

**SECTION 7: AREA, YARD AND FENCE REGULATIONS**

**Section 7.01 Area Regulations**

Except as hereinafter provided, no building or structure or part thereof shall be erected, altered or converted for any use permitted in the district in which it is located unless it is in conformity with all the minimum regulations herein specified for lot area, lot width, lot depth, dwelling unit area, lot coverage and front, side and rear yards.

**A. Minimum Lot Area**

(a) RESIDENTIAL: The minimum residential lot area for the various districts shall be in accordance with the following schedule, except that a lot having less area than herein required which was an official "lot of record" prior to the adoption of this ordinance may be used for one-family dwelling and no lot existing at the time of the passage of this ordinance shall be reduced in area below the minimum requirements set forth herein.

IN THE FOLLOWING ZONING DISTRICTS THE MINIMUM LOT AREA FOR RESIDENTIAL USE SHALL BE IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

ZONE DESIGNATION	N	R1	R2	M1	M2	MH	PD**	O	NS	GR	LI	HI
One Family Dwelling	5 ac.	6000	6000	6000	6000	6000	varies	6000	6000	6000	n/a	n/a
Two Family Dwelling	n/a	n/a	6000	6000	6000	6000	varies	6000	6000	6000	n/a	n/a
Three/Four Family Dwelling	n/a	n/a	n/a	varies	varies	varies	varies	varies	varies	varies	n/a	n/a
Multi-Family Dwelling	n/a	n/a	n/a	n/a	varies	varies	varies	varies	varies	varies	n/a	n/a
Condominium	n/a	n/a	n/a	n/a	varies	varies	varies	varies	varies	varies	n/a	n/a
Townhouse	n/a	2500	2500	2500	2500	varies	2500	2500	2500	2500	n/a	n/a
Mobile Home	n/a	n/a	n/a	n/a	n/a	2400	varies	n/a	n/a	n/a	n/a	n/a
Recreational Vehicle	*	*	*	*	*	900	*	*	*	*	900	900
* Permitted for storage purposes only, must be off-street												
** Requires Site Plan Approval												

For multi-family dwellings twenty percent (20%) of total lot area shall be designated as open space. The required open space shall be landscaped consisting of sidewalks, pool area, tennis courts, green areas and similar uses. However, parking spaces and open driveways shall not be considered as part of the open space requirement. There shall be 1-1/2 parking spaces per dwelling unit. For multi-family dwelling units specifically and permanently designed for classes of person now owning less than the usual number of automobiles, a less number of spaces may be permitted by authority of the City Commission.

(b) NON-RESIDENTIAL: Shall have no minimum area requirement in this section.

**B. Minimum Lot Width**

(a) RESIDENTIAL: The minimum lot width for lots in the various districts used for residential purposes shall be in accordance with the following schedule, except that a lot having less width than herein required which was an official "Lot of Record" prior to the adoption of this ordinance may be used as a one-family dwelling and no lot existing at the time of passage of this ordinance shall be reduced in width below the minimum set forth herein:

IN THE FOLLOWING ZONING DISTRICTS THE MINIMUM LOT WIDTH FOR RESIDENTIAL USES SHALL BE IN ACCORDANCE WITH THE FOLLOWING SCHEDULE

ZONING DESIGNATION	N	R1	R2	M1	M2	MH	PD	O	NS	GR	LI	HI
One Family Dwelling	50	50	50	50	50	50	varies	50	50	50	50	50
Two Family Dwelling	n/a	n/a	50	50	50	50	varies	50	50	50	n/a	n/a
Three/Four Family Dwelling	n/a	n/a	n/a	50	50	50	varies	50	50	50	n/a	n/a
Multi-Family Dwelling	n/a	n/a	n/a	n/a	50	50	varies	50	50	50	n/a	n/a
Townhouse/Condominium	n/a	35	35	35	35	35	varies	35	35	35	n/a	n/a
Mobile Home	n/a	n/a	n/a	n/a	n/a	40	varies	n/a	n/a	n/a	n/a	n/a
Recreational Vehicle	varies	varies	varies	varies	varies	varies	varies	varies	varies	varies	varies	varies

(b) NON-RESIDENTIAL: No minimum requirement in this section.

**C. Minimum Lot Depth**

(a) RESIDENTIAL: The minimum lot depth for the various districts shall be in accordance with the following schedule, except that a lot having less depth than herein required which was an official "lot of record" prior to the adoption of this ordinance may be used for a one-family dwelling and no lot existing at the time of the passage of this ordinance shall be reduced in depth below the minimum set forth herein.

IN THE FOLLOWING ZONING DISTRICTS, THE MINIMUM LOT DEPTH FOR RESIDENTIAL USES SHALL BE IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

ZONING DESIGNATION	N	R1	R2	M1	M2	MH	PD <sup>1</sup>	O	NS	GR	LI	HI
One Family Dwelling	varies	100	100	100	100	100	varies	100	100	100	N/A	N/A
Two Family Dwelling	N/A	N/A	100	100	100	100	varies	100	100	100	N/A	N/A
Three/Four Family Dwelling	N/A	N/A	N/A	100	100	varies	varies	100	100	100	N/A	N/A
Multi-Family Dwelling	N/A	N/A	N/A	N/A	100	100	varies	100	100	100	N/A	N/A
Condominium	N/A	N/A	N/A	N/A	100	N/A	varies	100	100	100	N/A	N/A
Townhouse	N/A	70	70	70	70	70	varies	70	70	70	N/A	N/A
Mobile Home	N/A	N/A	N/A	N/A	N/A	60	varies	N/A	N/A	N/A	N/A	N/A
Recreational Vehicle	*	*	*	*	*	35	varies	*	*	*	35	35

<sup>1</sup>Requires Site Plan Approval  
 \*Permitted for storage purposes only, must be off-street

(b) NON-RESIDENTIAL: No minimum requirements in this section.

**D. Lot Coverage**

(a) RESIDENTIAL: In R1, R2 and MH zones in no case shall more than sixty percent (60%) of the total lot area be covered by the combined area of the principal building and all accessory buildings or any other impervious surface such as asphalt or concrete.

(b) NON-RESIDENTIAL:

In M1 and M2 zones in no case shall more than eighty percent (80%) of the total lot area be covered by the combined area of the principal building and all accessory buildings or any other impervious surfaces such as asphalt or concrete.

In O and NS zones in no case shall more than ninety percent (90%) of the total lot area be covered by the combined area of the principal building and all accessory buildings or any other impervious surfaces such as asphalt or concrete.

In GR, LI and HI zones lot coverage may be up to one hundred percent (100%) provided landscaping requirements are met by some means such as planters.

**E. Lot Drainage Provisions Required**

No roof or overhang shall be allowed to discharge water into a neighboring private property. Rain gutters, valley gutters, or landscaping shall be required to minimize the effects of erosion from direct drainage of water.

**Section 7.02 Yard Setback Regulations**

**A. Front Yard**

(a) RESIDENTIAL AND NON-RESIDENTIAL: No building, structure or use shall hereafter be located, erected or altered so as to have a smaller front yard than hereafter required:

IN THE FOLLOWING ZONING DISTRICTS, THE MINIMUM REQUIRED FRONT YARD SHALL BE IN ACCORDANCE WITH THE FOLLOWING SCHEDULE AND NO BUILDING, STRUCTURE OR USE SHALL HEREAFTER BE LOCATED, ERECTED OR ALTERED SO AS TO HAVE A SMALLER FRONT YARD THAN HEREINAFTER REQUIRED:

ZONING DESIGNATION	N	R1	R2	M1	M2	MH	PD	O	NS	GR	LI	HI
Minimum Front Yard	50	20	20	20	20	10	varies	n/a	20	n/a	n/a	n/a

Townhouses, when located in R1, R2, M1 or M2 Districts, may have a front yard of ten (10) feet, except that no structure may be erected within the sight triangle (if applicable) as indicated in Appendix A.

Garden Homes when located in R1, R2, M1 or M2 Districts, may have a front yard of ten (10) feet, except that no structure may be erected within the sight triangle (if applicable) as indicated in Appendix A.

In the O, GR, LI, and HI Districts, no front yard is required except that no structure may be erected nearer than thirty (30) feet to the centerline of any street upon which such structure fronts or within the sight triangle (if applicable) as indicated in Appendix A.

- (1) Where the frontage on one side of a street between two intersecting streets is divided by two or more Zoning Districts, the front yards shall comply with the requirement of the most restrictive district for the entire frontage.
- (2) Where a building line has been established by plat or ordinance and such line requires a greater or lesser front yard setback than is prescribed by this ordinance for the district in which the building line is located, the required front yard shall comply with the building line so established by such ordinance or plat.
- (3) The front yard shall be measured from the property line to the front face of the building, covered porch, covered terrace or attached accessory building. Eaves and roof extensions may project into the required front yard for a distance not to exceed four (4) feet.
- (4) Where lots have double frontage, running through from one street to another, a required front yard shall be provided on one street only.

(5) If thirty per cent (30%) or more of the frontage on one side of a street between two intersecting streets in any residential district is improved with buildings prior to the effective date of this ordinance that have observed an average front yard line with a variation in depth of not more than six (6) feet, then the average front yard so established shall be observed.

(b) SIGNS: where permitted, may be exempt from placement in front yard setbacks if otherwise allowable under this ordinance.

## **B. Side Yard**

In the following Zoned Districts, the minimum required side yard shall be in accordance with the following schedule and no building, structure or use shall hereafter be located so as to have a smaller side yard on each side of such building than therein required.

(a) N, R-1, R-2 ZONES: Five (5) feet is required to be open and unbuilt on each side of the primary structure. The 5' side setback shall be maintained except in a subdivision established prior to February 2, 1983.

(i) Such previously established subdivisions have side setbacks of 3' on the west and north and 7' on the east and south. In these instances, the side setbacks shall conform to the established setbacks in the subdivision.

(ii) Where a building line has been established by plat or ordinance and such line requires a greater or lesser side yard setback than is prescribed by this ordinance for the district in which the building line is located the required side yard shall comply with the building line so established by such plat or ordinance.

(iii) In the original townsite, residential lots which are established by plat to be twenty five feet wide, the side setbacks shall be set at 3' on the west and north and 6' on the east and south.

(b) MULTIPLE FAMILY ZONES (M-1, M-2): Multiple family buildings in excess of two (2) dwelling units shall provide a minimum side yard of ten (10) feet between any building wall and the lot line.

(c) NON-RESIDENTIAL ZONES: None, except that no structure may be erected within the sight triangle (if applicable) as indicated in Appendix A and as specified in Subsection (d) Special Conditions below.

(d) SPECIAL CONDITIONS

1. OVERHANGS

Every part of a required side yard shall be open and unobstructed except for accessory buildings as permitted herein and the ordinary projections of window sills, belt courses, cornices and other architectural features projecting not to exceed twelve (12) inches into the required side yard, and roof eaves projecting not to exceed thirty-six (36) inches into the required side yard. Shrubs, air conditioners and fencing shall be permitted in the side yard.

2. **MULTIPLE FAMILY BUILDING OVERHANGS AND MULTIPLE FAMILY BUILDING ON A CORNER LOT**

On a corner lot, a side yard adjacent to a street for a multiple family dwelling in excess of two (2) units shall not be less than fifteen (15) feet and no balcony or porch or any portion of the building may extend into such required side yard except that a roof may overhang such side yard not to exceed four (4) feet.

3. **CORNER LOT**

On a corner lot, no residential or non-residential structure may be erected within the sight triangle as indicated in Appendix A. On a corner lot used for one family or two-family dwellings there shall be a setback on the side street of ten (10) feet on all lots platted after the effective date of this ordinance.

4. **PLANNED DEVELOPMENT SIDE YARDS**

The minimum side yard requirements in a Planned Development District shall be established on the site plan which shall be made a part of the amending ordinance.

5. **REQUIREMENTS FOR DISTRICT DIVIDING LINES BETWEEN RESIDENTIAL AND NON-RESIDENTIAL DISTRICTS**

No side yard is specified for non-residential use in the O, NS, GR, LI, and HI Districts except where a commercial, retail or industrial or other non-residential use abuts upon a district boundary line dividing such districts from a residential district in which event a minimum ten (10) foot side yard shall be provided on the side adjacent to such residential district. However, the owner, developer, renter, and/or user shall provide and permanently and adequately maintain a solid screening fence of redwood and/or cedar, not less than six (6') feet in height in the side yard (s) of the property dividing the district from any residential district listed herein. The requirement of the fence shall be required every time there is a change in occupancy and/or the building is clear to be re-energized. That the building must be setback no less than ten (10) feet from such abutting property line, such screen shall setback that distance unless provided otherwise in this ordinance. However, if the screening fence is extended into the front yard, the fence must taper down from a minimum six (6) feet in height to a maximum of forty (40) inches starting at the more restrictive zone at a 3 to 1 ratio. Landscaping may be used in lieu of dividing fence if all plants used for landscape screens are planted in a dense pattern and shall, upon reaching maturity, be not less than six feet in height. Initial landscape height shall be no less than 40". Landscape screening shall be installed at the same time as the building construction.

6. TOWNHOUSES

Townhouses may have no side yard requirement, except as specified in Subsection (d) (3) above.

**C. Rear Yard**

No building or structure shall hereafter be located, erected or altered to have a rear yard smaller than herein required.

- (a) No main residential building may be constructed nearer than ten (10) feet from the rear property line or accessory building nearer than three (3) feet.
- (b) Where a building line has been established by plat or ordinance and such line requires a greater or lesser rear yard setback than is prescribed by this ordinance for the district in which the building line is located, the rear yard shall comply with the building line so established by such plat or ordinance.
- (c) No rear yard setback requirement for Office, Neighborhood Services, General Retail, Light Industry and Heavy Industry; however, the owner and/or developer shall provide and permanently and adequately maintain a solid screening fence not less than six (6) feet in height in the rear yard of the property. The requirement of the fence shall be required every time there is a change in occupancy and/or the building is clear to be re-energized. A minimum rear yard of not less than ten (10) feet shall be provided in Office, Neighborhood Services, General Retail, Light Industry and Heavy Industry, dividing the district from any of the residential districts listed herein.
- (d) Rear yard setback for multiple family buildings shall be not less than ten (10) feet.

**D. Yard Regulations for Accessory Buildings in Residential and Apartment Districts**

The measurements for accessory buildings shall be from the closest part of the building to the lot line.

- (a) FRONT YARD - Attached accessory buildings shall be from the front property line the same distance required for the main building, for front yard purposes. Detached accessory buildings shall be located in the area defined as the rear yard. (See Illustration, Appendix A)
- (b) SIDE YARD - There shall be a side yard not less than five (5) feet from any side lot line or alley line, except that adjacent to a side street, the side yard shall never be less than ten (10) feet. (See Illustration, Appendix A)

- (c) REAR YARD - There shall be a rear yard not less than three (3) feet from any lot line or alley line, except that if no alley exists, the rear yard shall not be less than ten (10) feet as measured from the rear lot line. Detached carports, garages or other detached accessory buildings located within the rear portion of the lot as heretofore described shall not be located closer than three (3) feet to any rear lot line. (See Illustration, Appendix A)

### **7.03 Fence Regulations**

(a) SINGLE-FAMILY AND DUPLEX RESIDENTIAL: Front yard fences extending past the forward most portion of the house structure to the front and side lot property lines may be constructed and maintained under the following terms and conditions:

- (i) solid face fences, such as solid masonry face fence, shall be restricted to a height of not more than forty (40) inches above the grade of the yard; and
- (ii) ornamental and decorative fence, such as ornamental iron, allowing reasonable through vision and substantially free air flow shall have no height restrictions other than that applicable to permanent structures.
- (iii) solid rear fences are subject to the sight triangle (See Illustration of Sight Triangle, Appendix A) on a corner where a street or alley intersects with another.

(b) NON-RESIDENTIAL (INCLUDING TRIPLEX, QUADPLEX AND MULTI-FAMILY): Solid face front yard fences may be maintained at a height of no more than six feet up to lot line providing they do not obstruct traffic view for an approach of at least fifteen (15) feet on an approach to a street and ten (10) feet on the approach to an alley. (See Illustration of sight triangle, Appendix A)