

CITY OF JACKSON, OHIO

ZONING REGULATIONS

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CITY OF JACKSON, OHIO

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CHAPTER I  
GENERAL REGULATIONS



CHAPTER I  
GENERAL REGULATIONS

Section A - Title, Enactment, and Area of Jurisdiction

1. For purpose of reference and citation, these Regulations shall be known as the Zoning Regulations of the City of Jackson and may be referred to as "these Regulations".
2. These Regulations have been developed in accordance with the citizens of Jackson and the goals and objectives of the Official Land Use and Official Thoroughfare Plans, and are intended to promote the health, safety, and welfare of the residents of the City, to encourage sound and orderly growth, and to protect existing development through the conservation of property values.
3. In order that growth may occur in accordance with this goal, these Regulations are adopted by the City Council as of this date:  
\_\_\_\_\_.
4. The entire land area within the incorporated limits of the City of Jackson, Ohio is zoned, subject to these Regulations.

Section B - Official Zoning District Map

1. The map attached hereto shall be made an integral part of these Regulations and shall be designated as the "Official Zoning District Map". All Zoning District boundaries, notations, references, and other information shown on the Official Zoning District Map are a part of these Regulations and shall carry the same force and effect as the balance of the material contained herein.
  - a. The Official Zoning District Map shall be identified by the signature of the President of Council, attested by the Clerk of Council, approved by the Mayor, and shall bear the seal of the City under the following words: "This is to certify that this is the Official Zoning District Map referred to in Chapter I, Section B of the Zoning Regulations (Ordinance \_\_\_\_\_) of the City of Jackson, Ohio", together with the date of the adoption of these Zoning Regulations.

## Section B - Official Zoning District Map (Continued)

- b. If, in accordance with the provisions of these Zoning Regulations and the Ohio Revised Code, Chapter 713, changes are made in District boundaries or other matters portrayed on the Official Zoning District Map, such changes shall be entered on the Official Zoning District Map promptly after the amendment has been approved by Council, with an entry of the Official Zoning District Map indicating the ordinance number and the date of adoption.
- c. In the event that the Official Zoning District Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, Council may (by resolution) adopt a new Official Zoning District Map which shall supersede the prior Official Zoning District Map. The new Official Zoning District Map may correct drafting or other errors or omissions on the prior Official Zoning District Map, but no such correction shall have the effect of amending the original Official Zoning District Map or any subsequent amendment thereof. The new Official Zoning District Map shall be identified by the signature of the President of Council, attested by the Clerk of Council, approved by the Mayor, and shall bear the seal of the City under the following words: "This is to certify that this Official Zoning District Map supersedes and replaces the Official Zoning District Map adopted \_\_\_\_\_ as part of Ordinance \_\_\_\_\_ of the City of Jackson, Ohio".

## Section C - Interpretation and Purposes

These Regulations are the minimum requirements necessary for the promotion of the public health, safety, and welfare.

## Section D - Required Conformance and Lots of Record

1. Except as hereinafter specifically provided;
  - a. No land shall be used except for a use permitted in the Zoning District in which it is located.
  - b. No building shall be erected, converted, enlarged, or reconstructed; nor shall any building be moved onto a zoning lot or within the same zoning lot, unless it is a use permitted in the

Section D - Required Conformance and Lots of Record (Continued)

Zoning District in which such building is located. No parcel of land nor lot shall hereafter be created which does not conform to and meet the requirements of these Regulations.

- c. Every building hereinafter erected or structurally altered shall be located on a lot as herein defined.

In any Zoning District in which single-family detached dwellings are permitted, a single-family dwelling and customary accessory building may be erected on any lot of record which existed at the time of adoption of these Regulations, even though the lot does not meet the required minimum frontage or lot area for the District in which it is located.

When a dwelling is constructed on said existing lot, all other requirements of the applicable District shall be enforced. Variance of specified yard requirements shall be obtained only through actions of the Board of Zoning Appeals as outlined in Chapter VI, Section F.

Section E - Regulation of Non-Conformities

1. Non-conforming uses include buildings, structures, or uses which were lawfully existing prior to the adoption of these Zoning Regulations and which are prohibited or further restricted as a result of the provisions adopted in these Zoning Regulations.
2. All non-conforming uses are considered by these Zoning Regulations to be incompatible with the permitted uses of the Zoning District in which the non-conforming uses are located.
3. Nothing contained in these Zoning Regulations shall be construed to require any changes to be made in the plans, construction, or designated use of any building, structure, or use on which actual construction was lawfully begun, or for which plans were officially approved by the City of Jackson, prior to the date of adoption of these Zoning Regulations.
  - a. Actual construction shall include projects whereby materials have been placed on the site and fastened together in a permanent manner; where excavation of a site has begun; or where demolition of a building to make way for rebuilding has begun; provided said construction, excavation, or demolition and subsequent rebuilding shall be carried on diligently, in conformance with the requirements of Section I of this Chapter.
4. All non-conforming buildings, structures, or uses of land which were lawfully existing prior to the adoption of these Regulations may be maintained and shall be kept in repair.

#### Section E - Regulation of Non-Conformities (Continued)

5. Any non-conforming building, structure, or use of land which is superseded by a use which is permitted within the Zoning District in which it is located shall thereafter be in conformance with these Regulations, and the previous non-conforming use shall not be resumed.
6. Any non-conforming use of land which is discontinued, or building or structure left vacant, for a period of one (1) year or more, shall not be resumed. Any subsequent use of the land shall be in conformance with these Regulations.
7. Structures rebuilt will only be grandfathered in regard to zoning regulation compliance if new construction begins utilizing the original first floor level of the original structure.

#### Section F - Principal Buildings and Accessory Buildings

1. No more than one (1) principal building per lot shall be permitted, except in the case of a multiple-family residential development. Such development shall be subject to the Site Plan review-and-approval procedure and requirements of Chapter IV, Section C.
2. An accessory building or use shall not contain more than fifty percent (50%) of the total first floor area of the principal building on a lot, and in no case shall the total area of all accessory buildings or uses on a lot comprise more than fifty percent (50%) of the area of the lot on which it is located. The single exception to these requirements is the provision of required off-street parking areas.

#### Section G - Rules for Interpretation of the Official Zoning District Map

1. Where definite distances are not shown in feet on the Official Zoning District Map, the District boundaries are intended to follow lot lines, and the centerlines of existing streets, alleys, highway right-of-way lines, and railroads, and bodies of water. If the exact location of such lines is not clear, it shall be determined by either supplemental detail drawings or rules of interpretation, adopted by the concurring vote of a majority of the members of the Board of Zoning Appeals.
2. When the streets or alleys on the ground differ from the streets or alleys on the Official Zoning District Map, the Board of Zoning Appeals may apply the Zoning District designations on the map to the

## Section G - Rules for Interpretation of the Official Zoning District Map (Continued)

property on the ground in such manner as to conform to the intent and purposes of this Section in the judgement of the Board.

3. Whenever any street, alley, or public way is vacated by official action of the Council of the City of Jackson, the Zoning Districts adjoining each side of such street, alley, or public way shall automatically be extended to the center of such vacation, and all area, including the vacation, shall then and henceforth be subject to all regulations of the extended Districts.

## Section H - Rules for Interpretation of the Zoning Text

In the interpretation of the text, the rules of interpretation contained in this Section shall be observed and applied, except when the context clearly indicates otherwise. The following rules apply to the text:

1. The particular shall control the general.
2. In case of any difference of meaning or implication between the text and any table, the text shall control.
3. The word "shall" shall be mandatory and not discretionary. The words "may" or "should" shall be permissive.
4. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
5. The phrase "used for" includes "arranged for", "designed for", "intended for", "maintained for", or "occupied for".

## Section I - Provisions of These Regulations Not Retroactive

1. Except as otherwise specified in these Regulations, any use, lot, building, or structure that exists as of the enactment date of these Regulations may be continued even though such use, lot, building, or structure may not conform to the provisions of the Zoning District in which it is located. The provisions for non-conforming uses shall apply.
2. Nothing contained in these Regulations shall require any change in the plans, construction, size, or designated use of a building for which

## Section I - Provisions of These Regulations Not Retroactive (Continued)

a valid permit has been issued or lawful approval given before the effective date of these Regulations; provided, however, construction under such permit or approval shall have been started within six (6) months and the ground floor framework, including structural parts of the second floor, shall have been completed within one (1) year and the entire building completed within two (2) years after the effective date of these Regulations.

## Section J - Zoning of Newly Annexed Lands

All territory which may hereafter become a part of the City of Jackson by annexation shall automatically be classed as lying and being in the same District as it was designated by the Jackson County Zoning Resolution, if such a Zoning Resolution has been adopted by the Board of County Commissioners of Jackson County, Ohio, and if there be a similar District in existence under these Regulations, insofar as the use, area, and height of buildings erected thereon can fit into a similar Zoning District as designated by these Regulations. If there is not a similar Zoning District, then such portion annexed shall be classed as lying and being in the Agricultural District or any other Zoning District designated by the Planning Commission and approved by the City Council, until such classification shall have been changed by an amendment to the Zoning Regulations, as provided by law.

## Section K - Establishment of Zoning Districts, Statements of Intent, and Minimum District Size

For the purposes listed in Section A of this Chapter and at various locations throughout these Regulations, the incorporated area of the City of Jackson is hereby divided into twelve (12) Zoning Districts. All Regulations are uniform for each class or kind of building or structure or use throughout each District. The individual Zoning Districts are described in Chapters II and III.

The Statements of Intent for individual Zoning Districts shall be interpreted as expressions of the City's development goals and objectives for those sections of the City of Jackson that are so designated on the Official Zoning District Map. Each Statement of Intent reflects the type of development that particular Zoning District is intended to reflect or accommodate.

The minimum size requirement for a particular Zoning District is to be interpreted as the smallest permissible contiguous land area that shall be designated as being zoned under the provisions and regulations of that individual District. The purpose of minimum size requirements is to assure that similar permitted development types are grouped in Zoning



Section K - Establishment of Zoning Districts, Statements of Intent, and  
Minimum District Size (Continued)

Districts of sufficient size and are not subjected to "spot zoning". These minimum size requirements do not apply in those instances where a lot(s) or parcel(s) of land adjoins a particular Zoning District and is to be made a part of that same District, thereby representing an enlargement of an existing Zoning District rather than the creation of an entirely new Zoning District.

1. Agricultural District (A)

The Agricultural District is intended to reflect existing areas of the City currently in agricultural use, and to reserve such lands for agricultural purposes, very low-density rural residential development, and other essentially non-urban types of activities, so that the basically rural character of these areas may be preserved and maintained until such time as future growth and/or economic conditions indicate the appropriateness of more urban types of development.

There shall be no minimum land area required to establish an Agricultural District.

2. Low Density Single-Family Residential District (R-1)

The R-1 District primarily reflects existing development of single-family detached dwellings on large to medium-sized lots, and allows for similar infill in certain areas of the City.

The minimum land area required to establish a Low Density Single-Family Residential District shall be ten (10) acres.

3. Medium Density Single-Family Residential District (R-2)

The R-2 District reflects existing single-family residential development on small and medium-sized lots, and also allows for similar infill on vacant lots in certain areas of the City.

The minimum land area required to establish a Medium Density Single-Family Residential District shall be eight (8) acres.

4. Medium-Density Single- and Two-Family Residential District (R-3)

The R-3 District is intended to reflect existing single and two-family residential development in the older areas near the center of the City and to protect these residential areas from encroachment by commercial or industrial uses. It is anticipated that a very limited amount of infill development may occur in the R-3 District. The requirements of the R-3 District realize that, due to rising fuel

Section K - Establishment of Zoning Districts, Statements of Intent, and  
Minimum District Size (Continued)

costs and other economic concerns, some homeowners may wish to convert their single-family dwellings to two-family structures. This is permitted in the R-3 District as long as the area retains its essentially single-family character. Similarly, the construction of new two-family structures must meet the same standards.

The minimum land area required to establish a Medium Density Single- and Two-Family Residential District shall be eight (8) acres.

5. High Density Multiple-Family Residential District (R-4)

The primary purpose of the R-4 District is to establish reasonable and adequate standards regulating the development of future multiple-family housing sites. Multiple-family dwellings (those dwellings containing three (3) or more units per structure) shall be of a scale and density which will not disrupt or destroy the character of the neighborhood in which the R-4 District is established. In addition, R-4 Districts should be located in areas with a high level of access to major roads and commercial establishments. Site Plan review-and-approval shall be required of all development in the R-4 District.

The minimum land area required to establish a High Density Multiple-Family Residential District shall be two (2) acres.

6. Local Business District (B-1)

The intent of the Local Business District is to establish small, compact commercial areas at strategic locations near or adjacent to residential areas in order to provide land for retail, professional, and personal service establishments where they can serve the day-to-day and occasional shopping needs of residents of the surrounding area.

The minimum land area required to establish a Local Business District shall be one (1) acre.

7. Central Business District (B-2)

The B-2 District is intended to reflect the existing mix of small businesses and residences in the older, central portion of the City. The B-2 District should allow the continued development of the area as a mixed-use district, with conflicts between different uses of land minimized through the enforcement of yard and screening requirements. The B-2 District is also designed to promote small-scale infill development on appropriate sites.

The minimum land area required to establish a Central Business District shall be fifteen (15) acres.

Section K - Establishment of Zoning Districts, Statements of Intent, and  
Minimum District Size (Continued)

8. General Business District (B-3)

The B-3 District is intended to accommodate a full range of extensive commercial uses requiring large lots and a relatively high degree of visibility. B-3 Districts should ideally be located along highway frontage or at major intersections in order to attract customers from throughout Jackson and from beyond the City's boundaries, as well.

The minimum land area required to establish a General Business District shall be two (2) acres.

9. Industrial District (I)

The I District designation is intended for those areas of Jackson which have ready access to the City's main roads and which are well suited to uses which generate large amounts of truck traffic. Industries locating in an I District must observe the specified performance standards intended to protect the public safety and insure that nuisances are not created. I Districts should be separated from residential areas if at all possible.

The minimum land area required to establish an Industrial District shall be three (3) acres.

10. Mobile Home Park District (MHP)

The Mobile Home Park District is intended to provide for the placement of mobile homes in a planned physical setting, the site of which is under unified management and ownership, and which contains communal facilities (i.e., laundry and recreation facilities). Approved connections to municipal utility systems shall be required.

The minimum land area required to establish a Mobile Home Park District shall be three (3) acres.

11. Planned Unit Development District (PUD)

The Planned Unit Development District is proposed to establish an incentive zoning procedure for the development of new residential areas on a planned unit basis in accordance with an overall development plan and specific procedures for Site Plan review-and-approval. The intent is to be flexible in the regulation of basic land planning and to encourage imaginative site planning that provides a variety of dwelling types and lot sizes, usable open space, and limited commercial establishments to serve the development. Planned Unit Development Districts are intended to be located in areas which are served with public water and sewerage systems.

Section K - Establishment of Zoning Districts, Statements of Intent, and  
Minimum District Size (Continued)

The minimum land area required to establish a Planned Unit Development District shall be three (3) acres.

12. Flood Plain Overlay District (FP)

It shall be the intent of these Regulations to promote the public health, safety, and general welfare and to minimize flood losses through provisions designed to: restrict or prohibit uses of land which are dangerous to health, safety, or property in times of flood or cause excessive increases in flood heights or velocities; require that uses vulnerable to floods, including facilities which serve such uses, can be protected against flood damage at the time of initial construction; and protect individuals from buying lands which are unsuited for intended purposes because of flood hazard.

There shall be no minimum size requirement for establishment of a Flood Plain Overlay District.

CHAPTER II  
ZONING DISTRICT REGULATIONS



SECTION A  
A AGRICULTURAL DISTRICT

The Agricultural District is intended to reflect existing areas of the City currently in agricultural use or outlying agricultural lands which may be annexed to the City in the future, and to reserve such lands for agricultural purposes, very low-density rural residential development, and other essentially non-urban types of activities, so that the basically rural character of these areas may be preserved and maintained until such time as future growth and/or economic conditions indicate the appropriateness of more urban types of development.

| PERMITTED USES   | MINIMUM ZONING LOT REQUIREMENTS |                      |                    |                         |      | MAX. HEIGHT    |       |           | FOOTNOTES |    |      |
|--|---------------------------------|----------------------|--------------------|-------------------------|------|----------------|-------|-----------|-----------|----|------|
|  | LOT<br>SIZE                     | FRONTAGE<br>(FT.)    | FRONT<br>(SETBACK) | YARD REQUIREMENTS (FT.) |      |                | (FT.) | (STORIES) |           |    |      |
|  |                                 |                      |                    | LEAST<br>WIDTH          | SIDE | SUM OF<br>BOTH |       |           |           |    |      |
| Agriculture and Related Uses,<br>Buildings, and Structures | --<br>See<br>Note #3            | --<br>See<br>Note #3 | --                 | --                      | --   | --             | --    | --        | #4        | -- | #1,2 |
| Single-Family Dwellings                                    | --                              | --                   | 50                 | 25                      | 60   | 60             | 35    | 2-1/2     | #4        | -- | #1,2 |
| Churches and Similar Places of Worship                     | 1 acre                          | 150                  | 50                 | 30                      | 60   | 60             | 35    | 2-1/2     | #4        | -- | --   |
| Home Occupations   | --                              | --                   | --                 | --                      | --   | --             | --    | --        | #4        | -- | #6   |
| Public Parkland and Open Space                             | --                              | --                   | --                 | --                      | --   | --             | --    | --        | #4        | -- | --   |
| CONDITIONAL USES   |                                 |                      |                    |                         |      |                |       |           |           |    |      |
| Private Outdoor Recreation Areas                           | --                              | --                   | 50                 | 40                      | 80   | 80             | 60    | --        | #4        | -- | #7   |
| Cemeteries   | --                              | --                   | --                 | --                      | --   | --             | --    | --        | #4        | -- | #7   |
| Resource and Mineral Extraction                            | --                              | --                   | --                 | --                      | --   | --             | --    | --        | #4        | #5 | #7   |

A AGRICULTURAL DISTRICT (Continued)

FOOTNOTES

1. Related buildings and related uses may include private garages and permanent dwellings for full-time domestic help employed on the premises or full-time farm labor. The minimum lot size, yard, and height requirements of the R-1 District shall apply to the principal residence of the farm and any permitted related dwellings.
  2. Roadside sale of agricultural products shall be permitted in this District subject to the provisions of Chapter VI, Section 6.
  3. No parcel of land in this District which has an area of less than one (1) acre shall be used for residential purposes. All lots or parcels within this District shall have the following minimum lot frontage on a public road:

|                               |          |
|-------------------------------|----------|
| Less than 2 acres             | 150 feet |
| 2 acres but less than 3 acres | 175 feet |
| 3 acres but less than 4 acres | 200 feet |
| 4 acres but less than 5 acres | 250 feet |
| 5 acres or larger             | 300 feet |
  4. The minimum off-street parking requirements\* shall be:
    - a. All Residential Uses - 1.0 spaces per dwelling unit.
    - b. Home Occupations - 1.0 space in addition to those required for the residential use.
    - c. Public Parkland and Open Space - 1.0 space for every five (5) users (at maximum capacity) and 1.0 space for every two (2) employees.
    - d. Private Outdoor Recreation Areas - same as "b".
    - e. Cemeteries - 2.0 spaces for every acre of land in the cemetery (preferably provided along interior driveways).
    - f. Churches and Similar Places of Worship - 1.0 space for every three (3) seats.
    - g. Resource and Mineral Extraction - 1.0 space for every two (2) employees.
  5. The minimum off-street loading/unloading requirements\* shall be:
    - a. Resource and Mineral Extraction - 2.0 spaces for every operating loading device. This requirement may be waived if it can be shown by the applicant that the facility's loading/unloading operations will be adequately handled by rail.
  6. Home Occupations shall be subject to the requirements of Chapter IV, Section D.
  7. Subject to Regulations for Conditional Uses specified in Chapter V.
- \* Design standards for off-street parking and loading/unloading areas are presented in Chapter IV, Section A.



SECTION B  
R-1 LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT

The R-1 District primarily reflects existing development of single-family detached dwellings on large to medium-sized lots, and allows for similar infill in certain areas of the City.

| PERMITTED USES  | MINIMUM ZONING LOT REQUIREMENTS |             |             |             |                         |             | MAX. HEIGHT |       |           | FOOTNOTES |    |  |
|---|---------------------------------|-------------|-------------|-------------|-------------------------|-------------|-------------|-------|-----------|-----------|----|--|
|   | LOT SIZE                        | FRONTAGE    | (FT.)       | (SETBACK)   | YARD REQUIREMENTS (FT.) |             |             | (FT.) | (STORIES) |           |    |  |
|   |                                 |             |             |             | FRONT                   | SIDE        | REAR        |       |           |           |    |  |
| Single-Family Dwellings   | 1 acre                          | See Note #5 | See Note #6 | See Note #7 | See Note #7             | See Note #7 | 35          | 2-1/2 | #1        | --        | -- |  |
| On-Site Sewage Disposal   |                                 |             |             |             |                         |             |             |       |           |           |    |  |
| Off-Site Sewage Disposal  | See Note #5                     | "           | "           | "           | "                       | "           | 35          | 2-1/2 | #1        | --        | -- |  |
| Home Occupations  | --                              | --          | --          | --          | --                      | --          | --          | --    | #1        | --        | #3 |  |
| Churches and Similar Places of Worship  | 1 acre                          | 150         | 50          | 30          | 60                      | 60          | 35          | 2-1/2 | #1        | --        | -- |  |
| Public Parkland and Open Space  | --                              | --          | --          | --          | --                      | --          | --          | --    | #1        | --        | -- |  |
| CONDITIONAL USES  |                                 |             |             |             |                         |             |             |       |           |           |    |  |
| Primary and Secondary Public and Parochial Schools and Vocational and Technical Schools | 3 acres                         | 200         | 100         | 50          | 100                     | 100         | 45          | 3     | #1        | #2        | #4 |  |
| Day Care Centers  | 1 acre                          | 150         | 40          | 25          | 60                      | 60          | 35          | 2-1/2 | #1        | --        | #4 |  |
| Family and Group Care Homes   | See Note #5                     | See Note #5 | See Note #6 | See Note #7 | See Note #7             | See Note #7 | 35          | 2-1/2 | #1        | --        | #4 |  |

R-1 LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT (Continued)

| LOT<br>SIZE                        | MINIMUM ZONING LOT REQUIREMENTS |                         |                |                 | MAX. HEIGHT |           |                       |                       |         |
|------------------------------------|---------------------------------|-------------------------|----------------|-----------------|-------------|-----------|-----------------------|-----------------------|---------|
|                                    | FRONTAGE                        | YARD REQUIREMENTS (FT.) |                |                 |             |           |                       |                       |         |
|                                    |                                 | FRONT                   | SIDE           | REAR            |             |           |                       |                       |         |
|                                    | (FT.)                           | (SETBACK)               | LEAST<br>WIDTH | SUM OF<br>BOTII | (FT.)       | (STORIES) | OFF-STREET<br>PARKING | OFF-STREET<br>LOADING | GENERAL |
| CONDITIONAL USES (Continued)       |                                 |                         |                |                 |             |           |                       |                       |         |
| Hospitals and Auxiliary Facilities | 150                             | 100                     | 100            | 300             | 45          | 3         | #1                    | #2                    | #4      |
| Cemeteries                         | --                              | --                      | --             | --              | --          | --        | #1                    | --                    | #4      |
| Libraries and Government Offices   | 80                              | 40                      | 15             | 30              | 35          | 2-1/2     | #1                    | #2                    | #4      |

CONDITIONAL USES (Continued)

FOOTNOTES

1. The minimum off-street parking requirements\* shall be:
  - a. Single-Family Dwellings - 1.0 spaces for every dwelling unit.
  - b. Home Occupations - 1.0 space in addition to those required for the residential use.
  - c. Churches and Similar Places of Worship - 1.0 space for every three (3) seats.
  - d. Primary and Junior High Schools - 1.0 space for every twenty-five (25) classroom seats, or 1.0 space for every 3.5 seats in the main auditorium, whichever is greater.
  - e. High Schools and Vocational and Technical Schools - 1.0 space for every five (5) students (based on maximum capacity) plus 1.0 space for every employee, or 1.0 space for every five (5) seats in the main auditorium, whichever is greater.
  - f. Public Parkland and Open Space - 1.0 space for every five (5) users (at maximum capacity) and 1.0 space for every two (2) employees.
  - g. Day Care Centers - 1.0 space for every five (5) children plus 1.0 space for every employee.
  - h. Family and Group Care Homes - 1.0 space for every four (4) residents, plus 1.0 space for every employee, including resident employees.
  - i. Hospitals and Auxiliary Facilities - 1.0 space for every two (2) beds plus 1.0 space for every two (2) doctors, nurses, or other employees on the combined work shift.
  - j. Cemeteries - 2.0 spaces for every acre of land in the cemetery (preferably provided along interior driveways).
  - k. Libraries and Government Offices - 1.0 space for every 50 sq. ft. of floor area in public meeting or assembly rooms, plus 1.0 space for every 300 sq. ft. of other floor area.

\*Design standards for off-street parking and loading/unloading areas are presented in Chapter IV, Section A.

R-1 LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT (Continued)

FOOTNOTES (Continued)

2. The minimum off-street loading/unloading requirements\* shall be:

- a. Primary and Secondary Public and Parochial Schools and Vocational and Technical Schools - 1.0 space each.
- b. Hospitals and Auxiliary Facilities - 1.0 space for the first 2,500-75,000 sq. ft. of floor area and 1.0 space for each additional 25,000 sq. ft. of floor area.
- c. Libraries and Government Offices - same as "b".

3. Home Occupations shall be subject to the requirements of Chapter IV, Section D.

4. Subject to Regulations for Conditional Uses specified in Chapter V.

5. All residential lots shall have dimensions on at least two (2) lot lines of not less than thirty-five (35) feet and one hundred (100) feet, respectively, with a minimum lot area of not less than thirty-five hundred (3,500) feet, unless further restricted by the Jackson County Subdivision Regulations.

6. There shall be a minimum front yard setback equal to not less than the average existing front yard setback of the two (2) lots immediately adjacent to the lot in question. Where there is no developed lot immediately adjacent to the lot in question, the front yard setback shall be equal to not less than the existing front yard setback on the nearest developed lot in the same block as the lot in question. In no case shall the front yard setback be less than ten (10) feet, nor shall any lot be required to maintain a front yard setback greater than fifty (50) feet.

7. No dwelling shall be erected nearer than four (4) feet to any side or rear lot line of the lot upon which the dwelling is located.

\* Design standards for off-street parking and loading/unloading areas are presented in Chapter IV, Section A.

# CHAPTER II ZONING DISTRICT REGULATIONS

## SECTION C R-2 MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT

The R-2 District is intended to reflect existing single-family residential development on small to medium-sized lots, and to allow for infilling on vacant lots in areas characterized by single-family dwellings developed at a medium density.

| MINIMUM ZONING LOT REQUIREMENTS   |                |                 |                         |             |             |             |           |                    |                    | MAX. HEIGHT |    |
|---|----------------|-----------------|-------------------------|-------------|-------------|-------------|-----------|--------------------|--------------------|-------------|----|
| LOT SIZE  | FRONTAGE (FT.) | FRONT (SETBACK) | YARD REQUIREMENTS (FT.) |             |             |             | (STORIES) | FOOTNOTES          |                    |             |    |
|   |                |                 | LEAST WIDTH             | SIDE        | SUM OF BOTH | REAR        |           | OFF-STREET PARKING | OFF-STREET LOADING | GENERAL     |    |
|   |                |                 |                         |             |             |             |           |                    |                    |             |    |
| PERMITTED USES  |                |                 |                         |             |             |             |           |                    |                    |             |    |
| Single-Family Dwellings   | See Note #5    | See Note #5     | See Note #6             | See Note #7 | See Note #7 | See Note #7 | 2-1/2     | 35                 | #1                 | --          | -- |
| Home Occupations  | --             | --              | --                      | --          | --          | --          | --        | --                 | #1                 | --          | #3 |
| Churches and Similar Places of Worship  | 20,000 SF      | 80              | 40                      | 15          | 30          | 40          | 2-1/2     | 35                 | #1                 | --          | -- |
| Public Parkland and Open Space  | --             | --              | --                      | --          | --          | --          | --        | --                 | #1                 | --          | -- |
| CONDITIONAL USES  |                |                 |                         |             |             |             |           |                    |                    |             |    |
| Primary and Secondary Public and Parochial Schools and Vocational and Technical Schools | 3 acres        | 200             | 100                     | 50          | 100         | 100         | 3         | 45                 | #1                 | #2          | #4 |
| Day Care Centers  | 1 acre         | 150             | 40                      | 25          | 60          | 60          | 2-1/2     | 35                 | #1                 | --          | #4 |
| Family and Group Care Homes   | See Note #5    | See Note #5     | See Note #6             | See Note #7 | See Note #7 | See Note #7 | 2-1/2     | 35                 | #1                 | --          | #4 |
| Hospitals and Auxiliary Facilities  | 1 acre         | 150             | 100                     | 100         | 300         | 150         | 3         | 45                 | #1                 | #2          | #1 |

R-2 MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT (Continued)

|                                     | MINIMUM ZONING LOT REQUIREMENTS |                       |                        |                         |                | MAX. HEIGHT | FOOTNOTES |       |    |           |
|-------------------------------------|---------------------------------|-----------------------|------------------------|-------------------------|----------------|-------------|-----------|-------|----|-----------|
|                                     | LOT<br>SIZE                     | FRONTAGE<br><br>(FT.) | FRONT<br><br>(SETBACK) | YARD REQUIREMENTS (FT.) |                |             |           |       |    | (STORIES) |
|                                     |                                 |                       |                        | LEAST<br>WIDTH          | SUM OF<br>BOTH |             |           |       |    |           |
|                                     |                                 |                       |                        | REAR                    |                |             |           |       |    |           |
| <u>CONDITIONAL USES (Continued)</u> |                                 |                       |                        |                         |                |             |           |       |    |           |
| Cemeteries                          | --                              | --                    | --                     | --                      | --             | --          | #1        | --    | -- | #4        |
| Libraries and Government Offices    | 20,000 SF                       | 80                    | 40                     | 15                      | 30             | 40          | 35        | 2-1/2 | #1 | #2 #4     |

FOOTNOTES

1. The minimum off-street parking requirements\* shall be:
  - a. Single-Family Dwellings - 1.0 spaces for every dwelling unit.
  - b. Home Occupations - 1.0 space in addition to those required for the residential use.
  - c. Churches and Similar Places of Worship - 1.0 space for every three (3) seats.
  - d. Primary and Junior High Schools - 1.0 space for every twenty-five (25) classroom seats, or 1.0 space for every 3.5 seats in the main auditorium, whichever is greater.
  - e. High Schools and Vocational and Technical Schools - 1.0 space for every five (5) students (based on maximum capacity) plus 1.0 space for every employee, or 1.0 space for every five (5) seats in the main auditorium, whichever is greater.
  - f. Public Parkland and Open Space - 1.0 space for every five (5) users (at maximum capacity) and 1.0 space for every two (2) employees.
  - g. Day Care Centers - 1.0 space for every five (5) children plus 1.0 space for every employee.
  - h. Family and Group Care Homes - 1.0 space for every four (4) residents, plus 1.0 space for every employee, including resident employees.
  - i. Hospitals and Auxiliary Facilities - 1.0 space for every two (2) beds plus 1.0 space for every two (2) doctors, nurses, or other employees on the combined work shift.
  - j. Cemeteries - 2.0 spaces for every acre of land in the cemetery (preferably provided along interior driveways).
  - k. Libraries and Government Offices - 1.0 space for every 50 sq. ft. of floor area in public meeting or assembly rooms, plus 1.0 space for every 300 sq. ft. of other floor area.

\*Design standards for off-street parking and loading/unloading areas are presented in Chapter IV, Section A.

R-2 MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT (Continued)

FOOTNOTES (Continued)

2. The minimum off-street loading/unloading requirements\* shall be:
  - a. Primary and Secondary Public and Parochial Schools and Vocational and Technical Schools - 1.0 space each.
  - b. Hospitals and Auxiliary Facilities - 1.0 space for the first 2,500-75,000 sq. ft. of floor area and 1.0 space for each additional 25,000 sq. ft. of floor area.
  - c. Libraries and Government Offices - same as "b".
3. Home Occupations shall be subject to the requirements of Chapter IV, Section D.
4. Subject to Regulations for Conditional Uses specified in Chapter V.
5. All residential lots shall have dimensions on at least two (2) lot lines of not less than thirty-five (35) feet and one hundred (100) feet, respectively, with a minimum lot area of not less than thirty-five hundred (3,500) feet, unless further restricted by the Jackson County Subdivision Regulations.
6. There shall be a minimum front yard setback equal to not less than the average existing front yard setback of the two (2) lots immediately adjacent to the lot in question. Where there is no developed lot immediately adjacent to the lot in question, the front yard setback shall be equal to not less than the existing front yard setback on the nearest developed lot in the same block as the lot in question. In no case shall the front yard setback be less than ten (10) feet, nor shall any lot be required to maintain a front yard setback greater than fifty (50) feet.
7. No dwelling shall be erected nearer than four (4) feet to any side or rear lot line of the lot upon which the dwelling is located.
8. No dwelling or building shall be erected nearer than seven (7) feet to the edge of an alley.
9. Corner lots shall be considered as having two front set backs - one for each intersecting street regardless of lot street address.

\* Design standards for off-street parking and loading/unloading areas are presented in Chapter IV, Section A.

SECTION D  
R-3 MEDIUM DENSITY SINGLE- AND TWO-FAMILY RESIDENTIAL DISTRICT

The R-3 District is intended to reflect existing single- and two-family development in the older areas near the center of the City and to protect these residential areas from encroachment by commercial or industrial uses. It is anticipated that a very limited amount of infill development may occur in the R-3 District. The requirements of the R-3 District realize that, due to rising fuel costs and other economic concerns, some homeowners may wish to convert their single-family dwellings to two-family structures. This is permitted in the R-3 District as long as the area retains its essentially single-family character. Similarly, the construction of new two-family structures must meet the same standards.

| MINIMUM ZONING LOT REQUIREMENTS   |             |                |                         |             |             |             |      |           |                    |                    |           |         |
|---|-------------|----------------|-------------------------|-------------|-------------|-------------|------|-----------|--------------------|--------------------|-----------|---------|
| PERMITTED USES  | LOT SIZE    | FRONTAGE (FT.) | YARD REQUIREMENTS (FT.) |             |             |             |      | (STORIES) | OFF-STREET PARKING | OFF-STREET LOADING | FOOTNOTES | GENERAL |
|   |             |                | FRONT (SETBACK)         | LEAST WIDTH | SIDE        | SUM OF BOTH | REAR |           |                    |                    |           |         |
|   |             |                |                         |             |             |             |      |           |                    |                    |           |         |
| Single-Family Dwellings   | See Note #6 | See Note #6    | See Note #7             | See Note #8 | See Note #8 | See Note #8 | 35   | 2-1/2     | #1                 | --                 | --        | --      |
| Two-Family Dwellings  | "           | "              | "                       | "           | "           | "           | 35   | 2-1/2     | #1                 | --                 | --        | #3      |
| Home Occupations  | --          | --             | --                      | --          | --          | --          | --   | --        | #1                 | --                 | --        | #4      |
| Churches and Similar Places of Worship  | 20,000 SF   | 80             | 40                      | 15          | 30          | 40          | 35   | 2-1/2     | #1                 | --                 | --        | --      |
| Public Parkland and Open Space  | --          | --             | --                      | --          | --          | --          | --   | --        | #1                 | --                 | --        | --      |
| CONDITIONAL USES  |             |                |                         |             |             |             |      |           |                    |                    |           |         |
| Primary and Secondary Public and Parochial Schools and Vocational and Technical Schools | 3 acres     | 200            | 100                     | 50          | 100         | 100         | 45   | 3         | #1                 | #2                 |           | #5      |
| Day Care Centers  | 1 acre      | 150            | 40                      | 25          | 60          | 60          | 35   | 2-1/2     | #1                 | --                 | --        | #5      |
| Family and Group Care Homes   | See Note #6 | See Note #6    | See Note #7             | See Note #8 | See Note #8 | See Note #8 | 35   | 2-1/2     | #1                 | --                 | --        | #5      |

R-3 MEDIUM DENSITY SINGLE- AND TWO-FAMILY RESIDENTIAL DISTRICT (Continued)

|                                    | MINIMUM ZONING LOT REQUIREMENTS |                   |                         |      |                | MAX. HEIGHT |           |
|------------------------------------|---------------------------------|-------------------|-------------------------|------|----------------|-------------|-----------|
|                                    | LOT<br>SIZE                     | FRONTAGE<br>(FT.) | YARD REQUIREMENTS (FT.) |      |                | (FT.)       | (STORIES) |
|                                    |                                 |                   | FRONT<br>(SETBACK)      | SIDE | SUM OF<br>BOTH |             |           |
| CONDITIONAL USES (Continued)       |                                 |                   |                         |      |                |             |           |
| Hospitals and Auxiliary Facilities | 1 acre                          | 150               | 100                     | 100  | 300            | 150         | 45        |
| Cemeteries                         | --                              | --                | --                      | --   | --             | --          | --        |
| Libraries and Government Offices   | 20,000 SF                       | 80                | 40                      | 15   | 30             | 40          | 35        |

| FOOTNOTES             |                       |
|-----------------------|-----------------------|
| OFF-STREET<br>PARKING | OFF-STREET<br>LOADING |
| #1                    | #2                    |
| #1                    | --                    |
| #1                    | #5                    |
| #1                    | #2                    |
| #1                    | #5                    |

FOOTNOTES

1. The minimum off-street parking requirements\* shall be:
  - a. All Residential Uses - 1.0 spaces per dwelling unit.
  - b. Home Occupations - 1.0 space in addition to those required for the residential use.
  - c. Churches and Similar Places of Worship - 1.0 space for every three (3) seats.
  - d. Public Parkland and Open Space - 1.0 space for every five (5) users (at maximum capacity) and 1.0 space for every two (2) employees.
  - e. High Schools and Vocational and Technical Schools - 1.0 space for every five (5) students (based on maximum capacity) plus 1.0 space for every employee, or 1.0 space for every five (5) seats in the main auditorium, whichever is greater.
  - f. Primary and Junior High Schools - 1.0 space for every twenty-five (25) classroom seats, or 1.0 space for every 3.5 seats in the main auditorium, whichever is greater.
  - g. Day Care Centers - 1.0 space for every five (5) children plus 1.0 space for every employee.
  - h. Family and Group Care Homes - 1.0 space for every four (4) residents, plus 1.0 space for every employee, including resident employees.
  - i. Hospitals and Auxiliary Facilities - 1.0 space for every two (2) beds plus 1.0 space for every two (2) doctors, nurses, or other employees on the combined work shift.
  - j. Cemeteries - 2.0 spaces for every acre of land in the cemetery (preferably provided along interior driveways).
  - k. Libraries and Government Offices - 1.0 space for every 50 sq. ft. of floor area in public meeting or assembly rooms, plus 1.0 space for every 300 sq. ft. of other floor area.

\*Design standards for off-street parking and loading/unloading areas are presented in Chapter IV, Section A.



R-3 MEDIUM DENSITY SINGLE- AND TWO-FAMILY RESIDENTIAL DISTRICT (Continued)

FOOTNOTES (Continued)

2. The minimum off-street loading/unloading requirements\* shall be:
  - a. Primary and Secondary Public and Parochial Schools and Vocational and Technical Schools - 1.0 space each.
  - b. Hospitals and Auxiliary Facilities - 1.0 space for the first 2,500-75,000 sq. ft. of floor area and 1.0 space for each additional 25,000 sq. ft. of floor area.
  - c. Libraries and Government Offices - same as "b".
3. All single-family structures which are converted to two-family dwellings shall be subject to the requirements of Chapter IV, Section E. In addition, the structure shall, to all possible extent, retain the outward appearance of a single-family dwelling. Similarly, new two-family structures shall meet the same standards.
4. Home Occupations shall be subject to the requirements of Chapter IV, Section D.
5. Subject to Regulations for Conditional Uses specified in Chapter V.
6. All residential lots shall have dimensions on at least two (2) lot lines of not less than thirty-five (35) feet and one hundred (100) feet, respectively, with a minimum lot area of not less than thirty-five hundred (3,500) feet, unless further restricted by the Jackson County Subdivision Regulations.
7. There shall be a minimum front yard setback equal to not less than the average existing front yard setback of the two (2) lots immediately adjacent to the lot in question. Where there is no developed lot immediately adjacent to the lot in question, the front yard setback shall be equal to not less than the existing front yard setback on the nearest developed lot in the same block as the lot in question. In no case shall the front yard setback be less than ten (10) feet, nor shall any lot be required to maintain a front yard setback greater than fifty (50) feet.
8. No dwelling shall be erected nearer than four (4) feet to any side or rear lot line of the lot upon which the dwelling is located.

\* Design standards for off-street parking and loading/unloading areas are presented in Chapter IV, Section A.

SECTION E  
R-4 HIGH DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT

The primary purpose of the R-4 District is to establish reasonable and adequate standards regulating the development of future multiple-family housing sites. Multiple-family dwellings (those dwellings containing three or more units per structure) shall be of a scale and density which will not disrupt or destroy the character of the neighborhood in which the R-4 District is established. In addition, R-4 Districts should be located in areas with a high level of access to major roads and commercial establishments.

| PERMITTED USE             | MINIMUM ZONING LOT REQUIREMENTS |                         |           |                |                | MAX. HEIGHT     | FOOTNOTES                                |         |
|---------------------------|---------------------------------|-------------------------|-----------|----------------|----------------|-----------------|--|---------|
|                           | LOT<br>SIZE                     | YARD REQUIREMENTS (FT.) |           |                |                |                 |  |         |
|                           |                                 | FRONTAGE                | FRONT     | SIDE           | REAR           |                 |  |         |
|                           |                                 | (FT.)                   | (SETBACK) | LEAST<br>WIDTH | SUM OF<br>BOTH | (FT.) (STORIES) | OFF-STREET OFF-STREET<br>PARKING LOADING | GENERAL |
| Multiple-Family Dwellings | 3,000 SF<br>per D.U.            | 80                      | 35        | 12             | 24             | 45 3            | #1 --                                    | #2,3    |

FOOTNOTES

- The minimum off-street parking requirement\* shall be:
  - Multiple-Family Dwellings - 2.0 spaces per dwelling unit.
  - All single- or two-family structures which are converted to multiple-family dwellings shall be subject to the requirements of Chapter IV, Section E.
  - All multiple-family dwellings shall be subject to the site plan review-and-approval procedure and requirements of Chapter IV, Section C.

\* Design standards for off-street parking and loading/unloading areas are presented in Chapter IV, Section A.

The B-1 District is intended to provide for small, compact commercial areas at strategic locations within or immediately adjacent to the City's various residential neighborhoods. The intent is to provide convenience commercial uses and personal service establishments readily accessible to Jackson residents who require such goods and services on a day-to-day basis within convenient time and distance of their homes or along the route to and from their places of work.

II-13

B-1 LOCAL BUSINESS DISTRICT (Continued)

FOOTNOTES

1. No side yard shall be required, except that a side yard of not less than twenty (20) feet shall be required between any building in a B-1 District and the lot line of any lot within a Residential District. Such side yard shall be landscaped and/or screened in accordance with the requirements of Chapter IV, Section 6.
2. The rear yard requirement for all uses in the B-1 District shall be thirty (30) feet, except when the lot abuts an "R" District, in which case the required rear yard shall be forty (40) feet. In the latter case, such yard shall be landscaped and/or screened in accordance with the requirements of Chapter IV, Section 6.
3. All uses a B-1 District shall be subject to the performance standards specified in Chapter IV, Section F.
4. All activities associated with uses in a B-1 District shall be conducted within a wholly enclosed structure, with the exception of outdoor seating areas associated with eating and drinking places, and off-street parking and loading/unloading.
5. The minimum off-street parking requirements\* shall be:
  - a. Retail Sales or Service Establishments - 1.0 space for every 200 sq. ft. of floor area for establishments having less than 2,000 sq. ft. of floor area, and 1.5 spaces for every 200 sq. ft. of floor area for establishments having more than 2,000 sq. ft. of floor area.
  - b. Personal Service Establishments - same as "a".
  - c. Eating and Drinking Places - 1.0 space for every 50 sq. ft. of floor area.
  - d. Business and/or Professional Offices - 1.0 space for every 250 sq. ft. of office space but not less than 2.0 spaces for every office.
  - e. Medical Offices - 3.0 spaces for every examination or treatment room, plus 1.0 space for every doctor or other employee.
6. The minimum off-street loading/unloading requirements\* shall be:
  - a. Retail Sales Establishments - 1.0 space for the first 10,000 sq. ft. of floor area and 1.0 space for each additional 20,000 sq. ft. of floor area.
  - b. Personal Service Establishments - same as "a".
  - c. Eating and Drinking Places - 1.0 space for the first 2,500-75,000 sq. ft. of floor area and 1.0 space for each additional 25,000 sq. ft. of floor area.
  - d. Business and/or Professional Offices - same as "c".
  - e. Medical Offices - same as "c".

\*Design standards for off-street parking and loading/unloading areas are presented in Chapter IV, Section A.

SECTION G  
B-2 CENTRAL BUSINESS DISTRICT

The B-2 District is intended to reflect the existing mix of small businesses and residences in the older, central portion of the City. The B-2 District should allow the continued development of the area as a mixed-use district, with conflicts between different uses of land minimized through the enforcement of yard and screening requirements. The B-2 District is also designed to promote small-scale infill development on appropriate sites.

| MINIMUM ZONING LOT REQUIREMENTS                    |                       |                         |                |                |                |           |             |    |    |          |  |
|--|-----------------------|-------------------------|----------------|----------------|----------------|-----------|-------------|----|----|----------|--|
| LOT<br>SIZE  | FRONTAGE<br><br>(FT.) | YARD REQUIREMENTS (FT.) |                |                |                |           | MAX. HEIGHT |    |    |          |  |
|  |                       | FRONT<br><br>(SETBACK)  | SIDE           |                | REAR           | FOOTNOTES |             |    |    |          |  |
|  |                       |                         | LEAST<br>WIDTH | SUM OF<br>BOTH |                |           |             |    |    |          |  |
| PERMITTED USES                                     |                       |                         |                |                |                |           |             |    |    |          |  |
| --   | --                    | --                      | See<br>Note #1 | See<br>Note #1 | See<br>Note #2 | 45        | 3           | #7 | -- | #6       |  |
| --   | --                    | --                      | "              | "              | "              | 45        | 3           | #7 | -- | #6       |  |
| --   | --                    | --                      | "              | "              | "              | 45        | 3           | #7 | #8 | #3,4,5   |  |
| --   | --                    | --                      | "              | "              | "              | 45        | 3           | #7 | #8 | #3,4,5   |  |
| --   | --                    | --                      | "              | "              | "              | 45        | 3           | #7 | #8 | #3,4,5   |  |
| --   | --                    | --                      | "              | "              | "              | 45        | 3           | #7 | -- | #3,4,5   |  |
| --   | --                    | --                      | "              | "              | "              | 45        | 3           | #7 | #8 | #3,4,5   |  |
| Eating and Drinking Places,<br>Excluding Drive-Ins |                       |                         |                |                |                |           |             |    |    |          |  |
| --   | --                    | --                      | "              | "              | "              | 45        | 3           | #7 | #8 | #3,4,5   |  |
| Indoor Motion Picture Theatres                     |                       |                         |                |                |                |           |             |    |    |          |  |
| --   | --                    | --                      | "              | "              | "              | 45        | 3           | #7 | #8 | #3,4,5   |  |
| Libraries and Government Offices                   |                       |                         |                |                |                |           |             |    |    |          |  |
| --   | --                    | --                      | "              | "              | "              | 45        | 3           | #7 | #8 | #3,4,5   |  |
| CONDITIONAL USES                                   |                       |                         |                |                |                |           |             |    |    |          |  |
| --   | --                    | --                      | "              | "              | "              | 45        | 3           | #7 | #8 | #3,4,5,9 |  |
| Bars and Taverns                                   |                       |                         |                |                |                |           |             |    |    |          |  |

B-2 CENTRAL BUSINESS DISTRICT (Continued)

FOOTNOTES

1. No side yard shall be required, except that a side yard of not less than twenty (20) feet shall be required between any building in a B-2 District and the lot line of any lot within a Residential District. Such side yard shall be landscaped and/or screened in accordance with the requirements of Chapter IV, Section G.
2. The rear yard requirement for all uses in the B-2 District shall be fifteen (15) feet, except when the rear yard abuts a lot in any Residential District, in which case the required rear yard shall be thirty (30) feet. In the latter case, such yard shall be landscaped and/or screened in accordance with the requirements of Chapter IV, Section G.
3. All uses in the B-2 District shall be subject to the performance standards specified in Chapter IV, Section F.
4. All activities associated with uses in a B-2 District shall be conducted within a wholly enclosed structure, with the exception of outdoor seating areas associated with eating and drinking places, and off-street parking and loading/unloading.
5. Structures which provide dwellings above any other conditional or permitted use shall be subject only to the yard requirements applicable to the ground floor use.
6. In the event that an existing single-family or two-family dwelling in the B-2 District should be expanded or altered substantially in the future, any new wall(s) shall meet the fire resistance standards specified in the Building Officials and Code Administrators (BOCA) building code.
7. The minimum off-street parking requirements\* shall be:
  - a. All Residential Uses - 1.0 spaces for every dwelling unit.
  - b. Business and/or Professional Offices - 1.0 space for every 250 sq. ft. of office space but not less than 2.0 spaces for every office.
  - c. Medical Offices - 3.0 spaces for every examination or treatment room, plus 1.0 space for each doctor or other employee.
  - d. Financial Institutions - 1.0 space for every 200 sq. ft. of floor area plus 1.0 space for every employee.
  - e. Retail Sales or Service Establishments - 1.0 space for every 200 sq. ft. of floor area for establishments having less than 2,000 sq. ft. of floor area, and 1.5 spaces for every 200 sq. ft. of floor area for establishments having more than 2,000 sq. ft. of floor area.
  - f. Eating and Drinking Places, Excluding Drive-Ins - 1.0 space for every 50 sq. ft. of floor area.
  - g. Indoor Motion Picture Theatres - 1.0 space for every 3.5 seats plus 1.0 space for every two (2) employees.
  - h. Bars and Taverns - same as "f".
  - i. Assembly Halls, Lodges, and Private Clubs - 1.0 space for every fifty (50) sq. ft. of floor area in the main auditorium, assembly, or meeting room plus 1.0 space for every 200 sq. ft. of other floor area.
  - j. Libraries and Government offices - 1.0 space for every 50 sq. ft. of floor area in public meeting or assembly rooms, plus 1.0 space for every 300 sq. ft. of other floor area.

\*Design standards for off-street parking and loading/unloading areas are presented in Chapter IV, Section A.

B-2 CENTRAL BUSINESS DISTRICT (Continued)

FOOTNOTES (Continued)

8. The minimum off-street loading/unloading requirements\* shall be:
- a. Business and/or Professional Offices - 1.0 space for the first 2,500-75,000 sq. ft. of floor area and 1.0 space for each additional 25,000 sq. ft. of floor area.
  - b. Medical Offices - same as "a".
  - c. Financial Institutions - same as "a".
  - d. Retail or Service Establishments - same as "a".
  - e. Eating and Drinking Places, Excluding Drive-Ins - same as "a".
  - f. Indoor Motion Picture Theatres - same as "a".
  - g. Bars and Taverns - same as "a".
  - h. Libraries and Government Offices - same as "a".
9. Subject to Regulations for Conditional Uses specified in Chapter V.

\* Design standards for off-street parking and loading/unloading areas are presented in Chapter IV, Section A.

SECTION H  
B-3 GENERAL BUSINESS DISTRICT

The B-3 District is intended to accommodate a full range of extensive commercial uses requiring large lots and a relatively high degree of visibility. B-3 Districts should ideally be located along highway frontage or at major intersections in order to attract customers from throughout Jackson and from beyond the City's boundaries, as well.

|   | MINIMUM ZONING LOT REQUIREMENTS |                       |                         |                | MAX. HEIGHT    |                |       |           |                       |                       |         |
|---|---------------------------------|-----------------------|-------------------------|----------------|----------------|----------------|-------|-----------|-----------------------|-----------------------|---------|
|   | LOT<br>SIZE                     | FRONTAGE<br><br>(FT.) | YARD REQUIREMENTS (FT.) |                |                | FOOTNOTES      |       |           |                       |                       |         |
|   |                                 |                       | FRONT                   | SIDE           | REAR           |                |       |           |                       |                       |         |
|   |                                 |                       |                         | LEAST<br>WIDTH | SUM OF<br>BOTH |                | (FT.) | (STORIES) | OFF-STREET<br>PARKING | OFF-STREET<br>LOADING | GENERAL |
| PERMITTED USES  |                                 |                       | (SETBACK)               |                |                |                |       |           |                       |                       |         |
| Retail Sales or Service Establishments<br>which rely on major roadways for<br>visibility and access, including<br>but not limited to the following: |                                 |                       |                         |                |                |                |       |           |                       |                       |         |
| Air Conditioning, Plumbing, Heating,<br>and Roofing Shops   | 10,000 SF                       | 85                    | 40                      | See<br>Note #1 | See<br>Note #1 | See<br>Note #2 | 45    | 3         | #5                    | #6                    | #3,4    |
| Assembly Halls, Lodges, and Private<br>Clubs  | 10,000 SF                       | 85                    | 40                      | "              | "              | "              | 45    | 3         | #5                    | --                    | #3,4    |



| MINIMUM ZONING LOT REQUIREMENTS       |                   | MAX. HEIGHT             |                |                |                |                |                |           |       |           |                       |                       |           |         |
|---------------------------------------|-------------------|-------------------------|----------------|----------------|----------------|----------------|----------------|-----------|-------|-----------|-----------------------|-----------------------|-----------|---------|
| LOT<br>SIZE                           | FRONTAGE<br>(FT.) | YARD REQUIREMENTS (FT.) |                |                | REAR           | SUM OF<br>BOTH | LEAST<br>WIDTH | (SETBACK) | (FT.) | (STORIES) | OFF-STREET<br>PARKING | OFF-STREET<br>LOADING | FOOTNOTES | GENERAL |
|                                       |                   | FRONT                   | SIDE           | REAR           |                |                |                |           |       |           |                       |                       |           |         |
| PERMITTED USES (Continued)            |                   |                         |                |                |                |                |                |           |       |           |                       |                       |           |         |
| 1 acre                                | 150               | 60                      | See<br>Note #1 | See<br>Note #1 | See<br>Note #2 | 45             | 3              | #5        | #6    | #3,4      |                       |                       |           |         |
| Automobile Sales and Related Services | 10,000 SF         | 85                      | "              | "              | "              | 45             | 3              | #5        | #6    | #3,4      |                       |                       |           |         |
| Business and/or Professional Offices  | 10,000 SF         | 85                      | "              | "              | "              | 45             | 3              | #5        | #6    | #3,4      |                       |                       |           |         |
| Business Services                     | 10,000 SF         | 85                      | "              | "              | "              | 45             | 3              | #5        | #6    | #3,4      |                       |                       |           |         |
| Financial Institutions                | 20,000 SF         | 100                     | "              | "              | "              | 45             | 3              | #5        | #6    | #3,4      |                       |                       |           |         |
| Funeral Homes and Mortuaries          | 20,000 SF         | 100                     | "              | "              | "              | 45             | 3              | #5        | #6    | #3,4      |                       |                       |           |         |
| Garden Centers and Greenhouses        | 20,000 SF         | 100                     | "              | "              | "              | 45             | 3              | #5        | #6    | #3,4      |                       |                       |           |         |

B-3 GENERAL BUSINESS DISTRICT (Continued)

|   | MINIMUM ZONING LOT REQUIREMENTS |                |                 |             | MAX. HEIGHT |                 |   |
|---|---------------------------------|----------------|-----------------|-------------|-------------|-----------------|---|
|   | YARD REQUIREMENTS (FT.)         |                |                 |             |             |                 |   |
|   | LOT SIZE                        | FRONTAGE (FT.) | FRONT (SETBACK) | LEAST WIDTH | SIDE        | REAR            | FOOTNOTES                                     |
|   |                                 |                |                 |             | SUM OF BOTH | (FI.) (STORIES) | OFF-STREET PARKING OFF-STREET LOADING GENERAL |
| PERMITTED USES (Continued)                        |                                 |                |                 | See Note #1 | See Note #1 | See Note #2     |   |
| Medical Offices                                   | 10,000 SF                       | 85             | 40              | "           | "           | 45              | #5 #6 #3,4                                    |
| Sit-Down Restaurants                              | 10,000 SF                       | 85             | 40              | "           | "           | 45              | #5 #6 #3,4                                    |
| CONDITIONAL USES                                  |                                 |                |                 |             |             |                 |   |
| Automobile Repair Garages (Minor Repairs)         | 10,000 SF                       | 85             | 40              | "           | "           | 45              | #5 #6 #3,4,7                                  |
| Automobile Service Stations                       | 10,000 SF                       | 85             | 40              | "           | "           | 45              | #5 #6 #3,4,7                                  |
| Automobile Washing Establishments                 | 10,000 SF                       | 85             | 40              | "           | "           | 45              | #5 #6 #3,4,7                                  |
| Kennels and Veterinary Hospitals                  | 10,000 SF                       | 85             | 40              | "           | "           | 45              | #5 #6 #3,4,7                                  |
| Motels and Hotels                                 | 1 acre                          | 150            | 50              | "           | "           | 45              | #5 #6 #3,4,7                                  |
| Rest Homes, Nursing Homes, and Convalescent Homes | 1 acre                          | 150            | 60              | "           | "           | 45              | #5 #6 #3,4,7                                  |
| Bars and Taverns                                  | 10,000 SF                       | 85             | 40              | "           | "           | 45              | #5 #6 #3,4,7                                  |

B-3 GENERAL BUSINESS DISTRICT (Continued)

| LOT<br>SIZE                                       | MINIMUM ZONING LOT REQUIREMENTS |                    |                |                        | MAX. HEIGHT    |                    |  |
|---|---------------------------------|--------------------|----------------|------------------------|----------------|--------------------|--|
|   | YARD REQUIREMENTS (FT.)         |                    |                |                        |                |                    |  |
|   | FRONTAGE<br>(FT.)               | FRONT<br>(SETBACK) | LEAST<br>WIDTH | SIDE<br>SUM OF<br>BOTH | REAR           | (STORIES)<br>(FT.) | OFF-STREET OFF-STREET<br>PARKING LOADING |
| Commercial Recreation Establishments              | 100                             | 40                 | See<br>Note #1 | See<br>Note #1         | See<br>Note #2 | 45                 | #5 #6 #3,4,7                             |
| Drive-In, Carry-Out, and Fast Food<br>Restaurants | 85                              | 40                 | "              | "                      | "              | 45                 | #5 #6 #3,4,7                             |
| Hospitals and Auxiliary Facilities                | 150                             | 100                | 100            | 300                    | 150            | 45                 | #5 #6 #3,4,7                             |

CONDITIONAL USES (Continued)

FOOTNOTES

1. No side yard shall be required, except that a side yard of not less than thirty (30) feet shall be required between any building in a B-3 District and the lot line of any lot in a Residential District. This side yard shall be landscaped and/or screened in accordance with the provisions of Chapter IV, Section 6.
2. The required rear yard for all uses in a B-3 District shall be twenty (20) feet, except when the rear yard abuts any Residential District, in which case the required rear yard shall be forty (40) feet. This latter yard shall be landscaped and/or screened in accordance with the provisions of Chapter IV, Section 6.
3. All uses in a B-3 District shall be subject to the performance standards specified in Chapter IV, Section F.
4. No access to any use in a B-3 District shall be permitted through or from any Residential or Agricultural district.

B-3 GENERAL BUSINESS DISTRICT (Continued)

FOOTNOTES (Continued)

5. The minimum off-street parking requirements\* shall be:
  - a. Air Conditioning, Plumbing, Heating, and Roofing Shops - 1.0 space for every business vehicle and 1.0 space for every 300 sq. ft. of floor area.
  - b. Assembly Halls, Lodges, Private Clubs - 1.0 space for every 50 sq. ft. of floor area in the main auditorium, assembly, or meeting room plus 1.0 space for every 200 sq. ft. of other floor area.
  - c. Automobile Repair Garages - 1.0 space for every employee plus 2.0 spaces for each service stall with a minimum of six (6) total spaces.
  - d. Automobile Sales and Related Service - 2.0 spaces for every service stall, 1.0 space for every employee, and 1.5 spaces for every 200 sq. ft. of display area.
  - e. Automobile Service Stations - 1.0 space for every employee plus 2.0 spaces for each service stall with a minimum of six (6) total spaces.
  - f. Automobile Washing Establishments - 1.0 space for every employee with a minimum of four (4) total spaces.
  - g. Bars and Taverns - 1.0 space for every 50 sq. ft. of floor area.
  - h. Business and/or Professional Offices - 1.0 space for every 250 sq. ft. of office space but not less than 2.0 spaces for every office.
  - i. Business Services - 1.0 space for every business vehicle and 1.0 space for every 300 sq. ft. of floor area.
  - j. Commercial Recreation Establishments - 1.0 space for every four (4) customers at maximum capacity and 1.0 space for every two (2) employees.
  - k. Carry-Out Restaurants - same as "g".
  - l. Drive-In and Fast Food Restaurants - 1.0 space for every 30 sq. ft. of floor area plus 1.0 space for every employee with a minimum of fifteen (15) total spaces.
  - m. Financial Institutions - 1.0 space for every 200 sq. ft. of floor area plus 1.0 space for every employee.
  - n. Funeral Homes and Mortuaries - 1.0 space for every 50 sq. ft. of public floor area plus 1.0 space for every business vehicle and 1.0 space for every employee with not less than twenty-five (25) total spaces.
  - o. Garden Centers and Greenhouses - 1.0 space for every 200 sq. ft. of floor area and outdoor sales area for establishments having less than 2,000 sq. ft. of floor area and outdoor sales area, and 1.5 spaces for every 200 sq. ft. of floor area and outdoor sales area for establishments having more than 2,000 sq. ft. of floor area and outdoor sales area.
  - p. Hospitals and Auxiliary Facilities - 1.0 space for every two (2) beds plus 1.0 space for every two (2) doctors, nurses, or other employees on the combined work shift.
  - q. Kennels and Veterinary Hospitals - 3.0 spaces for every treatment or examination room plus 1.0 space for every veterinarian or other employee with a minimum of five (5) total spaces.
  - r. Medical Offices - 3.0 spaces for each examination or treatment room, plus 1.0 space for each doctor or other employee.
  - s. Motels and Hotels - 1.0 space for every sleeping room plus additional spaces as required for restaurants, assembly rooms, and related facilities.
  - t. Rest Homes, Nursing Homes, and Convalescent Homes - 1.0 space for every employee and 1.0 space for every four (4) beds.
  - u. Sit-Down Restaurants - same as "g".
  - v. Other Retail Sales and Service Establishments - 1.0 space for every 200 sq. ft. of floor area for establishments having less than 2,000 sq. ft. of floor area, and 1.5 spaces for every 200 sq. ft. of floor area for establishments having more than 2,000 sq. ft. of floor area.

\* Design standards for off-street parking and loading/unloading areas are presented in Chapter IV, Section A.

B-3 GENERAL BUSINESS DISTRICT (Continued)

FOOTNOTES (Continued)

6. The minimum off-street loading/unloading requirements\* shall be:
  - a. Retail Sales or Service Establishments - 1.0 space for the first 10,000 sq. ft. of floor area and 1.0 space for each additional 20,000 sq. ft. of floor area.
  - b. Business and/or Professional Offices - 1.0 space for the first 2,500-75,000 sq. ft. of floor area and 1.0 space for each additional 25,000 sq. ft. of floor area.
  - c. Medical Offices - same as "b".
  - d. Business Services - same as "a".
  - e. Financial Institutions - same as "h".
  - f. Air Conditioning, Plumbing, Heating, and Roofing Shops - same as "a".
  - g. Automobile Sales and Related Service - same as "a".
  - h. Eating and Drinking Places (all) - same as "b".
  - i. Garden Centers and Greenhouses - same as "a".
  - j. Commercial Recreation Establishments - same as "b".
  - k. Funeral Homes and Mortuaries - same as "a".
  - l. Kennels and Veterinary Hospitals - same as "b".
  - m. Rest Homes, Nursing Homes, and Convalescent Homes - same as "b".
  - n. Hospitals and Auxiliary Facilities - same as "b".
  - o. Motels and Hotels - same as "b".
  - p. Bars and Taverns - same as "b".
7. Subject to Regulations for Conditional Uses specified in Chapter V.

\* Design standards for off-street parking and loading/unloading areas are presented in Chapter IV, Section A.

SECTION I  
I INDUSTRIAL DISTRICT

The I District designation is intended for those areas of the City which have ready access to main roads and which are well suited to uses which generate large amounts of truck traffic. Businesses and industries locating in an I District must observe the specified performance standards intended to protect the public safety and insure that nuisances are not created. I Districts should be separated from residential areas if at all possible, although this may not always be possible in light of the City's existing development pattern.

| PERMITTED USES  | MINIMUM ZONING LOT REQUIREMENTS |                         |           |           | MAX. HEIGHT |             |                    |                    |
|---|---------------------------------|-------------------------|-----------|-----------|-------------|-------------|--------------------|--------------------|
|   | LOT SIZE                        | YARD REQUIREMENTS (FT.) |           |           | REAR        | SIDE        | SUM OF BOTH        | FOOTNOTES          |
|   |                                 | FRONTAGE                | FRONT     | (SETBACK) |             |             |                    |                    |
|   |                                 | (FT.)                   | (SETBACK) | (FT.)     | (STORIES)   | (FT.)       | OFF-STREET PARKING | OFF-STREET LOADING |
| Automobile Repair Garage (Major Repairs), Body Shop, Paint Shop, Transmission Shop, Rustproofing Shop | 20,000 SF                       | 85                      | 50        |           | See Note #1 | See Note #1 | See Note #2        | #10                |
|   |                                 |                         |           |           |             |             | 2                  | #4,5,6,7, 11       |
| Building Materials Sales and Storage Yards  | 1 acre                          | 150                     | 60        |           | "           | "           | 35                 | #10                |
|   |                                 |                         |           |           |             |             | 2                  | #4,5,6,7, 11       |
| Business and Professional Offices Associated With Other Permitted Uses                                | 10,000 SF                       | --                      | --        |           | "           | "           | 35                 | --                 |
|   |                                 |                         |           |           |             |             | 2                  | #4,5,6,7, 11       |

I INDUSTRIAL DISTRICT (Continued)

| MINIMUM ZONING LOT REQUIREMENTS   |           |                         |                 |             |             |             |             |             |                    |                    |              |
|---|-----------|-------------------------|-----------------|-------------|-------------|-------------|-------------|-------------|--------------------|--------------------|--------------|
| PERMITTED USES (Continued)  | LOT SIZE  | YARD REQUIREMENTS (FT.) |                 |             |             |             |             |             | MAX. HEIGHT        |                    |              |
|   |           | FRONTAGE (FT.)          | FRONT (SETBACK) | LEAST WIDTH | SIDE        | REAR        | SUM OF BOTH | (STORIES)   | OFF-STREET PARKING | OFF-STREET LOADING |              |
|   |           |                         |                 |             |             |             |             |             |                    |                    | GENERAL      |
| Contractors' Sales, Storage, and Equipment Yards, Excluding Salvage Materials or Debris | 1 acre    | 150                     | 60              | See Note #1 | See Note #1 | See Note #2 | 35          | 2           | #9                 | #10                | #4,5,6,7, 11 |
| Equipment Rental, Sales, and Service, Excluding Vehicles                                | 10,000 SF | 85                      | 50              | "           | "           | "           | 35          | 2           | #9                 | #10                | #4,5,6,7, 11 |
| General Manufacturing Establishments  | 1 acre    | 150                     | 60              | "           | "           | "           | 35          | 2           | #9                 | #10                | #4,5,6,7, 11 |
| Grain Elevators and Feed Mills  | 1 acre    | 150                     | 60              | "           | "           | "           | See Note #3 | See Note #3 | #9                 | #10                | #4,5,6,7, 11 |
| Public Utility Service Yards  | 20,000 SF | 85                      | 50              | "           | "           | "           | 35          | 2           | #9                 | #10                | #4,5,6,7, 11 |

I INDUSTRIAL DISTRICT (Continued)

| MINIMUM ZONING LOT REQUIREMENTS                    |                                 |       |      |                | MAX. HEIGHT    |                |    |    |     |                 |                  |
|--|---------------------------------|-------|------|----------------|----------------|----------------|----|----|-----|-----------------|------------------|
| LOT<br>SIZE  | YARD REQUIREMENTS (FT.)         |       |      |                | REAR           | FOOTNOTES      |    |    |     |                 |                  |
|  | FRONTAGE                        | FRONT | SIDE | SUM OF BOTH    |                |                |    |    |     |                 |                  |
| PERMITTED USES (Continued)                         |                                 |       |      |                |                |                |    |    |     |                 |                  |
| Trucking and Motor Freight<br>Terminals            | 1 acre                          | 150   | 60   | See<br>Note #1 | See<br>Note #2 | 35             | 2  | #9 | #10 | #4,5,6,7,<br>11 |                  |
|  | 1 acre                          | 150   | 60   | "              | "              | "              | 2  | #9 | #10 | #4,5,6,7,<br>11 |                  |
|  | 20,000 SF                       | 85    | 50   | "              | "              | "              | 2  | #9 | #10 | #4,5,6,7,<br>11 |                  |
| Warehouses and Miniwarehouses                      | 1 acre                          | 150   | 60   | "              | "              | "              | 2  | #9 | #10 | #4,5,6,7,<br>11 |                  |
|  | 20,000 SF                       | 85    | 50   | "              | "              | "              | 2  | #9 | #10 | #4,5,6,7,<br>11 |                  |
| Water and Wastewater Treatment<br>Plant Facilities | 1 acre                          | 150   | 60   | "              | "              | "              | 2  | #9 | #10 | #4,5,6,7,<br>11 |                  |
|  | 20,000 SF                       | 85    | 50   | "              | "              | "              | 2  | #9 | #10 | #4,5,6,7,<br>11 |                  |
| CONDITIONAL USES                                   |                                 |       |      |                |                |                |    |    |     |                 |                  |
| Drive-In, Carry-Out, and<br>Fast Food Restaurants  | 20,000 SF                       | 85    | 40   | "              | "              | "              | 2  | #9 | #10 | #4,5,6,7,<br>12 |                  |
|  | 1 acre                          | 150   | 100  | 100            | 300            | 150            | 45 | 3  | #9  | #10             | #4,5,6,7,<br>12  |
| Hospitals and Auxiliary Facilities                 | 20,000 SF                       | 85    | 40   | See<br>Note #1 | See<br>Note #1 | See<br>Note #2 | 35 | 2  | #9  | #10             | #4,5,6,7,<br>12  |
|  | Resource and Mineral Extraction | --    | --   | --             | --             | --             | -- | -- | #9  | #10             | #4,5,7,<br>11,12 |



## I INDUSTRIAL DISTRICT (Continued)

### FOOTNOTES

1. The minimum side yard requirement for all uses in an I District shall be twenty-five (25) feet, except that a side yard of not less than one hundred (100) feet shall be provided where any use abuts any Residential District. This requirement may be reduced by fifty percent (50%) if suitable landscaping and/or screening conforming with the requirements of Chapter IV, Section G is provided and approved by the Zoning Enforcement Officer.
2. The minimum required rear yard for any zoning lot in an I District shall be either fifty (50) feet or twice the height of the principal building or structure, whichever distance is greater. This requirement may be reduced by fifty percent (50%) if suitable landscaping and/or screening conforming with the requirements of Chapter IV, Section G is provided and approved by the Zoning Enforcement Officer.
3. Grain Elevators and Feed Mills may extend above the thirty-five (35) foot maximum height, as specified in Chapter IV, Section H.
4. The minimum zoning lot and maximum height requirements for any permitted accessory use shall be the same as the requirements for the principal use to which it is accessory. In addition, all permitted accessory uses shall be subject to the requirements of Chapter I, Section F.
5. No access to any use in an I District shall be permitted through or from any Residential District.
6. There shall be a landscaped yard of not less than twenty-five (25) feet in depth immediately adjacent to the front lot line. No fence, wall, structure, or off-street parking or loading/unloading spaces shall be located within this landscaped area.
7. All uses in an I District are subject to the performance standards specified in Chapter IV, Section F.
8. The minimum lot size requirement for business and professional offices associated with other permitted uses shall be added to the requirement for the associated use in order to determine a total minimum lot size requirement. All other minimum zoning lot requirements shall be the same as those which apply to the associated use.
9. The minimum off-street parking requirements\* shall be:
  - a. Automobile Repair Garage, Body Shop, Paint Shop, Transmission Shop, Rustproofing Shop - 1.0 space for every employee and 2.0 spaces for every service stall with a minimum of six (6) spaces.
  - b. Building Materials Sales and Storage Yards - 1.0 space for every employee and 2.0 spaces for every 3,000 sq. ft. of open lot area, and 1.5 spaces for every 200 sq. ft. of retail floor space.
  - c. Business and Professional Offices - 1.0 space for every 250 sq. ft. of office space but not less than two (2) spaces for every office or working station.

\* Design standards for off-street parking and loading/unloading areas are presented in Chapter IV, Section A.

# I INDUSTRIAL DISTRICT (Continued)

## FOOTNOTES (Continued)

- d. Contractors' Sales, Storage, and Equipment Yards - 1.0 space for every employee plus 1.0 space for every business vehicle.
  - e. Equipment Rental, Sales, and Service - same as "h".
  - f. General Manufacturing Establishments - 1.0 space for every two (2) employees on the combined work shifts.
  - g. Grain Elevators and Feed Mills - same as "f".
  - h. Hospitals and Auxiliary Facilities - 1.0 space for every two (2) beds plus 1.0 space for every two (2) doctors, nurses, or other employees on the combined work shift.
  - i. Kennels and Veterinary Hospitals - 3.0 spaces for every treatment or examination room plus 1.0 space for every veterinarian or other employee with a minimum of five (5) total spaces.
  - j. Public Utility Service Yards - 1.0 space for every service vehicle and 1.0 space for every two (2) employees on the maximum shift.
  - k. Carry-Out Restaurants - 1.0 space for every 50 sq. ft. of floor area.
  - l. Drive-In and Fast Food Restaurants - 1.0 space for every 30 sq. ft. of floor area plus 1.0 space for every employee with a minimum of fifteen (15) total spaces.
  - m. Trucking and Motor Freight Terminals - 1.0 space for every 10,000 sq. ft. of floor area, plus 1.0 space for every employee on the maximum work shift.
  - n. Warehouses and Miniwarehouses - same as "f".
  - o. Water and Wastewater Treatment Plant Facilities - same as "j".
  - p. Wholesale Establishments and Related Storage Facilities - 1.0 space for every 300 sq. ft. of floor area.
  - q. Resource and Mineral Extraction - 1.0 space for every two (2) employees.
10. The minimum off-street loading/unloading requirements\* shall be:
- a. Automobile Repair Garage, Body Shop, Paint Shop, Transmission Shop, Rustproofing Shop - 1.0 space for the first 10,000 sq. ft. of floor area (or yard area) and 1.0 space for each additional 20,000 sq. ft. of floor area (or yard area).
  - b. Building Materials Sales and Storage Yards - same as "a".
  - c. Contractors' Sales, Storage, and Equipment Yards - same as "a".
  - d. Equipment Rental, Sales, and Service - same as "a".
  - e. General Manufacturing Establishments - 1.0 space for every 7,500 sq. ft. of floor area.
  - f. Grain Elevators and Feed Mills - 1.0 space for each silo.
  - g. Hospitals and Auxiliary Facilities - 1.0 space for the first 2,500-75,000 sq. ft. of floor area and 1.0 space for each additional 25,000 sq. ft. of floor area.
  - h. Kennels and Veterinary Hospitals - same as "g".
  - i. Public Utility Service Yards - same as "a".
  - j. Eating and Drinking Places (all) - same as "g".
  - k. Trucking and Motor Freight Terminals - 1.0 space for every 10,000 sq. ft. of floor area.

\*Design standards for off-street parking and loading/unloading areas are presented in Chapter IV, Section A.

I INDUSTRIAL DISTRICT (Continued)

FOOTNOTES (Continued)

- l. Warehouses and Miniwarehouses - same as "k".
- m. Water and Wastewater Treatment Plant Facilities - same as "a".
- n. Wholesale Establishments and Related Storage Facilities - same as "k".
- o. Resource and Mineral Extraction - 2.0 spaces for every operating loading device.

11. The Board of Zoning Appeals may grant a Variance from any or all of the off-street loading/unloading requirements in an I District if it can be shown that the proposed use will compensate for the deletion of such spaces by providing sufficient railroad siding with loading/unloading facilities.

12. Subject to Regulations for Conditional Uses specified in Chapter V.

\* Design standards for off-street parking and loading/unloading areas are presented in Chapter IV, Section A.



CHAPTER III  
SPECIAL DISTRICT REGULATIONS



SECTION A  
MIP MOBILE HOME PARK DISTRICT

The Mobile Home Park District is intended to provide for the placement of mobile homes in a planned physical setting, the site of which is under unified management and ownership, and which contains communal facilities (i.e., laundry and recreation facilities). Approved connections to municipal utility systems shall be required.

| PERMITTED USES  | MINIMUM ZONING LOT REQUIREMENTS |           |                         |      |        | MAX. HEIGHT |                       |                       |                |      |           |
|---|---------------------------------|-----------|-------------------------|------|--------|-------------|-----------------------|-----------------------|----------------|------|-----------|
|   | LOT<br>SIZE                     | FRONTAGE  | YARD REQUIREMENTS (FT.) |      |        | REAR        | FOOTNOTES             | GENERAL               |                |      |           |
|   |                                 |           | FRONT                   | SIDE | SUM OF |             |                       |                       |                |      |           |
|   |                                 |           |                         |      |        |             |                       |                       | LEAST<br>WIDTH | BOTH | (STORIES) |
|   | (FT.)                           | (SETBACK) |                         |      |        | (FT.)       | OFF-STREET<br>PARKING | OFF-STREET<br>LOADING |                |      |           |
| Mobile Homes (in Mobile Home<br>Parks)  | 5,000 SF                        | 50        | 15                      | 15   | 30     | 20          | 15                    | 1                     | #2             | --   | #1        |
| Communal Facilities Serving<br>Mobile Home Parks:<br>Laundromats<br>Management Offices<br>Recreation Facilities | 10,000 SF                       | 85        | 40                      | 15   | 30     | 40          | 35                    | 2                     | #2             | #3   | #1        |

MHP MOBILE HOME PARK DISTRICT (Continued)

FOOTNOTES

1. All mobile homes and communal facilities located within any mobile home park shall be subject to the requirements of Regulations 260 through 290 of the Ohio Sanitary Code as well as to the requirements of Chapter IV, Section C of these Zoning Regulations.
2. The minimum off-street parking requirements\* shall be:
  - a. Mobile Homes - 2.0 spaces per mobile home.
  - b. Laundromat - 1.0 space for every five (5) users at maximum capacity.
  - c. Management Offices - 1.0 space for every 250 sq. ft. of office space, but not less than two (2) spaces for every office.
  - d. Recreation Facilities - 1.0 space for every five (5) users at maximum capacity.
3. The minimum off-street loading/unloading requirement\* shall be:
  - a. Communal Facilities - 1.0 space for the first 2,500-75,000 sq. ft. of floor area and 1.0 space for each additional 25,000 sq. ft. of floor area.

\* Design standards for off-street parking and loading/unloading areas are presented in Chapter IV, Section A.



SECTION B  
PUD PLANNED UNIT DEVELOPMENT DISTRICT

The purpose of the Planned Unit Development District is to establish a zoning procedure conducive to the development of new residential and mixed-use areas on a planned unit basis in accordance with an overall development plan and specific procedures for site plan review-and-approval. The intent is to encourage imaginative site planning that provides a variety of dwelling types as well as lot and site sizes, limited commercial establishments to serve the development, and usable space as an integral part of the overall development.

| PERMITTED USES  | MINIMUM ZONING LOT REQUIREMENTS |                         |                 |             | MAX. HEIGHT |                    | FOOTNOTES |
|---|---------------------------------|-------------------------|-----------------|-------------|-------------|--------------------|-----------|
|   | LOT SIZE                        | YARD REQUIREMENTS (FT.) |                 |             | (STORIES)   | OFF-STREET PARKING |           |
|   |                                 | FRONTAGE                | FRONT (SETBACK) | SIDE        |             |                    |           |
|   |                                 | (FT.)                   | LEAST WIDTH     | SUM OF BOTH | (FT.)       | LOADING            | GENERAL   |
| Attached and Detached Single-Family Dwellings   | --                              | --                      | --              | --          | --          | #4                 | #1,2,3    |
| Two-Family Dwellings  | --                              | --                      | --              | --          | --          | #4                 | #1,2,3    |
| Multiple-Family Dwellings   | --                              | --                      | --              | --          | --          | #4                 | #1,2,3    |
| Public Parkland and Open Space  | --                              | --                      | --              | --          | --          | #4                 | #1,3      |
| Residential Management Offices  | --                              | --                      | --              | --          | --          | #4                 | #1,3      |
| General Retail and Service Commercial Establishments, Excluding Automobile Sales, Service, and Related Establishments | --                              | --                      | --              | --          | --          | #4                 | #1,3      |
| Home Occupations  | --                              | --                      | --              | --          | --          | #4                 | #6        |

PUD PLANNED UNIT DEVELOPMENT DISTRICT (Continued)

FOOTNOTES

1. All Zoning District requirements shall be at the discretion of the developer, subject to review-and-approval by the Planning Commission as specified in Chapter IV, Section C.
2. In no case shall the gross residential density of a Planned Unit Development exceed sixteen (16) dwelling units per acre.
3. The Planning Commission shall require a substantial wood or brick wall, vegetative screen, or landscaped area to serve as a buffer along any PUD lot line which adjoins an "R" District. The specific design criteria for such wall, screen, or landscaped area shall be determined on an individual basis by the Planning Commission.
4. The minimum off-street parking requirements\* shall be:
  - a. All Residential Uses - 1.0 spaces per dwelling unit.
  - b. Public Parkland and Open Space - 1.0 space for every five (5) users (at maximum capacity) plus 1.0 space for every two (2) employees.
  - c. Residential Management Offices - 1.0 space for every 250 sq. ft. of office space but not less than two (2) spaces for every office.
  - d. Residential Retail and Service Commercial Establishments - 1.0 space for every 200 sq. ft. of floor area for establishments having less than 2,000 sq. ft. of floor area, and 1.5 spaces for every 200 sq. ft. of floor area for establishments having more than 2,000 sq. ft. of floor area.
  - e. Home Occupations - 1.0 space in addition to those required for the residential use.
5. The minimum off-street loading/unloading requirements\* shall be:
  - a. Residential Management Offices - 1.0 space for the first 250-75,000 sq. ft. of floor area and 1.0 space for each additional 25,000 sq. ft. of floor area.
  - b. General Retail and Service Commercial Establishments - 1.0 space for the first 10,000 sq. ft. of floor area and 1.0 space for each additional 20,000 sq. ft. of floor area.
6. Home Occupations shall be subject to the requirements of Chapter IV, Section D.

\*Design standards for off-street parking and loading/unloading areas are presented in Chapter IV, Section A.

## Section C - Flood Plain Overlay District

1. Statement of Intent. It is recognized that certain areas of the City of Jackson are subject to periodic inundation which would potentially result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

These flood losses are caused by: (1) the cumulative effect of obstructions in floodplains, causing increased flood heights and velocities; and (2) the occupancy of flood hazard areas by uses vulnerable to floods, or hazardous to others which are inadequately elevated or otherwise protected from flood damages.

Therefore, it shall be the intent of these Regulations to promote the public health, safety, and general welfare and to minimize those losses described above by provisions designed to:

- a. Restrict or prohibit uses of land which are dangerous to health, safety, or property in times of flood or cause excessive increases in flood heights or velocities;
  - b. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction; and
  - c. Protect individuals from buying lands which are unsuited for intended purposes because of flood hazard.
2. Applicability. Those areas of the City of Jackson, Ohio which lay within the One Hundred-Year Flood Plain, as defined by the United States Department of Agriculture Soil Conservation Service and/or the City, shall be designated on the Official Zoning District Map as Flood Plain Overlay District(s). The provisions of the underlying Zoning District shall apply in full except that the provisions of this Overlay District shall supersede conflicting provisions of the underlying District.
  3. Principal Permitted Uses. The following open spaces uses shall be permitted by right within a Flood Plain Overlay District to the extent that they are not prohibited by any other code or ordinance and provided that they do not require structures, or storage of materials or equipment, or fill in the floodway itself:
    - a. Agricultural uses such as pasture, outdoor plant nurseries, horticulture, viticulture, and truck gardening;

Section C - Flood Plain Overlay District (Continued)

- b. Industrial or commercial accessory uses such as loading areas, parking areas, and rail sidings;
  - c. Public, quasi-public, and private recreational and open space areas such as golf courses, driving ranges, tennis courts, archery ranges, picnic grounds, parks, wildlife and nature preserves, and walking trails; and
  - d. Residential uses such as lawns, gardens, parking areas, and play areas.
4. Permitted Uses in Underlying Zoning Districts. Any use listed as a Permitted Use or Conditional Use in the underlying Zoning District shall only be permitted in a Flood Plain Overlay District pursuant to the following performance standards.
5. Performance Standards. The following performance standards shall apply to all applicable uses in a Flood Plain Overlay District:
- a. No land use, structure, or activity within a Flood Plain Overlay District shall adversely affect the hydraulic capacity of any channel or floodway or any tributary to the main stream, or of any ditch or other drainage facility or system, and no use shall be permitted which is likely to cause pollution of waters, unless adequate safeguards approved by the Ohio Environmental Protection Agency are provided.
  - b. New residential construction or substantial improvement shall have the lowest floor (basement included) elevated to or above the flood plain elevation. Accessory uses may be located on lower elevations.
  - c. New commercial construction or substantial improvement shall have the lowest floor (basement included) elevated to or above the flood plain elevation. Accessory uses may be located on lower elevations.

Section C - Flood Plain Overlay District (Continued)

- d. Manufacturing, industrial, wholesale, and warehouse buildings, structures, and appurtenant works shall be raised or flood-proofed to the flood plain elevation. Measures should be taken to minimize interference with normal plant operations, especially for streams having protracted flood durations. Certain accessory land uses such as yards, parking lots, and railroad tracks may be at lower elevations.
- e. Non-conformities may be continued; any addition or modification, however, to an existing and legal non-conforming use shall be in conformance with the requirements of this Overlay District.
- f. Any fill installed shall be protected against erosion by approved rip-rap, hardy vegetative cover, or bulkheading.
- g. Whenever possible, structures (if permitted) shall be constructed with the longest axis parallel to the direction of flood flow.
- h. The storage or processing of materials that in time of flooding are buoyant, flammable, explosive, or could be injurious to human, animal, or plant life shall be prohibited.



CHAPTER IV  
SUPPLEMENTARY REGULATIONS





CHAPTER IV  
SUPPLEMENTARY REGULATIONS

Section A - Off-Street Parking and Loading/Unloading Regulations

1. Off-Street Parking Spaces Required For New Construction, Enlargement, Change in Occupancy. The following requirements shall govern the provision of off-street parking spaces for new construction, building enlargement, and/or a change in occupancy of a particular building or structure:
  - a. No building or structure shall be erected, substantially altered, or its use changed unless permanently maintained off-street parking spaces have been provided in accordance with the provisions of these Regulations, except as provided for hereafter.
  - b. The provisions of this Section, except where there is a change of use, shall not apply to any existing building or structure.
  - c. Any or all of the off-street parking spaces required for any new use, change of use, or substantial alteration in the B-2 Central Business District may be waived at the discretion of the Planning Commission, provided sufficient parking is available either on- or off-street within easy walking distance (three hundred (300) feet maximum).
2. Computation of Required Off-Street Parking Spaces. When units of measurements determining the number of required parking spaces result in requirement of a fractional space, any fraction up to and including one-half ( $1/2$ ) shall be disregarded and fractions over one-half ( $1/2$ ) shall require one (1) additional parking space.
3. Joint Use. Two (2) or more non-residential uses may jointly provide and use off-street parking spaces when their respective hours of operation do not normally overlap, provided that a written agreement approved by the City Solicitor shall be filed with the application for a Zoning Permit. Typical buildings or uses not normally open, used, or operated during the principal operating hours of theaters, churches, or school auditoriums are defined as banks and financial institutions, business and professional offices, and retail and personal service establishments. These types of uses may share in joint use up to fifty percent (50%) of their respectively required number of off-street parking spaces, provided that no off-street parking area shall be located more than three hundred (300) feet from any building or use of land it is intended to serve.

Section A - Off-Street Parking and Loading/Unloading Regulations (Continued)

4. Mixed Uses and Uses Not Specified. In the case of mixed uses, the total requirement for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. In the case of a use not specifically mentioned in Chapters II or III, the requirements for off-street parking facilities shall be applied as they would for a similar stated use. Off-street parking facilities for one (1) use shall not be considered as providing required parking facilities for any other use, except as specified for joint use in Subsection A 3 above.
5. Collective Provision. Nothing in this Section shall be construed to prevent collective provision of off-street parking facilities for two (2) or more buildings or uses, provided the total of such off-street parking spaces supplied collectively is not less than the sum of the requirements for the various uses computed separately, except as specified for joint use in Subsection A 3 above. No off-street parking area shall be located more than three hundred (300) feet from any building or use of land it is intended to serve.
6. Disabled Vehicles. The off-street parking of a disabled vehicle within a Residential or Commercial District for a period exceeding thirty (30) days shall be prohibited, except that such vehicles may be stored in an enclosed garage or other accessory building.
7. Provisions for Compact Cars. Any number of spaces up to and including twenty percent (20%) of the number of total spaces in the lot may be designated for exclusive use by compact and sub-compact cars. These spaces shall be clearly marked and shall conform to the size requirements presented in Subsection 10 d(3) below.
8. Parking in Required Front Yard. No off-street parking shall be located in any required front yard, except in a B-1 Local Commercial District or a B-3 General Business District, or in a designated driveway.
9. Recreational Vehicles. No recreational vehicle shall be parked in any front yard in a Residential District for a period exceeding seven (7) days. No recreational vehicle which is parked in any Residential District shall be used as a dwelling, except for temporary accommodations not exceeding seven (7) days.

10. Off-Street Parking Design and Performance Standards.

- a. Access Drive. There shall be adequate provisions for ingress and egress to all off-street parking spaces. Where a lot does not abut on a public or private alley or easement of access, there shall be provided an access drive not less than ten (10) feet in width in the case of a dwelling and not less than twenty (20) feet in width in all other cases, leading to the parking or storage areas required, in such manner as to secure most appropriate development of the property in question. Unless provided in connection with a use permitted in an "R" District, such easement of access or access drive shall not be located in any "R" District.
- b. Surfacing. All open parking spaces shall be graded and provided with a hard surface of bituminous asphalt or portland cement concrete, or with gravel when maintained in dust-free condition. All paved areas shall be separated from all unpaved areas by six (6) inch high curbing, except for single-family and two-family residential off-street parking. This requirement may be delayed or waived by the Planning Commission. Proposed parking lots shall be surfaced within one year from the date of issue of a building permit.
- c. Drainage. All open, off-street parking spaces and areas shall be provided with adequate drainage facilities as approved by the Service Director, in order to ensure that storm water does not flow onto abutting property or abutting sidewalks in such a way or quantity that adjoining property owners or users of the sidewalk would be detrimentally affected or inconvenienced.
- d. Parking Space Dimensions. An off-street parking space shall have minimum rectangular dimensions of not less than ten (10) feet in width and eighteen (18) feet in length for ninety (90) degree parking; ten (10) feet in width and twenty-three (23) feet in length for parallel parking; eleven (11) feet in width and nineteen (19) feet in length for sixty (60) degree parking; and twelve (12) feet in width and nineteen (19) feet in length for forty-five (45) degree parking.
  - (1) All dimensions shall be exclusive of driveway aisles, driveways, and other circulation areas.
  - (2) Head-in parking should allow three (3) feet of car overhanging adjacent to a building or curb. Rear overhang normally amounts to four and one-half (4-1/2) feet. In all cases, a minimum clear distance of three (3) feet shall be provided when parking is adjacent to a building.

Section A - Off-Street Parking and Loading/Unloading Regulations (Continued)

- (3) Off-street parking spaces for compact and sub-compact cars shall have minimum rectangular dimensions of not less than eight and one-half (8-1/2) feet in width by seventeen (17) feet in length for ninety (90) degree parking; eight and one-half (8-1/2) feet in width by twenty one (21) feet in length for parallel parking; nine (9) feet in width by seventeen (17) feet in length for sixty (60) degree parking; and ten (10) feet in width by seventeen (17) feet in length for forty-five (45) degree parking.
- e. Curb/Wheel Blocks at Parking Lot Perimeter. Whenever an off-street parking lot extends to a property line, wheel blocks or other suitable devices shall be installed to prevent any part of a parked vehicle from extending beyond the property line. All open off-street parking spaces and areas shall be separated from public rights-of-way by a space at least five (5) feet in width. A six (6) inch high curb shall be provided on the parking lot side of the five (5) foot width, and the five (5) foot space between the off-street parking lot and street right-of-way line shall be sodded and landscaped in accordance with the provisions of this Section.
- f. Lighting. Any off-street parking area which is intended to be used during non-daylight hours shall be properly illuminated to avoid accidents. Any lights used to illuminate a parking lot shall be so arranged as to reflect the light away from the adjoining property.
- g. Maintenance. The owner of property used for off-street parking shall maintain such area in good condition without holes and free of all dust, trash, and other debris, and shall maintain in visible condition the striping of individual parking spaces.
- h. Residential Off-Street Parking. No residential off-street parking shall be allowed in any required front yard except on the driveway.
- i. Landscaping and Screening.
  - (1) When any open off-street parking or loading area used for any non-residential purpose containing more than two (2) spaces is not separated from a Residential District by a dedicated street, an effective buffer or screen consisting of a solid wall or fence, landscaped earthmound, or view-obscuring dense planting of evergreen shrubs, hedge tree-

Section A - Off-Street Parking and Loading/Unloading Regulations (Continued)

lines, mass tree planting, or various combinations thereof shall be provided at the lot lines adjoining said Residential District to protect the privacy of the adjoining residential uses. Such wall, fence, or earthmound shall be not less than four (4) nor more than six (6) feet in height, or may be higher if necessary to provide visual privacy for the adjacent residential property owner, and shall be maintained in good condition by the owner. Exception to this height requirement occurs at the immediate exit point from the parking or loading area.

- (2) Where required parking areas are developed in the front yard or along street frontage to serve non-residential uses, a ten (10) foot planting area shall be provided between the property line(s) and the parking area(s). Said planting area shall be planted with grass or evergreen ground cover and shall be landscaped with flowers, trees, and/or shrubs and maintained in good condition by the owner. Plantings which are diseased or dead shall be removed and replaced with healthy specimens.
- (3) All off-street parking or loading areas which provide parking spaces for fifteen (15) vehicles or more shall have planting areas incorporated into their design. A minimum planting area equal to five (5) percent of the total paved parking lot area shall be provided, with no individual planting area consisting of less than two hundred (200) square feet, or having a minimum dimension of less than ten (10) feet. Such areas shall be located so as to break up the visual appearance of the parking lot, and shall be shown on the plans which are submitted by the applicant for a Zoning Permit, in accordance with the provisions specified in these Zoning Regulations. All such planting areas shall be separated from paved areas by means of six (6) inch high curb.

11. Off-Street Loading/Unloading Design and Performance Standards.

- a. General Regulations. In connection with every building or part thereof hereafter erected, except dwellings, there shall be provided, on the same lot with such buildings, off-street loading/unloading spaces or berths for uses which customarily receive or distribute material or merchandise by vehicle. Requirements for any use not specified in these Regulations shall be the same as for a similar Permitted Use in the particular Zoning District, as determined by the Zoning Enforcement Officer.

Section A - Off-Street Parking and Loading/Unloading Regulations (Continued)

- (1) If the commercial or industrial establishments are such that shipping and/or receiving goods are not an integral part of the business, the requirements listed below may be varied or waived by the Planning Commission.
- (2) All applicants for a Zoning Permit shall submit the required Site Plan depicting the dimensions and locations of off-street loading/unloading spaces required by these Regulations.
- (3) All required loading/unloading spaces shall be located off-street on the same lot as the building or use being served, and may occupy all or part of any required side or rear yard area except that no loading area shall be located closer than fifty (50) feet to any lot in an "R" District.
- (4) Off-street loading/unloading spaces shall be designed so that trucks do not back in or out of a major street, or use any major street for temporary parking.
- (5) The required off-street loading/unloading facilities shall include off-street parking spaces for trailers awaiting pick-up, or arriving after hours.

b. Design Standards.

- (1) Access Drive. There shall be adequate provisions for ingress and egress to all off-street loading/unloading spaces. Where a loading/unloading area does not abut on a public or private alley or easement of access, there shall be provided an access drive not less than twenty (20) feet in width, leading to the loading/unloading spaces required hereunder in such manner as to secure the most appropriate development of the property in question. Unless provided in connection with a use permitted in an "R" District, such easement of access or access drive shall not be located in any "R" District.
- (2) Surfacing. All open loading/unloading spaces and areas shall be graded and provided with a hard surface of bituminous asphalt or portland cement concrete. All paved areas shall be separated from all unpaved areas by six (6) inch high curbing.

Section A - Off-Street Parking and Loading/Unloading Regulations (Continued)

- (3) Drainage. All open, off-street loading/unloading spaces and areas shall be provided with adequate drainage facilities as approved by the Service Director, in order to ensure that storm water does not flow onto abutting property or abutting sidewalks in such a way or quantity that adjoining property owners or users of the sidewalk would be detrimentally affected or inconvenienced.
- (4) Dimension. Each off-street loading space for over-the-road tractor trailers shall include a twelve (12) foot stall (fourteen (14) feet desirable), a sixty (60) foot stall depth, a sixty (60) foot maneuvering apron, and a fifteen (15) foot vertical clearance. For other delivery trucks, a twelve (12) foot apron and a twelve (12) foot vertical clearance shall be provided.
- (5) Setback/Screening Requirements Adjacent to "R" Districts. No loading/unloading ramp, dock, door, or space, nor any portion thereof, shall be located closer than fifty (50) feet to any lot in an adjoining "R" District, and this off-street loading/unloading space shall be effectively screened from such adjoining "R" District by a decorative masonry wall or uniformly painted solid fence. Such wall or fence shall not be less than six (6) feet nor more than eight (8) feet in height and shall be maintained in good condition without any advertising thereon. If there is space between such wall or fence and the side or rear lot line adjoining or the front lot line facing any "R" District, such space shall be landscaped and maintained in good condition.

Section B - Sign and Billboard Regulations

- 1. Permitted Signs For Which No Permit is Required. The following signs shall be permitted in the City subject to the following regulations. No Zoning Permit shall be required for any of the following signs constructed or erected under the terms of this Section.
  - a. Signs for Sale, Lease, or Rent of the premises on which the sign is located. Not more than two (2) signs shall be displayed on any lot or parcel. Such signs shall not be illuminated and shall not exceed six (6) square feet in area per side with not more than two (2) sides, or signs of the same size identifying the builder or contractor. All such signs shall be removed within thirty (30) days after occupancy.

Section B - Sign and Billboard Regulations (Continued)

- b. Signs for Home Occupations. One (1) sign per lot shall be permitted in any A, R-1, R-2, or R-3 District for the purpose of announcing a home occupation. Such signs shall not be illuminated and shall not exceed two (2) square feet in area.
  - c. Vehicular Signs. Directional or other incidental signs pertaining to vehicular or pedestrian control on private property shall be permitted, provided said signs are located outside the right-of-way of any public street, do not exceed two (2) square feet in area per side, and do not interfere or obstruct visibility when entering or leaving said property.
  - d. Name and Address of Occupant of residential property. Such signs shall not be more than two (2) square feet in area per side and shall be located outside the right-of-way of any public street. Said sign shall not be higher than three (3) feet above the ground and not more than one (1) sign shall be permitted.
  - e. Farm Signs denoting the name and address of the occupants, denoting produce or products for sale on the premises, and denoting membership in organizations. No more than one (1) sign of any type shall be permitted and it shall be located outside the road right-of-way. Advertising signs may not exceed thirty-two (32) square feet in area per sign and all other signs shall be limited to four (4) square feet in area per side.
2. Permitted Signs for Which a Permit is Required. The following signs shall be permitted in areas clearly delineated herein and subject to the reasonable regulations set forth below.
- a. Outdoor Advertising for a product or service not located upon the premises on which the billboard is located shall be classified as a business use and shall be permitted in the Business and Industrial Districts, and/or on lands used for agricultural purposes, subject to regulations set forth herein.
    - (1) No billboard shall exceed three hundred (300) square feet in area per side nor have more than two (2) sides.
    - (2) No billboard shall exceed thirty-five (35) feet in height nor have a length in excess of four (4) times the height of the sign face.



Section B - Sign and Billboard Regulations (Continued)

- (3) All billboards shall be located in compliance with all state and federal regulations controlling the same.
- (4) All billboards shall be located behind the building setback lines established for the District in which the sign is located.
- b. Free-standing, building mounted, or ground signs identifying or advertising business or industrial uses on the premises.
  - (1) No sign shall have a surface area of greater than forty (40) square feet per side.
  - (2) No business, industry, or use shall maintain a gross sign area on the premises in excess of two hundred (200) square feet. This area shall be computed by adding the gross sign area of all signs on the premises advertising the business or use.
  - (3) No building mounted sign shall be located closer than twenty-five (25) feet, and no free-standing or ground sign shall be located closer than one hundred (100) feet to any property line.
- 3. Prohibited Signs. The following signs and billboards shall be prohibited in the City:
  - a. All signs not specifically permitted by these Regulations.
  - b. Portable signs and billboards, pennants, streamers, flashing lights, strings of lights, portable "A" frame signs and billboards, and air-activated attraction devices. This provision shall not prohibit the use of signs indicating time and temperature which operate by means of lighting changes alternating on not less than a five (5) second cycle.
  - c. Signs or advertising erected and maintained on trees or painted or drawn upon rocks or other natural features.
  - d. Except for identification signs on agricultural buildings, no sign or billboard shall be painted directly upon the wall or roof of any building or structure. This restriction shall not prohibit the use of "supergraphics" such as murals or other illustrative or decorative paintings that are intended to be cosmetic devices.
  - e. No sign shall be attached to any fence post, utility pole, or similar structure.

Section B - Sign and Billboard Regulations (Continued)

- f. Signs or advertising devices which attempt, or appear to attempt to direct the movement of traffic, or which interfere with, imitate, or resemble an official sign, signal, or device shall not be permitted.

4. Design Standards for Signs and Billboards. The following design standards shall apply to all signs and billboards located and erected within the City, regardless of type, style, location, design, or other classification.

- a. Location. No sign or billboard shall be located within the right-of-way of any public or private road within the City. Said sign or billboard shall be located in strict compliance with these Regulations, and in strict compliance with the approved Site Plan or restrictions imposed by the Planning Commission.
- b. Lighting.
  - (1) No sign shall be illuminated to a level which causes unnaturally high light levels on adjacent residential lots.
  - (2) No illuminating device for any sign shall be designed which permits the direct beaming of any light onto adjacent streets, thereby creating a hazard to vehicular traffic.
  - (3) No flashing, rotating, or moving light source shall be permitted on any sign, except as permitted in Subsection 3 b above.
  - (4) No sign shall be illuminated after ten o'clock (10:00) in the evening.
- c. Height. No sign shall be erected to a height greater than thirty-five (35) feet.
- d. Sight Interference. No sign shall be permitted which interferes with the visibility of pedestrian or vehicular traffic entering, leaving, or operating on streets.
- e. Maintenance. All signs and billboards constructed or erected within the City shall be maintained so that all sign surfaces, supports, braces, guys, and anchors shall be kept in repair and in a proper state of preservation by painting or otherwise.
- f. Abandoned Signs.
  - (1) If any sign or billboard shall become abandoned, in the manner defined herein, such a sign or billboard is declared

Section B - Sign and Billboard Regulations (Continued)

to be a public nuisance by reason that continued lack of use results in lack of reasonable and adequate maintenance, thereby causing deterioration and blighting influence on nearby properties.

- (2) A sign or billboard is abandoned if it meets any one (1) of the following criteria:
  - (a) Any sign or billboard associated with an abandoned non-conforming use.
  - (b) Any sign or billboard that remains after the termination of a business. A business has ceased operations if it is closed to the public for at least one hundred eighty (180) consecutive days. Seasonal businesses are exempt from this determination.
  - (c) Any sign or billboard that is not maintained in accordance with these Regulations.
- (3) When the Zoning Enforcement Officer finds, upon investigation, that a sign or billboard has been abandoned, as defined herein, he/she shall notify the owner of said sign, together with the owner of the land on which the sign is located, by ordinary mail, of his/her findings.
  - (a) Such notice shall advise the owner that the sign has been declared abandoned and must be removed within thirty (30) days from the date of mailing of said notice.
  - (b) The owner may appeal such decision to the Board of Zoning Appeals as provided in Chapter VI of these Regulations.
  - (c) It shall be the duty of the Zoning Enforcement Officer to maintain a photograph and file on said sign together with a written report of his/her findings for submission to the Board of Zoning Appeals upon request.
  - (d) If the sign is not removed, or ordered, the same may be removed by the City at the expense of the lessee or owner. If the City is not immediately reimbursed for such costs, the amount thereof shall be certified to the Jackson County Auditor for collection as a special assessment against the property on which the sign is located.

Section B - Sign and Billboard Regulations (Continued)

5. Non-Conforming Signs and Billboards.

- a. Any sign or billboard in existence within the City prior to the effective date of these Regulations that does not conform with the provisions of this Section is considered to be non-conforming.
  - b. Any sign or billboard that does not conform to the provisions of this Section shall be allowed to continue in its non-conforming status provided the sign or billboard was erected in compliance in all respects with applicable laws in existence on the date of its erection.
  - c. A non-conforming sign or billboard shall not be structurally relocated or replaced unless it is brought into compliance with the provisions of this Section. Should any replacement or relocation take place without being brought into compliance, the sign or billboard shall be existing illegally.
  - d. A non-conforming sign or billboard shall be maintained or repaired in accordance with the following provisions:
    - (1) The sign and structural shape shall not be changed or altered.
    - (2) The copy may be changed provided that the change applies to the original non-conforming use associated with the sign or billboard and that the change is made by the owner of the sign or billboard at the time the sign or billboard became non-conforming; the copy area shall not be enlarged. Any subsequent owner or user shall bring the sign or billboard into compliance.
    - (3) In the case where damage occurs to the sign or billboard to the extent of fifty percent (50%) or more of either the structure or the replacement value of the sign or billboard, the sign or billboard shall be brought into compliance. Where the damage to the sign or billboard is less than fifty percent (50%) of the structure or its replacement value, the sign or billboard shall be repaired within sixty (60) days.
6. Permit Required. No signs, except as provided for in Subsection 1 of this Section, shall be erected prior to the issuance of a Zoning Permit by the Zoning Enforcement Officer.

Section B - Sign and Billboard Regulations (Continued)

- a. The applicant for a Permit herein shall pay such fee as is prescribed by the City Council.
- b. The Zoning Permit issued pursuant hereto shall be valid so long as the owner complies with the terms and conditions of these Zoning Regulations or any amendment thereto.
- c. All signs and billboards erected within the City are subject to inspection, whether a Permit is required or not prior to erection. The Zoning Enforcement Officer, or any other Official of the City, is hereby authorized to enter upon any property or premises to ascertain whether the provisions of this Section are being complied with. Such inspection may be made at any reasonable time and the Zoning Enforcement Officer may order the removal of any sign or billboard that is not maintained in accordance with the provisions of these Regulations.
- d. In the event that the owner of any sign, billboard, or property fails to comply with the terms of these Zoning Regulations, said Permit may be revoked upon compliance with the following terms:
  - (1) The Zoning Enforcement Officer shall notify the owner of any deficiency or violation of these Regulations. Notice shall be served personally or by certified mail, return receipt requested, at the last known address of the Permit holder. The Permit holder may seek a hearing on said notice by complying with the provisions of Chapter VI of these Regulations. Failure to correct deficiencies or to appeal the decision of the Zoning Enforcement Officer within thirty (30) days will result in cancellation of the Permit for such sign or billboard, and said sign or billboard shall then be removed as provided by these Regulations.
- e. The Zoning Enforcement Officer may effect removal of any sign or billboard illegally placed within the right-of-way of any road within the City. The Zoning Enforcement Officer shall maintain said sign or billboard and shall notify the owner thereof of its location, by ordinary mail. If the owner of any such sign or billboard fails to claim the same within one hundred eighty (180) days after mailing of notice by the Zoning Enforcement Officer, said sign or billboard may be destroyed.

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1. Site Plans shall be prepared by the applicant for all proposed mobile home park developments in a Mobile Home Park District; for all planned unit developments in a Planned Unit Development District; and for all multiple-family residential developments in an R-4 District.

The applicant is encouraged to engage in informal consultations with the Zoning Enforcement Officer and the Planning Commission prior to the submittal of the required Site Plan. It shall be understood that no statement or representation by the Zoning Enforcement Officer or the Planning Commission shall be binding upon the formal review process.

2. Together with the application for a Zoning Permit, the applicant shall submit six (6) copies of the required Site Plan to the Zoning Enforcement Officer. Such Plan shall be drawn at a scale of not less than one inch (1") equals one hundred (100) feet and shall include:

a. Multiple-Family Residential Uses

- (1) Base mapping of the site, showing the boundaries of the land owned and proposed for development, adjoining streets and rights-of-way, and adjoining lots and the land uses there-upon;
- (2) Physical features, including but not limited to: general topography, drainageways, bodies of water, and existing vegetative cover, including all trees over seven (7) inch diameter breast height;
- (3) The location, size, height, and use of all proposed principal and accessory buildings, and the general design, materials, and color of those buildings;
- (4) The proposed system of on-site parking and/or loading areas, including number of spaces, landscaping and screening, type of pavement, and other design features;

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- (5) Layout of proposed off-street parking and/or loading areas, including number of spaces, landscaping and screening, type of pavement, and other design features;
- (6) Location and size of all existing utility lines as well as location, size, and grade for all proposed utility installations and/or connections to existing utilities;
- (7) Site development plans, including grading plan, design of landscaped yards, planting areas, and any required screens adjoining other residential areas; the size, location, and type of all outdoor signs, and the type and location of exterior lighting;
- (8) Copies of all agreements, contracts, dedications, deed restrictions, sureties, and other instruments as may be required; and
- (9) Such other information as may be required by the Planning Commission, the Zoning Enforcement Officer, City Council, or the Service Director.

b. Planned Unit Developments

- (1) The proposed size and location of the Planned Unit Development;
- (2) The general development character of the tract, including property boundaries, the limitations or controls to be placed on residential and related uses, probable lot sizes, density levels, and other development features including landscaping;
- (3) Architectural design criteria for all structures, and criteria for proposed signs with proposed control procedures;
- (4) The proposed provisions for water, sanitary sewer, and surface drainage, with engineering feasibility studies or other evidence of reasonableness;
- (5) The proposed pedestrian and vehicular traffic patterns, showing public and private streets and other transportation facilities, including their relationship to existing conditions, topographically and otherwise;

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- (6) The relationship of the proposed development to existing and probable uses of surrounding areas during the development timetable;
- (7) The location of school, park, and other community facility sites, if any;
- (8) The proposed time schedule for development and probable uses of surrounding areas;
- (9) If the proposed timetable for development includes developing the land in phases, all phases to be developed after the first, which in no event shall be less than two (2) acres or the whole tract (whichever is smaller), shall be fully described in textual form in a manner calculated to give City Officials definitive guidelines for approval of future phases;
- (10) The ability of the applicant to carry forth its plan by control of the land and the engineering feasibility of the plan;
- (11) Specific statements of divergence from the development standards in Chapter II and justification thereof; and
- (12) Evidence of the applicant's ability to post a bond if the plan is approved, assuring completion of public service facilities to be constructed within the project by the developer.

c. Mobile Home Parks

- (1) Base mapping of the site, showing the boundaries of the land owned and proposed for development, adjoining streets and rights-of-way, adjoining lots and the land uses thereupon, and the proposed arrangement of all mobile home sites;
- (2) Physical features, including but not limited to: general topography, drainageways, bodies of water, and existing vegetative cover, including all trees over seven (7) inch diameter breast height;
- (3) Proposed automotive and pedestrian circulation and parking areas;



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- (4) Proposed size, location, and use of non-residential portions of the tract, including all parkland and open space.
  - (5) Proposed provisions for fire protection, water supply, sanitary sewer, and surface drainage facilities, including engineering feasibility studies and evidence of EPA approval; and
  - (6) Deed restrictions, covenants, easements, and encumbrances to be used to control the use, development, and maintenance of the land.
- d. The Planning Commission may waive the inclusion of any of the above information in the Site Plan where it is clearly inappropriate.
- 3. The Zoning Enforcement Officer shall transfer four (4) copies of the Site Plan to the Planning Commission for their inspection. One (1) copy shall be transferred to the Service Director for review and comment, and the remaining copy shall be kept for the Zoning Enforcement Officer's records. Within thirty (30) days of the receipt of such materials, the Planning Commission shall make a report to the City Council recommending approval or disapproval and the reasons therefor. The Planning Commission shall base their decision on the reports of the Service Director and the recommendations of the Zoning Enforcement Officer, as well as on the following standards, criteria, and objectives:
  - a. Multiple-Family Residential Developments
    - (1) The proposed use(s) shall meet all other applicable requirements and specifications of these Regulations;
    - (2) The proposed use is in conformance with the Official Land Use Plan and the Official Thoroughfare Plan of the City;
    - (3) No unnecessary destruction or blighting of the natural landscape or of the achieved man-made environment shall occur; rather, the proposed use(s) shall contribute to the visual attractiveness of the area;

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- (4) The treatment of built and open spaces should be designed so that they relate harmoniously to the terrain and to existing buildings that have a visual relationship to the proposed development;
- (5) The proposed use(s) shall facilitate appropriate pedestrian and/or vehicular access, servicing, and parking; and, when necessary, shall comply with any other regulations for the handicapped, the very young, and the elderly; and
- (6) Neighboring owners and users shall be protected by ensuring that reasonable provision is made for such matters as surface water drainage, sound and sight buffers, the preservation of views, light, and air, and any other aspects of design which may have significant impacts on neighboring land uses.

b. Planned Unit Developments

- (1) The proposed development is consistent in all respects with the purpose, intent, and applicable standards of these Zoning Regulations.
- (2) The proposed development is in conformity with the Official Land Use Plan and Official Thoroughfare Plan of the City, or portions thereof as they may apply.
- (3) The proposed development advances the general welfare of the City and the immediate vicinity.
- (4) Each individual section of development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability, or adequate assurance will be provided that such objectives will be attained.
- (5) The uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other Zoning Districts in these Regulations.

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- (6) The internal streets proposed are suitable and adequate to carry anticipated traffic.
- (7) The property is easily accessible to publicly controlled and maintained community recreational facilities, or such facilities have been provided for within the development.
- (8) Any part of the development not used for structures, parking and loading areas, or streets shall be landscaped or otherwise improved.
- (9) Procedure. In addition to any other procedures set out in these Regulations, all applications for amendments to the Zoning Map to rezone lands to this District shall follow the procedures set forth below:
  - (a) Application. The owner or owners of lots within the City may request that the Zoning Map be amended to include such tracts in the Planned Unit Development District in accordance with the provisions of these Regulations. Application to amend the Zoning Map pursuant to a request to develop within a Planned Unit Development District shall occur in accordance with the procedures set forth in Chapter VI.
  - (b) Approval. Upon receipt of the recommendation of the Planning Commission, the City Council shall schedule a public hearing, to be held less than sixty (60) days from the date of receipt of the Site Plan and application for a zone change. Notice of the time and place of the hearing shall be given in the manner specified in Chapter VI, Section A. The City shall also notify, by registered mail and at the applicant's expense, all landowners whose property lies within two hundred (200) feet of any point along the boundary of the parcel in question. Within thirty (30) days of the date of the public hearing, City Council shall act upon the Site Plan and zone change application. Approval of the Site Plan shall require a favorable vote of a majority of the membership of the City Council.
  - (c) Effect of Approval. In taking action, the City Council may deny the Site Plan or may recommend approval of the Plan subject to specified modifications. In the event City Council denies or modifies the recommendation of the Planning Commission, it must do so by not less than three-fourths (3/4) of the full membership of Council.

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The Site Plan, as approved by City Council, shall constitute an amendment to the Zoning Regulations as they apply to the lands included in the approved amendment. The approval shall be for a period of three (3) years. Where the land is to be developed in phases, plans for phases subsequent to the first phase shall be submitted in accordance with the timetable in the approved Site Plan. Unless the required plats are properly recorded and work on said development commenced within three (3) years, the approval shall be voided and the land shall automatically revert to the former underlying Zoning District unless an application for a time extension is submitted and approved.

- (d) Extension of Time or Modification. An extension of the time limit as a modification of the approved Site Plan may be approved by the City Council. Such approval shall be given only upon a finding of the purpose and necessity for such change or extension and evidence of reasonable effort toward the accomplishment of the original Site Plan, and that such extension or modification is not in conflict with the general health, welfare, and safety of the public or development standards of the District. No extension of time shall be granted except on application filed with the Zoning Enforcement Officer not later than ninety (90) days before the expiration of the three (3) year period prescribed above.
- (e) Plat Required. Should the City of Jackson adopt, by resolution, regulations pertaining to the subdivision of lands within the City after the effective date of these Zoning Regulations, no use shall be established or changed and no structure shall be constructed or altered in the Planned Unit Development District until the required subdivision plat has been prepared and recorded in accordance with said Subdivision Regulations and these Regulations. The subdivision plat shall be in accord with the approved Site Plan and shall include:
  - (i) Site arrangement, including building setback lines and space to be built upon within the site; water, fire hydrants, sewers, and all underground public utility installations, including sanitary sewers, surface drainage, and waste disposal facilities;

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easements, access points to public rights-of-way, parking areas, and pedestrian ways; and land reserved for non-highway service use with indication of the nature of such use.

(ii) Deed restrictions, covenants, easements, and encumbrances to be used to control the use, development, and maintenance of the land, the improvements thereon, and the activities of occupants, including those applicable to areas within the tract to be developed for non-residential uses.

(iii) In the event that any public service facilities not to be otherwise guaranteed by a public utility have not been constructed prior to recordation of the subdivision plat, the owner of the project shall post a performance bond in favor of the City Council and the Jackson County Engineer in a satisfactory amount assuring expeditious completion of said facilities within one (1) year after the recording of said plat. In no event, however, shall any Zoning Permit be issued for any building until such time as the facilities for the phase in which the building is located are completed.

(10) Development Standards. In addition to any other provisions of these Regulations, the following standards for arrangement and development of lands and buildings are required in the Planned Unit Development District.

(a) Intensity of Use. The maximum residential density shall be sixteen (16) dwelling units per gross acre of area within the area to be developed. Densities up to this maximum may be allowed upon the recommendation of the Planning Commission and approval by the City Council if it is determined that any of the following conditions exist:

(i) If the property is directly adjacent to and easily accessible to major thoroughfares.

(ii) If the development contains a minimum of one fifteen thousandth (0.15) of an acre per dwelling unit provided as designated common open space. This common open space shall not consist of iso-

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lated or fragmented pieces of land which would serve no useful purpose. Included in this common open space may be such uses as pedestrian walkways, parkland, open areas, drainageways, swimming pools, clubhouses, tennis courts, and other lands of essentially open character, exclusive of off-street parking areas and minimum required yard space. Ownership of this common open space either shall be transferred to a legally established Homeowner's Association or be dedicated to the City of Jackson, and proper legal documents necessary for such transfer or dedication shall be prepared by the owner/developer(s) of the tract of land, and approved by City Council.

- (iii) If the property is developed with a high quality of building design and site design.
- (iv) If the property is developed to include major community services such as churches and schools.

For purposes of development within the Planned Unit Development District, the maximum density for development shall be as follows:

| <u>Type of Dwelling</u>   | <u>Maximum Units on<br/>Any Single Acre</u> |
|---------------------------|---|
| Single-family detached    | 6   |
| Two-family and townhouses | 11  |
| Two-story apartments      | 16  |

- (b) Arrangement of Structures. The physical relationship of dwelling units and their minimum yard space shall be determined in accordance with the following:
  - (i) Setback. Single-family dwellings shall have a setback from the right-of-way as approved in the Site Plan or the existing streets and roads. All other structures within the Planned Unit Development District shall have a setback from the right-of-way equal to the right-of-way of roads within the development or the right-of-way of existing roads.

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- (ii) Side Yards. A single-family dwelling shall have a side yard of not less than ten (10) feet on each side of the structure. For all other structures within the Planned Unit Development District, the side yard shall be not less than one-sixth ( $1/6$ ) of the sum of the height of the structure and the length of the wall most nearly parallel to the side lot line, but in no case shall said structure be closer than fifteen (15) feet to the lot line within the development except as follows:
- (a) In the event that the walls are solid and without windows, said building shall not be closer than fifteen (15) feet to the adjoining structure; and
- (b) In the event that said wall has windows, the structure shall not be closer than twenty-five (25) feet to the adjoining structure, without regard to lot lines.

In no case shall any building be located closer than fifteen (15) feet to the outside perimeter line of the planned area.

The requirements for side yards shall apply to the principal structures but shall not be interpreted as prohibiting designs of single-family structures normally referred to as common wall, cluster, patio, or other variations on the same theme.

- (iii) Rear Yards. A rear yard of not less than twenty-five (25) feet shall be maintained on all parcels within this District.
- (iv) Building Height Limits. No building in this District shall exceed thirty-five (35) feet in height measured from the finished grade established not closer than fifteen (15) feet to the exterior wall of the structure. Barns, silos, grain handling conveyors, church spires, domes, flag poles, microwave antennae, elevator shafts, and windmills are exempted from any height regulation and may be erected to any safe height.

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- (c) Landscaping. All yards, front, side, and rear, shall be landscaped and all organized open spaces or non-residential use areas shall be landscaped. Such landscape plans shall be submitted with the Site Plan and shall be subject to approval in the same manner required of the Site Plan.
- (d) Site Development. To the maximum extent possible, all natural drainage courses, vegetation, and contours in excess of six percent (6%) shall be maintained in their natural condition.
- (e) Parking. Off-street parking shall be provided, at the time of construction of the main structure or building, with adequate provisions for ingress and egress according to the standards set forth in Section A of this Chapter.
- (f) The Planning Commission and/or the City Council may impose special additional conditions relating to the development with regard to type and extent of public improvements to be installed; landscaping, development, improvement, and maintenance of common open space; and any other pertinent development characteristics.

c. Mobile Home Parks

- (1) Minimum Site Size. Every mobile home park shall be placed on not less than three (3) acres of land.
- (2) Minimum Initial Improvement. Before a mobile home park may be occupied, it shall be a condition that at least forty percent (40%) of the mobile home park lots be completed and ready for occupancy, including installation of roadway, sidewalks, lighting, public utilities, and service and management buildings.
- (3) Minimum Lot Size and Maximum Lot Coverage.
  - (a) Every mobile home shall be on a lot having an area of not less than five thousand (5,000) square feet; and every mobile home park shall contain a density of no more than eight (8) mobile homes per "gross" acre.



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- (b) Each mobile home dwelling, including accessory buildings, carports, and porches, shall not cover more than fifty percent (50%) of each mobile home park lot.
- (c) The Planning Commission may waive the inclusion of any of the above information in the Site Plan where it is clearly inappropriate.
- (4) Dwelling Standard. Every mobile home dwelling shall have a total ground floor area of not less than six hundred (600) square feet, measured from the outside of exterior walls, including utility rooms, but excluding open porches, breezeways, and carports.
- (5) Concrete Stand, Anchors, and Skirts. Each mobile home shall be placed on and supported by a concrete stand designed to carry the full mobile home weight. The minimum dimensions of this concrete stand shall be twelve (12) feet wide by sixty (60) feet long. Each mobile home lot shall be provided with a minimum of four (4) anchors and tie-downs such as cast-in-place concrete, "dead men" eyelets imbedded in the concrete, screw augers, arrowhead anchors, or other suitable devices for securing the stability of the mobile home. Each mobile home shall be skirted, entirely enclosing the bottom section. These requirements shall be met within sixty (60) days after the mobile home is placed on the lot.
- (6) Existing Mobile Home Parks. Existing mobile homes in mobile home parks that existed prior to the effective date of these Regulations shall not be required to meet the requirements of this Subsection; however, in any existing mobile home park in which a mobile home is placed, replaced, or otherwise erected after the effective date of these Regulations, the requirements of parts (3), (4), and (5), above, shall be met by such mobile home.
- (7) Streets, Sidewalks, and Parking. Every mobile home park shall provide a main entrance driveway not less than thirty-six (36) feet in width. All interior streets shall have a minimum pavement width of not less than twenty (20) feet, and shall be protected at the edges by curb and gutter, or other suitable edging where necessary for the stabilization of the pavement and for adequate drainage. All mobile home lots shall front upon a paved interior street which shall not be a public right-of-way. All streets within a mobile home park shall be lighted at night.

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Paved sidewalks at least four (4) feet in width shall be provided on at least one (1) side of each street throughout the mobile home park, unless waived by the Planning Commission.

Within the boundary of each mobile home site there shall be two (2) suitable paved parking spaces not closer than three (3) feet to the mobile home, nor closer than ten (10) feet from an adjoining mobile home.

- (8) Communal Facilities. In all mobile home parks, the following facilities shall be provided and available to residents:
- (a) A service building for laundry facilities and management and maintenance offices, including storage facilities for groundskeeping equipment.
  - (b) A safe, usable recreation area or areas conveniently located in each mobile home park and not less in area or areas than ten percent (10%) of the gross area of the mobile home park or one-half (1/2) acre, whichever is greater.
- (9) Required Utilities.
- (a) Drinking Water. The water system shall be inspected and approved by the Ohio Environmental Protection Agency and City Service Director. The system shall provide adequate pressure with appropriate water connections for domestic usage.
  - (b) Fire Protection. Fire hydrants shall be provided where municipal water service is available. Otherwise, fire extinguishers shall be provided in accord with the regulations of the Ohio Environmental Protection Agency.
  - (c) Sanitary Sewer. The disposal system shall be inspected and approved by the Ohio Environmental Protection Agency and the Service Director, with appropriate sewage connections for mobile home usage. Connection between storm water drainage systems and sewage disposal systems shall not be permitted.

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- (d) Storm Drainage. Adequate storm drainage, as determined by the Service Director, shall be provided throughout the entire site.
- (e) Garbage and Refuse Storage. The storage and collection of garbage and refuse within each mobile home park shall be conducted so as not to create health hazards or air pollution. If municipal refuse collection is not provided on a lot-by-lot basis, garbage shall be contained in insect and rodent-proof containers located no more than two hundred (200) feet from each lot.
- (f) Liquified Petroleum Gas or Fuel. When liquified petroleum gas is used, the containers for such gas shall be liquified petroleum gas containers approved by the Interstate Commerce Commission for their intended purpose, and shall be integrally attached to the mobile home in a manner as approved by the Liquified Petroleum Gas Association or other appropriate authority, including the Ohio Environmental Protection Agency and the Jackson County Health Department.
- (g) Fuel Oil Supply. Fuel oil supply systems shall be installed and maintained in accordance with applicable state and local codes and regulations. All fuel oil storage containers, barrels, tanks, or cylinders and piping to the mobile homes shall be securely fastened in place and protected against physical damage.
- (h) Electricity. At least one (1) electrical connection shall be provided for each mobile home dwelling.
- (i) Natural Gas System. If natural gas is to be used, the piping system shall be installed underground in accordance with applicable codes and regulations and public utility standards. Each mobile home lot provided with piped gas shall have an approved manual shutoff valve installed upstream of the gas outlet. The outlet shall be equipped with an approved cap to prevent accidental discharge of gas when the outlet is not in use.
- (j) Underground Utilities. Within each mobile home park, all utility lines, including those for electricity and telephone service, shall be located underground.

Section C - Site Plan Review-and-Approval Procedures and Requirements:  
Multiple-Family Residential, Planned Unit Development, and  
Mobile Home Park Uses

(10) Action by the Planning Commission.

No mobile home park shall be approved, nor shall any permits be issued for mobile home sites, until the Planning Commission has approved the Plan. Nor shall any permits be issued for mobile home sites until the MHP zoning has been applied to the site following the proper procedure for zoning changes as outlined in Chapter VI, Section B.

(11) Final Conditions of Approval.

- (a) The proposed development shall be consistent in all respects with the purpose, intent, and applicable standards of these Regulations.
- (b) The proposed development shall meet all other County and State requirements including those of the Environmental Protection Agency.
- (c) The proposed development shall be in conformity with the City's Official Land Use Plan (text and map).
- (d) The design character and improved site arrangement shall justify the location and size proposed in the development.
- (e) The activities to serve the proposed development have received Ohio Environmental Protection Agency approval, if necessary.
- (f) The Planning Commission, upon making an affirmative finding with regard to the above criteria, may authorize the Zoning Enforcement Officer to issue a Zoning Permit to the applicant. The Zoning Enforcement Officer must subsequently determine that all the required improvements have been installed prior to permitting the mobile home park to be occupied.
- (g) The approval shall be for a period of one (1) year to allow construction to be substantially started in accordance with the Site Plan, with evidence that construction will be completed within a reasonable length of time. Unless construction, as described, is initiated within the one (1) year time limit, the approval shall be voided and all the land shall revert to the last previous Zoning District, except if an application for a time extension is submitted and approved by the City Council.

#### Section D - Regulation of Home Occupations

1. Home occupations shall be permitted in the A, R-1, R-2, and R-3 Districts (in single-family dwellings only), provided they meet the conditions for approval specified hereafter. Not more than one (1) person other than members of the family residing on the premises may be engaged in the home occupation.
2. Permitted home occupations shall include, but not be limited to, the following:
  - a. Barber shop, beauty salon, professional office, handcraft, dress-making, millinery, tailoring, laundering, home cooking and preserving;
  - b. The office of a minister, rabbi, priest, or other clergyman;
  - c. The studio of an artist, sculptor, or author;
  - d. Real estate or insurance sales, provided that no non-resident employees work on the premises;
  - e. Music teaching or other type of instruction (except nursery schools), provided that such teaching or instruction shall be limited to one (1) pupil at a time; and
  - f. Day care center, provided that no more than four (4) children are cared for at any point in time.
3. In no event, however, shall a home occupation be interpreted to include an animal hospital, business school, clinic or hospital, dancing school, mortuary, music school, private club, or trailer rental.
4. Home occupations shall also meet the following outlined conditions:
  - a. Not more than twenty-five percent (25%) of the floor area of the dwelling unit shall be used in the conduct of the home occupation;
  - b. There shall be no change in the outside appearance of the dwelling or other visible evidence of the home occupation other than a sign, not illuminated, and no larger than two (2) square feet in area;
  - c. No home occupation shall be permitted in any accessory building;

#### Section D - Regulation of Home Occupations (Continued)

- d. No equipment or process shall be used which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers or which causes fluctuation in line voltage off the premises; and
- e. No traffic shall be generated by the operation of the home occupation which is greater than traffic volumes normally expected in the neighborhood, such as vehicles of occupants and a limited number of service vehicles. All parking shall be located off the street, and other than in a front yard.

#### Section E - Regulation of Residential Conversions

- 1. The conversion of any building into a dwelling, or the conversion of any dwelling so as to accommodate an increased number of dwelling units or families, shall be permitted only within the Zoning District in which the new use is permitted under these Zoning Regulations. Such conversion shall be permitted only after obtaining a Zoning Permit and otherwise complying with the provisions of these Regulations, and only when the resulting occupancy will comply with the requirements governing new residential construction in such District with respect to minimum lot size, lot area per dwelling unit, dimensions of yards and other open spaces, and off-street parking. Each conversion shall be subject also to such further requirements as may be specified in the Sections of Chapter II applying to such District.
- 2. In no case shall a conversion result in the creation of a new dwelling unit which has a floor area of less than five hundred fifty (550) square feet.
- 3. Each proposed dwelling unit shall be served by municipal water and sewer facilities.

#### Section F - Performance Standards for Non-Residential Development

The following minimum standards shall apply to all uses in the Local Business District, the Central Business District, the General Business District, and the Industrial District.

Section F - Performance Standards for Non-Residential Development (Continued)

1. Fire and Explosion Hazards. All activities, including storage, involving flammable or explosive materials shall include the provision of adequate safety devices against the hazard of fire and explosion. All standards enforced by the Occupational Safety and Health Administration shall be adhered to. Burning of waste materials in open fire is prohibited, as enforced by the Ohio Environmental Protection Agency.
2. Air Pollution. No emission of air pollutants which violate the Clean Air Act Amendments of 1977, as enforced by the Ohio Environmental Protection Agency, shall be permitted.
3. Glare, Heat, and Exterior Light. Any operation producing intense light or heat, such as high temperature processes like combustion, welding, or otherwise, shall be performed within an enclosed building and shall not be visible beyond any lot line bounding the property whereon the use is conducted. No exterior lighting shall be positioned so as to extend light or glare onto adjacent properties or rights-of-way.
4. Dust and Erosion. Dust or silt shall be minimized through landscaping or paving in such a manner as to prevent their transfer by wind or water to points off the lot in objectionable quantities.
5. Liquid or Solid Wastes. No discharge at any point into any public sewer, private sewage disposal system, stream, or into the ground, of any materials of such nature or temperature as can contaminate any water supply or interfere with bacterial processes in sewage treatment, shall be permitted. The standards of the Ohio Environmental Protection Agency shall apply.
6. Vibrations and Noise. No uses shall be located and no equipment shall be installed in such a way as to produce intense, earth shaking vibrations which are discernable without instruments at or beyond the property lines of the subject premises. Noise standards of the Environmental Protection Agency shall be adhered to.
7. Odors. No use shall be operated so as to produce the continuous, frequent, or repetitive emission of odors or odor-causing substances in such concentrations as to be readily perceptible at any point at or beyond the lot line of the property on which the use is located. The applicable standards of the Environmental Protection Agency shall be adhered to.

Section F - Performance Standards for Non-Residential Development (Continued)

8. Toxic Materials. No emission of toxic or noxious matter which is injurious to human health, comfort, or enjoyment of life and property or to animal or plant life shall be permitted. Where such emissions could be produced as a result of accident or equipment malfunction, adequate safeguards considered suitable for safe operation in the industry involved shall be taken. The standards of the Ohio Environmental Protection Agency shall apply.
9. Chemicals. The storage, utilization, and manufacture of solid, liquid, and gaseous chemicals and other materials shall be permitted subject to the following conditions:
  - a. No discharge shall be permitted at any point into any public sewer, private sewage disposal system, stream, or into the ground, of any materials of such nature or temperature as can contaminate any water supply, interfere with bacterial processes in wastewater treatment, or otherwise cause the emission of dangerous or offensive elements, except in accord with standards approved by the Ohio Environmental Protection Agency or such other governmental agency as shall have jurisdiction of such activities.
  - b. The storage, utilization, or manufacture of solid combustible materials or products ranging from free or active burning to intense burning is permitted; but only if said materials or products are stored, utilized, or manufactured within completely enclosed buildings having incombustible exterior walls and protected throughout by an automatic fire extinguishing system. Burning of waste material in open fire is prohibited.
  - c. All activities involving the use and/or storage and/or disposal of flammable liquids or materials which produce flammable or explosive vapors or gases shall be provided with adequate safety and protective devices against hazards of fire and explosion, as well as with adequate fire fighting and suppression equipment and devices standard to the industry involved. All above-ground storage shall be in enclosed fireproof vaults.
  - d. The storage, utilization, or manufacture of pyrophoric and explosive powders and dusts, and of materials and products which decompose by detonation is prohibited.



## Section F - Performance Standards for Non-Residential Development (Continued)

- e. The storage and utilization of flammable liquids or materials that produce flammable or explosive vapors or gases shall be permitted on any lot in strict conformance with the applicable regulations set forth in the "Ohio Rules and Regulations of the Division of the State Fire Marshal for the Manufacture, Storage, Handling, Sale, and Transportation of Flammable and Combustible Liquids".
- 10. Radioactivity. The handling of radioactive materials, the discharge of such materials into air and water, and the disposal of radioactive wastes shall be in strict conformance with:
  - a. The applicable regulations of the Atomic Energy Commission; and
  - b. The applicable regulations of any agency of the State of Ohio.

## Section G - Required Fencing, Screening, and Landscaping

- 1. Statement of Intent. The intent of this provision is to outline the regulations of fencing, screening, and landscaping which will serve to provide for orderly transition between land uses, to protect and screen private property, to inhibit access to industrial and commercial sites, to give security and privacy to residents, to provide a physical and visual barrier, to reduce wind and modify climate, to define property lines, to identify and emphasize entrances, to create and define outdoor living space, and to generally improve the aesthetic appearance of a site.
- 2. Design Standards.
  - a. No fence, wall, or screen may be located in any front yard or court except as provided below:
    - (1) Hedges may be located in any front yard, but shall be subject to any traffic visibility requirements imposed by the Service Director.
    - (2) A fence or wall may be located in any front yard as follows:
      - (a) The height of any fence or wall may not exceed four (4) feet above the ground at any point, except that in instances where single-family homes front on major streets, such ornamental fences or walls may be not more than six (6) feet in height.

Section G - Required Fencing, Screening, and Landscaping (Continued)

- (b) Such fence or wall may not be located closer than three (3) feet to the front lot lines, including both lot lines on a corner lot.
  - (c) Such fence or wall on a corner lot shall be subject to any traffic visibility requirements imposed by the Service Director.
  - (d) Such fence or wall shall have the approval of the Zoning Enforcement Officer.
- b. A fence, wall, or screen may be located in any rear or side yard, provided that:
  - (1) The height of the fence, wall, or screen may not exceed six (6) feet above the ground.
  - (2) A fence or wall not to exceed ten (10) feet in height may be permitted surrounding tennis courts in any rear yard.
- c. A fence, wall, or screen shall be located between land uses provided that:
  - (1) Whenever a business or industrial use is located on a lot which adjoins a Residential District, an effective buffer or screen consisting of a solid wall or fence, landscaped earthmound, or view-obscuring dense planting, or various combinations thereof shall be provided at the lot lines adjoining residential uses. Such masonry wall, wooden fence, or earthmound shall not be less than five (5) nor more than six (6) feet in height, or may be higher if necessary to provide visual privacy for the adjacent residential property owner, and shall be maintained in good condition by the owner.
  - (2) Any premise which is used or intended to be used for auto wrecking or for the open storage of auto bodies, or for metal, glass, bottles, rags, cans, sacks, rubber, paper, or other articles commonly known as junk, or for any articles known as secondhand goods, wares, or merchandise, must be enclosed with a masonry wall or tight board or similar fence not less than seven (7) feet high, painted a neutral color, and continuously maintained in good and slightly condition. The fence is to be constructed of an opaque material.

Section G - Required Fencing, Screening, and Landscaping (Continued)

- d. When any open off-street parking or loading/unloading area used for any non-residential purpose containing more than two (2) spaces is not separated from an "R" District by a dedicated street, an effective buffer or screen consisting of a solid wall, fence, landscaped earthmound, or view-obscuring dense planting of evergreen shrubs, hedge treeline, mass tree planting, or various combinations thereof, shall be provided at the lot lines adjoining said "I" District. Such wall, fence, or earthmound shall be not less than four (4) nor more than six (6) feet in height, or may be higher if necessary to provide visual privacy for the adjacent residential property owner, and shall be maintained in good condition by the owner. Exception to this height requirement occurs at the immediate exit point from the parking or loading area.
- e. All open off-street parking or loading/unloading areas which are unusable, either for parking or for traffic, shall be landscaped with plantings of grass, flowers, shrubs, and/or trees, which shall be maintained in good condition by the owner.
- f. All business, industrial, and multiple-family residential uses that provide trash and/or garbage collection areas shall enclose such areas on at least three (3) sides by a solid wall or fence at least five (5) feet in height if such area is not within an enclosed building or structure. Provisions for adequate vehicular access to and from such area or areas for collection of trash and/or garbage, as determined by the Zoning Enforcement Officer, shall be required.
- g. A security fence provided for schools, parks, businesses, or industries in any District shall be an open fence with a ratio of the open portion to the solid portion of not less than six-to-one (6:1), not more than ten (10) feet in height, located in a side or rear yard.
- h. Retaining walls shall not project more than one (1) foot above the surface of the ground supported by such walls, unless such projection exceeding one (1) foot complies with the applicable requirements in this Section.

Section G - Required Fencing, Screening, and Landscaping (Continued)

- i. Any and all plants required by these Regulations which become diseased or dead shall be removed and replaced with healthy specimens by and at the expense of the property owner.
- j. All fences, screens, and landscaping required by the provisions of this Section shall meet with the approval of the Service Director of the City of Jackson.

CHAPTER V  
REGULATIONS FOR CONDITIONAL USES



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REGULATIONS FOR CONDITIONAL USES

Section A - Procedure

1. The purpose of a Conditional Use is to allow a proper integration into the City of uses which may only be suitable in specific locations within certain Zoning District(s) or only if such uses are designed or laid out in a particular manner on the site.
2. Applications for Conditional Uses shall be presented to the Zoning Enforcement Officer and acted upon by the Board of Zoning Appeals.
3. Approval by the Board of Zoning Appeals shall be required for all uses listed as Conditional Uses, prior to the issuance of a Zoning Permit.
4. In considering an application for a Conditional Use, the Board of Zoning Appeals must make an affirmative finding that the proposed Conditional Use is to be located in a District wherein such use may be conditionally permitted, and that all conditions for approval of Conditional Uses have been met. In doing so, the Board of Zoning Appeals may request proof that the applicable requirements for the Conditional Use have been met.
5. The Board of Zoning Appeals shall give due regard to the nature and condition of all adjacent uses and structures and the consistency therewith of the proposed Conditional Use and any potential nuisances.
  - (a) An application for a Conditional Use shall be made to the Zoning Enforcement Officer and submitted on such forms as designated and/or approved by the City Council. No application shall be considered unless the same is fully completed and accompanied by all required information on said application, as specified in this Chapter.

Section A - Procedure (Continued)

- (b) The application, and any plans, specifications, and papers pertaining to the application, shall be transmitted by the Zoning Enforcement Officer to the Board of Zoning Appeals, who shall cause a public hearing to be held.
  - (c) Notice of the application for a Conditional Use and the hearing thereon shall be given to all property owners within two hundred (200) feet of the premises on which the use is planned. Notice shall be given by ordinary mail. In addition thereto one (1) notice of said meeting shall be published in a newspaper of general circulation prior to the scheduled hearing. The Board of Zoning Appeals may, in accordance with its rules, require the giving of additional notice and specify the manner in which the same shall be given. At the hearing, any party may appear in person or be represented by an attorney.
- 6. The Board of Zoning Appeals shall make its decision within a reasonable time after the hearing. In the event the Board approves the Conditional Use, it may impose such reasonable conditions as it deems necessary to insure that the use will be conducted in the best interest of the Zoning District.
  - 7. The Board of Zoning Appeals may revoke approval of a Conditional Use for failure to comply with the conditions of that approval. The Board shall notify the holder of that approval by certified mail of its intent to revoke same and of the holder's right to a hearing before the Board, within thirty (30) days of the receipt of said notice, if he/she so requests. In lieu of said certified mail service, service may be made personally by the Zoning Enforcement Officer in which case the hearing shall be requested within thirty (30) days after such service. If the holder requests a hearing, the Board shall set a time and place for the hearing and notify the holder. At the hearing, the holder may appear in person or be represented by his/her attorney or other representative, or he/she may present his/her position in writing. He/she may present evidence and may examine witnesses appearing for or against him/her. If no hearing is requested the Board may revoke approval without a hearing. The authority to revoke approval is in addition to any other means of zoning enforcement provided by law.



## Section B - Contents of Application

1. Each application for a Conditional Use shall contain the following information:
  - (a) The name, address, and telephone number of the applicant;
  - (b) A brief narrative description of the existing use of the property;
  - (c) A description by metes and bounds of the property in question;
  - (d) A statement indicating the zoning of the property;
  - (e) A brief, narrative description of the proposed Conditional Use of the property;
  - (f) A site plan, drawn at an appropriate scale, showing the following:
    - (1) Base map of the property, indicating all existing and proposed structures, lot lines, general topography, drainageways, bodies of water, and relationship to adjoining properties;
    - (2) Locations of the nearest public rights-of-way and locations of all access points to the site, existing or proposed;
    - (3) Locations of any easements, existing or proposed;
    - (4) Locations of existing utilities and an indication of intent to provide any utility connections that may be required;
    - (5) Locations of any existing or proposed sidewalks, parking areas, and driveways showing intent to comply with all parking requirements specified by these Regulations;
    - (6) Proposed treatment of existing topography, drainageways, and tree cover;
    - (7) Building plans, including floor plans and exterior elevations; and

## Section B - Contents of Application (Continued)

- (8) Proposed landscaping and lighting plans, if applicable;
- (g) A list of all landowners whose property falls within two hundred (200) feet of any point along the boundary of the property in question; and
- (h) Such other information as may be required by the Zoning Enforcement Officer or the Board of Zoning Appeals.
- (i) An application for a Conditional Use to extract resources and/or minerals shall contain the additional information as specified in Section S of this Chapter.
- (j) The Zoning Enforcement Officer may waive the required submission of Subsections b, c, and f above if he/she feels that their inclusion in any individual application is unnecessary.

## Section C - Required Conditions for Approval

1. The following Sections contain additional required conditions to be met by an applicant for a Conditional Use. In addition to meeting the subsequent required conditions for Conditional Uses, all applicants for Conditional Uses shall be required to fully comply with any and all other applicable provisions of these Regulations, including specifically the requirements of Chapter IV, Sections F and G.

## Section D - Regulations for Automobile Service Stations and Repair Garages

1. Zoning District Where Conditionally Permitted:
  - (a) B-3 General Business District

Section D - Regulations for Automobile Service Stations and Repair Garages  
(Continued)

2. There shall be two (2) separate driveways located along the frontage(s) providing both ingress and egress to and from the property. These separate driveways shall have a minimum distance of twenty (20) feet between them, and shall not exceed thirty (30) feet in width at the curbline, nor twenty-four (24) feet in width at the property line. No such driveway shall be located closer than twenty-five (25) feet to an adjacent property line in a Residential District, nor ten (10) feet to an adjacent property line in any other Zoning District; and on corner lots shall not be located closer than thirty (30) feet to the intersection of the right-of-way lines of the two (2) streets.
3. All service station buildings shall have a minimum front yard depth of fifty (50) feet, and all gasoline pumps shall be set back a minimum distance of twenty (20) feet from the front property line.
4. The entire lot area, exclusive of the area covered by the service station building, required driveways, and all required planting areas, shall be paved.
5. The light from the exterior lighting shall be so shaded, shielded, or directed that the light intensity or brightness shall not be objectionable to surrounding areas.
6. No outdoor disassembly or repair of motor vehicles shall be permitted. Storage of rental trucks, trailers, or passenger vehicles shall not be permitted in the front yard.
7. Storage of motor vehicles shall be permitted on the premises for periods of time not exceeding seven (7) days. Such motor vehicles may be stored for periods of time in excess of seven (7) days if stored entirely within an enclosed building.
8. A solid fence, wall, or evergreen hedge six (6) feet high shall be constructed or planted where the automobile service station and/or repair garage is located adjacent to a Residential District.

## Section E - Regulations for Automobile Washing Establishments

1. Zoning District Where Conditionally Permitted:
  - (a) B-3 General Business District
2. All washing facilities shall be included entirely within an enclosed building except that entrance and exit doors may be left open during the hours of operation.
3. Vacuuming and/or steam cleaning equipment may be located outside, but shall not be placed in the front yard, a side yard facing a street, or in any yard adjoining an "R" District. Mechanical drying equipment and/or hand drying of motor vehicles must be performed on the premises.
4. A hard-surfaced exit drive not less than forty (40) feet in length shall be provided between the exit doors and the street.
5. A solid fence, wall, or hedge six (6) feet high shall be required when a car wash is adjacent to an "R" District.
6. The following hard-surfaced, dust-free, off-street parking shall be provided:
  - (a) Six (6) waiting spaces and two (2) storage spaces for each car washing device or stall; or ten (10) off-street waiting spaces for an assembly line type washing establishment where vehicles await entrance to the washing process;
  - (b) Two (2) employee parking spaces for every three (3) employees; and
  - (c) Two (2) parking spaces at the exit end of each washing bay for drying and hand finishing of vehicles.

## Section F - Regulations for Bars and Taverns

1. Zoning Districts Where Conditionally Permitted:
  - (a) B-2 Central Business District
  - (b) B-3 General Business District

Section F - Regulations for Bars and Taverns (Continued)

2. No bar or tavern shall be located closer than one hundred fifty (150) feet from a church, school, or similar institution.
3. An assessment shall be made of the probable effects of the proposed facility's parking provisions and evening operations on the surrounding area.

Section G - Regulations for Cemeteries

1. Zoning Districts Where Conditionally Permitted:
  - (a) A Agricultural District
  - (b) R-1 Low Density Single-Family Residential District
  - (c) R-2 Medium Density Single-Family Residential District
  - (d) R-3 Medium Density Single- and Two-Family Residential District
2. Immediate access to a primary or secondary thoroughfare shall be required.

Section H - Regulations for Commercial Recreation Establishments

1. Zoning District Where Conditionally Permitted:
  - (a) B-3 General Business District
2. Commercial recreation shall include any private, public, or quasi-public recreation or amusement facility which is located within an enclosed structure and is operated for profit. Such facilities include bowling alleys, skating rinks, video game arcades, billiard halls, and tennis and racquetball clubs, but shall not include indoor motion picture theatres.
3. All activities shall be conducted within a fully enclosed building, with the exception of off-street parking and loading/unloading.
4. No commercial recreation establishment shall have the effect of causing any increase in noise, litter, or vehicular or pedestrian traffic on any adjacent residential properties or uses of land.

## Section I - Regulations for Day Care Centers

1. Zoning Districts Where Conditionally Permitted:
  - (a) R-1 Low Density Single-Family Residential District
  - (b) R-2 Medium Density Single-Family Residential District
  - (c) R-3 Medium Density Single- and Two-Family Residential District
2. A drop-off area shall be provided at the main entrance to the facility sufficient to accommodate four (4) automobiles.
3. There shall be provided a minimum lot size of five hundred (500) square feet per child enrolled in the facility.
4. There shall be provided a minimum outdoor play area of seventy-five (75) square feet per child enrolled in the facility.
5. All outdoor play areas shall be enclosed by a six (6) foot fence which shall be maintained in good condition and constructed so as to preclude penetration by any child or adult. Their hours of operation shall be limited to between 8:00 A.M. and 8:00 P.M.
6. The maximum percentage of site coverage by all principal and accessory buildings and outdoor play areas shall be seventy-five percent (75%).

## Section J - Regulations for Drive-In, Fast Food, and Carry-Out Restaurants

1. Zoning Districts Where Conditionally Permitted:
  - (a) B-3 General Business District
  - (b) I Industrial District
2. There shall be two (2) separate driveways located along the frontage(s) providing both ingress and egress to and from the property. These separate driveways shall have a minimum distance of thirty (30) feet between them, and shall not exceed thirty (30) feet in width at the curbline, nor twenty-four (24) feet in width at the property line. No such driveway shall be located closer than twenty-five (25) feet to an adjacent property line in an "R" District, nor ten (10) feet to an adjacent property line in any other Zoning District; and on corner lots shall not be located closer than thirty (30) feet to the intersection of the right-of-way lines of the two (2) streets.

Section J - Regulations for Drive-In, Fast Food, and Carry-Out Restaurants  
(Continued)

3. A solid wood fence or masonry wall six (6) feet high shall be constructed where the delivery window is located adjacent to an "R" District. All landscaped areas shall be separated from all paved areas by a six (6) inch high curb. A raised curb six (6) inches high and six (6) inches wide shall be constructed along all street frontages, except within driveway openings, and shall form a landscaped island having a minimum width of five (5) feet including the width of the curbs.
4. The light from the exterior lighting shall be so shaded, shielded, or directed that the light intensity or brightness shall not be objectionable to surrounding areas.

Section K - Regulations for Family and Group Care Homes

1. Zoning Districts Where Conditionally Permitted:
  - (a) R-1 Low Density Single-Family Residential District
  - (b) R-2 Medium Density Single-Family Residential District
  - (c) R-3 Medium Density Single- and Two-Family Residential District
2. The minimum lot size shall be as specified in Chapter 2, except that an additional five hundred (500) square feet of lot area shall be required for each resident of the family or group care home over four (4) persons.
3. Every room occupied for sleeping purposes within the home shall contain a minimum of eighty (80) square feet of habitable room area for one (1) occupant, and when occupied by more than one (1) individual, shall contain at least sixty (60) square feet of habitable room area for each occupant. No such facility shall use living rooms, dining rooms, entry ways, closets, corridors, outside porches, or cellars as sleeping rooms.
4. The family or group care home shall provide not less than twenty-five (25) square feet per person of suitable indoor recreation area and not less than seventy-five (75) square feet of outdoor recreation open space per person, exclusive of required front and side yards and parking areas, consolidated in a useful configuration and location provided on the site.

Section K - Regulations for Family and Group Care Homes (Continued)

5. No exterior alterations of the structure shall be made which depart from the residential character of the building. All new structures shall be compatible in residential design with the surrounding neighborhood.
6. All exterior lighting fixtures shall be shaded to avoid casting direct light upon any adjoining property located in an "R" District.
7. No family or group care home shall be located within a one-quarter (1/4) mile radius of another such facility in a given neighborhood.
8. Required Submittal:
  - (a) Information explaining the need for the facility, the clientele to be served, and the financial resources that will be used to operate the facility.
  - (b) Identification of similar facilities presently located in the area, including the names of individuals who may be contacted concerning the operation of such facilities.
  - (c) Identification of community facilities and social services that will be used by the clientele of the group care home, including an indication from the Administrator of such facilities and services that the clientele of the family or group care home can be accommodated.
  - (d) A license or evidence of ability to obtain a license from the appropriate governmental agency. Prior to the issuance of a permanent Zoning Permit, the applicant shall provide evidence that a valid license has been issued or is obtainable for the proposed Conditional Use on the subject property. When a license is not required of the applicant by a governmental agency, a written affidavit shall be presented as a part of the application by the governmental agency to which that applicant has accountability, stating that a license is not required. The affidavit shall further state and describe the procedures that have been established in lieu of licensing to insure that the provisions of this Section are carried out, and the types of controls that the governmental agency can exercise in this regard.



Section K - Regulations for Family and Group Care Homes (Continued)

- (e) A copy of the operational and occupancy standards that will be used in establishing the facility.
  - (f) A detailed plan of services and programs to be offered the clientele of the facility, including the nature of care to be provided and the types of services to be offered, and the individuals and/or agencies who will be responsible for administering such care and services.
9. Unless modified by this Section, the facility shall comply with all other applicable codes and ordinances prior to the issuance of a Zoning Certificate.
10. Criteria for Evaluation:
- (a) Is in fact the facility licensed by and/or does the facility have legal accountability to an established social service agency of local government, and can sufficient controls be exercised to insure continued compliance with the provisions of this Section?
  - (b) Is in fact the facility needed based upon the evidence submitted by the applicant?
  - (c) Will the proposed facility be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or officially planned uses of the general vicinity, and will such use not change the essential character of the neighborhood?
  - (d) Will the proposed facility not be hazardous or disturbing to existing or officially planned future neighborhood uses from the standpoint of noise, lights, congestion, or traffic generation which would be incompatible with the neighborhood environment?
  - (e) Will the proposed facility be served adequately by essential public facilities and services such as streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and school; or will the persons or agencies responsible for the establishment of the proposed use be able to provide adequately any such services?
  - (f) Will the proposed facility have vehicular approaches to the property which will be so designed as not to create an interference with traffic on public thoroughfares?

## Section L - Regulations for Hospitals and Auxiliary Facilities

1. Zoning Districts Where Conditionally Permitted:
  - (a) R-1 Low Density Single-Family Residential District
  - (b) R-2 Medium Density Single-Family Residential District
  - (c) R-3 Medium Density Single- and Two-Family Residential District
  - (d) B-3 General Business District
  - (e) I Industrial District
2. Immediate access to a primary or secondary thoroughfare shall be required.
3. Maximum Lot Coverage: Twenty-five percent (25%).
4. Setback Required for Off-Street Parking: Fifty (50) feet.
5. A six (6) foot solid wall or fence or compact hedge shall be required when located closer than one hundred fifty (150) feet to an existing or platted residential development.
6. An assessment shall be made of the probable impact of the proposed facility on the prevailing and expected future traffic on the adjacent thoroughfare(s).

## Section M - Regulations for Kennels and Veterinary Hospitals

1. Zoning Districts Where Conditionally Permitted:
  - (a) B-3 General Business District
  - (b) I Industrial District
2. Permitted Uses:
  - (a) The care of ill and/or injured household animals.
  - (b) The overnight boarding of ill and/or injured household animals.

## Section M - Regulations for Kennels and Veterinary Hospitals (Continued)

- (c) The overnight boarding of healthy household animals.
- (d) The sale of goods used in the care of household animals.
- 3. The care or overnight boarding of large animals such as horses or cattle is prohibited.
- 4. Required Enclosure. All activities other than off-street parking and loading/unloading shall be conducted within a fully enclosed structure.
- 5. Required Fencing/Screening and Landscaping. A solid wood fence or masonry wall six (6) feet high shall be constructed where a veterinary hospital or kennel is located adjacent to an "R" District. The applicant shall also meet the requirements of Chapter IV, Section G.
- 6. Illumination Design Standard. Exterior lighting shall be shaded wherever necessary to avoid casting direct light upon any adjacent property or any adjacent public street.

## Section N - Regulations for Libraries and Government Offices

- 1. Zoning Districts Where Conditionally Permitted:
  - (a) R-1 Low Density Single-Family Residential District
  - (b) R-2 Medium Density Single-Family Residential District
  - (c) R-3 Medium Density Single- and Two-Family Residential District
- 2. Community facilities shall be of a cultural, educational, recreational, administrative, or service type, and shall not include repair garages, storage yards, repair yards, or warehouses.
- 3. An assessment shall be made of the probable impact of the proposed facility on the prevailing and expected future traffic on the adjacent public thoroughfare(s).
- 4. In determining approval or denial, the Board of Zoning Appeals shall consider the appropriateness of facility size relative to use, access, screening, and buffers; and the effect of noise, light, and dust on adjoining property.

#### Section O - Regulations for Motels and Hotels

1. Zoning District Where Conditionally Permitted:
  - (a) B-3 General Business District
2. Immediate access to a primary or secondary thoroughfare shall be required.
3. An assessment shall be made of the probable impact of the proposed facility on the prevailing and expected future traffic on the adjacent thoroughfare(s).

#### Section P - Regulations for Primary and Secondary Public and Parochial Schools and Vocational and Technical Schools

1. Zoning Districts Where Conditionally Permitted:
  - (a) R-1 Low Density Single-Family Residential District
  - (b) R-2 Medium Density Single-Family Residential District
  - (c) R-3 Medium Density Single- and Two-Family Residential District
2. There shall be a minimum yard requirement of one hundred fifty (150) feet in any yard from which unrestricted exit or entry to the principal structure on the lot is made.
3. All parking areas and/or areas where vehicles may pick-up or discharge passengers shall be screened from view from any adjacent existing or platted residential area. No on-street pick up or discharge of passengers shall be permitted.
4. An assessment shall be made of the probable impact of the proposed facility on the prevailing and expected future traffic on the adjacent thoroughfare(s).
5. An assessment shall be made of the probable reuse of the facility for non-public purposes in the future, with special consideration given to how facility design might limit preferred reuse alternatives.

## Section Q - Regulations for Private Outdoor Recreation Areas

1. Zoning District Where Conditionally Permitted:
  - (a) A Agricultural District
2. Minimum Site Size: The site size shall be appropriate for the proposed use, as determined by the Board of Zoning Appeals.
3. The site shall have adequate access onto a hard surfaced state highway, or county or township road, that is regularly maintained and adequate to handle the additional traffic generated by the use.
4. A Site Plan shall be submitted with the application, showing proposed incidental uses and their relationship to the site. Such incidental uses may include but shall not be limited to concession areas, food service and consumption areas, commissaries, laundry and drying facilities, management offices, toilet facilities, and shower facilities. Incidental uses shall clearly be appropriate to the proposed primary recreation activity.
5. A landscape plan, including quantities, sizes, and varieties of landscaping, shall be submitted with the application.
6. Parking areas shall be a minimum distance of fifty (50) feet from residential uses.
7. Any principal building or swimming pool shall be located not less than one hundred (100) feet from any other lot in a Residential District.
8. In determining approval or disapproval, the Board of Zoning Appeals shall consider such potential nuisances as noise, lighting, and dust, and their effect on adjacent properties.
9. The Board of Zoning Appeals may establish such requirements as they deem necessary to regulate the duration of stay by individuals or their recreation equipment at private or public campgrounds in order to preclude such extended periods of stay that might be construed as the establishment of permanent residency at the campground.

## Section R - Regulations for Rest Homes, Nursing Homes, and Convalescent Homes

1. Zoning District Where Conditionally Permitted:
  - (a) B-3 General Business District
2. Immediate access to a primary or secondary thoroughfare shall be required.
3. An assessment shall be made of the probable impact of the proposed facility on the prevailing and expected future traffic on the adjacent thoroughfare(s).
4. Where this use is adjacent to an existing or platted residential development, there shall be a twenty (20) foot buffer strip of mature evergreens to be planted along the outside face of the required fencing at thirty (30) foot intervals.

## Section S - Regulations for Resource and Mineral Extraction

1. Zoning Districts Where Conditionally Permitted:
  - (a) A Agricultural District
  - (b) I Industrial District
2. The applicant shall secure a permit from the Ohio Department of Natural Resources, Division of Reclamation, in addition to any requirements imposed herein. Such permit shall be secured by the applicant prior to the granting of a Conditional Use by the Board of Zoning Appeals.
3. An application for such operation shall set forth the following information: (1) name of the owner or owners of land from which removal is to be made; (2) name of the applicant making request for such a permit; (3) name of the person or corporation conducting the actual removal operation; (4) location, description, and size of the area from which the removal is to be made; (5) location of processing plant used; (6) type of resources or materials to be removed; (7) proposed method of removal and whether or not blasting or other use of explosives will be required; (8) description of equipment to be used; and (9) method of rehabilitation and reclamation of the mine area. Applications shall be submitted and hearings shall be conducted in the manner set forth in Section A of this Chapter.

Section S - Regulations for Resource and Mineral Extraction (Continued)

4. The applicant must demonstrate that such operations will not be detrimental to the vicinity or surrounding properties.
5. All equipment used in these operations shall be constructed, maintained, and operated in such a manner as to eliminate so far as practical, noise, vibration, or dust which would injure or annoy persons living in the vicinity.
6. No mining, quarrying, gravel or sand extraction, or stockpile shall be permitted nearer than fifty (50) feet to the boundary of the property being utilized for such use, or such greater distance as specified by the Board of Zoning Appeals where such is deemed necessary for the protection of adjacent property. Such distance requirement may be reduced to twenty-five (25) feet by written consent of the owner or owners of abutting property.
7. In order to insure adequate lateral support, all sand and gravel excavations shall be located at least one hundred (100) feet, or backfilled to at least one hundred fifty (150) feet, and all quarrying or blasting shall be located at least fifty (50) feet from the right-of-way line of any existing or platted street, road, highway, or railway, except that such excavation or quarrying may be permitted within these limits to the point of reducing the ground elevation to the grade of the existing or platted street, road, highway, or railway.
8. Commencing with the one hundred eightieth (180th) day after operations have ceased at any mine, quarry, or gravel or sand pit, each day the following Subsections 9, 10, and 14 have not been complied with by the applicant will be considered a separate violation of these Regulations, and punishable as provided in Chapter VIII, Section C of these Regulations.
9. All excavations of gravel or sand shall either be made to a water-producing depth plus five (5) feet, or graded and/or backfilled with non-noxious and non-flammable solids to assure:
  - (a) That the excavated area will not collect and retain stagnant water; and
  - (b) That the graded or backfilled surface will create a gently rolling topography to minimize erosion by wind and rain and substantially conform with the contours of the surrounding area.

Section S - Regulations for Resource and Mineral Extraction (Continued)

10. The banks of all excavations not backfilled shall be sloped to the water line at a grade of not less than three (3) feet horizontal to one (1) foot vertical, and such banks shall be sodded or surfaced with at least six (6) inches of suitable soil and seeded with grass. Spoil banks shall be graded to a level suiting the existing terrain and planted with trees, shrubs, legumes, or grasses where revegetation is possible. Where flood water exists, spoil banks shall be high enough to prevent overflow of water in the gravel pits and shall be sloped, graded, and seeded as prescribed herein.
11. Whenever the floor of a mine or quarry is more than five (5) feet below the average grade of the highway, road, street, or land adjacent thereto, the property containing such quarry shall be completely enclosed by a barrier consisting of not less than a six (6) foot mound of earth planted with suitable dense planting or other suitable material sufficient in either case to prevent persons from trespassing thereon or passing through. Such mound shall be located at least twenty-five (25) feet from any street, road, highway, or boundary of the quarry property. Fencing or other suitable barrier shall be erected and maintained around the entire site or portions thereof where, in the opinion of the Board of Zoning Appeals, such fencing or barrier is necessary for the protection of the public safety and shall be of a type specified by the Board.
12. All quarrying, blasting, drilling, or mining shall be carried out in a manner and on such scale as to minimize dust, noise, and vibrations and to prevent adversely affecting the surrounding properties.
13. Access roads shall be maintained in dust-free condition by surfacing or other treatment as may be specified by the Jackson County Engineer.
14. When any quarrying has been completed, such excavated areas shall either be left as a permanent spring-fed lake if such lake has an average depth of twenty (20) feet or more, or the bottom floor thereof shall be leveled to prevent the collection and stagnation of water and to provide proper drainage without excessive soil erosion, and said floor shall be covered with soil of adequate thickness for the growing of turf or other ground cover. The edge of such excavation shall be further protected by construction of a barrier consisting of not less than a six (6) foot mound of earth planted with a double row of multiflora rose bushes or other equally effective planting.
15. The Board of Zoning Appeals may require a performance bond in an appropriate amount to ensure that adequate restoration measures be undertaken and completed by the applicant.



CHAPTER VI  
ADMINISTRATION, ADOPTION, AND AMENDMENT



CHAPTER VI  
ADMINISTRATION, ADOPTION, AND AMENDMENT

Section A - Formal Adoption Procedure

1. The Planning Commission shall review the Zoning Regulations text and map and may hold a public hearing for the same purpose. Such hearing shall be advertised by giving at least seven (7) days notice of the time and place thereof in a newspaper of general circulation in the City of Jackson. Following this, adoption of the Zoning Regulations may be recommended to City Council by the Planning Commission.
2. Upon receipt of the recommendation of the Planning Commission, City Council shall hold a public hearing, and shall give at least thirty (30) days notice of the time and place thereof in a newspaper of general circulation in the City of Jackson.
3. Following this required public hearing, City Council shall approve, disapprove, or modify the Zoning Regulations text and/or map in accordance with the provisions of state law. In the event City Council denies or modifies the recommendation of the Planning Commission, it must do so by not less than three-fourths (3/4) of the full membership of the Council.
4. These Zoning Regulations shall become effective from and after the date of their approval and adoption, as provided by law.

Section B - Procedure for Zoning Text Amendments and  
Zoning Map Changes

1. Once adopted, the text of these Regulations and/or the related Official Zoning District Map may be amended by City Council and the Planning Commission in the public interest as the need arises. A request to amend these Regulations and/or the Official Zoning District Map may be initiated as follows:
  - a. By adoption of a resolution by City Council and subsequent referral of the proposed amendment back to the Planning Commission;
  - b. By adoption of a motion by the Planning Commission; or

Section B - Procedure for Zoning Text Amendments and  
Zoning Map Changes (Continued)

- c. By the filing of an application by the resident and/or owner of the property to be changed or affected by the proposed amendment. Such an application shall include the following:
  - (1) A description by metes and bounds of the property to be rezoned, approved by the Zoning Enforcement Officer and City Solicitor;
  - (2) A certificate of a reputable, practicing attorney in Jackson County, certifying that the property to be rezoned is a complete, proper, and legal description thereof; and
  - (3) A list of all properties within two hundred (200) feet of any point along the boundary of the property proposed for rezoning. This list shall include the name and street addresses of the owners of each of these properties.
2. The Planning Commission and City Council shall favorably consider an application for an amendment, whether to the Zoning Regulations text or the Official Zoning District Map, only if the request for a change of zoning meets at least one (1) of the following conditions:
  - a. Accordance with, or more appropriate conformance to, the City of Jackson Official Land Use Plan and the Official Thoroughfare Plan and related development goals and objectives;
  - b. Legitimate requirement for additional land area for the particular individual Zoning District;
  - c. Substantial change in area conditions, rendering the original zoning functionally obsolete; or
  - d. Manifest error in the original Zoning Regulations text and/or designations on the Official Zoning District Map.
3. The Planning Commission may hold a public hearing, notice of which shall be given according to Subsection A 1 of this Chapter.
4. Following this public hearing, the Planning Commission shall consider the application for amendment and shall return the same to City Council with its recommendation of approval or disapproval.

Section B - Procedure for Zoning Text Amendments and  
Zoning Map Changes (Continued)

5. The City Council shall hold a public hearing, and shall give at least thirty (30) days notice of the time and place thereof in a newspaper of general circulation in the City of Jackson. The City shall also notify, by registered mail and at the applicant's expense, all land-owners whose property lies within two hundred (200) feet of any point along the boundary of the parcel to be rezoned.
6. Within thirty (30) days after the public hearing by the City Council, City Council shall either adopt or deny the recommendation of the Planning Commission or adopt some modification thereof. In the event City Council denies or modifies the recommendation of the Planning Commission, it must do so by not less than three-fourths (3/4) of the full membership of City Council.

Section C - Issuance and Revocation of Zoning Permits

1. No building or other structure shall be erected, moved, added to, or structurally altered, nor shall any building, structure, or land be established or changed in use without a Zoning Permit issued by the Zoning Enforcement Officer. No building or structure which is demolished by natural causes (fire, flood, earthquake, tornado, or the like) or by men (intentional demolition) shall be reconstructed unless a Zoning Permit is obtained for such reconstruction. Zoning Permits shall be issued only in conformity with the provisions of these Regulations, unless the Zoning Enforcement Officer receives a written order from the Board of Zoning Appeals deciding an appeal or a Variance, as provided by these Regulations.
2. Application for a Zoning Permit shall be made in writing to the Zoning Enforcement Officer. Each written application shall include the following:
  - a. Name, address, and telephone number of the applicant;
  - b. Two (2) copies of a scale drawing showing the shape and dimensions of the lot to be built upon, or to be changed in its use, in whole or in part;
  - c. The location of the lot, existing zoning, and existing land use, including the immediately surrounding area;
  - d. The location, size, and height of any building or structure to be erected or altered;

## Section C - Issuance and Revocation of Zoning Permits (Continued)

- e. The existing or intended use of each building and/or structure, or use of land where no buildings are included;
  - f. The number of families or dwelling units each building is designed to accommodate, if applicable; and
  - g. Any other information which may be appropriate, or which may be required by the Zoning Enforcement Officer or the Planning Commission.
3. Any Zoning Permit issued upon a false statement shall be void. Whenever the fact of such false statement shall be established to the satisfaction of the Zoning Enforcement Officer, said permit shall be revoked by notice in writing, to be delivered to the holder of the void permit upon the premises concerned or in some conspicuous place upon the premises. Any persons who shall proceed thereafter with such work or use without having obtained a new Zoning Permit in accordance with these Zoning Regulations, shall be deemed guilty of violation thereof.

## Section D - Filing Fees by Resolution

The City Council shall, by resolution, establish a schedule of fees, charges, and expenses and a collection procedure for Zoning Permits, amendments, appeals, Variances, plan approvals, and other matters pertaining to the administration and enforcement of these Regulations requiring investigations, inspections, legal advertising, postage, and other expenses. The schedule of fees shall be posted in the office of the Zoning Enforcement Officer, and may be altered only by resolution of the City Council. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

## Section E - Appeals Procedures

1. Appeals to the Board of Zoning Appeals concerning administration or interpretation of these Regulations may be taken by any person aggrieved or by any officer or bureau of the City affected by any decision of the Zoning Enforcement Officer or the Planning Commission. Such appeal shall be taken within twenty (20) days after the decision by filing, with the Zoning Enforcement Officer and with the Board of Zoning Appeals, a notice of appeal specifying the grounds

## Section E - Appeals Procedures (Continued)

on which the appeal is being taken. The Zoning Enforcement Officer shall transmit to the Board of Zoning Appeals all materials constituting the record upon which the action appealed from was taken. The Board of Zoning Appeals shall hear the administrative appeal at its next regularly scheduled meeting, provided said meeting occurs at least seven (7) days after the filing of the appeal.

2. An administrative appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Enforcement Officer certifies to the Board of Zoning Appeals that by reason of facts stated in the application, a stay would, in his/her opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by a restraining order which may be granted by the Board of Zoning Appeals or by notice given the Zoning Enforcement Officer by a court of record in Jackson County, Ohio.
3. The concurring vote of four (4) members of the Board of Zoning Appeals shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Enforcement Officer or the Planning Commission, or to decide in favor of the applicant on any matter upon which it is required to pass under these Regulations, or to effect any variation in the application of these Regulations.

## Section F - Variances

1. The Board of Zoning Appeals may authorize a Variance from strict application of these Regulations, upon appeal, by reasons of exceptional lot narrowness, shallowness, shape, topographic conditions, or other extraordinary situation in order to relieve undue hardship. The Variance shall not substantially impair the public good, nor shall it impair the intent of these Regulations. No Variance shall be granted unless the Board finds that all of the following conditions exist:
  - a. The requested Variance shall not constitute a change in land use resulting in the establishment of a use not normally permitted in the applicable Zoning District;
  - b. The special circumstances or conditions applying to the building or land in question are peculiar to such lot or property, and do not generally apply to other land or buildings in the vicinity;

## Section F - Variances (Continued)

- c. The granting of the Variance is necessary to relieve hardship and preserve the applicant's right to the reasonable and legitimate use of his/her property; the request shall not be granted merely for the convenience of the applicant;
- d. The extent or magnitude of the requested Variance is the minimum necessary for the preservation and enjoyment of the applicant's property rights; and
- e. The special conditions or circumstances which form a basis for the Variance application shall not result from the actions of the applicant.
- f. Non-conforming use of neighboring lands, structures, or buildings in the same Zoning District, and permitted or non-conforming use of lands, structures, or buildings in other Zoning Districts shall not be considered grounds for the issuance of a Variance.
- g. The application for a Variance shall not be based exclusively upon a desire to increase the value or income potential of the parcel of land or any structures or uses thereupon.

## Section G - Temporary Uses

- 1. The Zoning Enforcement Officer may, upon proper application, issue a Temporary Use Permit for any of the following temporary uses.
  - a. The retail sale of merchandise on business premises including the provision of related off-street parking lots by merchants who do not occupy the premises, for a time period not to exceed thirty (30) days per year. In addition, such commercial activity shall be set back not less than ten (10) feet from the front lot line and not less than five (5) feet from the side lot line.
  - b. Orderly display at an automobile service station building of canned fluids and lubricants not required for immediate servicing of automobiles, and display of tires and other products normally sold at service stations. Such display shall be set back not less than ten (10) feet from the front lot line and not less than five (5) feet from any side or rear lot line.



Section G - Temporary Uses (Continued)

- c. Promotional activities of retail merchants, located in any Business District, involving the display of goods and merchandise may be conducted outside of enclosed buildings for a period of not more than fourteen (14) days in any three (3) month period. Goods and merchandise that will be used in the promotional activity and are also for sale within the building may be displayed subject to the following conditions:
  - (1) No portion of the display shall be on or over publicly owned property, except for sidewalk sales in the Central Business District.
  - (2) No food or drink shall be dispensed outside the building except in accordance with standards and prior written approval of the Jackson County Health Department.
- d. Real estate offices (containing no sleeping or cooking accommodations unless located in a model dwelling unit) incidental to a new housing development, to continue only until the sale or lease of all dwelling units within the development.
- e. Contractors' offices, trailers, and equipment sheds (containing no sleeping or cooking accommodations) accessory to a construction project, and to continue only during the duration of such project.
- f. Seasonal sale of farm produce grown on the premises, in the A District, to continue for not more than five (5) months per year. Such commercial activity shall be located not less than ten (10) feet from the front lot line and not less than five (5) feet from any side or rear lot line.
- g. Christmas tree sales in the Industrial or Business Districts for a period not to exceed sixty (60) days. Display of Christmas trees need not comply with the yard and setback requirements of these Regulations provided that no tree shall be displayed within thirty (30) feet of the intersection of the curb line of any two (2) streets.
- h. Open-air carnivals or tent circuses, but only in the Industrial and General Business Districts, and then only for a period that does not exceed one (1) week.

Section G - Temporary Uses (Continued)

2. Each application for a Temporary Use Permit shall contain the following information:
  - a. Name, address, and telephone number of the applicant;
  - b. A description of the property where the temporary use is to occur, including the location of the property and existing and/or proposed uses;
  - c. A statement explaining the need for the temporary use;
  - d. The date on which the temporary use will commence and the anticipated duration of such use; and
  - e. Such other information as may be required by the Zoning Enforcement Officer.
3. The Zoning Enforcement Officer shall either approve or disapprove such application within fourteen (14) days of receipt and shall notify the applicant in writing of the decision. In the event that the application is disapproved, the Zoning Enforcement Officer shall explain in writing the reason(s) for disapproval and shall include such explanation with the notice of disapproval.

## CHAPTER VII

### FUNCTIONS AND ROLES OF CITY OFFICIALS AND STAFF



## CHAPTER VII

### FUNCTIONS AND ROLES OF CITY OFFICIALS AND STAFF

#### Section A - City Planning Commission

1. Membership. The Planning Commission shall consist of five (5) members including the Mayor, one (1) member of Council (to be elected by Council), and three (3) other residents of the City appointed by the Mayor. All members of the Planning Commission shall be residents of the incorporated area of the City.
2. Powers and Duties. The powers and duties of the Planning Commission shall be the following:
  - a. The Planning Commission shall review all proposed Zoning Regulations; following this, the Planning Commission shall officially recommend approval, disapproval, or modification to City Council.
  - b. The Planning Commission shall act upon requests to amend these Regulations (map and/or text) in accordance with the provisions of Chapter VI, Section B.
  - c. The Planning Commission shall review requests for development within the Planned Unit Development District, Mobile Home Park District, and High Density Multiple-Family Residential District, and make recommendation regarding such plans to City Council.
  - d. The Planning Commission may, when the need arises, initiate a request to amend these Regulations.
  - e. The Planning Commission may, when the Commission deems it necessary and in the public interest, hold a public hearing on a request for a zoning amendment. Notice of the hearing shall be carried out in accordance with the provisions of Chapter VI, Section A.
  - f. The Planning Commission shall act and decide upon all required Site Plans as provided in Chapter IV, Section C.
  - g. An affirmative vote of the majority of the Planning Commission is required to approve recommendations.

#### Section B - Board of Zoning Appeals

1. Membership. The Board of Zoning Appeals, hereinafter called the Board, shall consist of five (5) members who are residents of the incorporated area of the City: one (1) member of Council (to be elected by Council), one (1) member of the Planning Commission (to be elected by the Planning Commission), and three (3) other residents of the City, to be appointed by the Mayor.

## Section B - Board of Zoning Appeals (Continued)

2. Jurisdiction. The Board shall have the following powers:

- a. Administrative Appeals. To hear and decide appeals where it is alleged there is error in any interpretation, judgement, decision, or determination made by the Zoning Enforcement Officer or the Planning Commission in the administration and enforcement of the provisions of these Regulations.
- b. Variances. To authorize a Variance from strict application of the provisions of these Regulations, upon appeal, by reasons of exceptional narrowness, shallowness, shape, topographic conditions, or other extraordinary situation in order to relieve undue hardship, provided the Variance can be granted without substantial detriment to the public good and does not substantially impair the intent of these Regulations. No Variance shall be granted unless the Board finds that all of the following conditions exist:
  - (1) The special circumstance or conditions applying to the building or land in question are peculiar to such lot or property, and do not result from the actions of the applicant and do not apply generally to other land or buildings in the vicinity.
  - (2) The granting of the application is necessary for the preservation and enjoyment of the substantial property right and not merely to serve as a convenience to the applicant.
  - (3) The proposed Variance shall not constitute a change, including a variation in use, on the Official Zoning District Map. In no case shall the Board of Zoning Appeals approve a Variance for a use which is not permitted in the Zoning District in which such building, structure, or use is located.
- c. Conditional Uses. The Board shall hear and decide upon, in accordance with the provisions of Chapter V of these Regulations, all applications for Conditional Uses.

## Section C - City Council

The powers and duties of the City Council are the following:

1. Appoint a Zoning Enforcement Officer to administer and enforce the provisions of these Regulations.

Section C - City Council (Continued)

2. Initiate or act upon suggested amendments to the Zoning Regulations text or Official Zoning District Map following recommendation of the City Planning Commission.
3. Elect one (1) of its own members to the Board of Zoning Appeals.
4. Elect one (1) of its own members to the Planning Commission.
5. Establish, by resolution, a schedule of filing fees for Zoning Permits, Variances, zoning amendments or map changes, administrative appeals, and Site Plan reviews. The City Council shall also establish, by resolution, a schedule of fines to be assessed parties found in violation of these Regulations.

Section D - Mayor

1. The Mayor shall serve as a member of the Planning Commission and shall participate in all of the activities and actions of that body.
2. The Mayor shall appoint three (3) members to the Planning Commission.
3. The Mayor shall appoint three (3) members to the Board of Zoning Appeals.

Section E - City Solicitor

1. The City Solicitor shall ensure that all portions of these Regulations and any amendments hereto are in proper legal form and are interpreted as legally binding.
2. The City Solicitor shall represent the City of Jackson in all litigation regarding the application, administration, and enforcement of these Regulations.

## Section F - Zoning Enforcement Officer

1. A Zoning Enforcement Officer designated by the City Council shall administer and enforce these Regulations. He/she may be provided with the assistance of such other persons as the City Council may direct. The Zoning Enforcement Officer, before entering upon his/her duties, shall give bond as specified in the Ohio Revised Code.
2. The Zoning Enforcement Officer shall:
  - a. Enforce the provisions of these Regulations;
  - b. Interpret the Official Zoning District Map and text;
  - c. Issue Zoning Permits in accordance with these Regulations and maintain records of permits issued; and
  - d. Act upon all applications for Temporary Use Permits within fourteen (14) days of their filing. A Temporary Use Permit or written notification and explanation of refusal shall be issued to the applicant within said fourteen (14) days. Failure to notify the applicant of such refusal within this time period shall constitute an automatic approval of the application.
  - e. Determine whether various uses of land within the City of Jackson are in compliance with these Regulations. Where violations exist, the Zoning Enforcement Officer shall notify in writing the person(s) responsible, specify the exact nature of the violation, and direct the necessary corrective action.
  - f. Maintain and keep current the permanent records required by these Zoning Regulations, including but not limited to: the Official Zoning District Map, Zoning Permits, Temporary Use Permits, Variances, Site Plans, and all official zoning actions by the City of Jackson. Such records shall be made available for use by the City Council, the Planning Commission, and the general public.
  - g. Prepare and submit reports concerning the administration and enforcement of these Zoning Regulations to the Mayor, the City Council, or the Planning Commission, upon request, and prepare an annual report summarizing zoning actions and decisions made during that particular year.



CHAPTER VIII  
ZONING ENFORCEMENT PROCEDURES



CHAPTER VIII  
ZONING ENFORCEMENT PROCEDURES

Section A - Invalidity of a Part

If any chapter, section, subsection, paragraph, sentence, or phrase of these Regulations is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of these Regulations.

Section B - Violations and Injunctions

In case any building is, or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained, or used, or any land is used or is proposed to be used in violation of these Regulations, the City Solicitor, on behalf of the City, or any individual who would be damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate legal action to abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance, or use.

1. The Zoning Enforcement Officer shall issue a warning citation to the instigator of such illegal action, identifying the specific nature of the illegality and instructing the instigator of any and all actions to be taken to bring the illegality into compliance with these Regulations.
2. If, after a period of five (5) days from the date of issuance of the warning citation, the illegality has not been brought into compliance with the provisions of these Regulations, the Zoning Enforcement Officer shall issue a zoning citation, again identifying the specific nature of the illegality and instructing the instigator of any and all actions to be taken to bring the illegality into compliance with these Regulations.
3. The instigator shall have a period of ten (10) days from the date of issuance of the zoning citation to apply to the Zoning Enforcement Officer for a Variance covering the illegality. If, at the end of the ten (10) day period, the instigator has not applied for a Variance, the City Solicitor shall submit the case to the Jackson Municipal Court. If the instigator does apply for and is granted a Variance, the zoning citation shall be rendered null and void.

### Section C - Fines

Any person violating any provision of these Regulations shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than \_\_\_\_\_ nor more than \_\_\_\_\_, or shall be imprisoned for not more than thirty (30) days, or both, and in addition shall pay all costs and expenses involved in the case. Each and every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance, or use continues shall be deemed a separate offense.

CHAPTER IX  
GLOSSARY OF DEFINITIONS



## CHAPTER IX

### GLOSSARY OF DEFINITIONS

Unless a contrary meaning is required by the context or is specifically prescribed, the following definitions shall be used in the interpretation and construction of these Regulations. Terms not herein defined shall have the meaning customarily assigned to them. In case there is further question as to the meaning of terms not herein defined, the definitions cited in the latest edition of Webster's New International Dictionary of the English Language (G. and C. Merriam Company, publisher) shall apply.

Accessory Use or Structure: Any use or structure subordinate to the principal use of a building on the same lot and serving a purpose customarily incidental to the use of the principal building.

Accountability: The provision that a governmental agency is legally responsible for the welfare of the clientele of a family or group care home and as such can exercise control over the operator of such facilities in order to insure that the provisions of these Regulations are being met and that adequate operational and occupancy standards are being maintained.

Acre: A measure of land area. One acre shall equal forty-three thousand, five hundred sixty (43,560) square feet.

Agriculture: The use of the land for agricultural purposes, including farming, dairying, pasturage, apiculture, 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 use shall be secondary to that of normal agricultural activities and provided further that the above uses shall not include the commercial feeding of garbage or offal to swine or other animals.

Alley or Lane: A public or private way not more than twenty (20) feet wide affording only secondary means of access to abutting property.

Apartment: A portion of a building comprising a single dwelling unit consisting of a room or suite of rooms intended, designed, or used as a permanent residence by an individual or one (1) family.

Automobile or Trailer Sales Area: An open area, other than a street, used for the display, sale, or rental of new or used motor vehicles or trailers in operable condition and where no repair work is done.

Automobile Repair Garage: Any building where repair and/or maintenance operations are performed on motor vehicles for compensation and which may or may not be associated with an automotive service station as defined herein.

Automobile Repair Garage (Major Repairs): A business whose functions may include motor replacement, transmission repair or replacement, exhaust system repair or replacement, body and fender repair, spray painting, upholstery work, auto glasswork, welding, tire recapping, radiator repairs, and/or other similar major mechanical work.

Automobile Repair Garage (Minor Repairs): A business whose functions may include oil and fluid changes, tune-ups, wheel balancing and mounting, minor tire repair, replacement of lamps, bulbs, filters, belts, valves, gas-kets, and the like, and the repair or replacement of minor mechanical or electrical components.

Automobile Service Station: A building or other structure used for the retail sale, dispensing, or offering for retail sale of motor fuels, lubricants, and other supplies for motor vehicles, and the delivery of such items directly into motor vehicles.

Automobile Wrecking: The dismantling or disassembling of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled, partially dismantled, obsolete, or wrecked vehicles or their parts.

Balcony: A platform, enclosed by a parapet or railing, projecting from a wall.

Bar: Any establishment, public or private, which provides alcoholic beverages for consideration as its primary function. Food may or may not be served on the premises and entertainment may or may not be provided as secondary functions.

Basement: A story whose floor is more than twelve (12) inches, but not more than one-half (1/2) of its story height below the average level of the adjoining ground, as distinguished from a "cellar" which is a story more than one-half (1/2) below such level. A basement, when used as a dwelling, shall be counted as a story for purposes of height measurement and as a half-story for purposes of side yard determination.



Beginning of Construction: The incorporation of labor and material on a building site.

Billboard: (See "Sign")

Board of Zoning Appeals: The Board of Zoning Appeals of the City of Jackson, Ohio. Also referred to as the "Board".

Breast Height: The vertical distance above the average ground level at the base of a tree, at which the diameter of the main trunk of the tree is measured. Breast height shall be set at four and one-half (4-1/2) feet.

Building: Any structure having a roof supported by columns or walls, used or intended to be used for the shelter or enclosure of persons, animals, or property.

Building Height: The vertical distance from the average contact ground level at the front wall of the building to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip, or gambrel roofs.

Building Line: A line defining the minimum front, side, and rear yard requirements.

Bulkhead: A retaining wall or structure constructed along fill slopes in order to resist soil slippage and deter erosion.

Business: An occupation, enterprise, undertaking, or employment which engages in the purchase, sale, barter, or exchange of goods, wares, merchandise, or services or where there is the maintenance or operation of an office or offices for the exhibition, sale, or offering of merchandise or services. See also "Commercial Establishment".

Carport: A roofed shelter, open on at least two (2) sides, designed as a shelter for operable automobiles. A carport may be free-standing or may be formed by extension of a roof from the side of a building.

Cellar: A story, the floor of which is more than one-half (1/2) of its story height below the average contact ground level at the exterior walls of the building. A cellar shall be counted as a story for the purpose of height regulations only if used for dwelling purposes other than by a janitor or caretaker employed on the premises.

City: The City of Jackson, Ohio.

City Council: The legislative body of the City of Jackson, Ohio.

Club: A non-profit association of persons who are bona fide members, paying regular dues, that are organized for the same common purpose, but not including a group organized solely or primarily to render a service customarily carried on as a commercial enterprise.

Club (Private): Building and facilities for a social, educational, or recreational purpose, generally open only to members, but not primarily for profit or to render a service which is customarily carried on as a business.

Commercial Establishment: Any concern which provides, for profit, goods or services to the general public, or any part thereof. See also "Business".

Commercial Recreation Establishments: Any private, public, or quasi-public recreation or amusement facility which is located within an enclosed building or structure and is operated for profit, such as video game arcades, bowling alleys, skating rinks, or billiard halls, but not including indoor motion picture theatres.

Compact Car: Any passenger automobile which has a total length of one hundred seventy-five (175) inches or less.

Conditional Use: A use permitted in a District other than a Permitted Use, requiring application to and approval by the Board of Zoning Appeals that all prior conditions for approval have been met.

Condominium: A single dwelling unit which is part of a multiple-family structure in which each dwelling unit is owned (or financed) by the occupant or the occupant's lessor, but in which the common halls, entrances, drives, and underlying lands are owned jointly by the owners of all dwelling units in the structure.

Day Care Center: Any place other than an occupied residence which receives children for day care, or any place including an occupied residence which receives four(4) or more children for day care and provides direct care and protection of infants, preschool, and school-age children outside of their own homes during a twenty-four (24) hour period. Activities include, but are not limited to, educational, social, health, and nutritional services, and parent participation. Required supportive functions cover administration, coordination, admissions, training, and evaluation.

Density: A unit of measurement; the number of dwelling units per acre of land.

Density, Gross: The number of dwelling units per acre of the total land to be developed, including public ways and open space.

Density, Net: The number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses.

Detached: Not connected in any manner by walls or other structural supports.

District: (See "Zoning District")

#### Dwellings

Dwelling: A building or portion thereof designed or used exclusively as the residence or sleeping place of one (1) or more persons, but not including a tent, cabin, trailer, or trailer coach.

Multiple-Family Dwelling: A building or portion thereof designed for or used by three (3) or more families or housekeeping units.

Single-Family Dwelling: A building designed for or used exclusively for residence purposes by one (1) family or housekeeping unit.

Two-Family Dwelling: A building designed for or used exclusively by two (2) families or housekeeping units.

Efficiency Dwelling: A dwelling unit in a multiple-family building consisting of not more than one (1) habitable room, together with kitchen or kitchenette and sanitary facilities.

Dwelling Unit: One (1) room, or a suite of two (2) or more rooms, designed for or used by one (1) family for living and sleeping purposes and having only one (1) kitchen or kitchenette.

Earth Berm: A low, usually linear, mound of earth covered with grass or other landscape materials used to define, screen, protect, and/or enhance the appearance of a particular space or area of land.

Eating and Drinking Place: (See "Restaurants")

Essential Services: The erection, construction, alteration, or maintenance, by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam, or water transmission or distribution systems or collection, communication, supply, or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings.

Family: A person living alone, or two (2) or more persons related by blood, marriage, or adoption, or not more than five (5) unrelated persons living together as a single housekeeping unit, in a dwelling unit, as distinguished from a group occupying a boarding house, motel or hotel, fraternity or sorority house, group care home, or other types of contractual or court ordered living quarters.

Family Care Home: A residential facility which provides room and board, and personal care and supervision by house parents for eight (8) or fewer resident mentally retarded, developmentally disabled, physically handicapped, and/or convalescing mentally ill, and who have not been previously convicted of a felony involving violence, or aged (over 62 years of age) persons, who are able to be integrated into a family type setting and who do not require institutional care or treatment. This category is licensed by and/or has accountability to a governmental agency for the clientele served. This category does not include nursing homes, hospitals, rest homes, boarding or lodging houses, or foster children.

### Fences

Fence: A barrier constructed of materials other than evergreen shrubbery, erected for purposes of protection, confinement, enclosure, or privacy.

Privacy Fence: A fence erected or constructed with the intention of blocking views into the property from the outside.

Security Fence: A fence erected or constructed to serve as a barrier to persons, animals, or vehicles entering the property.

Flood Plain: That area of the City of Jackson which has been determined by the United States Department of Agriculture Soil Conservation Service to lie below the elevation of the statistical 100-year flood.

Floor Area: The gross floor area used or intended to be used by tenants or for service to the public as customers, patrons, clients, or patients, including areas occupied by fixtures and equipment used for display or sale of merchandise. It shall not include areas used principally for the purpose of storage, nor shall it include incidental areas for repair, processing, or packaging of merchandise, nor show windows, nor maintenance, toilet, or rest-rooms, nor utility rooms, dressing rooms, or fitting or alteration rooms.

#### Garages

Private Garage: A detached accessory building or a portion of the principal building used primarily but not exclusively for the storage of passenger vehicles by the families resident upon the premises.

Public Garage: A structure or portion thereof, other than a private garage, used for the storage, hire, or care of self-propelled vehicles or trailers.

Garage Sale: The selling of used or unused household goods normally accumulated in the process of housekeeping.

Group Care Home (Adult Foster Care Facility): A residential facility which provides resident services to more than eight (8) individuals who are mentally retarded, developmentally disabled, physically handicapped, or any number of individuals who are convalescing mentally ill and/or undergoing rehabilitation and/or treatment and are provided services to meet their individual needs and who have not been previously convicted of a felony involving violence or aged (over 62 years of age) persons, who do not require institutional care or treatment. This category is licensed by and/or has accountability to a governmental agency for the clientele served. This category does not include nursing homes, hospitals, rest homes, or boarding houses as defined herein or foster children, or facilities which administer treatment as their primary function to in-patients, out-patients, or on a day care basis.

Hedge: A linear massing of closely-spaced shrubs which combine to form a relatively solid vegetative wall.

Home Occupation: An accessory use of a dwelling unit by residents for gainful employment involving the manufacture, provision, or sale of goods and/or services.

Homeowners' Association: A private, non-profit corporation of homeowners established by a developer with local government approval, whose purpose it is to own, operate, and maintain various common properties, including but not limited to open space, private streets, and recreation facilities. Title to common property is held by the corporation.

Housekeeping Unit: One (1) or more persons living in a dwelling unit who are not a family.

Identification: That by which a person, thing, product, etc., can be identified or recognized - and those specific symbols, traits, trademarks, characteristics, etc., which provide such recognition.

Industry: Storage, repair, manufacture, preparation, or treatment of any article, substance, or commodity.

Land Use Plan: The long-range plan for the desirable use of the land area of the City of Jackson, as officially adopted and as amended from time to time by the Planning Commission. The purpose of such plan is, among other things, to serve as a guide in the zoning and progressive changes in the zoning of land to meet changing community needs, in the use of undeveloped land, and in the acquisition of rights-of-way or sites for such public purposes as streets, parks, schools, and public buildings.

Landscaping: Landscaping shall consist of any of the following or combination thereof: materials such as, but not limited to, grass, hardy ground covers, shrubs, vines, hedges, and trees; and non-living durable material commonly utilized in landscaping, such as, but not limited to, rocks, pebbles, sand, walls, or fences, but not including paving as a principal design element.

Laundromat: A building whose primary function is the provision of coin-operated, self-service clothing washing and drying machines. Accessory uses may include laundering and/or minor tailoring for compensation.

Livable Area: That totally enclosed space within the principal structure having an average ceiling height of a minimum of four (4) feet above the finished grade.

Livable Floor Area: The livable floor area in square feet of existing or proposed buildings or structures or additions thereto shall be computed by multiplying the outside horizontal dimensions with each floor of the livable area. Porches, carports, and similar structures shall not be considered in computing the total livable area.

Lodges (Fraternal): Any structure or structures which house a group of men and/or women associated by common purpose or interest and who subscribe to a common bylaw, custom, and/or ritual. Fraternal Lodges are customarily open to members only and do not contain residential accommodations.

Lot Area: The total land area, measured in square feet or acres, contained within the lot lines.

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

#### Lot Lines

Lot Lines: The property lines bounding a lot.

Front Lot Line: The line separating the lot from a street. In the case of a corner lot, the narrow side fronting on the street shall be considered to be the front of the lot.

Rear Lot Line: The lot line opposite and most distant from the front lot line.

Side Lot Line: Any lot line other than a front or rear lot line. A side lot line separating a lot from a street is called a side street lot line. A side lot line separating a lot from another lot or lots is called an interior side lot line.

Street Lot Line: A lot line separating a lot from a street.

Lot Frontage: The distance between the side lot lines, measured by a line drawn parallel with the front lot line at the point of required minimum front yard depth, or "setback".

### Lots

Lot: A piece or parcel of land occupied or intended to be occupied by a principal building or a group of such buildings and accessory buildings, or utilized for a principal use and uses accessory thereto, together with such open spaces as required by these Regulations, and having frontage on a public street.

Corner Lot: A lot abutting upon two (2) or more streets at their intersection or upon two (2) parts of the same street, such streets or parts of the same street forming an interior angle of less than one hundred thirty-five (135) degrees. The point of intersection of the street lines is the "corner".

Double Frontage Lot: A lot having frontage on two (2) non-intersecting streets.

Interior Lot: A lot other than a corner lot with only one (1) frontage on a street.

Lot of Record: Any lot which individually or as a part of a subdivision has been recorded in the Jackson County Recorder's Office, or on which the recording has been delayed by mutual consent of the subdivider/developer, and the County.

Non-conforming Lot: A legally recorded lot which has less than the required minimum lot size, width, depth, or any combination thereof as specified by the Zoning District in which it is located.

Zoning Lot: A parcel of land abutting a dedicated street, occupied or intended to be occupied by a permitted use and/or accessory use or a principal or accessory building, as a unit, together with such open spaces as are required by these Zoning Regulations and which may or may not coincide with a lot of record.



Lot Width: The mean width of the lot measured at right angles to its depth.

Maximum Lot Coverage: The greatest percentage of the total zoning lot which may be occupied by principal and accessory buildings or structures.

Minimarket (Convenience Foods Market): A retail store which provides a limited variety of primarily ready-to-consume food, beverages, and household or party supplies. Minimarkets are typically located in highly visible areas and cater to a transient clientele. Ice cream, soft drinks, coffee, frozen sandwiches, and/or similar ready-to-consume, unpackaged foods may be sold on the premises, but shall not be consumed thereupon.

Miniwarehouse: A building or group of buildings that contains varying sizes of individual, compartmentalized, and controlled-access stalls or lockers for the dead storage of customers' goods or wares.

Mobile Home: A modular unit constructed on a chassis with a body width exceeding eight (8) feet and a body length exceeding thirty-two (32) feet, designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities. A mobile home shall meet all standards in the Mobile Home Construction and Safety Standards published by the United States Department of Housing and Urban Development.

Mobile Home Park: A tract of land under unified control containing five (5) or more acres of land divided into two (2) or more lots for the accommodation of occupied mobile homes used for single-family dwelling purposes, and including any roadway, building, structure, or utility used or intended for use as part of the facilities of such parks.

Non-conforming Use: A building, structure, premises, or use thereof, legally existing and/or used at the time of adoption of these Regulations or any amendment thereto, which does not conform with the use regulations of the Zoning District in which it is located.

Nursing Home (Extended Care Facility): Any establishment used for the reception and care, for a consideration or not, of three (3) or more persons not of an immediate family, who by reason of illness or physical or mental impairment, require skilled nursing care (those procedures employed by a licensed graduate from an approved school of either professional or practical nursing), but which is not a hospital, family care, or group care home as defined herein, and which establishment does not contain equipment for major surgical care.

Open Space: An area substantially open to the sky which may be on the same lot with a building. The area may include, along with the natural environmental features, water areas, swimming pools, tennis courts, or any other recreational facilities that the City deems permissive. Streets, structures for habitation, and the like shall not be included.

Parcel: An individual lot or group of lots held under common ownership.

### Parking Areas

Private Parking Area: An open area for the same uses as a private garage.

Off-Street Parking Area: Any open area other than a street or other public right-of-way used for the temporary storage of automobiles and available to the public whether for a fee, free, or as an accommodation for clients or customers. All off-street parking areas shall conform to the design standards presented in these Regulations and no required off-street parking area shall charge a fee of any type to its users.

Parking Space: A permanently surfaced area, either within a structure or in the open, exclusive of driveways or access drives, for the parking of a motor vehicle, and which conforms with the design standards presented herein.

Patio (Terrace): An uncovered area permanently surfaced or constructed and usually raised slightly above the lawn surface, the use of which is customarily incidental to that of the main use of the land and which is located on the same lot with the main building or use.

Performance Bond: An agreement by a developer with the City for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the developer's agreement.

Performance Standards: Criteria established to control the dust, smoke, fire and explosive hazards, glare, heat, noise, odor, toxic and noxious matter, vibrations, and other conditions created by or inherent in uses of land or buildings.

Permitted Use: A use which is specifically authorized by these Zoning Regulations in a particular Zoning District.

Planned Unit Development: Land under unified control, planned and developed as a whole in a single development operation or a definitely programmed series of development operations including all lands and buildings. Planned Unit Developments are designed and developed subject to the provisions of these Regulations.

Planning Commission: The Planning Commission of the City of Jackson, Ohio.

Porch: An entrance or structure attached to the outside of an outer wall of a building, one (1) or two (2) stories in height, with integral foundations, which is open on three (3) sides and which may have railings and banisters or a parapet, and which is roofed.

Private Outdoor Recreation Area: Any privately owned and operated recreation facility or area which is not located within an enclosed building or structure, such as golf courses, tennis courts, ball fields, swimming pools, driving ranges, race tracks, amusement parks, stadiums, motorcross or snowmobile circuits, and campgrounds.

Queue: A line or file of people or automobiles awaiting turns, as at a drive-in bank or fast food restaurant.

Replacement Value: The monetary expense that could be expected to be incurred when a building, structure, or use is resumed or reconstructed after being completely damaged or destroyed. Replacement value shall equal the market value of the building, structure, or use.

Residential Conversion: The conversion of any building into a dwelling, or the conversion of any dwelling so as to accommodate an increased number of dwelling units or families, or the conversion of any dwelling to a commercial use, subject to the conditions specified in these Regulations.

Resource and Mineral Extraction: Any mining, quarrying, excavating process, storing, separating, cleaning, or marketing of any mineral natural resource.

Rest Home: (See "Nursing Home")

## Restaurants (Eating and Drinking Places)

Carry-Out Restaurant: Any structure which is maintained, advertised, or held out to the public as a place where food or beverages are served at the counter to customers in disposable containers for a consideration, and such food and beverages may be consumed on or carried off the premises.

Drive-In Restaurant: Any structure which is laid out, equipped, maintained, advertised, or held out to the public as a place where food or beverages are served for a consideration to customers in motor vehicles.

Fast Food Restaurant: Any structure where cooked food and beverages primarily intended for immediate consumption are available upon a short waiting time, and are packaged or presented in disposable containers in such a manner that they can be readily eaten outside the premises where they are sold; and where the facilities for on-premises consumption of the food and beverages are insufficient for the volume of food sold in the place.

Sit-Down Restaurant: Any structure whose principal use is the sale of foods and beverages to the customer in a ready-to-consume state, and whose design or principal method of operation includes one (1) or both of the following: 1) customers, normally provided with an individual menu, are served their food and beverages by a restaurant employee at the same table or counter at which said items are consumed; or 2) a cafeteria-type operation where foods and beverages are consumed within the structure.

Right-of-Way: A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting, and drainage facilities, and may include special features (required by the topography or treatment) such as grade separation, landscaped areas, viaducts, and bridges.

Rummage Sale: (See "Garage Sale")

Salvage Yard: A place where waste, discarded, or salvaged materials are bought, sold, exchanged, baled, packed, disassembled, or handled, including auto wrecking yards, house wrecking yards, used lumber yards, and places or yards for storage of salvaged house wrecking and structural steel materials and equipment, but not including such places where such uses are conducted entirely within a completely enclosed building, and not including pawnshops and establishments for the sale, purchase, or storage of used furniture and household equipment, used cars in operable condition, or salvaged materials incidental to manufacturing operations.

Shrub: A woody plant that usually remains low and produces shoots or trunks from the base; it is not usually tree-like nor single-stemmed.

## Signs

Sign: Any writing, name, identification, description, display, flag, emblem, insignia, or graphic representation which is contained on a structure or part thereof, or is attached to or painted on a building or structure; said sign being used to advertise direct attention to or announce an object, place, product, person, activity, organization, or business. This definition shall not include any flag, pennant, or insignia of any nation, state, city, or other political unit, as well as any sign, board, or surface used to display or announce official notice of such political units.

Building Mounted Sign: A sign which is affixed to or painted on any exterior wall.

Free-Standing Sign: A sign which is supported by one (1) or more columns, in or upon the ground.

Ground Sign: A sign erected on a free-standing frame, mast, or pole and not attached to any building.

Portable Sign: A sign which is designed to be easily moveable.

Sign Area: The entire area within a single, continuous perimeter enclosing the extreme limits of writing, representation, emblem, or any figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed. The area of a sign having more than one (1) display surface shall be computed as the total of the exposed exterior display surface area.

Site Plan: A plan showing uses and structures proposed for a parcel of land, as required by these Regulations.

## Stories

Story: That portion of a building included between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, then the space between the floor and the ceiling next above it.

First Story: As applied to the Residential Districts, means the lowest story or the ground story of any building, the floor of which is less than four (4) feet below the average contact ground level at the exterior walls of the building.

Half-Story: As applied to the Residential Districts, means a partial story under a gable, hip, or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are less than four (4) feet above the floor of such story.

### Streets

Street: An improved public right-of-way fifty (50) feet or more in width which provides a public means of access to abutting property, provided such street has been maintained by or accepted for maintenance by the City by Councilmanic action or operation of law. Street includes avenue, drive, circle, road, parkway, boulevard, highway, thoroughfare, or any other similar term.

Major Street: Any street within the City's corporate limits which is designated as a state or federal highway.

Minor Street: Any street within the City's corporate limits which is not designated as a state or federal highway.

Structural Alteration: Any change or rearrangement in the structural members of a building, such as walls, columns, beams, or girders, or any addition to a building, or movement of a building from one (1) location to another.

Structure: Anything constructed, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground.

Substantial Alteration: Any structural alteration which affects fifty percent (50%) or more of a building or use.

Swimming Pool (Private): Any pool, pond, or open tank not located within a wholly enclosed building, and containing, or normally capable of containing at any point, water to a depth of greater than one and one-half (1-1/2) feet.

Temporary Use: Any non-permanent or intermittent use of land, building, or structure which is permitted by these Regulations.

Thoroughfare Plan: The Official Thoroughfare Plan of, and as adopted by, the Planning Commission of the City of Jackson, establishing the location and official right-of-way widths of principal highways and streets in the City, on file in the office of the City Clerk and the Planning Commission, together with all amendments thereto subsequently adopted.

### Trailers

Trailer: Any vehicle or structure constructed in such a manner as to permit occupancy thereof as sleeping quarters or the conduct of any business, trade, or occupation, or use as a selling or advertising device, or use for storage or conveyance for tools, equipment, or machinery, and so designed that it is or may be mounted on wheels and used as a conveyance on highways and streets, propelled or drawn by other motor power.

Tent Trailer: A trailer which is designed as and may be easily and quickly converted into a tent or canopy structure for recreational dwelling purposes.

Travel Trailer: A rigid-walled trailer designed, constructed, or used as temporary dwelling quarters for one (1) or more persons. All travel trailers shall contain sleeping berths and kitchen and sanitary facilities.

Utility Trailer: A small trailer used primarily for the transportation of commercial or personal goods and/or wares.

Construction Trailer: A large trailer which is used for the storage and conveyance of tools, machinery, or equipment on, to, or from a construction site and which may be left on the site for the duration of construction as provided by these Regulations.

Tree: Any self-supporting woody plant which usually produces one (1) main trunk, and a more or less distinct and elevated head with many branches.

Truck Terminal: The use of property or buildings for the temporary parking of motor freight vehicles or trucks or common carriers, during loading and unloading and between trips, including necessary warehouse space for storage of transitory freight.

Use: The activity conducted on or in a particular parcel of land or structure.

Variance: A modification of the literal provisions of these Regulations granted when strict enforcement of these Regulations would cause undue hardship owing to circumstances unique to the individual property on which the variance is granted.

### Vehicles

Vehicle: All automobiles, trucks, motorcycles, trailers, truck campers, recreational vehicles, buses, and boats.

Commercial Vehicle: Any motor vehicle designed and used for carrying merchandise or freight. Also referred to as "business vehicle".

Disabled Vehicle: Any vehicle not capable of providing its own motive power.

Dual Purpose Vehicle: Any pick-up truck with a slide-in camper or a van-type vehicle converted for camping use, either of which are used both for camping and incidental transportation.

Motorized Dwelling Vehicle: Any vehicle which is designed, constructed, or used primarily as a temporary dwelling and which is propelled by means of its own motive power.

Recreational Vehicle: Any motor vehicle whose principal function is to serve a recreational or entertainment purpose and whose function as transportation is primarily limited to transporting its users to or from the site(s) of such recreation or entertainment.

Van: A fully enclosed, two (2) axle vehicle mounted on a truck chassis. A van may be used commercially to deliver goods or services, or it may be used privately for domestic or recreational purposes.

Wall: A boundary enclosure or separating barrier which is usually opaque.



### Yards (Front)

Front Yard: An open space extending the full width of the lot between a building and the front lot line, unoccupied and unobstructed from the ground upward except as herein specified.

Front Yard (Least Depth): The distance measured horizontally between any part of a building and the right-of-way line of the existing street on which the lot fronts, i.e. the front lot line.

### Yards (Rear)

Rear Yard: The shortest distance measured horizontally between any part of a building and the rear lot line.

Rear Yard (Least Depth): An open space extending the full width of the lot between a building and the rear lot line, unoccupied and unobstructed from the ground upward except as herein specified.

### Yards (Side)

Side Yard: An open space extending from the front yard to the rear yard between a building and the nearest side lot line, unoccupied and unobstructed from the ground upward except as herein specified.

Side Yard (Least Width): The average distance measured horizontally between any part of a building, other than such parts herein excepted, and the nearest side lot line.

Side Yard (Least Width, How Measured): Such widths shall be measured from the nearest side lot line and, in case the nearest side lot line is a side street lot line, from the right-of-way line of the existing street.

### Yard Sale: (See "Garage Sale")

Zoning District: A portion of the incorporated area of the City of Jackson for which certain uniform regulations governing the use, height, area, and intensity of use of buildings and land and open spaces are herein established.

Zoning District, Overlay: A Zoning District, the requirements for which are imposed in addition to those of the underlying Zoning District.

Zoning Enforcement Officer: The officer of the City of Jackson charged with the interpretation, administration, and enforcement of these Regulations.

Zoning Map: The Official Zoning District Map or Maps of the City, together with all amendments subsequently adopted.

Zoning Permit: A document issued by the Zoning Enforcement Officer authorizing buildings, structures, or uses consistent with the terms of these Regulations and for the purpose of carrying out and enforcing their provisions.

Zoning Regulations or These Regulations: This document in its entirety, any subsequent amendments, and all maps, figures, drawings, and any other clarifications appurtenant.

CHAPTER X  
INDEX OF USE CLASSIFICATIONS



## CHAPTER X

### INDEX OF USE CLASSIFICATIONS

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