



**AGENDA
CITY OF BELTON
PLANNING COMMISSION
PUBLIC HEARING & MEETING
MONDAY, AUGUST 16, 2010 - 7:00 P.M.
CITY HALL ANNEX, 520 MAIN STREET**

- I. CALL MEETING TO ORDER

- II. ROLL CALL

- III. APPROVAL OF THE MINUTES OF THE JULY 19, 2010 PLANNING COMMISSION MEETING

- IV. PUBLIC HEARING
 - A. Proposed Ordinance - Residential Care Centers and Halfway Houses

- V. DISCUSSION
 - A. Current Zoning and Land Use Maps

- VI. DIRECTOR'S REPORT

- VII. NEXT MEETING DATE: September 20, 2010

- VIII. ADJOURNMENT

MEETING MINUTES

JULY 19, 2010

Minutes of Meeting
Belton Planning Commission
City Hall Annex, 520 Main Street
July 19, 2010

CALL TO ORDER

Chairman Holly Girgin called the meeting to order at 7 p.m.

ATTENDANCE

- Commission: Chairman Girgin, Mayor Pro Tem Gary Lathrop, Commissioners Sally Davila, Tim McDonough, Jeff Fletcher, Scott VonBehren, and Larry Thompson.
- Staff: Jay Leipzig, Community Development Director; Patricia Jensen, City Attorney; and Ann Keeton, Community Development Secretary.
- Absent: Councilman Bobby Davidson and Commissioner Roger Horne

MINUTES

Commissioner VonBehren moved to approve the minutes of the May 17, 2010, Planning Commission meeting. Mayor Pro Tem Lathrop seconded the motion. All members present voted in favor and the motion carried.

DISCUSSION – Residential Care Centers & Halfway Houses

Mr. Leipzig reported the City has been discussing possible revisions to the City's residential care center definitions. The current City ordinance is not consistent with the State statutes according to Mr. Leipzig. Patricia Jensen who is with the City Attorney's office was present to review a draft ordinance. The residential care centers will be allowed in R-3 zoning districts and halfway houses will be allowed in R-3 but also required to go through the special use permit process for approval.

Ms. Jensen reported she has worked with staff regarding issues that have come about from some group homes locating in residential districts, particularly in the single-family and two-family districts. After examining the scale of the types of residential uses comparing the least impactful to the most impactful on the single-family residential districts, a residential use classification chart was developed.

Details about the proposed ordinance and the various residential home classifications were explained by Ms. Jensen. She reported the foster home and group home definitions have changed to be in conformance with State law. The State law allows group homes in all residential districts and defines group homes as being for eight or fewer unrelated mentally or physically handicapped persons.

She went on to review the definition of residential care facilities which states those facilities care for persons with a handicap due to a development disability, persons in need of rehabilitation/resocialization, and children under the age of 18-years experiencing emotional

problems, neglected, or physically handicapped. Some of the people that could be living at a residential care facility were categorized by Ms. Jensen as juvenile delinquents. The definition of a halfway house is a home for the rehabilitation of drug addicts, alcoholics, and ex-offenders according to Ms. Jensen.

Ms. Jensen went over the various residential use classifications and explained in which zoning districts they are permitted. Single-family, foster homes and group homes are permitted by State statute in all residential zoning districts. She said the two-family dwellings are permitted in R-2 and R-3 districts. The multiple-family dwellings and residential care facilities are permitted in the R-3 zoning districts, while halfway houses are permitted in R-3 with a special use permit. Ms. Jensen then read eight special restrictions/conditions that must be met to gain approval before a halfway house can be located in an R-3 district. Mr. Leipzig informed commission members the City has had issues in the regulation of the residential group homes due to the various types of homes being grouped together. He stated the proposed ordinance will be more specific and will give the City more control regulating the various residential uses. Ms. Jensen pointed out a map displaying the R-3 districts within the city limits. She said it is important to note that even though the ordinance has restrictions, it will not totally eliminate a legal place for one of these homes to locate.

When asked about the location of existing residential care centers in Belton, Mr. Leipzig stated there are currently two licensed residential care centers. He said there are several foster homes but the City does not have a list of those homes. The two homes that were licensed as residential care centers would not fit the new proposed definition but would be grandfathered-in. Ms. Jensen clarified that once a legal nonconforming use has been established, you cannot shut them down. If there are homes that are currently operating illegally, those homes would not be grandfathered-in according to Mr. Leipzig. There was discussion about the possibility of creating a list of residential care facilities and it was determined that information would be public.

Mayor Pro Tem Lathrop asked about the additional requirements for residential care facilities and Ms. Jensen explained the requirements for this use classification are the same as the existing multiple-family zoning district requirements. Mr. Leipzig announced there will be a public hearing regarding the proposed residential care facility ordinance on August 16, 2010, and he will provide a list of the existing residential care centers.

DIRECTOR'S REPORT

Mr. Leipzig announced the City Council will hold a public hearing on the Unified Development Code on August 10, 2010.

At the August 16 Commission meeting a current zoning map along with a current land use map will be available. In September there will be discussion about the future land use map.

There was a brief discussion about the noise ordinance regarding the earliest permitted time for construction and/or mowing. Mr. Leipzig said the city code allows construction between the hours of 6 a.m. and 8 p.m.

ADJOURNMENT

Commissioner Thompson moved to adjourn the meeting. The motion was seconded by Commissioner VonBehren. All members voted in favor and the meeting adjourned at 7:25 p.m.

Ann Keeton
Community Development Secretary

PUBLIC HEARING

RESIDENTIAL CARE CENTERS

&

HALFWAY HOUSES

**BELTON MISSOURI - PLANNING COMMISSION
REGULAR MEETING – CITY COUNCIL ROOM
CITY HALL ANNEX, 520 MAIN STREET
MONDAY, AUGUST 16, 2010 – 7:00 P.M.**

MEMORANDUM

TO: Planning Commission Members

FROM: Jay Leipzig, AICP – Director of Community Planning & Development

DATE: August 16, 2010

RE: Case TA-10-12- Ordinance to Amend Zoning Ordinance for Residential Care Facilities and Halfway Houses.

Attached to this Memorandum is the "marked up" Ordinance which reflects proposed changes to the City of Belton Zoning Ordinance in regard to Residential Care Facilities and Halfway Houses. The proposed changes include restricting residential care facilities to the R-3 Zoning Districts, and require that "half-way" houses be regulated through a Special Use Permit process. The proposed changes also include revisions to the definition of Foster Homes and Group Homes to reflect Missouri statutory requirements.

This Ordinance was originally presented and discussed during the July 19, 2010 Planning Commission Meeting. There will be a Public Hearing in regard to Case TA-10-12 during the August 16, 2010 Planning Commission Meeting after a short presentation from the Community Planning and Development Director.

There is currently an Administrative Delay on all new applications for residential care facilities within the City of Belton which expires on October 31, 2010. It is hoped that the proposed ordinance can be reviewed and adopted by this date.

Please do not hesitate to contact me if you have any questions in the interim.

AN ORDINANCE AMENDING THE ZONING ORDINANCE, ARTICLE I, SECTION 6, DEFINITIONS, ARTICLE II, SECTION 6, R-3 MULTIPLE FAMILY RESIDENTIAL DISTRICT, ARTICLE IV, SECTION 7, OFF-STREET PARKING, AND APPENDIX A, LISTING OF USES BY ZONING DISTRICT, TO PROVIDE ZONING REQUIREMENTS FOR RESIDENTIAL CARE FACILITIES AND HALFWAY HOUSES AND TO MAKE AMENDMENTS TO THE DEFINITION OF GROUP HOMES AND FOSTER HOMES.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELTON, MISSOURI AS FOLLOWS:

Section 1. That the Zoning Ordinance, Article I, Section 6, Definitions, is amended by repealing Article I, Section 6, Definitions, and inserting, in lieu thereof, a new article of like number and subject matter to read as follows:

SECTION 6

DEFINITIONS

A. For the purpose of these regulations, words used in the present tense shall include the future tenses; words in the singular number include the plural and words in the plural number include the singular, except where the natural construction of the writing indicates otherwise. The word "shall" is mandatory.

B. For the purposes of these regulations, certain terms and words are to be used and interpreted as defined hereinafter.

(1) ACCESSORY BUILDING OR STRUCTURE

A building customarily incidental and appropriate and subordinate to the main building or use and located on the same lot with the main building.

(2) ACCESSORY USE

A use customarily incidental, appropriate and subordinate to the principal use of land or buildings located on the same premises and allowed as part of the principal use.

(3) ADULT BUSINESS: Any business:

- a. that has as a substantial or significant purpose the sale or rental of merchandise that is intended for use in connection with specified sexual activities, or that emphasizes matters depicting, describing or relating to specified sexual activities or specified anatomical areas; or

- b. that has as one of its regular and substantial business purposes:
- 1) the providing of entertainment where the emphasis is on performances, live or otherwise, that depict, portray, exhibit or display specified anatomical areas or specified sexual activities; or
 - 2) the providing of services that are intended to provide sexual arousal or excitement or that allow observation of specified sexual activities or specified anatomical areas ancillary to other pursuits, or allow participation in specified sexual activities ancillary to other pursuits.
- c. The definition of "adult business" also includes but is not limited to any and all of the following specific adult businesses, as defined herein:
- 1) Businesses that offer merchandise for sale or rent.
 - (a) "Adult media outlet" means a business engaging in the sale or rental of merchandise where a substantial or significant portion of the business is devoted to the sale or rental of "adult media." For purposes of this subsection, it shall be presumed that a "substantial or significant" portion of a business is devoted to the sale or rental of "adult media" if any of the following criteria are satisfied:
 - (1) Forty percent (40%) or more of the stock in trade consists of "adult media" at any time; or
 - (2) Forty percent (40%) or more of the gross public floor area of the business is devoted to "adult media" at any time.
 - (b) "Adult newsrack" means any coin- or card-operated device that offers for sale by dispensing printed material which is distinguished or characterized by its emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.
 - (c) "Adult Retail Establishment" means a business that displays or offers goods for sale or rent and that meets any of the following tests:
 - (1) It displays or offers for sale or rent items from any two (2) of the following categories: "sexually-oriented toys or novelties"; lingerie; clothing that graphically depicts "specified anatomical areas"; leather goods designed or marketed for use for sexual bondage or sadomasochistic practices; and the combination of such items constitutes
 - (A) ten percent (10%) or more of the stock in trade of the business at any time, or

(B) ten percent (10%) or more of the gross public floor area of the business at any time.

2) Businesses that provide entertainment.

- (a) "Adult entertainment business" means any business to which the public, patrons or members are invited or admitted, and where providing "adult entertainment," as defined herein, as a regular and substantial portion of its business.
- (b) The definition of "adult entertainment business" also includes, but is not limited to, any and all of the following specific adult entertainment businesses, as defined herein:
- (1) "Adult motion picture theater" means an establishment with a screen or projection areas, where a regular and substantial portion of its business is the exhibition to patrons of films, videotapes or motion pictures which are intended to provide sexual arousal or sexual excitement to the patrons and which are distinguished by or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.
 - (2) "Adult theater" means an establishment where a regular and substantial portion of its business is providing the live performance of activities relating to specified sexual activities or exhibition of specified anatomical areas of live performers, for observation by patrons.
 - (3) "Adult entertainment cabaret" means an establishment where a regular and substantial portion of its business is providing adult entertainment which features strippers, male or female impersonators, or live performances, or material which depict, portray, exhibit or display specified anatomical areas or specified sexual activities or are intended to arouse or excite the sexual desires of the entertainer, other entertainer or patron.
 - (4) "Adult entertainment studio" (includes the terms "rap studio," "exotic dance studio," "sensitivity studio" or "encounter studio") means an establishment whose premises are physically arranged so as to provide booths, cubicles, rooms, compartments or stalls separate from the common areas of the premises, and where a regular and substantial portion of its business is providing entertainment which features materials or live performances characterized by an emphasis on or features materials relating to specified sexual activities or the exhibition of specified anatomical areas.
 - (5) "Adult encounter parlor" means an establishment where a regular and substantial portion of its business is the provision of premises where

patrons congregate, associate, or consort with employees, performers, and/or other patrons or private contractors who display specified anatomical areas in the presence of such patrons, with the intent of providing sexual arousal or excitement to such patrons.

- (6) "Body Painting Studio" means an establishment where a regular and substantial portion of its business is the application of paint or other substance to or on the human body by any means of application, technique or process when the subject's body displays for the patron's view specified anatomical areas.

3) Businesses that provide services.

- (a) "Bath House" means an enterprise where a regular and substantial portion of its business is offering baths and/or showers with other persons present who are nude or displaying specified anatomical areas.

- (b) "Adult Motel" means an enterprise where a regular and substantial portion of its business is offering public accommodations, containing more than 150 square feet of gross floor area, for the purpose of viewing motion pictures or viewing publications which are distinguished or characterized by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical area" by any photographic, electronic, magnetic tape, digital or other medium (including but not limited to film, video, magnetic tape, laser disc, CD-ROM, books, magazines or periodicals) for observation by patrons therein and which rents room accommodations for less than six (6) hours at a time. (Ord. 2005-3171, 9/6/05)

(4) ADULT ENTERTAINMENT

Any exhibition, performance, display or dance of any type, including, but not limited to, talking, singing, reading, listening, posing, serving food or beverages, soliciting for the sale of food, beverages or entertainment, pantomiming, modeling, removal of clothing, or any service offered on a premises where such exhibition, performance, display or dance is intended to arouse or excite the sexual desires of the entertainer, other entertainers or patrons, or if the entertainment depicts, portrays, exhibits or displays specified anatomical areas or specified sexual activities. (Ord. 2005-3171, 9/6/05)

(5) ADULT MEDIA

Books, magazines, periodicals, other printed matter, pictures, slides, records, audiotapes, videotapes, compact discs, motion pictures, films, CD-ROMS or other devices used to record computer images, or other media which are distinguished or characterized by an emphasis on matters depicting, describing or relating to "specified sexual activities" or "specified anatomical areas." (Ord. 2005-3171, 9/6/05)

(6) ADULT VIDEO VIEWING BOOTHS

Any booth, cubicle, stall or compartment which is designed, constructed or used to hold or seat patrons and is used for presenting or viewing motion pictures or viewing publications which are distinguished or characterized by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas" by any photographic, electronic, magnetic tape, digital or other medium (including but not limited to, film, video, magnetic tape, laser disc, CD-ROM, books magazines or periodicals) for observation by patrons therein. "Adult video viewing booths" are sometimes referred to as "peep shows", "adult video arcades", "panorams" and "adult mini-motion picture theaters". An "adult video viewing booth" shall not mean a theater, movie house, playhouse, or a room or enclosure or a portion thereof which contains more than 150 square feet of gross floor area. Note: as of the date of the adoption of this definition, there are no known "adult video viewing booths" within the City and the Zoning Ordinance specifically does not list this as a permitted use in any existing zoning district. (Ord. 2005-3171, 9/6/05)

(7) AGRICULTURE

The use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry and the necessary accessory uses for packing, treating, or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities. The operation of commercial feed pens, sales yards and auction yards for cattle or hogs shall be deemed an industrial and not an agricultural use.

(8) ALLEY

A public passage or way affording a secondary means of vehicular access to abutting property and not intended for general traffic circulation.

(9) APARTMENT HOUSE

A multiple family dwelling. (See "dwelling, multiple")

(10) AUTOMOBILE

A self-propelled vehicle designed for use on streets and highways for the conveyance of goods and people including but not limited to the following: passenger cars, trucks, buses, motor scooters, and motorcycles.

(11) AUTOMOBILE WASH OR LAUNDRY

A structure designed primarily for washing automobiles with a chain conveyor, blower, steam cleaner, with pressure spray or other mechanical device.

(12) AUTOMOBILE SERVICE STATION

Any area of land, including structures thereon, that is used for the sale of gasoline or oil fuels, but not butane or propane fuels, and which may or may not include facilities for lubricating, washing, cleaning, or otherwise servicing automobiles, but not including the painting thereof.

(13) AUTOMOBILE WRECKING OR SALVAGE YARD

An area outside of a building where motor vehicles are disassembled, dismantled, junked, or where motor vehicles not in operable condition or used parts of motor vehicles are stored.

(14) BASEMENT

That portion of a building which is partially or wholly below grade. This portion is a structure and serves as a substructure or foundation for a building. (Ord. 2007-3317, 2/27/07)

(15) BED AND BREAKFAST INN

A limited commercial activity, conducted within a residential structure, which includes dining and bathroom facilities with sleeping rooms for short-term guest lodging. The property in question must be in close proximity to major streets and business areas; the special use permit would only apply to the applicant and would not run with the property.

(16) BOARD OF ADJUSTMENT

The Board which has been created by the Governing Body to hear and determine appeals, exceptions, and variances to the Zoning Regulations.

(17) BUILDING

Any structure intended for shelter, housing or enclosure of persons, animals, or chattel.

(18) BUILDING COVERAGE

The percentage of the lot area covered by the building. The building area shall include all overhanging roofs.

(19) BUILDING HEIGHT

The vertical distance from the average line of the highest and lowest points of that portion of the lot covered by the building to the highest point of coping of a flat roof, or the decline of a mansard roof, or to the average height of the highest gable of a pitch or hip roof.

(20) BUILDING LINE (*SETBACK LINE*)

A line beyond which buildings and structures may not be located except as otherwise provided.

(21) BUILDING, MAIN OR PRINCIPAL

A building in which is conducted the principal use of the lot on which it is situated. In any residential district any dwelling shall be deemed to be a main building on the lot on which it is situated.

(22) BUILDING SITE

A single parcel of land occupied or intended to be occupied by a building or structure.

(23) CARGO CONTAINERS

A standardized reusable vessel that is or appears to be: (1) originally, specifically, or formally designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities, or (2) designed for or capable of being mounted or moved on a rail car, or (3) designed for or capable of being mounted on a chassis or bogie for movement by truck trailer or loaded on a ship. (Ord # 2008-3475, 081208)

(24) CARPORT

A permanent roofed structure permanently open on at least two (2) sides, designed for or occupied by private passenger vehicles.

(25) CARPORT COMPATIBILITY

A design which utilizes accepted site planning (e.g. building placement, orientation and siting) and the elements of architectural composition within the context of the surrounding area.

(26) CLINIC, DENTAL, OR MEDICAL

A facility, including but not limited to dental and doctor's offices, for the examination and treatment of ill or afflicted human outpatients; provided, however, that patients are not kept overnight except under emergency conditions.

(27) CONDOMINIUM

A single dwelling unit under individual ownership within a multiple dwelling unit structure. A multiple-family structure with two condominiums shall be considered a two-family dwelling and a condominium with more than two condominiums shall be considered a multiple-family dwelling.

(28) CONVALESCENT, REST, NURSING HOME

A health facility other than a hospital where persons are housed and furnished with meals and nursing care for compensation.

(29) DAY CARE CENTER

A building or place where care, supervision, custody or control is provided for more than four (4) unrelated children or adults for any part of a 24-hour day up to twelve (12) hours.

(30) DAY CARE NURSERY

A residence or building in which care, supervision, custody or control is provided for four (4) or less unrelated children or adults, for any part of a 24-hour day up to twelve (12) hours. Baby-sitting services for four (4) or less infants shall be considered a day care nursery.

(31) DISTRICT, ZONING

Any section or sections of Belton for which regulations governing the use of buildings and premises or the height and area of buildings are uniform.

(32) DRIVE-IN RESTAURANT

Any establishment where food, frozen dessert and/or beverage is sold to the consumer and where motor vehicle parking space is provided and where such food, frozen dessert and/or beverage is intended to be consumed in a motor vehicle parked upon the premises or anywhere on the premises outside of the building.

(33) DRY CLEANING OR LAUNDRY, SELF-SERVICE

Any place, building or portion thereof, available to the general public for the purpose of washing, drying, extracting moisture from, or dry cleaning wearing apparel, cloth, fabrics and textiles of any kind by means of an appliance which is operated primarily by the customer.

(34) DWELLING

Any building, or portion thereof, which is designed or used as living quarters for one or more families, but not including house trailers, mobile homes or travel trailers.

(35) DWELLING, ATTACHED

A dwelling having any portion of the structure in common with adjoining dwellings.

(36) DWELLING, DETACHED

A dwelling having no portion of the structure in common with another dwelling.

(37) DWELLING, SINGLE-FAMILY

A building having accommodations for and occupied exclusively by one family or Foster Home.

Deleted: (Ord. 2007-3369, 6/26/07)

(38) DWELLING, TWO-FAMILY

A dwelling designed to be occupied by two families living independently of each other.

(39) DWELLING, MULTIPLE FAMILY

A dwelling designed for occupancy by three or more families living independently of each other, exclusive of auto or trailer courts or camps, mobile home parks, hotels or resort type hotels.

(40) DWELLING, ROW HOUSE OR TOWNHOUSE

Three or more dwelling units attached at the side or sides, each unit of which has a separate outdoor entrance and is designed to be occupied and may be owned by one family.

(41) DWELLING FOR THE ELDERLY AND/OR HANDICAPPED

A two-family or multiple-family residential building having accommodations for and occupied exclusively by elderly or handicapped residents and necessary maintenance personnel. Elderly residents are those people who are at least sixty-two (62) years of age. Handicapped persons are those people having an impairment that is expected to be of long, continuous and indefinite duration, is a substantial limitation to their ability to live independently, and is of a nature that such ability could be improved by more suitable housing.

(42) EARTH SHELTERED RESIDENCE

A residence designed as a complete structure below ground level or where at least 50% of all exterior walls, excluding basements, are in direct contact with the earth.

(43) FAMILY

One or more persons related by blood or marriage, including adopted children, or a group of not to exceed five persons (excluding servants) not all related by blood or marriage, occupying premises and living as a single nonprofit housekeeping unit, as distinguished from a group occupying a boarding or lodging house, hotel, club, or similar dwelling for group use. A family shall be deemed to include domestic servants employed by said family.

(44) FENCE

A construction, not considered a structure, subject to the district setback regulations of Article II of this Ordinance, which is designed for screening or enclosing. Landscaping screens of a height of over three (3) feet shall be considered a fence whereby random plantings of any height shall not be considered a fence.

(45) FLOOR AREA

For computing off-street parking requirements, floor area shall mean the gross floor area of the building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings.

(46) FOSTER HOME

Any private residence licensed by the Missouri Department of Social Services, Division of Family Services or Missouri Department of Mental Health to provide foster care to one or more but less than seven children who are unrelated to each other or either foster parent by blood, marriage or adoption.

Deleted: A residence or building in which 12- to 24-hour care is provided to no more than two (2) children which is unrelated to the foster parents. Foster homes shall be permitted in all residential structures, the same as would a family.

(47) GARAGE APARTMENT

A dwelling unit for one family erected above a private garage.

(48) GARAGE, PRIVATE

An accessory building or a part of a main building used for storage of automobiles used solely by the occupants and their guests of the building to which it is accessory.

(49) GARAGE, PUBLIC

Any building, other than a private garage, available to the public, where automobiles are parked or stored for compensation, hire or sale.

(50) GARAGE, REPAIR

A building in which are provided facilities for the care, servicing, repair, or equipping of automobiles.

(51) GRADE (Adjacent Ground Elevation)

The finished ground level adjoining the building at all exterior walls. (Ord. 2007-3317, 2/27/07)

(52) GROSS PUBLIC FLOOR AREA

The total area of the building accessible or visible to the public, including showrooms, motion picture arcades, service areas, behind-counter areas, storage areas visible from such other areas, restrooms (whether or not labeled "public"), areas used for cabaret or similar shows (including stage areas), plus aisles, hallways and entryways serving such areas. (Ord. 2005-3171, 9/6/05)

(53) GROUP HOME

A single-family dwelling serving as a group home in which eight (8) or fewer unrelated mentally or physically handicapped persons reside and may include two additional persons acting as house parents or guardians who need not be related to each other or any of the other mentally or physically handicapped persons residing in the home. Provided, however, that any home meeting this definition shall generally conform to the appearance within the neighborhood constructed and, in order to maintain reasonable densities, no group home shall be permitted within one square mile of another group home, a halfway house or a residential care facility.

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Deleted: The provider may be licensed to operate no more than one (1) group day care home or day care center. (Ord. 2007-3369, 6/26/07)

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(54) HALFWAY HOUSE

Halfway House means a home for the rehabilitation of drug addicts; rehabilitation of alcoholics; or rehabilitation of ex-offenders in a controlled environment with supervision and treatment or counseling provided on-site on an interim basis after referral from a public agency or institutional facility.

(55) HOME – BASED BUSINESS

Any business or commercial activity that is conducted, or proposed to be conducted, from property that is zoned for residential use, is clearly incidental and secondary to the use of the residential dwelling purposes, and which is conducted entirely within the dwelling. (Ord. 2007-3369, 6/26/07)

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(56) HOMES ASSOCIATION

An incorporated nonprofit organization operating under recorded land agreements through which (a) each lot and/or home owner in a planned unit or other described land area is automatically a member and (b) each lot is automatically subject to a charge for a proportionate share of the expenses for the organization's activities, such as maintaining a common property, and (c) the charge if unpaid becomes a lien against the property.

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(57) HOSPITAL

An institution providing health services or medical or surgical care for the sick or injured, primarily for human inpatient, and including related facilities such as laboratories, outpatient departments, training facilities, central service facilities and staff offices which are an integral part of the facilities.

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(58) HOTEL

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A building or group of buildings under one ownership containing four (4) or more sleeping rooms occupied, intended or designed to be occupied as the more or less temporary abiding place for persons who are lodged with or without meals for compensation, including motels or motor inns, but not including an auto or trailer court or camp, sanatorium, hospital, asylum, orphanage or building where persons are housed under restraint.

| (59) KENNEL

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Any lot or premises on which five (5) or more dogs and/or cats six (6) months of age are kept.

| (60) LIVING AREA

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Area of a residential structure excluding basements, attics, garage, patios, decks, and porches. Area primarily used for habitation.

| (61) LOT

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Any plot of land occupied or intended to be occupied by one building, or a group of buildings, and accessory buildings and uses, including such open spaces as required by this Ordinance and other laws or ordinances, and having its principal access to and abutting a public street.

| (62) LOT AREA

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The total horizontal area included within lot lines.

| (63) LOT, CORNER

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A lot of which at least two adjacent sides abut for their full lengths on a street, provided that the interior angle at the intersection of such two sides is less than one hundred thirty five degrees (135 degrees).

| (64) LOT DEPTH

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The mean horizontal distance between the front and rear lot lines.

| (65) LOT, DOUBLE FRONTAGE

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A lot having a frontage on two (2) non-intersecting streets, as distinguished from a corner lot.

| (66) LOT, FRONTAGE

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That dimension of a lot or portion of a lot abutting on a street, excluding the side dimension of a corner lot. Double frontage lots have two frontages. (On a corner lot, the front of the lot is the narrowest dimension with frontage).

| (67) LOT, INTERIOR ← --- Formatted: Bullets and Numbering

A lot other than a corner lot.

| (68) LOT LINES ← --- Formatted: Bullets and Numbering

The lines bounding a lot as defined herein.

| (69) MANUFACTURED HOME ← --- Formatted: Bullets and Numbering

A factory-built structure or structures with a minimum of fourteen (14) feet in width and more than thirty-six (36) feet in length, equipped with the necessary service connections, made so as to be readily movable as a unit or units on its or their own running gear, designed to be used as a dwelling unit or units without a permanent foundation and meets all current government standards. The phrase "without a permanent foundation" indicates that the support system is constructed with the intent that the unit or units placed thereon may be moved from time to time at the convenience of the owner. A modular home, which can meet local building codes, shall not be considered a manufactured home.

| (70) MANUFACTURED HOME PARK ← --- Formatted: Bullets and Numbering

Any development, site, parcel or tract of land designed, maintained, or intended to be used for the purpose of providing long term accommodation of more than thirty (30) days for placement of two (2) or more manufactured homes and shall include all buildings used or maintained for the use of the residents of the development.

| (71) MODULAR HOME ← --- Formatted: Bullets and Numbering

A home which is manufactured in sections and finally assembled at the site. Modular homes comply with the City adopted building codes and are designed to be permanently placed on a foundation in any district a traditional home is permitted and not thereafter transported.

| (72) NONCONFORMANCE ← --- Formatted: Bullets and Numbering

A lawful condition of a structure or land which does not conform to the regulations of the district in which it is situated. This may include but is not limited to failure to conform to use, height, area, coverage or off-street parking requirements.

| (73) NONCONFORMING USE ← --- Formatted: Bullets and Numbering

A structure or land lawfully occupied by a use that does not conform to the regulations of the district in which it is situated.

| (74) PARKING SPACE

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A permanently surfaced area, enclosed or unenclosed, sufficient in size to store one (1) automobile together with a permanently surfaced driveway connecting the parking spaces with a street or alley and permitting ingress or egress of an automobile. For purposes of this Ordinance the size of a parking space for one vehicle shall consist of a rectangular area having dimensions of not less than nine (9) feet by twenty (20) feet plus adequate area for ingress and egress.

| (75) PERMANENT FOUNDATION

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An exterior wall and necessary support columns or piers designed to support any building or a mobile home for the usable life of that structure. The exterior wall of a permanent foundation shall conform to the foundation requirements of the building code.

| (76) PERSON

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Any individual, firm, co-partnership, corporation, company, association, joint stock association or body politic; and including any trustee, receiver, assignee, or other similar representative thereof.

| (77) PLANNED UNIT DEVELOPMENT

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A development planned in accordance with the provisions of Article V of these regulations which allows for mixing of several types of land uses in a single zoning district.

| (78) PUBLIC IMPROVEMENT

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Any drainage ditch, storm sewer or drainage facility, sanitary sewer, water main, roadway, parkway, sidewalk, pedestrian way, tree, lawn, off-street parking area, lot improvement or other facility for which the local government may ultimately assume the responsibility for maintenance and operation on for which the local government responsibility is established.

| (79) PUBLIC WAY

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Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

| (80) RECREATIONAL VEHICLE

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A vehicular unit, other than a manufactured home, whose gross floor area is less than 320 square feet, which is designed as a temporary dwelling for travel, recreational and vacation use, and which is either self-propelled, mounted on or pulled by another vehicle. Examples include, but are not limited to, a travel trailer, camping trailer, truck camper, motor home, fifth-wheel trailer or van.

(81) RESIDENTIAL CARE FACILITY

A Residential Care Facility means a facility operated for the care of persons who are:

- (a) Handicapped due to a development disability, where the disability is attributable to mental retardation, cerebral palsy, epilepsy or other neurological conditions which are closely related to mental retardation, and who require treatment similar to mental retardation;
- (b) In need of rehabilitation, habilitation or resocialization when their mental illness or handicap is stabilized;
- (c) Children (persons under the age of 18 years old) experiencing emotional problems, including children who fall in the category of homeless or neglected; or
- (d) Physically handicapped;

Provided that a home falling within the definition of a Group Home is not a Residential Care Facility. A Residential Care Facility does not include a Correctional Institution, a Halfway House or a facility for persons required to be confined due to their inability to function in society. A Residential Care Facility shall not be located within one square mile of another Residential Care Facility, Group Home or Halfway House.

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(82) SALVAGE OR JUNK YARD

A place where junk, waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled including wrecked automobiles, house wrecking, and structural steel materials and equipment, and more than four (4) vehicles or appliances which are inoperable for a period of over seven (7) consecutive days, but not including the interior purchase, sale, or storage of used furniture and household equipment.

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(83) SETBACK

The minimum required horizontal distance between the lot line and the building line of the building or any projection thereof, excluding steps and unenclosed porches having a height of no greater than three (3) feet.

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(84) SEXUALLY-ORIENTED TOYS OR NOVELTIES

Instruments, devices or paraphernalia which either depict "specified anatomical areas" or are designed or marketed for use in connection with "specified sexual activities." In determining whether an item is "designed or marketed for use" in connection with "specified sexual activities," the following guidelines may be considered:

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- a. Expert testimony as to the principal use of the item;
- b. Evidence concerning the total business of a person or business establishment and the type of merchandise involved in the business;

- c. National and local advertising concerning the use of the item;
- d. Evidence of advertising concerning the nature of the business establishment;
- e. instructions, graphics or other material contained on the item itself or on the packaging materials for the item;
- f. the physical or structural characteristics of the item; or
- g. the manner in which the item is displayed, including its proximity to other regulated merchandise or signage relating to items in a display area.

Any person may request an interpretive ruling from the Chief of Police, or his or her designee, as to whether a particular item is considered by the City to be “designed or marketed for use” in connection with “specified sexual activities.” An application for an interpretive ruling shall be made in writing on a form provided by the Chief of Police, and shall be accompanied by such other information as may reasonably be requested under the circumstances pertaining to the specific item about which a ruling is requested. The Chief of Police shall issue a written interpretive ruling within ten (10) business days following submission of a completed application. The decision of the Chief of Police may be appealed to the Board of Aldermen within fifteen (15) days following the date of the interpretive ruling by submitting a written notice of appeal to the City Clerk.

(Ord. 2005-3171, 9/6/05)

(85) SIGN

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Any device which shall display or include any letter, word, model, banner, flag, pennant, insignia, device, or representation used as, or which is in the nature of, an advertisement or announcement which directs attention to an object, project, place, activity, person, institution, organization, or business, but shall not include any display of official notice or official flag.

(86) SITE DEVELOPMENT PLAN

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A plan drawn at a scale or not less than one hundred (100) feet equals one inch which shows the topographic characteristics of the site at a contour interval of not more than five (5) feet; the location and dimensions of buildings, yards, courts, landscape, pedestrian and vehicular circulation and parking, fences and screening; service driveway connecting the parking space with a street or alley and permitting ingress and egress of an automobile. For purposes of this ordinance, the size of a parking space for one vehicle shall consist of a rectangular area having dimensions of not less than nine (9) feet by twenty (20) feet plus adequate area for ingress and egress.

(87) SPECIFIED ANATOMICAL AREAS

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Uncovered or exposed human genitals, pubic region or pubic hair, buttocks, female breast or breasts below a point immediately above the top of the areola encircling the nipple, or any

combination of the foregoing; or human male genitals in a discernibly erect state, even if completely and opaquely covered. (Ord. 2005-3171, 9/6/05)

| (88) SPECIFIED SEXUAL ACTIVITIES: mean any of the following acts of intended sexual arousal or excitement: Formatted: Bullets and Numbering

- a. Sexual conduct including, but not limited to, actual or simulated acts of sexual intercourse, masturbation, oral copulation or sodomy;
- b. Fondling or other intentional touching of a person's clothed or unclothed genitals, pubic area, buttocks, or the breast of a female;
- c. Sadomasochistic acts; or
- d. Acts involving animals or latent objects. (Ord. 2005-3171, 9/6/05)

| (89) STORY Formatted: Bullets and Numbering

That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above. (Ord. 2007-3317, 2/27/07)

| (90) STREET Formatted: Bullets and Numbering

Any public right-of-way which affords the principal means of access to abutting property.

| (91) STREET, INTERSECTING Formatted: Bullets and Numbering

Any street, which joins another street whether or not it crosses the other.

| (92) STRUCTURE Formatted: Bullets and Numbering

Anything constructed or erected, the use of which requires location on the ground or attachment to something having a location on the ground, but not including fences, docks, canopies or awnings, retaining walls, sidewalks, driveways, or public items such as utility poles, street light fixtures, and street signs.

| (93) STRUCTURAL ALTERATIONS Formatted: Bullets and Numbering

Any change in the supporting members of a building, such as foundations, bearing walls, or partitions, columns, beams, or girders, or any substantial change in the roof or in the exterior walls.

| (94) TOURIST HOME Formatted: Bullets and Numbering

A dwelling in which sleeping accommodations in not more than four (4) rooms are provided or offered for transient guests for compensation.

| (95) TRAILER, HAULING

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A vehicle to be pulled behind an automobile or truck which is designed for hauling animals, produce, goods or commodities, including boats.

| (96) TRAILER, TRAVEL OR CAMPING

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A portable or mobile living unit used for temporary human occupancy away from the place of residence of the occupants, and not constituting the principal place or residence of the occupants.

| (97) VARIANCE

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A deviation from the height, bulk, setback, parking or other dimension requirement established by this code.

| (98) VEHICLE SALES LOTS

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Premises on which new or used passenger vehicles; trailers; mobile homes; motorcycles; RV's; ATV's or trucks in operating condition are displayed in the open for sale or trade. (Ord. # 2009-3546, 6/23/09)

| (99) YARD

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An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward except where otherwise specifically provided for by this ordinance that an accessory building, certain steps and unenclosed porches may be located in a portion of a yard required for a main building. In measuring a yard for the purpose of determining the width of the side yard, the depth of the front yard or the depth of the rear yard, the least horizontal distance between the lot line and the main building shall be used.

| (100) YARD, FRONT

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A yard located in the front of a lot between the front property line and the main building or any projection thereof, excluding steps and unenclosed porches having a height of no greater than three (3) feet, and also extending from side lot line to side lot line.

| (101) YARD, REAR

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A yard extending across the rear of a lot measured between lot lines and being the minimum horizontal distance between the rear lot line and the rear of the main building or any projections other than steps, unenclosed balconies or unenclosed porches. On corner lots the rear yard shall be considered as parallel to the street upon which the lot has its least dimension. The rear yard shall in all cases be at the opposite end of the lot from the front yard.

(102) YARD, SIDE

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A yard between the main building and the side lot line and extending from the front of the main building to the rear of the main building.

(103) ZONING ADMINISTRATOR

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The person or persons authorized and empowered by the City Administrator to administer the requirements of these Zoning Regulations.

Section 2. That the Zoning Ordinance, Article II, Section 6, R-3 Multiple Family Dwelling District, is amended by repealing Article II, Section 6, R-3 Multiple Family Dwelling District, and inserting, in lieu thereof, a new article of like number and subject matter to read as follows:

SECTION 6

R-3 MULTIPLE FAMILY RESIDENTIAL DISTRICT

A. General Description

This is a residential district to provide for medium population density ranging from eight (8) to thirteen (13) dwelling units per acre. The principal use of land is for single family dwellings, townhouses, low rise multiple family dwellings, garden apartments, group homes and residential care facilities. Recreation, religious and educational uses normally located to service residential areas are also permitted to provide the basic elements of convenient, balanced and attractive living areas.

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B. Uses Permitted

Property and buildings in this district shall be used only for those uses shown in Appendix A of these regulations. Uses shown with a "P" in the column for this district are permitted.

C. Uses Permitted on Review (Special Uses)

Uses may be permitted upon review if shown as special uses in Appendix A and approved in accordance with Section 2 or Article VIII of these regulations. Uses shown with an "S" in the column for this district are such special uses. A Halfway House may be permitted as a special use in accordance with the requirements of Article VIII, Section 2, provided that the following requirements are met:

- (1) There shall be a minimum lot area of 10,000 square feet.
- (2) There shall be a minimum of 500 square feet of lot area per resident and resident staff.

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(3) There shall be no exterior evidence of such use and no sign advertising such use.

(4) There shall be a minimum floor area of 250 square feet per resident and resident staff.

(5) At the time of original approval, no halfway house shall be located within 1,500 feet of another such halfway house, or a group home, or a group day care home or a residential care facility and no facility shall be located within 500 feet of a school; provided, however, that the city council shall have the authority to waive this requirement if the facilities are separated by a major thoroughfare, railroad track, major waterway or other comparable manmade or natural barrier.

(6) The facility shall maintain the residential character of the structure.

(7) The applicant shall demonstrate that there shall be no negative impact on property within 500 feet of the proposed facility and that the residential character of the neighborhood shall be maintained.

(8) The permit shall be limited to a two-year period but may be renewed by the city council after a public hearing; provided, however, at the time of renewal, the applicant shall demonstrate that the halfway house has not had a negative impact on properties within 500 feet, and that the residential character of the neighborhood has not been impaired.

D. Area Regulations

All buildings shall be set back from street right-of-way lines or property lines to comply with the following yard requirements.

(1) Front Yard

(a) The minimum depth of the front yard shall be thirty (30) feet.

(b) If buildings are located on either side but within one hundred (100) feet of a proposed building, and such buildings have observed a setback in excess of that required in paragraph (a) above; then the required front yard shall not be less than any of these adjoining buildings. Notwithstanding, additions to existing buildings shall not be required to provide a greater setback than existing or as required in paragraph (a) above, whichever is greater. Further, this regulation shall not require a front yard of greater depth than forty (40) feet for any building.

(c) When a yard has double frontage the front yard requirements shall be provided on both streets.

(2) Side Yard

(a) For detached dwellings and for unattached sides of attached dwellings located on an interior lot, a side yard of not less than five (5) feet shall be provided on the unattached sides of the main dwelling for the first story and an additional three (3) feet of side yard shall be

provided for each additional story or part thereof. For unattached buildings of accessory use there shall be a side yard of not less than five (5) feet.

(b) For dwellings and accessory buildings located on corner lots there shall be a side yard setback from the intersecting street of not less than twenty (20) feet in case such lot is back to back with another corner lot, and twenty-five (25) feet in every other case. The interior side yard shall be the same as for dwellings and accessory buildings on an interior lot.

(3) Rear Yard

For main buildings there shall be a rear yard of not less than twenty (20) feet or twenty percent (20%) of the depth of the lot, whichever amount is smaller.

A detached garage, provided that no part of such structure exceeds 800 square feet in gross floor area; or five percent (5%) of the lot area, whichever is greater. Detached garages shall be constructed of compatible building material to the primary structure on the lot.

(4) Lot Width

(a) For single-family dwellings there shall be a minimum lot width of sixty-five (65) feet at the front building line, and the front lot line shall abut a street for a distance of not less than thirty-five (35) feet.

(b) For townhouse dwellings there shall be a minimum lot width of twenty-two (22) feet at the front building line, and the front lot line shall abut a street for a distance of not less than twenty-two (22) feet.

(c) For multiple family dwellings or residential care facilities there shall be a minimum lot width of seventy (70) feet at the front building line and the width shall be increased by ten (10) feet for each additional dwelling unit or room exceeding three (3) which is located in the welling; however, the lot width at the front building line shall not be required to exceed one hundred fifty (150) feet; and further provided that the front lot line shall abut a street for a distance of not less than fifty feet.

(5) Intensity of Use

(a) For each single family dwelling and accessory building there shall be a lot area of not less than seven thousand eight hundred (7,800) square feet.

(b) For a two-family dwelling and accessory buildings there shall be a lot area of not less than seven thousand eight hundred (7,800) square feet.

(c) For each townhouse dwelling unit and accessory building, there shall be a lot area of not less than five thousand four hundred and forty-five (5,445) square feet per dwelling unit.

(d) For a multi-family dwelling, other than a townhouse, there shall be a lot area of not less than five thousand four hundred and forty-five (5,445) square feet per dwelling unit. Notwithstanding, lots on which are constructed only dwellings for the elderly and/or handicapped or residential care facilities may have a lot area not less than six thousand (6,000) square feet or one thousand five hundred feet (1,500) per dwelling unit or room, whichever is greater.

(e) Where a garage apartment is located on the same lot with a single family dwelling, there shall be a lot area of not less than seven thousand eight hundred (7,800) square feet. When a garage apartment is located on the same lot with a two family or multiple family dwelling, the lot area shall provide not less than three thousand (3,000) square feet more than is required for the two family or multiple family dwelling.

(f) Where a lot has less area than herein required and all of the boundary lines of that lot touch lands under other ownership at the effective date of this Ordinance that lot may be used for any of the uses, except churches, permitted in the R-1 Single Family District.

(g) For churches and main and accessory buildings other than dwellings and buildings accessory to dwellings the lot area shall be adequate to provide the yard areas required by this section and the off-street parking areas required in Article IV.

(6) Coverage

Main and accessory structures shall not cover more than twenty-five percent (25%) of the lot area on interior lots, and thirty percent (30%) of the lot area on corner lots. Accessory buildings and structures with a height of more than three (3) feet shall not cover more than thirty percent (30%) of the rear yard.

E. Height Regulations

No building shall exceed thirty-five (35) feet in height except as provided in Article III, Section 3.

Section 3. That the Zoning Ordinance, Article IV, Section 7, Amount of Off-Street Parking and Loading Required, is amended by repealing Article IV, Section 7, Amount of Off-Street Parking and Loading Required, and inserting, in lieu thereof, a new article of like number and subject matter to read as follows:

SECTION 7

AMOUNT OFF-STREET PARKING AND LOADING REQUIRED

A. Off-street parking and loading facilities shall be provided in all districts in accordance with the following schedule. Notwithstanding, off-street parking or loading spaces shall not be required for any use located in the C-3 Central Business District.

(1) Dwelling

Two (2) parking spaces for each dwelling unit, however, dwellings designed specifically for the elderly and/or handicapped shall only be required to provide the equivalent of one (1) parking space per dwelling unit.

To accommodate on-street parking in single family residential developments where four (4) parking spaces per dwelling unit are provided, the minimum street width shall be 28'. Where less than four (4) spaces per dwelling unit have been provided, the minimum street width shall be 36'.

In all multi-family residential districts, R-2 or greater, minimum street width shall be 36'. (Ord. # 92-2109, 1/30/06)

(2) Boarding or Rooming House or Hotel

One (1) parking space per room plus employee parking.

(3) Hospitals

One (1) space for each four (4) patient beds, exclusive of bassinets, plus one (1) space for each staff or visiting doctor, plus one (1) space for each three (3) employees including nurses, plus adequate area for the parking of emergency vehicles.

(4) Residential Care Facilities or Halfway Houses

Four (4) parking spaces per residential care facility or halfway house plus one (1) space for each two (2) employees.

(5) Medical or Dental Clinics or Offices

Seven (7) spaces per doctor plus two (2) spaces for each three (3) employees.

Deleted: 4

(6) Sanatoriums, Convalescent or Nursing Homes

One (1) space for each six (6) patient beds plus one (1) space for each staff or visiting doctor plus one (1) space for each two (2) employees including nurses.

Deleted: 5

(7) Community Center, Theatre, Auditorium

One (1) parking space for each four (4) seats, based on maximum seating capacity.

Deleted: 6

(8) Convention Hall, Lodge, Club, Library, Museum, Place of Amusement or Recreation.

Deleted: 7

One (1) parking space for each fifty (50) square feet of floor area used for a convention hall, lodge, club, museum, or place of amusement. One (1) parking space for each five hundred (500) square feet of floor area used for a library.

(9) Nursery Schools and Day Care Centers

Deleted: 8

One (1) parking space for each two (2) employees plus one (1) parking space for each six (6) children and/or adults to be cared for simultaneously.

(10) Office Building

Deleted: 9

One (1) parking space for each three hundred (300) square feet of gross floor area in the building, exclusive of basement storage area.

(11) Laundromat

Deleted: 10

One (1) parking space for each two (2) washing machines.

(12) Bowling Alley

Deleted: 11

Five (5) parking spaces for each lane.

(13) Automobile and Truck Washes

Deleted: 12

Three (3) holding spaces for each car washing stall plus one (1) drying space for each car washing stall.

(14) Furniture and Appliance Stores

Deleted: 13

One (1) parking space for each four hundred (400) square feet of floor area.

(15a) Engine and Body Repair Shops

Deleted: 14

Two (2) parking spaces for each two hundred (200) square feet of gross floor area in the building, exclusive of basement storage areas plus one (1) parking space for each employee.

(15b) Gas and Service Stations

Deleted: 14

Two (2) parking spaces plus one (1) parking space for each employee plus two spaces for each service bay.

(16) Automobile, Truck, Recreational Vehicle, Mobile Home Sales and Rental Lots

Deleted: 15

One (1) parking space for each 3,000 square feet of open sales lot area devoted to the sale, display and rental of such vehicles, plus one (1) parking space for each employee.

(17) Salvage Yards

Deleted: 16

One (1) parking space for each 10,000 square feet of storage area, plus one (1) parking space for each employee.

(18) Commercial Establishment Not Otherwise Classified

Deleted: 17

One (1) parking space for each two hundred (200) square feet of gross floor area in the building, exclusive of basement storage areas.

(19) Industrial Establishments

Deleted: 18

Adequate area to park all employees and customers vehicles at all times and adequate space for loading, unloading, and storing all vehicles used incidental to or as a part of the primary operation of the establishment, but not less than one (1) parking space for each employee or less than one (1) parking space for each one thousand (1,000) square feet of floor area, whichever is less.

(20) Church Sanctuary

Deleted: 19

One (1) parking space for each three (3) seats plus the required parking spaces for auxiliary structures and uses as required elsewhere in these regulations. However, if the auxiliary structures and uses are not used simultaneously with the sanctuary, only the parking requirements of either the sanctuary or the auxiliary structures and uses, whichever is greater, shall be required. Notwithstanding the above, churches may establish joint parking facilities for not to exceed fifty percent (50%) of the required spaces, with public institutions and agencies that do not have a time conflict in parking demand and whose parking is located more than four hundred (400) feet from the church building.

(21) Elementary, Junior High or Equivalent Parochial School

Deleted: 20

Two (2) spaces per classroom.

(22) High Schools, Colleges, and Other Educational Institutions for Students that are of driving age in the State of Missouri.

Deleted: 21

A. Twelve (12) parking spaces for each classroom plus one (1) space for each two employees.

B. For all uses not covered in (1) through (21) above, the Planning Commission shall make a determination of the parking demand to be created by the proposed use, and the

amount of parking thus determined shall be the off-street parking requirements for the permitted use.

C. Off-street loading berths for non-residential uses shall be provided in accordance with the following:

Size of Establishment (gross area sq. ft.)	Berths	
	Required No.	Size Ft.
1,000 - 20,000	1	(10x25)
20,000 - 25,000	2	(10x25)
25,000 - 40,000	2	(10x70)
40,000 - 100,000	3	(10x70)
100,000 - 250,000	4	(10x70)

For each addition two hundred thousand (200,000) square feet or fraction thereof, one (1) additional berth shall be added at the size of (10x25) feet

The Board of Zoning Adjustment may allow the provision of no more than one 10'x70' loading area if proof is provided that the character of the proposed use clearly does not generate the amount of truck traffic that would require two or more such loading areas.

Section 4. That the Zoning Ordinance, Appendix A, Listing of Uses by Zoning District, is hereby amended by repealing Appendix A, Listing of Uses by Zoning District, and inserting, in lieu thereof, a new Appendix A to read as that attached as Appendix A to this ordinance.

Section 5. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 6. This ordinance shall be in full force and effect from and after its passage and approval by the City Council.

Duly read two (2) times and passed this _____ day of _____, 2010.

Mayor Jimmy Odom

Approved this ____ day of _____, 2010.

Mayor Jimmy Odom

ATTEST:

Patricia A. Ledford, City Clerk
of the City of Belton, Missouri

STATE OF MISSOURI)
CITY OF BELTON)SS
COUNTY OF CASS)

I, Patricia A. Ledford, City Clerk, do hereby certify that I have been duly appointed City Clerk of the City of Belton and that the foregoing ordinance was regularly introduced for first reading at a meeting of the City Council held on the ____ day of _____, 2010, and thereafter adopted as Ordinance No. 2010-____ of the City of Belton, Missouri, at a regular meeting of the City Council held on ____ day of _____, 2010, after the second reading thereof by the following vote, to-wit:

AYES: COUNCILMEN:

NOES: COUNCILMEN:

ABSENT: COUNCILMEN:

Patricia A. Ledford, City Clerk
of the City of Belton, Missouri

Belton, Missouri Zoning Regulations -- Appendix A
 Listing of Uses BY Zoning District

GRP NO	SIC NO.	USE DESCRIPTION	ZONING DISTRICTS														
			A	R 1	R 2	R 3	C 1	C 2	C 3	C 4	I 1	I 2	B P	BP R			
1	1	AGRICULTURE, FORESTRY & FISHING															
1	1	AGRICULTURAL PRODUCTION - CROPS															
1	13	Field Crops	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N
1	16	Vegetables and Melons	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N
1	17	Fruits & Tree Nuts	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N
1	18	Horticultural Specialties	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N
1	19	General Farms, Primarily Crops	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N
2	2	AGRICULTURAL PRODUCTION - LIVESTOCK															
2	21	Livestock, Except Dairy & Poultry	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N
	211	Feedlots, Commercial	S	N	N	N	N	N	N	N	N	N	N	N	N	N	N
2	24	Dairy Farms	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N
2	25	Poultry & Eggs	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N
2	27	Animal Specialties	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N
2	29	General Farms, Primarily Animal	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N
7	7	AGRICULTURAL SERVICES															
7	74	Veterinary Services	N	N	N	N	N	P	P	N	P	P	P	P	P	P	P
7	75	Animal Services, Except Veterinary	N	N	N	N	N	N	N	N	N	P	P	N	N	N	N
7	76	Farm Labor & Management Services	P	N	N	N	N	P	N	N	N	N	N	P	P	P	P
7	78	Landscape & Horticultural Services	N	N	N	N	N	P	N	N	P	N	P	P	P	P	P
8	8	FORESTRY															
8	81	Timber Tracts	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N
8	83	Forest Products	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N
9	9	FISHING, HUNTING & TRAPPING															
9	91	Commercial Fishing	S	N	N	N	N	N	N	N	N	N	N	N	N	N	N
9	92	Fish Hatcheries & Preserves	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N
9	97	Hunting, Trapping, Game Propagation	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N
10	10	MINING															
10	10	METAL MINING															
12	12	COAL MINING															
13	13	OIL & GAS EXTRACTION															
13	131	Crude Petroleum & Natural Gas	S	N	N	N	N	N	N	N	N	N	S	N	N	N	N
13	138	Oil & Gas Field Services	S	N	N	N	N	N	N	N	N	N	S	N	N	N	N
14	14	NONMETALLIC MINERALS, EXCEPT FUELS															
14	142	Crushed & Broken Stone	S	N	N	N	N	N	N	N	N	N	S	N	N	N	N
14	144	Sand & Gravel	S	N	N	N	N	N	N	N	N	N	S	N	N	N	N
14	145	Clay, Ceramic & Refractory Minerals	S	N	N	N	N	N	N	N	N	N	S	N	N	N	N
15	15	CONSTRUCTION															
15	15	BUILDING CONTRACTORS															
17	17	SPECIAL TRADE CONTRACTORS															
17	171	Plumbing, Heating, Air-Conditioning	N	N	N	N	N	P	N	N	P	P	P	P	P	P	S
17	172	Painting & Paper Hanging	N	N	N	N	N	P	P	N	P	P	P	P	P	P	S
17	173	Electrical Work	N	N	N	N	N	P	N	N	P	P	P	P	P	P	S
17	174	Masonry, Stonework & Plastering	N	N	N	N	N	P	N	N	P	P	P	P	P	P	S
17	175	Carpentry & Floor Work	N	N	N	N	N	P	N	N	P	P	P	P	P	P	S
17	176	Roofing, Siding & Sheet Metal Work	N	N	N	N	N	P	N	N	P	P	P	P	P	P	S
17	177	Concrete Work	N	N	N	N	N	P	N	N	P	P	P	P	P	P	S

Belton, Missouri Zoning Regulations -- Appendix A
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GRP NO	SIC NO.	USE DESCRIPTION	ZONING DISTRICTS												
			A	R 1	R 2	R 3	C 1	C 2	C 3	C 4	I 1	I 2	B P	BP R	
17	178	Water Well Drilling	N	N	N	N	N	P	N	N	P	P	P	S	
17	179	Special Trade Contractors, Misc.	N	N	N	N	N	P	N	N	N	N	P	S	
20	20	MANUFACTURING													
20	20	FOOD & KINDRED PRODUCTS													
20	201	Meat Products	N	N	N	N	N	N	N	N	S	P	N	N	
20	202	Dairy Products	N	N	N	N	N	N	N	N	S	P	N	N	
20	203	Preserved Fruits & Vegetables	N	N	N	N	N	N	N	N	N	P	N	N	
20	204	Grain Mill Products	N	N	N	N	N	N	N	N	N	P	N	N	
20	205	Bakery Products	N	N	N	N	N	N	N	N	S	P	N	N	
20	206	Sugar & Confectionery Products	N	N	N	N	N	N	N	N	S	P	N	N	
20	207	Fats & Oils	N	N	N	N	N	N	N	N	N	P	N	N	
20	208	Beverages	N	N	N	N	N	N	N	N	N	P	N	N	
20	209	Food & Kindred Products, Misc.	N	N	N	N	N	N	N	N	N	P	N	N	
21	21	TOBACCO PRODUCTS	N	N	N	N	N	N	N	N	S	P	N	N	
22	22	TEXTILE MILL PRODUCTS	N	N	N	N	N	N	N	N	S	P	N	N	
23	23	APPAREL & OTHER TEXTILE PRODUCTS	N	N	N	N	N	N	N	N	S	P	N	N	
24	24	LUMBER & WOOD PRODUCTS													
24	241	Logging	P	N	N	N	N	N	N	N	N	S	N	N	
24	242	Sawmills & Planing Mill	N	N	N	N	N	N	N	N	S	P	N	N	
24	244	Wood Containers	N	N	N	N	N	N	N	N	S	P	N	N	
24	245	Wood Buildings & Mobile Homes	N	N	N	N	N	N	N	N	N	P	N	N	
24	249	Miscellaneous Wood Products	N	N	N	N	N	N	N	N	S	P	N	N	
25	25	FURNITURE & FIXTURES	N	N	N	N	N	N	N	N	S	P	N	N	
26	26	PAPER & ALLIED PRODUCTS													
26	261	Pulp Mills	N	N	N	N	N	N	N	N	N	S	N	N	
26	262	Paper Mills	N	N	N	N	N	N	N	N	S	P	N	N	
26	263	Paperboard Mills	N	N	N	N	N	N	N	N	S	P	N	N	
26	265	Paperboard Containers & Boxes	N	N	N	N	N	N	N	N	S	P	N	N	
26	267	Miscellaneous Converted Paper Products	N	N	N	N	N	N	N	N	S	P	N	N	
27	27	PRINTING & PUBLISHING													
27	271	Newspapers Publishing	N	N	N	N	P	P	P	N	P	P	P	N	
27	271	Newspapers Publishing and Printing	N	N	N	N	N	P	P	N	P	P	P	N	
27	272	Periodicals	N	N	N	N	N	N	N	N	P	P	P	N	
27	273	Books	N	N	N	N	N	N	N	N	P	P	P	N	
27	274	Miscellaneous Publishing	N	N	N	N	N	N	N	N	P	P	P	N	
27	275	Commercial Printing	N	N	N	N	N	P	P	N	P	P	P	N	
27	276	Business Forms												N	
27	277	Greeting Cards	N	N	N	N	N	N	N	N	P	P	P	N	
27	278	Blankbooks & Bookbinding	N	N	N	N	N	N	N	N	P	P	P	N	
27	279	Printing Trade Services	N	N	N	N	N	P	P	N	P	P	P	N	
28	28	CHEMICALS & ALLIED PRODUCTS													
28	281	Industrial Inorganic Chemicals	N	N	N	N	N	N	N	N	N	S	N	N	
28	282	Plastics Materials & Synthetics	N	N	N	N	N	N	N	N	N	P	N	N	
28	283	Drugs	N	N	N	N	N	N	N	N	S	P	N	N	
28	2831	Biological Products	N	N	N	N	N	N	N	N	N	S	N	N	
28	284	Soap, Cleaners, & Toilet Goods	N	N	N	N	N	N	N	N	N	P	N	N	
28	285	Paints & Allied Products	N	N	N	N	N	N	N	N	N	S	N	N	

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GRP NO	SIC NO.	USE DESCRIPTION	ZONING DISTRICTS													
			A	R 1	R 2	R 3	C 1	C 2	C 3	C 4	I 1	I 2	B P	BP R		
28	286	Industrial Organic Chemicals	N	N	N	N	N	N	N	N	N	N	N	S	N	N
28	287	Agricultural Chemicals	N	N	N	N	N	N	N	N	N	N	N	S	N	N
28	289	Miscellaneous Chemical Products	N	N	N	N	N	N	N	N	N	N	N	S	N	N
29	29	PETROLEUM & COAL PRODUCTS	N	N	N	N	N	N	N	N	N	N	N	S	N	N
29	291	Petroleum Refining	N	N	N	N	N	N	N	N	N	N	N	P	N	N
29	295	Asphalt Paving & Roofing Materials	N	N	N	N	N	N	N	N	N	N	N	P	N	N
30	30	RUBBER & MISC. PLASTICS PRODUCTS	N	N	N	N	N	N	N	N	N	N	N	P	N	N
30	301	Tires & Inner Tubes	N	N	N	N	N	N	N	N	N	N	N	P	N	N
30	302	Rubber & Plastic Footwear	N	N	N	N	N	N	N	N	N	N	S	P	N	N
30	305	Hose, Belting, Gaskets & Packing	N	N	N	N	N	N	N	N	N	N	N	P	N	N
30	306	Fabricated Rubber Products	N	N	N	N	N	N	N	N	N	N	N	P	N	N
30	308	Miscellaneous Plastics Products	N	N	N	N	N	N	N	N	N	N	N	P	N	N
31	31	LEATHER & LEATHER PRODUCTS	N	N	N	N	N	N	N	N	N	N	N	P	N	N
31	311	Leather Tanning & Finishing	N	N	N	N	N	N	N	N	N	N	N	P	N	N
31	313	Footwear Cut Stock	N	N	N	N	N	N	N	N	N	N	P	P	N	N
31	314	Footwear, Except Rubber	N	N	N	N	N	N	N	N	N	N	S	P	N	N
31	315	Leather Gloves & Mittens	N	N	N	N	N	N	N	N	N	N	S	P	N	N
31	316	Luggage	N	N	N	N	N	N	N	N	N	N	S	P	N	N
31	317	Handbags & Personal Leather Goods	N	N	N	N	N	N	N	N	N	N	S	P	N	N
31	319	Misc. Leather Goods	N	N	N	N	N	N	N	N	N	N	S	P	N	N
32	32	STONE, CLAY & GLASS PRODUCTS	N	N	N	N	N	N	N	N	N	N	N	P	N	N
32	321	Flat Glass	N	N	N	N	N	N	N	N	N	N	N	P	N	N
32	322	Glass & Glassware	N	N	N	N	N	N	N	N	N	N	N	P	N	N
32	323	Products of Purchased Glass	N	N	N	N	N	N	N	N	N	N	N	P	N	N
32	324	Cement, Hydraulic	N	N	N	N	N	N	N	N	N	N	N	S	N	N
32	325	Structural Clay Products	N	N	N	N	N	N	N	N	N	N	N	P	N	N
32	326	Pottery & Related Products	N	N	N	N	N	N	N	N	N	N	N	P	N	N
32	327	Concrete, Gypsum, & Plaster Products	N	N	N	N	N	N	N	N	N	N	N	P	N	N
32	328	Cut Stone & Stone Products	N	N	N	N	N	N	N	N	N	N	N	P	N	N
32	329	Misc. Nonmetallic Mineral Products	N	N	N	N	N	N	N	N	N	N	N	S	N	N
33	33	PRIMARY METAL INDUSTRIES	N	N	N	N	N	N	N	N	N	N	N	P	N	N
34	34	FABRICATED METAL PRODUCTS	N	N	N	N	N	N	N	N	N	N	N	P	N	N
34	341	Metal Cans & Shipping Containers	N	N	N	N	N	N	N	N	N	N	N	P	N	N
34	342	Cutlery, Handtools, & Hardware	N	N	N	N	N	N	N	N	N	N	N	P	N	N
34	343	Plumbing & Heating, Except Electric	N	N	N	N	N	N	N	N	N	N	N	P	N	N
34	344	Fabricated Structural Metal Products	N	N	N	N	N	N	N	N	N	N	N	P	N	N
34	348	Ordnance & Accessories	N	N	N	N	N	N	N	N	N	N	N	S	N	N
34	349	Misc. Fabricated Metal Products	N	N	N	N	N	N	N	N	N	N	N	P	N	N
35	35	INDUSTRIAL MACHINERY & EQUIPMENT	N	N	N	N	N	N	N	N	N	N	N	P	N	N
35	351	Engines & Turbines	N	N	N	N	N	N	N	N	N	N	N	P	N	N
35	352	Farm & Garden Machinery	N	N	N	N	N	N	N	N	N	N	N	P	N	N
35	353	Construction & Related Machinery	N	N	N	N	N	N	N	N	N	N	N	P	N	N
35	354	Metalworking Machinery	N	N	N	N	N	N	N	N	N	N	N	P	N	N
35	355	Special Industry Machinery	N	N	N	N	N	N	N	N	N	N	N	P	N	N
35	356	General Industrial Machinery	N	N	N	N	N	N	N	N	N	N	N	P	N	N
35	357	Computer & Office Equipment	N	N	N	N	N	N	N	N	N	N	S	P	S	N
35	358	Refrigeration & Service Machinery	N	N	N	N	N	N	N	N	N	N	N	P	N	N

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GRP NO	SIC NO.	USE DESCRIPTION	ZONING DISTRICTS											
			A	R	R	R	C	C	C	C	I	I	B	BP
			1	2	3	1	2	3	4	1	2	P	R	
35	359	Industrial Machinery, NEC	N	N	N	N	N	N	N	N	N	P	N	
36	36	ELECTRONIC & OTHER ELECTRIC EQUIPMENT												
36	361	Electric Distribution Equipment	N	N	N	N	N	N	N	N	P	N	N	
36	362	Electrical Industrial Apparatus	N	N	N	N	N	N	N	N	P	N	N	
36	363	Household Appliances	N	N	N	N	N	N	N	N	P	N	N	
36	364	Electric Lighting & Wiring Equipment	N	N	N	N	N	N	N	N	P	N	N	
36	365	Household Audio & Video Equipment	N	N	N	N	N	N	N	S	P	N	N	
36	366	Communication Equipment	N	N	N	N	N	N	N	P	P	N	N	
36	367	Electronic Components & Accessories	N	N	N	N	N	N	N	S	P	S	P	
36	369	Misc. Electrical Equipment & Supplies	N	N	N	N	N	N	N	N	P	N	N	
37	37	TRANSPORTATION EQUIPMENT												
37	371	Motor Vehicles & Equipment	N	N	N	N	N	N	N	N	P	N	N	
37	372	Aircraft & Parts	N	N	N	N	N	N	N	N	P	N	N	
37	373	Ship & Boat Building & Repairing	N	N	N	N	N	N	N	S	P	N	N	
37	374	Railroad Equipment	N	N	N	N	N	N	N	N	P	N	N	
37	375	Motorcycles, Bicycles, & Parts	N	N	N	N	N	N	N	N	P	N	N	
37	379	Miscellaneous Transportation Equipment	N	N	N	N	N	N	N	N	P	N	N	
38	38	INSTRUMENTS & RELATED PRODUCTS												
38	382	Measuring & Controlling Devices	N	N	N	N	N	N	N	P	P	N	N	
38	384	Medical Instruments & Supplies	N	N	N	N	N	N	N	S	P	N	N	
38	385	Ophthalmic Goods	N	N	N	N	N	N	N	S	P	N	N	
38	386	Photographic Equipment & Supplies	N	N	N	N	N	N	N	S	P	N	N	
38	387	Watches, Clocks, Watch Cases & Parts	N	N	N	N	N	N	N	S	P	N	N	
39	39	MISC. MANUFACTURING INDUSTRIES												
39	391	Jewelry, Silverware, & Plated Ware	N	N	N	N	N	N	N	S	P	N	N	
39	393	Musical Instruments	N	N	N	N	N	N	N	S	P	N	N	
39	394	Toys & Sporting Goods	N	N	N	N	N	N	N	S	P	N	N	
39	395	Pens, Pencils, Office, & Art Supplies	N	N	N	N	N	N	N	P	P	N	N	
39	396	Costume Jewelry & Notions	N	N	N	N	N	N	N	S	P	N	N	
39	399	Miscellaneous Manufactures	N	N	N	N	N	N	N	S	P	N	N	
40	40	TRANSPORTATION & PUBLIC UTILITIES												
40	401	Railroad, Switching, & Terminal Services	N	N	N	N	N	N	N	S	P	S	N	
40	4013	Railroad Terminals	S	S	S	S	S	S	S	S	S	S	N	
41	41	PASSENGER TRANSIT												
41	411	Local & Suburban Passenger Transportation	S	S	S	S	S	S	S	S	S	S	N	
41	412	Taxi Cabs Dispatch	N	N	N	N	N	P	P	N	P	P	N	
41	417	Terminal Facilities for Motor Vehicle Passengers	S	S	S	S	S	S	S	S	S	S	N	
42	42	TRUCKING & WAREHOUSING												
42	422	Public Warehousing & Storage	N	N	N	N	N	N	N	P	P	N	N	
42	423	Trucking Terminal Services	N	N	N	N	N	N	N	P	P	S	N	
43	431	U.S. POSTAL SERVICE	S	S	S	S	S	S	S	S	S	P	P	
45	45	AIR TRANSPORTATION												
45	458	Airports, Flying Fields, & Service	S	S	S	S	S	S	S	S	S	S	N	
46	46	PIPELINES, EXCEPT NATURAL GAS												
46	461	Pipelines, Except Natural Gas	S	S	S	S	S	S	S	S	S	S	N	
47	47	TRANSPORTATION SERVICES												

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GRP NO	SIC NO.	USE DESCRIPTION	ZONING DISTRICTS											
			A	R 1	R 2	R 3	C 1	C 2	C 3	C 4	I 1	I 2	B P	BP R
47	472	Travel Agencies & Tour Operators	N	N	N	N	N	P	P	P	N	N	P	P
47	4783	Packing & Crating	N	N	N	N	N	N	N	N	P	P	N	N
48	48	COMMUNICATIONS												
48	481	Telephone Communications	S	S	S	S	S	S	S	S	S	S	S	S
48	482	Telegraph & Other Communications	S	S	S	S	S	S	S	S	S	S	S	S
48	483	Radio & Television Broadcasting	S	S	S	S	S	S	S	S	S	S	S	S
48	484	Cable & Other Pay TV Services	S	S	S	S	S	S	S	S	S	S	S	S
48	489	Miscellaneous Communications Services	S	S	S	S	S	S	S	S	S	S	S	S
49	49	ELECTRIC, GAS, & SANITARY SERVICES												
49	491	Electric Services	N	N	N	N	N	N	N	N	N	P	S	N
49	492	Gas Production & Distribution	N	N	N	N	N	N	N	N	N	S	N	N
49	493	Combination Utility Services	N	N	N	N	N	N	N	N	N	S	S	N
49	4931	Combination Electric & Other (Substations Only)	S	S	S	S	S	S	S	S	S	S	S	N
49	494	Water Supply	S	S	S	S	S	S	S	S	S	S	N	N
49	495	Sanitary Services (Treatment Facilities)	N	N	N	N	N	N	N	N	N	S	N	N
49	4953	Refuse Systems (Landfill)	N	N	N	N	N	N	N	N	N	S	N	N
49	4953	Compost Dumps	Y	N	N	N	N	N	N	N	N	S	N	N
50	50	WHOLESALE TRADE												
50	50	WHOLESALE TRADE - DURABLE GOODS												
50	501	Motor Vehicles, Parts & Supplies	N	N	N	N	N	N	N	N	P	P	N	N
50	502	Furniture & Home Furnishings	N	N	N	N	N	N	N	N	P	P	P	N
50	503	Lumber & Construction Materials	N	N	N	N	N	N	N	N	P	P	N	N
50	504	Professional & Commercial Equipment	N	N	N	N	N	N	N	N	P	P	P	N
50	505	Metals & Minerals, Except Petroleum	N	N	N	N	N	N	N	N	P	P	N	N
50	506	Electrical Goods	N	N	N	N	N	N	N	N	P	P	P	N
50	507	Hardware, Plumbing & Heating Equipment	N	N	N	N	N	N	N	N	P	P	P	N
50	508	Machinery, Equipment, & Supplies	N	N	N	N	N	N	N	N	P	P	S	N
50	509	Miscellaneous Durable Goods	N	N	N	N	N	N	N	N	P	P	N	N
51	51	WHOLESALE TRADE - NONDURABLE GOODS												
51	511	Paper & Paper Products	N	N	N	N	N	N	N	N	P	P	P	N
51	512	Drugs, Proprietaries & Sundries	N	N	N	N	N	N	N	N	P	P	P	N
51	513	Apparel, Piece Goods, & Notions	N	N	N	N	N	N	N	N	P	P	P	N
51	514	Groceries & Related Products	N	N	N	N	N	N	N	N	S	P	P	N
51	5153	Grain, Field Beans, & Hay	N	N	N	N	N	N	N	N	S	P	N	N
51	5154	Livestock & Other Farm Products	S	N	N	N	N	N	N	N	N	P	N	N
51	5159	Farm Products Raw Materials, NEC	N	N	N	N	N	N	N	N	P	P	S	N
51	516	Chemicals & Allied Products	N	N	N	N	N	N	N	N	N	S	S	N
51	517	Petroleum & Petroleum Products	N	N	N	N	N	N	N	N	N	S	S	N
51	518	Beer, Wine, & Distilled Beverage	N	N	N	N	N	N	N	N	P	P	P	N
51	519	Misc. Nondurable Goods	N	N	N	N	N	N	N	N	P	P	S	N
51	5191	Misc. Nondurable Goods - Mulch Wholesaling	Y	N	N	N	N	N	N	N	P	P	S	S
52	52	RETAIL TRADE												
52	52	BUILDING MATERIALS & GARDEN SUPPLIES												
52	521	Lumber & Other Building Materials	N	N	N	N	N	P	N	N	N	N	N	N
52	523	Paint, Glass, & Wallpaper Stores	N	N	N	N	N	P	P	N	N	N	P	N
52	525	Hardware Stores	N	N	N	N	N	P	N	N	N	N	P	N
52	526	Retail Nurseries & Garden Stores	N	N	N	N	N	P	P	N	N	N	S	N
52	527	Mobile Home Dealers	N	N	N	N	N	P	N	N	N	N	S	N
53	53	GENERAL MERCHANDISE STORES												

GRP NO	SIC NO.	USE DESCRIPTION	ZONING DISTRICTS												
			A	R 1	R 2	R 3	C 1	C 2	C 3	C 4	I 1	I 2	B P	BP R	
53	531	Department Stores	N	N	N	N	N	P	P	N	N	N	N	N	
53	533	Variety Stores	N	N	N	N	N	P	P	N	N	N	N	N	
53	539	Miscellaneous Merchandise Stores	N	N	N	N	N	P	P	N	N	N	N	N	
54	54	FOOD STORES													
54	541	Grocery Stores	N	N	N	N	P	P	P	N	N	N	N	N	
54	542	Meat & Fish Market	N	N	N	N	N	P	P	N	N	N	N	N	
54	543	Fruit & Vegetable Market	N	N	N	N	P	P	P	N	N	N	N	N	
54	544	Candy, Nut, & Confectionery Stores	N	N	N	N	P	P	P	N	N	N	N	N	
54	545	Dairy Products Stores	N	N	N	N	P	P	P	N	N	N	N	N	
54	546	Retail Bakeries	N	N	N	N	P	P	P	N	N	N	N	N	
54	549	Miscellaneous Food Stores	N	N	N	N	P	P	P	N	N	N	N	N	
55	55	AUTOMOTIVE DEALERS & SERVICE STATIONS													
55	551	New & Used Car Dealers	N	N	N	N	N	S	N	N	N	N	N	N	
55	552	Used Car Dealers	N	N	N	N	N	S	N	N	N	N	N	N	
55	553	Auto & Home Supply Stores	N	N	N	N	N	P	P	N	N	N	N	N	
55	554	Gasoline Stations	N	N	N	N	P	P	N	N	N	N	N	N	
55	555	Boat Dealers	N	N	N	N	N	P	N	N	N	N	N	N	
55	556	Recreational Vehicle Dealers	N	N	N	N	N	P	N	N	N	N	N	N	
55	557	Motorcycle Dealers	N	N	N	N	N	P	N	N	N	N	N	N	
55	559	Automotive Dealers, NEC	N	N	N	N	N	P	N	N	N	N	N	N	
56	56	APPAREL & ACCESSORY STORES	N	N	N	N	N	P	P	N	N	N	N	N	
57	57	FURNITURE & HOME FURNISHINGS STORE													
57	5712	Furniture Stores	N	N	N	N	N	P	P	N	N	N	N	N	
57	5713	Floor Covering Stores	N	N	N	N	N	P	P	N	N	N	N	N	
57	5714	Drapery & Upholstery Stores	N	N	N	N	P	P	P	N	N	N	N	N	
57	572	Household Appliance Stores	N	N	N	N	N	P	P	N	N	N	N	N	
57	5731	Radio, TV & Electronic Stores	N	N	N	N	N	P	P	N	N	N	N	N	
57	5734	Computer & Software Stores	N	N	N	N	N	P	P	N	N	N	N	N	
57	5735	Record & Tape Stores	N	N	N	N	N	P	P	N	N	N	N	N	
57	5736	Musical Instrument Stores	N	N	N	N	N	P	P	N	N	N	N	N	
58	58	EATING & DRINKING PLACES													
58	5812	Eating Places	N	N	N	N	P	P	P	N	P	P	P	P	
58	5812	Drive-in Restaurants	N	N	N	N	N	P	N	N	N	N	N	N	
58	5813	Drinking Places	N	N	N	N	N	P	P	N	N	N	N	N	
59	59	MISCELLANEOUS RETAIL													
59	591	Drug Stores & Proprietary Stores	N	N	N	N	P	P	P	N	N	N	N	N	
59	592	Liquor Stores	N	N	N	N	P	P	P	N	N	N	N	N	
59	593	Used Merchandise Stores	N	N	N	N	N	P	P	N	N	N	N	N	
59	594	Miscellaneous Shopping Goods Stores	N	N	N	N	N	P	P	N	N	N	N	N	
59	596	Nonstore Retailers	N	N	N	N	N	N	N	S	P	P	S	N	
59	598	Fuel Dealers	N	N	N	N	N	N	N	N	N	S	N	N	
59	599	Retail Stores, NEC	N	N	N	N	N	P	P	N	N	N	N	N	
59	5992	Florists	N	N	N	N	P	P	P	N	N	N	N	N	
60	60	FINANCE, INSURANCE, & REAL ESTATE													
60	60	DEPOSITORY INSTITUTIONS	N	N	N	N	P	P	P	P	P	S	P		
61	61	NONDEPOSITORY INSTITUTIONS													

Belton, Missouri Zoning Regulations -- Appendix A
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GRP NO	SIC NO.	USE DESCRIPTION	ZONING DISTRICTS												
			A	R 1	R 2	R 3	C 1	C 2	C 3	C 4	I 1	I 2	B P	BP R	
61	611	Federal & Fed. Sponsored Credit	N	N	N	N	N	P	P	P	N	N	S	P	
61	614	Personal Credit Institutions	N	N	N	N	N	P	P	P	N	N	S	P	
61	615	Business Credit Institutions	N	N	N	N	N	P	P	P	P	P	S	P	
61	616	Mortgage Bankers & Brokers	N	N	N	N	N	P	P	P	N	N	S	P	
62	62	SECURITY & COMMODITY BROKERS & SERVICES	N	N	N	N	N	P	P	P	N	N	S	P	
63	63	INSURANCE CARRIERS	N	N	N	N	N	P	P	P	N	N	S	P	
64	64	INSURANCE AGENTS, BROKERS, & SERVICE	H	H	H	H	P	P	P	N	N	N	S	P	
65	65	REAL ESTATE													
65	653	Real Estate Agents & Managers	H	H	H	H	P	P	P	P	N	N	S	P	
65	654	Title Abstract Offices	H	H	H	H	N	P	P	P	N	N	S	P	
65	655	Subdividers & Developers	H	H	H	H	N	P	P	P	N	N	S	P	
65	6553	Cemeteries	S	S	S	S	S	S	S	S	S	S	N	N	
67	67	HOLDING & OTHER INVESTMENT OFFICES	N	N	N	N	N	P	P	P	N	N	S	P	
70	70	SERVICES													
70	70	LODGING PLACES													
70	701	Hotels & Motels	N	N	N	N	N	P	N	N	N	N	N	P	
70	702	Rooming & Boarding Houses	N	N	N	P	N	N	N	P	N	N	N	N	
70	703	Camps & Recreational Vehicle Parks	N	N	N	N	N	P	N	N	P	N	N	N	
70	704	Membership-Basis Organization Hotels	N	N	N	P	N	N	N	P	N	N	N	P	
72	72	PERSONAL SERVICES													
72	721	Laundry, Cleaning, & Garment Services	N	N	N	N	P	P	P	N	N	N	N	N	
72	7214	Diaper Services	N	N	N	N	N	P	P	N	P	P	N	N	
72	722	Photographic Studios	N	N	N	N	N	P	P	P	N	N	N	N	
72	723	Beauty Shops	H	H	H	H	P	P	P	N	N	N	N	N	
72	724	Barber Shops	H	H	H	H	P	P	P	N	N	N	N	N	
72	725	Shoe Repair & Shoe Shine Parlors	N	N	N	N	P	P	P	N	N	N	N	N	
72	726	Funeral Service & Crematories	N	N	N	N	N	P	P	N	P	P	N	N	
72	729	Miscellaneous Personal Services	H	H	H	H	N	P	P	P	N	N	N	S	
73	73	BUSINESS SERVICES													
73	731	Advertising	H	H	H	H	N	P	P	P	N	N	P	P	
73	732	Credit Reporting & Collecting	H	H	H	H	N	P	P	P	N	N	P	N	
73	733	Mailing, Reproduction, Stenographic	H	H	H	H	N	P	P	P	N	N	P	S	
73	734	Services to Buildings	N	N	N	N	N	P	P	N	P	P	P	N	
73	7352	Medial Equipment Rental	N	N	N	N	N	P	P	N	P	N	P	N	
73	7353	Heavy Construction Equipment Rental	N	N	N	N	N	N	P	N	P	N	S	N	
73	7359	Equipment Rental & Leasing, NEC	N	N	N	N	N	P	P	N	P	N	N	N	
73	736	Personnel Supply Services	N	N	N	N	N	P	P	P	N	N	P	N	
73	737	Computer & Data Processing Services	H	H	H	H	N	P	P	P	N	N	P	P	
73	738	Miscellaneous Business Services	H	H	H	H	N	P	P	P	N	N	S	S	
		Adult Business	N	N	N	N	N	P	N	N	P	P	P	N	
75	75	AUTO REPAIR, SERVICES, & PARKING													
75	751	Automotive Rentals, No Drivers	N	N	N	N	N	P	N	N	P	N	N	N	
75	752	Automobile Parking	S	S	S	S	S	S	S	S	S	S	S	N	
75	753	Automotive Repair Shops	N	N	N	N	N	P	P	N	P	P	N	N	
75	7542	Car Washes	N	N	N	N	N	P	N	N	N	N	N	N	
75	7549	Automotive Services, NEC	N	N	N	N	N	P	N	N	N	N	N	N	
76	76	MISCELLANEOUS REPAIR SERVICES													

Belton, Missouri Zoning Regulations -- Appendix A
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GRP NO	SIC NO.	USE DESCRIPTION	ZONING DISTRICTS												
			A	R 1	R 2	R 3	C 1	C 2	C 3	C 4	I 1	I 2	B P	BP R	
76	762	Electrical Repair Shops	H	H	H	H	N	P	P	N	P	P	S	N	
76	763	Watch, Clock, & Jewelry Repair	H	H	H	H	N	P	P	N	P	P	S	N	
76	764	Reupholstery & Furniture Repair	N	N	N	N	N	P	P	N	P	P	S	N	
76	7692	Welding Repair	N	N	N	N	N	N	N	N	P	P	S	N	
76	7699	Repair Services, NEC	H	H	H	H	N	P	N	N	P	P	S	N	
78	78	MOTION PICTURES													
78	781	Motion Picture Production & Services	N	N	N	N	N	N	N	N	P	P	P	N	
78	782	Motion Picture Distribution & Services	N	N	N	N	N	P	P	N	P	P	P	N	
78	783	Motion Picture Theaters-Indoor	N	N	N	N	N	P	P	N	P	N	N	N	
78	7832	Drive-In Motion Picture Theaters	N	N	N	N	N	P	N	N	P	N	N	N	
78	784	Video Tape Rental	N	N	N	N	N	P	P	N	N	N	N	N	
79	79	AMUSEMENT & RECREATION SERVICES													
79	791	Dance Studios, Schools, & Halls	H	H	H	H	N	P	P	P	P	N	S	N	
79	792	Producers, Orchestras, Entertainers	S	S	S	S	S	S	S	S	S	S	S	N	
79	793	Bowling and Skating Centers	N	N	N	N	N	P	N	N	P	N	S	N	
79	794	Commercial Sports Facilities	N	N	N	N	N	P	N	N	P	N	N	N	
79	7991	Physical Fitness Facilities	N	N	N	N	N	P	N	N	P	N	P	N	
79	7992	Public Golf Courses	S	S	S	S	S	S	S	S	S	S	S	N	
79	7993	Coin-Operated Amusement Devices	N	N	N	N	N	P	N	N	N	N	N	N	
79	7996	Amusement Parks	N	N	N	N	N	P	N	N	P	N	N	N	
79	7997	Membership Sports & Recreation Clubs	P	N	N	N	N	P	P	N	P	P	N	S	
79	7999	Amusement & Recreation, NEC	S	S	S	S	S	S	S	S	S	S	N	N	
80	80	HEALTH SERVICES													
80	801	Offices & Clinics of Medical Doctors	N	N	N	N	N	P	P	P	P	N	N	P	P
80	802	Offices and Clinics of Dentists	N	N	N	N	N	P	P	P	N	N	N	P	P
80	803	Offices of Osteopathic Physicians	N	N	N	N	N	P	P	P	P	N	N	P	P
80	804	Offices of Other Health Practitioners	N	N	N	N	N	P	P	P	P	N	N	P	P
80	805	Nursing & Personal Care Facilities	N	N	N	N	P	N	N	N	P	N	N	P	P
80	806	Hospitals	N	N	N	N	N	N	P	P	N	N	N	P	P
80	807	Medical & Dental Laboratories	N	N	N	N	N	N	P	P	N	P	P	P	P
80	808	Home Health Care Services	N	N	N	N	N	N	P	P	P	N	N	P	P
80	809	Health & Allied Services, NEC	N	N	N	N	N	N	P	P	P	N	N	P	P
81	81	LEGAL SERVICES	H	H	H	H	N	P	P	P	N	N	P	P	
82	82	EDUCATIONAL SERVICES													
82	821	Elementary & Secondary Schools	S	S	S	S	S	S	S	S	S	S	S	N	
82	822	Colleges & Universities	N	N	N	N	N	N	P	P	P	P	N	P	P
82	823	Libraries	S	S	S	S	S	S	S	S	S	S	P	N	
82	824	Vocational Schools	N	N	N	N	N	N	P	N	P	P	N	P	S
82	829	Schools & Educational Services, NEC	N	N	N	N	N	N	P	P	P	P	N	S	S
83	83	SOCIAL SERVICES													
83	832	Individual & Family Services	H	H	H	H	N	P	P	P	N	N	N	N	
83	8322	Community Centers	N	N	N	N	N	N	P	P	P	N	N	N	N
83	833	Job Training & Related Services	N	N	N	N	N	N	P	P	P	P	N	N	N
83	8351	Group Day Care Homes (Article 1)	N	N	N	N	N	P	P	P	P	N	N	N	N
83	8352	Day Care Centers (Article 1)	S	S	S	S	S	P	P	P	N	N	N	S	S
83	836	Group Homes	P	P	P	P	N	N	N	N	N	N	N	N	N
83	8361	Residential Care Facilities	N	N	N	N	P	N	N	N	N	N	N	N	N
83	8361	Halfway Houses	N	N	N	S	N	N	N	N	N	N	N	N	N

Belton, Missouri Zoning Regulations -- Appendix A
 Listing of Uses BY Zoning District

GRP NO	SIC NO.	USE DESCRIPTION	ZONING DISTRICTS												
			A	R 1	R 2	R 3	C 1	C 2	C 3	C 4	I 1	I 2	B P	BP R	
83	839	Social Services, NEC	N	N	N	N	N	P	P	P	P	N	N	N	
84	84	MUSEUMS, ZOOS, BOTANICAL GARDENS													
84	841	Museums & Art Galleries	S	S	S	S	S	S	S	S	S	S	S	S	
84	842	Botanical & Zoological Gardens	S	S	S	S	S	S	S	S	S	S	S	S	
86	86	MEMBERSHIP ORGANIZATIONS													
86	861	Business Associations	N	N	N	N	N	P	P	P	N	N	S	P	
86	862	Professional Organizations	N	N	N	N	N	P	P	P	N	N	S	P	
86	863	Labor Organizations	N	N	N	N	N	P	P	P	N	N	S	P	
86	864	Civic & Social Organizations	P	N	N	N	N	P	P	P	P	P	S	P	
86	865	Political Organizations	N	N	N	N	N	P	P	P	N	N	S	P	
86	866	Religious Organizations	S	S	S	S	S	S	S	S	S	S	S	P	
86	869	Membership Organizations, NEC	N	N	N	N	N	P	P	P	N	N	S	S	
87	87	ENGINEERING & MANAGEMENT SERVICES													
87	871	Engineering, Planning, Architectural & Surveying	H	H	H	H	N	P	P	P	N	N	P	P	
87	872	Accounting, Auditing & Bookkeeping	H	H	H	H	N	P	P	P	N	N	P	P	
87	873	Research & Testing Services	H	H	H	H	N	N	N	S	P	P	P	P	
87	874	Management & Public Relations	H	H	H	H	N	P	P	P	N	N	P	P	
89	89	SERVICES, NEC	H	H	H	H	N	P	P	P	N	N	P	S	
91	91	PUBLIC ADMINISTRATION													
91	91	EXECUTIVE, LEGISLATIVE, & GENERAL	S	S	S	S	S	S	S	S	S	S	S	P	
92	92	JUSTICE, PUBLIC ORDER, & SAFETY													
92	921	Courts	N	N	N	N	N	P	P	P	N	N	P	P	
92	9221	Police Protection	S	S	S	S	S	S	S	S	S	S	P	P	
92	9222	Legal Counsel & Prosecution	N	N	N	N	N	P	P	P	N	N	P	P	
92	9223	Correctional Institutions	S	N	N	N	N	N	N	N	S	S	N	N	
92	9224	Fire Protection	S	S	S	S	S	S	S	S	S	S	S	P	
92	9229	Public Order & Safety, NEC	S	S	S	S	S	S	S	S	S	S	S	S	
94	94	ADMINISTRATIVE SERVICES, NEC	N	N	N	N	N	P	P	P	N	N	P	P	
100	100	RESIDENTIAL													
100	1001	Single-Family Residential (Attached)	N	N	N	P	N	N	N	N	N	N	N	N	
100	1002	Single-Family Residential (Detached)	P	P	P	P	N	N	N	N	N	N	N	N	
100	1003	Two-Family Residential	N	N	P	P	N	N	N	N	N	N	N	N	
100	1004	Multi-Family Residential	N	N	N	P	N	N	N	N	N	N	N	N	
100	1005	Manufactured Homes (Perm. Foundation)	N	N	N	S	N	N	N	N	N	N	N	N	
100	1005	Manufactured Homes (No permanent foundation)	N	N	N	S	N	N	N	N	N	N	N	N	

UPDATE CITY MAPS

**BELTON MISSOURI - PLANNING COMMISSION
REGULAR MEETING – CITY COUNCIL ROOM
CITY HALL ANNEX, 520 MAIN STREET
MONDAY, AUGUST 16, 2010 – 7:00 P.M.**

MEMORANDUM

TO: Planning Commission Members
Jay Leipzig, Director

FROM: Robert G. Cooper – City Planner

DATE: August 16, 2010

RE: **Discussion- Current Zoning Classifications & Current Land Use.**

The current zoning classifications as contained within the zoning ordinance, regulates the use of land, buildings, and structures within the jurisdiction. These regulations are necessary to promote the health, safety, convenience, and welfare of the citizens of Belton by dividing the city into zones and regulating the use of the land, the use and size of buildings as to height and number of floors, the coverage of land by the buildings, the size of yards and open spaces, population density and building orientation. The City of Belton has the following zoning districts:

A_g (Agricultural) – This district is intended to provide a location for land situated on the edge of the urban area to be used for agricultural purposes.

R-1 (Single-Family Residential) – This is the most restrictive residential district. The principal use of land is for single-family dwellings / 8,400-sq. ft. min. lot size.

R-1A (Single-Family Residential) – The principal use of land is for single-family dwellings / 14,500-sq. ft. min. lot size.

R-1B (Single-Family Residential) – The principal use of land is for single-family dwellings / 43,500-sq. ft. min. lot size.

R-2 (Two-Family Residential) – This is a residential district to provide for a slightly higher population density but with basic restrictions similar to the R-1 district.

R-3 (Multi-Family Residential) – This is a residential district to provide for medium population density ranging from 8 to 13 dwelling units per acre.

C-1 (Neighborhood Commercial) – This commercial district is for to provide retail/commercial services to meet the convenience of the people of adjacent residential areas.

C-2 (General Commercial) – This commercial district is for the conduct of personal and business services and the general retail business of the community.

C-3 (Central Commercial) – This commercial district is intended for the central business district as an area for the conduct of business services and the general retail business of the community.

C-4 (Office Commercial) – This commercial district is intended to provide a place for those types of institutional and commercial activities that require separate buildings surrounded by landscaped yards and open areas.

I-1 (Light Industrial) – This industrial district is intended for the use of light manufacturing, assembling, fabrication, and warehousing.

I-2 (General Industrial) – This industrial district is intended for the use of heavy industrial uses and other heavy more intensive uses.

BP (Business Park) – This district is intended to allow a mix of office, light industrial and limited retail in a planned business park setting.

BP-R (Business Park Restricted) – The purpose of which to allow for business and industrial operations. The performance standards are intended to establish and maintain high quality site planning, architecture, signage, and landscape design.

The current and future land use maps are necessary to encourage the most appropriate uses of land, to maintain and stabilize the value of property; to reduce fire hazards and improve public safety and safeguard the public health; to decrease traffic congestion and its accompanying hazards; to prevent undue concentration of population; to create a comprehensive and stable pattern of land uses upon which to plan transportation, water supply, sewerage, schools, parks, and public utilities.

By applying the provisions of the zoning ordinance or UDC, they should be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience, and general welfare.

As we move forward with the final adoption and implementation of the Unified Development Code (UDC), in conjunction with the zoning district classifications, we can strengthen and improve the standards of development and general character of the community.

In the next few weeks, we will be presenting the new zoning district classifications as applied to the Unified Development Code and an updated Future Land Use map in conjunction with a revised Annexation Plan.

Please do not hesitate to contact me if you have any questions in the interim.