

City of Crawford Zoning and Subdivision Regulations

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Crawford Zoning and Subdivision Regulations, As Amended

SECTION 1. TITLE:

1.01. A comprehensive Zoning Code for the City of Crawford is established as set out in this Ordinance. This Ordinance and any later amendments to it shall be known as the “Crawford Zoning and Subdivision Ordinance” and may be cited by that name.

SECTION 2. PURPOSE AND INTENT

2.01. Purpose and Intent

The Section 2.01 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 582, Section 1) to read as follows:

This zoning ordinance is intended to serve the following purpose:

1. To promote the health, safety, *morals*, comfort and general welfare of the City and its surrounding area. (Ordinance 540 amended by No. 582 on 2-14-2006).
2. To preserve and protect property values throughout the City and its surrounding area.
3. To regulate the height, number of stories, and size of buildings and other structures; the percentage of lot coverage; the size of yards and other open spaces and the density of population. (*Ordinance 540 amended by No. 582 on 2-14-2006*).
4. To create zoning districts within the City and the area outside the City over which it has zoning jurisdiction.
5. To regulate the location and use of buildings and land within each district or zone.
6. To enforce and maintain the objectives and policies of the City of Crawford Comprehensive Plan.
7. To regulate the development of subdivisions within the City and the outlying areas around the City over which Crawford has jurisdiction.

SECTION 3. GENERAL PROVISIONS

3.01. Jurisdiction:

This Ordinance shall apply to the incorporated area of the City of Crawford, Nebraska, and that portion of the area outside the City’s incorporated boundary, which is within the one-mile area of planning and zoning jurisdiction set forth by Nebraska law, as may be amended when necessary.

3.02. Districts:

That Section 3.02 of the City of Crawford Zoning and Subdivision Regulations be and hereby is amended to read as follows:

SECTION 1. That Section 3.02 of Ordinance No. 540 be and the same hereby is amended, by adding hereto the following words, figures and area, to-wit:

The “I” Industrial District is extended to include the following premises presently located in the Agricultural District:

A tract of land in the SE1/4 of the SE1/4 of the NW1/4 of Section 3, T-31-N, R-52-W of the 6th P. M., Dawes County, Nebraska, more particularly described as follows: Commencing at the Center ¼ Corner of Section 3: thence N55 20' 20"W, 377.6 feet to the Point of Beginning; thence N39 34' 40" W, 225 feet; thence N50 17' 05" E, 343.4 feet; thence S17 05' 35" W, 411.0 feet to the Point of Beginning and containing 0.89 acres:
and the zoning map modified to so reflect the modification. (*Ord. 547, June 4, 2002*)

The R1 Residential District is extended to include the following premises presently located in the C1 Commercial District: Lots 27, 28, 29 and 30 in Block 10 in the Original Town of Crawford, Dawes County, Nebraska. That eliminated from the C1 Commercial District and included in the R1 Residential District are Lots 27, 28, 29 and 30 in said Block 10, Original Town of Crawford, Dawes County, Nebraska. (*Ord. 625, September 11, 2012*)

The C2 Highway Commercial District is extended to include the following premises presently located in the A-Agricultural District: Parcel ID: 230001949, T31 R52W S10 PT SE4 NW4, Dawes County, Nebraska and owned by JDM Investments, LLC, a Nebraska Limited Liability Company. That it be eliminated from the Agricultural District and included in the C2 Highway Commercial District premises Parcel ID: 230001949, T31 R52W S10 PT SE4 NW4, Dawes County, Nebraska, more specifically described as follows:

That part of the SE1/4NW1/4 (described also as Lot 2) of Section 10, Township 31 North, Range 52 West of the 6th P.M., Dawes County, Nebraska, bounded and described as follows: The point of beginning is on the south line of McPherson Street in the City of Crawford, which street is also U.S. Highway No. 20, 400 feet due east of its intersection with the east line of the Fort Robinson Military Reservation, which is the point of beginning, thence east in a straight line along the south line of McPherson Street, to a point 85 feet west of the intersection of the center line of Second Street extended to the south line of McPherson Street, thence south 150 feet, thence west parallel with the south line of McPherson Street to a point 400 feet due east of said military reservation, thence north at right angles in a straight line 150 feet to the south line of McPherson Street, the point of beginning,
also described as follows:

A tract of land located in the SE1/4 NW1/4 of Section 10, Township 31 North, Range 52 West of the 6th P.M., Dawes County, Nebraska, more particularly described as follows: Beginning at a point that bears S 01° 46'E, 467.2 feet and N 88° 58'E, 400.0 feet from Boundary Point No. 14; then 88°58'E, 351.8 feet on the South line of Platted McPherson Street; thence S 01°02'E, 150.0 feet; thence S 88°58'W, 349.88 feet; then N 01°46'W, 150.0 feet to the Point of Beginning. Except that part conveyed to the State of Nebraska for highway purposes. (*Ord. 653, May 10, 2016*)

The "I" Industrial District is extended to include the following premises presently located in the Agricultural District:

A tract of land situated in the SE1/4NE1/4 of Section 3, Township 31 North, Range 52 West of the 6th P.M. in Dawes County, Nebraska, bounded and described as follows: Beginning at a point 550 feet north of the Southeast corner of the NE1/4 of Section 3; thence Westerly 90° left a distance of 33 feet to the point of beginning; thence Southerly 90° left a distance of 394.2 feet; thence continuing Southerly 4°10' right a distance of 156.3 feet to a point on the south line of

said NE1/4; thence westerly on said south line a distance of 153.6 feet; thence northerly on a line parallel with the east line of the NE1/4 a distance of 550 feet; thence easterly on a line parallel with the south line of said NE1/4 a distance of 165 feet to the point of beginning.

and the zoning map modified to so reflect the modification

EXCEPT that part of the above described property conveyed to the State of Nebraska for highway purposes.

The following zoning districts are established:

- R-1 Residential One District
- R-2 Residential Two District
- C-1 Commercial One
- C-2 Commercial Two
- I Industrial
- A Agricultural District

SECTION 2. That the portion said Original Section 3.02 and zoning map as is in conflict herewith is hereby repealed, and all ordinances and parts of ordinances passed and approved prior to the passage and approval of this ordinance and in conflict herewith are hereby repealed.

SECTION 3. This Ordinance shall be effective from and after its passage, approval and publication as required by law.

(Amended June 4, 2002, Ord. No. 547)

(Amended September 11, 2012, Ord. 625)

(Amended May 10, 2016, Ord. No. 653)

(Amended March 9, 2021, Ord. No. 681)

3.03. Rules Where Uncertainty May Arise:

Where uncertainty exists with respect to the boundaries of the various districts, the following rules apply:

1. The district boundaries are the centerline of streets, alleys and waterways, unless otherwise indicated; and where the designation of a boundary line coincides with the location of streets, alleys or waterways, the centerline of the streets, alleys or waterways shall be construed to be the boundary line of the district.
2. Where the district boundaries do not coincide with the location of streets, alleys or waterways, but do coincide with lot-lines, the lot-line shall be construed to be the boundary of the district.

3.04. Exemptions:

The following structures and uses shall be exempt from the provisions of these regulations:

1. Poles, wires, cables conduits, vaults, laterals, pipes, mains, valves, or other similar equipment for the distribution to consumers of telephone or other communications, electricity, gas, or water, or the collection of sewage or surface water operated or maintained by a public utility but not including substations located on or above the surface of the ground.
2. Public signs, erected by or on behalf of a governmental entity.

3.05. Application of Regulations:

Subject to the provisions of Section 12, the following general requirements shall apply to all Zoning Ordinance.

1. No building, structure or land shall hereafter be used or occupied in whole or in part, except in conformity with regulations set forth in the Zoning Ordinance.
2. No building or structure, or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered except in conformity with regulations set forth in the Zoning Ordinance.

3.06. Interpretation:

That Section 3.06 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 582, Section 2) to read as follows:

1. **Minimum Requirements:** In their interpretation and application, the provision of these regulations shall be held to be the **minimum** requirements for the promotion of the public health, safety, *morals* and welfare. (*Ordinance 540 amended by No. 582 on 2-14-2006*).
2. **Overlapping or Contradicting Regulations:** Where the conditions imposed by any provisions of these regulations upon the use of land or structures are either more restrictive or less restrictive than comparable conditions imposed by any other provision of these regulations or any provision of any other law, ordinance, rule or regulation of any kind, the regulations which are more restrictive shall govern unless specifically excepted.
3. **Private Agreements:** These regulations are not intended to abrogate, annul or otherwise interfere with any easement, covenant or other private agreement or legal relationship; provided, however, that where the provisions of these regulations are more restrictive (or impose higher standards or requirements) than the easements, covenants or other private agreements or legal relationships, the provisions of those regulations shall govern.
4. **Unlawful Uses:** The adoption of these regulations shall not be interpreted as retroactively legalizing a use or structure, which was illegal under previous law.

3.07. Separability:

It is hereby declared to be the intention of the City that the provisions of these regulations are separable, in accordance with the following rules:

1. If any court of competent jurisdiction shall adjudge any provision of these regulations to be invalid, the judgment shall not affect any provisions of these regulations.
2. If any court of competent jurisdiction shall adjudge the application of any provisions of these regulations to a particular property or structure, the judgment shall not affect the application of the provisions to any other property or structure.

SECTION 4: RULES AND DEFINITIONS:

4.01. Rules

1. In the construction of these regulations, the provisions and rules of this section shall be preserved and applied, except when the context clearly requires otherwise:
 - a. Words used in the present tense shall include the future tense.
 - b. Words in the singular number include the plural number and words in the plural include the singular number.
 - c. The phrase "used for" shall include the phrases "arranged for", "designed for", "intended for", "maintained for", and "occupied for".
 - d. The word "shall" is mandatory; the word "may" is permissive.
 - e. The word "person" includes individuals, firms, corporations, associations, governmental bodies and agencies, and all other legal entities.
 - f. The word "Board of Adjustment" means the City Board serving in the capacity of the City Board of Adjustment.
 - g. Unless otherwise specified, all distances shall be measured horizontally.
 - h. The word "City" means the City of Crawford, Nebraska.
 - i. The abbreviation N/A means not applicable.
 - j. In the event that there is any conflict or inconsistency between the heading of a section, subsection or paragraph or this Ordinance and the context thereof, the headings shall not be deemed to effect the scope, meaning or intent of the context.
 - k. The words "City Board" shall mean the City Board of Crawford, Nebraska.
2. The words "Planning Commission" shall mean the Planning Commission duly appointed by the City Board.
3. Any word or phrase, which is defined in this section, and used within this Ordinance, shall have the meaning as so defined whenever the word or phrase is used, unless the definition is expressly limited in its meaning or scope.

4.02. Definitions.

That Section 4.02 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 572, Section 1) to read as follows and That Section 4.02 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 582, Section 3) to read as follows:

For the purpose of this Zoning Ordinance, certain terms or words used herein shall be interpreted or defined as follows, unless the context clearly indicates otherwise.

1. **Accessory Building:** A subordinate building which serves a function customarily incidental to that of the main building. Customary accessory buildings include but are not limited to garages, carports, and small storage sheds.

2. Accessory Use: A subordinate use, which serves a function customarily incidental to that of the main building, or use.
3. Alley: A dedicated public right-of-way, other than a street, which provides only a secondary means of access to abutting property, and has a right-of-way, which is 20 feet or less in width.
4. Allowed Use: Any use, either permitted or conditional, in the designated district.
5. Alteration: Alteration, as applied to a building or structure, is a change or rearrangement in the structural parts of an existing building or structure. Enlargement, whether by extending a side, increasing in height, or the moving from one location or position to another, shall be considered an alteration.
6. Animal Hospital or Clinic: An establishment where animals are admitted principally for examination, treatment, board or care by a Doctor of Veterinary Medicine. (This does not include open kennels or runs).
7. Automobile Wrecking Yard: Any lot, or the use of any portion of a lot, for the dismantling or wrecking of automobiles, tractors, farm machinery, or other motor vehicles, or for the storage or keeping for sale of parts and equipment as a result of dismantling or wrecking.
8. Basement: That portion of a building having more than one-half of its height below finished grade. This portion shall not be a completed structure, but shall serve as a substructure of foundation of the remainder of the building.
9. Bed and Breakfast: Any place of lodging, or lodging and meals, that provides rented rooms for a period not to exceed seven (7) consecutive days at a time, per renter which is the personal residence of the owner and is occupied by the owner at the time of rental. (*Amended June 26th 2018 Ordinance No. 665*)
10. Block: Is an area of land within a subdivision that is entirely bounded by streets, or by streets and the exterior boundary or boundaries of the subdivision, or a combination of the above with a river or a lake, and which has been designed as such on a plat for description purposes.
11. Board of Adjustment: That Board which serves to hear and determine appeals and variances to the zoning regulations.
12. Boarding or Lodging House: A building other than a hotel or motel where, for compensation and at a pre-arranged and definite period of time, lodging or lodging and meals are provided for 3 or more persons. Individual cooking facilities may not be provided. (*Amended June 26th 2018 Ordinance No. 665*)
13. Building Area: The portion of a lot remaining after required yards have been provided.
14. Building: Any structure designed or intended for the enclosure, shelter or protection of persons, animals or property, but not a fence or similar enclosure. It is a structure that is entirely separated from any other structure by space or by walls in which there are no communicating doors or windows or similar openings. A principal building including covered porches, paved patios, and attached garages is a building in which is conducted the principal use of the lot on which it is situated.

15. **Building Height:** The vertical dimension measured from the average elevation of the finished lot grade at the front of the building to the highest point of the ceiling of the top floor in the case of a flat roof; to the deck line of a mansard roof; and to the average height between the plate and ridge of a gabled, hip or gambrel roof.
16. **Collector Street:** (See Street Network, Collector)
17. **Commercial Storage Unit(s):** A building or group of buildings that contains individual compartmentalized and controlled-access cubicles, stalls, bays or lockers for the storage of a customer's goods or wares.
18. **Comprehensive Plan:** Is the plan or series of plans for the future development of the City recommended by the Planning Commission and adopted by the City Board.
19. **Conditional Use Permit:** A Conditional Use Permit is written permit issued by the Zoning Administration with the written authorization of the Board of Adjustment. This Conditional Use Permit provides permission under specific conditions to make certain conditional uses of land in certain zoning districts as stipulated under exceptions in each of the district zoning regulations.
20. **Day Care Center:** A facility in the business of providing care to not more than twelve (12) children as defined by Nebraska Department of Social Services as a Group Day Care Center.
21. **Day Care Home:** A private residence wherein not more than eight (8) children are cared for as defined by Nebraska Department of Social Services as a Family Day Care Center.
22. **District:** A section or sections of the area within the zoning jurisdiction of the City for which uniform regulations governing the use, height, area, size, density, and intensity of the use of buildings, land, and open spaces are established.
23. **Dog:** Any canine species over six (6) months of age.
24. **Downtown Residential:** The use of the upper or lower level, above or below the street level of a building within the C1 Commercial Business District of the City for single or multiple family uses. (added by Ord. 639, October 14, 2104)
25. **Dwelling:** A building or portion thereof, designed and used for residential purposes, but not including recreational travel trailers or motor homes not used as a permanent residence.
26. **Dwelling, Single Family:** A dwelling having accommodations for and occupied exclusively by one family, excluding mobile homes.
27. **Dwelling, Single-Family Attached or Town House:** A portion of a dwelling having accommodations for and occupied exclusively by one family; and which is located on a separate lot of record apart from the remaining portions of the building. Each dwelling may be sold independently of the other portions.
28. **Dwelling, Two-Family:** A Dwelling on a single lot of record having accommodations for and occupied exclusively by two families, independently.
29. **Dwelling, Multiple-Family:** A dwelling having accommodations for and occupied exclusively by more than two families, independently.

30. Dwelling for the Elderly and/or Handicapped: A two-family or multiple-family dwelling having accommodations for and occupied exclusively by elderly or handicapped residents and necessary maintenance personnel.
31. Dwelling Unit: One room or rooms connected together, constituting a separate independent housekeeping establishment for owner occupancy, or rental or lease on a weekly, monthly or longer basis.
32. Easement: Is a grant by the property owner to the public, a corporation, or persons for the use of a tract of land for specified purpose or purposes.
33. Exception: An exception is a use that would not be appropriate generally or without restriction throughout the zoning district, but which if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, *morals*, welfare, order, comfort, convenience, appearance, prosperity, or general welfare. (*Ordinance 540 amended by No. 582 on 2-14-2006*).
34. Farm Operation: A location where the principle business is the raising of crops on the premises.
35. Family: One or more persons living together as a single housekeeping unit, sharing expenses of living, but not a boarding house, fraternity or sorority house, club, lodging house, hotel, or motel.
36. Feedlot/Confinement: A lot, yard, corral, building or other area in which livestock are confined, primarily for the purpose of feeding and growth prior to slaughter or the sale of products derived from such animals. The term does not include areas which are used for the raising of crops or other vegetation, and upon which livestock are allowed to graze. All feedlot/confinement facilities located within ¼ mile of any other feedlot/confinement facilities that are under the ownership or management of the same operation shall be considered a single feedlot/confinement operation.
37. Garage: An accessory building used for the storage of motor driven vehicles.
38. Group Home: A facility licensed by the State of Nebraska in which persons who are unrelated by blood, marriage, or adoption reside while receiving therapy, training, or counseling for purpose of adaption or rehabilitation.
39. Home occupation: A business, profession, service or trade conducted for gain or support entirely within a residential building or its accessory structure. (See section 12.05 for requirements).
40. Hotel or Motel: A building or portion thereof, or a group of buildings, used as a transient abiding place which may or may not serve meals and whether the establishments are designated as a hotel, inn, automobile court, motel, motor inn, motor lodge, motor court tourist cabin, tourist court, or other similar designation.
41. Household Pet: Any non-venomous species of reptile and any domestic dog, domestic cat, rodent, fish, or bird. Animals defined as livestock shall not be considered pets.
42. Inoperable Motor Vehicle: A motor vehicle that is wrecked, dismantled, or unable to move under its own power or is impounded by a governmental agency.
43. Institution: A building occupied by a non-profit corporation or non-profit establishment for public use.
44. Kennel: Any place where four (4) or more animals of one canine or feline species or a combination of six (6) or more animals of canine or feline species are kept or maintained.

45. Livestock: Any cattle, bison, mules, burros, llamas, ostriches, elk, horses, swine, sheep, goats, poultry, or any animal not specifically defined as a household pet.
46. Lodging: A residential use for temporary accommodation in the use of the upper or lower level, above or below the street level of a building within the C1 Commercial Business District of the City for single or multiple family uses. (added by Ord. 639, Oct. 14, 2014)
47. Loop Street: A street, having both ends terminating on another single street.
48. Lot: For purposes of this Ordinance, a lot is a parcel of land of at least sufficient size to meet minimum zoning and subdivision requirements, or use, coverage, and area, and to provide yards and other open spaces as are herein required. The lot shall have frontage on an improved public street, and may consist of a single lot of record; a portion of a lot of record; a combination of complete lots of record, or of portions of lots of record; a parcel of land described by metes and bounds.
49. Lot Corner: A lot abutting upon two or more streets at their intersection.
50. Lot, Depth of: The mean horizontal distance between the front and rear lot lines.
51. Lot, Double Frontage: A lot having a frontage on two non-intersecting streets.
52. Lot, Front: The front of a lot shall be that side abutting a street right-of-way.
53. Lot, Rear: The rear of a lot shall be that side opposite the front of the lot.
54. Lot of Record: A lot which is a part of a subdivision, the plat of which has been recorded in the office of the Register of Deeds, or a lot described by metes and bounds, the description of which was recorded in the office of the Register of Deeds prior to the adoption of these regulations.
55. Medical, Dental or Health Clinic: Any building designed for use by one or more persons lawfully engaged in the diagnosis, care and treatment of physical or mental disease or ailments of human being; including but not limited to, doctors of medicine, dentists, chiropractors, osteopaths, optometrists, podiatrists and in which no patients are lodged overnight, but which may include an apothecary.
56. Mobile Home: A moveable or portable dwelling constructed to be towed on its own chassis, connected to utilities and designated with or without a permanent foundation for use year around living, which may consist of one or more units that can be telescoped when towed and expanded later for additional capacity, or of two or more units, separately towable but designed to be joined into one integral unit.
57. Mobile Home Park: Any area of land upon which one (1) or more mobile homes or manufactured homes are parked, connected to utilities and used by one (1) or more persons for living or sleeping purposes. A mobile home or manufactured home parked in this area can either be placed on a permanent foundation or supported only by its wheels, jacks, blocks, or skirting or a combination of these devices. A mobile home park includes, any premises set apart for supplying to the public parking space, either free of charge or for revenue for one (1) of more mobile homes or manufactured homes, connected to utilities and used by one (1) or more persons for living or sleeping purposes, and shall include any building, structure, tent, vehicle or enclosure used or intended for use as a part of the equipment of the mobile home park; and shall include any buildings, structures, tents, vehicles, or enclosures used or intended for use or intended wholly or in part for the accommodation of automobile transients.

58. **Modular Homes:** Any prefabricated structure of conventional construction, built to the Uniform Building Code (UBC), used for dwelling purposes moved on to a site in essentially complete constructed condition, in which the metal frame is removed and the weight of the dwelling is distributed to the perimeter onto a permanent foundation with permanent connections, and when completed, a single-family unit. This does not include doublewide mobile homes or manufactured home.
59. **Nonconforming Structure:** A structure that does not comply with the lot size requirement or regulations applicable to new structures in the zoning district in which it is located.
60. **Nonconforming Use:** An existing use of a structure or land that does not conform to the zoning regulations.
61. **Nursing Homes or Convalescent Homes:** An institution or agency licensed by the State for the reception, care, or treatment of (3) or more unrelated individuals, but not including facilities for the care and treatment of mental illness, alcoholism, or narcotic addiction.
62. **Off-Street Parking:** An area that is laid out for the purpose of parking motor vehicles of residents, customers, employees, or visitors and is not located on public right-of-way. Off-street parking shall be considered as an accessory use to the principle use for which the parking is provided.
63. **Parking Space:** An area for the purpose of storing one parked vehicle.
64. **Permanent Foundation:** A foundation, constructed of concrete, concrete block, or equivalent masonry material, extending below the frost line that is designed to resist frost action and to support a building safely.
65. **Planning Commission:** The City of Crawford Planning Commission.
66. **Professional Office:** Any building or part thereof used by one or more persons engaged in the practice of law, accounting, architecture, medicine, engineering or other occupation customarily considered as a profession.
67. **Public Utility:** Any business which furnishes to the general public:
- a. Telephone service
 - b. Telegraph service
 - c. Electricity
 - d. Natural gas
 - e. Water, sewer, and garbage collection
 - f. Any other business affecting the public interest as to be subject to the supervision or regulation by an agency of the state.
68. **Recreational Vehicle:** A vehicular-type unit built on or for use on a chassis and designed primarily as living quarters for recreational, camping, vacation or travel use, and which has its own motive power or is mounted or drawn by another vehicle, and which has a body width not exceeding eight and one-half (8 ½) feet and a body length not exceeding forty (40) feet.
69. **Recreational Vehicle Park:** (See Campground).

70. Restaurant: Any place or premises used for sale, dispensing, or serving food, refreshments, or beverages, including those establishments where customers may serve themselves and may eat or drink the food, refreshments or beverages on the premises, or be served by drive-through lane(s), a drive-up service window(s), or both, but, not including any school or school activities or functions, or money raising activities by non-profit, religious, charitable or governmental organizations held less than twenty-five days per year
71. Right-of-way: An area dedicated to the public use that provides access to adjacent properties.
72. Salvage or Junk Yard and Scrap Processing Plant: A building or Premise where junk, waste, inoperable motor vehicles or discarded and salvage materials are brought, bartered, exchanged, stored, baled, packed, disassembled, crushed, handled or prepared for recycling which shall include auto wrecking yards.
73. Sign: Any device which shall display or include any letter, word, model, banner, flag, pennant, insignia, device or representation used as, or which is in the nature of an advertisement or announcement which directs attention to an object, product, place, activity, person, institution, organization, or business, but shall not include any display of governmental notice or official flag.
74. Signs, On-site: A sign relating in its subject matter to the premises on which it is located, or to products, accommodations, services, or activities on the premises. On-site signs do not include signs erected by the outdoor advertising industry in the conduct of the outdoor advertising business.
75. Signs, Off-site: A sign other than an on-site sign.
76. Sight Triangle: An area at the street intersection in which nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between a height of 2-1/2 feet and 10 feet above the grades of the bottom of the curb of the intersecting streets, measured from the point of intersection of the centerline of the streets, 50 feet in each direction along the centerline of the streets. At the intersection of major or arterial streets, the 50-foot distance shall be increased to 100 feet for each arterial leg of the intersection.
77. Street: A dedicated public right-of-way, other than an alley, which provides a primary means of access to abutting property.
78. Street Line: A dividing line between a lot, tract, or parcel of land and the contiguous street; the right-of-way line of a street.
79. Street, Marginal: A minor street which is parallel to and adjacent to an arterial street and which serves to reduce the number of access points to the arterial street and thereby increases traffic safety; Also known as a frontage road.
80. Structure: Anything constructed or erected, the use of which requires a permanent location on the ground or attachment to something having a permanent location on the ground, but not including public items such as utility poles, street light fixtures, and street signs. (Ord. 649, 10-13-15)
81. Structural Alterations: Any changes in the supporting members of a building, such as bearing walls or partitions, columns, beams, or girders, or any complete rebuilding of the roof or the exterior walls. For the purpose of this regulation, the following shall not be considered a structural alteration:

- a. Attachment of new façade where structural supports are not changed.
 - b. Addition of fire escapes where structural supports are not changed.
 - c. New windows.
 - d. Repair or replacement of non-structural members.
 - e. Landscaping. (*Ordinance 540 amended by No. 582 on 2-14-2006*).
 - f. Repair. (*Ordinance 540 amended by No. 582 on 2-14-2006*).
 - g. Lawn Shed, 120 sq. ft. or less. (*Ordinance 540 amended by No. 582 on 2-14-2006*).
82. Variance: A variance is a relaxation of the terms of this Zoning Ordinance that may be granted by the City Board under the provisions of Section 19.
83. City Board: The City Board of Crawford, Nebraska.
84. Warehouse: A building designed for storage.
85. Yard: A space on a lot that is open, unoccupied and unobstructed by buildings or structures from the ground upward.
86. Yard, Front: A yard extending across the full width of the lot, the depth of which is the distance between the street right-of-way and the front of the primary building.
87. Yard, Rear: A yard extending across the full width of the lot, the depth of which is the distance between a rear lot line and the rear of the primary building.
88. Yard, Side: A yard extending from the front yard, or front lot line where no front yard is required, to the rear yard.
89. Zoning Administrator: The person or persons authorized and empowered by the City Board to administer the requirements of these zoning regulations.
90. Zoning Regulations: The term zoning regulations shall mean the requirements stipulated in this ordinance and any amendments to it.
91. Broadcast/Commercial Tower: A structure(s) for the transmission or broadcasting of radio, television, radar, or microwaves, ordinarily exceeding the maximum height permitted in its zoning district or utilizing antennas or satellite dishes for commercial broadcasting. (*Ordinance 540 amended by No. 572 on 4-26-2005*).
92. Amateur Radio Tower: A structure(s) for the transmission or broadcasting of electromagnetic signals by FCC-licensed Amateur Radio operators. (*Ordinance 540 amended by No. 572 on 4-26-2005*).
93. Person. Whenever used in the code, “person” shall include persons, artificial persons such as corporations, co-partnerships, associations, and all aggregate organizations of whatever character.
94. Gender, number. All words used herein implying the masculine gender may apply to and include the feminine or neuter gender, and all words importing the plural may be applied to and mean a single person, firm, thing, or vice versa; and all words importing the singular number may be applied to and mean plural number.

Section 4: Rules and Definitions

95. Code, ordinance, chapter. “Municipal code” shall mean General Codification No. 552. “Ordinance” and “Chapter” are used synonymously, unless from the context the contrary clearly appears.
96. City, municipal, municipality. These terms, whenever used in this code, refer to the City of Crawford, Nebraska, a municipal corporation.
97. Local governing body, City Council. These terms, whenever they appear in this code, mean the Mayor and City Council of the City of Crawford.

SECTION 5. "R-1" RESIDENTIAL DISTRICT

5.01. Intent:

The intent of this district is to provide an area for residential development in mature neighborhoods including those uses that reinforce residential neighborhoods.

5.02. Permitted Uses:

That Section 5.02 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 572, Section 2) to read as follows and That Section 5.02, 5.03, 5.06, 5.07, and 5.08 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 582, Section 4) to read as follows:

In District "R-1", no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:

1. Single-family dwellings.
2. Two and three-family dwellings.
3. Modular homes or manufactured doublewide mobile homes. (*Ordinance 540 amended by No. 582 on 2-14-2006*).
4. Public parks, playgrounds and schools.
5. Accessory buildings and uses customarily incidental to the listed permitted uses.
6. Amateur Radio Towers (*Ordinance 540 amended by No. 582 on 2-14-2006*).

5.03. Conditional Uses:

The Section 5.03 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 572, Section 3) to read as follows and That Section 5.02, 5.03, 5.06, 5.07, and 5.08 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 582, Section 4) to read as follows:

The following conditional uses may be permitted subject to approval procedures outlined in this Ordinance:

1. Single wide mobile homes. (*Ordinance 540 amended by No. 582 on 2-14-2006*).
2. Multi-family dwellings with four (4) or more units
3. Bed & Breakfasts and Boarding/Lodging House with four (4) or more dwelling units (*Ordinance 540 amended by No. 665 on 6-26-2018*).
4. Day Care Homes
5. Day Care Centers
6. Churches
7. Hospitals
8. Libraries
9. Home occupations as defined in 12.05
10. Governmental buildings
11. Group Homes
12. Nursing and Convalescent Homes
13. Funeral Homes
14. Arts and craft shops

15. Kennels

16. Commercial garages/shops owned by the homeowner for repairing, restoring or storing motor vehicles and other primary equipment primarily, provided that all materials shall be stored within such garage/shop; and provided further that no inoperable motor vehicles shall be stored outside such garage/shop.

17. Beauty Salon, So long as operator is owner and conforms to home occupied under Section 12.05. (*Ordinance 540 amended by No. 582 on 2-14-2006*).

18. Uses similar to the uses listed above, as long as the use complies with the general intent of the "R-1" District.

5.04. Intensity of Use Regulations:

1. Minimum lot area: 5,000 square feet
2. Minimum lot width: 50 feet

5.05. Height Regulation:

1. Maximum structure height: 35 feet

5.06. Setback Regulations:

That Section 5.02, 5.03, 5.06, 5.07, and 5.08 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 582, Section 4) to read as follows:

1. Front yard setback:

A. The front yard setback shall not be less than 20 feet.

1. Covered but not fully enclosed steps/ramps shall be allowed in front yard setback. (*Ordinance 540 amended by No. 582 on 2-14-2006*).

B. The front yard setback requirement shall be adjusted to the following cases:

1. If there are already two or more homes existing on a block with the same street frontage, a new home cannot have a front yard setback smaller than any of the other aforementioned homes on that block.
2. In cases where corner lots with more than two (2) frontages, front yard setback requirements shall be subject to the following limitations:
 - (a) At least one front yard setback shall be 20 feet.
 - (b) The other front yard setback on the lot shall be at least 10 feet.
 - (c) Neither front yard setback can be less than any other front yard setback along the same street on that same block.

2. Side yard setback: Not less than five (5) feet.

3. Rear yard setback: Not less than 15 feet from the primary structure;
Not less than 5 feet from an accessory structure.

5.07. Accessory Buildings:

That Section 5.02, 5.03, 5.06, 5.07, and 5.08 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 582, Section 4) to read as follows:

1. No accessory uses, buildings or structures shall be erected in any required front or side yard.

2. No accessory building shall be erected closer than five (5) feet from any other building.
3. Accessory buildings may be located in the rear yard, but shall not be closer than five (5) feet to the rear or side lot line;
4. Unless otherwise specifically permitted, any accessory building requiring vehicle access from an alley way shall be located a minimum of five (5) feet from the rear property line.
5. No accessory building shall be used for dwelling purposes.
6. Accessory buildings shall be permanently anchored.
7. Accessory buildings shall not exceed twenty (20) feet in height (*amended by Ord. 651 on 3-8-16*)
8. All accessory buildings on a lot collectively shall not cover more than fifty (50) percent of the required rear yard. (*Ordinance 540 amended by No. 582 on 2-14-2006*).

5.08. Fences:

That Section 5.02, 5.03, 5.06, 5.07, and 5.08 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 582, Section 4) to read as follows:

Except as otherwise specifically provided in other codes and regulations, the following regulations shall apply to the construction of fences:

1. No fence shall be constructed which will constitute a traffic hazard.
2. No fence shall be constructed in a manner or be of a design as to be hazardous or dangerous to person or animals.
3. No person shall erect or maintain any fence that shall adversely affect the public health, safety and welfare.
4. No fence shall exceed 4 feet in height in front yard and no fence shall exceed 6 feet in height in rear yards and side yards. (*Ordinance 540 amended by No. 582 on 2-14-2006*).
5. Fences may be constructed on the property line as long as the fence complies with all street, utility, and other applicable easements.
6. A building permit is required before the construction of all fences. (*Ord. 649, 10-13-15*)

5.09. Foundations:

All dwellings shall be built on a foundation.

SECTION 6. "R-2" RESIDENTIAL DISTRICT

6.01. Intent:

The intent of this district is to provide an area for new residential development including those uses that reinforce new residential neighborhoods.

6.02. Permitted Uses:

The Section 6.02 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 572, Section 4) to read as follows:

In District "R-2", no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:

1. Single-family dwellings,
2. Modular homes,
3. Two and three-family dwellings.
4. Public parks, playgrounds and schools
5. Accessory buildings and uses customarily incidental to the listed permitted uses.
6. Amateur Radio Tower (Ordinance 540 amended by No. 572 on 4-26-2005).

6.03. Conditional Uses:

The Section 6.03 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 572, Section 5) to read as follows:

The following conditional uses may be permitted subject to approval procedures outlined in this Ordinance:

1. Multi-family dwellings with 4 or more units
2. Day Care Homes
3. Day Care Centers
4. Churches
5. Kennels
6. Home Occupation as defined in Section 12.05.
7. Commercial transmitting tower. (Ordinance 540 amended by No. 572 on 4-26-2005).
8. Uses similar to the uses listed above as long as the use complies with the general intent of the R-2.

6.04. Intensity of Use Regulations:

1. Minimum lot area: 10,000 square feet
2. Minimum lot width: 100 feet

6.05. Height Regulation:

1. Maximum structure height: 35 feet

6.06. Foundations:

All dwellings shall be built on a permanent foundation

6.07. Setback Regulations:

The Section 6.07 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 582, Section 5) to read as follows:

1. Front yard setback:
 - A. The front yard setback shall not be less than 20 feet.
 1. Covered but not fully enclosed steps/ramps shall be allowed in front yard setback. (*Ordinance 540 amended by No. 582 on 2-14-2006*).
 - B. The front yard setback requirement shall be adjusted to the following cases:
 1. If there are already two or more homes existing on a block with the same street frontage, a new home cannot have a front yard setback smaller than any of the other aforementioned homes on that block.
 2. In cases where corner lots with more than two (2) frontages, front yard setback requirements shall be subject to the following limitations:
 - (a) At least one front yard setback shall be 20 feet.
 - (b) The other front yard setback on the lot shall be at least 10 feet.
 - (c) Neither front yard setback can be less than any other front yard setback along the same street on that same block.
2. Side yard setback: Not less than five (5) feet.
3. Rear yard setback: Not less than 15 feet from the primary structure;
Not less than 5 feet from an accessory structure.

6.08. Accessory Buildings:

The Section 6.08 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 582, Section 5) to read as follows:

1. No accessory uses, buildings or structures shall be erected in any required front or side yard.
2. No accessory building shall be erected closer than ten (10) feet from any other building.
3. Accessory buildings may be located in the rear yard, but shall not be closer than five (5) feet to the rear or side lot line;
4. Unless otherwise specifically permitted, any accessory building requiring vehicle access from an alley way shall be located a minimum of five (5) feet from the rear property line.
5. No accessory building shall be used for dwelling purposes.
6. Accessory buildings shall be permanently anchored.
7. Accessory buildings shall not exceed twenty (20) feet in height. (*amended by Ord. 651 on 3-8-16*)
8. All accessory buildings on a lot collectively shall not cover more than fifty (50) percent of the required rear yard. (*Ordinance 540 amended by No. 582 on 2-14-2006*).

6.09. Fences:

The Section 6.09 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 582, Section 5) to read as follows:

Except as otherwise specifically provided in other codes and regulations, the following regulations shall apply to the construction of fences:

1. No fence shall be constructed which will constitute a traffic hazard.
2. No fence shall be constructed in a manner or be of a design as to be hazardous or dangerous to person or animals.
3. No person shall erect or maintain any fence that shall adversely affect the public health, safety and welfare.
4. No fence shall exceed 4 feet in height in front yard and no fence shall exceed 6 feet in height in rear yards and side yards. (Ordinance 540 amended by No. 582 on 2-14-2006).
5. Fences may be constructed on the property line as long as the fence complies with all street, utility, and other applicable easements.
6. A building permit is required before the construction of all fences. (Ord. 649, 10-13-15)

SECTION 7. “C-1” CENTRAL BUSINESS DISTRICT (CBD) COMMERCIAL DISTRICT

7.01. Intent:

The intent of this district is to provide a zone that will accommodate the broad range of retail shopping, offices and service activities normally found in the Central Business District of a City.

7.02. Permitted Uses:

The Section 7.02 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 572, Section 6) to read as follows:

In District “C-1”, no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:

1. Store and shops that provide personal services.
2. Store and shops that sell retail or wholesale merchandise.
3. Restaurants/Bars (bars added by Ord. 639, Oct. 14, 2014)
4. Offices
5. Public and/or governmental buildings and facilities.
6. Utility Service Facilities.
7. Amateur Radio Towers (Ordinance 540 amended by No. 572 on 4-26-2005).
8. Downtown Residential (added by Ord. 639, Oct. 14, 2014)
9. Lodging (added by Ord. 639, Oct. 14, 2014)

7.03. Conditional Uses in “C-1”:

The Section 7.03 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 572, Section 7) to read as follows:

1. Commercial Storage Units
2. Commercial transmitting towers. (Ordinance 540 amended by No. 572 on 4-26-2005).
3. Uses similar to the uses listed above as long as the use complies with the general intent of the C-1 District.

7.04. Intensity of Use Regulations:

1. Minimum lot area: None
2. Minimum lot width: None
3. All Structures within the Commercial Zone shall comply with all the State Fire Marshall’s Regulations pertaining to that type structure.

7.05. Height Regulation:

1. Maximum structure height: 35 feet. Provided the maximum height of a use permitted as a special exception and its accessory structures shall be 75 feet.

7.06. Setback Regulations:

1. Front yard setback: None

2. Side yard setback: None
3. Rear yard setback: None

7.07. Fences:

That Section 7.07 and 7.08 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 582, Section 6) to read as follows:

Except as otherwise specifically provided in other codes and regulations, the following regulations shall apply to the construction of fences:

1. No fence shall be constructed which will constitute a traffic hazard.
2. No fence shall be constructed in a manner or be of a design as to be hazardous or dangerous to person or animals.
3. No person shall erect or maintain any fence that shall adversely affect the public health, safety and welfare.
4. Fences may be constructed on the property line as long as the fence complies with all street, utility, and other applicable easements.
5. A building permit is required before the construction of all fences. (Ord. 649, 10-13-15)
6. Maximum height of fence shall not exceed 8 feet. (Ordinance 540 amended by No. 582 on 2-14-2006).

7.08. Use Limitations:

That Section 7.07 and 7.08 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 582, Section 6) to read as follows:

1. No storage outside of an enclosed area, except the display of merchandise for sale to the public, shall be permitted.
2. Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.
3. Buildings shall be constructed of brick, concrete or other masonry materials.
4. Steel buildings shall be allowed with the following requirements: (Ordinance 540 amended by No. 582 on 2-14-2006).
 - A. Five (5) feet side yard setback or if building abuts another building, roof design must require drainage to back of building. (Ordinance 540 amended by No. 582 on 2-14-2006).
 - B. Colored steel only (no galvanized). (Ordinance 540 amended by No. 582 on 2-14-2006).
 - C. Façade shall be built on all street sides of building and a minimum of two (2) feet from ground level. Alternative façade locations will be considered. (Ordinance 540 amended by No. 582 on 2-14-2006).

SECTION 8. "C-2" HIGHWAY COMMERCIAL DISTRICT

8.01. Intent:

The intent of this district is to provide a zone that will accommodate the broad range of retail shopping and service activities normally serving tourist and highway commercial activities.

8.02. Permitted Uses:

The Section 8.02 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 572, Section 8) to read as follows:

In District "C-2", no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:

1. Stores and shops, which provide personal services.
2. Stores and shops, which sell retail or wholesale merchandise.
3. Restaurants.
4. Offices
5. Hotels/Motels
6. Convenience Stores
7. Gas Stations
8. Truck Stops
9. Tourist Shops
10. Amateur Radio Tower. (Ordinance 540 amended by No. 572 on 4-26-2005).

8.03. Conditional Uses in "C-2":

The Section 8.03 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 572, Section 9) to read as follows:

1. Commercial transmitting tower. (Ordinance 540 amended by No. 572 on 4-26-2005).
2. Other uses associated with tourist or highway commercial activities as long as such uses are similar to the intent of the C-2 District.

8.04. Intensity of Use Regulations:

1. Minimum lot area: None
2. Minimum lot width: None
3. All Structures within the Commercial Zone shall comply with all the State Fire Marshall's Regulations pertaining to that type structure.

8.05. Height Regulation:

1. Maximum structure height: 35 feet. Provided the maximum height of a use permitted as a special exception and its accessory structures shall be 75 feet.

8.06. Setback Regulations:

That Section 8.06, 8.07 and 8.08 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 582, Section 7) to read as follows:

1. Front yard setback:
 - A. The front yard setback shall not be less than 20 feet.
 1. Covered but not fully enclosed steps/ramps shall be allowed in front yard setback. (Ordinance 540 amended by No. 582 on 2-14-2006).
 - B. The front yard setback requirement shall be adjusted to the following cases:
 1. If there are already two or more structures existing on a block with the same street frontage, a new structure cannot have a front yard setback smaller than any of the other aforementioned structures on that block.
 2. In cases where corner lots with more than two (2) frontages, front yard setback requirements shall be subject to the following limitations:
 - (a) At least one front yard setback shall be 20 feet.
 - (b) The other front yard setback on the lot shall be at least 10 feet.
 - (c) Neither front yard setback can be less than any other front yard setback along the same street on that same block.
2. Side yard setback: Not less than five (5) feet.
3. Rear yard setback: Not less than 15 feet from the primary structure;
Not less than 5 feet from an accessory structure.

8.07. Accessory Buildings:

That Section 8.06, 8.07 and 8.08 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 582, Section 7) to read as follows:

1. No accessory uses, buildings or structures shall be erected in any required front or side yard.
2. No accessory building shall be erected closer than ten (10) feet from any other building. (Ordinance 540 amended by No. 582 on 2-14-2006).
3. Accessory buildings may be located in the rear yard, but shall not be closer than five (5) feet to the rear or side lot line;
4. No accessory building shall be used for dwelling purposes.
5. Accessory buildings shall be permanently anchored.

8.08. Fences:

That Section 8.06, 8.07 and 8.08 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 582, Section 7) to read as follows:

Except as otherwise specifically provided in other codes and regulations, the following regulations shall apply to the construction of fences:

Section 8: "C-2" - Highway Commercial District

1. No fence shall be constructed which will constitute a traffic hazard.
2. No fence shall be constructed in a manner or be of a design as to be hazardous or dangerous to person or animals.
3. No person shall erect or maintain any fence that shall adversely affect the public health, safety and welfare.
4. No fence shall exceed 4 feet in height in front yard and no fence shall exceed 6 feet in height in rear yards and side yards. (Ordinance 540 amended by No. 582 on 2-14-2006).
5. Fences may be constructed on the property line as long as the fence complies with all street, utility, and other applicable easements.
6. A building permit is required before the construction of all fences. (Ord. 649, 10-13-15)

8.09. Use Limitations:

1. No storage outside of an enclosed area, except the display of merchandise for sale to the public, shall be permitted.
2. Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.
3. Any highway commercial property that borders a residential property on its rear or side yards shall furnish and install a six-foot high fence between the commercial and residential uses unless a waiver is received from all of the affected residential landowners.

SECTION 9. "I" INDUSTRIAL DISTRICT

9.01. Intent:

The intent of this district is to provide activities that require more intense uses of land.

9.02. Permitted Uses:

The Section 9.02 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 572, Section 10) to read as follows:

In District "I", no building, structure, land or premises shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:

1. Any use allowed in "C" District.
2. Contractor equipment storage yard;
3. Grain elevators;
4. Grain storage facilities;
5. Light indoor manufacturing or fabrication establishments, which are not noxious, offensive, by reason of vibration, noise, dust, fumes, gas, odor, or smoke.
6. Manufacturing or storage of bulk oil or gas.
7. Ready-mixed concrete and asphalt mix plants.
8. Sign painting and manufacturing.
9. Welding and blacksmith shop.
10. Public utility and public service uses as follows:
 - a. Telephone exchange, telephone transmission buildings and electric power plants;
 - b. Public utility storage yards.
11. Activities that are normally associated with a railroad operation.
12. Commercial Storage Units
13. Specialized horticulture operations including orchards, nurseries and similar operations.
14. Livestock auction facilities
15. Truck Terminals.
16. Amateur Radio Towers. (Ordinance 540 amended by No. 572 on 4-26-2005).
17. Uses similar to the uses listed above as long as the use complies with the general intent of the C-1 District.

9.03. Conditional Uses:

The Section 9.03 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 572, Section 11) to read as follows:

The following conditional uses may be permitted subject to approval procedures outlined in this Ordinance:

1. Manufacturing or fabrication establishments that are not allowed as a permitted use.
2. Kennels
3. Commercial transmitting towers. (Ordinance 540 amended by No. 572 on 4-26-2005).
4. Auto wrecking yards, junk yards, salvage yards and scrap processing plants, subject to the following:
 - a. Located on a tract of land at least 300 feet from a Residential District Zone.
 - b. The area shall be screened from public view and access by solid or semi-solid fence having a minimum height of six (6) feet.
 - c. No junk shall be loaded, unloaded or otherwise placed, either temporarily or permanently, outside the screened area or within the public right-of-way.
5. Uses similar to the uses listed above as long as the use complies with the general intent of the I District.

9.04. Height Regulations:

1. Any building or structure hereafter erected or altered may be erected to any height which is not in conflict with any other existing City Ordinance, state or federal law.

9.05. Setback Regulations:

1. Front yard setback: None
2. Side yard setback: None
3. Rear yard setback: None

9.06. Fences:

Except as otherwise specifically provided in other codes and regulations, the following regulations shall apply to the construction of fences:

1. No fence shall be constructed which will constitute a traffic hazard.
2. No fence shall be constructed in a manner or be of a design as to be hazardous or dangerous to person or animals.
3. No person shall erect or maintain any fence that shall adversely affect the public health, safety and welfare.
4. Fences may be constructed on the property line as long as the fence complies with all street, utility, and other applicable easements.
5. A building permit is required before the construction of all fences. (Ord. 649, 10-13-15)

SECTION 10. "A" AGRICULTURAL DISTRICT

10.01. Intent:

The intent of this district is to serve the agricultural community, protect prime farm land, protect land values, and serve the needs of the property owners in this district. It is the intention to only restrict in "A" that, which is necessary to protect the health, safety and general welfare of the City and its surrounding area.

10.02. Permitted Uses:

The Section 10.02 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 572, Section 12) to read as follows:

In District "A" buildings, structures, land and premises shall hereafter be allowed to be erected, constructed, reconstructed, moved or altered as long as they are to be used for a permitted use.

1. The raising and selling of crops and produce.
2. The grazing of livestock.
3. The operation of a farm or ranch using normal and customary practices.
4. The extraction of minerals as long as such extraction does not create environmental or aesthetic damages.
5. One (1) single-family home per legal lot.
6. Cemeteries.
7. Amateur Radio Tower. (Ordinance 540 amended by No. 572 on 4-26-2005).

10.03. Conditional Uses:

The Section 10.03 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 572, Section 13) to read as follows:

The following conditional uses may be permitted subject to approval procedures outlined in this Ordinance:

1. Archery, trap and skeet shooting ranges;
2. Substations;
3. Livestock auction sales;
4. Solid waste, disposal and processing, sites which include incinerators, compactors, transfer stations, recycling and other similar functions.
5. Commercial transmitting tower. (Ordinance 540 amended by No. 572 on 4-26-2005).
6. Uses similar to the uses listed above, as long as the use complies with the general intent of the A District.

10.04. Height Regulations:

1. Any building or structure hereafter erected or altered may be erected to any height which is not in conflict with any other existing City Ordinance, state or federal law.

10.05. Lot Regulations:

1. Minimum Lot Size: 20 acres.

10.06. Fences:

Except as otherwise specifically provided in other codes and regulations, the following regulations shall apply to the construction of fences:

1. No fence shall be constructed which will constitute a traffic hazard.
2. Fences may be constructed on the property line as long as the fence complies with all street, utility, and other applicable easements.
3. A building permit is required before the construction of all fences which are not for agricultural purposes. (Ord. 649, 10-13-15)

10.07. Feedlots/Confinements:

No feedlot/confinement shall be allowed within one (1) mile of the Crawford City Limits.

SECTION 11. “P” PARK AND RECREATION DISTRICT

11.01. Intent:

The intent of this district is to preserve existing and future park and recreation lands. It is the intention only to restrict in “P” that which is necessary to protect the health, safety and general welfare to the City and its surrounding area.

11.02. Permitted Uses:

The Section 11.02 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 572, Section 14) to read as follows:

In District “P” buildings, structures, land and premises, shall hereafter be allowed to be erected, constructed, reconstructed, moved or altered as long as they are to be used for a permitted use.

1. Parks
2. Playgrounds
3. Ballparks
4. Golf Courses
5. Rodeo Arenas
6. Hiking/Biking Trails
7. Outdoor recreation facilities
8. Picnic Facilities including shelter houses
9. Band Shells
10. Concession Stands
11. Restroom Facilities
12. Amateur Radio Tower. (Ordinance 540 amended by No. 572 on 4-26-2005).

11.03. Conditional Uses:

The Section 11.03 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 572, Section 15) to read as follows:

The following conditional uses may be permitted subject to approval procedures outlined in this Ordinance:

1. Commercial transmitting tower. (Ordinance 540 amended by No. 572 on 4-26-2005).
2. Other uses associated with parks and/or recreation as long as such uses are similar to the intent of the “P” District.

11.04. Height Regulations:

1. Any building or structure hereafter erected or altered may be erected to any height which is not in conflict with any other existing City Ordinance, State or Federal Law.

11.05. Fences:

Except as otherwise specifically provided in other codes and regulations, the following regulations shall apply to the construction of fences:

1. No fences shall be constructed which will constitute a traffic hazard.
2. No fence shall be constructed in a manner or be of a design as to be hazardous or dangerous to persons or animals.

Section 11: "P" – Park and Recreation District

3. No person shall erect or maintain any fence, which shall adversely affect the public health, safety and welfare.
4. Fences may be constructed on the property line as long as the fence complies with all street, utility, and other applicable easements.
5. A building permit is required before the construction of all fences. (Ord. 649, 10-13-15)

SECTION 12: SUPPLEMENTARY DISTRICT REGULATIONS

12.01. Height Regulations:

1. Chimneys, cooling towers, elevator head-houses, fire towers, grain elevators, monuments, stacks, stage towers or scenery lofts, tanks, water towers, ornamental towers/spires, church steeples, radio/television towers, antennas or necessary mechanical appurtenances usually required to be placed above the roof level and not intended for human occupancy, are not subject to the height limitations contained in the district regulations.

12.02. Number of Structures and Uses on a Zoned Lot:

With respect to any Residential District, only one principle use or structure may be located on a lot.

1. With respect to "C" and "I" Districts, more than one principal use and structure may be located upon the lot or tract, but only when the building or buildings conform to all requirements for the district.

12.03. Sight Triangle:

1. On a corner lot in all districts, except "C" Districts, development shall conform to the requirements of the sight triangle as defined in Section 4.02.

12.04. Access to Commercial District:

1. No land that is located in a Residential District shall be used for a driveway, walkway or access way to any land, which is located in a Commercial District.

12.05. Home Occupations:

That Section 12.05 and 12.10 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 582, Section 8) to read as follows:

Home occupations, where permitted, shall be subject to the following:

1. Restrictions and Limitations:
 - a. The home occupation shall be incidental and subordinate to the principle residential use of the premises and not more than fifty percent (50%) of the total floor area of the dwelling unit.
 - b. No outdoor storage of materials or equipment used in the home occupation shall be permitted.
 - c. No alteration of the exterior of the principle residential building shall be made which changes the character as a residence. The home occupation shall be carried on entirely within the principal residential structure or accessory building.
 - d. No sign shall be illuminated or exceed four (4) square feet in area. (Ordinance 540 amended by No. 582 on 2-14-2006).
 - e. No equipment shall be utilized that creates a nuisance due to noise or electrical interference.
 - f. Parking needs generated by the conduct of a home occupation shall be provided off-street.
2. Particular Home Occupations Prohibited: Permitted home occupations shall not, in any event, include the following:
 - a. Animal hospitals and veterinary clinics.
 - b. Automobile and vehicle repair clinics.
 - c. Machine shops.

- d. Equipment rental.
- e. Restaurants.
- f. Second-hand merchandise.
- g. Any other use similar to those uses listed above.

12.06. Temporary Uses Permitted:

1. Christmas Tree Sales: Christmas tree sales in “A”, “C”, and “I” Districts only. Structures incidental to the sale need not comply with the applicable front yard requirements if the structures are removed or moved back of the required front yard setback line at the end of the season during which they are used. All permanent structures must comply with the front yard requirements.
2. Contractor’s Office: Contractor’s office and equipment sheds (containing no sleeping or cooking accommodations) accessory to a construction project and to continue only during the duration of the project.
3. Seasonal Sales: Seasonal sales of farm produce in “A” and “C” Districts only. Structures incidental to the sale need not comply with the applicable front yard requirements if the structures are removed or moved back of the required front yard setback line at the end of the season during which they are used. All permanent structures must comply with the front yard requirements.
4. Fireworks Sales: Sales of fireworks during the time periods allowed by State Statutes in “A”, “C”, and “I” Districts only. Structures incidental to the sale need not comply with the applicable front yard requirements if the structures are removed or moved back of the required front yard setback line at the end of the season during which they are used. All permanent structures must comply with the front yard requirements.
5. Garage, Yard, Basement or Porch Sales: The sale of tangible personal property consisting of household goods and personal effects by an individual at his or her residence; or if more than one individual’s property is involved, at the residence of the individuals; not occurring at any residence for more than five (5) days during the calendar year; and none of the individuals conduct or engage in a trade or business in which similar items are sold; and when such property was originally acquired for and use for personal use.

12.07. Determination of Building Setback Line:

The building setback line shall be determined by measuring the horizontal distance between the property line and the vertical plane of the architectural projection of the existing or proposed structure nearest the property line.

12.08. Recreational Vehicles:

No recreational vehicle or camper shall be utilized for permanent living, sleeping or housekeeping purposes when parked on a residential lot or in any location not approved for this use.

12.09. Livestock:

No livestock shall be kept, housed, penned or otherwise held in any commercial or residential district created by this Ordinance unless otherwise permitted.

12.10. The act of watering, feeding, or sheltering livestock

Section 12: Supplementary District Regulations

That Section 12.05 and 12.10 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 582, Section 8) to read as follows:

The act of watering, feeding, or sheltering livestock within 300 feet of a residential structure is prohibited unless otherwise permitted. *(Ordinance 540 amended by No. 582 on 2-14-2006).*

12.11. Feedlots:

Feedlots/Confinements shall not be permitted within 1 mile of the City of Crawford.

12.12. Communication Towers:

The Section 12.12 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 572, Section 16) to read as follows:

The following minimum standards shall apply to all communication towers when seeking a conditional use permit:

- A. The Crawford Planning Commission and Crawford City Council shall determine the allowable heights of each tower application on an application-by-application basis. *(Ordinance 540 amended by No. 572 on 4-26-2005).*
- B. Broadcast/Communication towers shall not be constructed unless evidence is demonstrated that the Broadcast/Communication transmitter(s) in question cannot be practically located on either an existing structure or an existing Broadcast/Communication tower. *(Ordinance 540 amended by No. 572 on 4-26-2005).*
- C. Communication towers shall not be constructed unless evidence is demonstrated that the communication transmitter(s) in question cannot be practically located on either an existing structure or an existing communication tower. *(Ordinance 540 amended by No. 572 on 4-26-2005).*
- D. Communication towers shall not contain transmitters that interfere with commercial or residential radio or television signals.
- E. All communication towers must comply with FAA regulations.

12.13 Downtown Residential:

1. Restrictions and uses

- A. Commercial use is primary.
- B. Residential use shall not be on the street level of Commercial Buildings.
- C. Residences must comply with all Fire & Residential Dwelling Codes.
- D. No outside storage of residential items.
- E. Off-street parking shall comply with Crawford Section 16 Parking Regulations Ordinance.
(12.13 added October 14, 2014, Ordinance No. 639)

12.14 Lodging

- A. Commercial Use is primary

Section 12: Supplementary District Regulations

- B. Residential use shall not be on the street level of Commercial Buildings.
- C. Residences must comply with all Fire & Residential Dwelling Codes.
- D. No outside storage of residential items.
- E. Off-street parking shall comply with Crawford Section 16 General Provisions

(12.14 added October 14, 2014, Ordinance No. 639)

SECTION 13: MOBILE PARK REGULATIONS

13.01. Intent:

It is intended that the requirements for mobile home parks shall be such that the quality of a neighborhood is not detrimentally affected by the adjacent location of a mobile home park. The mobile home park is basically a low to medium density residential use and shall be treated as such. Since this form of single-family housing physically contrasts substantially with typical on-site constructed housing, it is necessary to review each request via the procedures of Section 21 "Conditional Uses." This review procedure allows design adjustments to fit the constraints of any site.

13.02. Development Standards:

In those districts where mobile home parks are listed as Conditional Uses, all applications must first be processed via the procedures of Section 21. In addition to possible conditions being attached as the results of the conditional use, the following standards shall also apply:

1. Minimum size of Mobile Home Park: 5,000 square feet.
2. Setback: Mobile homes shall not be placed within 20 feet of any boundary that is not a street and 25 feet from any boundary that is adjacent to a street.
3. Minimum Separation between homes: based on the distance between the mobile home units measured from the closest point or edge of the mobile home as follows:
 - A. 15 feet between mobile homes if the units are placed end (width) to end (width).
 - B. 20 feet between mobile homes if the units are placed side (length) to side (length).
 - C. 18 feet between mobile homes if the units are placed end (width) to end (width).
 - D. End (width) of mobile homes that are greater than 16 feet in width, shall be considered to be sides of the mobile home in measuring distances between mobile home units.
 - E. A mobile home shall have a minimum offset of 5 feet from the perimeters of the mobile home park or any adjacent property that is not approved to be utilized for a mobile home.
 - F. Accessory buildings and structures on the same lot or space as a mobile home shall have a minimum clearance of 10 feet from any structure or mobile home on any other lot.
 - G. Commonly owned or utilized buildings that are accessory to the park shall have a minimum clearance of 10 feet from any other structure or mobile home.
4. Access to dedicated streets shall be provided. The City may require mobile home parks over 50 units to have additional access points for emergency access purposes.
5. Lighting: Adequate lighting shall be provided.
6. Architectural Control: The City may set architectural standards for a mobile home park, including requirements of wood siding or similar design features.
7. Landscaping: A landscaping concept plan shall be submitted for review and approval.
8. Storage: Storage units shall be designed as an integral part of the site.

Section 13: Mobile Park Regulations

9. Utilities: All utilities shall be placed underground. Potable water and a sewage disposal system meeting Department of Health requirements shall be provided.
10. Trash Collection: Trash receptacles shall be provided and properly screened from view.

13.03. Livestock:

No livestock shall be kept, housed, penned or otherwise in any mobile home park.

SECTION 14. "PUD" PLANNED UNIT DEVELOPMENT

14.01. Intent:

The intent of this district is to provide a flexible means of developing open land into a high quality, attractive development either for commercial uses catering to tourists or for residential developments, or for public and/or governmental buildings and facilities while remaining in harmony with the scenic buttes that surround Crawford. (Amended by Ord. No. 652, May 10, 2016)

14.02. Permitted Uses:

In the "PUD" District, no building, structure, land or premises shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:

1. Residential dwelling units whether attached or clustered.
2. Commercial uses which cater to tourists or highway traffic.
3. Public and/or governmental buildings and facilities. (Amended by Ord. No 652, May 10, 2016)

14.03. Procedures:

A Planned Unit Development may only be granted a building permit as a special use to the PUD zoning district. The process for obtaining a permit for a planned Unit Development is as follows:

1. Concept Plan:
 - A. A prospective developer shall present a concept plan to the Planning Commission and the City Council. The concept plan serves as a preliminary step to inform the City on the proposed development and to present the developer with guidelines and recommendations in developing a project.
 - B. The following information shall be presented in a concept plan:
 1. Data regarding site conditions, land characteristics, available community utilities, and other related general information about uses of land on site and surrounding sites.
 2. Sketch drawings showing the proposed location of the uses of land, major streets, and other features.
 3. Property survey and legal description of the subject parcel of land.
 4. An explanation of the character of the Planned Unit Development; how the proposed development affects the property; and how the proposed developments accomplish the intent of the Planned Unit Development regulations.
 5. Information on parking facilities.
 6. Preliminary engineering in sufficient detail that will convey the general basis of design of the sanitary sewer, water, storm, water control, and flood control.
 7. An analysis of the natural features and drainage patterns of the property.
 8. An examination of the soils determining the adequacy of the property for development.
 9. Any other information deemed necessary by the Planning Commission or Village Board.

2. Preliminary Plat:

- A. An application for approval of a Preliminary Plat of a Planned Unit Development shall be filed in writing with the City Office. The City Office shall transmit the application to the Planning Commission for review and duly publish a public hearing as required by state statutes.
- B. The application shall contain such information as may be required to conduct a comprehensive review and evaluation of the proposal by the Planning Commission and City Board including the following preliminary plat information:
 1. Title of the proposed Planned Unit Development project.
 2. Legal description and total acreage of the property.
 3. Date, scale, and north arrow.
 4. Name and address of the owner, applicant, engineer, and land surveyor.
 5. Location of corporate boundary, county, and township lines in relation to the Planned Unit Development.
 6. Location, dimensions, and acreage of proposed lots.
 7. Location and dimensions of proposed streets, alleys, easements, and storm water control areas.
 8. Character of the surrounding land uses adjacent to the Planned Unit Development.
 9. General internal uses of each building and structure.
 10. Ground elevation at one-foot intervals.
 11. Floodplains.
- C. The applicant shall give written notice of public hearing to adjacent property owners as required by law.
- D. A public hearing shall be conducted by the Planning Commission who shall record the proceedings.
- E. The Planning Commission shall make written findings of fact and shall submit them together with the recommendations to the City Board.
- F. The City Board shall consider the Planning Commission's recommendation and may then grant, deny, or grant with modification the proposed Planned Unit Development. If the City Board grants approval of the Planned Unit Development, it shall adopt an ordinance authorizing the Planned Unit Development as a special use.
- G. Attached, as exhibits to the Ordinance shall be the Preliminary Plat of the Planned Unit Development and supporting documents as necessary. Approval of Preliminary Plat of Planned Unit Development shall not constitute final approval of the Final Plat of Development. Rather it shall be deemed an expression of approval of the concept and layout submitted on the Preliminary Plat as a guide to the preparation of the Final Plat of Planned Unit Development.

3. Final Plat:

- A. The Planned Unit Development may be final platted in segments. The Final Plat or Plats of the Planned Unit Development shall conform substantially to the Preliminary Plan of the Planned Unit Development as approved. The Preliminary Plat of the Planned Unit Development shall generally specify uses of land and location of buildings, whereas the Final plat of Planned Unit Development shall designate with particularity of uses of land and the location of buildings.
- B. An application for approval of a Final Plat of Planned Unit Development shall be filed in writing with the City Office. The City Office shall transmit the application to the Planning Commission for review. The application shall contain such information as may be required to conduct a comprehensive review and evaluation of the proposal as determined by the Planning Commission or City Board.
- C. A drawing of the Planned Unit Development showing the following information:
 - 1. Designation of the uses and the location of buildings and structures.
 - 2. Title of the proposed Planned Unit Development project.
 - 3. Legal description and total acreage of the property.
 - 4. Scale, North arrow and date of preparation.
 - 5. Location and dimensions of proposed streets, alleys, easements, and storm water control areas.
 - 6. Dimensions of the lots.
- D. The application shall also include the following:
 - 1. A document by the applicant setting forth the nature, type, character, and the extent of any public improvements to be constructed.
 - 2. A guarantee of project funding by developer, which shall be approved by the City Board.
 - 3. Complete and detailed engineering which shows the design of the sanitary sewer, water service, storm drain control, flood control, and street facilities including specifications.
 - 4. Cost estimates for all public improvements.
 - 5. Other information as deemed necessary.
- E. The review shall be conducted by the Planning Commission, which shall make written findings of fact and shall submit them together with its recommendation to the City Board.
- F. After recommendation by the Planning Commission, the City Board may grant, deny or grant with modification the proposed Planned Unit Development. If the City Board grants the purposed Planned Unit Development, it shall adopt an ordinance authorizing the Planned Unit Development as a special use. Attached to the ordinance, as exhibits shall be the Final Plat of Planned Unit Development and the supporting documents as necessary.
- G.

14.04. General Guidelines:

General considerations to be used by the Planning Commission and the City Board in evaluating and allowing a proposed Planned Unit Development:

1. Demand for the type of uses at the site in question.
2. Probable impact upon municipal service, utilities, and facilities.
3. Effect upon adjacent land uses.
4. Potential for traffic congestion or traffic hazards.
5. General suitability of the site in question for the development proposed.
6. The development proposed shall be in harmony with the City's Comprehensive Development Plan.
7. The development shall meet general intent of Section 10 of this Ordinance.
8. All buildings shall be designed and located with regard to topography and natural features of the site and the focal point of the project.
9. Buildings should be situated so that advantage may be taken of desirable views.

14.05. Design Guidelines:

Design and improvement considerations to be evaluated by the Planning Commission and the City Board for proposed Planned Unit Development:

1. Adequate water and sewer are available.
2. Traffic access is controlled.
3. No structure shall be of a height to obstruct scenic views from streets and adjacent properties.
4. All parking areas shall be adequately landscaped.
5. All outside storage areas shall be effectively screened from public view.
6. Proposed permanent signs shall be included as part of the application and shall show location, size, and design.
7. Areas not devoted to structures, required parking, or concealed open storage shall be adequately landscaped.

14.06. Setback Regulations:

1. Front yard setback:
 - A. The front yard setback shall not be less than 20 feet.
 - B. The front yard setback requirement shall be adjusted to the following cases:
 1. If there are already two or more structures existing on a block or an adjacent block with the same street frontage, a new structure cannot have a front yard setback smaller than any of the other aforementioned structures on that block.
 2. In cases where corner lots with more than two (2) frontages, front yard setback requirements shall be subject to the following limitations:
 - (a) At least one front yard setback shall be 20 feet.
 - (b) The other front yard setback on the lot shall be at least 10 feet.
 - (c) Neither front yard setback can be less than any other front yard setback along the same street on that same block or adjacent block.
2. Side yard setback: Not less than five (5) feet.
3. Rear yard setback: Not less than 15 feet from the primary structure;
Not less than 5 feet from an accessory structure.

14.07. Accessory Buildings:

1. No accessory uses, buildings or structures shall be erected in any required front or side yard.
2. No accessory building shall be erected closer than five (5) feet from any other building.
3. Accessory buildings may be located in the rear yard, but shall not be closer than five (5) feet to the rear or side lot line;
4. No accessory building shall be used for dwelling purposes.
5. Accessory buildings shall be permanently anchored.
6. Accessory structures shall conform to the overall design of the Planned Unit Development.

14.08. Fences:

Except as otherwise specifically provided in other codes and regulations, the following regulations shall apply to the construction of fences:

1. No fence shall be constructed which will constitute a traffic hazard.
2. No fence shall be constructed in a manner or be of a design as to be hazardous or dangerous to person or animals.
3. No person shall erect or maintain any fence that shall adversely affect the public health, safety and welfare.
4. Fences may be constructed on the property line as long as the fence complies with all street, utility, and other applicable easements.
5. Fences shall conform to the overall design of the Planned Unit Development.
6. A building permit is required before the construction of all fences. (Ord. 649, 10-13-15)
7. Fences shall not obstruct scenic views from streets and adjacent properties.

14.09. Transfer of Proposed PUD:

No developer may transfer or sell, agree to transfer or sell, or offer to transfer or sell any lot, tract or parcel which is part of a proposed Planned Unit Development until the same has been approved by the Village Board.

14.10. Development of Final Plat:

A Planned Unit Development shall be constructed in accordance with the approved Final Plat of Planned Unit Development and all supporting data. These plats shall control and limit the use of the parcel of land including the internal use of the buildings and the location of buildings and structures in the Planned Unit Development as indicated on the plats.

14.11. Timeliness:

A Planned Unit Development shall be constructed in a timely manner. The Planned Unit Development shall be subject to revocation under the following conditions:

1. Final Platting does not occur within two (2) years from the date of the approval of the Preliminary Plat for the Planned Unit Development.
2. Construction does not commence within two (2) years from the date of approval of the Final Plat of the Planned Unit Development.
3. Either the Village Board or the owner of the parcel of land on which the Planned Unit Development is to be constructed may apply for revocation of a Planned Unit Development. Said owner shall be notified in writing at least thirty (30) days prior to the City Board consideration of the revocation.

SECTION 15. SIGN REGULATIONS

That Section 15 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 582, Section 9 to read as follows: (NOTE: THIS SECTION OF THE ORIGINAL ORDINANCE NO. 582 AS WRITTEN, IS BLANK with no changes.)

15.01. Applicability

Any sign shall, by definition, be a structure. No land, building or structure shall be used for sign purposes except within the stipulated districts listed in the Sign Use Regulations specified herein. All signs legally existing at the time of passage of these regulations may remain in use under the conditions of legal conformance. Signs in legal nonconformance shall not be enlarged, moved, lighted or reconstructed; however, the change of the advertising display shall not be restricted except as previously stated. After the effective date of these regulations, no sign shall be erected, enlarged, constructed or otherwise installed unless it is in compliance with this sign regulation. All signs shall be constructed in such a manner and of such materials that they shall be safe and substantial.

15.02. General Standards

1. Sign Height: Sign height shall be measured from the ground elevation at the base of the sign to the height element of the sign.
2. Illuminated Signs: A sign designed to give forth artificial light or designed to reflect light derived from any source:
 - a. Illuminated signs shall be designed as to reflect or direct light away from any Residential District.
 - b. Lighted signs in direct vision of a traffic signal shall not be in red, amber, or green illumination.
3. Flashing or Moving Signs: Any illuminated sign on which the artificial light is not constant in intensity or color at all times shall be considered as a flashing sign. For the purpose of this regulation, any revolving rotating, moving, animated signs with moving lights or signs that create the illusion of movement shall be considered as a flashing sign.
 - a. Flashing signs shall not be permitted in any Residential District.
 - b. A sign which displays the correct time and/or temperature by use of intermitting lighting shall not be deemed a flashing sign if the lighting changes are limited to the text indicating time, temperature or other public messages.
4. Access way or Window: No sign shall block any required access way or window.
5. Signs on Trees or Utility Poles: No signs shall be attached to a tree or utility pole whether on public or private property.
6. Metal Signs: Signs constructed of metal and illuminated by any means requiring internal wiring or electrically wired accessory fixtures attached to a metal sign shall maintain a free clearance to grade of nine (9) feet. Accessory lighting fixtures attached to a non-metal frame sign shall also maintain a clearance of nine (9) feet to grade. No metal ground sign shall be located within eight (8) feet vertically and four (4) feet horizontally of electric wires or conductors in free air carrying more than 48 volts, whether or not the wires or conductors are insulated or otherwise protected.

7. Traffic Safety:

- a. No sign shall be maintained at any location where by reason of its position, size, shape or color, it may obstruct, impair, obscure, interfere with the view of or be confused with any traffic or railroad control sign, signal device, or where it may interfere with, mislead, or confuse traffic.
- b. Any sign located within three (3) feet of a driveway or within a parking area shall have its lowest elevation at least ten (10) feet above the curb level: however, in no event shall any sign except wall signs and awnings, canopy or marquee signs be placed so as to project over any public right-of-way.
- c. Under no circumstances shall any sign be placed in the sight triangle as defined by this regulation.

15.03. Applicability

1. Total Exemptions: The following signs shall be exempt from the requirements outlined in Section 15.
 - a. Flags or emblems of a governmental or of a political, civic, philanthropic, educational or religious organization, displayed on private property.
 - b. Signs of a duly constituted governmental body, including traffic or similar regulatory signs, legal notices, warnings at railroad crossings and other instructional or regulatory signs having to do with health, safety, parking, swimming, dumping, etc.
 - c. Memorial signs and tablets displayed on public or private property.
 - d. Small signs, not exceeding three (3) square feet in area, displayed on private property for the convenience of the public, including signs to identify entrance and exit drives, parking areas, one-way drives, rest rooms, freight entrances and other similar signs.
 - e. Score boards for athletic events.
 - f. Political campaign signs may be displayed for a period beginning on the last day of the statutory filing period and ending one-week after the general or special election. Political signs may remain up between the primary and general elections except that signs for candidates who lost in the primary and signs that become deteriorated or partially destroyed shall be removed.
 - g. Temporary signs for the sale of household goods at a residence (garage sales) for a period not to exceed three (3) days and temporary signs to promote auctions.

SECTION 16. PARKING REGULATIONS

16.01. General Provisions:

1. Utilization: Required accessory off-street parking facilities provided for the uses listed below shall be solely for the parking of operable motor vehicles of the patrons, occupants or employees of these uses. Off-street parking spaces shall not open directly on a public street but shall open directly on a driveway or aisle that is adequate to provide a safe means of access.
2. Residential Districts: Required off-street parking spaces may be located within the front yard in all Residential Districts.
3. Mixed Uses: When a building or development contains mixed uses, the off-street parking requirements shall be calculated for each individual use and the total parking requirement shall be the sum of individual parking requirements.

16.02. Required Spaces (Off public right-of-way):

Parking spaces off the public right-of-way shall be provided as follows:

1. Mobile homes: One parking space for each home.
2. Single-family dwelling: One space per dwelling unit.
3. Multiple family: One and one half (1½) spaces per dwelling unit.
4. Dwelling units designed specifically for the elderly: One space per two dwelling units.

16.03. Required Spaces (off-street):

Off-street parking spaces shall be provided as follows:

1. Nursing homes, rest homes, etc.: One parking space per five (5) beds based on the designed maximum capacity of the building, plus one parking space for each employee on duty.
2. Boarding or rooming houses: One parking space per sleeping room.
3. Hotels and motels: One space per each rental unit plus one space per two employees and spaces as are required for restaurants, assembly rooms, and other affiliated services provided.

SECTION 17. NON-CONFORMING USES

17.01. General:

Non-conforming uses are of three types:

1. **Non-Conforming Lot of Record:** A lot which is part of a recorded subdivision or a parcel of land, the deed to which was recorded prior to the adoption of these regulations, and the lot does not comply with the lot area or width requirements of the district in which it is located.
2. **Non-Conforming Structure:** A structure that existed prior to the adoption of these regulations that does not comply with the lot coverage, height or yard requirements which are applicable to structures in the zoning district in which it is located.
3. **Non-Conforming Uses:** A use of a structure or of land that lawfully existed prior to the adoption of these regulations which does not comply with the use regulations applicable in the zoning district in which it is located.

17.02. Non-Conforming Lot of Record:

The Zoning Board of Adjustment may issue a building permit for a nonconforming lot of record provided that:

1. The lot is shown by a recorded plat or deed to have been owned separately and individually from adjoining tracts of land at a time when the creation of a lot of the size and width at that location would have been prohibited by any zoning regulations.
2. The lot has remained in separate and individual ownership from adjoining tracts of land continuously during the entire time that the creation of the lot has been prohibited by any zoning regulations.
3. The lot can meet all yard regulations for the district in which it is located.
4. The lot can meet minimum sanitation requirements by connecting a sanitary sewer line.

17.03. Non-Conforming Structures:

1. **Authority of Continue:** Any existing structure, which does not comply with the applicable intensity of use regulations and/or the applicable yard and height regulations, may be continued, so long as it remains otherwise lawful.
2. **Enlargement, Repair, Alterations:** Any nonconforming structure may be enlarged, maintained, repaired or remodeled, provided, however, that no enlargement, maintenance, repair or remodeling shall either create any additional nonconformity or increase the degree of existing nonconformity of all or any part of the structure. Notwithstanding the above, a porch, which is covered by a roof, which extends into a front setback area, may be enclosed but not in excess of the area covered by the existing roof.
3. **Damage or Destruction:** In the event that any nonconforming structure is damaged or destroyed, by any means, to the extent of more than sixty (60) percent of its replacement value, the structure shall not be restored unless it shall then conform to the regulations for the zoning district in which it is located. When a structure is damaged to the extent of sixty (60) percent or less, no repairs or restoration shall be made unless a building permit is obtained within six (6) months and restoration is actually begun one year after the date of the partial destruction and is diligently pursued to completion.

4. Moving: No nonconforming structure shall be moved in whole or in part for any distance whatever, to any other location on the same or any other lot unless the entire structure shall thereafter conform to the regulations of the zoning district in which it is located after being moved.

17.04. Non-Conforming Uses:

1. Authority to Continue: Any lawfully existing use of part or all of any lawfully existing use of land which existed prior to the adoption of these regulations and does not comply with these requirements of these regulations may be continued, as long as otherwise lawful and so long as it is not specified to be terminated by these regulations.
2. Ordinary Repair and Maintenance:
 - a. Normal maintenance and incidental repair or replacement, installation or relocation of non-bearing partitions, non-bearing walls, fixtures, wiring or plumbing, may be performed on any structure that is devoted in whole or in part to a nonconforming use.
 - b. Nothing in these regulations shall be deemed to prevent the strengthening or restoring to a safe condition of a structure in accordance with an order of a public official who is charged with protecting the public safety and who declares the structure unsafe and orders its restoration to a safe condition.
3. Extension: A nonconforming use shall not be extended, expanded, enlarged or increased either in land area or in floor area.
4. Enlargement: No structure that is devoted in whole or in part to a nonconforming use shall be enlarged or added to in any manner unless the use shall then conform to the regulations of district in which it is located.
5. Damage or Destruction: In the event that any structure that is devoted, in whole or in part, to a nonconforming use is damaged or destroyed, by any means, to the extent of more than sixty (60) percent of its replacement value, the structure shall not be restored unless the structure and its use shall then conform to all regulations of the zoning district in which it is located.
6. Moving: No structure that is devoted in whole or in part to a nonconforming use and no nonconforming use of land shall be moved in whole or in part for any distance whatever, to any location on the same or any other lot, unless the entire structure and its use and the use of the land shall then conform to all regulations of the zoning district in which it is located after being so moved. Manufactured homes and mobile homes may be replaced on an existing utility hookup outside a manufactured home park.
7. Change in Use: If no external structural alterations are made which will expand the area or change the dimensions of the existing structure, any nonconforming use of a structure or premises may be changed to another nonconforming use, provided that the City Board, after receiving the recommendation of the Planning Commission, shall find that the proposed use is as appropriate or more appropriate to the district than the existing nonconforming use. In permitting a change, the City Board, after receiving the recommendation of the Planning Commission, may require

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conditions and safeguards to protect surrounding areas and properties. Once the use has changed, it may no longer be returned to the original use or any other less appropriate use.

8. **Abandonment or Discontinuance:** When a nonconforming use is discontinued or abandoned for a period of twelve consecutive months, that use shall not be re-established or resumed, and any later use or occupancy of the land or buildings shall comply with the regulations of the zoning district in which the land or buildings are located.
9. **Nonconforming Accessory Uses:** No use, which is accessory to the principal nonconforming use, shall continue after the principal use shall cease or terminate unless the accessory use is permitted in the district.
10. **Nonconforming Residential Uses:** Notwithstanding the provisions of Section 8, any structure which is devoted to a residential use and which is located in a "C-1" District may be remodeled, expanded or enlarged. The structure shall not be used to accommodate a greater number of dwelling or lodging units than the structure accommodated prior to the work.
11. **Change of Ownership:** A nonconforming use may be continued, but not increased, by a new owner or such property.

SECTION 18. ADMINISTRATION

18.01. Administrative Procedure:

The Chairperson and City Board shall appoint a Zoning Administrator(s), with the recommendation of the Planning Commission, who shall be responsible for the administration of this Ordinance. The City Board shall consult the Planning Commission's recommendation prior to acting on the following powers and duties. The Zoning Administrator(s) shall have the following powers and duties:

1. To make all inspections necessary to perform the Administrator's duties.
2. To order work or activities stopped by written notice served on the proper person, firm or corporation when the work is being done contrary to the provisions of this Ordinance or any other ordinance dealing with building construction or codes.
3. To issue building permits, according to applicable City ordinances and building codes.
4. To allow a period of ten (10) days for compliance with this Ordinance after issuance of a "stop work" notice.

18.02. Permits Required:

No building or other structure shall be erected, constructed, reconstructed, moved or structurally altered without first obtaining a building permit as required by City ordinance(s) governing building permits and codes.

SECTION 19. BOARD OF ADJUSTMENT, VARIANCES, APPEALS

19.01. Board of Adjustment:

That Section 19.01 of the City of Crawford Zoning Ordinance 540 be and hereby is amended (by Ordinance 582, Section 10) to read as follows:

The members of the City *Council* shall *appoint* the members of the City Board of Adjustment. The Board shall consult the recommendation of the Planning Commission on all planning and zoning matters. Meetings for the Board shall be held at such times as the Board may designate, or at such other times as the Chairperson, in his or her discretion, calls a meeting. Special meetings may also be held upon the call on any three (3) members of the Board. The Chair Person or, in the Chairperson's absence the Acting Chairperson, may administer oaths and *complete* the attendance of witnesses. All meetings of the Board shall be open to the public. Any resident or property owner in the City, or within the area over which it exercises zoning jurisdiction, shall have the right to appear before the Board regarding any matter in which they have a reasonable interest. The Board shall keep minutes of its proceedings showing the vote. Records of its examinations and other official actions shall be immediately filed in the office of the City Clerk and shall be public record. A majority of the Board shall constitute a quorum for the purpose of doing business. (*Ordinance 540 amended by No. 582 on 2-14-2006*).

19.02. Duties:

The Board is authorized, upon consulting the recommendation of the Planning Commission:

1. To hear and decide appeals where it alleged there is error in any order requirement, decision or determination made by an administrative official or agency based on or made in the enforcement of any zoning regulation or any regulation relating to the location of soundness of structures.
2. To hear and decide, in accordance with the provisions of any zoning regulation, requests for interpretation of any zone.
3. To authorize a variance where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the enactment of this Zoning Ordinance, or by reason of exceptional topographic conditions, or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any regulation under this Ordinance would result in peculiar and exceptional practical difficulties or exceptional and undue hardships upon the owner or the property. Upon an appeal relating to the property, a variance from the strict application of this Ordinance may be granted to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of any ordinance or Ordinance. In granting a variance, the Board may impose certain conditions, safeguards and restrictions upon the premises benefited by the variance that may be necessary to reduce or minimize any potentially injurious effect of the variance upon other property in the neighborhood. A request for a variance shall not be granted unless there is a finding by the Board that all the following conditions have been met:
 - a. The strict application of the zoning regulation would produce undue hardship.
 - b. The hardship is not shared generally by other properties in the same zoning district and the same vicinity.

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- c. The authorization of the variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of the variance.
 - d. The granting of the variance is based upon reason of demonstration and exceptional hardship as distinguished from variations for purposes of convenience, profit or caprice.
 - e. The conditions, which gave rise to the request, are not created by an action or actions of the property owner or applicant.
 - f. The condition or situation of the property concerned or the intended use of the property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to these zoning regulations.
4. In exercising the above-mentioned powers, the Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed. To that end, the Board shall have all the powers of the officer from whom the appeal is taken.

19.03. Applications:

1. Procedure: The procedure for requesting a hearing before the Board shall be as follows:
 - a. All applications for a variance to the Board shall be in writing and filed with the Planning Commission. If the Planning Commission provides for an application form, then that form shall be used. The application shall include the following:
 - 1) The description of the lot, tract of land, building or structure for which the variance is requested.
 - 2) The name or names of the owner or owners.
 - 3) The nature of the relief requested.
 - b. After receiving the recommendation of the Planning Commission, a hearing shall be held by the Board of Adjustment within sixty (60) days of the filing of the application unless delayed by request of the applicant. Notice of the hearing shall be given as required by this Ordinance.
 - c. An application shall be accompanied by a thirty (30) dollar fee. A separate filing fee will be required for each additional request.
2. Additional Requirements: In addition to the above requirements, certain applications require additional information as follows:
 - a. Appeals and Interpretations:
 - 1) An application for an appeal or interpretation must be filed within fifteen (15) working days after a ruling has been made by the Board of Adjustments.
 - 2) A copy of the order, requirement, decision or determination of the Board of Adjustment, which the applicant believes, to be in error shall be submitted.
 - 3) A clear and accurate, written description of the proposed use, work or action in which the appeal or interpretation is involved and a statement justifying the applicant's position.

- 4) Where necessary, a plot plan, drawn to scale, in duplicate showing existing and proposed plans for the area in question shall be submitted.

b. Variance:

- 1). The applicant shall submit a statement, in writing, justifying the variance requested; indicating specifically the enforcement provisions of the zoning regulations from which the variance is requested, and outlining in detail the manner in which it is believed that this application will meet each of the conditions as set out in this Ordinance.
- 2). The applicant shall submit a sketch, in duplicate, drawn to scale and showing lot or lots included in the application; the structures existing; and the structures contemplated necessitating the variance requested. All appropriate dimensions and any other information, which would be helpful to the Board in consideration of the application, should be included.

3. Performance: In making any decision varying or modifying any provisions of the zoning regulations, the Board shall impose any restrictions, terms, time limitations, landscaping, screening and other appropriate safeguards as needed to protect adjoining property.

The Board may require cash, a letter of credit or a performance bond to guarantee the installation of required improvements such as parking lot surfacing landscaping, etc. The amount of the bond shall be based on a general estimate of cost for the improvements as determined by the Board, and shall be enforceable by or payable to the City Board in the sum equal to the cost of constructing the required improvements.

In lieu of the performance bond requirements, the Board may specify a time limit for the completion of the requirements and in the event the improvements are not completed within the specified time, the Board may reconsider its action and may, after reconsideration, declare the granting of the application null and void.

19.04. Variances and Building Permits:

If the Board of Adjustment grants the application for the variance and a building permit will be necessary, the building permit shall not be issued until the statutory period for appeal from the decision of the Board has expired. No building permit may be issued while an application for a variance is pending before the Board or if the Board denies the application unless the Board's decision is reversed by a court. Once a variance is granted, the right to the variance shall expire unless the required building permit is applied for within six (6) months after the granting of the variance.

19.05. Appeals from the Board:

Any person or persons aggrieved by any decision of the Board, or any officer, department or Board of the City may appeal to the District Court of Dawes County as provided by law.

SECTION 20. AMENDMENTS

20.01. General Provisions:

1. **Authority:** The City Board may, by ordinance, amend, supplement, change, modify or repeal these regulations and the district boundaries. No amendment, change or repeal shall be adopted by the City Board until the Planning Commission has held a public hearing and submitted its recommendation.
2. **Proposal of Amendments:** Amendments may be initiated by the City Board, the Planning Commission or upon application of the owners of property affected. However, no person may apply for an amendment within a period of six (6) months following the denial by the City Board of the same amendment.
3. **Application:** When the owner of property affected initiates an amendment to the regulations or the district boundaries, an Application for Amendment shall be obtained from the City Clerk. The application shall be completed in its entirety and filed with the City Clerk so that a public hearing date can be set.
4. **Ownership List:** The application for an amendment shall be accompanied by an ownership list obtained from an abstractor or County Records listing the legal description and the name and address of the owners of all property located within three hundred (300) feet of the boundaries of the property for which the zoning change is required.
5. **Fees:** For the purpose of wholly or partially defraying costs of amendment proceedings, a fee shall be paid upon the filing of each application, for a change of district boundaries or other change for which the City may incur costs, in the amount of one hundred fifty dollars (\$150).
6. **Disposition of Amendment Proposals:** Upon receipt of a proposed amendment from the City Board or an application for the amendment from the owner of the property affected, the Planning Commission shall hold a public hearing on the proposed amendment, and forward its findings and recommendations with respect to the proposed amendment to the City Board.

20.02. Planning Commission Public Hearing:

1. **Public Hearing:** The Planning Commission shall hold a public hearing on each proposed amendment that is referred to, filed with, or initiated by the Planning Commission itself. The Planning Commission shall select a reasonable hour and place for the public hearing, and it shall hold the public hearing within sixty (60) days from the date on which the proposed amendment is referred to, filed with, or initiated. An application for an amendment may waive the requirement that a hearing be held within sixty (60) days.
2. **Notice of Hearing:** Public notice of this hearing on a proposed amendment shall be given as required by this Ordinance, except that the Planning Commission shall also send notice to the Board of Education.
3. **Conduct of Hearing:** The hearing shall be conducted and a record of the proceedings shall be preserved according to the procedures the Planning Commission may prescribe by rule. Any interested person or party may appear and be heard at the hearing, in person, by agent, or by attorney. The Planning Commission may request a report on any proposed amendment from any governmental

official or agency. A copy of the report shall be made available to the applicant and any other interested persons and shall be available for review in the office of the City Clerk at least three (3) days before the date is set for public hearing. The Planning Commission may also require reports after the public hearing if additional information is deemed necessary. These reports shall also be made available to the applicant and any other interested persons.

20.03. Action by the Planning Commission:

1. Adoption of Amendments: The City Board shall consider the proposed amendment at a properly advertised public hearing. Upon the receipt of the recommendation of the Planning Commission and any protest petitions that have been submitted, the City Board shall consider the application and may approve the recommendations of the Planning Commission or take whatever action it deems necessary.
If a proposed amendment is not acted upon finally by the City Board within sixty (60) days after the recommendation by the Commission is submitted, the proposed amendment shall be considered to have been defeated and denied, unless the applicant for the amendment has consented to an extension of the period of time. Whenever a proposed amendment is defeated, either by vote of the City Board or by reason of the operation of this subsection, the amendment shall not be passed without further public hearing and notice as required by this Ordinance in Section 20.
2. Notice of Hearing: Public notice of the City Board hearing on a proposed amendment shall be given as required by Ordinance in Section 20.
3. Protest: If a written protest against a proposed amendment is filed in the office of the City Clerk within fourteen (14) days after the date of conclusion of the hearing on a proposed amendment by the Planning Commission and the protest is signed and acknowledged by the owners of twenty (20) percent or more either of the lot or lots included in the proposed change, or of those immediately adjacent to the sides and in the rear of the area proposed, extending three hundred (300) feet and of those directly opposite extending three hundred (300) feet from the street frontage of the opposite lots, then the proposed amendment shall not be passed except by a three-fourths ($\frac{3}{4}$) vote of the City Board.
4. Approved Action: If the City Board approves a change, it shall adopt an ordinance to that effect. If the boundaries of a zone have been amended, the amending ordinance shall define the change or boundary as amended and shall amend the section of the ordinance designating the zone.

SECTION 21. CONDITIONAL USES:

21.01 Definitions:

Conditional uses are those types of uses, which, due to their nature, are dissimilar to the normal uses permitted within a given zoning district or where the product possesses, mode of operation, or nature of business may prove detrimental to the health, safety, welfare or property value of the immediate neighborhood and its environment. Within the various zoning districts, conditional uses that are specifically listed in the district regulations may be permitted, only after additional requirements are complied with as established within this section.

21.02 Procedure:

The consideration of a conditional use application shall be handled in the same manner as a zoning amendment regarding the requirements for public hearing, notice, protest, and action by the Planning Commission and City Board.

21.03 Application:

An application for a Conditional Use Permit shall be in writing and signed by the owner of the lot, tract of land, building or structure for which the permit is being requested, and, if the use is being proposed by a person other than the owner, by that person as well. It shall be filed with the City Office along with a filing fee of thirty dollars (\$30.00). The applicant shall state:

1. A description of the lot or tract of land and any buildings or structures located on it, for which the Conditional Use Permit is requested.
2. The name or names of the owner or owners, along with the name of the person or persons proposing the use, if other than the owner.
3. A description of the nature of the use for which the permit is requested.
4. A statement of the reason or reasons why the Conditional Use Permit shall be issued.

21.04 Minimum Requirements:

A Conditional Use Permit shall not be granted unless specific written findings of fact directly based upon the particular evidence presented support the following conclusions:

1. The proposed conditional use complies with all applicable provisions of these regulations, including intensity of use regulations, yard regulations and use limitations.
2. The proposed conditional use at the specified location will not adversely affect the welfare or convenience of the public.
3. The proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located
4. The location and size of the conditional use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to

such use are such that the conditional use will not dominate the immediate neighborhood so as to prevent development and the use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the conditional use will so dominate the immediate neighborhood, consideration shall be given to:

- a. The location, nature and height of proposed buildings, structures, walls and fences on the site, and
 - b. The nature and extent of landscaping and screening proposed or already on the site.
5. Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations.
 6. Adequate utility, drainage, and other necessary facilities have been or will be provided.
 7. Adequate access roads or entrance and exit drives will be provided and shall be designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.

21.05. Additional Requirements:

1. In granting a conditional use, the Planning Commission shall recommend, and the City Board may impose certain conditions, safeguards and restrictions upon the premises benefited by the conditional use, which may be necessary to reduce or minimize any potential injurious effect to conditional uses upon other property in the neighborhood, and to carry out the general purpose and intent of these regulations. Any additional requirements set by the City Board shall be filed with the application.
2. If a Conditional Use Permit is issued, and a building permit will be necessary, the building permit shall not be issued until the statutory period for appeal for the decision of the City Board has expired. No building permit may be issued while an application for a Conditional Use Permit is pending or if the application is denied unless the denial is reversed by a court. Once a Conditional Use Permit is granted, the right to the permit shall expire unless the required permit is applied for within six (6) months after the issuing of the permit.
3. A Conditional Use Permit may not be transferred and, if a change of ownership of the lot or tract of land for which the Conditional Use Permit was issued occurs, the Conditional Use Permit shall terminate. The new owners shall have to apply for their own Conditional Use Permit.
4. Any Conditional Use wanting to expand such use shall apply for an additional Conditional Use Permit for such expansion.
5. Any Conditional Use must conform to all local, state, and federal laws.

SECTION 22. SUBDIVISION REGULATIONS:

22.01. Intent:

The intent of this section is to assure the orderly subdivision of land and its development; to provide for the harmonious and economic development of the City; for the coordination of streets or roads within subdivisions of land with other existing or planned streets or roads; for adequate open spaces and for the distribution of population and traffic which will tend to create conditions favorable to health, safety, convenience, and prosperity.

22.02. Definitions:

For the purposes of Section 22, a subdivision (or subdivide) shall be defined as: The separation on any manner of a parcel or tract of land into two or more lots for the purpose of either immediate or future transfer of ownership, or of building or commercial land development. The definition includes re-subdivision and shall relate to the process of subdividing or to the land subdivided. For the purpose of recording any separation of land, a plat of such division shall be submitted for approval in accordance with Section 22.03.

However, the following shall be exempt from the subdivision regulations:

- A. Division of land for agricultural purposes;
- B. The plat of a single separation of a lot for the purpose of a sale or a gift to a member of the immediate family of the property owner for that immediate family member's personal use in the Agricultural Zoning District (The plat shall be recorded). Only one such subdivision may be allowed per family member, and shall not be for the purpose of circumventing this subsection. **A member of the family shall be defined as any person who is a natural or legally defined offspring, spouse, or parent of the owner.**
- C. Transfer of a lot or parcel by will, intestate succession or court ordered partition. A plat must show the signature of the City Board Chairman before it can be recorded;
- D. Division of a lot to sell a home in the Agriculture District that existed prior to the adoption of this zoning ordinance. (The Plat shall be recorded.) However, the lot must be at least one acre.

For the purposes of Section 22, a sub-divider or developer shall be defined as:

Any person, firm, partnership, joint venture, association or corporation who shall participate as owner, promoter, developer, or sales agent in the planning, platting, development, promotion, sales or lease of a subdivision.

22.03. Procedure:

Any person, partnership, or corporation intending to subdivide land within Crawford's planning jurisdiction shall submit plans as required by and specified by this Ordinance to the Planning Commission and the City Board for review and approval. There are four steps in the subdivision process:

Step 1: Sketch Plan:

- A. A prospective developer shall present a sketch plan to the Planning Commission and the City Board. The concept plan serves as a preliminary step to inform the City on the proposed subdivision and to present the developer with guidelines and recommendations in developing a subdivision.
- B. The following information shall be presented in the sketch plan:
 1. A copy of a deed or legal instrument identifying the applicant's interest in the property under consideration;
 2. A description of the type of uses proposed for the subdivision;
 3. A description of the type of water system proposed for the subdivision;
 4. A description of the type of sewer system proposed for the subdivision;
 5. A sketch plan drainage report shall be prepared;
 6. A description of the width and type of surface of all streets and sidewalks proposed within the subdivision;
 7. Any floodplain, soil or geologic hazard;
 8. A sketch plan vicinity map shall be drawn to scale showing the following:
 - A. The location of the proposed subdivision and its property boundaries;
 - B. The existing street and highway systems within five hundred feet (500') of the boundaries of the proposed subdivision;
 - C. All unimproved or proposed public right of ways within five hundred feet (500') of the boundaries of the proposed subdivision;
 - D. All public sewer, water and storm drainage systems within five hundred feet (500') of the proposed subdivision;
 - E. Title, scale, date and north arrow.
 9. A sketch plan subdivision map that is drawn to scale and clearly legible shall be developed which includes the following:
 - A. Title, scale, date and north arrow, name of the subdivision, township, range, section, quarter section, block and lot numbers;
 - B. The layout of blocks, lots, outlets, roads, accesses, utility easements, and open space scaled to the nearest foot;
 - C. Existing topographical contours at ten (10) foot intervals, drawn from available data, such as the US Geological Survey maps.

- D. Soil types by boundary, accompanied by a description of the soil type from the Dawes County Soil Survey;
- E. Flood and geologic hazard areas, existing structures, utility lines, ditches, streams, lakes, drainage ways, vegetative cover, oil and gas production facilities, and any other structure or feature located within the proposed subdivision;
- F. Any other information determined to be reasonably necessary by the Planning Commission of the City Board

Step 2. Application:

An applicant shall submit an application for a change of zone as outlined in Section 20.

Step 3. Preliminary Plan:

A preliminary plan shall be submitted with the following information:

- A. A copy of the title commitment issued by a title insurance company;
- B. A certificate from the County Treasurer showing no delinquent taxes for the preliminary plan area;
- C. A description of the types of uses proposed for the subdivision;
- D. A summary explaining how the developer will address any problems or concerns that were identified in the sketch plan;
- E. The total number of lots proposed;
- F. A description of the subdivision circulation system including road width, type and depth of road base and surface, width and depth of borrow ditches, curb and gutter, and vehicle parking arrangement. The circulation system shall also include a description of any sidewalks, bike paths or trails.
- G. A statement describing the ownership, function, and maintenance of any open space or park within the proposed subdivision.
- H. A description of the proposed water system accompanied by an estimate of the total gallons of water per day required for domestic use and emergency fire protection;
- I. A water supply resource report containing written evidence that adequate water services in terms of quality, quantity, and dependability is available for the type of subdivision proposed;
- J. A description of the proposed sewage disposal containing written evidence that the proposed sewage disposal is appropriate for the subdivision;
- K. The proposed method of financing with an estimate of the infrastructure construction costs related to the proposed subdivision. Cost estimates shall include, but not limited to the following:
 - 1. Streets and related facilities;

2. Water distribution systems;
 3. Storm drainage facilities;
 4. Sewage collection systems;
 5. Other utilities and infrastructure as may be required.
- L. A list of all public utilities and water service providers located within five hundred (500) feet of the proposed subdivision;
- M. A list of any covenants, grants of easements, and restrictions imposed upon any land, buildings, and structures within the proposed subdivision;
- N. A certified list of the names, addresses, and the corresponding parcel identification numbers assigned by the Dawes County Assessor to the owners of property of the surface estate within five hundred (500) feet of the property subject to the application. The applicant shall certify that such list was assembled within thirty (30) days of the application submission date.
- O. A preliminary plan vicinity map shall be submitted showing the following:
1. The perimeter outline of the proposed subdivision with the location of all existing and proposed accesses to the proposed subdivision.
 2. The location and name of all roads and highways within five hundred (500) feet of the perimeter of the proposed subdivision.
 3. The perimeter outline and identification of subdivisions, zone districts, and any special districts within five hundred (500) feet of the perimeter of the proposed subdivision.
- P. A preliminary plan plat shall be submitted showing the following:
1. North arrow, subdivision name, total acreage, and legal description of the proposed subdivision.
 2. Lots and blocks shall be numbered consecutively. Lot dimensions shall be scaled to the nearest foot. The area of each lot shall be shown in acres except when lots are less than one (1) acre they shall be shown in square feet.
 3. The street layout for the subdivision. All streets shall be named.
 4. The layout of future streets adjacent to the subdivision shall be shown as a dashed line.
 5. Topographical contour lines showing elevation.
 6. The location, size, and use of all existing structures and existing and proposed easements. This includes easements for water, sewer, electric, gas, and telephone lines. It also includes, but is not limited to, irrigation ditches, water mains, and fire hydrants.

7. A utility service statement block shall appear on the preliminary plan plat map. The block shall identify each utility company or special district intending to service the subdivision. The block shall include:
 - A. The name of the utility company.
 - B. A dated signature and statement from the representative of the utility company indicating one of the following:
 1. Service is available;
 2. Service is available subject to the following specific conditions;
 3. Service is not available for the subdivision.
8. A drainage report.

Step 4. Final Plat:

The preliminary plan must be approved by the City Board before a final plat can be submitted. A final plat shall be submitted for approval within one (1) year of the date the preliminary plan has been approved by the City Board unless an extension of time is granted by the City Board within the one (1) year time. The final plat shall conform to the approved preliminary plan. The Board may approve a modified final plat if changes reflect improvements in design. The following information shall be submitted as part of a final plat application:

- A. A copy of a title commitment issued by a title insurance company.
- B. A description of the type of uses proposed for the subdivision.
- C. A summary explaining how the developer will address any problems or concerns that were identified in the preliminary plan.
- D. The total number of lots proposed.
- E. A description of the subdivision circulation system including road width, type and depth of road base and surface, width and depth of borrow ditches, curb and gutter, and vehicle parking arrangement. The circulation system shall also include a description of any sidewalks, bike paths or trails.
- F. A statement describing the ownership, function, and maintenance of any open space or park within the proposed subdivision.
- G. A statement indicating if on-street parking will be permitted within the proposed subdivision.
- H. If the applicant is to dedicate land for schools, roads, parks, or other public purposes, a letter of intent from the appropriate public agency stating it will accept the lands to be dedicated;

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- I. A description of the proposed water system accompanied by an estimate of the total gallons of water per day required for domestic use and emergency fire protection;
- J. A water supply resource report containing written evidence that adequate water services in terms of quality, quantity, and dependability is available for the type of subdivision proposed;
- K. A copy of a contract or some tangible guarantee providing for a common water supply if water is required to be supplied by a water district or other.
- L. A description of the proposed sewage disposal containing written evidence that the proposed sewage disposal is appropriate for the subdivision.
- M. A list of any covenants, grants of easements, and restrictions imposed upon any land, buildings, and structures within the proposed subdivision;
- N. A copy of Nebraska Department of Roads access permit if a new street intersects with a state highway;
- O. Proof of an existing easement or dedicated right of way when it is contiguous to an easement or right of way of the proposed subdivision;
- P. A certified list of the names, addresses, and the corresponding parcel identification numbers assigned by the Dawes County Assessor to the owners of property of the surface estate within five hundred (500) feet of the property subject to the application. The applicant shall certify that such list was assembled within thirty days (30) of the application submission date.
- Q. A final plat map shall be submitted following the listed requirements:
 - 1. The plat shall be delineated in non-fading permanent black ink;
 - 2. The final plat shall contain the original signatures and seals of all parties required;
 - 3. North arrow, subdivision name, total acreage, date, total number of lots, name and address of the owner(s) of record and legal description of the proposed subdivision and scale.
 - 4. Lots and blocks shall be numbered consecutively. Lot dimensions shall be scaled to the nearest foot. The area of each lot shall be shown in acres except when lots are less than one (1) acre they shall be shown in square feet.
 - 5. All streets, walkways, and alleys shall be designated and identified by bearings and dimensions. All streets shall be named.
 - 6. The location, size, and use of all existing structures and existing and proposed easements. This includes easements for water, sewer, electric, gas, and telephone lines. It also includes, but is not limited to, irrigation ditches, water mains, and fire hydrants.

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7. A utility service statement block shall appear on the preliminary plan plat map. The block shall identify each utility company or special district intending to service the subdivision. The block shall include:
 - A. The name of the utility company.
 - B. A dated signature and statement from the representative of the utility company indicating one of the following:
 1. Service is available;
 2. Service is available subject to the following specific conditions;
 3. Service is not available for the subdivision.
8. All land within boundaries of the subdivision shall be accounted for either as lots, easement, right-of-way, Private Street, alley, walkway, trail, or public area.
9. If the final plat is revised, a copy of the original final plat shall be provided for comparison purposes.
10. A final drainage report shall be submitted.
11. The following final plat supporting documents shall be submitted as part of a final plat application:
 - A. A certificate from the County Treasurer showing no delinquent taxes for the final plat area;
 - B. A title commitment or a title option covering all public dedications;
 - C. A warranty deed, if required, deeding to the appropriate entity any lands to be used for the benefit of the public or owners of this subdivision.
12. The final plat shall contain the following certificates and seals:
 - A. Certificate of Dedication, Ownership, and Maintenance:

Know all persons by those present that _____ being the Owner(s), Mortgage or Lienholder of certain lands in Dawes County, Nebraska, described as follows: Beginning _____ containing _____ acres, more or less, have by these presents laid out, platted, and subdivided the same into lots and blocks, as shown on this plat under the name and style of and do hereby dedicate to the public, school district, owners and future owners of this subdivision all ways, public rights-of-ways, easements, parks and open space, and other public right-of-way and easements for purposes shown hereon.

Executed this ____ day of _____, 19_____

(Owner, Mortgagee, or Lienholder)

The foregoing dedication was acknowledged before me this ____ day

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of _____, 19_____
My Commission expires _____
Notary Public

Witness my hand and seal

B. Surveying Certificate:
I, _____, a registered Professional Land Surveyor in the State of Nebraska do hereby certify that the survey represented by this plat was made under my personal supervision and checking. I further certify that the survey and this plat complies with all applicable rules, regulations, and laws of the State of Nebraska.

By: _____
Registered Land Surveyor Date

C. Certificate of Approval by the City Board:
This plat is approved by the Crawford, Nebraska Board of Trustees
Approval of this plat does not constitute acceptance of any dedication.

Witness my hand and the corporate seal of Crawford, Nebraska
This ____ day of _____, 19_____

Chairperson, Crawford Board of Trustees, Nebraska

ATTEST:
By _____ Dated

Crawford City clerk

22.04. General Guidelines:

General considerations to be used by the Planning Commission and the City Board on evaluating and allowing a proposed subdivision:

1. Demand for the type of uses at the site in question;
2. Effect upon adjacent land uses;
3. Potential for traffic congestion or traffic hazards;
4. General suitability of the site in question for the development proposed.
5. The development proposed shall conform to the zoning regulations for the zoning district in which it lies;
6. The development proposed shall be in harmony with the City's Comprehensive Development Plan;

7. The development shall meet the general intent of Section 22 of this Ordinance.

22.05. Design Guidelines:

Design and improvement considerations to be evaluated by the Planning Commission and the City Board for proposed subdivision:

1. Adequate water and sewer are available.
2. Storm water drainage is adequately controlled.
3. Street names shall have the names of existing streets when they are aligned.
4. No more than two streets shall intersect at one point.
5. Sidewalks shall be constructed within a subdivision where required by the City Board; and Sidewalks will be a minimum of four (4) feet in width.
6. Curbs and gutters shall be constructed in accordance with existing City regulations;
7. All electric and communication utility lines and services and all street lighting circuits shall be installed underground, except for the following:
 - A. Transformers, switching boxes, terminal boxes, meter boxes, pedestals, ducts, and other facilities necessarily appurtenant to such underground and street lighting facilities;
 - B. All facilities reasonably necessary to connect underground facilities to existing or permitted overhead or aboveground facilities;
 - C. Existing and new overhead electric transmission and distribution feeder lines and overhead communication long distance, trunk and feeder lines;
 - D. It shall not be necessary to remove or replace existing utility facilities used or useful in serving the subdivision;
 - E. Deviations from requirements, other than those listed above, shall be permitted only with the approval of the City Board who shall make approval only in cases of extreme difficulty.

22.06. Final Plat Development Requirements:

A proposed subdivision shall be developed in accordance with the approved Final Plat of the subdivision and all supporting data. These plats shall control and limit the use of the land in the subdivision as indicated on the plats.

22.07. Recorded Exemption:

A recorded exemption shall be required to divide any lot into two separate lots where: 1) the lots are not located in an approved subdivision; and 2) any one of the lots created by the subdivision do not meet the minimum lot size requirements for its respective zoning district; and 3) the subdivision does not qualify as a subdivision for a family member as outlined in Section 22.07; and 4) the recorded exemption is not

used to circumvent the regulations established in Section 22. All recorded exemptions approved by the City Board shall be exempt from the subdivision regulations.

All recorded exemptions shall be approved by the City Board who shall consider the recommendation of the Planning Commission when making their decision. Approval of all recorded exemptions shall be conditional upon submittal of recording the plat with the County Clerk. Additionally, to mitigate potential impacts, the City Board may apply conditions to the recorded exemption. The Crawford Planning Commission and the City Board shall consider the following guidelines when approving a recorded exemption:

1. The proposed land use is compatible with the other land uses permitted in its respective zoning district.
2. The proposed land use is (otherwise from minimum lot size) in compliance with its respective zoning district.
3. The applicant has provided evidence that the proposed subdivision is not being used as a mechanism to circumvent the subdivision regulations.
4. The proposed recorded exemption is not part of an approved subdivision or recorded subdivision plat.
5. An adequate legal access to a public road exists for all proposed lots.
6. No lots of less than one (1) acre shall be created in the agriculture zone.

SECTION 23. NOTICES

23.01. References to Notice Requirements:

Where reference is made in this Ordinance to notice being given as required by this Ordinance, then the notice shall be given as provided for in Section 23.02 below.

23.02. Method of Giving Notice:

Notices required pursuant to this section shall be given as follows:

1. **Publication:** Notice of the time and place of the hearing shall be published once in a newspaper of general circulation in the City at least ten (10) days prior to the hearing.
2. **Posting:** A notice shall be posted in a conspicuous place on or near the property on which action is pending. The notice shall be no less than eighteen (18) inches in height and twenty-four (24) inches in width with white or yellow background and black letters not less than one and one-half (1 ½) inches in height. The posted notice shall be placed upon the premises so that it is easily visible from the street nearest to the premises and shall be posted at least ten (10) days prior to the date of the hearing. It shall be unlawful for anyone to remove, mutilate, destroy or change the posted notice prior to the hearing. Any person doing so shall be guilty of a misdemeanor.
3. **Mailing:** If the record title owners of any lots included in the proposed change be nonresidents of the City, then a written notice of the hearing shall be mailed by certified mail to them addressed to their last-known address at least ten (10) days prior to the hearing.

23.03. Exceptions to Notice Requirements:

Notice by posting or mail shall not apply if:

1. The proposed change is to apply throughout the entire area of an existing zoning district, or
2. Additional or different types of zoning districts are proposed, whether or not the additional or different districts are made applicable to areas, or parts of areas, already within a zoning district of the City.

SECTION 24. ENFORCEMENT

24.01. Zoning Violations:

Crawford may enforce the Crawford Zoning and Subdivision Regulation Ordinance through methods included in this Ordinance or through other methods adopted by the City Board.

24.02. Violations and Penalties:

It is unlawful to erect, construct, reconstruct, or alter any building or structure in violation of any provision of the Crawford Zoning and Subdivision Regulation Ordinance. Any person, firm, or corporation violating any provision of this Ordinance is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars (\$100), or by imprisonment in the county jail for not more than ten (10) days, or both such fine and imprisonment. Each day during which such illegal use of any building, structure, or land continues shall be deemed a separate offense. Whenever a violation exists in these regulations, the City may proceed by a suit in equity to enjoin and abate the violation, in the manner provided by law. Whenever, in any action, it is established that a violation exists, the court may, together with the fine and penalty imposed, enter an order of abatement as a part of the judgment in the case.

24.03. Enforcement Procedure:

Whenever the City Board, whether through personnel knowledge or through members of the planning commission or City employees, has knowledge of any violation of the Crawford Zoning and Subdivision Ordinance, it shall give written notice to the violator to correct such violation within thirty (30) days after the date of such notice. Should the violator fail to correct the violation within the thirty (30) day period, the Crawford City Board may request that the Dawes County Sheriff's Department issue a summons and complaint to the violator, stating the nature of the violation with sufficient particularity to give notice of said change to the violator. The summons and complaint shall require that the violator appear in court at the definite time and place stated therein to answer and defend the charge.

- A. One (1) copy of said summons and complaint shall be served upon the violator by the Dawes County Sheriff's Department in the manner provided by law for the service of a criminal summons. One (1) copy each shall be retained by the Sheriff's Department and the City Board and one (1) copy shall be transmitted to the clerk of the court.

SECTION 25. MISCELLANEOUS

25.01. Conflicting Ordinance:

Where this Ordinance may conflict with any other Local, State or Federal Ordinance or regulation, the most restrictive Ordinance shall apply.

25.02. Effective Date:

This Ordinance shall take effect and be in force from and after the date of its passage, approval and publication as required by law.

25.03. Publication:

Publication of this Ordinance shall be in pamphlet form.