

§ 340-27. R-1 Single-Unit District (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).

Table 340-27.1 Bulk Regulations	
Type of Standard	Lot Dimensional Requirements
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).

Table 340-27.2 Bulk Regulations	
Type of Standard	Lot Dimensional Requirements
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).

Table 340-27.2 Bulk Regulations	
Type of Standard	Lot Dimensional Requirements
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 R-1 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.

(10) Detached Condominiums with no more than 12 dwelling units pursuant to § 340-66.3.

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).

Table 340-28 Bulk Regulations			
Type of Standard	Lot Dimensional Requirements		
	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.
- (9) **Detached Condominiums pursuant to § 340-66.3.**

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).

Table 340-29 Bulk Regulations				
Type of Standard	Lot Dimensional Requirements			
	Two-unit residences	Zero-lot-line duplex	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.

Article VI. Commercial Districts**§ 340-30. Purpose.****The commercial districts are established to accomplish the following purposes:**

- A. To group compatible business uses that will tend to draw trade that is mutually interchangeable and so promote business prosperity and public convenience.**
- B. To encourage master planning and development of business districts with adequate parking and**

- (1) The ADU shall have a separate entrance from the principal structure.**
- (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 principal structure on the same lot for the purpose of the bulk building requirements of the district. Any secondary structure connected to the principal structure is considered attached.**
- (4) Parking shall meet the district’s principal structure parking requirement plus one (1) additional parking space for each ADU. Existing parking for the principal structure must be maintained or replaced on-site.**
- (5) Separate water and sewer laterals are required for all ADUs, except for interior ADUs.**

§ 340-66.3 Detached Condominiums.

- A. Definition. Detached Condominium (Also commonly known as “Site Condominiums,” “Bungalow Courts,” or “Cottage Clusters”). A condominium project characterized by single detached dwelling units which are encumbered by a declaration of condominium covenants or is limited by a condominium form of ownership. The detached dwelling units shall be arranged around a shared internal courtyard which is used in place of a private rear yard. The condominium unit shall be considered a lot under this Ordinance.
- B. Eligibility. Not more than one (1) single-family dwelling unit and permitted accessory structure shall be proposed or constructed on each condominium lot within the larger condominium complex. Detached condominiums are not permitted in R-1 districts.
- C. Supplemental Regulations. All detached condominium projects shall comply with § 300, Article IX Condominiums. All Detached Condominiums shall also comply with the following standards:
 - 1. Each Detached Condominium shall have an entrance to the communal courtyard and/or public street accessible via a paved walkway.
 - 2. A separate water and sewer lateral and utility services are required for each individual unit.
 - 3. Bulk Regulations. See Table 340-66.3 (Below).

Table 340-66.3 Bulk Regulations		
Type of Standard	Detached Condominium Site Requirements	
	R-2 District	R-3 District
Minimum Total Site Area (Per Unit)	5,000 sq. ft.	4,500 sq. ft.
Minimum Building Setbacks and Separation		
Front Street/Flanking Street Building Setback	20 feet	20 feet
Side Building Separation	16 feet	12 feet
Rear Building Separation	60 feet	50 feet
Maximum Building Height	35 feet	45 feet
Maximum percent of total site building coverage	35%	40%
Max impervious surface coverage	70%	70%

Plan Commission recommendation. The Plan Commission shall review the proposed amendment to the regulations or change in district boundaries or uses and render a decision thereon, analyzing the advantages and disadvantages of the proposal, based on the facts and circumstances, the Comprehensive Plan, and other information. The Plan Commission shall transmit a written recommendation to the Common Council.

- F. Common Council final action.** After reviewing the recommendation of the Plan Commission thereon, the Common Council shall consider such recommendations and, if it decides to proceed, shall instruct the City Attorney to prepare an ordinance for subsequent adoption by the Common Council of the proposed amendment. If the Common Council so desires, it may order a second public hearing before the Common Council pursuant to a Class 2 notice.
[Amended 10-10-2006 by Ord. No. A-361]
- G. Waiting period between petitions.** A denial of rezoning shall be a final determination for a period of one year that the development will not be permitted, unless the Common Council's order includes leave to amend. After the expiration of the one-year period, a developer may make a new application for the same amendment.

§ 340-116. Remedies; violations and penalties.

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

- A. Remedies.** Any building or structure erected, constructed, altered, enlarged, converted, moved, or maintained contrary to the provisions of this chapter, and any use of any land or building which is conducted, operated, or maintained contrary to the provisions of this chapter, shall be and the same is hereby declared to be unlawful and the City Attorney may, upon any such violation having been called to his attention by the Zoning Administrator, institute injunction, mandamus, abatement, or any other appropriate action to prevent, enjoin, abate, or remove such erection, construction, reconstruction, alteration, conversion, maintenance, or use. Such action may also be instituted by any property owner who may be especially damaged by a violation of this chapter.
- B. Penalties.** Any person who shall violate any of the provisions of this chapter shall, upon judgment or conviction thereof, be subject to a penalty as provided in Chapter 1, § 1-3 of this Code. In any action to enforce this chapter, the fact that a permit shall have been issued by any City official or department shall not constitute a defense, nor shall any oversight on the part of any public official, board, or department constitute a defense.

Article XIX. Definitions

§ 340-117. Definitions; interpretation.

Unless the context otherwise requires, the following definitions shall be used in the interpretation of this chapter. If questions arise as to the interpretation of common usage terms, the Zoning Administrator should refer to the definitions contained in Webster's Ninth New Collegiate Dictionary or subsequent editions. Interpretations of land use activities should be based on the 1987 Standard Industrial Classification Manual, Executive Office of the President, Office Management and Budget, or subsequent editions. Interpretations of terms related to structures should be based on State of Wisconsin Uniform Building Code.

ACCESSORY USE OR STRUCTURE

A use or structure subordinate to the principal use of a building or to the principal use of land and which is located on the same parcel and serving a purpose customarily incidental to the use of the

principal building or land use. Accessory uses or structures to residential principal uses may include garages, carports, other parking spaces, swimming pools, tennis courts, and toolsheds. Accessory uses in residential districts shall not involve the conduct of any business, trade, or industry, except as defined as a home occupation, and shall not include the commercial boarding of animals or the keeping of fowl or farm animals.

ADMINISTRATOR

The Zoning Administrator who is designated as the enforcement officer of this chapter.

AGRICULTURAL SERVICES

Establishments engaged in providing services to agricultural establishments and landowners, including soil preparation, crop services, veterinary services, farm management, and landscape and horticultural services. SIC Group 07.

AGRICULTURE

The use of land for agricultural purposes, including farming, dairying, pasturage, horticulture, floriculture, viticulture, and animal and poultry husbandry and the necessary accessory uses for packing, treating, or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of normal agricultural activities. SIC Group 01 and 02.

AIRPORT

The Lodi Lakeland Airport located in the Town of Lodi, Columbia County, Wisconsin.

AIRPORT HAZARD

Any structure, object, natural growth, or use of land that obstructs the air space required for the flight of aircraft in landing or taking off at an airport or is otherwise hazardous to such landing and taking off.

ALLEY

A thoroughfare less than 80 feet in width and for the purpose of providing access to the rear of buildings in a platted City block.

AMUSEMENT AND RECREATION SERVICES

Establishments, not defined elsewhere, engaged in providing indoor and outdoor amusement, entertainment, and recreation to the general public. Includes both indoor and outdoor activities. SIC Group 79.

AREA VARIANCE

Variance from the conditions of this chapter dealing with area setbacks, frontage, height, bulk and density.

[Added 10-16-2007 by Ord. No. A-381]

ARTISAN RETREAT FACILITY

Establishments providing not more than six guest rooms for lodging on a less than weekly basis, potentially in a converted single-unit residence, to be used as a retreat for the exchange of ideas between artisans or persons associated with applied arts and crafts, including the incidental instruction of classes, which may provide meeting and working space as well as living and dining facilities for participants.

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

AUTOMOBILE REPAIR AND SERVICES

General repair, rebuilding or reconditioning of engines, motor vehicles, or trailers; collision services, including body, frame, or fender straightening or repair; overall painting or paint shop; and vehicle steam cleaning. Automotive services include car washes, except for single-stall car washes incidental to the sale of gasoline. SIC Group 75.

AUTOMOBILE SERVICE STATION or GAS STATION

A place where gasoline, kerosene, or any other motor fuel, lubricating oil, or grease for operating motor vehicles is offered for sale and delivered directly into motor vehicles, including greasing, oiling, and single-stall car washes incidental to the sale of gasoline. SIC Code 554.

AUTOMOTIVE, IMPLEMENT AND RECREATIONAL VEHICLE SALES

An open area, other than a street, used for the display, sale, or rental of new or used motor vehicles, implements or trailers in operable condition and where no repair work is done. SIC Codes 551, 552, 555, 556, 557 and 559.

BASEMENT

That portion of a building between the floor and ceiling having at least 1/2 of its height below grade.

BED-AND-BREAKFAST ESTABLISHMENT

Any place of lodging that provides eight or fewer rooms for rent, for more than 10 nights in a twelve-month period, is the owner's personal residence, is occupied by the owner at the time of rental, and in which the only meal served to guests is breakfast. SIC Code 7011.

BLOCK

The property abutting a street between the two nearest intersecting or intercepting streets. A railroad right-of-way, the boundary line of unsubdivided acreage, or a body of water shall be regarded the same as an intersecting or intercepting street for the purpose of defining a block.

BOARD

The Zoning Board of Appeals of the City.

BOARDING HOME

A dwelling or part therefor occupied by a single housekeeping unit where meals and lodging are provided for three or more persons not related to the owner for compensation by previous arrangement, excluding transients. SIC Code 702.

BUILDABLE LOT AREA

That part of the lot not included within the open space areas required by this chapter.

BUILDING

See "structure."

BUILDING HEIGHT

The vertical distance from the grade level at the front wall of the building to the highest point of the coping of a flat roof or to the decline of a mansard roof, or to the mean height level between eaves and ridge for gable, hip, or gambrel roofs.

BUILDING INSPECTOR

The Building Inspector of the City of Lodi.

BUILDING SUPPLY STORES

Retail establishments engaged primarily in the selling of lumber and other building materials. SIC Group 521.

CAMPGROUNDS

Establishments primarily engaged in providing overnight or short-term sites for recreation vehicles, trailers, campers and tents. SIC Code 7033.

CERTIFICATE OF APPROPRIATENESS

A permit for restoration or change of a landmark, landmark site, or historic preservation district site that shall accompany a building or demolition permit and is issued upon direction of the Plan Commission.

CHAIR

The Chair of the Plan Commission or the Chair of the Zoning Board of Appeals as the context requires.

CHANNEL

A natural or artificial watercourse of perceptible extent, with definite bed and banks to confine and conduct continuously or periodically flowing water. Channel flow is that water which is flowing within the limits of the defined channel.

CITY

The incorporated City of Lodi, Columbia County, State of Wisconsin.

CIVIC USES

Community center, public library, public museum, public art gallery, public recreation, post office, fire station, public botanical garden, and similar public uses, each without outdoor storage. SIC Codes 823, 83, 841, 91, 92, 93, 94, 95, 96 and 97.

CLUB and ASSOCIATION

A nonprofit association of persons who are bona fide members, paying regular dues, and are organized for some common purpose, but not including a group organized solely or primarily to render a service customarily carried on as a commercial enterprise. SIC Code 86.

COMMISSION

The City Plan Commission of Lodi, Wisconsin.

COMMUNITY-BASED RESIDENTIAL FACILITY

A place where three or more unrelated adults reside in which care, treatment, or services above the level of room and board, but not including nursing care, are provided to persons residing in the facility as a primary function of the facility. Same as the definition of "community-based residential facility" (CBRF) defined in § 50.01(1g), Wis. Stats.

COMMUNITY RECREATION FACILITIES

Public or privately owned recreation facilities that provide sites for large public gatherings, such as fairgrounds, zoos, race tracks, and golf courses. SIC Codes 794, 7996, 7997 and 842.

COMPREHENSIVE PLAN

The long-range master plan for the desirable use and development of land in the City as officially adopted and as amended from time to time by the Plan Commission and certified to the Common Council.

CONDITIONAL USE PERMIT

A document signed by the Zoning Administrator specifying the requirements for which a conditional use may be permitted within a parcel. A conditional use is a use permitted within a district other than a permitted use.

CONDOMINIUM

An estate in real property consisting of an undivided interest in common with other purchases in a portion of a parcel of real property, together with separate interest in space. A condominium may include, in addition, separate interest in other portions of such property.

CONTRACTORS - BUILDING CONSTRUCTION

General and special trade contractors who undertake activities related to building construction, including general construction, electrical work, painting, plumbing, heating, air conditioning, roofing, and sheet metal work. SIC Groups 15 and 17.

CONTRACTORS - HEAVY CONSTRUCTION

General contractors engaged in heavy construction other than buildings, such as highways, bridges, sewers, railroads, and airports. SIC Group 16.

CONVALESCENT HOME

See "nursing home."

CONVENIENCE STORE

Any retail establishment serving primarily the surrounding neighborhood and offering for sale prepackaged food products, household items, and other goods commonly associated with the same and having a gross floor area less than 5,000 square feet. Convenience stores do not include the sale of gasoline. SIC Group 541 (under 5,000 square feet).

COUNCIL

The Common Council of the City of Lodi, Wisconsin.

COURT

An open, unoccupied and unobstructed space, other than a yard, on the same lot with a building or group of buildings.

DAY-CARE CENTER

A licensed facility where a person other than a relative or guardian provides care and supervision for four or more children under seven years of age, for less than 24 hours a day and for compensation. Same as definition in § HFS 55.04(10), Wis. Adm. Code. SIC Code 835.

A. FAMILY DAY-CARE CENTER

A center that provides care and supervision for five to eight children.

B. GROUP DAY-CARE CENTER

A center that provides care and supervision for nine or more children.

C. ADULT DAY-CARE CENTER

Establishments primarily engaged in the care of seniors citizens or infirm or impaired individuals, where medical care or delinquency correction is not a major element.

D. NIGHT-CARE CENTER

A group day-care center or family day-care center which operates during any period of time between 7:00 p.m. and 6:00 a.m.

DENSITY

The number of dwelling units per net acre of land after land for streets and other public purposes is removed.

DEVELOPMENT REGULATIONS

**The part of a zoning ordinance that applies to setback, height, lot coverage and side yard.
[Added 8-21-2012 by Ord. No. A-434]**

DRIVE-IN RESTAURANT

A retail outlet where food or beverages are sold to a substantial extent for consumption in parked motor vehicles.

DWELLING, MULTI-UNIT

A building containing three dwelling units or more. Any multi-unit dwelling where units are available for rental periods of less than one week shall be considered a hotel, boardinghouse, or guest house.

DWELLING, SINGLE-UNIT

A building containing only one dwelling unit.

DWELLING, TOWNHOUSE

A townhouse consists of three to five attached single-unit residences, each having a private individual access with no shared internal access. Each dwelling unit shares at least one common wall, not over 25 feet in height, with one or more adjacent dwelling units. Each townhouse unit may share the same lot or be located on a separate lot via a zero-lot-line. Zero-lot-line townhouses include interior units that share common walls with up to two adjacent units and have two side yards with zero setbacks. Zero-lot-line townhouses are possible under the R-3 Multiple-unit Zoning District, with City approval of a Certified Survey Map.

[Amended 4-16-2013 by Ord. No. A-451; 8-20-2013 by Ord. No. A-459]

DWELLING, TWO-UNIT

A building containing two dwelling units.

DWELLING, UNIT [DEFINITION UPDATED TO REMOVE 'FAMILY']

Any structure, or portion thereof, that has independent living facilities that include provisions for living, sleeping, cooking, eating, sanitation, and a separate entrance that is designed for residential occupancy by one or more persons who maintain a single household for a weekly or longer basis as distinguished from an artisan retreat facility, bed-and-breakfast, club, boarding home, community-based residential facility, fraternity or sorority house, group home, guest home, hotel, model home, motel, nursing home, tourist home or other similar structure or facility.

DWELLING, ZERO-LOT-LINE DUPLEX [MOVED TO BE CATEGORIZED WITH DWELLING]

A lot created with no side yard setback on one side of the lot to create a shared building envelope between two lots sharing a single structure. The shared building envelope shall only be used to build or divide a duplex where the common wall between the two lots is built, or determined to be, the common boundary line between the two separate attached single-unit lots. No zero-lot-line can have more than one side yard with a zero setback. Zero-lot-line land divisions are **permitted within the R-2 and R-3 Residential Zoning Districts, with City approval of a Certified Survey Map.**

[Added 4-16-2013 by Ord. No. A-451; amended 8-20-2013 by Ord. No. A-459]

DWELLING UNIT

~~One room, or suite of private or interconnecting rooms, designed for independent occupancy by one family for living and sleeping purposes for a weekly or longer basis and having cooking, toilet, and bathing facilities.~~

ENCLOSED INDOOR AREA

All space between a floor and a ceiling that is bounded by walls, doors or windows, whether open or closed, covering more than 50% of the combined surface area of the vertical planes constituting the perimeter of the area. A wall includes any retractable divider, garage door or other physical barrier, whether temporary or permanent. A 0.011-gauge screen with a mesh count of 18 by 16 is not a wall.

[Added 9-6-2011 by Ord. No. A-422]

ESSENTIAL SERVICES

The erection, construction, alteration or maintenance by public utilities or municipal or other governmental agencies of underground and overhead lines and pipes for gas, electric, telephone, communications, cable television, steam, public water supply, sanitary sewage collection, stormwater conveyance, or other comparable utilities. Essential services include such above-surface facilities as poles, guide wires, fire alarm boxes, water hydrants, utility posts, police call

boxes, and standpipes. Essential services do not include larger utility facilities such as electric substations, wastewater treatment plants, well houses, water reservoirs, and microwave and telecommunication towers. Essential services are permitted in all zoning districts without permits.

EXCEPTIONAL CIRCUMSTANCES

Circumstances or conditions which are unique to the parcel and do not extend more than 200 feet in any direction from the boundaries of the parcel. The circumstances or conditions must be natural and not caused by the actions or inaction of the property owner.

[Added 10-16-2007 by Ord. No. A-381]

EXTRACTIVE INDUSTRIES

This group includes the mining, quarrying, excavation, processing, storing, separating, cleaning, or marketing of natural resources such as sand, gravel, earth, peat, coal, minerals, gas, and oil. SIC Codes Major Groups 10, 11, 12, 13 and 14.

FAMILY

See "dwelling, unit" [Replaced: xx/xx/xxxx]

~~A person living alone, or two or more persons living together as a single housekeeping unit, in a dwelling unit, as distinguished from a group occupying a boardinghouse, motel, hotel, club, fraternity or sorority house, or other group, provided that unless all members except one are related by blood, adoption or marriage or are legally cared for, no such group shall contain over five persons.~~

FAMILY HOME

See "day-care center — family day-care center."

FLOOD

A temporary rise in stream flow or stage that results in inundation of the areas adjacent to the channel.

FLOODPLAIN

The areas adjoining a watercourse which have been or hereafter may be covered with the regional flood.

FLOODPROOFING

A combination of structural provisions, changes, or adjustments to properties and structures subject to flooding primarily for the reduction or elimination of flood damages.

FLOODWAY

The channel of a stream and those portions of the floodplain adjoining the channel that are required to carry and discharge the floodwater or flood flows of any river or stream, including but not limited to flood flows associated with the regional flood.

FLOOR AREA

For the purpose of determining the floor area ratio, the floor area of a building is the sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls or from the center line of walls separating two buildings. The floor area of a building shall include the occupied or usable floor area in a building but not including space occupied by columns, walls, partitions, mechanical shafts or ducts.

FLOOR AREA RATIO (FAR)

The ratio of the total floor area of both principal and accessory buildings to the area of the lot.

FORESTRY

Establishments engaged primarily in the operation of timber tracts, tree farms, forest nurseries, and related activities. SIC Group 08.

FOSTER HOME

A state-licensed facility providing care and supervision in a home setting for four or fewer children

YARD, SIDE

A yard extending from the front yard to the rear yard, the width of which is the minimum horizontal distance between the side lot line and a line parallel thereto on the lot.

~~DWELLING, ZERO LOT LINE DUPLEX—MOVED TO BE LISTED WITH DWELLINGS~~

~~A lot created with no side yard setback on one side of the lot to create a shared building envelope between two lots sharing a single structure. The shared building envelope shall only be used to build or divide a duplex where the common wall between the two lots is built, or determined to be, the common boundary line between the two separate attached single-family lots. No zero-lot-line can have more than one side yard with a zero setback. Zero-lot-line land divisions are possible, with conditions, under the R-2 Single and Two-Family and R-3 Multiple-Family Zoning Districts, with City approval of a Certified Survey Map.~~

~~[Added 4-16-2013 by Ord. No. A-451; amended 8-20-2013 by Ord. No. A-459]~~