

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

Table 3.2-H: Residential Districts Dimensional Standards								
Dimensional Standards	RR	R1	R2	R3	R4	R6	R7	Additional Standards
Lot Dimensions (Minimum)								
Lot area	5 acres	32,000 sq. ft.	16,000 sq. ft.	10,000 sq. ft.	7,000 sq. ft.	6,000 sq. ft.	4,000 sq. ft.	3.7.2A: Minimum
Lot width	100 feet	80 feet	80 feet	60 feet	50 feet	50 feet	50 feet	Lot Dimensions
Lot depth	200 feet	100 feet	100 feet	80 feet	80 feet	80 feet	80 feet	
Setbacks (Minimum)								
Front yard	50 feet	20 feet	20 feet	20 feet	20 feet	10 feet	10 feet	3.7.3: Setbacks
Side yard	10 feet	10 feet	10 feet	5 feet	5 feet	5 feet	5 feet	
Rear yard	10 feet	10 feet	10 feet	10 feet	10 feet	10 feet	10 feet	
Other Standards								
Building height (maximum)	65 feet	40 feet	40 feet	40 feet	40 feet	40 feet	40 feet	3.7.5: Building Height
Building coverage (maximum)	15 percent	30 percent	40 percent	50 percent	50 percent	60 percent	65 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.							

3.3.1B 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.