

**Title 19**  
**ZONING**

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Prior ordinance history: Prior code §§ 29-10— 29-12, 29-19— 29-23, 29-26, 29-30— 29-36, 29-40— 29-47, 29-50— 29-55, 29-60— 29-66, 29-70, 29-73— 29-76, 29-99— 29-111, 29-113— 29-119, 29-121, 29-122, 29-131— 29-134, 29-136, 29-137, 29-200, 29-201, 29-210, 29-219, 29-220, 29-231— 29-233, 29-301, 39-303, 29-304, 29-306— 29-309, 29-311— 29-313, 29-315, 29-317, 29-318, 29-321— 29-323, 29-325— 29-329 and Ordinances 4B-76, 1-77, 11D-77, 4C-78, 6-78, 9C-79, 10D-79, 11A-79, 4A-80, 5-80, 5B-80, SC-SO, 6E-80, 6G-80, 9-80, 11-80, 12-80, 2A-81, 6A-81, 7A-81, 7B-81, 7C-81, 8C-81, 5C-83, 5D-83, 3A-84, 9A-84, 4-86, 12-86, 12A-86, 7B-87, 8-87 and 11-88; 11-2012; 07A-2014.

**Chapter 19.08**

**DEFINITIONS**

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**19.08.790 Yard, Side.**  
**19.08.791 Zone.**  
**19.08.800 Zoning Officer.**

**Section 19.08.157 Fence.**

“Fence” means a tangible barrier constructed of any allowable material erected for the purpose of providing a boundary or as a means of protection, or to prevent uncontrolled access, or for decorative purposes (such as an ornamental fence or ornamental gates), to enclose, separate, or screen from viewers in or on adjoining properties and streets, materials stored, and operations conducted behind it. (Ord. 6-14 (part))

**Section 19.08.271 Impound.**

“Impound” means the seizure and legal process of placing a vehicle into an impound lot or tow yard.

**Section 19.08.271~~2~~ Impound Yard.**

“Impound Yard” means the ~~legal process of placing a vehicle into an impound lot or tow yard,~~ which is a holding place for vehicles until they are placed back in the control of the owner, recycled for their metal, stripped of their parts at a wrecking yard or auctioned off.

**Section 19.08.285-290 Junk.**

“Junk” means ~~waste or junked, dismantled or wrecked automobiles or parts thereof, old iron or scrap copper, brass, metal, wire,~~ glass, weeds, ~~metal,~~ lumber, stumps, grass, trash, straw, hedge trimmings, cut branches, paper, cordage, cloth, construction debris building materials not intended for immediate use or other waste or discarded material of any nature or substance whatsoever or any scrap or salvage materials, which in general may or may not be turned into some other use. ~~Dismantled or wrecked automobiles or parts thereof.~~

**Section 19.08.290-291 Junk/Salvage/Wreckage Yard.**

“Junk/Salvage/~~Wreckage~~ yard” means a business which engages in buying, collecting, acquiring, selling, or disposing of ~~articles that have outlived their usefulness in their originally manufactured or produced form~~ junk. This includes any accessory structure ~~thereon or lot,~~ which is used for buying, selling, storing, baling, packing, disassembling, or handling junk, waste, or scrap materials. ~~Such scrap materials include vehicles, machinery, and equipment not in operable condition, and metals, glass, paper, plastics, rags, and rubber. A lot on which three or more inoperable vehicles are stored shall be deemed a junkyard. A junkyard includes an automobile wrecking yard.~~ (Ord. 9-89 (part)) (Ord. No. 6-93, Amended, 06/01/93) (Ord. Amended 6-17-2014)

**Section 19.08.721 Towing Business.**

“Towing Business” means any individual or business that engages in the towing or removal of motor vehicles, trailers, or parts thereof, including cargo or loads, for compensation.

**Section 19.08.721-722 Towing Yards.**

“Towing Yards” means any establishment or place of business which is the lot where a Towing Business maintains or uses for the storage, keeping, buying, or selling of wrecked, scrapped, keeping, buying or selling of motor vehicles, trailers, or parts thereof, including cargo or loads thereof, regardless of condition. Temporary storage of any such motor vehicles, trailers, parts, or cargo shall not exceed six (6) months. Permission may be allowed at the City’s discretion for the granting of a 48-hour grace period for emergency situations, such as during inclement weather, allowing overflow vehicles to be parked at near the place towing yard of business on the roadway but shall still not impede the flow of allow traffic to pass nor hinder traffic visibility.

**Section 19.08.759 Wrecking Yard.**

“Wrecking Yard” means any establishment or place of business which is maintained or used for the storage, keeping, buying, or selling of wrecked, scrapped, or dismantled motor vehicles or parts thereof. A lot on which three or more inoperable vehicles are stored shall be deemed a wrecking yard.

**19.28.020 Schedule of uses.**

The following schedule indicates by the symbol "P" are the uses that shall be permitted in each Commercial Zone, and by the symbol "S," are the uses which require a Special Use Permit in accordance with the provision. Any use not identified within this schedule may be allowed through a Special Use Permit. The symbol "X" means that the use is not allowed.

	Use	Reference Code	C-1	C-2	I
1.	Art Gallery	19.08.035	P	P	P
2.	Automobile care	19.08.040	X	P	P
3.	Automobile filling station	19.08.160/ 19.40.130	S	P	P
4.	Automobile repair garage	19.08.210	S	P	P
5.	Automobile Dealership, New/Used	19.08.042	X	P	P
6.	Bakery/Pastry shop	19.08.044	P	P	P
7.	Bank or financial service	19.08.046	P	P	P
8.	Boarding/lodging house, Temp Housing	19.08.080			
	i. Inside National Historic Registry zones		S	S	S
	ii. Outside National Historic Registry zones		P	P	P
9.	Broadcasting Station	19.08.095	S	S	P
10.	Business Center Development	19.08.110	S	P	P
11.	Bus Station/Terminal	19.08.105/	S	P	P

		19.08.106			
12.	Car Title Loan Business	19.08.113	S	S	S
13.	Caretaker dwelling incidental to and above or behind a principal commercial use	19.08.117	S	S	P
14.	Check Cashing Facility / Deferred Deposit Loan	19.08.120	S	S	S
15.	Churches/ Religious establishments	19.08.121	S	S	S
16.	Community use	19.08.123	P	P	P
17.	Concert Venue, Concert Hall, Dance Hall	19.08.124	S	P	P
18.	Convenience store	19.08.125	S	P	P
19.	Cosmetic/Hair or Tanning Salon service establishment	19.08.126	P	P	P
20.	Day care center	19.08.127	P	P	S
21.	Detention facilities; jails	19.08.128	X	S	P
22.	Drive up/Drive through service incident to any business	19.08.129	S	P	P
23.	Educational Use	19.08.141	S	P	S
24.	Emergency services; police, fire or ambulance stations	19.08.147	S	P	P
25.	Fast food establishment, independent	19.08.155	S	P	P
26.	Fast food establishment which is located under the roof of a shopping center containing at least three other retail uses	19.08.155/ 19.08.608	P	P	P
27.	Fences	19.08.157/ 19.40.050	P	P	P
28.	Fraternal Club, Social Club	19.08.183	S	S	S
29.	Funeral parlor/Mortuary	19.08.187	S	P	P
30.	General Repair Service	19.08.212	S	P	P
31.	Greenhouse; garden supply	19.08.215	S	P	P
32.	Hardware store; home improvement center	19.08.218	S	P	P
33.	Hospital	19.08.250	S	P	P
34.	Hotel; motel; extended stay hotel	19.08.260/ 19.08.500	S	P	S
35.	Industrial Park	19.08.270	X	S	P
36.	Impound Yard completely enclosed by <del>opaque</del> fence no less than eight (8) feet in height. A <del>city approved</del> maintained landscaping plan may be approved.	19.08.272 <del>4</del>	X	X	S
<del>1-37.</del>	Junk, Salvage or <del>wreckage</del> Yard completely enclosed by <del>opaque</del> fence no less than eight (8) feet in height. A <del>city approved</del> maintained landscaping plan may be substituted.	19.08.291 <del>0</del>	X	X	S
<del>2-38.</del>	Labor Camp	19.08.295	X	S	S
<del>3-39.</del>	Laundromat/dry cleaning facilities	19.08.304	S	S	P
<del>4-40.</del>	Library	19.08.306	P	P	P
<del>5-41.</del>	Light manufacturing conducted within an enclosed building	19.08.308	X	S	P
<del>6-42.</del>	Lumber yard	19.08.405	X	S	P
<del>7-43.</del>	Medical clinic; doctor's offices	19.08.420	P	P	P
<del>8-44.</del>	Membership club	19.08.430	S	P	P
<del>9-45.</del>	Mixed use	19.08.430	P	P	S
<del>0-46.</del>	Museum	19.08.523	P	P	P
<del>1-47.</del>	Neighborhood service establishment	19.08.527	P	P	P
<del>2-48.</del>	Nursing home; convalescent center/senior activity center	19.08.557	S	P	P

<a href="#">3-49.</a>	Off-premises beer retailer licensed outlet	Ch. 5.08	S	P	P
<a href="#">4-50.</a>	Office/warehouse -less than 50% interior storage; no outside storage or display permitted	19.08.758	S	S	P
<a href="#">5-51.</a>	Office/warehouse -more than 50% interior storage; outside storage only as approved by Planning Commission	19.08.758	X	X	S
<a href="#">6-52.</a>	Parking lots	19.08.563/ 19.44	S	P	P
<a href="#">7-53.</a>	Parking structure/Garage	19.08.200/ 19.40.130/19.44	S	P	P
<a href="#">8-54.</a>	Pawnshop/Pawnbroker	19.08.567/ 5.01	X	S	S
<a href="#">9-55.</a>	Planned Unit Development (PUD);	Ch. 19.60	P	P	P
<a href="#">0-56.</a>	Postal services, private or federal	19.08.575	S	P	P
<a href="#">1-57.</a>	Privately owned communication towers	19.08.122	X	S	P
<a href="#">2-58.</a>	Professional Service	19.08.585	P	P	P
<a href="#">3-59.</a>	Public utility installation (except lines and rights-of-way)	No Def.	P	P	P
<a href="#">4-60.</a>	Public utility transmission lines and rights-of-way: a. Not serving the city b. Are serving the city	No Def.	S P	S P	S P
<a href="#">5-61.</a>	Reception center	19.08.592	P	P	S
<a href="#">6-62.</a>	Recreation, Private i. Indoor ii. Outdoor	19.08.593	P S	P S	P P
<a href="#">7-63.</a>	Recreation, Public i. Indoor ii. Outdoor	19.09.594	P S	P S	P P
<a href="#">8-64.</a>	Recreational facility beer retailer	Ch. 5.08	S	S	P
<a href="#">9-65.</a>	Residential, Loft/Walk up with private entrance	19.08.600	P	P	S
<a href="#">0-66.</a>	Residential Multi-family/Duplex above public parking garage or main level commercial establishment with private entrance	No Def.	P	P	S
<a href="#">1-67.</a>	Residential, over 55 non-assisted living	No Def.	P	P	X
<a href="#">2-68.</a>	Residential uses in conjunction with a Regional/local Shopping Mall	No Def.	P	P	S
<a href="#">3-69.</a>	a. Restaurant Liquor Retailer, Dining club b. Micro-Brew Restaurant, Liquor Retailer c. Manufacturer of Alcoholic Products/Brewery	19.08.435/ Ch. 5.08	S S X	S S X	S S S
<a href="#">4-70.</a>	Restaurant, Restaurant on-premises beer retailer	Ch. 5.08	P	P	P
<a href="#">5-71.</a>	Retail department or specialty store with <b>no</b> outside storage or display	19.08.602/ 19.08.665	P	P	P
<a href="#">6-72.</a>	Retail department or specialty store with outside storage or display	19.08.602/ 19.08.665	S	P	P
<a href="#">7-73.</a>	RV Park	19.08.597	X	P	P
<a href="#">8-74.</a>	Seasonal fruit/produce vendor stand as temporary use only	19.08.718	P	P	P
<a href="#">9-75.</a>	"Self-Storage facility" with a maximum of 100' of frontage along any road, completely enclosed by <del>opaque</del> wall or fence no less than eight (8) feet in height, not including	19.08.606	X	S	P

	façade of main office. A city approved <b>maintained</b> landscaping plan may be substituted <del>or decorative rod Iron fencing may be used in lieu of an opaque wall or fence.</del>				
<del>0-76.</del>	Sexually oriented Business	19.08.607/ Ch. 5.10	X	S	S
<del>1-77.</del>	Shopping center	19.08.608	P	P	S
<del>2-78.</del>	Signs	19.08.610/19.48 /9.12.100	S	P	P
<del>3-79.</del>	“Storage lot incident to business OR structure” completely enclosed by <del>opaque</del> wall or <b>fence no less than eight (8) feet in height</b> that complies with district design standards or approved by Community Development Department. <b>This excludes lots used for that excludes towing, impound, junk, salvage, and wrecking yards.</b>	19.08.678	P	P	P
<del>4-80.</del>	Tattoo establishment	19.08.712	X	S	S
<del>5-81.</del>	Tavern	19.08.714	S	S	S
<del>6-82.</del>	Temporary uses	19.08.718	S	S	S
<del>7-83.</del>	Theater/Cinema, indoor	19.08.719	S	P	P
<del>8-84.</del>	Theater/Cinema, drive in	19.08.719	X	S	P
<del>85.</del>	<b>Towing Business</b>	<b>19.08.721</b>	<b>X</b>	<b>X</b>	<b>S</b>
<del>86.</del>	<b>Towing Yard completely enclosed by opaque fence no less than eight (8) feet in height. A city approved maintained landscaping plan may be approved.</b>	<b>19.08.722</b>	<b>X</b>	<b>X</b>	<b>S</b>
<del>9-87.</del>	Trucking and transportation terminals	19.08.745	X	S	P
<del>0-88.</del>	<b>Towing Yard completely enclosed by opaque fence no less than eight (8) feet in height. A city approved landscaping plan may be approved.</b>	<b>19.08.7221</b>	<b>X</b>	<b>X</b>	<b>S</b>
<del>1-89.</del>	Uses customarily accessory to a listed permitted use	No Def.	P	P	P
<del>2-90.</del>	Uses customarily accessory to a listed special use	No Def.	P	P	P
<del>3-91.</del>	Veterinary hospital/indoor kennel	19.08.755	X	S	P
<del>4-92.</del>	<b>Wrecking Yard completely enclosed by opaque fence no less than eight (8) feet in height. A city approved maintained landscaping plan may be approved.</b>	<b>19.08.759</b>	<b>X</b>	<b>X</b>	<b>S</b>
<del>5-93.</del>	*Any structure built in a scenic corridor*	19.08.605	S	S	S
90.	*Other commercial type use not listed*	No Def.	S	S	S

### Section 19.36.030 Special permit uses.

The following uses are permitted subject to the planning commission's approval pursuant to Chapter 19.40:

- A. Sand or gravel pit;
- B. **Junkyard**, dump, sanitary landfill;
- C. Any use which cannot meet the requirements;
- D. Overhead electrical transmission lines serving area other than just the city;
- E. Any use, building or structure proposed in an area classified as a scenic corridor pursuant to Chapters 19.56 and 19.68. (Ord. 9-89 (part))

## Chapter 19.40

### USE REGULATIONS

#### Sections:

19.40.010	Regulations supplemental.
19.40.020	Placement of accessory uses and structures.
19.40.030	Lot area, width and coverage.
19.40.040	Height.
19.40.050	Fences.
19.40.060	Through lots.
19.40.070	Corner clearance.
19.40.080	Stripping of topsoil.
19.40.090	Undeveloped space or tract.
19.40.100	Sidewalks.
19.40.110	Livestock.
19.40.120	Gross floor area.
19.40.130	Public garages and filling stations.
19.40.140	Private swimming pools.
19.40.150	Site plan approval.
19.40.160	Special design standards.
19.40.170	Drainage.
19.40.180	Sanitation and water supply.
19.40.190	Home occupation conditions.

#### Section 19.40.050 Fences.

A. Fences, walls and hedges permitted as accessory uses except that no fence, wall, or hedge shall be permitted which obstructs vision to an intersecting street, or right-of-way, or which is a potential hazard to vehicular or pedestrian traffic. Notwithstanding other provisions of this title, fences, walls, and hedges may be permitted in any required yard, or along the edge of any yard.

B. Height Limitations. Except in industrial zones or when otherwise required by ordinance or when specifically approved otherwise by the Planning & Zoning Commission in accordance with the provisions of Chapter 19.56, no fence or wall shall exceed six (6) feet in height. Exceptions to height limitations for detention facilities or jail. No fence, wall or hedge along the sides or front edges of any front yard, shall exceed four feet up to the time of twenty-five (25') feet at which time height can be six (6') along the sides in height except in industrial zones where they shall not exceed eight (8) feet in height.

C. In no case shall chicken wire, hog fence or other types of livestock fence be permitted as fencing material along the sides or front edges of any front yard or along any line facing a street. *Chicken wire, hog fence and other types of livestock fencing shall only be permitted as "landscape protection fencing" around trees, shrubs, bushes, gardens and flower beds.* In no case shall barbed wire be used for

fencing and the tops of walls or fences shall not be adorned with pointed or sharp protrusions of any kind except in industrial zones where fences, not less than five feet high, may be provided with three strands of barbed wire at the top.

Fence shall be constructed in a substantial, workmanlike manner and of substantial material reasonably suited for the purpose for which the fence is proposed to be used. Every fence shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of despair, damage, or unsightliness, or constitute a nuisance, public or private. Any such fence which is or has become, dangerous to the public safety, health, or welfare, or has become unsightly through improper maintenance or neglect is a public nuisance, and the Zoning Enforcement Officer shall commence proper proceedings for the abatement thereof.

Notwithstanding other ordinances and sections of the ordinance codified in this title where not prohibited by subdivision covenants or deed restrictions, walls or fences may be permitted to encroach on a public right-of-way to the extent allowed by the following standards:

1. On streets in which curb and sidewalks are present, no fence or wall shall be placed any closer than the outside edge of any existing sidewalk;
2. On streets which have no sidewalks but have curb, no fence or wall shall be placed closer than sixty (60) inches to the back of any existing curb;
3. On streets which have neither curb nor sidewalk, the director of planning shall specify a placement of the fence or wall corresponding to the position stated in Subsection A of this section if a sidewalk were ever built according to city specifications;
4. No encroachment shall be allowed on alley rights-of-way;

D. The city assumes no future responsibility or liability of the modification, removal or destruction of such improvements necessitated by future public need for use of privately improved rights-of-way. All costs for such will be borne by the private property owner responsible for the improvements, his heirs or successors. All such construction within the city rights-of-way as specified shall also be subject to the provisions of Chapter 12.20 and shall require a permit. (Ord. 9-89 (part)) (Ord. 11-2007, Amended, 11/06/2007) (Ord. 9-2021, Amended 9/21/21)