

ORDINANCE 05 - 20

AN ORDINANCE OF THE CITY OF COMMERCE, AMENDING THE CITY OF COMMERCE ZONING ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; CONTAINING A SAVINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF COMMERCE, TEXAS:

SECTION 1. The City of Commerce hereby amends the zoning ordinance by adding a section titles "Corridor District"; said ordinance has been reviewed and recommended by the Planning and Zoning Commission. Said revision is attached hereto and marked exhibit "A".

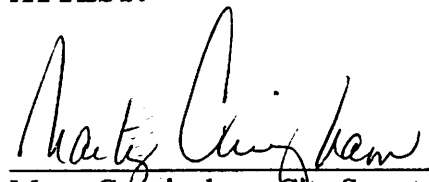
SECTION 2. All ordinances and parts of ordinances inconsistent with or in conflict with the provisions of this Ordinance shall be and the same are hereby expressly repealed.

SECTION 3. If any section, subsection, word, sentence, or phrase of this ordinance is declared to be invalid it shall not affect the validity of this ordinance.

PASSED AND APPROVED on its **FIRST READING** at a regular meeting of the City Council of the City of Commerce, Texas on this the 4th day of October 2005.

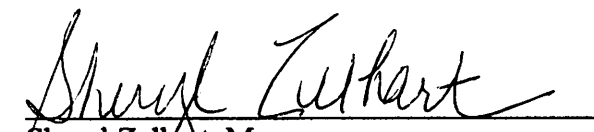
PASSED AND APPROVED on its **SECOND READING** at a regular meeting of the City Council of the City of Commerce, Texas on this the 18th day of October 2005.

ATTEST:


Marty Cunningham, City Secretary

(seal)

CITY OF COMMERCE:


Sheryl Zelhart, Mayor

I, Marty Cunningham, City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of an ordinance, and that the same has not been repealed and is in full force and effect.

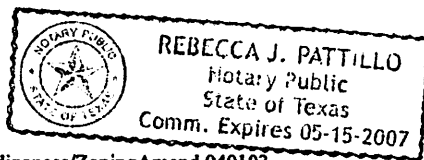
Marty Cunningham
Marty Cunningham, City Secretary

(seal)

Sworn to and subscribed before me, on this the 11th day of
November ~~2005~~ 2005 to certify which witness my hand and seal of office.

Rebecca J. Pattillo
Notary Public, State of Texas

(seal)



ordinance/new ordinances/ZoningAmend.040103

ATTACHMENT "A"

Sec. 00CD. Corridor District.

00CD-100 Permitted uses. Any use indicated as permitted in this district on the use schedule, 10-200.

00CD-200 Lot area requirements.

00CD-201 (A) Residential uses:

00CD-202 Minimum lot area:

- (a) 7,000 square feet of lot area for a single-family detached residence.
- (b) 3,000 square feet of lot area for each duplex unit.
- (c) 2,500 square feet of lot area for each single-family attached unit.
- (d) 1,500 square feet of lot area for each apartment unit.
- (e) Except that a lot having less area which was an official lot of record prior to the adoption of this ordinance may be used for a one-family dwelling and no lot existing at the time of passage of this ordinance shall be reduced in area below the minimum requirements.

00CD-203 Minimum lot depth: 100 feet.

00CD-204 Minimum lot width:

- (a) 60 feet for single-family detached, duplex, or apartment development.
- (b) 25 feet for single-family attached development.

00CD-205 Minimum front yard: 25 feet.

This area should be reserved for sidewalks, landscaping, street lights, signs, and some form of seating, preferably park bench style.

Exception: Main and Alamo Streets located on the downtown square (brick streets), shall observe no setback requirements.

00CD -206 Minimum side yard:

Construction may (or may not) coincide with property lines on the sides except where there are side streets, and the standard setback distances of 15 shall be required

00CD -207 Minimum rear yard: 25 feet.

00CD -208 Maximum lot coverage: 60 percent of lot area.

00CD -209 Maximum floor area ratio: No requirements.

00CD -250 (B) Nonresidential uses:

00CD -251 Minimum lot area: No requirements.

00CD -252 Minimum lot depth: No requirements.

00CD -253 Minimum lot width: No requirements.

00CD -254 Minimum front yard: 25 feet.

00CD -255 Minimum side yard: None required except as noted in 11GB-610–11GB-614.

00CD -256 Minimum rear yard: 25 feet.

00CD -257 Maximum lot coverage: 60 percent.

00CD -258 Maximum floor area ratio: No requirements.

00CD -300 *Height limitations.* 2½ standard stories.

00CD -400 *Off-street parking and loading.* Off-street parking and loading shall be provided according to the parking schedule, 12-200.

00CD -500 *Special requirements.*

00CD -510 Front yard: Where the frontage on one side of a street between two intersecting streets is divided by two or more zoning districts, the front yard shall comply with the requirements of the district having the deepest front yard for the entire block.

00CD -511 Where a building line has been established by plat or ordinance and such line requires a greater front yard setback than is prescribed by this ordinance for the district in which the building line is located, the required front yard shall comply with the building line so established by the other ordinance or plat.

00CD -512 Where a building line is shown on a plat recorded with the county clerk after date of adoption of this ordinance, and such building line provides a front yard of 20 feet or more in depth and is part of a plan for the orderly development of a subdivision either with a uniform or staggered building line, the building line shown on said plat shall be interpreted as establishing the front yard requirements for the lots shown on the plat.

00CD -513 The front yard shall be measured from the property line to the front face of the building, covered porch, covered terrace or attached accessory building. Eaves and roof extensions may project into the required front yard for a distance not to exceed four feet.

00CD -514 Gasoline service station pump islands may be located within 18 feet of the front property line, measured to the front face of the island, but no closer than 40 feet from the street centerline.

00CD -515 Where lots have double frontage, running through from one street to another, a required front yard shall be provided on both streets unless a building line for accessory buildings has been established along one frontage on the plat or by ordinance, in which event only one required front yard need be observed.

00CD -610 Side yard: On a corner lot, the side yard adjacent to a side street shall not be less than 20 feet, except that on such lots which were lots of record prior to date of adoption of this ordinance, the side yard adjacent to the street shall not be less than ten feet. Special side yard requirements for garages and carports on corner lots are provided in 11GB-916 following.

00CD -611 Detached garages or similar residential accessory buildings shall be located not less than ten feet to the rear of the main building and shall be not less than three feet from the side property line, except as noted in 11GB-916 following.

00CD -612 Every part of a required side yard shall be open and unobstructed, except for accessory buildings as permitted herein and the ordinary projections of windowsills, belt courses, cornices, roofs and other architectural features projecting not to exceed 36 inches into the required side yard.

00CD -613 Where apartment buildings are arranged so as to create courts or as parallel buildings and where the long dimension of the building or the main entrances or exits to the buildings are other than parallel to the front lot line, a side yard shall be provided on each side of such building having a minimum width of 15 feet. The effect of such side yard shall be that the front or rear faces of all buildings arranged as courts or parallel structures on lots or tracts shall be a minimum of 30 feet apart.

00CD -614 For nonresidential uses, no side yard is specified for interior lots except where a retail use abuts upon a residential district boundary line, in which event a minimum ten-foot side yard shall be provided on the side adjacent to such residential district and except as provided in 11GB-610.

00CD -710 Rear yard: No dwelling structure may be located nearer than 25 feet to the rear property line and such dwelling structure and all accessory buildings shall not cover more than 50 percent of that portion of the lot lying to the rear of a line erected joining the midpoint on one side lot line with the midpoint of the opposite side lot line.

00CD -711 Every part of a required rear yard shall be open and unobstructed except for permitted accessory buildings and ordinary projections of windowsills, eaves, belt courses, cornices and other architectural features projecting not to exceed four feet into the required rear yard.

00CD -810 Height: Permitted institutions such as schools and churches, including domes, church steeples and spires, may be erected to exceed 2½ stories when set back from all property lines a distance equal to twice the height of the building.

00CD -811 Cooling towers, roof gables, chimneys and vent stacks may extend for an additional height not to exceed a total of 36 feet above average grade line around the building.

00CD -900 *Residential accessory building standards.*

00CD -910 Accessory uses located in the main building or in structures attached to the main building shall observe the same front, side and rear yard requirements as are specified for the main building.

00CD -911 Detached accessory buildings within the front 50 percent of the lot shall observe the same front yard as the main building.

00CD -912 Detached accessory buildings shall not be located nearer than three feet to any interior side lot line.

00CD -913 Detached accessory buildings on a corner lot shall not be located nearer than ten feet to a side lot line along a side street.

00CD -914 Detached accessory buildings shall not be located nearer than three feet to any rear lot line.

00CD -915 Detached accessory buildings shall not be located nearer than ten feet to a residential structure.

00CD -916 Automobile storage spaces located in the open or in a main or accessory building so as to face upon or be entered directly from a street or alley, shall not be nearer than 20 feet to the property side lot line adjacent to such street or 25 feet from the opposite side of such alley, regardless of any building line platted to a lesser setback and regardless of any other provision of this section.

00CD -917 No detached accessory building shall be used as a place of habitation unless it is a bona fide guesthouse or servant's quarters as provided for and defined elsewhere in this ordinance.

00CD-1000 Building Design and Materials

All building permit applications are subject to review by the Community Development Department and the Architectural Advisory Committee appointed for this purpose with the exception of permits requiring no exterior work. All-metal exteriors will not be allowed. All-wood building exteriors are not encouraged. Ultra-modern and garish appearances will not be permitted. Exterior finishes should be of brick, stone, glass or some combination of those and may include wood trim, panels or decorative features. All designs and materials should be of high quality.

Signs and Awnings

Signage in the district may not restrict visibility. (Reference: CDA 33, Section 10) No pole signs will be permitted, except for those in use at the time of the adoption of this ordinance. Existing pole signs may remain until such time as the business ceases to operate or ownership changes. Other signs will be placed in the landscape strips and may be lighted or unlighted, including neon lighting. No flashing signs may be used. Signs in the landscape strip may be parallel or perpendicular to the street. No sign should exceed 50 square feet in size. Signs in the landscape strip may not be placed within the visibility triangle appropriate to the location and size of the sign. All signs on or in front of buildings will include the street address of the structure.

Awnings may be of wood, metal, or canvas but must be suspended from the fronts of buildings and be traditional in design.

No external sound devices will be permitted.

			AG	R-1	R-16	R-10	R-7	A-1	A-2	NS	GB	CA	HC	I	PD	CD
TYPE USE			Agricultural District	Single-Family Dwelling District	Single-Family Dwelling District	Single-Family Dwelling District	Single-Family Dwelling District	Apartment Dwelling District	Apartment Dwelling District	Neighborhood Service District	General Business District	Central Area District	Heavy Commercial District	Industrial District	Planned Development District	Corridor District
Bed and Breakfast Inns	[8.2]	C	C	C	C	C	C	C	C	C	C	C	C	C	C	D
Duplex						C	C		*							S/D

			AG	R-1	R-16	R-10	R-7	A-1	A-2	NS	GB	CA	HC	I	PD	CD
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	Modular and/or nonpermanent dwelling for construction and security purposes only													*		
10-202 ACCESSORY & INCIDENTAL USES																
a	Accessory Building Residential	(9)	*	*	*	*	*	*	*	*	*	*	*	*	*	S/D
b	Community Center (Private)	(10)		C	C	C	C	*	*	*	*	*	*	*	*	D
c	Farm Accessory Building	(11)	*	*	*	*	*						*	*		
d	Guest House	(12)	*	*												

***Note**—For mobile homes not in mobile home park, § 10-301(57) and ch. 58.

***Note**—HUD-code manufactured housing is subject to Sec. 58 – 1 through 32 of the Code of Ordinances.

			AG	R-1	R-16	R-10	R-7	A-1	A-2	NS	GB	CA	HC	I	PD	CD
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10-201 PRIMARY RESIDENTIAL TYPE USES																
E	Off-Street Parking Incidental to Main Use	(13)	*	*	*	*	*	*	*	*	*	*	*	*	*	S/D
F	Retail or Service Use Incidental to Main Use	(14)								*	*	*	*	*		S/D
G	Servant or Caretaker's Quarters & Garage Apartments	(15)	*	*	*	*	*	*	*	*	*	*	*		*	
h	Stable (Private)	(16)	*	*									*			
i.	Swimming Pool (Private)	(17)	*	*	*	*	*	*	*	*	*	*	*	*	*	D
j	Temporary Field or Construction Office	(18)	Subject to the control of the building inspector													
k	Home Occupation	(19)	*	*	*	*	*	*	*						*	S/D
l	Apartment Accessory Uses	(20)						*	*	*	*	*	*		*	S/D
10-203 UTILITY & SERVICE USES																
a	Electrical Substation		*	C	C	C	C	C	C	*	*	*	*	*	*	
b	Electrical Energy Generating Plant		C	C	C	C	C	C	C	C	C	*	*	C	*	

		AG	R-1	R-16	R-10	R-7	A-1	A-2	NS	GB	CA	HC	I	PD	CD
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c.	Electrical Transmission Line	*	*	*	*	*	*	*	*	*	*	*	*	*	D
d.	Fire Station	*	*	*	*	*	*	*	*	*	*	*	*	D	D
e.	Gas Line and Regulating Station	*	*	*	*	*	*	*	*	*	*	*	*	D	D
f.	Local Utility Line	(21)	*	*	*	*	*	*	*	*	*	*	*	*	D
g.	Local Transit Station or Turnaround	(22)	*	*	*	*	*	*	*	*	*	*	*	*	S/D
h.	Radio, Television or Micro-Wave Tower	(23)	C	C	C	C	C	C	C	*	*	*	*	*	
i.	Commercial Radio or Television Transmitting Station		C						*	*	*	*	*	*	
j.	Sewage Pumping Station		*	*	*	*	*	*	*	*	*	*	*	*	
k.	Sewage Treatment Plant		C	C	C	C	C	C	C	C	C	C	C	*	
l.	Telephone Exchange, Switching & Transmitting Equipment Only	(24)	*	*	*	*	*	*	*	*	*	*	*	*	S/D
m.	Telephone Business Office									*	*	*	*	*	S/D
n.	Utility Installation, Public or Private, Not Listed	(25)	C	C	C	C	C	C	C	*	*	*	*	*	S/D
o.	Water Stand Pipe or Elevated Storage	(26)	C	C	C	C	C	C	*	*	*	*	*	*	S/D

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p	Water Reservoir Well or Pumping Station		*	*	*	*	*	*	*	*	*	*	*	*	*	S/D
q	Water Treatment Plant		*	C	C	C	C	C	C		*	*	*	*	*	
10-204 INSTITUTIONAL																
EDUCATIONAL & SPECIAL USES																
a	Church or Rectory	(27)	*	*	*	*	*	*	*	*	*	*	*	*	*	
b	College, University or Private School	(28)	*	*	*	*	*	*	*	*	*	*	*	*	*	D
c	Cemetery or Mausoleum		C	C	C	C	C	C	C	*	*	*	*	*	*	
d	Community Center (Public)	(29)	*	*	*	*	*	*	*	*	*	*	*	*	*	S/D
e	Convent or Monastery		*	C	C	C	C	C	*	*	*	*	*	*	*	
f	Day Nursery or Kindergarten	(30)	C	C	C	C	C	C	*	C	*	*	*	*	*	S/D
g	Day Camp		C	C	C	C	C	C	C						C	
h	Fraternity or Sorority								*		C	*	*	*		S/D
i	Institution for Care of Alcoholic, Narcotic or Psychiatric Patient	(31)	C	C	C	C	C	C	C	C	C	C	*	C	*	
j	Hospital, General Acute Care	(32)	C	C	C	C	C	C	C	*	*	*	*	*	*	
k	Hospital, Chronic Care	(33)	C					C	C		C	*	*		*	

[illegible]

			AG	R-1	R-16	R-10	R-7	A-1	A-2	NS	GB	CA	HC	I	PD	CD
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h	Apartment	(48)						*	*	*	*	*	*	*	*	S/D
i	Mobile Home	(49)											*			
j	Agricultural	(50)	*													
k	General Business	(51)								*	*	*	*	*	*	S/D
l	Special Height	(52)									*	*	*	*	*	S/D
m	Advertising	(53)	*								*	*	*	*	*	
10-206 FOOD AND BEVERAGE SERVICE																
a	Bar, Lounge or Tavern	(54)											C	C	C	S/D
b	Eating Place with Drive-In or Curb Service	(55)									C	*	*	*		S/D
c	Eating Place without Drive-In or Curb Service	(56)								*	*	*	*	*	*	D
d	Eating Place with Dancing or Entertainment	(57)									*	*	*	*	*	D
e	Private Club with Dining	(58a)								C	C	C	C	C	C	S/D
f	Catering Service										*	*	*	*	*	D
10-207 OFFICE, PROFESSIONAL & FINANCIAL USES																
a	Bank or Savings & Loan Office										*	*	*	*	*	D
b	Clinic, Medical or Dental	(59)							*	*	*	*	*	*	*	D
c	Doctors or Physicians Office	(60)							*	*	*	*	*			D

[illegible]

			AG	R-1	R-16	R-10	R-7	A-1	A-2	NS	GB	CA	HC	I	PD	CD
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10-209 PERSONAL SERVICE & CUSTOM CRAFTS																
a	Art Needlework	(66)								*	*	*	*	*	*	D
b	Barber & Beauty Shop								L	*	*	*	*	*	*	D
c	Book Handcraft Binding	(67)								*	*	*	*	*		D
d	Cabinet & Woodwork Shop, Custom	(68)										*	*	*		
e	Cleaning Shop, Small Custom Shop	(69)							L		*	*	*	*	*	S/D
f	Cleaning Shop, Commercial										C	*	*	*	*	
g	Custom Sewing & Millinery	(70)								*	*	*	*	*	*	D
h	Handcraft, Ceramic Sculpture or Similar Art Work									*	*	*	*	*	*	D
i	Hand Weaving									*	*	*	*	*	*	D
j	Health Studio								L		*	*	*	*	*	D
k	Key Shop								L	*	*	*	*	*	*	D
l	Laundry or Dry Cleaning (Self-Service)	(71)							L	*	*	*	*	*	*	S/D
m	Laundry, Commercial										C	*	*	C	*	

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n	Laundry or Cleaning Pick-up & Receiving Station									*	*	*	*	*	*	S/D
o	Photography Studio									*	*	*	*	*	*	D
p	Shoe Repair									*	*	*	*	*	*	D
q	Tailor									*	*	*	*	*	*	D
r	Taxidermist											*	*	*		
s	Travel Bureau									*	*	*	*	*	*	D
t	Upholstery Shop										C	*	*	*	*	S/D
U	Film developing & Printing															S/D
10-210 RETAIL SALES USE																
a	Antique Shop, Enclosed	(72)									*	*	*	*	*	D
b	Food Store									*	*	*	*	*	*	D
c	Bakery or Confectionery Shop (Retail)									*	*	*	*	*	*	D
d	Book & Stationery Store									*	*	*	*	*	*	D
e	Camera Shop									*	*	*	*	*	*	D
f	Cigar, Tobacco & Candy								L	*	*	*	*	*	*	D
g	Clothing Store									*	*	*	*	*	*	D
h	Drug Store or Pharmacy								L	*	*	*	*	*	*	D

[illegible]

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a	Amusement, Commercial (Outdoor)	(75)									C	*	*	*	*	S/D
b	Amusement, Commercial (Indoor)	(76)									*	*	*	*	*	S/D
c	Carnival or Circus (Temporary)	(77)														
d	Country Club Private Membership	(78)	C	C	C	C	C	C	C			*	*	*	*	
e	Dance Hall or Night Club	(79)										*	*	C		S/D
f	Club, Private, Business	(80)									*	*	*	*	*	S/D
g	Fairgrounds											*	*	C	*	
h	Golf Course Commercial	(81)									C		*	*	*	
i	Golf Course Public	(82)	*	C	C	C	C	C	C	*	*	*	*	*	*	
j	Ice Skating Rink										*	*	*	*	*	S/D
k	Park or Playground Public	(83)	*	*	*	*	*	*	*	*	*	*	*	*	*	D
l	Recreation Club or Area, Private	(84)	C	C	C	C	C	C	C	C	*	*	*	*	*	S/D
m	Rodeo		C										C	C	*	
n	Theatre Drive-In Type		C								C	*	*	C	*	
o	Theatre Not Drive-In Type									*	*	*	*	*	*	S/D

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N	Machinery Repair											*	*	*		
	Display or Sales											*	*	*		
O	Machine or Welding Shop											*	*	*		
P	Motorcycle or Scooter										C	*	*	*		D
	Sales & Service															
Q	Parking Facility								C	*	*	*	*	*	*	S/D
R	Service Station										*	*	*	*	*	D
	(Motor Vehicle Fuel)															
S	Steam Cleaning										C	*	*	*		
	Vehicles & Machinery															
T	Wrecking Yard	(92)												C		
	Junk & Salvage															
10-214 STORAGE, PROCESSING & COMMERCIAL USES																
a	Brick Yard & Similar Building Material Sales											*	*	C		
b	Clothing Manufacturing & Similar Light Manufacturing & Assembly	(93)										*	*	*		
c	Fix-It Shop & Appliance Repair	(94)									*	*	*	C	*	S/D

			AG	R-1	R-16	R-10	R-7	A-1	A-2	NS	GB	CA	HC	I	PD	CD
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d	Furniture Repair and Upholstery										C	*	*	C	*	S/D
e	Job Printing										*	*	*	*	*	D
f	Laboratory, Manufacturing	(95)											*	*	*	
g	Light Fabrication & Assembly Processes	(96)										*	*	*		
h	Lumber Yard											*	*	C	*	
i	Lithographer or Printing Plant										C	*	*	*	*	S/D
j	Monument Sales Yard												*	C	*	S/D
k	Open Storage (No Enclosure)	(97)											*	C	*	
l	Open Storage Visual Screen	(98)										C	*	*	*	
m	Petroleum Products Storage & Wholesale												*	*	*	
n	Plumbing Shop										C	*	*	*	*	
o	Maintenance & Home Repair Shop (No Outside Storage)	(99)									C	*	*	*	*	
p	Contractor or Maintenance Yard	(100)											*	C	*	
q	Salvage Yard (Outside)	(101)												C		
r	Salvage & Reclamation (In Building)												C	C		

[illegible]

[illegible]

		AG	R-1	R-16	R-10	R-7	A-1	A-2	NS	GB	CA	HC	I	PD	CD
TYPE USE		Agricultural District	Single-Family Dwelling District	Single-Family Dwelling District	Single-Family Dwelling District	Single-Family Dwelling District	Apartment Dwelling District	Apartment Dwelling District	Neighborhood Service District	General Business District	Central Area District	Heavy Commercial District	Industrial District	Planned Development District	Corridor District
S	Rendering Plant												C		
T	Tanning, Curing, Treating or Storage of Skins or Hides												C		
U	Textile Manufacture with Dust and Odor Control												C		
V	Woodworking and Planing Mill with Dust and Noise Control												C		
W	Wrecking or Salvage Yard												C		
X	Any use which due to the possible emission of excessive smoke, noise, gas, fumes, dust, odor or vibration or danger of explosion or fire is presently or in the future is determined a hazard and subject to special control												C		

*when hoods and fume destructors are used in the cooking process

(Res. No. 487, 7-5-83; Res. No. 525, 1-17-84; Ord. No. 84-20, § 1, 12-4-84; Ord. No. 84-21, § 1, 8-4-84; Ord. No. 89-20, § 1, 11-7-89; Ord. No. 90-10, § 1, 6-5-90; Ord. No. 91-2, §§ 1, 2, 2-19-91; Res. No. 96-3, 1-16-96; Ord. No. 99-7, 4-6-99; Ord. No. 99-18, § 1, 8-3-99)