

CHAPTER 13 – DESIGNATING LEGAL BOUNDARIES

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Section 13-5-101 General statement concerning uses common to all residential districts.

There are certain uses which are considered acceptable when found in any residential district when developed according to space limits proper for a particular zone.

The uses set forth in Section 5-102 to 106, inclusive, are permitted in all residential districts subject to further restrictions or liberalizations which are imposed by a specific district, or when excluded when located in Airport Noise Zone A.

Section 13-5-102 Principal permitted uses.

1. Off-street parking shall be provided for all uses established in the residential districts.
2. Only one building for living purposes shall be permitted on one zoning lot, except as otherwise provided herein.
3. Single-family detached dwellings.
4. Public, parochial and private schools and colleges offering courses of general instruction when located on sites of at least five (5) acres, and including convents, monasteries, dormitories and other related living structures when located on the same site as the church.
5. Churches, synagogues, chapels and similar places of religious worship and instruction of a quiet nature when located in a substantial structure.
6. Crop and tree farming but not including the raising of animals or fowl for commercial purposes, or the sale of any products at retail on the premises.
7. Parks and recreation areas operated by the city or other political subdivision.
8. Public and quasi-public buildings for cultural uses.
9. Country clubs as defined herein.

Section 13-5-103 Accessory uses.

The following accessory uses are permitted in all residential districts subject to further restrictions or liberalizations which are imposed by a specific district.

1. Private garages and private areas.
2. Private swimming pools exclusively for the use of residents of the premises and their non-paying guests and subject to any other regulations or ordinances.
3. The parking of one unoccupied trailer designed for recreational use and not to exceed 31 feet in length within a building or in the open in a rear yard but subject to any permits required by law or ordinance.
4. The storage of two pleasure boats within a building, or in the open in the rear or side yard.

5. Signs not to exceed two (2) square feet in area identifying the premises and occupant, but not including advertising matter. Public, parochial, private schools and colleges, children's homes, churches, synagogues, chapels, and public and quasi-public buildings for cultural use, may have identification signs not to exceed 12 square feet in area.

6. Real estate or sales signs not over 6 square feet in area and relating to the property on which the sign is located.

7. Subdivision signs in subdivisions recorded after passage of this chapter which are non-illuminated and which contain information pertaining only to the subdivision for a period of 4 years following the filing date or until 75% of the lots have been sold, whichever occurs first, at which time the sign shall be removed. Subdivision signs shall be subject to the space limits of the district in which located and shall not be closer than 75 feet from property owned by other than the developer. The size of the sign shall not be greater than the following:

Sign Size	Number of Lots in Subdivision
40 square feet	3 to 10
64 square feet	11 to 25
80 square feet	26 or more

8. Other accessory uses and structures customarily appurtenant to a permitted use.

Section 13-5-104 Conditional uses.

The following uses are conditionally permitted in residential districts.

1. Utility substations when located according to the yard space rules set forth for dwellings and having a landscaped or a masonry barrier on all sides and after a showing before the board that technical considerations necessary to the functioning of said utility requires the location of the facility in a residential district. Structures shall conform with all space limits of the district in which located and shall have an exterior design in harmony with nearby properties.

2. Railroad through and spur tracks, but no sidings or other terminal type facilities and no service, repair, or administrative facilities, and after a showing before the board that such facilities are necessary in the location proposed.

Section 13-5-105 Certain uses lying in Airport Noise Zones declared incompatible and excluded.

Airport noise zone A is a relatively high noise area best suited for agricultural use or industrial use when a high noise can be tolerated. Any structural development must meet the criteria for height restrictions as well as compatibility.

The following uses are hereby declared incompatible with the purpose of airport noise zone A and are hereby expressly excluded for any part of this district located in airport noise zone A:

1. All residential dwellings.
2. Auditoriums, concert halls, music shells, and outdoor theaters.
3. Churches, schools, colleges, rest homes, retirement homes, and similar facilities.
4. Hospitals and clinics.
5. Office buildings.
6. Mortuaries, funeral homes and funeral chapels.
7. Industrial and manufacturing establishments or other uses which produce smoke interfering with the safe use of the airport.
8. Any other use which would create electrical interference with radio communications between the airport and aircraft, make it difficult for fliers to distinguish between airport lights and others, result in glare in the eyes of fliers using the airport, impair visibility in the vicinity of the airport.

Airport Noise Zone B is ordinarily a relatively low noise area with no restrictions. Hospitals, churches, auditoriums and such should consider sound control in design of facilities if located in this zone and especially if located in this zone closest to the airport. The reason for the establishment of noise zone B is to notify the general public that such an area is in the established airport noise zones and as such may be subject to noise pollution.

Section 13-5-106 Side yard depth on corner lots.

On every corner lot in a residential district there shall be provided on the side street a side yard of not less than twenty (20) feet.

Section 13-5-107 Requirements for conforming one-family dwellings to the regulations of their respective districts.

All one-family dwellings shall conform to all regulations of their respective districts.

Section 13-5-108 Certain uses declared incompatible and excluded.

The following uses are declared incompatible with the purpose common to all residential districts and are hereby expressly excluded.

1. Cannabis establishments

Ord. No. 1835, 2021

Section 13-5-109 to 199, inclusive. Reserved

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Sections 13-5-201 to 207, inclusive. One-family residential district #1-A - general provisions.

Section 13-5-201 Legal boundary descriptions for one-family residential district #1-A.

East 831.5' of SE 1/4, SE 1/4, Section 22-111-79 north of U.S. Highway 14 and 83

Source: Ord. 1393, 1997.

Section 13-5-202 Statement of purpose for one-family residential district #1-A.

This residential district is designed primarily for subdivisions which have planned streets and community water supply and community waste facilities. It is designed to stabilize and protect residential characteristics of the district and to encourage a suitable family life environment on moderate sized lots.

Section 13-5-203 Principal permitted uses.

The principal permitted uses common to all residential districts.

Section 13-5-204 Accessory uses.

1. The permitted accessory uses common to all residential districts.
2. Home occupations.

Section 13-5-205 Conditional uses.

The conditional uses common to all residential districts.

Section 13-5-206 Certain uses lying in Airport Noise Zones declared incompatible and excluded.

Excluded Uses

The uses declared incompatible and excluded for all residential districts in airport noise zones.

Section 13-5-207 Space limitations.

Building Height Limit

No building shall exceed two and one-half (2 1/2) stories, or thirty-five (35) feet.

Required Lot Area

Not less than eight thousand five hundred (8,500) square feet, for permitted uses located in a subdivision with planned streets and community water supply and community waste facilities. For religious or cultural uses, one acre is required.

For lots built upon before community water and sewage systems are available, required lot area shall be the same as Agriculture District B.

Percentage of Lot Coverage

All buildings including accessory buildings shall not cover more than thirty (30) per cent of the area of the lot.

Yards Required

Each lot shall have front, side and rear yards of not less than the depths or widths following:

1. Front yard depth - twenty-five (25) feet
2. Rear yard depth - twenty-five (25) feet
3. Side yard width - not less than six (6) feet, but the sum of the two side yards shall not be less than fifteen (15) feet.
4. Minimum setback from the right-of-way of State Highways No. 34, 1804, 83, and 14 shall be 35 feet.

Section 13-5-208 to 299, inclusive. Reserved

Section 13-5-301 to 307, inclusive. One-family residential district #2-C - general provisions.

Section 13-5-301 Legal boundary descriptions for one-family residential district #2-C. Reserved

Section 13-5-302 Statement of purpose for one-family residential district #2-C.

This residential district is designed primarily for subdivisions which will have planned streets and community water supply and community waste facilities. It is designed to stabilize and protect residential characteristics of the district and to encourage a suitable family life environment on moderate sized lots.

Section 13-5-303 Principal permitted uses.

1. The principal permitted uses common to all residential districts, including the placing of mobile homes.
2. Commercial mobile home parks shall not be permitted in this district.

Section 13-5-304 Accessory uses.

1. The permitted accessory uses common to all residential districts.
2. Home occupations.

Section 13-5-305 Conditional uses.

1. The conditional uses common to all residential districts.
2. Fraternity and sorority houses when directly associated with a college or university.
3. Buildings of non-profit community organizations and social welfare establishments other than those providing living accommodations.

Section 13-5-306 Certain uses lying in airport noise zones declared incompatible and excluded.

Excluded Uses

The uses declared incompatible and excluded for all residential districts in airport noise zones.

Section 13-5-307 Space limitations.

Building Height Limit

No building shall exceed two and one-half (2 1/2) stories, or thirty-five (35) feet.

Required Lot Area

Not less than six thousand (6,000) square feet, for permitted uses located in a subdivision which will have planned streets and community water supply and community waste facilities. For religious or cultural uses one acre is required.

For lots built upon before community water and sewage systems are available, required lot area shall be the same as Agriculture District B.

Percentage of Lot Coverage

All buildings including accessory buildings shall not cover more than thirty (30) percent of the area of the lot.

Yards Required

Each lot shall have front, side and rear yards not less than the depths or widths following:

1. Front yard depth twenty-five (25) feet.
2. Rear yard depth twenty-five (25) feet.
3. Side yard width - six (6) feet but the sum of the two side yards shall not be less than fifteen (15) feet.
4. Minimum setback from the right-of-way of State Highways No. 34, 1804, 83 and 14 shall be 35 feet.

Section 13-5-308 to 399, inclusive. Reserved

Sections 13-5-401 to 407, inclusive. Multiple family residential district - general provisions.

Section 13-5-401 Legal boundary descriptions for Multiple Family Residential District. Reserved.

Section 13-5-402 Statement of purpose for Multiple Family Residential District.

This residential district is designed primarily for subdivisions which will have planned streets and community water supply and community waste facilities. It is designed to stabilize and protect

residential characteristics of the district and to encourage a suitable family life environment on moderate sized lots.

Section 13-5-403 Principal permitted uses.

1. The principal permitted uses common to all residential districts.
2. Multiple dwellings.
3. Hospitals and rest homes, nursing homes.
4. Rooming houses and boarding houses.
5. Private clubs, fraternity houses, sorority houses, lodges and similar establishments, but specifically excluding those establishments which have a name or legal basis as the aforesaid, but are in fact operated as a business enterprise, and also excluding concessions associated with the aforesaid which are operated as a business enterprise.
6. Buildings of non-profit community organizations and social welfare establishments.
7. The office of one or more professional persons engaged in the activities which generate a limited amount of contact with the general public, but including medical clinics, offices of lawyers, accountants, architects, planners, engineers, and similar professions.

Section 13-5-404 Accessory uses.

The permitted accessory uses common to all residential districts.

Section 13-5-405 Conditional uses.

1. The conditional uses common to all residential districts.
2. Office buildings for the conduct of the administrative business of a single company when such business does not deal with the public directly from the site of such office building.
3. Mortuaries, funeral homes, and funeral chapels.

Section 13-5-406 Certain uses lying in Airport Noise Zones declared incompatible and excluded.

Excluded Uses

The uses declared incompatible and excluded for all residential district in airport noise zones.

Section 13-5-407 Space limitations.

Building Height Limit

No building shall exceed seventy-five (75) feet in height.

Required Lot Area

1. Not less than six thousand (6,000) square feet, for residential uses located in a subdivision which will have planned streets and community water supply and community waste facilities.

For lots built upon before community water and sewage systems are available, required minimum lot area shall be the same as Agriculture District B as well as conforming to this district.

2. Except as otherwise provided, each multiple family dwelling shall be located on a lot having a minimum of 800 square feet of open space for each dwelling unit housed thereon.

3. The open space requirement for multiple family dwellings containing one bedroom or efficiency units shall be seven hundred (700) square feet for each dwelling unit.

4. Solely for the purpose of determining compliance with lot area per dwelling unit requirements, each lodging room in a group dwelling shall be considered as one-half (1/2) a dwelling unit. No lodging room in a group dwelling shall be included as part of a dwelling unit.

Percentage of Lot Coverage

All buildings including accessory buildings shall not cover more than fifty (50) percent of the area of the lot.

Yards Required.

Each lot shall have front, side and rear yards of not less than the depths or widths following:

1. Front yard depth - twenty-five (25) feet.

2. Rear yard depth - twenty-five (25) feet, or equal in depth to the height of the building, whichever is greater.

3. Side yards - ten (10) feet, but each side yard shall be equal to one-fourth (1/4) of the height of the building.

4. Minimum setback from the right-of-way of State Highways No. 34, 1804, 83 and 14 shall be

35 feet.

Required Court Dimensions

The least dimension of an inner court shall be not less than one-half (1/2) of the height of the building which contains the court.

Section 13-5-408 to 499, inclusive. Reserved