

**ORDINANCE NO. 2026-\_\_\_\_**

**AN ORDINANCE ESTABLISHING DEFINITIONS, USE ALLOWANCES, AND ZONING PERFORMANCE STANDARDS FOR THREE-FAMILY DWELLINGS, FOURPLEX DWELLINGS, DETACHED TOWNHOUSE DWELLINGS, COTTAGE COURT DWELLINGS, AND MULTIPLEX DWELLINGS, THEREBY AMENDING CHAPTER 21 OF THE CITY CODE**

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~stricken through~~ and adding those words that are underlined, to read as follows:

**CHAPTER 21: ZONING AND LAND DEVELOPMENT**

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**ARTICLE II: DISTRICT AND USES**

**DIVISION A: ESTABLISHMENT**

**§ 21.201 ESTABLISHMENT OF ZONING DISTRICTS**

(a) *Zoning districts.* For the purpose of this code, the city is hereby organized into the following primary zoning districts:

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(2) Multiple-Family Residential Districts:

Middle Housing~~[Townhouse]~~ Residential R-3 District

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Multiple-Family Residential RM-15~~[12]~~ District

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**DIVISION B: RESIDENTIAL ZONING DISTRICTS**

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**§ 21.203.04 MIDDLE HOUSING~~[TOWNHOUSE]~~ RESIDENTIAL (R-3) DISTRICT**

(a) *Intent.* The Middle Housing~~[Townhouse]~~ Residential (R-3) District is intended to provide appropriate development standards for predominantly middle housing types, including, but not

limited to: three-family, fourplex, cottage court and townhouse [~~and rowhouse~~] style development.

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(c) *Standards.* [~~Townhouse d~~]Development in the R-3 District must comply with the standards in § 21.203(b) and the following:

- (1) *Townhouse standards.* See § 21.302.08 for applicable standards.
- (2) *Three-family standards.* See § 21.302.42 for applicable standards.
- (3) *Fourplex standards.* See § 21.302.42 for applicable standards.
- (4) *Detached townhouse standards.* See § 21.302.43 for applicable standards.
- (5) *Cottage court standards.* See § 21.302.44 for applicable standards.

#### **§ 21.203.05 MULTIPLE-FAMILY RESIDENTIAL (R-4) DISTRICT**

(a) *Intent.* The Multiple-Family Residential (R-4) District is intended to provide appropriate redevelopment standards in areas already developed with attached [~~as predominantly multiple-family~~] residential dwellings[~~uses~~].

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(c) *Standards.* Development in the R-4 District must comply with the standards in § 21.203(b) and the following:

- (1) *Multiple-dwelling design and performance standards.* See § 21.302.09 for applicable standards.
- (2) *Townhouse standards.* See § 21.302.08 for applicable standards.
- (3) *Three-family standards.* See § 21.302.42 for applicable standards.
- (4) *Fourplex standards.* See § 21.302.42 for applicable standards.
- (5) *Detached townhouse standards.* See § 21.302.43 for applicable standards.
- (6) *Cottage court standards.* See § 21.302.44 for applicable standards.
- (7) *Multiplex standards.* See § 21.302.45 for applicable standards.

#### **§ 21.203.06 MULTIPLE-FAMILY RESIDENTIAL (RM-15[~~12~~]) DISTRICT**

(a) *Intent.* The Multiple-Family Residential (RM-15[~~12~~]) District is intended to provide appropriate development standards for multiple-family residential uses with access to arterial and collector streets.

(b) *Uses.* Uses allowed in the RM-15[12] District as permitted, accessory, conditional, limited, or interim uses are listed in Table 21.209(c).

(c) *Standards.* Development in the RM-15[12] District must comply with the standards in § 21.203(b) and the following:

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(2) *Multiple-dwelling design and performance standards.* See § 21.302.09 for applicable standards.

(3) *Townhouse standards.* See § 21.302.08 for applicable standards.

(4) *Detached townhouse standards.* See § 21.302.43 for applicable standards.

(5) *Cottage court standards.* See § 21.302.44 for applicable standards.

(6) *Multiplex standards.* See § 21.302.45 for applicable standards.

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## DIVISION H: USES

### § 21.209 USE TABLES.

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(c) *Residential Zoning Districts.*

Use Type	Zoning District									References; See Listed Section
	R-1	R-1A	RS-1	R-3	R-4	RM-15[12]	RM-24	RM-50	RM-100	
<b>RESIDENTIAL</b>										
<b>Dwellings</b>										
Single-family dwelling	P	P	P	<u>P</u>	[P]					
Two-family dwelling	P		P	P	P					21.302.04
<u>Three-family dwelling</u>	<u>C</u>			<u>P</u>	<u>P</u>					<u>21.302.42</u>
<u>Fourplex dwelling</u>				<u>P</u>	<u>P</u>					<u>21.302.42</u>
<u>Detached townhouse dwelling</u>	<u>P</u>			<u>P</u>	<u>P</u>	<u>P</u>				<u>21.302.43</u>
<u>Cottage Court dwelling</u>				<u>P</u>	<u>P</u>	<u>P</u>				<u>21.302.44</u>
Townhouse[ rowhouse]				P	P	P	P			21.302.08

Townhouse[ <del>row</del> house] in single family zones in existence prior to January 26, 2015	P									
<u>Multiplex dwelling</u>					<u>P</u>	<u>P</u>				<u>21.302.45</u>
Multiple-family dwelling					P	P	P	P	P	21.302.09
Multiple-family dwelling in single family zones in existence prior to January 26, 2015	P									21.302.09

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### ARTICLE III: DEVELOPMENT STANDARDS

#### DIVISION A: GENERAL STANDARDS

#### § 21.301.01 DEVELOPMENT INTENSITY AND SITE CHARACTERISTICS.

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(c) *Residential Zoning Districts.*

(1) *Residential site standards.*

<b>Zoning District</b>	<b>Site Area</b>	<b>Site Width</b>	<b>Density</b>		<b>Impervious Surface Area</b>
	<b>Minimum</b>	<b>Minimum</b>	<b>Minimum</b>	<b>Maximum</b>	<b>Maximum</b>

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R-3	<u>11,050</u> [ <u>20,000</u> ] sq. ft.	<u>60</u> [ <u>120</u> ] feet	NA	<u>12</u> [ <u>8</u> ] u./ac.	70%
R-4	<u>20,000</u> [ <u>40,000</u> ] sq. ft.	<u>100</u> [ <u>200</u> ] feet	<u>5</u> [ <u>4</u> ] u./ac.	<u>15</u> [ <u>12</u> ] u./ac.	80%
RM- <u>15</u> [ <u>12</u> ]	<u>30,000</u> [ <u>40,000</u> ] sq. ft.	<u>150</u> [ <u>200</u> ] feet	8 u./ac.	<u>15</u> [ <u>12</u> ] u./ac.	80%

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(2) *Nonresidential site standards.*

<i>Zoning District</i>	<i>Site Area</i>	<i>Site Width</i>	<i>Floor Area Ratio</i>	<i>Impervious Surface Area</i>
	<i>Minimum</i>	<i>Minimum</i>	<i>Maximum</i>	<i>Maximum</i>
R-1, RS-1, R-1A	30,000 sq. ft.	120 feet	0.5	75%
R-3, R-4, RM-15[12], RM-24, RM-50, RM-100	40,000 sq. ft.	200 feet	0.5	Same as 21.301.01(c)(1)
SC	-	100 feet	-	-

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(3) *Building floor area minimum.*

<i>Unit</i>	<i>Floor area</i>
	<i>Minimum*</i>
<u>Multiplex and multiple-family dwellings</u> [ <del>Apartments and condominiums</del> ]	

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<u>Three-family, fourplex, [Rowhouses,] townhouses and detached townhouse dwellings</u> [ <del>other attached dwelling units of a similar nature</del> ]	
1 bedroom	750 sq. Ft.
2 bedroom	900 sq. Ft.
3 <u>or more</u> bedrooms	1,040 sq. Ft.
<b>Note:</b> * Garages, breezeway, and porch floor area do not count towards the required floor area.	

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## § 21.301.02 STRUCTURE PLACEMENT.

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(d) *Residential District setbacks.*

(1) *Residential structure setbacks in residential districts.*

<i>Zoning District</i>	<i>Along Streets**</i>	<i>Rear</i>	<i>Side Not Along Streets</i>
	<i>Minimum</i>	<i>Minimum</i>	<i>Minimum</i>

\*\*\*

R-3, R-4, RM-15	20 [30] feet*	20 [30] feet 10 feet for garages and accessory buildings not connected to water or sanitary sewer	10 feet
[R-4, RM-12,] RM-24, RM-50	40 feet*	30 feet 10 feet for garages and accessory buildings not connected to water or sanitary sewer	10 feet plus 0.25 feet for each foot in height over 30 feet

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(2) *Nonresidential structure setbacks in residential and conservation districts.*

<i>Zoning District</i>	<i>Along Streets</i>	<i>Rear</i>	<i>Side Not Along Streets</i>
	<i>Minimum</i>	<i>Minimum</i>	<i>Minimum</i>
R-1, RS-1, R-1A, R-3, R-4, RM-15[12], RM-24, RM-50, RM-100	50 feet (75 feet in R-1A)	30 feet	20 feet or the height of the structure, whichever is greater
SC	50 feet	30 feet	20 feet or the height of the structure, whichever is greater

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(g) *Setback encroachments.* Selected building features, site features, structures, and equipment are allowed to encroach into the required setback area to the extent specified below. Selected building features, site features, structures and equipment specified below must not encroach into public easements of record, unless there is written approval of the issuing authority to allow an encroachment as outlined in subsection (c).

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(4) *In residential zoning districts. [(R-1A, R-1, RS-1, R-4, RM-12, RM-24, RM-50, and RM-100.)]*

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### § 21.301.05 DRIVE THROUGH FACILITIES.

Drive through facilities must comply with the following standards.

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(d) *Screening*. All elements of the drive through service area, including, but not limited to, menu boards, order stations, teller windows and vehicle lights from the stacking lanes, must be screened from view of residential properties zoned R-1, R-1A, RS-1, R-3, R-4, RM-~~15~~[12], RM-24, RM-50 or RM-100 located within 300 feet. Screening must comply with the perimeter screening standards specified in § 21.301.15(d).

(e) *Speakers*. In addition to meeting the requirements of the City Noise Code (See Chapter 10, Article IV), if within 300 feet of residential properties zoned R-1, R-1A, RS-1, R-3, R-4, RM-~~15~~[12], RM-24, RM-50 or RM-100, speakers must not produce noise that exceeds 75 dBA measured five feet from the speaker.

(f) *Hours of operation*. Restaurant drive through windows must not be operated between the hours of 10:00 p.m. and 6:00 a.m. if any portion of the drive through or stacking spaces are within 300 feet of residential properties zoned R-1, R-1A, RS-1, R-3, R-4, RM-~~15~~[12], RM-24, RM-50 or RM-100.

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#### § 21.301.06 PARKING AND LOADING.

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(b) *Location*.

(1) *Accessory off-street parking location*.

(A) Single-family, ~~One and~~ two-family [dwellings], three-family, fourplex, multiplex, cottage court, detached townhouse and townhouse dwellings. Spaces accessory to these residential [~~one and two family~~] dwellings must be on the same site as the principal use served.

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(2) *Prohibited locations*. Accessory off-street parking is prohibited in the following locations:

(A) Where the building is 40 feet or less from the planned widened right-of-way line, parking is prohibited between the building and the street. This requirement does not apply to single-family, [~~and~~] two-family, three-family, fourplex, multiplex, cottage court, and detached townhouse dwellings [~~residences~~];

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(c) *Design*.

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(2) *Other land uses*.

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(G) *Light pollution and glare*.

(i) *Vehicle headlights.* Parking lots and parking structures, except those for three-family dwellings and fourplex dwellings, must comply with the screening standards of § 21.301.15 of this code.

(ii) *Overhead lighting.* Parking lots, except those for three-family dwellings and fourplex dwellings, must comply with the lighting standards of § 21.301.07 [~~of this code~~].

(H) *Parking islands.*

(i) Parking islands must be installed at the ends of each row of parking spaces, except for three-family dwellings and fourplex dwellings. Additional parking islands must be provided mid-row at intervals not to exceed 200 feet for interior parking rows and 300 feet for perimeter parking rows. Where a parking lot contains ten parking spaces or less, the requirement for parking islands is waived, unless the issuing authority determines islands are needed for traffic circulation and safety.

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(I) *Setbacks for surface parking.*

(i) The required setback for surface parking is a minimum of 20 feet from a planned widened right-of-way line and a minimum of five feet from a property line not abutting a street. In mixed use districts (B-4, C-5, LX), or for three-family, fourplex, multiplex, and cottage court dwellings in the R-3, R-4, or RM-15 zoning districts, setbacks from streets may be reduced if screening is provided that meets the standards in § 21.301.15(d).

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(d) *Number of off-street parking spaces required.*

(1) The minimum number of off-street parking spaces provided within a development must meet the provisions of this subsection (d), varying by land use as provided in the following table. If more than one land use is present on a site, the required parking is determined by adding together the required number of parking spaces for each use.

If the number of off-street parking spaces results in a fraction, each fraction of one-half or more will constitute another space required. A lesser number of constructed off-street parking spaces may be allowed through flexibility measures (see subsection (e) below). The requirements for off-street surface parking space dimensions are set forth in subsection (c) above.

<i>Minimum Off-Street Parking Requirements</i>	
<b>RESIDENTIAL</b>	
<b>Single Family</b>	2 spaces per dwelling unit, 1 of which must be fully enclosed within a garage (for construction after June 1, 2015) or area that could be occupied by a garage (for construction before June 1, 2015) (carports are not considered fully enclosed)

<b>Two-Family</b>		2 spaces per dwelling unit, 1 of which must be fully enclosed within a garage (carports are not considered fully enclosed)
<b><u>Three-Family and Fourplex</u></b>		<u>1 space per dwelling unit</u>
<b><u>Cottage Court</u></b>		<u>1 space per dwelling unit. An additional 0.25 spaces per unit must be available for general parking.</u>
<b><u>Detached Townhouse and Townhouse</u></b>		<u>2 spaces per dwelling unit, 1 of which must be fully enclosed within a garage (carports are not considered fully enclosed). An additional 0.25 spaces per unit must be available for general parking.</u>
<b>[<u>Townhouse/rowhouse</u></b>	One bedroom	2.2 spaces per dwelling unit
	Two bedroom	2.6 spaces per dwelling unit
	Three bedroom	3.0 spaces per dwelling unit
	Four bedroom	3.4 spaces per dwelling unit
		Of which 1 space per unit must be within a fully enclosed garage, and where party room space is provided, an additional 1 space per 100 square feet of party room is required; guest parking spaces must be appropriately provided and dispersed throughout the development, subject to approval of the issuing authority]
<b><u>Multiple-family dwelling[residence]</u></b>	One bedroom and efficiency units	1.6 per dwelling unit
	Two or more bedrooms	2.0 per dwelling unit
	Additional requirements for <u>multiple-family</u> units of all sizes	Of the above requirements, at least 1 space per unit must be within a fully enclosed garage or covered within a structured parking ramp; guest parking spaces must be appropriately provided and dispersed throughout the development, subject to approval of the issuing authority, 1 space per 50 units must be equipped with a Charging Level 2 electric vehicle charger or higher.
<b><u>Multiplex</u></b>		<u>1 space per dwelling unit. An additional 0.5 spaces per unit must be available for general parking.</u>

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**§ 21.301.07 EXTERIOR LIGHTING**

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(b) *Lighting plan.* Except for single-family, ~~and~~ two-family dwellings, three-family dwellings, and fourplex dwellings, no exterior lighting may be installed prior to approval of a lighting plan by the issuing authority, unless exempted by the Planning Manager. Modifying approved lighting, including lamp or fixture substitution, requires issuing authority approval. All plans must be signed by a registered electrical engineer or a lighting certified (LC) professional certified by the National Council on Qualifications for the Lighting Professions. The lighting plan must include the following information and attachments:

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(c) *Lighting standards.* In addition to the following specific requirements, all exterior lighting must comply with the standards set forth in this section.

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(5) *Brightness of signs and unshielded decorative light sources.*

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(B) *Dusk to dawn luminance standards.*

(i) All sign and decorative light sources must not exceed the luminance standards below:

<i>Location</i>	<i>All Signs (Except Those Sign Types Listed in the Next Column)</i>	<i>Electronic Graphic Display, Video or Time and Temperature Signs and Decorative Light Sources</i>
Within the residential zoning districts of R-1, R-1A, RS-1, R-3, R-4, RM-15 <del>[12]</del> , RM-24, RM-50, RM-100, and RO-24 or within 500 feet of and visible from protected residential property	125 nits	350 nits

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(12) *Lighting standards.* All exterior lighting must comply with the following standards, which vary by use. In the event more than one use is present, the highest regulatory standards apply. Single-family, ~~and~~ two-family, three-family, and fourplex dwellings and residential parking lots with fewer than 12 parking spaces are exempt from the minimum light levels required but shall comply with the lights source and height requirements for any lighting installed. Maintained lighting levels shall be calculated at a light loss factor of 0.81 or the actual tested light loss factor for the source, whichever is less.

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**§ 21.301.10 HEIGHT.**

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(f) *Step back from residential standards.* The following required standards are intended to minimize the impacts of shadows on low density residential property and preserve residential neighborhood character. The standards apply to new buildings and structures within 100 feet of property that is used or subdivided for single-family or two-family residential uses, zoned residentially, and guided Low Density Residential by the Comprehensive Plan. Single-family, two-family, three-family, fourplex, cottage court, multiplex, detached townhouse, and townhouse [~~and rowhouse~~] dwellings, and their accessory buildings and structures are exempt from residential step back standards.

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**§ 21.301.13 RECREATIONAL VEHICLES.**

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(c) *Standards.*

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(3) *Standards applicable in Multiple-Family Residential (R-3, R-4, RM-15[12], RM-24) Zoning Districts.*

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**§ 21.301.15 LANDSCAPING AND SCREENING.**

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(b) *Landscape plans.*

(1) Except for single-family dwellings, [~~and~~] two-family dwellings, three-family dwellings, and fourplex dwellings [~~residential uses~~], unless otherwise expressly required by city code, a landscape plan must be submitted:

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(c) *Landscaping standards.*

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(2) *Minimum number of trees and shrubs.* Excluding exceptions specified in subsection (c)(2)(E) below, development must at a minimum provide the following numbers of trees and shrubs:

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(E) Exceptions:

(i) Single-family dwellings;

(ii) Two-family dwellings subject to the standards in § 21.302.04;

(iii) Three-family dwellings and fourplex dwellings, subject to the standards of § 21.302.42;

(iv) In mixed use districts (B-4, C-5, LX) the number of trees and shrubs required in this section may be reduced by up to 25 percent; and

(v) Fee in lieu of planting. If landscape planting at required levels results in overcrowding of vegetation due to site constraints, the property owner may reduce the number of proposed trees and/or shrubs on the site at the sole discretion of the City Council; provided a cash fee is deposited into a city designated fund that matches the cost differential between the planting required by this provision and the vegetation actually planted on the site as specified in the *Landscaping and Screening Policies and Procedures* document.

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#### **§ 21.301.17 REFUSE, SOLID WASTE, AND RECYCLABLE MATERIALS HANDLING AND STORAGE FACILITIES.**

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(c) *Residential use minimum location and design standards.* All residential uses in all zoning districts must have storage facilities for solid waste, organic and recyclable materials in accordance with the following minimum requirements:

(1) For single-family, two-family, three-family, fourplex, cottage court, detached townhouse and townhouse dwelling units with individual dwelling unit trash and recyclables storage and pick-up, all residential solid waste materials must be stored within approved containers appropriate for each type of waste that prevent health and nuisance problems. All solid waste, trash, recyclable materials, yard waste, organics and construction debris must be placed at the assigned collection location no more than 12 hours before and the containers be removed no more than 12 hours after the scheduled collection day. The storage of residential solid waste containers for single family detached homes must be setback 30 feet from any four season living area other than the owner's. Residential solid waste containers must not be stored more than five feet in front of the principal building along any public right-of-way.

(2) For multiple-family dwelling[residential] units [~~other than those identified in subsection (e)(1)~~], residential solid waste containers must be stored within a fully enclosed space[~~, which must be~~] attached to the principal building[structure].

(3) For multiplex dwelling units and other residential units not identified in subsection (c)(1) or (c)(2), residential solid waste containers must be either stored in an exterior refuse enclosure subject to all standards in § 21.301.17(d)(2)(A-J) or must be stored within a fully enclosed space attached to the principal building.

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**§ 21.301.19 ACCESSORY BUILDINGS.**

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(b) *Number.*

<i>Zoning District</i>	<i>Number Allowed</i>
***	
All other districts	1 detached structure per principal building, plus one guard, dispatch, security or gate house per site or development. Additionally, up to two temporary growing season extenders per acre not exceeding 50 square feet in area and not exceeding four feet in height are permitted subject to the setback requirements of § 21.302.07(b)(1). Accessory buildings used to meet minimum parking requirements for <u>multiplex or multifamily dwellings</u> [uses] are not counted toward the number limit. <u>Three-family and fourplex dwellings are allowed one accessory building that is not a garage, per unit.</u>

(c) *Location.*

<i>Zoning District</i>	<i>Minimum Setback in Front and Side Yards Along Streets</i>	<i>Minimum Setback in Rear Yards Along Streets</i>	<i>Minimum Rear Setback Not Along Streets</i>	<i>Minimum Rear Setback Along Alleys</i>	<i>Minimum Side Setback Not Along Streets</i>
***					
All other districts	Same as principal structures in the zoning district; however, detached structures are not permitted to be located closer to the property line along a public street than the	Same as principal structures in the zoning district.	Same as principal structures in the zoning district, except that accessory buildings used to meet minimum parking requirements for <u>multiplex or multifamily</u>	Same as principal structures in the zoning district, except that accessory buildings used to meet minimum parking requirements for <u>multiplex or multifamily</u>	10 feet

	principal structure.		<u>dwelling</u> <u>[uses]</u> may be set back no closer than 10 feet from the rear property line not along streets.	<u>dwelling</u> <u>[uses]</u> may be set back no closer than 10 feet from the rear property line along alleys.	
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(e) *Maximum size.*

<i>Zoning District</i>	<i>Parcel Size</i>	<i>Maximum Size</i>	<i>Special Regulations</i>
Multi-Family Districts R-3, R-4, RM-15 <del>[12]</del> , RM-24, RM-50, RM-100	Any	25 square feet per dwelling unit, up to a maximum of 600 square feet except for guard, dispatch, security or gate houses, which are limited to a maximum of 250 square feet.	(1) Accessory buildings used to meet minimum parking requirements for <u>multiplex or multifamily dwellings[uses]</u> have no maximum size  (2) <u>Accessory buildings that are not garages on three-family and fourplex dwellings sites are limited to one per unit and must not exceed 120 square feet per accessory building</u>
All other districts	Any	5% of the ground floor area of the principal building, up to a maximum of 600 square feet except for guard, dispatch, security or gate houses, which are limited to a maximum of 250 square feet.	(1) Accessory buildings used to meet minimum parking requirements for <u>multiplex or multifamily dwellings[uses]</u> have no maximum size

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(g) *Approvals and permits.*

(1) Except for ~~[in]~~ single-family dwellings, two-family dwellings, three-family dwellings, fourplex dwellings, and accessory dwelling units[zoning districts], no accessory building may be

constructed, erected or installed without approval of final site plans and building plans by the Issuing Authority as set forth in § 21.501.01(c) [~~of the city code~~].

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#### **21.301.24 EXTERIOR MATERIALS AND FINISH.**

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(b) *Applicability.* The regulations contained in this section apply to all principal and accessory buildings and their additions in all zoning districts, except that residential principal and accessory buildings and their additions in the R-1, RS-1, R-1A, R-3, R-4, RM-15[+2], RM-24, and SC zoning districts are exempt from this section.

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### **DIVISION B: USE STANDARDS**

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#### **§ 21.302.03 ACCESSORY DWELLING UNITS**

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(b) *Standards.*

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(4) *Location.* Accessory dwelling units may be attached to, detached from, or internal to a single-family dwelling. Accessory dwelling units are not permitted in conjunction with two-family dwellings, three-family dwellings, fourplex dwellings, cottage court dwellings, detached townhouse dwellings, townhouse dwellings, multiplex dwellings, [townhomes/rowhomes] or multiple-family dwellings. Detached accessory dwelling units must meet the following setback requirements:

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#### **§ 21.302.06 INSTITUTIONAL USE STANDARDS.**

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(b) *Standards.*

(1) *Street adjacency*

(A) New institutional use sites located in residential zoning districts of R-1, R-1A, RS-1, R-3, R-4, RM-15[+2], RM-24, RM-50 and RM-100 may not be established unless adjacent to an arterial or collector street, along at least one shared property line. Conversion of existing institutional use sites or buildings from one institutional use to another is allowed only when the new institutional use is allowed in the underlying zoning district, all necessary land use approvals are issued and all applicable city code standards are met.

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(2) *Maximum floor area ratio.* All institutional uses must not exceed the following floor area ratio standards, which vary by zoning district and street adjacency.

<b>Maximum Floor Area Ratio</b>		
	<b>When Adjacent to Arterial or Collector Street</b>	<b>When Not Adjacent to Arterial or Collector Street</b>

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Multi-Family Districts R-3, R-4, RM-15[+2], RM-24	0.50	0.35
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**§ 21.302.08 TOWNHOUSE STANDARDS.**

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(c) *Standards.*

(1) *Zoning district.* Townhouses must be located within the R-3, R-4, RM-15[+2], or RM-24 residential zoning district.

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**§ 21.302.11 FIREARM FACILITIES.**

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(b) *Incidental Firearm Sales standards.*

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(2) *Separation requirements.* No primary firearm sales facility may be located:

(A) Within 250 feet of the R-1, R-1A, RS-1, R-3, R-4, RM-15[+2], RM-24, RM-50 or RM-100 Zoning Districts.

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(c) *Primary Firearm Sales standards.*

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(2) *Separation requirements.* No primary firearm sales facility may be located:

(A) Within 250 feet of the R-1, R-1A, RS-1, R-3, R-4, RM-15[+2], RM-24, RM-50 or RM-100 Zoning Districts.

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(d) *Firearm Manufacturing, Warehousing, or Distribution standards.*

(1) *Separation requirements.* No firearm manufacturing, warehousing, or distribution facility may be located:

(A) Within 250 feet of the R-1, R-1A, RS-1, R-3, R-4, RM-15[12], RM-24, RM-50 or RM-100 Zoning Districts.

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(e) *Firing Range Standards.*

(1) *Separation requirements.* No firing range may be located:

(A) Within 1,000 feet of the R-1, R-1A, RS-1, R-3, R-4, RM-15[12], RM-24, RM-50 or RM-100 Zoning Districts.

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**§ 21.302.37 TOWERS AND ANTENNAS.**

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(j) *Associated Equipment.* Ground equipment associated with a tower or wireless telecommunications facility must be screened by vegetative or other screening compatible with the surrounding environment if deemed necessary by the Planning Manager or designee. When associated ground equipment is housed in a building or structure, that building or structure must be architecturally designed to blend in with the surrounding environment and must meet the minimum tower setback requirements of § 21.302.37(f). Ground equipment associated with a wireless telecommunications facility may be located on residentially used property only within a utility easement adjacent to the public right-of-way and in conformance with the limitations of § 17.70(d)(3), except in the multi-family zoning districts (R-4, RM-15[12], RM-24 and RM-50) where ground equipment associated with a wireless telecommunications facility may also be located within a code complying building or structure after receiving the approvals required by this code.

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**§ 21.302.39 ANTI-BLIGHT REGULATIONS.**

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(e) *Zoning regulations.* Sexually-oriented businesses are prohibited in all zoning districts, except those listed in § 21.209(e).

(1) In zoning districts in which sexually-oriented businesses are permitted uses, the following conditions must be met prior to a sexually-oriented business being allowed.

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(C) No sexually-oriented business can be located closer than 500 feet from any of the following residential zoning districts. Measurements will be made in a straight line, without regard to intervening structures or objects, from the nearest point of the actual business premises of the sexually-oriented business to the nearest boundary of the residential zoning district:

- Single-Family Residential R-1 District;
- Large Lot Single-Family Residential RS-1 District;

Restricted Large Lot Single-Family Residential R-1A District;  
Middle Housing [Townhouse] Residential R-3 District;  
Multiple-Family Residential R-4 District;  
Multiple-Family Residential RM-15[12] District;

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### **§ 21.302.42 THREE-FAMILY DWELLINGS AND FOURPLEX DWELLINGS**

(a) Purpose. The following standards are intended to accommodate three-family dwellings and fourplex dwellings while protecting the public health, safety and general welfare of the community.

(b) Review and Approval. Three-family dwellings and fourplex dwellings must either receive final site and building plan approval or final development plan approval prior to issuance of a building permit. Plans for three-family dwellings located in the R-1 Zoning District must only be approved when a conditional use permit has first been approved.

(c) Standards. Three-family dwellings and fourplex dwellings must meet the following standards:

(1) Zoning District. Three-family dwellings must be located within the R-1 or R-3 Residential Zoning District. Fourplex dwellings must be located within the R-3, or R-4 Residential Zoning Districts.

(2) Setbacks. See § 21.301.02 for setback requirements, which vary by zoning district.

(3) Floor area. Three-family dwellings and fourplex dwellings must meet the floor area requirements of § 21.301.01(c)(3).

(4) Site area. Three-family dwellings and fourplex dwellings must meet the minimum site area, site width, and density requirements in §21.301.01(c)(1), which vary by zoning district. For three-family dwellings in the R-1 Zoning District, the minimum site area must instead be 4,000 square feet per dwelling unit.

(5) Height. Three-family dwelling and fourplex dwelling structure height must meet the height limits of § 21.301.10.

(6) Access points. The number of public street curb cuts to service a three-family dwelling or fourplex dwelling must be minimized where feasible by sharing driveways and linking parking lots.

(7) Open space and impervious surface. At least 20% of three-family dwelling or fourplex dwelling sites must be used for accessible landscaped open space. Impervious surface area must not exceed 80% of the three-family dwelling or fourplex dwelling site. These open space and impervious surface area requirements apply regardless of the underlying zoning district requirements for open space and impervious surface area.

(8) Storm water. To mitigate the impacts of storm water runoff rates and volume, three-family dwellings and fourplex dwellings must meet the following storm water standards:

(A) Erosion and sediment control must meet the requirements of Chapter 16 of the city code and the city's comprehensive surface water management plan; and

(B) Storm water management plans must meet the requirements of Chapter 16 of the city code and the city's comprehensive surface water management plan.

(9) Utilities. Three-family dwellings and fourplex dwellings are prohibited on sites not served by municipal sewer and water. Utility connections must satisfy the requirements of Chapter 11 of the city code.

(10) Building code compliance. Three-family dwellings and fourplex dwellings must meet current Minnesota State Building Code provisions, including but not limited to fire resistance and sound insulation standards between units.

(11) Accessory buildings. Accessory buildings on three-family dwelling or fourplex dwelling sites must meet the standards of § 21.301.19.

(12) Exterior storage. See § 21.301.16(a) for exterior storage requirements.

(13) Home businesses. Type I home businesses are allowed within three-family dwelling or fourplex dwelling units subject to the standards of § 21.302.13. However, Type II home businesses as defined in § 21.302.13 are not allowed within three-family dwelling or fourplex dwelling units.

### **§ 21.302.43 DETACHED TOWNHOUSE DWELLINGS**

(a) Purpose. The following standards are intended to accommodate detached townhouse developments while protecting the public health, safety and general welfare of the community.

(b) Review and approval. Detached townhouse developments must either receive final site and building plan approval or final development plan approval prior to issuance of a building permit.

(c) Standards. Detached townhouse dwellings must meet the following standards:

(1) Zoning district. Detached townhouse dwellings must be located within the R-1, R-3, R-4, or RM-15 residential zoning districts.

(2) Setbacks. See § 21.301.02 for setback requirements, which vary by zoning district. These setbacks apply to the perimeter of the development site that includes all detached townhouse dwellings, not the individual lots of the detached townhouse dwellings. Additional setbacks within a detached townhouse development include:

(A) A minimum of 10 feet must separate residential buildings within a detached townhouse development.

(3) Minimum units. Detached townhouse developments must have a minimum of five units.

(4) Floor area. Detached townhouse dwellings must meet the floor area requirements of § 21.301.01(c)(3).

(5) Site size. Detached townhouse development sites must meet the minimum site area, site width, and density requirements in § 21.301.01(c)(1), which vary by zoning district. These site area, site width, and density requirements apply to the overall development site that includes all detached townhouse dwellings, not the individual lots of the detached townhouse dwellings.

(6) Height. Detached townhouse structure height must meet the height limits of § 21.301.10.

(7) Garages. The following standards apply to detached townhouse development sites:

(A) Garage doors, when fronting public streets, must not exceed 75% of the structure width.

(B) Garages, when fronting public streets, may not extend beyond the building face or porch façade by more than four feet.

(C) To avoid parked vehicles encroaching into streets, detached townhouse driveway depth must be ten feet or less or 20 feet or greater. Driveway depth is measured from the garage door to the property line when adjacent to public streets and from the garage door to the private street when adjacent to private streets.

(8) Access points. The number of public street curb cuts to service a detached townhouse development must be minimized where feasible by sharing driveways and linking parking lots.

(9) Open space and impervious surface. At least 20% of detached townhouse development sites must be used for accessible landscaped open space. Impervious surface area must not exceed 80% of the detached townhouse site. These open space and impervious surface area requirements apply regardless of the underlying zoning district requirements for open space and impervious surface area.

(10) Storm water. To mitigate the impacts of storm water runoff rates and volume, detached townhouse developments must meet the following storm water standards:

(A) Erosion and sediment control must meet the requirements of Chapter 16 of the city code and the city's comprehensive surface water management plan; and

(B) Storm water management plans must meet the requirements of Chapter 16 of the city code and the city's comprehensive surface water management plan.

(11) Landscaping. Detached townhouse development landscaping must meet the landscaping requirements of § 21.301.15.

(12) Utilities. Detached townhouse developments are prohibited on sites not served by municipal sewer and water. Utility connections must satisfy the requirements of Chapter 11 of the city code.

(13) Building code compliance. Detached townhouse developments must meet current Minnesota State Building Code provisions, including but not limited to fire resistance and sound insulation standards between units.

(14) Accessory buildings. Accessory buildings on detached townhouse development sites must meet the standards of § 21.301.19.

(15) Exterior storage. See § 21.301.16(a) for exterior storage requirements.

(16) Subdivision. The City Council may approve the subdivision of detached townhouse dwellings and the lot upon which the detached townhouse dwelling is located or is proposed to be constructed to allow separate ownership of each unit of the detached townhouse dwelling subject to the following standards:

(A) Each of the lots created by the subdivision must be equal in area or as near equal in area as reasonably possible;

(B) Each lot so created must contain at least 3,000 square feet for a detached townhouse dwelling;

(C) All perimeter site setback requirements must be met, and a minimum of 10 feet must separate residential buildings within a detached townhouse development;

(D) The subdivision of the lot must be accomplished by plat in accordance with the subdivision regulations of Chapter 22 of the city code;

(E) A maintenance agreement must be recorded with the county for each parcel created that contains an agreement by each property owner to:

(i) Continually maintain all portions of the building's exterior with materials and finish that are accepted by the State Building Code as appropriate to the application and the location;

(ii) Properly maintain the approved landscaping plans, screening plans and any approved storm water management plan for the properties; and

(iii) Provide adequate maintenance and repair of all common walkways, driveways, and, if allowed, common sewer and water facilities, if applicable.

(17) Home businesses. Type I home businesses are allowed within detached townhouse dwelling units subject to the standards of § 21.302.13. Type II home businesses as defined in § 21.302.13 are prohibited within detached townhouse dwelling units.

#### **§ 21.302.44 COTTAGE COURT DWELLINGS**

(a) Purpose. The following standards are intended to accommodate cottage court dwellings while protecting the public health, safety and general welfare of the community.

(b) Review and Approval. Cottage court dwellings must either receive final site and building plan approval or final development plan approval prior to issuance of a building permit.

(c) Standards. Cottage court dwellings must meet the following standards:

(1) Zoning district. Cottage court dwellings must be located within the R-3, R-4 or RM-15 residential zoning district.

(2) Setbacks. See § 21.301.02 for setback requirements, which vary by zoning district. These setbacks apply to the perimeter of the development site that includes all cottage court dwellings, not the individual lots of the cottage court dwellings. Additional setbacks within a cottage court development include:

(A) A minimum of 10 feet must separate residential buildings within a cottage court development.

(3) Minimum units. Cottage court developments must have a minimum of five units.

(4) Maximum floor area. Cottage court dwellings must not exceed 1,500 square feet per dwelling.

(5) Site size. Cottage court development sites must meet the minimum site area, site width and density requirements in §21.301.01(c)(1), which vary by zoning district. These site area, site width, and density requirements apply to the overall cottage court development site that includes all detached cottage court dwellings, not the individual lots of the cottage court dwellings.

(6) Height. Cottage court structure height must meet the height limits of §21.301.10.

(7) Building orientation. The front building wall or façade of each unit in the cottage court development must be oriented towards the on-site common open space or courtyard.

(8) Open space. At least 20% of cottage court development sites must be used for accessible landscaped open space. This open space area requirement applies regardless of the underlying zoning district requirements for open space area. A cottage court development must have an on-site common open space or courtyard that meets the following standards:

(A) The common open space or courtyard must be either partially or wholly open to the public street. If there is existing public sidewalk along the street, a private sidewalk must be constructed to connect the on-site common open space or courtyard to the public sidewalk network.

(B) A private sidewalk network must connect the entrance of each cottage court dwelling to the common open space or courtyard.

(C) The common open space or courtyard must have a minimum width and a minimum depth of 20 feet.

(D) The common open space or courtyard may count towards the minimum 20% open space requirement for a cottage court development.

(9) Impervious surface. Impervious surface area must not exceed 80% of the cottage court site. This impervious surface area requirement applies regardless of the underlying zoning district requirements for impervious surface area. Any impervious surfaces associated with the private sidewalk connecting the entrances of the cottage court dwellings to the on-site common open space or courtyard do not count towards the maximum 80% impervious surface requirement.

(10) Access points. The number of public street curb cuts to service the cottage court development must be minimized where feasible by sharing driveways and linking parking lots.

(11) Storm water. To mitigate the impacts of storm water runoff rates and volume, cottage court developments must meet the following storm water standards:

(A) Erosion and sediment control must meet the requirements of Chapter 16 of the city code and the city's comprehensive surface water management plan; and

(B) Storm water management plans must meet the requirements of Chapter 16 of the city code and the city's comprehensive surface water management plan.

(12) Landscaping. Cottage court development landscaping must meet the landscaping requirements of § 21.301.15.

(13) Utilities. Cottage court developments are prohibited on sites not served by municipal sewer and water. Utility connections must satisfy the requirements of Chapter 11 of the city code.

(14) Building code compliance. Cottage court developments must meet current Minnesota State Building Code provisions, including but not limited to fire resistance and sound insulation standards between units.

(15) Accessory buildings. Accessory buildings on cottage court development sites must meet the standards of § 21.301.19.

(16) Exterior storage. See § 21.301.16(a) for exterior storage requirements.

(17) Subdivision. The City Council may approve the subdivision of cottage court dwellings and the lot upon which the cottage court dwelling is located or is proposed to be constructed to allow separate ownership of each unit of the cottage court dwelling subject to the following standards:

(A) Each of the lots created by the subdivision must be equal in area or as near equal in area as is reasonably possible;

(B) Each lot so created must contain at least 3,000 square feet for a cottage court dwelling;

(C) All perimeter site setback requirements must be met and a minimum of 10 feet must separate residential buildings within a cottage court development;

(D) The subdivision of the lot must be accomplished by plat in accordance with the subdivision regulations of Chapter 22 of the city code;

(E) A maintenance agreement must be recorded with the county for each parcel created that contains an agreement by each property owner to:

(i) Continually maintain all portions of the building's exterior with materials and finish that are accepted by the State Building Code as appropriate to the application and the location;

(ii) Properly maintain the approved landscaping plans, screening plans and any approved storm water management plan for the properties; and

(iii) Provide adequate maintenance and repair of all common walkways, driveways, and, if allowed, common sewer and water facilities, if applicable.

(18) Home businesses. Type I home businesses are allowed within cottage court dwelling units subject to the standards of § 21.302.13. However, Type II home businesses as defined in § 21.302.13 are not allowed within cottage court dwelling units.

## **§ 21.302.45 MULTIPLEX DWELLINGS**

(a) Purpose. The following standards are intended to accommodate multiplex developments while protecting the public health, safety and general welfare of the community.

(b) Review and approval. Multiplex developments must either receive final site and building plan approval or final development plan approval prior to issuance of a building permit.

(c) Standards. Multiplex dwellings must meet the following standards:

(1) Zoning district. Multiplex dwellings must be located within the R-4 or RM-15 residential zoning district.

(2) Setbacks. See § 21.301.02 for setback requirements, which vary by zoning district. Additional setbacks within a multiplex development include:

(A) A minimum of 10 feet must separate residential buildings within a multiplex development.

(3) Floor area. Multiplex dwellings must meet the floor area requirements of § 21.301.01(c)(3).

(4) Site area. Multiplex dwellings must meet the minimum site area, site width and density requirements of § 21.301.01(c)(1), which vary by zoning district.

(5) Height. Multiplex structure height must meet the height limits of § 21.301.10.

(6) Blank facades. Blank building facades or walls must not exceed 20 feet in length when the building or wall faces a public street or transit station. A building façade or wall is considered to be blank if it is uninterrupted by windows, doors, ornamentation, decoration, articulation or other architectural detailing.

(7) Multiple buildings on a site. Multiple buildings on a site must be compatible in design, color scheme, and palette of materials.

(8) Air conditioners. Air conditioners protruding from an exterior wall must be designed to appear as an integral part of a wall.

(9) Access points. The number of public street curb cuts to service a multiplex development must be minimized where feasible by sharing driveways and linking parking lots.

(10) Open space and impervious surface. At least 20% of multiplex development sites must be used for accessible landscaped open space. Impervious surface area must not exceed 80% of the multiplex development. These open space and impervious surface area requirements apply regardless of the underlying zoning district requirements for open space and impervious surface area.

(11) Storm water. To mitigate the impacts of storm water runoff rates and volume, multiplex developments must meet the following storm water standards:

(A) Erosion and sediment control must meet the requirements of Chapter 16 of the city code and the city's comprehensive surface water management plan; and

(B) Storm water management plans must meet the requirements of Chapter 16 of the city code and the city's comprehensive surface water management plan.

(12) Utilities. Multiplex developments are prohibited on sites not served by municipal sewer and water. Utility connections must satisfy the requirements of Chapter 11 of the city code.

(13) Building code compliance. Multiplex developments must meet current State Building Code provisions, including but not limited to fire resistance and sound insulation standards between units.

(14) Accessory buildings. Accessory buildings, including detached garages, on multiplex development sites must meet the standards of § 21.301.19.

(15) Exterior storage. See § 21.301.16(a) for exterior storage requirements.

(16) Compliance with other sections. Multiplex developments must meet applicable standards within City Code, including, but not limited to:

(A) Parking (§ 21.301.06)

(B) Lighting (§ 21.301.07)

(C) Landscaping (§ 21.301.15)

(D) Refuse and recycling (§ 21.301.17)

(d) Subdivision. If it is intended that individual buildings of a multiplex development be sold separately, provision must be made so that each such building parcel abuts a public street in accordance with the provisions of Chapter 22 of the city code.

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## **DIVISION D: SIGN REGULATIONS**

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### **§ 21.304.14 ESTABLISHMENT OF SIGN DISTRICTS.**

General allowances for commercial signage are assigned by sign district. All properties in the city are assigned to a sign district based upon the base zoning designation of the property as shown in the following table:

<i>Sign Districts</i>	<i>Zoning Districts</i>
***	
Class II Sign District	<b>R-3</b> <u>Middle Housing</u> <del>[Townhouse]</del> Residential District <b>R-4</b> Multiple-Family Residential District <b>RM-15</b> <del>[12]</del> Multiple-Family Residential District <b>RM-24</b> Multiple-Family Residential District <b>RM-50</b> Multiple-Family Residential District <b>RM-100</b> Multiple-Family Residential District <b>RO-24</b> Residential Office District <b>B-1</b> Neighborhood Office District <b>I-1</b> Industrial Park District
***	

**ARTICLE V: ADMINISTRATION AND NONCONFORMITY**  
**DIVISION A: APPROVALS AND PERMITS**

**§ 21.501.01 FINAL SITE AND BUILDING PLANS.**

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(c) *Review, approval, and appeals.*

(1) The Planning Manager will review and act upon the following types of final site and building plan applications, unless the Planning Manager determines the application should be heard by the Planning Commission due to potential environmental or land use impacts. In such cases, the notice and hearing procedures of subsection (c)(3) shall apply.

(A) Accessory buildings (except for single-family dwellings, accessory dwelling units, ~~and~~ two-family dwellings, three-family dwellings, and fourplex dwellings);

(B) Garages (except for single-family dwellings, accessory dwelling units, ~~and~~ two-family dwellings, three-family dwellings, and fourplex dwellings);

(C) Three-family dwellings in the R-3 Zoning District;

(D) Fourplex dwellings;

(E~~[C]~~) Parking lots or other site characteristic modifications;

(F~~[D]~~) New buildings or building additions that do not exceed 10,000 square feet; and

(G~~[E]~~) Revisions to previously approved final site and building plans except those that involve:

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## § 21.501.04 CONDITIONAL USE PERMITS.

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(i) *General standards.* In addition to use specific standards for conditional uses listed elsewhere in the city code, the following general standards also apply to conditional uses.

(1) In the R-1, R1-A and RS-1 zoning districts, except for the uses listed below, a conditional use must be located on a site immediately adjacent to a commercial zoning district, an industrial zoning district, the intersection of two streets classified by the Comprehensive Plan as arterial streets or the intersection of a street classified by the Comprehensive Plan as an arterial street and a railroad. Exceptions include:

- (A) Places of assembly and schools;
- (B) Licensed residential care facilities serving seven or more persons;
- (C) Home businesses;
- (D) Towers; ~~and~~
- (E) Private and commercial parks and recreational facilities as a principal use; and[~~-~~]
- (F) Three-family dwellings.

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## ARTICLE VI: DEFINITIONS

### § 21.601 DEFINITIONS.

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***DRIVEWAY APPROACH.*** An area between the curb or pavement edge of a public street and the private property line intended to provide access for vehicles from a roadway or a public street to a driveway on private property.

***DWELLING.*** One or more rooms designed for residential use by a single family that contain cooking, living, sanitary and sleeping facilities and that are physically separated from any other dwelling units in the same structure. Types of ***DWELLINGS*** are as follows.

(A) ***DWELLING, SINGLE-FAMILY.*** A building designed or used for residential occupancy by one family with or without an approved accessory dwelling unit.

(B) ***DWELLING, ACCESSORY.*** A secondary dwelling unit, but not a manufactured home built on a permanent chassis, located on the same lot as a single-family dwelling unit, either physically attached to, within, or detached from the single-family dwelling unit. Accessory dwelling units must be developed in accordance with the standards set forth in § 21.302.03.

(C) ***DWELLING, TWO-FAMILY.*** A building designed as a single structure, containing two dwelling units, not including accessory dwelling units, where dwelling units are configured side by side sharing a common [~~or used for residential occupancy by two families in separate dwelling units fully separated by an~~] unpierced wall extending from ground to roof for a

minimum of ten feet, or above and below one another sharing a common [an] unpierced ceiling and floor extending from exterior wall to exterior wall. Dwelling units in a **TWO-FAMILY DWELLING** may be connected by [,-except for] a common stairwell exterior to both units and share main entrances and exits exterior to both units.[,-including both duplexes and double bungalows but not including accessory dwelling units.]

(D) **DWELLING, THREE-FAMILY.** A building designed as a single structure, containing three dwelling units. Dwelling units in a **THREE-FAMILY DWELLING** may be connected by shared hallways exterior to all units and share main entrances and exits exterior to all units.

(E) **DWELLING, FOURPLEX.** A building designed as a single structure, containing four dwelling units. Dwelling units in a **FOURPLEX DWELLING** may be connected by shared hallways exterior to all units and share main entrances and exits exterior to all units.

(F) **DWELLING, MULTIPLEX.** A building designed as a single structure, containing five to 16 dwelling units, where dwelling units are configured in part vertically above and below other dwelling units. Dwelling units in a **MULTIPLEX DWELLING** may be connected by shared hallways exterior to all units and share main entrances and exits exterior to all units.

(G) **DWELLING, COTTAGE COURT.** The arrangement of multiple detached single-family dwellings in a single development oriented around an on-site common open space or courtyard. Each dwelling unit may be located on its own individual lot or on a common lot containing all detached dwelling units and the common open space.

(H) **DWELLING, DETACHED TOWNHOUSE.** The arrangement of multiple detached single-family dwellings in a single development, each of which is located on its own individual lot that is narrower than otherwise permitted for an individual single-family dwelling or on a common lot containing all detached dwelling units.

(I[~~D~~]) **DWELLING, MULTIPLE-FAMILY.** A building designed as a single structure, containing 17 [that includes three] or more dwelling units where dwelling units are configured in part vertically above and below other dwelling units.

(J[~~E~~]) **TOWNHOUSE[~~ROWHOUSE~~].** A building or group of buildings, each containing [that include] three to six [or more] dwelling units,[on a site] where the dwelling units are configured in a side by side fashion and share at least one common wall but are not vertically stacked. Each dwelling unit must have separate and individual front and rear entrances.

**DWELLING FOR WATCHMAN.** One or more rooms, designed, occupied or intended for occupancy by one or two employees as a separate living quarter, and is intended to be accessory to an approved primary use.

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**FISH HOUSE.** A detached, portable accessory building which is used for the purpose of shelter while fishing during the winter months, and which is not used or designed for use as an accessory building or storage shed.

**FLOOR AREA.** The floor area of a building or buildings is the sum of the gross horizontal areas of the several floors of such building or buildings exclusive of cellars or basements, except as to single-family or cottage court dwellings[~~residences~~] as provided in subsection (E) and (F)

below of this definition, measured from the exterior faces of exterior walls or from the centerline of party walls separating two buildings. In particular, **FLOOR AREA** will include:

(A) Elevator shafts and stairwells at each floor;

(B) Floor space used for mechanical equipment where the structural headroom exceeds seven and one-half feet, except equipment, open or enclosed located on the roof, i.e., bulk heads, water tanks and cooling towers;

(C) Interior balconies and mezzanines;

(D) Forty percent of porch or breezeway when the porch or breezeway is completely enclosed; and

(E) For single-family dwellings[~~residences~~], the **FLOOR AREA** is the sum of the enclosed, finished horizontal areas which are at or above grade. In addition, the **FLOOR AREA** may include 50% of all other enclosed areas, including that portion of the building below grade, which are capable of being finished in accordance with the requirements of Chapter 15 of this code at the time of the issuance of the original building permit; however, garages, porches or breezeways may not be included in calculating required **FLOOR AREA**.

(F) For cottage court dwellings, the **FLOOR AREA** is the sum of the enclosed, finished horizontal areas which are at or above grade as well as the finished or unfinished areas below grade, including cellars or basements.

**FLOOR AREA RATIO.** The floor area of a building or buildings on a site, exclusive of parking structures, divided by the gross site area, including, at the option of the land owner, land donated for public right-of-way purposes.

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**TOWING SERVICE.** An establishment engaged in the towing or storage of damaged, inoperable or impounded vehicles. Such use must not include the wrecking or dismantling of vehicles.

**TOWNHOUSE/ROWHOUSE.** See **DWELLING, TOWNHOUSE**. [~~A building or group of buildings that include three or more dwelling units on a site where the dwelling units are configured in a side by side fashion and share at least one common wall but are not vertically stacked.~~]

**TRAILER.** A wheeled platform or conveyance designed to be pulled by a motor vehicle for the transport of goods, equipment, or other items.

\*\*\*

Section 2. Effective Date. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED:

\_\_\_\_\_  
Secretary to the Council

\_\_\_\_\_  
City Attorney