



Kyle Schlichenmayer <kyle@sterlingcreadvisors.com>

RE: [EXTERNAL] Elysian Sub PUD

1 message

Cromwell, Nicole <CromwellN@billingsmt.gov>

Wed, Nov 22, 2023 at 11:16 AM

To: "Kyle Schlichenmayer, CCIM" <kyle@sterlingcreadvisors.com>

Cc: "Husman, Karen" <husmank@billingsmt.gov>, "Kelly, Hunter" <KellyH@billingsmt.gov>, "Johnson, Tate" <JohnsonT@billingsmt.gov>

Hello Kyle,

The zoning codes for the City and County were archived so Planned Development zones that reference the older zone districts can continue to use those use tables and references.

I have attached both the City and County archived use tables (27-306) and Yard Area Height tables (27-309). All the same uses apply along the minimum lot area, setback etc.

As you will note in the PD agreement – there are certain uses in the underlying CI or HC zone districts that are specifically prohibited in this PD.

Any landscaping will conform to the new landscaping standards in Section 27-1200 (city or county), as well as any signs for businesses.

Thanks,

Nicole

From: Kyle Schlichenmayer, CCIM <kyle@sterlingcreadvisors.com>**Sent:** Wednesday, November 22, 2023 10:01 AM**To:** Cromwell, Nicole <CromwellN@billingsmt.gov>**Cc:** Husman, Karen <husmank@billingsmt.gov>; Kelly, Hunter <KellyH@billingsmt.gov>; Johnson, Tate <JohnsonT@billingsmt.gov>**Subject:** Re: [EXTERNAL] Elysian Sub PUD

Nicole,

Digging into this a bit more as we get closer to getting these lots listed for sale and I'm struggling to figure out the underlying zoning in the PUD. You sent me the amended PD agreement a couple weeks ago and it shows that for "Zone B" the underlying zoning is county controlled industrial. But for county zoning, I can only find what is in Recode, which is light and heavy industrial. What classification from Recode is driving this?

Cheers,

Kyle Schlichenmayer, CCIM

Brokerage Team Manager

SterlingCRE Advisors | Montana



p : 406.203.4547 m : 406.698.1899

w : [SterlingCREadvisors.com](https://sterlingcreadvisors.com)e : Kyle@SterlingCREadvisors.com**The Sterling Standard:** Responsive. *Results.*

On Thu, Oct 26, 2023 at 8:04AM Cromwell, Nicole <CromwellN@billingsmt.gov> wrote:

Hi Kyle,

Attached is the amended PD agreement filed this past summer.

Please let us know if you have any specific questions on the parcels or document.



Nicole Cromwell

Zoning Coordinator

cromwelln@billingsmt.gov

billingsmt.gov

2825 3rd Ave N, 4th Floor

Billings, MT 59101

P 406.247.8662 (Desk)

P 406.247-8676 (Dept)

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ATTENTION: Please use cromwelln@billingsmt.gov, emails sent to cromwelln@ci.billings.mt.us will be rejected and not delivered after January 31, 2023.

From: Kyle Schlichenmayer, CCIM <kyle@sterlingcreadvisors.com>
Sent: Wednesday, October 25, 2023 4:44 PM
To: Cromwell, Nicole <CromwellN@billingsmt.gov>
Subject: [EXTERNAL] Elysian Sub PUD

Nicole,

Got your voicemail. Thank you for the follow up. When you have a moment, please send over the PD that will help me understand a bit more on the zoning here. Again, the property is the land just to the west of Elysian School.

Cheers,

Kyle Schlichenmayer, CCIM

Brokerage Team Manager

SterlingCRE Advisors | Montana



p : 406.203.4547 m : 406.698.1899

w : SterlingCREadvisors.com

e : Kyle@SterlingCREadvisors.com

The Sterling Standard: Responsive. *Results.*

4 attachments

Archived County Zoning Code Sec 27-306 Comm and Industrial Uses.pdf
570K

Archived County Zoning Sec 27-309 - Comm-Industrial Yard Area Setbacks.pdf
134K

Archived Sec 27-306 Commercial Industrial Use Table.pdf
484K

 **Archived Sec 27-309 Commercial Yard Area Height.pdf**
65K

PLANNED DEVELOPMENT AGREEMENT

TRACT 2A OF COS 3535 AMENDED, AND TRACT 1A-1 OF COS 832 AMENDED IN YELLOWSTONE COUNTY, MONTANA

THIS AGREEMENT is made and entered into this 11th day of August, 2023, by and between **Development 55, LLC**, whose address for the purpose of this agreement is 2210 N Plaza Drive, Rapid City, SD 57701, hereinafter referred to as "Owner." **Elysian School District #23, Billings, Montana** whose address for the purpose of this agreement is 6416 Elysian Road, Billings Montana 59101 hereinafter referred to as "School." And the **City of Billings, Billings, Montana**, hereinafter referred to as "City."

WITNESSETH:

WHEREAS, the School and the Owner desire to provide for harmonious development of the property with land uses and restrictions acceptable to both parties.

WHEREAS, the undersigned are the owners of Tract 2A of COS 3535 Amended, and Tract 1A-1 of Certificate of Survey No. 832, Amended in the City of Billings.

WHEREAS, the aforesaid Owner, School, and City desire to amend and supplement the existing Planned Development Agreement recorded as Document Number 3666419, on file and of record at the Yellowstone County Clerk and Recorder's Office, as provided within this agreement.

THEREFORE, THE PARTIES TO THIS AGREEMENT, for and in consideration of the mutual promises herein contained and for other good and valuable consideration, do hereby agree as follows:

I. PERSONS BOUND BY THE PLANNED DEVELOPMENT AGREEMENT

All persons, corporation, or other entities, who shall hereafter acquire any interest in and to the above-described property, in whole, or in part, shall be taken and held to agree, to conform to, and observe the following land uses, restrictions, and other stipulations as to the use thereof, and as the construction of improvements thereon.

II. LAND USES AND BUILDING RESTRICTIONS

Unless expressly designated below, all other standards or requirements of the 2019 Yellowstone County's Zoning Ordinance shall be followed for the type of use within each of the areas described herein.

- A. Restricted Use **School Buffer Zone A** as depicted on attached **Exhibit A** (underlying county zone: Highway Commercial – HC).
All allowed land uses as outlined within the Yellowstone County Zoning Regulations for the underlying Zone shall be allowed within the **School Buffer Zone A** with the following exceptions (SIC numbers noted are as defined by the "*Standard Industrial Classification Manual*", 1987 Edition by the Executive Office of the President, O.M.B.):

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Exceptions (uses not allowed) within School Buffer Zone A:

Division A: Agriculture, Forestry, and Fishing

Group 07 – Agricultural Services

- Veterinary services for Livestock – Boarding
- Veterinary services for Animal specialists – Boarding Group 08 – Forestry
- Equipment storage and wholesale sales

Division B: Mining

- Construction sand and gravel mining (SIC 1442)

Division C: Construction

Group 16 – Heavy Construction Other Than Building Construction – Contractors

- Open storage of equipment and supplies

Division D: Manufacturing

Group 20 – Food and Kindred Products

Alcoholic beverages manufacturing & bottling (SIC 2082, 2083, 2084, 2085)

Group 21 – Tobacco Products

- Offices only

Group 24 – Lumber and Wood Products, Except Furniture

- Hardwood and special product sawmills (2426, 2429)
- Millwork, plywood veneer, wood members manufacture (2431, 2435, 2436, 2439)
- Wood Buildings and Mobile home manufacture (245)

Group 81 – Chemicals and Allied Products

- Growing, harvesting, or selling of Marijuana based products

Group 24 – Leather and Leather Products

Division E: Transportation, Communications, Electric, Gas, and Sanitary Sewer

Group 41 – Local & Suburban Transit & Interurban Highway Passenger Transport

- Bus terminal operation only, without maintenance facilities (4173)

Group 42 – Motor Freight Transportation and Warehousing

- Trucking terminal and maintenance facilities (421, 423)

Group 43 – U.S. Postal Service

- With truck terminal

Group 46 – Pipelines, except natural gas

Group 47 – Transportation services

- Warehouses, terminals

Group 48 – Communications

- Amateur Radio Antenna Support Structures

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- Broadcast antenna or tower farms
- Group 49 – Electric, Gas, and Sanitary Services
- Transmission and distribution, electric and gas

Division F: Wholesale Trade

- Group 51 – Wholesale Trade – Nondurable Goods
- Groceries; beer, wine and distilled beverages (514, 518)
 - Tobacco and tobacco products; (5149)

Division G: Retail Trade

- Group 52 – Building Materials, Hardware, Garden Supply, and mobile Home Dealers
- Mobile home dealers (manufactured homes) (527)
- Group 58 – Eating and Drinking Places
- With the sale of beer and wine only for on-premise consumption, without gaming
 - With the sale of beer and wine only for on-premise consumption, with gaming
 - With the sale of alcoholic beverages for on-premise consumption, with gaming
- Group 59 – Miscellaneous Retail (Strictly Carryout)
- Fuel dealers (598)

Division I: Services

- Group 70 – Hotels, Rooming Houses, Camps, and Other Lodging Places
- Roaming, boarding houses; organization hotels and lodging houses, on a membership basis (702, 704)
 - Camps and recreational vehicle parks (703)
- Group 72 – Personal Services
- Funeral service and crematories (726)
- Group 78 – Motion Pictures
- Drive-in motion picture theaters (7833)

B. Restricted use Zone B as depicted on attached Exhibit A (underlying county zone: Controlled Industrial – CI)

All allowed land uses as outline within 2019 Yellowstone County Zoning regulations for the underlying zone shall be allowed within the restricted use **Zone B**, with the following exceptions:

Exceptions (uses not allowed) within restricted use Zone B:

Division A: Agriculture, Forestry, and Fishing

- Group 09 – Fishing, Hunting, and Trapping
- Fish hatcheries and preserves (092)

Division B: Mining

- Construction sand and gravel mining (1442)

Division D: Manufacturing

Group 21 – Tobacco Products

- Offices only

Group 24 – Lumber and Wood Products, Except Furniture

- Hardwood and special product sawmills (2426, 2429)
- Millwork, plywood veneer, wood members manufacture (2431, 2435, 2436, 2439)
- Wood Buildings and Mobile home manufacture (245)

Group 81 – Chemicals and Allied Products

- Growing, harvesting, or selling of Marijuana based products

Group 24 – Leather and Leather Products

- Offices only

Division E: Transportation, Communications, Electric, Gas, and Sanitary Sewer

Group 40 – Railroad Transportation

- Passenger and freight terminals

Group 42 – Pipelines, Except Natural Gas

The following uses are allowed within the Restricted Use Zone B, with special review approval:

Division D: Manufacturing

Group 20 – Food and Kindred Products

- Alcoholic beverages manufacturing and bottling (2082, 2083, 2084, 2085) By Special Review

Group 41 – Local & Suburban Transit & Interurban Highway Passenger Transportation

- Bus terminal operation only, without maintenance facilities (4173)
- By Special Review

Division F: Wholesale Trade

Group 51 – Wholesale Trade – Nondurable Goods

- Groceries; beer, wine and distilled beverages (514, 518) -- By Special Review
- Tobacco and tobacco products; (5149) By Special Review

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III. LANDSCAPING REQUIREMENTS

Unless expressly designated below, all landscaping, buffering, and screening standards as outlined within Article 27-1200 of the 2021 City of Billings Zoning Code shall be followed as required with the following exceptions:

A. School Buffer Zone “A”

Within the School Buffer Zone “A” as depicted on the attached Exhibit “A,” a residential development is not required to install an opaque screen fence or open fence adjacent to the School’s property.

IV. OTHER SPECIAL AGREEMENTS

A. Access

Vehicular Access onto Elysian Road and East Lane from School Buffer Zone A and Restricted Use Zone B shall be a minimum of 150 feet from the **School**.

[Left intentionally blank, signature pages to follow]

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IN THE WITNESS WHEREOF, the SCHOOL have set their hands and official seals on this 26th day of JULY, 2023.

“SCHOOL”

ELYSIAN SCHOOL DISTRICT #23, BILLINGS, MONTANA



Luke Shelton, Superintendent of Elysian School District #23, Billings, Montana

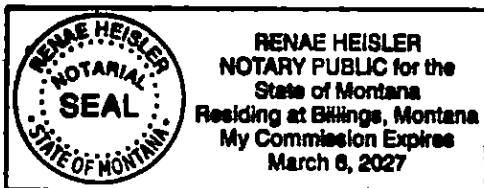
STATE OF Montana)

: ss

County of Yellowstone)

On this 26 day of JULY, 2023, before me, a Notary Public in and for the State of Montana, personally appeared Luke Shelton, known to me to be the Superintendent of ELYSIAN SCHOOL DISTRICT #23, BILLINGS, MONTANA who executed the foregoing instrument and acknowledged to me he executed the same.

ss Renae Heisler



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IN THE WITNESS WHEREOF, the OWNERS have set their hands and official seals on this 26 day of July, 2023.

“OWNER”

DEVELOPMENT 55, LLC

By: [Signature]

Its: Director of Development

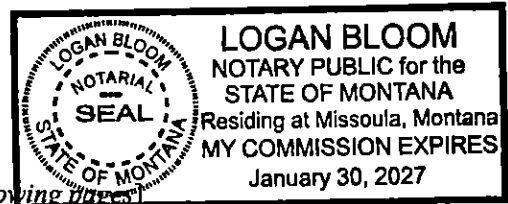
STATE OF Montana)

: ss

County of Missoula)

On this 26 day of July, 2023, before me, a Notary Public in and for the State of Montana, personally appeared Joe Easton, known to me to be the Director of Development of DEVELOPMENT 55, LLC who executed the foregoing instrument and acknowledged to me he/she executed the same.

SS [Signature]



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Viking Land, LLC as a party of the existing agreement recorded as Document Number 3666419 hereby recognizes and accepts the amendments identified within this document.

I hereby set my hand on this 11th day of August, 2023.

VIKING LAND, LLC

By: [Signature]

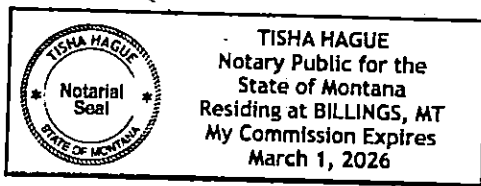
Its: President

STATE OF Montana)

: SS

County of Yellowstone)

On this 11th day of August, 2023, before me, a Notary Public in and for the State of Montana, personally appeared Don Tvetene, known to me to be the President of VIKING LAND, LLC who executed the foregoing instrument and acknowledged to me he/she executed the same.



SS Tisha Hague

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This agreement is hereby approved and accepted by the City of Billings, this 21st day of August, 2023.

“CITY”

CITY OF BILLINGS, MONTANA

By: William A Cole
Mayor

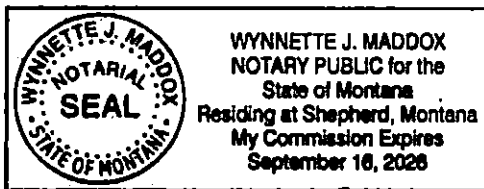
Attest: Denise R. Bohman
City Clerk

STATE OF Montana)

: SS

County of Yellowstone

On this 21st day of August, 2023, before me, a Notary Public in and for the State of Montana, personally appeared William A. Cole and Denise R. Bohman known to me to be the Mayor and City Clerk, respectively, of the City of Billings, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of the City of Billings, Montana.



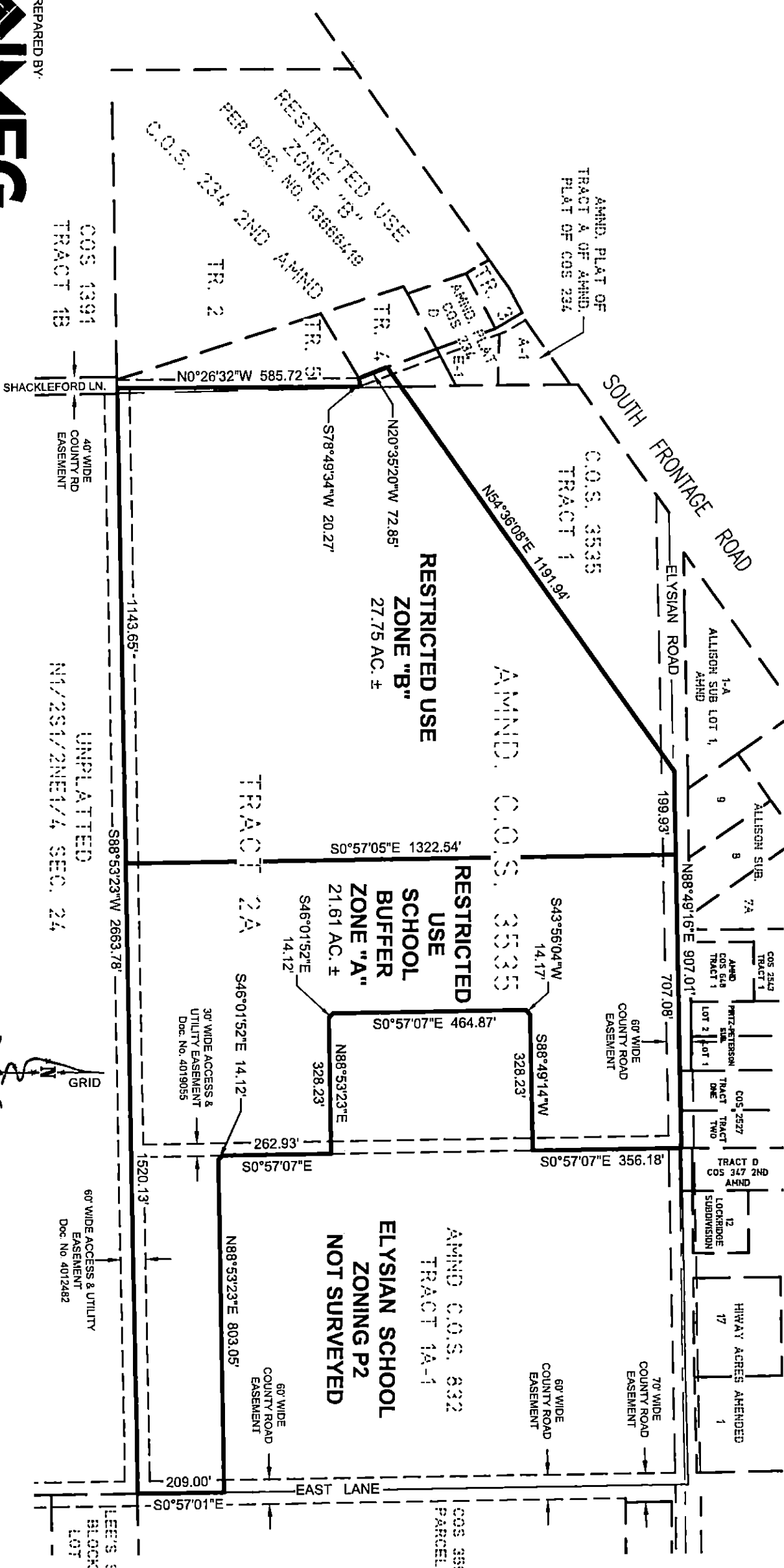
SS Wynnette J Maddox

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EXHIBIT "A"

LOCATED IN THE NE1/4 AND NW1/4 OF SECTION 24, T.1S., R.25E., P.M.M., YELLOWSTONE COUNTY, MONTANA



PREPARED BY:

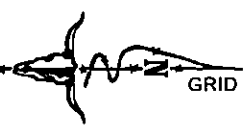
175 N 27TH, ST STE 1312 PH: 406.248.9000
 BILLINGS, MT FAX: 406.721.5224
 59101 www.imegcorp.com
 IMEG PROJECT NO. 22008916

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BASIS OF BEARING

MONTANA STATE PLANE - ZONE 2500
 GROUND (TRUE) DISTANCES
 GRID NORTH



Utilities (Public Service Installations):													
Station only	A	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
Storage yard	SR												
Veterinary Clinics:													
Boarding	A	SR											
Outpatient only	A	SR											

Sec. 27-306. - District regulations—Commercial and industrial uses.

Titles and Description of Industries SR - Special Review A - Allowed	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Controlled Industrial	Heavy Industrial	Public
DIVISION A - AGRICULTURE, FORESTRY AND FISHING							
01 Agricultural Production - Crops:							
Offices only	A	A	A	A	A	A	
Production only	A	A	A	A	A	A	A
Sales		A	A	A	A	A	

Titles and Description of Industries	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Controlled Industrial	Heavy Industrial	Public
SR - Special Review A - Allowed							
02 Agricultural Production - Livestock and Animal Specialties:							
Offices only	A	A	A	A	A	A	
021 Livestock, except dairy and poultry						SR	
07 Agricultural Services (except below):				A	A	A	
Offices only	A	A	A	A	A	A	
0741 Veterinary services for livestock:							
Boarding					A	A	
Outpatient only				SR	A	A	
0742 Veterinary services for animal specialties:							
Boarding			SR	A	A	A	
Outpatient only		SR	A	A	A	A	
075 Animal services, except veterinary (except below):				A	A	A	
Dog grooming*		A*	A	A	A	A	
Public animal shelters							A
*In NC zones no outdoor exercise areas or kennels allowed							

Titles and Description of Industries	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Controlled Industrial	Heavy Industrial	Public
SR - Special Review A - Allowed							
08 Forestry:							
Offices only	A	A	A	A	A	A	
Retail sales			A	A	A	A	
Equipment storage and wholesale sales				A	A	A	
09 Fishing, Hunting and Trapping (except below):				A	A	A	
Offices only	A	A	A	A	A	A	
092 Fish hatcheries and preserves					SR	SR	
DIVISION B - MINING							
Offices only	A	A	A	A	A	A	
1081, 1231, 1241, 1381, 1382, 1389 Mining and oil and gas field services with equipment storage				A	A	A	
1442 Construction sand and gravel mining	SR	SR	SR	SR	SR	SR	SR
DIVISION C - CONSTRUCTION							
15 Building Construction - General Contractors and Operative Builders:							
Offices only	A	A	A	A	A	A	

Titles and Description of Industries	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Controlled Industrial	Heavy Industrial	Public
SR - Special Review A - Allowed							
152, 153, 154 Residential, operative, and nonresidential buildings with open storage of equipment and supplies			A	A	A	A	
Restricted to open storage as allowed by Sec. 27-601							
16 Heavy Construction Other Than Building Construction - Contractors:							
Offices only	A	A	A	A	A	A	
Open storage of equipment and supplies				A	A	A	
Restricted to open storage as allowed by Sec. 27-601							
17 Construction - Special Trade Contractors:							
Offices only	A	A	A	A	A	A	A
Shop with enclosed storage of equipment or supplies			A	A	A	A	
Open storage of equipment and supplies				A	A	A	
See division F and G for wholesale and retail sales of equipment and supplies. Restricted to open storage as allowed by Sec. 27-601							
DIVISION D - MANUFACTURING							
20 Food and Kindred Products:							
Offices only	A	A	A	A	A	A	

Titles and Description of Industries SR - Special Review A - Allowed	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Controlled Industrial	Heavy Industrial	Public
2011 Packing plants						SR	
2013 Meat products					SR	A	
2015 Poultry slaughtering and processing plants					SR	SR	
202 Dairy products					A	A	
203 Canned, frozen, and preserved fruits, vegetables, and food specialties					SR	A	
204 Grain mill products					SR	SR	
205 Bakery products			SR	A	A	A	
2061, 2062, 2063 Sugar manufacturing and refining						SR	
2064, 2066, 2067, 2068 Candy; chocolate; chewing gum; salted and roasted nuts and seeds manufacturing					SR	A	
207 Fats and oils						SR	
2082, 2083, 2084, 2085 Alcoholic beverages manufacturing and bottling (except below):					SR	A	
1,500 to 5,000 31-gallon barrels per year			SR	SR	A	A	
Less than 1,500 31-gallon barrels per year			A	A	A	A	
2086, 2087 Soft drinks and flavorings extracts manufacturing and bottling				SR	A	A	

Titles and Description of Industries	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Controlled Industrial	Heavy Industrial	Public
SR - Special Review A - Allowed							
2091 Canned and cured fish and seafoods						SR	
2092 Prepared fresh or frozen fish and seafoods					SR	A	
2095, 2096, 2098 Roasted coffee; potato or corn chips; macaroni manufacture					A	A	
2097 Manufactured ice				A	A	A	
2099 Food preparations, not elsewhere classified					SR	A	
21 Tobacco Products:					SR	A	
Offices only	A	A	A	A	A	A	
22 Textile Mill Products:				SR	A	A	
Offices only	A	A	A	A	A	A	
23 Apparel and Other Finished Products Made From Fabrics and Similar Materials:				SR	A	A	
Offices only	A	A	A	A	A	A	
24 Lumber and Wood Products, Except Furniture:							
Offices only	A	A	A	A	A	A	
2411 Logging						SR	

Titles and Description of Industries SR - Special Review A - Allowed	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Controlled Industrial	Heavy Industrial	Public
2421 Sawmills and planing mills					SR	A	
2426, 2429 Hardwood and special product sawmills				SR	A	A	
2431, 2435, 2436, 2439, Millwork, plywood veneer, wood members manufacture				SR	A	A	
2434 Cabinet manufacture			SR	SR	A	A	
244 Wood container manufacture			SR	SR	A	A	
245 Wood buildings and mobile home manufacture				SR	A	A	
249 Miscellaneous wood products manufacture					A	A	
25 Furniture and Fixtures:				SR	A	A	
Offices only	A	A	A	A	A	A	
26 Paper and Allied Products:					SR	A	
Offices only	A	A	A	A	A	A	
27 Printing, Publishing, and Allied Industries:			SR	A	A	A	
Offices only	A	A	A	A	A	A	
28 Chemicals and Allied Products						A	
Offices only	A	A	A	A	A	A	

Titles and Description of Industries SR - Special Review A - Allowed	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Controlled Industrial	Heavy Industrial	Public
2833—Medicinal and botanical products				A	A	A	
2834—Pharmaceutical Preparations				A	A	A	
29 Petroleum Refining and Related Industries:							
Offices only	A	A	A	A	A	A	
291 Petroleum refining						SR	
All others						A	
30 Rubber and Miscellaneous Plastics Products:					SR	SR	
Offices only	A	A	A	A	A	A	
31 Leather and Leather Products:				SR	A	A	
Offices only	A	A	A	A	A	A	
32 Stone, clay, Glass, and Concrete Products (except below):					A	A	
Offices only	A	A	A	A	A	A	
3231, 3269, 3281 Products made from purchased glaze, pottery products, cut stone products				SR	A	A	
324, 325, 327 Hydraulic cement; structural clay products; concrete, gypsum, and plaster products					SR	A	

Titles and Description of Industries	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Controlled Industrial	Heavy Industrial	Public
SR - Special Review A - Allowed							
33 Primary Metal Industries (except below):					SR	A	
Offices only	A	A	A	A	A	A	
332, 336 Foundries						A	
3312, 333, 334 Blast furnaces, primary and secondary smelters						SR	
34 Fabricated Metal Products, Except Machinery and Transportation Equipment (except below):					SR	A	
Offices only	A	A	A	A	A	A	
348 Ordnance and accessories, except vehicles and guided missiles						SR	
35 Industrial and Commercial Machinery and Computer Equipment:					SR	A	
Offices only	A	A	A	A	A	A	
36 Electronic and Other Electrical Equipment and Components, Except Computer Equipment:					SR	A	
Offices only	A	A	A	A	A	A	
37 Transportation Equipment:						A	
Offices only	A	A	A	A	A	A	
38 Measuring, Analyzing, and Controlling Instruments; Photographic, Medical, and Optical Goods; Watches and Clocks					A	A	

Titles and Description of Industries	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Controlled Industrial	Heavy Industrial	Public
SR - Special Review A - Allowed							
Offices only	A	A	A	A	A	A	
39 Miscellaneous Manufacturing Industries:					A	A	
Offices only	A	A	A	A	A	A	
391, 393, 394 Jewelry, silverware, plated ware; musical instruments; dolls, toys, games, sporting, and athletic goods				A	A	A	
395, 396, 399 Pens, pencils, and artists materials; costume jewelry and novelties; miscellaneous manufacturing industries				A	A	A	
DIVISION E - TRANSPORTATION, COMMUNICATIONS, ELECTRIC, GAS, AND SANITARY SEWER							
40 Railroad Transportation:							
Offices only	A	A	A	A	A	A	
Switching yards						A	
Passenger and freight terminals					A	A	
41 Local and Suburban Transit and Interurban Highway Passenger Transportation:				A	A	A	A
Offices only	A	A	A	A	A	A	A
4173 Bus terminal operation only, without maintenance facilities				A	A	A	A

Titles and Description of Industries	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Controlled Industrial	Heavy Industrial	Public
SR - Special Review A - Allowed							
42 Motor Freight Transportation and Warehousing:							
Offices only	A	A	A	A	A	A	
421, 423 Trucking terminal and maintenance facilities (except below):				A	A	A	
4215 Courier services, except by air (without truck terminal facilities)				A	A	A	
422 Public warehousing (except below):					A	A	
4225 General warehousing and storage			A	A	A	A	
4226 Special warehouse and storage						A	
43 U.S. Postal Service:							
Without truck terminal facilities	A	A	A	A	A	A	A
With truck terminal facilities				A	A	A	A
44 Water Transportation:							
Offices only	A	A	A	A	A	A	
45 Transportation By Air:							A
Offices only	A	A	A	A	A	A	A
4513 Air courier services (without truck terminal facilities)				A	A	A	A

Titles and Description of Industries	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Controlled Industrial	Heavy Industrial	Public
SR - Special Review A - Allowed							
42 Motor Freight Transportation and Warehousing:							
Offices only	A	A	A	A	A	A	
421, 423 Trucking terminal and maintenance facilities (except below):				A	A	A	
4215 Courier services, except by air (without truck terminal facilities)				A	A	A	
422 Public warehousing (except below):					A	A	
4225 General warehousing and storage			A	A	A	A	
4226 Special warehouse and storage						A	
43 U.S. Postal Service:							
Without truck terminal facilities	A	A	A	A	A	A	A
With truck terminal facilities				A	A	A	A
44 Water Transportation:							
Offices only	A	A	A	A	A	A	
45 Transportation By Air:							A
Offices only	A	A	A	A	A	A	A
4513 Air courier services (without truck terminal facilities)				A	A	A	A

Titles and Description of Industries SR - Special Review A - Allowed	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Controlled Industrial	Heavy Industrial	Public
46 Pipelines, Except Natural Gas:	SR	SR	SR	SR	SR	SR	SR
Offices only	A	A	A	A	A	A	
47 Transportation Services:							
Offices only	A	A	A	A	A	A	
Warehouses, terminals				A	A	A	
48 Communications:							
Offices only	A	A	A	A	A	A	A
Amateur Radio Antenna Support Structures							
100 feet or less in height (See Section 27-619 for additional requirements)	A	A	A	A	A	A	A
Greater than 100 feet in height	SR	SR	SR	SR	SR	A	SR
Broadcasting (Radio and Television) Services:							
Stations and studios	SR	SR	A	A	A	A	A
Antenna Support Structures that meet the height restrictions for buildings in Section 37-309	SR	SR	A	A	A	A	A
Antenna Support Structures exceeding the maximum height for buildings in , Section 27-309, or exceeding 50 feet in height, whichever is less	SR	SR	SR	SR	SR	A	SR

Titles and Description of Industries SR - Special Review A - Allowed	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Controlled Industrial	Heavy Industrial	Public
46 Pipelines, Except Natural Gas:	SR	SR	SR	SR	SR	SR	SR
Offices only	A	A	A	A	A	A	
47 Transportation Services:							
Offices only	A	A	A	A	A	A	
Warehouses, terminals				A	A	A	
48 Communications:							
Offices only	A	A	A	A	A	A	A
Amateur Radio Antenna Support Structures							
100 feet or less in height (See Section 27-619 for additional requirements)	A	A	A	A	A	A	A
Greater than 100 feet in height	SR	SR	SR	SR	SR	A	SR
Broadcasting (Radio and Television) Services:							
Stations and studios	SR	SR	A	A	A	A	A
Antenna Support Structures that meet the height restrictions for buildings in Section 37-309	SR	SR	A	A	A	A	A
Antenna Support Structures exceeding the maximum height for buildings in , Section 27-309, or exceeding 50 feet in height, whichever is less	SR	SR	SR	SR	SR	A	SR

Titles and Description of Industries SR - Special Review A - Allowed	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Controlled Industrial	Heavy Industrial	Public
Broadcast antenna or tower farms	SR	SR	SR	SR	SR	A	SR
Commercial Antenna Support Structures:							
Alternative antenna support structures	A	A	A	A	A	A	A
Antenna support structures located on school, government-owned utility or other government sites.	A	A	A	A	A	A	A
Antennae co-located on existing or approved alternative antenna support structures or antenna support structures.	A	A	A	A	A	A	A
Roof-mounted antenna	SR	SR	A	A	A	A	A
Antenna support structures 50 feet or less in height (see additional requirements in Section 27-620)	SR	SR	A	A	A	A	A
Antenna support structures greater than 50 feet in height	SR	SR	SR	SR	SR	A	SR
Tower farms			SR	SR	SR	A	SR
Dishes over 12" in diameter	SR	SR	A	A	A	A	SR
49 Electric, Gas, and Sanitary Services:							
Offices only	A	A	A	A	A	A	
Municipal water supply (4941) or sewerage (4952) treatment facilities						A	A
4953 Refuse systems*						SR	

Titles and Description of Industries SR - Special Review A - Allowed	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Controlled Industrial	Heavy Industrial	Public
Sanitary landfills							SR
Transmission and distribution, electric and gas	A	A	A	A	A	A	A
Production, manufacture and generation, electric or gas					SR	SR	
All others this group					SR	SR	
* See Sec. 27-605 Hazardous Waste Facilities							
DIVISION F - WHOLESALE TRADE							
50 Wholesale Trade - Durable Goods:							
Offices only	A	A	A	A	A	A	
Warehouses with enclosed storage				A	A	A	
Open storage			SR	A	A	A	
5093 Scrap and waste materials (auto wrecking)					SR	SR	
Restricted to open storage as allowed by Sec. 27-601							
51 Wholesale Trade - Nondurable Goods:							
Offices only	A	A	A	A	A	A	
511, 512, 513 Paper, drugs and apparel				A	A	A	

Titles and Description of Industries	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Controlled Industrial	Heavy Industrial	Public
SR - Special Review A - Allowed							
514, 518 Groceries; beer, wine and distilled beverages				SR	A	A	
515 Farm product raw materials (except below):					A	A	
5154 Livestock auctions						SR	
516 Chemicals and allied products					SR	A	
517 Petroleum and petroleum products						A	
5191, 5198 Farm supplies; paints, varnishes, and supplies					A	A	
5192, 5193, 5194, 5199 Books, periodicals, and newspapers; flowers, nursery stock and florists' supplies; tobacco and tobacco products; nondurables not elsewhere classified				SR	A	A	
DIVISION G - RETAIL TRADE							
* Under 10,000 square feet gross floor area (GFA). A special review is required if over 10,000 square feet GFA. No warehousing of storage in excess of twenty-five (25) percent of total GFA. Restricted to open storage as allowed by Sec. 27-601.							
52 Building Materials, Hardware, Garden Supply, and Mobile Home Dealers:							
521 Lumber and other building materials stores			SR	A	A	A	
523, 525 Paint, glass and wallpaper; hardware stores		A*	A	A	A	A	
526 Nurseries, lawn and garden supply stores			A	A	A	A	

Titles and Description of Industries SR - Special Review A - Allowed	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Controlled Industrial	Heavy Industrial	Public
527 Mobile home dealers (manufactured homes)				A	A	A	
53 General Merchandise Stores		A*	A	A	A	A	
54 Food Stores		A*	A	A	A	A	
Convenience store with gas pump islands		A*	A	A	A	A	
55 Automotive Dealers and Gasoline Service Stations (except below):			A	A	A	A	
553 Auto supply		A*	A	A	A	A	
554 Gasoline service stations							
Convenience store		A*	A	A	A	A	
Service station		SR	A	A	A	A	
Accessory car wash with above two uses		SR	A	A	A	A	
Truck stop				A	A	A	
556 Recreational vehicle dealers			A	A	A	A	
56 Apparel and Accessory Stores		A*	A	A	A	A	
57 Home Furniture, Furnishings, and Equipment Stores		A*	A	A	A	A	

Titles and Description of Industries	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Controlled Industrial	Heavy Industrial	Public
SR - Special Review A - Allowed							
58 Eating and Drinking Places (see-Section 27-612)							
Without the sale of alcoholic beverages		A	A	A	A	A	
With the sale of beer and wine only for on-premise consumption, without gaming			A	A	A	A	
With the sale of beer and wine only for on-premise consumption with gaming			SR	SR	SR	SR	
With the sale of all alcoholic beverages for on-premise consumption, with gaming			SR	SR	SR	SR	
*Establishments with drive-in service shall comply with -Section 27-612							
59 Miscellaneous Retail (Strictly Carryout), (except below):		A*	A	A	A	A	
598 Fuel dealers			A	A	A	A	
* Fireworks stands shall comply with Section 27-614.							
** Sexually oriented business, as classified and defined in Section 27-611.							
DIVISION H - FINANCE, INSURANCE, AND REAL ESTATE (See Section 27-612).							
60 Depository Institutions	A	A	A	A	A	A	
61 Nondepository Credit Institutions	A	A	A	A	A	A	
62 Security and Commodity Brokers, Dealers, Exchangers, and Services	A	A	A	A	A	A	

Titles and Description of Industries	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Controlled Industrial	Heavy Industrial	Public
SR - Special Review A - Allowed							
63 Insurance Carriers	A	A	A	A	A	A	
64 Insurance Agents, Brokers, and Service	A	A	A	A	A	A	
65 Real Estate (except below):	A	A	A	A	A	A	
6515 Operators of residential mobile home sites							
6553 Cemetery subdividers and developers							A
66 Combinations of Real Estate, Insurance, Loans, or Law Offices	A	A	A	A	A	A	
67 Holding and Other Investment Offices	A	A	A	A	A	A	
DIVISION I - SERVICES							
70 Hotels, Rooming Houses, Camps and Other Lodging Places:							
701 Hotels and motels			A	A	A	A	
702, 704 Rooming, boarding houses; organization hotels and lodging houses, on a membership basis		A	A	A	A	A	
703 Camps and recreational vehicle parks			A	A	A	A	A
72 Personal Services:							
7211, 7213, 7217, 7218 Power laundries, family and commercial; linen supply; carpet and upholstery cleaning; industrial launderers				SR	A	A	

Titles and Description of Industries SR - Special Review A - Allowed	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Controlled Industrial	Heavy Industrial	Public
7212, 7216, 7219 Garment pressing and agents for laundries and drycleaning plants, except rug cleaning; laundry and garment services, not elsewhere classified; (10,000 SF GFA MAX)	SR	A	A	A	A	A	
Over 10,000 SF GFA MAX		SR	A	A	A	A	
7215 Coin-operated laundries and drycleaning		A*	A	A	A	A	
722 Photographic studios	A	A	A	A	A	A	
723, 724, Beauty, and barber shops	A	A	A	A	A	A	
725 Shoe repair shops and shoeshine parlors		A	A	A	A	A	
726 Funeral service and crematories	A	A	A	A	A	A	A
729 Miscellaneous personal services, except 7291			A	A	A	A	
7291 Tax return preparation services	A	A	A	A	A	A	
73 Business Services:							
Offices only	A	A	A	A	A	A	
With retail sales		A*	A	A	A	A	
With use of vehicles over 8,000 GVW			A	A	A	A	
With research, testing, and development laboratories (See also manufacturing industries)			SR	A	A	A	

Titles and Description of Industries SR - Special Review A - Allowed	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Controlled Industrial	Heavy Industrial	Public
75 Automotive Repair, Services, and parking (except below):			A	A	A	A	
7513, 7519 Truck rental and leasing; utility trailer and recreational vehicle rental			A	A	A	A	
752 Automobile parking	A	A	A	A	A	A	
7542 Car washes		SR	A	A	A	A	
76 Miscellaneous Repair Services (except below):			A	A	A	A	
763 Watch, clock, and jewelry repair	A	A	A	A	A	A	
78 Motion Pictures (except below):			A	A	A	A	
7833 Drive-in motion picture theaters				SR	SR		
79 Amusement and Recreation Services*:							
791 Dance studios, schools, and halls	A	A	A	A	A	A	
792 Theatrical producers, bands, orchestras, and entertainers		A	A	A	A	A	
793, 799 Bowling centers; miscellaneous amusement and recreation services, and gambling operations* (except below):			A	A	A	A	
Public swimming pools							A
Riding stables					SR	SR	

Titles and Description of Industries	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Controlled Industrial	Heavy Industrial	Public
SR - Special Review A - Allowed							
Martial arts instruction	A	A	A	A	A	A	
7992 Public golf courses							A
794 Commercial sports			SR	A	A	A	A
*See Section 27-612.							
80 Health Services (except below):	A	A	A	A	A	A	A
Establishments where retail sales constitutes more than an accessory use		A	A	A	A	A	
81 Legal Services	A	A	A	A	A	A	
82 Educational Services (except below):		A	A	A	A	A	A
821 Elementary and secondary schools	A	A	A	A	A	A	A
822 Colleges, universities, professional schools, and junior colleges	SR	SR	SR	SR	SR	SR	A
83 Social Services (except below):	A	A	A	A	A	A	A
833 Job training and vocational rehabilitation services	SR	SR	A	A	A	A	A
84 Museums, Art Galleries, and Botanical and Zoological Gardens:							
841 Museums and art galleries		A	A	A	A	A	A
842 Arboreta and botanical or zoological gardens							A

Titles and Description of Industries SR - Special Review A - Allowed	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Controlled Industrial	Heavy Industrial	Public
86 Membership Organizations (except below):	A	A	A	A	A	A	
864 Civic, social and fraternal associations*			A	A	A	A	
*See also Section 27-612.							
87 Engineering, Accounting, Research, Management, and Related Services (except below):			A	A	A	A	
871, 872 Engineering, architectural and surveying services; accounting, auditing and bookkeeping services	A	A	A	A	A		
8731 Commercial physical and biological research			SR	A	A	A	
8733 Noncommercial research organizations			SR	A	A	A	
8734 Testing laboratories			SR	A	A	A	
8744 Facilities support management services other than below				A	A	A	
- Privately operated correctional facilities					SR		SR
88 Private Households	A	A	A	A	SR		
89 Services, Not Elsewhere Classified	A	A	A	A	A	A	A
DIVISION J - PUBLIC ADMINISTRATION							
91 Executive, Legislative, and General Government, Except Finance	A	A	A	A	A	A	A

Titles and Description of Industries	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Controlled Industrial	Heavy Industrial	Public
SR - Special Review A - Allowed							
92 Justice, Public Order, and Safety (except below):	A	A	A	A	A	A	A
9223 Correctional institutions							SR
93 Public Finance, Taxation, and Monetary Policy	A	A	A	A	A	A	A
94 Administration of Human Resource Programs	A	A	A	A	A	A	A
95 Administration of Environmental Quality and Housing Programs	A	A	A	A	A	A	A
96 Administrative of Economic Programs	A	A	A	A	A	A	A
97 National Security and International Affairs	A	A	A	A	A	A	A
DIVISION K - NONCLASSIFIABLE ESTABLISHMENTS							
99 Nonclassifiable Establishments: The Zoning District and Requirements of These Establishments Will Be Determined By The Planning Director.							
Dwellings							
Single-family*	A	A	A	A	SR		
Two-family		A	A	A			
Multiple-family		A	A	A			
Modular home*	A	A	A	A	SR		
*Chicken Hens Allowed See Section 27-607							

Sec. 27-307. - Adoption of Standard Industrial Classification Manual, 1987.

There is adopted by the board of county commissioners for the purpose of classifying the industries set forth in section 27-306, the whole 1987 Edition of the Standard Industrial Classification Manual, published by the Executive Officer of the President, Office of Management and Budget, of which manual one copy is now filed in the offices of the county clerk and recorder, and the same is adopted and incorporated as fully as if set out at length in his chapter, and from the date on which this Resolution is adopted said manual shall take effect.

Sec. 27-309. - Area, yard and height requirements—Commercial and industrial.

	ZONING CLASSIFICATION DISTRICTS
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ZONING REQUIREMENTS	Residential Professional	Neighborhood Commercial	Community Commercial	Highway Commercial	Controlled Industrial	Heavy Industrial	Public
Minimum Lot Area Requirement in Square Feet: (a)	10,000	N/A	N/A	N/A	N/A	N/A	N/A
Minimum Yard Requirements: (a) (b)							
Front	20	20	20	20	20	20	20
Side	10	0	0	0	0	0	0
Side Adjacent to Street	10	10	10	10	10	10	10
Rear	0	0	0	0	0	0	0
Maximum Height	34	34	45	45	70	N/A	N/A
Maximum Lot Coverage in Percent (a)	50	50	50	75	75	75	50

(a) For minimum lot size, yard and lot coverage requirements for residential dwellings in Commercial or Industrial zones, see section 27-310.

(b) For arterial setback and watercourse setback requirements, see sections 27-602 and 27-616, respectively.

Note:

- All height and setback requirements denote feet; all minimum lot area figures denote square footage.
- For height exceptions, see section 27-310(F).
- For permitted projections, see section 27-310(G).
- N/A = Not Applicable.