

Division 4.12 - Transition District (T)

- (A) **Purpose.** The Transition District is intended for properties for which there are no specific and immediate plans for development. The only permitted uses are those existing at the date the property was placed into this District.
- (B) **Permitted Uses.**
- (1) The following uses are permitted in the T District:
 - (a) No use shall be permitted of properties in the T District except such legal use as existed on the date the property was placed into this zone district. No permanent structures shall be constructed on any land in this District, except that at the time of zoning or rezoning of the property into this District the City Council may grant a variance permitting the installation or enlargement of a permanent structure containing a legal use which was existing, or is ancillary to the legal use of the property, at the time of such zoning or rezoning upon the following conditions:
 1. The owner of the property, prior to the City Council meeting at which the zoning or rezoning is to be heard, shall submit a site plan showing in reasonable detail the existing and proposed uses of such property.
 2. The City Council shall grant such variance only upon a finding that the strict application of this Land Use Code would result in exceptional or undue hardship upon the owner of the property and that the variance may be granted without substantial detriment to the public good and without substantially impairing the intent and purposes of this Land Use Code.
 - (b) After the property has been placed in the T District, the Zoning Board of Appeals may grant a variance in accordance with Division 2.10 permitting installation or enlargement of a permanent structure containing a use which was existing at the time the property was placed in this District, or containing a use which is ancillary to such existing use. When applying the standards of subsection 2.10.2(H), paragraph 2.10.2(H)(2) shall not apply. Any proposal for the installation or enlargement of such a structure for which a variance has been approved must comply with the requirements contained in Section 1.6.5 and the applicable general development standards contained in Article 3.
 - (c) Notwithstanding the other provisions contained in paragraphs (a) and (b) above, a property in the T District can be used for off-site staging in compliance with Section 3.8.25 of this Code.
 - (2) The owner of any property in the T District may at any time petition the City to remove the property from this zone district and place it in another zone district. Unless the following time limitations are waived by the petitioner, any such petition shall be referred to the Planning and Zoning Board to be considered at the next regular meeting of such board which is scheduled at least thirty (30) days from the date the petition is filed with the City Clerk. Within sixty (60) days from the date the matter is considered by the board, the City Council shall change the zoning for the property in question to another zone district authorized under this Article.
 - (3) Any use which was nonconforming upon a parcel prior to placement into this zone district shall continue to be nonconforming upon removal of such parcel or property from this zone district unless such parcel is placed into a zone district where such use is listed as a permitted use.

(Ord. No. 90, 1998, 5/19/98; Ord. No. 177, 1998 §4, 10/20/98; Ord. No. 228, 1998 §38, 12/15/98; Ord. No. 107, 2001 §42, 6/19/01; Ord. No. 204, 2001 §§38, 39, 12/18/01; Ord. No. 087, 2002 §28, 6/4/02; Ord. No. 090, 2003 §15, 6/17/03; Ord. No. 173, 2003 §25, 12/16/03; Ord. No. 131, 2006 §5, 9/19/06; Ord. No. 068, 2010 §12, 7/6/10; Ord. No. [129, 2017](#), § 15, 10/3/17)