

PLANNING AND ZONING WORK MEETING MARCH 23, 2011 6:30 P.M. IONA
COMMUNITY CENTER

PRESENT: Chairman Dan Garren; members Roy Hobbs, Mike Taylor, Rob Geray, Bette Lovinus, and Clerk Robyn Keyes.

VISITORS: None

Title 11 Review. The Planning and Zoning commission reviewed Title 11 Chapter 4 in the City Code Book looking for necessary updates to the code. The yellow highlighted sections are suggestion for the section and items to be removed have a line through them. The recommended updates are as follows:

CHAPTER 4

SINGLE FAMILY RESIDENTIAL (R-1) ZONE

SECTION:

- 11-4-1: Purpose
- 11-4-2: Permitted Uses
- 11-4-3: Conditional Uses
- 11-4-4: ~~Non-Conforming Livestock Use~~ (move to 11:4:11) change to Prohibited Uses
- 11-4-5: Height Regulations
- 11-4-6: Setback and Site Requirements
- 11-4-7: Area Requirements
- 11-4-8: Water and Sewer Services
- 11-4-9: Accessory Uses
- 11-4-10: Off-Street Parking Requirements
- 11-4-11: ~~Patio Homes~~ (remove) Change to Non-Conforming Livestock Use
- 11-4-12: Keeping of Domestic Hens

11-4-1: PURPOSE: The purpose of the R-1 residential zone is to preserve residential neighborhoods, prevent over-crowding of the land and encourage the development of low density areas which are best suited for residential purposes.

11-4-2: PERMITTED USES: The following uses are allowed in the R-1 zone.

(A) Single family dwellings.

(B) ~~Manufactured homes meeting the following conditions:~~ Move to 11:4:3A

~~1. The manufactured home shall be multi-sectional and enclose a space of not less than one thousand (1,000) square feet.~~

~~2. The manufactured home shall be placed on an excavated and back-filled, permanent foundation and enclosed at the perimeter such that the home is located not more than twelve (12) inches above grade.~~

~~3. The manufactured home shall have a pitched roof with a slope of at least three (3) feet in height for each twelve (12) feet in width.~~

~~4. The manufactured home shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the community or which is comparable to the predominant materials used on surrounding dwellings as determined by the City Council.~~

~~5. The manufactured home shall have a garage or carport constructed of like materials.~~

~~6. Additions to a manufactured home shall be of compatible construction using like materials.~~

~~7. The home, at the time of placement, must meet all city, state, and county minimum standard building codes.~~

~~8. Only one (1) manufactured home may be placed on any single lot.~~

(C) ~~Churches or other places of religious assembly.~~ Move to 11:4:3B Conditional Use

- (D) The keeping of farm animals under the following restrictions:
1. No livestock or farm animals may be kept on lots of less than one (1) acre in total area.
 2. Only one (1) animal unit per half ($\frac{1}{2}$) acre shall be allowed. One (1) animal unit shall represent:
 - a. Cow - 1
 - b. Horse - 1
 - c. Sheep - 5

For all other animals not listed the City Council may set compatible standards.

3. All buildings, shelters, or enclosures for farm animals shall be located no closer than fifty (50) feet from any property line.
 4. Pigs, swine, poultry, or fowl shall not be allowed in the R-1 zone, excepts for domestic hens as otherwise allowed under section 11-4-12 of this chapter.
- (E) Home gardening and other horticultural uses not operated as a commercial enterprise.
- (F) Accessory buildings, ~~provided the total enclosed area of all such structures shall not exceed one hundred forty four (144) square feet.~~ **Remove add As Allowed Per 11:11:6**
- (G) One (1) sign not to exceed four (4) square feet in area pertaining to the lease or sale of buildings or premises where the sign is located. This provision shall also apply to political signs during campaign periods.
- (H) Other similar uses that are determined by the City Council to be compatible with the purpose and intent of this zone. (Ord. 96, 5-24-05)

11-4-3: CONDITIONAL USES: The City may, after notice and public hearing, permit the following uses where such uses are deemed essential or desirable to the public convenience or welfare. The City may require an impact statement to assess the impact of any conditional use upon surrounding

properties and upon city services and infrastructure. The City may impose such conditions and safeguards, as it deems necessary to protect the best interests of the surrounding property or neighborhood and city services or infrastructure from damage, hazard, nuisance or other detriment:

(A) ~~Duplexes.~~ Remove Add Manufactured Home from 11:4:2

(B) Add Churches

(B) Home Occupations, subject to the provisions of 11-11-12 and 11-11-13 of this Title.

(C) Public facilities such as schools, parks and playgrounds, utility facilities and other municipal uses.

(D) Temporary buildings for construction purposes for a period not to exceed one (1) year.

(E) Boarding and rooming houses.

(F) ~~Manufactured homes or recreational vehicle parks.~~ Manufactured homes omitted RV parks moved to commercial.

(G) Nursery school or Day Care facilities.

(H) Cemeteries.

(I) Greenhouses. Omit.

(J) Patio Homes, subject to the restrictions set forth in section 11-4-11 of this chapter. (Ord. 96, 5/24/05) Move to R-T zone

11-4-4: ~~NON-CONFORMING LIVESTOCK USE: Any person keeping livestock in greater numbers than allowed by this Title within this zone on the effective date of this Title, may continue such use, provided if any animal in excess of the units permitted by this Chapter is sold and not replaced within nine (9) months after the sale, then the owner shall lose the right to maintain such non-conforming use.~~ Moved to 11:4:11 Change to Prohibited Uses

11-4-5: HEIGHT REGULATIONS: No building or structure shall exceed two and one-half (2½) stories or twenty-five (25) feet in height, whichever is greater. Add verbiage from R-T 11:4A:5 but keep this height requirement, start verbiage with *roofs*

11-4-6: SETBACK AND SITE REQUIREMENTS: The following setback requirements shall be observed for all structures in the R-1 zone with the exception of accessory buildings (see 11:11:6):

(A) Front yard. No main building dwelling or structure shall be erected in the R-1 zone nearer than thirty-five (35) feet from the right-of-way line of the street.

- (B) Side Yard. No **main** building shall be closer than ten (10) feet from any side property line, except corner lots, which shall maintain a thirty (30) foot side yard adjacent to the street which intersects the street upon which the building fronts.

- (C) Rear Yard. No main building ~~or any other structure other than an accessory building~~ shall be constructed closer than twenty-five (25) feet to the rear property Line.

- (D) Clear view of intersecting streets and ways. For the purpose of ensuring reasonable visibility and safety in the residential districts and in the business districts which require buildings to be set back from the right-of-way line, the triangle of land formed on any corner lot by drawing a line between the points on the two lot lines, which points are each thirty (30) feet from the intersection of said lot lines, shall be free from structure or other obstructions, except as otherwise permitted in this section.

Any triangle of land formed along any street by drawing a line between a point on the lot line parallel to the street (which point is fifteen (15) feet from an alley or driveway which abuts the street) and a point on the near side of the alley or driveway (which point is fifteen (15) feet from the lot line) shall be free from structures or other obstructions, except as otherwise permitted in this section.

Trees are allowed in such triangles provided they are trimmed from the ground level to at least seven (7) feet above the curb. Shrubs, fences

and walls are likewise allowed in such triangles provided they do not exceed three (3) feet in height.

- (E) Protection of Waterways. Any development near any irrigation canal or ditch shall protect the canal or ditch right-of-way from encroachment and meet all standards required by the owner of the canal.

11-4-7: AREA REQUIREMENTS: The following area requirements shall apply in the R-1 zone:

- (A) Lots within this zone shall be not less than fourteen thousand five hundred twenty (14,520) square feet in total area and shall be of a width at the front lot line of not less than eighty-five (85) feet Add measured at the front setback line.
- (B) Lot coverage. No more than fifty percent (50%) of the lot area may be covered by buildings or structures.

11-4-8: WATER AND SEWER SERVICES:

- (A) Sewer. All residential structures within this zone shall be connected to a public sewer facility, if located within three hundred (300) feet of the terminus of any existing sewer line. If such sewer facilities are not available, then the use shall meet the requirements of the District Seven Health Department.

(B) Water. All domestic uses shall be connected to the domestic water system of the City.

11-4-9: ACCESSORY USES: ~~Accessory uses shall be limited to one (1) story in height and shall not encroach upon the front yard setback or closer to the street than the front face setback line. No accessory building shall be built within five (5) feet of the side or rear property line.~~ Add Accessory uses shall be limited to one (1) story in height and shall comply with the provisions of section 11:11:6 of this code.

11-4-10: OFF-STREET PARKING REQUIREMENTS: The following off-street parking requirements shall apply in the R-1 zone.

(A) For each single-family residence, two (2) Add off-street parking spaces.

(B) All other uses shall comply with the provisions of Chapter 12 of this Title.

11-4-11 PATIO HOMES ~~Move to R-T Zone~~ Add Non-Conforming Livestock Use from 11:4:4

~~(A) For the purposes of this section, a “patio home” shall mean a residential structure which occupies a substantially greater portion of the lot in comparison to other residential structures allowed within the zone. The use is characterized by small yards, modest landscaping, and no gardens~~

~~or accessory buildings. A minimum structure size is also established in order to ensure such use is not characterized by entry level homes.~~

~~(B) Such use shall be permitted subject to the following requirements:~~

~~(1) The minimum lot area shall be not less than six thousand five hundred square feet (6,500).~~

~~(2) The minimum building size, excluding open patio areas, attached garages and carports shall be not less than one thousand four hundred square feet (1,400).~~

~~(3) No building or structure shall be erected nearer than thirty feet (30) from the front property line adjacent to the street.~~

~~(4) Accessory uses and structures shall not be permitted.~~

~~(5) Except as noted above, such use shall be otherwise subject to all other restrictions and conditions required within this zone.~~

~~(Ord. 96, 5/24/05)~~

11-4-12: KEEPING OF DOMESTIC HENS:

- (A) The keeping of domestic hens is hereby permitted within the R-1 zone subject to the provisions of this section. For the purposes of this section, the term “domestic hen” shall mean a common domestic hen (*domesticus gallus gallus*) for the purpose of domestic egg production or as a domestic pet. The keeping of such hens for breeding or for slaughter as a source of food is not permitted.
- (B) Only one (1) animal unit per one-third (1/3) acre or greater shall be allowed. One (1) animal unit shall represent ten (10) domestic hens.
- (C) All buildings, shelters or enclosures used for the purpose of housing or sheltering domestic hens shall be located no less than twenty (20) feet (20') from the primary residence located upon the lot or parcel for such uses permitted and no closer than fifty (50) feet (50') from the foundation wall of any building or structure used for human occupation and located upon any adjoining lot or lots. In no event shall domestic hens be kept within a front yard or a side yard, as defined by section 11-1-5 of this Code **add Title**.
- (D) Domestic hens shall at all times be kept within a secure enclosure having a total area of not less than two (2) square feet per domestic hen. Domestic hens shall not be kept within any building or structure designed for human occupancy.
- (E) The area within which domestic hens are kept shall be cleaned and maintained in a manner that does not unreasonably attract flies, emit

foul or objectionable odors or create a public health hazard nor shall the keeping of domestic hens disturb the peace of the adjoining properties or otherwise constitute a public nuisance.

(Ord. 148-01-10, 4/27/10)

Meeting closed 8:30 p.m.