

## SUPPLEMENTAL USE REGULATIONS

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# 6 ARTICLE SIX

## SUPPLEMENTAL USE REGULATIONS

### 601 Purpose

The Supplemental Use Regulations set forth additional standards for certain uses located within the various zoning districts. These regulations recognize that certain use types have characteristics that require additional controls in order to protect public health, safety, and welfare. These regulations complement the use regulations contained in Article Four of these regulations.

### 602 Supplemental Use Regulations: Agricultural Uses

Nothing in these provisions shall relieve any property owner or user from satisfying any condition or requirement associated with a previous approval, special permit, variance, development permit, or other permit issued under any local, State, or Federal ordinances or statute.

#### a. Horticulture and Crop Production: Retail Sales

Retail operation of garden centers or roadside stands associated with a primary agricultural use may be permitted in the AG District, subject to the following requirements:

##### 1. Garden Centers

- (a) A garden center is a building or premises used for the retail sale of plant materials or items useful in the growing or display of lawns, gardens, and plants.
- (b) Garden centers must conform to all site development regulations for the zoning district.
- (c) Any garden center adjacent to a residential district must maintain a 20-foot landscaped bufferyard, consistent with the standards established in Section 804.

##### 2. Roadside Stands

- (a) A roadside stand is a facility used on a temporary or seasonal basis for the retail sale of produce grown largely on adjacent or surrounding agricultural lands.
- (b) A roadside stand may be located within a required front yard but no closer than 40 feet to the edge of a traveled roadway.
- (c) A roadside stand may operate for a maximum of 180 days in any one year.

#### b. Type I Animal Production in the RR District

- 1. Breeding and raising of small animals and fowl, such as birds, rabbits, chinchilla, and hamsters is permitted in the RR District, provided that any building housing such animals shall be at least 50 feet from any property line.
- 2. Within the RR District, any lot of 1 acre and over may maintain one horse, llama, or other equine and/or hoofed animal and its immature offspring. Such a lot may have one additional animal for each additional two acres of lot area, up to a maximum total of three animals.

#### c. Type II Animal Production

##### 1. Location

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(a) Any new Type II Animal Production use established within two miles of the corporate limits of the City of Chadron shall be subject to approval of a Special Use Permit, as set forth in Section 1203.

(b) No confinement area for the feeding or holding of livestock or poultry shall be located within 500 feet of the property lines of the parcel on which it is located; or within 1,000 feet of an existing residential structure other than that of the owner or operator of the facility.

### 2. Operation

(a) Livestock wastes within a confinement area shall be removed or disposed of by spraying or spreading on land promptly followed by discing or plowing; grinding or dehydrating in properly designed dehydrators; or stockpiling in a compost plant located at least two miles from a residential zoning district.

(b) Insect and rodent control measures must be instituted for confined areas by removal or disposal of manure; or by other accepted insect or rodent control measures.

### 3. Drainage

(a) All ground surfaces within confinement areas shall be graded and compacted to insure proper drainage.

(b) All ground surfaces within confinement areas shall be controlled so that no appreciable amount of soil and livestock waste is carried into any roadway ditch, drainage area, or other low-lying area.

### 4. Pollution Control

A confined area shall not produce a measurable increase in pollution in any public water-based recreational facility, public water supply, or in any waterway that is part of a public or private water supply.

## c. Type III Animal Production

### 1. Location

(a) No new Type III Animal Production use shall be permitted within two miles of the corporate limits of the City of Chadron.

(b) Any new Type III Animal Production use otherwise proposed within the extra-territorial jurisdiction of the City of Chadron shall be subject to approval of a Special Use Permit, as set forth in Section 1203.

(c) No new Type III Animal Production use shall be located within 500 feet of the property lines of the parcel on which it is located; or within 1,000 feet of an existing residential structure other than that of the owner or operator of the facility.

### 2. Operation

(a) Livestock wastes within a confinement area shall be removed or disposed of by spraying or spreading on land promptly followed by discing or plowing; grinding or dehydrating in properly designed dehydrators; or stockpiling in a compost plant located at least two miles from a residential zoning district.

(b) Insect and rodent control measures must be instituted for confined areas by removal or disposal

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of manure; or by other accepted insect or rodent control measures.

3. Drainage

(a) All ground surfaces within confinement areas shall be graded and compacted to insure proper drainage.

(b) All ground surfaces within confinement areas shall be controlled so that no appreciable amount of soil and livestock waste is carried into any roadway ditch, drainage area, or other low-lying area.

(c) Water shall not be discharged or directed from a Type III animal production site onto adjacent properties, except in the event of a storm with a 4% probability of occurrence within a 24-hour period.

4. Pollution Control

A confined area shall not produce a measurable increase in pollution in any public water-based recreational facility, public water supply, or in any waterway that is part of a public or private water supply.

5. General Standards

(a) All aspects of the operation of a Type III Animal Production facility shall comply with the regulations and standards of the Nebraska Department of Environmental Quality or its successor agencies for feedlots.

(b) In addition to other requirements, all applications for Special Use Permits for the establishment of a Type III Animal Production use shall include: certifications of plan review and approval by the Nebraska Department of Environmental Quality or its successor agencies; a site plan showing the location and maximum area of the confinement area; and a detailed description of operations, including maximum number and type of livestock to be confined, livestock waste removal or disposal plans, drainage plans, and pollution control measures.

### 603 Supplemental Use Regulations: Residential Uses

a. Zero-Lot Line Single-Family Detached Residential

Within a common development, one interior side yard may be equal to zero for single-family detached residential use, subject to the following additional regulations:

1. The side yard opposite to the zero yard must equal at least twice the normal required side yard.
2. The normal side yard setback requirement must be maintained adjacent to any lot with an existing structure not within the common development; or not otherwise designated for zero lot line use.
3. An easement for maintenance of the zero lot line facade is filed with the Dawes County Register of Deeds and the City Clerk at the time of application for a building permit.

b. Single-Family Attached

When permitted, the minimum side yard opposite the common wall shall be equal to twice the normal required side yard.

c. Townhouse Residential

Where permitted, townhouse residential is subject to the following regulations:

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1. The site area per unit must be 3,500 square feet in the R-3 District and 3,000 square feet in all other districts where permitted.
2. The minimum width for any townhouse lot sold individually shall be 25 feet, except within an approved creative subdivision.
3. Coverage percentages are computed for the site of the entire townhouse common development.

d. Two-Family Residential

1. The second dwelling unit shall be located to the rear of the site and shall be separated from the front dwelling unit by a minimum of 25 feet.
2. The second dwelling unit shall be served by a driveway at least ten feet in width, leading from a public street adjacent to the lot.

e. Mobile Home Parks in the MH District

In the MH Mobile Home Residential District, which permits mobile home residential use, such use may be configured in a Mobile Home Park or Mobile Home Subdivision. Following the effective date of these Zoning Regulations, no mobile home shall be located outside of a Mobile Home Park or Mobile Home Subdivision. A Mobile Home Park is subject to approval of a Special Use Permit and compliance with the following regulations:

1. Certification

A certification of compliance with all ordinances and regulations regarding mobile home licensing, zoning, health, plumbing, electrical, building, fire protection and any other applicable requirements shall be required of all Mobile Home Parks.

2. Minimum and Maximum Area

A Mobile Home Park shall be considered to be one zoned lot. The contiguous area of a Mobile Home Park shall provide for a minimum of 2.5 acres.

3. Density Requirements

(a) The minimum gross site area per dwelling unit shall be 7,200 square feet.

(b) The minimum size of an individual mobile home space shall be 4,000 square feet for single-wide mobile home units and 6,000 square feet for double-wide mobile home units.

(c) Each mobile home space shall have a width of at least 40 feet wide and a length of at least 75 feet.

4. Site Development Standards

(a) Setbacks: Each Mobile Home Park shall have a minimum perimeter setback of 50 feet from all exterior lot or property lines. No space for a dwelling unit or any other structure shall be permitted in the required setback.

(b) Setback landscaping: All area contained within the required setbacks except sidewalks and private drives shall be landscaped and screened in conformance with Section 8 of these regulations. Screening shall be provided in conformance with Section 8- for any common property line with another non-residential use.

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(c) Impervious Coverage: Impervious coverage for a Mobile Home Park shall not exceed 50 percent of the total site area.

(d) Open Space: Each Mobile Home Park shall provide a minimum of 400 square feet of open recreational space per unit. Such space shall be provided at a central location accessible from all parts of the park by pedestrians. Required perimeter setbacks or buffers shall not be credited toward the fulfillment of this requirement.

(e) Separation Between Mobile Home Units: The minimum separation between a mobile home unit and attached accessory structure and any other mobile home units and/or accessory structure shall be 25 feet.

(f) Separation and Setbacks for Accessory Buildings: An accessory building on a mobile home space maintain a minimum rear and side yard setback of five feet. A minimum distance of ten feet shall be provided between any mobile home and an unattached accessory building.

### 5. Street Access and Circulation Requirements

(a) Access to Public Street: Each Mobile Home Park must abut and have access to a dedicated public street with a right-of-way of at least 60 feet. Direct access to a mobile home space from a public street is prohibited.

(b) Vehicular Circulation: The Mobile Home Park must provide interior vehicular circulation on a private internal street system. Minimum interior street width shall be 25 feet. The street system shall be continuous and connected with other internal and public streets; or shall have a cul-de-sac with a minimum diameter of 90 feet. No such cul-de-sacs may exceed 300 feet in length.

(c) Separation between Units and Circulation Areas: The minimum distance between a mobile home unit and any attached accessory structure and the pavement of an internal street or parking area shall be 20 feet.

(d) Sidewalks: Each Mobile Home Park shall provide a sidewalk system to connect each mobile home space to common buildings or community facilities constructed for the use of its residents; and to the fronting public right of way. Sidewalk width shall be at least four feet.

(e) Street and Sidewalk Standards: All internal streets and sidewalks shall be hard-surfaced. Electric street lighting is required along all internal streets.

(f) Parking Requirements: Each Mobile Home Park must provide at least two off-street parking stalls for each mobile home space.

### 6. Utilities

a) All Mobile Home Parks shall provide individual units and common facilities with an adequate, piped supply of hot and cold water for both drinking and domestic purposes; and standard electrical service, providing at least one 120-volt and one 240-volt electrical service outlet to each mobile home space.

(b) Complete sanitary and sewer service shall be provided within each Mobile Home Park in accordance with the Subdivision Chapter of the Land Development Regulations.

(c) Properly spaced and operating fire hydrants shall be provided for proper fire protection within each Mobile Home Park in accordance with the Subdivision Chapter of the Land Development Regulations.

(d) All electric, telephone, gas, and other utility lines shall be installed underground.

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7. Financial Responsibility: Each application for a Mobile Home Park shall include a demonstration by the developer of financial capability to complete the project; and a construction schedule.

8. Completion Schedule: Construction must begin on any approved Mobile Home Park within one year of the date of approval by the Planning and Zoning Commission. Such construction shall be completed within two years of approval, unless otherwise extended by the Commission.

9. All other uses and provisions of the Chadron Mobile Home Park regulations are incorporated herein by reference. These provisions include tie-down and other structural requirements included in the Chadron Municipal Codes.

f. Mobile Home Subdivisions in the MH District

1. Mobile Home Subdivisions shall be developed in accordance with all standards and requirements set forth in the Subdivision Chapter of the Land Development Regulations of Chadron. Site development regulations shall be the same as those required in the R-3 Zoning District. Each mobile home shall be considered a single-family detached residential unit for the purpose of determining applicable development regulations.

2. Mobile home units within Mobile Home Subdivisions shall be built in accordance with the minimum design standards of the US Department of Housing and Urban Development and display a certification of such compliance.

### 604 Supplemental Use Regulations: Civic Uses

a. Clubs

Clubs located adjacent to residential uses shall maintain a bufferyard of not less than 25 feet along the common boundary with such residential use.

b. Day Care

Day care facilities are permitted by Special Use permit in the GC and LI Zoning Districts only if incidental to a permitted primary use.

c. Group Care Facilities and Group Homes

1. Each group care facility or group home must be validly licensed by either the State of Nebraska or the appropriate governmental subdivision.

2. Group homes are permitted in the DC District only on levels above street level except that a facility specifically designed for occupancy by disabled residents may be developed at street level, subject to approval of a special permit by the City Council with the recommendation of the Planning Commission.

d. Heliports as an Accessory Use to Hospitals and Health Care Facilities

1. Launching and landing areas for emergency helicopters are permitted as an accessory use for hospital and health care facilities, subject to approval of a Special Use Permit.

2. All such facilities must comply with all regulations of the Federal Aviation Administration.

e. Primary and Secondary Educational and Religious Assembly Facilities

1. Buildings and parking shall have a minimum setback of 25 feet from property lines.

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2. Proposed facilities shall conform to all State and federal requirements.

### 605 Supplemental Use Regulations: Commercial Uses

a. Auto Repair, Equipment Repair, and Body Repair

1. Where permitted in commercial districts, all repair activities must take place within a completely enclosed building. Outdoor storage is permitted only where incidental to Auto Repair and Body Repair, provided that such storage is completely screened so as not to be visible from residential areas or public rights-of-ways. Screening is subject to provisions of Article 8 of these regulations.
2. Any spray painting must take place within structures designed for that purpose and approved by the Zoning Administrator.

b. Auto Washing Facilities

1. Each conveyor operated auto washing facility shall provide 100 feet of stacking capacity per washing lane on the approach side of the washing structure and stacking space for two vehicles on the exit side.
2. Each self-service auto washing facility shall provide stacking space for three automobiles per bay on the approach side and one space per bay on the exit side of the building.

c. Vehicle Storage

Vehicle Storage includes the primary use of a site for storage of operating or non-operating vehicles. For the Vehicle Storage (Short-Term) use type, vehicles shall not be stored on the site for longer than 30 days. No dismantling or salvage of vehicles is permitted on the site.

d. Campgrounds

1. **Minimum Size:** Each campground established after the effective date of this title shall have a minimum size of one acre.
2. **Setbacks:** All campgrounds shall maintain a 50-foot front yard setback and a 25-foot bufferyard from all other property lines.
3. Each campground must maintain water supply, sewage disposal, and water and toilet facilities in compliance with all City ordinances; or, alternately, be limited to use by self-contained campers, providing their own on-board water and disposal systems.

e. Convenience Storage

When permitted in the AG, GC, and LI Districts, convenience storage facilities shall be subject to the following additional requirements:

1. The minimum size of a convenience storage facility shall be one acre.
2. Activities within the facility shall be limited to the rental of storage cubicles and the administration and maintenance of the facility.
3. All driveways within the facility shall have a minimum width of 25 feet.

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4. All storage must be within enclosed buildings and shall not include the storage of hazardous materials.
5. No storage buildings may open into required front yards.
6. Facilities must maintain landscaped bufferyards as required by Article Eight.

### **606 Supplemental Use Regulations: Industrial Uses**

#### a. Resource Extraction

Resource extraction, where permitted, is subject to the following additional requirements:

1. **Erosion Control:** A resource extraction use may not increase the amount of storm run-off onto adjacent properties. Erosion control facilities, including retention and sediment basins, are required of each facility, if necessary, to meet this standard.
2. **Surface Drainage:** The surface of the use may not result in the collection or ponding of water, unless specifically permitted by the City Council.
3. **Storage of Topsoil:** Topsoil shall be collected and stored for redistribution following the end of the operation.
4. **Elimination of Hazards:** Excavation shall not result in a hazard to any person or property. The following measures are required:
  - (a) Restoration of slopes to a gradient not exceeding 33% as soon as possible.
  - (b) Installation of perimeter safety screening.
  - (c) Installation of visual screening adjacent to any property within a residential or public use district.
5. **Restoration of Landscape:** The topography and soil of the resource extraction site shall be restored and stabilized within nine months of completion of the operation. The site shall be seeded, planted, and contoured in a way that prevents erosion. Alternately, the site may be used as a lake or body of water, subject to approval by the City Council with the recommendation of the City Council and the Natural Resources District.

#### b. Salvage Services

1. **Screening:**
  - (a) The perimeter of each new facility shall be fully enclosed by opaque, freestanding fencing or screen walls. Minimum height of this enclosure shall be eight feet. Any such enclosure shall be constructed behind required landscaped bufferyards.
  - (b) Each existing salvage services facility shall be screened from public right-of-way as provided above within one year of the effective date of these Zoning Regulations.
2. Storage of materials within any salvage services facility may not be higher than the height of the surrounding screen fence or wall.
3. No Salvage Services use may be established within 300 feet of the nearest property line of a residential zoning district or of any pre-established civic use.



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### 607 Performance Standards for Industrial Uses

a. Industrial Uses in the LI District: Performance Standards

The following performance standards apply to all industrial uses permitted within an LI Limited Industrial zoning district:

1. **Physical Appearance:** All operations shall be carried on within an enclosed building except that new materials or equipment in operable condition may be stored outside. Normal daily inorganic wastes may be stored outside in containers, provided that such containers are not visible from the street.
2. **Fire Hazard:** No operation shall involve the use of highly flammable gases, acid, liquids, or other inherent fire hazards. This prohibition shall not apply to the normal use of heating or motor fuels and welding gases when handled in accordance with the regulations of Dawes County and the City of Chadron.
3. **Maximum Permitted Sound Levels Adjacent to Residential Zoning Districts:** No operation in the LI district shall generate sound levels in excess of those specified in Table 6-1 at the boundary of a residential district. All noises shall be muffled so as not to be objectionable because of intermittence, beat frequency, or shrillness.
4. **Sewage and Wastes:** No operation shall discharge into a sewer, drainage way, or the ground any material which is radioactive, poisonous, detrimental to normal sewer plant operation, or corrosive to sewer pipes and installations.
5. **Air Contaminants:** No material may be discharged into the air from any source in such quantity as to cause injury, detriment, nuisance, or annoyance to any considerable number of people or to the public in general; or to endanger the health, comfort, or safety of any considerable number of people or to the public in general; or to damage other businesses, vegetation, or property.
6. **Odor:** The emission of odors determined by the Planning and Zoning Commission to be obnoxious to most people shall be prohibited. Such odors shall be measured at the property line of the operation.
7. **Gases:** No release of noxious or poisonous gases shall be permitted except as provided in this section. Measurements of sulfur dioxide, hydrogen sulfide, or carbon monoxide shall not exceed 5 parts per million taken at the property line of the operation.
8. **Vibration:** All machines shall be mounted to minimize vibration. No measurable vibration shall occur at the property line of the operation which exceeds a displacement of 0.003 inch.
9. **Glare and Heat:** All glare generated by a use shall be shielded or directed so as not to be visible at the property line of the operation. No heat may be generated from an operation that raises the air temperature at the property line of the operation by more than five degrees Fahrenheit above the ambient air temperature.
10. **Storage of Chemical Products:** If allowed by Special User Permit, any above or below ground storage of liquid petroleum products or chemicals of a flammable or noxious nature shall not exceed 150,000 gallons when stored on one lot less than one acre. Such storage shall not exceed 25,000 gallons in any one tank. Storage of liquid petroleum products or chemicals of a flammable or noxious nature in excess of 25,000 gallons shall be located at least 50 feet from any structure intended for human habitation and at least 200 feet from any Residential, Office, or Commercial zoning district.

b. Industrial Uses in the GI District: Performance Standards

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The following performance standards apply to all industrial uses permitted within an GI Limited Industrial zoning district:

1. **Physical Appearance:** Salvage services and similar uses and operations shall be screened from view from both streets and adjacent non-industrial properties as provided by Sections 606(b) and 805.
2. **Fire Hazard:** All flammable substances involved in any activity established in the district shall be handles in conformance with the latest edition of the Fire Prevention Code published by the American Insurance Association, and other appropriate federal, state, and city statutes.
3. **Maximum Permitted Sound Levels Adjacent to Residential Zoning Districts:** No operation in the GI district shall generate sound levels in excess of those specified in Table 6-1 at the boundary of a residential district. All noises shall be muffled so as not to be objectionable because of intermittence, beat frequency, or shrillness.
4. **Sewage and Wastes:** No operation shall discharge into a sewer, drainage way, or the ground any material which is radioactive, poisonous, detrimental to normal sewer plant operation, or corrosive to sewer pipes and installations.
5. **Air Contaminants:** No material may be discharged into the air from any source in such quantity as to cause injury, detriment, nuisance, or annoyance to any considerable number of people or to the public in general; or to endanger the health, comfort, or safety of any considerable number of people or to the public in general; or to damage other businesses, vegetation, or property.
6. **Odor:** The emission of odors shall be controlled so as to minimize the escape of odors within the limits of technology or economic feasibility.
7. **Gases:** No release of noxious or poisonous gases shall be permitted except as provided in this section. Measurements of sulfur dioxide, hydrogen sulfide, or carbon monoxide shall not exceed 5 parts per million taken at the property line of the operation.
8. **Vibration:** All machines shall be mounted to minimize vibration.
9. **Storage of Chemical Products:** Storage of liquid petroleum products or chemicals of a flammable or noxious nature in excess of 25,000 gallons shall be located at least 250 feet from any structure intended for human habitation and at least 1,000 feet from any Residential, Office, or Commercial zoning district.

### 608 Maximum Permitted Sound Levels Adjacent to Residential Zoning Districts

Table 6-1 displays the maximum permitted sound levels that may be generated by uses in the CC, GC, LI, or GI zoning districts where adjacent to residential zoning districts. All measurements shall be taken at or within the boundary between the originating district and the adjacent residential zoning district with a sound level meter meeting ANSI specifications for a Type II or better general purpose sound level meter. The A-weighted response shall be used.

**Table 6-1  
Maximum Permitted Sound Levels at Residential Boundaries**

<u>Originating Zoning District</u>	<u>Time</u>	<u>Maximum One Hour Leq* (dbA)</u>
CC, GC, LI	7:00 a.m. - 10:00 p.m.	60
	10:00 p.m. - 7:00 a.m.	55

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GI	7:00 a.m. - 10:00 p.m.	65
	10:00 p.m. - 7:00 a.m.	55

\* Leq is the constant sound level that, in a given situation and time period, conveys the same sound energy as the actual time-varying A-weighted sound. It is the average sound level and accurately portrays the sound the human ear actually hears.

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### 609 Supplemental Use Regulations: Accessory Uses

#### a. Home-Based Businesses/ Home Occupations

Home-based businesses and home occupations are permitted as an accessory use in residential units subject to the following conditions:

1. External Effects:

(a) There shall be no change in the exterior appearance of the building or premises housing the home occupation other than signage permitted within this section.

(b) No noise, odors, bright lights, electronic interference, storage or other external effects attributable to the home occupation shall be noticeable from any adjacent property or public right of way.

(c) The home occupation shall be carried on entirely within the principal residential structure and/or within a detached accessory building approved by the City in accordance with these zoning regulations. All "External Effects" criteria in items a. 1. (a), (b), (d), (e) and (f) of this subsection are applicable for the detached accessory building.

(d) Mechanical or electrical equipment supporting the home occupation shall be limited to that which is self-contained within the structure and normally used for office, domestic or household purposes.

(e) No outdoor storage of materials or equipment used in the home occupation shall be permitted, other than motor vehicles used by the owner to conduct the occupation. Parking or storage of heavy commercial vehicles to conduct the home occupation is prohibited.

(f) No home occupation shall discharge into any sewer, drainageway, or the ground any material which is radioactive, poisonous, detrimental to normal sewer plant operation, or corrosive to sewer pipes and installations.

2. Employees: The home occupation shall employ no more than one full time or part time employee on site other than the residents of the dwelling unit, provided that one off-street parking space is made available and used by that non-resident employee.

3. Extent of Use: For all residential and agricultural zoning districts, a maximum percent floor area of 30% of the dwelling may be devoted to the home occupation, inclusive of any detached accessory buildings used for the home occupation.

4. Signage: Signage shall be permitted consistent with the regulations of Article Ten.

5. Traffic Generation

(a) Deliveries or service by commercial vehicles or trucks over ten tons gross empty weight is prohibited for any home-based business located on a local street.

6. Prohibited Home-Based Businesses/Home Occupations

(a) Beauty and Barber Shops: Barber and beauty shops are prohibited as home occupations in residential districts.

(b) Welding, or any use defined in Article Three as Automotive or Equipment Services are not permitted as home-based businesses.

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7. Each home-based business shall be registered with the Zoning Administrator, using a form developed by the Zoning Administrator to demonstrate compliance with the standards contained within this section.

b. Permitted Accessory Uses: Residential Uses

Residential uses may include the following accessory uses, activities, and structures on the same lot.

1. Private garages and parking for the residential use.
2. Recreational activities and uses by residents.
3. Home occupations, subject to Section 611(a) of these regulations.
4. Residential convenience services for multi-family uses or mobile home parks.
5. Garage sales, provided that the frequency of such sales at any one location shall not exceed one during a continuous, two month period or four sales during any twelve month period.

c. Permitted Accessory Uses: Civic Use Types

Guidance Services and Health Care use types are permitted in the GI General Industrial zoning districts only as accessory uses to a primary industrial use.

d. Permitted Accessory Uses: Other Use Types

Other use types may include the following accessory uses, activities, and structures on the same lot:

1. Parking for the principal use.
2. Manufacturing or fabrication of products made for sale in a principal commercial use, provided such manufacturing is totally contained within the structure housing the principal use.
3. Services operated for the sole benefit of employees of the principal use.

e. Permitted Accessory Uses: Agricultural Use Types

1. Garden centers and roadside stands, subject to the regulations set forth in Section 6-2(a)(2).
2. Other uses and activities necessarily and customarily associated with the purpose and functions of agricultural uses.

### **611 Supplemental Use Regulations: Outdoor Storage outside of the GI Zoning District**

Outdoor storage is prohibited in all zoning districts except the GI General Industrial zoning district, except as provided in this section.

a. Agricultural Use Types

Outdoor storage is permitted only where incidental to agricultural uses.

b. Civic Use Types

Outdoor storage is permitted only where incidental to Maintenance Facilities.

c. Commercial Use Types

1. Outdoor storage is permitted where incidental to Agricultural Sales and Service; Auto Rentals and

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Sales; Construction Sales; Equipment Sales and Service; Stables and Kennels; and Surplus Sales.

2. Outdoor storage is permitted where incidental to Auto Services, Equipment Repair, and Body Repair, provided that such storage is completely screened at property lines by an opaque barrier, as set forth in Section 805. This provision shall apply to any Auto Services, Equipment Repair, or Body Repair use established after the effective date of these regulations.

d. Industrial and Miscellaneous Use Types

1. Light Industry within the DC Downtown Commercial District zoning district may not include outdoor storage.

2. Outdoor storage is permitted where it is incidental to Light Industry outside of the DC Downtown Commercial District; General Industry; Heavy Industry; Resource Extraction; Salvage Services; Warehousing; and Construction Yards. Any such outdoor storage is subject to screening requirements set forth in Article Eight.

3. Outdoor storage is permitted where incidental to landfills.

### 612 Supplemental Use Regulations: Temporary Uses

a. Purpose

These provisions are intended to permit occasional, temporary uses and activities, when consistent with the objectives of the Zoning Regulations and compatible with surrounding uses. They are further intended to prevent temporary uses from assuming the character of permanent uses.

b. Permitted Temporary Uses

The following temporary uses are permitted, subject to the regulations contained within these sections:

1. Model homes or apartments, if contained within the development to which they pertain.

2. Development sales offices. Such offices may remain in place until 90% of the lots or units within the development are sold and may not be located within a mobile home or manufactured home/structure.

3. Public assemblies, displays, and exhibits.

4. Commercial circuses, carnivals, fairs, festivals, or other transient events, provided that events are located on property owned by the sponsoring non-profit organization, or are located within a DC or more intensive zoning district.

5. Outdoor art shows and exhibits.

6. Christmas tree or other holiday-related merchandise sales lots, provided that such facilities are not located in a residential zoning district.

7. Construction site offices, if located on the construction site itself.

8. Outdoor special sales, provided that such sales operate no more than three days in the same week and five days in the same month; and are located in commercial or industrial zoning districts.

9. Construction Batch Plants, provided that:

(a) No plant may be located within 600 feet of a developed residential use, park, or school.

(b) The facility is located no more than one mile from its job site. The Zoning Administrator may extend this distance to two miles, if such extension avoids use of local streets by plant-related vehicles.

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(c) The duration of the plant's operation does not exceed 180 days.

10. Additional temporary uses that the Zoning Administrator determines to be similar to the previously described uses in this section.

c. Required Conditions of All Temporary Uses

1. Each site shall be left free of debris, litter, or other evidence of the use upon its completion or removal.

2. The Zoning Administrator may establish other conditions which he/she deems necessary to ensure compatibility with surrounding land uses.

d. Permit Application and Issuance

1. An application to conduct a temporary use shall be made to the Zoning Administrator and shall include at a minimum a description of the proposed use; a diagram of its location; information regarding hours and duration of operation; and other information necessary to evaluate the application.

2. The Zoning Administrator may authorize a temporary use only if he/she determines that:

(a) The use will not impair the normal operation of a present or future permanent use on the site.

(b) The use will be compatible with surrounding uses and will not adversely affect the public health, safety, and welfare.

3. The duration of the permit shall be explicitly stated on the permit.

4. Decisions of the Zoning Administrator may be appealed to the Board of Adjustment.