

DRAFT Zoning District Language

Definitions

Accessory Use. A use or activity which is a subordinate part of a primary use and which is clearly incidental to a primary use on a site.

Building Coverage. The area that is covered by buildings or other roofed structures. A roofed structure includes any structure more than 6 feet above grade at any point, and that provides an impervious cover over what is below. Building coverage also includes uncovered horizontal structures such as decks, stairways and entry bridges that are more than 6 feet above grade. Eaves that are 2 feet or less in depth are not included in building coverage. Eaves that are greater than 2 feet in depth are included in building coverage.

Development. All improvements on a site, including buildings, other structures, parking and loading areas, landscaping, paved or graveled areas, and areas devoted to exterior display, storage, or activities. Development includes improved open areas such as plazas and walkways, but does not include natural geologic forms or unimproved land.

Dwelling Unit. A building, or a portion of a building, that has independent living facilities including provisions for sleeping, cooking, and sanitation, and that is designed for residential occupancy by a group of people

Easement. A grant of rights by a property owner that allows others to use the owner's land for a specific purpose, such as access, or to locate utilities.

Eave. Projecting overhang at the lower border of a roof and extending from a primary wall or support.

Garage. A covered structure that is designed to provide shelter for vehicles, is connected to a right-of-way by a driveway, and has an opening that is at least 8-feet wide.

Home Occupation. A business activity that is carried out on the same site as a dwelling unit, and which is accessory to the Household Living use on the site.

Main Entrance. A main entrance is the entrance to a building that most pedestrians are expected to use. Generally, each building has one main entrance. Main entrances are the widest entrance of those provided for use by pedestrians. In multi-tenant buildings, main entrances open directly into the building's lobby or principal interior ground level circulation space. When a multi-tenant building does not have a lobby or common interior circulation space, each tenant's outside entrance is a main entrance. In single-tenant buildings, main entrances open directly into lobby, reception, or sales areas.

Setback. The minimum distance required between a lot line and a building or structure.

Street Frontage. The part of a site that abuts a street.

Zones

Purpose. The following zoning districts are created to ensure that different types of development occur in the appropriate places so that the City may function safely, efficiently, and predictably. These zoning districts have been created to carry out the goals of the Comprehensive Plan.

Applicability. Zoning Districts are depicted on the Official Zoning Map pursuant to MLMC Chapter 140 – Zoning Map Administration. The allowed uses and development regulations are in the following chapters [citation].

Zoning Districts

Low Density Residential. The LDR Zone is intended to preserve and expand neighborhoods with detached single-family housing. This zone also provides for middle-income housing via accessory dwelling units, group living, and cottage housing.

Medium Density Residential. The MDR Zone is intended to preserve and enhance older residential areas near commercial centers that provide middle-income housing.

Central Business District. The CBD Zone is intended to preserve and enhance the downtown area with a mix of uses, including commercial and residential. This zone encourages pedestrian-oriented design.

Mixed-Use. The MU Zone is intended to provide for larger scale commercial and residential development.

Public Facilities. The PF Zone is intended to recognize the different nature of those services provided by public entities.

Chapter - Uses

Purpose. This Chapter creates use categories based on function, activity, services, products, physical characteristics, and/or site factors. The use categories provide a systematic basis for assignment of present and future uses to zones and carries out the goals of the Comprehensive Plan.

Applicability. Based on the zone, uses are allowed, prohibited, or require a conditional use as prescribed in Table [citation].

Use Types

Allowed Use. Uses allowed in each zone are listed in Table [citation] with a "Y". These uses are allowed if they comply with the development standards and other regulations of this Title.

Primary Use. An activity or combination of activities of chief importance on the site. One of the main purposes for which the land or structures are intended, designed, or ordinarily used. A site may have more than one primary use.

Conditional Use. Uses that are allowed if approved through the conditional use review process are listed in Table [citation] with a "CU". These uses are allowed provided they comply with the conditional use approval criteria for that use, the development standards, and other regulations of this Title.

Accessory Use. These uses are only allowed as accessories to the primary use.

Prohibited Use. Uses listed in Table [citation] with an "N" are prohibited. Existing uses in categories listed as prohibited may be subject to the regulations of Chapter [citation], Nonconforming Uses And Development.

Use Categories

Household Living. Household Living is the residential occupancy of a dwelling unit. Tenancy is arranged on a month-to-month basis or longer period. Accessory uses include parking, storage, raising pets, recreational activities, hobbies, agriculture, certified childcare, and home occupations. Examples include houses, townhouses, plexes, and apartments.

Group Living. Group Living is the residential occupancy of a congregate housing facility. Tenancy is typically arranged on a month-to-month basis or longer period. Group Living often includes a common eating area for residents. The residents may or may not receive any combination of care, training, or treatment. Accessory uses include parking, storage, food preparation, dining, laundry, and recreation facilities. Examples include dormitories, convalescent and nursing homes, and single-room occupancy housing, group homes for people with disabling conditions, and residential programs for drug and alcohol treatment.

Retail Sales and Service. Retail Sales and Service firms sell, lease or rent new or used products to the general public and/or provide personal services or entertainment, or provide product repair or services for consumer and business goods. Accessory uses include offices, storage, manufacturing, and parking. Examples include stores, banks, personal care services, laundromats, art/photo studios, dance/music classes, urgent medical care, veterinarians, restaurants, bars, entertainment, clubs, vocational schools, and repair services.

Offices. Office uses are characterized by activities conducted in an office setting that focus on the provision of goods and services, usually by professionals. Accessory uses include parking and storage. Examples include lawyers, accountants, architects, engineers, medical and dental clinics, scientists, and real estate agents.

Temporary Lodging. Temporary lodging is the residential occupancy of a room(s) or dwelling unit with a tenancy of less than a month. Accessory uses include parking, recreational activities, food preparation, and dining. Examples include hotels, motels, and vacation rentals.

Vehicle Service. Vehicle service firms service passenger vehicles, light and medium trucks and other consumer motor vehicles such as motorcycles, boats and recreational vehicles. Accessory uses include offices, sales of parts, vehicle storage, and parking. Examples include gas stations, repair shops, tire sales and mounting, oil change shop, and auto detailing.

Commercial Parking. Commercial Parking facilities provide parking that is not accessory to a specific use.

Self Service Storage. Self-Service Storage uses provide separate storage areas for individual or business uses. The storage areas are designed to allow private access by the tenant for storing or removing personal property. Accessory uses include security and leasing offices.

Manufacturing and Production. Manufacturing And Production firms are involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Accessory uses include

offices, warehouses, storage yards, and parking. Examples include processing food, breweries, woodworking and cabinet making, movie and video production, and sign making.

Warehouse. Warehouse firms are involved in the storage, or movement of goods for themselves or other firms. Accessory uses include offices and fleet parking.

Wholesale. Wholesale Sales firms are involved in the sale, lease, or rent of products primarily intended for industrial, institutional, or commercial businesses. Accessory uses include offices, warehouses, and parking.

Waste Related. Waste-Related uses are characterized by uses that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect sanitary wastes, or uses that manufacture or produce goods from the biological decomposition of organic material. Accessory uses include offices, parking, and storage. Examples include composting and sewer treatment plants.

Basic Utilities. Basic Utilities are infrastructure services which need to be located in or near the area where the service is provided. Basic Utility uses generally do not have regular employees at the site. Services may be public or privately provided. All public safety facilities are Basic Utilities. Accessory uses included offices and parking. Examples include water and sewer pump stations; sewage disposal and conveyance systems; electrical substations; water towers and reservoirs; energy production, water quality and flow control facilities; water conveyance systems; water harvesting and re-use conveyance systems and pump stations; stormwater facilities and conveyance systems; telephone exchanges; mass transit stops or turn arounds, wireless communication facilities, and public safety facilities, including fire and police stations.

Community Services. Community Services are uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. Generally, they provide the service on the site or have employees at the site on a regular basis. Accessory uses include offices, food preparation, dining, and parking. Examples include libraries, museums, senior centers, community centers, hospices, drug and alcohol centers, social service facilities, housing shelters, vocational training for persons with disabling conditions, and charitable meal service or food distribution centers.

Daycare. Daycare use includes day or evening care of two or more children outside of the children's homes, for a fee. Daycare uses also include the daytime care of teenagers or adults who need assistance or supervision. Accessory uses include offices, food preparation, dining, recreation, and parking. Examples include daycares, preschools, before and after school programs, and adult daycare programs.

Medical Centers. Medical Centers includes uses providing medical or surgical care to patients and offering overnight care. Accessory uses include offices, laboratories, food preparation, dining, and parking. Examples include hospitals.

Parks. Parks are uses of land focusing on natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, or public squares. Accessory uses include concessions and parking.

Religious Institutions. Religious Institutions are intended to primarily provide meeting areas for religious activities. Accessory uses include offices, recreation, food preparation and distribution, dining, parking, and daycare. Examples include churches, temples, synagogues, and mosques.

Schools. This category includes public and private schools at the primary, elementary, middle, junior high, or high school level that provide state mandated basic education. Accessory uses include offices, recreation, food preparation, dining, before and after school care, and parking.

Agriculture. Agriculture includes activities that raise, produce or keep plants or animals.

Use Categories	Low Density Residential	Medium Density Residential	Central Business District	Mixed Use	Public Facilities
Household Living	Y	Y	Y	Y	N
Group Living	CU	CU	Y	Y	Y
Retail Sales and Service	A ¹	A ¹	Y	Y	A
Office	A ¹	A ¹	Y	Y	Y
Temporary Lodging	CU	CU	Y	Y	A
Vehicle Service	N	N	N	Y	A
Commercial Parking	N	N	CU	Y	A
Self-Service Storage	N	N	N	Y	N
Manufacturing and Production	A ¹	A ¹	Y	Y	A
Warehouse	N	N	N	Y	A
Wholesale	N	N	N	Y	N
Waste-Related	N	N	N	N	Y
Utilities	Y	Y	Y	Y	Y
Community Service	CU	CU	Y	Y	Y
Parks	Y	Y	Y	Y	Y
Medical Centers	N	N	N	Y	Y
Schools	N	N	Y	Y	Y
Religious Institutions	CU	CU	Y	Y	A
Daycare	CU/A ²	CU/A ²	Y	Y	Y
Agriculture	A	A	N	A	A

¹Use is limited and allowed only through a home occupation permit

²Some Daycares are allowed as accessory to residential uses per [citation]

Y = Yes, allowed

N = No, not allowed, prohibited

CU = Allowed only if approved by a Conditional Use Review [citation]

A = Accessory, allowed only as an accessory to the primary use

Housing Types

Purpose. Defining housing types serves to plan for unique sizes, densities, infrastructure needs, and impacts on traffic.

Applicability. Based on the zone, housing types are allowed, prohibited, or require a conditional use as prescribed in Table [citation]

Single-Family House, Detached. A dwelling unit that is not attached to another dwelling unit and sits on its own property.

Townhouse. Also known as an attached single-family house. A dwelling unit that is attached to another dwelling unit, extends from foundation to roof and has a yard and/or right-of-way on not less than two sides. These dwelling units are divided by fire walls, sit on individual properties and are sold individually.

Cottage Housing. Dwelling units that are detached yet sit on a single property. The units may be rented or sold as condominium units.

Plexes. Buildings that contain two to six dwelling units and sit on a single property. The units may be rented or sold as condominium units.

Accessory Dwelling Unit. A self-contained dwelling unit within or on the same property as a detached single-family house.

Apartment Building. A building with 7 or more dwelling units.

Standards	Low Density Residential	Medium Density Residential	Central Business District	Mixed Use	Public Facilities
Detached Single-Family House	Y	Y	N	N	N
Accessory Dwelling Unit	Y ¹	Y ¹	N	N	N
Cottage Housing	Y	Y	N	N	N
Townhouse	N	Y	N	Y	N
Plexes	N	Y	N	Y	N
Apartments	N	N	Y	Y	N
Group Living	CU	Y	Y	Y	Y

¹ Allowed only as an accessory to a detached single-family house.

Y = Yes, allowed

N = No, not allowed, prohibited

CU = Allowed if approved by a Conditional Use Review [citation]

Density and Lot Sizes

Purpose. Density and lot size standards assist in planning for infrastructure and transportation impacts as well as the layouts of subdivisions. Furthermore, they contribute to community character and carry out the goals of the Comprehensive Plan.

Applicability. Based on the zone, lot size and densities are prescribed in Table [citation].

Standards	Low Density Residential	Medium Density Residential	Central Business District	Mixed-Use	Public Facilities
Minimum Lot Area	6,000 sf	5,000 sf ¹	none	none	none
Minimum Lot Width	60 feet	50 feet ²	none	none	none
Minimum Street Frontage	30 feet	30 feet ²	12 feet	12 feet	12 feet

¹Townhouses require 1,500 square

feet

²Townhouses require 15 feet

Development Standards

Purpose. Development standards influence the look, feel, and functionality of a place, contributing to the community character and ensuring that new development meets the City's vision as set forth in the Comprehensive Plan.

Applicability. Development standards are based on the use, the building type, and the zone in which the site is located.

Basic Development Standards. Based on the zone, the development standards are prescribed in Table [citation].

Standards	Low Density Residential	Medium Density Residential	Central Business District	Mixed Use	Public Facilities
Maximum Density	1 unit per lot ¹	1 unit per 2,000 sf	none	none	none
Maximum Building Coverage	40%	60%	none	none	none
Maximum Height	35 feet	35 feet	45 feet	45 feet	45 feet ²
Front Setback	15 feet	15 feet	0	10 feet	10 feet
Garage Entrance Setback ³	5 feet/20 feet	5 feet/20 feet	5 feet/20 feet	5 feet/20 feet	5 feet/20 feet
Interior Side Setback	5 feet	5 feet ⁴	0	0	5 feet
Street Side Setback	10 feet	10 feet	0	10 feet	10 feet
Rear Setback	15 feet	15 feet	0	0	5 feet

¹ 1 unit per 6,000 sf for cottage housing

² Exceptions, see ###

³ 5-foot alley setback, 20-foot street setback

⁴ Does not apply to townhouses

Accessory Structures. In the residential zones, an accessory structure attached to the primary structure must meet the setback requirements of the zone. In the residential zones, a detached structure must be located no closer to the street than the primary structure and may be located 5 feet from side and rear property lines. (limit size?)

Main Entrance. At least one main entrance for each structure must face the street, be within 45 degrees of the street, or open onto a porch facing the street. See exception for Cottage Housing [citation]

Windows. At least 15 percent of the area of each facade that faces a street lot line must be windows or main entrance doors. Windows used to meet this standard must allow views from the building to the street. Glass block does not meet this standard. Windows in garage doors do not count toward meeting this standard, but windows in garage walls do count toward meeting this standard. To count toward meeting this standard, a door must be at the main entrance and facing a street lot line.

Cottage Housing

Separation. Houses must be separated by at least 6 feet.

Building Coverage. The maximum building coverage for each house is 1,200 square feet, including the garage.

Common Outdoor Area. One or more common outdoor areas are required.

- The outdoor area must be centrally located.
- The outdoor area must have a minimum of 400 square feet per unit.
- The outdoor area must be contiguous, usable, and serve as a community gathering place.

Main Entrances. Each Cottage shall have a main entrance that faces the street or a common outdoor area.

Pedestrian Connections. All unit main entrances must be connected by paved pedestrian paths at least 6 feet in width. This pedestrian path network must be connected to any common parking area and the public street.