

Table 1: Bulk Requirements.

District Use	Maximum Building Height ³	Minimum Lot Area	Minimum Lot Width	Minimum Front Yard	Minimum Side Yard	Minimum Side Street, Corner Lot	Minimum Rear Yard
A-1							
SINGLE FAMILY	35 Ft. or 3 Stories	3 Acres	200 Ft.	58 Ft.	35 Ft.	58 Ft.	58 Ft.
OTHER PERMITTED USES	---	3 Acres	200 Ft.	58 Ft.	35 Ft.	58 Ft.	58 Ft.
R-1							
SINGLE FAMILY	35 Ft. or 3 Stories	10,000 Sq. Ft.	80 Ft.	25 Ft.	8 Ft.	25 Ft.	30 Ft.
NOT SERVED BY PUBLIC WATER AND/OR PUBLIC SEWER	35 Ft. or 3 Stories	30,000 Sq. Ft.	80 Ft.	25 Ft.	8 Ft.	25 Ft.	30 Ft.
OTHER PERMITTED USES	---	30,000 Sq. Ft.	160 Ft.	40 Ft.	16 Ft.	40 Ft.	40 Ft.
R-2							
SINGLE FAMILY	35 Ft. or 3 Stories	7,000 Sq. Ft.	66 Ft.	25 Ft.	5 Ft.	25 Ft.	25 Ft.
MULTI-FAMILY (UP TO 2 FAMILY)	35 Ft. or 3 Stories	8,000 Sq. Ft.	70 Ft.	25 Ft.	7 Ft.	25 Ft.	25 Ft.
OTHER PERMITTED USES	---	10,000 Sq. Ft.	80 Ft.	30 Ft.	7 Ft.	40 Ft.	30 Ft.
R-3							
SINGLE FAMILY	---	6,000 Sq. Ft.	60 Ft.	20 Ft.	5 Ft.	25 Ft.	30 Ft.
TWO FAMILY	---	7,200 Sq. Ft.	60 Ft.	20 Ft.	5 Ft.	25 Ft.	30 Ft.
MULTI-FAMILY (3 PLEX OR LARGER)	35 Ft. or 3 Stories	8,000 Sq. Ft.	65 Ft.	20 Ft.	10 Ft.	25 Ft.	35 Ft.
OTHER PERMITTED USES	---	1 Acre	180 Ft.	40 Ft.	16 Ft.	40 Ft.	40 Ft.
R-4							
PER UNIT	---	4,000 Sq. Ft.	40 Ft.	20 Ft.	10 Ft.	---	10 Ft.
MOBILE HOME PARK	25 Ft.	5 Acres	360 Ft.	40 Ft.	40 Ft.	40 Ft.	40 Ft.
R/C-1							
THE "R-2" BULK REQUIREMENTS MUST BE MET IF THE USE OF THE LAND IS RESIDENTIAL.							
THE "C-2" BULK REQUIREMENTS MUST BE MET IF THE USE OF THE LAND IS COMMERCIAL.							
THE "R-2" BULK REQUIRMENTS MUST BE MET IF THE USE OF THE LAND IS COMMERCIAL AND ADJOINS RESIDENTIAL.							
PERMITTED USES IN "R/X-1" ARE SET FORTH IN ARTICLE XI OF THIS ORDINANCE.							
C-1	35 Ft. or 3 Stories	---	---	---	⁴	---	---
C-2	35 Ft. or 3 Stories	---	---	25 Ft.	⁵	---	25 Ft.
M-1	---	---	---	25 Ft.	10 Ft.	25 Ft.	25 Ft.
M-2	---	---	---	25 Ft.	10 Ft.	25 Ft.	25 Ft.
ACCESSORY BUILDINGS FOR R-1, R-2, & R-3 DISTRICTS ⁶	18 Ft. or 1 story, whichever is lower	---	---	---	⁷	Same as permitted uses	⁸

³ Maximum Height shall be measured by either the designated footage or by stories, whichever is lower.

⁴ None required except adjoining any "R" District, in which case not less than 15 feet.

⁵ The Independence City Council reserves the authority to determine the set-back requirement on a case-by-case basis.

⁶ Maximum Coverage of Lot for Accessory Buildings shall be thirty (30) percent of rear yard.

^{7& 8} Accessory building to be placed in the rear or side yards may reduce minimum side and rear yard requirements to four (4) feet.

ARTICLE 6
"A-1" AGRICULTURAL DISTRICT

Section 6.00. GENERAL DESCRIPTION.

The "A-1" Agricultural District is intended to provide regulations for land situated on the fringe of the urban area that is used primarily for agricultural purposes, but which will be undergoing urban development in the near future. Many tracts in this District will be in close proximity to developing residential, commercial, or industrial uses. The purpose of this district is to restrict the permitted uses to those which are compatible with both agricultural uses and the developing residential, commercial, or industrial use.

Section 6.01. PRINCIPAL USES PERMITTED.

Property and buildings in an "A-1" Agricultural District shall be used only for the following purposes:

- 6.01.01. Agricultural crops only – see Section 6.02.10.
- 6.01.02. Single family dwellings.
- 6.01.03. Manufactured housing.
- 6.01.04. Churches and temples.
- 6.01.05. Airports and landing fields, provided that adequate approach and clear zones are obtained.
- 6.01.06. Public schools, elementary, junior high, and high schools.
- 6.01.07. Parochial or private schools having similar curricula as public schools and having no rooms used regularly for housing or sleeping purposes.
- 6.01.08. Public buildings, public and semi-public parks, playgrounds or community buildings.
- 6.01.09. Golf courses and country clubs, except miniature courses or driving ranges operated for a profit.
- 6.01.10. Accessory uses and buildings which are customarily incidental to any of the above stated uses.

Section 6.02. USE EXCEPTIONS.

The following uses shall be permitted, subject to review and approval of the Board of Adjustment in accordance with provisions contained herein:

- 6.02.01. Hospitals, rest, nursing, convalescent, and family homes; homes for children and aged; off-street parking and yards comparable for other institutional uses to be provided under its Article.
- 6.02.02. Public utilities.
- 6.02.03. Cemetery or mausoleum.
- 6.02.04. Recreational development for seasonal or temporary use.
- 6.02.05. Roadside stand for sale of produce raised on the premises.
- 6.02.06. Extraction of sand, gravel, topsoil or other natural resources provided the land is restored to a condition suitable for the permitted uses of this district.
- 6.02.07. Dog kennels.
- 6.02.08. Riding stables.
- 6.02.09. Greenhouses and plant nurseries operated for commercial purposes and truck gardening.
- 6.02.10. Dairy farming, livestock farming, poultry farming, general farming, and other agriculture activities.

Section 6.03. HEIGHT REGULATIONS.

Shall be those regulations as specified in Section 5.00.

Section 6.04. LOT AREA, FRONTAGE, AND YARD REQUIREMENTS.

Shall be those regulations as specified in Section 5.00.

Section 6.05. OFF-STREET PARKING AND LOADING REQUIREMENTS.

Shall be those regulations as specified in Section 16.00.

Section 6.06. SIGN REGULATIONS.

Shall be those regulations as specified in Section 17.00.

ARTICLE 7
“R-1” SINGLE FAMILY RESIDENTIAL DISTRICT

Section 7.00. GENERAL DESCRIPTION.

The “R-1” is the most restrictive Residential District. The principal use of land is for single family dwellings and related recreational, religious, and educational facilities normally required to provide an orderly and attractive residential area. The residential areas are intended to be defined and protected from encroachment of uses which are not appropriate to a residential environment. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and through consideration of the proper functional relationship of the different uses.

Section 7.01. PRINCIPAL USES PERMITTED.

Property and buildings in an “R-1” Single Family Residential district shall be used only for the following purposes:

- 7.01.01. Single Family dwellings.
- 7.01.02. Manufactured housing.
- 7.01.03. Churches and temples, upon approval of City Council.
- 7.01.04. Public schools, parochial and/or private schools having similar curricula as public schools and having no rooms used regularly for housing or sleeping rooms.
- 7.01.05. Public and/or semi-public parks and playgrounds.
- 7.01.06. Accessory uses which are customarily incidental to any of the above state uses. Accessory uses shall include private garages and carports, private swimming pools, and private greenhouses not operated for commercial purposes.

Section 7.02. USE EXCEPTIONS.

The following uses shall be permitted subject to review and approval of the Board of Adjustment in accordance with provision contained herein:

- 7.02.01. Hospitals, family homes, nursing homes, convalescent homes, public buildings, and/or community buildings, with the same off-street parking and yards as those required for other institutional uses under this Ordinance.
- 7.02.02. Public utilities.
- 7.02.03. Swimming pools, golf courses and country clubs, except miniature courses or driving ranges operated for a profit.

- 7.02.04. Any other uses deemed appropriate on review and recommendation by the Planning and Zoning Commission, with approval of the City Council, which are of the same general character as the foregoing permitted uses.

Section 7.03. HEIGHT REGULATIONS.

Shall be those regulations as specified in Section 5.00.

Section 7.04. LOT AREA, FRONTAGE, AND YARD REQUIREMENTS.

Shall be those regulations as specified in Section 5.00.

Section 7.05. OFF-STREET PARKING AND LOADING REQUIREMENTS.

Shall be those regulations as specified in Section 16.00.

Section 7.06. SIGN REGULATIONS.

Shall be those regulations as specified in Section 17.00.

ARTICLE 8
“R-2” MIXED RESIDENTIAL DISTRICT

Section 8.00. GENERAL DESCRIPTION.

The “R-2” Mixed Residential District is to provide for two-family and medium population density. The principal use of land may range from single family to two-family dwelling units. Certain uses are permitted which are more compatible functionally with intensive residential uses than with commercial uses. The recreational, religious, and educational facilities normally required to provide an orderly and attractive residential area are included. Internal stability, attractiveness, order, and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities and through consideration of the proper functional relationship of each use permitted in the district.

Section 8.01. PRINCIPAL USES PERMITTED.

Property and buildings in a “R-2” Mixed Residential District shall be used only for the following purposes:

- 8.01.01. Any use permitted in the “R-1” Single Family Residential District.
- 8.01.02. One (1) and two (2) family dwellings.

Section 8.02. USE EXCEPTIONS.

The following uses shall be permitted subject to review and approval of the Board of Adjustment in accordance with provisions contained herein:

- 8.02.01. Private kindergartens and day nurseries, and childcare centers.
- 8.02.02. The taking of borders or the leasing of rooms by a resident family, providing total number does not exceed two (2) per building.
- 8.02.03. Public utilities.
- 8.02.04. Mortuary or funeral homes.
- 8.02.05. Home occupations.
- 8.02.06. Any other use deemed appropriate on review and recommendation by the Planning and Zoning Commission, with approval of the City Council, which are of the same general character as the foregoing permitted uses.

Section 8.03. HEIGHT REGULATIONS.

Shall be those regulations as specified in Section 5.00.

Section 8.04. LOT AREA, FRONTAGE, AND YARD REQUIREMENTS.

Shall be those regulations as specified in Section 5.00.

Section 8.05. OFF-STREET PARKING AND LOADING REQUIREMENTS.

Shall be those regulations as specified in Section 16.00.

Section 8.06. SIGN REGULATIONS.

Shall be those regulations as specified in Section 17.00.

ARTICLE 9
“R-3” MULTIPLE RESIDENTIAL DISTRICT

Section 9.00. GENERAL DESCRIPTION.

The “R-3” Multiple Residential District is to provide for high population density. The principal use of land may range from single family to multiple-family dwelling units including condominiums and row housing. Certain other uses are permitted which are more compatible functionally with intensive residential uses than with commercial uses. Internal stability, attractiveness, order, and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities and through consideration of the proper functional relationship of each user permitted in the district.

Section 9.01. PRINCIPAL USES PERMITTED.

Property and buildings in an “R-3” Multiple Residential District shall be used only for the following purposes:

- 9.01.01. Any use permitted in the “R-1” and “R-2” Residential Districts.
- 9.01.02. Three-plexes and larger dwelling structures.
- 9.01.03. Religious and educational institutions.
- 9.01.04. Boarding and lodging houses.
- 9.01.05. Accessory uses and buildings which are customarily incidental to any of the above uses.

Section 9.02. USE EXCEPTIONS.

The following uses shall be permitted subject to review and approval of the Board of Adjustment in accordance with provisions contained herein:

- 9.02.01. Home occupations.
- 9.02.02. Hospitals (except animal hospitals), day nurseries or care facilities, nursing and convalescent homes, medical clinics, public buildings and/or community buildings with the same off-street parking and yards as these required for other institutional uses under this Ordinance.
- 9.02.03. Group care facilities.
- 9.02.04. Planned unit developments upon tracts of ten (10) acres or more, subject to the requirement in Article XVIII.
- 9.02.05. Any other uses deemed appropriate on review and recommendation by the Planning and Zoning Commission with approval of the City Council which are of the same general character as the foregoing permitted uses.

Section 9.03. HEIGHT REGULATIONS.

Shall be those regulations as specified in Section 5.00.

Section 9.04. LOT AREA, FRONTAGE, AND YARD REQUIREMENTS.

Shall be those regulations as specified in Section 5.00.

Section 9.05. OFF-STREET PARKING AND LOADING REQUIREMENTS.

Shall be those regulations as specified in Section 16.00.

Section 9.06. SIGN REGULATIONS.

Shall be those regulations as specified in Section 17.00.

ARTICLE 10
“R-4” MOBILE HOME PARK DISTRICT

Section 10.00. GENERAL DESCRIPTION.

The “R-4” Mobile Home District is intended and designed for high density mobile home development. Internal stability, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and through consideration of the proper functional relationship of each use permitted in the district.

Section 10.01. PRINCIPAL USES PERMITTED.

Property and buildings in an “R-4” Mobile Home District shall be used only for the following purpose:

10.01.01. Mobile home parks.

10.01.02. Accessory uses and buildings which are customarily incidental to the above stated uses, but not involving the conduct of business.

Section 10.02. USE EXCEPTIONS.

Other uses may be permitted when deemed appropriate on review by the Board of Adjustment, providing the uses are determined to be the same general character as the foregoing permitted uses.

Section 10.03. HEIGHT REGULATIONS.

Shall be those regulations as specified in Section 5.00.

Section 10.04. LOT AREA, FRONTAGE, AND YARD REQUIREMENTS.

Shall be those regulations as specified in Section 5.00.

Section 10.05. OFF-STREET PARKING AND LOADING REQUIREMENTS.

Shall be those regulations as specified in Section 16.00.

Section 10.06. SIGN REGULATION.

Shall be those regulations as specified in Section 17.00.

ARTICLE 11
“R/C-1” MIXED RESIDENTIAL/COMMERCIAL DISTRICT

Section 11.00. GENERAL DESCRIPTION.

The “R/C-1” Mixed Residential/Commercial District is designed to accommodate Commercial development that can co-exist with Residential occupancies within a specific corridor as defined below.

- 11.00.01. Corridor 1. 2nd Street SE to 6th Street SE, one (1) city block to the east and west of 3rd Avenue SE
- 11.00.02. Corridor 2. 3rd Street NE to 10th Street NE, one (1) city block to the east and west of 5th Avenue NE
- 11.00.03. Corridor 3. 6th Avenue NE and 6th Avenue SE to the East City Limits, one (1) city block to the north and south of 1st Street East.
- 11.00.04. Corridor 4. 2nd Avenue SW and 2nd Avenue NW to the West City Limits, one (1) city block to the north and south of 1st Street West.

Section 11.01. PRINCIPAL USES PERMITTED.

Property and buildings in an “R/C-1” Mixed Residential/Commercial District shall be used for the following purposes:

- 11.01.01. Any use permitted in “R-1,” “R-2,” and “R-3” Residential Districts.
- 11.01.02. Any use as described by corridor and use such as the following:

Corridor 1(a). Those lots which abut 3rd Avenue SE shall be:

Corridor 2(a). Those lots which abut 5th Avenue NE shall be:

Corridor 3(a). Those lots which abut 1st Street East shall be:

Corridor 4(a). Those lots which abut 1st Street West shall be:

1. LOW IMPACT RETAIL BUSINESS SUCH AS THE FOLLOWING:

Art Shops.

Barbershops and beauty parlors.

Book stores.

Camera stores.

Collection office of public utility.

Dance studios.

Florist shops.

Gift shops.

Music studios.

Photographic studios.

Radio and television sales and repair shops.

Shoe and hat repair shops.

Tailor and dressmaking shops.

2. LOW IMPACT PROFESSIONAL OFFICE SUCH AS THE FOLLOWING:

Legal.

Insurance.

Accounting.

Investment.

Counseling.

Corridor 1(b). Those lots which about 4th Avenue SE and 2nd Avenue SE shall be:

Corridor 2(b). Those lots which about 4th Avenue NE and 6th Avenue NE shall be:

Corridor 3(b). Those lots which about 2nd Street NE and 2nd Street SE shall be:

Corridor 4(b). Those lots which about 2nd Street SW and 2nd Street NW shall be:

LOW IMPACT PROFESSIONAL OFFICE SUCH AS THE FOLLOWING:

Legal.

Insurance.

Accounting.

Investment.

Counseling.

- Corridor 1(c). Those interior lots located on 2nd, 3rd, 4th, 5th and 6th Street SE of Corridor #1 shall default to the lot of which it abuts and/or the most restrictive use as described for those lots which abut 2nd Avenue and 4th Avenue SE.
- Corridor 2(c). Those interior lots located on 3rd, 4th, 5th, 6th, 7th, 8th, 9th and 10th Street NE of Corridor #2, shall default to the lot of which it abuts and/or the most restrictive use as described for those lots which abut 4th Avenue NE and 6th Avenue NE.
- Corridor 3(c). Those interior lots located on 6th Avenue NE, 7th, 8th, 11th, 12th, 14th, 15th, 17th Avenue NE, 6th Avenue St, 7th, 8th, Terrace Drive SE, and 14th Avenue SE of Corridor #3, shall default to the lot of which it abuts and/or the most restrictive use as described for those lots which abut 2nd Street NE and 2nd Street SE.
- Corridor 4(c). Those interior lots located on 2nd Avenue NW, 3rd, 4th, 6th, 7th, 8th, 9th, 10th, 13th, 15th, 16th, 17th, 19th Avenue NW, 2nd Avenue SW, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 17th, 20th Avenue SW of Corridor #4, shall default to the lot of which it abuts and/or the most restrictive use as described for those lots which abut 2nd Street NW and 2nd Street SW.

- 11.01.03. Accessory uses and buildings which are customarily incidental to the above stated uses.
- 11.01.04. Any other use determined by the City Council to be of the same general character as the foregoing permitted uses.

Section 11.02. USE EXCEPTIONS.

The following uses shall be permitted, subject to review and approval by the Board of Adjustment in accordance with the provisions stated herein:

- 11.02.01. Apartment above first story level of a store or shop with off-street/on-site parking.
- 11.02.02. Any other uses deemed appropriate on review and recommendation by the Planning and Zoning Commission, with approval of the City Council, which are of the same general character as the foregoing permitted uses.

ARTICLE 12
"C-1" CENTRAL COMMERCIAL DISTRICT

Section 12.00. GENERAL DESCRIPTION.

The "C-1" Central Commercial District is designed to accommodate the needs of the Central Business District, allowing a wide range of services and goods permitted for consumer daily and occasional shopping and service needs.

Section 12.01. PRINCIPAL USES PERMITTED.

Property and buildings in a "C-1" Central Commercial District shall be used only for the following purposes:

12.01.01. Any use permitted in the "R-3" Multiple Residential District.

12.01.02. Any local business or service establishment such as the following:

Animal Hospital or Veterinary Clinic, provided all phases of the business conducted on the premises be within a building where noises and odors are not evident to adjacent properties.

Antique shops.

Apartments on main floor with a maximum of fifty (50) percent of the total floor area at the back of the building, and a minimum of five hundred (500) sq. ft., also any floor area above the first story of a store or shop, with off-street/on-site parking.

Apparel shops.

Art shops.

Automobile accessory stores.

Bakeries or bakery outlets, retail sales only.

Banks, savings and loan associations, and similar financial institutions.

Barbershops and beauty parlors.

Bicycle shops, sales, and repair.

Book stores.

Bowling alleys.

Business offices, professional offices, and studios.

Camera stores.

Car wash with truck bay.

Clothes cleaning and laundry pickup stations.

Collection office of public utility.

Consignment and auction sales operations, but excluding the sale of livestock, fish, fowl, or animals of any kind.

Dairy stores.

Dance halls and/or dance studios.

Delicatessens.

Department stores.

Drug stores.

Dry goods stores.

Florist shops.

Furniture stores.

Gas stations/convenience stores.

Gift shops.

Grocery stores, including supermarkets.

Hardware stores.

Hobby shops.

Household appliance, sales, and repair.

Jewelry stores and watch repair shops.

Launderettes, coin-operated dry-cleaning establishments.

Liquor stores.

Locker plant for storage and retail sales only.

Leather goods store.

Music stores and music studios.

Paint and wallpaper stores.

Pet shops.

Photographic studios, printing and developing establishments.

Physical fitness/health centers.

Plumbing and heating shops.

Post office.

Printing and lithographing shops.

Publishing, broadcasting, and engraving establishments.

Radio and television sales and repair shops.

Restaurants.

Shoe and hat repair shops.

Sporting goods stores.

Tailor and dressmaking shops.

Theaters.

Toy stores.

Upholstering shops.

Variety stores.

Video equipment rental and sales.

12.01.03. Accessory uses and buildings which are customarily incidental to the above stated uses.

12.01.04. Any other use determined by the City Council to be of the same general character as the foregoing permitted uses.

Section 12.02. USE EXCEPTIONS.

The following uses shall be permitted, subject to review and approval by the Board of Adjustment in accordance with the provisions stated herein:

- 12.02.01. Agricultural feed and seed sales, excluding grinding, mixing, and blending.
- 12.02.02. Nurseries.
- 12.02.03. Roadside stands for the sale of fresh fruit, vegetables, nursery stock and plant food.
- 12.02.04. Apartment above first story level of a store or shop with off-street/on-site parking.
- 12.02.05. Any other uses deemed appropriate on review and recommendation by the Planning and Zoning Commission, with approval of the City Council, which are of the same general character as the foregoing permitted uses.

Section 12.03. HEIGHT REGULATIONS.

Shall be those regulations as specified in Section 5.00.

Section 12.04. LOT AREA, FRONTAGE, AND YARD REQUIREMENTS.

Shall be those regulations as specified in Section 5.00.

Section 12.05. OFF-STREET PARKING AREAS AND LOADING REQUIREMENTS.

Shall be those regulations as specified in Section 16.00.

Section 12.06. SIGN REGULATIONS.

Shall be those regulations as specified in Section 17.00.

ARTICLE 13
“C-2” COMMERCIAL DISTRICT

Section 13.00. GENERAL DESCRIPTION.

The “C-2” Commercial District is intended and designed for business, profession and occupations which are located in areas other than the Central Business District and require off-street parking areas and loading spaces.

Section 13.01. PRINCIPAL USES PERMITTED.

Property and Buildings in a "C-2" Commercial District shall be used only for the following purposes:

- 13.01.01. Any use permitted in the "C-1" Central Commercial District.
- 13.01.02. Automobiles, trailers, motorcycle, boat and farm implement establishments for display, hire, rental, and sales (including sales lots).
- 13.01.03. Carpenter and cabinet making shops.
- 13.01.04. Drive-In restaurants.
- 13.01.05. Hotels and motels.
- 13.01.06. Lumber yards.
- 13.01.07. New and used car dealerships.
- 13.01.08. Printing, publishing, and engraving.
- 13.01.09. Rental stores.
- 13.01.10. Restaurants and taverns.
- 13.01.11. Service Station. A setback requirement often ten (10) feet on each side and twenty-five (25) feet in the rear yard required for all service stations in the "C-1" Central Commercial District.
- 13.01.12. Sheet metal shops.
- 13.01.13. Accessory uses and buildings which are customarily incidental to the above stated uses and including temporary buildings used in conjunction with construction work, provided such buildings are removed promptly upon completion of the construction work.

Section 13.02. USE EXCEPTIONS.

The following uses shall be permitted, subject to review and approval of the Board of Adjustment in accordance with the provisions contained herein.

- 13.02.01. Automobile, trailer, motorcycle, boat and farm implement service and/or repair establishments, including automobile rebuilding so long as said rebuilding occurs within the principal building. A fence shall be required for automobile rebuilding uses, which fence shall be of such material as to obstruct vision into the area, a minimum height of eight (8) feet and a maximum often ten (10) feet, which fence shall not enclose an area in excess of thirty thousand (30,000)

square feet. Furthermore, vehicles stored within the fenced area for rebuilding purposes only, shall not be stacked.

The paragraph shall not be construed to include automobile, tractor or machinery wrecking and rebuilding and used parts yards.

- 13.02.02. Any other uses deemed appropriate on review and recommendation by the Planning and Zoning Commission with approval of the City Council which are of the same general character as the foregoing permitted uses.

Section 13.03. HEIGHT REGULATIONS.

Shall be those regulations as specified in Section 5.00.

Section 13.04. LOT AREA, FRONTAGE, AND YARD REQUIREMENTS.

Shall be those regulations as specified in Section 5.00.

Section 13.05. OFF-STREET PARKING AREAS AND LOADING REQUIREMENTS.

Shall be those regulations as specified in Section 16.00.

Section 13.06. SIGNS.

Shall be those regulations as specified in Section 17.00.

ARTICLE 14
“M-1” LIGHT INDUSTRIAL AND/OR MANUFACTURING DISTRICT

Section 14.00. GENERAL DESCRIPTION.

The “M-1” Light Industrial and/or Manufacturing District is intended primarily for the conduct of manufacturing, assembling, and fabrication. It is designed to provide an environment suitable for industrial activities that do not create appreciable nuisances or hazards. The uses permitted in this District make it most desirable that they be separated from residential uses.

Section 14.01. PRINCIPAL USES PERMITTED.

Property and buildings in an “M-1” Light Industrial and/or Manufacturing District shall be used only for the following purposes:

- 14.01.01. Any use permitted in “C-2,” except that no occupancy permit shall be issued for any school, hospital, clinic, or other institution for human care, or new dwelling, except where incidental to a permitted use.
- 14.01.02. Contractor’s shop and storage yard enclosed by presentable solid fence eight (8) feet high.

- 14.01.03. Bag, carpet, and rug cleaning; provided necessary equipment is installed and operated for the effective precipitation or recovery of dust.
- 14.01.04. Bakeries, other than those whose products are sold at retail only on the premises.
- 14.01.05. Bottling works.
- 14.01.06. Truck or bus garage and repair shop.
- 14.01.07. Farm implement sales, service, repair, and assembly.
- 14.01.08. Freight terminal and grain elevator.
- 14.01.09. Building material sales and storage.
- 14.01.10. Wholesaling and warehousing but not including the bulk storage or hazardous chemicals.
- 14.01.11. Welding shop.
- 14.01.12. Light manufacturing and assembly plants.
- 14.01.13. Sheet metal products manufacture.

Section 14.02. USE EXCEPTIONS.

The following uses shall be permitted, subject to review and approval of the Board of Adjustment in accordance with the provisions contained herein:

- 14.02.01. Animal, poultry and bird raising, commercial.
- 14.02.02. Accessory uses and buildings which are customarily incidental to the above stated permitted uses and including temporary buildings used in conjunction with construction work, provided such buildings are removed promptly upon completion of the construction work.
- 14.02.03. Any other uses deemed appropriate on review and recommendation by the Planning and Zoning Commission, with approval of the City Council, which are of the same general character as the foregoing permitted uses.

Section 14.03. HEIGHT REGULATIONS.

Shall be those regulations as specified in Section 5.00.

Section 14.04. LOT AREA, FRONTAGE, AND YARD REQUIREMENTS.

Shall be those regulations as specified in Section 5.00.

Section 14.05. OFF-STREET PARKING AREAS AND LOADING REQUIREMENTS.

Shall be those regulations as specified in Section 16.00.

Section 14.06. SIGN REGULATIONS.

Shall be those regulations as specified in Section 17.00.

ARTICLE 15
“M-2” HEAVY INDUSTRIAL AND/OR MANUFACTURING DISTRICT

Section 15.00. GENERAL DESCRIPTION.

The “M-2” Heavy Industrial and/or Manufacturing District is intended to provide for heavy manufacturing, industrial uses and other uses not otherwise provided for in the Districts established by this Ordinance. The intensity of uses permitted in this District makes it most desirable that they be separated from residential and commercial uses.

Section 15.01. PRINCIPAL USES PERMITTED.

Property and buildings in an “M-2” Heavy Industrial and/or Manufacturing District shall be used only for the following purposes:

- 15.01.01. Any use permitted in the “M-1” Light Industrial and/or Manufacturing District except dwellings, schools, hospitals, clinics, or other institutions for human care.
- 15.01.02. Assembly plant.
- 15.01.03. Trucking, express, hauling or storage yards.
- 15.01.04. Concrete mixing, concrete products manufacture, and asphalt plant.
- 15.01.05. Contractor’s equipment storage yard or plant, or rental of equipment commonly used by contractors, storage and sale of livestock, feed and/or fuel, provided dust is effectively controlled, and storage yards for vehicles of a delivery service.
- 15.01.06. Creamery, cheese processing, bottling works, ice cream manufacturing (wholesale), ice manufacturing and cold storage plant.
- 15.01.07. Enameling, lacquering, or varnishing businesses.
- 15.01.08. Foundry casting lightweight nonferrous metals or electric foundry not causing noxious fumes or odors.

- 15.01.09. Junk or Salvage Yards. Junk, iron or rags, storage or baling, where the premises upon which such activities are conducted are wholly enclosed within a building, wall or fence. If a fence is the enclosure, the fence shall be of such material as to obstruct vision into the area, a minimum height of eight (8) feet and a maximum of ten (10) feet.
- 15.01.10. Laboratories – experimental, film or testing.
- 15.01.11. Livery stable or riding academy.
- 15.01.12. Manufacture or assembly of any of the following: musical instruments and novelties, electrical appliances, instruments and devices, pottery, electrical signs, advertising structures, sheet metal products, cosmetics, pharmaceutical, farm products, compounding assembling or treatment of articles or merchandise from previously prepared materials such as bond, cloth, cork, fiber, leather, paper, plastics, metals, or stones, tobacco, wax, yarns and wood, and any other manufacturing not herein stated.
- 15.01.13. Sawmill or planing mill, including manufacture of wood products not involving chemical treatment.
- 15.01.14. No occupancy permit shall be issued for any use in conflict with any Ordinance of the City of Independence or law of the State of Iowa regulating nuisances.

Section 15.02. CONDITIONAL USES.

The following uses may be permitted in the “M-2” Heavy Industrial and/or Manufacturing District subject to approval of the Board of Adjustment after notice and public hearing and report from the Planning and Zoning Commission. In its determination upon a particular use at the location requested, the Board shall consider all of the following conditions:

- 15.02.01. That the proposed location, design, construction and operation of the particular use adequately safeguards the health, safety, and general welfare of persons residing or working in adjoining or surrounding property.
- 15.02.02. That such use shall not impair an adequate supply of light and air to surrounding property.
- 15.02.03. That such use shall not unduly increase congestion in the streets, or public danger of fire and safety.
- 15.02.04. That such use shall not diminish or impair established property values in adjoining or surrounding property.
- 15.02.05. That such use shall be in accordance with the intent, purpose, and spirit of this ordinance and the land use policies of the City of Independence.

15.02.06. That the best practical means known for the disposal of refuse matter or water-carried waste, the abatement of obnoxious or offensive odor, dust, smoke, gas, noise, or similar nuisance, shall be employed.

15.02.07. That all principal buildings and all accessory buildings or structures, including loading and unloading facilities, shall be located at least two hundred (200) feet from any "R" District and not less than one hundred (100) feet from any district except a "M-1" Light Industrial and/or Manufacturing District.

The uses subject to the above provisions are as follows:

- (a) Agricultural seed processing, storage, and sales.
- (b) Automobile, tractor, or machinery wrecking and used parts yards.
- (c) Cement, lime gypsum or plaster of paris manufacture.
- (d) Chemical manufacture or wholesale storage of chemicals.
- (e) Explosive manufacture or storage.
- (f) Fertilizer and/or agricultural chemical manufacture, blending, and storage.
- (g) Fish and meat products, cereals, sauerkraut, vinegar, yeast, stock feed, flour, and the rendering or refining of fats and oils.
- (h) Garbage, offal or dead animal reduction or dumping.
- (i) Gas manufacture and cylinder recharging.
- (j) Petroleum, flammable liquids, and minerals or their products, exploration, extraction, refining or storage.
- (k) Rubber goods manufacture.
- (l) Slaughter houses and stock yards, distillation of bones, glue, size or gelatin manufacture, hide treatment and storage.
- (m) Smelting of tin, copper, zinc or iron ores.
- (n) Transmitting stations.
- (o) Waste paper yard.

Section 15.03. HEIGHT REGULATIONS.

Shall be those regulations as specified in Section 5.00.

Section 15.04. LOT AREA, FRONTAGE, AND YARD REQUIREMENTS.

Shall be those regulations as specified in Section 5.00.

Section 15.05. OFF-STREET PARKING AREAS AND LOADING REGULATIONS.

Shall be those regulations as specified in Section 16.00.

Section 15.06. SIGN REGULATIONS.

Shall be those regulations as specified in Section 17.00.

**ARTICLE 16
SPECIAL PROVISIONS**

Section 16.00. OFF-STREET PARKING AREAS AND LOADING SPACES.

- 16.00.01. Off-Street Loading Spaces. In all Districts, in connection with every building or part thereof hereafter erected which is to be occupied by uses requiring receipt or distribution by vehicles of materials or merchandise, there shall be provided and maintained on the same premises with such building the following off-street loading spaces:

<u>Gross Floor Areas (Square Feet)</u>	<u>Spaces Required</u>
0 to 19,999	1
20,000 to 29,999	2
30,000 to 39,999	3
40,000 to 49,999	4

For each additional ten thousand (10,000) square feet in excess of fifty thousand (50,000) square feet, on additional off-street loading space shall be required.

Such spaces may occupy all, or any part of a required rear yard or with authorization of the Board of Adjustment, part of any other yard or court space on the same premises.

- 16.00.02. Provisions of Off-Street Parking. In all Districts, off-street accessory parking areas, in the open or in a garage, shall be provided in connection with the uses set forth hereinafter and to the extent indicated therewith, in addition to the above required loading and unloading spaces. Such areas, in the case of "A" or "R" Districts, shall be on the premises intended to be served; and in the case of "C-1," "C-2," "M-1," and "M-2" Districts, such areas shall be on the premises