

**CHAPTER 1123**  
**Interpretation**

<b>1123.01</b>	<b>Permitted uses.</b>	<b>1123.06</b>	<b>Comprehensive plan purposes.</b>
<b>1123.02</b>	<b>Building height, area and parking.</b>	<b>1123.07</b>	<b>Validity.</b>
<b>1123.03</b>	<b>Yards and open spaces.</b>	<b>1123.08</b>	<b>Court decisions affecting property uses.</b>
<b>1123.04</b>	<b>Dwellings on lots.</b>		
<b>1123.05</b>	<b>Minimum requirements.</b>		

**CROSS REFERENCES**

Flood plain interpretation - see BLDG. 1317.10  
Housing and property maintenance standards - see PROP. STDS. Ch. 1711  
Property performance standards - see PROP. STDS. Ch. 1717

**1123.01 PERMITTED USES.**

Except as hereinafter specifically provided, no building shall be erected, converted, enlarged, reconstructed, moved or structurally altered, nor shall any building or land be used, except for a purpose permitted in the district in which the building or land is located.  
(Ord. 2003-1. Passed 3-13-03.)

**1123.02 BUILDING HEIGHT, AREA AND PARKING.**

Except as hereinafter specifically provided, no building shall be erected, converted, enlarged, reconstructed or structurally altered except in conformity with the height, area, parking, loading and other regulations of the district in which the building is located.  
(Ord. 2003-1. Passed 3-13-03.)

**1123.03 YARDS AND OPEN SPACES.**

Except as hereinafter specifically provided, the minimum yards and other open spaces, including lot area per family required by this Zoning Code for each and every building existing at the time of passage of this section or for any building hereafter erected, shall not be encroached upon or considered as part of the yard or open space required for any other building, nor shall any lot area be reduced below the requirements of this Zoning Code for the district in which such lot is located.  
(Ord. 2003-1. Passed 3-13-03.)

**1123.04 DWELLINGS ON LOTS.**

Every single-family and two-family dwelling hereafter erected or structurally altered shall be located on a lot as defined in Chapter 1121, and in no such case shall there be more than one main building on one lot.  
(Ord. 2003-1. Passed 3-13-03.)

**1123.05 MINIMUM REQUIREMENTS.**

In interpreting and applying the provisions of this Zoning Code, they shall be the minimum requirements for the promotion of the public safety, health, convenience, comfort, morals, prosperity, and general welfare. It is not intended by this Zoning Code to interfere with or abrogate or annul any easements, covenants or other agreements between parties, except that if this Zoning Code imposes a greater restriction, the Zoning Code shall control.  
(Ord. 2003-1. Passed 3-13-03.)

**1123.06 COMPREHENSIVE PLAN PURPOSES.**

The Zoning Code has been made in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements. These regulations have been made with reasonable consideration, among other things, to the character of the district, and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City.

(Ord. 2003-1. Passed 3-13-03.)

**1123.07 VALIDITY.**

If any part or parts of this Zoning Code shall be held to be unconstitutional, such unconstitutionality shall not affect the validity of the remaining parts of the Zoning Code. The Council hereby declares that it would have passed the remaining parts of this Zoning Code if it had known that such part or parts thereof would be declared unconstitutional.

(Ord. 2003-1. Passed 3-13-03.)

**1123.08 COURT DECISIONS AFFECTING PROPERTY USES.**

Whenever a court declares, by a judgment or decree that is final, whether because no appeal or further appeal is taken from such judgment or decree, that the zoning of property is unconstitutional because it is too restrictive, the property affected shall thereupon be subject to the restrictions applicable to the next less restrictive district; provided however, the court, in such judgment or decree, declares that the property may be used for a particular use or uses because Council has no right to prohibit such use or uses on the property, then the property shall be subject to the restrictions applicable to the most restrictive district in which the particular use or uses, declared proper the court, are permitted.

(Ord. 2003-1. Passed 3-13-03.)