

City-County Planning Board

Medical Marijuana – Planning Staff Report and Recommendations

Tentative Schedule:

Aug 2 – Town Council Adopts Temporary Moratorium on Medical Marijuana Businesses

Sept 28 – Planning Staff’s Recommendations Delivered to City-County Planning Board Members

Oct 26 – City-County Planning Board Conducts Public Hearing and Makes Recommendation to Town Council

Dec 2 – City-County Planning Board Recommendations Due to Town Council

Feb 2 – Town Council’s Temporary Moratorium Expires

Oct 1 – Potential 2011 Legislative Changes Made to Medical Marijuana Act Become Effective

Recommendations:

Planning Staff proposes three possible recommendations for the City-County Planning Board to consider and make its recommendation to the Town Council. The City-County Planning Board may recommend one of the following in whole, in part, with revisions to the Planning Staff’s proposal, or a combination of options, however the Board sees fit.

Option One (Recommended Option): Extend Existing Moratorium

The City-County Planning Board may recommend that the Town Council extend the moratorium on medical marijuana businesses within Town Limits, as passed by Ordinance 337, for up to one year, pursuant to 76-2-306, MCA.

Pros:

1. Is already in effect without major legal or health issues.
2. Would maintain effective status quo until after the State Legislature has met, allowing for legislative changes to be incorporated into any zoning changes.

Cons:

1. Does not provide a solution to the issue, just delays the need for a decision.
2. A moratorium can be extended twice for up to one year, and does not provide a permanent solution.
3. Requires a two-thirds Town Council majority for passage.

Recommended Changes to Columbus Municipal Code:

DRAFT ORDINANCE _____

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF COLUMBUS, MONTANA, EXTENDING THE TEMPORARY MORATORIUM ESTABLISHED BY ORDINANCE 337, ON THE OPENING AND OPERATION OF ANY ESTABLISHMENTS THAT GROW, SELL, OR DISTRIBUTE MEDICAL MARIJUANA, AND DIRECTING CONTINUED STUDY OF NEW PROPOSED ORDINANCES TO REGULATE SUCH ESTABLISHMENTS.

WHEREAS, on August 2, 2010 the Town Council of the Town of Columbus passed Ordinance 337, which imposed a “temporary moratorium on the opening and operation of any establishments that grow, sell, or distribute medical marijuana, and directing the study of new proposed ordinances to regulate such establishments”; and,

WHEREAS, pursuant to §76-2-306 (3), MCA the legislative body may twice extend interim zoning ordinances for one year, pursuant to notice as required in §76-2-303, MCA and subsequent public hearing, and with a two-thirds majority vote; and,

WHEREAS, on October 28, 2010 the City-County Planning Board held a duly advertised public hearing after which it recommended to the Town Council that the medical marijuana moratorium of Ordinance 337 be extended for the period of 1 year from the adoption of this ordinance; and,

WHEREAS, On _____, 2010 the Town Council held a duly advertised public hearing with respect to this proposed Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Columbus that the medical marijuana moratorium as adopted by Ordinance 337 be extended for the period of one year from the passage and adoption of this Ordinance.

PASSED AND ADOPTED by the Town Council of the Town of Columbus, Montana, at a regular session thereof held on the ____ day of _____, 2010

Gary Woltermann – Mayor

ATTEST:

Ronald D. Barndt – Town Clerk

Option Two: Greatly Restrict

The City-County Planning Board may recommend that the Town Council greatly restrict, but not completely prohibit, medical marijuana businesses within the Town Limits of Columbus.

Pros:

1. Would address public concerns regarding widespread medical marijuana businesses.
2. While not prohibiting medical marijuana businesses, would create easily manageable, predictable, and centralized areas wherein such businesses could operate.

Cons:

1. Would not eliminate all concerns some members of the public have related to medical marijuana businesses.
2. May create areas in Town which, for better or worse, are seen as medical marijuana hubs.

Recommended Changes to Existing Town of Columbus Zoning Code:

Chapter 17.08

DEFINITIONS

Sections:

17.08.010 Definitions.

17.08.020 Use of words.

17.08.010 Definitions.

For the purpose of the zoning title certain words and terms used are defined in this chapter.

[...].

Lot, Zoning. "Zoning lot" means a tract of land occupied or to be occupied by a principal building and its accessory buildings, together with such open spaces and yards as are required under the provisions of this title, having not less than the minimum area required by this title for a zoning lot in the district in which such land is situated and having its principal frontage on a street or a permanent, exclusive, nonobstructed easement of access or right-of-way to a street, not less than twenty (20) feet wide. A "zoning lot" need not necessarily coincide with a "record lot" as defined in this chapter and may encompass all or part of one or more record lots.

Manufactured Homes.

1. "Manufactured homes (Type 1)" means a single-family dwelling, built off-site in a factory on or after January 1, 1990, that is placed on a permanent masonry foundation; is at least one thousand (1,000) square feet in size; has a length not exceeding four times its width, the pitch of the roof has a minimum vertical rise of one foot for each four feet of horizontal run; and the roof is finished with a type of shingle that is commonly used in standard residential construction; has siding materials that are customarily used on site-built homes; the tongue, axles, transporting lights, and towing apparatus are removed after placement on the lot and before occupancy; and is in compliance with the applicable prevailing standards of the United States Department of Housing and Urban Development at the time of its production.

2. "Manufactured homes (Type 2)" means a single-family dwelling, built on a chassis off-site in a factory on or after June 15, 1976, that is placed on a foundation and anchored, the pitch of the roof has a minimum vertical rise of one foot for each four feet of horizontal run; and the roof is finished with a type of shingle that is commonly used in standard residential construction; has siding materials that are customarily used on site-built homes; the tongue, axles, transporting lights, and towing apparatus are removed after placement on the lot and before occupancy; and is in compliance with the applicable standards of the United States Department of Housing and Urban Development at the time of its production. All Type 2 manufactured homes are required to have a HUD sticker on the structure.

3. "Manufactured homes (Type 3)" means a factory assembled mobile structure equipped with the necessary connections and made so as to be readily movable as a unit or units on its own running gear, designated to be used as a single-family dwelling unit without a permanent foundation and exceeds twenty-five (25) feet in length, exclusive of trailer hitch, and does not meet the definitional criteria of a Type 1 or Type 2 manufactured home.

"Marquee" means a fixed shelter used only as a roof and extending beyond a building line and which is entirely supported by the building to which it is attached.

"Master plan" means and includes any document or portion of any document duly adopted by the town council and/or county commissioners which is intended to guide the growth and development of the area as authorized under the provisions of 76-1-601 to 76-1-606, MCA.

"Medical Marijuana" and the terms related thereto shall have the definitions attributed to them by the Medical Marijuana Act, codified at §50-46-101, MCA.

"Medical Marijuana Business" includes the following definitions:

1. **"Medical Marijuana Growing Operation" is the cultivation of medical marijuana, including harvesting and drying the plant for the purposes of possessing, manufacturing, selling, or consuming in the accordance with the Medical Marijuana Act.**

2. **"Medical Marijuana Manufacturing" is the process of rendering a cannabis plant into a product that can be consumed for medicinal purposes pursuant to the Medical Marijuana Act.**

3. **"Medical Marijuana Retail Business" is a commercial operation that sells medical marijuana products for medical purposes in accordance with the Medical Marijuana Act.**

"Modular home" means a dwelling unit constructed in accordance with the standards required under state and/or federal building codes applicable to site-built homes, and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation.

"Motel" means a group of attached or detached buildings containing individual sleeping units where a majority of such units open individually and directly to the outside, and where a garage is attached to or a parking space is conveniently located at each unit, all for the temporary use by automobile tourist or transient, and such word shall include tourist courts, motor courts, automobile courts and motor lodges.

"Motor vehicle parts salvage yard" means the use of not more than fifty (50) percent of the premises of a motor vehicle repair garage or motor vehicle body repair shop for the storage of motor vehicles for dismantling and sale of used parts thereof.

[...].

Chapter 17.48

CBD CENTRAL BUSINESS DISTRICT

Sections:

- 17.48.010 Intent.**
- 17.48.020 Permitted uses.**
- 17.48.030 Lot area and width.**
- 17.48.040 Lot coverage.**
- 17.48.050 Yards.**
- 17.48.060 Building height.**
- 17.48.070 Off-street parking.**
- 17.48.080 Off-street loading.**
- 17.48.090 Permitted conditional uses.**

17.48.010 Intent.

The intent of this district is to provide a central area for the community's business, government, service and cultural activities. Uses within this district should be appropriate to such a focal center within appropriate uses being excluded. Room should be provided in appropriate areas for logical and planned expansion of the present district. (Ord. 298 § 1 (part) (11.02.121), 1997)

17.48.020 Permitted uses.

1. Antique shops;
2. Apartments, located above the first floor;
3. Art and music supply stores;
4. Automobile repair;
5. Bakeries;
6. Barber and beauty shops;
7. Bars, taverns and cocktail lounges;
8. Bowling alleys;
9. Car dealers;
10. Child care facilities;
11. Churches;
12. Clinics;
13. Community residential facilities;
14. Equipment sales and services;
15. Financial institutions;
16. Food and drug stores;
17. Furniture stores;
18. Gasoline service stations;
19. Gift shops;
20. Hardware stores;
21. Hotels;
22. Insurance agencies;
23. Jewelry stores;

24. Laundries and drycleaning establishments;
25. Liquor stores;
26. Meeting and lodge halls;
27. Mortuaries;
28. Museums, libraries and galleries;
29. Newspaper office;
30. Office supplies;
31. Open space;
32. Pawn shops;
33. Pet shops;
34. Post offices;
35. Printing offices;
36. Private and public schools;
37. Professional and business offices;
38. Public utilities;
39. Real estate offices;
40. Research and development institutions;
41. Repair services;
42. Restaurants, cafes and drive-in eating places;
43. Retail sales;
44. Second hand stores;
45. Senior citizen centers;
46. Sporting goods stores;
47. Temporary buildings for and during construction only (not to exceed one year);
48. Theaters, except drive-ins;
49. Uses customarily accessory to those listed;
50. Vehicle sales, showrooms and service areas;
51. Wholesale outlets. (Ord. 298 § 1 (part) (11.02.122), 1997)

17.48.030 Lot area and width.

No minimum lot area or width is prescribed. (Ord. 298 § 1 (part) (11.02.123), 1997)

17.48.040 Lot coverage.

Buildings may cover the entire lot provided other requirements are met. (Ord. 298 § 1 (part) (11.02.124), 1997)

17.48.050 Yards.

No minimum yards are prescribed. (Ord. 298 § 1 (part) (11.02.125), 1997)

17.48.060 Building height.

Maximum building height in this district shall be forty-eight (48) feet. (Ord. 298 § 1 (part) (11.02.126), 1997)

17.48.070 Off-street parking.

Off-street parking shall be provided in accordance with Chapter 17.92, except uses in existing structures may change from one permitted use to another without providing additional parking. (Ord. 298 § 1 (part) (11.02.127), 1997)

17.48.080 Off-street loading.

Off-street loading shall be provided in accordance with Chapter 17.92. (Ord. 298 § 1 (part) (11.02.128), 1997)

17.48.090 Permitted conditional uses.

The following uses may be permitted as conditional uses in the CBD central business district:

1. Amusement and recreation activities;
2. Apartment buildings;
3. Auction rooms;
4. Drive-in banks;
5. **Medical Marijuana Businesses.**
 - a. **Not to be located within five hundred (500) feet of the following uses:**
 - i. **Churches,**
 - ii. **Schools, public or private,**
 - iii. **Residential uses,**
 - iv. **Establishments that serve liquor for consumption on site;**
6. Other business or commercial uses in addition to those permitted uses;
7. Parking lots;
8. Temporary uses;
9. Transportation stations;
10. Replacement mobile homes that are larger in length, width or floor area than the existing nonconforming mobile home that they are replacing. (Ord. 307 §5, 1999; Ord. 298 § 1 (part) (11.02.129), 1997)

Chapter 17.56

LI LIGHT INDUSTRIAL DISTRICT

Sections:

- 17.56.010 Intent.**
- 17.56.020 Permitted uses.**
- 17.56.030 Lot area and width.**
- 17.56.040 Lot coverage.**
- 17.56.050 Yards.**
- 17.56.060 Building height.**
- 17.56.070 Off-street parking.**
- 17.56.080 Off-street loading.**
- 17.56.090 Permitted conditional uses.**

17.56.010 Intent.

The intent of this district is to provide for the community's needs for wholesale trade, storage and warehousing, trucking and transportation terminals, light manufacturing and similar activities. This district should be oriented to major transportation facilities, yet arranged to minimize adverse effects on residential developments; therefore, some type of screening may be necessary. Residences shall not be permitted in this district. (Ord. 298 § 1 (part) (11.02.141), 1997)

17.56.020 Permitted uses.

1. Accessory uses;
2. Automobile body shops;
3. Building materials sales;
4. Building contractors' establishments;
5. Cabinet shops;
6. Ceramic shops;
7. Enclosed warehousing;
8. Flour and feed mills;
9. Food processing plants;
10. Gasoline service stations;
11. Grain elevators;
12. Grain houses;
13. Implement sales;
14. Machine shops;
15. Manufacturing of consumer goods;
16. Open space;
17. Outside storage if accessory to permitted use and if screened from the street;
18. Paint shops;
19. Printing shops;
20. Professional and business offices;
21. Public buildings and uses;
22. Repair and service establishments for consumer goods;
23. Sign shops;
24. Storage buildings;
25. Taxidermy;
26. Temporary buildings for and during construction (not to exceed one year);
27. Truck and rail terminal facilities;
28. Truck washing facilities;
29. Vehicle sales, showrooms and service areas;
30. Welding shops;
31. Woodworking shops. (Ord. 298 § 1 (part) (11.02.142), 1997)

17.56.030 Lot area and width.

Lot area for this district shall not be less than seven thousand five hundred (7,500) square feet and no lot width shall be less than seventy-five (75) feet. (Ord. 298 § 1 (part) (11.02.143), 1997)

17.56.040 Lot coverage.

The entire lot, exclusive of required yards and parking, may be occupied by the principal and accessory buildings. (Ord. 298 § 1 (part) (11.02.144), 1997)

17.56.050 Yards.

Every lot shall have the following minimum yards:

- Front yard 20 feet
- Rear yard None*
- Side yards None*

*When a lot is adjacent or faces upon another district, the yards shall meet the requirements of the adjoining district on that side. When a lot abuts a street or alley on either side or the rear, a yard of at least ten feet shall be provided on the street or alley side. (Ord. 298 § 1 (part) (11.02.145), 1997)

17.56.060 Building height.

Maximum building height in this district shall be forty-eight (48) feet. (Ord. 298 § 1 (part) (11.02.146), 1997)

17.56.070 Off-street parking.

Off-street parking shall be provided in accordance with Chapter 17.92. (Ord. 298 § 1 (part) (11.02.147), 1997)

17.56.080 Off-street loading.

Off-street loading shall be provided in accordance with Chapter 17.92. (Ord. 298 § 1 (part) (11.02.148), 1997)

17.56.090 Permitted conditional uses.

The following uses may be permitted as conditional uses in the LI light industrial district:

1. Adult Entertainment.
 - a. Not to be located within three hundred (300) feet of the following uses:
 - i. Churches,
 - ii. Schools, public or private,
 - iii. Residential uses,
 - iv. Establishments which sell liquor for consumption on site;
2. **Medical Marijuana Businesses.**
 - a. **Not to be located within three hundred (300) feet of the following uses:**
 - i. **Churches,**
 - ii. **Schools, public or private,**
 - iii. **Residential uses,**
 - iv. **Establishments which sell liquor for consumption on site;**
3. Open storage (if screened);
4. One residence for owner or caretaker;
5. Other light industrial uses in addition to those permitted uses;
6. Relocated buildings;
7. Retail establishments;
8. Temporary uses;

9. Replacement mobile homes that are larger in length, width or floor area than the existing nonconforming mobile home that they are replacing. (Ord. 307 § 7, 1999; Ord. 298 § 1 (part) (11.02.149), 1997)

Chapter 17.60

HI HEAVY INDUSTRIAL DISTRICT

Sections:

- 17.60.010 Intent.**
- 17.60.020 Permitted uses.**
- 17.60.030 Lot area and width.**
- 17.60.040 Lot coverage.**
- 17.60.050 Yards.**
- 17.60.060 Building height.**
- 17.60.070 Off-street parking.**
- 17.60.080 Off-street loading.**
- 17.60.090 Permitted conditional uses.**

17.60.010 Intent.

The intent of this district is to provide for heavy manufacturing and industrial uses, serving vocational and employment needs of Columbus area residents. (Ord. 298 § 1 (part) (11.02.150), 1997)

17.60.020 Permitted uses.

No use shall be permitted which causes excessive noise, vibration, smoke, dust, or other particulate matter, toxic or noxious matter, humidity, heat or glare which extends beyond the lot boundaries of the specific use. "Excessive" is defined for these purposes as a degree that could be observed and agreed upon by the majority of the town council and determined to be offensive or a degree deemed by the State Health Department to be injurious to the public health, safety or welfare of the residents of the area.

1. Accessory uses clearly subordinate to, but integral to the primary use of the property;
2. Automobile body shops;
3. Building materials assembly, manufacture and sales;
4. Building contractors establishments;
5. Cabinet shops;
6. Cement plants;
7. Construction contractors;
8. Enclosed warehousing;
9. Flour and feed mills;
10. Food processing plants;
11. Gasoline service stations;
12. Grain elevators;

13. Greenhouses;
14. Implement sales;
15. Machine shops;
16. Manufacturing of consumer goods;
17. Open space;
18. Outside storage if accessory to permitted use and if screened from the street;
19. Paint shops;
20. Precious metals smelting and refining;
21. Printing shops;
22. Professional and business offices;
23. Public buildings and uses;
24. Repair and service establishments for consumer goods;
25. Sign shops;
26. Temporary buildings for and during construction only (not to exceed one year);
27. Truck and rail terminal facilities;
28. Truck service and fueling facilities;
29. Truck washing facilities;
30. Vehicle sales, showrooms and service areas. (Ord. 298 § 1 (part) (11.02.151), 1997)

17.60.030 Lot area and width.

Lot area for this district shall not be less than seven thousand five hundred (7,500) square feet and no lot width shall be less than seventy-five (75) feet. (Ord. 298 § 1 (part) (11.02.152), 1997)

17.60.040 Lot coverage.

The entire lot, exclusive of required yards and parking, may be occupied by the principal and accessory buildings. (Ord. 298 § 1 (part) (11.02.153), 1997)

17.60.050 Yards.

Every lot shall have the following minimum yards:

Front yard	20 feet
Rear yard	None*
Side yards	None*

*When a lot is adjacent or faces upon another district, the yards shall meet the requirements of the adjoining district on that side. When a lot abuts a street or alley on either side or the rear, a yard of at least fifteen (15) feet shall be provided on the street or alley side. (Ord. 298 § 1 (part) (11.02.154), 1997)

17.60.060 Building height.

Maximum building height in this district shall be seventy (70) feet and one hundred (100) feet for accessory structures provided they are not in conflict with the airport zone. (Ord. 298 § 1 (part) (11.02.155), 1997)

17.60.070 Off-street parking.

Off-street parking shall be provided in accordance with Chapter 17.92. (Ord. 298 § 1 (part) (11.02.156), 1997)

17.60.080 Off-street loading.

Off-street loading shall be provided in accordance with Chapter 17.92. (Ord. 298 § 1 (part) (11.02.157), 1997)

17.60.090 Permitted conditional uses.

The following uses may be permitted as conditional uses in the HI heavy industrial district:

1. Adult Entertainment.
 - a. Not to be located within three hundred (300) feet of the following uses:
 - i. Churches,
 - ii. Schools, public or private,
 - iii. Residential uses,
 - iv. Establishments which sell liquor for consumption on site;
2. Automobile and motor vehicle salvage yards;
3. Commercial kennels;
4. **Medical Marijuana Businesses.**
 - a. **Not to be located within three hundred (300) feet of the following uses:**
 - i. **Churches,**
 - ii. **Schools, public or private,**
 - iii. **Residential uses,**
 - iv. **Establishments which sell liquor for consumption on site;**
5. Other heavy industrial uses in addition to those permitted uses;
6. Relocated buildings;
7. Salvage yards;
8. Replacement mobile homes that are larger in length, width or floor area than the existing nonconforming mobile home that they are replacing.

Note: A conditional use permit is also required for any use change proposed within the Superfund overlay district of this zone. (Ord. 307 § 8, 1999; Ord. 298 § 1 (part) (11.02.159), 1997)

Option Three: Somewhat Restrict

The City-County Planning Board may recommend that the Town Council only somewhat restrict medical marijuana businesses within the Town Limits of Columbus.

Pros:

1. Would allow a growing industry to operate within the Town of Columbus with restrictions typical of other industries.

Cons:

1. Would allow medical marijuana businesses to be fairly visible and common, which may not be acceptable to a majority of residents in the Town of Columbus.
2. The 2011 State Legislature may restrict medical marijuana businesses beyond what this option would propose, thereby potentially rendering this option obsolete within a year.

Recommended Changes to Existing Town of Columbus Zoning Code:

Chapter 17.08

DEFINITIONS

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Manufactured Homes.

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2. "Manufactured homes (Type 2)" means a single-family dwelling, built on a chassis off-site in a factory on or after June 15, 1976, that is placed on a foundation and anchored, the pitch of the roof has a minimum vertical rise of one foot for each four feet of horizontal run; and the roof is finished with a type of shingle that is commonly used in standard residential construction; has siding materials that are customarily used on site-built homes; the tongue, axles, transporting lights, and towing apparatus are removed after placement on the lot and before occupancy; and is in compliance with the applicable standards of the United States Department of Housing and Urban Development at the time of its production. All Type 2 manufactured homes are required to have a HUD sticker on the structure.

3. "Manufactured homes (Type 3)" means a factory assembled mobile structure equipped with the necessary connections and made so as to be readily movable as a unit or units on its own running gear, designated to be used as a single-family dwelling unit without a permanent foundation and exceeds twenty-five (25) feet in length, exclusive of trailer hitch, and does not meet the definitional criteria of a Type 1 or Type 2 manufactured home.

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"Master plan" means and includes any document or portion of any document duly adopted by the town council and/or county commissioners which is intended to guide the growth and development of the area as authorized under the provisions of 76-1-601 to 76-1-606, MCA.

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Chapter 17.48

CBD CENTRAL BUSINESS DISTRICT

Sections:

- 17.48.010 Intent.**
- 17.48.020 Permitted uses.**
- 17.48.030 Lot area and width.**
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8. Bowling alleys;
9. Car dealers;
10. Child care facilities;
11. Churches;
12. Clinics;
13. Community residential facilities;
14. Equipment sales and services;
15. Financial institutions;
16. Food and drug stores;
17. Furniture stores;
18. Gasoline service stations;
19. Gift shops;
20. Hardware stores;
21. Hotels;
22. Insurance agencies;
23. Jewelry stores;

24. Laundries and drycleaning establishments;
25. Liquor stores;
26. **Medical Marijuana Businesses;**
27. Meeting and lodge halls;
28. Mortuaries;
29. Museums, libraries and galleries;
30. Newspaper office;
31. Office supplies;
32. Open space;
33. Pawn shops;
34. Pet shops;
35. Post offices;
36. Printing offices;
37. Private and public schools;
38. Professional and business offices;
39. Public utilities;
40. Real estate offices;
41. Research and development institutions;
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49. Theaters, except drive-ins;
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51. Vehicle sales, showrooms and service areas;
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17.48.030 Lot area and width.

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Off-street parking shall be provided in accordance with Chapter 17.92, except uses in existing structures may change from one permitted use to another without providing additional parking. (Ord. 298 § 1 (part) (11.02.127), 1997)

17.48.080 Off-street loading.

Off-street loading shall be provided in accordance with Chapter 17.92. (Ord. 298 § 1 (part) (11.02.128), 1997)

17.48.090 Permitted conditional uses.

The following uses may be permitted as conditional uses in the CBD central business district:

1. Amusement and recreation activities;
2. Apartment buildings;
3. Auction rooms;
4. Drive-in banks;
5. Other business or commercial uses in addition to those permitted uses;
6. Parking lots;
7. Temporary uses;
8. Transportation stations;
9. Replacement mobile homes that are larger in length, width or floor area than the existing nonconforming mobile home that they are replacing. (Ord. 307 §5, 1999; Ord. 298 § 1 (part) (11.02.129), 1997)

Chapter 17.52

HC HIGHWAY COMMERCIAL DISTRICT

Sections:

17.52.010 Intent.

17.52.020 Permitted uses.

17.52.030 Lot area and width.

17.52.040 Lot coverage.

17.52.050 Yards.

17.52.060 Building height.

17.52.070 Off-street parking.

17.52.080 Off-street loading.

17.52.090 Permitted conditional uses.

17.52.010 Intent.

The intent of this district is to provide for a broad range of retail and service functions especially those needing orientation to major thoroughfares. (Ord. 298 § 1 (part) (11.02.131), 1997)

17.52.020 Permitted uses.

1. Antique shops;

2. Art and music supply stores;
3. Automobile repair;
4. Barber and beauty shops;
5. Bars, taverns and cocktail lounges;
6. Bowling alleys;
7. Building supply;
8. Cabinet shops, woodworking;
9. Car washes;
10. Child care facilities;
11. Clinics;
12. Community residential facilities;
13. Equipment sales and services;
14. Financial institutions;
15. Flower shops;
16. Food and drug stores;
17. Frozen food storage and locker rental;
18. Furniture stores;
19. Gasoline service stations;
20. Gift shops;
21. Greenhouses;
22. Hardware stores;
23. Hotels, motels and guest cabins;
24. Insurance agencies;
25. Landscaping, nurseries;
26. Laundries and drycleaning establishments;
27. Liquor stores;
28. **Medical marijuana businesses;**
29. Mortuaries;
30. Nursing homes;
31. Open space;
32. Outside storage if accessory to permitted use and if screened from the street;
33. Pet Stores;
34. Printing shops;
35. Professional and business offices;
36. Public Buildings and uses;
37. Real Estate Offices;
38. Research and development institutions;
39. Restaurants, cafes, and drive-in eating places;
40. Secondhand Stores;
41. Shopping centers;
42. Sporting goods stores;
43. Storage Buildings;
44. Temporary commercial or special uses;
45. Theaters;
46. Townhouses and condominiums;
47. Uses customarily accessory to those listed;

- 48. Vehicle sales, showrooms and service areas;
- 49. Veterinary clinics, small animal hospitals;
- 50. Wholesale outlets.

(Ord. 298 § 1 (part) (11.02.132), 1997)

17.52.030 Lot area and width.

Lot area for this district shall not be less than seven thousand five hundred (7,500) square feet and no lot width shall be less than seventy-five (75) feet.

17.52.040 Lot coverage.

The entire lot, exclusive of required yards and parking, may be occupied by the principal and accessory buildings. (Ord. 298 § 1 (part) (11.02.134), 1997)

17.52.050 Yards.

Every lot shall have the following minimum yards:

- Front yard 25 feet
- Rear yard 10 feet
- Side yards 8 feet each side

Where an individual owns two adjoining lots or where the owners of two adjoining lots make legal written agreement, a zero lot line may be used for commercial buildings in the HC highway commercial zone, but only so as to create a zero lot line on one side of any lot. (Ord. 298 § 1 (part) (11.02.135), 1997)

17.52.060 Building height.

Maximum building height in this district shall be thirty-two (32) feet. (Ord. 298 § 1 (part) (11.02.136), 1997)

17.52.070 Off-street parking.

Off-street parking shall be provided in accordance with Chapter 17.92. (Ord. 298 § 1 (part) (11.02.137), 1997)

17.52.080 Off-street loading.

Off-street loading shall be provided in accordance with Chapter 17.92. (Ord. 298 § 1 (part) (11.02.138), 1997)

17.52.090 Permitted conditional uses.

The following uses may be permitted as conditional uses in the HC highway commercial district:

- 1. Amusement and recreational activities;
- 2. Apartment buildings;
- 3. Caretaker's residence;
- 4. Churches;
- 5. Enclosed warehousing;
- 6. Laboratories;
- 7. Other business or commercial uses in addition to those permitted uses;

8. Parking lots;
9. Planned unit developments;
10. Recreational vehicle parks;
11. Relocated buildings;
12. Temporary uses;
13. Townhouses;
14. Truck stop;
15. Replacement mobile homes that are larger in length, width or floor area than the existing nonconforming mobile home that they are replacing. (Ord. 307 § 6, 1999; Ord. 298 § 1 (part) (11.02.139), 1997)