

**GOVERNING BODY WORKSHOP AGENDA  
ROELAND PARK  
Roeland Park City Hall, 4600 W 51st Street  
Monday, April 1, 2024 6:00 PM**

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| <ul style="list-style-type: none"><li>• Michael Poppa, Mayor</li><li>• Emily Hage, Council Member</li><li>• Benjamin Dickens, Council Member</li><li>• Jan Faidley, Council Member</li><li>• Jennifer Hill, Council Member</li></ul> | <ul style="list-style-type: none"><li>• Jeffrey Stocks, Council Member</li><li>• Tom Madigan, Council Member</li><li>• Kate Raglow, Council Member</li><li>• Matthew Lero, Council Member</li></ul> | <ul style="list-style-type: none"><li>• Keith Moody, City Administrator</li><li>• Jennifer Jones-Lacy, Asst. Admin.</li><li>• Kelley Nielsen, City Clerk</li><li>• John Morris, Police Chief</li><li>• Donnie Scharff, Public Works Director</li></ul> |
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Admin	Finance	Safety	Public Works
Lero	Stocks	Hage	Raglow
Faidley	Dickens	Hill	Madigan

**I. APPROVAL OF MINUTES**

- A. Governing Body Workshop Meeting Minutes March 18, 2024

**II. DISCUSSION ITEMS:**

1. Review Chapter 16: Zoning and Subdivision Regulations, re: Article 4 – Zoning Districts and Article 6 – Accessory Uses and Structures

**III. NON-ACTION ITEMS:**

**IV. ADJOURN**

**Welcome to this meeting of the Committee of the Whole of Roeland Park.**

**Below are the Procedural Rules of the Committee**

*The governing body encourages citizen participation in local governance processes. To that end, and in compliance with the Kansas Open meetings Act (KSA 45-215), you are invited to participate in this meeting. The following rules have been established to facilitate the transaction of business during the meeting. Please take a moment to review these rules before the meeting begins.*

- A. **Audience Decorum.** Members of the audience shall not engage in disorderly or boisterous conduct, including but not limited to; the utterance of loud, obnoxious, threatening, or abusive language; clapping; cheering;

whistling; stomping; or any other acts that disrupt, impede, or otherwise render the orderly conduct of the Committee of the Whole meeting unfeasible. Any member(s) of the audience engaging in such conduct shall, at the discretion of the City Council President (Chair) or a majority of the Council Members, be declared out of order and shall be subject to reprimand and/or removal from that meeting. **Please turn all cellular telephones and other noise-making devices off or to "silent mode" before the meeting begins.**

- B. **Public Comment Request to Speak Form.** The request form's purpose is to have a record for the City Clerk. Members of the public may address the Committee of the Whole during Public Comments and/or before consideration of any agenda item; however, no person shall address the Committee of the Whole without first being recognized by the Chair or Committee Chair. Any person wishing to speak at the beginning of an agenda topic, shall first complete a Request to Speak form and submit this form to the City Clerk before discussion begins on that topic.
- C. **Purpose.** The purpose of addressing the Committee of the Whole is to communicate formally with the governing body with a question or comment regarding matters that are on the Committee's agenda.
- D. **Speaker Decorum.** Each person addressing the Committee of the Whole, shall do so in an orderly, respectful, dignified manner and shall not engage in conduct or language that disturbs, or otherwise impedes the orderly conduct of the committee meeting. Any person, who so disrupts the meeting shall, at the discretion of the City Council President (Chair) or a majority of the Council Members, be declared out of order and shall be subject to reprimand and/or be subject to removal from that meeting.
- E. **Time Limit.** In the interest of fairness to other persons wishing to speak and to other individuals or groups having business before the Committee of the Whole, each speaker shall limit comments to two minutes per agenda item. If a large number of people wish to speak, this time may be shortened by the Chair so that the number of persons wishing to speak may be accommodated within the time available.
- F. **Speak Only Once Per Agenda Item.** Second opportunities for the public to speak on the same issue will not be permitted unless mandated by state or local law. No speaker will be allowed to yield part or all of his/her time to another, and no speaker will be credited with time requested but not used by another.
- G. **Addressing the Committee of the Whole.** Comment and testimony are to be directed to the Chair. Dialogue between and inquiries from citizens

and individual Committee Members, members of staff, or the seated audience is not permitted. Only one speaker shall have the floor at one time. Before addressing Committee speakers shall state their full name, address and/or resident/non-resident group affiliation, if any, before delivering any remarks.

- H. **Agendas and minutes** can be accessed at [www.roelandpark.org](http://www.roelandpark.org) or by contacting the City Clerk

***The governing body welcomes your participation and appreciates your cooperation. If you would like additional information about the Committee of the Whole or its proceedings, please contact the City Clerk at (913) 722.2600.***

Item Number:       **APPROVAL OF MINUTES- I.-A.**  
Committee           **4/1/2024**  
Meeting Date:



**City of Roeland Park**  
Action Item Summary

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Date:  
Submitted By:  
Committee/Department:  
Title:                       **Governing Body Workshop Meeting Minutes March 18, 2024**  
Item Type:

<p><b>Recommendation:</b></p> <p><b>*Minutes will be uploaded when available.</b></p>
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**Details:**

What are the racial equity implications of the objective?

How does item benefit Community for all Ages?

**Item Number:** DISCUSSION ITEMS- II.-1.  
**Committee** 4/1/2024  
**Meeting Date:**



## **City of Roeland Park**

Action Item Summary

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**Date:** 4/1/2024  
**Submitted By:** Jennifer Jones-Lacy, Assistant City Administrator/Finance Director  
**Committee/Department:** Admin  
**Title:** **Review Chapter 16: Zoning and Subdivision Regulations, re: Article 4 – Zoning Districts and Article 6 – Accessory Uses and Structures**  
**Item Type:** Discussion

### **Recommendation:**

**To review recommended changes to Article 4 - Zoning Districts and Article 6 - Accessory Uses and Structures of the City's Zoning Code (Ch. 16) with the Planning Commission and Council.**

**\*Presentation will be uploaded when available.**

### **Details:**

Chris Shires, the City's consultant with Confluence, will go through a presentation that includes recommended changes to Articles 4 and 6 of the City's Zoning code. The presentation will summarize the highlights of the recommended changes and the full redlined version of these sections are attached.

City staff reviewed the recommendations by Mr. Shires and we talked through several edits to the original changes. The goal of reviewing Ch. 16 was to try to improve organization, make the code easier to interpret and ensure the code is compliant with all state and federal laws.

The plan is to review the recommendations at joint meetings with the Planning Commission and Council in April. Chris will then take all of the recommended edits and update the redlined changes for a final review by the Planning Commission and Council. When we're ready for a new ordinance, that will require a public hearing in front of the Planning Commission, followed by final approval by Council.

What are the racial equity implications of the objective?

How does item benefit Community for all Ages?

**ATTACHMENTS:**

Description	Type
📎 Joint Workshop #1 Presentation	Cover Memo
📎 Article 4 - Zoning Districts Redlines	Cover Memo
📎 Article 6 - Accessory Uses & Structures	Cover Memo



# Development Code Update

## ROELAND PARK, KANSAS

April 1, 2024

Joint Workshop

CONFLUENCE





# OUTLINE

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- Focus Areas
- Draft Code Review (Part 1)
- Next Steps





# FOCUS AREAS

# FOCUS AREAS

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## Updates to:

- Article 2 – Definitions
- Article 4 – Zoning Districts
- Article 6 – Accessory Uses and Structures
- Article 9 – Sign Regulations
- Article 10 – Landscaping and Screening
- Article 14 – Subdivision Regulations (postage stamp lots for townhomes)



# FOCUS AREAS

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## Part 1 Review

### Updates to:

- Article 2 – Definitions
- **Article 4 – Zoning Districts**
- **Article 6 – Accessory Uses and Structures**
- Article 9 – Sign Regulations
- Article 10 – Landscaping and Screening
- Article 14 – Subdivision Regulations (postage stamp lots for townhomes)

# FOCUS AREAS

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## Part 2 Review

### Updates to:

- Article 2 – Definitions
- Article 4 – Zoning Districts
- Article 6 – Accessory Uses and Structures
- **Article 9 – Sign Regulations**
- **Article 10 – Landscaping and Screening**
- Article 14 – Subdivision Regulations (postage stamp lots for townhomes)



# FOCUS AREAS

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## Part 1 Review

### Article 4 – Zoning Districts

#### Division I – General Provisions

- Sec. 16-401. - Authorization and Regulation of Zones and Districts.
- Sec. 16-402. - Zoning Districts Designated.
- Sec. 16-403. - Official Zoning Map.
- Sec. 16-404. - General Requirements Applicable to All Zoning Districts.
- Sec. 16-405. - Prohibitions.

#### Division II – Zoning Districts Described

- Sec. 16-406. - R-1 and R-2 Single-Family Residence Districts.
- Sec. 16-407. - R-3 Duplex Residence District.
- Sec. 16-408. - R-4 Townhouse/Row Dwelling District.
- Sec. 16-409. - R-5 Multiple Residence District.
- Sec. 16-410. - Residential Bulk Regulations.
- Sec. 16-411. - C-1 Office Building District.
- Sec. 16-412. - C-2 Retail Business District.
- Sec. 16-413. - Office and Retail Bulk Regulations.
- Sec. 16-414. - Permitted and Special Uses.
- Sec. 16-415. - Building Design Standards.
- Sec. 16-416. - Performance Standards.

# FOCUS AREAS

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## Part 1 Review

### Article 4 – Zoning Districts

#### Division III. - Height and Areas Standards

- Sec. 16-421. - Height and Area Exceptions; Generally.
- Sec. 16-421. - Lot and Yard Regulations.
- Sec. 16-422. - Height and Yard Exceptions—Public or Semi-Public Buildings.
- Sec. 16-422. - Yard Exceptions—Platted Setback Lines.
- Sec. 16-423. - Yard Exceptions—Residential Districts; Front Yards.
- Sec. 16-425. - Yard Exceptions—Required Yards.
- Sec. 16-424. - Yard Exceptions—Sight Distance on Corner Lots.
- Sec. 16-425. - Exceptions—Rear Yard Adjoining Alleys.

#### Division IV. – Planned Districts

- Sec. 16-428. - Planned Zoning Districts; Statement of Objectives.



# FOCUS AREAS

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## Part 1 Review

### Article 6 – Accessory Uses and Structures

- Sec. 16-601. - Accessory Buildings and Structures.
- Sec. 16-602. - Antennas, Satellite Dish Antennas, and Towers (Not Including Wireless Communications Facilities).
- Sec. 16-603. - Fences and Walls.
- Sec. 16-604. - Hobby Activities.
- Sec. 16-605. - Home Occupations.
- Sec. 16-606. - Outside Storage and Use of Equipment, Material or Vehicles, and Other Provisions.
- Sec. 16-607. - Little Free Libraries.
- Sec. 16-608. - Accessory Dwelling Units.

# ARTICLE 4 – ZONING DISTRICTS

## Major Updates

- New R-4 Townhouse/Row Dwelling District
- New summary table of building setbacks (bulk regulations) for residential

TABLE 16-410.1: RESIDENTIAL BULK REGULATIONS

BULK AND DENSITY REGULATION BY BUILDING TYPE	BUILDING TYPE					
	Single Family Dwelling in the R-1 Zoning District	Single-Family Dwelling in the R-2 Zoning District	Duplex and Two-Family Dwelling in the R-3, R-4, or R-5 Zoning Districts	Townhouse or Row Dwelling (3+ units) in the R-4 and R-5 Zoning Districts	Multiple family dwelling (3+ apartment or condo units) in the R-5 Zoning District	Non-Residential Structure in a Residential Zoning District
Min. Lot Size	7,500 sq. ft.	6,000 sq. ft.	7,500 sq. ft.	n/a	7,500 sq. ft. for each building	40,000 sq ft
Min. Lot Width <sup>1</sup>	60 ft	60 ft	60 ft	24 ft.	n/a	100 ft
Min. Lot Street Frontage <sup>2</sup>	35 ft	35 ft	35 ft	20 ft	80 ft	40 ft
Front Yard Setback <sup>3</sup>	30/ <del>35</del> ft.	25 ft	30/ <del>35</del> ft.	25 ft	35 ft	35 ft.
Side Yard Setback <sup>4</sup>	5 ft (max 80% of lot width)	5 ft (max 80% of lot width)	5 ft (max 80% of lot width)	8 ft. <sup>6</sup>	20 ft (max 75% of <del>lot width</del> ) 30 ft	30 ft
Rear Yard Setback <sup>5</sup>	15 ft	15 ft	15 ft	30 ft	30 ft	30 ft
Min. Separation Between Principal Buildings	n/a	n/a	n/a	16 ft side to side, 46 ft back to back or back to side	<del>15 ft</del> 30 ft	20 ft
Min. Setback from Private Street or Common Private Roadway	n/a	n/a	n/a	20 ft from back of curb or street sidewalk whichever is closest	20 ft from back of curb or street sidewalk whichever is closest	n/a
Min. Setback from the Perimeter of the Development	n/a	n/a	n/a	30 ft	30 ft	30 ft
Max. Building Height	35 ft (2 ½ stories)	35 ft (2 ½ stories)	35 ft (2 ½ stories)	35 ft	<del>40</del> 50 ft (3 stories)	35 ft <sup>7</sup>
Min. Green Space <sup>8</sup>	55-65%	55-65%	55-65%	25%	25%	25%
Max. Dwelling Units Per Acre	n/a	n/a	n/a	8	<del>17.4 (2,500 sq.-ft. per unit)</del> 18	n/a

# ARTICLE 4 – ZONING DISTRICTS

## Major Updates

- New summary **table of building setbacks (bulk regulations)** for Commercial and Office

TABLE 16-413.1: OFFICE AND COMMERCIAL BULK REGULATIONS		
BULK REGULATION BY ZONING DISTRICT	ZONING DISTRICTS	
	C-1 Office Building	C-2 Retail Business
Min. Lot Size	n/a	n/a
Min. Lot Width	n/a	n/a
Min. Lot Street Frontage	n/a	n/a
Front Yard Setback	30 ft	30 ft
Side Yard Setback <sup>1</sup>	15 ft	15 ft
Rear Yard Setback <sup>2</sup>	20 ft	20 ft
Min. Separation Between Buildings Not Attached	20 ft	20 ft
Max. Building Height <sup>3</sup>	40 ft	40 ft
Min. Building Height	n/a	n/a
Min. Green Space	20%	20%



# ARTICLE 4 – ZONING DISTRICTS

## Major Updates

- New summary **table of permitted and special uses**

*P = Permitted*

*S = Special Use Permit required*

*L = City license required*

*Blank = not permitted*

## RESIDENTIAL USES

TABLE 16-414.1: PERMITTED AND SPECIAL USES TABLE							
USE	ZONING DISTRICT						
	R-1	R-2	R-3	R-4	R-5	C-1	C-2
RESIDENTIAL USES							
Household Living							
Single-family dwelling, detached	P	P	P	P			
Single-family dwelling, semi-detached (traditional duplex on two lots)			P	P	P		
Two-family dwelling on one lot (duplex on one lot) does not include the conversion of an existing single family home into 2 dwelling units			P	P	P		
Townhouse/row dwelling (3+ units)				P	P		
Multiple family dwelling (3+ apartment or condo units)					P		
Manufactured Home on one lot	P	P	P	P			
Accessory dwelling that is attached to or within the principal dwelling unit (includes the conversion of an existing single family detached dwelling into 2 units such as converting a basement or attached garage space into a separate dwelling unit)	S	S	S	S	S		
Accessory dwelling that is detached and separate from the principal dwelling unit	S		S	S	S		
Short-term rental for single family dwelling or duplex, city license required (see Chapter 5, Article 7 of City Code)	L	L	L				
Short-term rental for townhomes, rowhouse, apartment				P	P		
Dwelling units located above the ground floor (mixed use building)						S	S

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## RESIDENTIAL & PUBLIC USES

TABLE 16-414.1: PERMITTED AND SPECIAL USES TABLE							
USE	ZONING DISTRICT						
	R-1	R-2	R-3	R-4	R-5	C-1	C-2
RESIDENTIAL USES							
Group Residential							
Group home as defined by K.S.A. 12-736	P	P	P	P			
Assisted living residential facility				P	P	P	P
Nursing or convalescent home				P	P	P	P
Supervised group residence, not including Group home as defined by K.S.A. 12-736							
PUBLIC AND CIVIC USES							
College, university, vocational and trades schools						P	P
Cultural exhibit, museum, or library						P	P
Membership or religions organization, social club or lodge, and other place of public assembly	P	P	P	P	P	P	P
Public or private elementary, middle, or high school	P	P	P	P	P	P	P
Public or private parks, golf courses, golf driving ranges, country clubs, swimming pools, playgrounds, and indoor or outdoor recreational facilities and ball fields	P	P	P	P	P	P	P
City, State, and Federal Government buildings and properties	P	P	P	P	P	P	P
County Office Buildings						P	P
Hospital						P	P

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## COMMERCIAL USES

USE	ZONING DISTRICT						
	R-1	R-2	R-3	R-4	R-5	C-1	C-2
COMMERCIAL USES							
After hours business							
Agricultural Sales and Services							P
Animal services							
Kennel, public (indoor only - no outdoor runs) (including day kenneling)							P
Kennel, public (outdoor runs) (including day kenneling)							S
Veterinary services (without overnight kenneling)							P
Art gallery						P	P
Banks and financial services							
Banks, not including delayed deposit service business						P	P
Delayed deposit service business (including check cashing, payday lending, car title loan business), city licensed required							S
Pawnshop, city licensed required							S
Freestanding automated teller machine (ATM)						P	P
Body piercing studio or tattoo studio							P
Commercial Day Care Facilities, state licensed required	S	S	S	P	P	P	P
Construction sales and service, contractor office, office for plumber, electrician, HVAC service or similar use							
No outdoor storage							P
With outdoor storage							
Drive-in or drive-thru facilities						P	P



# ARTICLE 4 – ZONING DISTRICTS

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## COMMERCIAL USES

USE	ZONING DISTRICT						
	R-1	R-2	R-3	R-4	R-5	C-1	C-2
Eating and drinking establishment							
Restaurant							P
Micro-brewery, micro-distillery, or winery with on-site tasting/sampling and sales							P
Tavern / Bar							P
Entertainment							
Movie theater, performance hall, performing arts studio							P
Indoor: waterpark, miniature golf, bowling, video game arcades, commercial driving ranges, go-carts, trampoline park, playground play space or similar use							P
Outdoor: drive-in theater, waterpark, miniature golf, commercial driving ranges, go-carts, trampoline park, playground play space or similar use							P
Funeral and interment services							
Cemetery, mausoleum, columbarium						P	P
Cremation services							
Funeral Home including funeral services and retail sales with no outdoor display or storage							P
Retail sales with outdoor displays and storage							P

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## COMMERCIAL USES

USE	ZONING DISTRICT						
	R-1	R-2	R-3	R-4	R-5	C-1	C-2
Lodging							
Bed & breakfast inn					P		
Boarding or rooming house							
Extended stay or apartment hotel						P	P
Hotel or motel						P	P
Campground							
Short-term rental (owner-occupied) with city permit	P	P	P	P	P		
Medical or dental clinic, pediatrician's						P	P
Mini warehouse or self-storage facility							
In-door only							P
Out-door storage including vehicle, boat, camper, recreational vehicle							

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## COMMERCIAL USES

USE	ZONING DISTRICT						
	R-1	R-2	R-3	R-4	R-5	C-1	C-2
Motor vehicle and motor equipment-oriented businesses							
Automobile service center (auto parts sales)							P
Automotive washing, car wash (auto, manual, or attended), does not include truck or trailer washing or trailer washout							S
Gas station or service station with minor repair and services (brakes, batteries, tires, oil changes), including the dispensing of liquified propane							P
Major motor vehicle repair (painting, body, fender, frame, transmission, engine overhaul)							
Automobile sales, rental, storage lot, and off-street parking							P
Automobile, truck and equipment auction facilities							P
Recreational vehicle, camper, boat, motorcycle, snowmobile, golf car, and similar sales, lease, and rental and ancillary repair and maintenance							P
Light equipment sales, rental, or repair service							P
Heavy equipment sales, rental or repair service							
Truck Stop, not including trailer washout							
Commercial parking lots and parking							P



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## COMMERCIAL USES

USE	ZONING DISTRICT						
	R-1	R-2	R-3	R-4	R-5	C-1	C-2
Personal and consumer service							
Beauty salon, barbershop						P	P
Dry cleaner and laundry service							P
Dry cleaner and laundry service (pick-up/drop-off service only)						P	P
Laundry (self-serve laundromat)							P
Massage Establishment, city licensed required						P	P
Fitness center, gym, health spa						P	P
Tailor						P	P
Print shop, copy center, retail shipping store						P	P
Professional Office (corporate, law, engineering, architecture, real estate, insurance, accounting, bookkeeping or similar use)						P	P
Television and radio broadcast studio, offices, and production facilities						P	P
Retail sales (grocery store, pharmacy/drug store, office supplies store, bakery, clothing or department store, and similar retail use)							P

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## COMMERCIAL USES

USE	ZONING DISTRICT						
	R-1	R-2	R-3	R-4	R-5	C-1	C-2
Retail sale - intensive							
Small-Box Discount Retailers and Thrift Stores, city license required							P
Convenience store with fuel sales							P
Fireworks retail sales facility							
Hardware store, lawn and garden store, or similar use with outdoor storage							P
Large retail (over 50,000 sq. ft. gross floor area, single user or tenant space)							P
Liquor store							P
Lumber yard and Construction Sales and Services							
Can and bottle redemption facility							
Smoking lounge or hookah lounge							
Tobacco store (including vape shop)							S
Adult entertainment business, city licensed required							S
Spectator sports							
Indoor							P
Outdoor							P
Sports and recreation, participant							
Outdoor							P
Indoor							P

# ARTICLE 4 – ZONING DISTRICTS

## Major Updates

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## INDUSTRIAL USES

USE	ZONING DISTRICT						
	R-1	R-2	R-3	R-4	R-5	C-1	C-2
INDUSTRIAL USES							
Animal feedlots, processing of animals or animal by-products							
Electrical power generation (utility scale for off-site use, distribution, or sale)							
Manufacturing, production and industrial services							
<u>Limited</u> (no food related processing and manufacturing, all activities wholly contained within a building)							
<u>General</u> (limited food processing, outdoor storage limited)							



# ARTICLE 4 – ZONING DISTRICTS

## Major Updates

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## INDUSTRIAL USES

USE	ZONING DISTRICT						
	R-1	R-2	R-3	R-4	R-5	C-1	C-2
<u>Intensive</u> (may include outdoor storage of materials and activities not contained within a building) and includes:							
Auto and other equipment and machinery wrecking and used parts yards and storage (no outdoor wrecking or disassembly)							
Truck or trailer washout							
Cement, lime, gypsum, or plaster manufacture							
Explosive and ammunition manufacture or storage							
Junk or garbage processing, recycling, storage, or transfer station (indoor only)							
Petroleum, chemical, fuel, and gasses refining, manufacture, distribution, or bulk storage							
Rubber goods manufacture							
sand or gravel pits, mining, and crushing							
Smelting and processing of ore, metal and scrap metal							
Medical cannabidiol manufacturer							

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## Major Updates

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## INDUSTRIAL USES

USE	ZONING DISTRICT						
	R-1	R-2	R-3	R-4	R-5	C-1	C-2
Repair service							
Electronics, appliance, household goods, furniture or similar							P
Small engine							P
Research laboratory and testing							P
Storage of equipment, data and records, electronic data center, furniture and similar							P
Trucking/freight terminal							
Wholesale fuel storage, sales, or distribution							
Grain storage and distribution							
Warehousing and wholesaling (outdoor storage limited to licensed and operable trailers, trucks, power equipment, and shipping containers)							

# ARTICLE 4 – ZONING DISTRICTS

## Major Updates

- New summary **table of permitted and special uses**

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## INDUSTRIAL & OTHER USES

USE	ZONING DISTRICT						
	R-1	R-2	R-3	R-4	R-5	C-1	C-2
Waste related use							
Junkyard including auto, truck and machinery wrecking and recycling							
Recycling facility							
Sanitary landfill							
OTHER USES							
Gas and electrical power distribution station	S	S	S	S	S	S	S
Mining operation, sand and gravel extraction or processing, gas or oil well, or similar mineral or earth resource extraction (no crushing of rock, ore)							
Communication Facilities							
New tower or base station or substantial change to the same	S	S	S	S	S	S	S
Collocation, approved under Article 11, Chapter 16 of City Code	P	P	P	P	P	P	P

# ARTICLE 4 – ZONING DISTRICTS

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## Major Updates

- New section on **Building Design Standards**
  - a. **Applicability:** new buildings and additions of 20% or more
  - b. **Exceptions:** maintenance and repair
  - c. **General Provisions:**
    - Application of brick and stone
    - EIFS not allowed within the first 10 ft
    - Standards for use of thin brick and stone veneer
    - Rooftop and building mounted HVAC equipment screening
  - a. **Single-Family and Two-Family Dwelling Standards:** no changes from current code
  - b. **Manufactured Homes Standards:** no changes from current code
  - c. **Building Exterior Finish Materials:** new standards and table on classification of materials

# ARTICLE 4 – ZONING DISTRICTS

## Major Updates

- New table of **Exterior Finish Materials Table**

4 classes of materials by categories:

- **Masonry**
- **Stone**
- Concrete Masonry Units
- Concrete
- Metal
- Glass
- Other Materials
- Roofing Materials

TABLE 16-415.1: EXTERIOR FINISH MATERIALS TABLE					
	Class 1	Class 2	Class 3	Class 4	DEFINITIONS
<b>Masonry</b>					
Brick veneer, fired clay	X				Fired clay brick, full-veneer masonry wall system
Brick veneer (thin), fired clay		X			Thin veneer fired clay brick adhered to a wall surface or wall anchoring system, with the appearance of full brick
Brick paneling, fired clay		X			Prefabricated panels of thin veneer fired clay brick
Brick veneer, synthetic			X		Synthetic bricks adhered to wall surface or wall anchoring system
Brick paneling, synthetic			X		Prefabricated panels of synthetic brick adhered to a wall surface or wall anchoring system
Terracotta rainscreen panels	X				Fired clay panels with a rainscreen wall anchoring system
	Class 1	Class 2	Class 3	Class 4	DEFINITIONS
<b>Stone</b>					
Stone veneer, natural	X				Genuine stone, full-veneer masonry wall system
Stone paneling, natural		X			Prefabricated panels of genuine stone adhered to wall surface or wall anchoring system
Stone veneer, synthetic			X		Synthetic stone adhered to wall surface or wall anchoring system (also referred to as cultured stone)
Stone paneling, synthetic			X		Prefabricated panels of synthetic stone adhered to a wall surface or wall anchoring system (also referred to as cultured stone)



# ARTICLE 4 – ZONING DISTRICTS

## Major Updates

- New table of **Exterior Finish Materials Table**

4 classes of materials by categories:

- Masonry
- Stone
- **Concrete Masonry Units**
- **Concrete**
- Metal
- Glass
- Other Materials
- Roofing Materials

	Class 1	Class 2	Class 3	Class 4	Definitions
Concrete Masonry Units					
Cast Stone	X				A highly refined architectural precast concrete masonry unit intended to simulate natural-cut stone
Burnished/ground-faced block		X			Concrete modular blocks, smooth finish with large aggregates visible or polished finish and with mortared joints
Patterned or shaped block			X		Concrete modular blocks, face surface has pattern or shape, not flat, and with mortared joints
Split-faced block			X		Concrete modular blocks, rough, split-faced finish, and with mortared joints
Plain, flat-faced block			X		Concrete modular blocks, plain, flat finish, and with mortared joints
	Class 1	Class 2	Class 3	Class 4	Definitions
Concrete					
Architectural quality precast concrete panels	X				Highest finish precast concrete panels, textured or burnished, and integrally colored - not painted
Cast-in-place concrete, board formed or decorative form liner		X			Architecturally designed cast-in-place concrete with a high-quality patterned or textured surface created by board forms or decorative concrete form liners
Cast-in-place concrete, plain			X		Textured or smooth finish, may be painted
Site cast and precast concrete panels			X		Site cast and precast concrete panels, plain, smooth finish, may be painted

# ARTICLE 4 – ZONING DISTRICTS

## Major Updates

- New table of **Exterior Finish Materials Table**

4 classes of materials by categories:

- Masonry
- Stone
- Concrete Masonry Units
- Concrete
- **Metal**
- **Glass**
- Other Materials
- Roofing Materials

	Class 1	Class 2	Class 3	Class 4	Definitions
<b>Metal</b>					
Architectural quality, composite metal wall panel systems	X				High quality insulated metal panels for decorative surface application, such as <i>Alucobond</i> panel systems
Architectural quality metal wall panel systems, concealed fastening		X			High quality metal panels for decorative surface application with concealed fasteners, such as <i>Firestone Delta</i>
Architectural quality metal wall panel systems, exposed fastening			X		High quality metal panels for decorative surface application with exposed fasteners, such as <i>Firestone Omega</i>
Metal (panels, siding, and trim)				X	Standard metal siding and panels, painted or coated for exterior application
	Class 1	Class 2	Class 3	Class 4	Definitions
<b>Glass</b>					
Clear glass (windows, doors, curtain walls, paneling systems)	X				Clear glass with no visible tint, reflective coating, coloring, or other covering (not including low-e or UV coatings or treatments)
Glass blocks			X		Hollow translucent block of varying shapes and sizes made entirely from glass. Also, known as glass brick.
Mirrored glass				X	Glass with a reflective or mirrored coating or finish
Opaque or tinted glass (including color applied)			X		Glass with a tinted or colored coating or finish or otherwise treated to produce a tint that reduces its opacity.
Spandrel Glass	X				Opaque glass panels with a fire-fused ceramic frit paint; typically used between vision areas of windows to conceal structural columns floors and shear walls

# ARTICLE 4 – ZONING DISTRICTS

## Major Updates

- New table of **Exterior Finish Materials Table**

4 classes of materials by categories:

- Masonry
- Stone
- Concrete Masonry Units
- Concrete
- Metal
- Glass
- **Other Materials**
- Roofing Materials

	Class 1	Class 2	Class 3	Class 4	Definitions
<b>Other Materials</b>					
Architectural quality fiber cement wall panels textured to resemble stone or metal	X				The highest quality fiber cement wall panel systems textured to resemble stone or metal with concealed fasteners – such as <i>Nichiha</i>
Stucco, genuine		X			Traditional Portland cement based stucco applied in 3 coats over a solid surface
Wood (panels and siding)			X		Authentic hardwood or exterior rated, rot-resistant wood paneling and siding
Cement fiber board (panels and siding)			X		Cement panels reinforced with cellulose fibers, such as <i>HardiePlank</i> and <i>HardiePanel</i>
Exterior Insulation and Finish System (EIFS)			X		Polystyrene foam covered with a synthetic stucco, water-managed and exterior rated
Composite wood (panels, siding, and trim)			X		Composite or other synthetic wood types, such as <i>LP SmartSide</i>
Vinyl and PVC (panels, siding, and trim)				X	Exterior siding and trim that is made from a synthetic resin or plastic - minimum thickness 0.46 mm
Ceramic			X		Ceramic tile adhered to a wall surface or wall anchoring system
Translucent wall panel systems			X		Panels or blocks, typically hollow, made of translucent polycarbonate material - such as <i>Kalwall</i>
Fabric					(not permitted)

# ARTICLE 4 – ZONING DISTRICTS

## Major Updates

- New table of **Exterior Finish Materials Table**

4 classes of materials by categories:

- Masonry
- Stone
- Concrete Masonry Units
- Concrete
- Metal
- Glass
- Other Materials
- **Roofing Materials**

	Class 1	Class 2	Class 3	Class 4	Definitions
Roofing Materials					
Standing Seam Metal	X				Vertically run or horizontal-Bermuda style metal panels connected within interlocking raised seams
Metal roof panel system	X				High quality metal panels designed for roof application including metal shingles
Metal panel		X			Standard metal roof panels, designed for roof application
Slate	X				Natural stone tiles (or shingles) cut from slate, traditionally applied in an overlapping pattern
Tile	X				Fired clay, ceramic, or concrete roofing tiles applied in an overlaying pattern
Synthetic or composite slate		X			Molded plastic to mimic the appearance of slate tiles
Green roof	X				Low-slope roof covered with roof-top plants in a designed roof-top planting system
Simulated metal roofing		X			Membrane roofing system designed with the appearance of a standing seam metal roof
Membrane or ballast (not visible)		X			Typical roofing materials for low-slope roofs and is not visible from any adjacent public or private street or residential developed or zoned properties
Membrane or ballast (visible)				X	Typical roofing materials for low-slope roofs
Wood shake shingles	X				Shingle shakes constructed of rot resistance wood, such as cedar
Asphalt shingles (laminated or dimensional)		X			Asphalt shingles constructed with a heavy base mat and multiple adhered layers to provide a thicker, dimensional appearance - also known as laminated architectural shingles
Asphalt shingles (3-tab)				X	Asphalt shingles constructed with a single layer of material and 3 cut shingle "tabs"
Glass roofing	X				A roof constructed of glass panels or glass tiles within a glass framing system - also known as a roof glazing system
Fabric				X	Exterior rated fabric designed for application in a canopy or roofing system

# ARTICLE 4 – ZONING DISTRICTS

## Major Updates

- New table of **Building Design Standards by Building Type**
  - **Townhouse / Row Dwelling**
  - **Multi-Family Residential**
  - Commercial / Retail Buildings

TABLE 16-415.2: BUILDING DESIGN STANDARD BY BUILDING TYPE						
BUILDING TYPE	Façade Materials	Façade Articulation	Entryways	Fenestrations	Overhead Doors	Roofing
<b>Townhouse / Row Dwelling</b>	Each primary façade shall have no less than 3 different Class 1 & 2 building materials.	The primary façade of each individual unit dwelling must have a change in the wall plane and/or a change in the exterior material type, texture, and/or color to differentiate it from the adjoining units.				Roofs of minimum 4-12 pitch, except as appropriate based on architectural style.  Class 1, 2, & 3 roofing materials.
<b>Multi-Family Residential</b>	Each primary façade shall have no less than 3 different Class 1 & 2 building materials together comprising at least 50% of the façade area.  Each secondary façade shall have no less than 3 different Class 1, 2, & 3 building materials.  Class 4 façade materials shall not exceed 5% of any primary or secondary façade area.	No primary façade shall exceed 60 feet in length without interruption by one or more of the following architectural features: <ul style="list-style-type: none"><li>- Projection or recess in the wall plane of at least two (2) feet in depth.</li><li>- Columns, piers, pilasters or other equivalent structural and/or decorative elements.</li></ul>	Elevated and open walkways and stairways along exterior of building are prohibited.  All main building entries must be covered by a projection from façade or recessed.		Overhead doors should not face a public street.  If visible from a public street, overhead doors shall be recessed a minimum 4ft. from building façade line and architecturally treated with glass windows, archways, columns, canopies and overhangs.	Class 1, 2, & 3 roofing materials.



# ARTICLE 4 – ZONING DISTRICTS

## Major Updates

- New table of **Building Design Standards by Building Type**
  - Townhouse / Row Dwelling
  - Multi-Family Residential
  - **Commercial / Retail Buildings**

TABLE 16-415.2: BUILDING DESIGN STANDARD BY BUILDING TYPE						
BUILDING TYPE	Façade Materials	Façade Articulation	Entryways	Fenestrations	Overhead Doors	Roofing
<b>Commercial/ Retail Buildings</b>	<p>Each primary façade shall have no less than 3 different Class 1 &amp; 2 building materials together comprising at least 50% of the façade area.</p> <p>Each secondary façade shall have no less than 3 different Class 1, 2, &amp; 3 building materials.</p> <p>Class 4 façade materials shall not exceed 5% of any primary or secondary façade area.</p>	<p>No primary façade shall exceed 60 feet in length without interruption by one or more of the following architectural features:</p> <ul style="list-style-type: none"><li>- Projection or recess in the wall plane of at least two (2) feet in depth.</li><li>- Columns, piers, pilasters or other equivalent structural and/or decorative elements.</li></ul>	<p>All main building entries must be covered by a projection from façade or recessed.</p>	<p>At least one street-facing building façade and the façade containing the main building entry, if different from the street façade, shall consist of no less than 25% clear glass fenestrations (windows and full glass doors) on the first level.</p>	<p>Overhead doors should not face a public street.</p> <p>If visible from a public street, overhead doors shall be recessed a minimum 4ft. from building façade line and architecturally treated with glass windows, archways, columns, canopies and overhangs.</p>	<p>Class 1, 2, &amp; 3 roofing materials.</p>

# ARTICLE 4 – ZONING DISTRICTS

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## Major Updates

- Updated section on **Performance Standards** (generally does not apply to single-family residential)
  - a. **Trash or Other Like Materials:** no changes to current rules prohibited trash storage in visible areas
  - b. **Trash and Recycling Collection:** new screening requirements
  - c. **Equipment Screening:** new screening requirement for mechanical equipment screening
  - d. **Exterior Lighting:** new anti-glare and LED standards
  - e. **Attached and Free-Standing Drive-Thru Canopies:** new regulations on minimum heights and clearance and building design
  - f. **Office Building and Retail Business District Standards:** no changes to current prohibition on outdoor storage and display of goods

# ARTICLE 4 – ZONING DISTRICTS

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## Major Updates

- Updated and consolidation of section on **Lot and Yard Standards**
  - a. **Corner Lots:** 2 front yards, rear yard designated as opposite narrowest street frontage
  - b. **Corner Lot Exception for Single-Family and Two-Family Dwellings:** 1 primary and 1 secondary frontage, narrowest street frontage considered primary front yard, secondary front yard setback is 20 feet
  - c. **Double Frontage Lots:** front yard setbacks apply to both street frontages
  - d. **Double Frontage Lot Exception for Single-Family and Two-Family Dwellings:** 1 primary and 1 secondary frontage, lower classification street frontage considered primary front yard, secondary front yard setback is 20 feet
  - e. **Postage-Stamp Lot:** small lots platted within a larger association owned lot to establish land ownership for townhomes and row dwellings
  - f. **Projecting Overhang or Structure:** may extend up to 3 feet into a setback but no closer than 5 ft to a lot line
  - g. **Yard Encroachments:** front stoop, steps, and open decks may extend 8 ft into front yard setback, decks may extend into a side yard no closer than 5 ft to a lot line, patios and paved areas may be within 2 feet of a lot line

# ARTICLE 6 – ACCESSORY USES AND STRUCTURES

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## Major Updates

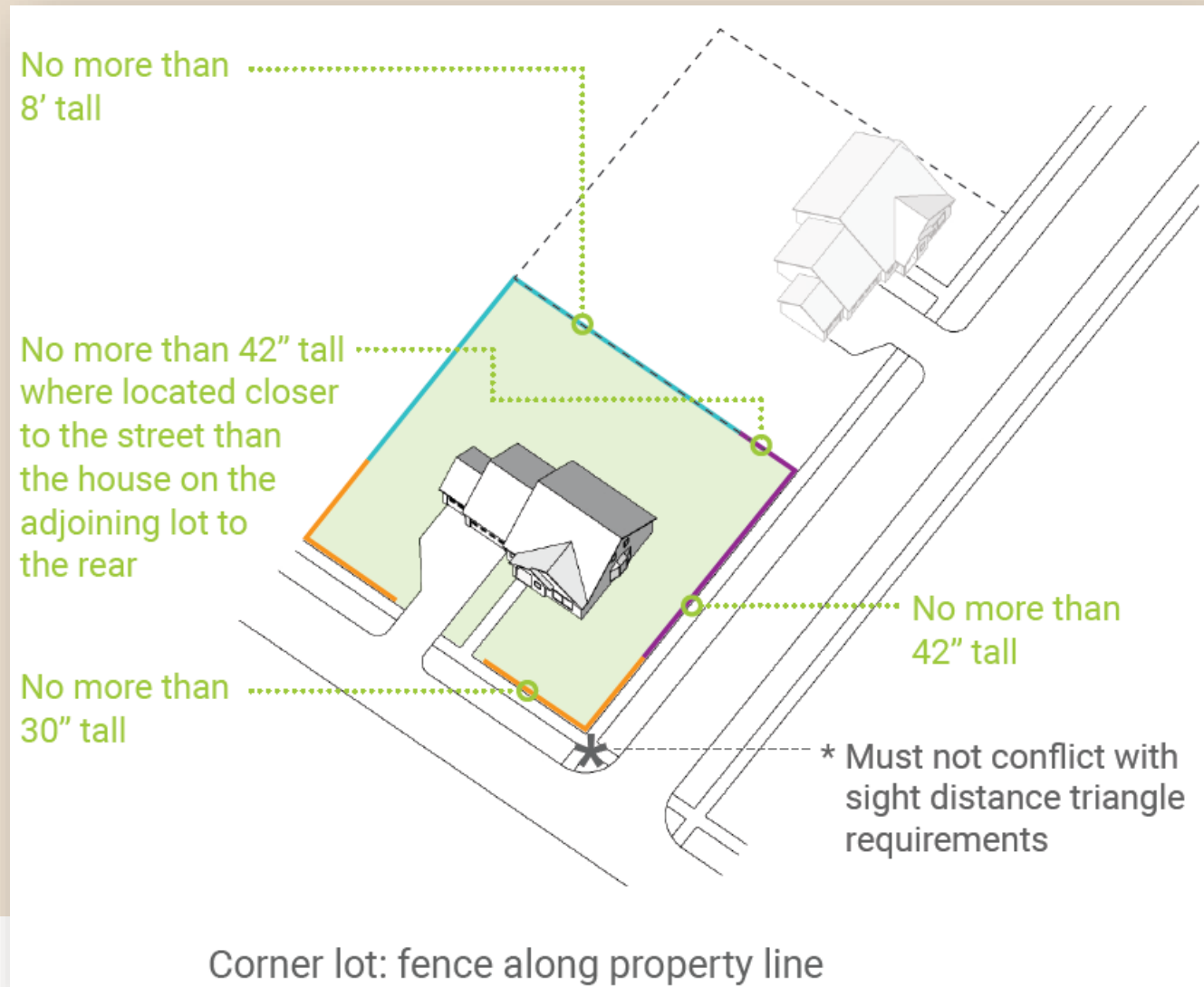
- **Accessory Building Standards** (primarily applies to single-family dwellings, two-family dwellings, townhouse or row dwellings, and manufactured home parks)
  - a. **Location and Setbacks:** Behind primary structure and not closer than 10 feet, 5 ft side and rear yard setbacks
  - b. **Area Limits:** Max 2 structures not more than 250 sq. ft. in size for each 3,000 sq. ft. of lot total lot – max of 1,200 square feet
  - c. **Height Limit: 1.5 stories / 24 ft**
  - d. **Building Design:** match principal structure

# ARTICLE 6 – ACCESSORY USES AND STRUCTURES

## Major Updates

- Fences and Walls – Residential Districts
  - a. Heights:
    - 6 ft max height in rear yard
    - 4 ft max height in front yard and must be 40% open
    - *Applies to corner lots - 2 front yards*
  - b. Added standards for retaining walls
  - c. Added standards for fence materials

## Current Code Requirements





# ARTICLE 6 – ACCESSORY USES AND STRUCTURES

## Major Updates

- Accessory Dwelling Units
  - a. Special Use Permit Required
  - b. Owner occupancy requirement
  - c. ADU max 800 sq. ft. in size
  - d. Designed to match principal structure
  - e. Off-street parking provided
  - f. Meet all setback and greenspace requirements

TABLE 16-414.1: PERMITTED AND SPECIAL USES TABLE

USE	ZONING DISTRICT						
	R-1	R-2	R-3	R-4	R-5	C-1	C-2
<b>RESIDENTIAL USES</b>							
Accessory dwelling that is attached to or within the principal dwelling unit (includes the conversion of an existing single family detached dwelling into 2 units such as converting a basement or attached garage space into a separate dwelling unit)	S	S	S	S	S		
Accessory dwelling that is detached and separate from the principal dwelling unit	S		S	S	S		
Short-term rental for single family dwelling or duplex, city license required (see Chapter 5, Article 7 of City Code)	L	L	L				
Short-term rental for townhomes, rowhouse, apartment				P	P		
Dwelling units located above the ground floor (mixed use building)						S	S

# NEXT STEPS

# FOCUS AREAS

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## Part 2 Review

### Updates to:

- Article 2 – Definitions
- Article 4 – Zoning Districts
- Article 6 – Accessory Uses and Structures
- **Article 9 – Sign Regulations**
- **Article 10 – Landscaping and Screening**
- Article 14 – Subdivision Regulations (postage stamp lots for townhomes)

**Notes: Text from current code in black. New text in red. Includes a reordering of regulations into tables. Adds a new R-4 zoning district for townhomes and rowhouses. Includes a small modification to the first section of Division IV regarding Planned Districts but no other changes to Planned Districts.**

## ARTICLE 4. ZONING DISTRICTS

### DIVISION I. - GENERAL PROVISIONS

- Sec. 16-401. - Authorization and Regulation of Zones and Districts.
- Sec. 16-402. - Zoning Districts Designated.
- Sec. 16-403. - Official Zoning Map.
- Sec. 16-404. - General Requirements Applicable to All Zoning Districts.
- Sec. 16-405. - Prohibitions.

### DIVISION II. - ZONING DISTRICTS DESCRIBED

- ~~Sec. 16-406. - Single Family Residence Districts.~~
- ~~Sec. 16-406.1. - Single Family Residence Districts; Exterior Surfaces, Materials and Finishes.~~
- ~~Sec. 16-406.2. - Single Family Residence Districts; Wall Articulation and Windows.~~
- ~~Sec. 16-407. - Single Family Residence Districts; Dimensions.~~
- ~~Sec. 16-407.1. - Single Family Residence Districts; Setback Requirements for Detached and Accessory Structures.~~
- ~~Sec. 16-408. - Single Family Residence Districts; Residential Parking Space.~~
- ~~Sec. 16-409. - Duplex Residence District.~~
- ~~Sec. 16-410. - Duplex Residence District; Dimensions and Parking.~~
- ~~Sec. 16-411. - Multiple Residence District.~~
- ~~Sec. 16-412. - Multiple Residence District; Dimensions.~~
- ~~Sec. 16-413. - Multiple Residence District; Parking.~~
- ~~Sec. 16-414. - Office Building District.~~
- ~~Sec. 16-415. - Office Building District; Dimensions.~~
- ~~Sec. 16-416. - Office Building District; Parking.~~
- ~~Sec. 16-417. - Retail Business District.~~
- ~~Sec. 16-418. - Retail Business District; Dimensions.~~
- ~~Sec. 16-419. - Retail Business District; Parking.~~
- ~~Sec. 16-420. - Retail Business District; Development and Performance Standards.~~
- Sec. 16-406. - R-1 and R-2 Single-Family Residence Districts.
- Sec. 16-407. - R-3 Duplex Residence District.
- Sec. 16-408. - R-4 Townhouse/Row Dwelling District.
- Sec. 16-409. - R-5 Multiple Residence District.
- Sec. 16-410. - Residential Bulk Regulations
- Sec. 16-411. - C-1 Office Building District.
- Sec. 16-412. - C-2 Retail Business District.
- Sec. 16-413. - Office and Retail Bulk Regulations.
- Sec. 16-414. - Permitted and Special Uses.
- Sec. 16-415. - Building Design Standards.
- Sec. 16-416. - Performance Standards.

### DIVISION III. - HEIGHT AND AREAS ~~STANDARDS~~ EXCEPTIONS

- ~~Sec. 16-421. - Height and Area Exceptions; Generally.~~
- Sec. 16-421. - Lot and Yard Regulations
- ~~Sec. 16-422. - Height and Yard Exceptions—Public or Semi-Public Buildings.~~
- Sec. 16-422. - Yard Exceptions—Platted Setback Lines.
- Sec. 16-423. - Yard Exceptions—Residential Districts; Front Yards.
- ~~Sec. 16-425. - Yard Exceptions—Required Yards.~~
- Sec. 16-424. - Yard Exceptions—Sight Distance on Corner Lots.
- ~~Sec. 16-425. - Exceptions—Rear Yard Adjoining Alleys.~~

### DIVISION IV. - PLANNED DISTRICTS

- Sec. 16-428. - Planned Zoning Districts; Statement of Objectives.

**DIVISION I. GENERAL PROVISIONS****Sec. 16-401. Authorization and Regulation of Zones and Districts.**

The Governing Body hereby divides the City into zones and districts, in order to regulate and restrict the location of trades and industries, and the location, erection, alteration and repair of buildings designed for specific uses, and the uses of the land within each district or zone.

**Sec. 16-402. Zoning Districts Designated.**

For the purpose of regulating and restricting the use of land and the erection, construction, reconstruction, altering, moving or use of buildings and structures, the corporate area of the City is divided into six conventional zoning districts and five planned zoning districts.

(a) The conventional zoning districts are designated as follows:

(1) Single-Family Residence Districts.

a. R-1, Single-Family Residence District.

b. R-2, Single-Family Residence District.

(2) R-3, Duplex Residence District.

(3) R-4, Townhouse/Row Dwelling.

(4) R-5, Multiple Residence District.

(5) C-1, Office Building District.

(6) C-2, Retail Business District.

(b) The planned zoning districts are designated as follows:

(1) CP-O, Planned Office Building District.

(2) CP-1, Planned Restricted Business District.

(3) CP-2, Planned General Business District.

(4) P-I, Planned Industrial Park District.

(5) MXD, Planned Mixed Use District.

(c) The overlaying zoning districts are as follows:

(1) 47th and Mission Road Area Design Review Overlay District.



**Sec. 16-403. Official Zoning Map.**

The boundaries of the zoning districts enumerated in Section 16-402 shall be shown on a map officially designated as the Official Map, which map is reincorporated by reference as amended.

**Sec. 16-404. General Requirements Applicable to All Zoning Districts.**

- (a) Except as otherwise specifically provided, no building or structure shall be erected, constructed, reconstructed, moved or altered, nor shall any building, structure or land be used for any purpose other than is permitted in this chapter by the regulations of the zoning district in which the building, structure or land is situated.
- (b) Except as otherwise specifically provided, no building or structure shall be erected, constructed, reconstructed, moved or altered to exceed the height or area limits established in this chapter by the regulations of the zoning district in which the building or structure is situated.
- (c) Except as otherwise specifically provided, no lot area shall be reduced or diminished so that the yards or other open spaces shall be smaller than prescribed, nor shall the density be increased in any manner, except in conformity by the regulations of the zoning district in which the lot or property is situated.
- (d) Except as otherwise specifically provided, no building, structure or site improvement shall be erected, constructed, reconstructed, moved or altered except in compliance with any applicable final development plans, site plans or other development plans approved by the Governing Body or the Planning Commission. For the purposes of this section, compliance with approved plans shall include both compliance with the content of the plan drawings and compliance with any conditions or stipulations attached to the approval.

**Sec. 16-405. Prohibitions.**

Prohibitions from the zoning regulations of the City shall be as follows:

- (a) No temporary or incomplete building nor any vehicular equipment, trailer, garage or appurtenance incident to a family dwelling, shall be erected, maintained or used for residence purposes in the City.
- (b) No temporary or outwardly incomplete structure or building or excavation for a basement or foundation, and no building or structure so damaged as to become unfit for use or inhabitation shall be permitted, maintained or remain in this condition with the City for a period of more than six months, except by special permission of the Governing Body.
- (c) No building material, equipment, machinery or refuse shall be stored or maintained upon a lot, tract or parcel within the City, other than during the period during which actual construction or repair operations are being regularly and continuously performed in accordance with the schedule of construction approved in conjunction with a building permit issued for these operations, as the schedule shall be amended from time to time, or otherwise beyond a reasonable period of time necessary to complete the construction or repair as

determined by the Building Inspector in his sole discretion; provided, however, that the Governing Body may waive the prohibition against the storage or maintenance in unusual cases for a limited time upon good cause shown therefor.

- (d) No building, structure, or land now located within the City nor any building hereafter erected therein, shall be used or occupied for any of the following purposes, unless otherwise provided for in this article:

- (1) Junkyard or junk storage room;
- (2) Slaughterhouse, commercial poultry dressing or processing establishment where the use is primary and not incidental to some authorized use;
- (3) Trailer camps;
- (4) Circuses or carnivals;
- (5) Storage or selling of volatile or explosive materials;
- (6) Boarding houses or lodging houses;
- (7) Flea markets.

## **DIVISION II. ZONING DISTRICTS DESCRIBED**

### **Sec. 16-406. R-1 and R-2 Single-Family Residence Districts.**

- (a) Permitted Uses. See Section 16-414 for a list of Permitted and Special Uses.
- (a) Bulk Regulations. See Section 16-410 for Bulk Regulations for Residential Zoning Districts.
- (b) Accessory Structures Setbacks and Regulations. See Article 6, Accessory Uses and Structures, of Chapter 16 of City Code.
- (c) Building Design Standards. See Section 16-415 for building design standards.
- (d) Construction Across Lot Lines. No single-family or two-family residential building nor accessory structure shall be constructed over or across any property line, lot line, or parcel line unless approved for merger via a lot-tie agreement or re-platted. All such lot mergers and re-platting should comply with the following:
  - (1) Does not create a through lot that has more than two street frontages.
  - (2) Does not create a lot with a width greater than 150 percent of the average lot widths of all the lots within 200 linear feet measured property line to property line.
  - (3) Does not create a lot with an area greater than 150 percent of average lot areas of all lots within 200 linear feet measured property line to property line.

- (4) Exceptions to the above standards may be approved to address unique or special circumstances of the subject property.

(e) Off-Street Parking Required. See Article 8, Vehicle Parking and Loading of Chapter 16 of City Code.

**Sec. 16-407. R-3 Duplex Residence District.**

(b) Permitted Uses. See Section 16-414 for a list of Permitted and Special Uses.

(a) Bulk Regulations. See Section 16-410 for Bulk Regulations for Residential Zoning Districts.

(b) Accessory Structures Setbacks and Regulations. See Article 6, Accessory Uses and Structures, of Chapter 16 of City Code.

(c) Building Design Standards. See Section 16-415 for building design standards.

(d) Construction Across Lot Lines. No single-family or two-family residential building nor accessory structure shall be constructed over or across any property line, lot line, or parcel line unless approved for merger via a lot-tie agreement or re-platted. All such lot mergers and re-platting should comply with the following:

- (1) Does not create a through lot that has more than two street frontages.
- (2) Does not create a lot with a width greater than 150 percent of the average lot widths of all the lots within 200 linear feet measured property line to property line.
- (3) Does not create a lot with an area greater than 150 percent of average lot areas of all lots within 200 linear feet measured property line to property line.
- (4) Exceptions to the above standards may be approved to address unique or special circumstances of the subject property.

(f) Off-Street Parking Required. See Article 8, Vehicle Parking and Loading of Chapter 16 of City Code.

**Sec. 16-408. R-4 Townhouse/Row Dwelling District.**

(c) Permitted Uses. See Section 16-414 for a list of Permitted and Special Uses.

(a) Bulk Regulations. See Section 16-410 for Bulk Regulations for Residential Zoning Districts.

(b) Accessory Structures Setbacks and Regulations. See Article 6, Accessory Uses and Structures, of Chapter 16 of City Code.

(c) Building Design Standards. See Section 16-415 for building design standards.

(d) Construction Across Lot Lines. No single-family or two-family residential building nor accessory structure shall be constructed over or across any property line, lot line, or parcel line unless approved for merger via a lot-tie agreement or re-platted. All such lot mergers and re-platting should comply with the following:

- (1) Does not create a through lot that has more than two street frontages.
- (2) Does not create a lot with a width greater than 150 percent of the average lot widths of all the lots within 200 linear feet measured property line to property line.
- (3) Does not create a lot with an area greater than 150 percent of average lot areas of all lots within 200 linear feet measured property line to property line.
- (4) Exceptions to the above standards may be approved to address unique or special circumstances of the subject property.

(e) Off-Street Parking Required. See Article 8, Vehicle Parking and Loading of Chapter 16 of City Code.

**Sec. 16-409. R-5 Multiple Residence District.**

- (a) Permitted Uses. See Section 16-414 for a list of Permitted and Special Uses.
- (b) Bulk Regulations. See Section 16-410 for Bulk Regulations for Residential Zoning Districts.
- (c) Accessory Structures Setbacks and Regulations. See Article 6, Accessory Uses and Structures, of Chapter 16 of City Code.
- (d) Building Design Standards. See Section 16-415 for building design standards.
- (e) Off-Street Parking Required. See Article 8, Vehicle Parking and Loading of Chapter 16 of City Code.
- (f) Performance Standards. See Section 16-416 for applicable performance standards.
- (g) Landscaping and Screening Standards. See Article 10, Landscaping and Screening of Chapter 16 of City Code.

**Sec. 16-410. Residential Bulk Regulations.**

The following table details the minimum lot sizes, building setbacks, building size and height limitations, minimum green space, and maximum density requirements for each building type constructed within the residential zoning districts established herein.

TABLE 16-410.1: RESIDENTIAL BULK REGULATIONS						
BULK AND DENSITY REGULATION BY BUILDING TYPE	BUILDING TYPE					
	Single Family Dwelling in the R-1 Zoning District	Single-Family Dwelling in the R-2 Zoning District	Duplex and Two-Family Dwelling in the R-3, R-4, or R-5 Zoning Districts	Townhouse or Row Dwelling (3+ units) in the R-4 and R-5 Zoning Districts	Multiple family dwelling (3+ apartment or condo units) in the R-5 Zoning District	Non-Residential Structure in a Residential Zoning District
Min. Lot Size	7,500 sq. ft.	6,000 sq. ft.	7,500 sq. ft.	n/a	7,500 sq. ft. for each building	40,000 sq ft
Min. Lot Width <sup>1</sup>	60 ft	60 ft	60 ft	24 ft.	n/a	100 ft
Min. Lot Street Frontage <sup>2</sup>	35 ft	35 ft	35 ft	20 ft	80 ft	40 ft
Front Yard Setback <sup>3</sup>	30/35 ft.	25 ft	30/35 ft.	25 ft	35 ft	35 ft.
Side Yard Setback <sup>4</sup>	5 ft (max 80% of lot width)	5 ft (max 80% of lot width)	5 ft (max 80% of lot width)	8 ft. <sup>6</sup>	20 ft (max 75% of lot width) 30 ft	30 ft
Rear Yard Setback <sup>5</sup>	15 ft	15 ft	15 ft	30 ft	30 ft	30 ft
Min. Separation Between Principal Buildings	n/a	n/a	n/a	16 ft side to side, 46 ft back-to-back or back to side	15 ft 30 ft	20 ft
Min. Setback from Private Street or Common Private Roadway	n/a	n/a	n/a	20 ft from back of curb or street sidewalk whichever is closest	20 ft from back of curb or street sidewalk whichever is closest	n/a
Min. Setback from the Perimeter of the Development	n/a	n/a	n/a	30 ft	30 ft	30 ft
Max. Building Height	35 ft (2 ½ stories)	35 ft (2 ½ stories)	35 ft (2 ½ stories)	35 ft	40 50 ft (3 stories)	35 ft <sup>7</sup>
Min. Green Space <sup>8</sup>	55-65%	55-65%	55-65%	25%	25%	25%
Max. Dwelling Units Per Acre	n/a	n/a	n/a	8	17.4 (2,500 sq. ft. per unit) 18	n/a
<sup>1</sup> Measured at the front yard building setback line.						
<sup>2</sup> Postage Stamp Lots: Direct street frontage not required; All yard setbacks for postage stamp lots shall be 5 ft, excluding shared walls located along a common lot line.						
<sup>3</sup> Front stoops, stairs, open decks and unenclosed porches may encroach up to 8 ft into the required front yard setback.						

<sup>4</sup> Horizontally projecting roof overhangs and other similar building projections may extend up to 30-inches into a required side yard setback provided no part of a building is closer than 5 ft to a property line.

<sup>5</sup> Decks, pools, and similar at or below grade structures may be located within a rear or side yard provided they are no closer than 5 ft to a property line.

<sup>6</sup> Zero feet from common lot lines of attached structures.

<sup>7</sup> May be increased by one foot for each additional foot that yards are increased on all sides above minimum requirements, up to a maximum height of 75 feet.

<sup>8</sup> Residential lots less than 15,000 square feet in size shall maintain a minimum of 55 percent of the lot area as green space. Residential lots 15,000 square feet to 18,999 square feet in size shall maintain a minimum of 55 percent of the lot area as green space plus an additional one percent of green space area for each 400 square feet of lot size over 15,000 square feet. Residential lots 19,000 square feet in size and larger shall maintain a minimum of 65 percent of the lot area as green space.

### **Sec. 16-411. C-1 Office Building District.**

- (a) Permitted Uses. See Section 16-414 for a list of Permitted and Special Uses.
- (b) Bulk Regulations. See Section 16-413 for Bulk Regulations for Office and Commercial Zoning Districts.
- (c) Accessory Structures Setbacks and Regulations. See Article 6, Accessory Uses and Structures, of Chapter 16 of City Code.
- (d) Building Design Standards. See Section 16-415 for building design standards.
- (e) Off-Street Parking Required. See Article 8, Vehicle Parking and Loading of Chapter 16 of City Code.
- (f) Performance Standards. See Section 16-416 for applicable performance standards.
- (g) Landscaping and Screening Standards. See Article 10, Landscaping and Screening, Chapter 16 of City Code.

### **Sec. 16-412. C-2 Retail Business District.**

- (a) Permitted Uses. See Section 16-414 for a list of Permitted and Special Uses.
- (b) Bulk Regulations. See Section 16-413 for Bulk Regulations for Office and Commercial Zoning Districts.
- (c) Accessory Structures Setbacks and Regulations. See Article 6, Accessory Uses and Structures, of Chapter 16 of City Code.
- (d) Building Design Standards. See Section 16-415 for building design standards.



- (e) Off-Street Parking Required. See Article 8, Vehicle Parking and Loading of Chapter 16 of City Code.
- (f) Performance Standards. See Section 16-416 for applicable performance standards.
- (h) Landscaping and Screening Standards. See Article 10, Landscaping and Screening, Chapter 16 of City Code.

### Sec. 16-413. Office/Retail Bulk Regulations.

The following table details the minimum lot sizes, building setbacks, building size and height limitations, minimum green space, and maximum density requirements for each non-residential zoning district.

TABLE 16-413.1: OFFICE AND COMMERCIAL BULK REGULATIONS		
BULK REGULATION BY ZONING DISTRICT	ZONING DISTRICTS	
	C-1 Office Building	C-2 Retail Business
Min. Lot Size	n/a	n/a
Min. Lot Width	n/a	n/a
Min. Lot Street Frontage	n/a	n/a
Front Yard Setback	30 ft	30 ft
Side Yard Setback <sup>1</sup>	15 ft	15 ft
Rear Yard Setback <sup>2</sup>	20 ft	20 ft
Min. Separation Between Buildings Not Attached	20 ft	20 ft
Max. Building Height <sup>3</sup>	40 ft	40 ft
Min. Building Height	n/a	n/a
Min. Green Space	20%	20%
<sup>1</sup> 20 feet when said yard adjoins a residentially zoned property		
<sup>2</sup> 30 feet when said yard adjoins a residentially zoned property		
<sup>3</sup> May be increased by one foot for each additional foot that yards are increased on all sides above minimum requirements, up to a maximum height of 75 feet.		

### Sec. 16-414. Permitted and Special Uses.

The following table identifies the allowable uses within each zoning district. A use identified with a "P" within a given zoning district column is a Permitted use. A use identified with an "S" within a given zoning district column requires approval of a Special Use Permit from the Planning Commission and Governing Body in accordance with this Chapter. A use identified with an "L" requires approval of a city license but does not necessarily require approval of a Special Use Permit. A blank space indicated that use is not permitted within the given zoning district. Uses not listed shall be considered not permitted uses.

The definitions for each listed use shall coincide first with the definition contained within Article 2 of this Chapter, second as may be defined elsewhere in the City Code, and finally the commonly understood definition as determined by the Zoning Administrator.

A proposed use may follow under more than one category; however, for the purposes of this section, the proposed use shall follow the closest, most similar or specific use as listed in the Use Matrix.

It shall be the sole discretion of the Zoning Administrator to make the determine as to where a proposed use falls within the Uses Table, whether it fits within or is similar to a use listed within the Uses Table or is otherwise not listed and therefore not permitted. The determination by the Zoning Administrator is appealable as provided in this Chapter.

TABLE 16-414.1: PERMITTED AND SPECIAL USES TABLE							
USE		ZONING DISTRICT					
		R-1	R-2	R-3	R-4	R-5	C-1 C-2
<b>RESIDENTIAL USES</b>							
Household Living							
	Single-family dwelling, detached	P	P	P	P		
	Single-family dwelling, semi-detached (traditional duplex on two lots)			P	P	P	
	Two-family dwelling on one lot (duplex on one lot) does not include the conversion of an existing single-family home into 2 dwelling units			P	P	P	
	Townhouse/row dwelling (3+ units)				P	P	
	Multiple family dwelling (3+ apartment or condo units)					P	
	Manufactured Home on one lot	P	P	P	P		
	Accessory dwelling that is attached to or within the principal dwelling unit (includes the conversion of an existing single family detached dwelling into 2 units such as converting a basement or attached garage space into a separate dwelling unit)	S	S	S	S	S	
	Accessory dwelling that is detached and separate from the principal dwelling unit	S		S	S	S	
	Dwelling units located above the ground floor (mixed use building)						S S
	Short-term rental for single family dwelling or duplex, city license required (see Chapter 5, Article 7 of City Code)	L	L	L			
	Short-term rental for townhomes, rowhouse, apartment				P	P	

TABLE 16-414.1: PERMITTED AND SPECIAL USES TABLE							
USE		ZONING DISTRICT					
		R-1	R-2	R-3	R-4	R-5	C-1 C-2
Group Residential							
	Group home as defined by K.S.A. 12-736	P	P	P	P		
	Assisted living residential facility				P	P	P P
	Nursing or convalescent home				P	P	P P
	Supervised group residence, not including Group home as defined by K.S.A. 12-736						
<b>PUBLIC AND CIVIC USES</b>							
College, university, vocational and trades schools							P P
Cultural exhibit, museum, or library							P P
Membership or religions organization, social club or lodge, and other place of public assembly		P	P	P	P	P	P P
Public or private elementary, middle, or high school		P	P	P	P	P	P P
Public or private parks, golf courses, golf driving ranges, country clubs, swimming pools, playgrounds, and indoor or outdoor recreational facilities and ball fields		P	P	P	P	P	P P
City, State, and Federal Government buildings and properties		P	P	P	P	P	P P
County Office Buildings							P P
Hospital							P P
<b>COMMERCIAL USES</b>							
After hours business							
Agricultural Sales and Services							P
Animal services							
	Kennel, public (indoor only - no outdoor runs) (including day kenneling)						P
	Kennel, public (outdoor runs) (including day kenneling)						S
	Veterinary services (without overnight kenneling)						P
Art gallery							P P
Banks and financial services							
	Banks, not including delayed deposit service business						P P

TABLE 16-414.1: PERMITTED AND SPECIAL USES TABLE								
USE		ZONING DISTRICT						
		R-1	R-2	R-3	R-4	R-5	C-1	C-2
	Delayed deposit service business (including check cashing, payday lending, car title loan business), city licensed required							S
	Pawnshop, city licensed required							S
	Freestanding automated teller machine (ATM)						P	P
	Body piercing studio or tattoo studio							P
	Commercial Day Care Facilities, state licensed required	S	S	S	P	P	P	P
	Construction sales and service, contractor office, office for plumber, electrician, HVAC service or similar use							
	No outdoor storage							P
	With outdoor storage							
	Drive-in or drive-thru facilities						P	P
	Eating and drinking establishment							
	Restaurant							P
	Micro-brewery, micro-distillery, or winery with on-site tasting/sampling and sales							P
	Tavern / Bar							P
	Entertainment							
	Movie theater, performance hall, performing arts studio							P
	Indoor: waterpark, miniature golf, bowling, video game arcades, commercial driving ranges, go-carts, trampoline park, playground play space or similar use							P
	Outdoor: drive-in theater, waterpark, miniature golf, commercial driving ranges, go-carts, trampoline park, playground play space or similar use							P
	Funeral and interment services							
	Cemetery, mausoleum, columbarium						P	P
	Cremation services							
	Funeral Home including funeral services and retail sales with no outdoor display or storage							P

TABLE 16-414.1: PERMITTED AND SPECIAL USES TABLE							
USE		ZONING DISTRICT					
		R-1	R-2	R-3	R-4	R-5	C-1 C-2
	Retail sales with outdoor displays and storage						P
	Lodging						
	Bed & breakfast inn					P	
	Boarding or rooming house						
	Extended stay or apartment hotel					P	P
	Hotel or motel					P	P
	Campground						
	Medical or dental clinic, pediatrician's office, outpatient surgery center, medical testing center, or similar use					P	P
	Mini warehouse or self-storage facility						
	In-door only						P
	Out-door storage including vehicle, boat, camper, recreational vehicle						
	Motor vehicle and motor equipment-oriented businesses						
	Automobile service center (auto parts sales)						P
	Automotive washing, car wash (auto, manual, or attended), does not include truck or trailer washing or trailer washout						S
	Gas station or service station with minor repair and services (brakes, batteries, tires, oil changes), including the dispensing of liquified propane						P
	Major motor vehicle repair (painting, body, fender, frame, transmission, engine overhaul)						
	Automobile sales, rental, storage lot, and off-street parking						P
	Automobile, truck and equipment auction facilities						P
	Recreational vehicle, camper, boat, motorcycle, snowmobile, golf car, and similar sales, lease, and rental and ancillary repair and maintenance						P
	Light equipment sales, rental, or repair service						P

TABLE 16-414.1: PERMITTED AND SPECIAL USES TABLE								
USE		ZONING DISTRICT						
		R-1	R-2	R-3	R-4	R-5	C-1	C-2
	Heavy equipment sales, rental or repair service							
	Truck Stop, not including trailer washout							
	Commercial parking lots and parking structures (not ancillary to a principal use)							P
	Personal and consumer service							
	Beauty salon, barbershop						P	P
	Dry cleaner and laundry service							P
	Dry cleaner and laundry service (pick-up/drop-off service only)						P	P
	Laundry (self-serve laundromat)							P
	Massage Establishment, city licensed required						P	P
	Fitness center, gym, health spa						P	P
	Tailor						P	P
	Print shop, copy center, retail shipping store						P	P
	Professional Office (corporate, law, engineering, architecture, real estate, insurance, accounting, bookkeeping or similar use)						P	P
	Television and radio broadcast studio, offices, and production facilities						P	P
	Retail sales (grocery store, pharmacy/drug store, office supplies store, bakery, clothing or department store, and similar retail use)							P
	Retail sale - intensive							
	Small-Box Discount Retailers and Thrift Stores, city license required							P
	Convenience store with fuel sales							P
	Fireworks retail sales facility							
	Hardware store, lawn and garden store, or similar use with outdoor storage							P
	Large retail (over 50,000 sq. ft. gross floor area, single user or tenant space)							P
	Liquor store							P
	Lumber yard and Construction Sales and Services							
	Can and bottle redemption facility							



TABLE 16-414.1: PERMITTED AND SPECIAL USES TABLE								
USE		ZONING DISTRICT						
		R-1	R-2	R-3	R-4	R-5	C-1	C-2
	Smoking lounge or hookah lounge							
	Tobacco store (including vape shop)							S
	Adult entertainment business, city licensed required							S
	Spectator sports							
	Indoor							P
	Outdoor							P
	Sports and recreation, participant							
	Outdoor							P
	Indoor							P
<b>INDUSTRIAL USES</b>								
	Animal feedlots, processing of animals or animal by-products							
	Electrical power generation (utility scale for off-site use, distribution, or sale)							
	Manufacturing, production and industrial services							
	<u>Limited</u> (no food related processing and manufacturing, all activities wholly contained within a building)							
	<u>General</u> (limited food processing, outdoor storage limited)							
	<u>Intensive</u> (may include outdoor storage of materials and activities not contained within a building) and includes:							
	Auto and other equipment and machinery wrecking and used parts yards and storage (no outdoor wrecking or disassembly)							
	Truck or trailer washout							
	Cement, lime, gypsum, or plaster manufacture							
	Explosive and ammunition manufacture or storage							
	Junk or garbage processing, recycling, storage, or transfer station (indoor only)							

TABLE 16-414.1: PERMITTED AND SPECIAL USES TABLE								
USE		ZONING DISTRICT						
		R-1	R-2	R-3	R-4	R-5	C-1	C-2
	Petroleum, chemical, fuel, and gasses refining, manufacture, distribution, or bulk storage							
	Rubber goods manufacture							
	sand or gravel pits, mining, and crushing							
	Smelting and processing of ore, metal and scrap metal							
	Medical cannabidiol manufacturer							
	Repair service							
	Electronics, appliance, household goods, furniture or similar							P
	Small engine							P
	Research laboratory and testing							P
	Storage of equipment, data and records, electronic data center, furniture and similar							P
	Trucking/freight terminal							
	Wholesale fuel storage, sales, or distribution							
	Grain storage and distribution							
	Warehousing and wholesaling (outdoor storage limited to licensed and operable trailers, trucks, power equipment, and shipping containers)							
	Waste related use							
	Junkyard including auto, truck and machinery wrecking and recycling							
	Recycling facility							
	Sanitary landfill							
OTHER USES								
	Gas and electrical power distribution station	S	S	S	S	S	S	S
	Mining operation, sand and gravel extraction or processing, gas or oil well, or similar mineral or earth resource extraction (no crushing of rock, ore)							
	Communication Facilities							

TABLE 16-414.1: PERMITTED AND SPECIAL USES TABLE								
USE		ZONING DISTRICT						
		R-1	R-2	R-3	R-4	R-5	C-1	C-2
	New tower or base station or substantial change to the same	S	S	S	S	S	S	S
	Collocation, approved under Article 11, Chapter 16 of City Code	P	P	P	P	P	P	P

**Sec. 16-415. Building Design Standards.**

- (a) Applicability. The standards contained in this section shall apply to all new buildings, the redevelopment of any existing buildings, including building additions and expansions and changes or modifications to building facades. All new buildings, including accessory structures, and additions to existing buildings shall be subject to the standards of this section. However, minor building expansions or additions, including successive additions, totaling less than twenty percent (20%) of the gross floor area of the existing building, may use exterior building materials that match or complement the existing building materials and building design features that are aesthetically consistent with the existing building.
- (b) Exceptions. The standards of this section apply to any changes in existing building facades but do not apply to existing building façade maintenance and repair, including repainting of existing painted surfaces, window, door, siding and roof replacement with identical or similar materials. At the full discretion of the review authority, any deviations from these standards may be considered and/or granted in order to achieve building additions that are aesthetically compatible with the existing building design and appearance.
- (c) General Provisions. The design and construction of all buildings shall employ architectural design principles and high-quality materials in compliance with these standards to create structures that are durable and attractive while complimenting neighboring properties.

All buildings shall employ recognized architectural styles and design principles on all sides of each structure, with overall building massing and articulations that are proportional and scaled appropriately. Exterior building materials shall be integrated in an authentic and honest manner reflecting the material's purpose, weight, and typical use in order to convey a sense of permanence and durability. Every building shall clearly express a base, a body and a top.

The following specific provisions do not apply to single-family and two-family dwellings.

- (1) *Application of Brick and Stone Masonry.* Heavy exterior materials, such as any type of brick and stone masonry, shall be applied so as to acknowledge its historic use as a building foundation and structural material. Brick or stone masonry that appears to be unsupported or 'float' within a façade shall not be permitted, e.g., stone applied to a roof dormer or stone placed directly above doors/windows without a supporting lintel above the door/window.
- (2) *Use of EIFS.* EIFS shall not be permitted within ten (10) feet of the finished floor elevation of the façade on which it is located.
- (3) *Thin Brick and Stone Masonry Veneer.* Thin brick and stone masonry veneer shall comply with the following:
  - a. Thin brick and stone masonry veneer shall only be used in applications where the actual brick or stone thickness will not be distinguishable or is otherwise addressed by adjustments in the wall plane to provide the appearance of full depth brick or real stone.

- b. 'L' shaped brick/stone corner pieces and full-depth brick/stone caps shall be utilized at all corners and edges to maintain the appearance of full-depth brick/stone.
  - c. Thin brick and stone masonry veneer shall be continued (returned) a minimum of 12-inches around all wall corners to further maintain the appearance of full-depth brick or real stone and shall be terminated at a 90 degree inside corner along the given facade.
  - d. More than one façade material may be used on a single building, however, transitions from one wall material to another must occur along all visible sides of a building and should always follow a horizontal and level line.
- (4) *Building Mounted Equipment Screening (Roof-Top and Exterior-Mounted Mechanical Equipment)*. All exterior-mounted and all roof-top building HVAC and mechanical equipment, vents, piping, roof access ladder, and utility meters shall be located out of view or otherwise appropriately screened by architectural features and landscape plantings from view from all adjacent public or private streets and residentially developed or zoned properties. Screening shall be accomplished via landscaping, site walls, and architectural building elements or screen walls, or a combination of these methods. For roof-top equipment not adequately screened by the parapet, a supplementary screen around all visible sides of the equipment shall be provided by the use of prefinished architectural metal panels, stucco panels, masonry walls, or similar building materials that are consistent with the overall architectural design and finish materials of the proposed building. The height of the screen shall be no lower than the height of the equipment. The above provisions shall not apply to solar energy panels and solar energy systems.
- (d) Single-Family and Two-Family Dwelling Standards.
- (1) Surfaces, Materials and Finishes. Exterior finish building and roofing materials for all single-family and two-family dwellings shall be based on the quality of its design, relationship and compatibility to building materials in the immediate neighborhood. The exterior of single-family dwellings must be composed of quality, exterior grade materials customary for residential construction, such as the following:
- a. Brick and stone veneer.
  - b. Stucco traditional Portland based.
  - c. Wood panels, siding, and trim.
  - d. Cement fiberboard and composite wood - panels, siding, and trim.
  - e. Architectural grade metal and vinyl siding and trim designed for residential applications.
  - f. Exterior Insulation and Finish System (EIFS) - water managed.

- g. Glass windows and doors, and glass blocks.
- h. Concrete block and cast-in-place concrete - foundation walls only.
- i. Roofing materials include:
  - Laminate style asphalt shingles (architectural asphalt shingles).
  - Standing seam metal roofing.
  - Slate and tile (including synthetic and composite).
  - Solar energy collectors and panels and related apparatus.

The non-glass exterior surfaces of the dwelling shall not be made of shiny metal or other highly reflective materials and shall, in general, not reflect light to a greater extent than would a coat of semi-gloss enamel applied to wood. Copper, standing seam and other metal roofing materials are acceptable for use in residentially zoned areas and if used, must be installed over a solidly sheathed surface. Painted metal or steel roofing and siding materials shall be limited to earth tones or typical colors produced by composition shingle manufacturers. However, corrugated metal siding and roofing materials shall be prohibited.

(2) Single-Family Residence Districts; Wall Articulation and Windows.

The following standards apply to residential dwellings and additions constructed after the date of the ordinance from which this section is derived.

- a. Wall Articulation. The walls on all sides of each residential dwelling shall be varied by a combination of methods including window and door openings, dormers, changes in the wall plains, wall projections and off-sets, or changes in exterior building materials. No street facing building wall shall exceed 30 feet in width without a change of articulation in the wall plane by means of a horizontal off-set of at least two feet in depth or projection running vertically from top to bottom of the wall.
- b. Windows. Each street facing facade of a residential dwelling shall include window openings that comprise at least ten percent (10%) of the total wall area of that facade.

(e) Manufactured Homes Standards. Manufactured homes shall be residentially designed and conform to the following architectural or aesthetic standards:

- (1) The roof must be double-pitched and have a minimum vertical rise of 2.2 feet for each 12 feet of horizontal run, and covered with roofing material that is residential in appearance, including, but not limited to, approved wood, asphalt composition shingles or fiberglass, but excluding corrugated aluminum, corrugated fiberglass or metal roofs.
- (2) All roof structures shall provide an eave projection of no less than six inches, which may include a gutter.



- (3) The exterior siding shall consist predominantly of vinyl or metal horizontal lap siding (the reflectivity of which does not exceed that of gloss white paint), wood or hardboard, brick, stone or stucco comparable in composition, appearance and durability to the exterior siding commonly used in standard residential construction in the City.
- (4) The manufactured home is set up in accordance with the recommended installation procedures of the manufacturer and the standards set by the National Conference of States on Building Codes and Standards and published in "Manufactured Home Installations, 1987" (referred to as NCS BCS A225.1), and a continuous, permanent masonry foundation or masonry curtain wall, unpierced except for required ventilation and access, is installed under the perimeter of the manufactured home.
- (5) Stairs, porches, entrance platforms, ramps and other means of entrance and exit to and from the home shall be installed or constructed in accordance with the standards set in Chapter IV of the City Code and attached firmly to the primary structure and anchored securely to the ground.
- (6) All fuel supply systems shall be constructed and installed within the foundation wall or underground in accordance with all applicable building and safety Codes except that any bottled gas tanks may be fenced so as not to be clearly visible from the street or abutting properties.
- (7) The moving hitch, transporting lights, and wheels and axles shall be removed.
- (8) The manufactured home must be oriented on the lot so that its long access is parallel with the street. A perpendicular or diagonal placement may be permitted if the narrow dimension of the unit, as it appears from the street, is no less than 50 percent of the unit's long dimension.
- (9) The lot must be landscaped to ensure compatibility with surrounding properties.
- (10) The manufactured home has a length not exceeding four times its width, with length measured along the longest access and width measured at the narrowest part of the other access. The minimum dimensions of the manufactured home shall be 22 feet in width and 40 feet in length.
- (11) A garage or carport, constructed in accordance with the requirements of Chapter IV of the City Code is required.

(f) Building Exterior Finish Materials.

- (1) For the purpose of this Article, exterior building materials shall be divided into the following categories. All materials must be utilized in the application as intended by the manufacturer and follow property installation requirements and standards, including management of water migration and installation of appropriate substrate material.

The Zoning Administrator may recategorize a building material provided below or may categorize a building material not listed below if it finds that the material is similar or of

higher quality to the other materials in the same category with regard to durability, quality, and appearance.

TABLE 16-415.1: EXTERIOR FINISH MATERIALS TABLE

	Class 1	Class 2	Class 3	Class 4	DEFINITIONS
<b>Masonry</b>					
Brick veneer, fired clay	X				Fired clay brick, full-veneer masonry wall system
Brick veneer (thin), fired clay		X			Thin veneer fired clay brick adhered to a wall surface or wall anchoring system, with the appearance of full brick
Brick paneling, fired clay		X			Prefabricated panels of thin veneer fired clay brick
Brick veneer, synthetic			X		Synthetic bricks adhered to wall surface or wall anchoring system
Brick paneling, synthetic			X		Prefabricated panels of synthetic brick adhered to a wall surface or wall anchoring system
Terracotta rainscreen panels	X				Fired clay panels with a rainscreen wall anchoring system
	Class 1	Class 2	Class 3	Class 4	DEFINITIONS
<b>Stone</b>					
Stone veneer, natural	X				Genuine stone, full-veneer masonry wall system
Stone paneling, natural		X			Prefabricated panels of genuine stone adhered to wall surface or wall anchoring system
Stone veneer, synthetic			X		Synthetic stone adhered to wall surface or wall anchoring system (also referred to as cultured stone)
Stone paneling, synthetic			X		Prefabricated panels of synthetic stone adhered to a wall surface or wall anchoring system (also referred to as cultured stone)
	Class 1	Class 2	Class 3	Class 4	Definitions
<b>Concrete Masonry Units</b>					
Cast Stone	X				A highly refined architectural precast concrete masonry unit intended to simulate natural-cut stone
Burnished/ground-faced block		X			Concrete modular blocks, smooth finish with large aggregates visible or polished finish and with mortared joints
Patterned or shaped block			X		Concrete modular blocks, face surface has pattern or shape, not flat, and with mortared joints
Split-faced block			X		Concrete modular blocks, rough, split-faced finish, and with mortared joints
Plain, flat-faced block			X		Concrete modular blocks, plain, flat finish, and with mortared joints

	Class 1	Class 2	Class 3	Class 4	Definitions
<b>Concrete</b>					
Architectural quality precast concrete panels	X				Highest finish precast concrete panels, textured or burnished, and integrally colored - not painted
Cast-in-place concrete, board formed or decorative form liner		X			Architecturally designed cast-in-place concrete with a high-quality patterned or textured surface created by board forms or decorative concrete form liners
Cast-in-place concrete, plain			X		Textured or smooth finish, may be painted
Site cast and precast concrete panels			X		Site cast and precast concrete panels, plain, smooth finish, may be painted
	Class 1	Class 2	Class 3	Class 4	Definitions
<b>Metal</b>					
Architectural quality, composite metal wall panel systems	X				High quality insulated metal panels for decorative surface application, such as <i>Alucobond</i> panel systems
Architectural quality metal wall panel systems, concealed fastening		X			High quality metal panels for decorative surface application with concealed fasteners, such as <i>Firestone Delta</i>
Architectural quality metal wall panel systems, exposed fastening			X		High quality metal panels for decorative surface application with exposed fasteners, such as <i>Firestone Omega</i>
Metal (panels, siding, and trim)				X	Standard metal siding and panels, painted or coated for exterior application
	Class 1	Class 2	Class 3	Class 4	Definitions
<b>Glass</b>					
Clear glass (windows, doors, curtain walls, paneling systems)	X				Clear glass with no visible tint, reflective coating, coloring, or other covering (not including low-e or UV coatings or treatments)
Glass blocks			X		Hollow translucent block of varying shapes and sizes made entirely from glass. Also, known as glass brick.
Mirrored glass				X	Glass with a reflective or mirrored coating or finish
Opaque or tinted glass (including color applied)			X		Glass with a tinted or colored coating or finish or otherwise treated to produce a tint that reduces its opacity.
Spandrel Glass	X				Opaque glass panels with a fire-fused ceramic frit paint; typically used between vision areas of windows to conceal structural columns floors and shear walls

	Class 1	Class 2	Class 3	Class 4	Definitions
<b>Other Materials</b>					
Architectural quality fiber cement wall panels textured to resemble stone or metal	X				The highest quality fiber cement wall panel systems textured to resemble stone or metal with concealed fasteners – such as <i>Nichiha</i>
Stucco, genuine		X			Traditional Portland cement-based stucco applied in 3 coats over a solid surface
Wood (panels and siding)			X		Authentic hardwood or exterior rated, rot-resistant wood paneling and siding
Cement fiber board (panels and siding)			X		Cement panels reinforced with cellulose fibers, such as <i>HardiePlank</i> and <i>HardiePanel</i>
Exterior Insulation and Finish System (EIFS)			X		Polystyrene foam covered with a synthetic stucco, water-managed and exterior rated
Composite wood (panels, siding, and trim)			X		Composite or other synthetic wood types, such as <i>LP SmartSide</i>
Vinyl and PVC (panels, siding, and trim)				X	Exterior siding and trim that is made from a synthetic resin or plastic - minimum thickness 0.46 mm
Ceramic			X		Ceramic tile adhered to a wall surface or wall anchoring system
Translucent wall panel systems			X		Panels or blocks, typically hollow, made of translucent polycarbonate material - such as <i>Kalwall</i>
Fabric					(not permitted)
	Class 1	Class 2	Class 3	Class 4	Definitions
<b>Roofing Materials</b>					
Standing Seam Metal	X				Vertically run or horizontal-Bermuda style metal panels connected within interlocking raised seams
Metal roof panel system	X				High quality metal panels designed for roof application including metal shingles
Metal panel		X			Standard metal roof panels, designed for roof application
Slate	X				Natural stone tiles (or shingles) cut from slate, traditionally applied in an overlapping pattern
Tile	X				Fired clay, ceramic, or concrete roofing tiles applied in an overlaying pattern
Synthetic or composite slate		X			Molded plastic to mimic the appearance of slate tiles
Green roof	X				Low-slope roof covered with roof-top plants in a designed roof-top planting system
Simulated metal roofing		X			Membrane roofing system designed with the appearance of a standing seam metal roof
Membrane or ballast (not visible)		X			Typical roofing materials for low-slope roofs and is not visible from any adjacent public or private street or residential developed or zoned properties
Membrane or ballast (visible)				X	Typical roofing materials for low-slope roofs
Wood shake shingles	X				Shingle shakes constructed of rot resistance wood, such as cedar

Asphalt shingles (laminated or dimensional)		X			Asphalt shingles constructed with a heavy base mat and multiple adhered layers to provide a thicker, dimensional appearance - also known as laminated architectural shingles
Asphalt shingles (3-tab)				X	Asphalt shingles constructed with a single layer of material and 3 cut shingle "tabs"
Glass roofing	X				A roof constructed of glass panels or glass tiles within a glass framing system - also known as a roof glazing system
Fabric				X	Exterior rated fabric designed for application in a canopy or roofing system

(g) Building Exterior Finish Standards by Building Type, Except Single-Family and Duplex Dwellings.

- (1) For the purposes of this Article, all buildings, except for single-family and duplex dwellings, shall be categorized in the following building use types. Any building type not listed or any question as to the appropriate categorization of a building shall be as determined by the Zoning Administrator. The building design standards shall be regulated by both building use type and the zoning district in which the building is located. Unless otherwise permitted by the Zoning Administrator, all accessory buildings and structures shall comply with the design standards required of the principal building.

TABLE 16-415.2: BUILDING DESIGN STANDARD BY BUILDING TYPE

BUILDING TYPE	Façade Materials	Façade Articulation	Entryways	Fenestrations	Overhead Doors	Roofing
<b>Townhouse / Row Dwelling</b>	Each primary façade shall have no less than 3 different Class 1 & 2 building materials.	The primary façade of each individual unit dwelling must have a change in the wall plane and/or a change in the exterior material type, texture, and/or color to differentiate it from the adjoining units.				<p>Roofs of minimum 4-12 pitch, except as appropriate based on architectural style.</p> <p>Class 1, 2, &amp; 3 roofing materials.</p>

TABLE 16-415.2: BUILDING DESIGN STANDARD BY BUILDING TYPE

BUILDING TYPE	Façade Materials	Façade Articulation	Entryways	Fenestrations	Overhead Doors	Roofing
<b>Multi-Family Residential</b>	<p>Each primary façade shall have no less than 3 different Class 1 &amp; 2 building materials together comprising at least 50% of the façade area.</p> <p>Each secondary façade shall have no less than 3 different Class 1, 2, &amp; 3 building materials.</p> <p>Class 4 façade materials shall not exceed 5% of any primary or secondary façade area.</p>	<p>No primary façade shall exceed 60 feet in length without interruption by one or more of the following architectural features:</p> <ul style="list-style-type: none"> <li>- Projection or recess in the wall plane of at least two (2) feet in depth.</li> <li>- Columns, piers, pilasters or other equivalent structural and/or decorative elements.</li> </ul>	<p>Elevated and open walkways and stairways along exterior of building are prohibited.</p> <p>All main building entries must be covered by a projection from façade or recessed.</p>		<p>Overhead doors should not face a public street.</p> <p>If visible from a public street, overhead doors shall be recessed a minimum 4ft. from building façade line and architecturally treated with glass windows, archways, columns, canopies and overhangs.</p>	Class 1, 2, & 3 roofing materials.
<b>Commercial / Retail Buildings</b>	<p>Each primary façade shall have no less than 3 different Class 1 &amp; 2 building materials together comprising at least 50% of the façade area.</p> <p>Each secondary façade shall have no less than 3 different Class 1, 2, &amp; 3 building materials.</p> <p>Class 4 façade materials shall not exceed 5% of any primary or secondary façade area.</p>	<p>No primary façade shall exceed 60 feet in length without interruption by one or more of the following architectural features:</p> <ul style="list-style-type: none"> <li>- Projection or recess in the wall plane of at least two (2) feet in depth.</li> <li>- Columns, piers, pilasters or other equivalent structural and/or decorative elements.</li> </ul>	<p>All main building entries must be covered by a projection from façade or recessed.</p>	<p>At least one street-facing building façade and the façade containing the main building entry, if different from the street façade, shall consist of no less than 25% clear glass fenestrations (windows and full glass doors) on the first level.</p>	<p>Overhead doors should not face a public street.</p> <p>If visible from a public street, overhead doors shall be recessed a minimum 4ft. from building façade line and architecturally treated with glass windows, archways, columns, canopies and overhangs.</p>	Class 1, 2, & 3 roofing materials.



**Sec. 16-416. Performance Standards.**

- (a) Trash or other like material storage. No material to be disposed of, trash, garbage, or like items, shall be visible to the public either within a building or structure or outside a building or structure and these items shall be disposed of in a safe and sanitary manner.
- (b) Trash and Recycling Collection. The following trash and recycling collection standards shall apply to all sites excluding single-family dwellings, two-family dwellings, and townhouse/row dwellings:
  - (1) *Provisions Required.* All buildings and dwellings shall have adequate provisions for the collection of trash, grease, and recyclable materials with sufficient numbers and locations of collection containers as determined by the Zoning Administrator, at their sole discretion.
  - (2) *Screening of Collection Containers.* All outdoor trash and recycling receptacles, dumpsters, and grease collection containers shall be opaquely screened on all sides by the use of a permanent enclosure, with gates for disposal truck access. The enclosure shall be constructed of permanent materials such as textured block, split faced concrete block, brick or stone. Colors shall be compatible with the dominant architectural materials of buildings on site and shall be integral to a building on site whenever possible. The enclosure shall be located out of public view and constructed to visibly screen the views from the adjoining properties.
- (c) Equipment Screening. The following equipment screening standards shall apply to all sites excluding single-family dwellings, two-family dwellings, and townhouse/row dwellings:
  - (1) All ground mounted and all roof-top building HVAC and mechanical equipment, vents, piping, roof access ladder, and utility meters shall be screened from view from adjacent public streets and residential developed or zoned properties.
  - (2) Required screening shall be accomplished by one or more of the following: landscaping, screen walls, and building structure.
- (d) Exterior Lighting. The following exterior lighting standards shall apply to all sites excluding single-family dwellings and two-family dwellings:
  - (1) All site and building lighting shall be LED type (light produced via light emitting diodes) of a soft-white or bright-white light color and quality.
  - (2) All light fixtures shall be downcast in nature and must possess sharp, cut-off qualities to limit off-site glare. Wall-pack type light fixtures are prohibited.
  - (3) All parking lot, building exterior, and site lighting shall be designed, angled, or shielded so as not to glare or shine onto abutting properties or to cause glare upon the adjoining public rights-of-way.

- (4) Buildings and signage may be up-cast or downcast illuminated provided said lighting does not shine or glare off or past the sign or building wall.
- (5) Upon the request of the Zoning Administrator, a photometric plan and cut-sheets of all light fixtures shall be provided to the City during the site plan and/or building permit review process to ensure compliance with the regulations of this section.
- (e) Attached and Free-Standing Drive-Thru Canopies. The following regulations shall apply to all vehicle drive-thru or drive-up canopies, including bank ATM and teller service canopies, fuel pump island canopies, and restaurant drive-thru and drive-up canopies.
  - (1) Canopies shall meet the building setback requirements for the property on which it is located.
  - (2) The minimum vertical clearance for all canopies shall be 14 ft.
  - (3) The maximum height for all free-standing canopies shall be 20 ft.
  - (4) All structural and supporting columns shall be wrapped in a material consistent with or complementary to the primary building material of the principal building or buildings located on the same site. Canopies clad in any architectural metal panel shall consist of no more than two different colors.
  - (5) Under-canopy lighting shall be flush mounted.
- (f) Office Building and Retail Business District Standards.
  - (1) All goods, merchandise and equipment shall be sold and rented, and all business activities or services shall be rendered or conducted within completely enclosed buildings; provided that, each permitted use shall be allowed to locate food and/or drink vending machines immediately adjacent to the enclosed building from which that activity or service is conducted.
  - (2) No goods, merchandise or equipment shall be stored or displayed outside of a fully enclosed building, except if the storage or display is screened or fenced in accordance with a plan reviewed by the Planning Commission and approved by the Governing Body.

### **DIVISION III. HEIGHT AND AREA ~~STANDARDS~~ EXCEPTIONS**

#### **~~Sec. 16-421. Height and Area Exceptions; Generally.~~**

~~The regulations and requirements relating to the height of buildings and structures and the area of lots and yards shall be subject to the following exceptions and additional regulations set forth in this chapter.~~

#### **~~Sec. 16-422. Height and Yard Exceptions—Public or Semi-Public Buildings.~~**

~~In any district, public or semi-public buildings, such as hospitals, churches and schools, either public or private, may be erected to a height of a public or semi-public building exceeds the maximum height established for the district in which the building is located, the building shall have yards which shall be increased one foot on all sides for each additional foot that these buildings exceed the maximum height.~~

#### **Sec. 16-421. Lot and Yard Regulations.**

- (a) Corner Lots. For corner lots, the front yard regulation shall apply to each street side of the corner lot. The Zoning Administrator shall designate the rear yard of a lot which shall generally be that portion of yard opposite the narrow street side.
- (b) Corner Lot Exception for Single-Family and Two-Family Dwellings. For corner lots for single-family and two-family dwellings, the Zoning Administrator shall designate the primary front yard, which shall generally be the side with the least dimension. The front yard building setback requirement shall apply to this yard. The second yard adjacent to the street shall be considered a secondary front yard and a 20-foot building setback requirements shall apply to this yard.
- (c) Double Frontage Lots. The Zoning Administrator shall designate the front yard of a double frontage lot (also known as a through lot) which shall generally be the yard adjacent to the local street or lower street hierarchy classification designation. The front yard regulations shall apply to each street side of a double frontage lot.
- (d) Double Frontage Lot Exception for Single-Family and Two-Family Dwellings. For double frontage lots for single-family and two-family dwellings, the Zoning Administrator shall designate the primary front yard which shall generally be the yard adjacent to the local street or lower street hierarchy classification designation. The front yard building setback requirement shall apply to this yard. The second yard adjacent to the street shall be considered a secondary front yard and a 20-foot building setback requirements shall apply to this yard.
- (e) Postage-Stamp Lot. Structures built within a postage-stamp lot shall be setback no less five (5) feet from all lot lines, excluding shared walls located along a common lot line, and shall otherwise meet all other building setback requirements for the zoning district in which it is located. Postage-stamp lots may or may not have public street frontage but shall at a minimum have access to public streets and public utilities via an adjoining outlot or association held parcel.
- (f) Projecting Overhang or Structure. The ordinary horizontal projection from buildings including eaves, sills, fascia, parapets, cornices, bay windows, or other similar architectural features, except for gutters and downspouts, may not project or extend more than three (3) feet into a required yard, provided no part of a building is closer than 5 ft to a lot line.
- (g) Yard Encroachments.

- a. Carports, cantilevered projections, chimneys, accessory buildings, and structures may not project into any required yard.
- b. Air conditioning units, heat pumps, or other similar devices may encroach into the required side yard.
- c. Steps providing access to the ground level of a dwelling may encroach no more than 30-inches into any required side yard.
- d. Front stoops, stairs, open decks and unenclosed porches may encroach up to 8 ft into the required front yard setback.
- e. Decks, pools, and similar at or below grade structures may be located within a rear or side yard provided they are no closer than 5 ft to a property line.
- f. Uncovered patios, brick or stone pavers, concrete slab structures, or other paved surfaces constructed on the ground, or less than 12 inches above the average grade of the ground, shall be allowed to be constructed within the required front, side, or rear yards, except that no such patio or paved area shall encroach closer than two (2) feet of the property line.

**Sec. 16-422. Yard Exceptions—Platted Setback Lines.**

Where a setback line for a front yard, side yard or rear yard is established on any plat approved by the City, which platted setback is more restrictive than the yard requirements set forth in this title, the setbacks shall control and building permits shall not be issued for any building or structure outside of the platted setback which would not otherwise be allowed to be located in the yard pursuant to this title. An exception to this restriction can be made for a covered front porch as outlined in section 16-425(a)(1).

**Sec. 16-423. Yard Exceptions—Residential Districts; Front Yards.**

In residential districts where lots comprising 40 percent or more of the frontage on the same side of a street between two intersecting streets are developed with buildings having front yards with a variation of not more than ten feet in depth, the average of these front yards shall establish the minimum front yard depth for the entire frontage; provided, however, that where a recorded plat has been filed showing a setback line which otherwise complies with the requirements of this title, but which is less than the established setback for the block as provided herein, the setback line shall control. Provided further, that the Board of Zoning Appeals may establish a reasonable setback by variance where the configuration of the ground and buildings is such as to make conformity with the front yard requirements established pursuant to this section impractical. An exception to this restriction can be made for a covered front porch as outlined in section 16-425(a)(1).

**Sec. 16-425. Yard Exceptions—Required Yards.**

- ~~(a) Every part of a required yard shall be open from its lowest point to the sky unobstructed except for the ordinary projection of sills, belt courses, cornices, chimneys buttresses,~~

~~ornamental features and eaves; provided however, that none of the above projections shall extend into a court more than six inches nor into a minimum yard more than 30 inches.~~

~~(1) Canopies or open porches having a roof area projecting a maximum of eight feet into the required front yard set-back and with a 120 square-foot maximum floor area shall be allowed to be added on to single-family residential structures where they meet the following criteria:~~

- ~~a. The porch must be designed and finished with materials that match the existing house, including the roofing shingles, as to appear that it was part of the original house;~~
- ~~b. The covered porch shall be attached to the main house structure;~~
- ~~c. The roof pitch shall be a minimum of a 3:12 pitch;~~
- ~~d. The covered porch shall remain open and free of any screening or glass that encloses the space; and,~~
- ~~e. The covered porch shall have a defined access point(s) with an open decorative railing, plantings, or other built items around it that complements the porch and house structure; the railing shall be no higher than 38 inches above the porch floor level and the minimum post size shall be at least six inch by six inches in nominal dimensions.~~

~~(2) Patios, pools or similar structures which are at or below grade may be located in any side or rear yard area provided they are at least three feet from any property line.~~

~~(b) In the case of corner lots or double frontage lots, the rules stated in subsection (a) of this section shall be modified as follows:~~

- ~~(1) No accessory structure of any kind shall be built in a platted landscape easement.~~
- ~~(2) In the case of a double frontage lot or corner lot the rear yard of which abuts a collector or local street, no accessory structure of any kind shall be built closer than 15 feet to the street right-of-way.~~

#### **Sec. 16-424. Yard Exceptions—Sight Distance on Corner Lots.**

All corner lots shall provide two sight distance triangles, the short leg of which shall be 15 feet, and the long leg of which shall be 140 feet measured along the edge of the pavement as depicted in Figure 16-297A. The area within the triangles, as depicted in Figure 16-297B shall be and remain free of shrubbery, fences or other obstructions to vision more than two feet in height measured above the edge of pavement at a point nearest the obstruction.

**(INSERT SIGHT DISTANCE TRIANGLE GRAPHIC)**

**~~Sec. 16-425. Exceptions—Rear Yard Adjoining Alleys.~~**

~~In computing the depth of a rear yard for any building where the yard adjoins an alley, one-half of the alley may be counted as a portion of the rear yard.~~

**DIVISION IV. – PLANNED DISTRICTS****Sec. 16-428. - Planned Zoning Districts; Statement of Objectives.**

The zoning of land to one of the planned zoning districts designated in section 16-402(b) shall be for the purpose of encouraging and requiring orderly development at a quality level generally equal to or exceeding that commonly found in projects developed under conventional zoning, but permitting deviations from the normal and established development techniques. The use of planned zoning procedures is intended to encourage large-scale developments, efficient development of small tracts, innovative and imaginative site planning, conservation of natural resources and minimum waste of land. The following are specific objectives of the planned zoning districts:

- ~~(a) The conventional zoning districts should generally not be applied to the improvement of land by other than lot-by-lot development. Consequently, with the exception of residential subdivisions, development proposals which are intended to be subdivided into multiple lots should generally be rezoned to one or more planned zoning districts to ensure the compatibility, coordination, timing and sequencing of development. From and after the adoption of these planned zoning provisions, property shall not be rezoned to either office building district or retail business district except under unique circumstances, and only upon a showing that requiring rezoning to a planned zoning district would result in undue hardship upon the landowner.~~
- (b) Planned developments are groupings of buildings or building sites that are planned as an integrated unit or cluster on property under unified control or ownership at the time the zoning was approved by the City. The sale, subdivision or other partition of the site after zoning approval does not exempt or protect the portions thereof from complying with the development standards, architectural quality, sign concepts and other conditions that were committed to at the time of the rezoning. The submittal by the developer and the approval by the City of development plans represents a firm commitment by the developer that development will indeed follow the approved plans in concept, intensity of use, aesthetic levels and quantities of open space.
- (c) Planned commercial and industrial developments should be designed so as to result in attractive, viable and safe centers and clusters, as opposed to strip patterns along thoroughfares. Control of vehicular access, architectural quality, landscaping and signs will be exercised to soften the impact on nearby residential neighborhoods, and to assure minimum adverse effects on the street system and other services of the community.
- (d) The developer will be given latitude in using innovative techniques in the development of land not feasible under application of conventional zoning requirements.

- (e) Deviations from the performance and development standards, as provided for in section 16-449, may be approved if it is deemed that other amenities or conditions will be gained to the extent that an equal or higher quality development is produced.

***Text for the remainder of Division IV unchanged.***



**Notes: Text from current code in black. New text in red.**

## ARTICLE 6. ACCESSORY USES AND STRUCTURES

~~Sec. 16-601. – Accessory Uses and Structures; Intent and Interpretation.~~  
~~Sec. 16-602. – Accessory Uses and Structures; All Residential Districts.~~  
~~Sec. 16-603. – Accessory Uses and Structures; Multiple Residence District.~~  
~~Sec. 16-604. – Accessory Uses and Structures; All Commercial Districts.~~  
~~Sec. 16-605. – Accessory Uses and Structures; Office Building District and District CP-O.~~  
~~Sec. 16-606. – Accessory Uses and Structures; Retail Business District and District CP-2.~~  
~~Sec. 16-607. – Accessory Uses and Structures; District P-1.~~  
~~Sec. 16-608. – Accessory Uses and Structures; Accessory Uses Permitted By Interpretation. —~~  
~~Sec. 16-609. – Accessory Uses and Structures; Hotels and Motel Hotels. —~~  
~~Sec. 16-610. – Accessory Uses and Structures; Hospitals. —~~  
~~Sec. 16-611. – Accessory Uses and Structures; Public Utility Buildings. —~~  
~~Sec. 16-612. – Accessory Uses and Structures; Construction Sites.~~  
~~Sec. 16-613. – Accessory Uses and Structures; Development and Performance Standards.~~  
Sec. 16-601. – Accessory Buildings and Structures.  
Sec. 16-602. – Antennas, Satellite Dish Antennas, and Towers (Not Including Wireless Communications Facilities).  
Sec. 16-603. – Fences and Walls  
Sec. 16-604. – Hobby Activities  
Sec. 16-605. – Home Occupations  
Sec. 16-606. – Outside Storage and Use of Equipment, Material or Vehicles, and Other Provisions.  
Sec. 16-607. – Little Free Libraries.  
Sec. 16-608. – Accessory Dwelling Units

### Sec. 16-601. - Accessory Buildings and Structures.

- (a) Intent. Principal uses specified as permitted uses or special uses for a district shall be deemed to include accessory buildings and uses that are necessary and customarily associated with and are appropriate, incidental, and subordinate to such principal or special exception uses. These accessory buildings and structures include: free standing garages for automobiles, trash enclosures, sheds, play structures, gazebos, free-standing patios, pergolas, trellises, underground shelters, and above-ground and in-ground pools and hot-tubs. It is the intent of these standards herein this section to establish the basic regulations for accessory buildings and structures.
- (b) General Provisions. No accessory structure shall be constructed upon a lot until the construction of the main or principal building has been commenced, and no accessory structure shall be used if the main or principal building has been unused for a period of six (6) months or longer. Accessory buildings shall not be used for dwelling purposes, except for approved accessory dwellings as defined in this chapter.
- (c) Applicability. The following regulations shall apply to all accessory buildings and structures for agricultural uses, single-family dwellings, two-family dwellings, townhouse or row dwellings, and manufactured home parks. Accessory buildings and structures for all other uses shall comply with the regulations and standards as established for principal structures.
- (d) Location and Setbacks. The following location and setback requirements shall apply to all accessory buildings and structures:

Accessory buildings and structures shall only be erected to the rear of any principal building. No accessory use or structure except basketball goals, flag poles and fences, as permitted, shall be located in any front yard. No accessory structure shall be located between any principal building and any street. A detached, private garage may be constructed along the side of a principal building provided that said garage is no closer than ten (10) feet from the principal building and does not extend past the front face of the principal building. An attached garage or carport shall be subject to the same required setbacks as the main structure. A detached garage or carport shall be subject to the setbacks required for detached accessory buildings.

- (1) Accessory buildings and structures shall not be erected within any required buffer or easement.
- (2) When located upon a corner lot, the front yard regulation shall apply to each street frontage and no accessory building or structure shall be located within either of these front yards.
- (3) When located on a double frontage or through lot, the Zoning Administrator shall determine which street frontage serves as the rear yard, which shall generally be the street frontage adjacent to the street with the higher street hierarchy classification and for which no driveway access is provided.
- (4) No accessory building or structure shall be located closer than ten (10) feet from the street right-of-way line of the street located along the designated rear yard as determined by the Zoning Administrator, except that when any vehicle entrance to an accessory building faces the street, said accessory building shall be setback at least twenty (20) feet from the alley line or street right-of-way line as may apply.
- (5) Accessory buildings and structures shall maintain a minimum distance of five (5) feet from any lot lines, alley lines and any adjoining lots, except that when any vehicle entrance to an accessory building faces the alley, said accessory building shall be setback at least twenty (20) feet from the alley line.
- (6) Accessory buildings and structures shall maintain a minimum distance of ten (10) feet from any principal structure. Otherwise, said accessory building or structure must meet the setback standards required of the principal structure.
- (7) All setbacks and building separations shall be measured from the closest building wall face. Horizontal projection including roof-overhangs may not extend into any required setback.

(e) Area and Height Limit.

- (1) Accessory buildings and structures shall be limited to a maximum of two (2) total buildings, including a garage, of which all total accessory buildings shall not occupy more than 250 sq. ft. for each 3,000 sq. ft. of lot total lot area nor exceed a total square footage of 1,200 square feet.

- (2) Accessory buildings and structures shall not be taller nor encompass more floor area than the principal structure that is located on the same and shall in no case be more than one and one-half (1.5) stories in height and shall not exceed a height of 24-feet.
- (f) Building Design. Accessory buildings shall match the architectural style and design of the principal structure. The exterior building materials (siding and roofing materials) shall also be similar and of identical quality as that found on the principal structure.
- (g) Exempt Structures. Accessory structures of one-hundred (100) square feet or less, no taller one-story, and of a movable design, plus ground mounted play structures no taller than ten (10) feet with a footprint of no more than 400 square feet, shall be exempt from permit requirements. These structures must conform to all setback requirements. The square footage of these structures shall be included in the maximum cumulative area requirements of this Chapter.

**Sec. 16-602. - Antennas, Satellite Dish Antennas, and Towers (Not Including Wireless Communications Facilities).**

- (a) The following standards shall apply to all antennas, satellite dish antennas, and towers that are not part of a wireless telecommunications facility:
  - (1) Freestanding antennas, satellite dish antennas, and towers shall comply with the height restrictions and setback requirements for accessory buildings and structures.
  - (2) Antennas, satellite dish antennas, and towers attached to a principal building or structure shall comply with the height restrictions and setback required of that principal building or structure for the zoning district in which it is located.
  - (3) No satellite dish antenna, radio or TV antenna, or related tower use shall be permitted within any front or side yard or attached to the front wall or face of any building or structure, unless the property owner can adequately demonstrate to the satisfaction of the Zoning Administrator that it is not physically possible to locate the antenna or satellite dish antenna within the confines of the rear yard and obtain a signal.
  - (4) No satellite dish antenna with a dish diameter greater than three (3) feet or height greater than fifteen (15) feet shall be permitted in any residential zoning district. Satellite dish antennas shall be located and screened as practical from view of all adjoining residential uses and public streets.

**Sec. 16-603. - Fences and Walls**

- (a) Residential Districts.
  - (1) In all residential zoning district, fences and walls not exceeding 6-feet in height are permitted within the limits of side and rear yards. Fences and walls are permitted in the front yard with a maximum height of 4-feet. All fences located between the front property

- line and the front yard building setback, shall be designed with a minimum open space of forty percent (40%). Retaining walls shall be the only type of wall allowed within a residential front yard.
- (2) Any yard abutting a public street shall be considered a front yard. Residential corner lots contain two (2) front yards, and any fence extending into either front yard shall be a maximum of 4-feet in height and shall be subject to all other requirements for front yard fences.
  - (3) On through lots or double frontage lots, a privacy type fence not exceeding 6-feet in height may be placed within the designated rear yard, as determined by the Zoning Administrator, provided it is a minimum of 15-feet from the street right-of-way line.
  - (4) Fences and walls shall be built wholly on the owner's property.
- (b) Industrial and Commercial Districts.
- (1) In industrial zoning districts, fences and walls not exceeding eight (8) feet in height are permitted within the limits of the side and rear yard.
  - (2) Fences within a commercial district, within the front yard of an industrial district, or exceeding eight (8) feet in height in industrial districts, may be permitted by special exception of the Governing Body approval as part of a site plan application.
  - (3) Fences and walls shall be built wholly on the owner's property.
- (c) Decorative Features. In all districts, decorative features such as individual posts, brick or stone columns, and similar features constructed as part of a fence or wall shall be allowed to exceed the maximum fence height by no more than twelve (12) inches.
- (d) Swimming Pool Enclosures. Barriers constructed for the purpose of enclosing a swimming pool, shall also be subject to the requirements of this chapter.
- (a) Fence Frames. The frame of a fence, including posts, rails, and supports shall be placed on the inside of the fence and facing towards the property on which the fence is erected. As an alternative, a fence may be double sided with an alternating picket/panel design creating a uniform appearance to both sides of the fence.
- (b) Retaining Walls.
- (1) Retaining walls shall be set back from the property line one foot (1') for every one foot (1') of height.
  - (2) Retaining walls which are six (6) or more feet in height shall be structurally engineered. No single wall face shall be greater than six feet (6') in height without terraces to break up the wall expanse. A minimum one foot (1') of terrace shall be used for each two feet (2') of wall height. Each terrace shall contain vegetation. The design specifications, elevations and

site plan showing the exact location of the wall shall be provided along with the required building permit application to the Zoning Administrator.

(c) Materials and Maintenance.

(1) *Allowed Materials.*

- a. Fences are to be constructed of customarily used materials such as chain-link, wrought iron, aluminum, wood, polyvinyl chloride (PVC), and other similar materials, unless specified otherwise herein. Wood fences should be constructed of treated lumber, cedar, redwood, or similar types of wood that are resistant to decay and be protected with a wood sealant.
- b. The use of materials such as corrugated or sheet metal, chicken wire, woven wire, temporary construction fencing, snow fencing, or similar materials shall not be permitted for permanent fencing. A fence shall not be constructed or covered with: paper sheets or strips; cloth or fabric tarps, sheets, or strips; plastic or vinyl tarps, sheets, mesh, or strips; metal siding or panels not originally designed or intended as fencing material; bamboo; reed; or plywood sheeting. Chain-link or woven wire type fences shall not include plastic or wood slats or strips, bamboo, or reed. All fences must be of an earth tone, neutral, or natural color such as white, black, gray (silver), tan, brown, green. Bright or fluorescent colors are not permitted. Pictures, images, lettering, logos, graphics, or artwork are not permitted on fences.
- c. An exception may be approved by the Zoning Administrator for sun and/or wind screen material applied to fences directly associated with a sports or recreation facility such as tennis court fences, baseball field fences, or basketball courts, subject to the provisions of this chapter. An exception also may be approved by the Zoning Administrator for mesh screen material associated with a commercial or industrial site.
- d. Walls and Retaining Walls. Walls and retaining walls are to be constructed of brick, stone, textured concrete, precast concrete, tile block, etc., and shall not be painted. Pictures, images, lettering, logos, graphics, or artwork are not permitted on walls unless part of an approved and permitted sign in accordance with the City's Sign Regulations.

(2) *Prohibited Materials.* A fence or wall may not be designed to cause pain or injury to humans or animals. Therefore, the use of broken glass, barbed wire, razor wire, nails, electrical charge or other similar materials shall be prohibited. However, spikes or pointed pickets are permitted to discourage climbing.

(3) *Construction and Maintenance.* All fences shall be constructed in a sound and sturdy manner and shall be maintained in a good state of repair, including the replacement of defective parts, painting/sealing, and other acts required for maintenance. The Zoning Administrator after ten (10) days' notice to the owner of the fence, may order the removal of any fence that is not maintained in accordance with the provisions of this Code, and the

cost assessed against the property where said fence is located. An extension of time may be granted, upon filing a verified statement that the delay is not a result of any act of the owner.

(d) Measuring Fence or Wall Height. The height of a fence or wall shall be determined by a measurement from the ground beneath the fence or wall as follows:

- (1) In a yard abutting a street, the total effective fence or wall height above the finished grade shall be measured on the side nearest the street. Notwithstanding, if a property or premises is lower than an adjacent street, then the height of the fence or wall shall be determined by a measurement from the street grade at a ninety degree (90°) angle from the fence or wall; provided the total vertical measurement from the ground beneath the fence or wall to the top of the fence or wall shall not exceed eight feet (8').

**(INSERT GRAPHIC DETAIL)**

- (2) In any other required yard, the total effective fence or wall height above the finished grade shall be measured on the side nearest the adjacent property.
- (3) On a property line, the fence or wall height shall be measured from the finished grade of the side of the adjacent property.
- (4) Swales and other earth depressions up to six feet (6') wide shall not be used when measuring the fence or wall height.
- (5) Manmade earth berms, terraces, and retaining walls that elevate the fence or wall shall be considered a part of the fence or wall, except in the case of a fence or wall constructed within an industrial zoning district or as otherwise may be required by the City for the purposes of screening.

(e) Overland Flowage Easements.

- (1) Fences may encroach into an overland flowage easement providing measures are taken to make certain that the fence does not cause siltation buildup or restrict the water flow.
- (2) Permitted fence material includes chain-link, wrought iron fencing, picket style fencing that is at least fifty percent (50%) open, or other fencing styles that are at least fifty (50%) open.
- (3) All fencing shall be elevated a minimum of three (3) inches through the swale part of the easement to allow water flowage.

(f) Exceptions to Fence Standards.

- (1) *Recreational Purposes.* Fences associated with the uses of a sports or recreational facility or other similar area, shall not be subject to the height restrictions specified elsewhere in this section, provided that such fence is constructed to maintain a consistency of at least

- seventy five percent (75%) open space for the full length of the fence and does not impede the required vision clearance. Any such fence is subject to design review and approval of the Zoning Administrator.
- (2) *Governmental Properties.* Fences associated with governmental (federal, state, county, city) facilities and properties.
  - (3) *Temporary Fences.* Temporary or seasonal fences, e.g., snow fence, garden fence, are exempt from permitting requirements providing they are not more than four (4) feet in height. Snow fence shall be allowed to be placed from the first day of November through the first day of April of the following year. Snow fence shall not be allowed at any other time of the year, unless it is being placed as safety or construction fencing in accordance with the temporary construction fence requirements of this Chapter.
  - (4) *Temporary Construction Fence.* Temporary construction fences, barricades, railings, or other similar fences installed to provide temporary site security and/or safety in conjunction with construction work may be allowed in any district during periods of construction. Any such temporary fences shall be removed upon completion of the construction work.
  - (5) *Existing Fence.* Repair of existing, legal but nonconforming fences shall not be subject to the setback or height regulations, if the repair or replacement coincides with the location and height of the existing fence. Complete replacement of an existing fence requires compliance with the terms of this Chapter. Complete replacement shall be defined as the removal or replacement of forty (40) percent or more of the existing fence.

#### **Sec. 16-604. – Hobby Activities.**

- (a) Hobby activities. A hobby activity may be operated as an accessory use by the occupant of the premises purely for personal enjoyment, amusement or recreation so long as the activity is not in conflict with any City ordinance. Articles produced or constructed shall not be sold unless the activity complies with the requirements for a home occupation.

#### **Sec. 16-605. – Home Occupations.**

- (a) Home occupations are permitted as an accessory use to a residence subject to the following provisions:
- (b) Purpose and intent. It is the purpose and intent of these requirements to:
  - (1) Maintain neighborhood integrity and preserve the residential character of neighborhoods by encouraging compatible land uses.
  - (2) Provide residents of the City with an option to utilize their residences as places to enhance or fulfill personal economic goals as long as the choice of home occupations does not infringe on the residential rights of neighbors.



- (3) Establish criteria for operating home occupations in dwelling units within residential districts.
- (4) Assure that public and private services such as streets, sewers, water or utility systems are not burdened by home occupations to the extent that usage significantly exceeds that which is normally associated with a residence.
- (c) Performance criteria. Home occupations shall comply with the performance criteria of Article 6, Chapter V, of the City Code, which are incorporated herein by reference as if set out in full.
- (d) Other regulations. Home occupations shall comply with all other local, state or federal regulations pertinent to the activity pursued, and the imposition of requirements under this chapter shall not be construed as an exemption from these regulations.

**Sec. 16-606. - Outside Storage and Use of Equipment, Material or Vehicles, and Other Provisions.**

- (1) Where permitted in residential districts, storage of not more than one of the following is permitted: a boat, a camping trailer, a pickup camper, a motor home, a recreational vehicle or a hauling trailer. Storage shall not occur in the front yard or the side or rear yard between the house and the street (see definition for "Front Yard"). On corner lots where the house is built diagonally across the corner, storage of these items shall not pass the front corner of the house structure on this or the adjacent lot whichever is more restrictive. Storage areas are not required to be paved. These items may be parked in the customary driveway for purposes of loading or unloading or trip preparation for a period of time not to exceed two 48-hour occurrences within a 30-day period during which these items are being loaded or unloaded.
- (2) Except as may be otherwise provided in Chapter V or VII of the City Code, no other equipment, material or vehicle, other than operable passenger vehicles or motorcycles, shall be stored for more than 24 hours in a 30-day period in a residential district.
- (3) Exceptions from the above may be granted by the Governing Body upon approval of plans indicating screening to be installed and setbacks to be used.
- (4) In commercial districts, trucks, vans and trailers may be parked, but not for a period in excess of 72 hours, nor shall trucks, vans or trailers be used for storage or sale of merchandise.
- (5) Notwithstanding the foregoing, useful items may be stored outside to the extent permitted elsewhere in the City Code. Storage of these items shall be permitted only to the extent that it is accessory to the residential use of the property; storage related to any business activity shall not be permitted.
- (h) No temporary or incomplete building, and no automotive equipment, trailer, recreational vehicle, garage or other use or building accessory to a family dwelling shall be erected, maintained or used for residential purposes.

- (o) A recycling collection point as defined in this chapter may be permitted as an accessory use only after approval of a final development plan by the Governing Body. Prior to granting any approval, the Governing Body shall consider the impact of the proposed activity and structure on:

- (1) Adjacent properties and uses;
- (2) The visual appearance of the area; and
- (3) Traffic circulation on and off the site.

In all residential districts, recycling collection points may be permitted only in conjunction with a nonresidential use such as a school, church, or community building.

#### **Sec. 16-614. - Little Free Libraries.**

- (a) Little free libraries. A little free library is a "take a book, return a book" gathering place where neighbors share their favorite literature and stories. In its most basic form, a little free library is a box full of books where anyone may stop by and pick up a book (or two) and bring back another book to share.
- (b) Little free libraries are permitted to be placed on single-family residential lots, City properties, church properties and public or parochial school properties. These are considered an accessory structure and accessory use to the property and shall conform to the following guidelines:
  - (1) The little free library shall not be located in or overhang the public street right-of-way or any public or utility easement and shall be at least five feet behind the curb;
  - (2) The associated structures shall not obstruct vehicular, bicycle or pedestrian traffic, either physically or by a person utilizing the Little Free Library;
  - (3) The structures shall not obstruct access isles or paths utilized by persons in wheelchairs or for ADA accessibility;
  - (4) The little free library must be placed in the front yard between the face of the house or building and the street right-of-way. At its discretion, the City may make exceptions for churches and schools which may be approved administratively by City Staff;
  - (5) The library structure shall be designed to hold books. The overall structure shall be limited to a height not to exceed 66 inches; a width not to exceed 30 inches; a depth not to exceed 18 inches; and the box height shall not exceed 30 inches;
  - (6) The structures shall be anchored to the ground or securely attached to something having a permanent location on the ground;
  - (7) There shall be a limit of one little free library per address;

- (8) A little free library meeting the above conditions will not be subject to any permits or special licensing requirements.

**Sec. 16-615. - Accessory Dwelling Units**

(a) All accessory dwellings, where permitted, shall comply with the following:

- (1) No more than a total of two (2) dwelling units (principal and accessory) are allowed on a single lot or parcel.
- (2) An accessory dwelling may be contained within, attached to, or detached and separate from the principal dwelling and must be located wholly within the same lot or parcel of the principal dwelling.
- (3) The lot or parcel, principal dwelling, and accessory dwelling shall all be under the same ownership and the owner must live on the property either in the principal dwelling or the accessory dwelling as their principal place of residency.
- (4) The total gross floor area of the accessory dwelling cannot exceed the lesser of eight hundred square feet (800 sq. ft.) or eighty-percent (80%) of the total gross floor area of the principal dwelling.
- (5) The accessory dwelling shall have no more than one (1) bedroom and shall have its own bathroom and kitchen.
- (6) The accessory dwelling shall comply with the building setback and bulk regulations for a principal building as applicable for the zoning district in which its lot or parcel is located.
- (7) The exterior design and appearance of the accessory dwelling, attached or detached, must match and be consistent with the design, features, exterior building materials, and level of finish of the principal dwelling building and shall otherwise comply with the requirements of the architectural design standards found in the City's zoning code regulations.
- (8) The accessory dwelling may have its own entrance or share an entrance with the principal dwelling but cannot have its own separate entrance on the same façade as the front or street-facing entrance of the principal dwelling.
- (9) The principal dwelling shall have no less than two (2) off-street parking spaces and one (1) additional off-street parking space shall be provided for the accessory dwelling. Tandem style parking spaces (where access to a given space may be blocked by the designated parking space of another vehicle) shall not count towards meeting the parking requirements of this section. Unless specifically approved by the approval authority, accessory dwelling units shall not have a driveway separate from that of the principal dwelling.

(10) All accessory dwellings require approval of a Special Use Permit from the Planning Commission and Governing Body in accordance with the procedures outlined within this Chapter. To approve a request for a Special Use Permit, after a public hearing, the approval authority shall consider and make favorable findings regarding the following requirements. Failure to make favorable findings for any or all of these requirements shall be cause to deny the request.

- a. The size, location, layout, and appearance of the principal dwelling and the proposed accessory dwelling do not negatively impact the adjoining properties and surrounding neighborhood.
- b. Adequate provisions for parking have been made for both the accessory dwelling and the principal dwelling.
- c. The property is appropriately zoned for an accessory dwelling and all city code requirements have been satisfied.