Article 24:
SPECIAL AREA (SA) OVERLAY DISTRICT

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Sec. 9-1.2400:
Purposes

The SA Special Area Overlay District is established to achieve the following purposes:

A. To provide stability for residential areas which are affected by noise of aircraft operations and by problems resulting from the presence of commercial and industrial uses in close proximity to residences;

B. To foster the upgrading of such areas by requiring existing commercial and industrial uses to take measures to eliminate potentially hazardous conditions where they exist and by requiring other measures, such as the screening of outdoor storage areas and landscaping, to make the appearance of such uses more harmonious with the residential character of the area;

C. Through the improved stability and upgrading of such areas, to facilitate property owners securing financing, including home rehabilitation loans and grants, as a means of encouraging the present residents to improve their properties and to enable them to remain in their established neighborhoods if they choose to do so.

Sec. 9-1.2405:
Application

The SA District established by this article shall apply to all properties classified in a Residential District which are located in any area designated as an “Area of Concern for Future Development" by resolution of the Council. *All new residential construction, modifications to existing residential uses, churches, group care facilities, schools and other similar uses shall meet the requirements of Ordinance No. 2616.*

Sec. 9-1.2410:
Conditional Use Permits Required: Exceptions

All proposed uses in the SA Special Area Combined District shall be subject to the issuance of a conditional use permit in accordance with the provisions of Article 9 of this chapter, with the following exceptions:

A. Agricultural uses permitted by Section 9-1.1300;

B. A single-family dwelling on an existing lot provided the dwelling is soundproofed;

C. Multiple dwellings where permitted by the base Residential District regulations provided the dwellings are soundproofed;

D. Home occupations subject to the provisions of Sec. 9-1.1305H;

E. Incidental and accessory structures and uses permitted by Sec. 9-1.1435(A), provided accessory living quarters are soundproofed.

Sec. 9-1.2415:
Required Conditions for Existing Commercial and Industrial Uses

In addition to the requirements prescribed in Article 7 of this chapter for nonconforming uses and structures, existing commercial and industrial uses in the SA District shall conform with the following requirements:

A. Security fencing for uses employing toxic substances. For any use in which a toxic substance of any kind is employed in a process or activity, a security fence or wall at least eight (8') feet in height with locking gates shall be provided at the perimeter of the area within which the process or activity is conducted. The gates shall be kept closed and locked at all times when not in use or under direct supervision.

B. Security fencing for outdoor storage areas. Security fencing or walls at least eight (8') feet in height with locking gates shall be provided at the perimeter of any area used for the outdoor storage of materials and equipment. Within such storage area, except for trucks or other vehicles necessary for the operation, no materials or equipment shall be stored to a height greater than eight (8') feet. Where the storage area is visible from a public street or from adjoining residential properties, the storage area shall be screened from view by the use of a site-obscuring wall or fence, a compact evergreen hedge, or other suitable plant materials at least eight (8') feet in height.

C. Landscaping. Subject to the availability of the required amount of space free and clear of buildings, and provided that fulfilling the requirement does not reduce off-street parking or off-street loading spaces to fewer than are prescribed in Article 30 of this chapter, landscaping shall be provided and permanently maintained in the following areas:

1. At least ten (10') feet adjoining the front property line, except for necessary walks and access drive, at least ten (10') feet adjoining the rear property line of a through lot, and at least ten (10') feet adjoining the side property line on the street side of a corner lot, provided that where a space of less than ten (10') feet is available in any of these areas, the full depth of the available space shall be landscaped and permanently maintained;

2. Where the side or rear property line of a site adjoins a residential use, a solid masonry steel reinforced wall at least six (6') feet high shall be provided at the side or rear property line and an area of not less than five (5') feet adjoining the fence or wall shall be landscaped and permanently maintained;

3. Off-street parking lots shall be landscaped as prescribed in Article 32 of this chapter.

Sec. 9-1.2420:
Time for Compliance

The requirements of subsections (A) and (B) of Section 9-1.2415 shall be met within ninety (90) days following the classification of the site in the SA District and the requirements of subsection (C) of said Section shall be met within one year following the classification of the site in said District.

Sec. 9-1.2425:
Avigation Easements Required

For all development proposed to be located in the “Area of Concern for Future Development", as established by resolution of the Council, either adopted prior or subsequent to the adoption of this section, and corresponding to the sixty-five (65) CNEL area, the owner shall grant an unlimited Avigation and noise easement to the City and to such other municipality or other governmental agency which may own and/or operate an airport within the City in form and content satisfactory to the City.