

ARTICLE 4 R1 RESIDENTIAL DISTRICT

INTENT

These districts are designed to provide for one (1) and two (2) family (duplex) dwelling sites and residential related uses. The uses permitted are intended to promote a compatible arrangement of land uses for homes, keeping housing areas free of unrelated traffic, nuisance land uses, and other negative influences on the residential environment.

SECTION 4.1 PRINCIPAL USES PERMITTED

No building or land shall be used and no building shall be erected except for one (1) or more of the following specified uses:

- 4.1.1 One (1) family dwellings
- 4.1.2 Two (2) family dwellings (duplex) subject to the density standards for one (1) family dwellings and a minimum lot width of one hundred fifty (150) feet
- 4.1.3 Publicly owned and operated parks, parkways, and outdoor recreational facilities
- 4.1.4 Existing farms and agricultural uses
- 4.1.5 Family Care Facilities
- 4.1.6 Cemeteries when developed on sites of ten (10) acres or more. Permit criteria include [Article 21.4](#)
- 4.1.7 The raising of nursery field stock, on sites of two (2) acres or more, but excluding storage buildings, greenhouses, offices or other structural facilities, and excluding any outdoor storage of materials; the intent being to limit the use of land to raising plant materials
- 4.1.8 The following in-home uses provided no more than fifteen percent (15%) of floor area may be used for such a purpose:
 - 4.1.8.1 Offices and home occupations when operated within the confines of a one (1) family dwelling as an accessory to living quarters [Permit criteria for these uses include [Article 21.12](#)]
- 4.1.9 Structure for storage of the owner's personal possessions and non-commercial activities. These structures shall not be used as residences. Structures shall meet the size requirements of [Article 21.1.3](#)
- 4.1.10 WTG Building-Mounted: Permitted as an accessory use to an allowed Principal Use

SECTION 4.2 PERMITTED USES SUBJECT TO SPECIAL CONDITIONS

The following uses may be permitted, subject to the conditions herein imposed for each use, the review standards of [Article 19](#) and only after the review and approval of the site plan by the Planning Commission. [See [Article 21](#) for applicable Specific Requirements for Certain Uses, if any, and/or [Article 23](#) for Site Plan Requirements.]

- 4.2.1 Churches, public libraries, public buildings (excluding public works garages and storage yards) and uses normally incidental thereto
- 4.2.2 Public, parochial, and other private elementary, middle, and/or secondary schools; and all accessory school bus parking lots

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- 4.2.3 Colleges, and other institutions of higher learning, public or private, offering courses in general, technical, or religious education, all are subject to the following conditions:
 - 4.2.3.1 Any use permitted herein shall be developed only on sites of at least five (5) acres in area
 - 4.2.3.2 No building other than a structure for residential purpose shall be closer than fifty (50) feet to any property line
- 4.2.4 Private, Non-commercial recreational areas and recreational facilities
- 4.2.5 Golf courses, or miniature golf courses, providing that:
 - 4.2.5.1 Accessory restaurant and bar uses shall be housed within the club house. Uses strictly related to operation of the golf course itself, such as maintenance garage, or pro shop, may be located in separate structures. No structure, except minor rain shelters, shall be located closer than seventy (70) feet from the lot - line of any adjacent residential land and from any public right-of-way;
 - 4.2.5.2 All parking areas shall be surfaced or so treated as to prevent any dust nuisance;
 - 4.2.5.3 Refer to [Article 21.11](#) for additional conditions pertaining to golf courses
- 4.2.6 Group care facilities meeting applicable state licensing requirements
- 4.2.7 Utility and essential service structures when their operating requirements necessitate locating the facilities within the district in order to serve the immediate vicinity (storage yards excluded). [Permit criteria include [Article 21.10](#) regarding screening fence]
- 4.2.8 Personal Wireless Services Telecommunications Towers and Facilities one hundred fifty (150) feet or less in height, self-supporting (lattice) or guyed [Permit criteria includes [Article 21.46](#)]
- 4.2.9 WTG Small: Permitted as an accessory use to an allowed Principal Use
- 4.2.10 Unlisted property uses if authorized under [Article 21.44](#)

ARTICLE 4 R1 RESIDENTIAL DISTRICT

Lot & Structure Standards

Minimum Lot Area	20,000 ft ² / .46 acre
Minimum Lot Width ^(a)	100 ft for single family / 150 ft for duplex
Maximum Lot Coverage	No more than 25% of a parcel's total area may be covered by structures
Maximum Building Height ^(b)	35 ft
Minimum Principle Structure Width ^(c)	20 ft
Minimum Ground Floor Area of Principle Structure ^(c)	720 ft ²

Setbacks

Minimum front setback ^{(d),(e)}	25 ft
Minimum side setback	10 ft
Minimum rear setback^(f)	30 ft for non-waterfront Lots, 50 ft for waterfront lots

Accessory Buildings

Maximum Height^(g)	35 ft
Maximum Ground Floor Area	No maximum; no more than 25% of a parcel's total area can be covered by structures

Setbacks (Accessory):

Front Yard:	25 feet ^(h)
Side Yard:	10 feet
Rear Yard:	10 feet ⁽ⁱ⁾
Use:	Accessory buildings shall not be used for residences. Accessory buildings may not be used for commercial storage.

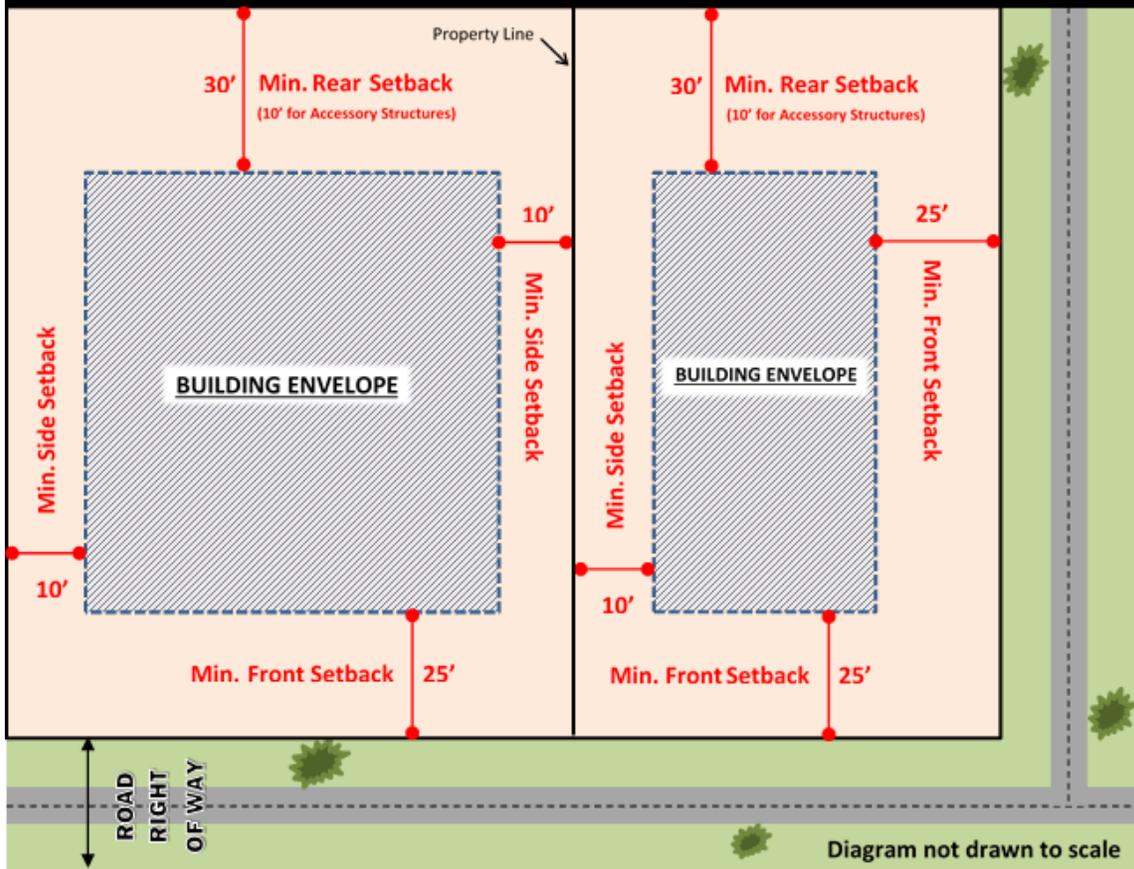
Parking

Residential off-street parking spaces shall consist of a driveway, parking strip, parking bay, garage, carport, or combination thereof. The parking or storage of any commercial motor vehicle shall be prohibited in any R1, R2 or RR District, or in any residential area with lots of twenty thousand (20,000) square feet or less. (See definition of COMMERCIAL MOTOR VEHICLE.)

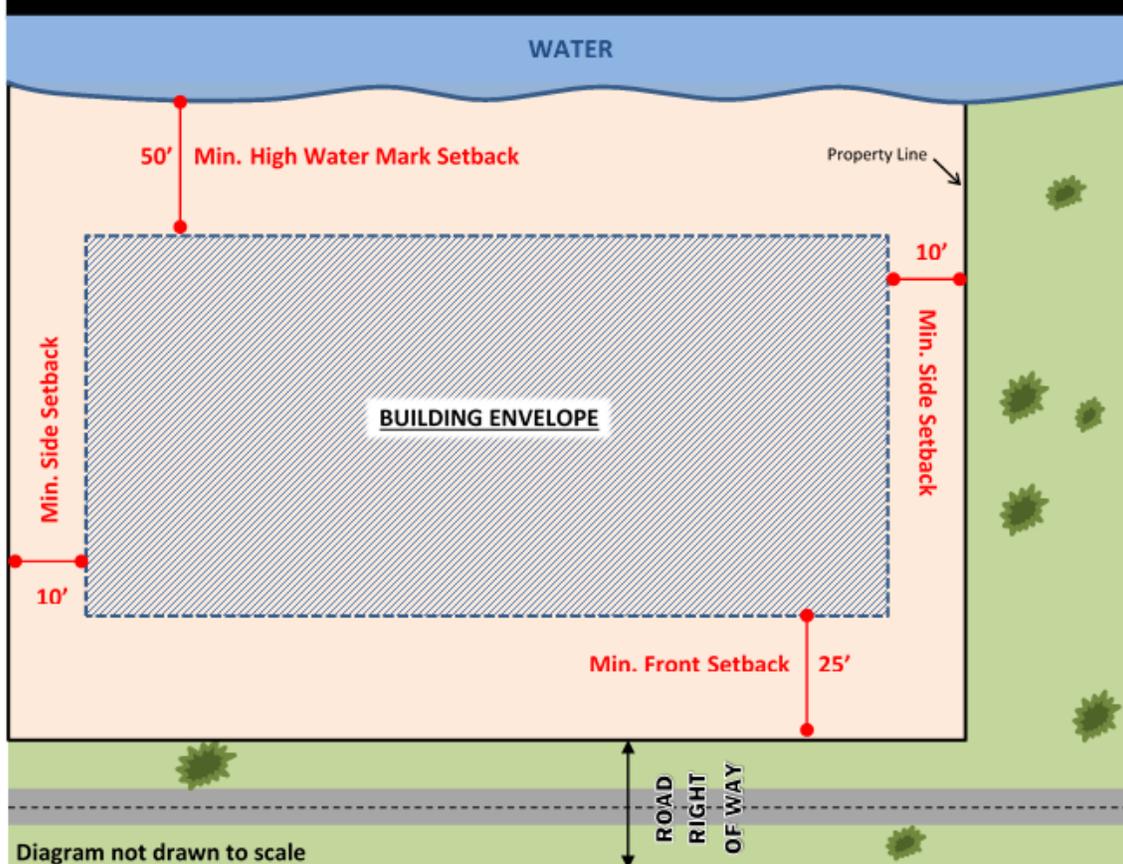
Notes

- Note A:** Specific allowable uses have greater minimum lot widths as required in the Zoning District allowable use lists
- Note B:** Subject to approval by the Planning Commission, the maximum height of buildings may be permitted to exceed the maximum stated in the Schedule by up to fifty percent (50%) in R1, R2, R3, RR, B1, B2 and HX Districts; and up to one hundred percent (100%) in all other districts, provided that the applicant can demonstrate that no good purpose would be served by compliance with maximums stated. Specific allowable uses have greater allowable heights as stated in the Zoning District allowable use lists, Article 21 and Article 22, Section 22.3 Height Limits, of this ordinance.
- Note C:** The foregoing standards shall not apply to a mobile home located in a licensed mobile home park except to the extent required by state or federal law or otherwise specifically required in this Ordinance. See Section 21.22.
- Note D:** Where the front yards of two (2) or more principal buildings in any block, or within five hundred (500) feet in existence at the time of the passage of this Ordinance (or amendment thereto), in the same zoned district or the same side of the road are less than the minimum front yard setback, then any principal building subsequently erected on the same side of the road shall not be required to provide a greater setback than the average for the existing two (2) or more principal buildings
- Note E:** In instances where the property is adjacent to a public right of way or ingress egress easement dedicated as permanent adequate access to one (1) or more lots, the setback shall be measured from that right of way or ingress egress easement.
- Note F:** Lots within five hundred (500) feet of lakes, ponds, flowages, rivers, streams: see Article 18 LOTS NEAR WATER.
- Note G:** Accessory buildings in Residential Districts within 500' of any waterfront shall be limited to one story and have sidewalls not exceeding fourteen (14) feet in height.
- Note H:** In residential districts all accessory buildings and uses shall be in the rear yard except in the case of one detached private garage which may be allowed in the side or front yard, provided it maintains the setback requirements.
- Note I:** Accessory buildings in the R1, R2, R3 & RR Districts shall be subject to the side and front yard setback requirements as regulated in Article 17 SCHEDULE OF DIMENSIONS, but need not be farther than ten (10) feet from the rear property line.

R-1 District Setback Diagram



R-1 District Setback Diagram - Waterfront



ARTICLE 5 R2 GENERAL RESIDENTIAL DISTRICT

INTENT

The R2 General Residential District is designed to provide for multiple-family structures. This district is further intended to be a transitional use district, such as a location between residential districts and non-residential districts.

SECTION 5.1 PRINCIPAL USES PERMITTED

No building or land shall be used and no building shall be erected except for one (1) or more of the following specified uses:

- 5.1.1 All principal uses permitted in the [R1](#) District [See [Article 4.1](#)]
- 5.1.2 Multiple family dwellings including rooming houses, bed and breakfast homes, tourist homes, apartment houses, group quarters, housing for the elderly, subject to the requirements of [Article 17 SCHEDULE OF DIMENSIONS](#), and approval of the County Health Department
- 5.1.3 Group care facilities, meeting applicable state licensing requirements
- 5.1.4 The following uses provided there is direct access to a county primary or state trunkline highway, as defined by the County Road Commission:
 - 5.1.4.1 Retail specialty stores when operated by the property owner within a completely enclosed building with no outdoor storage or display; to include: apparel, antiques, ceramics, florists, food stores, fruit markets, gifts hobby shops [Permit criteria include [Article 21.12.02](#), [21.12.03](#)]
- 5.1.5 WTG Building-Mounted: Permitted as an accessory use to an allowed Principal Use

SECTION 5.2 PERMITTED USES SUBJECT TO SPECIAL CONDITIONS

The following uses may be permitted, subject to the conditions herein imposed for each use, the review standards of [Article 19](#) and only after the review and approval of the site plan by the Planning Commission. [See [Article 21](#) for applicable Specific Requirements for Certain Uses, if any and [Article 23](#) for Site Plan Requirements.]

- 5.2.1 All uses subject to special conditions in the [R1](#) District
- 5.2.2 The following uses provided there is direct access to a County primary or State trunkline highway, as defined by the County Road Commission:
 - 5.2.2.1 Motels and hotels provided there is a minimum lot width of one hundred fifty (150) feet
 - 5.2.2.2 Fraternal halls, sportsmen associations, and athletic clubs within completely enclosed buildings with a minimum lot of five (5) acres with a road frontage of two hundred (200) feet
 - 5.2.2.3 Professional offices for medical, dental, legal, engineering, architectural, or accounting services
 - 5.2.2.4 Convenience retail establishments
- 5.2.3 Churches
- 5.2.4 Manufactured Housing Parks
- 5.2.5 Hospitals Convalescent or Nursing Home Care Facilities

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5.2.6 Commercial day care facilities

5.2.7 Personal Wireless Services Telecommunications Towers and Facilities one hundred fifty (150) feet or less in height, self-supporting (lattice) or guyed [Permit criteria includes [Article 21.46](#)]

5.2.8 WTG Small: Permitted as an accessory use to an allowed Principal Use

5.2.9 Unlisted property uses if authorized under [Article 21.44](#)

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ARTICLE 5 R2 GENERAL RESIDENTIAL DISTRICT

Lot & Structure Standards

Minimum Lot Area	20,000 ft ² / .46 acre
Minimum Lot Width ^(a)	100 ft for single family / 150 ft for duplex
Maximum Lot Coverage	No more than 25% of a parcel's total area may be covered by structures
Maximum Building Height ^(b)	35 ft
Minimum Principle Structure Width ^(c)	20 ft
Minimum Ground Floor Area of Principle Structure ^(c)	720 ft ²

Setbacks

Minimum front setback ^{(d),(e)}	25 ft
Minimum side setback	10 ft
Minimum rear setback^(f)	30 ft for non-waterfront Lots, 50 ft for waterfront lots

Accessory Buildings

Maximum Height^(g)	35 ft
Maximum Ground Floor Area	No maximum; no more than 25% of a parcel's total area can be covered by structures

Setbacks (Accessory):

Front Yard:	25 feet ^(h)
Side Yard:	10 feet
Rear Yard:	10 feet ⁽ⁱ⁾
Use:	Accessory buildings shall not be used for residences. Accessory buildings may not be used for commercial storage.

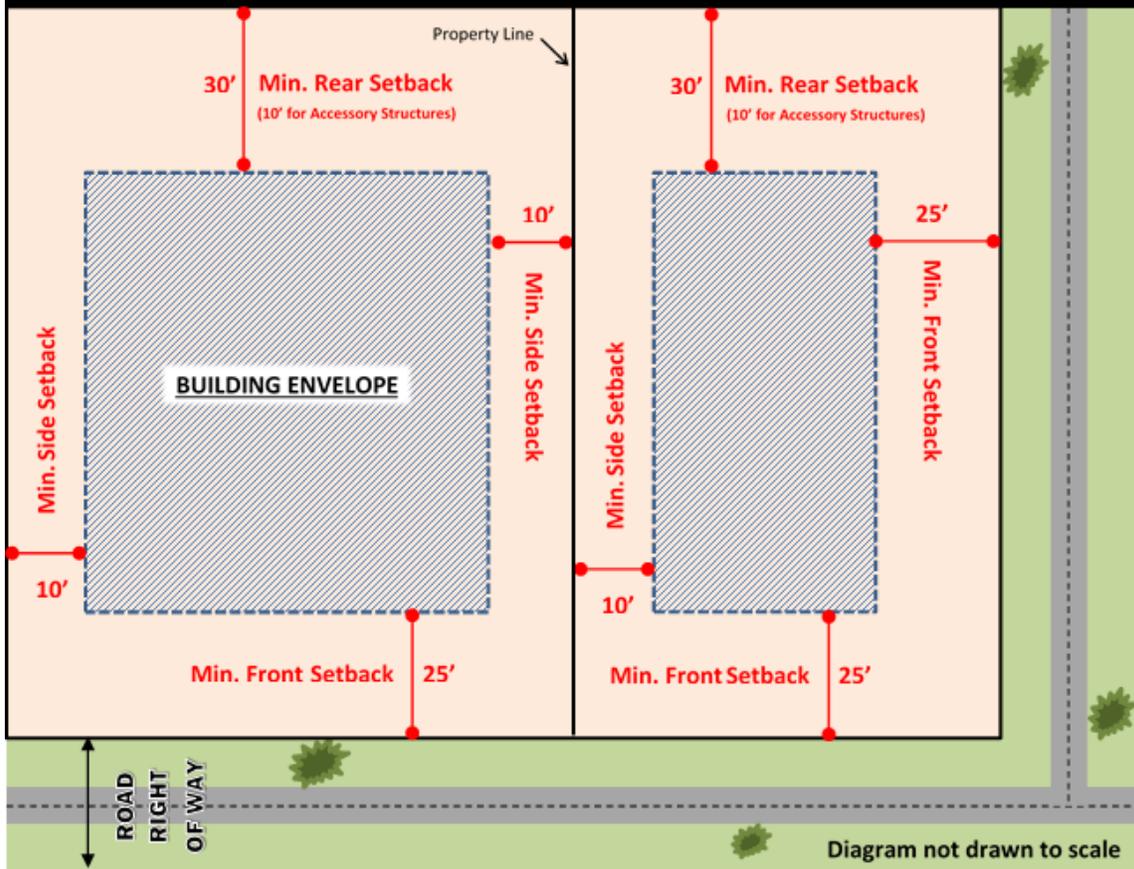
Parking

Residential off-street parking spaces shall consist of a driveway, parking strip, parking bay, garage, carport, or combination thereof. The parking or storage of any commercial motor vehicle shall be prohibited in any R1, R2 or RR District, or in any residential area with lots of twenty thousand (20,000) square feet or less. (See definition of COMMERCIAL MOTOR VEHICLE.)

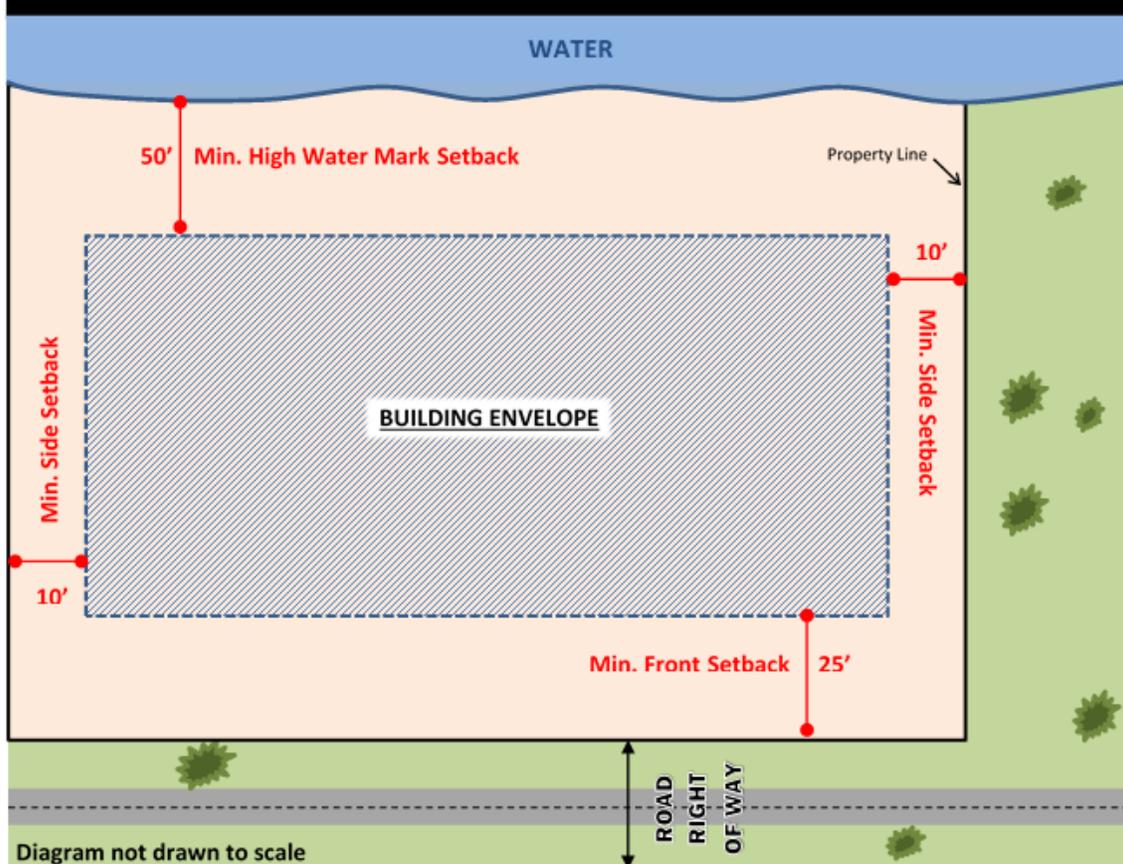
Notes

- Note A:** Specific allowable uses have greater minimum lot widths as required in the Zoning District allowable use lists
- Note B:** Subject to approval by the Planning Commission, the maximum height of buildings may be permitted to exceed the maximum stated in the Schedule by up to fifty percent (50%) in R1, R2, R3, RR, B1, B2 and HX Districts; and up to one hundred percent (100%) in all other districts, provided that the applicant can demonstrate that no good purpose would be served by compliance with maximums stated. Specific allowable uses have greater allowable heights as stated in the Zoning District allowable use lists, Article 21 and Article 22, Section 22.3 Height Limits, of this ordinance.
- Note C:** The foregoing standards shall not apply to a mobile home located in a licensed mobile home park except to the extent required by state or federal law or otherwise specifically required in this Ordinance. See Section 21.22.
- Note D:** Where the front yards of two (2) or more principal buildings in any block, or within five hundred (500) feet in existence at the time of the passage of this Ordinance (or amendment thereto), in the same zoned district or the same side of the road are less than the minimum front yard setback, then any principal building subsequently erected on the same side of the road shall not be required to provide a greater setback than the average for the existing two (2) or more principal buildings
- Note E:** In instances where the property is adjacent to a public right of way or ingress egress easement dedicated as permanent adequate access to one (1) or more lots, the setback shall be measured from that right of way or ingress egress easement.
- Note F:** Lots within five hundred (500) feet of lakes, ponds, flowages, rivers, streams: see Article 18 LOTS NEAR WATER.
- Note G:** Accessory buildings in Residential Districts within 500' of any waterfront shall be limited to one story and have sidewalls not exceeding fourteen (14) feet in height.
- Note H:** In residential districts all accessory buildings and uses shall be in the rear yard except in the case of one detached private garage which may be allowed in the side or front yard, provided it maintains the setback requirements.
- Note I:** Accessory buildings in the R1, R2, R3 & RR Districts shall be subject to the side and front yard setback requirements as regulated in Article 17 SCHEDULE OF DIMENSIONS, but need not be farther than ten (10) feet from the rear property line.

R-2 District Setback Diagram



R-2 District Setback Diagram - Waterfront



ARTICLE 6 R3 RESIDENTIAL ESTATES DISTRICT

INTENT

The R3 Residential Estates District is established to provide for areas topographically and locationally well suited to meet an increasing market for ten (10) acre lots and larger, which can potentially be resubdivided into smaller lots. This district is to encourage the orderly transition of land to low density residential use.

SECTION 6.1 PRINCIPAL USES PERMITTED

No building or land shall be used and no building shall be erected except for one or more of the following specified uses:

- 6.1.1 All principal uses permitted in the [R1](#) District [See [Article 4.1](#)]
- 6.1.2 Fraternal lodges
- 6.1.3 Wildlife, plant and habitat preservation areas
- 6.1.4 Group care facilities meeting applicable state licensing requirements
- 6.1.5 Retail specialty store as permitted in [Article 5.1.4](#)
- 6.1.6 Roadside stands (agricultural-temporary) off the road right-of-way, provided that the stand be operated only seasonally, that hours not exceed dawn to dusk, that large equipment, including semi-tractor-trailers, not be parked at the site, and that the parking requirements of [Article 21.27](#) be observed
- 6.1.7 Temporary Recreation Housing/Travel trailers. Permit criteria include [Article 21.33](#)
- 6.1.8 WTG Building-Mounted: Permitted as an accessory use to an allowed Principal Use
- 6.1.9 WTG Small: Permitted as an accessory use to an allowed Principal Use

SECTION 6.2 PERMITTED USES SUBJECT TO SPECIAL CONDITIONS

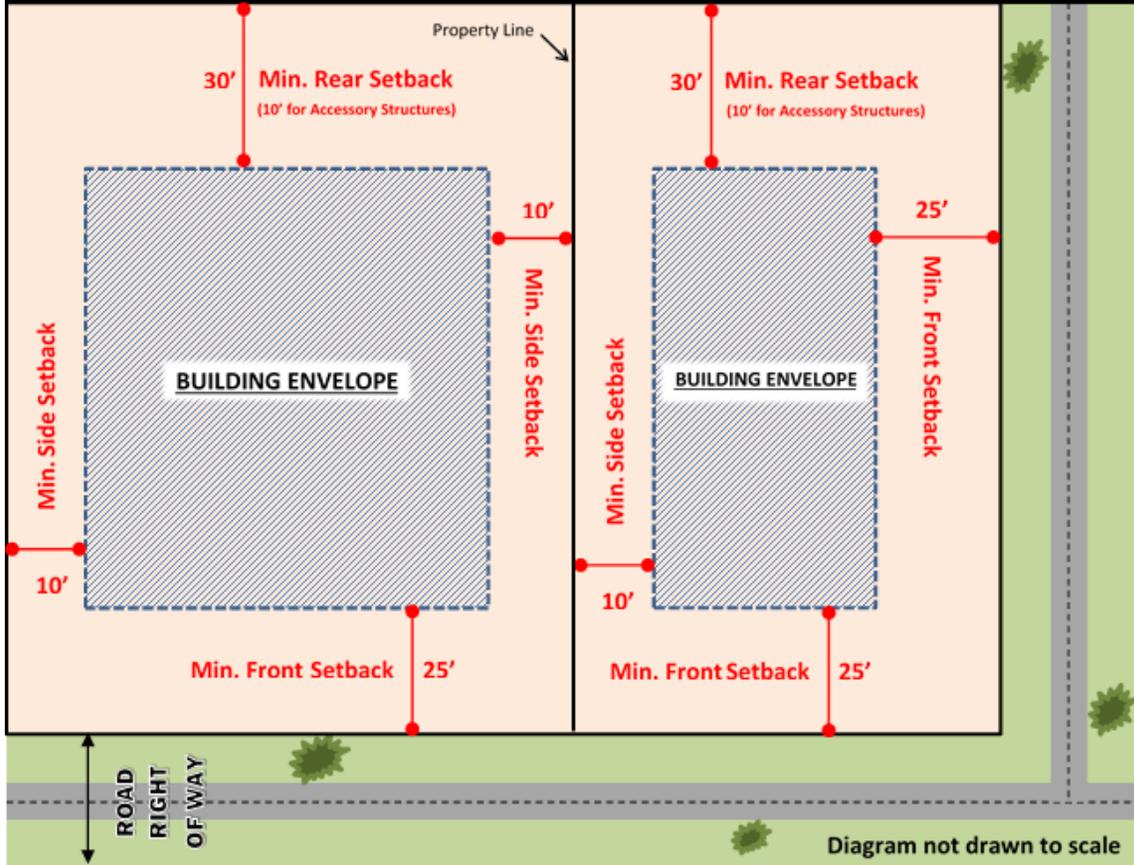
The following uses may be permitted, subject to the conditions herein imposed for each use, the review standards of [Article 19](#) and only after the review and approval of the site plan by the Planning Commission. [See [Article 21](#) for applicable Specific Requirements for Certain Uses, if any, and [Article 23](#) Site Plan Requirements.]

- 6.2.1 All principal uses permitted in the R2 District, and all permitted uses subject to special conditions in the R1 District [See [Article 4.2](#)] and R2 District [See [Article 5.2](#)]
- 6.2.2 Gasoline stations with store
- 6.2.3 Driving range
- 6.2.4 Campgrounds (Commercial or Non-commercial)
- 6.2.5 Manufactured Housing Parks
- 6.2.6 Personal Wireless Services Telecommunications Towers and Facilities one hundred fifty (150) feet or less in height, self-supporting (lattice) or guyed [Permit criteria includes [Article 21.46](#)]
- 6.2.7 Unlisted property uses if authorized under [Article 21.44](#)

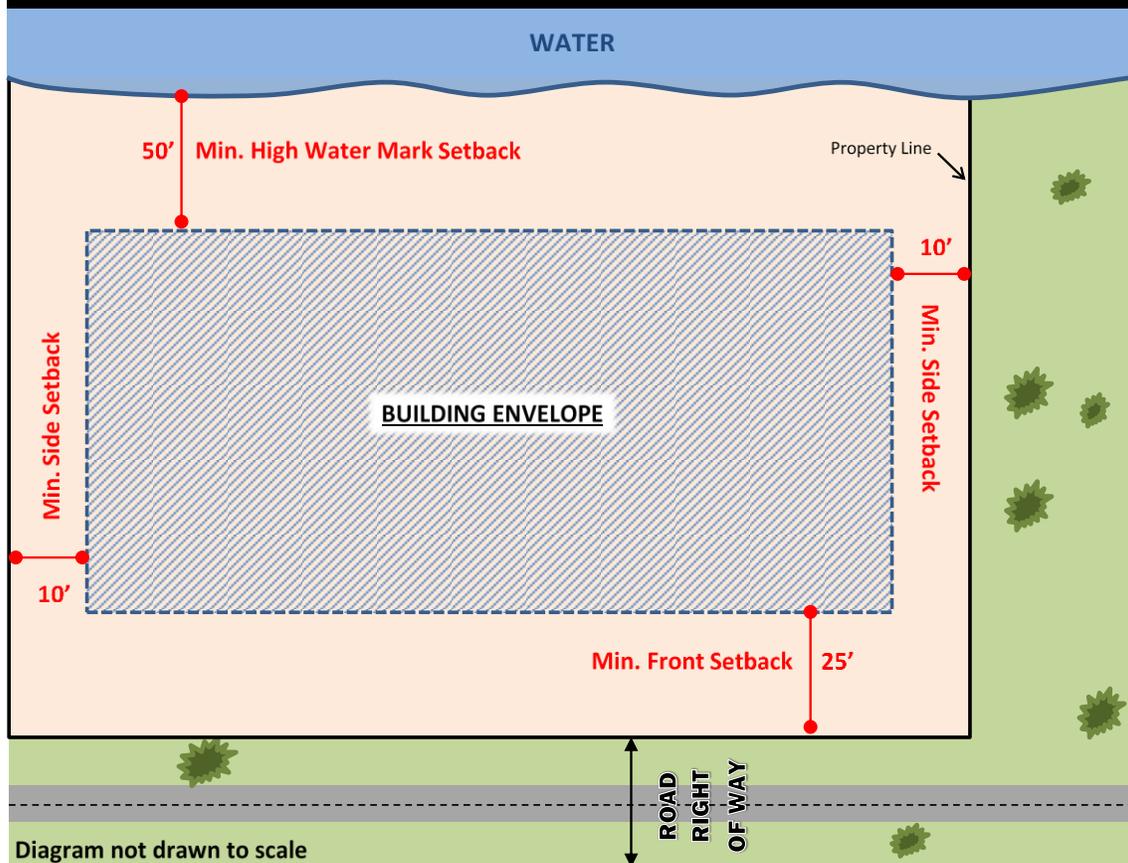
ARTICLE 6 R3 RESIDENTIAL ESTATES DISTRICT

Lot & Structure Standards	
Minimum Lot Area	40,000 ft ² / .92 acre
Minimum Lot Width ^(a)	100 ft
Maximum Lot Coverage	No more than 25% of a parcel's total area may be covered by structures
Maximum Building Height ^(b)	35 ft
Minimum Principle Structure Width ^(c)	11 ft
Minimum Ground Floor Area of Principle Structure ^(c)	720 ft ²
Setbacks	
Minimum front setback ^{(d),(e)}	25 ft
Minimum side setback	10 ft
Minimum rear setback ^(f)	30 ft for non-waterfront Lots, 50 ft for waterfront lots
Accessory Buildings	
Maximum Height ^(g)	35 ft
Maximum Ground Floor Area	No maximum; no more than 25% of a parcel's total area can be covered by structures
Setbacks (Accessory):	
Front Yard:	25 feet ^(h)
Side Yard:	10 feet
Rear Yard:	10 feet ⁽ⁱ⁾
Use:	Accessory buildings shall not be used for residences. Accessory buildings may not be used for commercial storage.
Parking	
Residential off-street parking spaces shall consist of a driveway, parking strip, parking bay, garage, carport, or combination thereof. The parking or storage of any commercial motor vehicle shall be prohibited in any R1, R2 or RR District, or in any residential area with lots of twenty thousand (20,000) square feet or less. (See definition of COMMERCIAL MOTOR VEHICLE.)	
Notes	
<p>Note A: Specific allowable uses have greater minimum lot widths as required in the Zoning District allowable use lists</p> <p>Note B: Subject to approval by the Planning Commission, the maximum height of buildings may be permitted to exceed the maximum stated in the Schedule by up to fifty percent (50%) in R1, R2, R3, RR, B1, B2 and HX Districts; and up to one hundred percent (100%) in all other districts, provided that the applicant can demonstrate that no good purpose would be served by compliance with maximums stated. Specific allowable uses have greater allowable heights as stated in the Zoning District allowable use lists, Article 21 and Article 22, Section 22.3 Height Limits, of this ordinance.</p> <p>Note C: The foregoing standards shall not apply to a mobile home located in a licensed mobile home park except to the extent required by state or federal law or otherwise specifically required in this Ordinance. See Section 21.22.</p> <p>Note D: Where the front yards of two (2) or more principal buildings in any block, or within five hundred (500) feet in existence at the time of the passage of this Ordinance (or amendment thereto), in the same zoned district or the same side of the road are less than the minimum front yard setback, then any principal building subsequently erected on the same side of the road shall not be required to provide a greater setback than the average for the existing two (2) or more principal buildings</p> <p>Note E: In instances where the property is adjacent to a public right of way or ingress egress easement dedicated as permanent adequate access to one (1) or more lots, the setback shall be measured from that right of way or ingress egress easement.</p> <p>Note F: Lots within five hundred (500) feet of lakes, ponds, flowages, rivers, streams: see Article 18 LOTS NEAR WATER.</p> <p>Note G: Accessory buildings in Residential Districts within 500' of any waterfront shall be limited to one story and have sidewalls not exceeding fourteen (14) feet in height.</p> <p>Note H: In residential districts all accessory buildings and uses shall be in the rear yard except in the case of one detached private garage which may be allowed in the side or front yard, provided it maintains the setback requirements.</p> <p>Note I: Accessory buildings in the R1, R2, R3 & RR Districts shall be subject to the side and front yard setback requirements as regulated in Article 17 SCHEDULE OF DIMENSIONS, but need not be farther than ten (10) feet from the rear property line.</p>	

R-3 District Setback Diagram



R-3 District Setback Diagram - Waterfront



ARTICLE 7 RR RECREATION RESIDENTIAL DISTRICT

INTENT

The Recreation Residential District is designed to accommodate cottage and vacation home developments. It is intended that the vacation home areas be reasonably homogeneous by discouraging the mixing of recreation home areas with commercial resorts, business services and major institutional or community services.

SECTION 7.1 PRINCIPAL USES PERMITTED

No building or land shall be used and no building shall be erected except for one or more of the following specified uses:

- 7.1.1 One (1) family dwellings
- 7.1.2 Accessory boat launching ramps, minor docks and accessory facilities provided they are developed as part of a residential lot. Permit criteria include [Article 18 LOTS NEAR WATER](#)
- 7.1.3 Public parks, parkways, scenic trails, playgrounds, recreation lands and forests, including accessory shelters and apparatus, and historical structures or display areas
- 7.1.4 Existing farms and agricultural uses
- 7.1.5 Home businesses or occupations and personal services as permitted in [Article 4.1.8](#) and [5.1.4](#)
- 7.1.6 Family Care Facilities
- 7.1.7 Bed and Breakfast/Tourist Homes
- 7.1.8 Travel trailers [Permit criteria include [Article 21.33](#)]
- 7.1.9 Structure for storage of the owner's possessions and non-commercial activities. These structures shall not be used as residences. Structures shall meet the size requirements of [21.1.3](#).
- 7.1.10 WTG Building-Mounted: Permitted as an accessory use to an allowed Principal Use

SECTION 7.2 PERMITTED USES SUBJECT TO SPECIAL CONDITIONS

The following uses may be permitted, subject to the conditions herein imposed for each use, the review standards of [Article 19](#) and only after the review and approval of the site plan by the Planning Commission. [See [Article 21](#) for applicable Specific Requirements for Certain Uses, if any and [Article 23](#) for Site Plan Requirements.]

- 7.2.1 Community boat launching ramps, docks and accessory facilities.
- 7.2.2 Golf courses as regulated in the R1 District [See [Articles 4.2.5](#) and [21.11](#)]
- 7.2.3 Private recreational areas and facilities.
- 7.2.4 Marinas
- 7.2.5 Restaurants without drive-through service, which are of an appearance and character consistent with permitted uses
- 7.2.6 Recreation camps or resorts
- 7.2.7 One detached guest house may be permitted, provided the use is accessory to the main dwelling, there is double the minimum required land area for the district and the Health Department approves the sanitary system.

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- 7.2.8 Utility and essential service structures when their operating requirements necessitate locating the facilities within the district in order to serve the immediate vicinity (storage yards excluded). [Permit criteria include [Article 21.10](#) regarding screening fences]
- 7.2.9 Personal Wireless Services Telecommunications Towers and Facilities one hundred fifty (150) feet or less in height, self-supporting (lattice) or guyed [Permit criteria includes [Article 21.46](#)]
- 7.2.10 Churches
- 7.2.11 WTG Small: Permitted as an accessory use to an allowed Principal Use
- 7.2.12 Unlisted property uses if authorized under [Article 21.44](#)

ARTICLE 7 RR RECREATION RESIDENTIAL DISTRICT

Lot & Structure Standards

Minimum Lot Area	20,000 ft ² / .46 acre
Minimum Lot Width ^(a)	100 ft
Maximum Lot Coverage	No more than 25% of a parcel's total area may be covered by structures
Maximum Building Height ^(b)	35 ft
Minimum Principle Structure Width ^(c)	20 ft
Minimum Ground Floor Area of Principle Structure ^(c)	720 ft ²

Setbacks

Minimum front setback ^{(d),(e)}	25 ft
Minimum side setback	10 ft
Minimum rear setback^(f)	30 ft for non-waterfront Lots, 50 ft for waterfront lots

Accessory Buildings

Maximum Height^(g)	35 ft
Maximum Ground Floor Area	No maximum; no more than 25% of a parcel's total area can be covered by structures

Setbacks (Accessory):

Front Yard:	25 feet ^(h)
Side Yard:	10 feet
Rear Yard:	10 feet ⁽ⁱ⁾
Use:	Accessory buildings shall not be used for residences. Accessory buildings may not be used for commercial storage.

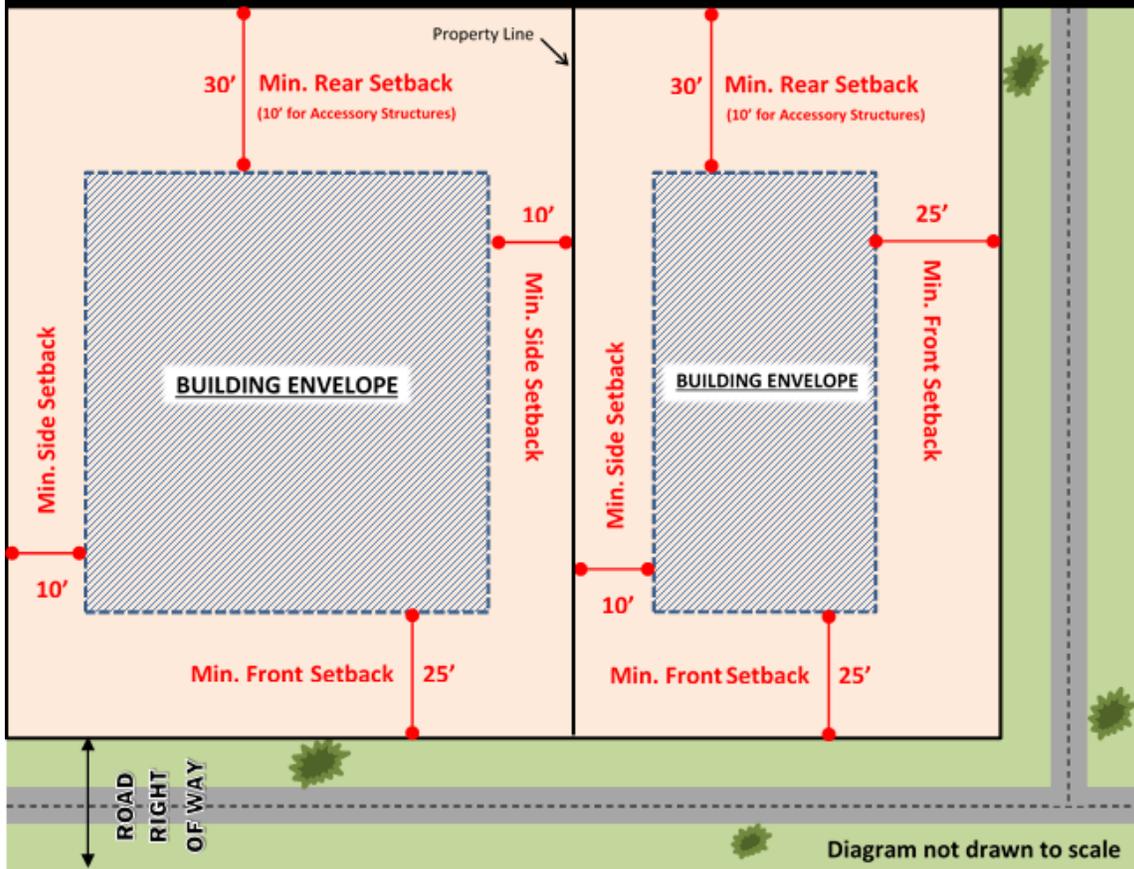
Parking

Residential off-street parking spaces shall consist of a driveway, parking strip, parking bay, garage, carport, or combination thereof. The parking or storage of any commercial motor vehicle shall be prohibited in any R1, R2 or RR District, or in any residential area with lots of twenty thousand (20,000) square feet or less. (See definition of COMMERCIAL MOTOR VEHICLE.)

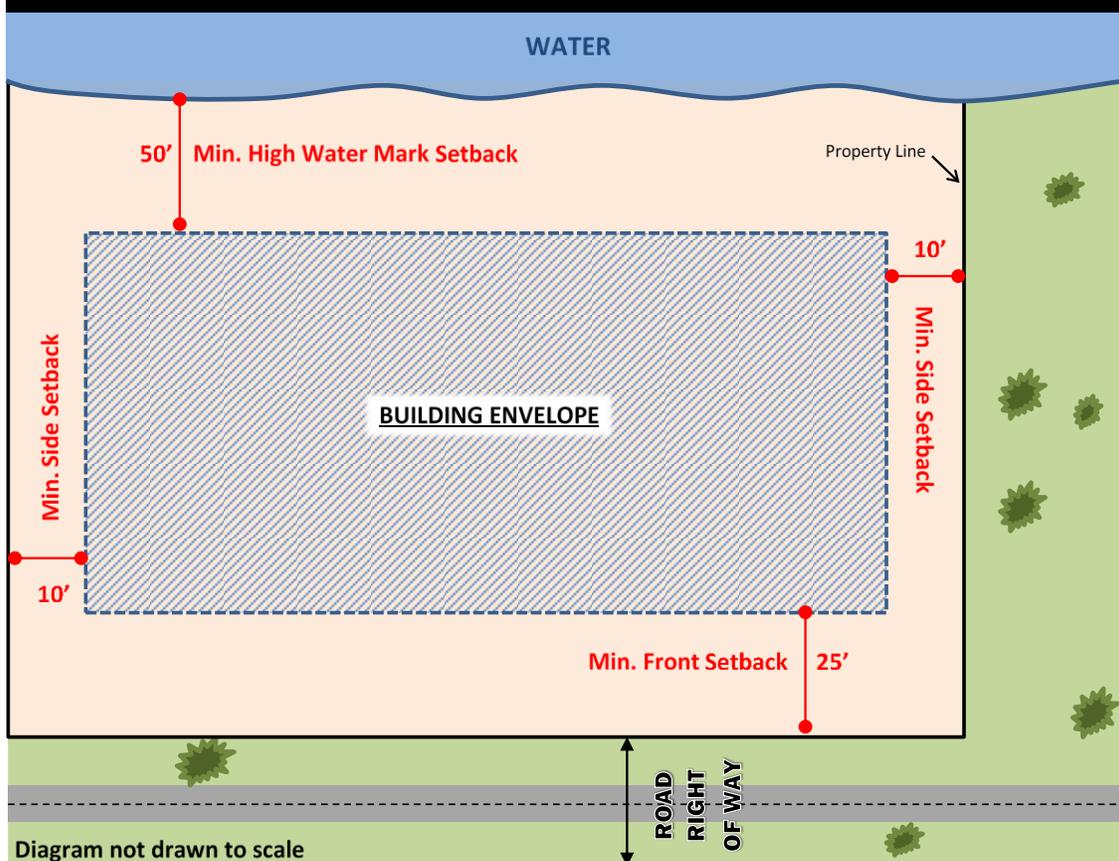
Notes

- Note A:** Specific allowable uses have greater minimum lot widths as required in the Zoning District allowable use lists
- Note B:** Subject to approval by the Planning Commission, the maximum height of buildings may be permitted to exceed the maximum stated in the Schedule by up to fifty percent (50%) in R1, R2, R3, RR, B1, B2 and HX Districts; and up to one hundred percent (100%) in all other districts, provided that the applicant can demonstrate that no good purpose would be served by compliance with maximums stated. Specific allowable uses have greater allowable heights as stated in the Zoning District allowable use lists, Article 21 and Article 22, Section 22.3 Height Limits, of this ordinance.
- Note C:** The foregoing standards shall not apply to a mobile home located in a licensed mobile home park except to the extent required by state or federal law or otherwise specifically required in this Ordinance. See Section 21.22.
- Note D:** Where the front yards of two (2) or more principal buildings in any block, or within five hundred (500) feet in existence at the time of the passage of this Ordinance (or amendment thereto), in the same zoned district or the same side of the road are less than the minimum front yard setback, then any principal building subsequently erected on the same side of the road shall not be required to provide a greater setback than the average for the existing two (2) or more principal buildings
- Note E:** In instances where the property is adjacent to a public right of way or ingress egress easement dedicated as permanent adequate access to one (1) or more lots, the setback shall be measured from that right of way or ingress egress easement.
- Note F:** Lots within five hundred (500) feet of lakes, ponds, flowages, rivers, streams: see Article 18 LOTS NEAR WATER.
- Note G:** Accessory buildings in Residential Districts within 500' of any waterfront shall be limited to one story and have sidewalls not exceeding fourteen (14) feet in height.
- Note H:** In residential districts all accessory buildings and uses shall be in the rear yard except in the case of one detached private garage which may be allowed in the side or front yard, provided it maintains the setback requirements.
- Note I:** Accessory buildings in the R1, R2, R3 & RR Districts shall be subject to the side and front yard setback requirements as regulated in Article 17 SCHEDULE OF DIMENSIONS, but need not be farther than ten (10) feet from the rear property line.

RR District Setback Diagram



RR District Setback Diagram - Waterfront



ARTICLE 8 FR FORESTRY RECREATION DISTRICT

INTENT

The FR Forestry Recreation District is designed to promote the use of rural areas in a manner that will retain the basic attractiveness and inherent values of natural resources. The intent of the District is to retain rural areas for resource purposes, but recognizing the need to allow multiple uses considered acceptable in a rural environment.

SECTION 8.1 PRINCIPAL USES PERMITTED

- 8.1.1 One (1) family dwellings
- 8.1.2 Growing and harvesting of nursery field stock
- 8.1.3 Farms and agricultural operations of all kinds, including temporary agricultural roadside stands, provided the stands are off the road right-of-way, operated only seasonally, that hours not exceed dawn to dusk, that large equipment, including semi-tractor-trailers, not be parked on site and that the parking requirements of [Article 21.27](#) be observed
- 8.1.4 Tree farms, forest production and forest harvesting operations including temporary sawmills, temporary log storage yards and related facilities
- 8.1.5 Public and private parks, playgrounds, passive recreational areas, camping grounds, hunting grounds, fishing sites and wildlife preserves
- 8.1.6 Bed and breakfast/tourist homes
- 8.1.7 Family and group care facilities
- 8.1.8 Duplex dwellings
- 8.1.9 Fraternal lodges
- 8.1.10 Landing strips
- 8.1.11 Wildlife, plant, and habitat preservation areas
- 8.1.12 Cemeteries [Permit criteria include [Article 21.4](#)]
- 8.1.13 Riding academies or stables [Permit criteria include [Article 21.35](#)]
- 8.1.14 Travel trailers (on private property) [Permit criteria include [Article 21.33](#)]
- 8.1.15 Home occupation
- 8.1.16 Wireless Telecommunications Towers and Facilities one hundred ninety (190) feet or less in height, without lights [Permit criteria include [Article 21.46](#)]
- 8.1.17 Structures for storage of the owner's personal non-farm possessions and non-commercial activities - These structures shall not be used as dwellings. Structures shall meet the size requirements of [Section 21.1.3](#).
- 8.1.18 WTG Building-Mounted: Permitted as an accessory use to an allowed Principal Use
- 8.1.19 WTG Small: Permitted as an accessory use to an allowed Principal Use
- 8.1.20 WTG Medium: Permitted as an accessory use to an allowed Principal Use

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SECTION 8.2 PERMITTED USES SUBJECT TO SPECIAL CONDITIONS

The following uses may be permitted, subject to the conditions herein imposed for each use, the review standards of [Article 19](#) and only after the review and approval of the site plan by the Planning Commission. [See [Article 21](#) for applicable Specific Requirements for Certain Uses, if any and [Article 23](#) for Site Plan Requirements.]

- 8.2.1 All permitted uses subject to special conditions, as permitted and regulated in the R1 District.
- 8.2.2 Sportsmen associations or clubs, including shooting ranges
- 8.2.3 Active recreation areas, stadiums and race tracks
- 8.2.4 Veterinary hospitals, clinics with indoor kennels [Permit criteria include [Article 21.45](#)]
- 8.2.5 Driving ranges
- 8.2.6 Game preserves
- 8.2.7 Gasoline stations with or without store
- 8.2.8 Detention facilities
- 8.2.9 Recreation farms (dude ranches)
- 8.2.10 Restaurants and/or taverns (without drive-through service)
- 8.2.11 Campgrounds (commercial)
- 8.2.12 Dog grooming and kennel facilities [Permit criteria include [Article 21.45](#)]
- 8.2.13 Golf courses and country clubs [Refer to [Articles 4.2.5](#) and [21.11](#)]
- 8.2.14 Hunt clubs (commercial)
- 8.2.15 Recreation camps or resorts
- 8.2.16 Surface mining of gravel, sand, clay, topsoil or marl [See [Article 21.25](#) for criteria]
- 8.2.17 Travel trailer courts
- 8.2.18 Wireless Telecommunications Towers and Facilities over one hundred ninety (190) feet in height, or with lights
- 8.2.19 WTG Large
- 8.2.20 Anemometer Tower
- 8.2.21 Unlisted property uses if authorized under [Article 21.44](#)
- 8.2.22 Personal Wireless Services Telecommunications Towers and Facilities one hundred fifty (150) feet or less in height, self-supporting (lattice) or guyed [Permit criteria includes [Article 21.46](#)]

ARTICLE 8 FR FORESTRY RECREATION DISTRICT

Lot & Structure Standards

Minimum Lot Area	88,000 ft ² / 2.02 acre
Minimum Lot Width ^(a)	150 ft
Maximum Lot Coverage	No more than 30% of a parcel's total area may be covered by structures
Maximum Building Height ^(b)	35 ft
Minimum Principle Structure Width ^(c)	11 ft
Minimum Ground Floor Area of Principle Structure ^(c)	720 ft ²

Setbacks

Minimum front setback ^{(d),(e)}	50 ft
Minimum side setback	20 ft
Minimum rear setback^(f)	30 ft for non-waterfront Lots, 50 ft for waterfront lots

Accessory Buildings

Maximum Height^(g)	35 ft
Maximum Ground Floor Area	No maximum; no more than 30% of a parcel's total area can be covered by structures

Setbacks (Accessory):

Front Yard:	50 feet
Side Yard:	20 feet
Rear Yard:	40 feet
Use ^(h):	Accessory buildings shall not be used for residences. Accessory buildings may not be used for commercial storage.

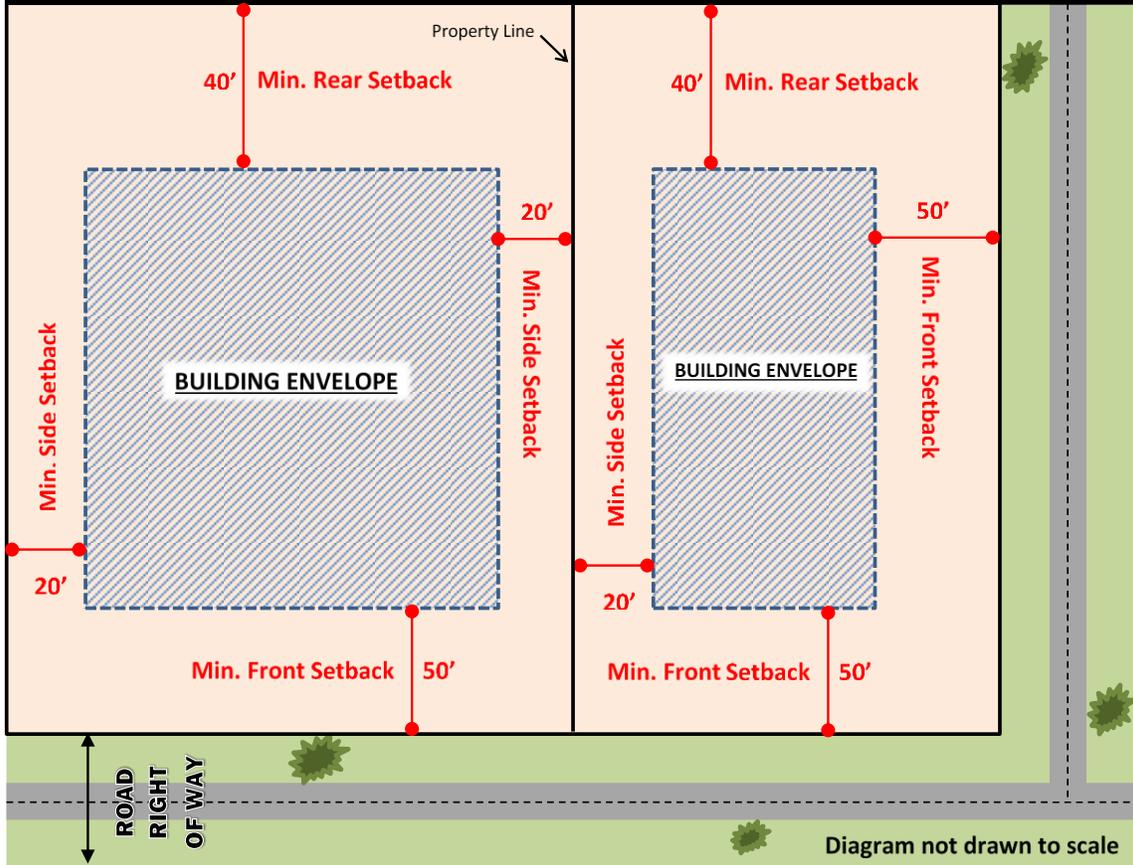
Parking

Residential off-street parking spaces shall consist of a driveway, parking strip, parking bay, garage, carport, or combination thereof. The parking or storage of any commercial motor vehicle shall be prohibited in any R1, R2 or RR District, or in any residential area with lots of twenty thousand (20,000) square feet or less. (See definition of COMMERCIAL MOTOR VEHICLE.)

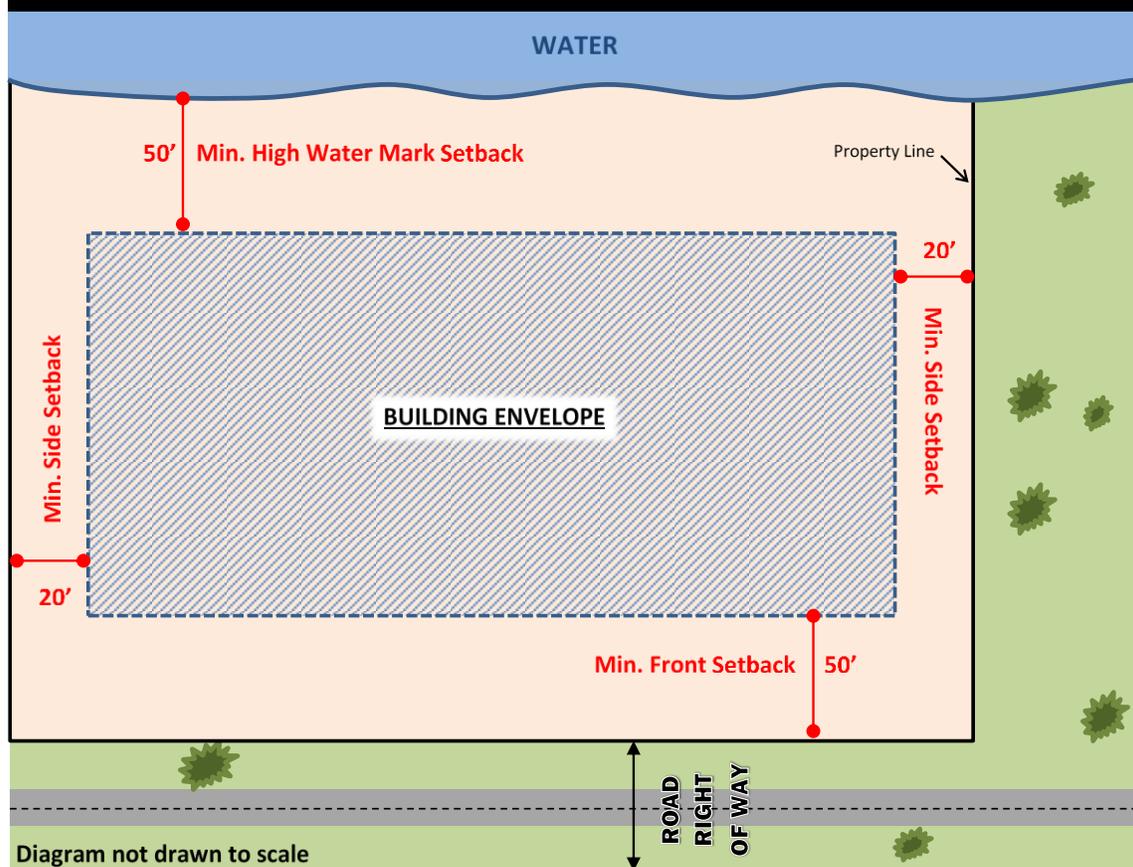
Notes

- Note A:** Specific allowable uses have greater minimum lot widths as required in the Zoning District allowable use lists
- Note B:** Subject to approval by the Planning Commission, the maximum height of buildings may be permitted to exceed the maximum stated in the Schedule by up to fifty percent (50%) in R1, R2, R3, RR, B1, B2 and HX Districts; and up to one hundred percent (100%) in all other districts, provided that the applicant can demonstrate that no good purpose would be served by compliance with maximums stated. Specific allowable uses have greater allowable heights as stated in the Zoning District allowable use lists, Article 21 and Article 22, Section 22.3 Height Limits, of this ordinance.
- Note C:** The foregoing standards shall not apply to a mobile home located in a licensed mobile home park except to the extent required by state or federal law or otherwise specifically required in this Ordinance. See Section 21.22.
- Note D:** Where the front yards of two (2) or more principal buildings in any block, or within five hundred (500) feet in existence at the time of the passage of this Ordinance (or amendment thereto), in the same zoned district or the same side of the road are less than the minimum front yard setback, then any principal building subsequently erected on the same side of the road shall not be required to provide a greater setback than the average for the existing two (2) or more principal buildings
- Note E:** In instances where the property is adjacent to a public right of way or ingress egress easement dedicated as permanent adequate access to one (1) or more lots, the setback shall be measured from that right of way or ingress egress easement.
- Note F:** Lots within five hundred (500) feet of lakes, ponds, flowages, rivers, streams: see Article 18 LOTS NEAR WATER.
- Note G:** Accessory buildings in Residential Districts within 500' of any waterfront shall be limited to one story and have sidewalls not exceeding fourteen (14) feet in height.
- Note H:** Agricultural buildings and structures incident to use for agricultural purposes are exempt from accessory building requirements.

FR District Setback Diagram



FR District Setback Diagram - Waterfront



ARTICLE 9 AN AGRICULTURAL RESOURCE DISTRICT

INTENT

The Agricultural Resource District is intended to encourage the maintenance of productive farm and agricultural land for growing, raising or production of food stuffs. It is further intended that the productive agricultural land base of the County be maintained in agricultural activities. Other land uses and activities may be permitted if they meet the objective of retaining farmlands in an open land character.

SECTION 9.1 PRINCIPAL USES PERMITTED

No buildings or land shall be used and no building shall be erected except for one (1) or more of the following specified uses:

9.1.1 One (1) family dwelling unit

9.1.2 Two (2) family (duplex) dwellings subject to the one (1) family density requirements with a minimum lot width of three hundred (300) feet

9.1.3 Two (2) detached single-family dwelling units may be permitted, subject to the following conditions:

9.1.3.1 There is a separation between the two (2) dwellings so the lot may be divided into two (2) legal lots with each lot having a lawful minimum width and area, with each dwelling still maintaining the front, side and rear setback as regulated in the District.

9.1.3.2 The County Health Department approves the sanitary system.

9.1.4 Growing, raising, and harvesting of agricultural products and farm livestock

9.1.5 Woodlots, tree farms, nursery field stock, and harvesting activities

9.1.6 Buildings for storing or housing machinery, equipment and/or livestock, including repair operations when accessory to agricultural and farm operations

9.1.7 Experimental agricultural activities and uses related to farm research

9.1.8 Wildlife habitat and plant species preservation areas

9.1.9 Farm industries may include saw mills of a permanent or temporary nature, with assembly of green or untreated wood to a usable item for marketing, provided the operation is conducted as an accessory to a farm and that the use is two hundred (200) feet from property lines

9.1.10 Bed and breakfast/tourist homes

9.1.11 Family and group care facilities

9.1.12 Forest production and forest harvesting operations including temporary sawmills, temporary log storage yards and related facilities

9.1.13 Fraternal lodges

9.1.14 Aircraft Landing Strips

9.1.15 Churches

9.1.16 Cemeteries [Permit criteria include [Article 21.4](#)]

9.1.17 Dwellings less than sixteen (16) feet wide [Permit criteria include [Article 21.22](#)]

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- 9.1.18 Riding academies or stables [Permit criteria include [Article 21.35](#)]
- 9.1.19 Roadside stands (agricultural-temporary) off the road right-of-way, provided that the stand be operated only seasonally, that hours not exceed dawn to dusk, that large equipment, including semi-tractor-trailers, not be parked at the site and that the parking requirements of [Article 21.27](#) be observed
- 9.1.20 Veterinary hospitals, clinics with indoor kennel [Permit criteria include [Article 21.45](#)]
- 9.1.21 Travel trailers (on private property) [Permit criteria include [Article 21.33](#)]
- 9.1.22 Home occupation
- 9.1.23 Farm buildings, in existence at the time of the adoption of this amendment and no longer used in support of agricultural interests, may be used as rental property for storage of individually owned items
 - 9.1.23.1 So as to alleviate noise and traffic associated with commercial activities and thus maintain the rural, open space character of the area, the rental shall not be made into commercial enterprises.
 - 9.1.23.2 All applicable sections of the zoning Ordinance apply
 - 9.1.23.3 The Zoning Administrator may opt to refer the application to the Planning Commission if there are unusual circumstances
- 9.1.24 Wireless Telecommunications Towers and Facilities one hundred ninety (190) feet or less in height without lights [Permit criteria include [Article 21.46](#)]
- 9.1.25 Structures for storage of the owner's personal non-farm possessions and non-commercial activities. These structures shall not be used as dwellings. Structures shall meet the size requirements of [Section 21.1.3](#).
- 9.1.26 WTG Building-Mounted: Permitted as an accessory use to an allowed Principal Use
- 9.1.27 WTG Small: Permitted as an accessory use to an allowed Principal Use
- 9.1.28 WTG Medium: Permitted as an accessory use to an allowed Principal Use

SECTION 9.2 PERMITTED USES SUBJECT TO SPECIAL CONDITIONS

The following uses may be permitted, subject to the conditions herein imposed for each use, the review standards of [Article 19](#) and only after the review and approval of the site plan by the Planning Commission. [See [Article 21](#) for applicable Specific Requirements for Certain Uses, if any and [Article 23](#) for Site Plan Requirements.]

- 9.2.1 Public and private parks, recreational facilities and public or private non-profit schools offering courses in general education when the use is not, to the extent practical, placed on soils predominantly rated as having high agricultural productivity in comparison with other farm land in Otsego County
- 9.2.2 Recreation farms, dude ranches (so called) and sportsmen's clubs provided the farm land base remains essentially intact, that the number of new and/or expanded buildings be limited in scale, in so far as is practical, to that typical of a farm, and further, no activities shall cause the depletion or erosion of agricultural soils (dust, vehicle tracks, stream bank breakdown, etc.)

- 9.2.3 Permanent forest industries, including permanent sawmills, planing mills, veneer mills and related operations, provided:
 - 9.2.3.1 There is a complete clean-up of discarded wastes following the cessation of activity
 - 9.2.3.2 There are no nuisances imposed upon tourist service facilities or outdoor recreation uses in the immediate vicinity
 - 9.2.3.3 The site of the proposed use encompasses an area of at least five (5) acres
- 9.2.4 Auction yards for livestock and/or agricultural equipment with accessory buildings on a minimum forty (40) acres site with a minimum width of six hundred (600) feet, provided that there is no nuisance imposed upon the surrounding farms or dwellings
- 9.2.5 Commercial outdoor sport and recreational facilities, outdoor musical entertainment
- 9.2.6 Driving ranges
- 9.2.7 Game preserves
- 9.2.8 Gasoline stations with or without store
- 9.2.9 Detention facilities
- 9.2.10 Shooting ranges (outdoor)
- 9.2.11 Recreation camps, resorts or housekeeping units
- 9.2.12 Restaurants and/or taverns (without drive-through service)
- 9.2.13 Dog grooming and kennel facilities [Permit criteria include [Article 21.45](#)]
- 9.2.14 Golf courses and country clubs [Refer to [Articles 4.2.5](#) and [21.11](#)]
- 9.2.15 Hunt clubs (commercial)
- 9.2.16 Airport with appurtenant facilities, when approved by the Planning Commission after a hearing, provided the operating characteristics are deemed not to conflict with wildlife habitat areas, wilderness areas, housing areas, and facilities or uses having high concentrations of people (schools, hospitals, etc.)
- 9.2.17 Surface mining of gravel, sand, clay, topsoil or marl [See [Article 21.25](#) for criteria]
- 9.2.18 Travel trailer courts
- 9.2.19 Campgrounds (commercial)
- 9.2.20 Race tracks
- 9.2.21 Wireless Telecommunications Towers and Facilities over one hundred ninety (190) feet in height, or with lights [See [Article 21.46](#)]
- 9.2.22 WTG Large
- 9.2.23 Anemometer Tower [See [Article 21.47](#)]
- 9.2.24 Unlisted property uses if authorized under [Article 21.44](#)
- 9.2.25 Personal Wireless Services Telecommunications Towers and Facilities one hundred fifty (150) feet or less in height, self-supporting (lattice) or guyed [Permit criteria includes [Article 21.46](#)]

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ARTICLE 9 AR AGRICULTURAL RESOURCE DISTRICT

Lot & Structure Standards

Minimum Lot Area	88,000 ft ² / 2.02 acre
Minimum Lot Width ^(a)	150 ft for single family / 300ft for duplex
Maximum Lot Coverage	No more than 30% of a parcel's total area may be covered by structures
Maximum Building Height ^(b)	35 ft
Minimum Principle Structure Width ^(c)	11 ft
Minimum Ground Floor Area of Principle Structure ^(c)	720 ft ²

Setbacks

Minimum front setback ^{(d),(e)}	50 ft
Minimum side setback	20 ft
Minimum rear setback^(f)	30 ft for non-waterfront Lots, 50 ft for waterfront lots

Accessory Buildings

Maximum Height^(g)	35 ft
Maximum Ground Floor Area	No maximum; no more than 30% of a parcel's total area can be covered by structures

Setbacks (Accessory):

Front Yard:	50 feet
Side Yard:	20 feet
Rear Yard:	40 feet
Use^(h):	Accessory buildings shall not be used for residences. Accessory buildings may not be used for commercial storage.

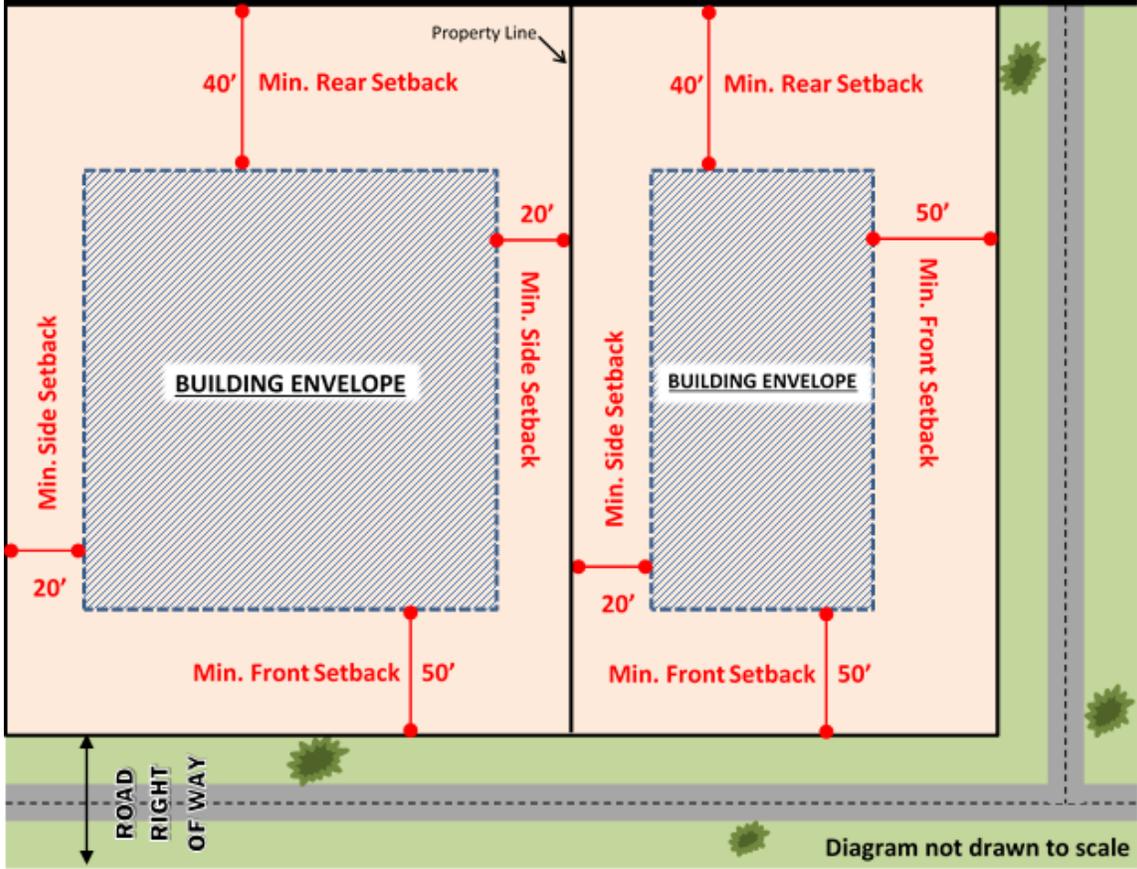
Parking

Residential off-street parking spaces shall consist of a driveway, parking strip, parking bay, garage, carport, or combination thereof. The parking or storage of any commercial motor vehicle shall be prohibited in any R1, R2 or RR District, or in any residential area with lots of twenty thousand (20,000) square feet or less. (See definition of COMMERCIAL MOTOR VEHICLE.)

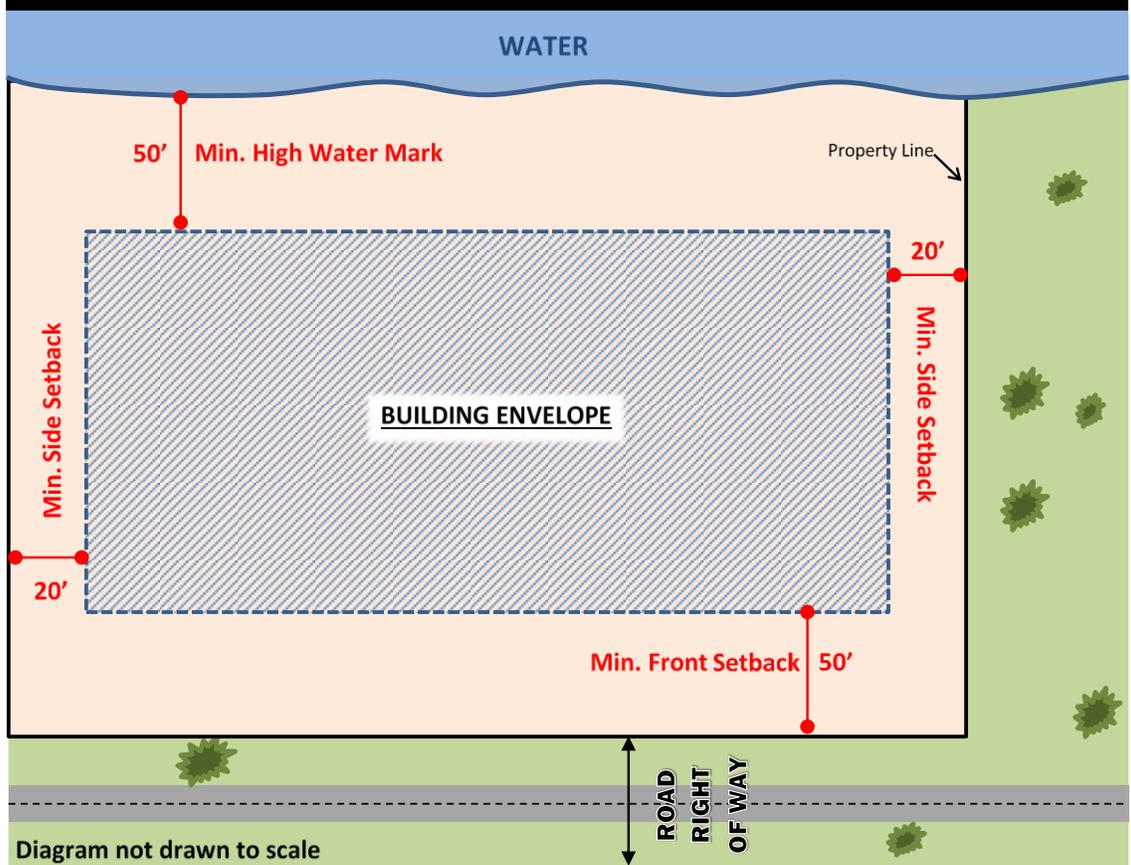
Notes

- Note A:** Specific allowable uses have greater minimum lot widths as required in the Zoning District allowable use lists
- Note B:** Subject to approval by the Planning Commission, the maximum height of buildings may be permitted to exceed the maximum stated in the Schedule by up to fifty percent (50%) in R1, R2, R3, RR, B1, B2 and HX Districts; and up to one hundred percent (100%) in all other districts, provided that the applicant can demonstrate that no good purpose would be served by compliance with maximums stated. Specific allowable uses have greater allowable heights as stated in the Zoning District allowable use lists, Article 21 and Article 22, Section 22.3 Height Limits, of this ordinance.
- Note C:** The foregoing standards shall not apply to a mobile home located in a licensed mobile home park except to the extent required by state or federal law or otherwise specifically required in this Ordinance. See Section 21.22.
- Note D:** Where the front yards of two (2) or more principal buildings in any block, or within five hundred (500) feet in existence at the time of the passage of this Ordinance (or amendment thereto), in the same zoned district or the same side of the road are less than the minimum front yard setback, then any principal building subsequently erected on the same side of the road shall not be required to provide a greater setback than the average for the existing two (2) or more principal buildings
- Note E:** In instances where the property is adjacent to a public right of way or ingress egress easement dedicated as permanent adequate access to one (1) or more lots, the setback shall be measured from that right of way or ingress egress easement.
- Note F:** Lots within five hundred (500) feet of lakes, ponds, flowages, rivers, streams: see Article 18 LOTS NEAR WATER.
- Note G:** Accessory buildings in Residential Districts within 500' of any waterfront shall be limited to one story and have sidewalls not exceeding fourteen (14) feet in height.
- Note H:** Agricultural buildings and structures incident to use for agricultural purposes are exempt from accessory building requirements.

AR District Setback Diagram



AR District Setback Diagram - Waterfront



ARTICLE 10 B1 LOCAL BUSINESS DISTRICT

INTENT

The B1 Local Business District establishes a Business District that is more selective than a General Business District. It provides for the establishment of neighborhood shopping areas, personal services, and professional office areas that are compatible with and of service to residential uses, provided the uses are within a completely enclosed building.

SECTION 10.1 PRINCIPAL USES PERMITTED

No building or land shall be used and no building shall be erected except for one (1) or more of the following specified uses:

- 10.1.1 Office buildings for administrative, professional, governmental and sales offices
- 10.1.2 Medical and dental offices, including clinics
- 10.1.3 Banks and financial institutions, without drive through
- 10.1.4 Any generally recognized retail business within an enclosed building less than one hundred thousand (100,000) square feet, excluding bars and restaurants serving alcoholic beverages
- 10.1.5 Any personal service establishment which performs such services as, but not limited to: barber, beauty salon, shoe repair, tailor shops, interior decorators and photographers
- 10.1.6 Offices and showrooms of plumbers, electricians, decorators or similar trades, without outdoor storage
- 10.1.7 Rental shops with no outdoor storage
- 10.1.8 Printing establishments, newspaper offices, publishers, and copying services
- 10.1.9 Existing residences
- 10.1.10 Athletic or sports facilities and health clubs, indoor only
- 10.1.11 Churches
- 10.1.12 Convalescent or nursing home care facility
- 10.1.13 Community service facilities (public library, offices operated through public funds, etc.)
- 10.1.14 Educational institutions
- 10.1.15 Commercial Day Care
- 10.1.16 Funeral home and mortuary
- 10.1.17 Family Care Facility
- 10.1.18 WTG Building-Mounted: Permitted as an accessory use to an allowed Principal Use [See [Article 21.46](#)]

SECTION 10.2 PERMITTED USES SUBJECT TO SPECIAL CONDITIONS

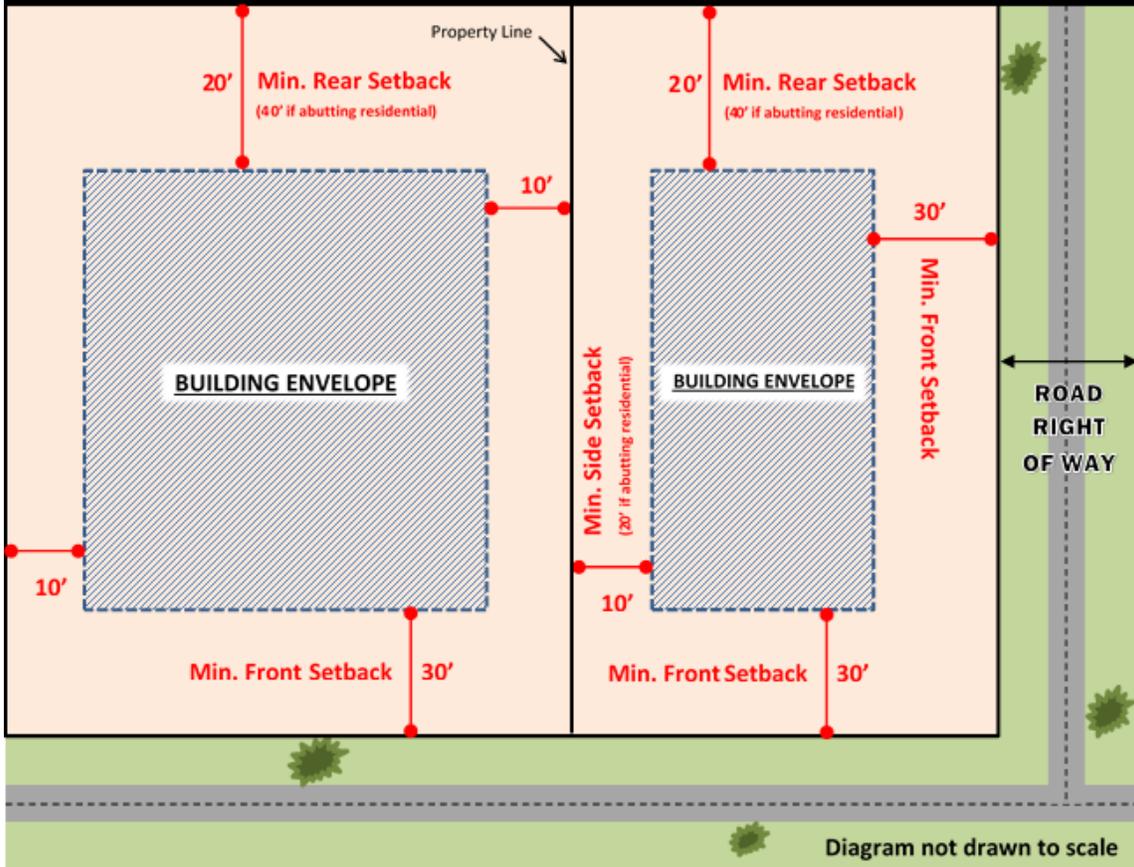
The following uses may be permitted, subject to the conditions herein imposed for each use, the review standards of [Article 19](#) and only after the review and approval of the site plan by the Planning Commission. [See [Article 21](#) for applicable Specific Requirements for Certain Uses, if any and [Article 23](#) for Site Plan Requirements.]

- 10.2.1 Motels, hotels, motor inns, cabin courts, bed and breakfast facilities, tourist lodging facilities and museums
- 10.2.2 Gasoline service stations for sale of motor fuels, oil and minor accessories
- 10.2.3 Retail uses over one hundred thousand (100,000) square feet
- 10.2.4 Dry cleaners, laundry
- 10.2.5 Utility and essential service buildings when operating requirements necessitate the locating of said facilities within the District in order to serve the immediate vicinity
- 10.2.6 Wireless Telecommunications Towers and Facilities one hundred ninety (190) feet or less in height [Permit criteria include [Article 21.46](#)]
- 10.2.7 Nursery sales, garden supply centers and greenhouses with outdoor display areas
- 10.2.8 Recycling Facility
- 10.2.9 WTG Small: Permitted as an accessory use to an allowed Principal Use
- 10.2.10 Unlisted property uses if authorized under [Article 21.44](#)
- 10.2.11 Personal Wireless Services Telecommunications Towers and Facilities one hundred fifty (150) feet or less in height, self-supporting (lattice) or guyed [Permit criteria includes [Article 21.46](#)]

ARTICLE 10 B1 LOCAL BUSINESS DISTRICT

Lot & Structure Standards	
Minimum Lot Area	10,000 ft ² / 0.23 acre
Minimum Lot Width ^(a)	100 ft
Maximum Lot Coverage	No maximum
Maximum Building Height ^(b)	35 ft
Minimum Principle Structure Width	No minimum
Minimum Ground Floor Area of Principle Structure	No minimum
Setbacks	
Minimum front setback^(c)	30 ft
Minimum side setback^(d)	10 ft
Minimum rear setback^{(e), (f), (g)}	20 ft
Accessory Buildings	
Maximum Height^(b)	35 ft
Maximum Ground Floor Area	No maximum
Setbacks (Accessory):	
Front Yard ^(c):	30 feet
Side Yard ^(d):	10 feet
Rear Yard ^{(e), (f), (g)}:	20 feet
Use:	Accessory buildings shall not be used for residences.
Parking	
See Section 21.27 PARKING. Requirements vary depending on land use.	
Notes	
<p>Note A: Specific allowable uses have greater minimum lot widths as required in the Zoning District allowable use lists. See Article 21.</p> <p>Note B: Subject to approval by the Planning Commission, the maximum height of buildings may be permitted to exceed the maximum stated in the Schedule by up to fifty percent (50%) in R1, R2, R3, RR, B1, B2 and HX Districts; and up to one hundred percent (100%) in all other districts, provided that the applicant can demonstrate that no good purpose would be served by compliance with maximums stated. Specific allowable uses have greater allowable heights as stated in the Zoning District allowable use lists, Article 21 and Article 22, Section 22.3 Height Limits, of this ordinance.</p> <p>Note C: Off-street parking may be permitted in the front yard, except that a ten (10) foot wide landscaped buffer is maintained between the front lot line (or right-of-way line) and the parking area.</p> <p>Note D: On the exterior side yard which borders on a residential district, there shall be provided a setback of not less than twenty (20) feet on the residential side in B1, B2, B3 and HX.</p> <p>Note E: Lots within five hundred (500) feet of lakes, ponds, flowages, rivers, streams: see Article 18 LOTS NEAR WATER. Waterfront structures are required to be setback a minimum of 50' from the high water mark.</p> <p>Note F: Loading and unloading space shall be provided in the rear yard in the ratio of at least ten (10) square feet per linear foot of front building wall. Loading space shall not be counted as required off-street parking. Loading zones may be located in other non-required yards if screened or obscured from view from public streets and residential districts.</p> <p>Note G: No building shall be placed closer than forty (40) feet to the outer perimeter of such district or property line when said use abuts a residential district boundary.</p>	

Business (B1, B2, B3, HX, I) District Setback Diagram



ARTICLE 11 B2 GENERAL BUSINESS DISTRICT

INTENT

The B2 General Business District is designed to provide sites for more diversified business types than the B1 Local Business District and often located so as to serve passer-by-traffic. Tourist services are included as being in character with the District.

SECTION 11.1 PRINCIPAL USES PERMITTED

No building or land shall be used and no building shall be erected except for one (1) or more of the following specified uses:

- 11.1.1 All principal uses permitted in the [B1](#) Local Business District
- 11.1.2 Theaters, halls, and similar places of assembly
- 11.1.3 Laundromats and dry cleaners
- 11.1.4 Bowling alleys, pool or billiard parlors or clubs
- 11.1.5 Equipment rental shops with outside storage
- 11.1.6 Indoor archery range
- 11.1.7 Lumber yards and building material suppliers-within enclosed building
- 11.1.8 Tavern/night clubs
- 11.1.9 Restaurants serving alcoholic beverages
- 11.1.10 Public parking garages
- 11.1.11 Bus stations and passenger terminals
- 11.1.12 Businesses and restaurants with drive-through service
- 11.1.13 Wireless Telecommunications Towers and Facilities one hundred ninety (190) feet or less in height without lights [Permit criteria includes [Article 21.46](#)]
- 11.1.14 Transient Merchants-Tent and open air merchants, for periods of up to ninety (90) days per year, housing retail uses otherwise allowed by the Zoning Ordinance in this district. A single thirty (30) day extension may be applied for. Three (3) or more merchants on a parcel simultaneously must be permitted as a “Flea market”.
- 11.1.15 WTG Building-Mounted: Permitted as an accessory use to an allowed Principal Use [See [Article 21.46](#)]

SECTION 11.2 PERMITTED USES SUBJECT TO SPECIAL CONDITIONS

The following uses may be permitted, subject to the conditions herein imposed for each use, the review standards of [Article 19](#) and only after the review and approval of the site plan by the Planning Commission. [See [Article 21](#) for applicable Specific Requirements for Certain Uses, if any and [Article 23](#) for Site Plan Requirements.]

- 11.2.1 All uses subject to special conditions in the [B1](#) Local Business District
- 11.2.2 Lumber yards, building material suppliers, and home improvement centers, with outdoor storage
- 11.2.3 Rifle or pistol ranges when within a completely enclosed building
- 11.2.4 Auto repair garages or auto body shop, including wrecker service, provided that outdoor storage of vehicles under repair be confined to the rear yard and screened from view
- 11.2.5 Car wash
- 11.2.6 Sales, rental, and service centers for vehicles, watercraft, and/or mobile homes, including new or used automobiles, motor bikes, bicycles, boats, ATV's, campers, snowmobiles, trailers, and motor, mobile, modular, manufactured homes, or farm equipment, provided:
 - 11.2.6.1 Ingress and egress to the use shall be at least sixty (60) feet from the intersection of any two (2) streets
 - 11.2.6.2 The arrangement of vehicles stored in the open shall be uniform, following the patterns established for off-street parking lots
 - 11.2.6.3 No sales or display shall occupy any public street or road right-of-way; and further, must be set back at least twenty (20) feet from the front property line
 - 11.2.6.4 The use of a display model for a business office is permissible provided it is connected to sanitary and water facilities and approved by the County Health Department
- 11.2.7 Hospitals
- 11.2.8 Commercial outdoor sport and recreational facilities
- 11.2.9 Flea markets
- 11.2.10 Mini-storage buildings consisting of separate storage rooms rented or leased by the month
- 11.2.11 Wireless Telecommunication Towers and Facilities one hundred ninety (190) feet or more in height [Permit criteria includes [Article 21.46](#)]
- 11.2.12 Solid Waste Hauler
- 11.2.13 WTG Small: Permitted as an accessory use to an allowed Principal Use
- 11.2.14 Unlisted property uses if authorized under [Article 21.44](#).
- 11.2.15 Personal Wireless Services Telecommunications Towers and Facilities one hundred fifty (150) feet or less in height, self-supporting (lattice) or guyed [Permit criteria includes [Article 21.46](#)]

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ARTICLE 11 B2 GENERAL BUSINESS DISTRICT

Lot & Structure Standards

Minimum Lot Area	10,000 ft ² / 0.23 acre
Minimum Lot Width ^(a)	100 ft
Maximum Lot Coverage	No maximum
Maximum Building Height ^(b)	35 ft
Minimum Principle Structure Width	No minimum
Minimum Ground Floor Area of Principle Structure	No minimum

Setbacks

Minimum front setback ^(c)	30 ft
Minimum side setback ^(d)	10 ft
Minimum rear setback ^{(e), (f), (g)}	20 ft

Accessory Buildings

Maximum Height ^(b)	35 ft
Maximum Ground Floor Area	No maximum

Setbacks (Accessory):

Front Yard ^(c) :	30 feet
Side Yard ^(d) :	10 feet
Rear Yard ^{(e), (f), (g)} :	20 feet
Use:	Accessory buildings shall not be used for residences.

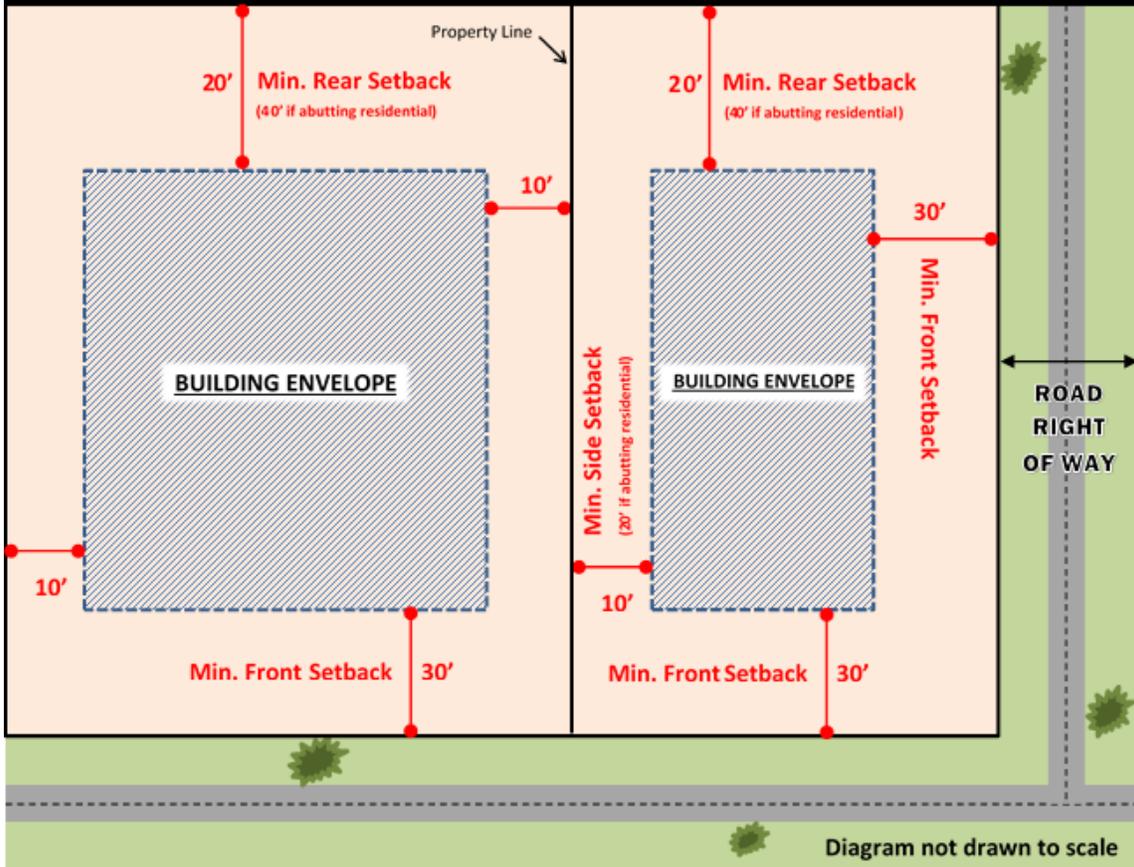
Parking

See Section 21.27 PARKING. Requirements vary depending on land use.

Notes

- Note A:** Specific allowable uses have greater minimum lot widths as required in the Zoning District allowable use lists. See Article 21.
- Note B:** Subject to approval by the Planning Commission, the maximum height of buildings may be permitted to exceed the maximum stated in the Schedule by up to fifty percent (50%) in R1, R2, R3, RR, B1, B2 and HX Districts; and up to one hundred percent (100%) in all other districts, provided that the applicant can demonstrate that no good purpose would be served by compliance with maximums stated. Specific allowable uses have greater allowable heights as stated in the Zoning District allowable use lists, Article 21 and Article 22, Section 22.3 Height Limits, of this ordinance.
- Note C:** Off-street parking may be permitted in the front yard, except that a ten (10) foot wide landscaped buffer is maintained between the front lot line (or right-of-way line) and the parking area.
- Note D:** On the exterior side yard which borders on a residential district, there shall be provided a setback of not less than twenty (20) feet on the residential side in B1, B2, B3 and HX.
- Note E:** Lots within five hundred (500) feet of lakes, ponds, flowages, rivers, streams: see Article 18 LOTS NEAR WATER. Waterfront structures are required to be setback a minimum of 50' from the high water mark.
- Note F:** Loading and unloading space shall be provided in the rear yard in the ratio of at least ten (10) square feet per linear foot of front building wall. Loading space shall not be counted as required off-street parking. Loading zones may be located in other non-required yards if screened or obscured from view from public streets and residential districts.
- Note G:** No building shall be placed closer than forty (40) feet to the outer perimeter of such district or property line when said use abuts a residential district boundary.

Business (B1, B2, B3, HX, I) District Setback Diagram



ARTICLE 12 B3 BUSINESS, LIGHT MANUFACTURING DISTRICT

INTENT

The B3 District is designed to provide sites for light manufacturing and wholesale storage and as a distribution area to retail stores or industrial users. These sites do not necessarily have to abut or be adjacent to a primary or secondary County road but must have access to these roads without passing through a residential district, provided that the entrance and exit is approved in written form by the County Road Commission.

SECTION 12.1 PRINCIPAL USES PERMITTED

- 12.1.1 Wholesale sales, storage and distribution facilities including accessory retail sales, but excluding storage of flammable or hazardous materials
- 12.1.2 Truck and rail freight terminals, including warehousing
- 12.1.3 Vehicle service and storage centers for trucks, watercraft, truck trailers and miscellaneous motorized vehicles
- 12.1.4 Outside storage yards, provided proper fencing is provided per [Article 21.10](#)
- 12.1.5 Lumber yards, building and construction material suppliers
- 12.1.6 Bottling works, food packaging and freezer plants
- 12.1.7 Welding, jobbing, plastic, wood, machine and fabrication shops
- 12.1.8 Community service facilities (public library, offices operated through public funds, etc.)
- 12.1.9 Equipment reconditioning indoors on an impervious surface
- 12.1.10 Essential services buildings
- 12.1.11 Flea markets
- 12.1.12 Sawmills and forest product processing
- 12.1.13 Fuel storage and wholesale uses with underground storage tanks
- 12.1.14 Monument and art stone product operations
- 12.1.15Nursery sales and greenhouses
- 12.1.16 Public works garages
- 12.1.17 Indoor archery range
- 12.1.18 Indoor rifle or pistol ranges
- 12.1.19 Construction and utility service contractors storing heavy equipment
- 12.1.20 Storage buildings consisting of building(s) with the purpose of commercial and/or private storage (A storage building shall not be used in any form as a residence.)
- 12.1.21 Agricultural chemicals and supplies in an enclosed building
- 12.1.22 Veterinary hospitals, clinics with indoor kennels [Permit criteria includes [Article 21.45](#)]
- 12.1.23 Wireless Telecommunications Towers and Facilities one hundred ninety (190) feet or less in height [Permit criteria includes [Article 21.46](#)]
- 12.1.24 Recycling Facility

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12.1.25 Solid Waste Hauler

12.1.26 WTG Building-Mounted: Permitted as an accessory use to an allowed Principal Use

SECTION 12.2 PERMITTED USES SUBJECT TO SPECIAL CONDITIONS

The following uses may be permitted, subject to the conditions herein imposed for each use, the review standards of [Article 19](#) and only after the review and approval of the site plan by the Planning Commission. [See [Article 21](#) for applicable Specific Requirements for Certain Uses, if any and [Article 23](#) for Site Plan Requirements.]

12.2.1 All permitted use or uses subject to special conditions in the [B2](#) General Business District.

12.2.2 Auto repair garages or auto body shops, including wrecker service

12.2.3 Above-ground storage of flammable and combustible liquids, chemicals and hazardous liquids

12.2.4 Concrete and asphalt manufacturing and distribution

12.2.5 Detention Facilities

12.2.6 Power generation plants

12.2.7 Research, experimental, and development establishments

12.2.8 Adult Entertainment

12.2.9 Industrial Laundries

12.2.10 Medical Laboratories

12.2.11 Dirt and aggregate storage, sales and processing

12.2.12 Wireless Telecommunications Towers and Facilities over one hundred ninety (190) feet in height [Permit criteria includes [Article 21.46](#)]

12.2.13 WTG Small: Permitted as an accessory use to an allowed Principal Use

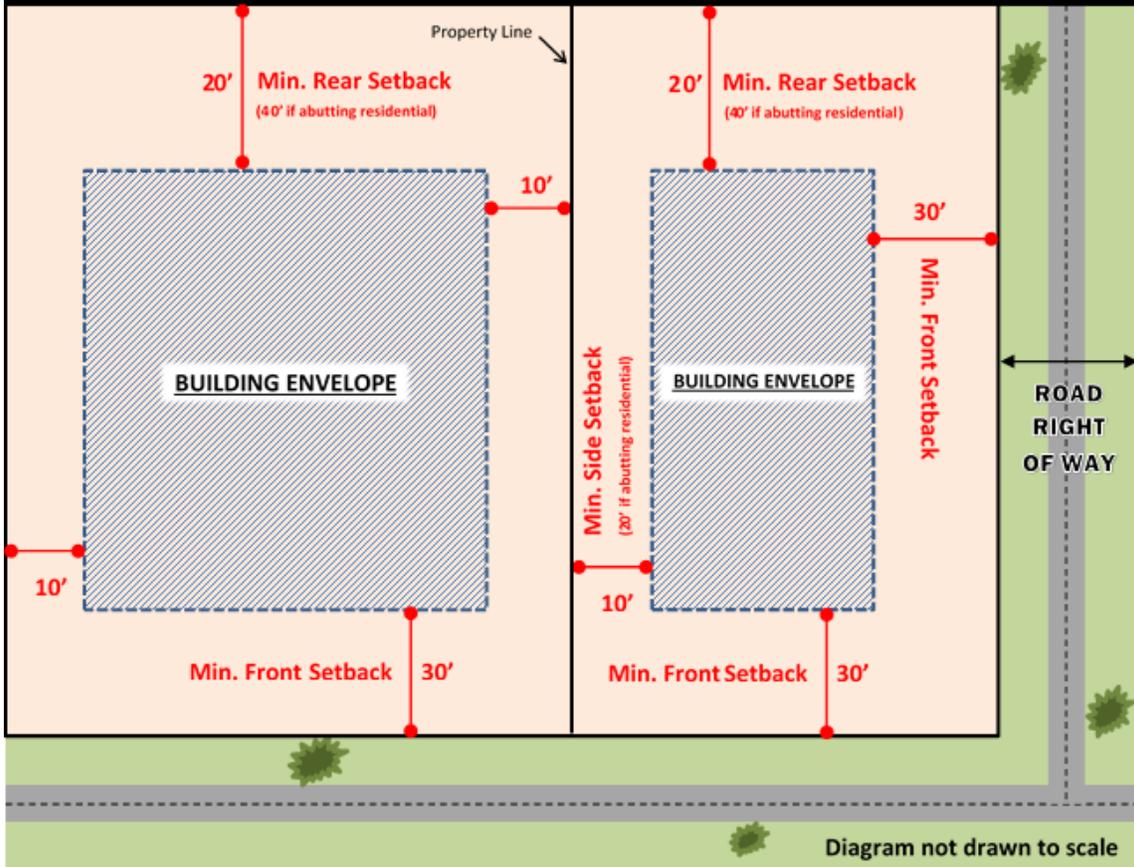
12.2.14 Unlisted property uses if authorized under [Article 21.44](#)

12.2.15 Personal Wireless Services Telecommunications Towers and Facilities one hundred fifty (150) feet or less in height, self-supporting (lattice) or guyed [Permit criteria includes [Article 21.46](#)]

ARTICLE 12 B3 BUSINESS, LIGHT MANUFACTURING DISTRICT

Lot & Structure Standards	
Minimum Lot Area	20,000 ft ² / 0.46 acre
Minimum Lot Width ^(a)	100 ft
Maximum Lot Coverage	No maximum
Maximum Building Height ^(b)	35 ft
Minimum Principle Structure Width	No minimum
Minimum Ground Floor Area of Principle Structure	No minimum
Setbacks	
Minimum front setback^(c)	30 ft
Minimum side setback^(d)	10 ft
Minimum rear setback^{(e), (f), (g)}	20 ft
Accessory Buildings	
Maximum Height^(b)	35 ft
Maximum Ground Floor Area	No maximum
Setbacks (Accessory):	
Front Yard ^(c):	30 feet
Side Yard ^(d):	10 feet
Rear Yard ^{(e), (f), (g)}:	20 feet
Use:	Accessory buildings shall not be used for residences.
Parking	
See Section 21.27 PARKING. Requirements vary depending on land use.	
Notes	
<p>Note A: Specific allowable uses have greater minimum lot widths as required in the Zoning District allowable use lists. See Article 21.</p> <p>Note B: Subject to approval by the Planning Commission, the maximum height of buildings may be permitted to exceed the maximum stated in the Schedule by up to fifty percent (50%) in R1, R2, R3, RR, B1, B2 and HX Districts; and up to one hundred percent (100%) in all other districts, provided that the applicant can demonstrate that no good purpose would be served by compliance with maximums stated. Specific allowable uses have greater allowable heights as stated in the Zoning District allowable use lists, Article 21 and Article 22, Section 22.3 Height Limits, of this ordinance.</p> <p>Note C: Off-street parking may be permitted in the front yard, except that a ten (10) foot wide landscaped buffer is maintained between the front lot line (or right-of-way line) and the parking area.</p> <p>Note D: On the exterior side yard which borders on a residential district, there shall be provided a setback of not less than twenty (20) feet on the residential side in B1, B2, B3 and HX.</p> <p>Note E: Lots within five hundred (500) feet of lakes, ponds, flowages, rivers, streams: see Article 18 LOTS NEAR WATER. Waterfront structures are required to be setback a minimum of 50' from the high water mark.</p> <p>Note F: Loading and unloading space shall be provided in the rear yard in the ratio of at least ten (10) square feet per linear foot of front building wall. Loading space shall not be counted as required off-street parking. Loading zones may be located in other non-required yards if screened or obscured from view from public streets and residential districts.</p> <p>Note G: No building shall be placed closer than forty (40) feet to the outer perimeter of such district or property line when said use abuts a residential district boundary.</p>	

Business (B1, B2, B3, HX, I) District Setback Diagram



ARTICLE 13 I INDUSTRIAL DISTRICT

INTENT AND REQUIRED CONDITIONS

The I Industrial District is designed to accommodate wholesale activities, warehouses, major repair operations, manufacturing and other industrial operations, subject to certain performance requirements relative to their impact on the community and adjacent non-industrial districts.

Whenever an industrial use permitted in this Article requires the use of a storage area or operational activity which is not within the confines of an enclosed building, then adequate greenbelt, screening devices, and/or buffer walls are required. [See [Article 21.10](#) and [21.18](#)]

The height of industrial structures and uses shall be related to building setbacks. For each foot of building height above twenty (20) feet, the minimum yard setbacks shall be increased by one (1) foot when adjacent to non-industrial districts. Building height shall not exceed thirty-five (35) feet.

Any industrial activity which produces glare, noise, vibrations, smoke, dust, odors and similar or related nuisances, shall confine these nuisances to the industrial district and must conform to State and Federal environmental regulations. Industrial operations involving the manufacture, processing, or packaging of materials which are inherently dangerous or hazardous due to flammability, toxicity, radioactivity, explosiveness, shall require special review by the Planning Commission after a hearing, and any approval shall be contingent upon a showing by the applicant industry that no dangerous, noxious or nuisance conditions will impact any adjacent premises.

Whenever there is evidence that municipal treatment plants, or any river, wetland, or groundwater, lake, or other water in the County may be damaged, polluted, or otherwise adversely affected by industrial chemicals, environmental contamination prevention measures, spill containment procedures, surety bonds and other financial guarantees to correct damages, may be required by the County.

SECTION 13.1 PRINCIPAL USES PERMITTED

- 13.1.1 All principal uses permitted in the [B3](#) Business, Light Manufacturing District
- 13.1.2 Contractors' yards, equipment storage, and materials handling operations
- 13.1.3 Major utility service yards and buildings, either public or private
- 13.1.4 Repair operations and/or maintenance activities for vehicles of any kind, including farm implements, conveyors, and other equipment or machinery
- 13.1.5 Concrete and asphalt manufacturing and distribution
- 13.1.6 Grain elevators (commercial)
- 13.1.7 Meat and poultry processing plants
- 13.1.8 Manufacturing facilities within an enclosed building, and excluding uses listed in [Section 13.2](#)
- 13.1.9 Auto body shop including wrecker service
- 13.1.10 Wireless Telecommunications Towers and Facilities one hundred ninety (190) feet or less in height without lights [Permit criteria includes [Article 21.46](#)]
- 13.1.11 WTG Building-Mounted: Permitted as an accessory use to an allowed Principal Use [See [Article 21.46](#)]
- 13.1.12 WTG Small: Permitted as an accessory use to an allowed Principal Use
- 13.1.13 WTG Medium: Permitted as an Accessory Use to an allowed Principal Use

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SECTION 13.2 PERMITTED USES SUBJECT TO SPECIAL CONDITIONS

Under such conditions as the Planning Commission finds the use as not being injurious to the I Industrial District and environs and not contrary to the spirit and purpose of this Ordinance, and subject further to the conditions herein imposed as well as the conditional use standards of [Article 19](#), the following uses may be permitted:

- 13.2.1 All uses subject to special conditions in the [B3](#) Business, Light Manufacturing District.
- 13.2.2 Metal plating, buffing and polishing subject to appropriate measures to control any type of process to prevent noxious results, particularly potential acid spills and waste from plating operations.
- 13.2.3 Manufactured gas, bottled gas and related fuel services or fuel production activities, except the uses specifically exempted by the Michigan Zoning Enabling Act (Public Act 110 of 2006) Petroleum storage tanks, bottled gas or storage tanks for any flammable liquid and production or refining plants for petroleum products when not closer than one thousand (1000) feet from any residential district or residence and three hundred (300) feet from any other district, unless exempt under Act 110 of 2006
- 13.2.4 Junk yards and places so called for the storage, dismantling, wrecking and disposing of junk, and for refuse material or industrial, agricultural and automotive vehicles, upon findings that the use will operate in a reasonable manner and all harmful effects of open storage, smoke, dust, glare, noise, fire and explosive hazards are confined to the premises and are in accord with all other local and state laws - There shall be provided a completely obscuring wall not to be less than eight (8) feet in height as measured from the grade at the property line. Junk yards shall not be located closer than two hundred (200) feet from the boundary of any other zoning district. [Permit criteria includes [Article 21.3](#)]

Such use shall not be closer than forty (40) feet from any lot line. There shall be no outdoor storage of materials, equipment, structures or debris of any kind anywhere outside the designated storage area.
- 13.2.5 Painting, varnishing and undercoating shops when set back at least seventy-five (75) feet from any adjacent residential district and when conducted within a completely enclosed building
- 13.2.6 Heavy manufacturing (assembly, processing or cleaning of heavy bulky durable goods requiring heavy trucks or rail transport; drop forging, heavy stamping, punch pressing, plating, hammering or other similar processing activities)
- 13.2.7 Surface mining of gravel, sand, clay, topsoil or marl [See [Article 21.25](#) for criteria]
- 13.2.8 Manufacturing of explosives, corrosive and other dangerous chemical substances
- 13.2.9 Metal and wood-stripping establishments
- 13.2.10 Airports and landing strips
- 13.2.11 Detention Facilities
- 13.2.12 Power company generation plants
- 13.2.13 Printing and publishing plants
- 13.2.14 Research and development laboratories
- 13.2.15 Chemical processing and metallurgic manufacturing
- 13.2.16 Industrial Laundries

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13.2.17 Medical Laboratories

13.2.18 Wireless Telecommunications Towers and Facilities over one hundred ninety (190) feet in height [Permit criteria includes [Article 21.46](#)]

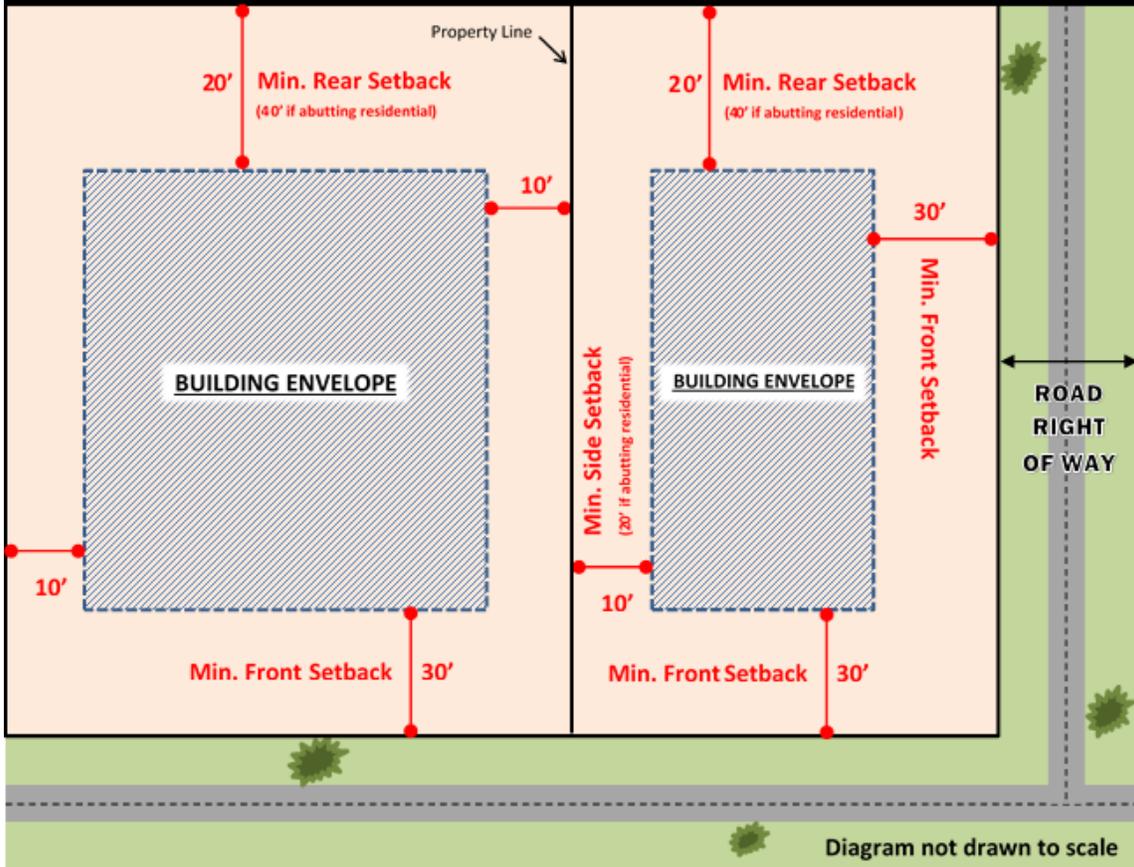
13.2.19 Unlisted property uses if authorized under [Article 21.44](#)

13.2.20 Personal Wireless Services Telecommunications Towers and Facilities one hundred fifty (150) feet or less in height, self-supporting (lattice) or guyed [Permit criteria includes [Article 21.46](#)]

ARTICLE 13 | INDUSTRIAL DISTRICT

Lot & Structure Standards	
Minimum Lot Area	40,000 ft ² / 0.92 acre
Minimum Lot Width ^(a)	150 ft
Maximum Lot Coverage	No maximum
Maximum Building Height ^(b)	35 ft
Minimum Principle Structure Width	No minimum
Minimum Ground Floor Area of Principle Structure	No minimum
Setbacks	
Minimum front setback^(c)	30 ft
Minimum side setback^(d)	10 ft
Minimum rear setback^{(e), (f), (g)}	20 ft
Accessory Buildings	
Maximum Height^(b)	35 ft
Maximum Ground Floor Area	No maximum
Setbacks (Accessory):	
Front Yard ^(c):	30 feet
Side Yard ^(d):	10 feet
Rear Yard ^{(e), (f), (g)}:	20 feet
Use:	Accessory buildings shall not be used for residences.
Parking	
See Section 21.27 PARKING. Requirements vary depending on land use.	
Notes	
<p>Note A: Specific allowable uses have greater minimum lot widths as required in the Zoning District allowable use lists. See Article 21.</p> <p>Note B: Subject to approval by the Planning Commission, the maximum height of buildings may be permitted to exceed the maximum stated in the Schedule by up to fifty percent (50%) in R1, R2, R3, RR, B1, B2 and HX Districts; and up to one hundred percent (100%) in all other districts, provided that the applicant can demonstrate that no good purpose would be served by compliance with maximums stated. Specific allowable uses have greater allowable heights as stated in the Zoning District allowable use lists, Article 21 and Article 22, Section 22.3 Height Limits, of this ordinance.</p> <p>Note C: Off-street parking may be permitted in the front yard, except that a ten (10) foot wide landscaped buffer is maintained between the front lot line (or right-of-way line) and the parking area.</p> <p>Note D: On the exterior side yard which borders on a residential district, there shall be provided a setback of not less than twenty (20) feet on the residential side in B1, B2, B3 and HX.</p> <p>Note E: Lots within five hundred (500) feet of lakes, ponds, flowages, rivers, streams: see Article 18 LOTS NEAR WATER. Waterfront structures are required to be setback a minimum of 50' from the high water mark.</p> <p>Note F: Loading and unloading space shall be provided in the rear yard in the ratio of at least ten (10) square feet per linear foot of front building wall. Loading space shall not be counted as required off-street parking. Loading zones may be located in other non-required yards if screened or obscured from view from public streets and residential districts.</p> <p>Note G: No building shall be placed closer than forty (40) feet to the outer perimeter of such district or property line when said use abuts a residential district boundary.</p>	

Business (B1, B2, B3, HX, I) District Setback Diagram



ARTICLE 14 HX HIGHWAY INTERCHANGE COMMERCIAL DISTRICT

INTENT:

The Highway Interchange Commercial land use category includes areas designated for commercial development, which are primarily Interstate access dependent. This district primarily serves thru traffic and tourist needs. Uses that are consistent with these areas include, but are not limited to, gasoline stations, lodging facilities, entertainment facilities, restaurant facilities and similar tourist related developments, as well as warehouses, storage buildings, wholesale facilities and other similar uses. This district is intended to serve traffic entering or leaving the Interstate. These areas may require municipal water and sewer services and/or other comparable forms of water and sewer services with approval by the municipality and District Health Department.

SECTION 14.1 PRINCIPAL USES PERMITTED anywhere in the zoning district

No building or land shall be used and no building shall be erected except for one (1) or more of the following specified uses:

- 14.1.1 Existing residences
- 14.1.2 Banks and financial institutions, except those with drive-through service
- 14.1.3 Office buildings for administrative, professional, governmental and sales offices
- 14.1.4 Medical and dental offices, including clinics
- 14.1.5 Public Schools under the jurisdiction of the Michigan superintendent of public instruction
- 14.1.6 Indoor theaters, halls and similar places of assembly
- 14.1.7 Bowling alleys, pool parlors or billiard parlors
- 14.1.8 Indoor archery range
- 14.1.9 Tavern/night clubs
- 14.1.10 Restaurants, except those with drive-through service
- 14.1.11 Bus stations and passenger terminals

PRINCIPAL USES PERMITTED in the zoning district only when access is from a service road. Access shall not be off Marlette Road in Otsego Lake Township and Mills Street in Corwith Township.

- 14.1.12 Any generally recognized retail business within an enclosed building under one hundred thousand (100,000) square feet
- 14.1.13 Offices and showrooms of plumbers, electricians, decorators or similar trades, without outdoor storage
- 14.1.14 Rental shops without outdoor storage
- 14.1.15 Athletic or sports facilities and health clubs, indoor only
- 14.1.16 Places of worship
- 14.1.17 Lumber yards and building material suppliers within enclosed building(s)
- 14.1.18 Businesses including those with drive-through service
- 14.1.19 Wireless Telecommunications Towers and Facilities one hundred ninety (190) feet or less in height without lights [Permit criteria include [Article 21.46.2](#)]

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- 14.1.20 Wholesale sales, storage and distribution facilities including accessory retail sales but excluding storage of flammable or hazardous materials - Outside storage shall be fenced and screened.
- 14.1.21 Truck and rail freight terminals, including warehousing
- 14.1.22 Vehicle service and storage centers for trucks, watercraft, truck trailers and miscellaneous motorized vehicles - Outside storage shall be fenced and screened.
- 14.1.23 Lumber yards, building, construction material suppliers and home improvement centers without outside storage
- 14.1.24 Bottling works, food packaging and freezer plants
- 14.1.25 Equipment reconditioning indoors on an impervious surface
- 14.1.26 Nursery sales and garden supply centers within enclosed building and without outside clay area(s)
- 14.1.27 Construction and utility service contractors storing heavy equipment with inside storage only
- 14.1.28 Storage buildings consisting of building(s) with the purpose of commercial and/or private storage - A storage building shall not be used in any form as a residence.
- 14.1.29 Mini-storage buildings consisting of separate storage rooms rented or leased by the month
- 14.1.30 Utilities - All utilities and service structures when their operating requirements necessitate locating the facilities within the district in order to serve the immediate vicinity (storage yards excluded) shall be located underground, except where above ground equipment such as transformers, control panels, services connections and meters are required - All above ground equipment shall be located at the rear of the building. [Permitted criteria includes [Article 21.10](#) regarding screening and fences]

SECTION 14.2 PERMITTED USES SUBJECT TO SPECIAL CONDITIONS anywhere in the zoning district.

The following uses may be permitted, subject to the conditions herein imposed for each use, the review standards of [Article 19](#) and only after the review and approval of the site plan by the Planning Commission. (See [Article 21](#) for applicable Specific Requirements for Certain Uses, if any and [Article 23](#) for Site Plan Requirements.)

- 14.2.1 Motels, hotels, motor inns, cabin courts, bed and breakfast facilities, tourist lodging facilities and museums
- 14.2.2 Gasoline service stations for sale of motor fuels, oil and minor accessories
- 14.2.3 Car wash subject to waste water treatment conditions
- 14.2.4 Sales, rental, and service centers for vehicles, watercraft, and/or motor homes and travel trailers, including new or used automobiles, motor bikes, bicycles, watercraft, ATV's, campers, snowmobiles, utility trailers, provided:
 - 14.2.4.1 Ingress and egress to the use shall be at least sixty (60) feet from the intersection of any two streets.

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- 14.2.4.2 The arrangement of vehicles stored in the open shall be uniform, following the patterns established for off-street parking lots.
- 14.2.4.3 No sales or display shall occupy any public street or road right-of-way and further, must be set back at least twenty (20) feet from the front property line.
- 14.2.4.4 The use of a display model for a business office is permissible provided it is connected to sanitary and water facilities and approved by the County Health Department.
- 14.2.4.5 Emergency access routes must be maintained in the display area.

PERMITTED USES SUBJECT TO SPECIAL CONDITIONS in the zoning district only when access is from a service road. Access shall not be off Marlette Road in Otsego Lake Township and Mill Street in Corwith Township.

- 14.2.5 Retail uses over one hundred thousand (100,000) square feet
- 14.2.6 Offices and showrooms of plumbers, electricians, decorators or similar trades, with outdoor storage
- 14.2.7 Rental shops with outdoor storage
- 14.2.8 Nursery sales and garden supply centers with outdoor display areas
- 14.2.9 Lumber yards, building material suppliers, and home improvement centers, with outdoor storage
- 14.2.10 Rifle or pistol ranges when within a completely enclosed building as an accessory use
- 14.2.11 Auto repair garages or auto body shop, including wrecker service, provided that outdoor storage of vehicles under repair be confined to the rear yard and screened from view
- 14.2.12 Sales, rental, and service centers for mobile home, modular home, manufactured homes, or farm equipment provided:
 - 14.2.12.1 Ingress and egress to the use shall be at least sixty (60) feet from the intersection of any two (2) streets.
 - 14.2.12.2 The arrangement of vehicles stored in the open shall be uniform, following the patterns established for off street parking lots.
 - 14.2.12.3 No sales or display shall occupy any public street or road right-of-way and further must be set back at least twenty (20) feet from the front property.
- 14.2.13 Above-ground storage of flammable or hazardous material provided:
 - 14.2.13.1 Aggregate storage above 5000 gallons up to 20,001 gallons shall be in a single tank
 - 14.2.13.2 Signage on the tank shall be limited to that which is statutorily required by law. Advertising signage of any type will be prohibited on the tank.
 - 14.2.13.3 Tank location is to be a minimum of fifty (50) feet from the traffic pattern on the site

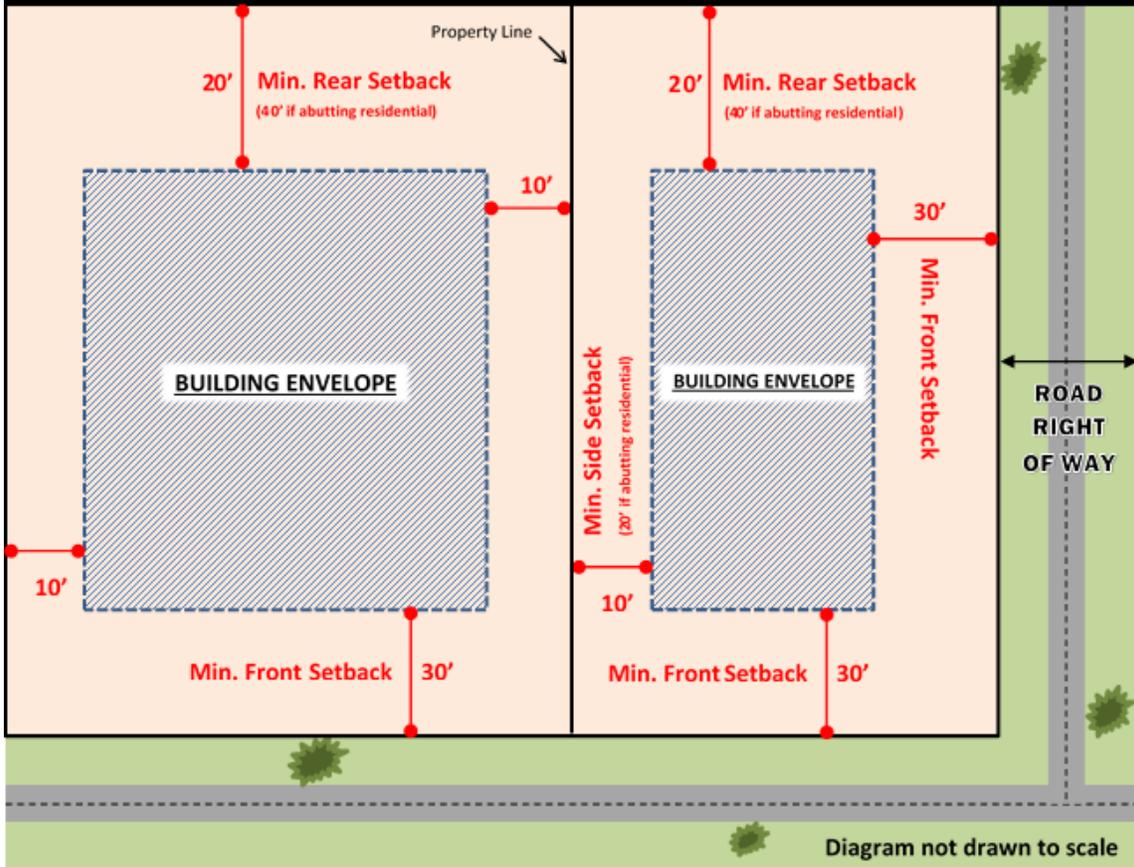
SECTION 14.3 DEVELOPMENT REQUIREMENTS

- 14.3.1 **Mechanical Equipment.** All units and appliances for air conditioning, HVAC systems, high voltage electrical systems, exhaust pipes or stacks, elevator housing and satellite dishes or telecommunications receiving devices shall be thoroughly screened from view from the public right-of-way and from adjacent properties, by using walls, fences, roofline elements, penthouse-type screening devices or landscaping. Outdoor wood burning equipment (stoves/furnaces) is prohibited.
- 14.3.2 **Services Access.** A designated loading space shall be reserved at the rear of the building. The Planning Commission may permit loading from secondary streets if applicant demonstrates that traffic flow and access to neighboring uses will not be disrupted.
- 14.3.3 **Landscaping.** Landscaping is an integral part of this district and shall complement the district and surrounding uses. Landscaping shall comply with the provisions elsewhere in this ordinance.
- 14.3.4 **Sidewalks.** The property owners shall provide sidewalks. Sidewalks shall conform to placement and level of adjacent neighborhood sidewalks or be located one (1) foot inside the street right- of-way along all streets abutting the property. Sidewalks shall be a minimum of sixty (60) inches wide, or the width of adjoining sidewalks as approved during site plan review. Greater width may be required during site plan review.

ARTICLE 14 HX HIGHWAY INTERCHANGE COMMERCIAL DISTRICT

Lot & Structure Standards	
Minimum Lot Area	10,000 ft ² / 0.23 acre
Minimum Lot Width ^(a)	150 ft
Maximum Lot Coverage	No maximum
Maximum Building Height ^(b)	35 ft
Minimum Principle Structure Width	No minimum
Minimum Ground Floor Area of Principle Structure	No minimum
Setbacks	
Minimum front setback^(c)	30 ft
Minimum side setback^(d)	10 ft
Minimum rear setback^{(e), (f), (g)}	20 ft
Accessory Buildings	
Maximum Height^(b)	35 ft
Maximum Ground Floor Area	No maximum
Setbacks (Accessory):	
Front Yard ^(c):	30 feet
Side Yard ^(d):	10 feet
Rear Yard ^{(e), (f), (g)}:	20 feet
Use:	Accessory buildings shall not be used for residences.
Parking	
See Section 21.27 PARKING. Requirements vary depending on land use.	
Notes	
<p>Note A: Specific allowable uses have greater minimum lot widths as required in the Zoning District allowable use lists. See Article 21.</p> <p>Note B: Subject to approval by the Planning Commission, the maximum height of buildings may be permitted to exceed the maximum stated in the Schedule by up to fifty percent (50%) in R1, R2, R3, RR, B1, B2 and HX Districts; and up to one hundred percent (100%) in all other districts, provided that the applicant can demonstrate that no good purpose would be served by compliance with maximums stated. Specific allowable uses have greater allowable heights as stated in the Zoning District allowable use lists, Article 21 and Article 22, Section 22.3 Height Limits, of this ordinance.</p> <p>Note C: Off-street parking may be permitted in the front yard, except that a ten (10) foot wide landscaped buffer is maintained between the front lot line (or right-of-way line) and the parking area.</p> <p>Note D: On the exterior side yard which borders on a residential district, there shall be provided a setback of not less than twenty (20) feet on the residential side in B1, B2, B3 and HX.</p> <p>Note E: Lots within five hundred (500) feet of lakes, ponds, flowages, rivers, streams: see Article 18 LOTS NEAR WATER. Waterfront structures are required to be setback a minimum of 50' from the high water mark.</p> <p>Note F: Loading and unloading space shall be provided in the rear yard in the ratio of at least ten (10) square feet per linear foot of front building wall. Loading space shall not be counted as required off-street parking. Loading zones may be located in other non-required yards if screened or obscured from view from public streets and residential districts.</p> <p>Note G: No building shall be placed closer than forty (40) feet to the outer perimeter of such district or property line when said use abuts a residential district boundary.</p>	

Business (B1, B2, B3, HX, I) District Setback Diagram



ARTICLE 15 MUZ MULTIPLE USE ZONING DISTRICT

Adopted 9.13.2016

MUZ MAIN STREET MULTIPLE USE ZONING

INTENT:

Main Street Multiple Use Zoning (MUZ) is established for the purpose of accommodating the highest concentration of retail and service establishments. It is designed with the intent to promote a pedestrian-oriented and accessible, central commercial service district where a variety of mutually supporting retail, office, commercial, civic and limited residential uses are permitted. Collectively, the uses permitted in this district are intended to provide a convenient and attractive retail and service center for the community, its rural trade area and tourist traffic. A prime characteristic of this district is the offering of a variety of goods and comparison shopping opportunities directed primarily at the pedestrian shopper.

Each use shall be complementary to the stated function and purpose of the district and shall not have adverse impact upon street capacity, safety and utilities. In an effort to encourage this type of character and provide for the health, welfare and safety of the pedestrian in the area, drive-in and drive-through operations are excluded from this district.

The Main Street MUZ is further designed and intended to:

- A. Encourage innovative, traditional and neo-traditional commercial and mixed use developments
- B. Encourage a lively social environment and economically viable downtown with a wide variety of uses in a pedestrian-oriented setting, with on-street customer parking
- C. Extend greater opportunities for traditional community living, working, housing and recreation to all citizens, residents and visitors of the community
- D. Encourage a more efficient use of land and public services and to reflect changes in technology of land development by directing new development in a traditional, compact and consolidated pattern of mixed use
- E. Promote a walkable community and blend land uses to minimize traffic congestion
- F. Prohibit the development of drive-in and drive-through facilities which contribute to traffic congestion and pose a threat to the pedestrian environment
- G. Promote the creation of community places which are oriented to the pedestrian, thereby promoting citizen security and social interaction
- H. Promote structures that are harmonious in overall design and development pattern
- I. Encourage development of a community “Main Street” with mixed land uses, on-street customer parking and a continuous series of building façades and store fronts, which not only serves the needs of the immediate neighborhood but also the surrounding areas

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SECTION 15.1 PRINCIPAL USES PERMITTED

No building or land shall be used and no building shall be erected, except for one (1) or more of the following specific uses:

- 15.1.1 Art galleries
- 15.1.2 Business establishments which perform services on premises such as, but not limited to, banks, savings and loans and credit unions, pedestrian oriented automated teller machine facilities
- 15.1.3 Dry cleaning establishments or pick-up stations dealing directly with the consumer, limited to two thousand (2,000) square feet of floor area; Central dry cleaning plants serving more than two (2) retail outlets shall be prohibited.
- 15.1.4 Hotels, bed and breakfast inns and bed and breakfast houses with more than four (4) rooms must meet off street parking requirements of [Article 21.18.6.4](#).
- 15.1.5 Professional offices: Office for medical, dental, legal, engineering, architectural, accounting services, brokerage houses, insurance, real estate or travel agencies with a footprint of up to seven thousand (7,000) square feet
- 15.1.6 Mixed-use buildings with business, commercial or service uses on the ground floor and residential or office uses on upper floors - Where there is mixed business/office and residential use in a building, there shall be provided a separate, private pedestrian entranceway for the residential uses.
- 15.1.7 Newspaper offices and publishers and commercial printers with a footprint of up to seven thousand (7,000) square feet
- 15.1.8 Restaurants, including those with outdoor eating areas, carry-out and open front restaurants, subject to the following site design standards:
 - 15.1.8.1 Outdoor eating areas may be on a public right-of-way, on a building roof top, as part of a patio or deck or within the boundaries of a parcel or lot.
 - 15.1.8.2. A minimum of four (4) feet of public sidewalk along the entire eating area and leading to the entrance of the establishment shall be maintained free of tables and other encumbrances. The pedestrian area shall also be free from benches, waste receptacles, fire hydrants and similar structures. If the sidewalk is not wide enough to allow for a four (4) foot wide clearance for circulation, the outdoor eating area shall not be permitted on a public sidewalk.
 - 15.1.8.3 The outdoor eating area shall be kept clean, litter-free within and immediately adjacent to the area of the tables and chairs. Additionally, all waste generated on site shall be contained by the owner, which may require outdoor waste receptacles. Owners are responsible for all wastes so generated. Written procedures for cleaning and waste containment and removal responsibilities must be included with all applications.
 - 15.1.8.4 Tables, chairs, planters, waste receptacles and other elements of street furniture shall be compatible with the architectural character of the adjacent buildings. If table umbrellas will be used, they shall complement building colors. All tables, chairs, umbrellas and other furniture and fixtures must be stored inside the building or in an alternate location other than a public sidewalk, except thirty (30) minutes prior to opening until sixty (60) minutes after closing.

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- 15.1.8.5 Such areas are permitted seasonally between April 1st and October 31st; the hours of operation for the outdoor eating area shall be established and noted with the application.
- 15.1.8.6 The owner of an outdoor eating area may apply for two (2) event permits outside of the normal season of not more than ten (10) days combined; all other outdoor eating area requirements apply.
- 15.1.8.7 The issuance of a permit for an outdoor eating area does not constitute a separate business.
- 15.1.9 Personal service establishments within a completely enclosed building, provided each occupies a total usable floor area of not more than seven thousand (7,000) square feet, including but not limited to such uses as: repair shops (watches, radio, television, shoes, etc.), tailor and dressmaking shops, beauty parlors and styling salons, barber shops, photographic studios, film processing outlets, copy centers, interior decorators, postal centers and computer services
- 15.1.10 Public, quasi-public and institutional uses such as, but not limited to, municipal buildings and offices, court houses, public off-street parking facilities, libraries, museums, public safety facilities, parks and playgrounds, post offices and civic centers and schools but excluding storage yards
- 15.1.11 Retail businesses which supply commodities on the premise with a footprint of up to seven thousand (7,000) square feet, such as but not limited to: groceries, meats, fruits and produce, dairy products, baked goods, candies, wine (specialty wine shops only) and other specialty food products (such products can be produced on the premises as an accessory use provided they are sold on the site at retail prices); and stores selling drugs, dry goods, flowers, clothing, notions, books and magazines, toys, sporting goods, shoes, tobacco products, musical instruments, recorded music, video rentals and sales, gifts and souvenirs, antiques, furniture and hardware
- 15.1.12 Retail sales with a footprint of up to seven thousand (7,000) square feet in which both a workshop and retail outlet or showroom are required, such as plumbing, electrical, interior decorating, upholstering, printing, photographic-reproducing, radio, and home appliance and similar establishments of similar character subject to the provision that not more than eighty percent (80%) of the total useable floor area of the establishment shall be used for servicing, repairing or processing activities and further provided that such retail outlet or showroom activities area shall be provided in that portion of the building where the customer entrance is located
- 15.1.13 Cocktail lounges, bars, taverns (pubs) and brewpubs (excluding drive-in restaurants and those with drive-through facilities), where the patrons are served within the building occupied by such establishment
- 15.1.14 Studios for art, music, dance or theatrical instruction or fitness centers with footprint of up to seven thousand (7,000) square feet
- 15.1.15 The following in-home uses provided no more than twenty-five percent (25%) of floor area is used for such purpose:
 - 15.1.15.1 Offices and home occupations when operated within the confines of a single family dwelling as an accessory to living quarters [Permit criteria for these uses include [Article 4 R1 Residential District.](#)]
- 15.1.16 Existing Residences

SECTION 15.2 PERMITTED USES SUBJECT TO SPECIAL CONDITIONS

The following uses may be permitted subject to the conditions herein imposed for each use, the review standards of [Article 4.2](#) and only after the review and approval of the site plan by the Otsego County Planning Commission. See [Article 21](#) for applicable Specific Requirements for Certain Uses, if any, and [Article 23](#) for site plan requirements.

- 15.2.1 Indoor recreational centers, including the following: bowling alleys, roller and ice skating rinks, pool or billiard halls, pinball and mechanical amusement device arcades and other general indoor recreation facilities, with a footprint of up to seven thousand (7,000) square feet
- 15.2.2 Hardware, equipment rental and building supplies where the size is limited to seven thousand (7,000) square feet total, of which less than two thousand (2,000) square feet is outdoor storage; The Otsego County Planning Commission may permit outdoor storage for such uses provided it determines the design, placement and screening of such outdoor storage complies with the requirements of this ordinance.
- 15.2.3 Mortuaries and funeral homes with a footprint of up to seven thousand (7,000) square feet
- 15.2.4 Party stores (convenience stores) with a footprint of up to seven thousand (7,000) square feet
- 15.2.5 Senior housing, assisted living facilities or assisted day care facilities with a footprint of up to seven thousand (7,000) square feet
- 15.2.6 Accessory buildings with a footprint not greater than eight hundred (800) square feet
- 15.2.7 Utilities: All utilities and service structures when their operating requirements necessitate locating the facilities within the district in order to serve the immediate vicinity (storage yards excluded), shall be located underground except where above ground equipment such as transformers, control panels, service connections and meters are required. All above ground equipment shall be located at the rear of the building. [Permit criteria includes [Article 21.10](#) regarding screening and fence]
- 15.2.8 Wireless telecommunications towers and facilities one hundred fifty (150) feet or less in height. [Permit criteria included in [Article 21.46](#)]
- 15.2.9 Unlisted property uses if authorized under [Article 21.44](#)

SECTION 15.3 DEVELOPMENT REQUIREMENTS

Buildings in the Main Street MUZ should possess architectural variety and must enhance the overall cohesiveness of the Main Street MUZ character and appearance as determined and described herein. Except as otherwise noted, buildings and uses in the Main Street MUZ shall comply with the following requirements:

- 15.3.1 The ground floor use shall be considered the main use of the building.
- 15.3.2 Building Placement: Buildings shall be built so that the front building line is within the Build-to-Area. The Otsego County Planning Commission may require greater setbacks if such space, in their determination, is needed for other requirements.
 - 15.3.2.1 Buildings shall have the greatest portion of front coverage along the primary street(s).
 - 15.3.2.2 Buildings may have up to forty percent (40%) or forty (40) feet, whichever is less, of front façade recessed from the Build-to-Area to allow for courtyards and plazas.

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- 15.3.2.3 Cantilevered or self-supporting awnings, signs or lights may extend into the setback area; however, they must be a minimum of four (4) feet away from curbs and shall not be within eight (8) feet of the side property lines.
- 15.3.3 Building Height: New buildings shall contain at least two (2) stories unless the Otsego County Planning Commission determines a single story will not detract from the character and appearance of the Main Street MUZ.
- 15.3.4 Not more than forty percent (40%) of any given floor other than the basement, may be used for bathrooms, closets, halls, utility or storage spaces and only where incidental to the primary use. All of the basement (100%) may be used for these incidental uses. Storage areas shall be in the rear one-half (1/2) of the building.
- 15.3.5 Façade Design: All visible building façades from a public right-of-way or public land shall conform to the following design criteria:
- 15.3.5.1 Architectural Features: Building façades greater than thirty-three (33) feet in length shall contain architectural features, details and ornaments. Elements such as wall clocks, decorative light fixtures and door or window canopies are recommended. Blank, windowless walls are prohibited.
- 15.3.6 All non-residential buildings must have interior downspout and gutter systems. Exterior downspouts and gutters are not permitted for non-residential buildings, except for those originally constructed for single-family residential purposes.
- 15.3.7 Fenestration: All façades visible from the street must contain glazed glass windows. Spaces between windows shall be formed by columns, mullions or material found elsewhere on the façade. Clear window glass is recommended; green, blue, bronze or smoke tints are permitted.
- 15.3.7.1 Glazing on the first floor shall occupy a minimum twenty-five percent (25%) of the façade; No glazing on first floor shall be placed less than two (2) feet six (6) inches above the sidewalk.
- 15.3.7.2 Glazing on the second or higher floors shall be a minimum of twenty percent (20%).
- 15.3.8 Building Materials: Building materials must be consistent with the surrounding neighborhood character. Building materials on the front façade or any façade visible from a public right-of-way must be primarily of natural materials (brick, stone, wood, cast stone or other approved material). Each front façade, any façade visible from a public right-of-way and any façade with a dedicated public entrance into the building, should contain at least sixty percent (60%) of the recommended materials listed below, excluding window areas:
- 15.3.8.1 Recommended Materials: Brick, stone, wood and cast stone
- 15.3.8.2 Acceptable Materials: Split face, scored or ground face block; beveled wood siding (lap, board and batten, shake); exterior finish insulation systems (EIFS)
- 15.3.8.3 Other synthetic or highly-reflective materials should not be used, except for decorative or accent features and limited to a maximum of ten percent (10%) of any face of a story
- 15.3.8.4 The following materials are prohibited within ten (10) feet of the building grade: Smooth faced block, smooth concrete, vinyl or metal siding

- 15.3.8.5 The following materials are prohibited: Opaque and reflective glass, T-111 panels, metal siding including aluminum siding and standing seam panels
- 15.3.9 Side or Rear Façade Design: All sides of a building shall be similar in design and material to present a cohesive appearance to neighboring properties. Wherever a side or rear façade is visible from a public right-of-way or if parking is located at the side or rear of a building, the façade shall be designed to create a pleasing appearance or as described within this Article.
- 15.3.10 Building Entrances: All buildings shall have at least one (1) primary public customer entrance that faces a public street unless a building does not face a public street. Rear entrances are permitted only if there is a primary entrance from a public street.
- 15.3.11 Mechanical Equipment: All units and appliances for central air conditioning, high voltage electrical (HVAC) systems, exhaust pipes or stacks, elevator housing and satellite dishes or other telecommunications receiving devices shall be thoroughly screened from view from the public right-of-way and from adjacent properties by using walls, fences, roofline elements, penthouse-type screening devices or landscaping. Outdoor burning equipment is prohibited.
- 15.3.11.1 Fire escapes shall not be permitted on a building's front façade. In buildings requiring a second means of egress pursuant to the local building codes, internal stairs or other routes of egress shall be used.
- 15.3.11.2 Solid metal security gates or solid roll-down metal windows shall be prohibited. Link or grill type security devices shall be permitted only if installed from inside, within the window or door frames; or if installed on the outside, if the coil box is recessed and concealed behind the building wall. Security grills shall be recessed and concealed during normal business hours.
- 15.3.12 Service Access: A designated loading space shall be reserved at the rear of the building. Loading from secondary streets may be permitted by the Otsego County Planning Commission upon demonstration by the applicant that through traffic flow and access to neighboring uses will not be disrupted.
- 15.3.13 Landscaping: Landscaping is an integral part of this district and shall compliment this district and surrounding uses. Landscaping shall comply with the provisions elsewhere in this ordinance.
- 15.3.14 Courtyards and Plazas: Exterior public and semi-public spaces, such as courtyards or plazas, shall be designed for function, enhance surrounding buildings and provide amenities for users in the form of textured paving, landscaping, lighting, trees, benches, trash receptacles and other items of street furniture as appropriate. Courtyards shall have recognizable edges defined on at least three (3) sides by buildings, walls, elements of landscaping and elements of street furniture in order to create a strong sense of enclosure.
- 15.3.15 Sidewalks: Sidewalks shall be provided, maintained, repaired and/or replaced by the property owner. Sidewalks shall conform to placement and level of adjacent neighborhood sidewalks or be located one (1) foot inside of the street right-of-way along all streets abutting the property. Sidewalks shall be a minimum of forty-eight (48) inches wide or the width of adjoining sidewalks as approved during site plan review. Greater width may be required during site plan review. Sidewalk sections shall be maintained, repaired or replaced when they are deemed hazardous. Such maintenance, repair or replacement shall be completed within forty-five (45) days of written notice by Otsego County Building and Zoning.

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15.3.16 Utilities: All utilities and service structures when their operating requirements necessitate locating the facilities within the district in order to serve the immediate vicinity (storage yards excluded), shall be located underground except where above ground equipment such as transformers, control panels, service connections and meters are required. All above ground equipment shall be located at the rear of the building. [Permit criteria includes [Articles 21.10](#), [21.18.5](#) and [21.18.6](#) regarding screening and fencing]

15.3.17 Enclosed Buildings: Within the Main Street MUZ, all activities, unless specifically provided for herein, shall be conducted entirely within an enclosed building.

15.3.18 Parking Requirements: Parking in this district, except for hotels and bed and breakfast inns with more than four (4) rental rooms, is not subject to the parking requirements elsewhere in this ordinance for land uses that comply with the requirements of this district. On-street parking is encouraged in this district. Off-street parking may be provided to the rear of a building or in publicly owned designated lots.

MUZ TOWN CENTER MULTIPLE USE ZONING

INTENT:

Town Center Multiple Use Zoning (MUZ) is established for the purpose of accommodating moderately heavy residential density with some retail and service business. Collectively the uses permitted in this district are intended to provide a convenient and attractive living community. It is designed and intended to be walkable, thus enhancing the Main Street MUZ and providing a transition from the Main Street MUZ to other land uses. It is further intended to be residential in appearance and character with primarily off street parking. Streets are intended to have sidewalks.

SECTION 15.4 PRINCIPAL USES PERMITTED

No building or land shall be used and no building shall be erected except for one (1) or more of the following specified uses:

- 15.4.1 Single-family and duplex dwellings: These shall be built to the Build-to-Lines in a traditional residential style.
- 15.4.2 Apartment buildings: Apartment buildings may contain up to eight (8) units per building.
- 15.4.3 Churches: Churches, temples and similar places of worship, limited to a footprint of thirty-five hundred (3,500) square feet
- 15.4.4 Utilities: All utilities and service structures when their operating requirements necessitate locating the facilities within the district in order to serve the immediate vicinity (storage yards excluded), shall be located underground except where above ground equipment such as transformers, control panels, service connections and meters are required. All above ground equipment shall be located at the rear of the building. [Permit criteria includes [Articles 21.10](#), [21.18.5](#) and [21.18.6](#) screening and fence]
- 15.4.5 Laundromats (self-service or coin operated) up to a footprint of one thousand (1,000) square feet
- 15.4.6 Parks
- 15.4.7 Community centers or similar places of assembly when conducted completely with enclosed buildings with a footprint of up to seven thousand (7,000) square feet
- 15.4.8 Senior housing, licensed residential care facilities with a footprint of up to seven thousand (7,000) square feet
- 15.4.9 The following in-home uses provided no more than twenty-five (25%) of the floor area is used for such a purpose:
 - 15.4.9.1 Offices and home occupations when operated within the confines of a single family dwelling as an accessory to living quarters [Permit criteria for these uses include [Article 4 R1 Residential District](#)]

SECTION 15.5 PERMITTED USES SUBJECT TO SPECIAL CONDITIONS

The following uses may be permitted subject to the conditions herein imposed for each use, the review standards of [Article 4.2](#) and only after the review and approval of the site plan by the Otsego County Planning Commission. See [Article 21](#) for applicable Specific Requirements for Certain Uses, if any, and [Article 23](#) for site plan requirements.

- 15.5.1 Apartment buildings with greater than eight (8) units per building
- 15.5.2 Transitional Shelters: Temporary shelters, overnight shelters and temporary residences
 - 15.5.2.1 A minimum of one hundred twenty (120) square feet of area per individual occupant shall be provided
 - 15.5.2.2 Up to six (6) non-related occupants may be allowed
 - 15.5.2.3 Unlisted property uses if authorized under [Article 21.44](#)

SECTION 15.6 DEVELOPMENT REQUIREMENTS

Buildings in the Town Center MUZ shall possess residential style architectural variety but must enhance the overall cohesiveness of the Town Center MUZ's character and appearance as determined and described herein. Except as otherwise noted, buildings and uses in the Town Center MUZ shall comply with the following requirements:

- 15.6.1 Building placement: Buildings shall be built so that the front building line is within the Build-to-Area. The Otsego County Planning Commission may require greater setbacks if such space, in their determination, is needed for other requirements.
- 15.6.2 Building Design: Buildings shall be of traditional residential home architecture and style.
 - 15.6.2.1 A porch at the main floor level shall be on the front street façade measuring one hundred twenty (120) square feet or ten percent (10%) of the main floor area, whichever is greater.
 - 15.6.2.2 Main floor level shall be elevated thirty-two (32) inches to forty-eight (48) inches above the grade at the Build-to-Line.
- 15.6.3 Building Materials: Building materials that produce the traditional style look are required. The following materials are prohibited on the exterior walls: Exposed concrete or cement blocks above the foundation, asbestos siding, tar or felt paper, T-111 panels and standing seam panels.
- 15.6.4 Sidewalks: Sidewalks shall be provided, maintained, repaired and/or replaced by the property owner. Sidewalks shall conform to placement and level of adjacent neighborhood sidewalks or be located one (1) foot inside of the street right of way along all streets abutting the property. Sidewalks shall be a minimum of forty-eight (48) inches wide or the width of adjoining sidewalks or as approved during site plan review. Greater width may be required during site plan review. Sidewalk sections shall be maintained, repaired or replaced when they are deemed hazardous. Such maintenance, repair or replacement shall be completed within forty-five (45) days of written notice by Otsego County Building and Zoning.
- 15.6.5 Mechanical Equipment: All mechanical equipment and appliances for central air conditioning, telecommunications and other such devices shall be located in the rear of the building. Outdoor burning units (stoves/furnaces) are prohibited.

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- 15.6.6 Landscaping: Landscaping is an integral part of this district and shall compliment the district and surrounding uses. [Permit criteria are included in [Article 21.18](#)]
- 15.6.7 Utilities: All utilities and service structures shall be located underground except such equipment as transformers, control panels, service connections and meters. All above ground equipment shall be located at the rear of the building. [Permit criteria includes [Article 21.10](#) regarding screening and fence]
- 15.6.8 Shared driveways: Sharing of driveways is allowed with a written agreement that is recorded at Otsego County on all applicable deeds. [Permit criteria includes [Article 25.3](#)]

ARTICLE 15 MUZ MULTIPLE USE ZONING DISTRICT

Lot & Structure Standards	
Minimum Lot Area	8,000 ft ² / 0.18 acre
Minimum Lot Width ^(a)	60 ft
Maximum Lot Coverage	No maximum
Maximum Building Height	35 ft
Minimum Building Height	2 stories
Minimum Principle Structure Width	No minimum
Minimum Ground Floor Area of Principle Structure	No minimum
Setbacks	
Minimum front setback	Build to area (see Section 15.3)
Minimum side setback	5 ft
Minimum rear setback ^(b)	10 ft for non-waterfront Lots, 50 ft for waterfront Lots
Accessory Buildings	
Maximum Height	35 ft
Maximum Ground Floor Area	No maximum
Setbacks (Accessory):	
Front Yard: Side Yard: Rear Yard ^(b): Use:	Build to area 5 feet 10 feet Accessory buildings shall not be used for residences.
Parking	
Parking in this district, except for hotels and bed and breakfast inns with more than four (4) rental rooms, is not subject to the parking requirements elsewhere in this ordinance for land uses that comply with the requirements of this district. On-street parking is encouraged in this district. Off-street parking may be provided to the rear of a building or in publicly owned designated lots.	
Notes	
Note A: Specific allowable uses have greater minimum lot widths as required in the Zoning District allowable use lists. See Article 21. Note B: Lots within five hundred (500) feet of lakes, ponds, flowages, rivers, streams: see Article 18 LOTS NEAR WATER. Waterfront structures are required to be setback a minimum of 50' from the high water mark.	

MUZ Multiple Use Zoning District Setback Diagram

