

CITY OF WATFORD CITY
P.O. BOX 494 WATFORD CITY, NORTH DAKOTA 58854

**PLANNING AND ZONING COMMISSION
MEETING AGENDA
Monday November 26, 2018
6:00 PM City Hall, Heritage Room**

● **CALL TO ORDER PUBLIC HEARING**

1. Amendments to Watford City Municipal Code of Ordinances: Chapter 15, Articles 10, 11, 12, 13, 13(A), 14, 15, 18, 18(C), Sections 2 and 3 pertaining to daycare.
2. Amendments to Watford City Municipal Code of Ordinances: Chapter 15, Article 7, Rules and Definitions pertaining to daycare.
3. Amendments to Watford City Municipal Code of Ordinances: Chapter 15, Article 18(C) RC-Condominium Residential, Sections 2 and 3.
4. Amendments to Watford City Municipal Code of Ordinances: Chapter 15, Articles 17 and 18(A), Sections 2 and 3 regarding post frame buildings.
5. Division of Land Application for Map of Reversion submitted by Eugene Turnquist. Property located at 405 & 409 Main St. N. Section 13, Township 150, Range 99W.
6. Land Use Application for Zone Change submitted Mann Energy Services, LLC. On property located at 12263 26th F St. NW. Section 22, Township 150, and 98W.
7. Annual Review of Land Use Application for Conditional Use Permit for Knife River to allow crushing. For property located at 401 14th St. SW. Section 23, Township 150, Range 99W.
8. Division of Land Application for Map of Reversion submitted by McKenzie County School District. On property located at 908 4th Ave. NE, Section 18, Township 150, Range 98 W.

● **CLOSE PUBLIC HEARING**

● **CALL TO ORDER REGULAR MEETING**

1. *Division of Land Application for Final Plat for Fox Hills Village.*

- **MINUTES**

October 29, 2018 Meeting

- **PERMIT RECORDS**

October - November

- **NEW BUSINESS**

1. Updated Meeting Date Schedule for 2019.

2. Discuss December Meeting: the regularly scheduled meeting falls on New Year's Eve, Monday December 31, 2018.

- **ADJOURNMENT**

1.

Amendment to Ordinance

Chapter 15

Article: 10, 11, 12, 13, 13(a), 14, 15, 18, 18(c)

Section 2 & 3 Pertaining to Daycare

ARTICLE IX(B) - RR 1 RURAL RESIDENTIAL DISTRICT

SECTION 1. - INTENT:

The "RR" Rural Residential District is established for the purpose of providing and preserving large lot areas of low density single-family residential living where keeping of livestock is prohibited.

(Ord. No. 402, 5-4-2015)

SECTION 2. - PERMITTED USES:

- Accessory buildings not to be used for residential purposes, provided that the floor area of any single accessory building, or combined floor area of multiple accessory buildings, shall not exceed ten thousand (10,000) feet.
- Places of Worship.
- Home occupations and home-based businesses.
- One (1) single family-residence per lot.
- Public, quasi-public and institutional uses.

[- In-Home Daycare: Self-Declared or Family License]

(Ord. No. 402, 5-4-2015; Ord. No. 455, 11-21-2017)

SECTION 3. - CONDITIONAL USES:

- Daycare facilities: **[Group or Center License]**
- Bed and breakfast inns.
- Cemeteries.
- Intermediate care facilities.
- Public or private schools.

(Ord. No. 402, 5-4-2015; Ord. No. 455, 11-21-2017)

SECTION 4. - INTENSITY OF USE REGULATIONS:

Every lot of land shall have an area of not less than one (1) gross acre and an average width of not less than one hundred (100) feet.

(Ord. No. 402, 5-4-2015)

SECTION 5. - HEIGHT REGULATIONS:

No building shall exceed thirty-five (35) feet in height, except as otherwise provided in the additional height, area and use regulation.

(Ord. No. 402, 5-4-2015)

SECTION 6. - YARD REGULATIONS:

Front Yard: For principal buildings, principle buildings for nonresidential uses, and accessory buildings, there shall be a front yard having a depth of not less than thirty (30) feet.

Side Yard: For principle buildings, there shall be a side yard having a width of not less than ten (10) feet on each side of the principle building. For principle buildings for nonresidential uses there shall be a side yard having a width of not less than twenty-five (25) feet on each side of the building, and for an accessory building, there shall be a side yard having a width of not less than five (5) feet on each side of the accessory building.

Rear Yard: For both principal buildings and principal buildings for nonresidential uses, there shall be a rear yard having a depth of forty (40) [feet]. For accessory buildings there shall be a depth of not less than five (5) feet.

(Ord. No. 402, 5-4-2015)

SECTION 7. - PARKING REGULATIONS:

As required in ARTICLE XX, PARKING AND LOADING REGULATIONS.

(Ord. No. 402, 5-4-2015)

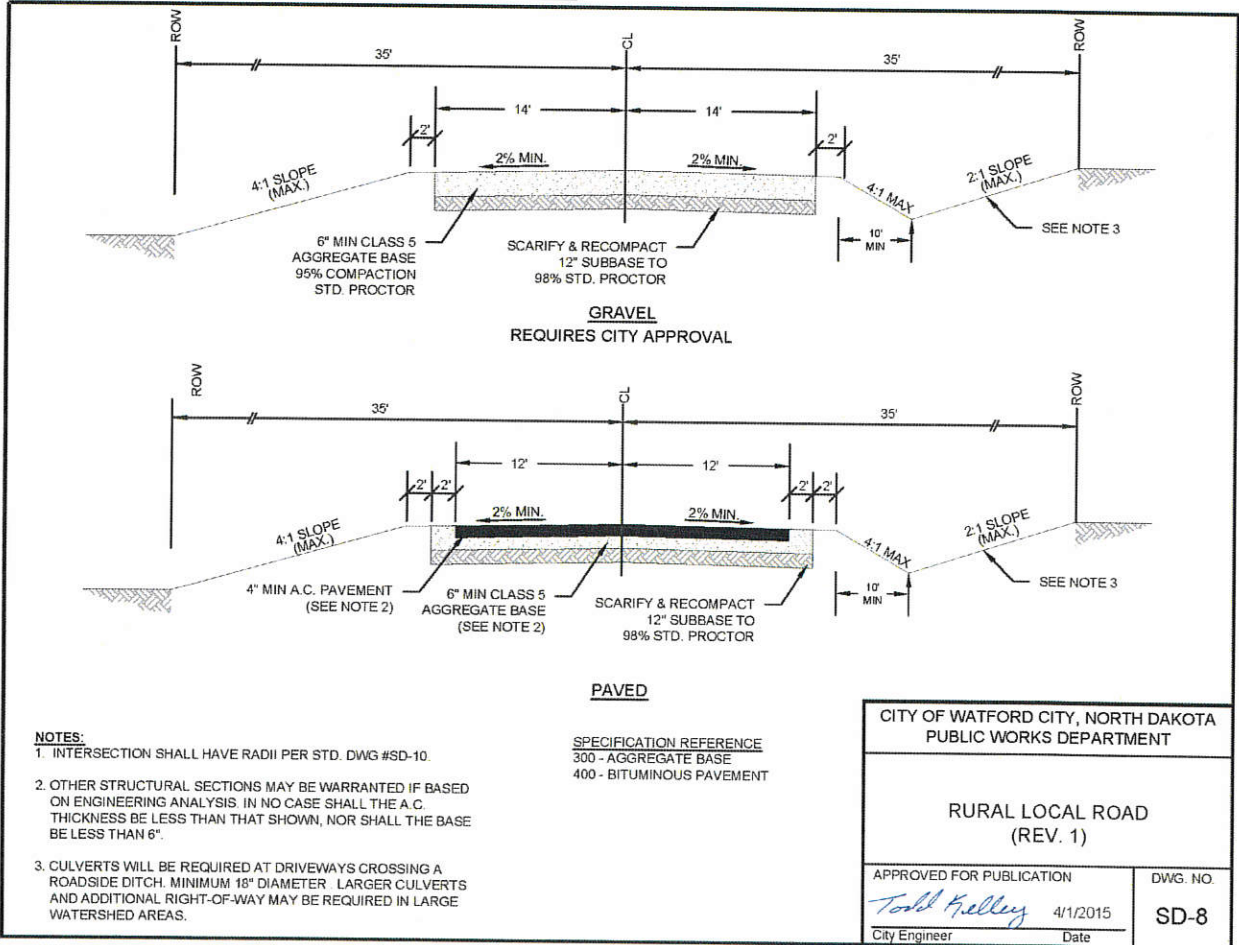
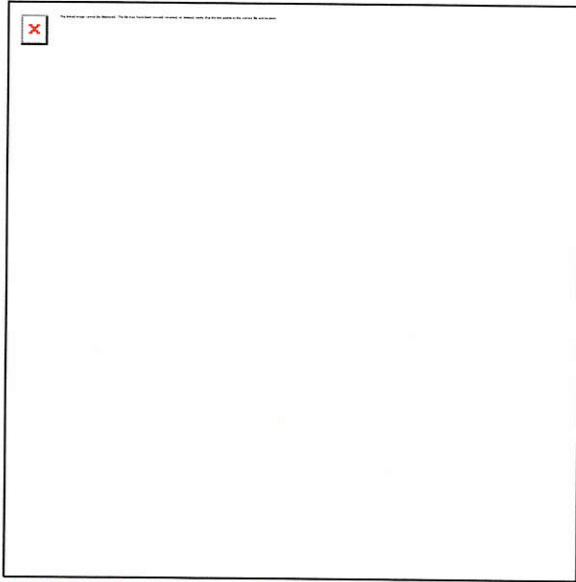
SECTION 8. - SIGN REGULATIONS:

As permitted in ARTICLE XXI, SIGN REGULATIONS.

(Ord. No. 402, 5-4-2015)

SECTION 9. - RURAL RESIDENTIAL STREET SPECS:

See required street specs specifically for the Rural Residential District.



(Ord. No. 402, 5-4-2015)

ARTICLE IX(C) - RR 2.5 RURAL RESIDENTIAL 2.5 DISTRICT

SECTION 1. - INTENT:

The "RR 2.5" Rural Residential 2.5 District is established for the purpose of providing and preserving large lot areas of low density single-family residential living where keeping of livestock is prohibited, keeping of Ag animals is allowed for personal use, no commercial livestock is allowed.

(Ord. No. 403, 5-4-2015)

SECTION 2. - PERMITTED USES:

- Accessory buildings not to be used for residential purposes, provided that the floor area of any single accessory building, or combined floor area of multiple accessory buildings, shall not exceed ten thousand (10,000) feet.
- Places of Worship.
- Home occupations and home-based businesses.
- One (1) single family-residence per lot.
- Public, quasi-public and institutional uses.

[- In-Home Daycare: Self-Declared or Family License]

(Ord. No. 403, 5-4-2015; Ord. No. 456, 11-21-2017)

SECTION 3. - CONDITIONAL USES:

- Daycare facilities **[: Group or Center License]**
- Bed and breakfast inns.
- Cemeteries.
- Intermediate care facilities.
- Public or private schools.
- Noncommercial typical Ag animals.
- Chicken coops, small corrals or other accessory structures of similar nature.

(Ord. No. 403, 5-4-2015; Ord. No. 456, 11-21-2017)

SECTION 4. - INTENSITY OF USE REGULATIONS:

Every lot of land shall have an area of not less than two and one-half (2.5) square acres and an average width of not less than two hundred (200) feet.

(Ord. No. 403, 5-4-2015)

SECTION 5. - HEIGHT REGULATIONS:

No building shall exceed thirty-five (35) feet in height, except as otherwise provided in the additional height, area and use regulation.

(Ord. No. 403, 5-4-2015)

SECTION 6. - YARD REGULATIONS:

Front Yard: For principal buildings, principle buildings for nonresidential uses, and accessory buildings, there shall be a front yard having a depth of not less than thirty (30) feet.

Side Yard: For principle buildings, there shall be a side yard having a width of not less than ten (10) feet on each side of the principle building. For principle buildings for nonresidential uses there shall be a side yard having a width of not less than twenty-five (25) feet on each side of the building, and for an accessory building, there shall be a side yard having a width of not less than five (5) feet on each side of the accessory building.

Rear Yard: For both principal buildings and buildings for nonresidential uses, there shall be a rear yard having a depth of forty (40). For accessory buildings there shall be a depth of not less than five (5) feet.

(Ord. No. 403, 5-4-2015)

SECTION 7. - PARKING REGULATIONS:

As required in ARTICLE XX, PARKING AND LOADING REGULATIONS.

(Ord. No. 403, 5-4-2015)

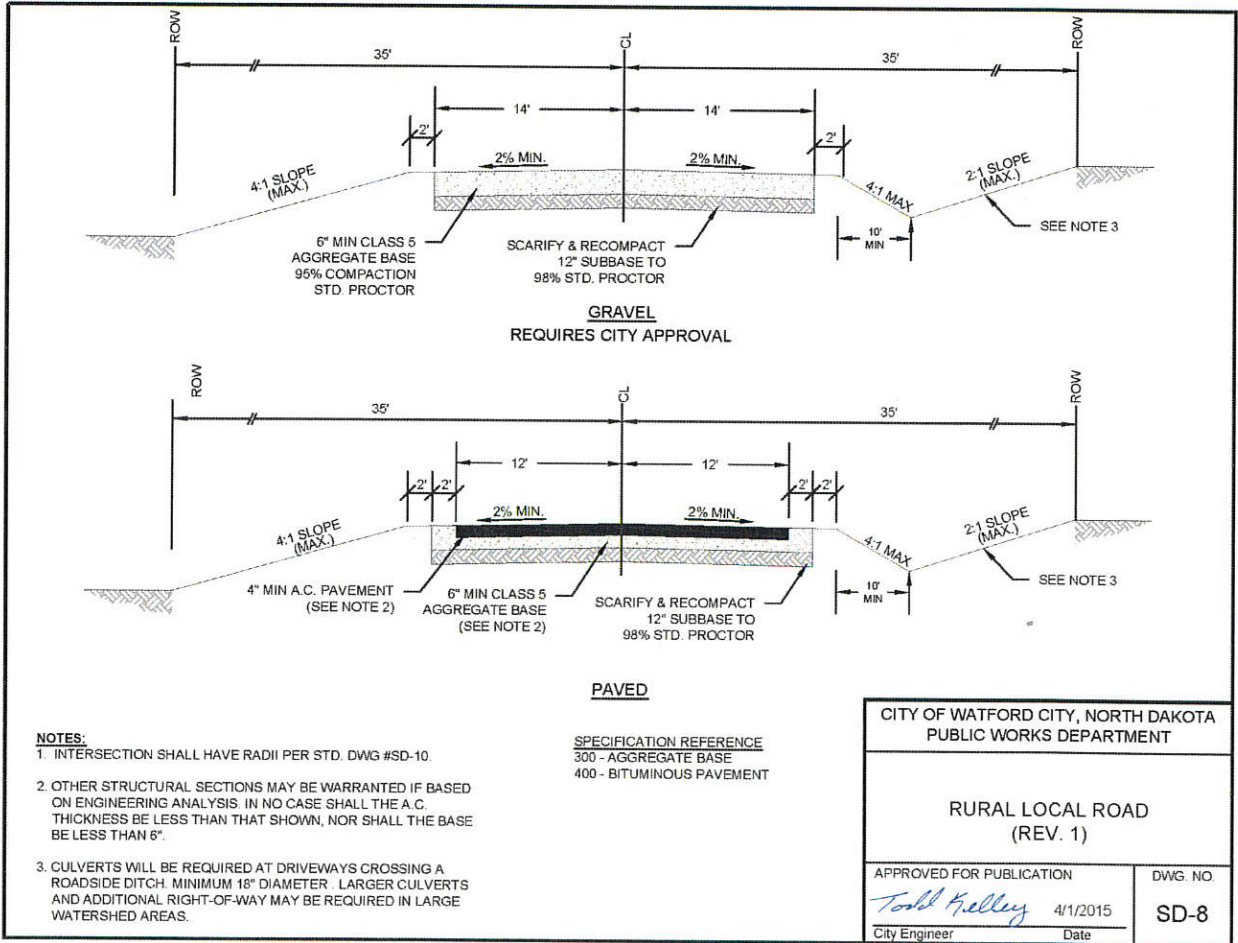
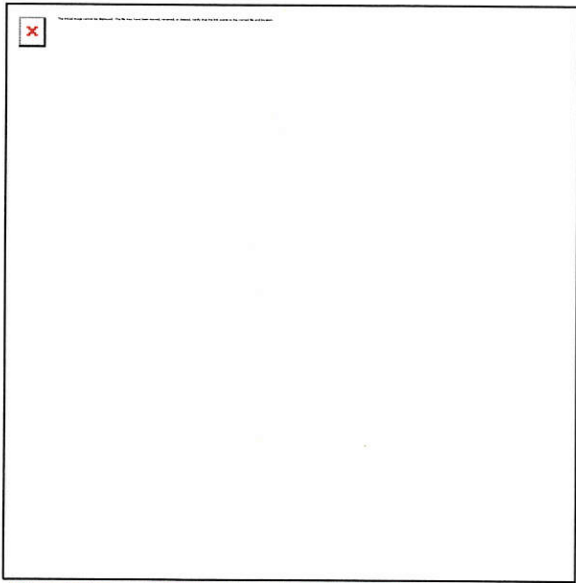
SECTION 8. - SIGN REGULATIONS:

As permitted in ARTICLE XXI, SIGN REGULATIONS.

(Ord. No. 403, 5-4-2015)

SECTION 9. - RURAL RESIDENTIAL STREET SPECS:

See required street specs specifically for the Rural Residential District.



(Ord. No. 403, 5-4-2015)

ARTICLE IX(D) - RR 5 RURAL RESIDENTIAL 5 DISTRICT

SECTION 1. - INTENT:

The "RR 5" Rural Residential 5 District is established for the purpose of providing and preserving large lot areas of low density single-family residential living where keeping of typical personal Ag livestock is allowed, while also providing larger lot sizes in comparison to the RR 1 and RR 2.5 districts.

(Ord. No. 404, 5-4-2015)

SECTION 2. - PERMITTED USES:

- Accessory buildings not to be used for residential purposes, provided that the floor area of any single accessory building, or combined floor area of multiple accessory buildings, shall not exceed ten thousand (10,000) feet.
- Places of Worship.
- Home occupations and home-based businesses.
- One (1) single family-residence per lot.
- Public, quasi-public and institutional uses.

[- In-Home Daycare: Self-Declared or Family License]

(Ord. No. 404, 5-4-2015; Ord. No. 457, 11-21-2017)

SECTION 3. - CONDITIONAL USES:

- Daycare facilities **[: Group or Center License]**
- Bed and breakfast inns.
- Cemeteries.
- Intermediate care facilities.
- Public or private schools.
- Noncommercial typical Ag animals.
- Chicken coops, small corrals or other accessory structures of similar nature.

(Ord. No. 404, 5-4-2015; Ord. No. 457, 11-21-2017)

SECTION 4. - INTENSITY OF USE REGULATIONS:

Every lot of land shall have an area of not less than five (5) square acres and an average width of not less than five hundred (500) feet.

(Ord. No. 404, 5-4-2015)

SECTION 5. - HEIGHT REGULATIONS:

No building shall exceed forty (40) feet in height, except as otherwise provided in the additional height, area and use regulation.

(Ord. No. 404, 5-4-2015)

SECTION 6. - YARD REGULATIONS:

Front Yard: Principle buildings for nonresidential uses, and accessory buildings, there shall be a front yard having a depth of not less than thirty (30) feet.

Side Yard: There shall be a side yard having a width of not less than ten (10) feet on each side of the principle building. For principle buildings for nonresidential uses there shall be a side yard having a width of not less than twenty-five (25) feet on each side of the building, and for an accessory building, there shall be a side yard having a width of not less than five (5) feet on each side of the accessory building.

Rear Yard: For principal buildings for nonresidential uses, there shall be a rear yard having a depth of forty (40). For accessory buildings there shall be a depth of not less than five (5) feet.

(Ord. No. 404, 5-4-2015)

SECTION 7. - PARKING REGULATIONS:

As required in ARTICLE XX, PARKING AND LOADING REGULATIONS.

(Ord. No. 404, 5-4-2015)

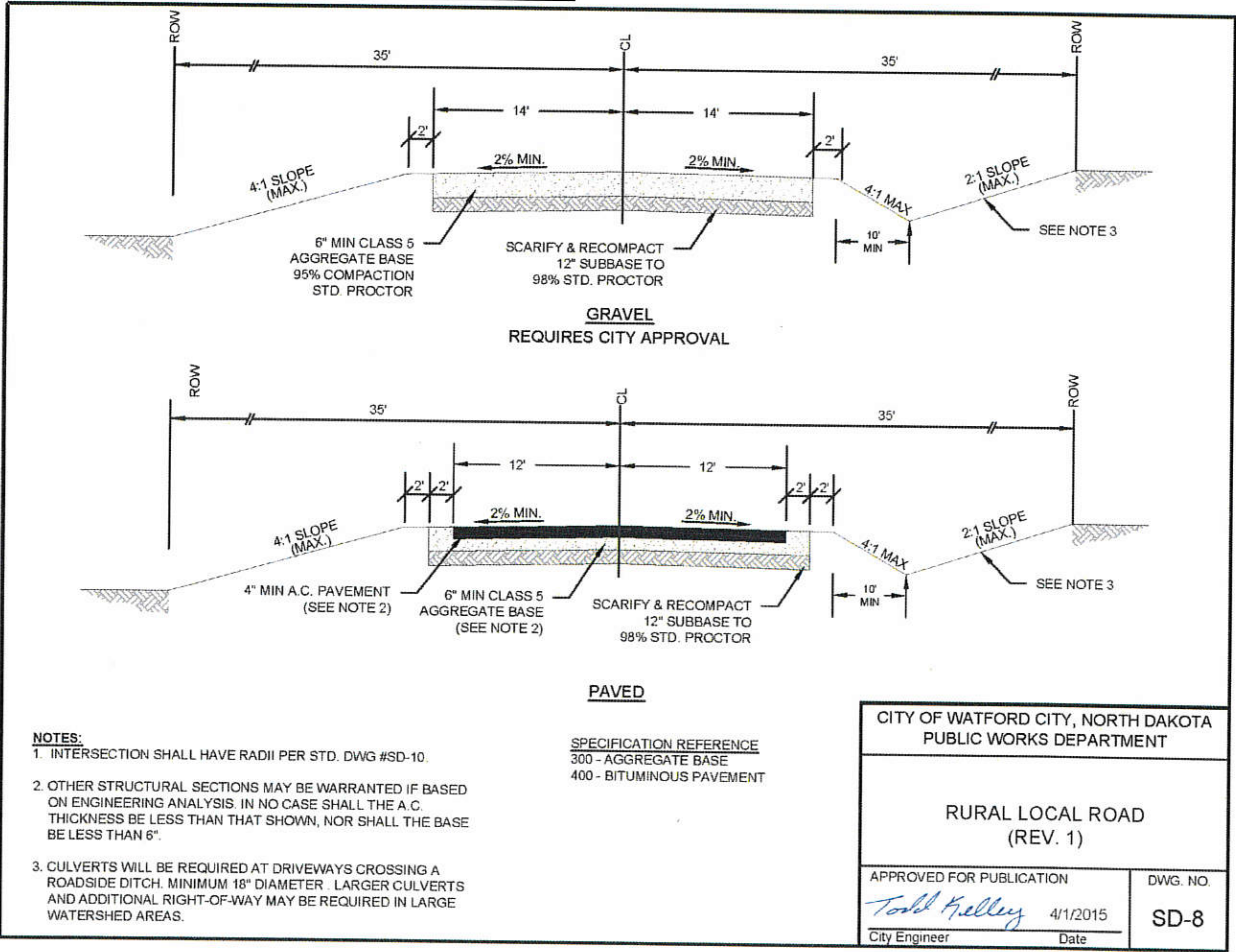
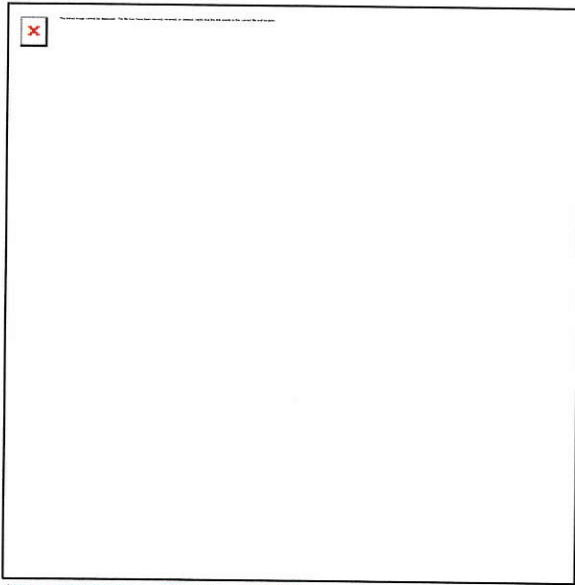
SECTION 8. - SIGN REGULATIONS:

As permitted in ARTICLE XXI, SIGN REGULATIONS.

(Ord. No. 404, 5-4-2015)

SECTION 9. - RURAL RESIDENTIAL STREET SPECS:

See required street specs specifically for the Rural Residential District.



(Ord. No. 404, 5-4-2015)

ARTICLE X - R-1 SINGLE-FAMILY DWELLING DISTRICT

SECTION 1. - INTENT AND PURPOSE OF DISTRICT:

The "R-1" Single-Family Dwelling District is established for the purpose of low density single-family dwelling control and to allow certain public facilities. It is intended that no uses be permitted in this district that will tend to devalue property for residential purposes or interfere with the health, safety, order or general welfare of persons residing in the district. Regulations are intended to control density of population and to provide adequate open space around buildings and structures in the district to accomplish these purposes.

SECTION 2. - PERMITTED USES

1. Accessory Structures.
 - a) Accessory structure under one hundred twenty (120) square feet shall be allowed without permit.
 - b) Accessory structures one hundred twenty (120) square feet to one thousand (1,000) square feet:
 - i) Will be allowed without a residence on the lot;
 - ii) Must be floating slab or footing foundation construction;
 - iii) Must be colored to match the neighborhood, no galvanized metal;
 - iv) Must have an overhang and covered eaves;
 - v) Large doors must be overhead or roll-up.
2. Dwelling, Single-Family.
3. Parks or Gardens.
4. Places of Worship.
5. Private Garage - one thousand (1,000) square feet and up:
 - a) Must be accessory to residence;
 - b) Must be floating slab or footing foundation construction;
 - c) Must be colored to match neighborhood, no galvanized metal;
 - d) Must have overhang and covered eaves;
 - e) Must have overhead doors, not sliding;
 - f) Total building footprints cannot exceed twenty-five (25) percent of the lot.

[6. In-Home Daycare: Self-Declared or Family License]

(Ord. No. 450, 11-21-2017)

SECTION 3. - CONDITIONAL USES

1. Beauty and Barber Shops.
2. Cemetery.
3. Day Care ~~Center~~. [Facility: Group or Center License]
4. Fire Stations.

5. Funeral Homes.
6. Group Dwelling.
7. Home Occupation.
8. Hospital, Medical Clinic.
9. In-Home Apartment.
10. Nursing Home.
11. Private Garages Over one thousand (1,000) Square Feet - Not accessory to existing residence - Conditions that must be met in addition to public hearing and approval process:
 - a) Must be floating slab or footing foundation construction.
 - b) Must be colored to match neighborhood, no galvanized metal.
 - c) Must have overhang and covered edges.
 - d) Must have overhead doors, not sliding.
 - e) Total foot prints of buildings cannot exceed twenty-five (25) percent of the lot.
 - f) Must be located such that a two thousand (2,000) square foot residence could be located on the property and still comply with the intensity of use regulations for the property.
12. Schools.
13. Transmission Facility.
14. Office Buildings (renovation of existing building only, no new office buildings shall be permitted).
15. Engineered Post-Framed Buildings.
16. Bed and Breakfast Inns.
 - (a) Signage must be followed pursuant to Article XXI of this Ordinance.
 - (b) The facility shall have the appropriate off-street parking such that there will be at least two (2) off-street parking places for each single family dwelling plus one (1) parking space for each guest unit.

(Ord. No. 450, 11-21-2017)

SECTION 4. - INTENSITY OF USE REGULATIONS:

Every lot of land shall have an area of not less than seven thousand two hundred (7,200) square feet and an average width of not less than sixty (60) feet, except that if a single lot of record as of the effective date of this ordinance, as defined in the definitions of this ordinance, has less area or width than herein required and its boundary lines, along their entire length, touched lands under other ownership on the effective date of this ordinance and have not since been changed, such lot may be used for a single-family dwelling if the structure conforms with other requirements in the district. In addition, no lot shall have buildings, including accessory structures, dwellings, private garages, the square footage (footprint) of which exceeds 40% of the total square footage of the lot, however, upon application, the Planning Commission may approve new construction that covers up to 50% of the total square footage of the lot.

SECTION 5. - HEIGHT REGULATIONS:

No building shall exceed thirty-five (35) feet in height, except as otherwise provided in the additional height, area and use regulations in this ordinance.

SECTION 6. - YARD REGULATIONS:

1. Front Yard:

- a) There shall be a front yard having a depth of not less than thirty (30) feet.
- b) Where lots have a double frontage, the required front yard shall be provided on both streets.
- c) Where a lot is located at the intersection of two (2) or more streets, there shall be a front yard on each side of a corner lot; provided, however, that the buildable width of a single lot of record as of the effective date of this ordinance, as defined in the definitions of this ordinance, shall not be reduced to less than thirty-five (35) feet, except where necessary to provide a yard along the side street with a depth of not less than five (5) feet. No accessory building shall project beyond the front yard line on either street.

2. Side Yard:

- a) Except as hereinafter provided in the following paragraph and in the additional height, area and use regulations of this ordinance there shall be a side yard having a width of not less than six (6) feet on each side of the principal building.
- b) Wherever a lot of record as of the effective date of this ordinance, as defined in the definitions of this ordinance, has a width of fifty (50) feet or less, the side yard on each side of a building may be reduced to a width of not less than ten (10) percent of the width of the lot, but in no instance shall it be less than three (3) feet.

3. Rear Yard:

- a) Except as hereinafter provided in the additional height, area and use regulations of this ordinance, there shall be a rear yard having a depth of not less than twenty-five (25) feet or twenty (20) percent of the depth of the lot, whichever amount is smaller.

SECTION 7. - PARKING REGULATIONS:

As required in ARTICLE XX, PARKING AND LOADING REGULATIONS.

SECTION 8. - SIGN REGULATIONS:

As permitted in ARTICLE XXI, SIGN REGULATIONS.

ARTICLE XI - R-2 TWO-FAMILY DWELLING DISTRICT

SECTION 1. - INTENT AND PURPOSE OF DISTRICT:

The "R-2" Two-Family Dwelling District is intended for the purpose of allowing a slightly higher density than in District "R-1," yet retaining the residential qualities. This district allows duplex uses, single-family homes, certain community facilities and certain special uses.

SECTION 2. - PERMITTED USES:

1. Accessory Structures.

- a) Accessory structure under one hundred twenty (120) square feet shall be allowed without a permit.
- b) Accessory structures one hundred twenty (120) square feet to one thousand (1,000) square feet:
 - i) Will be allowed without a residence on the lot;

- ii) Must be floating slab or footing foundation construction;
 - iii) Must be colored to match the neighborhood, no galvanized metal;
 - iv) Must have an overhang and covered eaves;
 - v) Large doors must be overhead or roll-up.
2. Dwelling, Single-Family.
 3. Dwelling, Two-Family.
 4. Park or Garden.
 5. Places of Worship.
 6. Private Garage - one thousand (1,000) square feet and up:
 - a) Must be accessory to residence;
 - b) Must be floating slab or footing foundation construction;
 - c) Must be colored to match neighborhood, no galvanized metal;
 - d) Must have overhang and covered eaves;
 - e) Must have overhead doors, not sliding;
 - f) Total building footprints cannot exceed twenty-five (25) percent of the lot.

[7. In-Home Daycare: Self-Declared or Family License]

(Ord. No. 451, 11-21-2017)

SECTION 3. - CONDITIONAL USES:

1. Bed and Breakfast Inns:
 - (a) Signage must be followed pursuant to Article XXI of this Ordinance.
 - (b) The facility shall have the appropriate off-street parking such that there will be at least two (2) off-street parking places for each single family dwelling plus one (1) parking space for each guest unit.
2. Campground (must conform with requirements from the Campground Zone).
3. Cemetery.
4. Day Care ~~Center~~. **[Facility: Group or Center License]**
5. Funeral Homes.
6. Group Dwelling.
7. Home Occupation.
8. Hospital.
9. Medical Clinic.
10. Nursing Home.
11. Office Buildings (renovation of existing building only, no new office buildings shall be permitted).
12. RV Park.
13. Schools.
14. Temporary Workforce Housing.

15. Transmission Facility.

(Ord. No. 215, 9-7-2010; Ord. No. 451, 11-21-2017)

SECTION 4. - INTENSITY OF USE REGULATIONS:

Except as hereinafter provided, all dwellings hereafter erected, enlarged, relocated or reconstructed, shall be located upon lots containing the following areas:

1. A lot on which there is erected a single-family dwelling shall contain an area of not less than five thousand (5,000) square feet per family.
2. A lot on which there is erected a two-family dwelling shall contain an area of not less than four thousand (4,000) square feet per family.
3. Where a single lot of record as of the effective date of this ordinance, as defined in the definitions section of this ordinance, has less area than herein required and its boundary lines, along their entire length, touched lands under other ownership on the effective date of this ordinance and have not since been changed, such lot may be used for a single-family dwelling if the structure conforms with other yard and height requirements of this district.
4. No lot shall have buildings, including accessory structures, dwellings, private garages, the square footage (footprint) of which exceeds forty (40) percent of the total square footage of the lot, however, upon application, the Planning Commission may approve new construction that covers up to fifty (50) percent of the total square footage of the lot.

SECTION 5. - HEIGHT REGULATIONS:

No building or structure shall exceed thirty-five (35) feet in height except as otherwise provided in the additional height, area and use regulations in this ordinance.

SECTION 6. - YARD REGULATIONS:

1. Front Yard:

- a) There shall be a front yard having a depth of not less than twenty-five (25) feet.
- b) Where lots have a double frontage, the required front yard shall be provided on both streets.
- c) Where a lot is located at the intersection of two (2) or more streets, there shall be a front yard on each street side of a corner lot; provided, however, that the buildable width of a lot of record, at the effective date of this ordinance, as defined in the definitions of this ordinance, shall not be reduced to less than twenty-eight (28) feet, except where necessary to provide a yard along the side street with a depth of not less than five (5) feet. No accessory building shall project beyond the front yard line on either street.

2. Side Yard:

- a) Except as hereinafter provided in the following paragraph and the additional height, area and use regulations of this ordinance there shall be a side yard having a width of not less than five (5) feet on each side of the principal building.
- b) Wherever a lot of record as of the effective date of this ordinance, as defined in the definitions of this ordinance, has a width of fifty (50) feet or less, the side yard on each side of a building may be reduced to a width of not less than four (4) feet.

3. Rear Yard:

- a) Except as hereinafter provided in the additional height, area and use regulations of this ordinance there shall be a rear yard having a depth of not less than twenty-five (25) feet.

SECTION 7. - PARKING REGULATIONS: (See ARTICLE XX.)

SECTION 8. - SIGN REGULATIONS: (See ARTICLE XXI.)

ARTICLE XII - R-2M MOBILE HOME, TWO-FAMILY RESIDENTIAL DISTRICT

SECTION 1. - INTENT:

The "R-2M" Mobile Home, Two-Family Residential District is intended for the purpose of allowing the same uses as in District "R-2", yet allowing mobile homes to be allowed in the district.

SECTION 2. - PERMITTED USES:

1. Accessory Structures.
 - a) Accessory structure under one hundred twenty (120) square feet shall be allowed without a permit.
 - b) Accessory structures one hundred twenty (120) square feet to one thousand (1,000) square feet:
 - i) Will be allowed without a residence on the lot;
 - ii) Must be floating slab or footing foundation construction;
 - iii) Must be colored to match the neighborhood, no galvanized metal;
 - iv) Must have an overhang and covered eaves;
 - v) Large doors must be overhead or roll-up.
2. Dwelling, Single-Family.
3. Dwelling, Two-Family.
4. Mobile Home.
5. Park or Garden.
6. Places of Worship.
7. Private Garage - one thousand (1,000) square feet and up:
 - a) Will be allowed without a residence on the lot;
 - b) Must be floating slab or footing foundation construction;
 - c) Must be colored to match neighborhood, no galvanized metal;
 - d) Must have overhang and covered eaves;
 - e) Large doors shall be overhead or roll-up;
 - f) Total building footprints cannot exceed twenty-five (25) percent of the lot.

[8. In-Home Daycare: Self-Declared or Family License]

(Ord. No. 452, 11-21-2017)

SECTION 3. - CONDITIONAL USES:

1. Cemetery.

2. Day Care ~~Center~~ [Facility: Group or Center License]
3. Funeral Homes.
4. Group Dwelling.
5. Home Occupation.
6. Hospital.
7. Medical Clinic.
8. Nursing Home.
9. Schools.
10. Temporary Construction Workforce Housing.
11. Transmission Facility.
12. Office Buildings (renovation of existing building only, no new office buildings shall be permitted).
13. Engineered Post-Framed Buildings.
14. Bed and Breakfast Inns:
 - (a) Signage must be followed pursuant to Article XXI of this Ordinance.
 - (b) The facility shall have the appropriate off-street parking such that there will be at least two (2) off-street parking places for each single family dwelling plus one (1) parking space for each guest unit.

(Ord. No. 215, 9-7-2010; Ord. No. 452, 11-21-2017)

SECTION 4. - INTENSITY OF USE REGULATIONS:

Except as hereinafter provided, all dwellings hereafter erected, enlarged, relocated or reconstructed, shall be located upon lots containing the following areas:

1. A lot on which there is erected a single-family dwelling shall contain an area of not less than five thousand (5,000) square feet per family.
2. A lot on which there is erected a two-family dwelling shall contain an area of not less than four thousand (4,000) square feet per family.
3. Where a single lot of record as of the effective date of this ordinance as defined in the definitions section of this ordinance has less area than herein required and its boundary lines, along their entire length, touched lands under other ownership on the effective date of this ordinance and have not since been changed, such lot may be used for a single-family dwelling if the structure conforms with other yard and height requirements of this district.
4. No lot shall have buildings, including accessory structures, dwellings, private garages, the square footage (footprint) of which exceeds 40% of the total square footage of the lot, however, upon application, the Planning Commission may approve new construction that covers up to 50% of the total square footage of the lot.

SECTION 5. - HEIGHT REGULATIONS:

No building or structure shall exceed thirty-five (35) feet in height except as otherwise provided in the additional height, area and use regulations in this ordinance.

SECTION 6. - YARD REGULATIONS:

1. Front Yard:

- a) There shall be a front yard having a depth of not less than twenty-five (25) feet.
 - b) Where lots have a double frontage, the required front yard shall be provided on both streets.
 - c) Where a lot is located at the intersection of two (2) or more streets, there shall be a front yard on each street side of a corner lot; provided, however, that the buildable width of a lot of record at the effective date of this ordinance, as defined in the definitions of this ordinance, be reduced to less than twenty-eight (28) feet, except where necessary to provide a yard along the side street with a depth of not less than five (5) feet. No accessory building shall project beyond the front yard line on either street.
2. Side Yard:
- a) Except as hereinafter provided in the following paragraph and the additional height, area and use regulations of this ordinance there shall be a side yard having a width of not less than five (5) feet on each side of the principal building.
 - b) Wherever a lot of record as of the effective date of this ordinance has a width of fifty (50) feet or less, the side yard on each side of a building may be reduced to a width of not less than four (4) feet.
3. Rear Yard:
- a) Except as hereinafter provided in the additional height, area and use regulations of this ordinance there shall be a rear yard having a depth of not less than twenty-five (25) feet.

SECTION 7. - PARKING REGULATIONS: (See ARTICLE XX.)

SECTION 8. - SIGN REGULATIONS: (See ARTICLE XXI.)

ARTICLE XIII - R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT

SECTION 1. - INTENT:

The "R-3" Medium Density Residential District is intended for the purpose of allowing low density multi-family dwellings along with compatible single-family and two-family dwellings and some community facilities.

SECTION 2. - PERMITTED USES:

1. Accessory Structures.
 - a) Accessory structure under one hundred twenty (120) square feet shall be allowed without a permit.
 - b) Accessory structures one hundred twenty (120) square feet to one thousand (1,000) square feet:
 - i) Will be allowed without a residence on the lot;
 - ii) Must be floating slab or footing foundation construction;
 - iii) Must be colored to match the neighborhood, no galvanized metal;
 - iv) Must have an overhang and covered eaves;
 - v) Large doors must be overhead or roll-up.
2. Dwelling, Multi-Family, Up to six (6) Dwelling Units per Structure.
3. Dwelling, Single-Family.

4. Dwelling, Townhouse.
5. Dwelling, Two-Family.
6. Group Dwelling.
7. Park or Garden.
8. Places of Worship.
9. Private Garage - one thousand (1,000) square feet and up:
 - a) Must be accessory to a residence on the lot;
 - b) Must be floating slab or footing foundation construction;
 - c) Must be colored to match neighborhood, no galvanized metal;
 - d) Must have overhang and covered eaves;
 - e) Large doors shall be overhead or roll-up.

[10. In-Home Daycare: Self-Declared or Family License]

(Ord. No. 453, 11-21-2017)

SECTION 3. - CONDITIONAL USES:

1. Cemetery.
2. Day Care ~~Center~~. **[Facility: Group or Center License]**
3. Funeral Homes.
4. Home Occupation.
5. Hospital.
6. Medical Clinic.
7. Nursing Home.
8. Schools.
9. Transmission Facility.
10. Office Buildings (renovation of existing buildings only, no new office buildings shall be permitted).
11. Private Garages Over one thousand (1,000) Square Feet - Not accessory to existing residence - Conditions that must be met in addition to public hearing and approval process:
 - a) Must be floating slab or footing foundation construction.
 - b) Must be colored to match neighborhood, no galvanized metal.
 - c) Must have overhang and covered edges.
 - d) Must have overhead doors, not sliding.
 - e) Total foot prints of buildings cannot exceed twenty-five (25) percent of the lot.
12. Engineered Post-Framed Buildings.
13. Bed and Breakfast Inns:
 - (a) Signage must be followed pursuant to Article XXI of this Ordinance.

- (b) The facility shall have the appropriate off-street parking such that there will be at least two (2) off-street parking places for each single family dwelling plus one (1) parking space for each guest unit.

(Ord. No. 453, 11-21-2017)

SECTION 4. - INTENSITY OF USE REGULATIONS:

Except as hereinafter provided, all dwellings hereafter erected, enlarged, relocated or reconstructed shall be located upon lots containing the following areas:

1. A lot on which there is erected a single-family dwelling shall contain an area of not less than five thousand (5,000) square feet.
2. A lot on which there is erected a two-family dwelling shall contain an area of not less than three thousand (3,000) square feet per family.
3. A lot on which there is erected a multiple-family dwelling shall contain an area of not less than five thousand (5,000) square feet, or two thousand (2,000) square feet per family.
4. Dormitories, lodging houses, nursing homes and boarding houses shall provide five hundred (500) square feet of lot area for each occupant.
5. Where a single lot of record as of the effective date of this ordinance, as defined in the definitions section of this ordinance, has less than five thousand (5,000) square feet and its boundary lines, along their entire length, touched lands under other ownership on the effective date of this ordinance and have not since been changed, such lot may be used only for single-family dwelling purposes, or for any other nondwelling use permitted in this district, providing said structure does not occupy more than forty (40) percent of the lot area and providing the structure conforms with other yard and height requirements of this district.

SECTION 5. - HEIGHT REGULATIONS:

No building shall exceed thirty-five (35) feet in height, except as provided in the additional height, area and use regulations of this ordinance.

SECTION 6. - YARD REGULATIONS:

1. Front Yard:
 - a) There shall be a front yard having a depth of not less than twenty-five (25) feet.
 - b) Where a lot or lots have double frontage, the required front yard shall be provided on both streets.
 - c) Where a lot is located at the intersection of two (2) or more streets, there shall be a front yard on each street side of the corner lot: provided, however, that the buildable width of a lot of record, as of the effective date of this ordinance, as defined in the definitions of this ordinance, shall not be reduced to less than twenty-eight (28) feet. No accessory building shall project beyond the front yard line on either street.
2. Side Yard:
 - a) Except as hereinafter provided in the following paragraph and the additional height, area and use regulations of this ordinance, there shall be a side yard having a width of not less than five (5) feet on each side of a building thirty-five (35) feet or less in height.
 - b) Wherever a lot of record, as of the effective date of this ordinance, as defined in the definitions of this ordinance, has a width of fifty (50) feet or less, the side yard on each side of a building may be reduced to a width of not less than three (3) feet providing the height of the building does not exceed thirty-five (35) feet.

3. Rear Yard:

- a) Except as otherwise provided in the additional height, area and use regulations, there shall be a rear yard for buildings in this district which shall have a depth of not less than twenty-five (25) feet.

SECTION 7. - PARKING REGULATIONS: (See ARTICLE XX.)

SECTION 8. - SIGN REGULATIONS: (See ARTICLE XXI.)

ARTICLE XIII(A) - R-T TOWNHOME RESIDENTIAL DISTRICT^[1]

Footnotes:

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Editor's note— Ord. No. 353, §§ 1—7, adopted May 5, 2014, amended Art. XIII(A) in its entirety to read as herein set out. Former Art. XIII(A), §§ 1—8, pertained to similar subject matter, and derived from Ord. No. 329, §§ 1—8, adopted Nov. 4, 2013.

SECTION 1. - INTENT:

The "R-T" Townhome Residential District is intended for the purpose of allowing townhome/medium-to high-density multi-family dwellings that are intended for ownership by the inhabitants. The North Dakota Century Code Chapter 47-04.1, Condominium Ownership of Real Property, defines the requirements for the mapping of common-wall properties. That code is incorporated by reference.

(Ord. No. 353, § 1, 5-5-2014)

SECTION 2. - PERMITTED USES:

1. Dwelling, Townhouse.
2. Clubhouse (private).
3. Golf course (private).
4. Park (private or public).
5. Playground or athletic field (private or public).
6. Swimming pool (private).
7. Garage (private).
8. Accessory building (limited to maintenance buildings and garages - not RV garages).

[9. In-Home Daycare: Self-Declared or Family License]

(Ord. No. 353, § 2, 5-5-2014)

SECTION 3. - CONDITIONAL USES:

1. Home occupations.

[2. Daycare Facility: Group or Center License]

(Ord. No. 353, § 3, 5-5-2014)

SECTION 4. - HEIGHT REGULATIONS:

- a) No building shall exceed thirty-five (35) feet in height, except as provided in the additional height, area, and use regulations of this ordinance.

(Ord. No. 353, § 4, 5-5-2014)

SECTION 5. - YARD REGULATIONS:

1. Front Yard:

- a. There shall be a front yard having a depth of not less than twenty-five (25) feet.
- b. Where a lot or lots have double frontage, the front yard will be defined as the side of the building where the main or front entrance is located.
- c. The developer or project proponent shall landscape all front yards.

2. Side Yard:

- a. The side yard will be zero (0) feet wherever a common wall joins two (2) townhouses.
- b. The side yard on each end of the townhouse complex will be a minimum of five (5) feet. For side yards on corner lots, the side yard shall be no less than fifteen (15) feet.

3. Rear Yard:

- a. The rear yard will be zero (0) feet wherever a common wall joins two (2) townhouses except where such use abuts a residential district zone, in which case there shall be required fifteen (15) feet of rear yard required on the rear yard which abuts the residential district, said fifteen (15) feet shall contain a fence or wall and a shrub border to screen residential zoned property from the proposed use.

4. Common Areas:

- a. Each property owner within the townhouse development will hold common areas as a percent interest, per North Dakota Century Code Chapter 47-04.1.
- b. Common areas will be maintained through an established administrative body (see NDCC Chapter 47-04.1).
- c. Trash shall be collected at a common, centralized location. Containers/roll-offs shall be screened by a trash enclosure.
- d. All common areas will be landscaped prior to occupancy, or within six (6) months if occupancy permits are issued during the fall or winter.

(Ord. No. 353, § 5, 5-5-2014)

SECTION 6. - PARKING REGULATIONS: (ALSO SEE ARTICLE XX)

All units shall be provided one (1) parking space per bedroom. At least fifty (50) percent of these provided spaces shall be covered.

(Ord. No. 353, § 6, 5-5-2014)

SECTION 7. - SIGN REGULATIONS: (SEE ARTICLE XXI)

(Ord. No. 353, § 7, 5-5-2014)

ARTICLE XIV - R-4 HIGH DENSITY RESIDENTIAL DISTRICT

SECTION 1. - INTENT:

The "R-4" High Density Residential District is intended for the purpose of allowing high and low density multi-family dwellings along with compatible two-family and single-family dwelling units and some community facilities.

SECTION 2. - PERMITTED USES:

1. Accessory Structure.
2. Dwelling, Multi-Family.
3. Dwelling, Single-Family.
4. Dwelling, Townhouse.
5. Dwelling, Two-Family.
6. Group Dwelling.
7. Park or Garden.
8. Places of Worship.
9. Private Garage.

[10. In-Home Daycare: Self-Declared or Family License]

(Ord. No. 454, 11-21-2017)

SECTION 3. - CONDITIONAL USES:

1. Cemetery.
2. Day Care ~~Center~~ **[Facility: Group or Center License]**
3. Funeral Homes.
4. Home Occupation.
5. Hospital.
6. Medical Clinic.
7. Nursing Home.

8. Schools.
9. Commercial Storage Buildings and Garages.
10. Transmission Facility.
11. Office Buildings (renovation of existing building only, no new office buildings shall be permitted).
12. Engineered Post-Framed Buildings.
13. Bed and Breakfast Inns:
 - (a) Signage must be followed pursuant to Article XXI of this Ordinance.
 - (b) The facility shall have the appropriate off-street parking such that there will be at least two (2) off-street parking places for each single family dwelling plus one (1) parking space for each guest unit.

(Ord. No. 454, 11-21-2017)

SECTION 4. - INTENSITY OF USE REGULATIONS:

Except as hereinafter provided, all dwellings hereafter erected, enlarged, relocated or reconstructed shall be located upon lots containing the following areas:

1. A lot on which there is erected a single-family dwelling shall contain an area of not less than five thousand (5,000) square feet.
2. A lot on which there is erected a two-family dwelling shall contain an area of not less than three thousand (3,000) square feet per family.
3. A lot on which there is erected a multiple-family dwelling shall contain an area of not less than five thousand (5,000) square feet, or two thousand (2,000) square feet per family.
4. Dormitories, lodging houses, nursing homes and boarding houses shall provide five hundred (500) square feet of lot area for each occupant.
5. Where a single lot of record as of the effective date of this ordinance, as defined in the definitions section of this ordinance, has less than five thousand (5,000) square feet and its boundary lines, along their entire length, touched lands under other ownership on the effective date of this ordinance and have not since been changed, such lot may be used only for single-family dwelling purposes, or for any other nondwelling use permitted in this district, providing said structure does not occupy more than forty (40) percent of the lot area and providing the structure conforms with other yard and height requirements of this district.

SECTION 5. - HEIGHT REGULATIONS:

- a) No building shall exceed forty-five (45) feet in height, except as provided in the additional height, area and use regulations of this ordinance or as approved by a variance.

(Ord. No. 401, 5-4-2015)

SECTION 6. - YARD REGULATIONS:

1. Front Yard:
 - a) There shall be a front yard having a depth of not less than twenty-five (25) feet; however, in instances where buildings are taller than forty-five (45) feet, there shall be an additional setback requirement at a ratio of three additional feet of setback for each ten feet of height above forty-five (45) feet.

- b) Where a lot or lots have double frontage, the required front yard shall be provided on both streets.
 - c) Where a lot is located at the intersection of two (2) or more streets, there shall be a front yard on each street side of the corner lot; provided, however, that the buildable width of a lot of record, as of the effective date of this ordinance, as defined in the definitions of this ordinance, shall not be reduced to less than twenty-eight (28) feet. No accessory building shall project beyond the front yard line on either street.
2. Side Yard:
- a) Except as hereinafter provided in the following paragraph and the additional height, area and use regulations of this ordinance, there shall be a side yard having a width of not less than five (5) feet on each side of a building thirty-five (35) feet or less in height, and there shall be a side yard having a width of not less than eight (8) feet on each side of a building in excess of thirty-five (35) feet but not taller than forty-five (45) feet. In instances where buildings are taller than forty-five (45) feet, there shall be an additional setback requirement at a ratio of three additional feet of setback for each ten feet of height above forty-five (45) feet.
 - b) Wherever a lot of record, as of the effective date of this ordinance, as defined in the definitions of this ordinance, has a width of fifty (50) feet or less, the side yard on each side of a building may be reduced to zero feet providing the height of the building does not exceed fifteen (15) feet.
3. Rear Yard:
- a) Except as otherwise provided in the additional height, area and use regulations, there shall be a rear yard for buildings in this district which shall have a depth of not less than twenty-five (25) feet; however, in instances where buildings are taller than forty-five (45) feet, there shall be an additional setback requirement at a ratio of three additional feet of setback for each ten feet of height above forty-five (45) feet.

(Ord. No. 401, 5-4-2015)

SECTION 7. - PARKING REGULATIONS: (See ARTICLE XX.)

SECTION 8. - SIGN REGULATIONS: (See ARTICLE XXI.)

ARTICLE XV - M-H MOBILE HOME PARK DISTRICT

SECTION 1. - INTENT AND PURPOSE OF DISTRICT:

It is the intent of the "M-H" Mobile Home Park District to permit low density mobile home uses in a park-like atmosphere. The mobile home park district is intended for those areas where the owner proposes to develop and rent or lease individual sites.

SECTION 2. - PERMITTED USES:

1. Mobile Home Parks, Subject to the Regulations in this Article.
2. Mobile Homes, Subject to the Regulations in Article XII.

[3. In-Home Daycare: Self-Declared or Family License]

[SECTION ___ - CONDITIONAL USES:

1. Daycare Facility: Group or Center License]

SECTION 3. - DEFINITIONS:

1. Independent Mobile Home: A mobile home which has a flush toilet and a bath or shower. (See also definitions of mobile home in Article VII).
2. Licensee: Any person licensed to operate and maintain a mobile home park under the provisions of this ordinance.
3. Mobile Home Space: A plot of ground within a mobile home park designed for the accommodation of one (1) mobile home.
4. Natural or Artificial Barrier: Any river, pond, canal, railroad, levee, embankment, or major street.
5. Permittee: Any person to whom a permit is issued to maintain or operate a mobile home park under the provisions of this ordinance.
6. Person: Any individual, firm, trust, partnership, association or corporation.
7. Street: Any recognized thoroughfare in the City.

SECTION 4. - GENERAL REQUIREMENTS:

1. The tract to be used for a mobile home park shall be not less than five (5) acres.
2. The applicant for a zoning change to permit a mobile home park must satisfy the Planning Commission that he is financially able to carry out the proposed plan and shall prepare and submit a schedule of construction, which construction shall commence within a period of one (1) year following approval by the Planning Commission and shall be completed within a period of two (2) years.
3. The applicant for a mobile home park shall prepare or cause to be prepared an application for rezoning and a development plan and shall present three (3) copies of the plan for review and approval by the Planning Commission. The plot plan shall show topography and the location and size of:
 - a) Electrical Outlets
 - b) Landscaped Areas and Walls of Fences
 - c) Mobile Home Sites
 - d) Off-Street Parking Areas
 - e) Recreational Areas
 - f) Roadways
 - g) Service Buildings
 - h) Sewer Lines
 - i) Sewer Outlets
 - j) Sidewalks
 - k) Water Lines
 - l) Water Outlets
4. The mobile home park shall conform with the following requirements:
 - a) The park shall be located on a well-drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water.

- b) Mobile home parks shall have a maximum density of eight (8) trailers per gross acre and a minimum space of two thousand eight hundred (2,800) square feet for each trailer.
- c) Each mobile home space shall be at least thirty-five (35) feet wide and clearly defined.
- d) Mobile homes shall be so located on each space that there shall be at least twenty (20) feet of clearance between mobile homes; provided, however, that with respect to mobile homes parked end-to-end, the end-to-end clearance may be less than twenty (20) feet but shall not be less than fifteen (15) feet. No mobile home shall be located closer than twenty-five (25) feet from any building within the park or from any property line bounding the park.
- e) All mobile home spaces shall front upon a private roadway of not less than forty (40) feet in width, which shall have unobstructed access to a public street, alley or highway.
- f) Walkways, not less than thirty (30) inches wide, shall be provided from the mobile home spaces to service buildings.
- g) All roadways and walkways within the mobile home park shall be hard surfaced and adequately lighted at night with electric lamps.
- h) Laundry facilities for the exclusive use of the mobile home occupants may be provided in a service building.
- i) At least one (1) electrical outlet supplying at least one hundred ten (110) volts shall be provided for each mobile home space.
- j) A recreational area shall be provided at a central location in the mobile park at the rate of two hundred (200) square feet for each trailer space.
- k) A solid frame or wall and a ten (10) foot landscaped buffer area shall be provided between the Mobile Home Park District and any adjoining property zoned for residential purposes. The solid fence or wall shall not be less than four (4) feet high nor more than six (6) feet high. The owner shall be responsible for the maintenance of the fence or wall and the landscaped buffer area.

SECTION 5. - PARKING REGULATIONS: (See ARTICLE XX.)

SECTION 6. - SIGN REGULATIONS: (See ARTICLE XXI.)

SECTION 7. - WATER SUPPLY:

1. An adequate supply of pure water for drinking and domestic purposes shall be supplied by pipes to all buildings and mobile home spaces within the park. Each mobile home space shall be provided with a cold water tap at least four (4) inches above the ground. An adequate supply of hot water shall be provided at all times in the service buildings for all washing and laundry facilities.

SECTION 8. - SERVICE BUILDINGS:

1. Service buildings, housing sanitation and laundry facilities or any of such facilities, shall be permanent structures complying with all applicable codes, ordinances, and statutes regulating buildings, electrical installations and plumbing and sanitation systems.
2. All service buildings and the grounds of the park shall be maintained in a clean, sightly condition and kept free of any debris that will be a menace to the health of any occupant or the public or constitute a nuisance.

SECTION 9. - SEWAGE AND REFUSE DISPOSAL:

1. Each mobile home space shall be provided with a trapped sewer at least four (4) inches in diameter, which shall be connected to receive the waste from the shower, bathtub, flush toilet, lavatory and kitchen sink of the mobile home located in such space and having any or all of such facilities. The

trapped sewer in each space shall be connected to discharge the mobile home waste into a public sewer system.

SECTION 10. - GARBAGE RECEPTACLES:

1. Each mobile home unit shall be provided with at least one (1) metal trash and garbage can with a tight-fitting cover to permit disposal of all garbage, trash and rubbish.

SECTION 11. - TRASH BURNING PROHIBITED:

1. The burning of trash and rubbish is prohibited in a "M-P" Mobile Home Park District.

SECTION 12. - ANIMALS AND PETS:

1. No owner or person in charge of any dog, cat or other pet or animal shall permit it to run at large or commit any nuisance within the limits of any mobile home park.

SECTION 13. - REGISTER OF OCCUPANTS:

1. It shall be the duty of each licensee and permittee to keep a register containing a record of all mobile home owners and occupants located within the park. The register shall contain the following information:
 - a) The name and address of each mobile home owner or tenant occupying a mobile home.
 - b) The name and address of the owner of each mobile home and motor vehicle.
 - c) The make, model, year and license number of each mobile home and motor vehicle.
 - d) The state, territory or country issuing such licenses.
 - e) The date of arrival and of departure of each mobile home.
2. The mobile home park owners, manager or caretaker shall keep the register available for inspection at all times by law enforcement officers, public health officials and other officials whose duties necessitate acquisition of the information contained in the register.
3. The register record for each occupant registered shall not be destroyed for a period of three (3) years following the date of departure of the registrant from the park.

SECTION 14. - SUPERVISION:

1. The owner, or a duly authorized attendant or caretaker, shall be in charge at all times to keep the mobile home park, and its facilities and equipment, in a clean, orderly and sanitary condition. The attendant or caretaker shall be answerable, for the violation of any provision of the regulations in the Mobile Home Park District.

SECTION 15. - INSPECTION REQUIRED:

1. The City shall have the authority to have said mobile home park inspected by the proper inspecting officer of the City, and if it shall be found that the owner of said mobile home park has made any false or misleading statements or has placed or caused to be placed more mobile homes in said mobile home park or court than provided for, or that said owner of said mobile home park has violated or caused to be violated any provision of this Article, the City Governing Body shall have the power to rezone said property back to its former zoning district classification.

SECTION 16. - REVOCATION OR SUSPENSION:

1. If the City shall determine, upon proper inspection by the inspecting officer of the City, that the sanitary condition of the mobile home park shall have become so unsanitary as to endanger health or welfare of occupants of said mobile home park or the surrounding community, or that said sanitary facilities have become inadequate to properly protect the occupants of said mobile home park, the

City Governing Body shall have the power to require the owner of said mobile home park, within ten (10) days, to set said mobile home park in proper sanitary condition. If, upon notice from the City to the owner or manager of said mobile home park shall fail or refuse to place said park or court in sanitary condition, the City Governing Body shall have the right to rezone said property back to its former zoning district classification.

SECTION 17. - UNUSED MOBILE HOME PARK:

1. Whenever a property zoned "M-P" ceases to be used for such purposes, for a period of two (2) years, the Planning Commission shall initiate action and hold a public hearing to rezone said property back to its former zoning district classification.

SECTION 18. - ENGINEERED POST-FRAMED BUILDINGS.

ARTICLE XVIII - C-B CENTRAL BUSINESS DISTRICT

SECTION 1. - INTENT AND PURPOSE OF DISTRICT:

1. The "C-B" Central Business District is intended for the purpose of grouping retail merchandising activities into a concentrated area serving the general shopping needs of the trade area. It is also important to keep people living and visiting this district. Though residential users are permitted to cohabitate in the central business district, principal permitted uses include department stores, apparel stores, general retail sales and services, and similar uses appropriate for comparison shopping. The grouping is intended to strengthen the business level of the central business activity.

SECTION 2. - PERMITTED USES:

1. Adding Machine and Other Small Business Machine Repair, Sales and Service.
2. Amusement Places.
3. Antique Shops and Stores, providing all merchandise is displayed and sold inside a building.
4. Apparel and Accessory Stores.
5. Apartments.
6. Appliance Stores.
7. Art and Art Supply Stores.
8. Artist Studios.
9. Auditoriums and Similar Places of Public Assembly.
10. Automobile Accessory and Supply Stores.
11. Automobile Sales and Service.
12. Automobile Parking Lots and Garages.
13. Bakery and Pastry Shops (Retail Only).
14. Banks and Other Saving and Lending Institutions.
15. Barber shops, Beauty Shops and Chiropody, Massage or Similar Personal Services.
16. Bicycle Shops.
17. Books and Stationery Shops.
18. Bowling Alleys and Recreational Buildings.

19. Business and Technical Schools, including Schools for Photography, Dancing and Music.
20. Condominiums or other multi-family units.
21. Cigar and Tobacco Shops.
22. Clothing Stores.
23. Clothing and Costume Rental.
24. Commercial Recreational Uses.
25. Custom Dressmaking, Millinery, Tailoring and Similar Trades.
26. ~~Daycare centers~~ ↓
27. Delicatessens and Catering Establishments.
28. Department Stores.
29. Drug Stores and Prescription Shops.
30. Dry Goods and Notion Shops (including Coin and Fabric Shops).
31. Electric Appliance Sales and Repair Shops.
32. Fire Stations, Police Stations and Jails.
33. Fix-It Shops (Radio, Television and Small Household Appliances).
34. Florists and Gift Shops.
35. Furniture and Home Furnishing Shops.
36. Garage and Automobile Repair Shops, but not including Automobile Body and Fender Work and Automobile Painting.
37. Government Buildings.
38. Grocery, Fruit and Vegetable Stores (Retail Only).
39. Hardware Stores.
40. Heating and Air Conditioning Shops, providing all merchandise is located in a building.
41. Hobby, Stamp and Coin Shops.
42. Hotels and Motels.
43. Household Appliance Stores.
- [# In-Home Daycare: Self-Declared or Family License]
44. Interior Decorator's Shops.
45. Jewelry and Metal Craft Stores and Shops.
46. Leather Goods and Luggage Stores.
47. Libraries and Museums (Public).
48. Lock and Key Shops.
49. Mail Order Catalog Stores.
50. Medical, Dental and Health Clinics.
51. Medical and Orthopedic Appliance Stores.
52. Meeting Halls and Auditoriums.
53. Messenger and Telegraph Service Stations.

54. Music Instrument Sales and Repair Shops.
55. Music Stores and Studios.
56. Newspaper Offices.
57. Printing Shops and Printing Supply Stores.
58. Newsstands.
59. Offices and Office Buildings.
60. Office Supply and Office Equipment Sales and Service Stores.
61. Optician and Optometrist Shops.
62. Liquor Stores.
63. Paint and Glass Stores.
64. Parking Lots and Garages.
65. Parks and Open Spaces.
66. Pawn Shops.
67. Pet Shops.
68. Photographic Equipment Sales and Supply Stores.
69. Photographic Studios.
70. Pharmacies.
71. Public Buildings.
72. Radio and Television Studios.
73. Picture Framing Shops.
74. Places of Worship
75. Railway, Taxi and Bus Passenger Stations.
76. Restaurants and Tea Rooms.
77. Single Family Homes.
78. Service Stations.
79. Self-Service Laundries.
80. Sewing Machine Shops and Stores.
81. Shoe Stores.
82. Shoe Repair and Shoeshine Shops.
83. Sporting and Athletic Goods Shops.
84. Stores and Shops for the conduct of Retail Businesses similar to the uses listed in this section.
85. Tailor Shops.
86. Taverns.
87. Television and Radio Sales and Service Establishments.
88. Theaters.
89. Toy Stores.
90. Travel Bureaus.

91. Used Car Lots.
92. Utility Company Offices.
93. Variety Stores.

(Ord. No. 448, 11-21-2017)

SECTION 3. - CONDITIONAL USES:

1. Engineered Post-Framed Buildings.
2. Bed and Breakfast Inns:
 - (a) Signage must be followed pursuant to Article XXI of this Ordinance.
 - (b) The facility shall have the appropriate off-street parking such that there will be at least two (2) off-street parking places for each single family dwelling plus one (1) parking space for each guest unit.

[3. Daycare Facility: Group or Center License]

(Ord. No. 448, 11-21-2017)

SECTION 4. - INTENSITY OF USE REGULATIONS:

1. No requirement except those to meet fire regulations.

SECTION 5. - HEIGHT REGULATIONS:

1. No building shall exceed fifty (50) feet in height except as otherwise provided in the additional height, area and use regulations of this ordinance or as approved by a variance.

(Ord. No. 388, 12-1-2014)

SECTION 6. - YARD REGULATIONS:

1. Front Yard:
 - a) No front yard is required for any building in District "C-B", except for a single family home which shall have the same front yard regulations as set out in Section 6 of Article X, R-1 Single Family Dwelling District, as provided in this ordinance.
2. Side Yard:
 - a) No side yard is required for any building in District "C-B" except as follows:
 1. where such side yard is adjacent to a dwelling district zone in which case there shall be required five (5) feet of side yard on the side of the lot which abuts the residential district zone; however, in instances where buildings are taller than fifty (50) feet, there shall be an additional setback requirement at a ratio of three additional feet of setback for each ten feet of height above fifty (50) feet;
 2. where a side yard is required for fire regulations; or
 3. a single family home which shall have the same side yard regulations as set out in Section 6 of Article X, R-1 Single Family Dwelling District as stated in this ordinance.
3. Rear Yard:

- a) No rear yard is required for any building in District "C-B" with the exceptions that where such rear yard is adjacent to an area zoned for residential use, there shall be required fifteen (15) feet of rear yard; however, in instances where buildings are taller than fifty (50) feet, there shall be an additional setback requirement at a ratio of three additional feet of setback for each ten feet of height above fifty (50) feet, and a single family home shall have the same rear yard regulations as set out in Section 6 of Article X, R-1 Single Family Dwelling District as stated in this ordinance.

As Amended by Ordinance No. 179, 3/6/06

(Ord. No. 388, 12-1-2014)

SECTION 7. - PARKING AND TRAFFIC REGULATIONS:

1. When any building or structure intended for uses other than residential is hereafter erected or structurally altered to the extent of increasing the floor area by fifty (50) percent or more, accessory off-street parking spaces shall be provided. There shall be one space for every 9.5 feet of building frontage. For corner lots, only one side shall be considered frontage.
2. As required in ARTICLE XX, PARKING AND LOADING REGULATIONS, Sections 2-6.

SECTION 8. - SIGN REGULATIONS:

As permitted in ARTICLE XXI, SIGN REGULATIONS.

ARTICLE XVIII(A) - C-2 COMMERCIAL/SERVICE DISTRICT

SECTION 1. - INTENT AND PURPOSE OF DISTRICT:

1. The C-2 District is intended for the purpose of grouping retail merchandising, service businesses, and appurtenant activities into a concentrated area serving the general shopping and service needs of the trade area. It is also important to keep people living within and in close proximity to this district as well as encouraging persons to visit this area. Though residential users are permitted to cohabitate in the District, principal permitted uses include department stores, apparel stores, general retail sales, and similar uses appropriate for comparison-shopping. The area also encourages service-oriented business. The District is not intended for heavy commercial uses or those uses, those that consume large areas for storage or display of merchandise (indoors or out of doors), or those businesses that may not be considered compatible with adjacent traditional residential uses.
2. The grouping is intended to strengthen the business level of the central business district, accommodate existing uses, and provide for a transition from commercial to residential zoning.

SECTION 2. - PERMITTED USES:

1. Adding Machine and Other Small Business Machine Repair, Sales and Service.
2. Amusement Places.
3. Antique Shops and Stores, providing all merchandise is displayed and sold inside a building.
4. Apparel and Accessory Stores.
5. Apartments.
6. Appliance Stores.
7. Art and Art Supply Stores.

8. Artist Studios.
9. Auditoriums and Similar Places of Public Assembly.
10. Automobile Accessory and Supply Stores (Outdoor storage prohibited).
11. Bakery and Pastry Shops (Retail Only, on-site cooking facilities permitted).
12. Banks and Other Saving and Lending Institutions.
13. Barber shops, Beauty Shops and Chiropody, Massage or Similar Personal Services.
14. Bicycle Shops.
15. Books and Stationery Shops.
16. Bowling Alleys and Recreational Buildings.
17. Business and Technical Schools, including Schools for Photography, Dancing and Music.
18. Condominiums or other multi-family units.
19. Cigar and Tobacco Shops.
20. Clothing Stores.
21. Clothing and Costume Rental.
22. Commercial Recreational Uses.
23. Custom Dressmaking, Millinery, Tailoring and Similar Trades.

~~24. Daycare Centers.~~ ↓

25. Delicatessens and Catering Establishments.
26. Department Stores.
27. Drug Stores and Prescription Shops.
28. Dry Goods and Notion Shops (including Coin and Fabric Shops).
29. Electric Appliance Sales and Repair Shops.
30. Fire Stations and Police Stations.
31. Fix-It Shops (Radio, Televisions, and Small Household Appliances).
32. Florists and Gift Shops.
33. Furniture and Home Furnishing Shops.
34. Government Buildings.
35. Grocery, Fruit, and Vegetable Stores (Retail Only).
36. Hardware Stores.
37. Heating and Air Conditioning Shops, providing all merchandise is located in a building.
38. Hobby, Stamp, and Coin Shops.
39. Household Appliance Stores.

[# In-Home Daycare: Self-Declared or Family License]

40. Interior Decorator's Shops.
41. Jewelry and Metal Craft Stores and Shops.
42. Leather Goods and Luggage Stores.

43. Libraries and Museums (Public).
44. Lock and Key Shops.
45. Mail Order Catalog Stores.
46. Medical, Dental, Chiropractic, and Health Offices and Clinics.
47. Meeting Halls and Auditoriums.
48. Messenger and Telegraph Service Stations.
49. Music Instrument Sales and Repair Shops.
50. Music Stores and Studios.
51. Newspaper Offices.
52. Newsstands.
53. Offices and Office Buildings.
54. Office Supply and Office Equipment Sales and Service Stores.
55. Optician and Optometrist Shops.
56. Paint and Glass Stores.
57. Parks and Open Spaces.
58. Pet Shops (All indoors, no outdoor kennels).
59. Pharmacies.
60. Photographic Equipment Sales and Supply Stores.
61. Photographic Studios.
62. Picture Framing Shops.
63. Places of Worship.
64. Printing Shops and Printing Supply Stores.
65. Public Buildings.
66. Restaurants and Tea Rooms.
67. Single Family Detached Homes, Duplexes, Townhomes, and Multifamily Dwellings.
68. Sewing Machine Shops and Stores.
69. Shoe Stores.
70. Shoe Repair and Shoeshine Shops.
71. Sporting and Athletic Goods Shops.
72. Stores and Shops for the conduct of Retail Businesses similar to the uses listed in this section.
73. Tailor Shops.
74. Television and Radio Sales and Service Establishments.
75. Theaters.
76. Toy Stores.
77. Travel Bureaus.
78. Utility Company Offices.
79. Variety Stores.

(Ord. No. 447, 11-21-2017)

SECTION 3. - CONDITIONAL USES:

1. Engineered Post-Framed Buildings.
2. Bed and Breakfast Inns:
 - (a) Signage must be followed pursuant to Article XXI of this Ordinance.
 - (b) The facility shall have the appropriate off-street parking such that there will be at least two (2) off-street parking places for each single family dwelling plus one (1) parking space for each guest unit.

[3. Daycare Facility: Group or Center License]

(Ord. No. 447, 11-21-2017)

SECTION 4. - INTENSITY OF USE REGULATIONS:

1. No requirement except those to meet fire regulations.

SECTION 5. - HEIGHT REGULATIONS:

1. No building shall exceed thirty-five (35) feet in height except as otherwise provided in the additional height, area and use regulations of this ordinance, or as approved by a variance.

(Ord. No. 387, 12-1-2014)

SECTION 6. - YARD REGULATIONS:

1. Front Yard:
 - a) Twenty-foot front yard is required for any building in District C-2.
 - b) Where lots have double frontage, the required front yard shall be provided on both streets.
2. Side Yard:
 - a) No side yard is required for any building in District C-2 except as follows:
 - i) Corner lots, the required side yard shall be the same as the required front yard;
 - ii) Where such side yard is adjacent to a dwelling in which case there shall be required five (5) feet of side yard on the side of the lot which abuts the residence. In instances where buildings are taller than thirty-five (35) feet, there shall be an additional setback requirement at a ratio of three additional feet of setback for each ten feet of height above thirty-five (35) feet;
 - iii) Where a side yard is required for fire and/or building code regulations; or
 - iv) A single family home shall have the same side yard regulations as set out in Section 6 of Article X, R-1 Single Family Dwelling District as stated in this ordinance.
3. Rear Yard:
 - a) Five-foot rear yard is required for any building in District C-2 with the exception that where such rear yard is adjacent to a residential use, there shall be required fifteen (15) feet of rear yard. In instances where buildings are taller than thirty-five (35) feet, there shall be an additional setback requirement at a ratio of three additional feet of setback for each ten feet of height above thirty-

five (35) feet. A single family home shall have the same yard regulations as set out in Section 6 of Article X, R-1 Single Family Dwelling District as stated in this ordinance.

4. Alleys:

- a) Buildings and parking areas shall be set back five (5) feet from alleys.
- b) A single family home shall have the same yard regulations as set out in Section 6 of Article X, R-1 Single Family Dwelling District as stated in this ordinance.

5. Landscaping:

- a) Landscaping and/or a sight-obscuring fence shall be provided on all yards adjacent to residential uses. Landscaping and fences shall be a minimum of six (6) feet tall.

(Ord. No. 387, 12-1-2014)

SECTION 7. - PARKING AND TRAFFIC REGULATIONS:

1. When any building or structure intended for uses other than residential is hereinafter erected or structurally altered to the extent of increasing the floor area by fifty percent (50%) or more, accessory off-street parking spaces shall be provided. There shall be one space for every 9.5 feet of building frontage. For corner lots, the side with the greatest frontage shall be considered the front.
2. As required in ARTICLE XX, PARKING AND LOADING REGULATIONS, Sections 2-6.

SECTION 8. - SIGN REGULATIONS:

1. As permitted in ARTICLE XXI, SIGN REGULATIONS
2. Exceptions:
 - a) Flashing and reader-board type signs are not permitted in the C-2 District.

Article XVIII(A) C-2 enacted 5/5/08 as Ordinance No. 196

ARTICLE XVIII(C) - R-C CONDOMINIUM RESIDENTIAL DISTRICT^[2]

Footnotes:

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Editor's note— Ord. No. 330, adopted Nov. 4, 2013, enacted provisions designated as Ch. XV, Art. XVIII(A). Inasmuch as Art. XVIII(A) and (B) already exists, said provisions have been redesignated as Art. XVIII(C), at the request of the city.

SECTION 1. - INTENT:

The "R-C" Condominium Residential District is intended for the purpose of allowing condominium/high-density multi-family dwellings that are intended for ownership by the inhabitants. The North Dakota Century Code Chapter 47-04.1, Condominium Ownership of Real Property, defines the requirements for the mapping of common-wall properties. That code is incorporated by reference.

(Ord. No. 330, § 1, 11-4-2013)

SECTION 2. - PERMITTED USES:

1. Dwelling, Condominium.
2. Clubhouse (private).
3. Golf course (private).
4. Park (private or public).
5. Playground or athletic field (private or public).
6. Swimming pool (private).
7. Garage (private).
8. Accessory building (limited to maintenance buildings and garages - not RV garages).

[9. In-Home Daycare: Self-Declared or Family License]

(Ord. No. 330, § 2, 11-4-2013)

SECTION 3. - CONDITIONAL USES:

1. Home occupations.

[2. Daycare Facility: Group or Center License]

(Ord. No. 330, § 3, 11-4-2013)

SECTION 4. - HEIGHT REGULATIONS:

- a) No building shall exceed fifty (50) feet in height, except as provided in the additional height, area, and use regulations of this ordinance.

(Ord. No. 330, § 4, 11-4-2013)

SECTION 5. - YARD REGULATIONS:

1. Front Yard:
 - a) There shall be zero (0) lot line allowance.
 - b) Where a lot or lots have double frontage, the front yard will be defined as the side of the building where the main or front entrance is located.
2. Side Yard:
 - a) No side yard is required for any building in District "C-B" except as follows:
 1. Where such side yard is adjacent to a dwelling district zone in which case there shall be required five (5) feet of side yard on the side of the lot which abuts the residential district zone;
 2. Where a side yard is required for fire regulations; or
 3. A single-family home which shall have the same side yard regulations as set out in Section 6 of Article X, R-1 Single-Family Dwelling District as stated in this ordinance.
3. Rear Yard:

- a) No rear yard is required for any building in District "C-B" with the exceptions that where such rear yard is adjacent to an area zoned for residential use, there shall be required fifteen (15) feet of rear yard and a single family home shall have the same rear yard regulations as set out in Section 6 of Article X, R-1 Single-Family Dwelling District as stated in this ordinance.
4. Common Areas:
- a) Each property owner within the condominium development will hold common areas as a percent interest, per North Dakota Century Code Chapter 47-04.1.
 - b) Common areas will be maintained through an established administrative body (see NDCC Chapter 47-04.1).
 - c) Trash shall be collected at a common, centralized location. Containers/roll-offs shall be screened by a trash enclosure.
 - d) All common areas will be landscaped prior to occupancy, or within six (6) months if occupancy permits are issued during the fall or winter.

(Ord. No. 330, § 5, 11-4-2013)

SECTION 6. - PARKING REGULATIONS: (ALSO SEE ARTICLE XX)

All units shall be provided one (1) parking space per bedroom. At least fifty (50) percent of these provided spaces shall be covered.

(Ord. No. 330, § 6, 11-4-2013)

SECTION 7. - SIGN REGULATIONS: (SEE ARTICLE XXI)

(Ord. No. 330, § 7, 11-4-2013)

SECTION 8. - ENFORCEMENT OF REGULATIONS:

- a) Condominium communities will be governed by a home owners association that is registered with the State of North Dakota and with a charter that is approved by the City of Watford City.

(Ord. No. 330, § 8, 11-4-2013)

2.

Amendment to Ordinance

Chapter 15

Article 7

Rules and Definitions pertaining to daycare

ARTICLE VII - RULES AND DEFINITIONS

SECTION 1. - RULES:

For the purpose of this Ordinance the following rules shall apply:

1. Words and numbers used singularly shall include the plural. Words and numbers used plurally shall include the singular.
Words used in the present tense shall include the future.
2. The word "persons" includes a corporation, members of a partnership or other business organization, a committee, board, trustee, receiver, agent or other representative.
3. The word "shall" is mandatory.
4. The words "use," "used," "occupy" or "occupied" as applied to any land or building shall be construed to include the words "intended," "arranged" or "designed" to be used or occupied.

SECTION 2: -

For the purpose of this Ordinance, certain terms or words used herein shall be interpreted or defined as follows, unless the context clearly indicates otherwise:

1. **ACCESSORY BUILDING:** A subordinate building or portion of the main building, the use of which customarily is incidental to that of the main building or to the main use of the premises.
2. **ADULT BOOKSTORE:** An enclosed building having as a substantial or significant portion of its stock in trade, books, magazines, or other periodicals which are distinguished or characterized by their emphasis on matter depicting or describing specified sexual activities or specified anatomical areas.
3. **ADULT CINEMA:** An enclosed building used on a regular basis for presenting pictorial materials or other visual images by way of direct or indirect projection, which materials are distinguished or characterized by an emphasis on the depiction of specified sexual activities or specified anatomical areas, for observation by patrons therein in return for the payment of consideration, irrespective of the number of patrons who may be able to view the presentation at one time.
4. **ADULT ENTERTAINMENT CENTER:** An adult bookstore or adult cinema, or both.
5. **ALLEY:** A way which affords only a secondary means of access to abutting property.
6. **ALTERATION:** Alteration, as applied to a building or structure, is a change or rearrangement in the structural parts of an existing building or structure. Enlargement, whether by extending a side, increasing in height, or the moving from one location or position to another, shall be considered as an alteration.
7. **ANIMAL HOSPITAL OR CLINIC:** An establishment where animals are admitted principally for examination, treatment, board or care, by a Doctor of Veterinary Medicine. This does not include open kennels or runs.
8. **APARTMENT:** A room or suite of rooms in a multiple dwelling used or designed for occupancy by a single family.
9. **BASEMENT:** A story having part, but not less than one-half ((), of its height below ground.
10. **BED AND BREAKFAST INNS:** An Owner occupied house or a portion thereof, where short term lodging rooms with or without meals are provided for compensation. The operator of the inn shall live on the premises or on adjacent premises. The unit shall contain no more than 7 guest rooms for lodging.

11. **BUILDING:** Any structure designed, or intended for the enclosure, shelter or protection of persons, animals or property. When a structure is divided into separate parts by unpierced wall from the ground up, each part is deemed a separate building.
12. **BUILDING HEIGHT:** The vertical dimension measured from the average elevation of the finished lot grade at the front of the building to the highest point of a flat roof; to the deck line of a mansard roof; and to the average height between the plate and ridge of a gable, hip or gambrel roof.
13. **CARPORT:** A carport is a roof projecting from the wall of a building or free standing structure constructed to shelter a vehicle. A carport is not enclosed by walls, it must be structurally supported by columns. The set back rules apply to and must be abided by, just as in an accessory building.
14. **CELLAR:** A story having more than one-half (1/2) of its height below ground.
15. **CONDITIONAL USE:** Such uses as are allowed by special permit only. Said permit shall be granted according to provisions of this ordinance.
16. **DAY CARE CENTER:** An establishment, other than a public or parochial school, which provides day care and education for ~~four (4) or more unrelated~~ children ~~aged five (5) years and under~~ as defined within North Dakota Century Code Chapter 50-11.1 and its amendments pertaining to Early Childhood Services.
17. **DISTRICT:** A section or sections of the City and/or County for which the regulations governing the use of buildings and premises, the height of buildings, the size of yards and the intensity of use are uniform.
18. **DWELLING:** Any building or portion thereof which is designed and used exclusively for residential purposes.
19. **DWELLING, MULTIPLE-FAMILY:** A single building designed for and occupied by more than two families.
20. **DWELLING, SINGLE-FAMILY:** A building having accommodations for and occupied exclusively by one family.
21. **DWELLING TOWNHOUSE:** A one-family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common fire resistant walls.
22. **DWELLING, TWO-FAMILY:** A structure on a single lot containing two dwelling units, each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall, except for a common stairwell exterior to both dwelling units.
23. **DWELLING UNIT:** One or more rooms in a dwelling designed for occupancy by one family unit.
24. **EFFECTIVE DATE:** The effective date of this ordinance as used for the exceptions and "grandfather clauses" shall be the effective date of the previous ordinance which was May 9, 1983.
25. **Engineered Post-Framed Buildings:** A structure primarily supported by wood columns embedded in the earth.
26. **FAMILY:** One or more persons related by blood, marriage or adoption occupying a dwelling unit as members of a single housekeeping organization. A family may include not more than two persons not related by blood, marriage or adoption.
27. **FARM:** Any parcel of land containing at least ten (10) acres which is used for gain in the raising of agricultural products, livestock, poultry or dairy products. It includes necessary farm structures within the prescribed limits and the storage of equipment used. It excludes the raising of furbearing animals, riding academies, livery or boarding stables, dog kennels and commercial feed lots.

28. **FARM RESIDENCE:** A dwelling whose occupant is a person who normally devotes a major portion of their time to the activities of producing products of the soil, poultry, livestock or dairy farming in such products' unmanufactured state.
29. **FLOOR AREA:** Floor area shall mean the gross floor area of the building of the several floors in the building.
30. **FRONTAGE:** All the property on one side of a street between two (2) intersecting streets (crossing or terminating) measured along the line of the street. Where a street is dead ended, the frontage shall be considered as all that property abutting on one side between an intersecting street and the dead end of the street.
31. **FUNERAL HOME:** A facility used for pre-burial preparation of human cadavers including but not limiting to a mortuary, chapel, viewing area, vehicular storage, parking, but not including a crematorium or burial facilities.
32. **GARAGE, PRIVATE:** An accessory building or portion of a main building on the same lot and used for the storage only of private passenger motor vehicles, not more than two of which are owned by others than the occupants of the main building.
33. **GARAGE, PUBLIC:** A building, or portion thereof, other than a private or storage garage, designed or used for equipping, repairing, hiring, servicing, selling or storing motor-driven vehicles.
34. **GARAGE, STORAGE:** A building, or portion thereof, designed or used exclusively for housing four (4) or more motor-driven vehicles.
35. **GROUP DWELLING:** In general, a building in which several unrelated individuals or families permanently reside, but in which individual cooking facilities are not provided for the individual persons or families. Specifically, "group dwelling" shall include rooming house, dormitory, half-way house, group home, and private club in which one or more members have a permanent residence. "Group dwelling" shall not be deemed to include such as a hotel, motel, mobile home park, sanitarium, hospital or nursing home.
36. **HOME OCCUPATION:** An occupation conducted in a dwelling unit, provided that:
 - (1) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five (25) percent of the floor area of the dwelling unit shall be used in the conduct of the home occupation.
 - (2) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding six square-feet in area, non-illuminated, and mounted flat against the wall of the principal building.
 - (3) No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard.
 - (4) No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence, or outside the dwelling unit if conducted in other than a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
37. **HOSPITAL:** An establishment used primarily for in-patient care and provides health, medical, and surgical care for the sick and injured.
38. **HOTEL:** A building used as a transient abiding place for persons who are being lodged for compensation with or without meals.
39. **INDUSTRIAL, HEAVY:** Industrial uses which generate large volumes of vehicular traffic or create obnoxious sounds, glare, vibrations, dust, odor or smoke.

40. **INDUSTRIAL, LIGHT:** Industrial uses which do not generate large volumes of vehicular traffic and do not create obnoxious sounds, glare, dust, vibrations, odor or smoke.
41. **INSTITUTION:** A building occupied by a nonprofit corporation or a nonprofit establishment for public use.
42. **IN-HOME APARTMENT:** A self-contained dwelling unit with no more than two (2) bedrooms. Built within a residential structure, provided the apartment consists of less than fifty (50) percent of the total square footage of the structure, (including basement) and the apartment is located in the basement, and the apartment is incidental to the structure's use as a single family residence.
43. **JUNK YARD:** An area of more than two hundred (200) square feet, or any area not more than fifty (50) feet from any street, used for the storage, keeping or abandonment of junk, including scrap metals or other scrap materials or goods, used for dismantling, demolition or abandonment of automobiles or other vehicles or machinery, or parts thereof.
44. **LODGING HOUSE:** A building or place where lodging or boarding and lodging is provided (or equipped to provide lodging regularly) by prearrangement for definite periods of time, for compensation, for three (3) or more persons in contra-distinction to hotels open to transients.
45. **LOT OR PLOT:** A parcel of land occupied or intended for occupancy by one (1) main building, together with its accessory buildings, including the open spaces required by this ordinance. A lot or plot may include more than one (1) platted lot.
46. **LOT, CORNER:** A lot, as defined above, abutting upon two (2) or more streets at their intersection.
47. **LOT, DEPTH OF:** The mean horizontal distance between the front and the rear lot lines.
48. **LOT, DOUBLE FRONTAGE:** A lot having a frontage on two (2) nonintersecting streets as distinguished from a corner lot.
49. **LOT OF RECORD:** A lot which is a part of a subdivision, the map of which has been recorded in the office of the Register of Deeds, or a lot described by metes and bounds, the description of which has been recorded in the office of the Register of Deeds.
50. **MEDICAL, DENTAL OR HEALTH CLINIC:** Any building designed for use by one (1) or more persons lawfully engaged in the diagnosis, care and treatment of physical or mental diseases or ailments of human beings; including, but not limited to, doctors of medicine, dentists, chiropractors, osteopaths, optometrists and podiatrists; and in which no patients are lodged overnight.
51. **MOBILE HOME:** A mobile home shall include any complete structure used for living, sleeping, business or storage purposes; having no foundation other than wheels, blocks, skids, jacks, horses, or skirting; and which has been or reasonably may be equipped with wheels or other devices for transporting the structure from place to place, whether by motive power or other means. The term "mobile home" shall include trailer home, camp car and house car.
52. **MOBILE HOME PARK:** Any park, court, camp, lot, area, piece, parcel, tract or plot of ground upon which mobile homes are used, whether for compensation or not, including all accessory use thereof.
53. **NONCONFORMING BUILDING:** The use of a building or portion thereof lawfully existing at the time of the passage of this zoning ordinance and amendments thereto, which does not conform with the provisions of this ordinance or amendments thereto.
54. **NONCONFORMING USE:** Any land lawfully occupied by a use, at the time of the passage of this ordinance or amendments hereto, which does not conform with the provisions of this ordinance or amendments hereto.
55. **NURSING HOME:** An extended or intermediate care facility licensed or approved to provide full-time convalescent or chronic care to individuals who by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.
56. **PARKING SPACE:** An area nine and one-half (9.5) feet × twenty (20) feet, or greater which is sufficient in size to store one (1) automobile, together with a driveway connecting the parking space

with a street or alley and permitting ingress and egress of an automobile. Required off street parking shall be provided in a manner that vehicles do not encroach on a public right-of-way.

- 56.1 PERMANENT FOUNDATION: The Permanent Foundation Installation Standards of the Idaho Manufactured Home Installation Standards are adopted by the City of Watford City and are required to be adhered to any place in this Ordinance where a permanent Foundation is required for manufactured homes. There shall be on file at the City Auditor's Office a minimum of two (2) copies of the Permanent Foundation Installation Standards. The North Dakota State Building Code standards are adopted by the City of Watford City and are required to be adhered to any place in this Ordinance where a Permanent Foundation is required for site-built or modular homes. There shall be on file at the City Auditor's Office a minimum of two (2) copies of the North Dakota State Building Code.
57. PERMITTED USE: Any use which complies with the requirements of a zoning district and is unconditionally allowed.
58. PLANNING COMMISSION: The Planning and Zoning Commission of Watford City, North Dakota.
59. RESIDENCE: The act or fact of living or regularly staying at or in some place for the discharge of a duty or the enjoyment of a benefit.
60. RESTAURANT: A public eating establishment at which the primary function is the preparation and serving of food.
61. ROOMING HOUSE: Any dwelling in which more than three (3) persons, either individually or as families, are housed or lodged for hire, with or without meals.
62. SERVICE STATION: An establishment consisting of a building or group of buildings and surfaced area where automotive vehicles may be refueled and serviced; such service shall not include tire recapping, body repairs or major overhaul.
63. SET BACK: The distance between the lot line and building line.
64. SIGN: A sign shall include any sign or other device which shall display or include any letter, word, model, banner, flag, pennant, insignia, device or representation used as, or which is in the nature of, an advertisement or announcement which directs attention to an object, product, place, activity, person, institution, organization or business, but shall not include any display of official notice or official flag.
- (1) Sign, Advertising: A sign which directs the attention of the public to any goods, merchandise, property, business service, entertainment, or amusement conducted or produced which is bought or sold, furnished, offered or dealt in elsewhere than on the premises where such sign is located, or to which it is affixed.
 - (2) Sign, Sandwich: An advertising or business ground sign which is constructed in such a manner to form an "A" or a tentlike shape, hinged or not hinged at the top and each angular face held at an appropriate distance by a supporting member.
 - (3) Sign, Business: A sign which directs attention to a business or profession conducted or to products, services, or entertainment sold or offered upon the premises where such sign is located, or to which it is affixed. A "For Sale" sign or "For Rent" sign relating to the property on which it is displayed shall be deemed a business sign.
 - (4) Sign, Flashing: Any illuminated sign on which the artificial light is not constant in intensity and color at all times. For the purpose of this ordinance, any revolving illuminated sign shall be considered a flashing sign.
 - (5) Sign, Illuminated: A sign designed to give forth artificial light, or designed to reflect light derived from any source.
65. SPECIFIED ANATOMICAL AREAS:
- (1) Less than completely and opaquely covered:

- (a) Human genitals, pubic region;
 - (b) Buttocks;
 - (c) Female breast below a point immediately above the top of the areola; and
- (2) Human male genitals in a discernible turgid state, even if completely and opaquely covered.
66. SPECIFIED SEXUAL ACTIVITIES:
- (1) Human genitals in a state of sexual stimulations or arousal;
 - (2) Acts of human masturbation, sexual intercourse, or sodomy;
 - (3) Fondling of human genitals, pubic region, buttocks, or female breast.
67. USE: The purpose for which land or a building or structure thereon is designed, arranged, intended or maintained or for which it is or may be used or occupied.
68. STREET: A right-of-way, other than an alley, dedicated to the public use, which provides principal access to adjacent properties.
69. STREET LINE: A dividing line between a lot, tract or parcel of land and the contiguous street.
70. STRUCTURE: Anything constructed or erected, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground. This includes placing concrete and building fences.
71. STRUCTURAL ALTERATIONS: Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams, or girder, or any complete rebuilding of the roof or exterior walls.
72. (A) SUBDIVISION: The division of a tract or parcel of land within the city or its extra-territorial jurisdiction into two (2) or more lots, tracts, or parcels of land; except that:
- (1) The sale or exchange of parcels of land to or between adjoining property owners where such sale or exchange does not create additional lots shall not be deemed a subdivision.
 - (2) The allocation of property by court decree in settling the estate of a decedent or in partitioning land among owners shall not be deemed a subdivision.
 - (3) The unwilling sale of land as the result of legal condemnation procedures, or the acquisition of street rights-of-way by a public agency in conformance with the comprehensive plan shall not be deemed a subdivision.
- (B) SUBDIVISION PLAT: A plan or map prepared in accordance with the provisions of the duly adopted Subdivision Regulations and recorded with the Register of Deeds.
73. TAVERN: An establishment in which the primary function is the public sale and serving of malt beverages.
74. TRANSMISSION FACILITY: Includes any of the following:
- (1) An electrical, telephone, or cable TV transmission line and associated facilities.
 - (2) A gas and liquid transmission line and associated facilities designed for or capable of transporting coal, gas or liquid hydrocarbon products for public commerce.
 - (3) A liquid transmission line and associated facilities designed for or capable of transporting water.
75. VARIANCE: The relaxation of the terms of the Zoning Regulations in relations to height, area, size and open spaces where specific physical conditions, unique to the site, would create an unreasonable hardship in the development of the site for permitted uses.
76. YARD, FRONT: A yard extending across the full width of the lot, the depth of which is the least distance between the street right-of-way and the front building line.

77. YARD, REAR: A yard extending across the full width of the lot between the rear of the main building and the rear lot line, the depth of which is the least distance between the rear lot line and the rear of such main building. Where an alley is platted at the rear of the lots, one-half ($\frac{1}{2}$) the width of the alley may be included in the rear yard requirements.
78. YARD, SIDE: A yard between the main building and the side lot line, extending from the front yard, or front lot line where no front yard is required, to the rear yard. The width of the required side yard shall be measured horizontally, at ninety (90) degrees with the side lot line, from the nearest point of the side lot line toward the nearest part of the main building.
79. ZONE OR DISTRICT: A portion, area or section of the City for which uniform regulations governing the use, height, area, size and intensity of use of buildings, land, and open spaces surrounding buildings as herein established.

(Ord. No. 224, 12-13-2010; Ord. No. 471, 1-2-2018)

3.

Amendments to Ordinance

Chapter 15

Article 18(C)

RC- Condominium Residential

Sections 2 & 3

ARTICLE XVIII(C) - R-C CONDOMINIUM RESIDENTIAL DISTRICT^[2]

Footnotes:

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Editor's note— Ord. No. 330, adopted Nov. 4, 2013, enacted provisions designated as Ch. XV, Art. XVIII(A). Inasmuch as Art. XVIII(A) and (B) already exists, said provisions have been redesignated as Art. XVIII(C), at the request of the city.

SECTION 1. - INTENT:

The "R-C" Condominium Residential District is intended for the purpose of allowing condominium/high-density multi-family dwellings that are intended for ownership by the inhabitants. The North Dakota Century Code Chapter 47-04.1, Condominium Ownership of Real Property, defines the requirements for the mapping of common-wall properties. That code is incorporated by reference.

(Ord. No. 330, § 1, 11-4-2013)

SECTION 2. - PERMITTED USES:

1. Dwelling, Condominium.
2. Clubhouse (private).
3. Golf course (private).
4. Park **or Garden** (private or public)
5. Playground or athletic field (private or public).
6. Swimming pool (private).
7. Garage (private).
8. Accessory building (limited to maintenance buildings and garages - not RV garages).
9. *In-Home Daycare: Self-Declared or Family License*
10. *Dwelling, Multi-Family*
11. *Dwelling, Single Family*
12. *Dwelling, Townhouse*
13. *Dwelling, Two-Family*
14. *Group Dwelling*
15. *Places of Worship*

(Ord. No. 330, § 2, 11-4-2013)

SECTION 3. - CONDITIONAL USES:

1. Home occupations.
2. *Daycare Facility: Group or Center License*

(Ord. No. 330, § 3, 11-4-2013)

SECTION 4. - HEIGHT REGULATIONS:

- a) No building shall exceed fifty (50) feet in height, except as provided in the additional height, area, and use regulations of this ordinance.

(Ord. No. 330, § 4, 11-4-2013)

SECTION 5. - YARD REGULATIONS:

1. Front Yard:
 - a) There shall be zero (0) lot line allowance.
 - b) Where a lot or lots have double frontage, the front yard will be defined as the side of the building where the main or front entrance is located.
2. Side Yard:
 - a) No side yard is required for any building in District "C-B" except as follows:
 1. Where such side yard is adjacent to a dwelling district zone in which case there shall be required five (5) feet of side yard on the side of the lot which abuts the residential district zone;
 2. Where a side yard is required for fire regulations; or
 3. A single-family home which shall have the same side yard regulations as set out in Section 6 of Article X, R-1 Single-Family Dwelling District as stated in this ordinance.
3. Rear Yard:
 - a) No rear yard is required for any building in District "C-B" with the exceptions that where such rear yard is adjacent to an area zoned for residential use, there shall be required fifteen (15) feet of rear yard and a single family home shall have the same rear yard regulations as set out in Section 6 of Article X, R-1 Single-Family Dwelling District as stated in this ordinance.
4. Common Areas:
 - a) Each property owner within the condominium development will hold common areas as a percent interest, per North Dakota Century Code Chapter 47-04.1.
 - b) Common areas will be maintained through an established administrative body (see NDCC Chapter 47-04.1).
 - c) Trash shall be collected at a common, centralized location. Containers/roll-offs shall be screened by a trash enclosure.
 - d) All common areas will be landscaped prior to occupancy, or within six (6) months if occupancy permits are issued during the fall or winter.

(Ord. No. 330, § 5, 11-4-2013)

SECTION 6. - PARKING REGULATIONS: (ALSO SEE ARTICLE XX)

All units shall be provided one (1) parking space per bedroom. At least fifty (50) percent of these provided spaces shall be covered.

(Ord. No. 330, § 6, 11-4-2013)

SECTION 7. - SIGN REGULATIONS: (SEE ARTICLE XXI)

(Ord. No. 330, § 7, 11-4-2013)

SECTION 8. - ENFORCEMENT OF REGULATIONS:

- a) Condominium communities will be governed by a home owners association that is registered with the State of North Dakota and with a charter that is approved by the City of Watford City.

(Ord. No. 330, § 8, 11-4-2013)

4.

Amendments to Ordinance

Chapter 15

Article 17 & 18 (c)

Section 2 & 3

Regarding Post Frame Buildings

ARTICLE XVII - C-1 GENERAL COMMERCIAL DISTRICT

SECTION 1. - INTENT AND PURPOSE OF DISTRICT:

1. The "C-1" General Commercial District is intended for the purpose of allowing basic retail, service and office uses. This district is also intended to provide locations for commercial activity that do not require a central location downtown. Also included are business uses needing large floor areas, particularly those of a service nature and certain industrial uses that do not create obnoxious sounds, glare, dust, or odor. The District is not intended for heavy commercial uses, uses that would be considered industrial in nature, or those businesses that may not be considered compatible with adjacent traditional General Commercial uses.

SECTION 2. - PERMITTED USES:

1. Agricultural Equipment and automobile service/sales business.
2. Animal Hospitals, Clinics and Kennels, providing the establishment and runs are completely enclosed in a building.
3. Automobile Parking Lots and Garages (Public and Private).
4. Banks and Other Savings and Lending Institutions.
5. Bar, Poolroom, Tavern, Taproom, etc.
6. Convenience Stores with or without fuel/alcohol sales.
7. Fire Stations, Police Stations, and Jail.
8. General Retail and Service Shops and Stores, i.e. food stores, car washes (not truck washes), convenience stores, mechanic shops, etc.
9. Grocery Stores.
10. Hotels, Motels, and Bed and Breakfasts.
11. Laundromat/Dry Cleaner.
12. Libraries and Museums.
13. Meeting Halls and Auditoriums.
14. Medical, Dental, and Office Buildings.
15. Places of Worship.
16. Recreational Buildings.
17. Restaurants with or without Drive-through and with or without on-premises alcohol sales.
18. Retail, Service and Sales Shops and Stores.
19. Schools.
20. Trucking and Freight Handling Centers.
21. Warehouses.

22. Accessory Uses Customarily Incident to the Above Uses.

[23. Engineered Post-Framed Buildings]

(Ord. No. 446, 11-21-2017)

SECTION 3. - CONDITIONAL USES:

1. Automobile Service Stations, Retail Fuel Sales
2. Billboards subject to the requirements outlined in SECTION 8 below
3. Campgrounds (must conform with requirements from the Campground Zone)
4. Carpenter and Cabinet Shops
5. Contractors Office and Equipment Storage Yards
6. ~~Engineered Post-Framed Buildings~~ ↑
7. Grain Elevators
8. Hot Mix Asphalt Plant/Concrete Batch Plant
9. Liquid, Gas Bulk, Explosives, and Other Hazardous Material Storage
10. Manufacturing and/or Processing Operations
11. Mobile Homes for Security Purposes
12. RV Parks
13. Salvage Yards/Recycling Operations
14. Single-Family Dwelling Unit, for owner of an adjacent business
15. Temporary Workforce Housing
16. Transmission Facility/Substation/Public Uses

(Ord. No. 216, 9-7-2010)

SECTION 4. - INTENSITY OF USE REGULATIONS:

1. Commercial uses in this district shall be subject to fire regulations and building coverage shall be subject to yard regulations.

SECTION 5. - HEIGHT REGULATIONS:

1. When a building or structure is within one hundred fifty (150) feet of a residential district zone, said building or structure shall not exceed thirty-five (35) feet in height without an approved variance.
2. When a building is more than one hundred fifty (150) feet from a residential district zone, said building or structure shall not exceed fifty (50) feet in height if not in conflict with airport approach zones without an approved variance.

(Ord. No. 386, 12-1-2014)

SECTION 6. - YARD REGULATIONS:

1. Front Yard:

There shall be a front yard of not less than 25 feet.

2. Side Yard:

No side yard shall be required, except where such side yard is adjacent to a dwelling district zone, in which case there shall be required five (5) feet of side yard on the side of the lot which abuts the residential district zone; however, in instances where buildings are taller than allowed without a variance, there shall be an additional setback requirement at a ratio of three additional feet of setback for each ten feet of height above thirty-five (35) feet or fifty (50) feet as allowed without a variance in Section 5 of this ordinance or except where a side yard is required for fire regulations.

3. Rear Yard:

There are no rear yard requirements other than loading and parking requirements; except in any case where such rear yard is adjacent to an area zoned for dwelling purposes there shall be required fifteen (15) feet of rear yard; however, in instances where buildings are taller than allowed without a variance, there shall be an additional setback requirement at a ratio of three additional feet of setback for each ten feet of height above thirty-five (35) feet or fifty (50) feet as allowed without a variance in Section 5 of this ordinance.

(Ord. No. 386, 12-1-2014)

SECTION 7. - PARKING AND LOADING:

As permitted in ARTICLE XX

SECTION 8. - SIGN REGULATIONS:

As permitted in ARTICLE XXI, SIGN REGULATIONS

Article XVII as Amended by Ordinance No. 197 on 10/06/08

ARTICLE XVIII(A) - C-2 COMMERCIAL/SERVICE DISTRICT

SECTION 1. - INTENT AND PURPOSE OF DISTRICT:

1. The C-2 District is intended for the purpose of grouping retail merchandising, service businesses, and appurtenant activities into a concentrated area serving the general shopping and service needs of the trade area. It is also important to keep people living within and in close proximity to this district as well as encouraging persons to visit this area. Though residential users are permitted to cohabitate in the District, principal permitted uses include department stores, apparel stores, general retail sales, and similar uses appropriate for comparison-shopping. The area also encourages service-oriented business. The District is not intended for heavy commercial uses or those uses, those that consume large areas for storage or display of merchandise (indoors or out of doors), or those businesses that may not be considered compatible with adjacent traditional residential uses.
2. The grouping is intended to strengthen the business level of the central business district, accommodate existing uses, and provide for a transition from commercial to residential zoning.

SECTION 2. - PERMITTED USES:

1. Adding Machine and Other Small Business Machine Repair, Sales and Service.
2. Amusement Places.
3. Antique Shops and Stores, providing all merchandise is displayed and sold inside a building.
4. Apparel and Accessory Stores.
5. Apartments.
6. Appliance Stores.
7. Art and Art Supply Stores.
8. Artist Studios.
9. Auditoriums and Similar Places of Public Assembly.
10. Automobile Accessory and Supply Stores (Outdoor storage prohibited).
11. Bakery and Pastry Shops (Retail Only, on-site cooking facilities permitted).
12. Banks and Other Saving and Lending Institutions.
13. Barber shops, Beauty Shops and Chiropody, Massage or Similar Personal Services.
14. Bicycle Shops.
15. Books and Stationery Shops.
16. Bowling Alleys and Recreational Buildings.
17. Business and Technical Schools, including Schools for Photography, Dancing and Music.

18. Condominiums or other multi-family units.
19. Cigar and Tobacco Shops.
20. Clothing Stores.
21. Clothing and Costume Rental.
22. Commercial Recreational Uses.
23. Custom Dressmaking, Millinery, Tailoring and Similar Trades.
24. Daycare Centers.
25. Delicatessens and Catering Establishments.
26. Department Stores.
27. Drug Stores and Prescription Shops.
28. Dry Goods and Notion Shops (including Coin and Fabric Shops).
29. Electric Appliance Sales and Repair Shops.
30. Fire Stations and Police Stations.
31. Fix-It Shops (Radio, Televisions, and Small Household Appliances).
32. Florists and Gift Shops.
33. Furniture and Home Furnishing Shops.
34. Government Buildings.
35. Grocery, Fruit, and Vegetable Stores (Retail Only).
36. Hardware Stores.
37. Heating and Air Conditioning Shops, providing all merchandise is located in a building.
38. Hobby, Stamp, and Coin Shops.
39. Household Appliance Stores.
40. Interior Decorator's Shops.
41. Jewelry and Metal Craft Stores and Shops.
42. Leather Goods and Luggage Stores.
43. Libraries and Museums (Public).
44. Lock and Key Shops.
45. Mail Order Catalog Stores.
46. Medical, Dental, Chiropractic, and Health Offices and Clinics.
47. Meeting Halls and Auditoriums.
48. Messenger and Telegraph Service Stations.
49. Music Instrument Sales and Repair Shops.

50. Music Stores and Studios.
51. Newspaper Offices.
52. Newsstands.
53. Offices and Office Buildings.
54. Office Supply and Office Equipment Sales and Service Stores.
55. Optician and Optometrist Shops.
56. Paint and Glass Stores.
57. Parks and Open Spaces.
58. Pet Shops (All indoors, no outdoor kennels).
59. Pharmacies.
60. Photographic Equipment Sales and Supply Stores.
61. Photographic Studios.
62. Picture Framing Shops.
63. Places of Worship.
64. Printing Shops and Printing Supply Stores.
65. Public Buildings.
66. Restaurants and Tea Rooms.
67. Single Family Detached Homes, Duplexes, Townhomes, and Multifamily Dwellings.
68. Sewing Machine Shops and Stores.
69. Shoe Stores.
70. Shoe Repair and Shoeshine Shops.
71. Sporting and Athletic Goods Shops.
72. Stores and Shops for the conduct of Retail Businesses similar to the uses listed in this section.
73. Tailor Shops.
74. Television and Radio Sales and Service Establishments.
75. Theaters.
76. Toy Stores.
77. Travel Bureaus.
78. Utility Company Offices.
79. Variety Stores.

[80. Engineered Post Frame Buildings]

(Ord. No. 447, 11-21-2017)

SECTION 3. - CONDITIONAL USES:

~~1. Engineered Post-Framed Buildings.~~ ↑

2. Bed and Breakfast Inns:

- (a) Signage must be followed pursuant to Article XXI of this Ordinance.
- (b) The facility shall have the appropriate off-street parking such that there will be at least two (2) off-street parking places for each single family dwelling plus one (1) parking space for each guest unit.

(Ord. No. 447, 11-21-2017)

SECTION 4. - INTENSITY OF USE REGULATIONS:

1. No requirement except those to meet fire regulations.

SECTION 5. - HEIGHT REGULATIONS:

1. No building shall exceed thirty-five (35) feet in height except as otherwise provided in the additional height, area and use regulations of this ordinance, or as approved by a variance.

(Ord. No. 387, 12-1-2014)

SECTION 6. - YARD REGULATIONS:

1. Front Yard:

- a) Twenty-foot front yard is required for any building in District C-2.
- b) Where lots have double frontage, the required front yard shall be provided on both streets.

2. Side Yard:

- a) No side yard is required for any building in District C-2 except as follows:
 - i) Corner lots, the required side yard shall be the same as the required front yard;
 - ii) Where such side yard is adjacent to a dwelling in which case there shall be required five (5) feet of side yard on the side of the lot which abuts the residence. In instances where buildings are taller than thirty-five (35) feet, there shall be an additional setback requirement at a ratio of three additional feet of setback for each ten feet of height above thirty-five (35) feet;
 - iii) Where a side yard is required for fire and/or building code regulations; or

- iv) A single family home shall have the same side yard regulations as set out in Section 6 of Article X, R-1 Single Family Dwelling District as stated in this ordinance.

3. Rear Yard:

- a) Five-foot rear yard is required for any building in District C-2 with the exception that where such rear yard is adjacent to a residential use, there shall be required fifteen (15) feet of rear yard. In instances where buildings are taller than thirty-five (35) feet, there shall be an additional setback requirement at a ratio of three additional feet of setback for each ten feet of height above thirty-five (35) feet. A single family home shall have the same year yard regulations as set out in Section 6 of Article X, R-1 Single Family Dwelling District as stated in this ordinance.

4. Alleys:

- a) Buildings and parking areas shall be set back five (5) feet from alleys.
- b) A single family home shall have the same yard regulations as set out in Section 6 of Article X, R-1 Single Family Dwelling District as stated in this ordinance.

5. Landscaping:

- a) Landscaping and/or a sight-obscuring fence shall be provided on all yards adjacent to residential uses. Landscaping and fences shall be a minimum of six (6) feet tall.

(Ord. No. 387, 12-1-2014)

SECTION 7. - PARKING AND TRAFFIC REGULATIONS:

- 1. When any building or structure intended for uses other than residential is hereinafter erected or structurally altered to the extent of increasing the floor area by fifty percent (50%) or more, accessory off-street parking spaces shall be provided. There shall be one space for every 9.5 feet of building frontage. For corner lots, the side with the greatest frontage shall be considered the front.
- 2. As required in ARTICLE XX, PARKING AND LOADING REGULATIONS, Sections 2-6.

SECTION 8. - SIGN REGULATIONS:

- 1. As permitted in ARTICLE XXI, SIGN REGULATIONS
- 2. Exceptions:
 - a) Flashing and reader-board type signs are not permitted in the C-2 District.

Article XVIII(A) C-2 enacted 5/5/08 as Ordinance No. 196