

PROPOSED LAND USE ORDINANCE FOR THE TOWN OF FORD, MINNESOTA
ZONING SECTION ONLY

*** PLEASE NOTE THAT THIS ORDINANCE DRAFT IS PRESENTLY UNDER REVIEW BY THE FORD PLANNING COMMISSION AS WELL AS THE FORD TOWN ATTORNEY AND IS SUBJECT TO CHANGE. THIS DRAFT ORDINANCE, ALONG WITH ANY AND ALL CHANGES, MODIFICATIONS AND/OR AMENDMENTS HERETO, WILL BE DISCUSSED BY THE TOWN BOARD AT THE PUBLIC HEARING SCHEDULED FOR 6:00PM ON APRIL 15, 2008. PLEASE BE ADVISED THAT YOU MAY VIEW THE UPDATED AND REVISED VERSION OF THIS PROPOSED ORDINANCE, AND PROVIDE ANY COMMENTS REGARDING THE PROPOSED ORDINANCE, AT SAID PUBLIC MEETING.**

***PLEASE ALSO NOTE THAT ANY AND ALL REFERENCES TO SECTION NUMBERS AS MAY BE SET FORTH HEREIN ARE SUBJECT TO CHANGE.**

DEFINITIONS.

[ACCESSORY BUILDING OR USE]. A subordinate building, structure or use which is located upon the same parcel or lot on which the main building or use is situated and is incidental but reasonably necessary to the principle use of such lot, parcel or building.

[AGRICULTURAL LAND USES]. Those uses commonly associated with the growing of produce on farms, including livestock raising; crop farming; fruit growing; truck gardening and a roadside stand for the retail sale of the same; tree, plant, shrub and/or flower nurseries when no retail sales are made upon the premises.

[ANIMAL UNIT]. A unit of measure used to compare differences in the production of animal wastes which as a standard the amount of waste produced on a regular basis by a slaughter steer or heifer. For purposes of these regulations, the following equivalents apply: 1 slaughter steer or heifer = 1 Animal Unit (AU), 1 mature dairy cow = 1.4 AU, 1 swine over 55 pounds = .4 AU, 1 sheep = .1 AU, 1 turkey = .018 AU, 1 chicken = .01 AU, 1 duck = .2 AU. For animals not listed, the number of animal units shall be defined as the average weight of the animal divided by 1,000 lbs. 1 AU per acre is allowed in all districts.

[AUTOMOBILE REPAIR, MAJOR]. General repair, rebuilding or reconditioning of engines, motor vehicles, or trailers, including body work, framework, welding and major painting service

[AUTOMOBILE REPAIR, MINOR]. The replacement of any part or repair of any part which does not require the removal of the engine head or pan, engine, transmission or differential; incidental body and fender work, minor painting and upholstering service; when said service above stated is applied to passenger automobiles and to trucks not in excess of 7,000 pounds gross vehicle weight.

[BUILDABLE AREA]. That part of a lot or parcel of sufficient elevation to accommodate the principal building a well and an on-site sewer system, all of which meet applicable codes, ordinances and/or regulations.

[BUILDING]. Any structure, temporary or permanent, for the shelter, support, or enclosure of persons, animals, chattel, or property of any kind; and when separated by party walls without openings, that portion of such building so separated shall be deemed a separate building.

[BUSINESS – SEE ALSO COMMERCIAL USES]. Any occupation, employment or enterprise wherein merchandise is exhibited or sold, or which occupies time, attention, labor and materials, or where services are offered for compensation.

[CHURCH]. A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship.

[COMMERCIAL USES]. Any enterprise, establishment, occupation or employment wherein or whereby merchandise is exhibited, traded and/or sold or any service is offered in exchange for compensation or other things of value.

[COMMUNICATION TOWERS]. Radio and television broadcasting, cellular phone and communication devices, and transmission and/or receiving towers and antennas which are subject to licensing requirements of the Federal Communications Commission. This does not include residential radio and television reception antennas and amateur radio station antennas, all of which are deemed to be incidental to residential use.

[CONDITIONAL USE]. A use which has characteristic(s) which are or the impact of which is incompatible with the permitted uses within a zoning district but which, if properly controlled or restricted such as will eliminate or minimize the incompatibilities, may be permitted with a conditional use permit.

[CONDITIONAL USE PERMIT]. A permit specially and individually granted for a conditional use permitted in any use district.

[CONVENIENCE GROCERY STORE]. Any retail store whose principal business is selling convenience grocery items, health and beauty items, and other items intended for routine use and consumption by the consumer.

[DEVELOPMENT]. The act of building structures and installing site improvements.

[DWELLING – SINGLE FAMILY]. A detached dwelling designed exclusively for occupancy by one family and containing not more than one dwelling unit.

[DWELLING UNIT]. Consists of one or more rooms, including a bathroom and complete kitchen facilities, which are arranged, designed or used as living quarters for one family or household.

[ESSENTIAL SERVICES]. Underground or overhead utilities including gas, electric, water, sewer and telecommunications including all appurtenances necessary or incidental thereto but excluding buildings, transmission pipelines and electric transmission lines.

[FAMILY]. An individual or two or more persons living together in an independent, single housekeeping unit.

[FARM]. A single tract of land of not less than ten acres, the principal use of which is for agricultural purposes. This definition shall not preclude a small tract from being classified as agricultural if otherwise qualifying under the laws of the State of Minnesota.

[FEEDLOT]. A fenced land area or building or combination of fenced land area and buildings intended for the confined feeding, breeding, raising or holding of animals and specifically designed as a confinement area in which manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. For purpose of these rules, open lots used for the feeding and rearing of poultry (poultry ranges) shall be considered to be feedlots. A feedlot does not cease to be a feedlot merely because confined feeding, breeding, raising or holding of animals is not actually taking place at a given time; however, such areas, building or combinations which have not been used for confined breeding, raising or holding of animals for a five-year period shall not be considered a feedlot until such use resumes.

[FORESTRY]. The management, including logging, of a forest, woodland or tree plantation and including related research and educational activities and the construction and maintenance of wood roads and skid roads.

[GARAGE}. An accessory building or accessory portion of the principal building which is intended for and used exclusively to shelter private passenger vehicles of a family or those families residing upon the premises.

[HOME OCCUPATION]. Any occupation or profession carried on by a member of the family residing on the premises, provided that any such use is clearly incidental and secondary to the principal use of the premises for dwelling purposes; that such use does not alter the character of the principal use of the dwelling except that a non-illuminated sign not exceeding four square feet on each of not more than two surfaces is permitted.

[HOTEL]. A building having provision for nine or more guests in which lodging is provided with or without meals for compensation and which is open to transient or permanent guests and where no provision is made for cooking in any guest room, and in which ingress and egress to and from all rooms is made through an inside lobby.

[JUNKYARD]. An establishment, place of business, or place of storage or deposit, which is maintained, operated, or used for storing, keeping, buying, or selling junk or for the maintenance or operation of an automobile graveyard, and shall include garbage dumps and sanitary fills not regulated by the Minnesota Pollution Control Agency, whether maintained in connection with another business or not, where the waste, body, or discarded material stored is equal in bulk to three motor vehicles and which are to be resold for used parts or old iron, metal, glass, or other discarded material.

[KENNEL, ANIMAL]. A place where three or more of any single type of animal over four months of age are owned, boarded, bred or offered for sale.

[LANDSCAPING]. Planting such as trees, grass and shrubs.

[LOT]. A separately described parcel of land, with or without buildings, occupied or used for or intended for occupancy or any use permitted under the provisions of this Ordinance having not less than the minimum area required by the Ordinance for each use, including buildings to accommodate same, in the zoning district in which such lot is located which abuts a public road, street or highway.

[LOT LINE]. Any boundary line of a lot, provided that where any lot is encroached upon by a public street, road or highway, or by any private road easement which was recorded in the office of the County Recorder prior to the effective date of this Ordinance or otherwise appears binding on the lot owner for the purpose of meeting the minimum requirements of this Ordinance, the lot line shall be the right-of-way line of any such street, road, highway or private easement.

[LOT LINE, REAR]. The boundary of a lot, other than a through lot, which is opposite the front lot line. If the rear lot line is less than 30 feet in length or if the lot forms a point in the rear, the rear lot line shall be a line 30 feet in length within the lot, parallel to the front lot line.

[LOT OF RECORD]. Any platted lot or other parcel described by a metes and bounds description which is of record in the office of the County Recorder on the date this Ordinance becomes effective; and any such lot or parcel which was the subject of and described in a purchase agreement or option which was binding upon the effective date of the adoption of this Ordinance.

[LOT WIDTH]. The shortest horizontal distance between the side lot lines. Where the side lot lines do not run parallel, (a) if the side lot lines diverge from their intersection with the public right-of-way, the minimum lot width shall be measured one-half of the required setback distance from said right-of-way line; (b) if the side lot lines converge from their point of intersection with said right-of-way line, the minimum lot width shall be measured at the minimum setback line of that lot.

[MANUFACTURING—LIGHT (INDUSTRY)]. Any enterprise which includes the compounding, processing, packaging, treatment or assembly of products and materials,

provided such use will not violate the performance standards found in Section 6 of this Ordinance.

[MAY]. Used to indicate a certain measure of likelihood or possibility.

[METES AND BOUNDS DESCRIPTION]. A description of real property which is not described by reference to a lot or block shown on a map, but is described by starting at a known point and describing the bearings and distances of the lines forming the boundaries of the property or delineates a fractional portion of a section, lot or area by described lines or portions thereof.

[MOTOR COURT, MOTOR HOTEL OR MOTEL]. A building or group of buildings not to exceed two (2) stories other than a hotel used primarily as a temporary residence of a motorist, tourists, or travelers.

[NONCONFORMING STRUCTURE OR USE]. Any structure or use lawfully established prior to the effective date of this Ordinance but which is not permitted under the provisions of this Ordinance.

[NURSERY, LANDSCAPE]. A business growing and selling trees, flowering plants, shrubs and associated gardening and landscape products.

[OVERHANG]. A projection of the roof or upper story of a building beyond the wall or support posts of the lower part or beyond a point which is perpendicular with the point of intersection of the upper part and the outer-most support structure.

[PARKING SPACE]. A surfaced and maintained area for the storage of one standard automobile. (10' X 20').

[PERMITTED USE]. A use which is expressly permitted within a district established by this Ordinance, provided that such use conforms with all requirements, regulations and performance standards (if any) applicable thereto.

[PERSON]. An individual, to include both male and female, and shall also extend and be applied to bodies political and corporate and to partnership and other unincorporated associations.

[PLANNING COMMISSION OR COMMISSION]. The duly appointed Planning Advisory Commission of the Town Board.

[PRINCIPAL USE]. The primary or main use of land and/or buildings upon same. Principal uses shall be generally categorized as agricultural, residential or commercial. If a use is mixed or might qualify under more than one of the general categories, the Planning Commission shall determine which category is applicable.

[PROPERTY LINE]. The legal boundaries of a parcel of land.

[PROTECTIVE (RESTRICTIVE) COVENANTS]. Contracts entered into between private parties and constituting a restriction on the use of all private property within a subdivision for the benefit of the property owners, and to provide mutual protection against undesirable aspects of development which would tend to impair stability of values. Enforcement of protective covenants shall be by the parties, not the Town Board.

[PUBLIC ROAD]. Those roads under the direct authority of the town, the county, the state or federal government.

[RETAIL SALES]. Stores and shops selling personal service or goods to consumers.
[RIGHT-OF-WAY]. The land covered by a public road or other land dedicated for public use or for certain private use, such as land over which a power line passes.

[SETBACK]. The minimum horizontal distance required between any variation of two or more points, boundaries, lines, perimeters or buildings.

[SIGN]. The board or display used to identify or advertise a place of business, goods or services.

[STREETS AND ALLEYS].

[STREET]. A public way for vehicular traffic, whether designated as a street, highway, thoroughfare, arterial parkway, throughway road, lane, place or however otherwise designated.

[COLLECTOR STREET]. A street which carries traffic from local streets to arterials.

[CUL-DE-SAC]. A minor street with only one outlet and having a turn-around.

[SERVICE STREET]. Marginal access street, or otherwise designated, as a minor street, which is parallel and adjacent to a thoroughfare and which provides access to abutting properties and protection from through traffic.

[LOCAL STREET]. A street of limited continuity used primarily for access to the abutting properties and the local need of the neighborhood.

[ALLEY]. A minor way which is used primarily for secondary vehicular service access to the back or side of properties abutting on a street.

[ARTERIAL STREET]. A street or highway with access restrictions designed to carry large volumes of traffic between various sectors of the township and beyond.

[STRUCTURE]. Anything constructed or erected, the use of which requires location on or in the ground or attached to something having a location on or in the ground. "Structure" does not include accessory buildings smaller than 80 square feet, improved driveways, sidewalks or slabs.

[STRUCTURE-NONCONFORMING]. A structure which legally exists on the effective date of this Ordinance, which would not conform to the applicable regulations if the structure were to be erected under the provisions of this Ordinance.

[SUBDIVISION]. The division of a parcel of land after the effective date of this Ordinance into two or more lots or parcels, for the purpose of transfer or ownership or building development. The term includes resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided. If construction or development of a new street, road, or highway is involved, any division of a parcel of land shall be considered a subdivision.

[LICENSED LAND SURVEYOR]. A person duly licensed as a land surveyor by the State of Minnesota.

[USE]. The purpose or activity for which the land or building thereon is designated, arranged or intended, or for which it is occupied, utilized or maintained, and shall include the performance of such activity as defined by the performance standards of this Ordinance.

[USE, ACCESSORY]. A use subordinate to and serving the principal use or structure on the same lot.

[USE, CONDITIONAL]. The uses designated in each Zoning District, which for their respective conduct, shall require reasonable conditions established by the Planning Commission.

[VARIANCE]. Written approval waiving the minimum dimension requirements of this Ordinance in instances where the strict enforcement would cause undue hardship because of physical circumstances unique to the parcel of property under consideration and are not created by the owner.

[YARD]. That open space or those open spaces on a lot which does not contain any buildings.

[YARD, FRONT]. A yard extending across the front of the lot between the side property lines and lying between the front lot line and the nearest line of a building.

[YARD, REAR]. A yard extending across the rear of the lot between the side property lines and lying between the rear lot line and the nearest line of the building.

[YARD, SIDE]. A yard between the side line and the nearest line of the building and extending from the front yard line to the rear yard line.

[ZONING ADMINISTRATOR]. The person, regardless of job title, designated to supervise the application of this Ordinance and to enforce the provisions thereof.

[ZONING DISTRICT]. An area within the limits of the zoning jurisdiction for which the regulations and requirements governing use, height and bulk of structures and premises, are uniform.

[ZONING MAP]. That map or those maps incorporated into and being a part of this Ordinance designating zoning districts as amended from time to time.

Section 5. ZONING USE DISTRICTS.

Subd. 1. [ESTABLISHMENT OF DISTRICTS.] For the purpose of this Ordinance, the Town is hereby divided into Districts which shall be designated as follows:

R-1 Residential....."R-1".....Section 5.2

R-2 Residential....."R-2".....Section 5.4

Commercial....."C".....Section 5.5

5.1.1. [ZONING MAP.] The location and boundaries of the districts established by this Ordinance are set forth on the zoning map attached thereto, the original of which shall be on file with the Town Clerk.

The zoning map may change from time to time; thus, the original map attached hereto may not show subsequent amendments. Inquiry should be made of the Zoning Administrator to determine if any amendments to the zoning map have been adopted and as to their affect.

Said map and all notation, references and other information shown thereon as hereafter amended shall have the same force and effect as if fully set forth herein.

5.1.2. [DETACHMENT.] In the event of changes in the town boundaries, the boundaries of the internal zoning districts shall be extended or retracted accordingly.

5.1.3. [ZONING DISTRICT BOUNDARIES.]

- a. Boundaries indicated as approximately following the center lines of streets, highways, alleys or railroad lines shall be construed to follow such center lines.
- b. Boundaries indicated as approximately following plotted lot lines shall be construed as following such lot lines.
- c. Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in shore line shall be construed as moving with the actual shore line; boundaries indicated as approximately following the center line of streams, rivers, lakes or other such bodies of water shall be construed as following such boundaries.
- d. Boundaries indicated as approximately following the town boundaries shall be construed as following such boundaries.
- e. Where a district boundary line divides a lot which was in single or Common ownership at the time of passage of this Ordinance and if either portion of the lot is undevelopable under the provisions of the district within which it is located without obtaining a variance, the Planning Commission and Town Board shall determine the location of the district boundary.
- f. The exact location of all districts boundaries shall be interpreted by the Planning Commission and Town Board.

5.1.4. [DISTRICT REGULATION.] The regulation of this Ordinance within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure of land except as hereinafter provided

- a. No building, structure or land shall hereafter be used or occupied and no building, structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located.
- b. No building or other structure shall hereafter be erected or altered in any other manner contrary to the provision of this ordinance.
- c. No yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.

Subd. 2. [RESIDENTIAL R-1 DISTRICT.] This district is intended to allow suitable areas of the township to be retained as sensitive natural areas to protect and preserve open spaces; to prevent scattered development.

5.2.1. [DISTRICT BOUNDARIES.] Land within the township in the R-1 zone Includes sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 (Township 36, Range 27).

5.2.2. [LOT AREA REGULATIONS.]

FOR DWELLINGS: 2 dwellings per 40 acres with a minimum lot size of 5 acres.

5.2.3. [LOT WITH REGULATIONS.] Every lot or parcel of land on which a single family dwelling is constructed shall have a minimum width of not less than 300 feet on an existing public road.

5.2.4. [PERMITTED USES.] The following uses shall be permitted within the R-1 Residential District.

- a. Agricultural land uses including farm building and one farm dwelling;
- b. Farm production including:
 - 1. Farming, general and dairy, providing animal unit density is not greater than three (3) units per acre
 - 2. Raising livestock, livestock products and other domesticated animals kept for use on the farm or raised for sale or profit
 - 3. Domestically raised fowl
 - 4. Field and specialty crops
 - 5. Fruit growing
 - 6. Nursery stock and tree farms
 - 7. Garden vegetables
 - 8. Bee keeping
- c. Forestry and nurseries;
- d. Essential services and necessary appurtenant structures;
- e. Historic sites and areas;
- f. Churches and cemeteries;
- g. Horticulture uses and structures designed for storage of products and machinery pertaining and necessary thereto.

5.2.5 [SINGLE FAMILY DWELLINGS.] Subject to the following regulations:

- 1. Not more than two single family units per forty acres.
- 2. A single family dwelling on five acres.

- a. Each lot upon which such a dwelling is erected shall have a minimum buildable area of contiguous 40,000 square feet all of which shall be of such an elevation as to be not less than three feet above the highest known water table;
- b. No lot may be located upon soil which is poorly drained, structurally inadequate or construction upon which shall create erosion problems;
- c. Each lot shall be of sufficient size and shall contain soils to support an on-site sewer system;
- d. Subdivision of any lot of record shall comply with the requirements of Section X of this ordinance;
- e. Each single family dwelling shall have a minimum of 840 square feet of livable space in the principal structure; Carports, overhangs, garages and such structures shall not qualify in meeting these requirements.
- f. Each single family dwelling, including the entire perimeter thereof, shall be constructed or erected upon a permanent foundation.
- g. Each single family dwelling shall be located upon a parcel of land having a separate and distinct legal description created in compliance with this ordinance.

5.2.6. [PERMITTED ACCESSORY USES.] The following accessory uses are permitted in the A-1 district:

- a. Private garages, parking spaces, and carports;
- b. Decorative landscaping features;
- c. Signs as regulated by this and county ordinance;
- d. Private swimming pools and tennis courts;
- e. Temporary buildings located for purposes of construction on the premises for a period of time not to exceed normal, necessary construction time;

5.2.7. [CONDITIONAL USES.] The following uses may be allowed in the R-1 district, subject to the provisions for issuing a conditional use permit:

- a. Roadside stands for the sale of crafts or horticulture products, provided off-street parking is available.
- b. Home Occupations.

5.2.8. [SETBACKS.]

- a. Front Yard. Not less than 110 feet from the center line of any road, street, or highway.
- b. Side Yard. Not less than 50 feet from the lot line. If surveyed 30 feet by a Licensed Land Surveyor.
- c. Rear Yard. Not less than 50 feet from the rear lot line. If surveyed 30 feet by a Licensed Land Surveyor.

Subd. 4. [RESIDENTIAL -- R-2 DISTRICT.] The residential district is intended

to permit residential development in an orderly manner, to encourage or require the platting of vacant land proposed for development and to assure a pleasant and suitable residential environment.

5.4.1. [LOT AREA REGULATIONS.] Every lot or parcel upon which a single family dwelling is constructed shall have a minimum lot size of 5 acres.

5.4.2. [LOT WIDTH REGULATIONS.] Every lot parcel of land on which a single family dwelling is constructed shall have a minimum width of not less than 300 feet on an exiting public road.

5.4.3. [PERMITTED USES.]

a. Single family dwellings provided:

1. Not more than one single family unit per 5 acres upon any lot. An existing dwelling upon a lot of record shall satisfy this allowance and preclude the placement of a second dwelling upon such a lot;
2. Each lot upon which such a dwelling is erected shall have a minimum buildable area of contiguous 40,000 square foot, all of which shall be of such an elevation as to be not less than 3 feet above the highest known water table;
3. Each lot has frontage of not less than 300 feet on an existing public road;
4. No lot may be located upon soil which is poorly drained, structurally inadequate or construction upon which shall create erosion problems;
5. Each lot shall be of sufficient size and shall contain adequate soils to support an on-site sewer system;
6. Subdivision of any lot of record shall comply with the requirements of section 8 of this ordinance.
7. Each single family dwelling shall have a minimum of 840 square feet of livable space in the principal structure; Carports, overhangs, garages, and such structures shall not qualify in meeting these requirements.
8. Each single family dwelling, including the entire perimeter thereof, shall be constructed or erected upon a permanent foundation.
9. Each single family dwelling shall be located upon a parcel of land having a separate and distinct legal description created in compliance with this ordinance.

b. Agricultural land uses providing animal unit density is not greater than (1) unit per acre.

c. Horticulture.

d. Public parks, game refuges, forestry and non-motorized recreational, and wildlife areas.

e. Subdivision of lands for residential development, providing the subdivision of any lot of record which, either initially or through future subdivisions, creates three or more parcels, none of which is less than 5 acres in size, shall require a

registered survey of all of said parcels to be filed with the Township Planning Commission either initially or at the time of the second subdivision thereof. (See subdivision regulations, Section 8 of this ordinance.)

f. Home occupations.

5.4.4. [PERMITTED ACCESSORY USES.] The following accessory uses are permitted in the R-2 districts:

- a. Private garages, parking spaces, and carports;
- b. Decorative landscaping feature;
- c. Signs as regulated by this and county ordinance;
- d. Private swimming pools and tennis courts;
- e. Temporary buildings located for purposes of construction on the premises for a period of time not to exceed normal, necessary construction time.

5.4.5. [CONDITIONAL USES.] The following uses may be allowed in the R-2 district, subject to the provisions for issuing a conditional use permit:

- a. Organized group camps;
- b. Governmental administration and service buildings;
- c. Nurseries and greenhouses with retail sales of home grown products;
- d. Kennels

5.4.6. [SETBACKS.]

- a. Front Yard. Not less than 110 feet from the center line of any road, street, or highway.
- b. Side Yard. Not less than 50 feet from the lot line. If surveyed 30 feet by a Licensed Land Surveyor.
- c. Rear Yard. Not less than 50 feet from the rear lot line. If surveyed 30 feet by a Licensed Land Surveyor.

Subd. 5. [COMMERCIAL -- C DISTRICT.] The commercial district is intended to permit commercial and light industrial development in an orderly manner to assure a pleasant and suitable environment.

5.5.1. [DISTRICT BOUNDARIES.] The commercial district is composed of a strip of land 1320 feet deep on each side.

5.5.2. [LOT AREA REGULATIONS.] The minimum lot size shall be 2 ½ acres.

5.5.3. [LOT WIDTH REGULATIONS.] The minimum lot width in the commercial district shall be 300 feet.

5.5.4. [PERMITTED USES.] The following uses are permitted in the commercial district: everything in R-1 and R-2 plus;

- a. Auto car wash
- b. Automobile repair or service
- c. Bowling alleys
- d. Drive-in retail or service uses
- e. Wholesale uses as defined: Any production, processing, cleaning, servicing, testing, repair, or storage of materials, goods, or products, which conform to the performance standards set forth hereinafter, and which shall not be injurious or offensive to the occupants of adjacent premises by reason of the emission or creation of noise, vibration, smoke, dust, or other particulate matter, toxic materials, odors, fire or explosion hazards, or glare.
- f. Livestock sales
- g. drive-in theaters
- h. Miniature golf courses
- i. Motel, hotel, or tourist camps
- j. Professional offices
- k. Building and material sales
- l. Dwelling units for watchmen and their families, located on the premises where they are employed in such capacity
- m. Garages for storage, repair and servicing of motor vehicles
- n. Auction houses
- o. Light manufacturing as long as it meets the performance standards in Section 6 of this Ordinance
- p. Convenience stores

5.5.5. [CONDITIONAL USES.] The following uses may be allowed in the C district, subject to the provisions for issuing a conditional use permit:

- a. Other highway-oriented business of the same general character as a permitted use
- b. Communication relay towers

5.5.6. [NON-PERMITTED USES.] The following uses will not be allowed in the commercial district:

- a. Hazardous waste facilities
- b. Chemical storage facilities
- c. Junk Yards

5.5.7 [SETBACKS.]

- a. Front Yard. Not less than 150 feet from the centerline right-of-way of a state highway; not less than 110 feet from the centerline of any town or county road, however established.
- b. Side Yard. Not less than 50 feet from the non-surveyed lot line. 10 feet from surveyed lot line.

- c. Rear Yard. Not less than 50 feet from the non-surveyed lot line. 30 feet from surveyed lot line.
- 5.5.8. [SERVICE ROADS.] Access to a parcel in the commercial district must be obtained by the developing party and meet standard township requirements as far as setbacks and construction. A typical section for service road construction is shown in Appendix 4.