

CHAPTER 17.12: MDR MEDIUM DENSITY RESIDENTIAL DISTRICT

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- C. Multiple-family dwelling;
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 - F. Home occupations as regulated in § 17.50.350;
 - G. Townhouses as regulated in §§ 17.50.020, 17.50.030 and 17.50.040;
 - H. Family day care homes;
 - I. Assisted living center.
(Ord. 3198 (part), 1995; Ord. 2899 (part), 1991; prior code Appendix A, Art. IV (§ 3 (B)))

17.12.010 General description.

This is a residential district to provide for medium to high population density. The principal uses of land may range from single-family to multiple-family apartment uses. Certain uses which are more compatible functionally with intensive residential uses than with commercial uses are permitted. The recreational, religious and educational facilities, and other related uses in keeping with the residential character of the district may be permitted on review by the Common Council.
(Prior code Appendix A, Art. IV (§ 3 (A)))

17.12.020 Permitted principal and accessory uses and structures.

Property and buildings in an MDR medium density residential district shall be used only for the following purposes:

- A. Any use permitted in an LDR low density residential district;
- B. Two-family dwelling;

17.12.030 Conditional uses.

The following uses may be allowed as a conditional use permit by the City Council in accordance with provisions contained in § 17.54.030:

- A. Any conditional use in an LDR low density residential district;
- B. Fraternities, sororities and denominational student headquarters;
- C. Mobile home parks, subject to the requirements set forth in § 17.50.110;
- D. Nursing home or home for the aged;
- E. Child care centers,

F. A planned residential development as regulated in §§ 17.50.020, 17.50.030 and 17.50.040;

G. Single-family attached dwellings and single-family semidetached dwellings as regulated in §§ 17.50.050 through 17.50.100;

H. Motel complexes, existing as of the date of the ordinance codified in this title, subject to the requirements set forth in § 17.50.180;

I. Group homes, subject to the following:

1. Provide a detailed program and services plan at time of application;

2. Must meet fire, building and health requirements;

3. The Council may or may not wish to add the following conditions:

a. Standard hours of operation, i.e., standard;

b. Supervision, i.e., type and extent;

c. Services and program to be provided;

d. Number of persons;

e. Proximity to other group homes; and

f. Any other condition the Council may deem appropriate.

4. Any significant modification in the program and services plan will require a new application.

J. Retail business may be conducted in apartment buildings only, for the convenience of the occupants of the building, provided there shall be no entrance to the place of business except from the inside of the building.

1. The retail business type shall be limited to those which are listed in § 17.50.350;

2. The Building Inspection Department will be consulted with regard to code requirements; and

3. No outdoor signage shall be allowed.

K. Townhouses as regulated in §§ 17.50.020, 17.50.030 and 17.50.040;

L. Planned residential developments as regulated in §§ 17.50.050 through 17.50.100;

M. Planned unit developments as regulated in §§ 17.50.050 through 17.50.100;

N. Hotel apartment;

O. Drop-off centers for household recyclables; such centers do not involve processing;

P. Microcell wireless communications facilities on poles as defined in § 17.50.400B;

Q. Adult day care center; and

R. Vertical axis wind turbines as defined in § 17.50.217.

(Ord. 5411, 2008; Ord. 5233, 2007; Ord. 5192, 2006; Ord. 5097 (part), 2005; Ord. 3760 (part), 2001; Ord. 3004 (part), 1993; Ord. 2899 (part), 1991; prior code Appendix A, Art. IV (§ 3 (C)))

17.12.040 Temporary uses.

A. The Common Council shall have discretion to issue temporary use permits for a period not to exceed 1 year to allow a use permitted in general commercial and/or other residential districts, provided the Council finds that the following criteria are met; 2 reapplications would be allowed, but not necessarily approved:

1. The structure for which the temporary use permit is to be granted is vacant and is expected to remain vacant if the temporary use permit is not granted,

2. All area, setback and parking requirements of low density residential and general commercial zoning districts are met without the granting of a variance;

3. The proposed use does not produce more noise, dust, odor, vibration or blast than uses specifically permitted in residential zoning districts;

4. The property for which the temporary use is allowed must border general commercially zoned property at least on 1 side.

B. The procedure for granting temporary use permits under this section shall be the same procedure as for authorizing conditional users as established under § 17.54.030.

(Ord. 3760 (part), 2001: prior code Appendix A, Art. IV (§ 3 (J)))

17.12.050 Area regulations.

All buildings shall be set back from street right-of-way lines and lot lines to comply with the following line requirements:

A. *Front yard.*

1. Dwellings and detached garages shall be set back not less than 25 feet from the front property line

2. All other main and accessory structures, including churches, shall be set back not less than 35 feet from the front property line.

B. *Side yard.*

1. For a single-story dwelling, located on interior lots, side yards shall not be less than 8 feet in width. For dwellings of 2 stories or more there shall be a side yard requirement of not less than 12 feet

When a structure is determined to be 1 story for a minimum distance of 12 feet from the side wall, an 8-foot side yard shall be allowed. Lots having frontage on more than 1 street shall provide the required front yards along those streets.

2. For unattached buildings of accessory use there shall be a side yard of not less than 8 feet; provided, however, that, unattached 1-story buildings of accessory use shall not be required to set back more than 5 feet from an interior side lot line when all parts of the accessory building are located more than 90 feet behind the front property line. Accessory buildings on corner lots shall maintain a 35-foot setback on both front and side streets.

3. Churches and other main and accessory buildings, other than dwellings, and buildings accessory to dwellings, shall set back from all side lot lines a distance of not less than 35 feet.

C. *Rear yard.*

1. For main buildings, there shall be a rear yard of not less than 25 feet.

2. Unattached buildings of accessory use shall not be located closer to any rear lot line than 5 feet.

D. *Setback from section lines.* Principal and accessory buildings and structures shall be setback no less than 58 feet from any section line. No setback is required from any legally vacated section line; however, if the vacated section line forms a property line, the applicable side, rear or front yard setbacks shall be observed.

E. *Lot width.*

1. For single- and 2-family dwellings there shall be a minimum lot width of 50 feet at the front building line.

2. For multiple-family dwellings there shall be a minimum lot width of 100 feet at the front building line

F. *Intensity of use.*

1. For each single-family dwelling and building accessory thereto, served by a sanitary sewer system, there shall be a lot area of not less than 6,500 square feet.

2. For each 2-family dwelling there shall be a lot area of not less than 8,000 square feet.

3. For multiple-family structures, there shall be a lot area of not less than 5,000 square feet plus an additional 1,500 square feet for each multiple-family unit or assisted living suite or room. For those structures which provide all required off-street parking within the main structure, the lot area requirement may be reduced 280 square feet per unit.

4. a. For those single-family dwellings and buildings accessory thereto, not served by a sanitary sewer system, there shall be a minimum lot area of 1 acre; however, the Health Department may, because of an adequate soil percolation test, permit a lesser area, but in no case less than 20,000 square feet.

b. For 2-family dwellings and buildings accessory thereto, not served by a sanitary sewer system, there shall be a minimum lot area of 1½ acres; however, the Health Department may, because of an adequate soil percolation test, permit a lesser area, but in no case less than 20,000 square feet.

5. For churches and other main and accessory buildings, other than dwellings and buildings accessory to dwellings, the lot area shall be adequate to provide the yard areas required by this chapter and the off-street parking areas required in § 17.50.270; provided, however, that, the lot for a church shall not be less than 30,000 square feet.

G. *Maximum lot coverage.* Main and accessory buildings shall cover not more than 30% of the lot area.

(Ord. 3744 (part), 2001: Ord. 3198 (part), 1995: Ord. 2863 (part), 1991: prior code Appendix A, Art. IV (§ 3 (D)))

17.12.060 Usable open space.

For multiple-family structures there shall be usable open space provided for each dwelling unit of not less than 400 square feet. For assisted living centers there shall be usable open space provided for each room/suite of not less than 170 square feet. Open space does not include drives, parking and service areas. Not more than 50% of the open space requirement shall be met with common interior spaces limited to community rooms, central dining areas and craft rooms.

(Ord. 3198 (part), 1995: prior code Appendix A, Art. IV (§ 3 (E)))

17.12.070 Height regulations.

A. No main building shall exceed three stories or 35 feet in height, except as provided in § 17.50.260.

B. Accessory buildings shall not exceed 15 feet in height.

(Ord. 2861, 1991: prior code Appendix A, Art. IV (§ 3 (F)))

17.12.080 Off-street parking.

As regulated in § 17.50.270.

(Prior code Appendix A, Art. IV, (§ 3 (G)))

17.12.090 Landscaping.

When any multifamily or assisted living center use is adjacent to any single-family use, landscaping shall be provided as regulated in the landscape

regulations adopted by § 17.50.300. Fifty percent of the plant material shall be visible from the singlefamily residential district.

(Ord. 3198 (part), 1995: prior code Appendix A, Art. IV (§ 3 (I)))

17.12.100 Flood fringe building district.

Any land that is within the flood fringe building district as provided for in Chapter 15.32 of this code, must comply with the additional requirements of that district.

(Prior code Appendix A, Art. IV (§ 3 (H)))