

## **EXHIBIT H**

### **Front Yard Regulations**

#### **Articulating Block Front Yard**

Alternating front yards will occur implementing the following set backs, actual ordinance front yard, reduced by five feet (5'), and increased by five feet (5') to establish the block face. In residential development, the minimum front yards specified in the ordinance may be reduced by five feet (5') were articulating setbacks are used on entire block face. No more than two consecutive houses may be constructed on the same setback line.

#### **Cul-de-sac**

Where on Cul-de-sac bulbs, set backs can be reduced by five feet to a minimum of twenty feet (20'). In no case shall the garage door for a front entry lot be less than 22 feet from the front property line.

#### **Meandering Side Walks**

Allowed within the front yard setback a meandering side walk is allowed to extend beyond the right-of-way line as contained in a Sidewalk Easement. This side walk in no case shall extend into the lot less than 15 feet from the face of any one home.

#### **Corner Lots**

Corner lots shall establish front and side yard setbacks on the final plat. Front yard will be designated for addressing purposes on the "Front Yard" designation only. Reduction double front yard will be allowed to establish a side yard not less than fifteen feet (15') for corner lots.

#### **Cul-De-Sac Length**

The Maximum Cul-de-sac length is 1250 feet. Street easements and other public access drives should be used to avoid congestion on cul-de-sacs. Bulb parking within the right-of-way will be permitted with 22 feet of street pavement provided for access beyond parking area.

#### **Private Street Subdivision**

Private Street subdivisions will permitted with designation on Final Plat. Turn around provisions will be necessary for all gated developments to provide safe circulation for rejected vehicles. No SUP required.

## **Residential Development Standards**

### **Sec. 66. RS 70 single-family residence district regulations.**

- (1) *Purpose.* This zone is designed to stabilize and protect the residential characteristics of the district and to encourage a suitable family life on medium size lots. More uses are allowed as a matter of right throughout the zone than in the larger lot size zones.
- (2) *Principal permitted uses.*
  - (a) Single-family detached dwellings.
  - (b) Public, parochial and private schools and colleges offering courses of general instruction when located on sites of at least five acres, and including convents, monasteries, dormitories and other related living structures when located on the same site as the school or college.
  - (c) Churches, synagogues, chapels and similar places of religious worship and instruction of a quiet nature when located in a substantial structure and on a site of at least two acres.
  - (d) Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general system facilities, when located according to the yard space rules set forth in this section for dwellings and have a landscaped or masonry barrier on all sides. Buildings shall conform to all space limits of this zone and shall be of such exterior design as to harmonize with nearby properties.
  - (e) Public and quasi-public buildings for cultural use.
  - (f) Country clubs as defined herein.
  - (g) Crop and tree farming but not including the raising of animals or fowl for commercial purposes, or the sale of any products at retail on the premises, except as provided for as a permitted home occupation.
  - (h) Railroad through and spur tracks, but no sidings or other terminal type facilities and no service, repair or administrative facilities.

- (i) Parks and recreation areas operated by the City of Weston.
- (3) *Permitted accessory uses.*
- (a) Home occupations.
  - (b) Private garage and parking areas.
  - (c) Private swimming pools exclusively for the use of residents of the premises and their nonpaying guests and subject to any other regulations or ordinances of the City of Weston.
  - (d) The parking of one unoccupied trailer designed for recreational use and not to exceed 24 feet in length, shall be permitted in the rear yard.
  - (e) The storage of one pleasure boat shall be permitted within a building, or in the open within the rear yard.
  - (f) Real estate lease or sale signs relating to the property on which the sign is located.
  - (g) Other accessory uses customarily and normally found to be appurtenant to uses permitted in this zone.
- (4) *Space limits.*
- (a) Minimum lot area: 8,400 square feet.
  - (b) Minimum width of lot: 70 feet.
  - (c) Minimum depth of lot: 110 feet.
  - (d) Maximum height of building: 45 feet.
  - (e) Minimum front yard: 25 feet.
  - (f) Minimum rear yard: 25 feet.
  - (g) Minimum side yard: Ten feet.
  - (h) Minimum side yard on corner: 15 feet.
  - (i) Maximum lot coverage: 45 percent.
  - (j) Maximum floor area ratio: One to three (0.33:1.0).
- (5) *Miscellaneous provisions.*

- (a) Off-street parking shall be provided for all uses established in this zone.
- (b) Only one building for living purposes shall be permitted on one zoning lot except as otherwise provided herein.

**Sec. 67. RS 65 single-family residence district regulations.**

- (1) *Purpose.* This zone is designed to encourage a suitable family life on medium size lots. More uses are allowed as a matter of right throughout the zone than in the larger lot size zones.
- (2) *Principal permitted uses.*
  - (a) Single-family detached dwellings.
  - (b) Public, parochial and private schools and colleges offering courses of general instruction when located on sites of at least five acres, and including convents, monasteries, dormitories, and other related living structures when located on the same site as the school or college.
  - (c) Churches, synagogues, chapels and similar places of religious worship and instruction of a quiet nature when located in a substantial structure and on a site of at least two acres.
  - (d) Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general system facilities, when located according to the yard space rules set forth in this section for dwellings and having a landscaped or masonry barrier on all sides. Buildings shall conform to all space limits of this zone and shall be of such exterior design as to harmonize with nearby properties.
  - (e) Public and quasi-public buildings for cultural use.
  - (f) Country clubs as defined herein.
  - (g) Crop and tree farming but not including the raising of animals or fowl for commercial purposes, or the sale of any products at retail on the premises, except as provided for as a permitted home occupation.

- (h) Railroad through and spur tracks, but no sidings or other terminal type facilities and no service, repair or administrative facilities.
  - (i) Parks and recreation areas operated by the City of Weston.
- (3) *Permitted accessory uses.*
- (a) Home occupations.
  - (b) Private garages and parking areas.
  - (c) Private swimming pools exclusively for the use of residents of the premises and their nonpaying guests and subject to any other regulations or ordinances of the City of Weston.
  - (d) The parking of one unoccupied trailer designed for recreational use and not to exceed 24 feet in length, shall be permitted in the rear yard.
  - (e) The storage of one pleasure boat shall be permitted within a building, or in the open within the rear yard.
  - (f) Real estate lease or sale signs relating to the property on which the sign is located.
  - (g) Other accessory uses customarily and normally found to be appurtenant to uses permitted in this zone.
- (4) *Space limits.*
- (a) Minimum lot area: 7,000 square feet.
  - (b) Minimum width of lot: 65 feet.
  - (c) Minimum depth of lot: 100 feet.
  - (d) Maximum height of building: 35 feet.
  - (e) Minimum front yard: 25 feet.
  - (f) Minimum rear yard: 20 feet.
  - (g) Minimum side yard: six (6) feet.
  - (h) Minimum side yard on corner: 15 feet.
  - (i) Maximum lot coverage: 40 percent.

- (j) Maximum floor area ratio: One to 2.5 (0.4:1.0).
- (5) *Miscellaneous provisions.*
  - (a) Off-street parking shall be provided for all uses established in this zone.
  - (b) Only one building for living purposes shall be permitted on one zoning lot except as otherwise provided herein.

**Sec. 67. RS 55 single-family residence district regulations.**

- (1) *Purpose.* This zone is designed to encourage a suitable family life on medium size lots. More uses are allowed as a matter of right throughout the zone than in the larger lot size zones.
- (2) *Principal permitted uses.*
  - (a) Single-family detached dwellings.
  - (b) Public, parochial and private schools and colleges offering courses of general instruction when located on sites of at least five acres, and including convents, monasteries, dormitories, and other related living structures when located on the same site as the school or college.
  - (c) Churches, synagogues, chapels and similar places of religious worship and instruction of a quiet nature when located in a substantial structure and on a site of at least two acres.
  - (d) Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general system facilities, when located according to the yard space rules set forth in this section for dwellings and having a landscaped or masonry barrier on all sides. Buildings shall conform to all space limits of this zone and shall be of such exterior design as to harmonize with nearby properties.
  - (e) Public and quasi-public buildings for cultural use.
  - (f) Country clubs as defined herein.
  - (g) Crop and tree farming but not including the raising of animals or fowl for commercial purposes, or the sale of any

products at retail on the premises, except as provided for as a permitted home occupation.

- (h) Railroad through and spur tracks, but no sidings or other terminal type facilities and no service, repair or administrative facilities.
  - (i) Parks and recreation areas operated by the City of Weston.
- (3) *Permitted accessory uses.*
- (a) Home occupations.
  - (b) Private garages and parking areas.
  - (c) Private swimming pools exclusively for the use of residents of the premises and their nonpaying guests and subject to any other regulations or ordinances of the City of Weston.
  - (d) The parking of one unoccupied trailer designed for recreational use and not to exceed 24 feet in length, shall be permitted in the rear yard.
  - (e) The storage of one pleasure boat shall be permitted within a building, or in the open within the rear yard.
  - (f) Real estate lease or sale signs relating to the property on which the sign is located.
  - (g) Other accessory uses customarily and normally found to be appurtenant to uses permitted in this zone.
- (4) *Space limits.*
- (a) Minimum lot area: 6,000 square feet.
  - (b) Minimum width of lot: 55 feet.
  - (c) Minimum depth of lot: 100 feet.
  - (d) Maximum height of building: 45 feet.
  - (e) Minimum front yard: 25 feet.
  - (f) Minimum rear yard: 20 feet.
  - (g) Minimum side yard: six (6) feet.
  - (h) Minimum side yard on corner: 15 feet.

- (i) Maximum lot coverage: 40 percent.
  - (j) Maximum floor area ratio: One to 2.5 (0.4:1.0).
- (5) *Miscellaneous provisions.*
- (a) Off-street parking shall be provided for all uses established in this zone.
  - (b) Only one building for living purposes shall be permitted on one zoning lot except as otherwise provided herein.

**Sec. 68. RS 45 single-family residence district regulations-Zero lot line homes (Patio Homes)**

- (1) *Purpose.* To provide single family homes on lots of moderate size.
- (2) *Principal permitted uses.*
  - (a) Single-family detached dwellings.
  - (b) Other uses allowed in the RS 55 zone.
- (3) *Permitted accessory uses.*
  - (a) Uses allowed in the RS 55 zone.
- (4) *Space limits.*
  - (a) Minimum lot area: 4,500 square feet.
  - (b) Minimum width of lot: 40 feet.
  - (c) Minimum depth of lot: 100 feet.
  - (d) Maximum height of building: 35 feet.
  - (e) Minimum front yard: 20 feet.
  - (f) Minimum rear yard: 20 feet.



- (g) Minimum side yard: Zero one side with ten feet separation between buildings.
  - (h) Minimum side yard at corner: 15 feet.
  - (i) Maximum lot coverage: 50 percent.
  - (j) Maximum floor area ratio: One to two (0.5:1.0).
- (5) *Miscellaneous provisions.*
- (a) Minimum of two uncovered parking spaces shall be provided per unit. However, if rear entry is provided, then one covered parking space shall be acceptable.

**Sec. 69. RD 30 duplex residence district regulations.**

- (1) *Purpose.* This zone is designed to provide suitable family life for one- and two-family dwelling areas on lots of moderate size.
- (2) *Principal permitted uses.*
  - (a) Residential buildings containing not more than two dwelling units.
  - (b) Public, parochial and private schools and colleges offering courses of general instruction, and children's homes, any and each of which shall be located on sites of at least three acres, and including convents, monasteries, dormitories and other related living structures when located on the same site as the school or college.
  - (c) Churches, synagogues, chapels and similar places of religious worship and instruction of a quiet nature when located in a permanent structure.
  - (d) Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general system facilities, when located according to the yard space rules set forth in this section for dwellings and having a landscaped or masonry barrier on all sides. Buildings shall conform to all space limits of this zone and shall be of such exterior design as to harmonize with nearby properties.
  - (e) Public and quasi-public buildings for cultural use.

- (f) Country clubs as defined herein.
  - (g) Crop and tree farming but not including the raising of animals or fowl for commercial purposes, or the sale of any products at retail on the premises, except as provided for as a permitted home occupation.
  - (h) Railroad through and spur tracks, but no sidings or other terminal type facilities and no service, repair, or administrative facilities.
  - (i) Parks and recreation areas operated by the City of Weston.
- (3) *Permitted accessory uses.*
- (a) Home occupations.
  - (b) Private garages and parking areas.
  - (c) Private swimming pools exclusively for the use of residents of the premises and their nonpaying guests and subject to any other regulations or ordinances of the City of Weston.
  - (d) Signs not to exceed two square feet in area identifying the premises and occupant, but not including advertising matter.
  - (e) The keeping of dogs, cats and other household pets, but limited to two animals over six months old.
  - (f) Rental of sleeping rooms to two individuals not members of the family of the occupant of the dwelling. No signs advertising the availability of such rooms shall be displayed.
  - (g) The parking of one unoccupied trailer designed for recreational use and not to exceed 24 feet in length shall be permitted in the rear yard.
  - (h) The storage of one pleasure boat shall be permitted within a building, or in the open within the rear yard.
  - (i) Real estate lease or sale signs relating to the property on which the sign is located.
  - (j) Other accessory uses customarily and normally found to be appurtenant to uses permitted in this zone.
- (4) *Specific Use Permits.*

- (a) Fraternity and sorority houses when directly associated with a college or university.
  - (b) Nonprofit community buildings and social welfare establishments other than those providing living accommodations.
  - (c) Par-3 golf courses.
- (5) *Space limits.*
- (a) Minimum lot area: 5,000 square feet for one unit; 6,000 square feet for a duplex.
  - (b) Minimum width of lot: 50 feet.
  - (c) Minimum depth of lot: 100 feet.
  - (d) Maximum height of building: 35 feet.
  - (e) Minimum front yard: 25 feet.
  - (f) Minimum rear yard: 25 feet.
  - (g) Minimum side yard: Seven feet.
  - (h) Minimum side yard at corner: 15 feet.
  - (i) Maximum lot coverage: 40 percent.
  - (j) Maximum floor area ratio: One to 2.5 (0.4:1.0).
- (6) *Miscellaneous provisions.*
- (a) Off-street parking shall be provided for all uses established in this zone.
  - (b) Only one building for living purposes shall be permitted on one zoning lot except as otherwise provided herein.
  - (c) Go to RS 65 if single-family residence.

**Sec. 70. RG 27 general residence townhome regulations.**

- (1) *Purpose.* This zone is designed to provide for a medium density residential environment of attached townhome units.
- (2) *Principal permitted uses.*

- (a) Residential buildings containing townhome units.
- (b) Other uses as allowed in the RD 30 zone.
- (3) *Permitted accessory uses.*
  - (a) Same as allowed in the RD 30 zone.
- (4) *Space limits.*
  - (a) Minimum lot area: 2,700 square feet.
  - (b) Minimum width of lot: 25 feet.
  - (c) Minimum depth of lot: 100 feet.
  - (d) Maximum height of building: 35 feet.
  - (e) Minimum front yard: 20 feet.
  - (f) Minimum rear yard: 20 feet.
  - (g) Minimum side yard: 14 feet between ends of buildings.
  - (h) Minimum side yard at corner: 15 feet.
  - (i) Maximum lot coverage: 50 percent.
  - (j) Maximum floor area ratio: One to two (0.5:1.0).
- (5) *Miscellaneous provisions.*
  - (a) Rear entry off-street parking shall be provided for all uses established in this zone.
  - (b) Site plan approval at the Planning and Zoning Commission shall be required prior to development.

**Sec. 71. RG 25 general residence district regulations.**

- (1) *Purpose.* This zone is designed to provide for a medium density residential environment allowing some latitude to the designers as to form but limiting the overall intensity of use of the land. Lot area requirements are modified to meet existing lot situations in a large part of the city.
- (2) *Principal permitted uses.*

- (a) Residential buildings containing not more than four dwelling units.
  - (b) Public, parochial and private schools and colleges offering courses of general instruction and children's homes any and each of which shall be located on sites of at least three acres, and including convents, monasteries, dormitories and related living structures when located on the same site as the school or college.
  - (c) Churches, synagogues, chapels and similar places of religious worship and instruction of a quiet nature when located in a permanent structure.
  - (d) Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general facilities, when located according to the yard space rules set forth in this section for dwellings and having a landscaped or masonry barrier on all sides. Buildings shall conform to all space limits of this zone and shall be of such exterior design as to harmonize with nearby properties.
  - (e) Public and quasi-public buildings for cultural use.
  - (f) Country clubs as defined herein.
  - (g) Crop and tree farming but not including the raising of animals or fowl for commercial purposes, or the sale of any products at retail on the premises except as provided for as a permitted home occupation.
  - (h) Railroad through and spur tracks, but no sidings or other terminal type facilities and no service, repair, or administrative facilities.
  - (i) Parks and recreation areas.
- (3) *Permitted accessory uses.*
- (a) Home occupations.
  - (b) Private garages and parking areas.
  - (c) Private swimming pools exclusively for the use of residents of the premises and their nonpaying guests and subject to any other regulations or ordinances of the City of Weston.

- (d) Signs not to exceed four square feet in area identifying the premises and occupant, but not including advertising matter.
  - (e) The keeping of dogs, cats and other household pets, but limited to two animals over six months old.
  - (f) Rental of sleeping rooms to two individuals not members of the family of the occupant of the dwelling. No signs advertising the availability of such rooms shall be displayed.
  - (g) The parking of one unoccupied trailer designed for recreational use and not to exceed 24 feet in length.
  - (h) The storage of one pleasure boat shall be permitted within a building, or in the open within the rear yard.
  - (i) Real estate lease or sale signs relating to the property on which the sign is located.
  - (j) Other accessory uses customarily and normally found to be appurtenant to uses permitted in this zone.
- (4) *Specific Use Permits.*
- (a) Fraternity and sorority houses when directly associated with a college or university.
  - (b) Buildings of nonprofit community organizations and social welfare establishments other than those providing living accommodations.
  - (c) Par-3 golf courses.
- (5) *Space limits.*
- (a) Minimum lot area: 5,000 square feet for one or two units; 2,500 square feet for each additional unit.
  - (b) Minimum width of lot: 50 feet.
  - (c) Minimum depth of lot: 100 feet.
  - (d) Maximum height of building: 35 feet.
  - (e) Minimum front yard: 25 feet.
  - (f) Minimum rear yard: 25 feet.
  - (g) Minimum side yard: Seven feet.

- (h) Minimum side yard at corner: 25 feet.
  - (i) Maximum lot coverage: 50 percent.
  - (j) Maximum floor area ratio: One to two (0.5:1.0).
- (6) *Miscellaneous provisions.*
- (a) Off-street parking shall be provided for all uses established in this zone.
  - (b) Only one building for living purposes shall be permitted on one zoning lot except as otherwise provided herein.

**Sec. 72. RG 18 general residence district regulations.**

- (1) *Purpose.* This zone was originally designed to provide for moderately high density apartment development and other uses which have characteristics similar to those found in the operation of apartment houses. Densities in this district are higher than presently considered acceptable in Weston. Rezoning to this classification will not generally be considered after January 1, 2000.
- (2) *Principal permitted uses.*
- (a) Any principal permitted use allowed in the RG 25 zone, except that residential buildings containing three or four dwelling units are permitted to conform to the rules and regulations of the RG 25 zone.
  - (b) Multiple dwellings of more than four units conforming to the space limits of this zone.
  - (c) Hospitals and rest homes, nursing homes.
  - (d) Roominghouses and boardinghouses.
  - (e) Apartment hotels.
  - (f) Fraternity houses, sorority houses, lodges and similar establishments, but specifically excluding those establishments which have a name or legal basis as the aforesaid, but are in fact operated as a business enterprise, and also excluding concessions associated with the aforesaid which are operated as a business enterprise.

- (g) The offices of one or more professional persons engaged in activities which generate a limited amount of contact with the general public, but including medical clinics, offices of lawyers, accountants, architects, planners, engineers and similar professions.
  - (h) Buildings of nonprofit community organizations and social welfare establishments.
- (3) *Permitted accessory uses.* Any permitted accessory use allowed in the RG 25 zone when established according to the rules and regulations of the RG 25 zone.
- (4) *Specific Use Permits.*
- (a) Office buildings for the conduct of the administrative business of a single company when such business does not deal with the public directly from the site of such office building.
  - (b) Mortuaries, funeral homes and funeral chapels.
- (5) *Space limits.*
- (a) Minimum lot area: 1,800 square feet per dwelling unit except that residential buildings containing one dwelling unit shall have a minimum lot area of 5,000 square feet and residential buildings containing two, three, or four dwelling units shall have a minimum lot area of 2,500 square feet per dwelling unit.
  - (b) Minimum zoning lot: 5,000 square feet.
  - (c) Minimum width of lot: 50 feet.
  - (d) Minimum depth of lot: 100 feet.
  - (e) Maximum height of building: 50 feet.
  - (f) Minimum front yard: 25 feet for one- and two-family dwellings, 15 feet for all other uses.
  - (g) Minimum rear yard: Ten feet.
  - (h) Minimum side yard: Seven feet.
  - (i) Minimum side yard at corner: 25 feet.
  - (j) Maximum lot coverage: 80 percent.



- (k) Maximum floor area ratio: One to 1.67 (0.6:1.0).
- (l) Maximum density: 24 dwelling units per acre.
- (6) *Miscellaneous provisions.*
  - (a) Off-street parking shall be provided for all uses established in this zone.
  - (b) Only one building for living purposes shall be permitted on one zoning lot except as otherwise provided herein.

**Sec. 73. MP mobile home park district regulations.**

**NEW Manufactured Housing**

**Sec. -74. BN neighborhood business district regulations.**

- (1) *Purpose.* This zone is designed to provide for limited commercial uses serving the common and frequent needs of the residents of the immediate vicinity.
- (2) *Principal permitted uses.*
  - (a) Any principal permitted use allowed in the RG 18 zone when established according to the rules and conditions of the RG 18 zone, except as herein modified.
  - (b) See schedule of uses.
  - (c) Motor vehicle fuel sales only with facilities to fuel not more than eight (8) vehicles at one time (not a gasoline service station) which does not conduct any type of automotive repairs or servicing, provided no stock of goods is displayed out of doors with the exception of lubricants and additives for frequent sale, and provided no lighting is constructed to shine on neighboring properties used for residential purposes. A maximum of two brand identification signs shall be allowed if their only illumination is non-flashing and shall not contain a rotating, oscillating or revolving beam or beacon of light. Such signs may be installed at the property line and shall conform to Chapter 38 hereof. See the zoning ordinances for regulations regarding Specific Use Permit approval of facilities to fuel more than eight (8) vehicles at one time.

- (3) *Permitted accessory uses.*
- (a) Accessory uses for residential development shall include those listed under the RG 25 zone and shall be established and conducted in accordance with the regulations of that zone.
  - (b) See schedule of accessory, utility and incidental uses.
  - (c) All signs shall be flat against the wall of the building with all parts of the sign within 18 inches of the face of the building or on the roof within the height limit and shall not be illuminated so as to shine on nearby residential properties, except as otherwise provided herein. Illumination shall be nonflashing and shall not contain a rotating, oscillating or revolving beam or beacon of light.
- (4) *Specific Use Permits.* A Specific Use Permit is required for the construction of a multifamily dwelling in the BN district.
- (5) *Space limits.*
- (a) Minimum lot area: 7,500 square feet.
  - (b) Minimum width of lot: 50 feet. Parking and landscaped areas may be included in this calculation.
  - (c) Minimum depth of lot: None for business.
  - (d) Maximum height of building: 25 feet, including roof signs and pylons.
  - (e) Minimum front yard: 25 feet.
  - (f) Minimum rear yard: 20 feet.
  - (g) Minimum side yard: Five feet, when abutting a residential zone; none abutting business.
  - (h) Minimum side yard at corner: 25 feet. The 20 feet of a required corner side yard adjacent to the building may be used for the parking of automobiles.
  - (i) Maximum lot coverage: 70 percent.
  - (j) Maximum floor area ratio: One to 1.67 (0.6:1.0).
- (6) *Miscellaneous provisions.*

- (a) Off-street parking and loading shall be provided for all uses established in this zone.
- (b) Only one building for living purposes shall be permitted on one zoning lot except as otherwise provided herein. No business shall be constructed on a zoning lot occupied by a residence.
- (c) This district is intended to permit the development of unified shopping centers, whether in single or multiple ownership. It is not intended for extensive parceling-off of tracts or creation of pad sites, especially along the frontage of an arterial street, not extending the full depth of the district. Prior to any subdivision of a BN district, a conceptual site plan for development of the center, which shall include all the land that existed in single ownership at the time of initial zoning as a BN district, or at the time this provision became effective, whichever is later, shall be submitted and approved, according to section -39 hereof, with consideration being given to this statement of intended development. Thenceforth, any development or subdivision of the property shall be consistent with an approved conceptual site plan, as originally approved or as may be subsequently amended and approved.

**Sec. 75. BG general business district regulations.**

- (1) *Purpose.* To provide for a wide range of retail and service establishments.
- (2) *Principal permitted uses.*
  - (a) Any use permitted in the BN zone; except multifamily and single-family attached units.
  - (b) See schedule of uses.
- (3) *Permitted accessory uses.* Any permitted accessory use allowed in the BN zone under the conditions specified for that zone.
- (4) *Special use permits.*
  - (a) Private clubs.
  - (b) The city may allow residential and mixed business and residential structures to conform with the space limits of the RG 18 zone or any other zone requiring more lot area per

dwelling unit, upon a finding that the proposed density of residential use will be in harmony with nearby residential zoning, and when said mixed occupancy building is specifically designed and constructed for such mixed occupancy, but shall not include the construction of a business building in the yard of a residence or within an existing residence.

(5) *Space limits.*

- (a) Minimum lot area for business: None. Residential structures shall conform to the provisions of the RG 18 zone, except as may be modified by the city in accordance with the specific use provisions of this zone.
- (b) Minimum width of lot: None for business.
- (c) Minimum depth of lot: None for business.
- (d) Maximum height of building: 35 feet.
- (e) Minimum front yard: None for business.
- (f) Minimum rear yard: Ten feet.
- (g) Minimum side yard: Five feet when abutting any zone requiring a side yard; none abutting business.
- (h) Minimum side yard at corner: 15 feet.
- (i) Maximum lot coverage including accessory buildings, loading docks, incinerators and vending devices: 95 percent.
- (j) Maximum floor area ratio: Two to one (2.0:1.0).

(6) *Miscellaneous provisions.*

- (a) Off-street parking and loading shall be provided for all uses established in this zone.
- (b) Only one building for living purposes shall be permitted on one zoning lot except as otherwise provided herein.
- (c) This district is intended to permit the development of unified shopping centers, whether in single or multiple ownership. It is not intended for extensive parceling-off of tracts or creation of pad sites, especially along the frontage of an arterial street, not extending the full depth of the district. Prior to any subdivision of a BG district, a conceptual site

plan for development of the center, which shall include all the land that existed in single ownership at the time of initial zoning as a BG district, or at the time this provision became effective, whichever is later, shall be submitted and approved, according to section -39 hereof, with consideration being given to this statement of intended development. Thenceforth, any development or subdivision of the property shall be consistent with an approved conceptual site plan, as originally approved or as may be subsequently amended and approved.

**Sec. 76. C planned center district regulations.**

- (1) *Purpose.* This district provides for medium-intensity concentrations of shopping and related commercial activities.
- (2) *Principal permitted uses.*
  - (a) Any use permitted in district BN.
  - (b) Banks and financial institutions.
  - (c) Funeral homes and mortuaries.
  - (d) Food stores.
  - (e) Business or commercial schools.
  - (f) Theater, indoor.
  - (g) Household appliance sales and repair.
  - (h) Automotive parts and tires sales, including indoor installations and minor repair, but not including repair garages, muffler or transmission shops, seat cover shops, or body repair shops.
  - (i) Greenhouses or plant nurseries with outside storage or display.
  - (j) Restaurant or cafeteria (including drive-through window).
  - (k) Commercial amusements, indoor.
  - (l) Clothing, shoe, and department stores.
  - (m) Tennis or swim club.

- (n) Animal hospital or veterinary clinic for small animals, without outside runs.
  - (o) Uses similar to the above mentioned permitted uses, provided activities conducted observe the requirements of all city ordinances.
- (3) *Permitted accessory uses.* Any permitted accessory use allowed in the BN zone under the conditions specified for that zone.
- (4) *Specific Use Permits.* A Specific Use Permit is required for the construction of a multifamily dwelling in the planned center district.
- (5) *Space limits.*
- (a) Minimum lot area: None.
  - (b) Minimum width of lot: None.
  - (c) Minimum depth of lot: None.
  - (d) Maximum height of building: 45 feet.
  - (e) Minimum front yard: 25 feet.
  - (f) Minimum rear yard: 25 feet when abutting any zone requiring a rear yard; none abutting business.
  - (g) Minimum side yard: 15 feet when abutting any zone requiring a side yard; none abutting business.
  - (h) Minimum side yard at corner: 15 feet.
  - (i) Maximum lot coverage: 50 percent.
  - (j) Maximum floor area ratio: One to 1.25 (0.8:1.0).
- (6) *Special provisions.*
- (a) The entire parcel of land in the C planned center zone shall be considered as one zoning lot in arranging buildings and other facilities.
  - (b) The commission and the council shall take into consideration the ability of nearby streets to handle traffic generated by the proposed development and shall take into consideration the effects upon the value and amenities of the nearby neighborhood residential properties and in the event of conflict between the maintenance of such values and the

proposed development, shall weigh the equities between the two using the criterion of community service and maintaining the concept of the zoning plan in assessing the position of the proposed development.

- (c) The commission may also request a market analysis to substantiate the necessity, size and location of the proposed development.
- (d) Proponents of a rezoning to C planned center zoning shall submit a site plan of the proposed development as an exhibit accompanying the request for a change of zone.
- (e) The site plan shall become an exhibit accompanying the change of zone amendment if such amendment is passed. Such site plan shall be filed of record in the city offices specified for recording zoning ordinance.
- (f) The commission shall initiate change of zone amendment as set forth in this chapter.
- (g) A public hearing shall be held on any site plan required as a condition of a planned center district when such plan is submitted or whenever significant changes are proposed in such plan, and the public hearing shall be subject to the same procedure of notice as is specified for amending this zoning chapter.
- (h) It is intended that a planned center zone be designated to carry out the objectives and planning practices established by the commission for development of the city and particularly the development of unified planned business centers, whether in single or multiple ownership, and to be so developed within a reasonable time. The district is not intended for extensive parceling-off of tracts or creation of pad sites, especially along the frontage of an arterial street, not extending the full depth of the district. The intent of the district shall be considered in determining whether any tract shall be zoned as a planned center district and its associated site plan approved. Thenceforth, any development or subdivision of the property shall be consistent with an approved conceptual site plan, as originally approved or as may be subsequently amended and approved.

It is hereby declared that the holding for speculative purposes of undeveloped land zoned as a planned center is contrary to the purposes of the district and the planning practices of the city. The proponents of the planned center

shall begin to construct the center as approved within three years of the recording of the ordinance designating the land in the C planned center zone. If such construction is not commenced and pursued in an orderly manner toward completion, the commission may initiate action to abolish the zoning or reduce the size of the tract to fit the scope of the actual development.

- (i) It is recognized that exigencies of development and construction may require minor changes in the detail of an originally proposed plan. The commission is therefore authorized to grant changes from the original plan as it appears of record with the zoning amendment, provided said changes do not materially affect the basic design or negate any special features which were designed to facilitate traffic or preserve neighborhood amenities.
- (j) Business development substantially completed may be designated as C planned center zones. The commission and council may zone an area for C planned center zone in advance of plans for development if they determine that said center is contemplated in the planning practices of the city. Prior to any subdivision of such a planned center district, a site plan for development of the center, which shall include all the land that existed in single ownership at the time of initial zoning as a planned center district, or at the time this provision became effective, whichever is the later, shall be submitted and approved as provided in section -39 herein, with consideration being given to the statement of intended development in paragraph (h) hereof. Thenceforth, any development or subdivision of the property shall be consistent with an approved site plan, as originally approved or as may be subsequently amended and approved.