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ARTICLE I

TITLE

Section 1. Short Title.

(A short title should be written, clearly expressing the intent of the new ordinance.)

ARTICLE II

RULES AND DEFINITIONS

Section 2. Rules and Definitions. It is suggested that in the writing of a new Zoning Ordinance, the rules and definitions contained in this section should be observed and applied, except when the context clearly indicates otherwise.

A. Rules for Construction of Language.

1. Rules Applying to Text. The following rules of construction should apply to the text.
 - a. The particular should control the general.
 - b. In case of any difference of meaning or implication between the text and any caption or illustration, the text should control.
 - c. The word "shall" is mandatory and not discretionary. The word "may" is permissive.
 - d. Words used in the present term should include the future; and words used in the singular number should include the plural, and the plural the singular, unless the context clearly indicates the contrary.
 - e. The phrase "used for" includes "arranged for", "designed for", "intended for", "maintained for", "occupied for".

B. Definitions.

1. Accessory Building or Use. A use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.

An "accessory use" includes, but is not limited to the following:

- a. A children's playhouse, garden house, and private greenhouse.
 - b. A civil defense shelter serving not more than two (2) families.
 - c. A garage, shed, or building for domestic storage.
 - d. Incinerators incidental to residential use.
 - e. Storage of merchandise normally carried in stock on the same lot with any retail service or business use, unless such storage is excluded by the district regulations.
 - f. A nonpaying guest house or rooms for guest within an "accessory building" provided such facilities are used for the occasional housing of guests of occupants of the principal building and not for permanent occupancy by others as housekeeping units.
 - g. Off-street motor vehicle parking areas, and loading and unloading facilities.
2. Alley. A narrow service way providing a secondary public means of access to abutting properties, and not more than twenty (20) feet wide.
 3. Alterations. As applied to a building or structure, a change or rearrangement in the structural parts or in the exit facilities, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another, or by change in use from that of one district classification to another.
 4. Alterations, Structural. Any change in the supporting members of a building such as bearing walls, columns, beams, or girders.
 5. Apartment. A room or suite of rooms in a multiple-family structure, which is arranged, designed, used or intended to be used as a single housekeeping unit, and which contains complete kitchen, bath and toilet facilities, permanently installed.
 6. Apartment House. A building arranged, intended, or designed to be occupied by three or more families living independently of each other.

7. Area, Building. The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings exclusive of uncovered porches, terraces and steps.
8. Automobile Repair, Major. Engine rebuilding or major reconditioning of worn or damaged motor vehicles or trailers; collision service, including body, frame or fender straightening or repair; and over-all painting of vehicles.
9. Automobile Repair, Minor. Incidental repairs, replacement of parts, and motor service to automobiles, but not including any operation specified under "Automobile Repair, Major".
10. Basement. A story partly underground but having at least one-half of its height above the average level of the adjoining ground. A basement should be counted as a story for the purposes of height measurement, if the vertical distance between the ceiling and the average level of the adjoining ground is more than five feet or if used for business or dwelling purposes.
11. Block. That property abutting on one side of a street between the two nearest intersecting streets or other natural barriers.
12. Boarding House. A building or premises where meals are served for compensation for five or more persons, but not exceeding twelve (12) persons. An establishment where meals are served for compensation for more than twelve (12) persons should be deemed a restaurant.
13. Building. A structure having a roof supported by columns or walls, for the shelter, support, enclosure or protection of persons, animals, chattels, or property. When separated by party walls, each portion of such building should be considered a separate structure.
14. Building Area. The maximum horizontal projected area of a building and its accessory buildings, excluding open steps, terraces and cornices projecting not more than thirty (30) inches.
15. Building, Front Line of. The line of that face of the building nearest the front line of the lot. This face includes sun parlors and covered porches whether enclosed or unenclosed but does not include steps.
16. Building, Height. The vertical distance measured from the average elevation of the proposed, or existing finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and to the mean height between eaves and ridge for gable, hip and gambrel roofs.

17. Cellar. A story having more than one-half ($1/2$) of its height below grade.
18. Coverage. That percentage of the plot or lot area covered by the building area.
19. District. A section of the city for which uniform regulations governing the use, height, area, and intensity of use by buildings and land, and open spaces about buildings, are herein established.
20. Dwelling. A building designed or used exclusively as the living quarters for one or more families.
21. Dwelling, One-Family. A detached building designed for or occupied exclusively by one family.
22. Dwelling, Two-Family. A building designed for or occupied exclusively by two families living independently of each other. May also be referred to as a duplex.
23. Dwelling, Multi-Family. A dwelling or group of dwellings on one plot containing separate living units for three or more families, but which may have joint services or facilities or both.
24. Dwelling, Group. A group of two or more one-family, two-family or multiple dwellings occupying a lot in one ownership and having any yard in common.
25. Dwelling, Row. A dwelling, the walls on two sides of which are in common with the walls of adjoining dwellings and are party or lot line walls.
26. Dwelling Unit. A building or portion thereof providing complete housekeeping facilities for one family.
27. Family. One or more persons who live together in one dwelling unit and maintaining a common household. May consist of a single person or of two or more persons, whether or not related by blood, marriage or adoption. May also include domestic servants and gratuitous guests.
28. Floor Area. The sum of the gross horizontal areas of the several floors of the building or buildings, measured from the exterior faces of exterior walls or from the center line of walls separating two buildings. In particular, the "floor area" of a building or buildings should include:
 - a. Basement space.
 - b. Elevator shafts and stairwells at each floor.



34. Home Occupation. An accessory use of a service character customarily conducted within a dwelling by the residents thereof, which is clearly secondary to the use of the dwelling for living purposes and does not change the character thereof or have any exterior evidence of such secondary use other than a small name plate and in connection therewith there is not involved the keeping of a stock in trade. The office of a physician, surgeon, dentist or other professional person, including an instructor in violin, piano or other individual musical instrument limited to a single pupil at a time who offers skilled services to clients, and is not professionally engaged in the purchase or sale of economic goods, should be deemed to be Home Occupations; and the occupations of dress-maker, milliner, or seamstress, each with not more than one paid assistant should be deemed to be Home Occupations. Dancing instruction, band instrument instruction in groups, tourist homes, beauty parlors, real estate offices, convalescent homes, mortuary establishments, and stores, trades or businesses of any kind not herein excepted should not be deemed to be Home Occupations.
35. Hospital. Unless otherwise specified, the term "hospital" should be deemed to include sanitarium, sanatorium, preventorium, clinic, rest home, nursing home, convalescent home or any other place for the diagnosis, treatment or other care of ailments, and should be deemed to be limited to places for the diagnosis, treatment or other care of human ailments.
36. Hotel. A building in which lodging is provided and offered to the public for compensation and in which ingress and egress to and from rooms is made through an inside lobby or office supervised by a person in charge at all hours, and which is open to transient guests, in contradistinction to a boarding house or lodging house.
37. Laundromat. A business that provides home type washing, drying and/or ironing machines and/or dry cleaning machines for hire to be used by customers on the premises.
38. Loading Space. A space within the main building or on the same lot therewith providing for the standing, loading, or unloading of trucks.
39. Lodging House. A building or premises where lodging is provided for compensation for five (5) or more persons, but not exceeding twelve (12) persons.
40. Lot. A parcel, tract or area of land accessible by means of a street or place. It may be a single parcel separately described in a deed or plat which is recorded in the Office of the County Recorder, or it may include parts of or a combination of such parcels when adjacent to one another and used as one.

41. Lot, Corner. A lot at the junction of and having frontage on two or more intersecting streets.
42. Lot Coverage. The percentage of the lot area covered by the building area.
43. Lot, Depth of. The mean horizontal distance between the front lot line and the rear lot line, measured in the general direction of the side lot lines.
44. Lot, Interior. A lot other than a corner lot or through lot.
45. Lot Line, Front. In the case of an interior lot, a line separating the lot from the street or place, and in the case of a corner lot a line separating the narrowest frontage of the lot from the street.
46. Lot, Through. A lot having frontage on two parallel or approximately parallel streets and which is not a corner lot.
47. Lot, Width. The dimension of a lot, measured between side lot lines on the building line.
48. Net Site Area. That area, in the case of a Community Unit Plan, not occupied by rights-of-way.
49. Nonconforming Use. A building or use of land that does not conform to the regulations for the district in which it is situated.
50. Nursery School. A school designed to provide daytime care or instruction for two or more children from two to five years of age inclusive.
51. Parking Lot. Any place, lot, parcel or yard used in whole or in part for the storage or parking of two or more vehicles where such usage is not incidental to or in conjunction with a dwelling, or other usage permissible in dwelling districts and located on the same tract.
52. Parking Space. An off-street space available for the parking of one motor vehicle, and having an area of not less than 180 square feet inclusive of passageways and driveways appurtenant thereto and giving access thereto and having direct access to a street or alley.
53. Place. An open unoccupied space other than a street or alley, permanently reserved as the principal means of access to abutting property.

54. Residential Hotel. A dwelling occupied by permanent guests only and not by transients. It may include restaurants, newsstands and other accessory services primarily for serving its occupants and only incidentally the public.
55. Service Station. A building, buildings, premises or portions thereof which are used or arranged, designed, or intended to be used for the retail sale of gasoline or other motor vehicle, motor boat or aircraft fuels.
56. Stable. Any building, structure or portion thereof which is used in whole or in part for the shelter or care of horses, cattle or other similar animals, either permanently or transiently.
57. Story. That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it.
58. Street. A public or private way which affords the principal means of access to abutting properties.
59. Street Grade. The officially established grade of the street upon which a lot fronts. If there is no officially established grade, the existing grades of the street should be taken as the street grade.
60. Structure. Anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground.
61. Use. The specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent should not be deemed to include any nonconforming use.
62. Yard. A space on the same lot with a principal building, open, unoccupied, and unobstructed by structures, except as otherwise provided.
63. Yard, Front. A yard extending across the full width of the lot, unoccupied other than by steps, walks, terraces, driveways, lamp posts and similar structures, the depth of which is the least distance between the front lot line and the building line.
64. Yard, Rear. A yard extending across the full width of the lot between the rear of the principal building and the rear lot line unoccupied other than by accessory buildings which do not occupy more than 30 per cent of the required space, and steps, walks, terraces, driveways, lamp posts and similar structures, the depth of which is the least distance between the rear lot line and the rear of such principal building.

65. Yard, Side. A yard between the principal building and the side lot line, extending from the front yard or from the front lot line where no front yard is required, to the rear yard. The width of the required side yard is measured horizontally, at 90° with the side lot line, from the nearest part of the principal building.
66. Zoning District Map. A map entitled "Glasgow, Missouri Zoning District Map," dated 1964 and any amendments thereto.

ARTICLE III

ESTABLISHMENT OF DISTRICTS

Section 3. Establishment of Use Districts and Zoning Map.

- A. The City of Glasgow should be classified and divided into nine (9) districts designated as follows:

Residential Districts

- R-1 One-Family Dwelling District
R-2 One-Family Dwelling District
R-3 Multiple Family Dwelling District

Business Districts

- B-1 Central Business District
B-2 Highway Business District

Industrial District

- I-1 General Industrial District

Special Districts

- S-1 Flood Plain District
S-2 Slope District
S-3 Historic Building District

- B. Zoning District Map The Zoning District Map which accompanies this report shows the boundaries of the areas covered by the districts listed in Paragraph A of this Section.

Section 4. Interpretation of District Boundaries. Where uncertainty exists with respect to the boundaries of any of the aforesaid districts as shown on the Zoning District Map, the following rules should apply.

- A. Where district boundaries are indicated as approximately following the center lines of streets or highways, street lines, or highway right-of-way lines, such center lines, street lines, or highway right-of-way lines should be construed to be such boundaries.
- B. Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines should be construed to be said boundaries.
- C. Where district boundaries are so indicated that they are approximately parallel to the center lines or street lines of streets, or the center lines or right-of-way lines of highways, such district boundaries should be construed as being parallel thereto and at such distance therefrom as indicated on the Zoning District Map. If no distance is given, such dimension should be determined by the use of the scale shown on the Zoning District Map.
- D. Where the boundary of a district follows a railroad line, such boundary should be deemed to be located in the middle of the main tracks of said railroad line.
- E. Where the boundary of a district follows a stream, lake or other body of water, the boundary should be the limit of the jurisdiction of the City of Glasgow, unless otherwise indicated.

Section 5. Vacated Areas.

Whenever any street, alley, public way, railroad right-of-way, waterway or other similar area is vacated by proper authority, the districts adjoining each side of such street, alley, public way, railroad right-of-way, or similar area should be extended automatically to the center of such vacation and all area included in the vacation should then and thenceforth be subject to all appropriate regulations of the extended districts. In the event of a partial vacation, the adjoining district, or district nearest the portion vacated, should be extended automatically to include all the vacated area.

ARTICLE IV

APPLICATION OF REGULATIONS

Section 6. General Regulations.

Except as hereinafter provided.

- A. No building or land should be used or occupied and no building or part thereof should be erected, moved, or altered unless in conformity with the regulations specified for the district in which it is located.
- B. No building should be erected or altered.
 - 1. To exceed the height.
 - 2. To accommodate or house a greater number of families.
 - 3. To occupy a greater percentage of lot area, or
 - 4. To have a narrower or smaller rear yard, front yard, side yard, inner or outer court than is specified for the district in which such building is to be located.
- C. No part of a yard or other open space about any building required for the purpose of complying with the provisions of the standards in this report should be included as a part of a yard or other open space similarly required for another building.

ARTICLE V

PROVISIONS GOVERNING RESIDENTIAL DISTRICTS

Section 7. R-1 One-Family Dwelling District.

Within the R-1 One-Family Dwelling District, the following regulations should apply:

A. Permitted Uses

- 1. One-family detached dwelling.
- 2. Farming, truck gardening and nurseries.
- 3. Home occupations, as defined in Section 2, Paragraph B, of this report.
- 4. Public school, elementary and high, or private school having a curriculum similar to that ordinarily given in a public elementary school or public high school including religious instruction in parochial schools.
- 5. Churches and similar places of worship.
- 6. Convents, monasteries, rectories or parish houses to be occupied by not more than ten persons.
- 7. Temporary buildings and uses for construction purposes for a period not to exceed one year.
- 8. Accessory use or building, as defined in Section 2, Paragraph B, of this report, and as regulated by Section 6 of this report.
- 9. Library.
- 10. Off-street parking facilities, as required or permitted by Section 18 of this report.

11. Private swimming pools appurtenant to a one-family dwelling on the same lot, when they meet yard depth and width requirements for principal buildings in the district in which they are located and when the swimming pool or the property on which it is located is adequately fenced to prevent access of small children and meets all applicable health and sanitary requirements.
12. Signs, defined as follows:
 - a. A sign or signboard not exceeding eight (8) square feet in area, appertaining to the sale or lease of the premises or trespassing thereon.
 - b. A name plate, not exceeding one (1) square foot in area.
 - c. A sign or bulletin board not exceeding twenty (20) square feet in area erected upon the premises of a church or other institution for the purpose of displaying the name and activities or services therein provided.

B. Height. The maximum height of buildings permitted should be as follows:

1. One-family detached dwellings - thirty-five feet, and not over two and one-half stories, except as provided in Section 19 of this report.
2. Churches and similar places of worship - seventy-five feet for towers or steeples and not more than forty-five feet for the principal building.

C. Lot Size.

1. Every one-family detached dwelling, convent, monastery, rectory or parish house hereafter erected should be on a lot having an area of not less than fifteen thousand (15,000) square feet and a width at the established building line of not less than one hundred feet, except as provided in Section 17.
2. Churches and similar places of worship hereafter erected or structurally altered should be on a lot having an area of not less than one acre and a width at the building line of not less than one hundred and fifty.
3. Public school, elementary and high, or private school having a curriculum similar to that ordinarily given in a public elementary school or public high school including religious instruction in parochial schools, hereafter erected should conform to the following minimum standards.

Elementary School	3 acres plus 1 acre per 100 student design capacity
Junior High School	8 acres plus 1 acre per 100 student design capacity
Senior High School	15 acres plus 1 acre per 100 student design capacity

D. Yard Areas. No building or structure should be erected or enlarged unless the following yards are provided and maintained in connection with such building, structure or enlargement.

1. Front Yard. Each lot upon which a dwelling is constructed should have a front yard of not less than forty feet. (Where a lot has a double frontage, the required front yard should be provided on both streets.)
2. Side Yard. On each lot upon which a dwelling is constructed, there should be a side yard on each side of not less than twenty feet. The combined total of the side yards for interior lots should not be less than forty-five feet and the combined total of side yards for corner lots should not be less than fifty feet. The side yard on each side of a building on a lot of record which is less than 100 feet in width, should have a width of ten per cent of the width of the lot but should not be less than eight feet.

On lots upon which a church or similar place of worship is constructed or extension made to an existing church or similar place of worship, there should be a side yard of not less than thirty feet on each side of the main structure.

3. Rear Yard. Every lot or parcel of land upon which a building is constructed should have a rear yard of not less than thirty-five feet, or twenty per cent of depth of the lot, whichever is larger, but it need not exceed fifty feet.

E. Percentage of Lot Coverage. All buildings, including accessory buildings, should not cover more than 30 per cent of the area of the lot.

F. Off-Street Parking Facilities. Off-street parking facilities should be provided as required or permitted in Section 18 of this report.

Section 8. R-2 One-Family Dwelling District.

Within the R-2 One-Family Dwelling District, the following regulations should apply:

- A. Permitted Uses. Any use permitted in the "R-1 One-Family Dwelling District," except farming, truck gardening and nurseries.
- B. Height. The same regulations should apply as required or permitted in the "R-1 One-Family Dwelling District."

C. Lot Size.

1. Every one-family detached dwelling, convent, monastery, rectory or parish house hereafter erected should be on a lot having an area of not less than seven thousand five hundred (7,500) square feet, and a width at the established building line of not less than eighty feet, except as provided in Section 17 of this report.
2. Churches and similar places of worship hereafter erected or structurally altered should be on a lot having an area of not less than one-half acre and a width at the building line of not less than eighty-five feet.
3. Public and private schools - same regulations should apply as required or permitted in the "R-1 One-Family Dwelling District."

D. Yard Areas. No building or structure should be erected or enlarged unless the following yards are provided and maintained in connection with such building, structure or enlargement.

1. Front Yard. Each lot upon which a dwelling is constructed should have a front yard of not less than thirty-five feet.
2. Side Yard. On each lot upon which a dwelling is constructed, there should be a side yard on each side of not less than fifteen feet. The combined total of the side yards for interior lots should not be less than thirty-five feet and the combined total of side yards for corner lots should not be less than forty feet. The side yard on each side of a building on a lot of record which is less than eighty (80) feet in width, should have a width of ten per cent of the width of the lot but shall not be less than eight feet.

On lots upon which a church or similar place of worship is constructed or extension made to an existing church or similar place of worship, there should be a side yard of not less than twenty (20) feet on each side of the main structure and a combined total of side yards of not less than forty-five (45) feet.

3. Rear Yard. Every lot or parcel of land upon which a building is constructed should have a rear yard of not less than twenty-five feet, or twenty per cent of depth of lot, whichever is larger, but it need not exceed thirty-five (35) feet.

E. Percentage of Lot Coverage. All buildings including accessory buildings should not cover more than 30 per cent of the area of the lot.

- F. Parking Facilities. Parking facilities should be provided as required or permitted in Section 18 of this report.

Section 9. R-3 Multiple Family Dwelling District.

Within the R-3 Multiple Family Dwelling District, the following regulations should apply:

A. Permitted Uses.

1. Any use permitted in the "R-1 One-Family Dwelling District," except farming, truck gardening and nurseries.
2. Two-family dwellings and multiple dwellings not to exceed nine dwelling units or apartments per structure.
3. One-family row dwellings with not more than nine dwelling units in one building.
4. Private clubs and lodges, excepting those the chief activity of which is a service, customarily carried on as a business.
5. Boarding or Lodging Houses.
6. Any use permitted through the application of subsequent sections of this report.

- B. Height. The same regulations should apply as permitted in the "R-1 One-Family Dwelling District," except that multi-family dwellings should be not more than three stories or 35 feet in height and except as permitted through the application of subsequent sections of this report.

C. Lot Size.

1. One-Family Dwellings: The same regulations should apply as permitted in the "R-2 One-Family Dwelling District."
2. Two-Family Dwellings: Every two-family dwelling hereafter erected or structurally altered should be on a lot having an area of not less than seven thousand five hundred (7,500) square feet or three thousand seven hundred and fifty (3,750) square feet per dwelling unit, and a width at the building line of not less than sixty-five (65) feet except as provided in subsequent sections of this report.
3. Multiple Family Dwellings and Row Houses: Every building hereafter erected or structurally altered as a multi-family dwelling or as a row house should provide a

lot area per dwelling unit of not less than fifteen hundred (1,500) square feet and a width at the building line of not less than seventy feet, except as provided in subsequent sections of this report.

4. Churches and similar places of worship hereafter erected or structurally altered should be on a lot having an area of not less than one-half acre and a width at the building line of not less than eighty-five feet.

D. Yard Areas.

1. Front Yard. Each lot upon which a dwelling is constructed should have a front yard of not less than twenty-five feet.
2. Side Yard.

One-Family Detached Dwellings - On each lot upon which a dwelling is constructed, there should be a side yard on each side of not less than ten feet. The combined total of the side yards for interior lots should not be less than twenty-five feet and the combined total of side yards for corner lots should not be less than thirty feet. The side yard on each side of a building on a lot of record which is less than sixty-five (65) feet in width, should have a width of ten per cent of the width of the lot but should not be less than six feet.

On lots upon which a church or similar place of worship is constructed or extension made to an existing church or similar place of worship, there should be a side yard of not less than fifteen (15) feet on each side of the main structure and a combined total of side yards of not less than thirty-five (35) feet.

Two-Family Dwellings - The same regulations should apply as required for one-family detached dwellings.

Multi-Family Dwellings and Row Houses - The same regulations should apply as required for one-family detached dwellings.

3. Rear Yard. Every lot or parcel of land upon which a building is constructed should have a rear yard of not less than thirty feet.

- E. Percentage of Lot Coverage. All buildings including accessory buildings should not cover more than 40 per cent of the area of the lot.

- F. Off-Street Parking and Loading Facilities. Off-street parking and loading facilities should be provided or permitted as required in Section 18 of this report.

ARTICLE VI

PROVISIONS GOVERNING BUSINESS DISTRICTS

Section 10. B-1 Central Business District.

Within the B-1 Central Business District, the following should apply:

A. Permitted Uses.

1. Any use permitted in "R-3 Multiple Family Dwelling District," except residential uses.
2. Amusement establishments - bowling alleys, dance halls, and other similar places of recreation when conducted wholly within a completely enclosed building.
3. Art, book, school supply and stationery stores.
4. Auto accessory store - where there is no driveway entrance across the sidewalk into the main building.
5. Bakery shop, including the baking and processing of food products when prepared for retail use on the premises only.
6. Banks, financial institutions, savings and loan associations.
7. Barber shop, beauty parlor, massage or similar personal service shops.
8. Bicycle repair, sales and rental.
9. Blueprinting and photostating establishments.
10. Bus passenger terminal.
11. Camera and photographic supply shops for retail sales.
12. Candy and ice cream stores.
13. Clubs and fraternal organizations, catering establishments.
14. Custom dressmaking, millinery, tailoring or shoe repair when conducted for retail sales on the premises only.
15. Department stores.
16. Drug stores.
17. Dry-cleaning and pressing establishments, when employing facilities for the cleaning and pressing of dry goods received on the premises from retail trade only and not including any wholesale cleaning or pressing business, and when using carbon tetrachloride, perchlorethylene, or other similar nonflammable solvents approved by the Fire Department.
18. Dry goods store, haberdashery, and wearing apparel stores.
19. Dyeing, dry cleaning and laundry works having a boiler with a steam generating capacity no greater than 1,500 lbs. of steam per hour, having no more than five employees employed at any one time on the premises, having a portion of the

premises devoted to the pickup and delivery to customers of items to be dyed, dry cleaned or laundered and which does not operate before the hours of 7 A.M. in the morning nor after the hour of 9 P.M. in the evening and which utilizes only underwriter approved nonflammable solutions and materials in its operations.

20. Electrical appliance store and repair, but not including appliance assembly or manufacturing.
21. Florist shop and conservatory for retail trade on premises only.
22. Food and fruit stores.
23. Frozen food lockers.
24. Funeral homes and mortuaries.
25. Furniture store, and upholstery.
26. Furrier, when conducted for retail trade on the premises only.
27. Garden supplies and seed stores.
28. Gift shops.
29. Hardware stores.
30. Hobby stores.
31. Hotels, including dining and meeting rooms, when business uses occupy the street frontage except for an entranceway to the hotel lobby.
32. Household appliance store and repair shops.
33. Interior decorating shops, including upholstery and making of draperies, slip covers, and other similar articles, when conducted as part of the retail operations and secondary to the main use.
34. Jewelry store and watch repair.
35. Launderette, laundromat, or similar self-service laundry or self-service dry-cleaning establishment.
36. Leather goods and luggage store.
37. Liquor store, package goods only.
38. Meat markets.
39. Medical clinics.
40. Messenger or telegraph service station.
41. News stands.
42. Offices, business and professional.
43. Off-street parking facilities in an open lot or a covered building.
44. Paint and wallpaper store.
45. Photography studio, art gallery or studio, including the developing of film and pictures when conducted as part of the retail business on the premises.
46. Plumbing showroom, without shop or repair facilities.
47. Post office.
48. Public utility collection offices.
49. Restaurant, tea room, cafe when establishment is not of the drive-in type where food is served to occupants remaining in motor vehicles.

50. Service stations, excluding any such operation which may include the repair or servicing of motor vehicles, except as defined under "Minor Automobile Repair".
51. Service stations, public garages and other motor vehicle services provided no major repair work is performed out of doors; provided all pumps, underground storage tanks, lubricating and other devices are located at least twenty (20) feet from any street right-of-way; provided all fuel, oil or similar substances are stored inside or underground, and provided all automobile parts, dismantled vehicles and similar articles are stored within a building.
53. Sporting goods store.
54. Tailor shop.
55. Theaters, indoor.
56. Tobacco stores.
57. Typewriter and office equipment sales and services.
58. Variety store.
59. Wearing apparel store.
60. Any other similar type retail store not specifically listed herein, when authorized by City Council after receipt of review and recommendations from the Planning Commission.
61. Any accessory use or building customarily incidental to the above permitted uses and as regulated by subsequent sections of this report.

B. Condition of Use. All activities except for automobile off-street parking facilities and service stations as permitted or required in this B-1 District, should be conducted wholly within an enclosed building.

C. Height of Building. The height of all buildings or structures should be a maximum of two stories, or thirty feet in height.

D. Yard Areas. No building or structure should be constructed or enlarged unless the following yards are provided and maintained in connection with such building.

1. Front Yard: No front yard should be required when all frontage between two intersecting streets lies within this district. However, when lots within this district are adjacent to and adjoining lots in an "R" District, all of which front upon the same street between two intersecting streets, there should be established the same front yard setback for all the frontage as has been established in the abutting "R" District.

Exception: When existing buildings located in this district have already established a building line at the street line at a depth less than the required above, then all new buildings should conform to the same building line, except for the first fifty feet of the B-1 District frontage adjacent to the "R" District, whereupon there should be provided a front setback of not less than ten feet.

2. Side Yard: No side yard is required except for a corner lot which abuts upon an "R" District, or upon an alley separating this district from an "R" District. There should then be provided a side yard equal to one-half the front yard required in the abutting "R" District, but in no case, more than ten feet. The same setback should apply also if business buildings front the intersecting street, commonly referred to as the side street.
3. Rear Yard: There should be a rear yard of not less than twenty feet provided, however, that a one-story accessory building may be located thereon, except for the five feet adjacent and parallel to the rear lot line or alley line, for the storage of motor vehicles and the unloading and loading of vehicles under roof as provided in Section 14 of this report.

E. Off-Street Parking and Loading Facilities. Should be provided as required in Section 18 of this report.

Section 11. B-2 Highway Business District.

A. Permitted Uses.

1. Any use permitted in the "B-1 Central Business District
2. Air conditioning and heating sales and services.
3. Automobile motor repair, sales and service shop, including automobile body repair and rebuilding, and painting of automobiles.
4. Automobile washing, including the use of mechanical conveyors, blowers, and steam cleaning.
5. Battery and tire service stations.
6. Beverage, non-alcoholic, bottling, and distributing.
7. Bicycle and motorcycle, sales, repair and rental.
8. Boat showroom.
9. Feed and seed store.
10. Motel.
11. Plumbing, heating and roofing supply shops when conducted wholly within a building.
12. Pet shop or animal hospital when conducted wholly within an enclosed building.
13. Recreation places, including bowling alley, dance halls, gymnasium, skating rink, archery range, miniature golf course, or other similar places of amusement or entertainment when operated for pecuniary profit.
14. Restaurant, non-drive-in and drive-in, car service.
15. Trailer sales or rental (house trailers) on an open lot or within a building.
16. Trailer parks for dwelling purposes.
17. Uses customarily incidental to any of the above uses and accessory buildings when located on the same premises.

- B. Height. No building or structure should exceed three (3) stories or thirty-five (35) feet in height.
- C. Lot Size. Every building hereafter erected should be on a lot having an area of not less than 10,000 square feet and a width at the established building line of not less than eighty feet, except as provided in subsequent sections of this report.
- D. Yard Areas. No building or structure should be constructed or enlarged unless the following yards are provided and maintained in connection with such building.
1. Front Yard: Each lot upon which a building is constructed should have a front yard of not less than 50 feet.
 2. Side Yard: No side yard is required, except for a lot which abuts upon an "R" District, or upon an alley separating this district from an "R" District. There should be then provided a side yard equal to twice the front yard required in the abutting "R" District, but in no case less than 40 feet.
 3. Rear Yard: There should be a rear yard of not less than forty feet, provided, however, that a one-story accessory building may be located thereon, except for the five feet adjacent and parallel to the rear lot line or alley line, for the storage of motor vehicles and the unloading and loading of vehicles under roof.
- E. Buffer Area. On lots abutting an "R" District there should be provided a twenty (20) foot wide planting strip extending the length of the lot adjoining the "R" District planted with trees and shrubs to provide a dense screen at maturity.
- F. Off-Street Parking and Loading Facilities. Should be provided as required in Section 18 of this report.

ARTICLE VII

PROVISIONS GOVERNING INDUSTRIAL DISTRICT

Section 12. I-1 General Industrial District.

Within the I-1 General Industrial District, the following regulations should apply:

A. Uses Permitted.

A general industrial use is one which creates a minimum amount of nuisance outside the plant; is conducted entirely within enclosed buildings, does not use the open area around such buildings for storage of raw materials or manufactured products or for any other industrial purpose other than transporting goods between buildings; provides for enclosed loading and unloading berths; and which is not noxious or offensive by reason by the emission of smoke, dust, fumes, gas, odors, noises, or vibrations beyond the confines of the building.

1. Wholesale businesses.
2. Storage firms.
3. Research and development organizations.
4. Contractors' yards.
5. Sheet metal shops.
6. Welding shops.
7. Machine shops.
8. Fruit canning and packing establishments.
9. Animal hospitals.
10. Bakeries.
11. Bottling works.
12. Building material yards where no mill work is done.
13. Cabinet making establishments and carpenter shops which use no motors larger than ten (10) horsepower.
14. Clothing factories.
15. Dairies.
16. Ice plants.
17. Milk distribution stations.
18. Laundries.
19. Optical goods factories.
20. Paper box factories.
21. Pencil factories.
22. Printing, publication, and engraving plants.
23. Dyeing plants.
24. Dry cleaning plants.
25. Feed yards.
26. Trucking terminals.

The following uses should be considered Special Use Exceptions and an applicant for such Special Use Exceptions should follow the procedure outlined in Section 16 of this report.

1. Bag cleaning plants.
2. Boiler and tank works.
3. Central mixing plants for cement, mortar, plaster, or paving materials.
4. Coke ovens.
5. Establishments which cure, tan, or store raw hides and skins.
6. Distillation plants for bones, coal, wood, or tar.
7. Fat rendering plants.
8. Forge plants.
9. Foundries and metal fabrication plants.
10. Above ground storage facilities for gasoline, oil, and alcohol in excess of five hundred (500) gallons.

11. Slaughterhouses and stockyards.
12. Smelting plants.
13. Plants for the manufacture of acetylene, acid, alcohol, alcoholic beverages, ammonia, bleaching powder, chemicals, brick, pottery, terra-cotta, tile, candles, disinfectants, dye-stuffs, fertilizer, illuminating or heating gas (or storage of same) linseed oil, paint, oil, turpentine, varnish, soap and tar products.

B. Conditions of Use The above permitted uses should be subject to the following:

1. Any production, processing, cleaning, servicing, testing, repair, or storage of goods, materials, or products should take place without creating disturbing influences to the use and occupancy of adjoining properties.
2. All business, production, servicing, and processing should take place within completely enclosed buildings unless otherwise specified. Within one hundred and fifty feet of the nearest point of any residential district, all storage should be in completely enclosed buildings or structures and storage located elsewhere in this district may be open to the sky, but should be enclosed by solid wall or fence, including solid doors or gates thereto, at least eight feet high but in no case lower than the enclosed storage. However, open off-street loading facilities and open off-street parking facilities for the storage of motor vehicles may be unenclosed throughout the district except for such screening of parking and loading facilities as may be required.

C. Height No building or structure should exceed six (6) stories or seventy-five feet in height.

D. Yard Areas

1. Front Yard: All buildings and structures should have a front yard depth of at least one hundred (100) feet.

Front Yards on Corner Lots: Buildings and structures placed on corner lots should observe front yard requirements on both streets.

2. Side Yard: All buildings and structures should have side yard widths of at least fifty (50) feet.
3. Rear Yard: All buildings and structures should have rear yard depths of at least fifty (50) feet.

4. Yards Adjacent to Residential Districts: All buildings and structures on lots adjacent to residential districts should be located so as to provide side yard widths or rear yard depths of at least two hundred (200) feet adjacent to such residential districts.
 5. Railroad Siding Frontage: No yards should be required for those portions of lots which front on railroad sidings.
- E. Off-Street Parking and Loading Facilities Parking and loading facilities should be provided as required or permitted in Section 18 of this report.
- F. Planting Areas.
1. Landscape development should be required to include an area of at least thirty (30) feet in width along all streets, with the exception of approved entrances which border the proposed development, to be planted and maintained with trees and shrubbery to serve as a screen for the parking and storage areas.
 2. A planting screen, consisting of suitable shrubbery and trees maintained at a twenty (20) foot height by twenty (20) foot width should be planted wherever the industrial use abuts any other use district.
- G. Performance Standards.
- The following requirements should apply.
1. Odors: No odor should be emitted by any use permitted in this district in such quantities as to be readily detectable by an average observer at any point on the boundary line of the premises or beyond.
 2. Noxious Gases: Processes and operations of permitted uses capable of dispersing gases or toxic particulates into the atmosphere should be hooded or otherwise suitably enclosed. The emission of such toxic gases or particulate matter should be from a stack.
 3. Glare and Heat: Operation producing intense light or heat should be performed within an enclosed building and not be visible beyond any lot line bounding the property whereon the use is conducted.
 4. Vibrations: No uses should be located and no equipment should be installed in such a way to produce intense, earth-shaking vibrations which are noticeable at the property lines of the subject premises.

ARTICLE VIII

PROVISIONS GOVERNING SPECIAL DISTRICTS

Section 13. S-1 Flood Plain District.

The S-1 Flood Plain District is designed to meet the needs of storm water channels to carry abnormal flows of water in time of flood; to prevent encroachments into the district which will unduly increase flood heights and damage; and to prevent the loss of life and excessive damage to property in the area of greatest flood hazard. Within the S-1 Flood Plain District, the following regulations should apply.

A. Uses Permitted.

1. Storage yards for equipment and materials not subject to major damage from flooding providing such use is accessory to a use permitted in an adjoining district; provided further that such equipment and materials should be firmly anchored to prevent the floating away and possibly further restricting bridge openings and other restricted sections of the stream during times of flood.
2. Public and private recreational uses of open land such as public parks, camps, golf courses, race tracks and archery ranges provided that all structures are firmly anchored to prevent the structure from floating away.
3. Carnivals, circuses, and similar transient amusement enterprises.
4. Railroads, streets, bridges, walkways and utility lines and easements.
5. Any other uses customarily accessory or incidental to the above uses.

B. Uses and Improvements Specifically Prohibited.

1. Structures for human habitation.
2. Land fill or dumping except as necessary in the construction or reconstruction of railroads, streets and bridges.

Section 14. S-2 Slope District.

The S-2 Slope District is designed to allow proper use of land having a cross-slope which exceeds 16%, and to prevent encroachment into the district which will unduly increase storm water run-off and damage. Within the S-2 Slope District, the following regulations should apply:

1. Any Slope Area, the average cross-slope of which exceeds 16%, should be subject to a Special Use Exception which should be in conformity with the Comprehensive Community Plan.
2. Any Slope Area, the average cross-slope of which exceeds 16%, should be considered to be extremely rugged and the development of this terrain should be limited to compatible uses as follows:
 - a. Building lots of a minimum of 3 acres.
 - b. Utility easements.
 - c. Pedestrian easements.
 - d. Parks, playgrounds, and general community open space.

Section 15. S-3 Historic Building District.

The S-3 Historic Building District is designed to preserve and protect buildings, places, and areas of historic and architectural interest within the city and to prevent incompatible encroachments into the district.

- A. Permitted Uses. Any uses permitted in the "R-1 One-Family Dwelling District".
- B. Height. The same regulations should apply as required or permitted in the "R-1 One-Family Dwelling District".
- C. Lot Size.
 1. Every one-family detached dwelling, convent, monastery, rectory or parish house hereafter erected should be on a lot having an area of not less than seven thousand five hundred (7,500) square feet, and a width at the established building line of not less than sixty-five feet, except as provided in Section 17 of this report.
 2. Churches and similar places of worship hereafter erected or structurally altered should be on a lot having an area of not less than one-half acre and a width at the building line of not less than eighty-five feet.
 3. Public and private schools - same regulations should apply as required or permitted in the "R-1 One-Family Dwelling District".
- D. Yard Areas. No building or structure should be erected or enlarged unless the following yards are provided and maintained in connection with such building, structure or enlargement.

1. Front Yard Each lot upon which a dwelling is constructed should have a front yard of not less than twenty-five feet.
2. Side Yard On each lot upon which a dwelling is constructed, there should be a side yard on each side of not less than ten feet. The combined total of the side yards for interior lots should not be less than twenty-five feet and the combined total of side yards for corner lots should not be less than thirty feet. The side yard on each side of a building on a lot of record which is less than sixty-five (65) feet in width, should have a width of ten per cent of the width of the lot but should not be less than six feet.

On lots upon which a church or similar place of worship is constructed or extension made to an existing church or similar place of worship, there should be a side yard of not less than fifteen (15) feet on each side of the main structure and a combined total of side yards of not less than thirty-five (35) feet.

3. Rear Yard. Every lot or parcel of land upon which a building is constructed should have a rear yard of not less than twenty-five feet, or twenty per cent of depth of lot, whichever is larger, but it need not exceed thirty-five (35) feet.
- E. Percentage of Lot Coverage. All buildings including accessory buildings should not cover more than 30 per cent of the area of the lot.
- F. Parking Facilities. Parking facilities should be provided as required or permitted in Section 18 of this report.
- G. Special Considerations.
1. Within this district, no building or structure should hereafter be erected, reconstructed, altered, or restored unless and until the application for the building permit should have been approved as to exterior architectural features which are subject to public view from a public street, way, or place by the Commission.
 2. No building within the historic district should be razed without obtaining a permit approved by the Commission, and said Commission should be empowered to refuse a permit for any structure of such architectural or historic interest, the removal of which in the opinion of the Commission would be detrimental to the public interest of the city.

ARTICLE IX

SUPPLEMENTARY REGULATIONS

Section 16. Special Use Exceptions, Requirements and Procedure.

- A. The Special Exceptions listed in Figure 1 and their accessory buildings and uses may be permitted by the Planning Commission and City Council in the districts indicated therein, in accordance with the procedure set forth in this section and the requirements listed in Figure 1.
- B. Upon receipt of an application for a permit for a Special Use Exception by the Building Inspector, it should be referred to the Planning Commission for investigation as to the manner in which the proposed location and character of the Special Use Exception will affect the Comprehensive Community Plan and how the standards in Figure 1 are applied. The Planning Commission should report the results of its study to the City Council within sixty days following receipt of the application. If no such report has been filed with the City Council within this time period, the City Council should be permitted to proceed to process the application.

A fee of Thirty-Five Dollars should be paid to the Clerk of the City of Glasgow at the time the application is filed, and an additional fee of \$15.00 should be paid to the City Clerk prior to the time publication of "Notice of Public Hearing" is ordered by the Council of the city. All fees received hereunder by the City Clerk should be paid over to the city to the credit of the General Revenue Fund of the city.

The City Council should then conduct a public hearing after 15 days notice thereof has been given. Following the hearing and upon an affirmative finding by the City Council that:

1. The proposed Special Use Exception is to be located in a district wherein such use may be permitted, and
2. The requirements set forth in Figure 1 for such Special Use Exception will be met, and
3. The Special Use Exception is consistent with the spirit, purpose, and intent of the Comprehensive Community Plan, will not substantially and permanently injure the appropriate use of neighboring property, and will serve the public convenience and welfare.

The city should order the Building Inspector to issue a Zoning Certificate for the Special Use Exception.

FIGURE 1

SPECIAL USE EXCEPTIONS AND REQUIREMENTS

	<u>District(s) in Which Use May Be Permitted</u>	<u>Requirement Designation</u>
Artificial lake of 1 or more acres	R-1, S-1, S-2	i1, j2, p, r1, u1, w
Billboards	B-2, I-1	p, u3
Crematory or cemetery	All R Districts, S-2	b11, c2, p, q, r1, v, w
Greenhouse, commercial	R-1	b4, c6, f2, h1, k7, m4, n1, r1, v, w
Hospital or sanatorium	All R Districts	b7, c6, g, h5, j1, k9, l2, m5, n1, p, s, t, v
Industrial park or industrial special	I-1	a1, b10, c7, d3, g, h3, j2, k10, l4, n2, o, p, q, r1, s, t, v, w
Junk yard	B-2	c1, e, h1, i4, k11, l5, m2, n3, r1, v, w, y
Kindergarten or day nursery	All R Districts	b6, c8, f3, h1, i3, j1, k12, r1, v
Mineral extraction, borrow pit, top soil removal, and their storage area	I-1, S-1, S-2	c9, e, h1, i5, j1, n3, r1, s, t, u3, v2
Outdoor theater	B-2	c6, i6, k11, p, r1, s, t, v, w
Outdoor commercial recreational enterprise	B-2, S-1	c4, d1, g, h1, i1, j3, k14, l2, n1, p, r2, s, t, v, w
Power transmission line	All Districts	p

	<u>District(s) in Which Use May Be Permitted</u>	<u>Requirement Designation</u>
Practice golf-driving range	B-2	c6, i7, j3, k16, i2, r1, v
Private recreational development	All Districts	c4, g, h1, j3, k2, i2, r1, v, w
Produce or stockyard terminal, wholesale	I-1	b10, c7, d3, e, h1, i8, j1, k11, l4, m3, n2, p, r1, s, t, v, w
Public or commercial sewage or garbage disposal plant	I-1	b11, c11, e, k19, r1, u1, v, w
Public or employee off-street parking areas	All Districts	b2, p, r1, s, t, v, x, y
Public park or public recreational facilities	All Districts	c4, g, h1, j2, k21, l2, t, v, w
Public utility substation or exchange, including telephone exchange	All Districts	c1, g, j4, k18, r1, v
Radio or television tower	I-1, S-2	k19, p, r1, v
Railroad right-of-way and uses essential to railroad operations	All Districts	h1, k20, r1, v
Riding stable	R-1, S-2	b5, c10, h1, j1, k21, m1, r1, v, w
Shopping center	B-2	a2, b7, g, j1, k23, i3, m3, n1, o, p, s, t, u1, v
Trailer park	B-2	p, u3
Truck freight terminal	B-2, I-1	c1, e, j1, k25, l4, n2, p, r1, s, t, v, w

NOTE: Use of # symbol in the figure indicates that the requirements of the District apply to the district where located.

- a. CLASSIFICATION OF USE PERMITTED
1. General Industrial
 2. Local Business
- b. MINIMUM LOT AREA
1. #
 2. 1,500 sq. ft.
 3. 110 sq. ft. per child
 4. 25,000 sq. ft.
 5. 20,000 sq. ft. plus 5,000 sq. ft. per horse over four (4) horses
 6. One acre
 7. 5 acres
 8. 5 acres including 2,500 sq. ft. per mobile home stand
 9. 6 acres
 10. 20 acres
 11. 40 acres
 12. 80 acres
 13. 320 acres
 14. Two times requirement for single family dwelling
 15. 2 acres
- c. MINIMUM YARDS (feet)
- | | Front | Side (each) | Rear |
|-----|-------|----------------------------|------|
| 1. | # | # | # |
| 2. | # | 50 | 50 |
| 3. | # | 10 | 30 |
| 4. | # | 40 | 40 |
| 5. | # | -- | -- |
| 6. | 100 | 40 | 40 |
| 7. | 100 | Abutting Residential = 200 | |
| | | Abutting Other Use = 200 | |
| 8. | # | 20 | # |
| 9. | 150 | 150 | 150 |
| 10. | 100 | 100 | 100 |
| 11. | 300 | 300 | 300 |
- d. BUILDING SETBACK FROM CENTER LINE OF INTERIOR ROAD
1. 40 feet
 2. 50 feet
 3. 85 feet
- e. USE PERMITTED NOT CLOSER THAN 300 FEET TO A RESIDENTIAL USE
- f. MINIMUM GROSS FLOOR AREA OF PRINCIPAL BUILDING(S) (Square feet)
1. #
 2. Over 1,000
 3. Determined by number of children to be accommodated
 4. 400
 5. Two times single family dwelling
 6. 672
- g. PLAN OF LANDSCAPE DEVELOPMENT TO BE SUBMITTED WITH APPLICATION
- h. MAXIMUM HEIGHT OF STRUCTURE (Feet)
1. #
 2. As required by appropriate State or Federal Agency
 3. Same as General Industrial
 4. 45
 5. 70
 6. 25
- i. FENCE
1. 6-foot wire mesh fence where accessible to the public
 2. 6-foot wire mesh when located at ground level
 3. 4-foot wire mesh around play area
 4. Solid wall or solid painted fence 8 feet high

i. FENCE (Continued)

5. 4-foot wire mesh abutting residential use
6. Painted board fence 8 feet high
7. Adequate to protect abutting use
8. 6-foot wire mesh
9. 6-foot solid painted for refuse dump
10. 6-foot wire mesh abutting residential use

j. SCREEN PLANTING WHERE ABUTTING RESIDENTIAL USE

(Tight screen, effective at all times)

1. 6-foot height by 6-foot width
2. 40 feet abutting residential district or use
3. 8-foot height by 6-foot width
4. Adequate to screen power substation from street view
5. 7-foot high along streets for refuse dump

k. PARKING SPACES

1. 1 per 2 employees plus 1 per 4 seats in waiting room
2. 1 per 2 customers or members
3. 1 per 2 employees plus 3 per doctor
4. 1 per 3 employees plus 1 per 6 students
5. 30
6. 1 per 3 employees per shift
7. 1 per 3 employees plus 1 per 125 sq. ft. of sales area
8. 1 additional
9. 1 per 4 beds plus 1 per doctor plus 1 per 3 employees plus 1 per hospital vehicle
10. 1 per 2 employees on largest shift
11. 1 per 2 employees
12. 1 per 2 employees plus 1 per 5 children to be accommodated

k. PARKING SPACES (Continued)

13. 1 per 2 employees plus 1 per mobile home stand
14. 1 per 3 employees plus 1 per 500 sq. ft. of use area
15. 1 per 3 employees plus 1 per 10 inmates at estimated capacity
16. 1 per 3 employees plus 1 per driving tee
17. 1 per camp site and 1 per cabin
18. Telephone exchange - 1 per employee
19. 1 per employee per shift
20. 1 per 2 employees where headquartered
21. 1 per 5,000 square feet
22. One
23. 1 per 60 sq. ft. of sales area
24. 3 per 4 employees plus 1 per 4 seats
25. 1 per 2 employees plus 4 for customers
26. 1 per employee plus 1 per sleeping accommodation
27. Two
28. 1 per employee plus 1 for each 6 seats in main auditorium

l. DISTANCE OF PARKING AREA FROM RESIDENTIAL USE (Feet)

1. 10
2. 25
3. 50
4. 100
5. 300

m. NUMBER OF LOADING AND UNLOADING BERTHS (Should not face or bordering highway)

1. 1
2. 2
3. Per development plan
4. 15,000 sq. ft.-1; over 15,000 ft.-2
5. Up to 200 beds-1; 200 to 500 beds-2; over 500 beds-3

- n. DISTANCE OF LOADING AND UN-
LOADING BERTH FROM RESIDENTIAL
USE (Feet)
 - 1. 50
 - 2. 100
 - 3. 300
- o. PLAT APPROVED BY THE COMMIS-
SION TO BE SUBMITTED WITH APPLI-
CATION
- p. DEVELOPMENT PLAN TO BE SUB-
MITTED WITH APPLICATION
- q. COVENANT BY OWNERS TO PERPETU-
ATE MAINTENANCE AND APPROVE
FUTURE IMPROVEMENTS
- r. MAXIMUM NUMBER OF PRINCIPAL
ENTRANCE FROM MAJOR THOROUGH-
FARE
 - 1. 1
 - 2. 2
- s. ACCEPTABLE RELATIONSHIP TO MAJOR
THOROUGHFARE
- t. THOROUGHFARES MUST BE ADE-
QUATE TO CARRY ADDITIONAL
TRAFFIC ENGENDERED BY USE
- u. OTHER AUTHORITY APPROVAL
REQUIRED
 - 1. State Board of Health
 - 2. Aeronautics Commission
 - 3. Special City Ordinance
- v. OUTDOOR ARTIFICIAL LIGHTING
SHOULD BE APPROVED BY THE COM-
MISSION
- w. DISPOSAL OF LIQUID AND OTHER
WASTES SHOULD MEET THE APPROVAL
OF THE PERTINENT HEALTH AUTHORI-
TIES
- x. NO SALES, DEAD STORAGE, REPAIR
WORK OR DISMANTLING ON THE LOT
- y. EXCEPT FOR APPROVED EXITS AND
ENTRANCES, A MASONRY WALL 4-
FEET IN HEIGHT AND 6-INCHES THICK
ERECTED AT REQUIRED FRONT LINE
OF BUILDING AND MAY BE REQUIRED
ALONG BOUNDARIES OF PARKING
AREA AS DETERMINED BY THE COMMIS-
SION FOR THE PROTECTION OF RESI-
DENTIALLY ZONED OR USED
PROPERTY

- C. An existing lawful use which is listed herein as a Special Use Exception, and which is located in a district in which such Special Use Exception may be permitted, should be considered a Conforming Use.
- D. Any expansion of such Special Use Exception involving the enlargement of the buildings, structures, and land area devoted to such use should be subject to the procedure described in this section.
- E. If the nature of the Special Use Exception involves more than one of those listed in Figure 1, the applicant may apply for a permit for the Special Use Exception which most closely relates to the primary use; provided that the requirements of all related uses are met.

Section 17. Additional Height, Area, and Yard Regulations.

The district regulations hereinafter set forth in this section qualify or supplement, as the case may be, the district regulations appearing elsewhere in this report

A. Additional Height Regulations.

- 1. Single family dwellings and two family dwellings may be increased in height by not more than ten feet when the side and rear yards are increased over the yard requirements of the district in which they are located by not less than ten feet each, but they should not exceed three stories in height
- 2. Chimneys, cooling towers, elevator bulkheads, fire towers, monuments, stacks, stage towers, or scenery lofts, tanks, water towers, ornamental towers and spires, radio towers, or necessary mechanical appurtenances, may be erected to a height in accordance with existing or future ordinances of the City of Glasgow.

B. Additional Area Regulations:

- 1. No accessory building should be constructed upon a lot until the construction of the main building has been actually commenced, and no accessory building should be used for dwelling purposes unless the main building on the lot is also being used for dwelling purposes.
- 2. More than one industrial, commercial, multiple dwelling or institutional building may be erected upon a single lot or tract, but the yards and open spaces required around the boundaries of the lot or tract should not be encroached upon by any such buildings, nor should there be any change in the intensity of use requirements.

When more than one multiple dwelling building is erected upon a single lot or tract, the minimum distances between main buildings should be the following:

- a. Front to front, seventy feet; front to rear, sixty feet.
 - b. Side to side, one-half the height of the taller building but not less than twenty feet.
 - c. Front to side or rear to side, the height of the taller building but not less than thirty feet.
 - d. Rear to rear, fifty feet.
3. Where an open space is more than fifty per cent surrounded by building, the minimum width of the open space should be thirty feet for one-story buildings, forty feet for two-story buildings, and fifty feet for three-story buildings.

C. Additional Yard Regulations:

1. In computing the depth of a rear yard, where such yard opens onto an alley, one-half of the alley width may be included as a portion of the rear yard.
2. Accessory buildings which are not a part of the main building may be built in a rear yard within five feet of the rear lot line. An accessory building which is not a part of the main building should not occupy more than thirty per cent of the required rear yard.
3. Every part of a required yard should be open to the sky, unobstructed, except for accessory buildings in a rear yard, and except for the ordinary projections of skylights, sills, belt courses, cornices, and ornamental features projecting not to exceed twelve inches. This requirement should not prevent the construction of fences not exceeding eight feet in height, except on that portion of lots within thirty feet of the intersection of two or more streets.
4. Open, or lattice-enclosed fire escapes, fireproof outside stairways, and balconies opening upon fire towers projecting into a yard not more than five feet and the ordinary projections of chimneys and flues may be permitted by the Building Inspector.
5. For the purposes of side yard requirements, a two family dwelling should be considered as one building occupying a single lot.
6. An open unenclosed porch not more than one story in height or paved terrace may project into the required front yard for a distance not exceeding ten feet. An enclosed vestibule containing not more than forty square feet may project into the required front yard for a distance not to exceed four feet.

7. Terraces, uncovered porches, platforms, and ornamental features which do not extend more than three feet above the floor level of the first (ground) story may project into a required yard, provided these projections be distant at least two feet from the adjacent side lot line.
8. When forty per cent of a frontage is developed with two or more buildings, then the depth of the front yards heretofore established should be adjusted in the following manner:
 - a. When the building furthest from the street provides a front yard not more than ten feet deeper than the building closest to the street, then the average depth of the front yard for such frontage should be the minimum depth of front yard for new buildings in such block.
 - b. When the above is not the case and the lot is within one hundred feet of an existing building on each side, excluding, however, buildings on corner lots which front upon the intersecting street, then the depth of the front yard is determined by a line drawn from the closest front corners of these two adjacent buildings.
 - c. When neither paragraph (a) or (b) is the case and the lot is within one hundred feet of an existing building on one side only, excluding, however, buildings on corner lots which front upon the intersecting street, then the depth of the front yard is the same as that of the existing adjacent building.
9. In all districts a triangular space must be maintained at the street corner of a corner lot, free from any kind of obstruction to vision between the heights of three (3) and twelve (12) feet above the established street grade. The street grade is measured at the intersection of the center lines of the intersecting street pavements, and the triangular space is determined by a diagonal line connecting two points measured fifteen (15) feet equidistant from the intersection of the property lines or the property lines extended on the corner of the lot using each of the street right-of-way lines.
10. In single family dwelling districts "R-1 and R-2", when eighty per cent (80%) of the frontage of a block on both sides of the street between two intersecting streets or between an intersecting street and a cul-de-sac has been developed with main buildings and accessory buildings with side yards less than that required by the dwelling district in which said property is situated, then the side yard requirement for any main buildings or accessory buildings in said block should be the average side yard of all parcels of property in said block rather than the side

yard set forth in the dwelling district in which said parcel of property is situated. In determining the existing side yard of any developed parcel, in order to compute the average herein required, the side yard of the main building on any developed parcel should be used except that when an accessory building exists with a smaller side yard than the main building has, the side yard should be taken as being the average between the side yard of the main building and the side yard of the accessory building.

Section 18. Off-Street Parking and Loading Requirements.

A. General Provisions.

1. Procedure. An application for a building permit for a new or enlarged building, structure, or use should include therewith a plot plan, drawn to scale, and fully dimensioned showing any off-street parking or loading facilities to be provided in compliance with the requirements of this report.
2. Extent of Control. The off-street parking and loading requirements of this report should apply as follows:
 - a. All buildings and structures erected and all land uses should provide accessory off-street parking or loading facilities as required hereinafter for the use thereof.
 - b. When a building or structure erected or enlarged prior to or after the effective date of this report should undergo a decrease in number of dwelling units, gross floor area, seating capacity, number of employees, or other unit of measurement specified hereinafter for required off-street parking or loading facilities, and further, when said decrease would result in a requirement for fewer total off-street parking or loading spaces through application of the provisions of this report, off-street parking and loading facilities may be reduced accordingly, provided that existing off-street parking or loading facilities is so decreased only when the facilities remaining would at least equal or exceed the off-street parking or loading requirements resulting from application of the provisions of this report to the entire building or structure as modified.
 - c. When a building or structure undergoes any increase in number of dwelling units, gross floor area, seating capacity, or other unit of measurement specified hereinafter for required off-street parking or loading facilities, and further, when said increase would result in a requirement for additional total off-street parking or loading spaces through application of the provisions of this report,

parking and loading facilities should be increased so that the facilities would at least equal or exceed the off-street parking or loading requirements resulting from application of the provisions of this report to the entire building or structure as modified.

3. Existing Off-Street Parking and Loading Spaces. Accessory off-street parking and loading spaces in existence on the effective date of any new Zoning Ordinance may not be reduced in number unless already exceeding the requirements of this section for equivalent new construction; in which event, said spaces should not be reduced below the number required herein for such equivalent new construction.

4. Schedule of Requirements.

- a. Tables for required off-street parking and loading. Requirements governing the number and location of off-street parking, off-street loading facilities in relation to the use of property are established hereinafter in subsections of this report. The off-street parking and loading requirements for any use not specified therein should be the same as for similar specified use, as determined below.
- b. Floor Area. The term "floor area" as employed in this section means the gross floor area of a building or structure used for or intended to be used for service to the public as customers, patrons, clients, patients, or tenants, including areas occupied by fixtures and equipment used for display of any sale of merchandise.

"Floor area" for the purposes of this section should not include any floor space used for:

- (1) Storage accessory to the principal use of a building.
- (2) Incidental repairs.
- (3) Stairways and elevators.
- (4) Show windows.
- (5) Rest rooms.
- (6) Utilities.
- (7) Dressing, fitting, or alteration rooms.

- B. Additional Regulations - Parking.

1. Use of Off-Street Parking Facilities. Off-street parking facilities accessory to residential use and developed in any residential district in accordance with the requirements of this section should be used solely for the parking of passenger

automobiles or commercial vehicles of not more than one (1) ton GVW owned by occupants of the dwelling structures to which such facilities are accessory or by guests of said occupants.

2. Joint Parking Facilities. Off-street parking facilities for different buildings, structures, or uses, or for mixed uses, may be provided collectively in any zoning district in which separate off-street parking facilities for each constituent use would be permitted, provided that the total number of spaces so located together are not less than the sum of the separate requirements for each use and not more than 300 feet from the lot on which the main building is located.

In any case where the required parking spaces are not located on the same lot with the building or use served, or where such spaces are collectively or jointly provided and used, a written agreement thereto assuring their retention for such purposes, should be properly drawn and executed by the parties concerned, approved as to form and execution by the City Attorney, and should be filed with the application for a building permit

3. Not more than fifty per cent of the parking spaces required for (a) theaters, and places of amusement, and up to one hundred per cent of the parking spaces required for a church or school may be provided and used jointly by (b) banks, office, retail stores, repair shops, service establishments, and similar uses not normally open, used, or operated during the same hours as those listed in (a); provided, however, that written agreement, assuring the retention for such purpose, should be properly drawn and executed by the parties concerned, approved as to form and execution by the City Attorney, and should be filed with the application for a building permit.

4. Control of Off-Site Facilities. When required accessory off-street parking facilities are provided elsewhere than on the lot on which the principal use served is located, they should be in the same possession, either by deed or long-term lease, as the property occupied by such principal use, and the owner should be bound by covenants filed of record in the office of the City Clerk, requiring the owner and his or her heirs and assigns to maintain the required number of off-street parking spaces during the existence of the principal use.

5. Permitted Districts for Accessory Parking. Accessory parking facilities provided elsewhere than on the same zoning lot with the principal use served in accordance with the requirements below, may be located in any zoning district except as follows:

- a. No parking facilities accessory to a business or manufacturing use should be located in a residential district except where authorized by the City Council as prescribed hereinafter.

6. Non-Residential Parking in Residential Districts. Accessory off-street parking facilities serving non-residential uses of property may be permitted in any R District, when authorized by the City Council after review and study by the Planning Commission, subject to the following requirements in addition to all other relevant requirements.
- a. The parking lot should be accessory to, and for use in connection with, one or more non-residential establishments located in adjoining districts or in connection with one or more existing professional or institutional office buildings or institutions, if the parking lot proposed is within three hundred (300) feet of the non-residential use which it is to serve.
 - b. The parking lot should be used solely for the parking of passenger automobiles.
 - c. No commercial repair work or service of any kind should be conducted on the parking lot.
 - d. No sign of any kind other than signs designating entrances, exits, and conditions of use, should be maintained on the parking lot, and should not exceed twenty square feet in area.
 - e. Each entrance to and exit from the parking lot should be at least twenty feet distant from any adjacent property located in any residential district, except where ingress and egress to the parking lot is provided from a public alley or public way separating the residential areas from the proposed parking lot.
 - f. In addition to the foregoing requirements, such parking lots should conform to any further requirements and conditions as may be prescribed by the City Council for the protection of properties adjacent to and in the vicinity of the proposed parking lot.

7. Design and Maintenance.

- a. Parking Space - Description. A required off-street parking space should be an area of not less than one hundred and eighty square feet nor less than nine (9) feet wide by twenty (20) feet long measured perpendicularly to the sides of the parking space exclusive of access drives or aisles, ramps, columns, or office and work areas, accessible from streets or alleys or from private driveways or aisles leading to streets or alleys and to be used for the storage or parking of passenger automobiles or commercial vehicles under one and one-half ton capacity. Aisles between vehicular parking spaces should be

not less than twelve feet in width when serving automobiles parked at a forty-five degree angle in one direction nor less than twenty-five feet in width when serving automobiles parked perpendicularly.

- b. Measurement of Space. When determination of the number of required off-street parking spaces results in a requirement of a fractional space, any fraction up to and including one-half should be disregarded, and fractions over one-half should be interpreted as one parking space.
- c. Access. Parking facilities should be designed with appropriate means of vehicular access to a street or alley in such a manner as will least interfere with the movement of traffic and so designed as to permit adequate maneuvering area for vehicles to turn around where only one entry or exit is provided in order that no backing of vehicles into the street is required. No driveway or curb cut in any district should exceed twenty-five (25) feet in width.
- d. Signs. No signs should be displayed in any parking area within any residential district, except such as may be necessary for the orderly use of the parking facilities.
- e. Striping. All parking spaces should be properly marked by durable paint in stripes a minimum of four (4) inches wide and extending the length of the parking space.
- f. Required Setbacks. No parking space nor portion thereof established on the same zoning lot with a building should be located within a required front yard. No parking spaces nor portion thereof established on a zoning lot without a building should be located closer to any street line than the established building line on adjacent properties nor closer than the front yard setback required for the district in which the parking lot is located. Further, any wall, fence, or hedge developed around any parking area should be subject to the front yard setback requirements of this report in the same manner as a building or structure.
- g. Surfacing. All open off-street parking areas, except those accessory to single family dwellings, should be improved with a compacted base, not less than four inches thick, surfaced with not less than one and one-half inches of asphaltic concrete or some other comparable all-weather dustless material.
- h. Lighting. Any lighting used to illuminate an off-street parking area should be arranged so as to reflect the light away from all adjoining properties.

- i. Storm Water. Adequate storm water drainage facilities should be installed in order to insure that storm water does not flow onto abutting property or abutting sidewalks in such a way or quantity that pedestrians using the sidewalk would be detrimentally affected or inconvenienced. The City Engineer should approve all such facilities.

C. Location of Parking Areas.

1. Extent of Control. Off-street automobile parking facilities should be located as hereinafter specified; where a distance is specified, such distance should be walking distance measured from the nearest point of the parking area to the nearest entrance of the building that the parking area is required to serve.
 - a. For one and two family dwellings - on the same lot with the building they are required to serve.
 - b. For three and four family dwellings not over two stories in height, row dwellings, not over one and one-half stories in height - on the same lot or parcel of land as the building they are required to serve. For the purpose of this requirement, a group of such uses constructed and maintained under a single ownership or management should be assumed to be on a single lot or parcel of land.
 - c. For clubs, hospitals, sanitariums, orphanages, homes for the aged, convalescent homes, and for other similar uses - the off-street parking facilities required should be on the same lot or parcel of land as the main building or buildings being served, or upon properties contiguous to the zoning lot upon which is located the building or buildings they are intended to serve.
 - d. For uses other than those specified above, off-street parking facilities should be provided on the same lot or parcel of land as the main building being served, or on a separate lot or parcel of land not over one thousand feet from any entrance of the main building measured from the nearest point of the parking area, provided the separate lot or parcel of land intended for the parking facilities is located in the same district as the principal permitted use or in a less restricted district.

D. Schedule of Off-Street Parking Requirements.

1. One and two family dwellings. One parking space for each family dwelling unit, behind the building line.

2. Three or more family dwellings. One and one-half parking space for each family dwelling unit.
3. Bowling alleys, recreation centers, swimming pools, skating rinks, and other recreation and amusement facilities. One parking space for every five (5) customers computed on the basis of maximum servicing capacity at any one time plus one (1) additional space for every two (2) persons regularly employed on the premises.
4. Club houses and permanent meeting places of veterans, business, civic, fraternal, labor, and similar organizations. One (1) parking space for every fifty (50) square feet of aggregate floor area in the auditorium, assembly hall and dining room of such building plus one (1) additional space for every two (2) persons regularly employed on the premises.
5. Funeral homes and undertaking establishments. Parking or storage space for all vehicles used directly in the conduct of the business plus one (1) parking space for every two (2) persons regularly employed on the premises and one (1) space for every four (4) seats in the auditorium or chapel of such establishment.
6. Hospitals. One (1) parking space for each bed intended for patients, excluding bassinets, plus one (1) per doctor plus one (1) per three (3) employees plus one (1) per hospital vehicle.
7. House trailers. One (1) parking space for each trailer used for dwelling or sleeping purposes.
8. Indoor retail businesses. Parking or storage space for all vehicles used directly in the conduct of such business plus three (3) parking spaces for the first one thousand (1,000) square feet of total area and one (1) additional space for every additional two hundred (200) square feet of floor area.
9. Industrial plants and facilities. Parking or storage space for all vehicles used directly in the conduct of such industrial use plus one (1) parking space for every two (2) employees on the premises at maximum employment on a single shift.
10. Junior and senior high schools. One (1) parking space for every eight (8) seats available at maximum capacity in the assembly hall, auditorium, stadium, or gymnasium of greatest capacity on the school grounds or campus. If the

school has no assembly hall, auditorium, stadium, or gymnasium, one (1) parking space should be provided for each person regularly employed at such school plus two (2) additional spaces for each classroom.

11. Libraries, museums, post offices, and similar establishments. Parking or storage space for all vehicles used directly in the operation of such establishments plus three (3) parking spaces for the first one thousand (1,000) square feet of total floor area and one (1) additional space for every additional two hundred (200) square feet of floor area.
12. Medical and dental clinics. Three (3) parking spaces for each doctor plus one (1) additional space for every two (2) regularly employed.
13. Nursing homes. One (1) parking space for every two (2) beds occupied at maximum capacity, plus one (1) space for every two (2) regular employees. This requirement is in addition to the parking space requirements for hospitals set forth in Section 14.
14. Offices. One (1) parking space for every three hundred (300) square feet of office space.
15. Outdoor retail businesses. Parking or storage space for all vehicles used directly in the conduct of such business plus two (2) parking spaces for each person employed on the premises based on maximum seasonal employment and such additional space as may be required by the Planning Commission based on the nature of the business and other relevant factors.
16. Public and private elementary schools. One (1) parking space for each person regularly employed at such school, plus one (1) additional space for each classroom.
17. Public garages. Indoor or outdoor parking or storage space for all vehicles used directly in the conduct of such business plus three (3) parking spaces for each person regularly employed on the premises.
18. Repair shops, plumbing shops, electrical shops, roofing shops, and other service establishments. Parking or storage space for all vehicles used directly in the conduct of the business plus two (2) parking spaces for each person regularly employed on the premises.
19. Restaurants and other eating and drinking establishments. One (1) parking space for every two hundred (200) feet of total floor area.

20. Self-service laundries. One (1) parking space for every two (2) washing machines.
21. Service stations. Parking or storage space for all vehicles used directly in the conduct of the business plus one (1) parking space for each gas pump, three (3) spaces for each grease rack or similar facility, and one (1) space for every two (2) persons employed on the premises at maximum employment on a single shift.
22. Theaters, auditoriums, churches, stadiums, civic centers, and other places of public assembly. One (1) parking space for every six (6) seats available at maximum capacity.
23. Motels and hotels. One and one-half (1 1/2) parking spaces for each sleeping room offered for tourist accommodation plus one (1) space for each dwelling unit on the premises.
24. Transportation terminals. One (1) parking space for every one hundred (100) square feet of waiting room space.
25. Universities, colleges, junior colleges, technical schools, and academies, and similar institutions of higher learning. One (1) parking space for every six (6) seats occupied at maximum capacity in the assembly hall, auditorium, stadium, or gymnasium of greatest capacity on the campus. If the institution has no assembly hall, auditorium, stadium, or gymnasium, one (1) parking space should be provided for each person regularly employed at such institution plus five (5) additional spaces for each classroom.
26. Warehouses, freight terminals, and trucking terminals. Parking or storage space for all vehicles used directly in the conduct of such business plus two (2) parking spaces for each person regularly employed on the premises.
27. Wholesale businesses. Parking or storage space for all vehicles used directly in the conduct of such business plus two (2) parking spaces for each person employed on the premises based on maximum seasonal employment.

E. Design and Schedule of Off-Street Loading and Unloading Space.

1. Design.

- a. Loading Berth - Description. An off-street loading berth should be a hard-surfaced area of land, open or enclosed, other than a street or public way,



- c. Warehouses and Wholesale Storage Facilities. One (1) off-street loading and unloading space at least twelve (12) feet by fifty (50) feet for every seventy-five hundred (7,500) square feet of total floor area.
- d. Freight Terminals and Trucking Terminals. One (1) off-street loading and unloading space at least twelve (12) feet by fifty (50) feet for every five thousand (5,000) square feet of total floor area.

Section 19. Community Unit Plan.

- A. The owner or owners of any tract of land in any district zoned for residential purposes comprising an area of not less than four acres may submit to the City Council a plan for the use and development of all of such tract of land for residential purposes. Such development plan should be referred to the Planning Commission for study and report and for public hearing.
- B. If the Planning Commission approves the development plan, it may then be approved by the City Council after public hearing and 15 day notice giving time and place and purpose in a newspaper circulated in the city, and zoning certificates, building permits and certificates of occupancy issued therefor, even though the use of land and the use and location of structures do not conform to all the regulations contained in other sections of this report. Such development plan should not be approved except under the following conditions:
 - 1. That under the development plan, the property adjacent to the area included in the plan is properly safeguarded.
 - 2. That the plan is consistent with the intent and purpose of this report to promote public health, safety, morals, and general welfare.
 - 3. That the buildings should be used only for residential purposes and the usual accessory uses, such as garages, storage space, and community activities, including churches.
 - 4. That the average lot area per family contained in the site, exclusive of the area occupied by streets, should not be less than the lot area per family of the zoning district in which the development is located.
 - 5. That at least 250 square feet of area per family unit be set aside and maintained for playground recreation area.

6. Assurance should be required from the developer that the project will be used for the specified purposes and the City Council may require an agreement restricting the area to such uses.

ARTICLE X

NONCONFORMING USES AND BUILDINGS

Section 20. Nonconforming Uses and Buildings.

- A. The lawful use of land and advertising signs and bulletin boards which do not conform to the provisions of this report should be discontinued within one year from the date of the approval of any new Zoning Ordinance and the use of land and signs and bulletin boards which become nonconforming by reason of a subsequent change in that ordinance should also be discontinued within one year from the date of the change.
- B. The lawful use of a building existing at the time of the effective date of a new Zoning Ordinance may be continued, although such use does not conform to the provisions of this report. If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of the same or of a more restricted classification. Whenever a nonconforming use has been changed to a more restricted use or to a conforming use, such use should not thereafter be changed to a less restricted use.
- C. Whenever the use of a building becomes nonconforming through a change in zoning requirements or district boundaries, such use may be continued and if no structural alterations are made, it may be changed to another nonconforming use of the same or of a more restricted classification.
- D. Whenever a nonconforming use of a building or structure, or part thereof, has been discontinued for a period of twelve consecutive months, or for a continuous period of eighteen months if the building was originally designed and constructed for a nonresidential use, such use should not, after being discontinued or abandoned, be re-established, and the use of the premises thereafter should be in conformity with the regulations of the district.
- E. Where no enclosed building is involved, discontinuance of a nonconforming use for a period of six months should constitute abandonment.
- F. No existing building or premises devoted to a use not permitted in the district in which such building or premises is located, except when required to do so by law

or order, should be enlarged, extended, reconstructed, or structurally altered, unless such use is changed to a use permitted in the district in which such building or premises is located.

- G. Any building or structure containing a nonconforming use which is damaged by fire, flood, wind, or other act of God or man to the extent of fifty (50) per cent or more of its fair sales value immediately prior to damage should not be repaired or reconstructed except in conformity with the provisions of this report. In the event that the Building Inspector's estimate of the extent of damage of fair sales value is not acceptable to the applicant for the building permit to repair or reconstruct such building or structure, the applicant may appeal to the Board of Adjustment.
- H. No building or structure designed or intended to be utilized for a nonconforming use should be constructed or allowed unless construction is already underway at the time of the enactment of subsequent amendment of a new Zoning Ordinance and is being diligently prosecuted so that such building or structure will be completed within eighteen (18) months from the time of the enactment or subsequent amendment of a new Zoning Ordinance. All outstanding building permits for construction which do not meet these requirements should be rendered null and void by the enactment or subsequent amendment of a new Zoning Ordinance.

ARTICLE XI

ADMINISTRATION AND ENFORCEMENT

Section 21. Building Permit.

- A. No building or structure should be erected, added to, or structurally altered until a permit has been issued by the Building Inspector. Except upon a written order of the Board of Adjustment, no such building permit should be issued for any building where said construction, addition, or alteration, or use thereof would be in violation of any of the provisions of a new Zoning Ordinance.
- B. There should be submitted with all applications for building permits two copies of a layout or plot plan drawn to scale showing actual dimensions of the lot to be built upon, the exact size and location on the lot of the building and accessory buildings to be erected and such other information as may be necessary to determine and provide for the enactment of a new Zoning Ordinance.
- C. One copy of such layout or plot plan should be returned when approved by the Building Inspector together with such permit to the applicant.

Section 22. Certificate of Occupancy.

- A. After completion of a building or structure for which a building permit has been issued and all requirements of all codes and ordinances of the City of Glasgow have been met, a certificate of occupancy should be issued by the Building Inspector stating that the building or proposed use thereof complies with the provisions of the new Zoning Ordinance.
- B. No nonconforming use should be maintained, renewed, or changed, without a certificate of occupancy having first been issued by the Building Inspector.
- C. All certificates of occupancy should be applied for coincident with the application for a building permit. The certificate should be issued within 10 days after the erection or alteration should have been approved as complying with the provisions of a new Zoning Ordinance.
- D. The Building Inspector should maintain a record of all certificates, and copies should be furnished upon request to any person having a proprietary or tenancy interest in the building affected.
- E. No permit for excavation for, or the erection or alteration of, or repairs to any building should be issued until an application has been made for a certificate of occupancy.

ARTICLE XII

INTERPRETATION

Section 23. Interpretation of Ordinance.

In their interpretation and application, the provisions of a new Zoning Ordinance should be held to be minimum requirements, adopted for the promotion of public health, morals, safety, or the general welfare. Whenever the requirements of a new Zoning Ordinance are at variance with the requirements of any other lawfully adopted rules, regulations, or ordinances, the most restrictive, or that imposing the higher standards, should govern.

ARTICLE XIII

BOARD OF ADJUSTMENT

Section 24. Creation, Appointment, and Organization.

- A. A Board of Adjustment should be established. The word "Board" when used should be construed to mean the Board of Adjustment. The Board should consist of five

members, all of whom should be appointed by the mayor and approved by the City Council. The term of office of the members of the Board should be for five years, excepting that the membership of the first Board appointed should serve respectively for terms of one for one year, one for two years, one for three years, one for four years, and one for five years. Thereafter, members should be appointed for terms of five years each. Vacancies should be filled for the unexpired term only. Members should be removed for cause by the mayor and City Council upon written charges and after public hearing.

- B. The Board should elect its own chairman and vice-chairman who should serve for one year. The Board should adopt from time to time such rules and regulations as it may deem necessary to carry into effect the provisions of a new Zoning Ordinance.
- C. Meetings of the Board should be held at the call of the chairman and at such other times as the Board may determine. Such chairman, in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board should be open to the public. The Board should keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and should keep records of its examinations and other official actions, all of which should be immediately filed in the office of the Board and should be taken down by a reporter employed by the Board for the purpose.

Section 25. Powers, Duties, and Procedure.

- A. Powers Relative to Errors. To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by the Building Inspector in the enforcement of a new Zoning Ordinance.
- B. Powers Relative to Variations. When, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of adoption of a new Zoning Ordinance, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, which condition is not generally prevalent in the neighborhood, the strict application of the area regulations would result in peculiar and exceptional practical difficulties or exceptional and undue hardship upon the owner of such property, the Board should be empowered to authorize upon an appeal relating to such property, a variation from such strict application so as to relieve such difficulty or hardship.
- C. Powers Relative to Exceptions. Upon appeal, the Board should be empowered to permit the following exceptions:

1. To permit the extension of a district where the boundary line of a district divides a lot of record in single ownership.
 2. To permit the reconstruction of a nonconforming building which has been damaged by explosion, fire, act of God or the public enemy to the extent of less than fifty per cent of its assessed value when the Board finds some compelling public necessity requiring a continuance of the nonconforming use, but in no case should such a permit be issued if its primary function is to continue a monopoly.
 3. To interpret the provision of any new Zoning Ordinance where the street layout actually on the ground varies from the street layout as shown on the map fixing the several districts, which map is attached to and made a part of this report.
 4. To vary parking regulations wherever the character or use of the building is such as to make unnecessary the full provision of parking facilities or when such regulations would impose an unreasonable hardship upon the use of the lot, as contrasted with merely granting an advantage or a convenience.
- D. In exercising the above powers, the Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and make such order, requirement, decision, or determination as ought to be made and to that end should have all the powers of the officer from whom the appeal is taken. In considering all the appeals the Board should, before making any finding in a specific case, first determine that the proposed change will not constitute a change in the district map and will not impair an adequate supply of light and air to adjacent property, or increase congestion in public streets, or increase the danger of fire, or materially diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals, and welfare of the City of Glasgow. Every change granted or denied by the Board should be accompanied by a written finding of fact based on sworn testimony and evidence, specifying the reason for granting or denying the variation. The decision of the Board should be made a part of any building permit in which variation is allowed.
- E. The concurring vote of four members of the Board should be necessary to reverse any order, requirement, decision, or determination of the Building Inspector, or to decide in favor of the applicant on any matter upon which it is required to pass or to effect any variations.

Section 26. Procedure.

- A. Appeals to the Board on any matter over which the Board is specifically granted jurisdiction may be taken by any person aggrieved, or by an officer, department, any

board, or bureau of the City of Glasgow affected by any decision of the Building Inspector. Such appeal should be taken within thirty days of such decision by filing with the Building Inspector and with the Board a notice of appeal specifying the grounds thereof. The Building Inspector should forthwith transmit to the Board all the papers constituting the record upon which the action appealed from is taken.

- B. An appeal stays all proceedings in furtherance of the action appealed from, unless the Building Inspector certifies to the Board after the notice of appeal has been filed with him that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings should not be stayed otherwise than by proper legal action.
- C. The Board should fix a reasonable time for the hearing of the appeal, give not less than fifteen days' public notice thereof in a newspaper of general circulation, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent or by attorney.
- D. A fee of thirty-five dollars should be paid to the City Clerk of the city at the time the application is filed and obtain a receipt therefor which should be delivered to the Mayor of the city, and an additional fee of \$15.00 should be paid to the City Clerk of the city prior to the time publication of "Notice of Public Hearing" is ordered by the Board of Adjustment of the city, and should obtain a receipt therefor which should be delivered to the City Clerk of the city. All fees received hereunder by the City Clerk of the city should be paid over to the credit of the General Revenue Fund of the city.

ARTICLE XIV

AMENDMENTS

Section 27. Amendments.

The City Council may, from time to time, on its own motion or on petition, amend, supplement, change, modify, or repeal by Ordinance the boundaries of districts or regulations, or restrictions established. Any proposed amendment, supplement, change, modification, or repeal should first be submitted to the Planning Commission for its recommendations and report. If the Planning Commission makes no report within thirty days, it should be considered to have made a report approving the proposed amendment, supplement, modification, or change. Upon the filing of the recommendations and report by the Planning Commission with respect to any proposed amendment, supplement, change, modification, or repeal, the City Council should proceed to hold a public hearing in relation thereto, giving at least fifteen days' notice of the time and place of such hearing, which notice should first be published in a newspaper having a general circulation in the City of Glasgow.

In case of an adverse report by the Planning Commission, or if a project against such proposed amendment, supplement, change, modification, or repeal was presented in writing to the City Clerk duly signed and acknowledged by the owners of ten per cent or more, either of the area of the land (exclusive of streets, places, and alleys) included within such proposed amendment, supplement, change, modification, or repeal, or within an area, determined by lines drawn parallel to and one hundred eighty-five feet distant from the boundaries of the district proposed to be changed, such amendment, supplement, change, modification, or repeal should not become effective except by the favorable vote of three-fourths of all the members of the City Council. The increased vote requirement should apply in all cases of Special Use Exception and Community Unit Plan cases.

The party or parties proposing or recommending a change in the district regulations or district boundaries should deposit a fee of thirty-five dollars (\$35.00) to the City Clerk at the time the application is filed and obtain a receipt therefor which should be delivered to the City Clerk, and an additional fee of \$15.00 should be paid to the City Clerk prior to the time publication of "Notice of Public Hearing" is ordered by the City Council, and obtain a receipt therefor. All fees received hereunder should forthwith be paid over to the credit of the General Revenue Fund of the city. Under no condition should said sum or any part thereof be refunded for failure of said change to be adopted by the City Council.

ARTICLE XV

VALIDITY

Section 28. Validity.

If any section, subsection, sentence, clause, or phrase is for any reason held to be unconstitutional, such decision should not affect the validity of the remaining portions.

ARTICLE XVI

VIOLATIONS AND PENALTIES

Section 29. Violations and Penalties.

- A. It should be the duty of the Building Inspector to enforce any new Zoning Ordinance. Appeal from the decision of the Building Inspector may be made to the Board of Adjustment as provided in Article XIII of this report.

- B. The owner or agent of a building or premises in or upon which a violation has been committed or should exist; or the lessee or tenant of an entire building or entire premises in or upon which violation has been committed or should exist, or the agent, architect, building contractor or any other person who commits, takes part, or assists in any violation or who maintains any building or premises in or upon which violation should exist, should be guilty of a misdemeanor punishable by a fine of not less than ten dollars (\$10.00) and not more than one hundred dollars (\$100.00) for each and every day that such violation continues; but if the offense be willful, on conviction thereof, the punishment should be a fine of not less than one hundred dollars (\$100.00) nor more than two hundred fifty dollars (\$250.00) for each and every day that such violation continues or by imprisonment for ten days for each and every day such violation continues or by both such fine and imprisonment, in the discretion of the court. Any such person, having been served with an order to remove any such violation, failing to comply with said order within ten days after such notice or continuing to violate any provision of the regulations in the respect named in such order, should also be subject to a civil penalty of two hundred fifty dollars (\$250.00).

ARTICLE XVII

CONFLICTING ORDINANCES REPEALED

Section 30. Conflicting Ordinances Repealed.

All conflicting ordinances, all amendments thereto, and any ordinances or parts of ordinances in conflict should be repealed.