



November 29, 2018

Citizens Environmental Quality Committee
Winona, Minnesota 55987

Dear Committee Members:

The next meeting of the Citizens Environmental Quality Committee meeting will be held on **Thursday, December 6th, 2018 at 4:30 p.m. in the Misato Room of City Hall.**

1. **Call to Order**
2. **Review and approval of Nov. 1, 2018 meeting notes**
3. **Unified Development Code Review –43.02.22 through 43.02.24 (45 minutes)**
4. **Ongoing Initiatives Update (5 minutes)**
 - 4.1. **Partners in Energy**
 - 4.2. **GreenStep Cities**
5. **Other Business (5 minutes)**
6. **Adjournment**

Sincerely,

John Howard

Natural Resources Sustainability Coordinator

CITIZENS ENVIRONMENTAL QUALITY COMMITTEE MEETING NOTES

DATE: Thursday Nov. 1, 2018

TIME: Scheduled for 4:30 pm at the City Hall Misato Room

PRESENT: Dan Hall, Lynette Power, Alison Bettin, and Bruno Borsari

GUESTS: Chris Rogers (Winona Post)

STAFF: Natural Resources Sustainability Coordinator John Howard, Asst. Planner Luke Sims

1. Call to order by Chair Hall at 4:31 pm.
2. **Community Input Session:** No community members were present, so no presentation was conducted. John passed out a letter from the Winona area Chamber of Commerce stating their opposition to creating an environmental commission. This letter will also be distributed to the Planning Commission and City Council per the Chamber's request.

Chair Hall stated that the Chamber has stated similar concerns in the past, and is concerned about environmental regulations impacting their members. The CEQC worked to address the concerns of the business community by making changes to the draft ordinance, but were not able to allay the Chamber's concerns.

Bruno proposed drafting a response to stakeholders so they can see the "other side of the pancake". Dan said that since the Chambers views are known, and established, replying does not do much good. Bruno suggested the minimum response by the CEQC should be a reply. Alison stated since no action is before council there is not a pressing need to respond, and may trigger a battle or confrontation with the Chamber. Alison does not see conflict between business and environment, and is a small business owner herself. LaCrosse is an example of a City embracing the environment and businesses simultaneously.

Dan offered to draft a reply for review at the next meeting. Dan stated there is history, including frac sand and bluff land protection, that seems to cause pushback from the Chamber. Alison asked for clarification on history of motions for commission status. John replied that the CEQC went before the Council in June of this year, and the motion to be a commission was tabled, with many Councilmembers citing concerns from the business community. Dan added that the Planning Commission voted to support the creation of an Environmental Commission, although at a 3-2 vote, prior to the CEQC going before the City Council.

Lynette suggested a refinement of goals, as it seems there is still confusion about the CEQC having a regulatory focus when the CEQC really only desires to be an advisory commission. Dan does not believe the Chamber can be convinced otherwise. Ultimately the CEQC's status will be a decision for the City Council.

John added there was one other individual who provided input, and this individual suggested the CEQC consider addressing noise pollution as a goal. Alison saw his post on Facebook to this effect.

Alison suggests getting other groups to support the CEQC if the CEQC desires to go before the City Council to request becoming a commission. Groups that came to mind: Winona Area Pollinators, Healthy Lake Winona, Mississippi River Revival, Friends of the Refuge. Lynette thought getting a coalition would be helpful, which prompted John to suggest Sustain Winona as another group. Alison offered to assemble a list.

3. **Review of Oct. 4 Minutes:** Bruno moved for approval, seconded by Alison. Draft minutes approved unanimously.

4. **Unified Development Code (UDC) Review:**

Dan suggested going through paragraph by paragraph, with John taking notes. CEQC agreed to this process.

- 1.11 Purpose:

Dan: No mention of environment, and seems there should be. Surprised to see a reference to morals and comfort? Suggests the phrase "Protection of the environment" inserted to end of 1). Alison suggests adding it to 3).

Luke stated that the UDC is adapted from previous City code, which may explain the reference to morality and comfort. Lynette also said "comfort" is awkward. She wonders if the morality mention could be from the controversy about the downtown porn book store and massage parlors.

Bruno: # 3: most appropriate use of land is quite vague. What is inappropriate? Example of house on the bluff being offensive and not "appropriate" to some people. Dan said this is just the purpose statement, so ok to be vague about exact definition, and later sections should fill in the details. Bruno suggests "sustainability" in place of appropriate, or "reasonability or feasibility".

John requested clarification from Luke on how specific the CEQC should be in their suggestions. Luke said concept is what is important to Planners, but can give specific wording or phrasing if desired.

Bruno reads "purpose" heading to seem laissez faire, which is disturbing as that is not really planning. Dan believes the detail comes in later sections.

- 1.12, 1.13, 1.14 – no comments.
- 1.15. Dan had question about effective date of the UDC. Luke stated UDC was in effect upon being approved by City Council in 2017.
- 1.16 Dan – who is UDC admin? Luke stated it is City Planner Carlos Espinosa.
- 1.17 Dan- each day has violation? And misdemeanor? Luke said that is correct, but actual response is more about getting into compliance.

- 1.18, 1.21, 1.22 – no comments.
- 1.23: Dan – odd to have this section, seems to be a coverall for mistakes. Luke: graphics can be incorrect, so want to be clear about text being the definitive source.
- 1.24 Transitional rules – still some projects under old rules. Timeline is nearing end.
- 1.25 Nonconformities. Legal right to continue non-conformity. Lynette wondered on impact to small business? Such as one run through house where the business would not be allowed by the zoning. Luke replied that you can have one employee outside of yourself before zoning is in effect. Dan said that planning/zoning often was about current use, and not necessarily about what the area should be.
- 1.27 Lots of record – idea is that if you have lot of record, you can build a house. Pre 1959 there were lots of record. Chart of setbacks is still in effect for lots of record.
- Dan asked about trash or dilapidated homes, or hoarders. Luke: not in UDC, but in nuisance and building official review areas of City code.

Article 2:

- 2.11 and 2.12 Dan asked about overlay vs. standard zoning? Luke explained that the overlay allows other rules in an area, with underlying zoning still applying.
- 2.13 Zoning Map: John asked about unzoned? Theoretically about areas that don't have use. Lynette wondered about school re-use, and freedom to reuse? Essentially the zoning rules apply.
- 2.14 and 2.15: No comment.
- 2.16 Exceptions: Dan found this section interesting, but good to have rules for safety. Dan stated that cars can also be an obstruction. Lynette said some structures near road or alley can be unsafe. Lynette interested in pond and rules about them. John asked about whether a natural swimming pool is a pond or pool under City code. Luke replied that a natural swimming pool would be considered a pool and not a pond, and thus require fencing.
- Luke enquired about what the CEQC thought of setback rules, which historically existed for fire protection. Lynette feels that fire protection is still important consideration. Lynette also believes having homes too close together is bad for mental health. Alison torn about need for setbacks – tiny homes are not supported presently. Alison likes that setbacks limit size of house, gives space for garden and runoff absorption. Dan likes idea of having setback for uniformity. Bruno believes City needs point and non-point controls for stormwater, and to have building reuse allow co-housing.
- 2.21 John asked about the merger of conservation with ag. zoning, and if CEQC sees concerns with these two now being one zoning area. CEQC members were not sure what changed with merging zoning of these two districts so did not weigh in.

John suggested pausing at section 2. 22. Use tables, as the discussion had already run an hour. The Use Tables are some of the most important and informative pieces of the UDC, so should not rush through them. CEQC accepted this suggestion.

5. Ongoing Initiatives:

- a. Partners in Energy (PIE): The Green Ribbon Commission kicked off in late September, and will be a vehicle to help businesses share best practices and utilize available utility programs. Seven businesses attended representing a wide variety of industries. Next meeting will be later this month. John shared that the most recent quarterly report from Xcel Energy is in the packet and will be going to the City Council. Seems the City is doing about as well as last year with PIE actions, although a different mix of successes.
- b. Green Step: The new GreenCorps member will likely be a big help in advancing GreenStep actions. Green step webinars have started back up for the year, and John can coordinate a viewing if there is interest.
- c. Invasive Species Removal: County is putting big emphasis on Oriental Bittersweet Removal. SE Minnesota Rapid responders, which includes the City, won a statewide award for their work.

6. Other business:

- a. Lynette shared articles about fluoride and effects to brain health and thyroid. Alison stated that there are clear health benefits to fluoride in water. Dan also stated health benefits are there, and he would not support removing fluoride. Lynette stated fluoride can be obtained by other means, for example at dental visits, so doesn't need to be in drinking water. Currently it is a challenge for those who want non-fluorinated water to get it. Alison concerned about the equity for those not having access to dental care. Dan concerned about fringe appearance if the CEQC seriously devotes time to studying fluoride. Alison feels there are more pressing and impactful issues to focus on. Bruno believes Lynette has provided good food for thought. John does not believe the City could legally provide non-fluorinated water. Private well may be an option, although Lynette doubts that the wells run to the same deep aquifer that the City uses, and thus would be inferior water.
- b. Park Plan is in development, and one recommendation of the draft plan is for the CEQC to advise on environmental aspects of park management. John asked if CEQC would be willing to fill that role. CEQC supportive of being engaged in park environmental management.

7. Meeting adjourned at 6:33 pm. Moved by Bruno, all in favor.

CITIZENS ENVIRONMENTAL QUALITY COMMITTEE

AGENDA ITEM: 3. Unified Development Code Review –43.02.22 through 43.02.24

PREPARED BY: John Howard

DATE: Dec. 6th, 2018

For this meeting, please review 43.02.22 through 43.02.24, which are the use tables and site dimension standards. These pieces of the UDC were included in the reading materials for the November meeting, but we did not have time to discuss them. It is unlikely that a City Planner will be able to attend our meeting, so please let John know beforehand if you have specific questions, and I will try to have the planners prepare answers before the meeting.

Please come with questions and ideas for any specific areas/sections you feel should be discussed. Staff suggests an emphasis on how permitting or not allowing a use impacts the environmental dimensions of the city. For instance, composting is not specifically listed as a Use Type, and therefore is not permitted in any zoning district.

If you would like to read ahead or see other parts of the UDC, the full document is available here: <https://www.cityofwinona.com/city-services/planning-zoning/development-code-update/>. If you would like a paper copy, please notify John.

- 11) B-2 – The purpose of the B-2 Community Business District is to provide shopping areas along the arterial roadway system with moderately scaled commercial uses that are primarily intended to serve the local community.
- 12) B-3 – The purpose of the B-3 General Business District is to accommodate large-scale commercial uses that benefit from access and visibility to major highways and are primarily intended to serve the regional market area.
- 13) I-1 – The purpose of the I-1 Light Industrial District is to provide areas for light industrial uses, including the assembly, fabrication, and processing of goods and materials, and related operations, provided that industrial activities are conducted entirely within buildings and where the byproducts of industrial activities, such as noise, odors, smoke, and storage are confined entirely within the buildings and ordinarily do not have nuisance impacts on surrounding properties.
- 14) I-2 – The purpose of the I-2 Heavy Industrial District is to provide an area for heavy industrial uses, including the manufacturing, assembly, fabrication, processing, warehousing, distribution, and related operations that generally require larger land areas, significant exterior operation or storage of equipment and materials, and/or where the byproducts of industrial activities, such as noise, odors, smoke and storage may have nuisance impacts on surrounding properties.
- 15) AG/NR – The purpose of the AG/NR Agricultural/Natural Resources District is to protect and maintain the use of land for agricultural purposes, preserve and promote natural resource environments, discourage untimely and unplanned urban sprawl, and prevent the inefficient provision of municipal services, which can result from urban development.

43.02.22 Use Tables

A) General

- 1) **Table 43-1: Principal Uses Table**, lists land uses and indicates whether they are permitted, permitted with standards, conditional, or prohibited. The table also includes references to whether additional use specific standards are applicable to that use. The following definitions shall be referenced when using **Table 43-1**:
 - a) Permitted uses – a “P” in a cell of the use table indicates that the land use is allowed by right in the base zoning district.
 - b) Permitted with standards use – a “PS” in a cell of the use table indicates that the land use is allowed when standards identified in **Article 03, Division 7** are met. Uses permitted with standards are also subject to all other applicable requirements of the UDC.
 - c) Conditional – a “C” in a cell of the use table indicates that the land use is allowed in the base zoning district only upon approval of a conditional use permit as described in Section **43.06.24** and in compliance with any use specific standards identified in **Article 03, Division 7**. Uses subject to a conditional use permit are also subject to all other applicable requirements in the UDC.
 - d) Prohibited – a blank cell in the use table indicates that the land use is prohibited in that base zoning district.
- 2) The Accessory Use Table, **Table 43-2**, lists accessory uses and indicates whether they are permitted or permitted with standards. The table also includes references to whether additional use specific standards are applicable to that use. The following definitions shall be referenced when using **Table 43-2**:

- a) Permitted uses – a “P” in a cell of the use table indicates that the accessory land use is allowed by right in the base zoning district.
 - b) Permitted with standards use – a “PS” in a cell of the use table indicates that the accessory land use is allowed when standards identified in **Article 03, Division 7** are met. Uses permitted with standards are also subject to all other applicable requirements of the UDC.
 - c) Prohibited – a blank cell in the use table indicates that the accessory land use is prohibited in that base zoning district.
- 3) Unlisted uses. When a proposed land use is not explicitly listed in the use table, the Community Development Department shall determine whether or not it is included in the definition or a listed use or is so consistent with the size, scale, operating characteristics, and external impacts of a listed use that it should be treated as the same use. Any such interpretation shall be made available to the public through mailed notice to property owners with 150 feet and shall be serve as a finding for future decisions of the city until the Community Development Department makes a different interpretation.
- 4) Overlay Districts Prohibited. When a property is located within the boundaries of one or more overlay districts, the most restrictive use provision among the overlay and base zoning districts shall apply.

B) Principal Uses Table

Table 43-1: Principal Uses Table

Use Type	RESIDENTIAL						MIXED USE			BUSINESS			INDUSTRIAL		AGRICULTURAL	USE SPECIFIC STANDARDS
	R-R	R-S	R-1	R-1.5	R-2	R-3	MU-DC	MU-DF	MU-N	B-1	B-2	B-3	I-1	I-2	AG/NR	
Residential																
Household Living																
Dwelling, single-family	P	P	P	P	P	P			P	P					P	
Dwelling, two- to four-family			PS	P	P	P			P	P						Yes
Dwelling, conversion to two-, three-, and four-family			C	PS	PS	PS			PS	PS						Yes
Dwelling, attached townhouse or rowhouse (5 or more units)			C	PS	PS	PS		PS	PS	PS	PS					Yes
Dwelling, apartment (5 or more units)						P		P	P	PS	PS	PS				Yes
Dwelling, apartment mixed use (1 or more units)							PS	PS	PS	P	P	P				Yes
Manufactured home park			C	C	C	C	C	C	C	C	C	C				Yes
Group Living																
Assisted living facility					C	P	C	C		P	P	P				
Fraternity or sorority					C	C		C	C							Yes
Long-term or transitional care facility					C	P	C	C		P	P	P				

Table 43-1: Principal Uses Table

P = Permitted

PS = Permitted with Standards

C = Conditional

Blank Cell = Prohibited

Use Type	RESIDENTIAL						MIXED USE			BUSINESS			INDUSTRIAL		AGRICULTURAL	USE SPECIFIC STANDARDS
	R-R	R-S	R-1	R-1.5	R-2	R-3	MU-DC	MU-DF	MU-N	B-1	B-2	B-3	I-1	I-2	AG/NR	
Residential care, licensed in-home (6 or fewer persons)	P	P	P	P	P	P	P	P	P	P	P	P			P	
Residential care, licensed in-home (7 or more persons)				P	P	P	P	P	P	P	P	P				
Roominghouse (3 or greater units)							C	C		C	C	C				
Lodging																
Bed and breakfast (B&B), owner-occupied tourist home, 2 rooms maximum	C	C	C	C	C	C	C	C	C	C	C	C			C	Yes
B&B, 3 rooms maximum			C	C	C	C	C	C	C	C	C	C				Yes
B&B, 5 rooms maximum					C	C	C	C	C	C	C	C				Yes
B&B, any number of rooms						C	C	C	C	C	C	C				Yes
Hotel							P	P			P	P				
Motel or motor hotel								PS			PS	PS				Yes
Residential retreat center, non-owner occupied tourist home	C	C	C	C	C	C	C	C	C	C	C	C			C	Yes
Public & Institutional																
Cemetery	P	P													P	
Club or lodge					C	C	C	C	C	C	C	C				
Emergency service facility	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS			PS	Yes
Hospital						C				C	C	C				Yes
Municipal, county, state, or federal administrative building	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	Yes
Religious facility	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	Yes
School, college or university	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS			PS	Yes
School, elementary or secondary	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS			PS	Yes
School, nursery or preschool	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS			PS	Yes
School, trade or business	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS			PS	Yes
Commercial																
Food, Beverage, & Indoor Entertainment																
Adult use establishment												PS	PS	PS		Yes
Bar, cocktail lounge, and night club							P	P	C	C	P	P	P	P		Yes
Brewpub							P	P	C	C	P	P	P	P		Yes

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Commercial recreation or entertainment facility, indoor							PS	PS			PS	PS	PS			Yes
Conference or convention center							C	C			C	C	C	C		Yes
Public recreation facility, indoor					PS	PS	PS	PS	PS	PS	PS	PS	PS	PS		Yes
Restaurant							P	P	P	P	P	P	P	P		Yes
Restaurant, drive-through or drive-in								PS		C	PS	PS	PS	PS		Yes
Theater							PS	PS	C	C	PS	PS	PS	PS		Yes
Retail Sales																
Gas station								C	C	PS	PS	PS	PS	PS		Yes
Automotive sales and leasing								C			PS	PS	PS	PS		Yes
Billboard or outdoor advertising, off-premise sign							C	C		PS	PS	PS	PS	PS		Yes
Grocery, food, or beverage store							P	P	P	P	P	P	P	P		Yes
Heavy consumer goods store							C	P		C	P	P	P	P		Yes
Pharmacy or convenience store							P	P	P	P	P	P	P	P		Yes
Retail store, not listed							P	P	P	P	P	P	P	P		Yes
Retail store with drive-through							C	PS	C		PS	P	PS	PS		
Personal Services																
Animal hospital or veterinary clinic							C	C		PS	PS	PS	PS	PS		Yes
Animal kennel															PS	Yes
Automotive repair, minor							C	PS	C	PS	PS	PS	PS	PS		Yes
Automotive repair, major								PS				PS	PS	PS		Yes
Clinic						P	P	P	P	P	P	P	P	P		Yes
Day care facility							P	P	P	P	P	P	P	P		Yes
Funeral home or mortuary						C		C	C	C	C	P	P	P		Yes
Personal service and repair business							P	P	P	P	P	P	P	P		Yes
Personal service with drive-through							C	PS	C		PS	P	P	P		Yes
Storage facility										P	P	P	P	P		Yes
Business & Technical Services																
Office, business, professional, or administrative						C	P	P	P	P	P	P	P	P		Yes
Publishing							P	P		P	P	P	P	P		Yes

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	R-R	R-S	R-1	R-1.5	R-2	R-3	MU-DC	MU-DF	MU-N	B-1	B-2	B-3	I-1	I-2	AG/NR	
Research or scientific laboratory							C	C		P	P	P	P	P		Yes
Studio, gallery or work space, commercial art/performance						C	C	C	C	C	P	P	P	P		Yes
Studio, visual or sound production							C	C		C	P	P	P	P		Yes
Industrial																
Brewery, large														PS		Yes
Brewery, small							C	C				PS	PS	PS		Yes
Construction contractor yard								C				PS	PS	PS		Yes
Crematory														PS		Yes
Farm winery															C	
Makerspace							C	C	C	C	P	P	P	P		
Manufacturing, Light							C	C				PS	PS	PS		Yes
Manufacturing, Heavy														C		Yes
Meat packing, stockyard or slaughterhouse														C		
Microdistillery							C	C				PS	PS	PS	C	Yes
Printing							C	C			PS	PS	PS	PS		Yes
Scrap, salvage or storage yard														PS		Yes
Silica sand processing facility														C		Yes
Warehouse or wholesale trade								C				P	P	P		
Recreation & Open Space																
Active park or playground	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Campground															PS	Yes
Golf course	C	C	C	C	C	C									C	
Marina													P	P		
Passive park, open space, natural area, or trail	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Nature or wildlife preserve, sanctuary, management area, or historic area															P	
Commercial recreation, outdoor							C	C		PS	PS	PS	PS	PS		Yes
Public recreation, outdoor					PS	PS	C	C	PS	PS	PS	PS	PS	PS		Yes
Natural Resources & Agriculture																
Agriculture - raising of crops	P														P	

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Use Type	RESIDENTIAL						MIXED USE			BUSINESS			INDUSTRIAL		AGRICULTURAL	USE SPECIFIC STANDARDS
	R-R	R-S	R-1	R-1.5	R-2	R-3	MU-DC	MU-DF	MU-N	B-1	B-2	B-3	I-1	I-2	AG/NR	
Agriculture - raising of livestock	PS														PS	Yes
Animal stable															PS	Yes
Commercial greenhouse, nursery, tree farm, or orchard	PS										C	C	PS	PS	PS	Yes
Community garden	P	P	P	P	P	P	P	P	P						P	
Extraction pit															C	Yes
Land alteration when not incidental to construction of a permitted use	C	C	C		C	C				C					C	Yes
Timber harvesting															P	
Utilities & Transportation																
Airport														C	C	
Electric or heat generation plant														C		
Essential services	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Parking, standalone structural or non-structural							C	C	C	PS	PS	PS	PS	PS		Yes
Public/utility maintenance facility					P	P				P	P	P	P	P		
Railroad yard or freight station														PS		Yes
Regional utility lines and towers (pipelines, power transmission lines over 35 KV relay, commercial radio, television and communication towers)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Yes
Solar or wind farm															C	
Transfer station														PS		Yes
Transportation facility used to ship silica sand														C		Yes
Water or sewer treatment facility														C		

C) Accessory Uses Table

- 1) The accessory uses in **Table 43-2** are allowed as identified as long as they are located on the same site as the principal use and are clearly incidental and subordinate to the principal use and structure.

Table 43-2: Accessory Uses Table

P = Permitted

PS = Permitted with Standards

Use Type	RESIDENTIAL						MIXED USE			BUSINESS			INDUSTRIAL		AGRICULTURAL	USE SPECIFIC STANDARDS
	R-R	R-S	R-1	R-1.5	R-2	R-3	MU-DC	MU-DF	MU-N	B-1	B-2	B-3	I-1	I-2	AG/NR	
Accessory structure	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	Yes
Accessory dwelling unit	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS				Yes
Agriculture – raising of chicken hens		PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS		Yes
Agriculture temporary or seasonal roadside stand	PS	PS								PS	PS	PS	PS	PS	PS	Yes
Building or structure relating to permitted agricultural activities	PS	PS													PS	Yes
Billboard or outdoor advertising										PS	PS	PS	PS	PS		Yes
Construction site home	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	Yes
Detached heating system	PS	PS													PS	Yes
Essential services not including power lines over 35 KV relay and commercial broadcast towers	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Home occupation	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS		Yes
In-home family or group daycare	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Land alteration when incidental to construction of a permitted use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Noncommercial garden and household pets not including fowl or farm animals	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Noncommercial radio and television antenna	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Outdoor dining area							P	P	P	P	P	P	P	P		
Outdoor sales/display							P	P	P	P	P	P	P	P		
Parking, structural or nonstructural facilities exclusively for the use of the permitted use	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	Yes
Parking, recreational vehicle	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	Yes

Table 43-2: Accessory Uses Table

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Use Type	RESIDENTIAL						MIXED USE			BUSINESS			INDUSTRIAL		AGRICULTURAL	USE SPECIFIC STANDARDS
	R-R	R-S	R-1	R-1.5	R-2	R-3	MU-DC	MU-DF	MU-N	B-1	B-2	B-3	I-1	I-2	AG/NR	
Rooming unit, the keeping of not more than 2 roomers or boarders by a resident family	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Sign	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Small-scale wind energy turbine	PS	PS	PS	PS	PS	PS		PS	PS	PS	PS	PS	PS	PS		Yes
Solar panel	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS		Yes
Swimming pool, private	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	Yes
Vending machine	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	Yes
Wireless antenna attached to existing structure	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	

43.02.23 Lot Dimension Standards

A) Lot Dimension Standards. **Table 43-3** establishes the minimum lot development standards for all base zoning districts.

Table 43-3: Lot Dimension Standards

Zoning District	Use Types	Lot Area Minimum per Family (sq. ft.)	Lot Frontage Minimum (ft.)
Agricultural/Natural Resources (AG/NR)	Dwelling	10 acres	300
	Other permitted/conditional uses	None	None
Rural Residential (R-R)	One-family dwelling w/ public sewer & water	18,000	100
	One-family dwelling w/o public sewer & water	40,000	200
	Other permitted/conditional uses	40,000	200
Residential Suburban (R-S)	One-family dwelling w/ public sewer & water	12,000	90
	One-family dwelling w/o public sewer & water	20,000	100
	Other permitted/conditional uses	40,000	150
Low Density Residence (R-1)	One-family dwelling	8,000	65
	Two-family dwelling	4,500	70
	Three-family dwelling	3,000	70
	Four-family dwelling	2,500	80
	Attached townhouse or rowhouse	2,500	30
	Other permitted/conditional uses	16,000	100
Low to Medium Density Residence (R-1.5)	One-family dwelling	7,000	65
	Two-family dwelling	4,000	65
	Three-family dwelling	3,000	70
	Four-family dwelling	2,500	80

Table 43-3: Lot Dimension Standards

Zoning District	Use Types	Lot Area Minimum per Family (sq. ft.)	Lot Frontage Minimum (ft.)
	Attached townhouse or rowhouse	2,500	30
	Other permitted/conditional uses	16,000	100
Medium Density Residence (R-2)	One-family dwelling	6,000	50
	Two-family dwelling	4,000	65
	Three-family dwelling	3,000	70
	Four-family dwelling	2,500	80
	Attached townhouse or rowhouse	2,500	30
	Other permitted/conditional uses	16,000	100
High Density Residence (R-3)	One-family dwelling	6,000	50
	Two-family dwelling	3,500	60
	Three-family dwelling	3,000	70
	Four-family dwelling	2,500	80
	Attached townhouse or rowhouse	2,500	30
	Apartment	2,500; 1,500 for one-bedroom or efficiency units	75
	Other permitted/conditional uses	10,000	75
All Mixed-Use Districts	All uses	None	None
All Business Districts	Nonresidential uses	None	None
	Residential uses	Same as R-3 Multi-Family Residence	
All Industrial Districts	All uses	None	None

43.02.24 Site Dimension Standards

- A) Site Dimension Standards. **Table 43-4** establishes the minimum site dimension standards for all base/primary zoning districts. All site dimension standards shown in **Table 43-4** below are subject to the exceptions and encroachments in Section **43.02.16(C)**.
- B) Required setbacks apply to principal structures, access drives, and parking. Required setbacks shall not apply to landscaping, stormwater facilities or required fencing or buffering.

Table 43-4: Site Dimension Standards

Zoning District	Use Types	Front Yard Setback (ft.)	Side Yard Setback (ft.)	Rear Yard Setback (ft.)	Height Maximum Principal Structure/ Accessory Structure
Agricultural/ Natural Resources (AG/NR)	Dwelling	35	20	50	35 ft./ 15 ft.
	Other permitted/conditional uses	35	20	50	
Rural Residential (R-R)	One-family dwelling w/ public sewer & water	35	12	50	35 ft./ 15 ft.
	One-family dwelling w/o public sewer & water	35	18	50	
	Other permitted/conditional uses	35	18	50	
Residential Suburban (R-S)	One-family dwelling w/ public sewer & water	35	10	50	35 ft./ 15 ft.
	One-family dwelling w/o public sewer & water	35	12	50	
	Other permitted/conditional uses	35	15	75	
Low Density Residence (R-1)	One-family dwelling, 1 & 1-1/2 stories	25	8	40	35 ft./ 15 ft.
	One-family dwelling, 2 & 2-1/2 stories	25	10	40	
	Two-family dwelling, 1 & 1-1/2 stories	25	8	40	
	Two-family dwelling, 2 & 2-1/2 stories	25	12	40	
	Three-family dwelling, 1 & 1-1/2 stories	25	10	40	
	Three-family dwelling, 2 & 2-1/2 stories	25	12	40	
	Four-family dwelling, 1 & 1-1/2 stories	25	10	40	
	Four-family dwelling, 2 & 2-1/2 stories	25	12	40	
	Attached townhouse or rowhouse, 1 & 1-1/2 stories	25	0 between attached units, 10 from all other side lot lines	40	
	Attached townhouse or rowhouse, 2 & 2-1/2 stories	25	0 between attached units, 12 from all other side lot lines	40	

Table 43-4: Site Dimension Standards

Zoning District	Use Types	Front Yard Setback (ft.)	Side Yard Setback (ft.)	Rear Yard Setback (ft.)	Height Maximum Principal Structure/ Accessory Structure	
	Other permitted/ conditional uses, 1 & 1-1/2 stories	25	12	45		
	Other permitted/ conditional uses, 2 & 2-1/2 stories	25	14	45		
Low to Medium Density Residence (R-1.5)	One-family dwelling	25	8	40	35 ft/15 ft.	
	Two- to four-family dwelling	25	10	40		
	Attached townhouse or rowhouse	25	0 between attached units, 10 from all other side lot lines	40		
	Other permitted/ conditional uses, 1 & 1-1/2 stories	25	12	45		
	Other permitted/ conditional uses, 2 & 2-1/2 stories	25	14	45		
Medium Density Residence (R-2)	One-family dwelling, 1 & 1-1/2 stories	25	6	30	35 ft/ 15 ft.	
	One-family dwelling, 2 & 2-1/2 stories	25	8	30		
	Two-family dwelling, 1 & 1-1/2 stories	25	8	35		
	Two-family dwelling, 2 & 2-1/2 stories	25	10	35		
	Three-family dwelling, 1 & 1-1/2 stories	25	10	40		
	Three-family dwelling, 2 & 2-1/2 stories	25	12	40		
	Four-family dwelling, 1 & 1-1/2 stories	25	10	45		
	Four-family dwelling, 2 & 2-1/2 stories	25	12	45		
	Attached townhouse or rowhouse, 1 & 1-1/2 stories	25	0 between attached units, 10 from all other side lot lines	45		
	Attached townhouse or rowhouse, 2 & 2-1/2 stories	25	0 between attached units, 12 from all other side lot lines	45		
	Planned unit development	As per plans and specifications				
	Other permitted/conditional uses, 1 & 1-1/2 stories	25	12	45		
	Other permitted/ conditional uses, 2 & 2-1/2 stories	25	14	45		
High Density Residence	One-family dwelling, 1 & 1-1/2 stories	25	6	30	40 ft./ 25 ft.	

Table 43-4: Site Dimension Standards

Zoning District	Use Types	Front Yard Setback (ft.)	Side Yard Setback (ft.)	Rear Yard Setback (ft.)	Height Maximum Principal Structure/ Accessory Structure	
(R-3)	One-family dwelling, 2 & 2-1/2 stories	25	8	30		
	Two-family dwelling, 1 & 1-1/2 stories	25	6	30		
	Two-family dwelling, 2 & 2-1/2 stories	25	8	30		
	Three-family dwelling, 1 & 1-1/2 stories	25	10	40		
	Three-family dwelling, 2 & 2-1/2 stories	25	12	45		
	Four-family dwelling, 1 & 1-1/2 stories	25	10	40		
	Four-family dwelling, 2 & 2-1/2 stories,	25	12	45		
	Attached townhouse or rowhouse, 1 & 1-1/2 stories	25	0 between attached units, 10 from all other side lot lines	40		
	Attached townhouse or rowhouse, 2 & 2-1/2 stories	25	0 between attached units, 12 from all other side lot lines	45		
	Attached townhouse or rowhouse, 3 or more stories	25	0 between attached units, 14 from all other side lot lines	50		
	Planned unit development	As per plans and specifications				
	Other permitted/conditional uses, 1 & 1-1/2 stories	25	12	45		
	Other permitted/conditional uses, 2 & 2-1/2 stories	25	14	45		
Other permitted/conditional uses, 3 or more stories	25	14	50			
Mixed Use – Downtown Core (MU-DC)	Non-residential uses	None, except when either side lot line coincides with a residential district line, then the setback shall be the average of immediately adjacent lots.	None, except when a side lot line coincides with a residential district line, then not less than required for one-family dwellings in the adjoining residential district.	None, except when the rear lot line coincides with a residential district line, then not less than required for one family dwellings in the adjoining residential district.	75 ft./40 ft., except if within 150 feet of a residential district, then 40 ft. /25 ft.	
	Residential uses	None	None	None		

Table 43-4: Site Dimension Standards

Zoning District	Use Types	Front Yard Setback (ft.)	Side Yard Setback (ft.)	Rear Yard Setback (ft.)	Height Maximum Principal Structure/ Accessory Structure
Mixed Use – Downtown Fringe (MU-DF)	Non-residential uses	None, except when either side lot line coincides with a residential district line, then not less than 25 feet.	None, except when a side lot line coincides with a residential district line, then not less than required for one-family dwellings in the adjoining residential district.	None, except when the rear lot line coincides with a residential district line, then not less than required for one family dwellings in the adjoining residential district.	40 ft./25 ft.
	Residential uses	None	None	None	
Mixed Use – Neighborhood Center (MU-N)	Non-residential uses and apartment mixed use dwelling	None, except when property abuts a residential structure, then the setback shall be the average of immediately adjacent lots	None, except when a side lot line coincides with a residential district line, then not less than required for one-family dwellings in the adjoining residential district.	10 feet, except when a rear lot line coincides with a residential district line, then not less than required for one-family dwellings in the adjoining residential district.	35 ft./ 15 ft.
	Other residential uses	Same as required for the least restrictive adjoining residential district			
Neighborhood Business (B-1)	Non-residential uses and apartment mixed use dwelling	25	None, except when a side lot line coincides with a residential district line, then not less than required for one-family dwellings in the adjoining residential district.	10 feet, except when a rear lot line coincides with a residential district line, then not less than required for one-family dwellings in the adjoining residential district.	30 ft./ 15 ft.
	Other residential uses	Same as required for the least restrictive adjoining residential district			
Community Business (B-2)	Non-residential uses	None, except when either side lot line coincides with a residential district line, then not less than 25 feet.	None, except when a side lot line coincides with a residential district line, then not less than required for one-family dwellings in the adjoining residential district.	None, except when the rear lot line coincides with a residential district line, then not less than required for one family dwellings in the adjoining residential district.	40 ft./25 ft.,
	Residential uses	Same as in the R-3 district.			

Table 43-4: Site Dimension Standards

Zoning District	Use Types	Front Yard Setback (ft.)	Side Yard Setback (ft.)	Rear Yard Setback (ft.)	Height Maximum Principal Structure/ Accessory Structure
General Business (B-3)	Non-residential uses	None, except when either side lot line coincides with a residential district line, then not less than 25 feet.	None, except when either side lot line coincides with a residential district line, then not less than required for one family dwellings in the adjoining residential district.	None, except when either side lot line coincides with a residential district line, then not less than required for one family dwellings in the adjoining residential district.	40 ft./ 40 ft.
	Residential uses	Same as in the R-3 district.			
Light Industrial (I-1)	Non-residential uses	25	None – except when adjoining R district – then not less than 25 ft. each.	1-story 30 ft. 2-story 40 ft. 3-story 50 ft. Five feet more each additional story.	Within 200 feet of any R district, no structure shall exceed 3 stories or 50 feet in height. No structure otherwise shall exceed in height the distance measured to the center line of any street.
	Dwellings or residential portions of nonresidential structures	Not permitted in I-1 district. Existing dwellings follow R-3 district.			
Heavy Industrial (I-2)	Nonresidential structures	25	None – except when adjoining R district – then not less than 50 ft. each side yard.	1-story 40 ft. 2-story 50 ft. 3-story 60 ft. Five feet more each additional story.	Within 200 feet of any R district, no structure shall exceed 3 stories or 50 feet in height. No structure otherwise shall exceed in height the distance measured to the center line of any street.
	Dwellings or residential portions of nonresidential structures	Not permitted in I-2 district. Existing dwellings follow R-3 district standards.			

Division 3 Overlay Districts

43.02.31 Campus Overlay District

A) Purpose and Finding of Fact.