

#15

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) R

Date: January 7, 2016

Weekly Agenda Date: January 12, 2016

DEPARTMENT HEAD / CITIZEN: John Pylelo, Director of Planning and Zoning

SUBJECT: Proposed Zoning Ordinance Amendment

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Give Direction

Other: Informational

Attachments

WORDING FOR AGENDA ITEM: Consideration of a Zoning Commission Recommendation with referral for public hearing. For the proposed amendment of Woodbury County's zoning ordinance's Land Use Summary Table and Definitions sections. To allow Conditional Use Permitting for Home Occupation Use Trucking Terminal Operations within the AP and AE zoning Districts.

EXECUTIVE SUMMARY: See Narrative Attached

BACKGROUND: See Narrative Attached

FINANCIAL IMPACT: Approx. \$250.00. Budgeted

RECOMMENDATION: Zoning Commission and Staff concur that the recommend changes be made to Woodbury County's Zoning ordinances (see pages 1 and 2 attached).

ACTION REQUIRED: A motion to refer the three (3) recommended zoning ordinance changes to the Zoning Commission for public hearing and recommendation.

To: Board of Supervisors
From: John Pylelo – Planning and Zoning Director
Re: Supervisor Meeting of Tuesday, January 12, 2016
Date: January 7, 2016

Late last year at multiple Board of Supervisor meetings rural residents expressed their position on the operation of a 210th St. over the road trucking business operated by the McRoberts family. The McRoberts have been attempting to operate their business within the county's home occupation use ordinances.

At your November 10, 2015 meeting you tasked the county's Zoning Director to initiate a method of review of zoning ordinances impacting the issue. Specifically whether or not smaller over the road trucking companies should be allowed to operate within the county outside the constraints of certain of the home occupation use limitations.

Pursuant to the ordinances the matter was brought before the membership of the Zoning Commission at work sessions held on November 23rd and December 28th. At both of those meetings interested 210th St. residents attended.

Several options were reviewed with the Commissioners voting to recommend three changes within the zoning ordinances. Those changes are as follows:

- To add a line item use on attached page 32 of the zoning ordinance's Land Use Summary Table as follows:
"Truck Terminals (Home Occupation Use)". Placing the letter "C" within both the AP (Agricultural Preservation) and AE (Agricultural Estates) zoning districts.
- Change on attached page 38 of the ordinance's Land Use Summary Table a line item use as follows:
Change *"Truck Terminals"* to *"Truck Terminals (Non-Home Occupation Use)"*

- Add within Section 6.01: Construction of Terms as item 168.01 on attached page 93 the definition language as follows:

“Truck Terminal Operation (Home Occupation Use). A truck terminal operation meeting all Section 4.14 home occupation use tests except the test listed at sub-section 4.14:4 stating home occupation and employee vehicles shall be stored either in a building or screened from a public or private road or from adjacent property.”

IMPACT

If adopted an opportunity for review by the Board of Adjustment would be put in place for residents operating over the road trucking from their residence. The potential would exist for operators like the McRoberts to become compliant with ordinances even though vehicles are visible from off parcel locations.

Some of the benefits of the conditional use permit process are as follows:

1. Publication of a legal notice of public hearing
2. Written notice of public hearing details to property owners within 500’.
3. Public hearing before the Board of Adjustment where property owner, citizens and departmental comment is considered.
4. A review of the specific facts of the application with the potential for restrictions placed on any permit issued.

Staff Recommendation: Staff concurs with the Zoning Commission’s recommendation of making the conditional use process available for home occupation use situations in the AP and AE zoning districts.

Section 3.01: Zoning District Allowed Use Provisions.

1. **Land Use Summary Table.** The table in subsection 3.03-4, which follows, identifies specific uses that are either principal allowed, conditional, accessory, temporary or prohibited uses in each zoning district.
 - A. Principal allowed uses, indicated by "ok" in the table, are allowed as a matter of right in the zoning district, subject only to compliance with the general standards required for all uses in the zoning district..
 - B. Conditional uses, indicated by "C" in the table, are allowed in the zoning district only upon approval by the Zoning Board of Adjustment based upon findings of compliance with the requirements of subsection 2.02-9.F.
 - C. Accessory uses, indicated by "A" in the table, are either subordinate to or serve a principal allowed or conditional use on the same zoning lot.
 - D. Prohibited uses, indicated by "--" (i.e., a blank) in the table, are not allowed in the zoning district as either a principal allowed, conditional or accessory use. Some uses, indicated by "XX" in the table, are specifically identified as incompatible and therefore prohibited in the zoning district.
2. **Land Use Summary Table Organization.** The table in subsection 3.03-4 is a matrix with a comprehensive listing of uses arrayed down the side of the table with the zoning districts heading the column. The uses are arranged in general categories, e.g. residential, office, trade, industrial, etc. The general categories are arranged in an ascending order of land use perceived urban intensity with agriculture first, followed by residential, then office uses, etc. Within each category, subcategories and individual uses are arranged in alphabetic order.
3. **Interpretation and updating.** The listing of uses in the table in subsection 3.03-4 is intended to be comprehensive; however, it is certain to be incomplete due to omissions or new uses that will be developed in the future. The zoning director shall interpret which uses found in the Land Use Summary Table are comparable to an unlisted use or which zoning districts are appropriate for such use to be allowed as either principal allowed, conditional or accessory uses. The table in subsection 3.03-4 may be updated pursuant to the procedure outlined in Section 2.03 from time to time to reflect legislative acceptance or rejection of the interpretations of the zoning director.

OPTION #3

ZONING DISTRICTS

4. Land Use Summary Table of Allowed Uses in each Zoning District

	Agricultural Preservation AP	Agricultural Estates AE	Non-Agricultural Residential NR	Suburban Residential SR	General Commercial GC	Highway Commercial HC	Limited Industrial LI	General Industrial GI
ok Principal allowed use								
C Conditional use								
A Accessory use								
-- Prohibited use								
Agricultural and agri-business uses (See Sections 1.03-2 and 1.03-3 regarding exemption of farming from these regulations.)								
Animal husbandry	ok	ok	--	--	--	--	--	--
Crop farming	ok	ok	--	--	--	--	--	--
Commercial feedlots	ok	ok	--	--	--	--	--	--
Dairies	ok	ok	--	--	--	--	--	--
Furbearing animal production	ok	ok	--	--	--	--	--	--
Kennels (for breeding dogs, cats etc.)	C	C	--	--	--	--	--	--
Horse stables	ok	ok	--	--	C	--	--	--
Horticultural production (incl. nurseries & greenhouses)	ok	ok	--	--	--	--	--	--
Truck farms	ok	ok	--	--	--	--	--	--
Residential uses (Note: Home Occupations, allowed as accessory uses to residential occupancies subject to conformance with requirements in Sec. 4.14, may include a large range of non-residential uses.)								
Dwellings								
Single-family dwelling	--	ok	ok	ok	--	--	--	--
Single-family dwelling (not more than two per quarter-quarter section)	ok	--	--	--	--	--	--	--
Accessory second dwelling for relative or worker on property	C	C	C	--	--	--	--	--
Two-family dwelling	--	--	--	ok	--	--	--	--
Three/four family dwelling	--	--	--	C	--	--	--	--
Multiple family dwelling	--	--	--	C	--	--	--	--
Family homes	ok	ok	ok	ok	--	--	--	--
Group quarters								
Assisted living dwelling	--	C	C	C	C	--	--	--
Detention facilities	C	--	--	--	--	--	--	--
Dormitory & other group quarters	--	--	--	C	--	--	--	--
Nursing care facility	--	C	C	C	C	--	--	--
Home occupations (See Sec. 4.14)	A	A	A	A	--	--	--	--
Truck Terminals (Home Occupation)	C	C	--	--	--	--	--	--

ZONING DISTRICTS

Manufactured housing park (planned devel.)	--	--	--	--	--	--	--	--
ok Principal allowed use C Conditional use A Accessory use -- Prohibited use	AP	AE	NR	SR	GC	HC		GI
Mobile home	C/A	--	--	--	--	--	--	--
Office uses								
Finance, insurance, real estate	--	--	--	--	ok	--	--	--
Governmental offices	--	--	--	--	ok	--	--	--
Medical & dental clinics (incl. chiropractors, podiatrists, orthodontists, etc.)	--	--	--	--	ok	--	--	--
Professional offices (accountants, architects, attorneys, engineers, etc.)	--	--	--	--	ok	--	--	--
Other, general office uses	--	--	--	--	ok	--	--	--
Trade uses								
Consumer and business services								
Animal grooming	ok	--	--	--	ok	--	--	--
Auction services	--	--	--	--	ok	--	--	--
Audio-visual production	--	--	--	--	ok	--	--	--
Barber, beauty, tanning, etc.	--	--	--	--	ok	--	--	--
Broadcast studios	--	--	--	--	ok	--	--	--
Catering services	--	--	--	--	ok	--	--	--
Commercial kennels	C	C	--	--	ok	--	--	--
Copying services	--	--	--	--	ok	--	--	--
Dance, music schools	--	--	--	--	ok	--	--	--
Dressmakers and tailors	--	--	--	--	ok	--	--	--
Dry cleaning/laundry pickup/drop-off stations	--	--	--	--	ok	--	--	--
Employment agencies (not incl. day labor)	--	--	--	--	ok	--	--	--
Exterminators	--	--	--	--	ok	--	--	--
Funeral homes, mortuaries and crematories	--	--	--	--	ok	--	--	--
Health clubs and gyms	--	--	--	--	ok	--	--	--
Laundry, self-service	--	--	--	--	ok	--	--	--
Locksmiths	--	--	--	--	ok	--	--	--
Martial arts instruction	--	--	--	--	ok	--	--	--
Massage establishments	--	--	--	--	ok	--	--	--
Musical instrument service	--	--	--	--	ok	--	--	--
Packaging/shipping shop	--	--	--	--	ok	--	--	--
Pawn shop	--	--	--	--	ok	--	--	--
Pet cemetery	C	--	--	--	--	--	--	--

ZONING DISTRICTS

ok Principal allowed use C Conditional use A Accessory use --- Prohibited use	AP	AE	NR	SR	GC	HC	LI	GI
Photo drop off	---	---	---	---	ok	---	---	---
Photo studio	---	---	---	---	ok	---	---	---
Photo and video production	---	---	---	---	ok	---	---	---
Shoe repair	---	---	---	---	ok	---	---	---
Sign making	---	---	---	---	ok	---	---	---
Tanning salons	---	---	---	---	ok	---	---	---
Tattooing and body piercing	---	---	---	---	ok	---	---	---
Taxidermy	---	---	---	---	ok	---	---	---
Travel agencies	---	---	---	---	ok	---	---	---
Upholstering	---	---	---	---	ok	---	---	---
Veterinarian offices	C	C	---	---	C	---	---	---
Entertainment, hospitality, recreation services								
Adult entertainment (as defined in Sec.	---	---	---	---	---	---	---	ok
Banquet and reception halls	---	---	---	---	C	C	---	---
Bars, cocktail lounges, and taverns	---	---	---	---	C	C	---	---
Exhibition and meeting areas	---	---	---	---	C	C	---	---
Indoor recreation enterprises								
Amusement arcade	---	---	---	---	ok	---	---	---
Archery range	---	---	---	---	ok	---	---	---
Billiards, pool and darts	---	---	---	---	ok	---	---	---
Bowling alley	---	---	---	---	ok	---	---	---
Firing range	---	---	---	---	ok	---	---	---
Skating rink (ice or roller)	---	---	---	---	ok	---	---	---
Lodges and social clubs	---	---	---	---	ok	---	---	---
Outdoor recreation enterprises								
Archery range	C	---	---	---	---	---	---	---
Firing range	C	---	---	---	---	---	---	---
Golf courses	C	C	C	C	C	---	---	---
Golf driving range	C	C	A	A	---	---	---	---
Miniature golf	C	C	---	---	ok	---	---	---
Paintball range	C	---	---	---	---	---	---	---
Tennis courts	---	---	C	C	C	---	---	---
Trap and skeet shooting	C	---	---	---	---	---	---	---
Pools & water recreation	C	C	C	C	C	---	---	---
Racetracks	C	---	---	---	---	---	---	---
Restaurants	---	---	---	---	ok	ok	---	---
Restaurants, drive-through or pickup/delivery	---	---	---	---	ok	ok	---	---

ZONING DISTRICTS

ok Principal allowed use C Conditional use A Accessory use -- Prohibited use	AP	AE	NR	SR	GC	HC	LI	GI
Restaurants, with alcohol	--	--	--	--	C	C	--	--
Theaters, live or motion picture	--	--	--	--	ok	--	--	--
Lodging								
Bed and breakfast lodging	ok	ok	ok	ok	ok	ok	--	--
Campgrounds	C	C	--	--	C	C	C	C
RV Park	C	C	--	--	C	C	C	C
Hotels, motels	--	--	--	--	ok	ok	--	--
Retail sales, service and rentals of consumer, home and business goods								
Adult products (as defined in Sec. 6.02)	--	--	--	--	--	--	--	ok
Antiques	--	--	--	--	ok	ok	--	--
Appliances and home entertainment	--	--	--	--	ok	--	--	--
Art, crafts, and art & craft supplies	--	--	--	--	ok	--	--	--
Automotive parts and supplies	--	--	--	--	ok	--	--	--
Baked goods, etc. (made on premises)	--	--	--	--	ok	--	--	--
Books, periodicals (not incl. adult books)	--	--	--	--	ok	--	--	--
Building materials	--	--	--	--	ok	--	--	--
Carpet and floor coverings	--	--	--	--	ok	--	--	--
Clothing and accessories	--	--	--	--	ok	--	--	--
Computer hardware and software	--	--	--	--	ok	--	--	--
Convenience stores	--	--	--	--	ok	ok	--	--
Drug stores and pharmacies	--	--	--	--	ok	--	--	--
Dry goods, fabrics	--	--	--	--	ok	--	--	--
Feed and seed sales	C	C	--	--	ok	--	--	--
Florists (incl. retail greenhouses)	--	--	--	--	ok	--	--	--
Furniture and home furnishings	--	--	--	--	ok	--	--	--
Garden supplies (incl. nursery stock)	--	--	--	--	ok	--	--	--
Gifts and cards	--	--	--	--	ok	--	--	--
Groceries	--	--	--	--	ok	--	--	--
Guns, ammunition	--	--	--	--	ok	--	--	--
Hardware	--	--	--	--	ok	--	--	--
Hobby and craft shops	--	--	--	--	ok	--	--	--
Jewelry	--	--	--	--	ok	--	--	--
Meats (no slaughter or butchering)	--	--	--	--	ok	--	--	--
Monument sales	--	--	--	--	ok	--	--	--
Motor vehicle fuels	--	--	--	--	ok	ok	ok	ok
Music (tapes and CD's)	--	--	--	--	ok	--	--	--
Musical instruments and supplies	--	--	--	--	ok	--	--	--
Office machines, furniture and supplies	--	--	--	--	ok	--	--	--

ZONING DISTRICTS

ok Principal allowed use C Conditional use A Accessory use -- Prohibited use	AP	AE	NR	SR	GC	HC	LI	GI
Package liquor	--	--	--	--	ok	ok	--	--
Paint and wallcoverings	--	--	--	--	ok	--	--	--
Pets, pet foods and supplies	--	--	--	--	ok	--	--	--
Photographic equipment and supplies	--	--	--	--	ok	--	--	--
Shoes	--	--	--	--	ok	--	--	--
Sporting goods	--	--	--	--	ok	--	--	--
Tobacco products	--	--	--	--	ok	--	--	--
Toys	--	--	--	--	ok	--	--	--
Used goods sales	--	--	--	--	ok	--	--	--
Videos (not incl. adult videos)	--	--	--	--	ok	--	--	--
Vehicle sales, service and rental								
Boat and recreational vehicles	--	--	--	--	ok	--	--	--
Construction equipment	--	--	--	--	ok	--	--	--
Farm equipment	C	--	--	--	ok	--	--	--
Automobiles and light duty trucks	--	--	--	--	ok	--	--	--
Trucks	--	--	--	--	ok	--	--	--
Vehicle repair	C	--	--	--	ok	ok	ok	--
Wholesale trade								
Mail order houses	--	--	--	--	--	--	ok	--
Wholesale businesses	--	--	--	--	--	--	ok	--
Industrial uses								
Heavy service businesses								
Automotive salvage and wrecking	--	--	--	--	--	--	--	C
Automotive parts remanufacturing	--	--	--	--	--	--	ok	ok
Construction contractor yards	--	--	--	--	--	--	ok	ok
Fertilizer storage/distrib./application	C	--	--	--	--	--	ok	ok
Furniture stripping and refinishing	--	--	--	--	ok	--	ok	--
Janitorial and building maintenance	--	--	--	--	ok	--	ok	--
Laundry and dry cleaning facilities	--	--	--	--	--	--	ok	--
Machine and welding shops	C	--	--	--	ok	--	ok	--
Printing and publishing	--	--	--	--	ok	--	ok	ok
Research and development laboratories	C	--	--	--	--	--	ok	ok
Saw Mills	C	--	--	--	--	--	ok	--
Tree services (incl. fire wood storage)	C	--	--	--	--	--	ok	--
Truck stops	--	--	--	--	--	ok	--	C
Vehicle towing services	--	--	--	--	--	--	--	C
Manufacturing and processing								
Animal food processing (livestock feeds)	C	--	--	--	--	--	--	C
Animal food processing (pet foods)	--	--	--	--	--	--	--	C

ZONING DISTRICTS

ok Principal allowed use C Conditional use A Accessory use -- Prohibited use	AP	AE	NR	SR	GC	HC	LI	GI
Apparel and textile manufacturing	--	--	--	--	--	--	--	C
Art, jewelry and toy production	--	--	--	--	--	--	--	C
Chemical manufacturing	--	--	--	--	--	--	--	C
Ethanol fuel distilling	C	--	--	--	--	--	--	C
Food processing								
Bakery, commercial	--	--	--	--	--	--	C	C
Dairy processing	--	--	--	--	--	--	C	C
Grain processing	--	--	--	--	--	--	C	C
Meat processing	--	--	--	--	--	--	C	C
Other food processing	--	--	--	--	--	--	C	C
Heavy construction services								
Aggregate crushing and screening	C	--	--	--	--	--	--	C
Asphalt mixing	--	--	--	--	--	--	--	C
Concrete mixing	--	--	--	--	--	--	--	C
Temporary heavy construction services								
Aggregate crush & screen (temporary)	C	--	--	--	--	--	C	C
Asphalt mixing (temporary)	C	--	--	--	--	--	C	C
Concrete mixing (temporary)	C	--	--	--	--	--	C	C
Lumber and wood products manufacturing	--	--	--	--	--	--	--	C
Metal products manuf. (incl. plating and enameling)	--	--	--	--	--	--	--	C
Machinery manufacturing	--	--	--	--	--	--	--	C
Prefabricated structure manufacturing	--	--	--	--	--	--	--	C
Tire retreading	--	--	--	--	--	--	--	C
Wood working and cabinetry	--	--	--	--	--	--	C	C
Resource extraction								
Borrow pits for earth materials	C	--	--	--	--	--	--	C
Gravel and stone quarries	C	--	--	--	--	--	--	C
Warehousing and freight handling								
Air freight terminals	--	--	--	--	--	--	ok	ok
Cold storage plants	--	--	--	--	--	--	ok	ok
Freight storage, general warehousing	--	--	--	--	--	--	ok	ok
Fuel and lubricant distributors	C	--	--	--	--	--	ok	ok
Grain terminals & elevators	C	--	--	--	--	--	ok	ok
Household moving and storage	--	--	--	--	--	--	ok	ok
Intermodal freight transfer facilities	--	--	--	--	--	--	ok	ok
Chemical and gas bulk storage	--	--	--	--	--	--	C	C
Mail processing center	--	--	--	--	--	--	ok	ok
Personal storage facilities	--	--	--	--	ok	--	ok	ok
Parcel delivery services	--	--	--	--	--	--	ok	ok

ZONING DISTRICTS

ok Principal allowed use C Conditional use A Accessory use -- Prohibited use	AP	AE	NR	SR	GC	HC	LI	GI
Retail store inventory storage	--	--	--	--	A	--	ok	ok
Sand and gravel storage	C	--	--	--	--	--	ok	ok
Truck terminals	--	--	--	--	--	--	ok	ok
Wholesale distribution centers	--	--	--	--	--	--	ok	ok
Waste processing and transfer								
Portable toilet storage and cleaning	--	--	--	--	--	--	ok	ok
Recycling operations (incl. scrap metal)	--	--	--	--	--	--	--	C
Rendering plants	--	--	--	--	--	--	--	C
Sanitary landfill	C	--	--	--	--	--	--	C
Waste composting	C	--	--	--	--	--	--	C
Waste incineration	--	--	--	--	--	--	--	C
Institutional uses								
Cemeteries, mausoleums and columbaria	C	C	C	C	--	--	--	--
Community facilities								
Activity/social service centers								
Community centers	ok	ok	ok	ok	ok	--	--	--
Day camp, recreation	ok	ok	ok	C	C	--	--	--
Fields for competitive athletic	C	C	C	C	--	--	--	--
Libraries and museums	C	C	C	C	ok	--	--	--
Parks and public open space	ok	ok	ok	ok	--	--	--	--
Day Care								
Licensed day care (adult or child)	C	C	C	C	C	--	--	--
Medical services								
Blood bank	--	--	--	--	ok	--	--	--
Emergency care center	--	--	--	--	ok	--	--	--
Substance abuse treatment (in-patient)	C	C	--	--	ok	--	--	--
Hospitals	--	--	--	--	ok	--	--	--
Plasma centers	--	--	--	--	ok	--	--	--
Religious facilities								
Churches, synagogues, temples and religious shrines	ok	ok	ok	ok	ok	--	--	--
Schools								
Boarding schools	--	--	--	--	ok	--	--	--
Colleges, business and trade schools	C	C	--	--	ok	--	--	--
Nursery, elementary and secondary schools	C	ok	ok	ok	--	--	--	--
Social services								
Detention facilities	C	--	--	--	C	--	C	--
Food banks	--	--	--	--	ok	--	--	--
Halfway house for non-penal residents	C	C	C	C	--	--	--	--
Homeless shelters	--	--	--	--	ok	--	--	--

ZONING DISTRICTS

ok Principal allowed use		AP	AE	NR	SR	GC	HC	LI	GI
C Conditional use									
A Accessory use									
-- Prohibited use									
Hospice facility	C	C	C	C	C	--	--	--	--
Hospice services	--	--	--	--	ok	--	--	--	--
Substance abuse counseling	C	C	--	--	ok	--	--	--	--
Soup kitchens	--	--	--	--	ok	--	--	--	--
Transportation, communication and public services									
Air transportation									
Airport and heliport	C	C	--	--	--	--	--	--	--
Bus garage	C	--	--	--	ok	--	ok	--	--
Pipelines									
Pipelines	C	C	C	C	C	C	C	C	C
Pipeline terminals, pumping stations, etc.	C	--	--	--	--	--	C	C	C
Public services									
Ambulance stations	C	C	C	C	ok	--	--	--	--
Fire stations	C	C	C	C	ok	--	--	--	--
Police stations	C	C	C	C	ok	--	--	--	--
Public service garage	--	--	--	--	C	C	ok	C	C
Railroads									
Rail lines	C	C	C	C	C	C	C	C	C
Rail switch yards, equipment repair & maint.	C	--	--	--	--	--	C	C	C
Signs									
Off-premise	--	--	--	--	C	C	--	--	--
On-premise	A	A	A	A	A	A	A	A	A
Telecommunication towers and facilities									
Antennas on existing structures	ok								
Telecommunication towers	C	C	C	C	C	C	C	C	C
Utilities									
Electrical energy generation (not incl. wind)	--	--	--	--	--	--	--	--	C
Electrical energy wind generation (Commercial)	C	--	--	--	--	--	--	--	C
Sewage treatment plants	C	C	C	C	C	C	C	C	C
Utility substations	ok	ok	--	--	ok	--	--	ok	ok
Electric wind generator (Private use)	C	C	C	C	C	C	C	C	C
Sewage treatment for subdivision	C	C	C	C	C	C	C	C	C
Sewage lagoon	C	C	C	C	C	C	C	C	C
Water storage tanks	C	C	C	C	C	C	C	C	C

Stable, Private. An accessory structure or land use that is designed, arranged, used, or intended to be used for the keeping of equines for the private use of the occupants of a principal dwelling and their guests, but in no event for hire.

Stable, Riding. A structure or land use in or on which equines are kept for sale or hire to the public. Breeding, boarding, or training of equines may also be conducted.

State. The State of Iowa.

Street. (see Road)

Structural alteration. Any change in the supporting members of a structure, such as bearing walls, columns, beams or girders.

Structure. Anything constructed, erected or placed on a fixed location on the ground or on another structure, specifically including buildings, walls, fences, signs, swimming pools, towers, and storage tanks, but excluding paving and walkways. Vehicles and other movable objects may be considered as structures if they are placed in a generally fixed location for a purpose other than transportation.

Telecommunication Tower. A self-supporting lattice, guyed, or monopole structure that supports telecommunications facilities. The term tower shall not include amateur radio operator's equipment as licensed by the FCC or structure supporting an earth station antenna serving residential premises or dwelling units exclusively.

Tract. A fractional part of a section of land or a lot within a subdivision.

Truck Terminal Operation (Home Occupation Use). A truck terminal operation meeting all Section 4.14 Home occupation use tests except the test listed at sub-section 4.14:4 stating home occupation and employee vehicles shall be stored either in a building or screened from a public or private road or from an adjacent property.

Use. The type of activity or purpose for which a parcel of land and/or structure is arranged, designed, or intended, or for which it may be occupied.

Use, Accessory. A use that serves or is subordinate in purpose to another allowed use on the same lot.

Use, Allowed. A principal, conditional or accessory use that may be established in conformance with the regulations of the zoning district in which it is located.

Use, Conditional. A use that is allowed in conformance with the regulations of the zoning district in which it is located, if and only if, approved by the Board of Adjustment as provided in subsection 2.02-9.

Use, Principal. A use that is allowed as a matter of right in conformance with the regulations of the zoning district in which it is located.

Utility. Services and facilities that provide usefulness and amenity for developed property. Utilities include, but are not limited to, sanitary sewer, water systems, natural gas, electricity, wind generation, solar collectors, telephone, cable television, and other telecommunication systems.

Variance. Relief from specific requirements of this zoning ordinance granted by the Board of Adjustment pursuant to subsection 2.02.8.

Warehouse. A building or other facility used for storage of goods and materials.

Wholesale trade. The transportation, distribution and sale of goods, wares, or merchandise to retailers or others who are not the end users of the goods, wares or merchandise.

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