

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS REGARDING PROPOSED REVISIONS TO THE ACCESSORY DWELLING UNIT AND TOWNHOME STANDARDS OF THE DENTON DEVELOPMENT CODE; AMENDMENTS INCLUDE BUT ARE NOT LIMITED TO TABLE 5.2-A, TABLE OF ALLOWED USES, REGARDING ZONING DISTRICTS WHICH PERMIT ACCESSORY DWELLING UNITS, SUBSECTION 5.4.3, GENERAL STANDARDS FOR ACCESSORY USES AND STRUCTURES, REGARDING THE LOCATION OF ACCESSORY DWELLING UNITS ON RESIDENTIAL LOTS AND GENERAL APPLICABILITY OF ARCHITECTURAL COMPATIBILITY; SUBSECTION 5.4.4, ADDITIONAL STANDARDS FOR SPECIFIC ACCESSORY USES, REGARDING GENERAL STANDARDS, MAXIMUM SIZE, LOCATION, AND DESIGN OF ACCESSORY DWELLING UNITS; TABLE 7.9-I: MINIMUM REQUIRED OFF-STREET PARKING, REMOVING REQUIREMENTS FOR ADDITIONAL PARKING FOR ACCESSORY DWELLING UNITS; SUBSECTION 1.5.2, REGULATIONS APPLICABLE TO ALL NONCONFORMITIES, REGARDING APPLICABILITY FOR RESIDENTIAL USES; SUBSECTIONS 3.2.5B, R4 DISTRICT DIMENSIONAL STANDARDS, 3.2.6B, R6 DISTRICT DIMENSIONAL STANDARDS, 3.2.7B, R7 DISTRICT DIMENSIONAL STANDARDS, 3.3.1B, MN DISTRICT DIMENSIONAL STANDARDS, 3.3.2B, MD DISTRICT DIMENSIONAL STANDARDS, AND 3.3.3B, MR DISTRICT DIMENSIONAL STANDARDS, RELATED TO MINIMUM LOT DIMENSION NOTES FOR TOWNHOME DEVELOPMENTS; SUBSECTION 3.7.2A.2, MINIMUM LOT DIMENSIONS, RELATED TO MINIMUM LOT STANDARDS AND MAXIMUM NUMBER OF UNITS FOR TOWNHOME DEVELOPMENTS; SUBSECTION 3.7.6D, BUILDING COVERAGE, RELATED TO MAXIMUM BUILDING COVERAGE FOR TOWNHOME DEVELOPMENTS; AND SUBSECTION 7.10.3, SINGLE-FAMILY DETACHED, DUPLEX, TOWNHOME, TRIPLEX, AND FOURPLEX DWELLING SITE AND BUILDING DESIGN, REGARDING THE OPEN SPACE REQUIREMENTS FOR DUPLEX, TOWNHOME, TRIPLEX, AND FOURPLEX DWELLINGS. (DCA25-0001a)

WHEREAS, pursuant to Ordinance No. DCA18-0009q, the City Council of the City of Denton adopted the revised 2019 Denton Development Code, the (“DDC”); and

WHEREAS, City staff was directed to analyze the impact of Accessory Dwelling Unit regulations in the City of Denton, research best practices related to Accessory Dwelling Units, and amend the DDC to expand opportunities for accessory dwellings and protecting residential neighborhoods from visual impacts; and

WHEREAS, over the course of several meetings in the Spring of 2025, the Development Code Review Committee reviewed and provided staff direction on proposed amendments related to Accessory Dwelling Units in the City of Denton; and

WHEREAS, the City desires to amend the DDC to clarify and update regulations related to Townhome uses and provide regulatory support to encourage development of townhomes as a viable residential option for residents; and

WHEREAS, City staff held community meetings and conducted a public survey to ascertain the community's opinions on accessory dwelling units and townhomes as residential alternatives and desired development standards for each land use; and

WHEREAS, the amendment to Accessory Dwelling and Townhome regulations is consistent with the 2040 Comprehensive Plan's goal to develop and maintain a housing stock that meets the needs of all residents with a diverse array of choices in type, cost, and location.; and

WHEREAS, the amendments include the following:

1. Table 5.2-A: Table of Allowed Uses – regarding zoning districts which permit Accessory Dwelling Units
2. Subsection 5.4.3: General Standards for Accessory Uses and Structures – related to general Use-Specific Standards for Accessory Dwelling Units
3. Subsection 5.4.4: Additional Standards for Specific Accessory Uses – related to specific Use-Specific Standards for Accessory Dwelling Units
4. Table 7.9-I: Minimum Required Off-Street Parking – related to parking requirements for Accessory Dwelling Units
5. Subsection 1.5.2: Regulations Applicable to All Nonconformities – related to applicability for residential uses
6. Subsection 3.2.5B: R4 District Dimensional Standards – related to minimum lot dimension notes for townhome development
7. Subsection 3.2.6B: R6 District Dimensional Standards – related to minimum lot dimension notes for townhome development
8. Subsection 3.2.7B: R7 District Dimensional Standards – related to minimum lot dimension notes for townhome development
9. Subsection 3.3.1B: MN District Dimensional Standards – related to minimum lot dimension notes for townhome development
10. Subsection 3.3.2B: MD District Dimensional Standards – related to minimum lot dimension notes for townhome development
11. Subsection 3.3.3B: MR District Dimensional Standards – related to minimum lot dimension notes for townhome development
12. Subsection 3.7.2A.2: Minimum Lot Dimensions – related to lot dimension applicability and maximum number of units for townhome development
13. Subsection 3.7.6D: Building Coverage – related to maximum building coverage for townhome development
14. Subsection 7.10.3: Single-Family Detached, Duplex, Townhome, Triplex, and Fourplex Dwelling Site and Building Design – regarding open space requirements for duplex, townhome, triplex, and fourplex dwellings

WHEREAS, on December 17, 2025, the Planning and Zoning Commission, in compliance with the laws of the State of Texas, gave the requisite notices by publication, held due hearings and recommended approval with modifications to Subsection 5.4.4A.1 [6-0] of the amendment to the Denton Development Code; and

WHEREAS, on January 13, 2026, the City Council likewise conducted a public hearing in accordance with local and state law and the City Council hereby finds that the Code amendments without the incorporation of Planning and Zoning Commission's modifications are consistent with the City's comprehensive plan, and the federal, state, and local law are in the best interests of the City of Denton; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The findings and recitations contained in the preamble of this ordinance are incorporated herein by reference and found to be true.

SECTION 2. Table 5.2-A: Table of Allowed Uses, Subsection 5.4.3: General Standards for Accessory Uses and Structures, Subsection 5.4.4: Additional Standards for Specific Accessory Uses, Table 7.9-I: Minimum Required Off-Street Parking, Subsection 1.5.2: Regulations Applicable to All Nonconformities, Subsection 3.2.5B: R4 District Dimensional Standards, Subsection 3.2.6B: R6 District Dimensional Standards, Subsection 3.2.7B: R7 District Dimensional Standards, Subsection 3.3.1B: MN District Dimensional Standards, Subsection 3.3.2B: MD District Dimensional Standards, Subsection 3.3.3B: MR District Dimensional Standards, Subsection 3.7.2A.2: Minimum Lot Dimensions, Subsection 3.7.6D: Building Coverage, and Subsection 7.10.3: Single-Family Detached, Duplex, Townhome, Triplex, and Fourplex Dwelling Site and Building Design of the DDC are amended as set forth in **“Exhibit A – Accessory Dwelling Unit Amendment”** and **“Exhibit B – Townhome Amendment”** which are attached and fully incorporated herein by reference.

SECTION 3. Any person, firm, partnership, or corporation violating any provision of this ordinance shall, upon conviction, be deemed guilty of a misdemeanor and shall be punished by a fine in a sum not exceeding \$2,000.00 for each offense. Each day that a provision of this ordinance is violated, shall constitute a separate and distinct offense.

SECTION 4. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by any court, such invalidity shall not affect the validity of the provisions or applications, and to this end the provisions of this ordinance are severable.

SECTION 5. That an offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Denton Development Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 6. In compliance with Section 2.09(c) of the Denton Charter, this ordinance shall become effective fourteen (14) days from the date of its passage, and the City Secretary is hereby directed to cause the caption of this ordinance to be published twice in the Denton Record Chronicle, a daily newspaper published in the City of Denton, Texas, within ten (10) days of the date of its passage.

The motion to approve this ordinance was made by _____ and seconded by _____, the ordinance was passed and approved by the following vote [____ - ____]:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mayor Gerard Hudspeth:	_____	_____	_____	_____
Vicki Byrd, District 1:	_____	_____	_____	_____
Brian Beck, District 2:	_____	_____	_____	_____
Suzi Rumohr, District 3:	_____	_____	_____	_____
Joe Holland, District 4:	_____	_____	_____	_____
Brandon Chase McGee, At Large Place 5:	_____	_____	_____	_____
Jill Jester, At Large Place 6:	_____	_____	_____	_____

PASSED AND APPROVED this the _____ day of _____, 2026.

GERARD HUDSPETH, MAYOR

ATTEST:
INGRID REX, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY:  _____

Exhibit A

5.4.3 General Standards for Accessory Uses and Structures.

- A. The combined square footage of the principal structure and accessory structure(s) shall not exceed the zoning district maximum building coverage specified in Subchapter 3: Zoning Districts.
- B. Accessory structures, are only permitted in the rear yard with the following exceptions:
 - i. ~~of~~ Non-residential detached carports, gas station canopies, gas station car wash facilities, and security/entry booths, are prohibited in front and side yards.
 - ii. Accessory structures for public or private schools may be located in side yards, but shall not be located in front yards.
 - iii. Accessory Dwelling Units may be located in side yards but shall not be located in front yards.
- C. Where permitted, accessory structures shall be set back a minimum of three feet from all property lines.
- D. No portion of an accessory structure may be located in, or encroach upon, any easement.
- E. All accessory structures that require a building permit shall be architecturally compatible with its associated principal structure and/or screened from view of abutting properties and public rights-of-way, unless as provided for in Subsection 5.4.4.A.3c.
- F. Where permitted, accessory outdoor storage shall be located to the rear of the principal structure, shall be subject to the screening standards in Subsection 7.7.8: Walls, Fences, and Screening, and shall be limited to goods or materials sold or used on the premises as part of the principal use of the property.

5.4.4 Additional Standards for Specific Accessory Uses.

- A. Accessory Dwelling Unit. Accessory Dwelling Units ("ADUs") shall comply with the following standards:
 - 1. Generally.
 - a. ADUS may be attached or detached units.
 - b. ~~a.~~ Only one A maximum of one ADU shall be allowed per lot, provided the combined square footage complies with the size requirements outlined in Subsection 5.4.4.A.2.
 - c. ~~b.~~ ADUs shall only be permitted on lots where the principal use is a single-family detached dwelling, townhome, duplex, or triplex.
 - 2. Size.
 - a. Measurements for both the ADU and the primary dwelling unit shall follow the specifications of Subsection 3.7.7.
 - b. The square footage of the ADU may be a maximum of 800 square feet or 75 percent of the square footage of the principal dwelling unit, whichever is greater.
 - c. ~~ADUs on Lots Smaller than 10,000 Square Feet~~
 - i. ~~ADUs shall not exceed 50 percent of the square footage of the principal dwelling unit on the lot.~~
 - ii. ~~ADUs shall not exceed 1,000 square feet per lot.~~

- d. ~~ADUs on Lots 10,000 Square Feet or Larger. ADUs shall not exceed 50 percent of the square footage of the principal dwelling unit on the lot.~~
3. Location and Design.
- a. Attached ADUs ~~ADUs may be attached or detached units.~~
- Attached ADUs shall be fully attached to or within the principal dwelling unit structure ~~on the lot.~~
 - "Attached" shall mean at least either one-quarter of the total wall area of the ADU shall be fully connected to the principal dwelling unit, or the floor ~~or and~~ ceiling of the ADU shall be fully connected to a wall, floor, or ceiling of the principal ~~residential structure~~ dwelling unit.
 - Attached ADUs shall meet the required setbacks of the primary dwelling unit as specified in Subchapter 3: Zoning Districts.
- b. Detached ADUs.
- Detached ADUs shall be located to the side or rear of the principal dwelling unit.
 - ADUs located in the side yard shall be offset a minimum of three feet behind the front building line of the principal dwelling unit.
- c. Any ADU, or portion thereof, visible from the public right-of-way shall be architecturally compatible with the primary dwelling unit on the lot by providing at least two of the following elements:
- Consistency in color;
 - Consistency in roof pitch;
 - Consistency in orientation of building materials (for example vertical vs. horizontal siding);
 - The same architectural design or detail.
- d. ADUs shall have a separate exterior entrance from the principal dwelling unit and shall contain cooking, sleeping, and sanitary facilities.
4. Public Services and Utilities. Separate water or sewer service for the ADU shall not be allowed. Separate metering of other utilities is allowed.
5. Ownership Requirements. Independent ownership of the ADU may only be allowed as part of a condominium association and the ADU shall not ~~be legally severed from ownership of the associated lot and any other structures on such separately platted as an individual~~ lot.

Table 7.9-I: Minimum Required Off-Street Parking

Accessory Uses	
Accessory Dwelling Unit	1space per bedroom <u>None, however ADUs that remove required parking spaces for the principal dwelling unit shall be required to replace the same number of spaces.</u>

1.5.2 Regulations Applicable to All Nonconformities

I. Applicability of this DDC to Existing Residential Uses and Structures.

1. The adoption of this DDC shall not cause any existing, legally established single-family detached dwelling, townhome, or duplex use or structure to become nonconforming. Any single-family detached dwelling, townhome, or duplex structure, lot, and associated site features lawfully existing on the effective date of this DDC shall be deemed a lawful structure, lot, or site feature.
2. Any subsequent amendments to this DDC shall not cause any existing, legally established single-family detached dwelling, townhome, or duplex use, lot, or site feature to become nonconforming. Any legally established single-family detached dwelling, townhome, or duplex use, lot, or site feature shall be deemed a lawful use, structure, lot, or site feature.

3.2.1B RR District Dimensional Standards

Table 3.2-A: RR District Dimensional Standards			
Dimensional Standards			Additional Standards
Lot Dimensions (minimum)			
A	Lot area	5 acres	3.7.2: Lot and Site Requirements
B	Lot width	100 feet	
C	Lot depth	200 feet	
Setbacks (Minimum)			
D	Front yard	50 feet	3.7.3: Setbacks
E	Side yard	10 feet	
F	Rear yard	10 feet	
Other Standards			
G	Building height (maximum)	65 feet	3.7.5: Building Height
	Building coverage (maximum)	15 percent	3.7.6: Building Coverage
	Single-family detached dwelling, townhome, or duplex		If approved prior to October 1, 2019 See Section 1.5.2I: Applicability of this DDC to Existing Residential Uses and Structures

3.2.2B

R1 District Dimensional Standards

Table 3.2-B: R1 District Dimensional Standards			
Dimensional Standards			Additional Standards
Lot Dimensions (Minimum)			
A	Lot area	32,000 sq. ft.	3.7.2: Lot and Site Requirements
B	Lot width	80 feet	
C	Lot depth	100 feet	
Setbacks (Minimum)			
D	Front yard	20 feet	3.7.3: Setbacks
E	Side yard	10 feet	
F	Rear yard	10 feet	
Other Standards			
G	Building height (maximum)	40 feet	3.7.5: Building Height
	Building coverage (maximum)	30 percent	3.7.6: Building Coverage
	Single-family detached dwelling, townhome, or duplex		If approved prior to October 1, 2019 See Section 1.5.2I: Applicability of this DDC to Existing Residential Uses and Structures

3.2.3B

R2 District Dimensional Standards

Table 3.2-C: R2 District Dimensional Standards			
Dimensional Standards			Additional Standards
Lot Dimensions (minimum)			
A	Lot area	16,000 sq. ft.	3.7.2A: Minimum Lot Dimensions
B	Lot width	80 feet	
C	Lot depth	100 feet	
Setbacks (Minimum)			
D	Front yard	20 feet	3.7.3: Setbacks
E	Side yard	10 feet	
F	Rear yard	10 feet	
Other Standards			
G	Building height (maximum)	40 feet	3.7.5: Building Height
	Building coverage (maximum)	40 percent	3.7.6: Building Coverage

	Single-family detached dwelling, townhome, or duplex		If approved prior to October 1, 2019 See Section 1.5.2I: Applicability of this DDC to Existing Residential Uses and Structures
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3.2.4B R3 District Dimensional Standards

Table 3.2-D: R3 District Dimensional Standards			
Dimensional Standards			Additional Standards
Lot Dimensions (minimum)			
A	Lot area	10,000 sq. ft.	3.7.2A: Minimum Lot Dimensions
B	Lot width	60 feet	
C	Lot depth	80 feet	
Setbacks (Minimum)			
D	Front yard	20 feet	3.7.3: Setbacks
E	Side yard	5 feet	
F	Rear yard	10 feet	
Other Standards			
G	Building height (maximum)	40 feet	3.7.5: Building Height
	Building coverage (maximum)	50 percent	3.7.6: Building Coverage
	Single-family detached dwelling, townhome, or duplex		If approved prior to October 1, 2019 See Section 1.5.2I: Applicability of this DDC to Existing Residential Uses and Structures

3.2.5B R4 District Dimensional Standards

Table 3.2-E: R4 District Dimensional Standards			
Dimensional Standards			Additional Standards
LOT DIMENSIONS (MINIMUM)			
A	Lot area	7,000 sq ft [1]	3.7.2A Minimum Lot Dimensions
B	Lot width	50 feet [1]	
C	Lot depth	80 feet [1]	
SETBACKS (MINIMUM)			
D	Front yard	20 feet	3.7.3: Setbacks
E	Side yard	5 feet [1]	
F	Rear yard	10 feet	
OTHER STANDARDS			
G	Building height (maximum)	40 feet	3.7.5: Building Height
	Building coverage (maximum)	50 percent [1]	3.7.6: Building Coverage
	Single-family detached dwelling, townhome, or duplex		If approved prior to October 1, 2019 See Section 1.5.2I: Applicability of

			this DDC to Existing Residential Uses and Structures
Notes: [1] Townhome lot dimensions, setbacks, and building coverage are found in Subsection 3.7: Measurements and Exceptions			

3.2.6B R6 District Dimensional Standards

Table 3.2-F: R6 District Dimensional Standards			
Dimensional Standards		Additional Standards	
LOT DIMENSIONS (MINIMUM)			
A	Lot area	6,000 sq ft [1]	3.7.2A Minimum Lot Dimensions
B	Lot width	50 feet [1]	
C	Lot depth	80 feet [1]	
SETBACKS (MINIMUM)			
D	Front yard	20 feet	3.7.3: Setbacks
E	Side yard	5 feet [1]	
F	Rear yard	10 feet	
OTHER STANDARDS			
G	Building height (maximum)	40 feet	3.7.5: Building Height
	Building coverage (maximum)	50 percent [1]	3.7.6: Building Coverage
	Single-family detached dwelling, townhome, or duplex		If approved prior to October 1, 2019 See Section 1.5.2I: Applicability of this DDC to Existing Residential Uses and Structures
Notes: [1] Townhome lot dimensions, setbacks, and building coverage are found in Subsection 3.7: Measurements and Exceptions			

3.2.7B R7 District Dimensional Standards

Table 3.2-G: R7 District Dimensional Standards			
Dimensional Standards		Additional Standards	
LOT DIMENSIONS (MINIMUM)			
A	Lot area	4,000 sq ft [1]	3.7.2A Minimum Lot Dimensions
B	Lot width	50 feet [1]	
C	Lot depth	80 feet [1]	
SETBACKS (MINIMUM)			
D	Front yard	20 feet	3.7.3: Setbacks
E	Side yard	5 feet [1]	
F	Rear yard	10 feet	
OTHER STANDARDS			
G	Building height (maximum)	40 feet	3.7.5: Building Height
	Building coverage (maximum)	65 percent [1]	3.7.6: Building Coverage
	Single-family detached dwelling, townhome, or duplex		If approved prior to October 1, 2019 See Section 1.5.2I: Applicability of this DDC to Existing Residential Uses and Structures
Notes: [1] Townhome lot dimensions, setbacks, and building coverage are found in Subsection 3.7: Measurements and Exceptions			

3.2.8 Summary Table of Residential Dimensional Standards

[illegible]

3.3.1B MN District Dimensional Standards

Table 3.3-A: MN District Dimensional Standards			
Dimensional Standards		Additional Standards	
LOT DIMENSIONS (MINIMUM)			
A	Lot area	2,500 sq ft [3]	3.7.2A Minimum Lot Dimensions
B	Lot width	20 feet [3]	
C	Lot depth	50 feet [3]	
SETBACKS (MINIMUM)			
D	Front yard	10 feet	3.7.3: Setbacks
E	Side yard	None [1]	
F	Rear yard	None [1]	
OTHER STANDARDS			
G	Building height (maximum)	65 feet [1] [2]	3.7.5: Building Height
	Building coverage (maximum)	80 percent [3]	3.7.6: Building Coverage
	Single-family detached dwelling, townhome, or duplex		If approved prior to October 1, 2019 See Section 1.5.2I: Applicability of this DDC to Existing Residential Uses and Structures
Notes:			
[1] Buildings adjacent to a Residential zoning district shall comply with the standards in Subsection 7.10.6 : Building Height in Transition Areas.			
[2] Buildings between 41 and 65 feet, adjacent to a residential zoning district (excluding Multifamily Dwelling use in the R7 Zoning District) or adjacent to an existing Single-Family Detached Dwelling, Townhome, or Duplex use, shall require a specific use permit pursuant to Subsection 2.5.2 : Specific Use Permit (SUP).			
[3] Townhome lot dimensions and building coverage are found in Subsection 3.7: Measurements and Exceptions			

3.3.2B MD District Dimensional Standards

Table 3.3-B: MD District Dimensional Standards			
Dimensional Standards		Additional Standards	
LOT DIMENSIONS (MINIMUM)			
A	Lot area	None [3]	3.7.2A Minimum Lot Dimensions
B	Lot width	None [3]	
C	Lot depth	None [3]	
SETBACKS (MINIMUM)			
D	Front yard	None	3.7.3: Setbacks
E	Side yard	None [1]	
F	Rear yard	None [1]	
OTHER STANDARDS			
G	Building height (maximum)	100 feet [1] [2]	3.7.5: Building Height
	Building coverage (maximum)	100 percent	3.7.6: Building Coverage
	Single-family detached dwelling, townhome, or duplex		If approved prior to October 1, 2019 See Section 1.5.2I: Applicability of this DDC to Existing Residential Uses and Structures
Notes:			
[1] Buildings adjacent to a Residential zoning district shall comply with the standards in Subsection 7.10.6 : Building Height in Transition Areas.			
[2] Additional height may be allowed with a specific use permit pursuant to Subsection 2.5.2 : Specific Use Permit (SUP), and a viewshed study, if such study clearly demonstrates that any views of the Historic Courthouse are not blocked by the new structure(s) additional height.			
[3] Townhome lot dimensions are found in Subsection 3.7: Measurements and Exceptions			

3.3.3B MR District Dimensional Standards

Table 3.3-C: MR District Dimensional Standards			
Dimensional Standards		Additional Standards	
LOT DIMENSIONS (MINIMUM)			
A	Lot area	None [3]	3.7.2A Minimum Lot Dimensions
B	Lot width	None [3]	
C	Lot depth	None [3]	
SETBACKS (MINIMUM)			
D	Front yard	None	3.7.3: Setbacks
E	Side yard	None [1]	
F	Rear yard	None [1]	
OTHER STANDARDS			
G	Building height (maximum)	100 feet [1] [2]	3.7.5: Building Height
	Building coverage (maximum)	90 percent	3.7.6: Building Coverage
	Single-family detached dwelling, townhome, or duplex		If approved prior to October 1, 2019 See Section 1.5.2I: Applicability of this DDC to Existing Residential Uses and Structures
Notes:			
[1] Buildings adjacent to a Residential zoning district shall comply with the standards in Subsection 7.10.6 : Building Height in Transition Areas.			
[2] Additional height may be allowed with a specific use permit pursuant to Subsection 2.5.2: Specific Use Permit (SUP).			
[3] Townhome lot dimensions are found in Subsection 3.7: Measurements and Exceptions			

3.3.4 Summary Table of Mixed-Use Dimensional Standards

Table 3.3-D: Mixed-Use Districts Dimensional Standards				
Dimensional Standards	MN	MD	MR	Additional Standards
Lot Dimensions (Minimum)				
Lot area	2,500 sq. ft.	None	None	3.7.2A: Minimum Lot Dimensions
Lot width	20 feet	None	None	
Lot depth	50 feet	None	None	
Setbacks (Minimum)				
Front yard	10 feet	None	None	3.7.3: Setbacks
Side yard	None [1]	None [1]	None [1]	
Rear yard	None [1]	None [1]	None [1]	
Other Standards				
Building height (maximum)	65 feet [1] [2]	100 feet [1] [3]	100 feet [1] [4]	3.7.5: Building Height
Building coverage (maximum)	80 percent	100 percent	90 percent	3.7.6: Building Coverage
Single-family detached dwelling, townhome, or duplex	If approved prior to October 1, 2019 See Section 1.5.2I: Applicability of this DDC to Existing Residential Uses and Structures			
Notes:				
[1] Buildings adjacent to a Residential zoning district shall comply with the standards in Subsection 7.10.6: Building Height in Transition Areas.				
[2] Buildings between 41 and 65 feet shall require a specific use permit pursuant to Subsection 2.5.2: Specific Use Permit (SUP).				
[3] Additional height may be allowed with a specific use permit pursuant to Subsection 2.5.2: Specific Use Permit (SUP), and a viewshed study, if such study clearly demonstrates that any views of the Historic Courthouse are not blocked by the new structure(s) additional height.				
[4] Additional height may be allowed with a specific use permit pursuant to Subsection 2.5.2: Specific Use Permit (SUP).				

3.7.2 Lot and Site Requirements

A. Minimum Lot Dimensions

1. Any lot that is created, developed, used, or occupied must meet the minimum lot dimensions for the applicable zoning district, unless otherwise established in this DDC.
2. Townhome lots shall meet the following dimensional standards:
 - a. Each townhome lot in located in a Residential District as established by Subsection 3.2 shall have a minimum lot area of 2,000 square feet per unit, minimum lot width of 20 feet, and a minimum lot depth of 60 feet. ~~Provided, however, the overall townhome development shall have a minimum land area equal to or greater in size than the minimum lot area that would be required for the development of the equivalent number of single-family dwelling units in the applicable zoning district.~~
 - b. Each townhome lot located in a Mixed-Use District as established by Subsection 3.3 shall have a minimum lot area of 1,000 square feet per unit, minimum lot width of 20 feet, and no minimum lot depth.
3. Land needed to comply with the minimum lot dimensions or other standards in this DDC must not be sold or leased away from such lot.
4. New lots must meet the lot dimensions in this subchapter and must comply with Subchapter 8: Subdivisions.

3.7.6 Building Coverage

- D. The maximum building coverage for townhome lots shall be 85 percent; ~~or the maximum building coverage of the zoning district in which the lots are located, whichever is greater.~~

7.10.3 Single-Family Detached, Duplex, Townhome, Triplex, and Fourplex Dwelling Site and Building Design

- C. **Open Space Requirements.** Development of Duplex, Townhome, Triplex, or Fourplex Dwelling uses where the Development Impact Area is three acres or more and located further than one-half mile (measured in a straight line) from a City-owned park or open space shall set aside a minimum of five percent of the Development Impact Area as open space for the use and enjoyment of the development's occupants and users. The open space shall comply with the following.
 1. Design standards.
 - a. To the maximum extent practicable, required open space shall be located and configured to include, protect, or enhance natural resource or hazard

areas (including but not limited to lakes, ponds, streams, flood hazard areas, and drainage ways).

- b. Open space shall be able to accommodate human occupation and shall be readily accessible and useable by occupants and users of the development. It shall provide a focal point for the development as evidenced by its placement in a prominent location, such as along a main street or near a primary point of entry, and by the provision of either passive or active recreation features within the open space.
- c. Detention facilities or easements for public infrastructure shall not be used to satisfy the open space requirement unless they are designed as a community amenity with an off-street trail and enhanced landscaping, which may include, but is not limited to, bioswale or bioretention for at least 25 percent of the detention or easement area or sufficient tree plantings within, or adjacent to, the detention or easement area to cover at least 20 percent of the detention or easement area with tree canopy.

2. Ownership, Management, and Maintenance standards.

- a. Required open space shall be noted on the plat as a common area lot, open space lot, park land, or similar.
- b. Required open space shall be managed and maintained as permanent open space through one or more of the following options, which must be noted on the plat or any approved construction plan for the development (if no subdivision approval is required):
 - i. Open space may be held in common ownership by the owner(s) of the development, who will be responsible for managing and maintaining the land for its intended open space purposes.
 - ii. Open space areas may be conveyed to a property owners' or homeowners' association that holds the land in common ownership and will be responsible for managing and maintaining the land for its intended open space purposes.
 - iii. Open space areas may be conveyed to a third-party beneficiary such as an environmental or civic organization that is organized for, capable of, and willing to accept responsibility for managing and maintaining the land for its intended open space purposes.
 - iv. Open space areas may be dedicated to the public and conveyed to the city or other public agency that is organized for, capable of, and willing to accept responsibility for managing and maintaining the land for its intended open space purposes.
- c. ~~Easements may be established on those parts of individually owned lots including open space areas that require the areas to be managed consistent with their intended open space purposes and prohibit any inconsistent future development.~~ Any options involving private ownership of required open space area shall include association by-laws, deed restrictions, covenants, or other legal instruments that ensure continued use of the land

for its intended open space purposes and provide for the continued and effective management, operation, and maintenance of the land and facilities. Such instruments shall be submitted to, reviewed by, and approved by the City Attorney prior to final plat approval or in accordance with 8.3.2D. ~~before or in conjunction with approval of any subdivision approval for the development, or any construction plan approval for the development (if no subdivision approval is required).~~

- d. Responsibility for managing and maintaining open space areas lies with the owner of the land comprising the areas. Failure to complete all open space improvements or maintain open space areas in accordance with the approved development shall be a violation of this DDC. Identification of who bears responsibility for managing and maintaining open space areas shall be shown on any recorded subdivision plat for the development or any approved construction plan for the development (if no subdivision approval is required). Association by-laws, deed restrictions, covenants, or other legal instrument required in Subsection 7.10.3C.2.c shall establish the maintenance and management obligations and indicate that such obligations run with the land.
- e. Association by-laws, deed restrictions, covenants, or other legal instrument required in Subsection 7.10.3C.2.c shall state that in the event of transfer of ownership, notification shall be provided to the City within 30 days of conveyance. The notice shall include, but is not limited to, all property owner names, addresses, and phone numbers.