

FORT SCOTT ZONING REGULATIONS

TABLE OF CONTENTS

ARTICLE	SECTION	TITLE	PAGE
1		TITLE AND PURPOSE	
	1-1	Title.....	1-1
	1-2	Purpose and Intent.....	1-1
	1-3	Consistency with Comprehensive Plan.....	1-2
	1-4	Jurisdiction.....	1-2
2		RULES, INTERPRETATIONS AND DEFINITIONS	
	2-1	Rules and Interpretations.....	2-1
	2-2	Separability.....	2-3
	2-3	Definitions.....	2-4
3		DISTRICTS AND BOUNDARIES	
	3-1	District Classifications.....	3-1
	3-2	Zoning District Maps.....	3-2
	3-3	Annexation.....	3-2
	3-4	Rules Where Uncertainty May Arise.....	3-3
	3-5	Variances and Exceptions Required.....	3-3
	3-6	Violations Continue.....	3-4
4		INTENT OF DISTRICTS	
	4-1	A, Agricultural District.....	4-1
	4-2	R-1, Low Density Residential District.....	4-1
	4-3	R-2, Medium Density Residential District.....	4-2
	4-4	R-3, High Density Residential District.....	4-2
	4-5	CS, Countryside District.....	4-2
	4-6	MHS, Manufactured Home Subdivision District..	4-2
	4-7	MP, Manufactured Home Park District.....	4-2
	4-8	EH-O, Elderly Housing Overlay District.....	4-3
	4-9	C-O, Community College Overlay District.....	4-3
	4-10	C-1, Office and Service Business District.....	4-3
	4-11	C-2, Restricted Commercial District.....	4-3
	4-12	C-3, General Commercial District.....	4-3

ARTICLE	SECTION	TITLE	PAGE
---------	---------	-------	------

4-13	C-4, Central Business District.....	4-4
4-14	I-1, Light Industrial District.....	4-4
4-15	I-2, Heavy Industrial District.....	4-4
4-16	P, Public Use District.....	4-4
4-17	MU, Mixed Use District.....	4-4
4-18	PUD, Planned Unit Development Overlay District.....	4-5
4-19	FP-O, Floodplain Management Overlay District.....	4-5
4-20	HO-O, Housing Opportunity Overlay District.....	4-5
4-21	HC-O, Historic Conservation Overlay District.....	4-5
4-22	TN, Traditional Neighborhood Development District.....	4-6

5 AGRICULTURAL DISTRICT (A)

5-1	Intent.....	5-1
5-2	Permitted Uses.....	5-1
5-3	Conditional Uses.....	5-2
5-4	Home Occupations.....	5-5
5-5	Accessory Uses.....	5-5
5-6	Height and Yard Regulations.....	5-5
5-7	Sign Regulations.....	5-6
5-8	Parking Regulations.....	5-6
5-9	Minimum Lot Size.....	5-6

6 RESIDENTIAL ZONED DISTRICTS (R-1:R-3)

6-1	Intent.....	6-1
6-2	Residential Zoning Districts.....	6-1
6-3	Permitted and Conditional Uses.....	6-1
6-4	Home Occupations.....	6-4
6-5	Intensity of Use.....	6-4
6-6	Height and Yard Regulations.....	6-4
6-7	Accessory Uses.....	6-5
6-8	Sign Regulations.....	6-5
6-9	Parking Regulations.....	6-6
6-10	Supplemental Regulations.....	6-6
6-11	Removal and Relocation of Manufactured Homes.....	6-10

7

COUNTRYSIDE DISTRICT (CS)

7-1	Intent.....	7-1
7-2	Permitted Uses.....	7-1
7-3	Parking Regulations.....	7-2
7-4	Sign Regulations.....	7-2
7-5	Height, Area and Yard.....	7-2

8

ELDERLY HOUSING OVERLAY DISTRICT (EH-O)

8-1	Intent.....	8-1
8-2	Eligibility.....	8-1
8-3	Uses.....	8-2
8-4	Minimum Safety Regulations.....	8-2
8-5	Parking Regulations.....	8-3
8-6	Height, Area and Yard Regulations.....	8-3
8-7	Other Regulations.....	8-4

9

COMMERCIAL ZONED DISTRICTS (C-1:C-4)

9-1	Intent.....	9-1
9-2	Commercial Zoning Districts.....	9-1
9-3	Permitted and Conditional Uses.....	9-1
9-4	Intensity of Use.....	9-5
9-5	Height and Yard Regulations.....	9-5
9-6	Development Standards.....	9-5
9-7	Sign Regulations.....	9-6
9-8	Parking Regulations.....	9-6
9-9	Off-Street Loading and Unloading Regulations....	9-6
9-10	Supplemental Regulations.....	9-6
9-11	Travel Trailer Parks.....	9-6

10

CENTRAL BUSINESS DISTRICT (C-4)

10-1	Intent.....	10-1
10-2	Use Regulations.....	10-1
10-3	Parking Regulations.....	10-2
10-4	Height, Area and Yard Regulations.....	10-2

	10-5	Sign Regulations.....	10-2
11		MANUFACTURED HOME SUBDIVISION DISTRICT (MHS)	
	11-1	Intent.....	11-1
	11-2	Permitted Uses.....	11-1
	11-3	Conditional Uses.....	11-1
	11-4	Intensity of Use.....	11-2
	11-5	Height Regulations.....	11-2
	11-6	Yard Regulations.....	11-2
	11-7	Sign Regulations.....	11-2
	11-8	Parking Regulations.....	11-2
	11-9	Performance Standards.....	11-3
12		PUBLIC USE DISTRICT (P)	
	12-1	Intent.....	12-1
	12-2	Permitted Uses.....	12-1
	12-3	Parking Regulations.....	12-2
	12-4	Sign Regulations.....	12-2
	12-5	Height, Area and Yard Regulations.....	12-2
13		MANUFACTURED HOME PARK DISTRICT (MP)	
	13-1	Intent.....	13-1
	13-2	Permitted Uses.....	13-1
	13-3	Conditional Uses.....	13-2
	13-4	Home Occupations.....	13-2
	13-5	Accessory Uses.....	13-2
	13-6	General Requirements.....	13-2
	13-7	Specific Requirements.....	13-3
	13-8	Application for Preliminary Approval.....	13-4
	13-9	Final Plan.....	13-5
	13-10	Deviation from Final Plan.....	13-6
	13-11	Discontinuance of Use as a Manufactured Home Park.....	13-6
	13-12	Sign Regulations.....	13-6
	13-13	Parking Regulations.....	13-6
	13-14	Visible Lot Numbers.....	13-6

14		COMMUNITY COLLEGE OVERLAY DISTRICT (C-O)	
	14-1	Intent.....	14-1
	14-2	Permitted Uses.....	14-1
	14-3	Conditional Uses.....	14-2
	14-4	Intensity of Use.....	14-2
	14-5	Sign Regulations.....	14-3
	14-6	Parking Regulations.....	14-3
	14-7	Development Alternatives.....	14-3
15		INDUSTRIAL DISTRICTS (I-1 AND I-2)	
	15-1	Intent.....	15-1
	15-2	Permitted and Conditional Uses.....	15-1
	15-3	Development Standards.....	15-3
	15-4	Height and Yard Regulations.....	15-4
	15-5	Sign Regulations.....	15-4
	15-6	Parking Regulations.....	15-4
	15-7	Loading and Unloading Regulations.....	15-5
	15-8	Screening Requirements.....	15-5
16		PLANNED UNIT DEVELOPMENT (PUD) OVERLAY DISTRICT	
	16-1	Intent.....	16-1
	16-2	General Provisions.....	16-1
	16-3	Specific Standards and Conditions.....	16-2
	16-4	Application Process.....	16-3
	16-5	Preliminary Plan.....	16-4
	16-6	Final Plan.....	16-6
	16-7	Recording.....	16-7
17		HOUSING OPPORTUNITY OVERLAY DISTRICT (HO-O)	
	17-1	Intent.....	17-1
	17-2	Uses.....	17-1
	17-3	Parking Regulations.....	17-1
	17-4	Height, Area and Yard Regulations.....	17-2
	17-5	Additional Incentives.....	17-2

18

MIXED USE DISTRICT (MU)

18-1	Intent.....	18-1
18-2	Permitted Uses.....	18-1
18-3	Conditional Uses.....	18-2
18-4	Home Occupations.....	18-2
18-5	Accessory Uses.....	18-2
18-6	Height and Yard Regulations; Design Standards.....	18-2
18-7	Sign Regulations.....	18-4
18-8	Parking Regulations.....	18-4
18-9	Minimum Lot Size.....	18-5

19

TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TN) DISTRICT

19-1	Intent.....	19-1
19-2	Applicability.....	19-1
19-3	Application Procedure and Approval Process....	19-1
19-4	Traditional Neighborhood Development Design Standards.....	19-2
19-5	Definitions.....	19-14

20

SUPPLEMENTAL DISTRICT REGULATIONS

20-1	General.....	20-1
20-2	Height and Yard Regulations.....	20-1
20-3	Number of Structures on a Lot.....	20-3
20-4	Sight Distances.....	20-3
20-5	Screening for Commercial or Industrial-Zoned Property.....	20-3
20-6	Temporary Uses.....	20-4
20-7	Accessory Uses.....	20-6
20-8	Accessory Uses; Additional Requirements in Residential Districts.....	20-8
20-9	Fences.....	20-8
20-10	Residential-Design Manufactured Housing Standards.....	20-9
20-11	Building Setbacks.....	20-11
20-12	Home Occupations.....	20-13

ARTICLE	SECTION	TITLE	PAGE
---------	---------	-------	------

21 NONCONFORMITIES

21-1	General Provisions.....	21-1
21-2	Nonconforming Lots of Record.....	21-1
21-3	Nonconforming Structures.....	21-2
21-4	Nonconforming Uses.....	21-3
21-5	Nonconforming Manufactured Homes.....	21-4

22 OFF-STREET PARKING, LOADING AND UNLOADING REGULATIONS

22-1	Purpose.....	22-1
22-2	General Provisions.....	22-1
22-3	Layout and Design Requirements.....	22-2
22-4	Permit Required.....	22-4
22-5	Required Parking Spaces.....	22-4
22-6	Exceptions Granted by Board of Zoning Appeals.....	22-6
22-7	Design Standards.....	22-8
22-8	Loading and Unloading Space Requirements....	22-12
22-9	Districts Requiring Loading and Unloading Space.....	22-12

23 TELECOMMUNICATIONS TOWERS

23-1	Telecommunications Towers; Permits.....	23-1
23-2	Fencing and Screening.....	23-2
23-3	Setbacks and Landscaping.....	23-3
23-4	Security.....	23-3
23-5	Access.....	23-3
23-6	Maintenance.....	23-3
23-7	Design.....	23-3
23-8	Consideration of Conditional Use Permit.....	23-4
23-9	Filing Requirement.....	23-5
23-10	Revocation of Permit.....	23-6
23-11	Transfer of Permit.....	23-6
23-12	Abandonment of Tower.....	23-7

24 HISTORIC CONSERVATION OVERLAY DISTRICT (HC-O)

24-1	Intent.....	24-1
24-2	Selection Criteria.....	24-1
24-3	Uses.....	24-2

24-4	Development/Design Standards.....	24-2
24-5	Establishment of Overlay District.....	24-3
24-6	Procedure.....	24-3

25

BOARD OF ZONING APPEALS AND ADMINISTRATIVE VARIANCES

25-1	Board Organization and Procedure.....	25-1
25-2	Appeals.....	25-2
25-3	Variances.....	25-2
25-4	Exceptions.....	25-4
25-5	Determinations of Board.....	25-6
25-6	Applications for Board Hearings.....	25-7
25-7	Public Hearing Required.....	25-8
25-8	Performance Upon Grant of Variance or Exception.....	25-9
25-9	Appeals from Board Decisions.....	25-9
25-10	Administrative Variances.....	25-10

26

AMENDMENT PROCEDURES

26-1	General Authority and Procedure.....	26-1
26-2	Table of Lesser Change.....	26-8
26-3	Time of Performance in Rezoning.....	26-8
26-4	Conditional Use Permits.....	26-9
26-5	Fees for Rezoning and Conditional Use Permits.....	26-10

27

SIGNS

27-1	Definitions.....	27-1
27-2	Signs Excluded from Regulations.....	27-3
27-3	Signs Prohibited.....	27-4
27-4	General Sign Regulations.....	27-4
27-5	Residential District (R) Sign Regulations.....	27-5
27-6	Countryside District (CS) Sign Regulations.....	27-5
27-7	Agricultural District (A) Sign Regulations.....	27-6
27-8	Commercial District Sign Regulations.....	27-6
27-9	Industrial District Sign Regulations.....	27-8
27-10	Maintenance of Signs.....	27-8
27-11	Billboards/Off-Premises Signs.....	27-9
27-12	Unlawful Cutting of Trees or Shrubs.....	27-10
27-13	Nonconforming Signs.....	27-10
27-14	Amortization of Nonconforming Signs.....	27-11

ARTICLE	SECTION	TITLE	PAGE
---------	---------	-------	------

28 ENFORCEMENT, VIOLATION AND PENALTY

28-1	Enforcement.....	28-1
28-2	Interpretation and Conflict.....	28-1
28-3	Validity.....	28-1
28-4	Repeal of Existing Regulations and Accrued Rights and Liabilities.....	28-2
28-5	Penalties.....	28-2
28-6	Effective Date.....	28-2

**29 FLOODPLAIN MANAGEMENT OVERLAY
DISTRICT**

29-1	Findings.....	29-1
29-2	Purpose.....	29-2
29-3	General Provisions.....	29-2
29-4	Administration.....	29-3
29-5	Provisions for Flood Hazard Reduction.....	29-5
29-6	Floodplain Management Variance Procedures...	29-12
29-7	Penalties for Violation.....	29-20
29-8	Amendments.....	29-20
29-9	Definitions.....	29-20

30 SITE PLANS

30-1	Intent.....	30-1
30-2	Applicability.....	30-2
30-3	Authority.....	30-2
30-4	Filing Fee.....	30-3
30-5	Submission Requirements.....	30-3
30-6	Standard of Review.....	30-6
30-7	Development Standards.....	30-6