

Chapter 8

RS SINGLE-FAMILY RESIDENTIAL DISTRICTS/ZONES

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10-8-1: DESCRIPTION AND PURPOSE:

The RS Single-Family Residential District is intended for low density, urban single-family residential and compatible uses. A stable and healthful environment, together with the full range of urban services, makes this an important land use district within the community. (Ord. 2140; amd. Ord. 3151)

10-8-2: PERMITTED BUILDINGS AND USES:

Permitted buildings and uses in the RS District shall be as set forth in section, "Schedule Of District/Zone Land Use Controls", of this title, subject to the general provisions and exceptions set forth in this and other chapters of this title.

Move-on houses may be permitted in accordance with compliance with regulations in section 10-1-21 of this title. (Ord. 2140; amd. Ord. 2978)

10-8-3: BUILDINGS AND USES PERMITTED CONDITIONALLY:

The Planning and Zoning Commission may grant a conditional use permit for any of the conditional uses listed for the RS District as set forth in section 10-3-2, "Schedule Of District/Zone Land Use Controls", of this title, in accordance with the procedures set forth in chapter 25 of this title.

- A. Two-unit single-family attached zero lot line dwellings shall comply with the following requirements: (Ord. 2140; amd. Ord. 3077)
 - 1. All applicable City, State and Federal building regulations pertaining to common walls and/or zero lot line construction shall be complied with. Area separation walls and roofs shall comply with the International Building Code.
 - 2. Common walls shall be adequately soundproofed in accordance with the International Building Code. (Ord. 2140; amd. Ord. 3077; Ord. 4428, 4-15-2019)

3. Electrical, domestic water supply, sewer, heating and air conditioning systems, etc., shall be separately installed for each dwelling unit. In no case shall such systems penetrate common walls.
4. Deeds or covenants pertaining to buildings shall contain appropriate provisions regarding harmonious maintenance of individually or commonly owned indoor or outdoor walls and outdoor yard areas.
5. Maintenance or encroachment easements shall be recorded as necessary for individual owners to assure access to all privately owned yard areas and outdoor walls.
6. Overall lot areas, lot width, and yard/setback requirements for two-dwelling unit style structures shall be the same as for single dwelling unit structures excepting one standard. Side setbacks (minimum side yards) shall be required to be but five feet (5') on either side of a two-dwelling unit structure regardless of whether an alley abuts the property whereupon a two-unit dwelling is proposed to be emplaced. (Ord. 2140; amd. Ord. 3077)

10-8-4: BUILDING HEIGHT REGULATIONS:

No principal building shall exceed two and one-half (2^{1/2}) stories or thirty feet (30') in height. (Ord. 2140)

10-8-5: DETACHED ACCESSORY STRUCTURES:

Shall comply with standards in section 10-3-2 of this title and, in addition, the following regulations apply:

- A. Detached accessory structures shall not be taller than the height of the principal building on the property or twenty-two feet (22'), whichever is greater.
- B. Detached accessory structures over two hundred (200) square feet (201+) in footprint area shall comply with required front and interior yard setbacks that apply to principal buildings and require a building permit.
- C. Detached accessory structures two hundred (200) square feet or under and twelve feet (12') or lower in height may be built to within five feet (5') of any property line provided they are at least three feet (3') from any primary structure wall (unless a building permit is obtained from the City to locate closer to the house).
- D. In no case shall any portion of an accessory structure be located closer to the front property line than any covered part of the house to which they are accessory.
- E. As noted in subsection 10-1-7 D3 of this title, only two (2) accessory structures per property are permitted in the RS Zone, and only one of those may be a detached guesthouse or in-laws' quarters. (Ord. 4428, 4-15-2019)

10-8-6: PROPERTY AREA, WIDTH, DEPTH, FRONTAGE AND SETBACK REQUIREMENTS:

In order for a property to be eligible for development the following requirements shall be adhered to:

RS Zoning District/Zone	Maximum Number Dwelling Units Per Acre	Required Property Area ¹	Required Property Width	Required Mean Property Depth	Required Street Frontage ²
RS 4	9.18	4,000	50 feet	50 feet	22 feet
RS 6	7.26	6,000	50 feet	60 feet	22 feet
RS 7	6.22	7,000	50 feet	70 feet	22 feet
RS 8.5	5.12	8,500	70 feet	80 feet	22 feet
RS 12	3.63	12,000	80 feet	80 feet	22 feet
RS 15	2.90	15,000	100 feet	80 feet	22 feet
RS 18	2.42	18,000	100 feet	80 feet	22 feet
RS 22	1.98	22,000	100 feet	80 feet	22 feet

Notes:

1. All single-family residential lots/parcels developed/built out (or proposed to be developed/built out) with either attached or detached single-family residential dwelling units (i.e., houses or townhouses) thereon, shall have/maintain at least 22 feet of public street frontage.

Exception A: RS 4 zoned properties shall only be allowed within single-family detached subdivisions platted after April 15, 2019 and in accordance with rules set forth in section 10-27-4 of this title.

Exception B: Building lots established in accordance with subsection 10-27-4 A of this title during the platting process may enjoy smaller than normal minimum lot sizes as stated in that section. However, terms of a development agreement or entitlement instrument/permit may require otherwise.

Note that RS 6 and RS 7 zoned single-family residential subdivision lot averaging requirements [may] artificially cap gross density yield in those zones (see section 10-27-6 of this title).

2. Lots/parcels that abut a City approved private street, or, a City approved common driveway, shall have/maintain at least 22 feet of frontage abutting that private street or common driveway. Such lots/parcels shall also be demonstrated to have legal access/connection, via a City approved private street or common driveway, to a public street before the City may issue a building permit(s) or approve construction of any structure(s) on said residential lot/parcel(s) (as iterated in the definition of "property" in section 10-1-2, "Definitions", and subsection 10-1-7 B1 of this title).

(Ord. 4159, 1-20-2015; amd. Ord. 4428, 4-15-2019)

- A. Sizing Properties: Properties formed via survey split shall be sized according to City zoning or Southwest District health standards, whichever is more restrictive. Properties formed by platting that are not or will not be served by City sewer and/or City water supply shall meet the minimum size standards regulated by Southwest District Health Department.
- B. Property Dimensions Maintained: When a single-family dwelling is located, or is to be located, on an interior property line, the required property dimensions shall be maintained or required as appropriate. When a single-family dwelling is located, or is to be located, on a platted corner lot then lot dimensions may be reduced in accordance with provisions in section 10-8-8 of this chapter.
- C. Minimum Property Structure and Parking Front Yard (Setback): Shall be twenty feet (20') wide/deep. Single-family dwellings (houses) are allowed a reduction to the required twenty foot (20') front setback under certain conditions:

- 1. When a new house is proposed to be built, or an existing house added onto and that house lies within a City subdivision platted with square three hundred foot by three hundred foot (300' x 300') blocks, and the houses to either side of the house under consideration that lie in the same block, on the same side of any alley and abutting the same street are, on average, closer to their front property lines than twenty feet (20'), then the new house or addition may encroach into the twenty foot (20') setback to some degree.

Specifically, the house or addition may be as close as the average of the other homes' encroachment; provided it never sits closer than fifteen feet (15') to the front property line. However, in no case shall any garage or carport affiliated with a new or expanding house be allowed to be closer than twenty feet (20') to the front property line.

- 2. When a new house is proposed to be built, or an existing house added onto and that house lies within the city subdivision platted in other than square three hundred foot by three hundred foot (300' x 300') blocks, and the houses to either side of the house under consideration, on average, happen to be closer to their front property lines than twenty feet (20'), then the new house or addition may encroach into the twenty foot (20') setback to some degree.

Specifically, the house or addition may be as close as the average of the other two (2) homes' encroachment; provided it never sits closer than fifteen feet (15') to the front property line. However, in no case shall any garage or carport affiliated with a new or expanding house be allowed to be closer than twenty feet (20') to the front property line. (Ord. 2140; amd. Ord. 3151)

- D. Minimum Property Structure and Parking Interior (Side/Rear) Yards: Shall be five feet (5') wide/deep, except where a utility easement is recorded adjacent to a side property line, there shall be provided a side yard (setback) at least the width of the easement on the development site or five feet (5'), whichever is greater. Where a utility easement is recorded adjacent to a rear lot line, the rear interior yard (setback) shall be the width of the easement on the development site or five feet (5'), whichever is greater.

For a property abutting an alley the required rear yard setback shall be fifteen feet (15') from the centerline of that alley. (Ord. 4282, 9-19-2016)

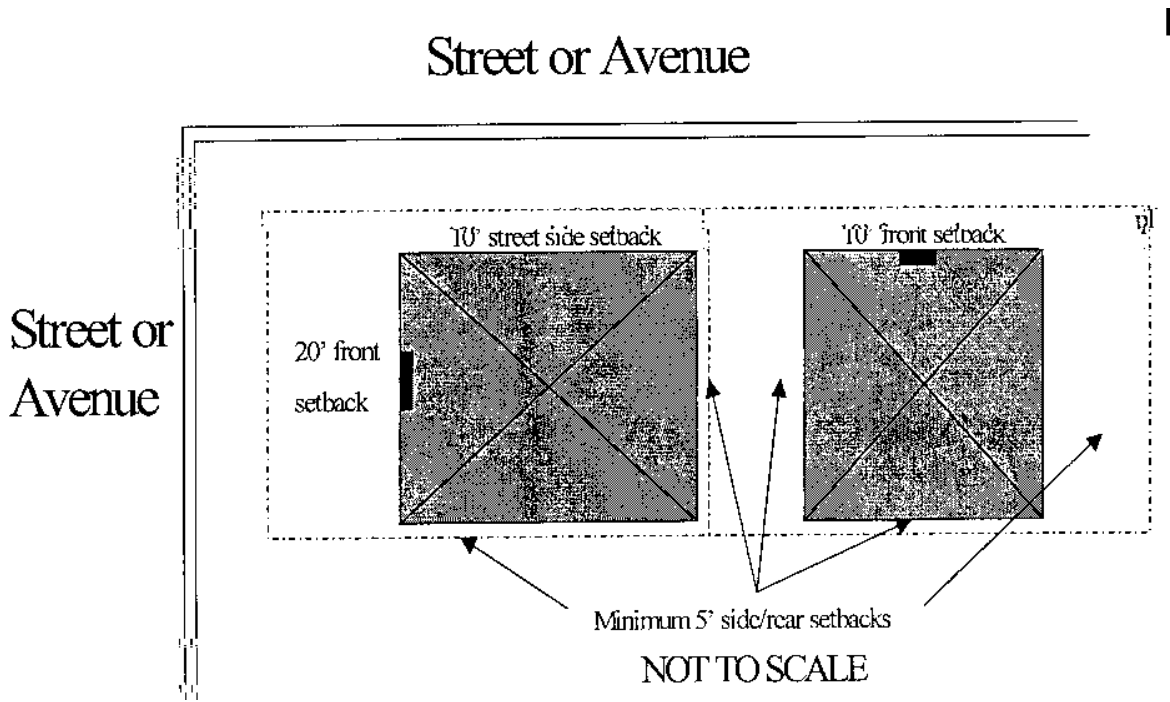
10-8-7: MAXIMUM PROPERTY COVERAGE:

None specified. (Ord. 2140; amd. Ord. 3006)

10-8-8: PLATTED CORNER LOTS:

Platted corner lots (left undisturbed from 1947) shall observe the minimum front yard setback requirements on one street side. One-half (1/2) the minimum setback requirements shall be observed on the second street side.

Regarding 1947 corner lot splits, the side yard of the lot at the corner and the front yard of the new lot (set away from the abutting intersection corner) shall provide at least ten feet (10') for their street side and front yard setback areas respectively. Refer to illustration in this section:



Two-unit, zero lot line attached units or two (2) detached single-family dwellings or two (2) detached prefabricated homes may be permitted on platted corner lots when the following criteria are met:

- A. Location: On lots platted prior to 1947, and left in original configuration, that are at least fifty feet (50') wide by one hundred forty feet (140') deep.
- B. Special Requirements: Requirement number 3 shall have no effect on corner lots containing two (2) existing single-family homes prior to June 16, 1975. Other listed requirements shall have no effect on corner lots containing two (2) existing single-family homes prior to April 16, 1979, provided no conditional use permit has been granted containing any of the requirements. In instances where a conditional use permit has been granted, conditions of the permit shall be adhered to.
 - 1. Two (2) off street parking spaces shall be provided for each lot in accordance with requirements noted in section 10-8-11 of this chapter.
 - 2. Curb, gutter and sidewalk shall be provided along entire depth of the original lot.
 - 3. The smallest parcel shall have two (2) property lines at least sixty-five feet (65') in length.

4. Utility services shall be located in recorded easements on private property. Utility easements and utility lines placed within the same shall be arranged such that no building construction will occur over utility lines.
5. Property survey pins for each lot shall be placed prior to the issuance of a building permit for the new home.
6. Construction shall comply with plans submitted, approved and on file with the building division.
7. The building official shall not issue a certificate of occupancy until the engineering, planning and zoning and building divisions are satisfied that all of the stated requirements have been complied with. In the event that any of the requirements are not satisfied, a bond shall be required in the amount of one hundred fifty percent (150%) of the value of those that are incomplete.
8. An application for a building permit shall include a plot plan showing existing conditions and proposed improvements at a scale of at least one inch to twenty feet (1" = 20'). (Ord. 2140; amd. Ord. 3151)

10-8-9: AREA OF INTERIOR "FLAG" PROPERTIES:

The area within the strip of ground (flagpole) connecting a building property with a street (and thereby providing "frontage" for the property) shall not be considered as part of the flag property's total area. (Ord. 2140; amd. Ord. 2978)

10-8-10: SIGNS:

Shall conform to the requirements set forth in chapter 23 of this title. (Ord. 2140; amd. Ord. 3077)

10-8-11: PARKING AND PARKING LOT LANDSCAPING AND PROPERTY LANDSCAPING:

At least two (2) paved, off street parking spaces shall be provided per residential dwelling unit (e.g., house) in the RS zone. Such spaces shall be located on the property whereupon lies the dwelling unit.

After the passage date hereof each new house or manufactured home shall have at time of construction, and shall maintain ever after, covered parking entailing, as a minimum, at least one of the off street parking spaces sheltered within a single car garage, or, under a carport structure (which has an accessory storage structure attached thereto) that, in either case, does not lie within a required setback.

Conversion of all or part of space within a garage that existed prior to the passage date hereof may be allowed provided that at least one covered and/or enclosed parking space is created elsewhere on the same property within a new garage or under a new carport placed in conformance with setback requirements. Further, legal access to a public right of way or approved common drive shall be required for any new garage or carport provided.

Other uses shall conform to the parking, parking lot landscaping, and property landscaping requirements in chapters 22, 23 and 33 of this title. (Ord. 4070, 10-7-2013)