

## ARTICLE 7 LAND DEVELOPMENT DISTRICTS

### SECTION 7.1 ESTABLISHMENT OF DISTRICTS

For the purposes of this Ordinance, the portions of Eaton County lying outside the limits of cities and villages are hereby divided into the following districts:

7.1.1	<u>District Name</u>	<u>District Symbol</u>
A.	<b>Resource Conservation</b>	RC
B.	<b>Limited Agricultural</b>	LA
C.	<b>Low Density Residential</b>	R-1
D.	<b>Medium Density Residential</b>	R-2
E.	<b>High Density Residential</b>	R-3
F.	<b>Local Business</b>	C-1
G.	<b>General Business</b>	C-2
H.	<b>Industrial District</b>	I

**7.1.2 Official District Map:** The boundaries of each district are defined and established as depicted on a map entitled "Official Land Development District Map of Eaton County, Michigan", which is hereby incorporated by reference and made an integral part of this Ordinance, and which, with explanatory matter thereon, shall be published as a part of this Section of this Ordinance.

- A. The Map: The Official Land Development District Map of Eaton County, Michigan and subsequent amendments thereof shall bear the signature of the Chairperson of the Eaton County Board of Commissioners and be certified by the Eaton County Clerk.
- B. Amendments: Amendments made to the district boundaries, designations, or other matter depicted on the Official Land Development District Map shall be made within five (5) working days after the effective date of the amendment. Each amendment shall be accompanied by a reference number of the district map which shall refer to the official action of the Eaton County Board of Commissioners.
- C. Maintenance: The original of the Official Land Development District Map shall be maintained and kept up to date in the Office of the Clerk of Eaton County. In the event that the Official District Map becomes damaged, destroyed, lost, or difficult to interpret, the County Board of Commissioners may adopt by Ordinance, a new Official District Map. Said new District Map shall not have the effect of amending the prior Official District Map of this Ordinance and shall bear identifying signatures pursuant to 7.1.2A above. Unless the prior Official District Map has been lost or totally destroyed, said map or any parts thereof remaining shall be

preserved together with all available records pertaining to its adoption or amendment.

**7.1.3 Rules for interpretation of the Official District Map:** Where uncertainty exists as to the boundaries of the districts as shown on the Official District Map, the following rules shall govern:

- A. A boundary indicated as approximately following **the centerline of a highway, street, alley, or easement** shall be construed as following such centerline.
- B. A boundary indicated as approximately following a **recorded lot line bounding a parcel** shall be construed as following such line.
- C. A boundary indicated as approximately following **the municipal boundary line of a city, village, or township** shall be construed as following such line.
- D. A boundary indicated as following a **railroad right-of-way line** shall be construed as following the centerline of that right-of-way.
- E. A boundary indicated as following a **shoreline** shall be construed as following such shoreline, and in the event of a naturally occurring change in a shoreline, the boundary shall be construed as following the actual shoreline.
- F. A boundary indicated as following the centerline of a **stream, river, canal, lake or other body of water** shall be construed as following such centerline.
- G. A boundary indicated as **parallel to, or an extension of, a feature** indicated in *Section 7.1.3A* through *7.1.3F* shall be so construed.
- H. A **distance not specifically indicated on the Official District Map** shall be determined by the scale of the map to the nearest foot.
- I. Where a **natural or man-made feature** existing on the ground is at variance with that shown on the Official District Map, or in any other circumstances not covered by *Section 7.1.3A* through *7.1.3H*, the Board of Appeals shall interpret the location of the District Boundary.

**7.1.4 Scope of Provision:** Except as may otherwise be provided in this Ordinance, every building and structure erected, every use of any lot, building, or structure established, every structural alteration or relocation of any existing building or structure occurring, and every enlargement of, or addition to, an existing use, building and structure occurring after the effective date of this Ordinance shall be subject to all regulations of this Ordinance which are applicable in the District in which such use, building, or structure is located.

- A. Uses Permitted by Right: All land development specifically listed under the heading, “Uses Permitted by Right,” in the respective district descriptions contained in *Article 7* of this Ordinance shall be allowed when found to be in accordance with all provisions of this Ordinance and all other applicable laws regulations or codes having jurisdiction over the proposed use of land, or upon order of the Eaton County Board of Appeals.
- B. Uses Permitted by Site Plan Approval: All land development specifically listed under the heading, “Uses Permitted by Site Plan Approval,” in the respective district descriptions contained in *Article 7* of this Ordinance shall be allowed only

upon approval of the Site Plan pursuant to *Section 8.6* of this Ordinance or upon order of the Eaton County Board of Appeals.

- C. Uses Permitted by Issuance of a Conditional Use Permit: All land development specifically listed under the heading of, “Uses Permitted by Conditional Use Permit,” in the respective district descriptions contained in *Article 7* of this Ordinance, shall be allowed upon approval of the Eaton County Planning Commission after a duly advertised public hearing in accordance with *Article 9* of this Ordinance or upon order of the Eaton County Board of Appeals.
- D. Uses Not Specifically Mentioned: Any use of land or development activity not specifically mentioned in this Ordinance shall be classified upon appeal or by request of the Community Development Department by the Eaton County Board of Appeals pursuant to *Section 4.6.2* of this Ordinance.
- E. Uses Existing Before Ordinance: Any use of land or development activity existing on the effective date of this Ordinance may continue subject to the provisions contained in *Article 12* of this Ordinance.

## **SECTION 7.2 RESOURCE CONSERVATION DISTRICT (RC)**

**7.2.1 Intent and Purpose:** This district is intended to provide for the limited need to preserve historic places and structures, while providing for their adaptive use, to protect environmentally sensitive areas from improper development, and to provide for conservation areas, parks, and for property which is maintained in a manner consistent with those statutes referred to in *Section 3.5.3* of this Ordinance. This district is further intended to preserve, enhance, and stabilize existing areas within the county which are currently used predominately for general farming and livestock production and are best suited for agricultural use because of soil characteristics, location and parcel size. The purpose of this district is to conserve the expenditure of public funds for improvements and services, to meet the needs of the State's citizens for food, fiber, and other natural resources and to preserve the essential characteristics and economic value of the district.

### **7.2.2 Uses Permitted by Right:**

- A. **Accessory Use** as provided in *Subsection 6.2.10* of this Ordinance.
- B. **Customary Agricultural Operation** as defined in *Article 5* of this Ordinance.
- C. **Mobile Home Dwelling** as provided in *Section 16.5* of this Ordinance.
- D. **Public and Private Non-Commercial Park** as defined in *Article 5* of this Ordinance.

### **7.2.3 Uses Permitted by Site Plan Approval pursuant to Article 8 of this Ordinance:**

- A. **Cemetery** as provided in *Section 14.3* of this Ordinance.
- B. **Government Facility** as provided in *Section 14.10* of this Ordinance.
- C. **Parks and Recreational Facilities** as defined in *Article 5* of this Ordinance.
- D. **Single-Family Dwelling**, as defined in *Article 5* of this Ordinance.

E. **Uses similar** to the above uses permitted by to Site Plan Approval.

**7.2.4 Uses Permitted by Conditional Use Permit pursuant to Article 9 of this Ordinance:**

- A. **Agricultural Business** as provided in *Section 14.1* of this Ordinance.
- B. **Archery and Gun Range** as provided in *Section 14.34* of this Ordinance.
- C. **Commercial Recreation Facility** as defined in *Article 5* of this Ordinance.
- D. **Community Service Facility** as provided in *Section 14.5* of this Ordinance.
- E. **Educational Institution** as provided in *Section 14.10* of this Ordinance.
- F. **Golf Course and Country Club** as provided in *Section 14.11* of this Ordinance.
- G. **Gunsmithing** as defined in *Article 5* of this Ordinance.
- H. **Home Business** as provided in *Section 14.13* of this Ordinance.
- J. **Nurseries and Greenhouses** as provided in *Section 14.1* of this Ordinance.
- K. **Private Airport** as provided in *Section 14.20* of this Ordinance.
- L. **Religious Institutions** as provided in *Section 14.22* of this Ordinance.
- M. **Uses similar** to the above uses permitted by Conditional Use Permit.

**7.2.5 Site Development Requirements:** All lots, buildings or structures created after the effective date of this Ordinance shall conform to the site development standards set forth in *Table A, Section 7.7* of this Ordinance, except as modified by *Article 6, General Provisions; Article 14, Specific Provisions and Requirements; Article 15, Planned Unit Developments; or as varied pursuant to Article 4, Board of Appeals.*

## **SECTION 7.3 LIMITED AGRICULTURAL DISTRICT (LA)**

**7.3.1 Intent and Purpose:** This district is primarily intended for agricultural operations and the limited development of very low density single-family dwellings. Such areas are not well suited for the development of residential neighborhoods nor are they expected to be provided with urban type public services.

### **7.3.2 Uses Permitted by Right:**

- A. **Accessory Use** as provided in *Subsection 6.2.10* of this Ordinance.
- B. **Customary Agricultural Operation** as defined in *Article 5* of this Ordinance.
- C. **Gunsmithing** as defined in *Article 5* of this Ordinance.
- D. **Home Occupation** as provided in *Section 14.14* of this Ordinance.
- E. **Home Office** as provided in *Section 14.35* of this Ordinance.
- F. **Mobile Home Dwelling** as provided in *Section 16.5* of this Ordinance.
- G. **Single-Family Dwelling**, as defined in *Article 5* of this Ordinance.
- H. **Foster Care Facility** as provided in *Section 14.4 A-C (and D if 6 or fewer residents)* of this Ordinance.
- I. **Day Care Facilities**, as defined in *Article 5, Section 5.3.4 D 1.* (if 6 or fewer children of this Ordinance.
- J. **Uses similar** to the above uses permitted by right.

### **7.3.3 Uses Permitted by Site Plan Approval pursuant to Article 8 of this Ordinance:**

- A. **Community Service Facility** as provided in *Section 14.5* of this Ordinance.
- B. **Parks and Recreational Facilities** as defined in *Article 5* of this Ordinance.
- C. **Long-Term Care Facilities** as provided in *Section 14.16 B* (if 6 or fewer bedrooms and 6 or fewer residents)
- D. **Uses similar** to the above uses permitted by Site Plan Approval.

### **7.3.4 Uses Permitted by Conditional Use Permit pursuant to Article 9 of this Ordinance:**

- A. **Agricultural Business** as provided in *Section 14.1* of this Ordinance.
- B. **Archery and Gun Range** as provided in *Section 14.34* of this Ordinance.
- C. **Cemetery** as provided for in *Section 14.3* of this Ordinance.
- D. **Commercial Recreation Facility** as defined in *Article 5* of this Ordinance.
- E. **Construction Contractors Establishment** and storing of heavy equipment as provided in *Section 14.29* of this Ordinance.
- F. **Distressed Vehicle Transporter** as provided in *Section 14.24* of this Ordinance.
- G. **Educational Institutions**, including public and private schools, as provided in *Section 14.10* of this Ordinance.

- H. **Foster Care Facility** as provided in *Section 14.4 D (if 7-12 residents) and E* of this Ordinance.
- I. **Golf Course and Country Club** as provided in *Section 14.11* of this Ordinance.
- J. **Government Facility** as provided in *Section 14.10* of this Ordinance.
- K. **Home Business** as provided in *Section 14.13* of this Ordinance.
- L. **Nursery and Greenhouse** as provided in *Section 14.1* of this Ordinance.
- M. **Open Air Business and Storage** as provided in *Section 14.33* of this Ordinance.
- N. **Planned Unit Development (PUD)** as provided in *Article 15* of this Ordinance.
- O. **Private Airport** as provided in *Section 14.20* of this Ordinance.
- P. **Public Airport and Heliport** as provided in *Section 14.21* of this Ordinance.
- Q. **Communication Towers and Antennas**, as provided in *Section 14.27* of this Ordinance
- R. **Religious Institutions** as provided for in *Section 14.22* of this Ordinance.
- S. **Rental Storage Buildings** as provided in *Section 14.26* of this Ordinance.
- T. **Rooming and Boarding Dwellings** as provided in *Section 14.30* of this Ordinance.
- U. **Surface Mining** as provided in *Section 14.25* of this Ordinance.
- V. **Veterinary Hospital or Clinic and Kennel** as provided in *Section 14.1* of this Ordinance.
- W. **Agricultural Migrant Labor Housing** as provided in *Section 14.36* of this Ordinance.
- X. **Light Automotive, Small Engine Repair & Automotive Body Shop** as provided in *Section 14.37* of this Ordinance.
- Y. **Artisan's Workshop** as provided in *Section 14.38* of this Ordinance.
- Z. **Solar Energy Systems, Large or Medium** as provided in *Section 14.39* of this Ordinance.
- AA. **Uses similar** to the above uses permitted by Conditional Use Permit.

**7.3.5 Site Development Requirements:** All lots, buildings or structures created after the effective date of this Ordinance shall conform to the site development standards set forth in *Table A, Section 7.7* of this Ordinance, except as modified by *Article 6, General Provisions; Article 14, Specific Provisions and Requirements; Article 15, Planned Unit Developments*; or as varied pursuant to *Article 4, Board of Appeals*.

## SECTION 7.4 RESIDENTIAL DISTRICTS

**7.4.1 Intent and Purpose:** It is the intent of the districts provided for in *Section 7.4* to provide the development of neighborhoods with all types of residential development in appropriate densities located in portions of the County served by streets, adequate public and private utilities, and located within relatively close proximity to schools, shopping, recreational facilities, and employment centers.

### 7.4A LOW DENSITY RESIDENTIAL DISTRICT (R-1)

**7.4A.1 Intent and Purpose:** The Low Density Residential (R-1) District is designed to provide for one (1) family, low density dwelling sites and residentially related uses in keeping with the adopted Eaton County Comprehensive Development Plan for residential development in Eaton County. The uses permitted by right and as conditional uses are intended to promote a compatible arrangement of land uses for homes, with the intent to keep neighborhoods quiet and free of unrelated traffic, and other noises. **The maximum density in the R-1 District shall not exceed three (3.0) units per acre.**

**7.4A.2.Uses Permitted by Right:** No building or land shall be used, and no building shall be erected except for one or more of the following specified uses, unless otherwise provided for in this Ordinance:

A. **Accessory Buildings and Accessory Uses** customarily incidental to the dwelling uses, such as the following:

1. A private garage having not more than eight hundred and fifty (850) square feet of usable floor area, to be used for the storage of noncommercial motor vehicles and not more than one (1) commercial vehicle of not more than one-ton capacity; there shall be no public shop or services in connection therewith. Provided, however, a parcel in excess of one (1) acre may be permitted by the Community Development Director to have a larger accessory building in accord with the following table:

<b>Parcel Size</b>	<b>Maximum Possible Building Area</b>
1.01 -2 Acres (no more than one (1) accessory building)	1,200 square feet*
2.01-4 Acres	1,600 square feet*
4.01 Acres or more	No restrictions

\* This is the maximum possible, a lesser building area may be required if necessary to preserve the character of the neighborhood.

2. The concealed storage or unconcealed storage of one unoccupied trailer, camper, recreational vehicle, semi-tractor and/or boat and trailer which is the property of the principal occupants of the principal building. Such vehicles shall be operative and duly licensed to remain on the property for more than three (3) months. Such storage shall not pose a visual or physical nuisance to the surrounding area.

- B. **Mobile Home Dwellings** as provided in *Section 16.5* of this Ordinance.
- C. **Single Family Dwellings**, as defined in *Article 5* of this Ordinance.
- D. **Foster Care Facility** as provided in *Section 14.4 A-C (and D if 6 or fewer residents)* of this Ordinance.
- E. **Animals – Recreational** as provided in *Subsection 7.4A.6* of this Ordinance.
- F. **Day Care Facilities**, as defined in *Article 5, Section 5.3.4 D 1.* (if 6 or fewer children of this Ordinance.
- G. **Uses similar** to the above uses permitted by right.

**7.4A.3 Uses Permitted by Site Plan Review pursuant to Article 8 of this Ordinance:**

- A. **Community Service Facility** as provided in *Section 14.5* of this Ordinance.
- B. **Duplex Dwellings – Conversion Only** as provided in *Section 14.9* of this Ordinance.
- C. **Home Occupation** as provided in *Section 14.14* of this Ordinance.
- D. **Home Office** as provided in *Section 14.35* of this Ordinance.

**7.4A.4 Uses Permitted by Conditional Use Permit pursuant to Article 9 of this Ordinance:**

- A. **Cemeteries** as provided in *Section 14.3* of this Ordinance.
- B. **Duplex Dwellings** as provided in *Section 14.9* of this Ordinance.
- C. **Educational Institution** including private and public schools, as provided in *Section 14.10* of this Ordinance.
- D. **Foster Care Facility** as provided in *Section 14.4 D (if 7-12 residents) and E* of this Ordinance.
- E. **Golf Course and Country Club** as provided in *Section 14.11* of this Ordinance.
- F. **Government Facility** as provided in *Section 14.10* of this Ordinance.
- G. **Gunsmithing** as defined in *Article 5* of this Ordinance.
- H. **Parks and Recreational Facilities** as defined in *Article 5* of this Ordinance.
- I. **Planned Unit Development (PUD)** as provided in *Article 15* of this Ordinance.
- J. **Religious Institutions** as provided in *Section 14.22* of this Ordinance.
- K. **Rooming and Boarding Dwellings** as provided in *Section 14.30* of this Ordinance.
- L. **Uses similar** to the above uses permitted by Conditional Use Permit.

**7.4A.5 Site Development Requirements:** All lots, buildings or structures created after the effective date of this Ordinance shall conform to the site development standards set forth in Table A, *Section 7.7* of this Ordinance, except as modified by *Article 6, General Provisions*; [NOTE: refer to *Article 10, Section 10.2.5, Uses of Parking Area, Item C*] *Article 14, Specific Provisions and Requirements*; *Article 15, Planned Unit Development*; or as varied pursuant to *Article 4, Board of Appeals*



#### **7.4A.6 Animals: Livestock, exotic and non-domesticated**

- A. Minimum Parcel Size: Parcel size shall be a minimum of two (2) acres with a minimum additional one (1) acre for each animal over two (2). Exception: Animals which are born on the site are permitted to remain for up to six (6) months.
- B. Suitability: The land is environmentally capable of accommodating the number and type of animals proposed.
- C. Setback Requirements: Designated animal areas and animal waste spreading or storing areas must be a minimum of one-hundred (100) feet from all property lines and all road rights-of-way.
- D. Retention of Neighborhood Character: The design and location of the buildings, fences, and other structures is compatible with adjacent lands and the character of the area. All animal activities which adversely and permanently alter the character of the neighborhood are prohibited.
- E. Additional Requirements: Measures must be taken to ensure that all animal by-products, noxious odors, noises and all other nuisance factors created by the raising, caring, keeping of animals must be contained within the boundaries of the property i.e., additional visual screening, additional noise inhibitors, air filtration systems, etc.

#### **7.4B MODERATE DENSITY RESIDENTIAL DISTRICT (R-2)**

**7.4B.1 Intent and Purpose:** The Moderate Density Residential (R-2) District is intended to provide an environment suitable for families who typically will have children, but will be of smaller family size than those families living in the R-1 Residential Districts. To achieve this goal uses are primarily limited to moderately low density one (1) and two (2) family dwelling units, plus certain residentially related uses designed to provide a satisfactory neighborhood environment. The District also may serve as a zone of transition between higher density residential districts or nonresidential districts, and low density single family residential districts, and along major thoroughfares. **The maximum density in the R-2 District shall not exceed five (5.0) units per acre.**

**7.4B.2 Uses Permitted by Right:** No building or land shall be used, and no building shall be erected except for one or more of the following specified uses, unless otherwise provided for in this Ordinance:

- A. **Accessory Buildings and Accessory Uses** customarily incidental to the above permitted uses such as the following:
  - 1. Not more than one (1) detached private garage or accessory building having not more than eight hundred and fifty (850) square feet of usable floor area, to be used for the storage of noncommercial motor vehicles and not more than one (1) commercial vehicle of not more than one-ton capacity; there shall be no public shop or services in connection therewith.
  - 2. The concealed storage of one unoccupied trailer, camper, recreational vehicle, semi-tractor and/or boat and trailer which is the property of the

principal occupants of the principal building. Such vehicles shall be operative and duly licensed to remain on the property for more than three (3) months. Such storage shall not pose a visual or physical nuisance to the surrounding area.

- B. **Duplex Dwellings** as provided in *Section 14.9* of this Ordinance.
- C. **Mobile Home Dwellings** as provided in *Section 16.5* of this Ordinance.
- D. **Single-Family Dwellings**, as defined in *Article 5* of this Ordinance.
- E. **Foster Care Facility** as provided in *Section 14.4 A-C (and D if 6 or fewer residents)* of this Ordinance.
- F. **Day Care Facilities**, as defined in Article 5, Section 5.3.4 D 1. (if 6 or fewer children of this Ordinance.
- G. **Uses similar** to the above uses permitted by right.

**7.4B.3 Uses Permitted by Conditional Use Permit pursuant to Article 9 of this Ordinance:**

- A. **Cemeteries** as provided in *Section 14.3* of this Ordinance.
- B. **Community Service Facility** as provided in *Section 14.5* of this Ordinance.
- C. **Educational Institution**, including public and private schools, as provided in *Section 14.10* of this Ordinance.
- D. **Foster Care Facility** as provided in *Section 14.4 D (if 7-12 residents) and E* of this Ordinance.
- E. **Golf Course and Country Club** as provided in *Section 14.11* of this Ordinance.
- F. **Government Facility** as provided in *Section 14.10* of this Ordinance.
- G. **Home Occupation** as provided in *Section 14.14* of this Ordinance.
- H. **Home Office** as provided in *Section 14.35* of this Ordinance.
- I. **Parks and Recreational Facilities** as defined in *Article 5* of this Ordinance.
- J. **Planned Unit Development (PUD)** as provided in *Article 15* of this Ordinance.
- K. **Religious Institutions** as provided in *Section 14.22* of this Ordinance.
- L. **Rooming and Boarding Dwellings** as provided in *Section 14.30* of this Ordinance.
- M. **Uses similar** to the above uses permitted by Conditional Use Permit.

**7.4B.4 Site Development Requirements:** All lots, buildings or structures created after the effective date of this Ordinance shall conform to the site development standards set forth in Table A, *Section 7.7* of this Ordinance, except as modified by *Article 6, General Provisions; [NOTE: refer to Article 10, Section 10.2.5, Uses of Parking Area, Item C]* *Article 14, Specific Provisions and Requirements; Article 15, Planned Unit Development;* or as varied pursuant to *Article 4, Board of Appeals.*

**7.4C HIGH DENSITY RESIDENTIAL DISTRICT (R-3)**

**7.4C.1 Purpose and Intent.** The High Density Residential (R-3) District is designed to provide sites for multiple dwelling structures with height restrictions compatible with single family residential districts, to serve the needs for the apartment type of unit, or a condominium type of unit, in an otherwise single family residential community, and to provide zones of transition. The R-3 District is intended generally for the development of a planned complex of buildings on larger contiguous parcels of land. **The maximum density in the R-3 District shall not exceed eight (8.0) units per acre.**

**7.4C.2 Uses Permitted by Right**

No building or land shall be used, and no building shall be erected except for one or more of the following specified uses, unless otherwise provided for in this Ordinance:

- A. **Accessory Buildings and Accessory Uses** customarily incidental to the above permitted uses such as the following:
  - 1. Not more than one (1) detached private garage or accessory building having not more than eight hundred and fifty (850) square feet of usable floor area, to be used for the storage of noncommercial motor vehicles and not more than one (1) commercial vehicle of not more than one-ton capacity; there shall be no public shop or services in connection therewith.
  - 2. The concealed storage of one unoccupied trailer, camper, recreational vehicle, semi-tractor and/or boat and trailer which is the property of the principal occupants of the principal building. Such vehicles shall be operative and duly licensed to remain on the property for more than three (3) months. Such storage shall not pose a visual or physical nuisance to the surrounding area.
- B. **Duplex Dwellings** as provided in *Section 14.9* of this Ordinance.
- C. **Multiple Family Dwellings** as provided in *Section 14.8* of this Ordinance.
- D. **Mobile Home Dwellings** as provided in *Section 16.5* of this Ordinance.
- E. **Single-Family Dwelling**, as defined in *Article 5* of this Ordinance.
- F. **Foster Care Facility** as provided in *Section 14.4 A-C (and D if 6 or fewer residents)* of this Ordinance.
- G. **Day Care Facilities**, as defined in Article 5, Section 5.3.4 D 1. (if 6 or fewer children of this Ordinance.
- H. **Uses similar** to the above uses permitted by right.

**7.4C.3 Uses Permitted by Conditional Use Permit pursuant to Article 9 of this Ordinance:**

- A. **Cemeteries** as provided in *Section 14.3* of this Ordinance.
- B. **Community Service facility** as provided in *Section 14.5* of this Ordinance.
- C. **Convenience Commercial Establishment** as provided in *Section 14.6* of this Ordinance.
- D. **Educational Institution** as provided in *Section 14.10* of this Ordinance.

- E. **Foster Care Facility** as provided in *Section 14.4 D (if 7-12 residents) and E* of this Ordinance.
- F. **Golf Course and Country Club** as provided in *Section 14.11* of this Ordinance.
- G. **Government Facility** as provided in *Section 14.10* of this Ordinance.
- H. **Home Occupation** as provided in *Section 14.14* of this Ordinance.
- I. **Home Office** as provided in *Section 14.35* of this Ordinance.
- J. **Hospital and Long-Term Care Facilities** as provided in *Section 14.16* of this Ordinance.
- K. **Mobile Home Developments** as provided in *Section 14.18* of this Ordinance.
- L. **Parks and Recreational Facilities** as defined in *Article 5* of this Ordinance.
- M. **Planned Unit Development (PUD)** as provided in *Article 15* of this Ordinance.
- N. **Religious Institutions** as provided in *Section 14.22* of this Ordinance.
- O. **Rental Storage Buildings** as provided in *Section 14.26* of this Ordinance.
- P. **Rooming and Boarding Dwellings** as provided in *Section 14.30* of this Ordinance.
- Q. **Uses similar** to the above uses permitted by Conditional Use Permit.

**7.4C.4 Site Development Requirements:** All lots, buildings or structures created after the effective date of this Ordinance shall conform to the site development standards set forth in *Table A, Section 7.7* of this Ordinance, except as modified by *Article 6, General Provisions; [NOTE: refer to Article 10, Section 10.2.5, Uses of Parking Area, Item C] Article 14, Specific Provisions and Requirements; Article 15, Planned Unit Development;* or as varied pursuant to *Article 4, Board of Appeals.*

## **SECTION 7.5 COMMERCIAL DISTRICTS**

**7.5.1 Intent and Purpose:** It is the intent of the Local Business District (C-1) and the Regional Commercial District (C-2) to meet the commercial and convenience shopping needs of neighborhoods and the larger region, respectively. These districts provide for a variety of business and office uses in clustered functional centers located near major arterial streets in a limited number of locations in order to avoid strip and spot commercial development, lessen congestion on public streets, protect adjacent non-commercial land uses, and to promote the economic viability of commercial uses.

### **7.5A. LOCAL BUSINESS DISTRICT (C-1)**

**7.5A.1 Intent and Purpose:** The Local Business (C-1) District is intended to serve the limited convenience shopping needs of the immediate neighboring area, and is intended to permit light, non-nuisance types of commercial activity that would have slight impact on the abutting area. In addition, the service areas are such that the permitted uses are not of a community wide or regional nature.

**7.5A.2 Uses Permitted by Right:** No building or land shall be used, and no building or land shall be erected except for one or more of the following specified uses, unless otherwise provided for in this Ordinance:

- A. **Accessory Uses** as provided in *Subsection 6.2.10* of this Ordinance.
- B. **Business Service Establishment** as defined in *Article 5* of this Ordinance.
- C. **Convenience Commercial Establishment** as provided in *Section 14.6* of this Ordinance.
- D. **Financial Institution** as defined in *Article 5* of this Ordinance, without drive through service.
- E. **General Retail Sales Establishment** as defined in *Article 5* of this Ordinance.
- F. **Government Facility** as provided in *Section 14.10* of this Ordinance.
- G. **Personal Service Establishment** as defined in *Article 5* of this Ordinance.
- H. **Religious Institutions** as provided in *Section 14.22* of this Ordinance.
- I. **Uses similar** to the above uses permitted by right.

**7.5A.3 Uses Permitted by Site Plan Approval pursuant to Article 8 of this Ordinance:**

- A. **Commercial Recreation Facility** as defined in *Article 5* of this Ordinance.
- B. **Educational Institutional**, including public and private schools, as provided in *Section 14.10* of this Ordinance.
- C. **Financial Institution** as defined in *Article 5* of this Ordinance, with drive through service.
- D. **Funeral Home and Mortuary** as defined in *Article 5* of this Ordinance.
- E. **Office Building** as defined in *Article 5* of this Ordinance.
- F. **Restaurants** as defined in *Article 5* of this Ordinance, excluding those with drive through service.
- G. **Foster Care Facility** as provided in *Section 14.4* of this Ordinance.
- H. **Veterinary Hospital, Clinic, and Kennel** as provided in *Section 14.1* of this Ordinance.
- I. **Rental Storage Buildings** as provided in *Section 14.26* of this Ordinance.
- J. **Light Automotive, Small Engine Repair & Automotive Body Shop** as provided in *Section 14.37* of this Ordinance.
- K. **Uses similar** to the uses herein permitted by Site Plan Approval.

**7.5A.4 Uses Permitted by Conditional Use Permit pursuant to Article 9 of this Ordinance:**

- A. **Community Service Facility** as provided in *Section 14.5* of this Ordinance.
- B. **Customary Agricultural Operation** as defined in *Article 5* of this Ordinance if compatible with surrounding uses.

- C. **Motor Fuel Service Station** as provided in *Section 14.19* of this Ordinance.
- D. **Parks and Recreational Facilities** as defined in *Article 5* of this Ordinance.
- E. **Planned Unit Development (PUD)** as provided in *Article 15* of this Ordinance.
- F. **Communication Towers and Antennas** as provided in *Section 14.27* of this Ordinance.
- G. **Restaurants** as defined in *Article 5* of this Ordinance, including those with drive through service.
- H. **Indoor Video Archery Hunting Range** as provided in *Section 14.34* of this Ordinance.
- I. **Uses similar** to the above uses permitted by Conditional Use Permit.

## **7.5B GENERAL BUSINESS DISTRICT (C-2)**

**7.5B.1 Intent and Purpose:** The Community Commercial (C-2) District is intended to serve the overall shopping needs of the population both within and beyond the County boundaries, including both convenience and comparison goods. As a result, the permitted uses are generally grouped so as to generate larger volumes of vehicular and pedestrian traffic than the C-1 District, and there may be some impact on the adjacent area.

### **7.5B.2 Uses Permitted by Right**

No building or land shall be used, and no building shall be erected except for one or more of the following specified uses, unless otherwise provided for in this Ordinance:

- A. **Any Uses Permitted by Right in the C-1 District** subject to the requirements of this C-2 District.
- B. **Nursery and Greenhouse** as provided in *Section 14.1* of this Ordinance.
- C. **Off Premise Signs and Billboards** as provided in *Article 11* of this Ordinance.
- D. **Restaurant** as defined in *Article 5* of this Ordinance excluding those with drive through service.
- E. **Uses similar** to the above uses permitted by right.

### **7.5B.3 Uses Permitted by Site Plan Approval pursuant to Article 8 of this Ordinance:**

- A. **Any Uses Permitted Subject to Site Plan Approval** in the C-1 District, subject to the requirements of this C-2 District.
- B. **Building Material Supplier** as defined in *Article 5* of this Ordinance.
- C. **Construction Contractors Establishment** and storage of heavy equipment as provided in *Section 14.29* of this Ordinance.
- D. **Hospital and Long-term Care Facilities** as provided in *Section 14.16* of this Ordinance.
- E. **Hotel and Motel** as provided in *Section 14.15* of this Ordinance.
- F. **Rental Storage Buildings** provided in *Section 14.26* of this Ordinance.

- G. **Restaurants** as defined in *Article 5* of this Ordinance, including those with drive through service.
- H. **Uses similar** to the above uses permitted by Site Plan Approval.

**7.5B.4 Uses Permitted by Conditional Use Permit pursuant to *Article 9* of this Ordinance:**

- A. **Adult Entertainment and Amusement Establishment**, as provided in *Section 14.32* of this Ordinance.
- B. **Any Uses Permitted by Conditional Use Permit in the C-1 District**, subject to the requirements of this C-2 District.
- C. **Drive-in Motion Picture Theater** as provided in *Section 14.7* of this Ordinance.
- D. **Gunsmithing** as defined in *Article 5* of this Ordinance.
- E. **New and Used Vehicle, Boat, or Farm Implement Dealer** as provided in *Section 14.17* of this Ordinance.
- F. **Open Air Business and Storage** as provided in *Section 14.33* of this Ordinance.
- G. **Parking Garage or Commercial Garage** as provided in *Section 14.19* of this Ordinance.
- H. **Propane Service Facility** as provided in *Section 14.31* of this Ordinance.
- I. **Racetrack** as provided in *Section 14.7* of this Ordinance.
- J. **Shopping Center and Shopping Mall** as provided in *Section 14.23* of this Ordinance.
- K. **Wholesale Trade Business** as defined in *Article 5* of this Ordinance.
- L. **Uses similar** to the above uses permitted by Conditional Use Permit.

**7.5C Site, Area and Bulk Requirements for the C-1 and C-2 Districts.**

**7.5C.1 Site Development Requirements.** All lots, buildings, or structures created after the effective date of this Ordinance shall conform to the site development standards set forth in *Table A, Section 7.7* of this Ordinance, except as modified by the provisions stated below or as modified by *Article 6, General Provisions; Article 14, Specific Provisions and Requirements; Article 15, Planned Unit Development;* or as varied pursuant to *Article 4, Board of Appeals.*

- A. **Material which is normally and reasonably discarded from commercial uses** of property may be externally stored for a reasonable temporary period of time, provided such storage areas are completely screened by an opaque fence of not less than six (6) feet in height.
- B. **When a side or rear lot line abuts areas adjacent to property located within the R-1, R-2 or R-3 Districts**, a buffer strip in addition to the minimum yard requirements of *Section 7.7* of this Ordinance shall be provided. The buffer strip shall consist of the following:
  - 1. Landscaped strip: A landscaped strip at least fifty (50) feet in width along the entire length of the abutting R-1, R-2 or R-3 districts.

2. Trees: The number of trees shall be determined as follows, three (3) trees plus one (1) for each fifteen (15) feet of buffer strip on length. The trees may be placed within the buffer strip so as to provide the best screening as approved by the Director of Community Development or designee. The trees shall be at least the following size at the time of planting: evergreens - six (6) to eight (8) feet in height, deciduous - one and three quarter inches (1 3/4") in caliper measured six (6) inches above the ground level.
3. Sight-proof screening: Sight proof screening four (4) feet in height shall be provided along the entire length of the abutting R-1, R-2 or R-3 Districts by use of the following landscape elements; wooden fencing, evergreen shrubs and berms. These elements may be used separately or in combination as determined by the Director of Community Development, or designee.

### **7.5C.2 Area and Bulk Requirements.**

Refer to *Article 7.7* for regulations limiting the height and bulk of buildings, the maximum size of lot or parcel permitted by land use, and the maximum density permitted.

## **SECTION 7.6 INDUSTRIAL DISTRICT (I)**

**7.6.1 Intent and Purpose:** The intent of this district is to provide for a variety of industrial and commercial uses in areas of the County affording direct access to all weather highways, adequate storm drainage, and existing utilities of power, water, and waste water disposal. Such Industrial Areas should be free of non-compatible uses designed so as to harm adjacent conforming uses, and provided with adequate land for expansion. Since such property is limited in availability, it will be conserved and restricted for industrial uses in the interest of the community's economic growth and development.

**7.6.2 Uses Permitted by Right:** The following uses are permitted provided there is **not** open storage of products or materials except vehicle and farm implements.

- A. **Accessory Uses** as provided in *Subsection 6.2.10* of this Ordinance.
- B. **Building Material Supplier** as defined in *Article 5* of this Ordinance.
- C. **Commercial Garage, Parking Garage** as provided in *Section 14.19* of this Ordinance.
- D. **Community Service Facility** as provided in *Section 14.5* of this Ordinance.
- E. **Construction Contractors Establishment** and storage of heavy equipment as provided in *Section 14.29* of this Ordinance.
- F. **Government Facility** as provided in *Section 14.10* of this Ordinance.
- G. **Light Manufacturing Facility** as defined in *Article 5* of this Ordinance.
- H. **Off Premise Signs and Billboards** as provided in *Article 11* of this Ordinance.
- I. **Research and development establishment** as defined in *Article 5* of this Ordinance.
- J. **Truck and Rail Freight Terminal** as defined in *Article 5* of this Ordinance.



- K. **Wholesale Trade Business** as defined in *Article 5* of this Ordinance, excluding, however, the storage of flammable liquids.
- L. **Uses similar** to the above uses permitted by right.

**7.6.3 Uses Permitted by Site Plan Approval pursuant to *Article 8* of this Ordinance:**

- A. **Above Ground Storage of Flammable Liquids** as defined in *Article 5* of this Ordinance.
- B. **Motor Fuel Service Stations** as provided in *Section 14.19* of this Ordinance.
- C. **Open Air Business and Storage** as provided in *Section 14.33* of this Ordinance.
- D. **Propane Service Facility** as provided in *Section 14.31* of this Ordinance.
- E. **Public Airports and Heliports** as provided in *Section 14.21* of this Ordinance.
- F. **Rental Storage Buildings** as provided in *Section 14.26* of this Ordinance.
- G. **Wood Product Processing Facility** as defined in *Article 5* of this Ordinance.
- H. **Uses similar** to the above uses permitted by Site Plan Approval.

**7.6.4 Uses Permitted by Conditional Use Permit pursuant to *Article 9* of this Ordinance:**

- A. **Automotive Salvage Yards and Scrapping Yards** as provided in *Section 14.2* of this Ordinance.
- B. **Chemical Processing and Metallurgic Manufacturing** as defined in *Article 5* of this Ordinance.
- C. **Customary Agricultural Operation** as defined in *Article 5* of this Ordinance if compatible with surrounding uses.
- D. **Distressed Vehicle Transporter** as provided in *Section 14.24* of this Ordinance.
- E. **Heavy Manufacturing** as defined in *Article 5* of this Ordinance.
- F. **Manufacturing of explosives** as defined in *Article 5* of this Ordinance
- G. **Meat or Poultry Processing Plant** as defined in *Article 5* of this Ordinance.
- H. **Communication Towers and Antennas** as provided in *Section 14.27* of this Ordinance.
- I. **Refiners and Power Generating Plant** as defined in *Article 5* of this Ordinance.
- J. **Solar Energy Systems, Large or Medium** as provided in *Section 14.39* of this Ordinance.
- K. **Uses similar** to the above uses permitted by Conditional Use Permit.

**7.6.5 Site Development Requirements:** All lots, buildings, or structures created after the effective date of this Ordinance shall conform to the site development standards set forth in *Table A, Section 7.7* of this Ordinance, except as modified by the provision stated below, or as modified by *Article 6, General Provisions; Article 14, Specific Provisions and Requirements; Article 15, Planned Unit Development;* or as varied pursuant to *Article 4, Board of Appeals.*

- A. **External areas for storage** are permitted when screened on all sides by an opaque fence of not less than six (6) feet in height.
- B. When a **side or rear lot line abuts areas adjacent to property located within the R-1, R-2 or R-3 districts**, a buffer strip in addition to the minimum yard requirements of *Section 7.7* of this Ordinance shall be provided. The buffer strip shall consist of the following:
1. Landscaped Strip: A landscaped strip at least fifty (50) feet in width along the entire length of the abutting the R-1, R-2 or R-3 districts.
  2. Trees: The number of trees shall be determined as follows: three (3) trees plus one (1) for each fifteen (15) feet of buffer strip length. The trees may be placed within the buffer strip so as to provide the best screening as approved by the Director of Community Development, or designee. The trees shall be at least the following size at the time of planting: evergreens - six (6) to eight - (8) feet in height, deciduous - one and three quarter inches (1 3/4" ) in caliper.
  3. Sight-Proof Screening: Sight proof screening six (6) feet in height shall be provided along the entire length of the abutting R-1, R-2 or R-3 districts by use of the following landscape elements: wooden fencing, evergreen shrubs and berms. These elements may be used separately or in combination as determined by the Director of Community Development, or designee.