

EXHIBIT 3G - R-1D SINGLE FAMILY RESIDENCE ZONING REG

DIVISION 3. - ONE-FAMILY RESID

Sec. 106-236. - R-1A, R-1B, R-1C, R-1D and R-1H districts generally.

These districts are composed mainly of areas containing one-family dwellings on large building sites and open areas where similar suburban residential development seems likely to occur. In the urban, one-family detached residence districts, few two-family and multifamily dwellings are found, in spite of their more urban location. The district regulations are designed to protect the residential character of the areas by prohibiting all commercial activities; to encourage a suitable environment for family life by including among the permitted uses such facilities as schools and churches; and to preserve the openness of the areas by requiring certain minimum yard and area standards to be met.

(Ord. No. 184, 1957, § IIB.2., 5., 1-14-58; Ord. No. 40, 1982, § I, 2-23-82; Ord. No. 78, 1986, § I, 4-22-86)

Sec. 106-237. - Permitted uses—Generally.

In the urban and suburban, one-family residence districts only the uses listed in this division are permitted.

(Ord. No. 184, 1957, § IIB.2.a.(5)a., 1-14-58; Ord. No. 40, 1982, § I, 2-23-82; Ord. No. 78, 1986, § I, 4-22-86)

Sec. 106-238. - Same—Uses by right.

The uses listed below are permitted subject to the conditions specified:

Accessory use.

Art, sculpture, fountains, monuments, statues and/or other similar landscape features; need not be enclosed within a structure, must be in compliance with requirements of section 106-1181.

Dwelling, one-family.

Farming and truck gardening; need not be enclosed within structure (no on-premises sales of items not produced at the site).

Group home (as defined in section 106-1).

Home-based business; must be in full compliance with criteria specified in section 106-1124.

Parks, pavilions or playgrounds (public or private) with no enclosed activity structures.

Temporary uses, including garage sales, charitable, recreational, religious, cultural, community service or similar events for a period not exceeding four consecutive calendar days duration and no more frequent than three such non-continuous and separate periods in a calendar year for the same building site (municipal address), requires written notice to the zoning administrator; need not be enclosed within structure, reference section 106-1 for additional requirements or restrictions.

(Ord. No. 184, 1957, § IIB.2.a.(1)., 5.a.(1), 1-14-58; Ord. No. 40, 1982, § I, 2-23-82; Ord. No. 352, 1982, § I, 11-9-82; Ord. No. 78, 1986, § I, 4-22-86; Ord. No. 236, 1987, § III, 10-27-87; Ord. No. 61, 1988, § II, 4-12-88; Ord. No. 156, 1989, 10-24-89; Ord. No. 162, 1993, 9-28-93; Ord. No. 178, 1994, 9-13-94; Ord. No. 123, 2006, 9-12-06; Ord. No. 69, 2007, 5-8-07; Ord. No. 74, 2013, 7-9-13; Ord. No. 52, 2016, 5-24-16)

Sec. 106-239. - Same—Uses requiring planning commission approval.

The uses listed below are permitted upon approval of the location subject to site plan approval by the executive director in accordance with section 106-52:

Bed and breakfast lodging, as defined. (Public hearing required.) The planning commission shall have the right to add additional limitations, such as but not limited to, parking requirements, landscaping, fencing and/or design review of proposed elevations by a state-licensed architect. Such architect shall be selected by the MPC and the expenses for said review shall be paid for by the applicant. Except for limitation No. 1, the planning commission shall have the right to waive any of the limitations upon such conditions as determined by the planning commission. Limitation No. 1, regarding the business being conducted by a resident owner family may only be waived by the planning commission provided the owner of the bed and breakfast lodging owns a primary residence within 1,000 feet of the proposed bed and breakfast lodge.

Borrow pit; shall meet criteria established in section 106-1128. (Public hearing optional; however, all property owners within 300 feet of the property containing a borrow pit site shall be notified following procedures used for public hearing notification.)

Fairgrounds, stadiums, arenas, coliseums or sports fields (public or private).

Fire station.

Library (public).

Pipeline or electric transmission line; need not be enclosed within structure.

Railroad right-of-way, but not including shops, yards, and team tracks; need not be enclosed within structure.

Temporary uses, including commercial, recreational, religious, cultural or community service events of a duration or frequency of occurrence in excess of that permitted as a use-by-right; upon showing by the applicant of reasonable justification for the waiver of applicable district and/or supplementary regulations, the planning commission may waive or modify such regulations at its discretion and specify additional requirements or restrictions (such as hours of operation, enclosed within structure, duration, etc.) as deemed appropriate. The commission may hold a public hearing and notify surrounding property owners.

Water or sewage pumping station.

Water storage; need not be enclosed within structure.

(Ord. No. 184, 1957, § IIB.2.a.(2), 5.a.(2), 1-14-58; Ord. No. 40, 1982, § I, 2-23-82; Ord. No. 352, 1982, § I, 11-9-82; Ord. No. 78, 1986, § I, 4-22-86; Ord. No. 217, 1990, 10-23-90; Ord. No. 258, 1994, 11-22-94; Ord. No. 123, 2006, 9-12-06; Ord. No. 69, 2007, 5-8-07; Ord. No. 51, 2016, 5-24-16)

Sec. 106-240. - Same—Special exception uses.

The uses listed below are declared to possess such characteristics of unique or special form that each specific use shall be considered an individual case and shall be subject to approval of the board of appeals in accordance with the provisions of section 106-46 governing special exceptions:

Art gallery or museum.

Cemetery; need not be enclosed within structure.

Church, including parish house, community house and educational buildings.

Correctional, detention or penal institution.

Dwelling, secondary residential; each secondary residential dwelling building site should have adequate square footage to permit each dwelling to meet the required setbacks, and at least 4,000 square feet per unit gross land area, plus direct access to both dwelling units from a public right-of-way. Service by municipal water and sewer lines will be an important consideration. No more than one secondary residential structure will be allowed on any lot. Neighborhood compatibility shall be the principal impact consideration.

Electric substation; need not be enclosed within structure, but must be enclosed within a wall at least ten feet high and adequate to obstruct view, noise and passage of persons.

Heliport.

Hospital or sanitarium.

Livestock and poultry raising; need not be enclosed within structure.

Mobile home, when used as a dwelling unit; must have water and sewer connections.

School, elementary and/or secondary, meeting all requirements of the compulsory education laws of the state.

Telephone exchange; but not including administrative offices, shops or garages.

University or college (nonprofit).

(Ord. No. 184, 1957, § IIB.2.a.(3), 5.a.(3), 1-14-58; Ord. No. 19, 1965, § 1, 2-23-65; Ord. No. 40, 1982, § I, 2-23-82; Ord. No. 204, 1985, § I, 8-22-85; Ord. No. 355, 1985, § 1, 1-2-86; Ord. No. 78, 1986, § I, 4-22-86; Ord. No. 192, 1986, § I, 7-22-86; Ord. No. 236, 1987, § IV, 10-27-87; Ord. No. 58, 1993, 5-11-93; Ord. No. 69, 1997, 6-10-97; Ord. No. 38, 1999, 4-13-99; Ord. No. 69, 2007, 5-8-07; Ord. No. 74, 2013, 7-9-13)

Sec. 106-240.1. - Same—Uses requiring planning director approval.

The uses listed below are permitted subject to planning director approval in accordance with the provisions of section 106-45:

Home-based business (not in compliance with at least one, but no more than five of the criteria specified in section 106-1124).

(Ord. No. 58, 1993, 5-11-93; Ord. No. 69, 2007, 5-8-07; Ord. No. 74, 2013, 7-9-13)

Sec. 106-241. - Building site area.

(a) *General requirements.* Except as provided in article IX of this chapter, the minimum building site area for each district classification shall be:

(1) For a one-family dwelling:

In R-1A districts	25,000 sq. ft.
In R-1B districts	12,000 sq. ft.
In R-1C districts	9,000 sq. ft.
In R-1D districts	7,200 sq. ft.
In R-1H districts	5,000 sq. ft.

(2) For any other permitted use:

For R-1A through R-1H	10,000 sq. ft.
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(b) *Resubdivision (R-1D district only).*

(1) In substantially developed neighborhoods which contain building sites in excess of the minimum standards for R-1D districts, resubdivision so as to create smaller building sites constitutes a change in the character of such neighborhoods.

(2)

Where a subdivided lot of record exceeds the minimum building site area, resubdivision of that lot shall be permitted only when each proposed resubdivided lot is not less than the average of surrounding contiguous residential building sites, in the same subdivision filing, including the existing open spaces, yards, and off-street parking facilities in conjunction therewith. Contiguous sites shall include those directly across any residential service streets. Waiver of this restriction may be granted by the planning commission through the subdivision process only upon a specific finding of good cause therefor, provided such relief may be granted only if there will not be substantial detriment to the public good or substantial impairment to the intent and purpose of this chapter, and further provided that economic hardship alone shall not constitute good cause.

(Ord. No. 184, 1957, § IIB.2.b., 5.b., 1-14-58; Ord. No. 40, 1982, § I, 2-23-82; Ord. No. 166, 1984, § I, 8-14-84; Ord. No. 78, 1986, § I, 4-22-86)

Sec. 106-242. - Building height limit.

Except as provided in article IX of this chapter, no structure in any urban or suburban, one-family residence district, shall be erected or altered to exceed 35 feet.

(Ord. No. 184, 1957, § IIB.7.c., 5.c., 1-14-58; Ord. No. 78, 1986, § I, 4-22-86)

Sec. 106-243. - Required yards.

Except as provided in article IX of this chapter, the minimum dimensions of yards for each district classification shall be:

(1) Front yard:

For R-1A through R-1D districts: 30 feet

For R-1H districts: 20 feet

(2) Side yards for R-1A through R-1C:

One-story: five feet.

Two-story: ten feet.

Three-story: 12 feet.

Each additional story: two additional feet.

Side yard for R-1D and R-1H districts: five feet.

Rear yard for R-1A through R-1H districts: 15 feet.

(Ord. No. 184, 1957, § IIB.2.d., 5.d., 1-14-58; Ord. No. 78, 1986, § I, 4-22-86)

Secs. 106-244—106-255. - Reserved.