

ARTICLE 5 GENERAL REGULATIONS

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§ 155.61 PURPOSE.

The purpose of this Article is to establish regulations for activities that may occur in many zoning districts or in association with a variety of land uses, including parking, signage, and activities within yards, to promote the orderly development or use of land and minimize conflicts among land uses.

§ 155.62 APPLICABILITY.

The provisions of this Article shall be applied to all zoning districts and shall be in addition to the requirements in any specific zoning district. A permit shall not be issued unless all applicable general regulations are met.

§ 155.63 PERMITS REQUIRED.

Permits are required for all changes in use and all development activities, with the exception of signs and fences, in compliance with the standards of Article 3, Administration. Fences exceeding six (6) feet in height shall require a building permit. Signs shall require a sign permit in compliance with Section 155.73 and Article 3.

§ 155.64 ESSENTIAL SERVICES.

Essential services as defined by this Ordinance are permitted in any district, provided that a site plan for any new or expanded service facility is filed with the Planning Department. The City

Council may require site plan review of large facilities, upon the recommendation of the Director of Planning.

§ 155.65 LOT AND YARD CONTROLS.

All lots, structures and uses shall conform to the lot and yard controls specified below.

(A) *Area regulations.* No lot shall be reduced in size below the minimum required for the proposed use in the zoning district where the lot is located.

(B) *Measurement of lot width.* Lot width for the purpose of complying with minimum lot width requirements shall be measured at the front building setback line.

(C) *Encroachments into yards.* The following shall be considered as permitted encroachments into required setbacks. With the exception of fences, the permitted obstructions shall be located a minimum of one (1) foot from all property lines.

- (1) Air conditioning, heating, ventilation or other mechanical equipment, subject to the screening requirements in Article 6, Section 155.89(E)(2), located only within rear or side yards and no closer than one-half (1/2) the applicable setback to a side or rear property line.
- (2) Awnings, cornices, canopies, eaves, bay windows and other ornamental features, projecting not more than three (3) feet into a yard.
- (3) Open porches and balconies, as defined in this Ordinance, projecting not more than six (6) feet into a yard.
- (4) Chimneys, gutters, fire escapes, uncovered stairs, ramps and necessary landings, no closer than four (4) feet into a front yard or one-half (1/2) the applicable setback to a side or rear property line.
- (5) City-approved containers for household waste and recycling.
- (6) Light fixtures, lampposts and flagpoles.
- (7) Recreational playground equipment.
- (8) Swimming pools and spas in compliance with the provisions of Article 7, Section 155.111(G).
- (9) Signs in compliance with the provisions of Section 155.73.
- (10) Parking areas and driveways, in compliance with the provisions of Sections 155.70 and 155.71.

(11) Walkways and steps not exceeding four (4) feet in width.

(D) *Height exceptions.* In all districts, height limitations set forth elsewhere in this Ordinance may be increased with no limitation when applied to the following structures:

- (1) Public monuments;
- (2) Flag poles;
- (3) Cooling towers;
- (4) Grain elevators;
- (5) Church spires, belfries or domes which do not contain usable space;
- (6) Water towers;
- (7) Chimneys or smokestacks;
- (8) Mechanical equipment attached to the principal building;
- (9) The following structures may exceed the height limitations in this ordinance by conditional use permit:
 - (a) Elevator penthouses, limited in size to no greater than twenty (20) percent of the total area of the roof.
 - (b) Permanent canopies, trellises, railings, plantings and other structures associated with roof decks.

(E) *Flag lots.* Flag lots may be permitted in the RD and LDR districts in order to better use irregularly shaped properties or sites with physical limitations, or to eliminate or reduce access to collector streets.

- (1) Driveway stems must be a minimum of twenty-five (25) feet wide and a maximum of fifty (50) feet wide and no longer than five hundred (500) feet in length.
- (2) No more than three lots can be served by one driveway stem.

§ 155.66 FENCING.

(A) *Permits required.* A certificate of zoning compliance is required to construct fences that are six (6) feet or under in height. A building permit is required to construct fences exceeding six (6) feet in height.

(B) *Measurement of height.* Fence height shall be measured from the natural grade at the base of the fence to the highest point of the fence structure, not including the post or finial.

(C) *Locations.*

- (1) Fences shall be located entirely upon the private property of the persons constructing the fence unless the owner of the adjacent property agrees, in writing, that such fence may be erected on the boundary line of the respective properties.
- (2) If adjacent neighbors cannot agree that such fence be placed on the property line, the fence must be placed at least one (1) foot from the property line.
- (3) In the case of a dispute, the city may require a survey to establish the boundary line of a property.

(D) *Construction and maintenance.*

- (1) Fences shall be constructed in a professional manner and of substantial material suitable for its intended purpose.
- (2) The side of any fence considered to be its “face” (i.e., the finished side having no structural supports) shall face the abutting property or street.
- (3) Every fence shall be maintained on both sides in a condition of good repair and shall not be allowed to constitute a nuisance, public or private.

(E) *Materials.* Electrical fences shall not be permitted except for agricultural purposes. Barbed wire fences shall only be permitted on farms or for special security requirements by conditional use permit.

(F) *Residential fencing: height and design.*

- (1) Front yard. Fences located in the required front yard shall not exceed three and one-half (3 1/2) feet in height and shall be at least fifty percent (50%) open for the passage of air and light, except as specified in subsection (1)(a) below.
 - (a) Stone walls or other solid fences consistent with the character of historic residential areas may be permitted within required front yards with a certificate of zoning compliance.
- (2) Corner side yard. Fences located in the required corner side yard shall not exceed three and one-half (3 1/2) feet in height and shall be at least fifty percent (50%) open for the passage of air and light, except as specified

under subsection (F)(1)(a) above. The maximum height may be increased to six (6) feet between the rear wall of the structure and the rear lot line. For the purpose of this section, open decks and porches shall not be considered part of the principal structure.

- (3) Interior side yard. Fences located in the required interior side yard shall not exceed six (6) feet in height.
- (4) Rear yard. Fences within the required rear yard shall not exceed six (6) feet in height.
- (5) Height exception. Fences located within the buildable area of the lot (not within any required yard) may be increased to eight (8) feet in height.

(G) *Nonresidential fencing*.

- (1) Nonresidential fences shall not exceed eight (8) feet in height, except by conditional use permit.
- (2) Commercial and industrial fences with barbed wire security arms a minimum of six (6) feet in height (measured without the security arm) may be allowed by conditional use permit. The security arm shall be angled in such a manner that it extends only over the property of the permit holder and does not endanger the public.
- (3) When required for screening purposes, fencing shall be erected before a Certificate of Occupancy is issued, unless due to weather conditions an alternate or temporary means is approved by the Director of Planning.

§ 155.67 OUTDOOR PARKING AND VEHICLE STORAGE, RESIDENTIAL DISTRICTS.

(A) *Parking restrictions on types of vehicles*. Off-street parking on land within residential districts shall be utilized only for the following:

- (1) Currently licensed and operable passenger vehicles having a lawful capacity of fifteen (15) passengers or less.
- (2) One (1) commercial usage vehicle per dwelling unit, not including commercially licensed trailers, provided that it is used by the occupant of the residence.
- (3) One (1) public utility vehicle registered to a company that provides emergency repair services if used by the occupant of the residence.
- (4) Recreational vehicles and accessory equipment, as regulated in Subsections

(D), (E) and (F).

(B) *Commercial trailers prohibited.* No commercially licensed trailer shall be parked or stored in a residential district except when parking, loading or rendering a service.

(C) *Recreational vehicles defined.* For the purpose of these regulations, **RECREATIONAL VEHICLES AND ACCESSORY EQUIPMENT** are defined as including boats and boat trailers, pickup campers or coaches (designed to be mounted on automotive vehicles), travel trailers, campers, motor homes, tent trailers, cars licensed as pioneer or classic vehicles, snowmobiles, all-terrain vehicles and the like and any cases or boxes used for transporting recreational equipment or for other storage.

(D) *Permitted storage locations.* Recreational vehicles and accessory equipment may be stored in front, side or rear yards subject to the following:

- (1) Vehicles and equipment must be stored on a surface that is durable, weather-resistant, and suitable for control of dust and drainage. Landscaped yards or lawn areas are not suitable for storage.
- (2) All storage within front yards and corner side yards shall be set back at least five (5) feet from a front property line or street-side property line on a corner lot. Setback shall be measured to the trailer hitch or furthest projection of the unit.
- (3) Storage areas in side and rear yards shall be set back at least three (3) feet from any property line.
- (4) If the physical configuration of a lot makes it impossible to meet any of the requirements (D)(1) through (D)(3) above, these requirements may be waived with the granting of a Certificate of Zoning Compliance. Under no condition may vehicles or equipment encroach on a sidewalk or public right-of-way.

(E) *Conditions for outside storage and use.* All recreational vehicles and equipment parked or stored outside must comply with the following requirements.

- (1) Ownership. Recreational vehicles and equipment parked or stored outside for a period in excess of fourteen (14) days must be owned by a person residing on the lot, or their tenants.
- (2) Condition and licensing. All recreation vehicles and equipment must be in a safe, operable condition and exhibit current license or registration plates or tags if these are required for operation of the vehicle. Recreational vehicles must be maintained in a clean, well-kept, operable condition.

- (3) Limit of occupancy. Recreational vehicles or equipment shall not be occupied or used for living, sleeping or housekeeping purposes for more than fourteen (14) consecutive days per calendar year.
- (4) Recreational vehicles may be stored on any part of a lot for the sole purpose of loading or unloading for a period of up to twenty-four (24) hours.
- (5) Except for routine maintenance, loading or unloading, or during emergency conditions when power supply is disrupted, a recreational vehicle generator shall not be operated in residential districts.

(F) *Fish house storage.* Storage of fish houses must meet all district setbacks for accessory buildings.

§ 155.68 RELOCATING STRUCTURES.

(A) *Permit required.* Every licensed house mover must obtain a Certificate of Zoning Compliance from the Director of Planning before raising or moving a building. The Public Works Department, Police Department and Building Official must review the permit request before the permit is approved. The permit application shall include the following information:

- (1) A site plan showing the existing and proposed sites, including an illustration of how and where the structure will be located during and after the moving operation;
- (2) The electrical, natural gas, telephone and cable utilities serving the existing and proposed sites;
- (3) The designated route through the City and any stops which the structure must make;
- (4) A landscape plan indicating how the existing and proposed sites will be re-seeded or otherwise landscaped following the moving operation.

(B) *Conditions for permit issuance.* A permit shall be issued only when the following conditions are fully complied with:

- (1) The lot on which the building is to be located (if in Lake City) must meet all the minimum dimensional requirements of the zoning district in which it is located;
- (2) The building will be placed on the lot so as to meet all the front, side and rear yard setback requirements as set forth in the chapter.

(C) *Requirements for moving operation and site clean-up.*

- (1) All moving operations on public property or right-of-way shall be performed only from 10:00 P.M. to 6:00 A.M. unless otherwise specified on the permit.
- (2) No structure shall be raised on moving blocks for more than seven (7) days prior to, or fourteen (14) days after, completion of an approved move unless otherwise specified on the permit.
- (3) Any exposed vacant basement must be screened by a safety fence a minimum of four feet in height. All exposed basements must be filled or backfilled with clean granular fill within seven (7) days following removal of the house. All excavations and basements at the new site of the house must be filled or backfilled within twenty-one (21) days after completion of the move, unless the Building Official grants an extension.
- (4) A building and occupancy permit shall be required prior to occupancy at the new location.

§ 155.69 TRAFFIC CONTROL

(A) *In general.* The traffic generated by any use shall be channeled and controlled in a manner that will avoid undue congestion on public streets, traffic hazards, and excessive traffic through residential areas, particularly truck traffic.

(B) *Internal traffic control.* Internal traffic shall be so regulated as to ensure its safe and orderly flow. Traffic into and out of business areas shall, to the extent possible, be forward moving with not backing into streets.

(C) *Sight clearance triangle.* In corner lots, with the exception of the B-1 Zone, the required front yard shall be unobstructed between three (3) feet and eight (8) feet above the centerline grades of the intersecting streets to a distance of twenty-five (25) feet, to provide a clear line of vision along the intersecting street. For corner lots abutting principal arterial streets, the distance shall be thirty-five (35) feet. Lots at the intersection of an alley or common drive with a street shall be kept clear to a distance of fifteen (15) feet along the alley/drive and intersecting street.

- (1) All existing deciduous trees within the vision triangle shall be kept free of branches up to a height of at least eight (8) feet above the ground provided that trees are located so as not to create a traffic hazard. Coniferous (evergreen) trees shall be avoided.

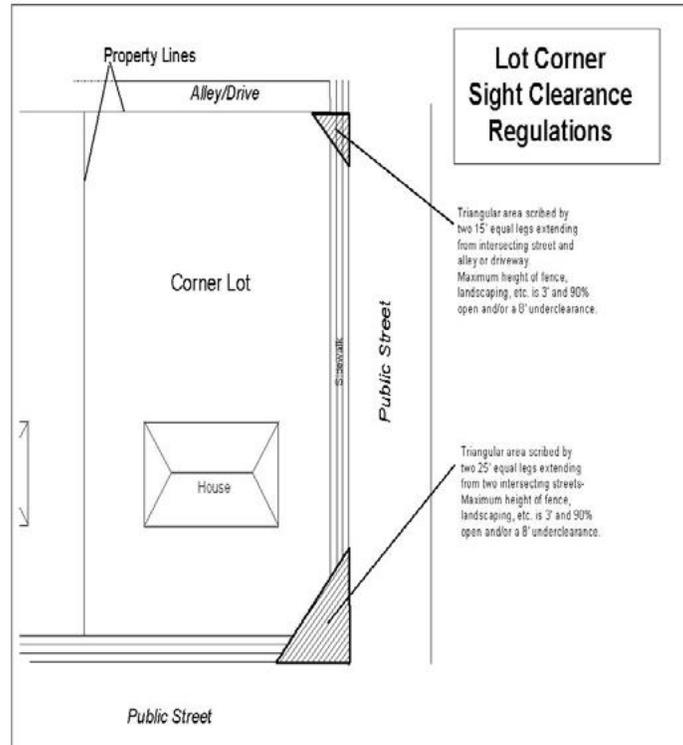


Figure 5-1. Sight Clearance Triangle

§ 155.70 ACCESS DRIVES

(A) *Access drive locations.*

- (1) Paved access drives may be placed adjacent to property lines. Drives consisting of crushed rock or other non-finished surfacing shall be a minimum of five (5) feet from any side or rear property line, except for shared drives.
- (2) Minimum driveway angle to the street shall be sixty (60) degrees, unless otherwise approved by the City Engineer.
- (3) The number and types of access drives onto major streets may be further controlled and limited in the interests of public safety and efficient traffic flow.
- (4) Access drives onto county roads shall require a review by the County Engineer, who shall determine the appropriate location, size and design of such access drives and may limit the number of access drives in the interest of public safety and efficient traffic flow.

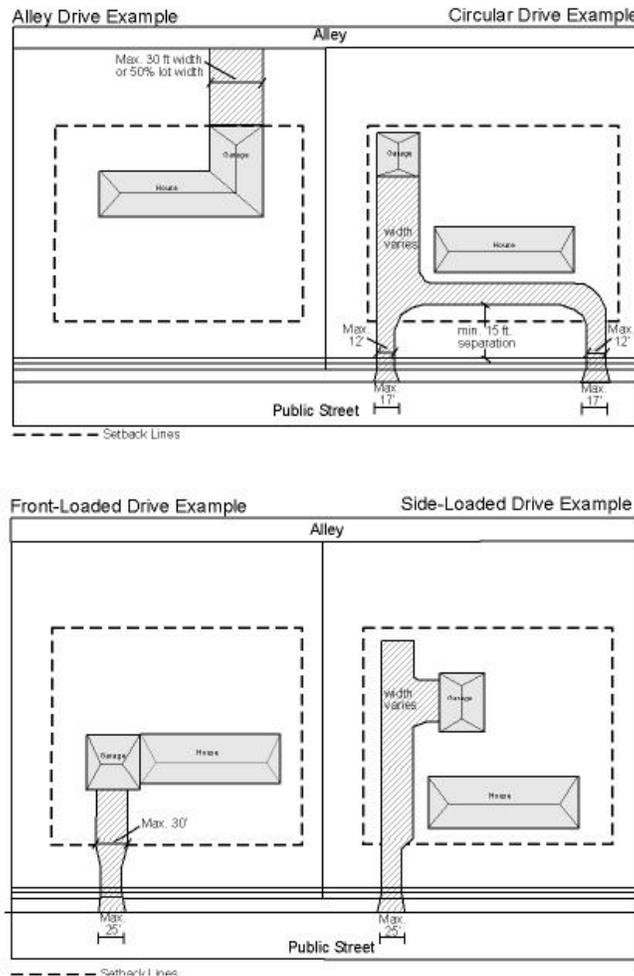
(B) *Emergency vehicle access.*

- (1) Access drives to principal structures that traverse wooded, steep or open field areas shall be constructed and maintained to a width and base material depth sufficient to support access by emergency vehicles. The Director of Planning shall review all new access drives (driveways) for compliance with City standards.
- (2) All lots or parcels shall have direct adequate physical access for emergency vehicles along the frontage of the lot or parcel from either an existing dedicated public roadway or an existing private roadway approved by the City Council.

(C) *Design of Residential Driveways.* The following regulations apply to single- and two-family residential uses.

- (1) Maximum width. The maximum width of any driveway at the curb line shall not exceed twenty-five (25) feet. That portion of the driveway located between the property line and the building or setback line may be widened to a maximum of thirty (30) feet. The widened portion of the driveway must be tapered into the driveway at the property line over a distance of five (5) feet or more. In no case shall the driveway width at the curb cut exceed 50% of the lot width measured at the front yard setback.
- (2) Alley drives. The driveway may extend to the garage opening or may extend into the lot up to forty (40) feet in depth, but shall not extend into the side yard setbacks. The driveway shall not exceed thirty (30) feet in width or fifty percent (50%) of the lot width, whichever is less.
- (3) Semi-circular drives. The curb-cuts shall not be greater than seventeen (17) feet in width and shall taper over no more than five (5) feet to a maximum of twelve (12) feet in width within the front yard setback. The top of the inner arc of the drive shall be located a minimum of fifteen (15) feet from the right-of-way line or front property line. The front yard area between the drive and the street must be landscaped with turf grass or other landscape material.

Figure 5-2: Driveway Design Examples



(D) *Design of Nonresidential and Multi-Family Driveways.* The regulations in Table 5-1 apply to all nonresidential and mixed uses, as well as multi-family and single-family attached uses.

Table 5-1

Primary Use of Drive	Maximum Width at Property and Setback Line	Maximum Width at Curb Line
DOUBLE OR TWO-WAY DRIVES		
Autos and Single-Axle Trucks	20 feet	30 feet
Semi-Trailers	25 feet	35 feet
ONE-WAY DRIVES		
All Vehicles	15 feet	25 feet

- (1) Safe Design. A curb or safety island may be required by the Director of Public Works between adjacent driveways, between the property line and curb line, or between the property line and the building.
- (2) Corner Lots. The driveway approaches, measured along the curb line, shall not be less than twenty-five (25) feet from the intersection of the street right-of-way lines on a corner lot or thirty-five (35) feet from the point of intersection of the face of the curbs, whichever is greater.
- (3) Number of driveways. A maximum of one (1) two-way driveway or two (2) one-way driveways shall be permitted from each street right-of-way to which a lot or parcel has frontage, except under the following circumstances:
 - (a) Multiple two-way driveways, or mixed two-way and one-way driveways, may be permitted on one street frontage provided the distance between the driveway centerlines is no less than two hundred (200) feet.
 - (b) Additional driveways, or a reduction in the separation requirements in (3)(a), may be permitted by Conditional Use Permit for public safety and convenience or for access to loading areas.
- (4) Distances Between Curb Openings.
 - (a) On the same parcel - the minimum distance between one-way driveways at the curb line shall be no less than fifteen (15) feet, measured from centerline to centerline.
 - (b) On adjoining parcels - Where two adjoining driveways abut, the maximum opening at the curb shall be the maximum for a single driveway, as shown in Table 5-1. Both parcels must share the driveway.
- (5) Traffic direction.
 - (a) Every driveway approved for one-directional movement only shall be equipped with a sign indicating to motorists its direction.
 - (b) Driveways shall be constructed and signs for directional movement of traffic shall be constructed and installed in accordance with City standards.
- (6) Removal of abandoned driveways. Driveways which have been abandoned and are not included on the approved site plan shall be removed, in their entirety, to the setback line and replaced at the property owner's expense

with full-height curb and sidewalk (where applicable).

§ 155.71 OFF-STREET PARKING AND LOADING

(A) *Purpose.* The intent of this section is to prevent or alleviate congestion and promote the public safety and welfare by establishing minimum requirements for off-street parking and loading, and requiring that parking areas are located and constructed in a manner that provides for optimum visibility to vehicles enter and exiting said parking area, accessibility and safety. It is the responsibility of property owners to provide adequate parking to meet their specific needs.

(B) *Applicability.* Off-street parking in accordance with this section shall be provided for all new uses and all expansions of existing uses, in all districts with the exception of the B-1 Central Business District, recognizing the pedestrian orientation of that district and the availability of on-street parking.

(C) *Location.* All required off-street parking facilities shall be located outside of any street right-of-way, and as follows:

- (1) Spaces accessory to one- and two-family dwellings shall be located on the same lot as the principal use served. Spaces within garages are counted toward the required number of spaces.
- (2) Spaces accessory to multiple-family dwellings and nonresidential uses shall be located on the same lot as the principal use served or within four hundred (400) feet of the main entrance to the principal building served.
- (3) Off-street parking located elsewhere than on the lot where the principal use being served is located shall be under the same ownership and control, either by deed or long-term lease, as the principal use. The owner of the principal use must file a recordable document with the City requiring permanent provision of off-street parking during the existence of the principal use.
- (4) Off-street surface parking areas containing more than four parking spaces shall be located a minimum of six (6) feet from the boundary of any adjacent lot zoned or used for residential purposes.
- (5) Other parking in residential areas. Parking in residential areas (off-street and on-street) shall be limited to the use of the residents of those homes. Except for short-term parking (eight hours or less) and guest parking, the number of vehicles parked on or in front of a residential lot shall not exceed double the number of persons residing on the premises and having automobile drivers' licenses.

(D) *Parking Area Design and Maintenance.*

- (1) Access to parking spaces. Each required off-street parking space shall open directly to an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to the parking space, as shown in Table 5-2, Minimum Parking Space and Aisle Dimensions, except where accessory to residential uses of up to four (4) units.
- (2) Maneuvering area. All parking areas except those serving one and two family dwellings on local streets shall be designed so that cars shall not be required to back into the street. If deemed necessary for traffic safety, turn-around areas may be required.
- (3) Surfacing and drainage. All off-street parking areas shall be surfaced as follows:
 - (a) Single-family and two-family dwellings shall provide a durable surface with suitable drainage.
 - (b) In all residential, commercial and mixed use districts, all areas intended to be utilized for parking space for five (5) or more vehicles and associated driveways shall be paved with a durable surface including, but not limited to, hot asphalt, bituminous or concrete.
 - (c) In industrial districts, all areas intended to be utilized for parking space and driveways shall be surfaced with materials suitable to control dust and drainage. Plans for surfacing and drainage for nonresidential uses shall be submitted through the City Engineer to the Planning Commission for review and the final plan shall be subject to written approval.
 - (d) Storage areas for heavy construction equipment that would damage the pavement may be exempt from the paving and surfacing requirement with an acceptable surface approved by the City Engineer.
 - (e) Farm dwellings and farm operations are exempt from the paving requirement.
 - (f) City parks shall be exempt from the parking requirement if approved by the City Council.
- (4) Marking of parking spaces. All parking areas containing five (5) or more spaces or containing angled parking shall be marked with painted lines at least four (4) inches wide. Such markings shall be maintained in a clearly legible condition.

- (5) Curbing. All open off-street parking areas designed to have head-in parking along the property line shall provide a bumper curb not less than five (5) feet from the side property line or a guard of normal bumper height not less than three (3) feet from the side property line.
- (6) Landscaping and screening. Parking areas shall be screened and landscaped as provided in Article 6, Section 155.89.
- (7) General maintenance. Parking areas and driveways shall be kept free of dirt, dust, debris and waste. In winter months, required parking areas shall be cleared of snow and ice within a reasonable time.
- (8) Accessible parking. Accessible parking spaces for the disabled shall be provided as required by the International Building Code.

(E) *Dimensions*. The minimum dimensions for required parking spaces are as shown in Table 5-2, Minimum Parking Space and Aisle Dimensions and Figure 5-3, Minimum Parking Dimensions Diagram.

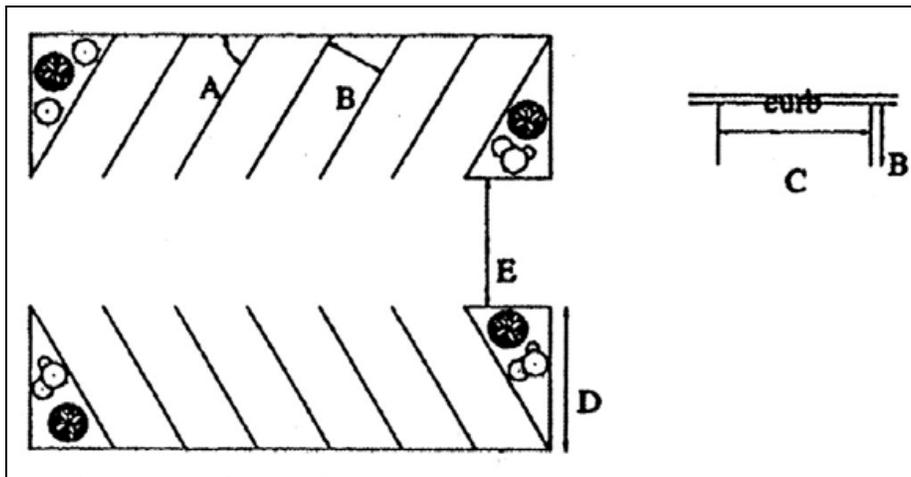
Table 5-2: Minimum Parking Space and Aisle Dimensions

Angle (A)	Width (B)*	Curb Length (C)	Stall Depth (D)**	1 Way Aisle Width (E)	2-Way Aisle Width (E)
0 (Parallel)	9'	22	8'6"	14'	22'
45°	9'	12'	18'9"	14'	22'
60°	9'	9'10"	19'10"	18'	22'
90°	9'	8'6"	18'	20'	22'

* For parking areas containing more than ten (10) parking spaces, compact spaces may account for up to twenty percent (20%) of the total parking area required. They may be reduced in size to a width of eight (8) feet and a stall depth of twelve percent (12%) less than (D) above, and must be grouped and signed appropriately

** Parking spaces that use an appropriately sized curb overhang over a landscaped island or buffer may be reduced in depth by one and one-half feet (1' 6"). A concrete curb or other means shall be provided to prevent parked vehicles from damaging plant materials.

Figure 5-3: Minimum Parking Dimensions Diagram



(F) *Parking requirements.* Accessory, off-street parking shall be provided as specified in Table 5-3, Specific Off-street Parking Requirements, except as otherwise specified in this section.

- (1) In addition to the requirements in Table 5-3, one (1) parking space shall be provided for each commercial vehicle or vehicle necessary for the operation of the use that is maintained on the premises.
- (2) Parking spaces for uses with multiple components, such as hotels with dining and conference facilities, shall be based on the sum of the parking requirements of the separate components. Shared parking standards may be used where applicable.
- (3) Proof of parking. The Planning Commission may allow parking requirements for a particular use to be relaxed or lessened in response to an expected demand that is lower than the required standard in this section, provided that one of the following conditions exists:
 - (a) Sufficient open area is set aside on the parcel to meet the required standard, if determined to be necessary at a later date.
 - (b) If parking will be needed less than twenty-five (25%) of the time during typical hours of use, on-street parking accessible by sidewalk within two blocks of the site may be used in lieu of required off-street parking.
- (4) Where a parking study is required, a qualified transportation engineer or transportation planner shall perform the study. The study shall contain information on the anticipated number of employees, customers, visitors, clients, shifts, events, or deliveries to the use, and may refer to other studies

or similar situations elsewhere.

(G) *Shared Parking.* Joint use of required parking spaces is encouraged where two or more uses on the same or adjacent sites are able to share the same parking spaces because their parking demands occur at different times. The applicant(s) must submit an analysis showing that peak parking times of the uses will occur at different times and the parking area will be adequate for both uses. A legal instrument such as an easement or deed restriction that guarantees access to the parking for both uses shall be submitted.

(H) *Truck parking in residential areas.* No commercially licensed trailer shall be parked or stored in a residential district except when loading, unloading or rendering a service. Recreation vehicles and pickups are not restricted by the terms of this provision.

Table 5-3. Specific Minimum Off-Street Parking Requirements

Use	Minimum Parking Requirement	Notes
Residential Uses		
Household Living		
Single-family detached dwelling	2 spaces per dwelling unit	
Two-family dwelling	1 space per 1-bedroom unit	
Single-family attached dwelling	2 spaces per 2-bedroom or larger unit	
Multifamily dwelling	Multifamily dwellings shall also provide 1 visitor per 4 units	No fee shall be charged for required spaces
Senior (elderly) housing	1 space per dwelling unit	If senior housing may be converted to general housing in the future, proof of additional parking shall be required
Secondary dwelling	1 space per secondary dwelling unit	
Live-work unit	2 spaces per dwelling unit	At least one of the required spaces shall be accessible for client parking
Mobile home park	2 spaces per dwelling unit	
Group Living		
Group home, group residential facility, halfway house, congregate housing	1 space per employee on the largest shift plus 1 visitor space for every 4 residents based on capacity	
Semi-transient accommodations	1 space per bedroom, plus one space for each full-time staff equivalent	Parking study required
Public and Civic Uses		
Cemetery	As determined by Director of Planning	
College or university, other adult learning center	To be determined by Director of Planning based on parking study	Park study required
Community services	Parking equal to 30 percent of the capacity of persons or as determined by Director of Planning based on parking study	
Day care center (see under Accessory Uses for Family day care)	1 space per employee on largest shift plus 1 space per 7 students based on capacity; or 1 space per 10 students if an off-street drop-off and pick-up space is provided	

Use	Minimum Parking Requirement	Notes
School, public or private	1 space per staff member plus 1 space per 5 students of legal driving age based on design capacity	Existing schools not meeting this standard may be required to develop a parking management plan, but shall not be required to add the minimum number of spaces
Public assembly	1 space per each 4 seats based on design capacity	
Religious institution, place of worship	1 space per each 6 seats or 10 feet of pews in the main assembly hall	Existing institutions not meeting this standard may be required to develop a parking management plan, but shall not be required to add the minimum number of spaces
Services		
Business Center	Total of parking requirements for individual uses, excepting any that meet the shared parking requirements in Section 155.71(G)	
Commercial kennel, commercial stable	1 space per employee on the largest shift plus 1 space per 6 animals	
Communications services	1 space per 400 square feet of gross floor area, plus 1 space per company vehicle stored on the site	
Educational services	1 space per staff member plus 1 spaced per 5 students of legal driving age based on design capacity	
Financial institution	1 space per 100 square feet of usable floor area	
Funeral home	1 space per 100 square feet of floor area in the main assembly room plus one space per staff member	
Transient Accommodations, Lodging	1 space per guest room, plus additional space for meeting or restaurant facilities	Meeting and restaurant facilities may require additional parking, based on square footage of each use as defined in this table.
Medical facilities	5 spaces per medical professional, or 1 space per 200 square feet of gross floor area	
Membership organization (clubs, lodges, etc.)	1 space per 300 square feet of gross floor area	
Nursing and personal care	1 space for each 4 beds, plus 1 space per employee on the largest work shift	
Offices	3 spaces per 1,000 square feet of gross floor area	
Personal services	1 space per 300 square feet of gross floor area	
Repair and maintenance shop	1 space per 400 square feet of gross floor area	
Self-service storage facility	1 space per 300 square feet of office or sales area	The apron in front of the storage units shall be wide enough for two cars to pass

Use	Minimum Parking Requirement	Notes
Trade shop	1 space per 300 square feet of office or sales area, plus 1 space per 3,000 square feet of storage area	
Transportation services	1 space per 300 square feet of office or sales area, plus 1 space per vehicle kept on premises	
Veterinary service	3 spaces per veterinarian, or 1 space per 200 square feet of gross floor area	
Food Services		
Drinking and Entertainment	1 space per 3 customer seats or each 100 sq. ft. of interior space (the greater), plus 1 space per 200 sq. ft. exterior seating area	
Drive-in Restaurant, Fast Food Restaurant, Standard Restaurant	1 space per 3 customer seats or each 100 sq. ft. of interior space (the greater), plus 1 space per 200 sq. ft. exterior seating area. Drive-throughs shall provide queuing space for at least 3 vehicles in advance of the menu board and 3 vehicles between the menu board and pick-up window	
Sales of Merchandise		
Garden Center, Building Supplies Sales	1 space per 250 sq. ft. of gross floor area plus 1 space per 2,000 sq. ft. of outside sales or display area	
Furniture and Appliance Sales	1 space per 800 sq. ft. of gross floor area	
General Retail	1 space per 250 sq. ft. of gross floor area	Includes any retail uses not specifically listed in this table
Shopping Center	1 space per 250 sq. ft. of gross floor area	Shared parking provisions (Section 155.71(G) of this Article) are encouraged to be used where applicable
Wayside Stand	1 space per 400 sq. ft. of sales area	Spaces need not be paved, but shall be adequately separated and screened from the street and adjacent properties, as determined by the Director of Planning
Wholesaling	1 space per 250 sq. ft. of indoor sales area plus 1 space per 2,000 square feet of storage area	
Automobile/Vehicular Uses		
Automobile Maintenance Services, Commercial Vehicle Repair, Gas Station	1 space per 250 sq. ft. of gross floor area used for sales or customer service plus 2 spaces per service bay	Service bay shall not be counted as a parking space
Automobile Parts/Supply	1 space per 250 sq. ft. of indoor sales area plus 1 space per 2,000 square feet of storage area	
Automobile Rental	1 space per 250 sq. ft. of gross floor area plus adequate storage space for rental vehicles maintained on site	

Use	Minimum Parking Requirement	Notes
Car Wash	1.5 spaces per bay, plus 4 stacking spaces per bay, plus 1 space per employee on the largest shift	
Vehicle Sales and Storage Lots	1 space per 250 sq. ft. of indoor sales area plus 1 space per 2,000 sq. ft. of outside sales or display area and 1 space per 2,000 square feet of storage area	
Outdoor Recreation Uses		
Campgrounds and Trailering	1 space per site, plus spaces required for other uses	
Golf Course	5 spaces per hole plus additional space for meeting or restaurant facilities	
Marina	As determined by Director of Planning	Parking study may be required for large or multiple-use facilities
Outdoor Entertainment	As determined by Director of Planning	
Outdoor Recreation Facility	1 space per 3 persons based on maximum occupancy load, plus 1 space per employee on the largest shift or as determined by parking study	Parking study may be required for large or multiple-use facilities
Parks and Open Areas	No requirement	
Restricted Recreation	As determined by Director of Planning	Parking study may be required
Swimming pool	1 space per 150 square feet of pool area	
Indoor Recreation/Entertainment		
Adult Establishment-Standard	1 space per 250 sq. ft. of gross floor area	
Adult Establishment-Limited	As needed for principal use	
Indoor Athletic Facility	1 space per 250 square feet floor area plus 2 spaces per tennis or racquet games court and 1 space per 150 square feet of pool area	
Indoor Recreation	Bowling alleys: 5 spaces per land Other facilities: 1 space per 3 persons based on maximum capacity	
Agricultural and Related Uses		
Agricultural Production and Services	No requirement	
Agricultural Support	1 space per 300 sq. ft. of indoor sales or office area plus 1 space per 1,000 sq. ft. of outside sales or display area and 1 space per 2,000 square feet of storage area	
Forestry Operations	As determined by Director of Planning	
Production, Processing and Storage		
Non-production Industrial Light Industrial Heavy Industrial	1 space per 1,000 sq. ft. gross floor area up to 20,000 sq. ft. plus 1 space per 2,000 sq. ft. in excess of 20,000 sq. ft., or per 5 regular employees, whichever is greater	Additional parking may also be required for office or retail space, as specified in this table. Includes other industrial uses largely carried on in enclosed buildings and not individually listed

Use	Minimum Parking Requirement	Notes
Motor freight and warehousing	1 space per 300 sq. ft. of office or sales area, plus 1 space per 3,000 sq. ft. of storage area	
Landfill, Resource Extraction, Salvage/Recyclable Center	2 spaces per 3 employees on the largest shift, based on maximum planned employment	Includes other industrial uses largely carried on outdoors
Utilities, Transportation and Communications		
Air transportation	As determined by Director of Planning	
Broadcasting or Communication Tower	No requirement	
Essential Services	As determined by Director of Planning	
Local Transit, Railroad Transportation	2 spaces per 3 employees on the largest shift, based on maximum planned employment	
Accessory Uses		
Animals, Domestic	No requirement	
Home Occupation	No requirement unless specified in Conditional Use Permit	
Bed and breakfast	1 space per guest room in addition to dwelling unit requirements	
Family Day Care, Group Family Day Care	1 space per employee not residing on the premises plus one drop-off space	
Kennel, Private; Stable, Private	No requirement	
Interim Uses		
Interim Use	As determined by Director of Planning	

§ 155.72 OFF-STREET LOADING AREAS.

Off-street loading space shall be provided in all districts with the exception of the B-1 District, for any nonresidential use which will involve the receipt or distribution of materials or merchandise by trucks or similar vehicles and has a gross floor area of five thousand (5,000) square feet or more, in accordance with the following standards.

(A) *Number.* For facilities with less than twenty thousand (20,000) square feet gross floor area, a designated loading zone may be provided on site, rather than constructing a loading berth. For facilities with twenty thousand (20,000) square feet gross floor area or greater, one (1) off-street loading berth shall be provided for every thirty thousand (30,000) square feet gross floor area or fraction thereof.

(B) *Location.* All required loading berths shall be off-street. A loading berth shall be located at least twenty-five (25) feet from the intersection of two street rights-of-way and at least fifty (50) feet from a residential district unless within a building. Loading berths shall not occupy the required front yard setback.

(C) *Size.* Unless otherwise specified in this chapter, a required loading berth shall be not less than twelve (12) feet in width, fifty (50) feet in length and fourteen (14) feet in height, exclusive of aisle and maneuvering space.

(D) *Access.* Each required loading berth shall be located with appropriate means of vehicle access to a street or public alley in a manner which will least interfere with traffic. Driveway design is specified in Section 155.70.D of this Article.

(E) *Surfacing.* All loading berths and access ways shall be improved with a durable material to control the dust and drainage.

(F) *Accessory use.* Any space allocated as a loading berth or maneuvering area in accordance with this Section shall not be used for the storage of goods, inoperable vehicles or required off-street parking.

§ 155.73 SIGN REGULATIONS

(A) *Permit Required.* A sign permit shall be required in accordance with Article 3, Zoning Administration and Enforcement, Section 155.34 Permits, Certificates, and Licenses.

(B) *B-1 District Design Guidelines.* All signage installed or altered within the B-1 Central Business District shall follow the guidelines found in The City of Lake City Downtown Preservation Design Manual, and shall follow the provisions below:

- (1) Locations. Wall or projecting signs should be positioned so that they are an integral design feature of the building, and to complement and enhance the building's architectural features. Signs should not obscure or destroy architectural details such as stone arches, glass transom panels, or decorative brickwork. Signs may only be placed:
 - (a) In the horizontal lintel above the storefront windows;
 - (b) Within window glass, provided that no more than fifty percent (50%) of the window is obscured;
 - (c) Projecting from the building;
 - (d) As part of an awning;
 - (e) In areas where signs were historically attached to existing buildings.
- (2) Materials. Sign materials should be consistent or compatible with the original construction materials and architectural style of the building facade on which they are to be displayed. Natural materials such as wood and metal are more appropriate than plastic. Neon signs may be appropriate for windows.

(C) *General provisions.*

- (1) Materials. All signs and sign structures shall be constructed of weather-resistant materials.
- (2) Electrical standards. When electrical signs are installed, the installation shall be subject to the state's Electrical Code. Overhead electrical wiring is not allowed.
- (3) Building Code. All signs and associated structures shall be built in compliance with the International Building Code.
- (4) Abandonment. Sign structures not used for twelve (12) consecutive months shall be removed. If structures are nonconforming, the time limit shall be six (6) consecutive months.
- (5) Obsolete signs. Any sign which no longer advertises a bona fide business conducted or a product sold shall be taken down and removed by the owner, agent or person having the use of the building or land upon which the sign may be found within thirty (30) days after written notice from the City.
 - (a) *Historic sign exemption*. Signs painted on the sides of structures that are historic in nature, as determined by the Heritage Preservation Commission, may be exempt from the provisions requiring removal of obsolete signs.
- (6) Lighting requirements. All displays shall be shielded to prevent any light to be directed at oncoming traffic in such brilliance as to impair the vision of any driver. Lighting shall meet the standards of Article 6, Section 155.190.
- (7) Illumination. Internal illumination is permitted for only sign letters, words, icons, or symbols. Internal Illumination of a sign cabinet is prohibited.
 - (a) Down lighting shall be employed for externally illuminated signs.
- (8) Number of surfaces. No sign shall contain more than two (2) surface areas or faces facing the public right-of-way.
- (9) Outside of the Sight Clearance Triangle as Regulated in Section 155.69 Traffic Control.

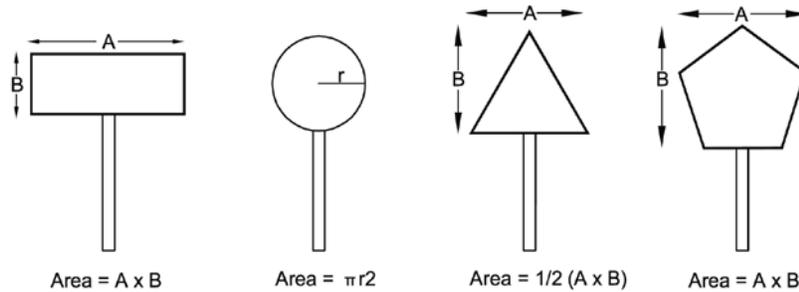
(D) *Sign Maintenance*. The owner of any sign shall be required to have such sign properly maintained, including all parts and supports of the sign, unless such supports are galvanized or otherwise treated to prevent rust. The display surface of all signs shall be kept neatly painted, posted or otherwise updated and preserved.

- (1) Area around sign. The owner or lessee of any sign or the owner of the land on which the sign is located shall keep the grass, weeds or other growth cut and the area free from refuse between the sign and the street and also for a distance of six (6) feet behind and at the ends of said sign.
- (2) Unsafe or dangerous signs. Any sign which becomes structurally unsafe or endangers the safety of a building or premises or endangers the public safety shall be taken down and removed by the owner, agent or person having the beneficial use of the building, structure or land upon which the sign is located within ten (10) days after written notification from the Director of Planning. At the end of this period the Director of Planning shall have the duty to proceed to correct the condition or remove the sign. The Director of Planning shall not remove the sign or correct the situation unless the owner permits the Director of Planning to do so, or obtains an administrative search and seizure warrant.

(E) *Computation of Sign Area.* The area of a sign face enclosed in a frame or cabinet shall be determined on the basis of the outer dimensions of the frame or cabinet surrounding the sign face. Where the frame or cabinet is not in the shape of a rectangle, square, triangle, or circle, the sign face area shall be determined by calculating the area of an imaginary rectangle drawn around the frame or cabinet, as shown in Figure 5-4 below.

- (1) Back-to-back signs. When the faces of a back-to-back sign are parallel or within thirty-five (35) degrees of parallel, the sign face area shall be determined on the basis of only one (1) side of such sign. If the sign faces are not within thirty-five (35) degrees of parallel, the sign face area shall be determined on the basis of the sum of the areas of each sign face.
- (2) Multiple-framed signs. For projecting signs that contain multiple frames on a single structure and oriented in the same direction, the sign face area shall be determined on the basis of the sum of the areas of each frame.
- (3) Individual elements. When signs are constructed of individual elements attached to a building or wall, the sign face area shall be determined as shown in Figure 5-4.
- (4) Awnings and canopies. When signs are incorporated into awnings or canopies, the sign area shall be determined by computing the area of an imaginary rectangle drawn around the sign.

Figure 5-4. Sign Area Calculation Method



(F) *Sign Placement.* The following location restrictions shall apply to all signs.

- (1) No sign shall be placed, erected or maintained on rocks, fences or trees.
- (2) Interference with utility. No sign shall be placed, erected or maintained in a location that will interfere with any electric light, power, telephone wires or the supports thereof.
- (3) In right-of-way. No signs other than governmental signs shall be erected or temporarily placed within any street right-of-way or upon public lands or easements or rights-of-way without City Council approval. The city may grant a temporary sign permit to locate signs, over or within the right-of-way for a specified period of time, or with approval of an Encroachment Permit from the City Council. Violation may result in immediate removal of sign(s).
- (4) Vision obstructing. Any sign that obstructs the vision of drivers or pedestrians or detracts from the visibility of any official traffic control device is not permitted.
- (5) Egress obstructing. No sign or sign structure shall be erected or maintained if it prevents free ingress or egress from any door, window or fire escape. No sign or sign structure shall be attached to a standpipe or fire escape.
- (6) Roof signs. Roof signs, including wall signs that project above the eave line, are not permitted.

(G) *Nonconforming Signs.* Any sign that does not conform to the provisions in this Article may be considered as a nonconforming sign. Nonconforming signage is subject to the provisions of Article 4 Nonconforming Uses, Structures and Lots, in addition to the requirements below.

- (1) Continuation of nonconforming status. A nonconforming sign shall be allowed to continue provided that:

- (a) The sign is not relocated;
- (b) The sign structure is not replaced;
- (c) No structural modification of the sign shall occur, except for changing of copy and normal maintenance;
- (d) Modification is only allowed where such modification will bring the sign closer to compliance with the provisions of this section.

(2) Loss of nonconforming status. If a sign is damaged or destroyed to an extent greater than 50 percent of its replacement value, it shall be considered to have lost its nonconforming status and must be removed or made conforming.

(H) *Prohibited Signs.*

- (1) Traffic sign look-alike. Any sign that contains or imitates an official traffic sign or signal, except for private, on-premises directional signs is not permitted.
- (2) Off-premises signs. Any permanent sign advertising activities, products or services not located on the lot where the sign is located is not permitted, except as regulated by Subsection J below.
- (3) Window signs. No sign shall be affixed to the outside of a window surface, except that the name, monogram, logo, address, and telephone number of the person or firm occupying the premises may be permanently affixed or embossed upon a window surface.
- (4) Moving signs. Any sign that moves or rotates is not permitted.
- (5) Flashing lights. No sign shall be illuminated with any flashing or intermittent lights or shall be animated, except permitted changeable message signs and time and temperature information signs.
- (6) Portable signs. Portable signs are not permitted, except as temporary signs, with the exception of A-Frame signs as regulated in below.
- (7) Signs on vehicles. Signs mounted on a vehicle for advertising purposes, parked and visible from the public right-of-way, except signs identifying the related business when the vehicle is being used in the normal day-to-day operations of that business are not permitted.

(I) *Signs Allowed Without A Permit.* The following signs are allowed without a permit in all zoning districts but shall comply with all other applicable provisions of this chapter.

- (1) Public signs. Signs of public, non-commercial nature, including safety signs, danger signs, trespassing signs, traffic signs, signs indicating scenic or historic points of interest, memorial plaques and the like, when signs are erected by or on order of a public officer or employee in the performance of official duty.
- (2) Integral signs. Memorial signs or tablets, names of buildings and the date of erection when cut into a masonry surface or when constructed of bronze or other incombustible material.
- (3) Political signs. All public signs of any size may be posted from August 1 in a state general election year or municipal election year until ten (10) days following the election, and in the case of a special election, from ninety (90) days before the special election to ten (10) days after a special election. No non-commercial sign shall be placed on any city property or in any public right-of-way, including boulevards adjacent to city streets.
- (4) Rummage sale signs. Signs advertising a rummage sale not exceeding four (4) square feet located on private property which conform to the applicable provisions of this chapter and are removed at the termination of the sale.
- (5) Public information. Bulletin boards or public information signs not over thirty-two (32) square feet located only on the premises of public, charitable or religious institutions.
 - (a) *Exception.* Public Information signs may exceed 32 sq. ft. and be located on property types in addition to those listed above, with approval by the City Council.
- (6) Individual property sale, lease or rental sign. One on premises sign announcing the name of the owner, manager, realtor or other person directly involved in the sale or rental of the property or announcing the purpose for which it is being offered is allowed. Such signs shall conform to all of the following:
 - (a) Signs must be removed within ten (10) days after sale or rental of property.
 - (b) One sign shall be permitted for each major street the project abuts.
 - (c) No sign may exceed thirty-two (32) square feet in the B1, B2, LMX, MC, LI and HI districts, or six (6) square feet in the RD, LDR, MDR, HDR districts.
- (7) Farm product signs. Farm product signs, provided that they are located on

the farm residence property and related to farm products, merchandise or services sold, produced, manufactured or furnished on such farm and provided further that no sign shall exceed thirty-two (32) square feet in area.

(J) *Signs Requiring a Sign Permit.*

Sign Type	Zoning District		
	B1	B2, LI, HI, LMX, MC	RD, TN, LDR, MDT, HDR, OSP
Neighborhood Residential Signs	1 sign per project not to exceed 16 sq. ft. in area, or up to 2 signs for projects with more than one entrance. Total signage for each sign cannot exceed 32 sq. ft. total area. Internal illumination is prohibited.		
Wall Signs	1 per business, 24 sq. ft. area limit	1 per business, 32 sq. ft. area limit	Not Permitted
Awning and Canopy Signs	Text and Images cannot exceed 50% of the face of the awning or canopy		Not Permitted
Freestanding Signs	1 per business, 32 sq. ft. area limit, 15 foot height limit		1 per business, 48 sq. ft. area limit, 25 foot height
Projecting Signs	1 per business, 16 sq. ft. area limit	1 per business, 16 sq. ft. area limit	Not Permitted
Murals as Advisement or Painted Signs	See Section 155.73(J)(6)	Not Permitted	Not Permitted
Directional Signs	See Section 155.73(J)(7)		
Changeable Message Signs	See Section 155.73(J)(8)		Not Permitted
Off Premises Signs	See Section 155.73(J)(9)		
Bed and Breakfast Signs	Up to 1 sign permitted, not to exceed 6 sq. ft. in area, to be affixed to the structure, and must be non-illuminated in design.		
Home Occupations Signs	Up to 1 sign permitted, not to exceed 6 sq. ft. in area, to be affixed to the structure, and must be non-illuminated in design.		
Vacation Home Rental Signs	Up to 1 sign permitted, not to exceed 6 sq. ft. in area, to be affixed to the structure, and must be non-illuminated in design.		
Temporary Signs	See Section 155.73(J)(10). Not permitted in any MnDOT right-of-way. The City of Lake City may allow temporary advertising within municipal right-of-way with an encroachment permit from the City Council.		
Banners	32 sq. ft. area limit	38 sq. ft. area limit	32 sq. ft. area limit
A-Frame	8 sq. ft. area limit	8 sq. ft. area limit	Not Permitted

- (1) Neighborhood Signs. The neighborhood sign must be located at the entrance to the project or subdivision or PUD, and materials used are required to match or compliment the building materials within the project.
- (2) Walls Signs. Wall signs shall not project more than sixteen (16) inches from the wall to which the sign is to be affixed and shall not be located lower than eight (8) feet from the ground or sidewalk clearance. Such signs shall not project over the roof line or eave line of the building wall to which the sign is affixed.
- (3) Awning and canopy signs. Awning and canopy signs shall not project higher than the top of the awning or canopy or below the awning or canopy.
- (4) Freestanding signs. A freestanding sign must be placed outside of all rights-of-way, and must meet the City's sight clearance requirement from Section 155.69 Traffic Control.
- (5) Projecting signs. The total area of a projecting sign shall be located at least eight (8) feet high off the sidewalk but easily visible from the sidewalk.
- (6) Murals as Advertisements or Painted Signs. Restoration of historic murals or painted historic signage is allowed after a determination by the City of Lake City Heritage Preservation Commission. New or expanded murals must receive a certificate of design review from the Design Review Committee, as regulated in Article 3 and Article 11 of this Chapter. Text, or any other words or numbers used as part of a mural cannot exceed fifteen percent (15%) of the total area (in square feet) of the mural. Any changes to the mural will require a new permit.
- (7) Directional signs. Directional signs are permitted to allow for the free flow of visitors, staff and commercial traffic. Directional signs shall be of a consistent overall design and be comprised of compatible colors, font size and type and surface material. Directional signs shall not be counted toward the total sign area amount so long as each individual directional sign does not exceed twenty (20) square feet in size.
- (8) Changeable message signs shall be permitted only in the B-1, B-2, LMX, LI and HI districts. The sign message cannot change more than 8 times a day. Any electronic portion of the sign must be turned off when outside daily hours of operation. A sign on which the message changes more than 8 times a day, with the exception of signs displaying time and temperature, shall be considered a prohibited animated sign and not a changeable message sign for the purpose of this article.

- (9) Off-premises signs.
- (a) *License required.* A permit fee shall be established from time to time by the City Council. Each permit shall be issued for a period of one year and shall expire on January 31.
 - (b) *Location.* Every off-premises sign located in the city shall be located at least three thousand (3,000) feet apart from any other off-premises sign and may not, in any event, be located nearer than one thousand five hundred (1,500) feet from any road or highway intersection, or nearer than three hundred (300) feet from any religious institution or school.
 - (c) *Zoning.* The off-premises sign may only be erected in a Business or Industrial Zoning District, shall not exceed five hundred fifty (550) square feet in area, shall be no higher than twenty-five (25) feet above the existing grade level (measured to the highest point of the sign), shall be set back at least ten (10) feet from any property lines and shall not have flashing lights of any kind.
 - (d) *Bond.* There shall be filed with the City Clerk a perpetual bond in favor of the city in the sum of \$250 for each off-premises sign. The bond shall be issued by sureties and in a form approved by the City Attorney. The condition of said bond shall be full compliance with this chapter.
 - (e) *Maintenance.* All off-premises signs shall be maintained in good, professional condition and the area around them shall be kept free from debris, weeds, or other objectionable material.
 - (f) No new off-premises sign (billboard) shall be permitted along or viewable from the Great River Road, a National Scenic Byway, which starts at the northernmost corporate limits of Lake City crossing TH 61 North, to the southernmost corporate limits of Lake City crossing TH 61 South. (Added, Ord. 1-14-08)
- (10) Bed and Breakfast. May be regulated additionally through the issuance of the conditional use permit as regulated in Section 155.111 Standards for Accessory Uses.
- (11) Home Occupation Signs. Applies to both permitted and conditional home occupations. May be regulated additionally through the issuance of the conditional use permit as regulated in Section 155.111 Standards for Accessory Uses.

- (12) Vacation Home Rental Signs. May be regulated additionally through conditions applied to the conditional use permit process.
- (13) Temporary signs. Temporary signs are allowed for events lasting (30) calendar days or less, and are further regulated as follows:
- (a) All temporary signs, including signs with wheels or mounted on trailers, shall be placed outside the public right-of-way.
 - (i) Exception. Signs may be placed within municipal rights-of-way, including alleys, sidewalks, and boulevards with an Encroachment Permit from the City Council.
 - (b) *Banners*. No banners shall be installed within or above the public right-of-way except for the purpose of advertising community-wide festivals or events. Banners shall not be larger than (32) square feet nor higher than the wall of the principal building on the lot.
 - (c) *A-Frame Signs*. Allowed on sidewalks or boulevard areas directly in front of a business located in the B-1 Zoning District with a permit from the City Council. A-Frame Signs are not permitted within the TH61 or the TH63 rights-of-way. A 5-foot area of sidewalk clearance must remain open. A-Frame signs must be removed outside hours of operation. A-frame signs require an Encroachment Permit from the City Council, in addition to the regular sign permit.

§ 155.74 PROPERTY STANDARDS.

The owner of any premises shall comply with the following requirements:

- (A) *Sanitation*. All exterior property areas shall be maintained free from any accumulation of garbage, animal feces or refuse.
- (B) *Grading and draining*. All premises shall be graded and maintained so as to minimize the accumulation of water on said premises.
- (C) *Ground cover*. Every residential premises shall be maintained in a condition to control erosions, dust and mud by suitable landscaping with grass, trees, shrubs or other planted ground cover or by paving with asphalt or concrete or by other suitable means as shall be approved by the enforcement officer.
- (D) *Insect and rodent infestation*. It shall be the responsibility of the owner to exterminate any infestation of insects, rodents, vermin or other pests in all exterior areas and accessory structures on the premises.

(E) *Accessory structures.* All accessory structures, including, but not limited to, detached garages, sheds and fences shall be maintained structurally sound and in good repair. All exterior wood surfaces other than decay-resistant woods shall be protected from the elements and decay by paint that is not lead-based paint or by other protective covering or treatment.

(F) *Stored materials.* It shall be unlawful to accumulate and store building material, lumber, boxes, cartons or other containers, machinery, scrap metal, junk, raw material, fabricated goods and other items in such manner as to constitute a nuisance or rodent harborage.

(G) *Refrigerators and accessible containers.* It shall be unlawful to permit a refrigerator or other container, sufficiently large to retain a child and with doors that fasten automatically when closed to be exposed and accessible to children without removing the doors, lids, hinges or latches.

(H) *Foundations, walls, roof and other exterior surfaces.* Every foundation, exterior wall, roof and all other exterior surfaces shall be maintained in a workmanlike state of maintenance and repair.

- (1) The foundation elements shall adequately support the building at all points.
- (2) Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers and any other conditions that might admit dampness to the interior portions of the walls or the interior spaces of the structure.
- (3) All exterior wood surfaces, other than decay-resistant, woods, shall be protected from the elements and decay by paint that is not lead-based paint or by other protective covering or treatment.
- (4) No exterior surface of any residential structure or accessory thereto shall have exposed accumulative paint or other surface covering material if said paint or surface covering material is blistered, cracked, flaked or chalked away.
- (5) The roof shall be tight and have no defects that admit rain and roof drainage shall be adequate to prevent rainwater from causing dampness in the walls.

(I) *Stairs, porches, decks and railings.*

- (1) Every outside stair, porch and deck shall be constructed, safely and capable of supporting a load as determined by the Building Code and shall be kept in sound condition and good repair. Every stairway, porch, deck or step that is more than 30 inches above grade shall have guardrails and intermediate rails no more than four inches apart and in accordance with the Building Code or maintained in accordance with the Building Code in effect when originally constructed.

- (2) Every flight of stairs that is more than three risers high shall have handrails in accordance with the Building Code or maintained in accordance with the Building Code under which it was originally constructed.
- (3) Stairs, steps, porches, decks, handrails, balustrades and guardrails deemed hazardous by the enforcement officer shall be corrected in accordance with the Building Code.

(J) *Windows, doors and hatchways.* Every window, exterior door and basement hatchway shall be substantially tight and kept in sound condition and repair.

- (1) Windows shall be fully supplied with window panes that are without open cracks or holes. Sashes shall be in sound condition and fit reasonably tight within the frame and windows, other than a fixed window, shall be capable of being easily opened and have hardware to hold it in the open position.
- (2) Every window required by the UBC for ventilation or other outside opening used for ventilation purposes shall be supplied with a screen of not less than 16 mesh per inch.
- (3) Every exterior door and its hardware shall be in sound condition and fit reasonably well within its frame.
- (4) Every basement hatchway shall be so constructed and maintained as to prevent the entrance of rodents, rain and surface drainage water into the structure. (1981 Code, § 220.15(C)) (Res. No. 08-015, 03/24/2008)

§ 155.75 OUTDOOR WOOD FURNACES.

(A) *Permits Required.* A building permit and certificate of zoning compliance are required prior to the installation of an outdoor wood furnace.

(B) *Existing Units.* Units installed prior to the adoption date of this Ordinance are allowed to continue operation in accordance with the City's non-conforming regulations, found in Chapter 155, Article 4. A list of these units is maintained on file at City Hall in the Planning and Community Development Department. Replacement of an existing, non-conforming outdoor wood furnace is permitted if the new unit meets all the requirements of this section, or meets the criteria of Chapter 155, Article 4.

(C) *General Compliance.* No person shall, from the effective date of this ordinance, construct or install an outdoor wood furnace other than in compliance with this section.

(D) *General Regulations.* The following mandatory regulations shall apply to all newly installed or upgraded units:

- (1) Permitted locations: LI, Light Industrial, and HI, Heavy Industrial, zoning

districts. Outdoor wood furnaces are prohibited in all other zoning districts.

- (2) Setbacks. Must meet setback requirements established for the district.
- (3) Unit Efficiency. All newly installed units must be certified as an EPA Phase II Program qualified model. Units exceeding this efficiency are allowed.
- (4) Chimney Height. The chimney of any new outdoor wood furnace shall extend at least two (2) feet above the highest peak of any residence within 150 feet of the furnace. This includes the structure being serviced by the outdoor wood furnace.
- (5) All new outdoor wood furnaces shall be constructed, established, installed, operated and maintained in conformance with the manufacturer's instructions and the requirements of this ordinance. In the event of a conflict, the requirements of this ordinance shall apply unless the manufacturer's instructions are stricter, in which case the manufacturer's instructions shall apply.
- (6) All new outdoor wood furnaces shall be laboratory tested and listed to appropriate safety standards such as UL, ANSI, or other applicable safety standards.

(E) *Fuel*. Fuels burned in any new or existing outdoor wood furnace shall be only natural untreated wood, wood pellets, corn products, biomass pellets, or other listed fuels specifically permitted by the manufacturer's instructions such as fuel oil, natural gas, or propane backup. The following fuels are strictly prohibited in new or existing outdoor wood burning furnaces:

- (1) Wood that has been painted, varnished or coated with similar material and/or has been pressure-treated with preservatives and contains resins or glues as in plywood or other composite wood products.
- (2) Rubbish or garbage, including but not limited to food wastes, food packaging, or food wraps.
- (3) Any plastic materials, including but not limited to nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, plastic films and plastic containers.
- (4) Rubber, including tires or other synthetic rubber-like products.
- (5) Newspaper, cardboard, or any paper with ink or dye products.
- (6) Any other items not specifically allowed by the manufacturer or this provision. (Ord. No. 525, adopted 10/14/2013)