



CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council **DATE:** October 20, 2010

FROM: John McDonough, City Manager

AGENDA ITEM: TA10-011 - An Ordinance to Amend Article 6, Single Family Dwelling District Regulations, of the Sandy Springs Zoning Ordinance

MEETING DATE: For Submission onto the November 2, 2010, City Council Work Session Meeting Agenda

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

Memorandum
Ordinance

APPROVAL BY CITY MANAGER:  APPROVED

_____ NOT APPROVED

PLACED ON AGENDA FOR: 11/2/2010

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: 

REMARKS:



To: John McDonough, City Manager

From: Blake J. Dettwiler, AICP, Director of Community Development *BD*

Date: October 26, 2010 for Submission onto the November 2, 2009 City Council Work Session

Subject: Proposed TA10-011, An Ordinance to Amend Article 6, Single Family Dwelling District Regulations, of the Sandy Springs Zoning Ordinance

Please find enclosed a proposed text amendment to Article 6, Single Family Dwelling District Regulations, with corresponding mark-up.

Background:

Staff has had issues regarding the City's Zoning Ordinance. Therefore, it has been determined that the Zoning Ordinance should be reviewed in its entirety to ameliorate these issues and provide clarification of the current text.

Discussion:

Staff has determined to revise Article 6, Single Family Dwelling District Regulations of the City's Zoning Ordinance as part of the comprehensive overhaul of the ordinance.

Planning Commission Recommendation:

The Planning Commission heard the amendment at the October 21, 2010 meeting and recommended approval as presented by staff (6-0, Thatcher, Pond, Maziar, Rubenstein, Rupnow, and Tart for; Duncan not voting).

Alternatives:

The City Council could choose to not recommend the changes prepared by staff.

cc: Wendell K. Willard, City Attorney

ARTICLE -VI

SECTION 6.1

R-1 SINGLE FAMILY DWELLING DISTRICT

6.1.1. R-1 DISTRICT SCOPE AND INTENT. —Regulations set forth in this ~~Section~~ **section** are the R-1 ~~District-district~~ regulations. Article XIX should be consulted to determine uses and minimum standards for uses allowed by ~~Administrative~~ **administrative** or ~~Use-use Permit~~**permit**. The R-1 ~~District-district~~ encompasses lands devoted to residential areas and closely related uses.

6.1.2. USE REGULATIONS. **Within the R-1 district, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by administrative permit or use permit shall be prohibited.**

~~Within the R-1 District, land and structures shall be used in accordance with standards herein. Any use not specifically designated as permitted shall be prohibited.~~

A. Permitted Uses. ~~Structures and lan~~ **A building or land** may be used for ~~only~~ the following purposes:

1. Single family dwelling **unit**.
2. Agriculture, general and specialized farming, initiated prior to March 7, 1990, including: horticulture, plant nursery, dairy farming, truck gardening and poultry raising; provided, however, that **an** agricultural ~~bb~~**buildings** must be at least **two hundred (200)** feet from all side and rear property lines, and **further provided** that no products shall be offered for sale on land so utilized.

B. Accessory Uses. - A building or ~~lot~~**land** may be used for uses customarily incidental to any permitted use and ~~a~~**the principal** dwelling **unit** may be used for a home occupation.

C. Additional Uses. **Additional uses may be allowed by administrative or use permit, pursuant to Article XIX of this Ordinance.**

6.1.3. DEVELOPMENT STANDARDS.

A. Height Regulations:

No building shall exceed forty (40) feet in height.

B. Minimum Front Yard:

Sixty (60) feet

C. Minimum Side Yard:

Twenty-five (25) feet adjacent to interior lot line
Forty (40) feet adjacent to street

D. Minimum Rear Yard:

Fifty (50) feet

E. Minimum Lot Area:

Two (2) acres

F. Minimum Lot Width:

Two hundred (200) feet

G. Minimum Lot Frontage:

Thirty-five (35) feet adjoining a street

H. Minimum Heated Floor Area:

One thousand eight hundred (1,800) square feet on ground level for less than two (2) stories

Two thousand (2,000) square feet for two (2) stories or more than two (2) stories with one thousand two hundred (1,200) square feet on the ground floor

I. Minimum Accessory Structure Requirements:

Accessory structures may be located in rear or side yards only but shall not be located within a minimum yard.

~~A. Height Regulations. No building shall exceed forty (40) feet in height.~~

~~B. Minimum Front Yard 60 feet~~

~~C. Minimum Side Yard~~

- ~~-25 feet adjacent to interior line~~
- ~~-40 feet adjacent to street~~

~~D. Minimum Rear Yard 50 feet~~

~~E. Minimum Lot Area 2 acres~~

~~F. Minimum Lot Width 200 feet~~

~~G. Minimum Lot Frontage 35 feet adjoining a street~~

~~H. Minimum Heated Floor Area~~

~~1,800 square feet on ground level for less than two story~~

~~2,000 square feet for two story or more than two story with 1,200 square feet on ground floor~~

~~I. Minimum Accessory Structure Requirements~~

~~Accessory structures may be located in the rear or side yards only but shall not be located within a minimum yard.~~

6.1.4. OTHER REGULATIONS. The headings below contain provisions applicable to uses allowed in the R-1 ~~District~~**district**:

A. Development Regulations, ~~=~~ **Chapter 103, Code** ~~Article XXXIV~~

B. Exceptions, ~~=~~ **Section 4.3., Zoning Ordinance**

C. Floodplain Management, ~~=~~ **Chapter 109, Article II, Code** ~~Section 4.24~~

D. Off Street Parking and Loading, ~~=~~ **Article XVIII, Zoning Ordinance**

E. Outside Storage, ~~=~~ **Section 4.2., Zoning Ordinance**

F. **Tree Conservation Ordinance, Administrative Standards and Best Management Practices,** ~~Landscaping Area and Buffer Regulations.~~ **Section 4.23., Zoning Ordinance**

G. River Protection, ~~=~~ **Metropolitan River Protection Act**

H. Signs, ~~=~~ **Article XXXIII, Zoning Ordinance**

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ARTICLE VI

SECTION 6.2

R-2 SINGLE FAMILY DWELLING DISTRICT

6.2.1. R-2 DISTRICT SCOPE AND INTENT. Regulations set forth in this ~~Section~~**section** are the R-2 ~~District~~**district** regulations. Article XIX should be consulted to determine uses and minimum standards for uses allowed by ~~Administrative~~**administrative** or ~~Use-use Permits~~**permits**. The R-2 ~~District~~**district** is intended to provide land areas devoted to very low density residential uses. The **R-2 District district** also provides for closely related uses.

6.2.2. USE REGULATIONS. Within the R-2 ~~District~~**district**, land and structures shall be used in accordance with standards herein. **Any use not specifically designated as a permitted use in this section or as a use allowed by administrative permit or use permit shall be prohibited.**
~~Any use not specifically designated as permitted shall be prohibited.~~

A. Permitted Uses. ~~Structures and~~**A building or** land may be used for ~~only~~ the following purposes:

1. Single family dwelling **unit**.
2. Agriculture, general and specialized farming, initiated prior to March 7, 1990, including: ~~horticulture, plant nursery, dairy farming, truck gardening and poultry raising;~~ provided, however, that **an** agricultural buildings must be at least **two hundred (200)** feet from all side and rear property lines, and **further provided** that no products shall be offered for sale on land so utilized.

B. Accessory Uses. ~~—A structure~~**—A building** or land may be used for uses customarily incidental to any permitted use and ~~a~~**the principal** dwelling **unit** may be used for a home occupation.

C. Additional Uses. **Additional uses may be allowed by administrative or use permit, pursuant to Article XIX of this Ordinance.**

6.2.3. DEVELOPMENT STANDARDS.

A. Height Regulations:

No building shall exceed forty (40) feet in height.

B. Minimum Front Yard:

Sixty (60) feet

C. Minimum Side Yard:

**Fifteen (15) feet adjacent to interior lot line
Thirty (30) feet adjacent to street**

D. Minimum Rear Yard:

Forty (40) feet

E. Minimum Lot Area:

One (1) acre

F. Minimum Lot Width:

One hundred fifty (150) feet

G. Minimum Lot Frontage:

Thirty-five (35) feet adjoining a street

H. Minimum Heated Floor Area:

One thousand six hundred (1,600) square feet on ground level for less than two (2) stories

One thousand eight hundred (1,800) square feet for two (2) stories or more than two (2) stories with one thousand fifty (1,050) square feet on the ground floor

I. Minimum Accessory Structure Requirements:

Accessory structures may be located in rear or side yards only but shall not be located within a minimum yard.

~~A. Height Regulations. No building shall exceed forty (40) feet in height.~~

~~B. Minimum Front Yard—60 feet~~

~~C. Minimum Side Yard~~

- ~~-15 feet adjacent to interior line~~
- ~~-30 feet adjacent to street~~

~~D. Minimum Rear Yard 40 feet~~

~~E. Minimum Lot Area 1 acre~~

~~F. Minimum Lot Width 150 feet~~

~~G. Minimum Lot Frontage 35 feet adjoining a street~~

~~H. Minimum Heated Floor Area~~

~~1,600 square feet on ground level for less than two story~~

~~1,800 square feet for two story or more than two story with 1,050 square feet on ground floor~~

~~I. Minimum Accessory Structure Requirements~~

~~Accessory structures may be located in the rear or side yards only but shall not be located within a minimum yard.~~

6.2.4. OTHER REGULATIONS. The headings below contain provisions applicable to the R-2 ~~District~~**district**:

- A. Development Regulations, Chapter 103, Code**
- B. Exceptions, Section 4.3., Zoning Ordinance**
- C. Floodplain Management, Chapter 109, Article II, Code**
- D. Off Street Parking and Loading, Article XVIII, Zoning Ordinance**
- E. Outside Storage, Section 4.2., Zoning Ordinance**
- F. Tree Conservation Ordinance, Administrative Standards and Best Management Practices, Section 4.23., Zoning Ordinance**
- G. River Protection, Metropolitan River Protection Act**
- H. Signs, Article XXXIII, Zoning Ordinance**

~~Development Regulations. Article XXXIV~~
~~Exceptions. Section 4.3~~
~~Floodplain Management. Section 4.24~~
~~Off Street Parking and Loading. Article XVIII~~
~~Outside Storage. Section 4.2~~
~~Landscape Area and Buffer Regulations. Section 4.23~~
~~River Protection. Metropolitan River Protection Act~~
~~Signs. Article XXXIII~~

ARTICLE VI

SECTION 6.3

R-2A SINGLE FAMILY DWELLING DISTRICT

6.3.1. R-2A DISTRICT SCOPE AND INTENT. Regulations set forth in this ~~Section~~ **section** are the R-2A ~~District-district~~ regulations. Article XIX should be consulted to determine uses and minimum standards for uses allowed by ~~Administrative~~ **administrative Permit-permit** or ~~Use-use Permit-permit~~. The R-2A ~~District-district~~ is intended to provide land areas devoted to low density residential uses. The ~~District~~ **R-2A district** also provides for closely related uses.

6.3.2. USE REGULATIONS. Within the R-2A ~~District-district~~, land and structures shall be used in accordance with standards herein. **Any use not specifically designated as a permitted use in this section or as a use allowed by administrative permit or use permit shall be prohibited.**
~~Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.~~

A. Permitted Uses. ~~Structures and~~ **A building or** land may be used for ~~only~~ the following purposes:

1. Single family dwelling **unit**
2. Agriculture, general and specialized farming, initiated prior to March 7, 1990, including: =horticulture, plant nursery, dairy farming, truck gardening and poultry raising;= provided, however, that **an** agricultural buildings must be at least **two hundred (200)** feet from all side and rear property lines, and **further provided** that no products shall be offered for sale on land so utilized.

A. ~~B.~~ Accessory Uses. A ~~structure-building~~ or land may be used for uses customarily incidental to any permitted use and ~~a~~ **the principal dwelling unit** may be used for a home occupation.

C. Additional Uses. **Additional uses may be allowed by administrative or use permit, pursuant to Article XIX of this Ordinance.**

6.3.3. DEVELOPMENT STANDARDS.

A. Height Regulations:

No building shall exceed forty (40) feet in height.

B. Minimum Front Yard:

Sixty (60) feet

C. Minimum Side Yard:

**Fifteen (15) feet adjacent to interior lot line
Thirty (30) feet adjacent to street**

D. Minimum Rear Yard:

Forty (40) feet

E. Minimum Lot Area:

Twenty-seven thousand (27,000) square feet

F. Minimum Lot Width:

One hundred twenty (120) feet

G. Minimum Lot Frontage:

Thirty-five (35) feet adjoining a street

H. Minimum Heated Floor Area:

One thousand seven hundred (1,700) square feet on ground level for less than two (2) stories

One thousand eight hundred (1,800) square feet for two (2) stories or more than two (2) stories with one thousand fifty (1,050) square feet on the ground floor

I. Minimum Accessory Structure Requirements:

Accessory structures may be located in rear or side yards only but shall not be located within a minimum yard.

~~A. Height Regulations. No building shall exceed forty (40) feet in height.~~

~~B. Minimum Front Yard—60 feet~~

~~C. Minimum Side Yard~~

- ~~-15 feet adjacent to interior line~~
- ~~-30 feet adjacent to street~~

~~D. Minimum Rear Yard -40 feet~~

~~E. Minimum Lot Area -27,000 square feet~~

~~F. Minimum Lot Width -120 feet~~

~~G. Minimum Lot Frontage -35 feet adjoining a street~~

~~H. Minimum Heated Floor Area~~

~~1,700 square feet on ground level for less than two story~~

~~1,800 square feet for two story or more than two story with 1,050 square feet on ground floor~~

~~I. Minimum Accessory Structure Requirements~~

~~Accessory structures may be located in the rear or side yards only but shall not be located within a minimum yard.~~

6.3.4. OTHER REGULATIONS. The headings below contain provisions applicable to the R-2A ~~District~~**district**:

- A. Development Regulations, Chapter 103, Code**
- B. Exceptions, Section 4.3., Zoning Ordinance**
- C. Floodplain Management, Chapter 109, Article II, Code**
- D. Off Street Parking and Loading, Article XVIII, Zoning Ordinance**
- E. Outside Storage, Section 4.2., Zoning Ordinance**
- F. Tree Conservation Ordinance, Administrative Standards and Best Management Practices, Section 4.23., Zoning Ordinance**
- G. River Protection, Metropolitan River Protection Act**
- H. Signs, Article XXXIII, Zoning Ordinance**

~~Development Regulations. Article XXXIV~~
~~Exceptions. Section 4.3~~
~~Floodplain Management. Section 4.24~~
~~Off Street Parking and Loading. Article XVIII~~
~~Outside Storage. Section 4.2~~
~~Landscape Area and Buffer Regulations. Section 4.23~~
~~River Protection. Metropolitan River Protection Act~~
~~Signs. Article XXXIII~~

ARTICLE VI

SECTION 6.4

R-3 SINGLE FAMILY DWELLING DISTRICT

6.4.1. R-3 DISTRICT SCOPE AND INTENT. Regulations set forth in this ~~Section~~**section** are the R-3 ~~District~~**district** regulations. Article XIX should be consulted to determine uses and minimum standards for uses allowed by ~~Administrative Permit~~**administrative Permit** or ~~Use Permit~~**Use Permit**. The R-3 ~~District~~**district** is intended to provide land areas devoted to low density residential uses. The ~~R-3 District~~**R-3 District** also provides for closely related uses.

6.4.2. USE REGULATIONS. Within the R-3 ~~District~~**district**, land and structures shall be used in accordance with standards herein. **Any use not specifically designated as a permitted use in this section or as a use allowed by administrative permit or use permit shall be prohibited.**
~~Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.~~

A. Permitted Uses. ~~Structures and~~ **A building or** land may be used for ~~only~~ the following purposes:

1. Single family dwelling **unit**
2. Agriculture, general and specialized farming, initiated prior to March 7, 1990, including: horticulture, plant nursery, dairy farming, truck gardening and poultry raising; ~~provided, however, that~~ **an** agricultural buildings must be at least **two hundred (200)** feet from all side and rear property lines, and **further provided** that no products shall be offered for sale on land so utilized.

B. ~~B.~~ Accessory Uses. A ~~structure~~**building** or land may be used for uses customarily incidental to any permitted use and ~~a~~**the principal** dwelling **unit** may be used for a home occupation.

C. Additional Uses. **Additional uses may be allowed by administrative or use permit, pursuant to Article XIX of this Ordinance.**

6.4.3. DEVELOPMENT STANDARDS.

A. Height Regulations:

No building shall exceed forty (40) feet in height.

B. Minimum Front Yard:

Fifty (50) feet

C. Minimum Side Yard:

Ten (10) feet adjacent to interior lot line
Twenty (20) feet adjacent to street

D. Minimum Rear Yard:

Thirty-five (35) feet

E. Minimum Lot Area:

Eighteen thousand (18,000) square feet

F. Minimum Lot Width:

One hundred (100) feet

G. Minimum Lot Frontage:

Thirty-five (35) feet adjoining a street

H. Minimum Heated Floor Area:

One thousand two hundred (1,200) square feet on ground level for less than two (2) stories

One thousand three hundred twenty (1,320) square feet for two (2) stories or more than two (2) stories with nine hundred (900) square feet on the ground floor

I. Minimum Accessory Structure Requirements:

Accessory structures may be located in rear or side yards only but shall not be located within a minimum yard.

~~A. Height Regulations. No building shall exceed forty (40) feet in height.~~

~~B. Minimum Front Yard - 50 feet~~

~~C. Minimum Side Yard~~

- ~~-10 feet adjacent to interior line~~
- ~~-20 feet adjacent to street~~

~~D. Minimum Rear Yard -35 feet~~

~~E. Minimum Lot Area -18,000 square feet~~

~~F. Minimum Lot Width -100 feet~~

~~G. Minimum Lot Frontage -35 feet adjoining a street~~

~~H. Minimum Heated Floor Area~~

~~1,200 square feet on ground level for less than two story~~

~~1,320 square feet for two story or more than two story with 900 square feet on ground floor~~

~~I. Minimum Accessory Structure Requirements~~

~~Accessory structures may be located in the rear or side yards only but shall not be located within a minimum yard.~~

6.4.4. OTHER REGULATIONS. The headings below contain provisions applicable to the R-3 ~~District~~**district**:

- A. Development Regulations, Chapter 103, Code**
- B. Exceptions, Section 4.3., Zoning Ordinance**
- C. Floodplain Management, Chapter 109, Article II, Code**
- D. Off Street Parking and Loading, Article XVIII, Zoning Ordinance**
- E. Outside Storage, Section 4.2., Zoning Ordinance**
- F. Tree Conservation Ordinance, Administrative Standards and Best Management Practices, Section 4.23., Zoning Ordinance**
- G. River Protection, Metropolitan River Protection Act**
- H. Signs, Article XXXIII, Zoning Ordinance**

~~Development Regulations. Article XXXIV~~
~~Exceptions. Section 4.3~~
~~Floodplain Management. Section 4.24~~
~~Off Street Parking and Loading. Article XVIII~~
~~Outside Storage. Section 4.2~~
~~Landscape Area and Buffer Regulations. Section 4.23~~
~~River Protection. Metropolitan River Protection Act~~
~~Signs. Article XXXIII~~

ARTICLE VI

SECTION 6.5

R-3A SINGLE FAMILY DWELLING DISTRICT

6.5.1. R-3A DISTRICT SCOPE AND INTENT. Regulations set forth in this ~~Section~~ **section** are the R-3A ~~District-district~~ regulations. Article XIX should be consulted to determine uses and minimum standards for uses allowed by ~~Administrative~~ **administrative Permit-permit** or ~~Use-use~~ **Permit-permit**. The R-3A ~~District-district~~ is intended to provide land areas devoted to low density residential uses. The **R-3A District-district** also provides for closely related uses.

6.5.2. USE REGULATIONS. Within the R-3A ~~District-district~~, land and structures shall be used in accordance with standards herein. **Any use not specifically designated as a permitted use in this section or as a use allowed by administrative permit or use permit shall be prohibited.**

~~Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.~~

A. Permitted Uses. ~~Structures and~~ **A building or** land may be used for ~~only~~ the following purposes:

1. Single family dwelling **unit**
2. Agriculture, general and specialized farming, initiated prior to March 7, 1990, including: horticulture, plant nursery, dairy farming, truck gardening and poultry raising provided, however, that agricultural buildings must be at least 200 feet from all side and rear property lines, and that no products shall be offered for sale on land so utilized.

B. Accessory Uses. ~~A structure~~ **building** or land may be used for uses customarily incidental to any permitted use and ~~a~~ **the principal** dwelling **unit** may be used for a home occupation.

C. Additional Uses. **Additional uses may be allowed by administrative or use permit, pursuant to Article XIX of this Ordinance.**

6.5.3. DEVELOPMENT STANDARDS.

A. Height Regulations:

No building shall exceed forty (40) feet in height.

B. Minimum Front Yard:

Fifty (50) feet

C. Minimum Side Yard:

**Ten (10) feet adjacent to interior lot line
Twenty (20) feet adjacent to street**

D. Minimum Rear Yard:

Thirty-five (35) feet

E. Minimum Lot Area:

Eighteen thousand (18,000) square feet

F. Minimum Lot Width:

One hundred (100) feet

G. Minimum Lot Frontage:

Thirty-five (35) feet adjoining a street

H. Minimum Heated Floor Area:

One thousand six hundred (1,600) square feet on ground level for less than two (2) stories

One thousand eight hundred (1,800) square feet for two (2) stories or more than two (2) stories with one thousand fifty (1,050) square feet on the ground floor

J. Minimum Accessory Structure Requirements:

Accessory structures may be located in rear or side yards only but shall not be located within a minimum yard.

~~A. Height Regulations. No building shall exceed forty (40) feet in height.~~

~~B. Minimum Front Yard 50 feet~~

~~C. Minimum Side Yard~~

~~10 feet adjacent to interior line~~

~~20 feet adjacent to street~~

~~D. Minimum Rear Yard 35 feet~~

~~E. Minimum Lot Area 18,000 square feet~~

~~F. Minimum Lot Width 100 feet~~

~~G. Minimum Lot Frontage 35 feet adjoining a street~~

~~H. Minimum Heated Floor Area~~

~~1,600 square feet on ground level for less than two story~~

~~1,800 square feet for two story or more than two story with 1,050 square feet on ground floor~~

~~I. Minimum Accessory Structure Requirements~~

~~Accessory structures may be located in the rear or side yards only but shall not be located within a minimum yard.~~

6.5.4. **OTHER REGULATIONS.** The headings below contain provisions applicable to the R-3A ~~District~~**district**:

A. Development Regulations, Chapter 103, Code

B. Exceptions, Section 4.3., Zoning Ordinance

C. Floodplain Management, Chapter 109, Article II, Code

D. Off Street Parking and Loading, Article XVIII, Zoning Ordinance

E. Outside Storage, Section 4.2., Zoning Ordinance

F. Tree Conservation Ordinance, Administrative Standards and Best Management Practices, Section 4.23., Zoning Ordinance

G. River Protection, Metropolitan River Protection Act

H. Signs, Article XXXIII, Zoning Ordinance

~~Development Regulations, Article XXXIV~~

~~Exceptions, Section 4.3~~

~~Floodplain Management. Section 4.24~~
~~Off Street Parking and Loading. Article XVIII~~
~~Outside Storage. Section 4.2~~
~~Landscape Area and Buffer Regulations. Section 4.23~~
~~River Protection. Metropolitan River Protection Act~~
~~Signs. Article XXXIII~~

ARTICLE VI

SECTION 6.6

R-4 SINGLE FAMILY DWELLING DISTRICT

6.6.1. R-4 DISTRICT SCOPE AND INTENT. Regulations set forth in this ~~Section~~**section** are the R-4 ~~District~~**district** regulations. Article XIX should be consulted to determine uses and minimum standards for uses allowed by ~~Administrative Permit~~**administrative Permit** or ~~Use Permit~~**use Permit**. The R-4 ~~District~~**district** is intended to provide land areas devoted to low density residential uses. The ~~District~~**district** also provides for closely related uses

6.6.2. USE REGULATIONS. Within the R-4 ~~District~~**district**, land and structures shall be used in accordance with standards herein. **Any use not specifically designated as a permitted use in this section or as a use allowed by administrative permit or use permit shall be prohibited.**

~~Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.~~

A. Permitted Uses. ~~Structures and~~ **A building or** land may be used for ~~only~~ the following purposes:

1. Single family dwelling **unit**
2. Agriculture, general and specialized farming, initiated prior to March 7, 1990, including: horticulture, plant nursery, dairy farming, truck gardening and poultry raising; provided, however, that **an** agricultural buildings must be at least **two hundred (200)** feet from all side and rear property lines, and **further provided** that no products shall be offered for sale on land so utilized.
3. Two **(2)** family dwelling **units** which ~~comply~~**lies** with minimum lot area, yard and floor area requirements of the R-6 ~~Two Family Dwelling District~~, ~~and if where 40~~ **forty percent (40%)** ~~percent~~ or more of the dwellings **units** -fronting on the same side of a street between ~~two~~**two (2)** intersecting streets is occupied by either two **(2)** family or multi-family dwelling **units** initiated prior to March 7, 1990.⁵

B. Accessory Uses. A ~~structure~~**building** or land may be used for uses customarily incidental to any permitted use and **the principal** ~~a~~ dwelling **unit** may be used for a home occupation.

- C. **Additional Uses.** Additional uses may be allowed by administrative or use permit, pursuant to Article XIX of this Ordinance.

6.6.3. **DEVELOPMENT STANDARDS.**

A. **Height Regulations:**

No building shall exceed forty (40) feet in height.

B. **Minimum Front Yard:**

Thirty-five (35) feet

C. **Minimum Side Yard:**

Seven (7) feet adjacent to interior lot line
Twenty (20) feet adjacent to street

D. **Minimum Rear Yard:**

Twenty-five (25) feet

E. **Minimum Lot Area:**

Nine thousand (9,000) square feet

F. **Minimum Lot Width:**

Seventy (70) feet

G. **Minimum Lot Frontage:**

Thirty-five (35) feet adjoining a street

H. **Minimum Heated Floor Area:**

One thousand (1,000) square feet on ground level for less than two (2) stories

One thousand one hundred (1,100) square feet for two (2) stories or more than two (2) stories with eight hundred (800) square feet on the ground

floor

I. Minimum Accessory Structure Requirements:

Accessory structures may be located in rear or side yards only but shall not be located within a minimum yard.

~~A. Height Regulations. No building shall exceed forty (40) feet in height.~~

~~B. Minimum Front Yard 35 feet~~

~~C. Minimum Side Yard~~

~~7 feet adjacent to interior line~~

~~20 feet adjacent to street~~

~~D. Minimum Rear Yard 25 feet~~

~~E. Minimum Lot Area 9,000 square feet~~

~~F. Minimum Lot Width 70 feet~~

~~G. Minimum Lot Frontage 35 feet adjoining a street~~

~~H. Minimum Heated Floor Area~~

~~1,000 square feet on ground level for less than two story~~

~~1,100 square feet for two story or more than two story with 800 square feet on ground floor~~

~~I. Minimum Accessory Structure Requirements~~

~~Accessory structures may be located in the rear or side yards only but shall not be located within a minimum yard.~~

6.6.4. **OTHER REGULATIONS.** The headings below contain provisions applicable to the R-4 ~~District~~**district:**

A. Development Regulations, Chapter 103, Code

B. Exceptions, Section 4.3., Zoning Ordinance

C. Floodplain Management, Chapter 109, Article II, Code

- D. Off Street Parking and Loading, Article XVIII, Zoning Ordinance**
- E. Outside Storage, Section 4.2., Zoning Ordinance**
- F. Tree Conservation Ordinance, Administrative Standards and Best Management Practices, Section 4.23., Zoning Ordinance**
- G. River Protection, Metropolitan River Protection Act**
- H. Signs, Article XXXIII, Zoning Ordinance**
 - ~~Development Regulations. Article XXXIV~~
 - ~~Exceptions. Section 4.3~~
 - ~~Floodplain Management. Section 4.24~~
 - ~~Off Street Parking and Loading. Article XVIII~~
 - ~~Outside Storage. Section 4.2~~
 - ~~Landscape Area and Buffer Regulations. Section 4.23~~
 - ~~River Protection. Metropolitan River Protection Act~~
 - ~~Signs. Article XXXIII~~

ARTICLE VI

SECTION 6.7

R-4A SINGLE FAMILY DWELLING DISTRICT

6.7.1. R-4A DISTRICT SCOPE AND INTENT. Regulations set forth in this Section are the R-4A ~~District~~**district** regulations. Article XIX should be consulted to determine uses and minimum standards for uses allowed by ~~Administrative Permit~~**administrative permit** or ~~Use Permit~~**use permit**. The R-4A ~~District~~**district** is intended to provide land areas devoted to low density residential uses. The ~~District~~**district** also provides for closely related uses.

6.7.2. USE REGULATIONS. Within the R-4A ~~District~~**district**, land and structures shall be used in accordance with standards herein. **Any use not specifically designated as a permitted use in this section or as a use allowed by administrative permit or use permit shall be prohibited.**
~~Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.~~

A. Permitted Uses. ~~Structures and land~~ **A building or land** may be used for ~~only~~ the following purposes:

1. Single family dwelling **unit**
2. Agriculture, general and specialized farming, initiated prior to March 7, 1990, including: horticulture, plant nursery, dairy farming, truck gardening and poultry raising; ~~provided, however,~~ that **an** agricultural buildings must be at least **two hundred (200)**~~200~~ feet from all side and rear property lines, and **further provided** that no products shall be offered for sale on land so utilized.

B. Accessory Uses. ~~A structure~~**building** or land may be used for uses customarily incidental to any permitted use and the principal dwelling **unit** may be used for a home occupation.

C. Additional Uses. Additional uses may be allowed by administrative or use permit, pursuant to Article XIX of this Ordinance.

6.7.3. DEVELOPMENT STANDARDS.

A. ~~A.~~ **Height Regulations:**

No building shall exceed forty (40) feet in height.

B. Minimum Front Yard:

Thirty-five (35) feet

C. Minimum Side Yard:

**Seven (7) feet adjacent to interior lot line
Twenty (20) feet adjacent to street**

D. Minimum Rear Yard:

Twenty-five (25) feet

E. Minimum Lot Area:

Twelve thousand (12,000) square feet

F. Minimum Lot Width:

Eighty-five (85) feet

G. Minimum Lot Frontage:

Thirty-five (35) feet adjoining a street

H. Minimum Heated Floor Area:

One thousand two hundred (1,200) square feet on ground level for less than two (2) stories

One thousand three hundred twenty (1,320) square feet for two (2) stories or more than two (2) stories with nine hundred (900) square feet on the ground floor

I. Minimum Accessory Structure Requirements:

Accessory structures may be located in rear or side yards only but shall not be located within a minimum yard.

~~Height Regulations. No building shall exceed forty (40) feet in height.~~

~~B. Minimum Front Yard - 35 feet~~

~~C. Minimum Side Yard~~

~~-7 feet adjacent to interior line~~

~~-20 feet adjacent to street~~

~~D. Minimum Rear Yard 25 feet~~

~~E. Minimum Lot Area 12,000 square feet~~

~~F. Minimum Lot Width 85 feet~~

~~G. Minimum Lot Frontage 35 feet adjoining a street~~

~~H. Minimum Heated Floor Area~~

~~1,200 square feet on ground level for less than two story~~

~~1,320 square feet for two story or more than two story with 900 square feet on ground floor~~

~~I. Minimum Accessory Structure Requirements~~

~~Accessory structures may be located in the rear or side yards only but shall not be located within a minimum yard.~~

6.7.4. OTHER REGULATIONS. The headings below contain provisions applicable to the R-4A District:

A. Development Regulations, Chapter 103, Code

B. Exceptions, Section 4.3., Zoning Ordinance

C. Floodplain Management, Chapter 109, Article II, Code

D. Off Street Parking and Loading, Article XVIII, Zoning Ordinance

E. Outside Storage, Section 4.2., Zoning Ordinance

F. Tree Conservation Ordinance, Administrative Standards and Best Management Practices, Section 4.23., Zoning Ordinance

G. River Protection, Metropolitan River Protection Act

H. Signs, Article XXXIII, Zoning Ordinance

~~Development Regulations, Article XXXIV~~

~~Exceptions, Section 4.3~~

~~Floodplain Management, Section 4.24~~

~~Off Street Parking and Loading, Article XVIII~~

~~Outside Storage. Section 4.2~~
~~Landscape Area and Buffer Regulations. Section 4.23~~
~~River Protection. Metropolitan River Protection Act~~
~~Signs. Article XXXIII~~

ARTICLE VI

SECTION 6.8

R-5 SINGLE FAMILY DWELLING DISTRICT

6.8.1. R-5 DISTRICT SCOPE AND INTENT. Regulations set forth in this ~~Section~~**section** are the R-5 ~~District~~**district** regulations. Article XIX should be consulted to determine uses and minimum standards for uses allowed by ~~Administrative~~**administrative** ~~Permit~~**permit** or ~~Use~~**use** ~~Permit~~**permit**. The R-5 ~~District~~**district** is intended to provide land areas devoted to low density dwelling uses. Land areas zoned R-5 are further intended to provide a transition between medium and moderate density dwelling areas and higher density residential areas or nonresidential areas.

6.8.2. USE REGULATIONS. Within the R-5 ~~District~~**district**, land and structures shall be used in accordance with standards herein. **Any use not specifically designated as a permitted use in this section or as a use allowed by administrative permit or use permit shall be prohibited.**

~~Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.~~

A. Permitted Uses. ~~Structures and~~ **A building or** land may be used for ~~only~~ the following purposes:

1. Single family dwelling **unit**
2. Agriculture, general and specialized farming, initiated prior to March 7, 1990, including: horticulture, plant nursery, dairy farming, truck gardening and poultry raising;= provided, however, that **an** agricultural buildings must be at least **two hundred (200)**~~200~~ feet from all side and rear property lines, and **further provided** that no products shall be offered for sale on land so utilized.
3. Two **(2)** family dwelling which complies with minimum lot area, yard and floor area requirements of the R-6 ~~District~~**district**, ~~and where~~**if forty percent (40)**~~40 percent~~ or more of the dwellings **units** =fronting on the same side of a street between two **(2)** intersecting streets is occupied by either two **(2)** family or multi-family dwellings **units** initiated prior to March 7, 1990.

B. Accessory Uses. A ~~structure~~**building** or land may be used for uses customarily incidental to any permitted use and ~~a~~**the principal** dwelling **unit** may be used for a home occupation.

- C. **Additional Uses.** Additional uses may be allowed by administrative or use permit, pursuant to Article XIX of this Ordinance.

6.8.3. **DEVELOPMENT STANDARDS.**

A. **Height Regulations:**

No building shall exceed forty (40) feet in height.

B. **Minimum Front Yard:**

Twenty (20) feet

C. **Minimum Side Yard:**

Five (5) feet adjacent to interior lot line
Fifteen (15) feet adjacent to street

D. **Minimum Rear Yard:**

Twenty (20) feet

E. **Minimum Lot Area:**

Seven thousand five hundred (7,500) square feet

F. **Minimum Lot Width:**

Sixty (60) feet

G. **Minimum Lot Frontage:**

Thirty-five (35) feet adjoining a street

H. **Minimum Heated Floor Area Per Unit:**

Six hundred fifty (650) square feet

I. **Minimum Accessory Structure Requirements:**

Accessory structures may be located in rear or side yards only but shall not be located within a minimum yard.

~~A. Height Regulations. No building shall exceed forty (40) feet in height.~~

~~B. Minimum Front Yard 20 feet~~

~~C. Minimum Side Yard~~

~~—5 feet adjacent to interior lot lines~~

~~—15 feet adjacent to street~~

~~D. Minimum Rear Yard 20 feet~~

~~E. Minimum Lot Area 7,500 square feet~~

~~F. Minimum Lot Width 60 feet~~

~~G. Minimum Lot Frontage 35 feet adjoining a street~~

~~H. Minimum Heated Floor Area Per Unit 650 square feet~~

~~I. Minimum Accessory Structure Requirements~~

~~Accessory structures may be located in the rear or side yards only but shall not be located within a minimum yard.~~

6.8.4. OTHER REGULATIONS. The headings below contain provisions applicable to the R-5 ~~District~~**district**.

A. Development Regulations, Chapter 103, Code

B. Exceptions, Section 4.3., Zoning Ordinance

C. Floodplain Management, Chapter 109, Article II, Code

D. Off Street Parking and Loading, Article XVIII, Zoning Ordinance

E. Outside Storage, Section 4.2., Zoning Ordinance

F. Tree Conservation Ordinance, Administrative Standards and Best Management Practices, Section 4.23., Zoning Ordinance

G. River Protection, Metropolitan River Protection Act

H. Signs, Article XXXIII, Zoning Ordinance

~~Development Regulations, Article XXXIV~~

~~Exceptions. Section 4.3~~
~~Floodplain Management. Section 4.24~~
~~Off Street Parking and Loading. Article XVIII~~
~~Outside Storage. Section 4.2~~
~~Landscape Area and Buffer Regulations. Section 4.23~~
~~River Protection. Metropolitan River Protection Act~~
~~Signs. Article XXXIII~~

ARTICLE VI

SECTION 6.9

R-5A SINGLE FAMILY DWELLING DISTRICT

6.9.1. R-5A DISTRICT SCOPE AND INTENT. Regulations set forth in this ~~Section~~ **section** are the R-5A District regulations. Article XIX should be consulted to determine uses and minimum standards for uses allowed by ~~Administrative~~ **administrative Permit-permit** or ~~Use-use~~ **Permit-permit**. The R-5A ~~District-district~~ is intended to provide land areas devoted to medium density, single family dwellings. Land areas zoned R-5A are further intended to provide a transition between low and high density dwelling areas or between low density dwelling areas and nonresidential areas.

6.9.2. USE REGULATIONS. Within the R-5A ~~District-district~~, land and structures shall be used in accordance with standards herein. **Any use not specifically designated as a permitted use in this section or as a use allowed by administrative permit or use permit shall be prohibited.**

~~Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.~~

A. Permitted Uses. ~~Structures and~~ **A building or** land may be used for ~~only~~ the following purpose:

~~1.~~ **Single family dwelling unit**

B. Accessory Uses. ~~A structure~~ **building** or land may be used for uses customarily incidental to any permitted use and ~~a~~ **the principal** dwelling **unit** may be used for a home occupation.

C. Additional Uses. **Additional uses may be allowed by administrative or use permit, pursuant to Article XIX of this Ordinance.**

6.9.3. DEVELOPMENT STANDARDS.

A. Height Regulations:

No building shall exceed forty (40) feet in height.

B. Minimum Lot Area:

Four thousand (4,000) square feet

C. Minimum Lot Width:

None unless specified in zoning conditions

D. Minimum Lot Frontage:

Twenty (20) feet adjoining a street

E. Minimum Heated Floor Area:

Single family – Eight hundred fifty (850) square feet

F. Minimum Perimeter Setback for the Entire R-5A Development:

Forty (40) feet

G. Minimum Interior Setbacks (No Orientation to Buildings):

1. Minimum Front Yard – Twenty (20) feet

2. Minimum Side Yard – To place a building along an interior side lot line at between zero (0) and seven (7) feet shall require an encroachment and maintenance easement allowing a minimum of seven (7) feet of access to such building. A minimum building separation of fourteen (14) feet shall be maintained.

Twenty (20) feet adjoining local streets

3. Minimum Rear Yard – Twenty (20) feet

H. Minimum Interior Building Separations:

All building separations shall be as specified by the International Building Code.

I. Minimum Accessory Structure Requirements:

Accessory structures may be located in rear or side yards only but shall not be located within a minimum yard.

~~A. Height Regulations. No building shall exceed forty (40) feet in height.~~

~~B. Minimum Lot Area – 4,000 square feet~~

~~C. Minimum Lot Width None unless specified in conditions~~

~~D. Minimum Lot Frontage 20 feet adjoining a street~~

~~E. Minimum Heated Floor Area Per Unit~~

~~Single family 850 square feet~~

~~F. Minimum Perimeter Setback for the Entire R-5A Development~~

~~40 feet~~

~~G. Minimum Interior Setbacks – No Orientation to Buildings~~

~~1. Minimum Front Yard – 20 feet~~

~~2. Minimum Side Yard – To place a building along an interior side lot line at between zero and 7 feet shall require an encroachment and maintenance easement allowing a minimum of 7 feet of access to such buildings. A minimum building separation of 14 feet shall be maintained.~~

~~– 20 feet adjoining local streets~~

~~3. Minimum Rear Yard – 20 feet~~

~~H. Minimum Interior Building Separations. All building separations shall be as specified by the Standard Building Code.~~

~~I. Minimum Accessory Structure Requirements:~~

~~Accessory structures may be located in rear or side yards but shall not be located within a minimum rear yard except that detached garages may locate along a rear lot line at between zero and 7 feet with an encroachment and maintenance easement allowing a minimum of 7 feet of access to the garage.~~

6.9.4. OTHER REGULATIONS. The headings below contain some additional, but not necessarily all, provisions applicable to the R-5A District:

A. Development Regulations, Chapter 103, Code

B. Exceptions, Section 4.3., Zoning Ordinance

C. Floodplain Management, Chapter 109, Article II, Code

D. Off Street Parking and Loading, Article XVIII, Zoning Ordinance

E. Outside Storage, Section 4.2., Zoning Ordinance

F. Tree Conservation Ordinance, Administrative Standards and Best Management Practices, Section 4.23., Zoning Ordinance

G. River Protection, Metropolitan River Protection Act

H. Signs, Article XXXIII, Zoning Ordinance

~~Development Regulations. Article XXXIV~~

~~Exceptions. Section 4.3~~

~~Floodplain Management. Section 4.24~~

~~Off Street Parking and Loading. Article XVIII~~

~~Outside Storage. Section 4.2~~

~~Landscape Area and Buffer Regulations. Section 4.23~~

~~River Protection. Metropolitan River Protection Act~~

~~Signs. Article XXXIII~~