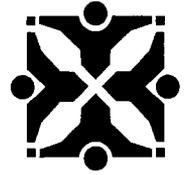


City of Columbia

701 East Broadway, Columbia, Missouri 65201



Agenda Item Number: B135-14

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: May 19, 2014

Re: #14-60: 415 W. Smiley Ln - Rezoning

Documents Included With This Agenda Item

Council memo, Resolution/Ordinance

Supporting documentation includes: Summary of Board/Commission Reports, Maps, Excerpts from Minutes, Correspondence from Public, Section 29-21: District A-1

Executive Summary

A request by Angie Baker, Baker Team Realty (Agent), on behalf of William and Beverly Mills (owner), to rezone 415 W Smiley Lane from R-1 (One-family Dwelling District) to A-1 (Agricultural District). The 13.9-acre subject property is located at the western terminus of West Smiley Lane, approximately 3,000 feet west of Providence Road. (Case #14-60)

Discussion

The applicant is requesting a rezoning of 13.9 acres of property from R-1 (One-family Dwelling District) to A-1 (Agricultural District). The property was annexed into the City and zoned R-1 in 2009. Previously, the property was zoned County R-S (Single-family residential).

The applicant has requested the rezoning to enable horses to be kept on the property for recreational purposes. The keeping of livestock is not permitted on property zoned R-1; however, the property is surrounded on three sides by County R-S zoning, which does permit agricultural activity including the keeping of livestock. Section 5 (Animals and Fowl) of the City's Code of Ordinances includes restrictions on the number and location of livestock kept on property within the City, thereby reducing the impact on neighboring properties.

At its meeting on May 8, 2014, the Planning and Zoning Commission voted unanimously (7-0) to recommend approval of the proposed rezoning. One Boone County resident spoke during the public hearing regarding a private access easement across the subject property that would permit access from Sunnyridge Lane to Smiley Lane. The Commission discussed the easement, and staff stated that they would work with the speaker to explore a second point of access onto Sunnyridge Lane.

A copy of the Planning and Zoning Commission staff report, which includes locator maps, Section 29-21: District A-1, correspondence, and an excerpt of the meeting's minutes, is attached.

Fiscal Impact

City of Columbia

701 East Broadway, Columbia, Missouri 65201



Short-Term Impact: None.

Long-Term Impact: None.

Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Not Applicable

Strategic Plan Impact: Not Applicable

Comprehensive Plan Impact: Not Applicable

Suggested Council Action

Approval of the proposed rezoning to A-1.

Legislative History

5/18/09: Ordinance #020176 approved annexation and permanent zoning of R-1 for subject property.



Department Approved



City Manager Approved

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 135-14

AN ORDINANCE

rezoning property located at the western terminus of Smiley Lane (415 West Smiley Lane) from District R-1 to District A-1; repealing all conflicting ordinances or parts of ordinances; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The Zoning District Map established and adopted by Section 29-4 of the Code of Ordinances of the City of Columbia, Missouri, is amended so that the following property:

A TRACT OF LAND LOCATED IN THE NORTHEAST CORNER OF THE SOUTH HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION TWENTY-SIX (26), TOWNSHIP FORTY-NINE (49), RANGE THIRTEEN (13), BEING ALL THAT PART OF THE SOUTH HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE ABOVE-DESCRIBED SECTION, TOWNSHIP AND RANGE, LYING NORTH OF THE NORTH LINE OF THE SURVEY RECORDED IN BOOK 1028, PAGE 112 AND EAST OF THE FOLLOWING DESCRIBED LINE: STARTING AT THE NORTHEAST CORNER OF THE SOUTH HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4); THENCE WEST ALONG THE NORTH LINE OF SAID SOUTH HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4), 771 FEET, MORE OR LESS, TO AN IRON, THE POINT OF BEGINNING; THENCE SOUTH 10 DEGREES 13' WEST, 766.7 FEET, MORE OR LESS, TO AN IRON ON THE NORTH LINE OF THE SURVEY RECORDED IN BOOK 1028, PAGE 112, RECORDS OF BOONE COUNTY, MISSOURI.

TOGETHER WITH, A NON-EXCLUSIVE ROADWAY EASEMENT AS SHOWN BY THE SURVEY RECORDED IN BOOK 1028, PAGE 112, RECORDS OF BOONE COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT A FOUND STONE, THE NE CORNER OF SAID SECTION 35 AS SHOWN BY A SURVEY RECORDED IN BOOK 808, PAGE 236; THENCE ALONG THE EAST LINE OF SECTION 35, S 0 DEGREES 14' 05" E, 260.31 FEET TO THE NORTHEAST CORNER OF A SURVEY

RECORDED IN BOOK 917, PAGE 923; THENCE ALONG SAID SURVEY, N 76 DEGREES 20' 09" W, 194.19 FEET; THENCE N 71 DEGREES 57' 55" W, 182.32 FEET; THENCE N 66 DEGREES 32' 09" W, 275.57 FEET; THENCE N 80 DEGREES 23' 44" W, 175.02 FEET; THENCE ALONG A NON-TANGENTIAL CURVE TO THE LEFT, HAVING A RADIUS OF 358 FEET, FOR AN ARC LENGTH OF 160.51 FEET, THE CHORD OF SAID CURVE BEING S 60 DEGREES 04' 20" W, 159.17 FEET; THENCE S 45 DEGREES 07' 43" W, 326.13 FEET; THENCE S 21 DEGREES 28' 38" W, 195.20 FEET; THENCE S 60 DEGREES 51' 15" W, 70.87 FEET; THENCE S 0 DEGREES 14' 05" E, 16.00 FEET TO THE SOUTH LINE OF THE NORTH HALF (N 1/2) OF THE NORTH HALF (N 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 35; THENCE ALONG SAID SOUTH LINE N 85 DEGREES 27' 13" W, 56.2 FEET TO A POINT; THENCE N 53 DEGREES 38' 55" E, 112.59 FEET; THENCE N 24 DEGREES 52' 25" E, 188.87 FEET; THENCE N 42 DEGREES 33' 45" E, 121.87 FEET; THENCE N 47 DEGREES 25' 35" E, 209.26 FEET; THENCE N 50 DEGREES 10' 50" E, 83.31 FEET; THENCE N 66 DEGREES 31' 30" E, 79.77 FEET; THENCE S 80 DEGREES 23' 45" E, 190.23 FEET; THENCE S 66 DEGREES 32' 09" E, 30.00 FEET; THENCE S 66 DEGREES 32' 09" E, 246.68 FEET; THENCE S 71 DEGREES 57' 55" E, 56.04 FEET; THENCE S 71 DEGREES 57' 55" E, 125.00 FEET; THENCE S 76 DEGREES 20' 09" E, 174.45 FEET; THENCE N 0 DEGREES 14' 45" W, 240.57 FEET; THENCE N 0 DEGREES 09' 10" W, 556.86 FEET; THENCE S 85 DEGREES 21' 15" E, 15.00 FEET; THENCE S 0 DEGREES 09' 10" E, 555.0 FEET TO THE POINT OF BEGINNING.

ALSO, A NON-EXCLUSIVE FIFTY (50) FOOT ROADWAY EASEMENT OVER THE FOLLOWING DESCRIBED TRACT OF LAND: THE SOUTH FIFTY (50) FEET OF THE NORTH HALF (N 1/2) OF THE NORTH HALF (N 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 35, TOWNSHIP 49 NORTH, RANGE 12 WEST, EXCEPT THAT PART SHOWN AS SANDERSON ESTATES SUBDIVISION AS SHOWN BY PLAT RECORDED IN PLAT BOOK 16, PAGE 18 AND FURTHER EXCEPT THAT PART SHOWN BY THE SURVEY RECORDED IN BOOK 917, PAGE 923, RECORDS OF BOONE COUNTY, MISSOURI.

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

will be rezoned and become a part of District A-1 (Agricultural District) and taken away from District R-1 (One-family Dwelling District).

SECTION 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2014.

ATTEST:

City Clerk

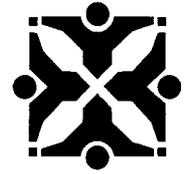
Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

City of Columbia

701 East Broadway, Columbia, Missouri 65201



SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

Summary of Board/Commission Reports, Maps, Excerpts from Minutes,
Correspondence from Public, Section 29-21: District A-1

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
May 8, 2014**

SUMMARY

Applicant request by, Angie Baker, Baker Team Realty (Agent) on behalf of William and Beverly Mills (owner), to rezone 415 W Smiley Lane from R-1 (One-family Dwelling District) to A-1 (Agricultural District). The 13.9-acre subject property is located at the western terminus of West Smiley Lane, approximately 3,000 feet west of Providence Road. (Case #14-60)

DISCUSSION

The applicant is requesting a rezoning of 13.9 acres of property from R-1 (One-family Dwelling District) to A-1 (Agricultural District). The property was annexed into the City and zoned R-1 in 2009. Previously, the property was zoned County R-S (Single-family residential).

The applicant is requesting the rezoning in order to permit horses on the property for recreational purposes. The R-1 district's permitted uses do not include the keeping of livestock, although it does allow for agricultural uses limited to the propagation and cultivation of plants, and it also allows private stables as a conditional use. The A-1 district permits agriculture uses on property of at least 2.5 acres, which includes the grazing of animals.

If the request to rezone to A-1 is granted, there are other sections of the Code of Ordinances that would apply to the keeping of livestock on property within the City. Per Section 5-81 (Animals and Fowl) of the City's Code of Ordinances, livestock shall have at least one-half acre of area per animal, and no building or pasture for livestock shall be within 100 feet of a dwelling. In addition, Section 5-82 requires all animals to be confined to the property, and Section 5-83 includes specific language regarding what constitutes the confinement of an animal, which can include fences and corrals. Given that the property is 13.9 acres, the maximum number of livestock that could be kept on the property is 27. Much of the property would be unsuitable for keeping livestock, given the severe slope and the heavily wooded condition of much of the western portion of the property. As a note, the Columbia/Boone County Public Health Department is responsible for enforcing Section 5 of the Code of Ordinances.

Surrounding properties range from typical residential subdivisions to large lot properties. To the east, within the Brookside Square subdivision, all but one of the adjacent residential lots is currently vacant. These lots have a required rear yard setback of 25 feet, so in order to ensure that the placement of a building or pasture on the subject property would not be within 100 feet of any future dwelling, any structure would need to be constructed at least 75 feet from the subject property's east lot line. There is one existing house in Brookside Square that is adjacent to the property, located at 4307 Chancellor Circle. It is located approximately 115 feet from the applicant's property line and would not be affected by the proximity requirement of Section 5-81.

To the south are estate-style, single-family lots that are approximately 5 acres, with the nearest residential building approximately 400 feet from the subject property. To the west and north are larger residential properties, and the closest residential building to the subject property on these properties is 950 feet away.

Rezoning the property to A-1 from R-1 would permit additional uses on the property. As previously discussed, agricultural uses are permitted in A-1, but they are permitted in R-1 as well (although there are some additional restrictions). The other additional *permitted uses* in A-1 are cemeteries and buildings and premises for public utility services or public service corporations,

although these uses are allowed as conditional uses in R-1 as well. The A-1 does permit additional conditional uses that could be considered intense uses, such as mining; however, conditional uses require approval by the Board of Adjustment and should be, among other things, in conformance with the character of the adjacent area.

Surrounding properties could currently be utilized for agricultural purposes as well. In County R-S, which is adjacent to the property on the north, south, and west, agricultural activity is permitted and can include the cultivating of the soil, producing of crops and the raising of animals for food or fiber.

The potential impact of agricultural uses on the surrounding properties is mitigated by the restriction on the amount of livestock allowed on property within the City and on the distance structures utilized for keeping animals must be from other dwellings. Staff finds that the requested zoning is compatible with the surrounding properties and would not have a detrimental impact on their use or the development of the area.

Staff has received correspondence requesting that an access easement be granted across the subject property for the benefit of the property owners within Sanderson Estates – an existing County subdivision to the southwest. It should be noted that non-planned district zoning actions are not subject to conditions of approval, and any request for access across this property should be handled between property owners.

RECOMMENDATION

Approval of the proposed rezoning to A-1.

SUPPORTING DOCUMENTS

Attachments

- Aerial and topographic maps
- Section 29-21: District A-1 (Agricultural District)
- Correspondence

HISTORY

Annexation date	May 18, 2009
Existing Zoning District	R-1 (One-family Dwelling District)
Land Use Plan designation	Neighborhood District
Previous Subdivision/Legal Lot Status	Surveyed tract

SITE CHARACTERISTICS

Area (acres)	13.9 acres
Topography	Sloping moderately downward from the SE corner
Vegetation/Landscaping	Primarily wooded, with clearing around house
Watershed/Drainage	Cow Branch
Existing structures	Single-family dwelling, detached garage`

UTILITIES & SERVICES

Sanitary Sewer	Septic system
Water	Consolidated Public Water Supply District No. 1
Fire Protection	Columbia Fire Department
Electric	Boone Electric Cooperative

SURROUNDING ZONING/LAND USE

North	County R-S (Single-family Residential)	Single-family residential (low density)
South	County R-S (Single-family Residential)	Single-family residential (Sanderson Estates, low density)
East	City R-1 (One-family Dwelling)	Single-family residential (Brookside Square)
West	County R-S (Single-family Residential)	Single-family residential (low density)

ACCESS

Smiley Lane	
Location	East side of site
Major Roadway Plan	Major Collector
CIP projects	Extension of Smiley Lane west through subject property to intersect with Northwest Loop, which will connect Creasy Springs Road to Providence Road through the subject property – 10+ Year projects

PARKS & RECREATION

Neighborhood Parks	Adjacent to Smiley Lane Park.
Trails Plan	Proposed Cow Branch Trail (secondary trail) located on property adjacent to site.
Bicycle/Pedestrian Plan	Sidewalks located on Smiley Lane

PUBLIC NOTIFICATION

All property owners within 200 feet and City-recognized neighborhood associations within 1,000 feet of the boundaries of the subject property were notified of a public information meeting, which was held on April 15, 2014.

Public information meeting recap	Number of attendees: 5 Comments/concerns: Impact of agricultural uses on surrounding properties, gaining access to Smiley Lane from Sunnyside Lane as an alternate access point to Sanderson Estates Subdivision
Neighborhood Association(s) notified	Brookside Square, Vanderveen Crossing
Correspondence received	1 (attached)

Report prepared by Clint Smith

Approved by Patrick Zenner



**SUBJECT
SITE**



14-60: 415 W Smiley Ln Rezoning



Hillshade Data: Boone County GIS Office
 Parcel Data Source: Boone County Assessor
 Imagery: Boone County Assessor's Office, Sanborn Map Company
 Created by The City of Columbia - Community Development Department





**SUBJECT
SITE**



14-60: 415 W Smiley Ln Rezoning



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**EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
MAY 8, 2014**

Case No. 14-60

A request by Angie Baker, Baker Team Realty (Agent) on behalf of William and Beverly Mills (owner) for approval of rezoning 415 West Smiley Lane from R-1 (One-family Dwelling District) to A-1 (Agricultural District). The 13.9-acre subject property is located at the western terminus of West Smiley Lane, approximately 3,000 feet west of Providence Road.

DR. PURI: May we have a staff report, please.

Staff report was given by Mr. Clint Smith of the Planning and Development Department. Staff recommends approval of the proposed A-1 zoning.

DR. PURI: Mr. Wheeler?

MR. WHEELER: Well, I have two questions. Are chickens not considered livestock then or is that --

MR. SMITH: No. I don't -- I think that is the one exception within the livestock definition is chickens. Curious.

MR. WHEELER: And then -- and it's my understanding -- and it's not my understanding -- I know there has been some -- some discussion about an easement connecting this, and I think it would be best for you to explain that to make it a lot easier for the other Commissioners to understand, so can you do that?

MR. SMITH: I can give you a base overview, I think, of what the discussion is. The subdivision in the County to the south, I believe, have in the past accessed Smiley Lane through the subject property. I know they have discussed with the property owner the ability to continue doing that with the granting of an easement, but, at this time, I do not believe they have access to Smiley Lane. Considering that is an easement issue and not something we would review typically on a zoning action, it's not something -- other than just as an explanation, as the situation there is something we would probably address at this -- at this hearing. But the applicant does have a representative here, and they may be able to give you some additional information.

DR. PURI: Any other questions of the staff? Okay.

PUBLIC HEARING OPENED

DR. PURI: Anybody wishing to speak on this, please approach the podium, give your name and address.

MS. PHILLIPS: I'm Lisa Phillips. I'm an abutting property owner to the Mills tract. I believe my -- I'm Lot 4. Your map doesn't indicate that. And I simply wanted to say I don't object to the rezoning. I'm in favor. Thank you.

DR. PURI: Commissioners, any questions of this speaker? Seeing none, thank you. Please approach the podium and -- because she has to transcribe your comments.

MS. PHILLIPS: If you discuss the easement, I would like to return.

DR. PURI: Okay. Anybody else wishing to address the Commission? Seeing no one.

PUBLIC HEARING CLOSED

DR. PURI: Discussion, Commissioners?

MR. STRODTMAN: I have a question.

DR. PURI: Mr. Strodtman?

MR. STRODTMAN: The easement, there is nothing related to -- I mean, that's just a side note and there's nothing we're addressing this evening relating to the easement; correct?

MR. SMITH: No. With a rezoning request, usually, there is not the ability really to attach conditions.

MR. STRODTMAN: Right. The --

MR. SMITH: An easement would generally be something we would look at if there was a subdivision action.

MR. STRODTMAN: So that was more from the -- the citizen, an opportunity just to voice their opinion or concern or just let us -- give us some more information, I guess?

MR. SMITH: Uh-huh.

MR. STRODTMAN: Thank you

MR. WHEELER: Okay. Let me go there then. Since I'm a short-timer, they can fire me. The issue is, and I agree, that -- that this is a zoning action and not a platting action, which would be the appropriate place for an easement. But there's not going to be a platting action, and so if it's ever going to be discussed, it's going to have to be discussed tonight. And so, Ms. Magee, who is sitting out in our audience this evening, is my business partner. I have shared an office with her for a long time. We do business together, and that's my disclosure. And so I know she lives right down the street and I know there were a number of days this winter that Ms. -- when Ms. Magee could not make it to work because the hill going down to Creasy Springs and where their -- Sunny Ridge, I believe the name is of the road -- where it intersects Creasy Springs is just above the bridge there near Obermiller and -- and is on a treacherous hill there on Creasy Springs where it dives off down to that bridge. And there were a number of days that Ms. Magee couldn't make it out because of ice. Now, you know, that's part of living in the country. However, it is also a health and safety issue in my mind. We're always talking about connectivity. This seems to be a place where it makes sense for a short easement to be granted and I would certainly hope that, you know, not only you've got the next level, they'll consider that, but also that the applicant would make provision for that. No one wants people running through their property, but I don't see this as the primary access. I see this as an emergency access and, you know, an access for inclement weather or, God forbid, something happen to one of these people during one of those periods of time, and then emergency services just couldn't make it there. So -- and, obviously, I think that could be written in such a way that if we could ever get -- if they could ever provide access off of this lower cul-de-sac bulb that comes into that property, you know, I don't think these people are going to want to maintain any more road than they have to. So with that, the zoning action itself makes perfect sense, and

I'll support it.

MR. LEE: I'll second.

DR. PURI: Oh. Was that a motion, Mr. Wheeler?

MR. WHEELER: I guess it can be.

DR. PURI: Okay. And Mr. Lee seconds it.

MR. STRODTMAN: You caught me off guard.

DR. PURI: Any other discussions on the motion, Commissioners? Are we ready to vote?

Seeing none, let's have roll call.

MR. STRODTMAN: Yes, sir. Just give me a second. Okay. This is for Item 14-60, approval of the proposed rezoning to A-1.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Tillotson, Mr. Wheeler, Ms. Burns, Mr. Lee, Dr. Puri, Mr. Stanton, Mr. Strodtman. Motion carries 7-0.

MR. STRODTMAN: The motion for approval of the proposed rezoning to A-1 will be forwarded to City Council.

To: The Planning and Zoning Commission

April 29, 2014

From: Sunnyridge Lane Homeowners Association

Dear Commissioners, We are writing to you on behalf of the members of our association who are property owners on Sunnyridge Lane (map attached). The recent rezoning request (Case #14-60) by William and Beverly Mills that is now being reviewed by the commission affects our neighborhood. The request has presented an opportunity to address a serious ongoing safety issue on our road. The geography of Sunnyridge Lane prevents sunlight from reaching the extremely steep hill that intersects Creasy Springs road. This is presently the only exit from our neighborhood. During winter conditions, snow continually melts and refreezes, causing the hill to remain a dangerous sheet of ice long after other secondary roads have completely melted. This hazardous situation is made much worse by the fact that Sunnyridge Lane intersects with Creasy Springs at the base of a "blind" hill and in addition, a steep drop-off into Cow Branch creek is directly across this intersection on the western side of Creasy Springs.

The severity of this situation was brought home to us this past winter when one of the teenage daughters of a property owner lost control of her car on the ice, slid backwards down the hill and ended up sideways across both lanes of Creasy Springs. If a car or dump truck from the nearby quarry had been cresting the blind hill, it would have been impossible for them to stop in time, and she could have been killed. All of us have had harrowing experiences on the icy hill and we are unanimously convinced that it is only a matter of time until a serious accident occurs.

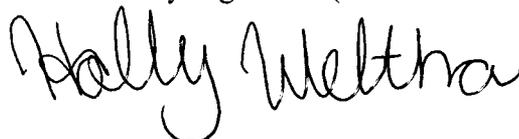
We are writing to you because there is the potential for a much safer exit from our neighborhood for the families living on Sunnyridge Lane. As you can see from the map, the northern terminus of Sunnyridge Lane directly abuts the Mills property. Safe access to Smiley Lane from Sunnyridge is only 120 ft. away across the property through the existing utility easement. There is already an extension of the roadway in place, and during this past winter several families used this extension to safely exit the neighborhood during icy conditions. We would like to request the commission's help in obtaining legal access to this 120 feet of roadway extension. Our Homeowners Association would be very willing to assume any costs for maintaining the extension if access is granted. Thank you for considering this request. Sincerely,

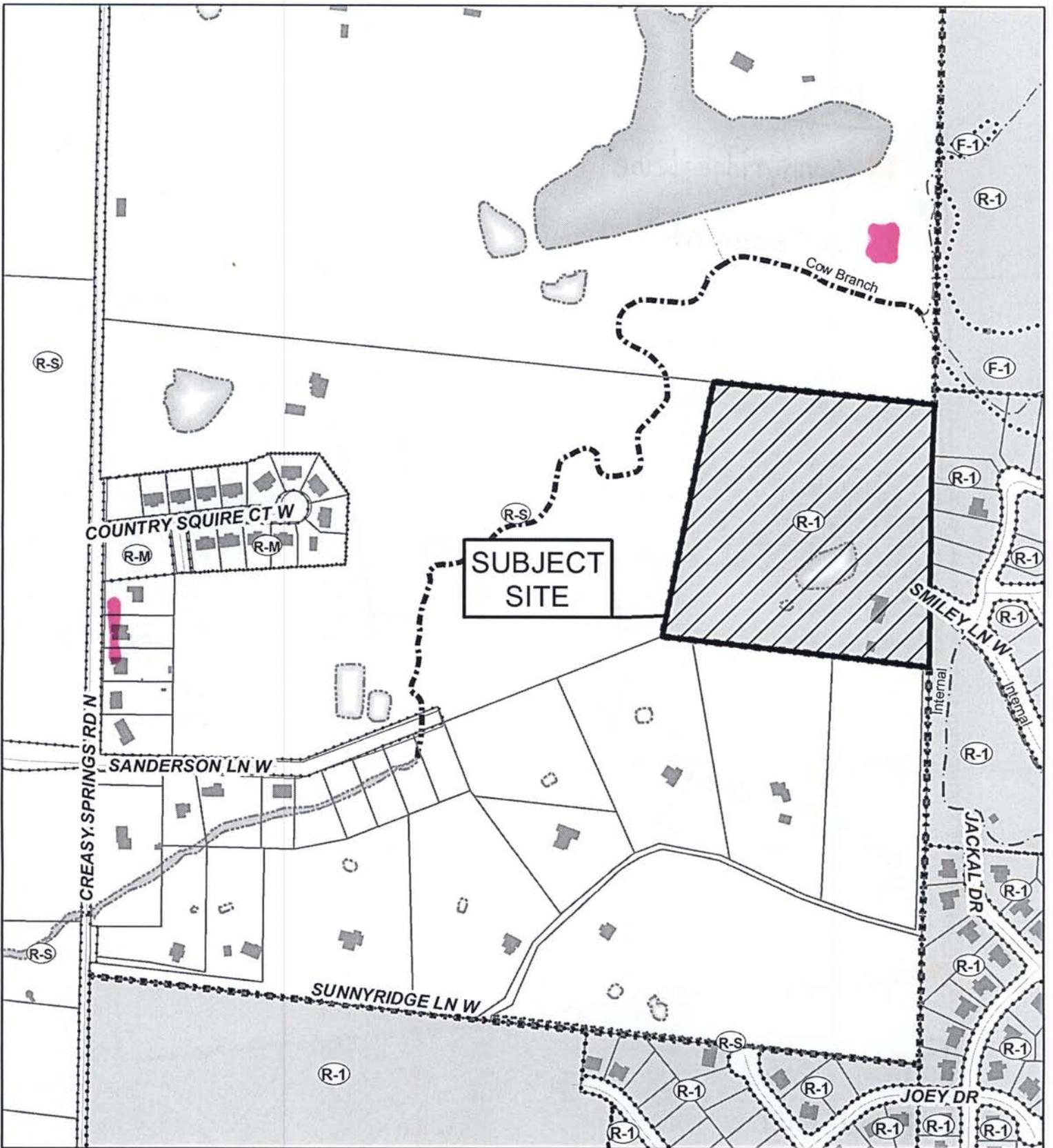
Sunnyridge Lane Homeowners Association Co-Presidents:

Al Moffett - 325 Sunnyridge Lane (email address: lphillips86@hotmail.com) phone: 823-7046



Holly Weltha - 375 Sunnyridge Lane (email address: hweltha@columbia.k12.mo.us) phone: 489-0905

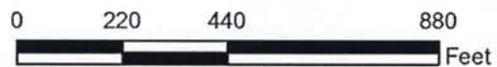




14-60: 415 W Smiley Ln Rezoning



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 Created by The City of Columbia - Community Development Department



Section 29-21 District A-1, Agricultural district.

(a) *Purpose.* This district is intended to provide for any land-intensive agricultural uses contained within the city, certain public uses, and facilities or activities best located in a more isolated area. The principal land use is an agricultural area or public facility.

(b) *Permitted Uses.* In district A-1, no building, land or premises shall be used and no building shall be hereafter erected, constructed, reconstructed or altered except for one or more of the following uses (for exceptions, see section 29-28, Non--Conforming Uses, and section 29-31, Board of Adjustment):

All permitted uses in district R-1.

Agricultural uses which shall include any use of land consisting of at least two and one-half (2 1/2) acres for the purpose of crops, grazing animals, orchards, trees or forest lands, and any other use pertaining to farming or agricultural research. Such uses shall allow all the types of structures normally associated with these uses, including one dwelling unit (not to include a mobile home), storage bins, barns, sheds, tool houses, garages, and any other use or facility ancillary to farming or open land.

Buildings and premises for public utility services or public service corporations.

Cemeteries which may include mausoleums thereon.

Greenhouses and plant nurseries for wholesaling only.

(c) *Conditional Uses.* The following uses shall be permitted in district A-1 only after the issuance of a conditional use permit pursuant to the provisions of section 29-23:

A second dwelling unit on lots of two and five tenths (2.5) acres or more (not to include a manufactured home).

Aviation fields or airports.

Mines and quarries.

Reservoirs, wells, water towers, filter beds, water supply stations or pumping stations.

Sanitary landfills.

(d) *Height and Area Regulations.* In district A-1 any building, portion of a building or dwelling hereafter erected, constructed, reconstructed or altered shall be subject to the following regulations (for exceptions, see section 29-26, Height and Area Exceptions):

(1) *Lot size.* Not less than two and one-half (2 1/2) acres or seven thousand (7,000) square feet for non-

agricultural uses.

(2) *Lot width.* No minimum requirement.

(3) *Yards.*

a. Front--Not less than twenty-five (25) feet.

b. Rear--Not less than twenty-five (25) feet.

c. Side--Not less than twenty-five (25) feet.

(4) *Building height.* Not over thirty-five (35) feet.

(5) *Vision clearance.* On any corner lot on which a front or side yard is required, no wall, fence, sign, or other structure or no plant growth of a type which would interfere with traffic visibility across the corner shall be permitted or maintained higher than three (3) feet above the curb level, within fifteen (15) feet of the intersection of the street right-of-way lines.

(6) *Floor area.* Not less than six hundred fifty (650) square feet in a dwelling unit excluding basements, porches and garages.

(7) *Parking.* (See section 29-30, Off-Street Parking and Loading.)

(Code 1964, § 19.190; Ord. No. 9958, § 1, 10-3-83; Ord. No. 11702, § 1, 12-7-87)