

Development Code Amendments

As of February 12, 2018

Amendment #	Article/Page	Summary Text	Proposed By	Date
	2-31	Standards for residential dwellings in Main St. District	Staff	1/8/2018
	2-50	Standards for personal warehouse in residential district	Staff	1/8/2018
	2-52	Correct Flood Plain base elevations	Staff	1/8/2018
	2-61	Insert Historic District overlay map	Staff	1/8/2018
	2-63	Insert Main St. District overlay map	Staff	1/8/2018
	2-46	Allow detached ADU to be up to 40-80% of primary dwelling depending on lot size; but still cannot exceed 800 sf floor area.	Burke	1/17/2018
	4-8	Expand public notice requirement for Type II Administrative Review with Notice. Includes publication on borough web/newspaper	Staff	1/18/2018
	2-28	Expand definition of artisanal use to include woodworking and welding. The use would still be limited to use that is blended with retail use, in other words, the manufactured products are destined for on-site retail sale.	Gilliland	1/28/2018
	2-34-38	Limit Home Occupation to 400 sf. Variance required to exceed.	Kensinger	2/6/2018
	2-18	Maintain 10' side yard setback in Medium Density Residential	Bunge	2/6/2018
	2-51/52	Market Gardens in Commercial District	Koppes	2/6/2018
	2-51/52	Market Gardens in Rural Residential District	Fry	2/6/2018
		ZONING MAP AMENDMENTS		
		Extend Commercial zoning through Hammer Slough Historic District	Grundberg	2/6/2018
		Maintain Industrial Zoning on Lyons Rd.	Etcher	2/6/2018

2.3.090 Dwellings in Main Street District Overlay

A. Purpose. This section provides standards for residential uses in the Main Street District Overlay.

B. Applicability. This section applies to new dwellings in the Main Street District Overlay.

C. Standards. Residential uses in the Main Street District Overlay shall conform to all of the following standards:

1. New residential uses shall not be located in a ground building floor space fronting the Main Street District Overlay, ~~specifically those portions of N. Nordic Dr. north of Haugen Dr to Balder St.; Harbor Way; Chief John Lott St.; Sing Lee Alley; portions of Gjoa St., Fram St., Excel St., Dolphin St., west of N. Nordic Dr.~~
2. New residential uses shall be permitted only above or below a ground floor space containing an allowed non-residential use in the Main Street District Overlay.
3. Single-family dwellings lawfully existing as of July 1, 2018 may continue as permitted uses; and in the event of involuntary damage or destruction due to fire or other event beyond the owner's control, such single-family use may be rebuilt and reestablished pursuant to Section 2.2.030 and applicable building codes.

[2.3.230 *Vacation Rental Dwelling*] — RESERVED

2.3.240 Personal Warehouse in Residential District

Personal warehouse in a residential district is considered an accessory use and is allowed once the primary use, a residential dwelling, is established. The use is subject to review and approval through a Type I procedure, pursuant to Section 4.1.030, and shall conform to all of the following standards:

A. One Unit. A maximum of one personal warehouse is allowed per residential dwelling and per lot.

B. Accessory Use. The use must be accessory to an established residential use.

C. Floor Area. A personal warehouse shall not exceed XXX square feet of floor area or XX% of the residential use.

D. Utilities. Water and Sanitary Sewer facilities may be provided, pursuant to section 3.6.

2.4 – Overlay Zone

2.4.030 Floodplain Management Zone

A. Applicability. This chapter shall apply to all areas of special flood hazards within the jurisdiction of the borough.

B. Purpose. It is the purpose of this chapter to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

1. To protect human life and health;
2. To minimize expenditure of public money and costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, and bridges located in areas of special flood hazard;
6. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
7. To ensure that potential buyers are notified that property is in an area of special flood hazard; and,
8. To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

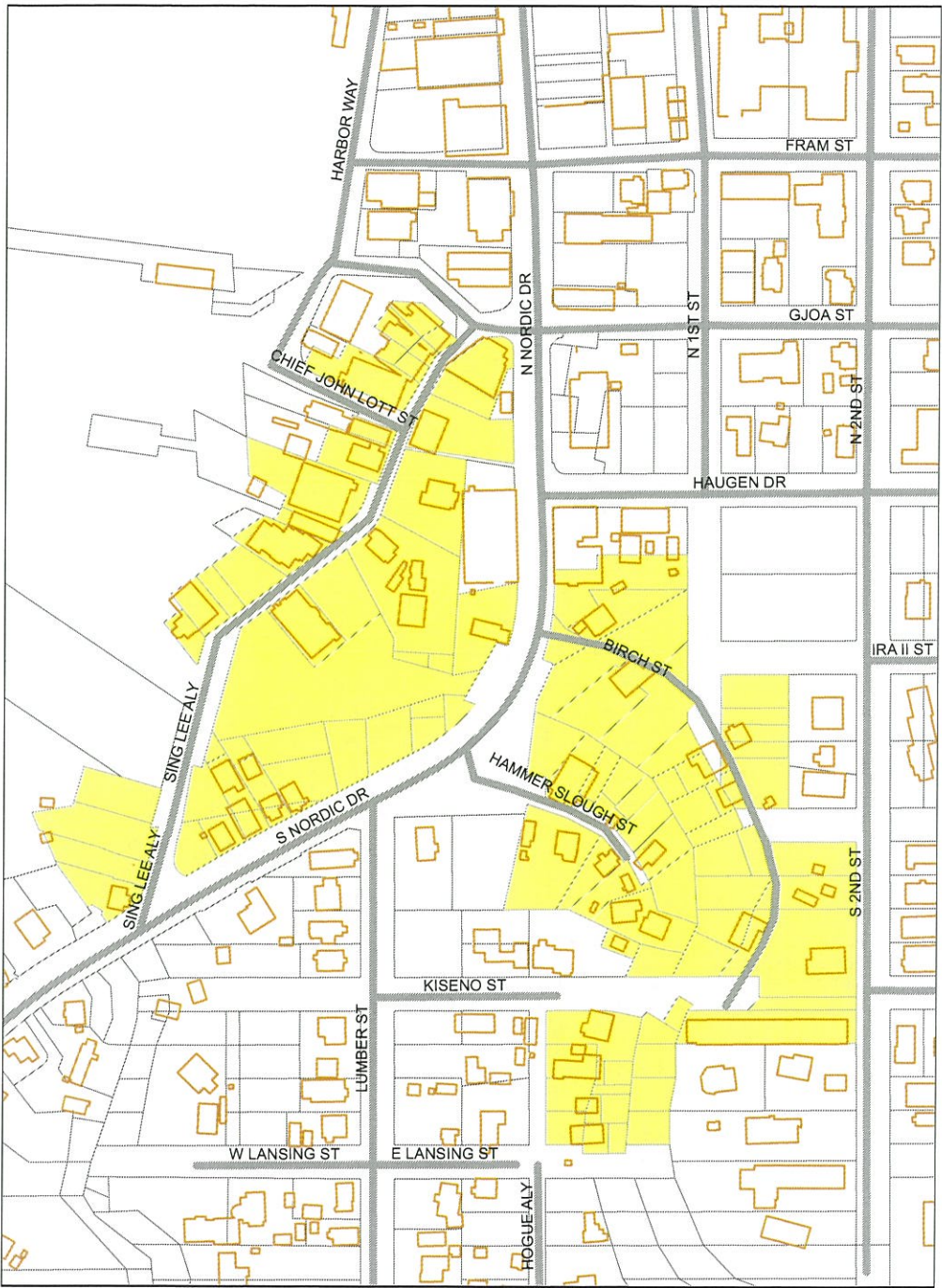
C. Methods of reducing flood losses.

In order to accomplish its purposes, this chapter includes methods and provisions for:

1. Restricting or prohibiting uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
2. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
3. Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
4. Controlling filling, grading, dredging, and other development which may increase flood damage; and
5. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or may increase flood hazards in other areas.

D. Basis for establishing the areas of special flood hazards. The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for the City of Petersburg, Alaska," dated November 3, 1981, and the flood insurance rate maps, effective date May 3, 1982, and identified as Panels 020074—0001—0016; 020074—0001 B; 020074—0002 B; 020074—0003 B; 020074—0006 B; and 020074—0010 B, are adopted by reference and declared to be a part of this chapter. The flood insurance studies shall be on file with the building-planning department of the borough, except that the base flood elevation in zones A-4 and V-4 on panel 020074—0001 B shall be twenty-five feet rather than twenty-seven feet; the base flood elevation in Zones A-4 and V-4 on panel 020074—0002 B shall be twenty-three feet rather than twenty-four feet; and, the base flood elevation in Zones A-2 and V-2 on panel 020074-0002 B shall be twenty-three feet rather than twenty-four feet.

E. Penalties for noncompliance. No structure or land shall hereafter be constructed, located, extended, converted or altered without full compliance with the terms of this chapter and other applicable regulations.



Petersburg Downtown Historic District Map



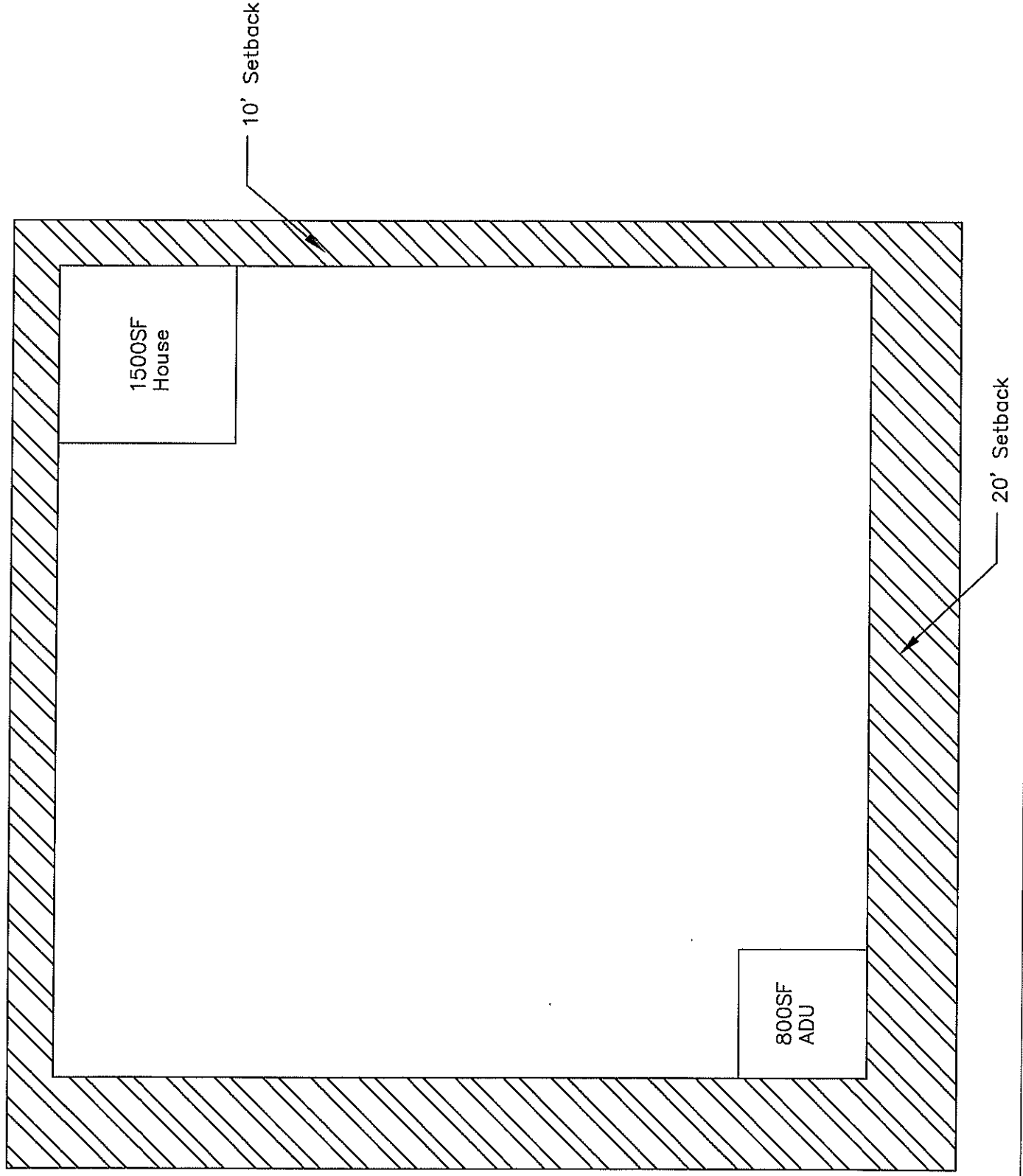
Main Street District Overlay

2.3 – Special Use Standards | Accessory Dwellings

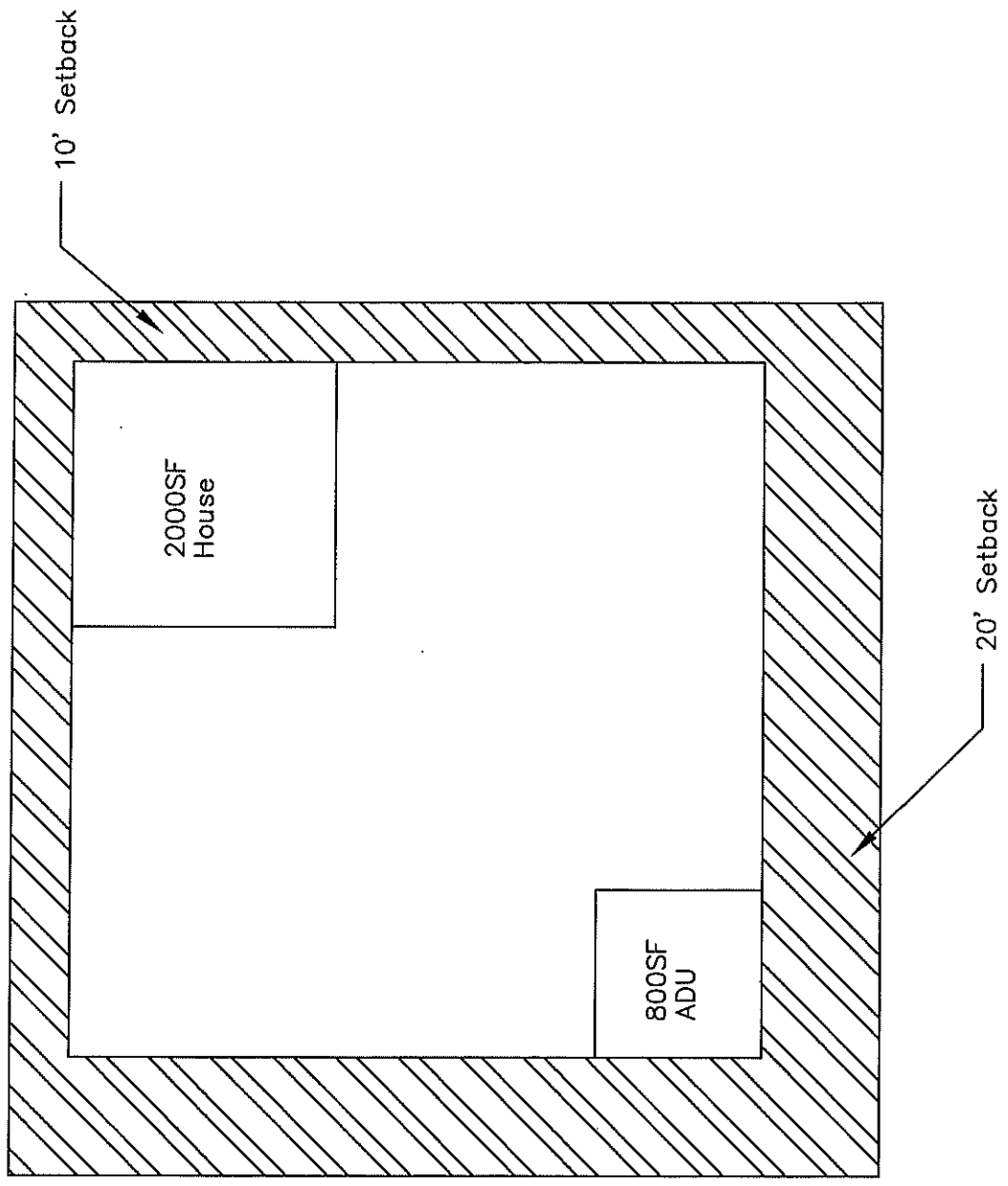
2.3.170 Accessory Dwellings. Accessory dwellings, where allowed, are subject to site development review and approval through a Type I procedure, pursuant to Section 4.1.030, and shall conform to all of the following standards:

- A. One Unit.** A maximum of one Accessory Dwelling unit is allowed per legal lot. No more than two dwellings per legal lot, including an accessory dwelling, are allowed in the RL and RM districts.
- B. Floor Area.** ~~A detached Accessory Dwelling unit shall not exceed 800 square feet of floor area, or 40 percent of the primary dwelling unit's floor area, whichever is smaller. A detached Accessory Dwelling unit shall not exceed 800 square feet of floor area, or the percentage of the primary dwelling unit's floor area, whichever is smaller, as follows: 40% of the primary dwelling units floor area on lots 0.5 Acres or less, 60% on lots 1 acre or less, and 80% on lots greater than 1 acre.~~ Accessory Dwellings must comply with maximum lot coverage requirements for the district. Notwithstanding Chapter 4.7, lot coverage variances shall not be granted for construction of a detached accessory dwelling unit. The floor area of any garage associated with the primary dwelling is not included in the calculation of maximum floor area.
- C. Lot Size.** The minimum lot size for a lot with an Accessory Dwelling is 5,000 square feet or as required by the district. Notwithstanding section Chapter 4.7, lot size variances shall not be granted for construction of a detached accessory dwelling.
- D. Location on Lot.** A detached accessory dwelling unit shall be either a minimum of 40' from the front property line or no closer to the front property line than the primary dwelling while still meeting setback requirements for the district.
- E. Building Design.** The Accessory Dwelling shall be constructed of materials that are the same or similar to the materials used on the primary dwelling.
- F. Building Height.** The height of a detached accessory dwelling shall not exceed the height of the primary dwelling.
- G. Utilities.** Sharing utilities with the primary dwelling is subject to approval of utility provider.
- H. Parking.** A minimum of two off-street parking spaces are required, total, for a site containing an Accessory Dwelling unit.
- I. Yard setback requirements.** An Accessory Dwellings must comply with yard setback requirements for the district. Notwithstanding Chapter 4.7, setback variances shall not be granted for construction of a detached accessory dwelling.
- J. Screening and Buffering.** The planning official may require a landscape hedge or fence be installed on the property line separating a detached accessory dwelling from an abutting lot containing a single-family dwelling for the purposes of visual screening and privacy between uses. Screening and buffering shall conform to the standards of Chapter 3.4.

1 Acre Corner Lot



1/2 Acre Corner Lot



4.1 – General Review Procedures

of another agency to respond with written comments on a pending application shall not invalidate an action or permit approval made by the borough under this code.

- d. The failure of any person to receive any notice under this section where the records of the borough indicate notice was provided in a timely and proper manner, shall not affect the validity of any proceeding under this section.

e. At least 7 days before the decision date, the borough shall publish notice of a proposed administrative decision on the borough website, and/or have said notice published in a newspaper with local circulation.

- 3. The notice of pending Administrative Decision, at a minimum, shall contain all of the following information:
 - a. The deadline for submitting written comments, which must be at least 14 days prior to the scheduled decision date or, as applicable, the scheduled planning commission meeting date where an application is referred to the commission for review;
 - b. A summary of the proposal and the relevant approval criteria in sufficient detail to help the public identify and locate applicable code requirements;
 - c. The address and borough contact person for submitting written comments; and the date, time, and location the borough planning official or planning commission, as applicable, is scheduled to make a decision on the application;
 - d. The street address or other easily understandable reference to the location of the proposed use or development;
 - e. Disclosure statement indicating that if any person fails to address the relevant approval criteria with enough detail, he or she may not be able to appeal to the Board of Adjustment or Superior Court on that issue, and that only comments on the relevant approval criteria are considered relevant evidence;
 - f. Statement that all evidence relied upon by the borough planning official or planning commission, as applicable, to make its decision is in the public record and is available for public review. Copies of this evidence can be obtained at a reasonable cost from the borough; and
 - g. Statement that after the comment period closes, the borough will issue its decision and the notice of decision shall be mailed to the applicant, property owner (if different), those who provided written comments on the proposal, and those who requested a copy of the decision.
- 4. At the conclusion of the comment period, the borough planning official shall review the comments received and prepare a decision notice approving, approving with conditions, or denying the application based on the applicable code criteria. Alternatively, the borough planning official may transmit all written

2.3 –Special Use Standards

2.3.030 Review Process

The borough uses the procedures for Site Design Review, under Chapter 4.2, in reviewing proposed uses for compliance with the requirements of Chapter 2.3. All development or uses that do not meet the threshold for Site Design Review are reviewed under Type I procedure.

2.3.040 Artisanal and Light Manufacture Uses

A. Purpose. The following provisions are intended to encourage mixed-use development, including cottage industries and business incubators, by integrating small-scale manufacturing with commercial uses. For the purposes of this section, artisanal uses are those that blend small-scale manufacturing and retail uses such as brewpubs, winery tasting rooms, artist studios, ~~cabinet-makers~~ woodworking, welding and similar uses, on the same site.

B. Applicability. The following standards apply where artisanal and light manufacturing uses are allowed in commercial zones. The standards are applied through Site Design Review or Conditional Use Permit review, as applicable.

C. Standards.

1. Where an artisanal or light manufacturing use is allowed in a commercial zone, it shall be permitted only in conjunction with a primary commercial use and shall not exceed the floor area of the primary commercial use.
2. Where an artisanal or light manufacturing use is allowed in a commercial zone, it shall be wholly enclosed in a building, unless unenclosed operations are authorized by a Conditional Use Permit.
3. Where an artisanal or light manufacturing use is allowed in a commercial zone and the subject site is located within 100 feet of a residential zone, the Planning Official or Planning Commission may limit the hours of operation of the commercial or industrial uses to between 7:00 a.m. and 9:00 p.m. where it has identified concerns about noise, parking, or other impacts related to the use.

2.3.050 Drive-Through Service

Drive-through service uses shall comply with the design standards of Section 3.2.060.

2.3 – Special Use Standards

2.3.120 Home Occupations

A. Purpose. The purpose of the Home Occupation permit is to provide recognition of the needs or desires of many people to engage in small scale business ventures at home. It is also recognized that such uses, if not carefully regulated, may be incompatible with the purposes of Residential districts. It is the intent of this section that these uses be allowed so long as they are not in violation of the terms of this section and do not alter the residential character of the neighborhood, infringe upon the right of neighboring residents to the peaceful enjoyment of their neighborhood homes, or otherwise be detrimental to the community at large.

B. Applicability. The provisions of this section apply to all home occupations as defined in Chapter 5 of this Code, except for the following situations:

1. Garage, Yard, or Estate sales from the site that occur for no more than three (3) consecutive days on not more than two (2) occasions during a calendar year.
2. ~~Food Production, see Section 2.3.050. Production of produce or other vegetative agricultural products grown on the premises. The temporary or seasonal sale of produce or other vegetative agricultural products grown on the premises.~~
3. Bed and Breakfast Inns, see Section 2.3.180
4. Child Care Homes and Child Care Facilities, see Section 2.3.100
5. Prohibited home occupation uses are:
 - a. Any use not conducted within a wholly enclosed building.
 - b. Automotive, boat services, Major.
 - c. Automotive, boat services, Minor.
 - d. Junk and Salvage Operations.
 - e. Storage or sale of fireworks.
 - f. Any use that consists of the manufacturing, processing, generation, or storage of materials that constitute a fire, explosion, or health hazard as defined by the Building Code, Fire Code, or both.

C. Application. There are two (2) Home Occupation applications which are as follows: Home Occupation One and Home Occupation Two.

I. Home Occupation One.

- a. Threshold. An application for Home Occupation One shall be required when one or more of the following thresholds apply:
 - i. A home occupation is proposed where no outside customers or employees visit the premises.
- b. Procedure Type. A Home Occupation One application shall be reviewed and approved using a Type I procedure, as described in Section 4.1.020 of this Code.
- c. Approval Criteria. In order to approve a Home Occupation One application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
 - I. The proposal satisfies the threshold requirements for a Home Occupation One application.

- II. All application fees related to the application under consideration have been submitted.
- III. The proposal contains all applicable application submittal requirements as specified in Section 4.1.020 of this Code.
- IV. There are no outside volunteers or employees who do not reside on the premises.
- V. No clients or customers of the proposed home occupation visit the premises for a reason related to the home occupation.
- VI. There will be no exterior alteration to the residence.
- VII. The home occupation shall not require more than one (1) trip per day for delivery or pick up per day to the residence between the hours of 8:00 a.m. and 6:00 p.m. There shall be no deliveries between the hours of 6:00 p.m. and 8:00 a.m.
- VIII. The home occupation is being undertaken only by an occupant of the residence.
- IX. The proposed home occupation is participating in and is consistent with the borough's Sales Tax Registration requirements and other agency licenses as appropriate to the proposed use.
- X. The on-site operation of the proposed home occupation shall be conducted entirely within the dwelling, a conforming accessory structure, or both. No exterior storage of materials or equipment will occur on the premises.
- XI. The proposed home occupation will not change the use classification of the dwelling unit or accessory structure, as determined by the Building Official applying the adopted Building Code.
- XII. The proposed home occupation and associated storage of materials and products shall not occupy more than ~~400 525~~ gross square feet of floor area.
- XIII. The subject property will continue to be used and maintained as a residence and will conform to all requirements of this and other borough codes as they pertain to residential property.
- XIV. The home occupation, including deliveries from other businesses, does not include the use of tractor trailers, fork lifts, or similar heavy equipment.
- XV. There will be no noise, vibration, smoke, dust, odors, heat or glare at or beyond the property line resulting from the operation of the home occupation.
- XVI. There will be no exterior storage of vehicles of any kind used for the business except that one (1) commercially licensed vehicle, which is not larger than a 3/4 ton pick-up, passenger van, or other vehicle of similar size, may be parked outside on the subject property.
- XVII. The proposal will not involve storage or distribution of toxic or flammable materials, spray painting or spray finishing operations, or similar activities that involve toxic or flammable materials which in the judgment of the Fire Marshall pose a health or safety risk to the residence, its occupants or surrounding properties.
- XVIII. There is no signage associated with the proposed home occupation aside from what is allowed by Chapter 3.7 of the Code.

D. Submission Requirements. An application for a Home Occupation One shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the borough and shall be filed with the Director. The Home Occupation One application shall be accompanied by the information required by the application form.

2.3 – Special Use Standards

E. Conditions of Approval. Conditions on the approval of a Home Occupation One application to ensure compliance with the approval criteria may be applied.

F. Appeal of a Type I Decision. See Section 1.5.010.B.

G. Expiration of a Decision. Home Occupation One permit expires if any one of the following are met:

- I. the privilege is not used within one year of decision granting the permit;
- II. the applicant no longer resides at the permitted location;
- III. any conditions of the home occupation permit are violated;
- IV. the permit was issued based on false or incorrect information; and
- V. five years have passed since the permit was issued.

H. Extension of a Decision. Previous approval of Home Occupation One application shall not be extended without applicant submitting a new application.

2. Home Occupation II.

a. Threshold. An application for Home Occupation II shall be required when one or more of the following thresholds apply:

- i. A home occupation is proposed where outside customers or employees visit the premises.

b. Procedure Type. The Type II procedure, as described in Section 5 of this Code, shall apply to an application for Home Occupation II.

C. Approval Criteria. In order to approve a Home Occupation II application, the planning official shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

- I. The proposal satisfies the threshold requirements for a Home Occupation II application.
- II. All borough application fees related to the application under consideration by the decision making authority have been submitted.
- III. The proposed home occupation shall a maximum of one (1) volunteer or employee who is not a resident on the premises.
- IV. The proposed home occupation shall have no more than 8 daily customers or clients on the premises.
- V. All customer and client visits to the proposed home occupation shall occur only between the hours of 8:00 a.m. and 8:00 p.m.
- VI. If on-site parking is provided, a plan for additional parking may be approved if:
 - a. Not more than a total of 4 on-site parking spaces for the combined residential and home occupation uses are proposed.
 - b. The parking spaces, driveway, street access, landscaping, storm water drainage, and screening comply with this Code and other borough standards.
- VII. The home occupation shall not require more than two (2) trips per day for delivery or pick up to the residence between the hours of 8:00 a.m. and 6:00 p.m. There shall be no deliveries or pick ups between the hours of 6:00 p.m. and 8:00 a.m.
- VIII. The proposed home occupation is being undertaken by an occupant of the residence.

- IX. The proposed home occupation is participating in and is consistent with the borough's business registration requirements.
- X. The on-site operation of the proposed home occupation shall be conducted entirely within the dwelling, a conforming accessory structure, or both. No exterior storage of materials or equipment shall occur on the premises.
- XI. The proposed home occupation will not change the use classification of the dwelling unit or accessory structures as determined by the Building Official applying the adopted Building Code.
- XII. The proposed home occupation and associated storage of materials and products shall not occupy more than ~~400~~ 525 gross square feet of floor area.
- XIII. The subject property will continue to be used and maintained as a residence and will conform to all requirements of this and other borough codes as they pertain to residential property.
- XIV. The home occupation, including deliveries from other businesses, shall not include the use of tractor trailers, forklifts, or similar heavy equipment.
- XV. There shall be no noise, vibration, smoke, dust, odors, heat or glare at or beyond the property line resulting from the operation of the home occupation.
- XVI. There shall be no exterior storage of vehicles of any kind used for the business except that one (1) commercially licensed vehicle, which is not larger than a 3/4 ton pick-up, passenger van, or other vehicle of similar size, may be parked outside on the subject property, provided such parking complies with applicable parking restrictions.
- XVII. The proposal will not involve storage or distribution of toxic or flammable materials, spray painting or spray finishing operations, or similar activities that involve toxic or flammable materials which in the judgment of the Fire Marshall pose a health or safety risk to the residence, its occupants or surrounding properties.
- XVIII. There is no signage associated with the proposed home occupation aside from what is allowed by Chapter 3.7 of the Code.
- XIX. Exterior remodeling will not alter the residential character of the building.
- XX. Excluding required residential parking, adequate off-street parking exists to accommodate vehicular traffic for any employee, customer, or both.
- XXI. The proposal is consistent with all applicable provisions of this Code unless the applicable provisions are subject to an adjustment, planned unit development, or variance which shall be already approved or considered concurrently with the subject proposal.
- XXII. The proposal is consistent with all applicable provisions of this Code and that all improvements, dedications, or both required by the applicable provisions of this Code are provided or can be provided in rough proportion to the identified impact(s) of the proposal.
- XXIII. The proposal contains all applicable application submittal requirements as specified in Section 4.1.030 of this Code.

D. Submission Requirements. An application for a Home Occupation II shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the borough. The Home Occupation II application shall be accompanied by the information required by the application form, and any other information identified through a Pre-Application Conference.

2.3 – Special Use Standards

E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Home Occupation Two application to ensure compliance with the approval criteria.

F. Appeal of a Decision. Refer to Section 4.1.030.D

G. Expiration of a Decision. Home Occupation II permit expires if any one of the following are met:

- I. the privilege is not used within one year of decision granting the permit;
- II. the applicant no longer resides at the permitted location;
- III. any approval criteria of the home occupation permit are violated;
- IV. the permit was issued based on false or incorrect information; or
- V. five years have passed since the permit was issued.

H. Extension of a Decision. Previous approval of Home Occupation II application shall not be extended without applicant submitting a new application.

I. Variance. An applicant seeking a home occupation permit to occupy more than 400 sf is subject to review and approval by Section 4.7.040, Variances.

2.2 – Zoning District Regulations

Single-family, attached			24'	
Table 2.2.040.D – Lot and Development Standards for Residential zones ⁹ (Except as provided by 2.2.040.F through 2.2.080, as modified under Chapter 4.7 Adjustments and Variances, or as approved under Chapter 4.8 Master Planned Developments.)				
STANDARD	RURAL RESIDENTIAL (RR)	RESIDENTIAL LOW-DENSITY (RL)	RESIDENTIAL MEDIUM-DENSITY (RM)	RESIDENTIAL HIGH-DENSITY (RH)
Minimum Lot Width at Building Line				
Multi-Family	-	-	-	30'
Minimum Setbacks				
Front Yard	25'	20'	20'	20'
Rear Yard	25'	20'	10'	20'
Yard on tidelands	0'	0'	0'	0'
Side Yard	20'	10'	5' 10'	10'
Maximum Lot Coverage				
All Lots	25%	35%	40%	75%
Maximum Building Height (See 2.2.080)				
All Lots	30 ft. or 2.5 stories	30' or 3 stories	30' or 3 stories	35' or 3 stories 30' or 3 stories for 1-2 dwelling/lot
Single-family, attached		30' or 2 stories	30' or 2 stories	30'
Fence Height and Non-Building Walls				
Max. Height. – Front Yard				4 ft
Max. Height. – Interior Side				6 ft
Max. Height – Rear Yard				6 ft
Max. Height – Street-Side; or Reverse Frontage Lot (rear) (See Section 3.4.040.)				4 ft
Garages				
		Not to exceed, 2 vehicles for each		Not to exceed, 2 spaces for single-family or duplex; 1 space

2.3.050 Food Production

Add Definition to Article 5, Market Garden. *An establishment where food or ornamental crops are grown on the ground, on a rooftop or inside a building, to be sold or donated.*

A. Purpose. *The purpose of the regulations in this chapter is to increase access to affordable, healthful, food for all. The regulations encourage Market Gardens at a scale that is appropriate to neighborhoods and support small-scale agricultural use of land that is not otherwise developed.*

The regulations ensure that these uses and activities are compatible with the surrounding area by limiting potential negative effects, particularly in residential neighborhoods, and take into consideration neighborhood character, scale, visual impacts, traffic, noise, fumes, and hours of operation.

B. Market Garden Standards.

1. Maximum Area. *Where allowed, the maximum area allowed for a Market Garden is specified in the table below. The planting area of a Market Garden includes the area under cultivation, the area covered by any structures associated with the garden, the compost pile, any off-street parking, or any other area associated with the activities of the garden.*

<u>Type of Market Garden</u>	<u>Permitted Use</u>	<u>Conditional Use</u>	<u>Prohibited Use</u>
<u>Planting Area ≤ 10,000 sf</u>	<u>Rural Residential; Downtown Commercial; General Commercial; Industrial Districts</u>		<u>Waterfront Industrial</u>
<u>Planting Area ≥ 10,000 sf</u>	<u>General Commercial; Industrial Districts</u>	<u>Rural Residential; Downtown Commercial</u>	<u>Waterfront Industrial</u>

C. Sales.

1. On-site sales.

a. Nonresidential Districts. *Where allowed in nonresidential zones, on-site sales are a Retail Sales And Service Use; and the following regulations apply:*

(1) No parking is required in the Downtown Commercial district; and

(2) Exterior display is allowed.

(3) Only food and value-added products made from produce grown on-site, such as jams and pickles, may be sold.

b. Residential Districts. *Where allowed in residential zones, on-site sales are allowed as accessory to the Agriculture use, and the following regulations apply:*

(1) No parking is required;

(2) Exterior display is allowed;

(3) Only food and value-added products made from produce grown on site, such as jams and pickles, may be sold; and

(4) Sales are permitted a maximum of four hours a day, twice a week.

2. Off-site sales. *Off-site sales are not limited by the regulations of this Chapter.*

2.3 – Special Use Standards

D. Operation in residential zones.

1. Where allowed in residential zones, operation may begin at 8 AM and must end at 9 PM. A Market Garden is operating if people are on the site. Automatic equipment functioning, such as sprinklers, is not considered operation.
2. Mechanized equipment similar in scale to that designed for household use shall be permitted. Use of larger mechanized farm equipment is generally prohibited; provided, however, that during the initial preparation of the land heavy equipment may be used to prepare the land between 7:00 a.m. and 7:00 p.m.
3. Any equipment or supplies needed for garden operations shall be enclosed or otherwise screened from the street and any adjacent residential uses.
4. Accessory structures shall comply with all lot development standards, including setback requirements, lot coverage, and Section XXXX, Accessory Structures in Residential Districts.
5. There will be no noise, vibration, smoke, dust, odors, heat or glare at or beyond the property line resulting from the operation.

E. Fences. Fences are regulated by the base zones.

F. Signs. Signs are regulated by Chapter 3.7, Signs.