

- (5) Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
  - (6) Boundaries indicated as parallel to or extensions of features mentioned in the preceding rules shall be so construed.
  - (7) Where distance is not specifically indicated on the official zoning map, as is typically the case with unsubdivided property, distance shall be determined by the scale of the map.
- (Zoning Ord., § 14.16.04)

**Sec. 117-111. Classification of annexed lands.**

All lands proposed for annexation shall be assigned zoning district classification that will become effective at the same time the annexation becomes final. The map amendment procedures contained herein shall be followed in assigning said classification.

(Zoning Ord., § 14.16.05)

**Sec. 117-112. Vacation of public rights-of-way.**

Whenever any street, alley or other public way is vacated or abandoned by action of the city council pursuant to law, the zoning district classification of the property to which the vacated portions of land accrue, shall become the classification of the vacated land.

(Zoning Ord., § 14.16.06)

**Secs. 117-113—117-137. Reserved.**

**ARTICLE IV. DISTRICT REGULATIONS**

**DIVISION 1. GENERALLY**

**Sec. 117-138. Residential districts.**

(a) *General description.* There are 14 residential districts designed to meet present and future housing needs, to protect the character of, and property values in, residential areas, to encourage a suitable environment for family life and to provide choice in density, as well as in type of housing. More specific descriptions of these districts are as follows:

- (1) AG—Agricultural district. The purpose of this district is to help preserve existing agricultural resources, and to guide the conversion of rural lands to suburban use when appropriate. Development standards are designed to implement long range development goals by preserving areas that have prime soils for agricultural use, and by protecting appropriate areas for development until they are well served by public facilities and services.
- (2) RS-1—Single-family residential district; minimum 43,560 sq. ft. lot required.
- (3) RS-2—Single-family residential district; minimum 21,780 sq. ft. lot required.
- (4) RS-3—Single-family residential district; minimum 14,520 sq. ft. lot required.
- (5) RS-4—Single-family residential district; minimum 10,890 sq. ft. lot required.

- (6) RS-5—Single-family residential district; minimum 8,712 sq. ft. lot required.
- (7) RS-6—Single-family residential district; minimum 7,260 sq. ft. lot required.
- (8) RS-7—Single-family residential district; minimum 6,222 sq. ft. lot required.
- (9) RS-8—Single-family residential district; minimum 5,445 sq. ft. lot required.
- (10) RM-6—Residential multifamily classification; six units per net acre, includes all forms of units, duplexes, triplexes, quads, and higher.
- (11) RM-8—Residential multifamily classification; eight units per net acre, includes all forms of units, duplexes, triplexes, quads, and higher.
- (12) RM-12—Residential multifamily classification; 12 units per net acre, includes all forms of units, duplexes, triplexes, quads, and higher.
- (13) RM-16—Residential multifamily classification; 16 units per net acre, includes all forms of units, duplexes, triplexes, quads, and higher.
- (14) RMH—Residential manufactured housing district. Establishing a district with use restricted to manufactured housing unit placement. Said units no older than eight years old as measured from date the letter of approval is sought will be allowed. Manufactured housing residential style will not be affected.

(b) *Uses permitted.* Uses permitted in the residential districts are set forth in the table in subsection (c) of this section. Where the letter "P" appears opposite a listed use and underneath a residential district, the use is permitted in that district by right subject to:

- (1) Providing off-street parking and loading facilities as required by section 117-324;
- (2) Providing landscaping and screening as provided by section 117-326; and
- (3) Conformance with special conditions applying to certain uses as set forth in article VII of this chapter. Only one principal structure per lot shall be permitted in the RS districts.

(c) *Explanation of symbols.* Where the letter "C" appears instead of "P", the use is permitted subject to acquiring a conditional use permit as set forth in article V of this chapter. Where neither "P" nor "C" appears similarly within the table, the use is not permitted.

Permitted Use Table For Residential Districts

Uses	AG	RS-1	RS-2	RS-3	RS-4	RS-5	RS-6	RS-7	RS-8	RM-H	RM-4	RM-6	RM-8	RM-12	RM-16
<i>Residential uses</i>															
Single-family, detached	P	P	P	P	P	P	P	P	P						
Single-family, attached											P	P	P	P	P
Duplex, triplex, fourplex											P	P	P	P	P
Emergency housing unit	C	C	C	C	C	C	C	C	C	P	C				
Multifamily										P	P	P	P	P	P
Manufactured housing unit	P									P			C	P	P
Manuf. housing, residential design	P	P	C	C	C	C	C	C	C	P			C	P	P
Manufactured housing park	P									P					
Group residential			C	C	C	C					P	P	P	P	P
Accessory dwelling unit		P	P	C	C	C									
<i>Civic / commercial uses</i>															
Airport or airstrip	C														
Animal care, general	C														
Animal care, limited	C														
Automated teller machine														C	C
Bed and breakfast		C	C	C	C						C	C	C	C	C
Cemetery	C	C	C	C	C	C	C	C	C		C	C	C	C	C
Church	P	P	P	C	C	C	C				C	C	C	C	C
College or university			P	P	P	P	P				P	P	P	P	P
Communication tower	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Convenience store														C	C
Day care, limited (family home)	P	P	P	C	C	C	C	C			P	P	P	P	P
Day care, general													C	C	C

Uses	AG	RS-1	RS-2	RS-3	RS-4	RS-5	RS-6	RS-7	RS-8	RM-H	RM-4	RM-6	RM-8	RM-12	RM-16
Golf course	C	C	C	C	C	C	C			P	P	P	P	P	P
Government service**	P	P	P	P	C	C	C	C	C		P	P	P	P	P
Hospital														P	P
Library	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Medical services														C	C
Museum														C	C
Nursing home														C	C
Parks and recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Post office															
Recreation/entertainment, indoor	C	C	C	C											
Recreation/entertainment., outdoor	C	C	C												
Safety services	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P
School, elementary, middle and high	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utility, major**	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Utility, minor**	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
<i>Agricultural uses</i>															
Agriculture, animal	P	P	C	C	C	C									
Agriculture, crop	P	P	P	C	C	C									
Agriculture, product sales	P	P	P	C	C	C									

(d) *Lot, yard, and height regulations.* Except as otherwise provided herein, no lot or yard shall be established or reduced in dimension or area in any residential district that does not meet the minimum requirements in the following table, nor shall any building or structure be erected

or enlarged that will cause the maximum lot coverage or maximum height regulations to be exceeded for such district as set forth in said table. A listing of supplements and exceptions to these regulations follows the table.

Minimum Dimension Requirements for Residential Districts  
Bulk Dimensional Requirements

<i>Zoning Classification</i>	<i>Minimum Lot Width (in feet)</i>	<i>Minimum Lot Area</i>	<i>Front Setback (in feet)</i>	<i>Rear Setback (in feet)</i>	<i>Side Setback (in feet)</i>
AG	240	5 acre	30	30	10 each
RS-1	120	43,560 s.f.	40	30	25 each
RS-2	100	21,780 s.f.	35	25	15 each
RS-3	80	14,520 s.f.	30	25	10 each
RS-4	80	10,890 s.f.	25	25	7.5 each
RS-5	70	8,712 s.f.	25	20	7.5 each
RS-6	65	7,260 s.f.	20	20	15 combined (min. 10 on one side)
RS-7	50	6,222 s.f.	20	20	7.5 each
RS-8	50	5,445 s.f.	15	15	7.5 each
R-MH	NS	NS	NS	NS	NS
RM-4	50	10,890 s.f. per dwelling unit	20	15	7.5 each
RM-6	60	7,260 s.f. per dwelling unit	20	15	10.0 each
RM-8	70	5,445 s.f. per dwelling unit	25	20	10.0
RM-12	80	3,630 s.f. per dwelling unit	25	20	15.0

<i>Zoning Classification</i>	<i>Minimum Lot Width (in feet)</i>	<i>Minimum Lot Area</i>	<i>Front Setback (in feet)</i>	<i>Rear Setback (in feet)</i>	<i>Side Setback (in feet)</i>
RM-16	80	2,722 s.f. per dwelling unit	25	20	15.0

- (1) Maximum lot coverage all buildings shall not exceed 35 percent in RS-1 thru RS-5 districts and 40 percent in all other residential districts.
- (2) When an existing lot is reduced because of conveyance to a federal, state or local government for a public purpose and the remaining area is at least 75 percent of the required minimum lot size for the district in which it is located, then that remaining lot shall be deemed to comply with minimum lot size requirements.
- (3) Utility facilities, using land or an unoccupied building requiring less than 1,000 square feet of site area, are exempt from minimum lot size requirements of all districts.
- (4) Minimum lot size requirements shall not be interpreted as prohibiting the construction of a single-family residential dwelling unit on a lot that was legally platted or recorded before the adoption of the ordinance from which this chapter is derived. For lots that are rendered nonconforming, the necessity of obtaining a variance from such created nonconformity shall not be required as a condition of issuance of a building permit.
- (5) Certain architectural features may project into required yards as follows:
  - a. Cornices, canopies, eaves or other architectural features, may project a distance not exceeding 30 inches.
  - b. Fire escapes may project a distance not exceeding 4½ feet from the exterior wall of the building.
  - c. An uncovered stair and necessary landings may project a distance not to exceed three feet, provided such stair and landing shall not extend above the entrance floor of the building except for a railing not exceeding three feet in height.
  - d. Bay windows, balconies and chimneys may project a distance not exceeding 30 inches, provided that such features do not occupy, in the aggregate, more than one-third of the length of the building wall on which they are located.
- (6) When an existing setback is reduced because of conveyance to a federal, state or local government for a public purpose, and the remaining setback is at least 75 percent of the required minimum set-

- back for the district in which it is located, then that remaining setback shall be deemed to satisfy minimum setback requirements.
- (7) When a majority of the lots have existing principal structures on them and the street setbacks of said principal structures are on lots within the same block, with the same zoning classification and fronting on the same side of the street and are less than the required street setback, applicants shall be allowed to use the average street setback on that block. In such cases, the average setback shall be the mean or average setback of all developed lots on the same side of the street within the same block as the subject property and with the same zoning classifications, and in no case shall more than six lots on either side of the subject property be included in the calculation.
  - (8) When adjacent to RS single-family districts or more restrictive districts, multifamily residential and nonresidential structures over one story or 15 feet in height shall have an additional eight foot side and rear setback for every additional story or 15 feet in building height.
  - (9) Single-family attached townhouse uses shall be exempt from interior side setback requirements, provided that end units within a single-family attached development shall comply with applicable side setback requirements. Such uses shall also be exempt from lot width requirements.
  - (10) In existing and more intensive zoning districts, dwelling units within a zero lot line development may be placed on or near one interior side lot line, and therefore be exempt from that interior side setback requirement. Zero lot line setbacks may not be used on street side lot lines or on interior side lot lines adjacent to lots that are not part of the zero lot line development. Zero lot line houses shall be subject to applicable fire codes and the following additional standards:
    - a. The minimum distance between all buildings in the development must be equal to twice the required side setback required by the underlying zoning district. A deed restriction must be recorded on the deed of each applicable lot to ensure continued compliance with this setback.
    - b. An easement to allow for maintenance or repair is required when the eaves or side wall of a house are within four feet of the adjacent property line. The easement on the adjacent property must provide at least five feet of unobstructed space between the furthestmost projection of the structure, and be wide enough to allow five feet between the eaves or side wall and the edge of the easement.
    - c. If the side wall of the house is on the property line, or within three feet of the property line, windows or other openings that allow for visibility into the side

yard of the adjacent lot are not allowed. Windows that do not allow visibility into the side yard of the adjacent lot, such as a clerestory window or a translucent window, are allowed.

- (11) Maximum height limitation is 35 feet in all residential zones with the exceptions of the AG and RM districts, where the limitation is 45 feet. Chimneys, smokestacks, ventilators, cooling and water towers, bulkheads, grain elevators and silos, utility and flagpoles, belfries, spires and steeples, and monuments and ornamental towers, may be erected to any height not in conflict with the airport overlay district or other city ordinances. Communication towers are exempt only to the extent authorized through conditional use approval.
- (12) For multi-family, the side setback shall be increased by five feet for each additional story in excess of one story, for buildings to be placed along the property line.

*Minimum On-Site Structure Separation*

Single story:	15
Two story:	20
More than two stories:	30

The greater restriction applies for the tallest buildings being considered, e.g. if a one story building is proposed adjacent to a three story building, then the minimum separation between those two buildings shall be 30 feet.

(Zoning Ord., § 14.20.01; Ord. No. 07:45, 2-6-2007)

**Sec. 117-139. Commercial and industrial districts.**

(a) *General description, commercial districts.* Commercial districts are principally intended for the provision of services and the conduct of business essential to support residents within the city and the surrounding area. Five different commercial districts exist to provide for the diversity of uses and appropriate locations required for the range of goods and services needed in the city. More specific descriptions of these districts follows:

- (1) *CR-1, commercial residence mixed use district.* The CR-1, commercial residence mixed use district shall be classified as a transitional zoning classification for mixed-use type developments. It allows commercial development, with a residential appearance, and professional uses to be completed in areas between existing commercial more of a retail nature, and single-family residential. By definition it represents transition. Therefore, the logical conclusion would be that a transitional use, such as quadraplexes shall be permitted in this district with commercial below or coordinated to blend or relate. Site plan review shall be subject to planning commission review and administrative approval upon commission recommendation.
- (2) *C-4, neighborhood commercial district.* This district provides for limited retail trade and services designed to serve adjacent residential neighborhoods, usually of a high or medium density character. Such districts should generally be lim-