office and Commercial. **[Amended 12-16-2008 by Ord. No. 08-07]**

Zoning Requirement	O-D	NB-D	HB-D	CB-D	RB-D
	(1) Minimum usable open space per principal building (sq. ft.)	2,000	2,000	2,000	2,000
(2) Minimum number of off-street parking spaces per principal building ^a	2	2	2	2	2
(3) Minimum number of off-street parking spaces per 300 sq. ft. of gross floor area for nonresidential uses and their accessory uses, not including lodging facilities ^b	1	1	1	1	1
(4) Minimum landscaped front yard setback from a street right-of-way (which may include access driveways) for all principal and accessory buildings and uses (ft.) ^c	20	20	20	20	20

Zoning Requirement	NB-		CB-		RB-
	O-D	D	HB-D	D	D
(5) Minimum side yard setback from an interior lot line for all principal and accessory buildings and uses (ft.) ^e	0 feet where an alley exists or an agreement between abutting property owners; or 12 feet where no agreement exists between abutting side yard owners; or 30 feet where adjacent to residential, public or agricultural zones.				
(6) Minimum landscaped side yard setback from a street (which may include access and egress driveways) for all buildings and uses (ft.) ^{d, e}	20	20	20	20	20
(7) Minimum rear yard setback for all principal uses (ft.)	20 feet, or 1 ft. for every 2 ft. of building height, whichever is greater.				
For all accessory uses (ft.) ^{e, f}	3	3	3	3	3
(8) Maximum height for all principal uses (ft.) ^g	35	35	35	35	35
For all accessory uses (ft.)	20	20	20	20	20

FOOTNOTES:

- a. See supplemental regulations for parking requirements for comparable uses—Dormitories, rooming houses, homes for elderly, special housing projects, etc.
- b. See Article VIII for parking requirements for restaurants, bars, auditoriums, theaters and lodging facilities. A minimum parking space, including access lanes, is an average of 300 sq. ft. for code purposes. **[Amended 12-16-2008 by Ord. No. 08-07]**
- c. All required yards abutting a street, and required open space, must be landscaped. If required yards contain driveways, such driveways shall be situated at approximately right angles to the street.
- d. Use principal building front yard setback where adjacent lot fronts upon a street.
- e. No part of any structure may project into an easement.

FOOTNOTES:

- f. No structure may be placed closer than 15 feet from the center line of an alley. **[Amended 2-2-2010 by Ord. No. 10-02]**
- g. The 35-foot height limits may be exceeded only in certain areas and only under the standards and procedures provided in Article IV, "Height Restrictions."
- h. Parking requirements for gaming establishments are one parking space per gaming machine and six parking spaces per gaming table. If required parking cannot be provided on-site, it shall be required off-site subject to a conditional use permit.
- i. In the TR zone, the 10-foot setback shall apply only to principal and accessory buildings, not to other uses and there shall be no landscape requirement.