



CITY OF HAPPYTOWN

COMPREHENSIVE ZONING ORDINANCE

ORDINANCE NO. 2026-04

Adopted Pursuant to State Enabling Legislation and Home Rule Authority

ARTICLE I — PURPOSE, AUTHORITY, AND APPLICABILITY

§1.01 Legislative Authority

This Ordinance is enacted pursuant to the zoning enabling authority granted to the City of Happytown (hereinafter “Municipality”) under applicable state statutes, constitutional home rule provisions, and the inherent police power of the Municipality to regulate land use in furtherance of the public health, safety, morals, and general welfare.

§1.02 Purpose and Intent

The purpose of this Ordinance is to:

- 1. Promote coordinated and orderly land development.**
- 2. Prevent incompatible land uses and mitigate adverse externalities.**

3. Stabilize property values.
4. Regulate population density and intensity of land use.
5. Ensure adequate light, air, privacy, and open space.
6. Facilitate the provision of public infrastructure and services.
7. Preserve environmental, historic, and aesthetic resources.

§1.03 Applicability

(A) The provisions of this Ordinance shall apply to all land, structures, buildings, and uses within the municipal boundaries, including annexed territories and designated planning influence areas.

(B) No structure shall be erected, constructed, reconstructed, altered, relocated, or enlarged, nor shall any land or building be used, except in conformity with this Ordinance.

(C) Uses not expressly permitted shall be deemed prohibited.

ARTICLE II — ESTABLISHMENT OF ZONING DISTRICTS

§2.01 District Classifications

The Municipality is hereby divided into the following zoning districts:

- R-1 Low Density Residential
- R-2 Medium Density Residential
- R-3 High Density Residential
- MX Mixed-Use District
- C-1 Neighborhood Commercial
- C-2 General Commercial
- I-1 Light Industrial
- I-2 General Industrial

- **HP Historic Preservation Overlay**
- **FP Floodplain Overlay**
- **PUD Planned Unit Development Overlay**

§2.02 Zoning Map

The boundaries of the districts are established as shown on the official Zoning Map, which is incorporated herein by reference and maintained by the Planning Department.

In the event of uncertainty as to district boundaries:

- 1. Boundaries following streets shall be construed as following centerlines.**
- 2. Boundaries following property lines shall be construed as following such lines.**
- 3. Ambiguities shall be resolved by administrative interpretation.**

ARTICLE III — USE REGULATIONS

§3.01 General Use Provisions

(A) No building or land shall be used except for a use listed as permitted or conditionally permitted within the district in which it is located.

(B) Accessory uses shall be clearly incidental and subordinate to the principal use.

(C) Temporary uses require administrative approval.

§3.02 Residential Use Classifications

Residential uses are defined as follows:

Single-Family Detached Dwelling:

A freestanding structure designed for occupancy by one household unit.

Two-Family Dwelling (Duplex):

A single structure containing two separate dwelling units.

Multi-Family Dwelling:

A structure containing three or more dwelling units.

Accessory Dwelling Unit (ADU):

A secondary dwelling unit located on the same lot as a principal residential structure, subject to size limitations not exceeding 40% of the principal dwelling floor area.

§3.03 Commercial Use Classifications

Commercial uses include but are not limited to:

- Retail sales establishments
- Personal service establishments
- Professional offices
- Restaurants (with or without drive-through)
- Hotels and lodging facilities

Drive-through facilities are permitted only in C-2 and MX districts and require site plan approval.

§3.04 Industrial Use Classifications

Industrial uses are categorized as:

Light Industrial (I-1):

Manufacturing, fabrication, assembly, and warehousing activities that do not produce excessive noise, vibration, smoke, odor, or particulate emissions.

General Industrial (I-2):

Heavy manufacturing and industrial processing operations subject to environmental compliance standards.

ARTICLE IV — DIMENSIONAL STANDARDS

§4.01 Minimum Lot Requirements

District	Min. Lot Area	Min. Lot Width
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R-1 10,000 sq ft 75 ft

R-2 7,500 sq ft 60 ft

R-3 5,000 sq ft 50 ft

§4.02 Setback Requirements

Front, side, and rear yard setbacks shall be as follows:

- **R-1: Front 30 ft; Side 10 ft; Rear 25 ft**
- **R-2: Front 25 ft; Side 8 ft; Rear 20 ft**
- **R-3: Front 20 ft; Side 5 ft; Rear 15 ft**

Chimneys, bay windows, and architectural projections may encroach no more than 24 inches into required setbacks.

§4.03 Height Limitations

Maximum building heights:

- **Residential Districts: 35 feet**
- **Commercial Districts: 45 feet**
- **Industrial Districts: 60 feet**

Height shall be measured from average grade to the highest point of the roof structure.

§4.04 Lot Coverage and Floor Area Ratio

Lot coverage shall not exceed:

- **R-1: 35%**

- R-2: 45%
- R-3: 60%

Commercial districts shall comply with maximum Floor Area Ratio (FAR) of 1.5 unless otherwise approved.

ARTICLE V — NONCONFORMING USES AND STRUCTURES

§5.01 Legal Nonconforming Uses

A lawful use existing prior to the adoption of this Ordinance that does not conform shall be deemed a legal nonconforming use.

Such uses:

- May continue.
- Shall not be expanded.
- Shall not resume if discontinued for 12 consecutive months.

§5.02 Damage and Reconstruction

If a nonconforming structure is damaged beyond 50% of its replacement value, reconstruction must conform to current standards.

ARTICLE VI — SITE PLAN REVIEW

§6.01 Applicability

Site plan review is required for:

- All commercial developments.

- **Multi-family residential projects.**
- **Industrial developments.**
- **Conditional uses.**

§6.02 Submission Requirements

Applicants shall submit:

- **Scaled site plans.**
- **Architectural elevations.**
- **Landscaping plans.**
- **Stormwater management plans.**
- **Traffic impact analysis, if required.**

§6.03 Approval Criteria

The Planning Commission shall evaluate:

1. **Consistency with the comprehensive plan.**
2. **Adequacy of utilities and infrastructure.**
3. **Traffic circulation and safety.**
4. **Compatibility with surrounding uses.**

Approval may include conditions.

ARTICLE VII — VARIANCES AND APPEALS

§7.01 Board of Zoning Appeals

The Board may grant a variance upon finding:

- **Unique hardship.**
- **No self-created hardship.**
- **No substantial detriment to neighboring properties.**
- **Consistency with general intent of the Ordinance.**

§7.02 Appeals

Administrative decisions may be appealed within 30 days of issuance.

ARTICLE VIII — ENFORCEMENT

§8.01 Violations

Any violation of this Ordinance shall constitute a civil infraction.

Each day of continued violation shall be a separate offense.

§8.02 Remedies

The Municipality may pursue:

- **Civil fines.**
 - **Injunctive relief.**
 - **Revocation of permits.**
 - **Cost recovery.**
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ARTICLE IX — AMENDMENTS

This Ordinance may be amended by majority vote of Council following public hearing and recommendation of the Planning Commission.

ARTICLE X — SEVERABILITY AND EFFECTIVE DATE

If any section is declared invalid, the remainder shall remain in effect.

This Ordinance shall take effect thirty (30) days after adoption.