

- (7) Side yard widths may be reduced if the side wall of a building is not parallel by more than 10 degrees with the side lot line, to permit the average depth of the side yard to conform to the minimum side yard depth in the District, but no side yard shall be less than 5 feet deep. No side yard shall be reduced to prevent construction of a driveway from the street into the rear of the lot unless a garage which has access from the street is located on the lot or an alley provides a secondary access to the rear yard of the lot.
- (8) The rear yard depth shall be a minimum of 25 feet except when the rear lot line of land on the R-3 Use District abuts lands in the R-1 or R-2 Use District, then the rear yard shall be a minimum of 25 feet or the building height of the building in the R-3 Use District, whichever is greater.
- (9) All dwelling units shall be at or above the grade of all land abutting the structure within a distance of 25 feet from all faces of the building.
- (10) Each lot shall contain a minimum of 400 square feet of usable open space for each dwelling unit located on it.
- (11) Any parcels which are subdivided for the purpose of creating condominium ownership are permitted provided that the overall density created within all condominium parcels plus the common lot does not exceed the maximum density permitted within the Use District. Provisions for open space may be provided on a common lot. Any front, rear, and side yard dimensions required by this section shall apply from the building face to the property line of the common lot.

1102.700: Residential Performance Standards. No structure or premises within any "R" Use District shall be used for one or more of the following uses unless its use complies with the following regulations:

- (1) All trash, garbage, waste materials, trash containers, and recycling containers shall meet parking setbacks and shall be stored in a manner provided in the City Code.
- (2) No vehicle shall be stored, displayed, parked or allowed in any of the required yard or landscaped areas; except as permitted by subsection 3 below, or by Subsection 1107.204 (12).
- (3) The intent of this ordinance is to allow for the orderly storage of recreational equipment on property at certain locations during on and off seasons. During off season times, the equipment shall be located in the most visually inconspicuous portion of the lot as viewed from the front, or from the street.

Currently licensed and operable winter recreational equipment may be parked on or adjacent to a driveway on a lot in the "R" Use District from November 1 to April 1 each year. Currently licensed and operable summer recreational equipment may be parked on or adjacent to a driveway on a lot in a "R" Use District from April 1 to November 1 each year.

At all other times, recreational equipment shall be stored in the rear or side yard. For purposes of this section, side yards shall also include areas extending from the principal house structure, using lines parallel to the sides of the house extending to the rear and front yard lines. In no case shall recreational equipment be parked in the front yard, unless an exemption is granted by the Zoning Administrator identified in this section. Recreational equipment shall be set back a minimum of 5 feet from the rear or side yard.

If topography or other natural conditions of the lot do not allow for the storage in the side or rear yards as permitted above, the recreational equipment may be parked in an alternate, but most inconspicuous, location of the lot subject to written approval of the Zoning Administrator. No encroachment of the equipment shall occur into the public right-of-way.

No recreational equipment may be parked in "R" Use Districts that does not have the same ownership between the equipment and any family member occupying the property. A house being rented shall only allow storage of recreational equipment owned by the person(s) renting the principal structure.

For riparian lots without a principal structure, recreational equipment shall be located between the Ordinary High Water Elevation, and a line no more than 30 feet from the Ordinary High Water Elevation and no less than 5 feet from the side lot line.

(Ord. Amend. 114-01, publ. 1/18/14)

- (4) All utility lines including electric, gas, water, sanitary sewer, telephone, and television cable shall be placed underground when used with all new structures or additions which expand the gross square footage of a structure by more than 50 percent unless used for service to single family or two-family houses. In addition, any new service to an existing building other than a single family or two-family dwelling shall be placed underground.
- (5) All access roads shall have a poured-in-place concrete curb measuring at least 6 inches above and below the grade in all developments except developments of single family or two-family dwellings.
- (6) Interior pedestrian circulation and pedestrian linkage to any existing public trails or sidewalks shall be provided where practically possible for all developments except developments of single family or two-family dwellings.
- (7) All single and two family homes shall:
 - a. Be built on a permanent foundation;
 - b. Be connected to the City sanitary sewer and water unless exempted under the provisions of Subsection 1101.505; and
 - c. If the home is a manufactured home, it shall:
 - Have a permanent, completely enclosed foundation constructed around the entire circumference of the structure and which complies with the State Manufactured Home Building Code.

- Meet the standards and be certified by the U.S. Department of Housing and Urban Development.

(8) **Accessory Structures.**

- a. General requirements. Accessory uses and structures shall comply with the following standards and all other applicable regulations:
 - No accessory use or structure shall be constructed or established on any lot prior to the time of construction of the principal use to which it is accessory.
 - The accessory use or structure shall be incidental to and associated with the principal use or structure.
 - The accessory use or structure shall be subordinate in area, extent, and purpose to the principal use or structure served.
 - The accessory use or structure shall be located on the same zoning lot as the principal use or structure except for accessory off-street parking and loading facilities and as defined in Section 1101.501 (d), and subject to the provisions of Section 1107.

- b. Design criteria. In all residential districts, the design and construction of any garage, carport, or storage building shall be similar to or compatible with the design and construction of the main building. The exterior building materials, roof style, and colors shall be similar to the main building or shall be commonly associated with residential construction. In addition, the following shall apply:
 - Pole building structures are prohibited, except in the "A" Use District.

 - Attached structures. An accessory structure shall be considered attached, and an integral part of, the principal structure when it is structurally connected to the principal structure or located 6 feet or less from the principal structure. Such structures shall be subject to the provisions of this Ordinance applicable to principal structures including, but not limited to, setbacks, building height, and other dimensional requirements.

 - Detached structures. A detached accessory structure must be structurally independent from the principal structure. Detached accessory structures shall be permitted in residential districts in accordance with the following:
 1. The total ground floor area of all detached accessory structures located on a single residential property in the R-1, and R-2 Use Districts shall not exceed 1,000 square feet or 30% of the rear yard.
 2. The total ground floor area of all detached accessory structures in the R-4 Use District shall not exceed 30% of the rear yard.
 3. No accessory building shall be located within five (5) feet of any lot line abutting lots in an "R" Use District.
(Ord. Amend. 114-01, publ. 1/18/14)
 4. Maximum height shall not exceed fifteen (15) feet as measured from the mean grade level at the front face of the accessory

structure to the top of the parapet or rooftop equipment, whichever is higher, of a flat roof; to the deck line of a mansard roof; to the uppermost point on a round or other arch type roof; or the mean distance of the highest gable on a pitched or hip roof.

5. Detached accessory structures shall be located to the side or rear of the principal building, and are not permitted within the front yard or within a side yard abutting a street except as provided in subsections 6 and 7 below.
6. No detached accessory building erected to the side or rear of a principal building on a corner lot shall be located within 25 feet of any property line abutting a street.
7. No accessory structure may be located in any public right-of-way or public easement except by consent of the City Engineer or his/her designee.
(Ord. Amend. 114-01, publ. 1/18/14)
8. On riparian lots in the Shoreland District, one (1) detached accessory building designed and used as a garage may be located between the front building wall and the street or private road providing access to the lot subject to the following conditions:
 - The accessory building must be located so that it meets all front yard requirements of a principal structure.
 - The accessory building must be compatible in design and materials with the principal structure.
 - The accessory structure may be used only for storage of vehicles and other equipment incidental to residential uses.
 - There shall be no home occupations or other nonresidential use of the building.
 - The accessory structure must meet all other requirements of subsection 1102.700(8).

1102.800: "TC" Town Center Use District. The purpose of the "TC" Town Center Use District is to provide for a variety of commercial and residential uses within the framework of a traditional downtown area. The district also contemplates and provides for pedestrian circulation, urban and civic design and the creative reuse of existing buildings.

The TC Town Center District is designed to express the City's commitment to maintain and enhance the vitality of the Downtown area by establishing minimum criteria for the development and redevelopment of commercial, residential and public buildings while promoting amenities intended to attract business, residents and visitors. Specific objectives include:

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- To improve the visual quality of Downtown.
- To reinforce the physical character of Downtown by focusing on the design context.
- To expand the employment base and number of residents living Downtown.