

**TABLE OF CONTENTS**

<b>ARTICLE/SECTION</b>	<b>PAGE NUMBER</b>
<b>ARTICLE I – GENERAL PROVISIONS .....</b>	<b>1</b>
<b>SEC. 26-001 Overview .....</b>	<b>1</b>
A. Title.....	1
B. Authority and Jurisdiction.....	1
C. Purposes .....	1
D. Severability .....	2
<b>SEC. 26-010 Interpretation .....</b>	<b>3</b>
A. Rules of Construction .....	3
B. Conflicts.....	3
C. Measurements .....	3
D. Computations of Time .....	6
E. Interpretation of Zoning Map.....	7
F. Non-regulatory Provisions.....	7
G. Resources, Guides and Industry Standards.....	7
<b>SEC. 26-020 Administration and Review Bodies.....</b>	<b>8</b>
A. Staff.....	8
B. Planning, Zoning, and Architectural Review Commission .....	8
C. Board of Aldermen. ....	10
D. Board of Zoning Adjustment .....	10
<b>SEC. 26-030 Enforcement .....</b>	<b>15</b>
A. Violations.....	15
B. Enforcement.....	15
C. Penalties .....	15
<b>ARTICLE II – DEFINITIONS.....</b>	<b>16</b>
<b>SEC. 26-040 Defined Terms.....</b>	<b>16</b>
<b>SEC. 26-050 Abbreviations .....</b>	<b>33</b>
<b>SEC. 26-060 Description of Uses .....</b>	<b>34</b>
A. Residential.....	34
B. Civic / Institutional .....	35
C. Retail.....	37
D. Office/Service .....	39

**TABLE OF CONTENTS**

<b>ARTICLE/SECTION</b>	<b>PAGE NUMBER</b>
<b><i>ARTICLE II, Section 26-060 (continued)</i></b>	
E. Industrial .....	42
F. Special Uses .....	43
<b>ARTICLE III – APPLICATIONS AND PROCEDURES .....</b>	<b>44</b>
<b>SEC. 26-070 Common Procedures for All Applications.....</b>	<b>44</b>
A. Applications and Fees .....	44
B. Application Processing Cycles .....	44
C. Pre-application Meeting.....	44
D. Staff Review.....	45
E. Notice.....	45
F. Public Hearings.....	46
G. Action by Review Bodies .....	46
H. Appeals .....	46
I. Technical Studies .....	47
J. Successive Applications.....	47
K. Power of Review.....	47
<b>SEC. 26-080 Zoning Map and Text Amendments .....</b>	<b>49</b>
A. Applicability .....	49
B. Application and Submission Requirements .....	49
C. Pre-Application Meeting.....	49
D. Review Process .....	49
E. Review Bodies .....	50
F. Protest Petition.....	51
G. Board of Aldermen Review and Action.....	51
H. Withdrawal.....	51
I. Effect of Decision .....	51
<b>SEC. 26-090 Planned Development.....</b>	<b>52</b>
A. Applicability .....	52
B. A Type of Zoning.....	52
C. Objectives and Standards for Approval .....	52
D. Types of Planned Development.....	53
E. Process .....	53
F. Permitted Uses .....	59
G. Area Regulations and Performance Standards.....	59
H. Modifications .....	59
I. Period of Validity.....	60

---

**TABLE OF CONTENTS**


---

<b>ARTICLE/SECTION</b>	<b>PAGE NUMBER</b>
<i>ARTICLE III, Section 26-090 (continued)</i>	
J. Power of Review.....	60
<b>SEC. 26-100 Conditional Use Permit .....</b>	<b>61</b>
A. Applicability .....	61
B. Application and Procedures .....	61
C. Pre-Application Meeting.....	62
D. Review Procedures.....	62
E. Board of Alderman Public Hearing .....	63
F. Review Criteria .....	64
G. Aldermanic Decision .....	64
H. Effect of Decision .....	64
<b>SEC. 26-110 Major Site Plan and Design Review .....</b>	<b>66</b>
A. Purpose.....	66
B. Applicability .....	66
C. Required Data .....	66
D. Pre-Application Meeting.....	67
E. Review Procedures.....	68
F. Review Criteria .....	68
G. Findings and Approval.....	68
H. Administrative Adjustments or Revisions .....	69
I. Effect of Decision .....	69
J. Appeal.....	69
K. Power of Review.....	69
<b>SEC. 26-120 Minor Site Plan .....</b>	<b>70</b>
A. Applicability .....	70
B. Pre-Application Meeting.....	70
C. Review Criteria .....	70
D. Effect of Decision .....	71
E. Appeal.....	71
F. Power of Review.....	71
<b>ARTICLE IV – ZONING DISTRICTS AND USE STANDARDS .....</b>	<b>72</b>
<b>SEC. 26-130 Zoning Districts Established .....</b>	<b>72</b>
A. Zoning Districts and Intent Statements.....	72

**TABLE OF CONTENTS**

<b>ARTICLE/SECTION</b>	<b>PAGE NUMBER</b>
<i>ARTICLE IV (continued)</i>	
<b>SEC. 26-140 Districts and Uses.....</b>	<b>75</b>
A. Permitted Uses.....	75
<b>SEC. 26-150 Standards Applicable to All Districts.....</b>	<b>79</b>
A. Height Area and Bulk Standards.....	79
B. Exceptions and Supplemental Standards .....	80
<b>SEC. 26-160 Standards Applicable to Specific Uses and Districts .....</b>	<b>84</b>
A. Height Exceptions.....	84
B. Yard and Setback Exceptions in C-1 and M-1 Districts.....	88
C. Area Regulations; Maximum Lot Coverage Calculation.....	89
D. Access Regulations .....	89
E. Required Screening for Mechanical Equipment, Trash, and Loading Areas for Non-Residential Uses.....	89
F. Accessory Buildings and Structures .....	90
G. Temporary Uses and Structures .....	92
H. Land and Buildings.....	93
I. Uses Prohibited Near Redevelopment Areas.....	94
<b>SEC. 26-170 Watson Road Overlay Area.....</b>	<b>95</b>
A. Purpose.....	95
B. Area and Applicability .....	95
C. Permitted and Conditional Uses – General.....	96
D. Use Regulations .....	96
E. Development Requirements.....	100
<b>SEC. 26-180 Non-Conforming Situations .....</b>	<b>110</b>
A. Purpose and Intent.....	110
B. Scope of Provisions.....	110
C. Non-conforming Uses of Lots .....	110
D. Non-conforming Buildings and Structures .....	110
E. Repairs and Maintenance.....	111
F. Change of Tenancy or Ownership .....	111
G. Completion of Pending Construction and Building Permits.....	111
H. Conditional Uses.....	112
I. Nonconforming Lots of Record.....	112
J. Existence of Nonconforming Use.....	112

---

**TABLE OF CONTENTS**


---

<b>ARTICLE/SECTION</b>	<b>PAGE NUMBER</b>
<b><i>ARTICLE IV, Section 26-180 (continued)</i></b>	
K. Nonconformity as Basis for Variance.....	112
L. Eventual Removal or Correction of Nonconforming Use .....	112
<b>ARTICLE V – SITE AND LANDSCAPE DESIGN STANDARDS</b>	
<b>SEC. 26-190 Scope, Purpose, Applicability, and Conflicts .....</b>	<b>113</b>
A. Scope.....	113
B. Purpose.....	113
C. Applicability .....	113
D. Conflicts.....	114
E. Definitions.....	114
<b>SEC. 26-200 Landscape Design Standards.....</b>	<b>118</b>
A. Size Digging.....	118
B. Minimum Tree and Shrub Planting or Preservation Requirements .....	118
C. Plant Material Installation.....	120
D. Additional Requirements in C-1 and M-1 districts.....	120
E. Additional Requirements in R-1 through R-5 districts.....	121
F. Maintenance.....	122
<b>SEC. 26-210 Fencing.....</b>	<b>125</b>
A. Where Erected.....	125
<b>SEC. 26-220 Site Lighting .....</b>	<b>128</b>
A. General Standards .....	128
B. Illumination Standards .....	128
<b>SEC. 26-230 Stream Buffer Protection .....</b>	<b>130</b>
A. Purposes .....	130
B. Applicability .....	130
C. Definitions.....	132
D. Land Development Requirements.....	133
E. Additional Information Requirements for Development on Buffer Zone Properties .....	135
F. Responsibility .....	135
G. Inspection.....	135
H. Violations, Enforcement, and Penalties .....	136
I. Administrative Appeal and Judicial Review.....	137
J. Severability .....	137

**TABLE OF CONTENTS**

<b>ARTICLE/SECTION</b>	<b>PAGE NUMBER</b>
<b>ARTICLE VI – ACCESS AND PARKING.....</b>	<b>138</b>
<b>SEC. 26-240 Intent and Applicability .....</b>	<b>138</b>
A. Intent .....	138
B. Applicability .....	138
<b>SEC. 26-250 Site Plan Required .....</b>	<b>139</b>
A. Parking Plan Requirements.....	139
<b>SEC. 26-260 Design Requirements.....</b>	<b>140</b>
A. Surface Material.....	140
B. Access to Parking Areas .....	140
C. Access Near Street Corners .....	140
D. Drainage.....	140
E. Lighting.....	140
F. Setback.....	140
G. Striping Required.....	140
H. Minimum Off-Street Parking Space Dimensions .....	140
<b>SEC. 26-270 Administrative Provisions and Special Requirements .....</b>	<b>143</b>
A. Determination of Required Number of Spaces.....	143
B. Parking Exception for Churches .....	143
C. Parking for Multiple Use Buildings.....	143
D. Use of Required Parking Spaces.....	143
E. Parking in Residential Districts .....	143
F. Accessory Parking Lots .....	144
G. Changes in Use .....	144
H. Additions to Structures, Buildings, or Uses.....	144
I. Existing Parking.....	144
J. Maintenance of Parking Facilities .....	144
K. Alternative Parking Plans .....	144
<b>SEC. 26-280 Schedule of Required Parking and Loading Spaces.....</b>	<b>145</b>
A. Purpose.....	145
B. Minimum and maximum parking space requirements.....	145
C. Final Determination .....	153

**TABLE OF CONTENTS**

<b>ARTICLE/SECTION</b>	<b>PAGE NUMBER</b>
<b>SEC. 26-290 Alternative Access and Parking Plan.....</b>	<b>154</b>
A. Scope.....	154
B. Applicability .....	154
C. Contents .....	154
D. Review and Approval .....	154
E. Approval Criteria .....	154
F. Shared Parking .....	154
G. Special Facilities for Bicyclists.....	155
H. Transit Accessibility .....	155
I. Pervious Parking Surfaces .....	155
J. Valet Parking .....	155
K. Landscaping of Recovered Area .....	156
L. Transportation Demand Management Activities Program .....	156
M. Off-Site Parking.....	156
N. Car-Share Vehicles .....	156
 <b>ARTICLE VII – SIGN REGULATIONS.....</b>	 <b>158</b>
 <b>SEC. 26-300 Intent and Applicability .....</b>	 <b>158</b>
A. Intent .....	158
B. Applicability .....	158
 <b>SEC. 26-310 Definitions.....</b>	 <b>160</b>
 <b>SEC. 26-320 Design and Location Standards.....</b>	 <b>168</b>
A. Computation of Area.....	168
B. Computation of Height .....	169
C. Quantity of Signs Per Business.....	170
D. Standards and Requirements by Sign Type .....	170
 <b>SEC. 26-330 Permit Requirements and Exceptions .....</b>	 <b>184</b>
A. Permit Required .....	184
B. Permit Fees.....	184
C. Permit Fee Exceptions .....	185
 <b>SEC. 26-340 Exemptions and Prohibitions.....</b>	 <b>186</b>
A. Exemptions .....	186
B. Signs and Devices Prohibited .....	186
C. Signs and Devices Requiring Approval of the Planning Commission .....	188

**TABLE OF CONTENTS**

<b>ARTICLE/SECTION</b>	<b>PAGE NUMBER</b>
<i>ARTICLE VII (continued)</i>	
<b>SEC. 26-350 Maintenance and Removal of Signs .....</b>	<b>189</b>
A. Maintenance .....	189
B. Removal .....	189
<b>SEC. 26-360 Appeals and Variances .....</b>	<b>191</b>
A. Appeals .....	191
B. Limitations of Sign Variances .....	191
<b>ARTICLE VIII – SUPPLEMENTAL STANDARDS</b>	
<b>SEC. 26-370 Environmental Performance Standards.....</b>	<b>192</b>
A. Scope of Provisions.....	192
B. Administration and Enforcement.....	192
C. Performance Standards .....	192
D. Future Revisions .....	194
<b>SEC. 26-380 Traffic Impact Studies.....</b>	<b>195</b>
A. When Required .....	195
B. Study Area .....	195
C. Qualifications.....	196
D. Study Contents .....	196
<b>ARTICLE IX – SUBDIVISIONS AND LAND DEVELOPMENT .....</b>	
<b>SEC. 26-390 Generally.....</b>	<b>198</b>
A. Intent and Purpose.....	198
B. Applicability .....	198
C. Subdivisions – Major .....	199
D. Subdivisions – Minor.....	199
E. Compliance with Zoning District Requirements .....	199
<b>SEC. 26-400 Subdivision Review and Approval Process .....</b>	<b>200</b>
A. General procedures .....	200
B. Pre-application review – Sketch plat review meeting.....	200
C. Pre-application review – Contents of sketch plat .....	199
D. Pre-application review – Planning Commission work session.....	201



---

**TABLE OF CONTENTS**


---

<b>ARTICLE/SECTION</b>	<b>PAGE NUMBER</b>
<b><i>ARTICLE IX, Section 26-400 (continued)</i></b>	
E. Preliminary Plat – Submittal requirements .....	201
F. Preliminary Plat – Review procedure .....	203
G. Preliminary Plat – Effect of approval; period of validity .....	204
H. Preliminary Plat – Withdrawal of plat .....	204
I. Preliminary Plat – Appeal .....	205
J. Preliminary Plat- Power of Review .....	205
<b>SEC. 26-410 Improvement Plans.....</b>	<b>206</b>
A. Improvement Plans – Submittal requirements .....	206
B. Improvement Plans – Review procedure .....	207
C. Improvement Plans – Effect of approval; period of validity .....	208
D. Improvement Plans – As built drawings.....	208
E. Completion of Improvements Guaranteed – Completion deposits.....	208
F. Completion of Improvements Guaranteed –Deposit agreement.....	208
G. Completion of Improvements Guaranteed – Release/reduction of completion deposits.....	209
H. Completion of Improvements Guaranteed – Failure to complete improvements.....	209
I. Maintenance of common areas and facilities – Trust indentures.....	211
J. Maintenance of common areas and facilities – Disclosure of responsibility for maintenance of streets .....	212
<b>SEC. 26-420 Final (Record) Plat.....</b>	<b>214</b>
A. Final (Record) Plat — Submittal and information requirements.....	214
B. Final (Record) Plat – Review and approval procedure.....	215
C. Recording of Plat .....	216
D. Plat approval not acceptance for maintenance of dedications .....	216
<b>SEC. 26-430 Land Development Standards .....</b>	<b>217</b>
A. Purposes and Intent .....	217
B. Compliance with Design Standards .....	217
C. Design Standards – Streets, General.....	217
D. Design Standards – Streets, Specific .....	218
E. Design Standards – Sidewalks and Pedestrian ways .....	220
F. Design Standards – Lots .....	221
G. Design Standards – Easements .....	222
H. Design Standards – Utilities.....	222
I. Design Standards – Lighting.....	223
J. Design Standards – Site grading and erosion control .....	224
K. Design Standards – Access for common land maintenance .....	224
L. Design Standards – Exceptional development constraints and testing.....	225

**TABLE OF CONTENTS**

<b>ARTICLE/SECTION</b>	<b>PAGE NUMBER</b>
<b>ARTICLE IX, Section 26-430 (continued)</b>	
M. Design Standards – Permanent markers .....	225
N. Design Standards– Water Discharge .....	225
<b>SEC. 26-440 Vacation of Plats .....</b>	<b>227</b>
A. Methods.....	227
B. Recording.....	227
<b>SEC. 26-450 Special Procedures.....</b>	<b>228</b>
A. Dwelling unit display procedure – Purpose and intent .....	228
B. Dwelling unit display procedure – Limitation on number of display units .....	228
C. Dwelling unit display procedure – Review and approval procedure .....	228
D. Dwelling unit display procedure – Other Requirements.....	228
E. Boundary adjustments — Purpose and intent.....	229
F. Boundary adjustments – Criteria .....	229
G. Boundary adjustments – Procedure .....	229
<b>SEC. 26-460 Administration and Enforcement .....</b>	<b>231</b>
A. Fees, charges, and expenses.....	231
B. Permits — Grading (on-site excavation and filling).....	231
C. Permits— Improvement construction .....	231
D. Duties of Director of Public Services .....	231
E. Inspection of land and improvements.....	232
F. Violations and penalties.....	232
G. Waivers .....	232
H. Amendments .....	232
<b>ARTICLE X – FLOODWAY/FLOODPLAIN MANAGEMENT</b>	
<b>Sec. 26-470 Statutory authorization, findings of fact and purposes.....</b>	<b>233</b>
A. Findings of fact .....	233
B. Statement of Purpose .....	233
<b>Sec. 26-480 General provisions .....</b>	<b>235</b>
A. Lands to which Article applies .....	235
B. Floodplain administrator.....	235
C. Compliance .....	235
D. Abrogation and greater restrictions.....	235

---

**TABLE OF CONTENTS**


---

<b>ARTICLE/SECTION</b>	<b>PAGE NUMBER</b>
E. Interpretation.....	235
F. Warning and disclaimer of liability .....	235
G. Severability .....	235
<b>Sec. 26-490 Definitions.....</b>	<b>236</b>
<b>Sec. 26-500 Administration .....</b>	<b>243</b>
A. Floodplain development permit (required).....	243
B. Designation of floodplain administrator .....	243
C. Duties and responsibilities of floodplain administrator .....	243
D. Application for floodplain development permit .....	244
<b>Sec. 26-510 Provisions for flood hazard reduction .....</b>	<b>245</b>
A. General standards.....	245
B. Specific standards .....	246
C. Manufactured homes.....	247
D. Floodway.....	247
E. Recreational vehicles .....	248
<b>Sec. 26-520 Floodplain management variance procedures .....</b>	<b>249</b>
A. Establishment of appeal board.....	249
B. Responsibility of appeal board.....	249
C. Further appeals.....	249
D. Floodplain management variance criteria.....	249
E. Conditions for approving floodplain management variances .....	250
F. Conditions for approving variances for accessory structures .....	250
<b>Sec. 26-530 Penalties for violation .....</b>	<b>252</b>
<b>Sec. 26-540 Amendments.....</b>	<b>253</b>
<b>Sec. 26-550 Additional standards recommended by FEMA Region VII.....</b>	<b>254</b>
A. Nonconforming use.....	254
B. Critical facilities.....	254
C. Hazardous materials.....	254
D. Freeboard recommendation .....	255
<b>Sec. 26-560 Effective .....</b>	<b>256</b>

---

**TABLE OF CONTENTS**


---

<b>ARTICLE/SECTION</b>	<b>PAGE NUMBER</b>
<b>ARTICLE XI – URBAN REDEVELOPMENT PROCEDURES</b>	
<b>SEC. 26-570 Title, Designation and Authority</b> .....	<b>257</b>
<b>SEC. 26-580 Definitions</b> .....	<b>258</b>
<b>SEC. 26-590 Preparation of Blighting Analysis</b> .....	<b>260</b>
<b>SEC. 26-600 Invitation to Submit Proposed Development Plans</b> .....	<b>261</b>
A. Published notice .....	261
B. Submitting parties .....	261
<b>SEC. 26-610 Development Plan Contents</b> .....	<b>262</b>
A. Filing fee .....	262
B. Development Plan Requirements.....	262
<b>SEC. 26-620 Supporting Evidence of Blight</b> .....	<b>265</b>
<b>SEC. 26-630 Public Hearing</b> .....	<b>266</b>
<b>SEC. 26-640 Preliminary Approval of Development Plan</b> .....	<b>267</b>
<b>SEC. 26-650 Final Approval of Development Plan</b> .....	<b>268</b>
<b>SEC. 26-660 Tax Abatement</b> .....	<b>269</b>
<b>SEC. 26-670 Acceptance by Corporation</b> .....	<b>270</b>
<b>SEC. 26-680 Compliance with other City Ordinances</b> .....	<b>271</b>
<b>SEC. 26-690 Monitoring of Compliance, Time Extensions, and     Certification of Completion</b> .....	<b>272</b>
A. Building permits.....	272
B. Investigation and reports.....	272
C. Time extension.....	272
D. Recommendation of certification.....	272
<b>SEC. 26-700 Conveyance of Property</b> .....	<b>273</b>
<b>SEC. 26-710 Remedies</b> .....	<b>274</b>

---

**TABLE OF CONTENTS**


---

<b>ARTICLE/SECTION</b>	<b>PAGE NUMBER</b>
<i>ARTICLE XI (continued)</i>	
<b>SEC. 26-720 Acceptance of Application of State Enabling Act</b> .....	<b>275</b>
<b>ARTICLE XII- SPECIAL USES</b>	
<b>SEC. 26-730 Purpose</b> .....	<b>276</b>
<b>SEC. 26-740 Sexually Oriented Businesses and Massage Businesses</b> .....	<b>277</b>
A. Sexually Oriented Business .....	277
B. Massage Establishment.....	277
C. Where Permitted .....	277
D. Where Not Permitted .....	277
<b>SEC. 26-750 Medical Marijuana</b> .....	<b>278</b>
A. Definitions.....	278
B. General Requirements.....	279
C. District Regulations, Conditional Use Permit Required.....	279
D. Signs.....	281
<b>SEC. 26-760 Telecommunication Towers and Facilities</b> .....	<b>282</b>
A. Purposes .....	282
B. Definitions.....	282
C. General Requirements.....	284
D. Permitted Use.....	286
E. Administrative Permit Required .....	286
F. Conditional Use Permit Required .....	287
G. Removal of Antenna Support Structure.....	288
H. Filing of Bond or Other Security Prior to Permit Issuance.....	288
I. Unlawful Operation of Wireless Facilities or Support Structures .....	288
<b>SEC. 26-770 Group Homes</b> .....	<b>289</b>
A. Definition .....	289
B. General Requirements.....	289
C. District Requirement, Conditional Use Permit Required .....	290