CHAPTER 16.8 R-1-9 RESIDENTIAL ZONE

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Section 16.8.1 Objectives and Characteristics

The objective in establishing the R-1-9 Residential Zone is to provide a residential environment within the City which is characterized by smaller lots and somewhat denser residential environment than is characteristic of the R-1-11 Zone. Nevertheless, this zone is characterized by spacious yards and other residential amenities adequate to maintain desirable residential conditions. The principal uses permitted in this zone shall be one and two-family dwellings and certain other public facilities needed to promote and maintain stable residential neighborhoods.

Section 16.8.2 Permitted Uses

A. One-family dwellings and related accessory buildings and uses. Accessory uses and buildings include garages, personal greenhouses less than one thousand (1,000) square feet and carports.

(2013-02, Sub-section Amended, eff. 5/8/13)

B. Customary household pets, including but not limited to cats, dogs and canaries. This does not including the breeding of dogs and cats or other pets for sale or other use. Notwithstanding the foregoing, no more than three cats or three dogs are permitted at one time at any single-family residence.

C. Temporary buildings and yards for the storage of materials and equipment incidental to the construction of dwellings and other permitted uses provided that a permit for such temporary buildings shall not be effective for more than one year.

D. Attached two-family dwellings. Attached two-family dwellings must meet the following:
1. Have a separate kitchen and bathroom facilities for each dwelling unit.
2. Have adequate off-street parking for each dwelling unit.
3. Have separate utilities to each dwelling unit.
4. Each dwelling unit is built to residential building codes.
5. No temporary structures are allowed as a dwelling unit.
6. Both dwelling units are under one ownership.

7. Each dwelling unit will have its own address.
8. Each dwelling unit will meet emergency and fire code access standards.
9. A hard surface driveway (concrete, asphalt, or brick) must be installed for both dwellings before the Certificate of Occupancy is approved.

(2010-12, Sub-section Replaced, eff. 6/2/2010)

E. Detached two-family dwellings. Detached two-family dwellings must meet the following:
1. Have a separate kitchen and bathroom facilities for each dwelling unit.
2. Have adequate off-street parking for each dwelling unit.
3. Have separate utilities to each dwelling unit.
4. Each dwelling unit is built to residential building codes.
5. No temporary structures are allowed as a dwelling unit.
6. Both dwelling units are under one ownership.
7. Each dwelling unit will have its own address.
8. Each dwelling unit will meet emergency and fire code access standards.
9. A hard surface driveway (concrete, asphalt, or brick) must be installed for both dwellings before the Certificate of Occupancy is approved.
10. One of the two units must be occupied by the owner or a person related to the owner by blood, marriage or adoption.
11. The living area square footage of one of the dwellings cannot be more than 70% of the living area square footage of the second dwelling.
12. Detached garages may contain a dwelling unit above or below the garage if the dwelling unit meets requirements 1-11 of this section.

(2010-12, Sub-section Added, eff. 6/2/2010)

F. Home Occupations

(2010-21, Sub-section Added, eff. 7/28/2010)

G. Residential Facilities for Elderly Persons

(2012-11, Section Added, eff. 4/11/2012)

H. The keeping of animals and fowl in numbers according to the following point system on lots/parcels that are at least one acre in size:
1. Animals may total 50 points per ½ acre.
2. Animals shall be worth the following points each:
a. Rabbits, hens (females), pigeons, pheasants, and other similar birds; 2 points.
b. Geese, ducks, peafowl, turkey and other similar birds; 10 points.
c. Sheep, llamas, calves, foals, and other similar sized animals; 25 points.
d. Horses, cattle, and other similar sized animals; 40 points.
e. For the purpose of this point system, an animal and one offspring shall be considered to be one animal until six months after the birth of the offspring.

(2017-15, Section Added, eff. 1/24/2018)

I. Hens (females) of any chicken species may be kept. However, roosters (males) are prohibited. Rabbits are also allowed.
1. Chickens and rabbits must be kept on the owner's property at all times and are not allowed to run or roam free onto neighboring properties.
2. Coops and rabbit pens shall not be located within the front yard, and shall be located at least twenty-five (25) feet from any neighboring dwellings, and shall be located at least twenty (20) feet from the edge of any open waterway that drains into a natural stream. Surface drainage from coops shall not be permitted to drain into a waterway that drains into a natural stream.
3. Up to three (3) chickens or rabbits may be kept on a detached single-family home lot which contains at least 5,000 square feet. One (1) additional chicken or rabbit may be kept for each 1,000 square feet of lot area above the 5,000 square foot minimum, for a maximum of eight (8) chickens or rabbits permitted on each lot.
4. The premises upon which chickens or rabbits are kept shall be maintained in a clean, sanitary, and reasonably odor-free condition.
5. Definitions. 1. "Coop" means a cage, pen, enclosure, or building for the sheltering of chickens.

(2017-15, Section Added, eff. 1/24/2018)

Section 16.8.3 Conditional Uses

A. Public buildings, primary and secondary schools, churches, but not temporary revival tents or buildings.

(2011-01, Sub-section Amended, eff. 2/16/2011)

B. Planned Unit Developments.

C. Cottage Industries.

(2010-21, Sub-section Amended, eff. 7/28/2010)

D. Child day care centers and foster family care homes.

E. Manufactured Home Parks.

F. Rest Homes/Nursing/Convalescent Facilities

(2012-11, Sub-section Added, eff. 4/11/2012)

G. Greenhouse, Personal: greater than one thousand (1,000) square feet

(2013-02, Sub-section Added, eff. 5/8/2013)

Section 16.8.4 Area Requirements

A. A minimum lot or parcel size of 9,000 square feet shall be provided for one-family dwellings.

B. A minimum lot or parcel size of 12,000 square feet shall be provided for attached two-family dwelling such as a duplex or twin home, child day care centers and foster family care homes.

C. A minimum lot or parcel size of 33,000 square feet shall be provided for detached two-family dwellings.

(2010-12, Section Replaced, eff. 6/2/2010)

Section 16.8.5 Width and Frontage Requirements

The minimum width and frontage of any building site in the R-1-9 zone shall be 90 feet. A minimum width and frontage of 100 feet shall be required for attached two-family dwellings. A minimum width and frontage of 110 feet shall be required for all detached two-family dwellings.

(2010-12, Section Replaced, eff. 6/2/2010; 2012-13, Section Replaced, eff. 5/9/12; Error Corrected, 7/13/15)

Section 16.8.6 Location Requirements

A. Front Setback. All buildings and structures shall be set back at least 30 feet from the front lot line or projected street right-of-way.

B. Side Setbacks. All dwellings shall be set back from the side property lines a distance of at least ten feet. The minimum side setback for accessory buildings shall be the same as for main buildings, except that a 3-foot side setback shall be required for accessory buildings which are located more than 100 feet from the front lot line and at least 12 feet to the rear of any dwelling. On corner lots, the side setback from any street shall not be less than 30 feet for both main and accessory buildings.

C. Rear Setback. For interior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least 30 feet. Accessory buildings on interior lots shall be set back not less than 10 feet from the rear property line, except that a 2-foot rear setback shall be permitted for accessory buildings meeting fire resistive requirements of the building code. For corner lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least 30 feet, except that for dwellings having an attached garage or carport, the setback shall not be less than 20 feet. Accessory buildings on corner lots shall be set back from the rear property line a distance of not less than 3 feet.

Section 16.8.7 Size of Dwelling

The ground floor area of all dwellings shall be not less than 900 square feet except as may be approved in a large-scale development.

Section 16.8.8 Supplementary Requirements

See Chapter 16.13, Supplementary Requirements in Zones.