

#### Article IV Zoning Districts

- § 340-21 **Districts established.**
- § 340-22 **Changes to district boundaries.**
- § 340-23 **Interpretation of district boundaries.**
- § 340-24 **Zoning for newly annexed land.**
- § 340-21 **Districts established.**

[Amended 10-10-2006 by Ord. No. A-361; 7-5-2011 by Ord. No. A-419; 1-19-2016 by Ord. No. A-500]

The City is hereby divided into zoning districts and zoning overlay districts as follows and as shown on the Zoning Map:

- R-1A Low-Density Single-Unit Residential
- R-1B Moderate-Density Single-Unit Residential
- R-1C High-Density Single-Unit Residential
- R-2 Single- and Two-Unit Residential
- R-3 Multiple-Unit Residential

#### Article V Residential Districts

- § 340-25 **Purpose.**
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- § 340-27 **Single-Unit Detached Residential Districts (R-1A, R-1B, and R-1C)**
- § 340-27.1 **R-1A Low-Density Single-Unit Detached Residential District.**
- § 340-27.2 **R-1B Moderate-Density Single-Unit Detached Residential District.**
- § 340-27.3 **R-1C High-Density Single-Unit Detached District.**
- § 340-28 **R-2 Single-Unit, Two-Unit Detached/Attached Residential District.**
- § 340-29 **R-3 Multiple-Unit District.**

#### **§ 340-25 Purpose.**

The residential districts are established to accomplish the following purposes:

- A.** To preserve existing living qualities of residential neighborhoods.
- B.** To prevent additions or alterations of structures that would damage the character or desirability of existing residential areas.
- C.** To ensure future high-quality amenities, including but not limited to provision of adequate light, air, privacy, and convenience of access to the property of existing and new residential areas.
- D.** To increase convenience and comfort by providing usable open space and recreational space on the same lot as the housing units they serve.

#### **§ 340-26(Reserved) [1]**

*[1]Editor's Note: Former § 340-26, R-1A Estate - Single-Family District, as amended, was repealed 7-5-2011 by Ord. No. A-419.*

## **§ 340-27 Single-Unit Detached Residential Districts (R-1A, R-1B, and R-1C).**

**A. Intent.** There are three single-unit districts accommodating single-unit detached homes of varying lot sizes based on densities that follow existing or desired development patterns.

**B. Permitted uses:**

- (1) Single-unit residences.
- (2) Civic uses.
- (3) Essential services.
- (4) Public parks.
- (5) Keeping of chickens and rabbits in accordance with § 114-11D(1).  
[Added 3-15-2016 by Ord. No. A-498]
- (6) Keeping of honey bees in accordance with § 114-11D(2).  
[Added 3-15-2016 by Ord. No. A-498]
- (7) Accessory Dwelling Units (ADU) pursuant to § 340-66.2

**C. Conditional uses:**

- (1) Accessory structures over 1,000 sq. ft. as defined by § 340-11.
- (2) Bed-and-breakfasts and tourist homes.
- (3) Cemeteries.
- (4) Churches.
- (5) Community-based residential facilities (CBRF).
- (6) Family day-care centers.
- (7) Group day-care centers.
- (8) Group homes.
- (9) Home occupations, as defined by § 340-61C.
- (10) Medical centers.
- (11) Model homes.
- (12) Nursing homes.
- (13) Rehabilitation centers.
- (14) Schools: public SIC 8211, elementary and secondary schools.  
[Amended 9-17-2013 by Ord. No. A-461]
- (15) Utility facilities.
- (16) On-premises advertising as permitted by § 278-13A.  
[Added 10-16-2007 by Ord. No. A-380]
- (17) Artisan retreat facility.  
[Added 9-17-2013 by Ord. No. A-460]

**§ 340-27.1 R-1A Low-Density Single-Unit Detached Residential District.**

- A. Intent: The R-1A, Low-Density Single-Unit Residential District is primarily intended to accommodate single-unit detached dwelling units at typical densities up to four (4) units per acre.
- B. Permitted Uses: See § 340-27(B)
- C. Conditional Uses: § 340-27(C)
- D. Bulk Regulations. See Table 340-27.1 (Below).

<b>Table 340-27.1 Bulk Regulations</b>	
<b>Type of Standard</b>	<b>Lot Dimensional Requirements</b>
Minimum Lot Size	10,000 sq. ft.
Minimum Lot Width	85 feet
Minimum Yard Setbacks	
Front Street/ Flanking Street Yard	20 feet
Interior Side Yard	12.5 feet on each side.
Rear Yard	35 feet
Maximum Building Height	35 feet
Max percent of lot coverage	30%

**§ 340-27.2 R-1B Moderate-Density Single-Unit Detached Residential District.**

- A. Intent: The R-1B, Medium-Density Single-Unit Residential District is primarily intended to accommodate single-unit detached dwelling units at typical densities up to five (5) units per acre.
- B. Permitted Uses: See § 340-27(B)
- C. Conditional Uses: § 340-27(C)
- D. Bulk Regulations. See Table 340-27.2 (Below).

<b>Table 340-27.2 Bulk Regulations</b>	
<b>Type of Standard</b>	<b>Lot Dimensional Requirements</b>
Minimum Lot Size	8,500 sq. ft.
Minimum Lot Width	66 feet
Minimum Yard Setbacks	
Front Street/ Flanking Street Yard	20 feet
Interior Side Yard	10 feet on each side
Rear Yard	30 feet
Maximum Building Height	35 feet
Max percent of lot coverage	35%

**§ 340-27.3 R-1C High-Density Single-Unit Detached Residential District.**

- A. Intent: The R-1C, High-Density Single-Unit Residential District is primarily intended to accommodate single-unit detached dwelling units at typical densities up to six (6) units per acre.
- B. Permitted Uses: See § 340-27(B)
- C. Conditional Uses: See § 340-27(C)
- D. Bulk Regulations. See Table 340-27.3 (Below).

<b>Table 340-27.2 Bulk Regulations</b>	
<b>Type of Standard</b>	<b>Lot Dimensional Requirements</b>
Minimum Lot Size	7,200 sq. ft.
Minimum Lot Width	60 feet
Minimum Yard Setbacks	
Front Street/ Flanking Street Yard	20 feet
Interior Side Yard	6 feet on each side
Rear Yard	30 feet
Maximum Building Height	35 feet
Max percent of lot coverage	40%

**§ 340-28 R-2 Single-Unit Detached, Two-Unit Attached Residential District.**

**A. Intent.** The R-2 Single-Unit Detached, Two-Unit Attached Residential District is primarily intended to accommodate areas for single-unit detached homes and two-unit attached duplex housing. The R-2 District is applied in moderate- and high-density residential neighborhoods in areas of the community where similar development patterns exist or are desired. By allowing a mixture of single-unit and two-unit attached/detached housing options, the R-2 District provides greater flexibility of use and housing choice than the Single-Unit Detached Residential Districts (§ 340-27).

**B. Permitted uses:**

- (1) Single-unit Detached residences.
- (2) Two-unit Attached residences.
- (3) Civic uses.
- (4) Essential services.
- (5) Public parks.
- (6) Zero-lot-line duplexes.

[Added 4-16-2013 by Ord. No. A-451]

- (7) Keeping of honey bees in accordance with § 114-11D(2).

[Added 3-15-2016 by Ord. No. A-498]

- (8) Keeping of chickens and rabbits in accordance with § 114-11D(1).

[Added 3-15-2016 by Ord. No. A-498; amended 11-1-2016 by Ord. No. A-509]

- (9) Accessory Dwelling Units (ADU) pursuant to § 340-66.2.

**C. Conditional uses:**

- (1) Accessory structures over 1,000 sq. ft. as defined by § 340-11
- (2) Bed-and-breakfasts and tourists homes.
- (3) Cemeteries.
- (4) Churches.
- (5) Community-based residential facilities (CBRF).
- (6) Family day-care centers.
- (7) Group day-care centers.
- (8) Group homes.
- (9) Home occupations, as defined by § 340-61C.
- (10) Medical centers.
- (11) Model homes.
- (12) Nursing homes.
- (13) Rehabilitation centers.

(14) Schools: public SIC 8211, elementary and secondary schools.

[Amended 9-17-2013 by Ord. No. A-461]

(15) Utility facilities.

(16) On-premises advertising as permitted by § 278-13A.

[Added 10-16-2007 by Ord. No. A-380]

(17) Artisan retreat facility.

[Added 9-17-2013 by Ord. No. A-460]

D. Bulk Regulations. See Table 340-28 (Below).

<b>Table 340-28 Bulk Regulations</b>			
<b>Type of Standard</b>	<b>Lot Dimensional Requirements</b>		
	Single-unit residences	Two-unit residences	Zero-lot-line duplexes
Minimum Lot Size (Per Unit)	8,500 sq. ft.	5,000 sq. ft.	5,000 sq. ft.
Minimum Lot Width (Per Lot)	60 feet	100 feet	50 feet
Minimum Yard Setbacks			
Front Street/Flanking Street Yard	20 feet	20 feet	20 feet
Interior Side Yard (each side)	6 feet	8 feet	8 feet, except 0 feet on common wall
Rear Yard	25 feet	30 feet	30 feet
Maximum Building Height	35 feet	35 feet	45 feet
Maximum percent of building lot coverage	35%	35%	35%

**§ 340-29 R-3 Multiple-Unit District.**

**A. Intent.** The R-3 Multiple-Unit District is primarily intended to accommodate areas for multi-unit housing and other high-density residential development. The R-3 District is applied to areas of the community where similar development patterns exist or are desired at higher densities of other Residential Districts.

**B. Permitted uses:**

- (1) Reserved
- (2) Two-unit residences.
- (3) Multiple-unit residences.
- (4) Civic uses.
- (5) Essential services.
- (6) Public parks.
- (7) Zero-lot-line duplexes.
- (8) Zero-lot-line townhomes with three (3) to five (5) dwelling units.

**C. Conditional uses:**

- (1) Accessory structures over 1,000 sq. ft..
- (2) Bed-and-breakfasts and tourist homes.
- (3) Cemeteries.
- (4) Churches.
- (5) Community-based residential facilities (CBRF).
- (6) Family day-care centers.
- (7) Guest homes or boardinghouses.
- (8) Group day-care centers.
- (9) Group homes.
- (10) Home occupations, as defined by § **340-61C**.
- (11) Medical centers.
- (12) Model homes.
- (13) Nursing homes.
- (14) Rehabilitation centers.
- (15) Schools: public SIC 8211, elementary and secondary schools.  
[Amended 9-17-2013 by Ord. No. A-461]
- (16) Utility facilities.
- (17) On-premises advertising as permitted by § **278-13A**.  
[Added 10-16-2007 by Ord. No. A-380]
- (18) Zero-lot-line structures with more than four dwelling units.  
[Added 4-16-2013 by Ord. No. A-451]

D. Bulk Regulations. See Table 340-29 (Below).

<b>Table 340-29 Bulk Regulations</b>				
<b>Type of Standard</b>	<b>Lot Dimensional Requirements</b>			
	Two-unit residences	Zero-lot-line duplexes	Zero-lot-line townhouses	Multi-unit Buildings
Minimum Lot Size (Per Unit)	4,500 sq. ft.	4,500 sq. ft.	2,100 sq. ft.	3,000 sq. ft.
Minimum Lot Width (Per Lot)	85 feet	42.5 feet	24 feet	80 feet
Minimum Yard Setbacks				
Front Street/ Flanking Street Yard	20 feet	20 feet	20 feet	20 feet
Interior Side Yard (each side)	6 feet	6 feet, except 0 feet on common wall	6 feet, except 0 feet on common wall	6 feet
Rear Yard	25 feet	25 feet	25 feet	35 feet
Maximum Building Height	45 feet	45 feet	45 feet	45 feet
Max percent of lot coverage	40%	40%	40%	40%
Max impervious surface coverage	70%	70%	70%.	70%
Minimum floor area per unit:				
Efficiency	N/A		600 sq. ft.	600 sq. ft.
One-bedroom			800 sq. ft.	800 sq. ft.
Two-bedroom			1,000 sq. ft.	1,000 sq. ft.

§ 340-42.1(Reserved) [1] (Struck from Ordinance, Replaced by R-1A)

[1]Editor's Note: Former § 340-42.1, Traditional Neighborhood Overlay District, as amended, was repealed x-x-20xx by Ord. No. X-XXX.



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Article VI Commercial Districts § 340-32 **C-2 Central Business District Core.**

**A. Intent.** The intent of the C-2 Central Business District Core is to provide a district that encourages and fosters the further development of the downtown business district core area. The district requirements recognize the unique characteristics of the downtown business district that differ from other commercial districts in the City. The intent of the requirements is to retain the existing "Main Street" characteristics of the core blocks on Main Street.

**B. Permitted uses:**

(16) Residential Units, except on street level

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§ 340-57 **Nonconforming uses of structures.**

**A. Preexisting uses.** No nonconforming use of a structure may extend to any part of the structure which was not manifestly arranged or designed for such use on the effective date of this chapter, and no such use shall be extended to occupy any land outside the structure. Moreover, such use or structure shall not be enlarged, extended, constructed, reconstructed, moved or structurally altered except for a permitted use.

**B. Forfeiture by nonuse.** No nonconforming use of structure shall continue if it is discontinued for 12 consecutive months.

**C. Repairs and maintenance.** Improvements to nonconforming structures occurring within a consecutive twelve-month period shall not exceed 50% of the current assessed value. No improvements shall increase the cubic content of the building as it existed on the effective date of this chapter.

§ 340-58 **Nonconforming structures.**

**A. Preexisting structures.** A structure may be continued so long as it remains otherwise lawful, subject to the provisions of this section.

**B. Enlargement or alteration.** No nonconforming structure may be enlarged or altered in any way which increases its nonconformity except as permitted by the Zoning Board of Appeals as provided in this chapter.

- (1) Exception. Upon presentation of substantial evidence illustrating practical difficulty, Plan Commission may permit structural addition(s) to and replacement of existing structures or buildings within the established building setbacks, provided that such encroachment requires no greater than that of the existing legal non-conforming encroachment.

§ 340-66.2 **Accessory Dwelling Units.**

A). Definitions.

(1) Accessory Dwelling Unit (ADU). An attached or a detached residential dwelling unit that provides complete independent living facilities for one (1) or more persons and is located on a lot with a proposed or existing primary residence. The unit shall contain permanent provisions for:

- a) Living;
- b) Sleeping;
- c) Eating;
- d) Cooking;
- e) Sanitation; and,
- f) Separate exterior entrance.

(2) Interior ADU. A separate dwelling unit located entirely within the principle dwelling unit structure that also includes permanent provisions per § 340-66.2.A.1(a-f), typically an attic or basement suite.

B) Eligibility. No more than one (1) accessory dwelling unit shall be permitted per lot within all residential districts, excluding R-3, pursuant to the following requirements:

(1) Attached or Interior ADUs. Attached or interior ADUs which do not exceed eight hundred (800) sq. ft. or fifty percent (50%) of an existing primary dwelling, whichever is greater, and have no more than two (2) bedrooms.

(2) Detached ADUs. Detached ADUs which do not exceed the principal structure size or eight hundred (800) sq. ft., whichever is smaller, and have no more than two (2) bedrooms.

(C) Supplemental Regulations. All ADUs shall comply with § 340-11 Accessory Buildings and Uses. All ADUs shall also comply with the following standards:

(1) The ADU shall have a separate entrance from the principle dwelling unit.

(2) The entryway to the ADU shall be connected to a street frontage with a paved walkway.

(3) An ADU shall be considered part of the principle dwelling unit on the same lot for the purpose of the bulk building requirements of the district. Any secondary dwelling unit connected to the single-family dwelling is considered attached.

(4) Parking shall meet the district's principle structure parking requirement plus one (1) additional parking space for each ADU. Existing parking for the principle dwelling must be maintained or replaced on-site.

(5) A separate water lateral is required for all ADUs, except for interior ADUs.

## ZONING AMENDMENTS - TRACK CHANGES

### Article IV Zoning Districts

§ 340-21 **Districts established.**

§ 340-22 **Changes to district boundaries.**

§ 340-23 **Interpretation of district boundaries.**

§ 340-24 **Zoning for newly annexed land.**

§ 340-21 **Districts established.**

[Amended 10-10-2006 by Ord. No. A-361; 7-5-2011 by Ord. No. A-419; 1-19-2016 by Ord. No. A-500]

The City is hereby divided into zoning districts and zoning overlay districts as follows and as shown on the Zoning Map:

<del>R-1A</del>	<del>Low-Density Single-Unit Detached Residential</del> <del>Single-Family</del>
<del>R-1B</del>	<del>Moderate-Density Single-Unit Detached Residential</del>
<del>R-1C</del>	<del>R-1C High-Density Single-Unit Detached Residential</del>
R-2	Single- and Two- <del>Family</del> <u>Unit Residential</u>
R-3	Multiple- <del>Family</del> <u>Unit Residential</u>
C-1	General Commercial
C-2	Central Business Core
C-3	Central Business Fringe
I-1	Industrial Park
I-2	General Industrial
I-3	General Industrial
C	Public Park and Conservancy
A	Agricultural Holding Zone
WP	Wellhead Protection Overlay
AP	Airport Special Purpose Overlay
HP	Historic Preservation (see Article <u>XVII</u> )
<del>TN</del>	<del>Traditional Neighborhood Overlay</del>

### Article V Residential Districts

§ 340-25 **Purpose.**

§ 340-26 **(Reserved)**

§ 340-27 **~~R-1 Single-Unit Detached Residential Districts (R-1A, R-1B, and R-1C)~~Single-Family District.**

**§ 340-27.1 R-1A Low-Density Single-Unit Detached Residential District.**

**§ 340-27.2 R-1B Moderate-Density Single-Unit Detached Residential District.**

**§ 340-27.3 R-1C High-Density Single-Unit Detached District.**

**§ 340-28 ~~R-2 Single- and Two-Family District.~~ § 340-28 R-2 Single-Unit, Two-Unit Detached/Attached Residential District.**

**§ 340-29 ~~R-3 Multiple-Family~~Unit Residential District.**

§ 340-27 ~~R-1~~ Single-Unit Detached Residential Districts (R-1A, R-1B, and R-1C).

A. Intent. There are three single-unit districts accommodating single-unit detached homes of varying lot sizes based on densities that follow existing or desired development patterns. The R-1 Single-Family District is intended to provide for the single-family home.

~~[Amended 10-10-2006 by Ord. No. A-361]~~

B. Permitted uses:

- (1) Single-~~family~~unit residences.
- (2) Civic uses.
- (3) Essential services.
- (4) Public parks.
- (5) Keeping of chickens and rabbits in accordance with § 114-11D(1).

[Added 3-15-2016 by Ord. No. A-498]

- (6) Keeping of honey bees in accordance with § 114-11D(2).

[Added 3-15-2016 by Ord. No. A-498]

- (7) Accessory Dwelling Units (ADU) pursuant to § 340-66.2

C. Conditional uses:

- (1) Accessory structures over 1,000 square feet as defined by § 340-11. ~~Accessory structures over 1,000 square feet.~~

- (2) Bed-and-breakfasts and tourist homes.
- (3) Cemeteries.
- (4) Churches.
- (5) Community-based residential facilities (CBRF).
- (6) Family day-care centers.
- (7) Group day-care centers.
- (8) Group homes.
- (9) Home occupations, as defined by § 340-61C.
- (10) Medical centers.
- (11) Model homes.
- (12) Nursing homes.
- (13) Rehabilitation centers.
- (14) Schools: public SIC 8211, elementary and secondary schools.

[Amended 9-17-2013 by Ord. No. A-461]

- (15) Utility facilities.
- (16) On-premises advertising as permitted by § 278-13A.

[Added 10-16-2007 by Ord. No. A-380]

- (17) Artisan retreat facility.

[Added 9-17-2013 by Ord. No. A-460]

§ 340-27.1 R-1A Low-Density Single-Unit Detached Residential District.

A. Intent: The R-1A, Low-Density Single-Unit Residential District is primarily intended to accommodate single-unit detached dwelling units at typical densities up to four (4) units per acre.

B. Permitted Uses: See § 340-27(B)

C. Conditional Uses: § 340-27(C)

~~D-D.~~ Minimum lot size: 10,000 square feet.

~~(1) Single-family residences: 10,800 square feet.~~

~~(2) Other uses: 12,000 square feet.~~

~~E-E.~~ Minimum lot width: 85 feet

~~(1) Dwellings: 90 feet.~~

~~(2) Other uses: 100 feet.~~

~~F-F.~~ Minimum yard setbacks:

(1) Front street yard/Flanking street side yard: 20 feet

~~(a) Single-family residences: 20 feet.~~

~~(b) Other uses: 35 feet.~~

(2) Flanking street side yard:

~~(a) Single-family residences: 20 feet.~~

~~(b) Other uses: 35 feet.~~

(3) Interior side yard: 12.5 feet on each side.

~~(a) Single-family residences: 12.5 feet on each side.~~

~~(b) Other uses: 15 feet on each side.~~

(4) Rear yard: 35 feet.

~~G-G.~~ Maximum height: 35 feet.

~~H-H.~~ Maximum percent of building lot coverage: 30%.

§ 340-27.2 R-1B Moderate-Density Single-Unit Detached Residential District.

A. Intent: The R-1B, Medium-Density Single-Unit Residential District is primarily intended to accommodate single-unit detached dwelling units at typical densities up to five (5) units per acre.

B. Permitted Uses: See § 340-27(B)

C. Conditional Uses: § 340-27(C)

D. Minimum lot size: 8,500 square feet.

E. Minimum lot width: 66 feet.

F. Minimum yard setbacks:

(1) Front street yard/Flanking street side yard: 20 feet

(2) Interior side yard: 10 feet on each side.

(3) Rear yard: 30 feet.

G. Maximum height: 35 feet.

H. Maximum percent of building lot coverage: 35%.

§ 340-27.3 R-1C High-Density Single-Unit Detached Residential District.

A. Intent: The R-1C, High-Density Single-Unit Residential District is primarily intended to accommodate single-unit detached dwelling units at typical densities up to six (6) units per acre.

B. Permitted Uses: See § 340-27(B)

C. Conditional Uses: See § 340-27(C)

D. Bulk Regulations. See Table 340-27.3 (Below).

E. Minimum lot size: 7,200 square feet.

F. Minimum lot width: 60 feet.

G. Minimum yard setbacks:

(1) Front street yard/Flanking street side yard: 20 feet

(2) Interior side yard: 6 feet on each side.

(3) Rear yard: 30 feet.

H. Maximum height: 35 feet.

I. Maximum percent of building lot coverage: 40%.

§ 340-28 R-2 Single-Unit Detached, ~~and Two-Family~~ Two-Unit Attached Residential District.

A. Intent. The R-2 ~~Single-Unit Detached, Two-Unit Attached Residential District~~ ~~Single and Two-Family District~~ is primarily intended to accommodate areas for single-unit detached homes and two-unit attached duplex housing. ~~create, preserve, and enhance areas for low density single-family and duplex housing.~~ The R-2 District is applied in moderate- and high-density residential neighborhoods in areas of the community where similar development patterns exist or are desired. By allowing a mixture of single-unit and two-unit attached/detached housing options, the R-2 District provides greater flexibility of use and housing choice than the Single-Unit Detached Residential Districts (§ 340-27).

**B. Permitted uses:**

**(1) Single-family ~~unit Detached~~ residences.**

**(2) Two-family ~~unit Attached~~ residences.**

**(3) Civic uses.**

**(4) Essential services.**

**(5) Public parks.**

**(6) Zero-lot-line duplexes.**

[Added 4-16-2013 by Ord. No. A-451]

(7) Keeping of honey bees in accordance with § 114-11D(2).

[Added 3-15-2016 by Ord. No. A-498]

(8) Keeping of chickens and rabbits in accordance with § 114-11D(1).

[Added 3-15-2016 by Ord. No. A-498; amended 11-1-2016 by Ord. No. A-509]

(9) Accessory Dwelling Units (ADU) pursuant to § 340-66.2.

C. Conditional uses:

(1) Accessory structures over 1,000 square feet as defined by § 340-11 ~~Accessory structures over 1,000 square feet.~~

(2) Bed-and-breakfasts and tourists homes.

(3) Cemeteries.

(4) Churches.

(5) Community-based residential facilities (CBRF).

(6) Family day-care centers.

(7) Group day-care centers.

(8) Group homes.

(9) Home occupations, as defined by § 340-61C.

(10) Medical centers.

(11) Model homes.

(12) Nursing homes.

(13) Rehabilitation centers.

(14) Schools: public SIC 8211, elementary and secondary schools.

[Amended 9-17-2013 by Ord. No. A-461]

(15) Utility facilities.

(16) On-premises advertising as permitted by § 278-13A.

[Added 10-16-2007 by Ord. No. A-380]

(17) Artisan retreat facility.

[Added 9-17-2013 by Ord. No. A-460]

D. Minimum lot size (per unit):

(1) Single ~~family unit~~ residences: ~~40,800~~8,500 square feet.

(2) Two ~~family unit~~ residences: ~~43,200~~5,000 square feet.

~~(3) Other uses: 12,000 square feet.~~

~~(43)~~ Zero-lot-line duplexes: 5,000 square feet.

[Added 4-16-2013 by Ord. No. A-451]

E. Minimum lot width (per lot):

(1) Single-family unit residences: ~~60~~90 feet.

(2) Two-family unit residences: ~~100~~110 feet.

~~(3) Other uses: 100 feet.~~

~~(4)~~ Zero-lot-line duplexes: ~~40~~50 feet.

[Added 4-16-2013 by Ord. No. A-451]

**F. Minimum yard setbacks:**

~~(1) Front street yard/Flanking street side yard: 20 feet~~

~~(1) Front yard:~~

~~(a) Single and two family residences: 20 feet.~~

~~(b) Other uses: 35 feet.~~

(2) Rear yard:

~~(a) Single-Family Unit: 25~~35 feet.

~~(b) Two-family unit Residences: 30 feet.~~

~~(c) Zero-lot-line duplexes: 30 feet.~~

~~(a) (BLANK)~~

~~(3) Flanking street side yard: 20 feet.~~

~~(3)~~ Interior side yard (each side):

~~(a) Single-Family Unit: 6 feet.~~

~~(b) Two-family unit Residences: 8 feet.~~

~~(c) Zero-lot-line duplexes: 8 feet, except 0 feet on common wall~~

~~(a) Dwellings: 12.5 feet on each side.~~

~~(b) Other uses: 15 feet on each side.~~

~~(c) Zero-lot-line duplex: 0 feet on side of common wall with adjacent structure. Opposite interior side-yard setback shall be 10 feet.~~

[Added 4-16-2013 by Ord. No. A-451]

**G. Maximum height:**

~~(a) Single-Family Unit: 35 feet.~~

~~(b) Two-family unit Residences: 35 feet.~~

~~(c) Zero-lot-line duplexes: 45 feet.~~

~~45 feet.~~

**H. Maximum percent of building lot coverage: 35%.**

~~I. Minimum lot area per dwelling unit: 6,600 square feet.~~

~~(1) Minimum lot area per dwelling unit for zero-lot-line duplexes: 5,000 square feet.~~

[Added 4-16-2013 by Ord. No. A-451]



§ 340-29R-3 Multiple-Family Unit Residential District.

A. Intent. The R-3 Multiple-Family Unit District is primarily intended to accommodate areas for multi-unit housing and other high-density residential development. The R-3 District is applied to areas of the community where similar development patterns exist or are desired at higher densities of other Residential Districts.

~~intended to create, preserve, and provide areas for medium-density residential development which include a variety of residential structures.~~

B. Permitted uses:

- (1) ~~Reserved~~Single-family residences.
- (2) Two-family unit residences.
- (3) Multiple-family unit residences.
- (4) Civic uses.
- (5) Essential services.
- (6) Public parks.
- (7) Zero-lot-line duplexes.
- (8) Zero-lot-line townhomes with three (3) to five (5) dwelling units.

C. Conditional uses:

- (1) Accessory structures over 1,000 square feet as defined by- § 340-11
- (2) Bed-and-breakfasts and tourist homes.
- (3) Cemeteries.
- (4) Churches.
- (5) Community-based residential facilities (CBRF).
- (6) Family day-care centers.
- (7) Guest homes or boardinghouses.
- (8) Group day-care centers.
- (9) Group homes.
- (10) Home occupations, as defined by § 340-61C.
- (11) Medical centers.
- (12) Model homes.
- (13) Nursing homes.
- (14) Rehabilitation centers.
- (15) Schools: public SIC 8211, elementary and secondary schools.  
[Amended 9-17-2013 by Ord. No. A-461]
- (16) Utility facilities.
- (17) On-premises advertising as permitted by § 278-13A.  
[Added 10-16-2007 by Ord. No. A-380]
- (18) Zero-lot-line structures with more than five (5)~~four~~ dwelling units.

D. Minimum lot size (per unit): 9,000 square feet.

[Amended 4-16-2013 by Ord. No. A-451]

(1) Two-Unit Residences: 4,500 square feet

~~(2)~~ Zero-lot-line duplexes: ~~5,000~~4,500 square feet.

~~(3)~~ Zero-lot-line townhouses: ~~2,100~~ square feet.

(4) Multi-unit Units: 3,000 square feet.

~~(a) Three to five units: 2,100 square feet.~~

~~(b) Six to eight units: 1,800 square feet.~~

E. Minimum lot width:

(1) Two-Unit Residences: 85 feet

(2) Zero-lot-line duplexes: 42.5 feet.

(3) Zero-lot-line townhouses: 24 feet.

(4) Multi-unit Units: 80 feet.

~~—80 feet.~~

~~[Amended 4-16-2013 by Ord. No. A-451]~~

~~(1) Zero-lot-line duplexes: 40 feet.~~

~~(2) Zero-lot-line townhouses:~~

~~(a) Three to five units: 24 feet.~~

~~(b) Six to eight units: 18 feet.~~

F. Minimum yard setbacks:

(1) Front street yard/Flanking street side yard: 20 feet

(2) Rear yard:

(a) Two-Unit Residences: 25 feet

(b) Zero-lot-line duplexes: 25 feet.

(c) Zero-lot-line townhouses: 25 feet.

(d) Multi-unit Units: 35 feet.

~~(1) Front yard: 20 feet.~~

~~(2) Rear yard:~~

~~(a) Dwellings: 35 feet.~~

~~(b) Other uses: 20 feet.~~

~~(3) Flanking street side yard: 20 feet.~~

~~(34) Interior side yard: 0 feet on common wall, 6 feet side-yard, 10 feet on each side.~~

~~[Amended 4-16-2013 by Ord. No. A-451]~~

~~(a) Zero-lot-line duplex: 0 feet on side of common wall with adjacent structure. Opposite interior side yard setback shall be 10 feet.~~

~~(b) Zero-lot townhouses: 0 feet for interior units that share two common walls. Exterior units that share only a single common wall shall be 0 feet on side of common wall with adjacent structure. Opposite interior side yard setback shall be 10 feet.~~

G. Maximum height: 45 feet.

H. Maximum percent of building lot coverage: 40%.

I. Maximum impervious surface coverage: 70%.

J. Minimum lot area per dwelling unit:

~~(1) Single family: 10,800 square feet.~~

~~(12) Two-unit: 4,56,600 square feet.~~

~~(23) Multiple-unit: 3,000 square feet.~~

~~(34) Minimum lot area per dwelling unit for Z-zero-lot-line duplexes: 5,000 square feet.~~

[Added 4-16-2013 by Ord. No. A-451]

~~(45) Minimum lot area per dwelling unit for Z-zero-lot-line townhouses, Three (3) to five (5) units:  
2,100 square feet.~~

[Added 4-16-2013 by Ord. No. A-451]

~~(a) Three to five units: 2,100 square feet.~~

~~(b) Six to eight units: 1,800 square feet.~~

K. Minimum floor area per unit:

(1) Efficiency units: 600 square feet.

(2) One-bedroom units: 800 square feet.

(3) Two-bedroom units: 1,000 square feet.

~~§ 340-42.1(Reserved) [1] (Struck from Ordinance, Replaced by R-1A)~~

~~[1] *Editor's Note: Former § 340-42.1, Traditional Neighborhood Overlay District, as amended, was repealed x-x-20xx by Ord. No. X-XXX.*~~

~~§ 340-42.1 **Traditional Neighborhood Overlay District.**~~

~~[Added 1-19-2016 by Ord. No. A-500]~~

~~**A. Intent.** The Traditional Neighborhood Overlay District is intended to implement the housing recommendations of the comprehensive plan, by preserving and enhancing the housing quality of Lodi's older, low density single family and two-family housing neighborhoods in a manner which is consistent with historic neighborhood design principles.~~

~~**B. Permitted uses.** The uses permitted by right in this district are those permitted in the underlying residential zoning district.~~

~~**C. Conditional uses.** The uses conditionally allowed in this district are those conditional uses allowed in the underlying residential zoning district.~~

~~**D. Minimum lot size:**~~

~~(1) Single family residences: 8,500 square feet.~~

~~(2) Two-family residences: 10,000 square feet.~~

~~(3) Other permitted uses: 12,000 square feet.~~

~~(4) Zero-lot line duplexes: 5,000 square feet.~~

E. Minimum lot width:

(1) Single family residences: 65 feet.

(2) Two family residences: 80 feet.

(3) Other permitted uses: 100 feet.

(4) Zero lot line duplexes: 40 feet.

(5) Minimum street frontage: 40 feet.

F. Minimum yard setbacks:

(1) Front yard:

(a) Single and two family residences: 20 feet.

(b) Other uses: 35 feet.

(2) Rear yard: 30 feet.

(3) Flanking street side yard: 15 feet.

(4) Interior side yard:

(a) Dwellings: seven feet on each side.

(b) Other permitted uses: 12.5 feet on each side.

(c) Zero lot line duplex: zero feet on side of common wall with adjacent structure. Opposite interior side yard setback shall be 10 feet.

G. Maximum height: 35 feet.

H. Maximum percent of building lot coverage: 35%.

I. Minimum lot area per dwelling unit: 8,500 square feet.

(1) Minimum lot area per dwelling unit for two family residences and zero lot line duplexes: 5,000 square feet.

J. Supremacy of the district. The regulations of this district shall supersede the regulations of all other such underlying residential zoning districts occupying the same geographic area.

K. Boundaries. The boundaries of the Traditional Neighborhood Overlay District are described on the official Zoning Map adopted by, and revised from time to time, by resolution adopted by the Lodi Common Council. Said map, together with everything shown thereon and all amendments thereto, shall be incorporated as part of this section as though fully set forth herein.<sup>[1]</sup>

[1]Editor's Note: The Zoning Map is on file in the City offices

Article VI Commercial Districts

§ 340-32C-2 Central Business District Core.

**A. Intent.** The intent of the C-2 Central Business District Core is to provide a district that encourages and fosters the further development of the downtown business district core area. The district requirements recognize the unique characteristics of the downtown business district

that differ from other commercial districts in the City. The intent of the requirements is to retain the existing "Main Street" characteristics of the core blocks on Main Street.

**B. Permitted uses:**

[Amended 9-17-2013 by Ord. No. A-460; 9-17-2013 by Ord. No. A-461; 6-21-2022 by Ord. No. A-557]

- (1) Automotive sales.
- (2) Automotive service and repair.
- (3) Business services.
- (4) Convenience stores.
- (5) Day-care centers.
- (6) Essential service structures.
- (7) Parking.
- (8) Parks.
- (9) Personal services.
- (10) Professional offices.
- (11) Repair shops.
- (12) Residential uses above street level.
- (13) Restaurants.
- (14) Retail trade.
- (15) Artisan retreat facility.
- (16) Residential Units, except on street level

**C. Conditional uses:**

[Amended 10-10-2006 by Ord. No. A-361; 9-6-2011 by Ord. No. A-422; 10-20-2020 by Ord. No. S-137; 6-21-2022 by Ord. No. A-557]

- (1) Amusement and recreation services.
- (2) Bed-and-breakfasts and tourist homes.
- (3) Boardinghouses.

- (4) Building supply stores.
- (5) Churches.
- (6) Civic uses.
- (7) Clubs and associations.
- (8) Family day care.
- (9) Funeral homes and mortuaries.
- (10) Garden supply stores.
- (11) Gas stations.
- (12) Guest homes.
- (13) Lodging establishments.
- (14) Schools: SIC 7911, dance studios, schools and halls.
- (15) Utility facilities.
- (16) Wireless communication facilities, including towers.
- (17) Unenclosed smoking area.
- D. Minimum lot size: none.
- E. Minimum lot width: none.
- F. Minimum yard setbacks:
  - (1) Front yard: none.
  - (2) Rear yard: none.
  - (3) Side yard: none.
- G. Maximum height: 60 feet.

Article XI Nonconforming Lots, Uses and Structures

§ 340-55 **Intent.**

§ 340-56 **Nonconforming uses of land.**

§ 340-57 **Nonconforming uses of structures.**

§ 340-58 **Nonconforming structures.**

§ 340-59 **Nonconforming lots.**

§ 340-58 **Nonconforming structures.**

**A.** Preexisting structures. A structure may be continued so long as it remains otherwise lawful, subject to the provisions of this section.

**B.** Enlargement or alteration. No nonconforming structure may be enlarged or altered in any way which increases its nonconformity except as permitted by the Zoning Board of Appeals as provided in this chapter.

(1) Exception. Upon presentation of substantial evidence illustrating practical difficulty, Plan Commission may permit structural addition(s) to and replacement of existing structures or buildings within the established building setbacks, provided that such encroachment requires no greater than that of the existing legal non-conforming encroachment.

**C.** (Reserved)<sup>[1]</sup>

*[1] Editor's Note: Former Subsection C, Damage or destruction, was repealed 8-21-2012 by Ord. No. A-434.*

**D.** Relocation. If a nonconforming structure is moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

**E.** Building safety. Nothing contained in this chapter shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

§ 340-59 **Nonconforming lots.**

**A.** Preexisting uses on nonconforming lots. Any existing conforming use or conforming structure on a nonconforming lot existing on the effective date of this chapter may be enlarged, extended, constructed, or moved so long as such change does not increase the degree of nonconformity and other requirements of this chapter are met, except that a multifamily residential use may not be constructed, extended, or enlarged on a nonconforming lot.

**B.** Division of combined nonconforming lots. Any two or more lots under the same ownership and with continuous frontage shall not be used or sold in a manner which diminishes possible compliance with this chapter.

**§ 340-66.2 Accessory Dwelling Units.**

**A). Definitions.**

(1) Accessory Dwelling Unit (ADU). An attached or a detached residential dwelling unit that provides complete independent living facilities for one (1) or more persons and is located on a lot with a proposed or existing primary residence. The unit shall contain permanent provisions for:

- a) Living;
- b) Sleeping;
- c) Eating;
- d) Cooking;
- e) Sanitation; and,
- f) Separate exterior entrance.

(1) Interior ADU. A separate dwelling unit located entirely within the principle dwelling unit structure that also includes permanent provisions per § 340-66.2.A.1(a-f), typically an attic or basement suite.

**B) Eligibility. No more than one (1) accessory dwelling unit shall be permitted per lot within all residential districts, excluding R-3, pursuant to the following requirements:**

(1) Attached or Interior ADUs. Attached or interior ADUs which do not exceed eight hundred (800) square feet or fifty percent (50%) of an existing primary dwelling, whichever is greater, and have no more than two (2) bedrooms.

(2) Detached ADUs. Detached ADUs which do not exceed the principal structure size or eight hundred (800) square feet, whichever is smaller, and have no more than two (2) bedrooms.

**(C) Supplemental Regulations. All ADUs shall comply with § 340-11 Accessory Buildings and Uses. All ADUs shall also comply with the following standards:**

(1) The ADU shall have a separate entrance from the principle dwelling unit.

(2) The entryway to the ADU shall be connected to a street frontage with a paved walkway.

(3) An ADU shall be considered part of the principle dwelling unit on the same lot for the purpose of the bulk building requirements of the district. Any secondary dwelling unit connected to the single-family dwelling is considered attached.

(4) Parking shall meet the district's principle structure parking requirement plus one (1) additional parking space for each ADU. Existing parking for the principle dwelling must be maintained or replaced on-site.

(5) A separate water lateral is required for all ADUs, except for interior ADUs.