

Chapter 22

LAND USE*

Article II. Zoning

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DIVISION 3. APPLICATION OF ORDINANCES

Sec. 22-63. Use.

No building, structure, premises, or land shall be used or occupied and no building or part thereof shall be erected, extended, enlarged, constructed, moved, or altered except in conformity with this article for the district in which it is, or will be, located.
(Ord. No. 2050, § 1(Art. V(5.1), 9-13-99)

Sec. 22-64. Height Limits.

The height limits of this article will not apply to structures not intended for human occupancy such as religious institution spires, flag poles, chimneys, water towers, or similar structures. However, height limits will apply to monuments within cemeteries pursuant to existing Code of Ordinances. The height limits apply to signs.
(Ord. No. 2050, § 1(Art. V(5.2), 9-13-99)

Sec. 22-65. Lot Area and Lot Size.

No lot, even though it may consist of one or more adjacent lots of record, shall be reduced in size so that lot width or depth, front, side or rear yard, inner or outer courts, lot area per family or other requirements of this article are not maintained. This section shall not apply when a portion of a lot is acquired for public use.

Lots which do not meet the minimum lot size requirements and which existed prior to the enactment and effective date of this article are not required to meet the minimum lot size requirements in order to obtain a building or development permit. However any future subdivision of property must meet the requirements of this article.
(Ord. No 2050, § 1(Art. V(5.3), 9-13-99)

Sec. 22-66. Existing Lots.

If two or more adjoining lots with continuous frontage are in a single ownership at any time after the adoption of this article and such lots individually are too small to meet the yard width and area requirements of the district in which they are located, such groups of lots shall be considered as a single lot or lots of minimum permitted size and the lot or lots in one ownership shall be subject to the requirements of this article.

(Ord. No. 2050, S 1(Art. V(5.4), 9-13-99

Sec. 22-67. Yards.

No part of a yard or other open space required for one building shall be included as part of a yard or other open space similarly required for another building. Every part of a required yard or court shall be open from its lowest point to the sky unobstructed, except for the ordinary projection of sills, cornices, buttresses, ornamental features, chimneys, flues and eaves, provided such projections do not extend more than two feet into the yard area requirements.

(Ord. No. 2050, §1(5.6), 9-13-99)

Sec. 22-68. Corner Lots.

The side yard setback requirements of corner lots shall be the same as the front yard requirements for adjoining lots on the same street.

(Ord. No. 2050, § 1(5.6), 9-13-99

Sec. 22-69. Principal Buildings.

In all business, professional, and industrial zones, more than one principal building containing a permitted or conditional use may be erected on a single lot or tract of land provided that all yard and other space requirements of this article are met for each structure as though it were on an individual lot. There shall be not more than one principal building per parcel in the residential zones.

(Ord. No. 2050, § 1(Art. V(5.7), 9-13-99)

Sec. 22-70. Vision Clearance.

In all districts, no fence, wall, shrubbery, or other obstruction to vision between the heights of two and one-half feet and ten feet above the finished grade of streets shall be erected, permitted or maintained within 20 feet of the intersection of the right-of-way lines of streets or of streets and railroads. Section 22-34 of present zoning excludes B-2 zone.

(Ord. No. 2050, § 1(Art. V(5.8), 9-13-99)

Sec. 22-71. Minimum Distance Between Buildings.

The following minimum distances between buildings are required unless otherwise specified within this article:

(a) The minimum distance between principal uses located on the same lot or parcel:

- 1. Front to front arrangement..... 40 feet
- 2. Front to rear arrangement..... 50 feet
- 3. Rear to rear arrangement 30 feet
- 4. Side to side arrangement 20 feet

(b) There shall be a distance of not less than 20 feet between a principal and accessory building located on the same lot or parcel.

(c) No accessory building shall be located closer than ten feet to any lot line in any district. (Ord. No. 2050, § 1(Art. V95.9), 9-13-99)

Sec. 22-72. Front Yard Setback of Dwellings.

The front yard setback does not apply under the following conditions:

- (1) The proposed building is so located wholly or in part within ten feet of each existing adjacent building;
- (2) The proposed building is to be located in the same block and zoning district as its adjacent buildings;
- (3) The proposed building fronts on the same side of the street as its adjacent buildings; and
- (4) The average setback of its adjacent buildings is less than the minimum required setback for the zoning district.

In no case may the setback for the proposed building be less than 25 feet on the street rights-of-way on which the proposed building fronts. (Ord. No. 2050, § 1(Art. V(5.10), 9-13-99)

Secs. 22-73 – 22-83. Reserved