

## Chapter 7 RESIDENTIAL ZONES

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### **10-7-1 PURPOSE:**

Residential zones allow a wide range of residential land uses at various densities. These zones protect the stability of neighborhoods and encourage, diverse types of desirable new residential development while protecting existing residential and rural uses.

- A. Residential Agriculture: The purpose of the Residential Agriculture (RA-1) zone is to provide for and protect residential development in a semirural environment. The keeping of limited numbers of livestock and the raising of crops is considered normal activity in the Residential Agriculture Zone.
- B. Residential Agriculture Mixed: The purpose of the Residential Agriculture Mixed (RA-M) zone is to provide for and protect residential development in a semirural environment. The keeping of limited numbers of livestock and the raising of crops is considered normal activity depending on the size of lots in the Residential Agriculture Mixed zone.
- C. Multi-Family: The purpose of the Multi-Family Zone (MF) is to provide areas for moderate density residential areas when necessary public services are available. This zone provides explicit opportunity for townhomes and duplexes within the community.

### **10-7-2 SCOPE:**

The provisions of this chapter shall apply to any real property located in a residential zone as shown on the official zoning map. No building, structure or real property shall be used and no building or structure shall be hereafter erected, structurally or substantially altered, or enlarged except as set forth in this chapter. Such requirements shall not be construed to prohibit or limit other applicable provisions of this title, this code, or other laws.

### **10-7-3 DEVELOPMENT IN RESIDENTIAL ZONES:**

The use and development of real property in residential zones shall conform to the development standards as set forth in Chapter 4 of this title.

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### 10-7-4 PERMITTED AND CONDITIONAL USES

Uses permitted within the Residential Agriculture, Residential Agriculture Mixed, and Multi Family Zones should be incidental, and should not change the basic agricultural or residential character to the zone, as such these uses are permitted without special authorization. However, some uses are subject to minimum land area requirements determined by Planning and Zoning Commission, Town Board, or this Code. The establishment of any permitted use is subject to obtaining a building permit, business license, road encroachment permit, or any other regulation stated in this title.

Permitted and Conditional Uses are indicated by a “P” or “C” respectively, in the appropriate column. Uses not permitted are indicated by an “N”. Any use not shown on the table shall be prohibited, unless the Land Use Authority determines the use in question is substantially the same as one permitted or conditional based upon an interpretation provided in Section 3-11 of this title.

<b>LAND USES and ACTIVITIES</b>	<b>RA-1</b>	<b>RA-M</b>	<b>MF</b>
<b>Agricultural Uses:</b>			
Animals and fowl for recreation and family food production	P	P	C
Exotic Animals	N	N	N
Stable, Private	P	P	C
Stable, Public	P	P	C
<b>Residential Uses:</b>	<b>RA-1</b>	<b>RA-M</b>	<b>MF</b>
Assisted living facility	P	P	P
Dwelling, multiple-family	C	C	P
Dwelling, single-family	P	P	P
Dwelling, single-family with accessory apartment	P	P	P
Dwelling, two-family	C	C	P
Guesthouse	P	P	P
Rehabilitation/treatment facility	C	C	C
Transitional housing facility	C	C	C
<b>Public and Civic Uses:</b>	<b>RA-1</b>	<b>RA-M</b>	<b>MF</b>
Auditorium or stadium	C	C	C
Church	P	P	P
Cemetery	P	P	C
Golf course	C	C	C
Hospital	C	C	C
Protective service	P	P	P
Reception center	C	C	C
Recreation facility	P	P	P
School, including Charters	P	P	P
Public Utility	P	P	P
Utility substation	C	C	C

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Various Businesses	RA-1	RA-M	MF
Bed and Breakfast	C	C	C
Cabinet Shop	C	C	C
Car Wash	C	C	C
Child Day Care	P	P	P
Commercial Uses	C	C	C
Gas Station	C	C	C
Guest Ranch or Lodge	P	P	C
Home Occupations	P	P	P
Salvage Yard	C	C	N
Kennel, Private (3 or fewer dogs)	P	P	C
Kennel, Commercial (4 or more dogs)	P	C	C
Laundry, Self-Service	C	C	C
Manufacture/Mobile Home Park	C	C	C
Meat Processing	C	C	C
Motel/Hotel	C	C	C
Nursery or Greenhouse	P	P	C
Nursing Home	C	C	C
Pre-Schools	C	P	P
Professional Office	C	C	C
Restaurant	C	C	C
Temporary/Seasonal Stands for Sales	P	P	P
Vehicle Service Center/Sales/Rental	C	C	C

### 10-7-5 DENSITY AND LOT STANDARDS

The minimum area of any single lot or parcel and the density of dwellings per acre in all residential zones are indicated in the table below. The ‘Zone’ column in the table represents the particular residential zone. The ‘Density’ column in the table represents the number of dwellings per acre allowed in each zone. The ‘Minimum Lot Area’ column in the table represents the minimum size lot allowed in the zone. The ‘Lot Width’ column represents the minimum Street Frontage required for lots in the specified zones.

Zone	Density (Dwellings per Acre)	Minimum Lot Area	Minimum Lot Width
Residential-Agriculture (RA1)	Maximum 1 Dwelling per Acre	1 Acre (43,560 SF)	150 Linear Feet
Residential Agriculture Mixed (RAM)	Maximum 4 Dwellings per Acre	½ Acre (21,780 SF)	75 Linear Feet
Multi-Family (MF)	Maximum 8 Dwellings per Acre	½ Acre (21,780 SF)	100 Linear Feet

*Density of Residential Housing Developments:* To encourage the preservation of agricultural and natural open space, enhance its profitability, minimize the cost of public services, reduce yard sizes to conserve water and improve landscaping quality, as well as encourage assorted lot sizes

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and varying housing types along city streets, clustered residential housing is preferred within the Residential Agriculture Mixed Zone.

## 10-7-6 STRUCTURE HEIGHT AND SETBACK REQUIREMENTS

- A. **Height:** Maximum building height measured from ground level to roof ridge shall be thirty-five (35) feet in the RA-1 Zone, thirty-five (35) feet in the RA-M zone, and thirty-five (35) feet in the MF zone; additional height may be approved for an agricultural use within the RA-1 and RA-M zones. Approval by the fire district is required and it has to be determined to be compatible with adjacent buildings and uses. In no case shall the building height exceed fifty (50) feet.
- B. **Set Back Requirements:** Generally the setbacks provided in the matrix will be followed. However, it is required that enough room is available to provide for a properly installed septic system; in no instance shall setbacks be closer than shown in the matrix.

### Primary Dwelling/Structure Minimum Height and Set-Back Matrix

Set Back	RA-1	RA-M	MF
Front	30 Feet	30 Feet	30 Feet
Side	15 Feet	10 Feet	10 Feet
Rear	40 Feet	40 Feet	40 Feet
Height Maximum	35 Feet (50 for AG)	35 Feet (50 for AG)	35 Feet
Lot Coverage Maximum	40%	40%	40%

**\*Lot Coverage\*: to minimize the effects of storm water runoff, the maximum percent of the lot area allowed to be developed or built upon by impervious surfaces.**

### Accessory Structure Minimum Height and Set-Back Matrix

Set Back	RA-1	RA-M	MF
Front	NA	NA	NA
Side	5 Feet	10 Feet	10 Feet
Rear	5 Feet	10 Feet	10 Feet
Height	16 Feet	16 Feet	12 Feet

**\*Accessory Structure Front Setback\*: Secondary Structures shall not be placed in front of the Primary Dwelling/Structure, or within the Front Setback area for the Primary Dwelling/Structure.**