

Article XX Schedule of Regulations for Principal Buildings: Residential Districts

DISTRICT	MINIMUM LOT SIZE OR MAXIMUM DENSITY		MAXIMUM BUILDING HEIGHT		PRINCIPAL STRUCTURE MINIMUM YARD SETBACK ^{6,7}			MAX LOT COVERAGE BY ALL BLDGS	MINIMUM FLOOR AREA (PER UNIT)
	MIN. LOT AREA, MAX UNITS PER ACRE ¹	WIDTH ²	STORIES	FEET ³	FRONT ^{4,5}	EACH SIDE	REAR		
R-1 Single Family	12,000 sq. ft., 2.7 units/acre ⁸	90 feet ⁸	2	30	30 ⁹	10 ⁹	35 ⁹	25%	See Footnote ¹⁰
R-2 Single Family	9,000 sq. ft., 3.6 units/acre ⁸	75 feet	2	30	25 ⁹	8 ⁹	30 ⁹	25%	See Footnote ¹⁰
R-3 Single Family Detached or Attached	7,200 sq. ft., 4.5 units/acre	65 feet	2	25	25 ⁹	8 ⁹	30 ⁹	25%	See Footnote ¹⁰
R-T Two Family Residential	4,000 sq. ft., 8.0 units/acre 20 units per acre for extended care and nursing care for the elderly	80 feet	2	25	30 ^{9,11}	10 ^{9,11}	35 ^{9,11}	25%	700 sq. ft.
Low Density Multiple Family Residential (LDMF)	Minimum 15,000 sq. ft. lot Maximum six (6) units per acre, maximum 4 units per building	100 feet	2	35	35	16 feet between buildings, 25 feet between every 4th building ¹¹		25%	1 BR = 700 sq. ft. 2 BR = 850 sq. ft. 3 BR = 1,000 sq. ft. 4 BR = 1,150 sq. ft. max 10% efficiencies, max 40% 1 BR unit
High Density Multiple Family Residential (HDMF)	Maximum 12 units per acre, 20 units per acre for extended care and nursing care for the elderly	165 feet	5	50	50 feet from all property lines and between buildings or the height of the building, whichever is greater ¹¹			25%	
Manufactured Housing Park (MHP)	8 units per acre	50 feet per unit	1	14	See Article VII Mobile Home Park District ¹²				
Planned Unit Development (PUD)	minimum 5 acre lot	Same as underlying zoning district		See Article XVIII. Setbacks from perimeter property lines shall be consistent with the underlying zoning dist. for the specific use			25%	Same as underlying zoning district for the specific use	

(amended 2/14/96)

1 Maximum density shall be based on 25% calculation for lakes, rivers, steams and land defined as a wetland regulated by the MDNR. Public street rights-of-way for streets within the project can be included.

- 2 Measurement for irregular shaped lots and lots along curvilinear streets. In no case shall frontage measured along the street right-of-way be less than sixty (60) feet. (See Section 321). Narrow deep lots shall be avoided. The depth of a lot generally shall not exceed three (3) times the width as measured at the building line for platted lots and four (4) times the width for unplatted lots.
- 3 Exceptions to Supplementary Height Regulations. The following kinds of structural appurtenances may exceed the height limitations for authorized use, upon approval of the Planning Commission. (a) Schools, churches and other similar institutional buildings may be erected to a height not exceeding sixty (60) feet provided the front, side and rear yards shall not be less than the height of the building wall abutting on such yard; (b) chimneys, church spires, cupolas, domes, towers, flag poles, penthouses, water tanks, radio or television or cellular phone antennae, monuments may be erected to a height not exceeding sixty (60) feet unless approved by the Board of Zoning Appeals. Setbacks or television and cellular phone antennae shall be equal to half the height of the structure; (c) mechanical equipment such as blowers, ventilating fans and air conditioning units, shall be placed no closer than twelve (12) feet to any lot line.
- 4 In the case of corner lots or lots with dual frontage, front setback requirements shall be maintained along all street frontages.
- 5 Exceptions to Front and Side Yard Setbacks: Where fifty (50) percent or more of the aggregate street frontage between two (2) successive intersecting streets is occupied by buildings of the type and use permitted in the district before the effective date of this Ordinance or any amendments thereto, with a front yard setback less than required by this Ordinance, the minimum front yard for new buildings shall be the average setback distance of existing buildings located within two hundred (200) feet on either side of a given lot. However, the depth of the front yard resulting therefrom shall not be less than one-half (1/2) of the dimensions specified in the Schedule of Regulations.
- 6 Architectural features, not including vertical projections, may extend or project into a required side yard not more than two (2) inches for each one (1) foot of width of such side yard; and, may extend or project into a required front yard or rear yard not more than three (3) feet. An unenclosed, open and uncovered porch or paved terrace may project into the front yard a maximum of ten (10) feet.
- 7 See Sections 312 through 317 for accessory building and structure setbacks.
- 8 See Section 2000, Average Lot Size Option and Section 2001, Subdivision Open Space Option, regarding flexibility allowances.
- 9 For all permitted and special land uses other than single family residential, the minimum setback shall be equal to the height of the principal building unless a greater setback is specified in the zoning district.
- 10 The following regulations shall govern the minimum floor area required of each residence hereafter erected:

		R-1	R-2	R-3
1 Story		1,400 sq. ft.	1,200 sq. ft.	1,000 sq. ft.
1-1/2 Story	1st Floor	1,200 sq. ft.	1,000 sq. ft.	800 sq. ft.
1-1/2 Story	2nd Floor	500 sq. ft.	450 sq. ft.	350 sq. ft.
2 Story	1st Floor	825 sq. ft.	750 sq. ft.	600 sq. ft.
2 Story	2nd Floor	825 sq. ft.	750 sq. ft.	600 sq. ft.

In one and one-half (1 1/2) story and two (2) story dwelling units, the required square footage of the upper level in each zoning district may be reduced one (1) square foot for each square foot that the lower level exceeds the minimum allowable floor area, provided that in no case shall the square footage of the upper level be less than four hundred and fifty (45) square feet. Also, in no case shall the one and one-half (1 1/2) or two (2) story dwelling have less total square footage than the combined square footage as it relates to one and one-half (1 1/2) or two (2) story dwellings in the schedule above.

- 11 For buildings with multiple dwelling units, a ten (10) foot landscaped setback from all roads, drives, parking areas and adjacent single family residential districts shall be provided.
- 12 All mobile homes shall be setback at least fifty (50) feet from the park property line and arterial street. The 50 foot buffer shall include a landscaped greenbelt as described in Section 2303.

Article XX Schedule of Regulations for Principal Buildings, Nonresidential and Planned Unit Development Districts

DISTRICT	MIN. LOT AREA ¹	MIN. LOT WIDTH ²	MINIMUM YARD SETBACKS ³				MAX. LOT COVERAGE	MAX. ^{5,6} HEIGHT
			FRONT YARD ⁴	EACH SIDE YARD	REAR YARD	PARKING LOT / LOADING AREA		
Office Service District	governed by setbacks	85 ft.	20 ft.	15 ft. each side	20 ft.	10 ft. front yd, rear yd and adjacent to residential dist;(or 5 ft. high wall in rear per Sec. 2310)	35% bldg. 60% impervious surface	30 ft. 2.5 stories
Neighborhood Business District (B-1)	23,280 sq. ft. (½ acre)	60 ft.	25 ft.	10 ft. 20 ft. adjacent to residential district ⁷	20 ft.	10 ft. front yd, rear yd and adjacent to residential dist; (or 5 ft. high wall in rear yard per Sec. 2310)	governed by setbacks	30 ft. (amended 8/9/06)
Central Business District Overlay Zone (CBD)	none	none	Old Town 10 ft. ¹⁰ North Gateway 25 ft. ¹⁰ (Amended 12/9/09)	0 ft. ⁷	10 ft., 25 ft. from res. dist. (Amended 8/19/2008)		none	40 ft. *** (amended 8/9/06)
Community Business District (B-2)	23,280 sq. ft. (½ acre)	85 ft.	30 ft., 75 ft. from res. dist. or arterial r.o.w.	10 feet, 75 ft. from res. or arterial r.o.w.	20 ft., 75 ft. from res. dist.		35% bldg. 75% impervious surface	30 ft.
General Business District (B-3)	1 acre	100 ft.	30 ft.	10 ft.; 20 ft adjacent to residential dist.	20 feet; 50 feet adjacent to residential dist.	35% bldg 75% impervious surface	30 ft. 2 stories	
Research Park District	15 acres	min. lot size = 2 acres; min. 250 ft. of frontage	40 ft.	20 feet; 50 feet or equal to the height of building (whichever is greater) when abutting a residential district ⁸		20 feet, 30 feet adjacent to a residential district	20% bldg. 60% impervious surface	30 ft. 2 ½ stories
Light Industrial District	1 acre	min. 100 ft. of frontage	40 ft.	20 feet; 50 feet or equal to the height of building (whichever is greater) when abutting a residential district ^{8, 9}		20 feet, 40 feet adjacent to a residential district	governed by setbacks and landscaping standards	40 ft.
General Industrial District	2 acres	min. 100 ft. of frontage	60 ft.	30 feet; 50 feet or equal to the height of building (whichever is greater) when abutting a residential district ⁹		20 feet, 40 feet adjacent to a residential district	governed by setbacks and landscaping standards	60 ft.
Parking District	none	none	All setbacks adjacent to a residential district shall equal the required rear yard setback of the residential district. In other cases, the minimum setback along a public street right-of-way shall be; ten (10) feet and 0 where the parking lot abuts the adjacent principal property which the lot serves. The setback for any parking structure shall be a minimum fifty (50) feet from any residential district.			70% impervious surface or as governed by setbacks whichever is less.	Accessory building 14 ft. Parking structure 40 ft.	

*** Amendment to Article X allows a building height of 50' for mixed use. (8/9/06)

(amended 2/14/96)

1 For property containing easements, floodplain or MDNR regulated wetlands refer to the description of "lot area" in Section 322.

2 Minimum lot width is measured at the required front yard setback distance from right-of-way except corner lots and double frontage lots are considered to have two front yards. Narrow deep lots shall be avoided. The depth of a lot generally shall not exceed three (3) times the width as measured at the building line for platted lots and four (4) times the width for unplatted lots.

- 3 See Article XXIII for landscaping, screening and buffering standards which may increase the width of the required setback area.
- 4 Exceptions to front yard setback: Where fifty (50) percent or more of the aggregate street frontage between two (2) successive intersecting streets is occupied by buildings of the type and use permitted in the district before the effective date of this Ordinance or any amendments thereto, with a front yard setback less than required by this Ordinance, the minimum front yard for new buildings shall be the average setback distance of existing buildings located within two hundred (200) feet on either side of a given lot. However, the depth of the front yard resulting therefrom shall not be less than one-half (1/2) of the dimensions specified in the Schedule of Regulations.
- 5 Exceptions to height requirements: The following kinds of structural appurtenances may be permitted to exceed the height limitations for authorized use, upon approval of the Planning Commission.
 - a. Schools, churches and other similar institutional buildings may be erected to a height not exceeding sixty (60) feet provided the front, side and rear yards shall not be less than the height of the building abutting on such yard.
 - b. Chimneys, church spires, cupolas, domes, towers, flag poles, penthouses, water tanks, radio or television or cellular phone antennae, monuments may be erected to a height not exceeding sixty (60) feet unless approved by the Board of Zoning Appeals. Setbacks for television and cellular phone antennae shall be equal to half the height of the structure, provided that applicant demonstrates the design will protect adjacent uses and structures if the structure collapses.
 - c. Mechanical equipment such as blowers, ventilating fans and air conditioning units, shall be placed no closer than three (3) feet to any lot line in commercial districts and no closer than twelve (12) feet to any lot line in residential districts. Mechanical equipment in industrial districts shall comply with all yard setbacks.
 - d. Any mechanical equipment located on the roof of any building shall not exceed a height of ten (10) feet above the surrounding roof surface, and shall occupy no more than fifteen percent (15%) of the total roof area. When roof-mounted equipment is located on a building that is adjacent to a residential use or is in view from the adjacent roadway, appropriate architectural screening shall be required.
 - e. Structural extensions appropriate to the building design, such as cornices, shall be limited to five feet above the stated height limit.
- 6 Where maximum height is described in both height and stories, the maximum height shall be whichever is less.
- 7 Where the building is connected to building on an adjoining lot by an approved fire wall, the required side yard on the common side may be reduced to zero (0) feet if permitted by the building and fire codes, provided a ten (10) foot setback shall be provided if the wall includes any windows or similar openings.
- 8 The setback may be reduced to not less than twenty-five (25) feet by the Planning Commission if a wall or landscaped berm is provided to screen loading areas, and the rear of the building has the same architectural character and materials as the front and side.
- 9 All outdoor storage and display areas shall be in the rear yard and shall be completely screened with an obscuring wall as required in Section 2310. The Planning Commission may require the wall be up to eight (8) feet high in consideration of adjacent uses.
- 10 A greater or lesser distance may be required by the Planning Commission. If a lesser setback is authorized, a corresponding width reduction to the requirements of Section 2303 Required Landscaping Along Public Streets shall also be permitted. The following criteria shall be employed by the Planning Commission to determine the minimum and maximum setback for a specific site in the Central Business District:
 - (1) Consistency with existing setbacks within one hundred fifty (150) feet of the same blockface or area, as appropriate; or
 - (2) Consistency with site limitations and constraints; or
 - (3) For sites bound by vacant lots, consistency with existing or historical setbacks within the same or opposite blockface or area (amended 2/14/96); or
 - (4) Avoidance of impacts upon recorded easements, rights-of-way, or sight distances; or
 - (5) Other site-specific considerations that may warrant an increase or decrease in setback.
 - (6) Parking shall be located behind the front building line and no closer than 10 feet to a residential property line. (Amended 7/14/10)

SECTION 2000

The intent of this Section is to permit the subdivider or developer to vary lot sizes and lot widths to average the minimum size of lot per unit as required in Article XX - Schedule of Regulations for each Single-Family Residential District. If this option is selected, the following conditions shall be met:

- a. In meeting the average minimum lot size, the Subdivision shall be designed so that no lot has area or width reduced more than ten percent (10%) than the minimum area or width required in the Schedule of Regulations and shall not create an increase in the number of lots.
- b. Each final plat submitted as part of a Preliminary Plat shall average the minimum required for the district in which it is located. The dimensions shall be illustrated on the plan or in tabular form.

SECTION 2001 SUBDIVISION OPEN SPACE OPTION

a. **Intent:** The intent of the Subdivision Open Space Plan is to promote the following objectives:

1. Provide a more desirable living environment by preserving the natural features such as woodlands, steep topography, water bodies and wetlands.
2. Encourage developers to use a more creative approach in the development of residential areas.
3. Encourage a more efficient, aesthetic and desirable use of open area while recognizing a reduction in development costs, and allowing the developer to avoid natural obstacles on the site.
4. Encourage the provision of open space within reasonable distance to lots in the subdivision and to further encourage the development of recreational facilities, such as pathways which link up to the City's sidewalk system.

b. Modifications to the standards as outlined in Article XX - Schedule of Regulations may be made in the R-1, R-2 and R-3 Single-Family Residential Districts when the following conditions are met:

1. Individual lots in the R-1, R-2 and R-3 Single-Family Residential Districts may be reduced up to twenty percent (20%). In the R-2 Districts, this reduction may be accomplished in part by reducing lot widths up to five (5) feet. In the R-1 Districts, this reduction may be accomplished in part by reducing lot widths up to ten (10) feet. These lot-area reductions shall be permitted, provided that the dwelling unit density shall be no greater than if the land area to be subdivided were developed in the minimum square-foot lot areas as required for each Single-Family District under Article XX - Schedule of Regulations. The area remaining through the reduction of lot sizes shall be retained as permanent open space. The City may require submission of a "parallel" plan to illustrate that the number of lots provided under the Open Space option would be feasible with a traditional subdivision layout (for example, each lot in the parallel plan must have buildable envelope meeting setback requirements and not including ponds or wetlands regulated by the MDNR).
2. The City may allow up to fifty percent (50%) of the area considered not to be buildable under traditional subdivision practices (such as MDNR regulated wetlands, non-regulated wetlands, floodplain, steep slopes, etc.) to be used in the "parallel" plan for determining density if the City finds that the project will result in a recognizable benefit to the City and the residents of the proposed subdivision.
3. Rear yards may be reduced to no less than thirty (30) feet when such lots border land dedicated for park, recreation and/or open space purposes, provided the width of the dedicated land shall not be less than one hundred (100) feet measured at the point at which it

abuts the rear yard of the adjacent lot.

- 4. The area to be dedicated for subdivision open space purposes shall in no instance be less than four (4) acres, and shall be in a location and shape approved by the City Council.*
- 5. This plan, for reduced lot sizes, shall be permitted only if it is mutually agreeable to the City and the subdivider or developer.*
- 6. This plan, for reduced lot sizes, shall be started within six (6) months after having received approval of the final plat, and must be completed in a reasonable time. Failure to start within this period shall void all previous approval.*