

## **CHAPTER 12 – PLANNING & ZONING**

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**Section 12-5-101 to 199, inclusive. Uses common to all residential districts - general provisions.**

**Section 12-5-101 General statement concerning uses common to all residential districts.**

There are certain uses that are considered acceptable when found in any residential district when developed according to space limits proper for a particular zone.

The uses set forth in Sections 12-5-102 to 106, inclusive are permitted in all residential districts subject to further restrictions or liberalizations imposed by a specific district.

**Section 12-5-102 Principal permitted uses.**

1. Off-street parking shall be provided for all uses established in the residential districts.
2. Only one building for living purposes shall be permitted on one zoning lot, except as otherwise provided herein.
3. Single-family detached dwellings.
4. Public, parochial and private schools and colleges offering courses of general instruction when located on sites of at least 5 acres, and including convents, monasteries, dormitories and other related living structures when located on the same site as the church.
5. Churches, synagogues, chapels and similar places of religious worship and instruction of a quiet nature when located in a substantial structure.
6. Crop and tree farming but not including the raising of animals or fowl for commercial purposes, or the sale of any products at retail on the premises.
7. Parks and recreation areas operated by the city or other political subdivision.
8. Public and quasi-public buildings for cultural uses.
9. Country clubs as defined herein.

**Section 12-5-103 Accessory Uses.**

The following accessory uses are permitted in all residential districts subject to further restrictions or liberalizations imposed by a specific district.

1. Private garages and private parking areas.
2. Private swimming pools exclusively for the use of residents of the premises and their non-paying guests and subject to any other regulations or ordinances of the City.
3. The parking of one (1) unoccupied trailer designed for recreational use and not to exceed 35 feet in length or one (1) self propelled Recreational Vehicle not to exceed 35 feet in length, within a building, or in the open in a rear yard, or in the open in a side yard twelve (12) feet or

more in width, but subject to any permits required by law or ordinance.

4. The storage of one pleasure boat within a building, or in the open in the rear or side yard.

5. Other accessory uses and structures customarily appurtenant to a permitted use.

**Source:** Ord. No. 1402, 1997; Ord. No. 1451, 1999. (Reference Section 12-14-101 to 199.)

**Section 12-5-104 Conditional uses.**

The following uses are conditionally permitted in all residential districts.

1. Utility substations when located according to the yard space rules set forth for dwellings and having a landscaped or a masonry barrier on all sides, and after a showing before the city commission that technical considerations necessary to the functioning of said utility requires the location of the facility in a residential district. Structures shall conform with all space limits of the district in which located and shall have an exterior design in harmony with nearby properties.

2. Railroad through and spur tracks, but no sidings or other terminal type facilities and no service, repair, or administrative facilities, and after a showing before the City Commission that such facilities are necessary in the location proposed.

**Section 12-5-105 Front yard depth - exceptions.**

In any residence district each dwelling hereafter erected shall have a front yard equal in depth to the average depth of the front yards of the lots immediately adjacent but no front yard shall be less than fifteen (15) feet unless allowed by the Board of Adjustment.

**Section 12-5-106 Side yard depth on corner lots.**

On every corner lot in a residential district there shall be provided on the adjacent streets a minimum front yard of 25 ft. and a minimum side yard of 20 ft. with the remaining yards to be a minimum of 25 ft. and 6 ft.

**Amended by Ord. No. 1341, 1994.**

**Section 12-5-107 Requirement for conforming one-family and two-family dwellings to the regulations of their respective districts.**

All one-family or two-family dwellings shall conform to all regulations of their respective districts or the regulations in the district they are placed if they are more restrictive.

**Section 12-5-108 to 199, inclusive. Reserved.**

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**Sections 12-5-201 to 299, inclusive. One-family Residential District A - general provisions.**

**Section 12-5-201 Legal boundary descriptions for One-Family Residential District A.**

An area beginning at the intersection of the south line of Section 34-111-79 and the N-S centerline of Section 34-111-79; thence northerly to a point on the south line of the NE 1/4 of SW 1/4 of Section 34-111-79 and the centerline of Buchanan Avenue; thence north along the centerline of Buchanan Avenue extended to the north line of Kennedy Drive; thence west along the north line of Kennedy Drive to the west line of vacated Buchanan Avenue; thence north along the west line of vacated Buchanan Avenue to the south line of the vacated alley extended in Block 11, Theall's Addition; thence west along the south line of the vacated alley extended in Block 11, Theall's Addition, to the extended west line of the east 20 feet of Lot 3, Block 11; thence north along the extended west line and the west line of the east 20 feet of Lot 3, Block 11, and the west line of the east 20 feet of Lot 3, Block 2, Theall's Addition, to the east-west centerline of Section 34-111-79; thence west along the said centerline of Section 34-111-79 to the east line of Pierce Avenue extended; thence north along the east line of Pierce Avenue extended to the northerly line of Harrison Avenue; thence northeasterly along the northerly line of Harrison Avenue to the southwesterly corner of Lot M2E; thence north 32°23' 50" west, 149.95 feet to the northwest corner of Lot M2E; thence north 57° 33' 03" east 142.92 feet; thence north 74° 23' 03" west, 350.15 feet; thence north 61° 45' 23" west, 89.52 feet; thence north 35° 15' 10" west, 267.13 feet; thence north 18° 48' 13" west, 331.20 feet; thence north 27° 30' 41" east, 523.45 feet; thence south 89° 39' 47" east along the north line of Lot M1, Baldwin Addition, to the southwest corner of Block 4, Heritage Ridge Second Addition; thence northeasterly along the north line of Block 4 to the centerline of Abbey Road; thence north along the centerline of Abbey Road to the north line of Section 34-111-79; thence west along the north line of Section 34-111-79 and Section 33-111-79 to the N-S centerline of Section 33-111-79; thence south along the N-S centerline of Section 33-111-79 to the south line of the NW 1/4 of the NE 1/4 of Section 33-111-79; thence east along the south line of the NW 1/4 of the NE 1/4 of Section 33-111-79 to the east line of the SW 1/4 of the NE 1/4 of Section 33-111-79; thence south along the east line of the SW 1/4 of the NE 1/4 of Section 33-111-79 to the south line of Elizabeth Street; thence east along the south line of Elizabeth Street to the centerline of Harrison Avenue; thence south along the centerline of Harrison Avenue to the north line of Hilltop Addition extended; thence east along the north line of Hilltop Addition extended to the east line of Hilltop Addition; thence southerly along the east line of Hilltop Addition and the east line of Block 2, Riverview Addition to the south line of Section 34-111-79; thence east along the south line of Section 34-111-79 to the place of beginning.

Blocks 1 and 2, Ramse Addition.

That portion of Blocks 10 and 11, Cactus Heights Addition lying south of the north line of Lots 4-9, Block 11, Cactus Heights Addition and lying easterly of a line starting at the intersection of the south line of Section 34-111-79 and the N-S centerline of Section 34-111-79 and extending northerly to

a point on the south line of the NE 1/4 of SW 1/4 of Section 34-111-79 and the centerline of Buchanan Avenue.

Blocks 9-12, both inclusive. Glenwood Addition.

Lots 1 through 48, the front 162.5' of Lot 5, Lots 6 through 8, the front 300' of Lots 9, 11 and 13, and Lots 10 and 12, and Lots 14 through 17, Pierre Acres.

Charley's Addition

Wood River Estates

An area beginning at the intersection of the west line of Section 27-111-79 and the south line of Section 27-111-79; thence north along the west line of Section 27-111-79 a distance of 1,317 feet to the northwest corner of Lot 3, Highland's Ridge West Addition in Section 27-111-79; thence east along the north line of Lot 3, Highland's Ridge West Addition, to the west line of Lot 15, Block 2, Highland's Ridge First Addition; thence north along the west line of Lot 15, Block 2, Highland's Ridge First Addition to the northwest corner of Lot 15, Block 2, Highland's Ridge First Addition; then east along the north boundary of Lots 10-15, Highland's Ridge First Addition a distance of 990 feet; thence north a distance of 660 feet along the east boundary of the W 1/2 NW 1/4 NE 1/4 SW 1/4, Section 27-111-79; then west a distance of 1,600 feet to the west line of Section 27-111-79; then south along the west line of Section 27-111-79 to the place of beginning.

An area beginning at the intersection of the east-west centerline of Section 27-111-79 and the center of Garfield Avenue; thence north a distance of 992 feet to the northeast corner of Lot 1, Gardella Addition in Section 27-111-79; then west along the north line of Lots 1 and 2, Gardella Addition to the southwest corner of Lot 2, Meadow Addition in Section 27-111-79; then north/northwest a distance of approximately 692' along the west line of Lot 2, Meadow Addition in Section 27-111-79 to the centerline of Section 27-111-79; then north a distance of approximately 1,100 feet to the center of Highway 14 & 83; then west along the centerline of Highway 14 & 83 to the east line of the Sunrise Subdivision in Section 27-111-79; then south along the east line of the Sunrise and Sunset Subdivisions in Section 27-111-79 to the east-west centerline of Section 27-111-79; then west a distance of 2,800 feet along the east-west center line of Section 27-111-79 to the place of the beginning.

An area beginning at the intersection of the north-south centerline of Section 27-111-79 and the south line of Section 27-111-79; thence north along the north-south centerline of Section 27-111-79 to the north boundary of the W 1/2 SW 1/4 SE 1/4, Section 27-111-79; thence easterly to the east line of the W 1/2 SW 1/4 SE 1/4, Section 27-111-79; thence southerly along the easterly line of the W 1/2 SW 1/4 SE 1/4, Section 27-111-79 to the north line of the Fourth Street right-of-way; thence westerly along the north line of the Fourth Street right-of-way to the place of beginning.

**Amended by Ord. No. 1118, 1984; 1159, 1985; 1166, 1986; 1210, 1988; 1219, 1988; 1227, 1988; Ord.**

1282, 1991; Ord. 1331, 1993; Ord. 1416, 1998; Ord. No. 1477, 2000; Ord. No. 1509, 2002; Ord. No. 1519, 2002; Ord. No. 1520, 2002; Ord. No. 1535, 2003; Ord. No. 1543, 2004; Ord. No. 1550, 2004; Ord. No. 1555, 2004; Ord. No. 1556, 2004; Ord. No. 1570, 2005; Ord. No. 1593, 2006; Ord. No. 1670, 2010; Ord. No. 1688, 2011; Ord. No. 1719, 2013; Ord. No. 1758, 2016.

**Section 12-5-202 Statement of purpose for One Family Residential District A.**

This district is designed to provide for single family dwelling areas on lots of moderate size.

**Section 12-5-203 Principal permitted uses.**

The principal permitted uses common to all residential districts.

**Cross reference:** Section 12-5-102.

**Section 12-5-204 Accessory uses.**

1. The permitted accessory uses common to all residential districts.
2. Home occupations.

**Cross reference:** Section 12-5-104.

**Section 12-5-205 Conditional uses.**

The conditional uses common to all residential districts.

**Cross reference:** Section 12-5-104

**Section 12-5-206 Space limitations.**

**Building Height Limit**

No building shall exceed two and one-half (2 1/2) stories, or thirty-five (35) ft.

**Required Lot Area**

Not less than eight thousand five hundred (8,500) square feet, for residential uses; one acre for religious or cultural uses.

**Percentage of Lot Coverage**



All buildings including accessory buildings shall not cover more than thirty (30) percent of the area of the lot.

**Yards Required:**

Each lot shall have front, side and rear yards of not less than the depths or widths following:

1. Front yard depth - twenty-five (25) feet.
2. Rear yard depth - twenty-five (25) feet.
3. Side yard width - not less than six (6) feet but the sum of the two side yards shall not be less than fifteen (15) feet.

**Amended:** Ord. No. 972, 1973; 904, 1974.

**Sections 12-5-207 to 299, inclusive. Reserved.**

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**Section 12-5-301 to 399, inclusive. One-family Residential District B - general provisions.**

**Section 12-5-301 Legal boundary descriptions for One-Family Residential District B.**

An area beginning at a point where the east line of the NW 1/4 of the NW 1/4 of Section 32-111-79 intersects the north line of Eighth Street; thence south along the east line of the NW 1/4 of the NW 1/4 of Section 32-111-79 extended to the south line of Elizabeth Street; thence easterly along the south line of Elizabeth Street to the centerline of the alley in Block 50, Fifth Railway Addition extended; thence southeasterly along the centerline of the alley in Block 50 Fifth Railway Addition to the west line of Ash Street, thence southerly along the westerly line of Ash Street to the south line of Pleasant; thence southeasterly along the southerly line of Pleasant Drive to a point on the easterly line of Poplar Avenue; thence northerly along the said easterly line of Poplar Avenue to the southerly line of Prospect Avenue; thence easterly to the easterly line of Oneida Avenue; thence northerly along the easterly line of Oneida Avenue to the centerline of Broadway Avenue extended; thence easterly along the centerline of Broadway Avenue extended to the south line of Oak Street extended; thence east along the south line of Oak Street extended to the east line of Grand Avenue; thence north along the east line of Grand Avenue to the south line of Oak Street; thence east to the west line of the alley in Block 5, Steigmeyer's Addition extended; thence north along the west line of the alley in the said Block 5 extended to the south line of Second Street; thence west along the south line of Second Street to the east line of Grand Avenue; thence north along the east line of Grand Avenue to the south line of Third Street; thence east along the south line of Third Street to the centerline of the alley in Block 10, Central Addition extended; thence north along the centerline of the alley in Block 10, Central Addition extended to the south line of Fifth Street; thence west along the south line of Fifth Streets to the east line of Grand Avenue; thence north

along the east line of Grand Avenue to the south line of Seventh Street; thence east along the south line of Seventh Street to the west line of Euclid Avenue; thence north along the west line of Euclid Avenue to the north line of Section 32-111-79; thence west along the north line of Section 32-111-79 to the place of beginning.

An area beginning at the intersection of the west line of Washington Avenue and the centerline of Eighth Street; thence west along centerline of Eighth Street to the west line of Folsom Avenue; thence south along the west line of Folsom Avenue to the centerline of Fifth Street; thence west along the centerline of Fifth Street to the east line of Highland Avenue; thence south along the east line of Highland Avenue to the south line of Second Street; thence east along the south line of Second Street to the centerline of the alley in Block 6, Central Addition; thence south along the centerline of the alley in Block 6, Central Addition to the north line of Lot 18, Block 6, Central Addition extended; thence east along the said north line of Lot 18, Block 6, Central Addition to the west line of Evans Street; thence south along the west line of Evans Street to the north line of First Street; thence west along the north line of First Street to the extended west line of the north-south alley in Block 1, Central Addition; thence south along said west alley line to the north line of Elizabeth Street; thence west along the north line of Elizabeth to the west line of the north-south alley in Block 3, Steigmeyer's Addition extended; thence south along the west line of the north-south alley in Blocks 3, Steigmeyer's Addition to the north line of Seneca Street; thence east along the north line of Seneca Street to the north-south alley in Block 7, Steigmeyer's Addition; thence south along the centerline of the alley in Block 7, Steigmeyer's Addition to the north line of Oak Street; thence west along the south boundary of Block 7, Steigmeyer's Addition to the east line of Highland Avenue; thence north along the west boundary of Block 7 Steigmeyer's Addition to the north line of Seneca Street; thence west along the north line of Seneca Street to the north-south alley in Block 6, Steigmeyer's Addition; thence south along the north-south alleys in Block 6, and 11, Steigmeyer's Addition to the north line of the east-west alley in Block 11, Steigmeyer's Addition; thence east along the north line of the east-west alley in Block 11, Steigmeyer's Addition to the west line of Lot 18, Block 11, Steigmeyer's Addition extended; thence south along the said west line of Lot 18, Block 11, Steigmeyer's Addition to the north line of Wynoka Street; thence east along the north line of Wynoka Street to the west line of Highland Avenue; thence southerly along the westerly line of Highland Avenue to the southerly line of Broadway Avenue; thence easterly along the southerly line of Broadway Avenue to the easterly line of Nicollet Avenue; thence northerly along the easterly line of Nicollet Avenue extended to the east line of Folsom Avenue extended; thence northerly along the east line of Folsom Avenue extended to the south line of Fourth Street; thence east along the south line of Fourth Street to the west line of Washington Avenue; thence north along the west line of Washington Avenue to the point of beginning.

Lots 8 through 17, inclusive, Block 2, Central Addition

An area beginning at a point where the south line of Church Street intersects the west line of Jefferson Avenue; thence south along the west line of Jefferson Avenue to the north line of Broadway; thence west along the north line of Broadway to the west line of the north-south alley in Block 3, Wells Addition extended; thence south along the west line of the said north-south alley to the north line of Cabot Street; thence west to the west line of Washington Avenue; thence south along the west line of Washington Avenue to the south line of Capitol Avenue; thence west along the south line of Capitol Avenue to the west line of the north-south alley in Block 28, Fourth Railway Addition; thence south along the west line of said alley to the northerly line of Wells Avenue; thence southeasterly along the

northerly line of Wells Avenue to the east line of Adams Avenue; thence north along the east line of Adams Avenue to the north line of Lot 14, Block 13, Wells Addition; thence east along the said lot line to the east alley line of Block 13, Wells Addition; thence south along the east alley line of said alley in said Block 13, to the northerly line of Wells Avenue; thence easterly along the northerly line of Wells Avenue to the east line of Jefferson Avenue; thence north on the east line of Jefferson Avenue to the south line of Franklin Street; thence east along the south line of Franklin Street to the west line of Madison Avenue; thence south along the west line of Madison Avenue to the northerly line of Wells Avenue; thence easterly along the northerly line of Wells Avenue to the east line of Filmore Avenue; thence south along the east line of Filmore Avenue to the northerly line of State Highway 34 right-of-way; thence easterly along the northerly line of State Highway 34 right-of-way to the east line of the alley in Block 72, Wells Second Addition; thence north along the east line of the alley in Block 72, Wells Second Addition extended to the north line of Franklin Street; thence east along the north line of Franklin Street to the west line of Lincoln Avenue; thence north along the west line of Lincoln Avenue to the center line of Erskine Street; thence west along the center line of Erskine Street to the center line of Buchanan Avenue; thence north along the center line of Buchanan Avenue to the centerline of Capitol Avenue; thence west along the center line of Capitol Avenue to the center line of Pierce Avenue; thence north along the center line of Pierce Avenue to the south line of Section 34-111-79; thence west along the south line of Section 34-111-79 to the easterly line of Block 2, Riverview Addition; thence northerly along the easterly line of Block 2, Riverview Addition to the east line of Hilltop Addition; thence north along the east line of Hilltop Addition to the north line of Hilltop Addition; thence west along the north line of Hilltop Addition to the centerline of Harrison Avenue; thence north along the centerline of Harrison Avenue to the north line of Lot 7, Selvig's Resubdivision of Block 29, Ash's Second Addition, extended; thence west along the north line of the said Lot 7 extended to the west line of Van Buren Avenue; thence north along the west line of Van Buren Avenue to the north line of Lot 1, Block 1, Capitol Heights Addition; thence west along the north lines of Lots 1, 2 and 10 of the said Block, 335 feet; thence north along the east line of Capitol Heights Addition to the south line of Oak Street; thence east along the south line of Oak Street to the centerline of Harrison Avenue; thence north along the centerline of Harrison Avenue to the south line of Elizabeth Street; thence west along the south line of Elizabeth to the centerline of Madison Avenue; thence south along the centerline of Madison Avenue to the north line of Capitol Heights Addition; thence south along the west line of Capitol Heights Addition to the south line of Church Street; thence west along the south line of Church Street to the place of beginning.

Blocks 1 through 8, inclusive, Stoeser's Subdivision

Fullers Addition, Blocks 1-6, Fruitwood Addition, Blocks 1 through 6 and Chicago Addition, Blocks 6, Lots 1-15.

Block 20, Euclid Avenue Addition.

Blocks 113 through 118, Wells Second Addition.

The southerly half of Blocks 104 through 109, Wells Second Addition.

Blocks 133 through 137, Wells Second Addition.

The southerly half of Blocks 105 through 109, inclusive, Wells Second Addition.

Lots 8 through 21, Block 131, Wells Second Addition.

Lots 9 through 22, Block 132, Wells Second Addition.

Neltom Addition.

Ulmen's Addition.

Schroyer's Outlot 2

A parcel of land approximately 200 feet by 194 feet owned by the United States Government for electrical transmission tower lying between Schroyer's Outlot 2 and Wood River Estates.

Capitol Hill Addition.

Lot 9, Hillsvieview Subdivision

Lot 1, Fairway Subdivision

Lots 1 through 8 and lots 23 through 29, Block 132, Wells Second Addition

An area beginning at a point where the north line of Lincoln Avenue intersects the east line of Erskine Street; thence east along the center line of Erskine Street extended to the east line of Grant Avenue extended; thence northerly to the intersection of the north line of Capitol Avenue and the west line of Hemlock Avenue extended; thence east along the center line of Capitol Avenue to the west line of Hemlock Avenue extended; thence northerly along Hemlock Avenue extended to the north line of Spruce Avenue; thence west along the north line of Spruce Avenue to the east line of Buchanan Avenue; thence northerly along the east line of Buchanan Avenue to the south line of Section 34-111-79; thence west along the south line of Section 34-111-79 to the center line of Pierce Avenue; thence south along the center line of Pierce Avenue to the center line of Broadway Avenue; thence east along the center line of Broadway Avenue to the center line of Johnson Avenue; thence south along the center line of Johnson Avenue to the south boundary of Lot 38, Block 2, Riverview Park Addition; thence east along the south boundary of Lot 38 to the southeast corner of Lot 38, Block 2, Riverview Park Addition; thence north along the east boundary of Lots 37-39, Block 2, Riverview Park Addition to the center line of Broadway Avenue; thence east along the center line of Broadway Avenue to the center line of Buchanan Avenue; thence south along the center line of Buchanan Avenue to the center line of Erskine Avenue; thence east along Erskine Avenue to the place of beginning.

Lots 1-8, Block 4, Riverplace Second Addition, in the S ½ NE ¼ SW ¼ Section 29-111-79.

**Amended by Ord. No. 864, 1972; 990, 1978; 992, 1978; 1075, 1982; 1092, 1982; 1104, 1983; 1128, 1984; 1184, 1986; 1209, 1987; 1222, 1988; 1251, 1989, Ord. No. 1302, 1992; Ord. 1382, 1996; Ord. 1385, 1996; Ord. No. 1461, 1999; Ord. No. 1491, 2001; Ord. No. 1563, 2004; Ord. No. 1604, 2007;**

Ord. No. 1736, 2014; Ord. No. 1759, 2016.

**Section 12-5-302 Statement of purpose for One-Family Residential District B.**

This district is designed to provide for a medium density residential environment, for one-family dwellings.

**Section 12-5-303 Principal permitted uses.**

The principal permitted uses common to all residential districts.

**Cross reference:** Section 12-5-102.

**Section 12-5-304 Accessory uses.**

1. The permitted accessory uses common to all residential districts.
2. Home occupations.

**Cross reference:** Section 12-5-103.

**Section 12-5-305 Conditional uses.**

1. The conditional uses common to all residential districts.
2. Fraternity and sorority houses when directly associated with a college or university.
3. Buildings of non-profit community organizations and social welfare establishments other than those providing living accommodations.

**Cross reference:** Section 12-5-104.

**Section 12-5-306 Space limitations.**

No building shall exceed two and one-half (2 1/2) stories, or thirty-five (35) ft.

**Required Lot area**

Not less than six thousand (6,000) square feet for residential uses, except an existing lot of record used for residential purposes in Wells Second Addition, Blocks 64 thru 90 and Blocks 93 thru 167, which are required to be a minimum of 5800 square feet. Lots used for religious or cultural use must be a minimum of one acre in size.

**Source:** Ord. No. 1634, 2008;

### **Percentage of Lot Coverage**

All buildings including accessory buildings shall not cover more than thirty (30) percent of the area of the lot.

### **Yards Required.**

Each lot shall have front, side and rear yards not less than the depths or widths following:

1. Front yard depth - Twenty-five (25) feet.
2. Rear yard depth - Twenty-five (25) feet.
3. Side yard width - Six (6) feet but the sum of the two side yards shall not be less than fifteen (15) feet.

**Section 12-5-307 to 399, inclusive. Reserved.**

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**Section 12-5-401 to 499 inclusive. One-Family Residential District C - general provisions.**

### **Section 12-5-401 Legal boundary descriptions for One-Family Residential District C.**

An area beginning at a point on the centerline of Garfield Avenue and the north line of Park Street; thence south along the centerline of Garfield Avenue extended to the north line of Block 5, Fullers Addition; thence west along the north line of Block 5, Fullers Addition and Chicago Addition to the centerline of Grant Avenue thence south along the centerline of Grant Avenue to the centerline of Pawn Street; thence westerly along the centerline of Pawn Street extended to the north-south centerline of Section 10-110-79; thence north along the north-south centerline of Section 10-110-79 and 3-110-79 to the north line of Henrichs Addition; thence east along the north line of Henrichs Addition 330 feet; thence southeasterly along Henrichs Addition 42.6 feet; thence south along the east line of Henrichs Addition to the north line of Park Street; thence east along the north line of Park Street to the place of beginning.

The South 1/2 of Lot 10 and Lots 11 to 21, inclusive, Block 102, Wells Second Addition.

The Southerly 1/2 of Blocks 98, 99, 100, and 101, inclusive, Wells Second Addition.

The Northerly 1/2 of Blocks 126-130, Wells Second Addition.

Blocks 119-125, Wells Second Addition.

Lots 1 through 7 and Lots 22 through 29, Block 131, Wells Second Addition.

The east 1/2 of Block 67, Wells Second Addition.

Blocks 65 and 66, Wells Second Addition.

Blocks 1 through 8, and Block 10, Harmony Hills Addition

Torvik Addition

Blocks 9 and 10, Greeley and Sharp's Addition.

Lot 1, Airbase Acres Addition.

The front 87' of Lots 16-30 Block 104, Wells Second Addition.

Lots 1-14, Crested Ridge Addition in S ½ NW ¼, Section 35-111-79.

Commencing at the intersection of the south line of the NE 1/4 of the SW 1/4 of Section 29-111-79 and the west line of the NE 1/4 of the SW 1/4 of Section 29-111-79; thence east along the centerline of Tenth Street to the intersection of said line with the east lot line of Lot 6, Block 1, Riverplace Second Addition extended; thence northwest along the eastern boundary of Block 1 and Block 2, Riverplace Second Addition to the northeast corner of Lot 12, Block 2, Riverplace Second Addition; thence westerly to the centerline of River Rim Drive; thence northerly along the centerline of River Rim Drive to the intersection of said line with the north lot line of Lot 1, Block 2, Riverplace Second Addition; thence westerly a distance of 50 feet along the north lot line of Lot 1, Block 2, Riverplace Second Addition to the west line of the NE ¼ of the SW ¼ of Section 29-111-79; thence north 620 feet along the west line of the NE 1/4 of the SW 1/4 of Section 29-111-79; thence east 260 feet; thence north 850 feet; thence east 500 feet; thence south 1,750 feet; thence west to the easterly boundary of Block 2, Riverplace Second Addition to the point of beginning

**Amended by Ord. No. 864, 1972; 903, 1974; 941, 1976; 978, 1977; 1046, 1980; 1075, 1982; 1134, 1984; 1145, 1985; 1161, 1985; 1210, 1988; Ord. 1273, 1991; Ord. No. 1359, 1995; Ord. 1382, 1996; Ord. 1385, 1996; Ord. No. 1452, 1999; Ord. No.1491, 2001; Ord. No. 1500, 2001; Ord. No. 1507, 2002; Ord. No. 1515, 2002; Ord. No. 1577, 2005;**

**Section 12-5-402 Statement of purpose for One-Family Residential District C.**

This district is designed to provide for a medium density residential environment and allow an area where mobile homes may be placed. This district shall be limited to One-Family dwellings or mobile homes.

**Section 12-5-403 Principal permitted uses.**

1. The principal permitted uses common to all residential districts, including the placing of mobile homes.

2. Commercial mobile home parks shall not be permitted in this district.

**Cross reference:** Section 12-5-102.

**Section 12-5-404 Accessory uses.**

1. The permitted accessory uses common to all residential districts.

2. Home occupations.

**Cross reference:** Section 12-5-103.

**Section 12-5-405 Conditional uses.**

1. The condition uses common to all residential districts.

2. Fraternity and sorority houses when directly associated with a college or university.

3. Buildings of non-profit community organizations and social welfare establishments other than those providing living accommodations.

**Cross reference:** Section 12-5-104.

**Section 12-5-406 Space limitations.**

**Building Height Limit**

No building shall exceed two and one-half (2 1/2) stories, or thirty-five (35) ft.

**Required Lot area**

Not less than six thousand (6,000) square feet for residential uses, except an existing lot of record used for residential purposes in Wells Second Addition, Blocks 64 thru 90 and Blocks 93 thru 167, which are required to be a minimum of 5800 square feet. . Lots used for religious or cultural use must be a minimum of one acre in size.

**Source:** Ord. No. 1634, 2008;

**Percentage of Lot Coverage**



All buildings including accessory buildings shall not cover more than thirty (30) percent of the area of the lot.

### **Yards Required**

Each lot shall have front, side and rear yards not less than the depths or widths following:

1. Front yard depth - Twenty-five (25) feet.
2. Rear yard depth - Twenty-five (25) feet.
3. Side yard width - Six (6) feet but the sum of the two side yards shall not be less than fifteen (15) feet.

**Sections 12-5-407 to 499, inclusive. Reserved.**

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**Sections 12-5-501 to 599, inclusive. One-Family Residential District D. - general provisions.**

### **Section 12-5-501 Legal boundary descriptions for One-Family Residential District D.**

Lot M1, Baldwin Addition.

**Source:** Ord. No. 1216, 1988; 1227, 1988.

### **Section 12-5-502 Statement of purpose for one-family residential district D.**

The district is designed to provide for a medium density residential environment and allow an area where manufactured home parks may be placed. This district shall be limited to one-family manufactured home parks.

### **Section 12-5-503 Principal permitted uses.**

1. The principal permitted use shall be for manufactured home parks only and not those principal permitted uses stated in Section 12-5-102.

### **Section 12-5-504 Accessory uses.**

1. The permitted accessory uses common to all residential districts.

2. Home occupations.

**Section 12-5-505 Conditional uses.**

1. The conditional uses common to all residential districts.

**Section 12-5-506 Procedures for application and issuance of permit for manufactured home parks.**

1. A plot showing the location of present and proposed buildings, driveways, proposed location of units and sanitary conveniences.
2. A statement relative to water supply, sewage and garbage.
3. A copy of the plans and specifications of all proposed buildings.
4. The location and legal description of the manufactured home park.

**Section 12-5-507 Issuance of manufactured home park permit by building inspector upon certain findings.**

No manufactured home park shall be established or constructed without a permit therefore issued by the building inspector; and no manufactured home shall be placed in the manufactured home park without a separate permit therefore issued by the building inspector.

Upon the finding by the building inspector that all requirements of this district have been met a construction permit shall be issued at no fee.

The owner of the manufactured home park shall be required to obtain a permit from the building inspector for each manufactured home placed in the manufactured home park. The fee for each permit shall be \$35.00.

**Section 12-5-508 Space limitations.**

**Building Height Limit.**

No building shall exceed two and one-half (2 1/2) stories, or thirty-five (35) feet.

**Required Area for a Manufactured Home Space.**

Manufactured homes spaces shall be provided, consisting of a minimum of five thousand (5,000)

square feet for each space.

### **Percentage of Lot Coverage.**

Manufactured home units shall not cover more than fifty (50) percent of the area of the mobile home space.

### **Yards Required.**

The front and rear of any manufactured home shall not be located closer than forty (40) feet from any other manufactured home or from any building within the manufactured home park. The side of any manufactured home shall not be closer than fifteen (15) feet from any other manufactured home or principal building. All manufactured homes shall be required to be located a minimum of twenty-five (25) feet from all exterior boundaries of the manufactured home park. Manufactured homes placed in this park shall have a minimum width of fourteen (14) feet.

All accessory buildings will comply with Section 12-2-111.

### **Section 12-5-509 Requirements for driveways, vehicular access and parking, and lighting of manufactured home parks.**

1. All manufactured home spaces shall abut upon a driveway of not less than twenty-five (25) feet in width, which shall have unobstructed access to a public street or highway, and sole vehicular access shall not be by an alley, and all dead-end driveways shall include adequate vehicular turning space.
2. All driveways within the manufactured home park shall be all weather with an asphalt or concrete pavement and lighted at night with electric lamps of not less than fifty (50) watts each, spaced at intervals of not more than one hundred (100) feet, or by a lighting plan approved by the city engineer.
3. A minimum of two off-driveway or off-street car parking spaces shall be maintained for each manufactured home space.

### **Section 12-5-510 Requirements for site drainage and grading, underground wiring, playgrounds, and etc. for manufactured home parks.**

1. The manufactured homes parks shall be located on a well-drained site, properly graded to insure proper drainage.
2. One or more playgrounds shall be provided and located as required by the city commission and of the size approved by them.
3. All wiring in the manufactured home park shall be placed underground.

4. An area will be designated for recreational vehicles such as boats, camping trailers, and motor homes and utility trailers, etc.

5. Each manufactured home shall be placed on a adequate concrete foundation and tied down with FHA approved anchor straps.

**Sections 12-5-511 to 599, inclusive. Reserved.**

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**Sections 12-5-601 to 699, inclusive. Two-Family Residential District - general provisions.**

**Section 12-5-601 Legal boundary descriptions for Two-Family Residential District.**

Block 13 and Lots 11-36, Block 14, Original Plat.

Block 68, Fifth Railway Addition.

Blocks 30 and 35, Fifth Railway Addition.

Block 46, Fifth Railway Addition.

Blocks 14 through 16, Fourth Railway Addition.

Lots 1 thru 4, 11 thru 14, Block 17, Fourth Railway Addition.

North half of Block 18, Fourth Railway Addition.

Lots 1 through 8, both inclusive, Block 6, First Railway Addition.

North half of Block 5, First Railway Addition.

St. Peter and Paul Catholic Church property.

Wheelon and Sherman Addition.

Hilger's Addition.

Lots 19 and 20, both inclusive, Block 11, Steigmeyer Addition.

Lots 1 thru 8, both inclusive, Block 4, Steigmeyer Addition.

Lots 1 to 8, both inclusive, Block 5, Steigmeyer Addition.

Lots 1 through 16, inclusive, Block 12, Steigmeyer's Addition

Blocks 1, 2 and 3, Specker's Re-Subdivision of Block 43, Wells Second Addition, and Blocks 6 and 7, and part of Block 8, all in Wright and Templeton Addition.

Georgetown Park Addition

Lots 1 thru 15, both inclusive, Block 61, Wells Second Addition.

Blocks 62, 63 and 64, Wells Second Addition.

Blocks 14 and 15, Wright and Templeton Addition.

An area beginning at the intersection of the east line of Grant and the centerline of Erskine Street extended; thence northerly to the intersection of the north line of Capitol Avenue and the west line of Hemlock Avenue extended; thence northerly along the westerly line of Hemlock Avenue extended to the north line of Spruce Avenue; thence west along the north line of Spruce Avenue to the east line of Buchanan Avenue; thence northerly along the east line of Buchanan Avenue to the south line of Section 34-111-79; thence east along the south line of Section 34-111-79 to the east line of Lot 22, Block 5, Riverview Park Addition; thence south to the north line of Spruce Avenue; thence southerly to the westerly line of Lot 10, Block 1, Subdivision of Block 6, Riverview Park Addition; thence southerly along the westerly line of Lots 10-21, Block 1, Subdivision of Block 6, Riverview Park Addition to the northerly line of Lot 2, of said Block 1; thence westerly along the northerly line of said Lot 2 to the east line of Hemlock Street; thence southerly along the east line of Hemlock Street to the south line of Capitol Avenue; thence east along the south line of Capitol Avenue and 264 feet west of the westerly right-of-way line of Highway 14-83 Truck Route; thence south 244.5 feet; thence east 30 feet; thence south 419.5 feet to the center line of Erskine Street; thence west to place of beginning.

Village Addition

Blocks 13 to 18, inclusive, Glenwood Addition

Lots 1 to 15, inclusive, Block 19, Glenwood Addition

Block 19, Euclid Avenue Addition

South 1/2 of the South 1/2 of the Southeast 1/4 of Section 29-111-79

Lots 1-17, Block 1, and the north 30' of Block 2 adjacent to lots 1, 4, 5, 8, and 9, Block 1, Flag Mountain Village Addition.

**Amended by Ord. No.** 1104, 1983; 1145, 1985; 1188, 1986; Ord. No. 1341, 1994; Ord. 1365, 1995; Ord. No. 1627, 2008; Ord. No. 1765, 2016; Ord. No. 1801, 2019.

**Section 12-5-602 Statement of purpose for Two-Family Residential District.**

This district is designed to provide for moderate density residential development.

**Section 12-5-603 Principal permitted uses.**

1. The principal permitted uses common to all residential districts.
2. Two-Family dwellings.
3. An existing dwelling may be converted into a Two-Family dwelling provided that any exterior stairway to serve a second floor be placed in the rear of the structure to be converted.

**Cross reference:** Section 12-6-102.

**Section 12-5-604 Conditional uses.**

1. The conditional uses common to all residential districts.
2. Fraternity and sorority houses when directly associated with a college or university.
3. Building of non-profit community organizations and social welfare establishments other than those providing living accommodations.

**Cross reference:** Section 12-6-104.

**Section 12-5-605 Space limitations.**

**Building Height Limit.**

No building shall exceed two and one-half (2 1/2) stories, or thirty-five (35) ft. in height.

**Required Lot Area.**

Not less than six thousand (6,000) square feet for residential uses and one acre for religious or cultural uses.

**Percentage of Lot Coverage.**

All buildings including accessory buildings shall not cover more than thirty (30) percent of the area of the lot.

**Yards Required.**

Each lot shall have front, side and rear yards not less than the depths or widths following:

1. Front yard depth - twenty-five (25) feet.
2. Rear yard depth - twenty-five (25) feet.
3. Side yard width - Six (6) feet but the sum of the two side yards shall not be less than fifteen (15) feet.

**Sections 12-5-606 to 699, inclusive. Reserved.**

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**Sections 12-5-701 to 799, inclusive. Multiple-Family Residential District - general provisions.**

**Section 12-5-701 Legal boundary descriptions for Multiple Family Residential District.**

Lots 7 to 18 both inclusive, Block 1, Original Plat.

Lots 24 to 30, both inclusive, Block 1, Original Plat.

Lots 1 to 7, Carson's Subdivision of Lots 19 to 23 inclusive, Block 1, Original Plat.

Lots 11 to 18, both inclusive, Block 2, Original Plat.

Lots 25 to 28, both inclusive, Block 2, Original Plat.

Lots 1 and 2, Templeton's Subdivision of the rear 47' of Lots 14 to 18, inclusive, Block 2, Original Plat.

Lots 1 to 7 both inclusive, Yapple's Subdivision of Lots 19 to 24 inclusive, Block 2, Original Plat.

Lots 7 to 13, both inclusive, Block 3, Original Plat.

Lots 19 to 32, both inclusive, Block 3, Original Plat.

Lots 1 to 7, both inclusive, Loofburrow's Subdivision of Lots 14 to 18 inclusive, Block 3, Original Plat.

Lots 7 to 12, both inclusive, Block 4, Original Plat.

Lots 1 to 7, both inclusive, Savage's Subdivision of Lots 13 to 18, both inclusive, Block 4, Original Plat.

Lots 5 thru 28, both inclusive, Block 11, Original Plat.

Lots 1 to 39, both inclusive, Block 12, Original Plat.

Lots 1 to 7, both inclusive, Mooney's Subdivision of Lots 40 to 42, Block 12, Original Plat.

All of Block 69, Fifth Railway Addition.

Lots 1 and 2, Block 1, Subdivision of Block 6, Riverview Park Addition.

Lots 1 to 7, both inclusive, Block 70, Fifth Railway Addition.

Blocks 10, 11, and 12, Third Railway Addition.

Lots 1-4 inclusive, Cox's Subdivision of Lots 11, 12 and 13, Block 13, Third Railway Addition.

Lots 1, 2 and 3, Ressler's Subdivision of Lots 1 to 9, both inclusive, of Mann's Subdivision of Lots 1, 2 and 3, Block 13, Third Railway Addition.

Lots 4 to 10, inclusive, Block 13, Third Railway Addition.

Paul J. McCann Addition.

Lots 1-4, and common court, Block 17, Fourth Railway Addition.

Lots 7 to 18, both inclusive, Block 18, Fourth Railway Addition.

Gilkerson's Subdivision of parts of Lots 1, 2 and 3, Block 19, Fourth Railway Addition.

Blaskowski's Subdivision of parts of Lots 1, 2, and 3, Block 19, Fourth Railway Addition.

Parts of Lots 1, 2, 3, and 4, Block 19, Fourth Railway Addition.

Lot 5 and Lots 18 to 22, both inclusive, Block 19, Fourth Railway Addition.

Lots 10 to 14, both inclusive, Block 5, First Railway Addition.

Block 25, Fourth Railway Addition.

W 1/2 of Block 28, Fourth Railway Addition.

W 1/2 of Block 3, Wells Addition.

Lots 10 to 14, both inclusive, Block 13, Wells Addition.

Lots 1 to 7, both inclusive, Block 17, Wells Addition.



Block 33, Ash's Second Addition.

Lots 1 to 15, both inclusive, Block 68, Wells Second Addition.

Lots 1-11, and Lots 18-22, both inclusive, Block 6, Central Addition.

Lots 1 through 10, inclusive, Block 1, Central Addition

Lots 1 to 14, both inclusive, Block 72, Wells Second Addition.

W 1/2 Block 67, Wells Second Addition.

Southerly 1/2 of Blocks 84 through 90, inclusive, Wells Second Addition

Northerly 1/2 of Blocks 104 through 109 and the rear 45' of Lots 16-30, Block 104, Wells Second Addition

Blocks 110 and 111, Wells Second Addition.

Lots 7 to 14, both inclusive, Block 62, Fifth Railway Addition.

Block 67, Fifth Railway Addition.

Lots 5 to 8, both inclusive, Block 17, Fourth Railway Addition.

Lots 15 to 28, Block 63, Fifth Railway Addition.

Lots 15 to 28, Block 64, Fifth Railway Addition.

Lots 1 to 17, Block 75, Fifth Railway Addition.

Lots 22 to 51, Block 75, Fifth Railway Addition.

West 1/2 of Blocks 3 and 6, Steigmeyer Addition

Lots 9-16 and 21-23, both inclusive, Block 11, Steigmeyer's Addition.

Lots 9-16, Block 7, Steigmeyers Addition.

Block 45, Fifth Railway Addition.

Commencing at the intersection of the south line of Section 34-111-79 and the N-S centerline of Section 34-111-79; thence northerly along a line extending to the south line of the NE 1/4 of SW 1/4 of Section 34-111-79 and the centerline of Buchanan Avenue to a point on the north line of Lots 4-9, Block

11, Cactus Heights Addition, said point being the point of beginning; thence northerly to a point on the south line of the NE 1/4 of SW 1/4 of Section 34-111-79 and the centerline of Buchanan Avenue; thence north along the centerline of Buchanan Avenue extended to the north line of Kennedy Drive; thence west along the north line of Kennedy Drive to the west line of vacated Buchanan Avenue; thence north along the west line of vacated Buchanan Avenue to the south line of the vacated alley extended in Block 11, Theall's Addition; thence west along the south line of the vacated alley extended in Block 11, Theall's Addition, to the extended west line of the east 20 feet of Lot 3, Block 11; thence north along the extended west line and the west line of the east 20 feet of Lot 3, Block 11, and the west line of the east 20 feet of Lot 3, Block 2, Theall's Addition, to the east-west centerline of Section 34-111-79; thence west along the said centerline of Section 34-111-79 to the east line of Pierce Avenue extended; thence north along the east line of Pierce Avenue extended to the southerly line of Harrison Avenue; thence northeasterly along the southerly line of Harrison Avenue to the centerline of Section 34-111-79; thence south along said N-S centerline to the north line of Lots 4-9, Block 11, Cactus Heights Addition; thence west along the north line of Lots 4-9, Block 11, Cactus Heights Addition to the point beginning.

Blocks 1-5, Heritage Ridge Second Addition, Section 34-111-79.

Woodview Subdivision and Lots M2A-E and Lot M3A

Blocks 17 and 18, Euclid Avenue Addition

North 1/2 of the South 1/2 of Southeast 1/4 of Section 29-111-79.

An area beginning at a point on the north line of the S 1/2, S 1/2 of Section 29-111-79 at the intersection with the Missouri River; thence east along the north line of the S 1/2, S 1/2 of Section 29-111-79 to the east line of the W 1/2, W 1/2 of Section 29-111-79; thence north along the east line of the W 1/2, W 1/2 of Section 29-111-79 a distance of 1,740 feet; thence west along a line 1,740 feet north of the S 1/2, S 1/2 of Section 29-111-79 to the west line of Section 29-111-79; thence south along the west line of Section 29-111-79 to a point 870 feet north of the north line of the S 1/2, S 1/2 of Section 29-111-79; thence west to the Missouri River; thence southerly along the Missouri River to the place of beginning.

Lots 1 to 16, inclusive, Block 9, Central Addition

Lots 1, 2 and 3, and 20 to 27, inclusive, Block 5, Greeley and Sharp's Addition.

Block 8, Glenwood Addition

Block 1 and 2, Stanton's Addition

Lots 1-7 of Guthrie and Warren's Subdivision of Lots 1-4 and Lots 5-10, all in Block 14, Original Plat.

Lots 9-22, Block 103, Wells Second Addition.

Lots 1-12, Block 1, Riverplace Second Addition, in the N 1/2 SW 1/4, Section 29-111-79.

Lots 4-21 in the south ½ of Block 50, Fifth Railway Addition.

Lots 1- 47, Highland's Ridge Addition

Lots 1-13, Block 2, Riverplace Second Addition, in the N ½ SW ¼ Section 29-111-79.

W ½ NW ¼ SE ¼ of Section 27-111-79

Lots 24-30, Prairie Vista Estates, W ½ NW ¼ SE ¼ of Section 27-111-79.

Lots 1-17, Block 5, Riverview Park Addition and Lots 10-24, Block 1, a subdivision of Block 6, Riverview Park Addition.

Lots 7-12, Block 8. Third Railway Addition.

Highland's Ridge Addition.

Lots 1-13, Block 3, Riverplace Second Addition, in the N ½ SW ¼ Section 29-111-79.

NE ¼ SW ¼ except W ½ NW ¼ NE ¼ SW ¼ and the SE ¼ NW ¼ SW ¼, all in Section 27-111-79. (Includes Highland's Ridge First Addition).

Lots 1-37, Block 2, and Lots 1-44, Block 3, Riverview Park Addition.

Highland's Ridge First Addition in the SW ¼ and the SE ¼ of Section 27-111-79.

E ½ SW ¼ SW ¼ SE ¼ of Section 27-111-79.

Highland's Ridge West in the SW ¼ of Section 27-111-79.

Commencing at the intersection of the west line of the NE 1/4 of the SW 1/4 of Section 29-111-79 and the north boundary of Lot 1, Block 2, Riverplace 2<sup>nd</sup> Addition; thence easterly along the north boundary of Block 3, Riverplace 2<sup>nd</sup> Addition to the northeast corner of Lot 8, Block 3, Riverplace 2<sup>nd</sup> Addition; thence northerly a distance of 1,076 feet; thence east 500 feet; thence south 850 feet; thence east a distance of 260 feet to the west line of the NE ¼ SW ¼ of Section 29-111-79; thence south approximately 400' to the place of beginning.

**Amended by Ord. No.** 864, 1972; 882, 1973; 937, 1976; 969, 1977, 989, 1978; 990, 1978; 992, 1978; 1107, 1983; 1141, 1985; 1159, 1985; 1163, 1985; 1166, 1986; 1188, 1986; 1196, 1987; 1198, 1987; 1207, 1987; 1209, 1987; 1210, 1988; 1219, 1988; 1222, 1988; 1227, 1988; 1260, 1990; Ord. 1273, 1991; Ord. 1282, 1991; Ord. No. 1324, 1993; Ord. No. 1331, 1993; Ord. No. 1341, 1994; Ord. No. 1365, 1995; Ord. No. 1382, 1996; Ord. No. 1391, 1996; Ord. No. 1452, 1999; Ord. No. 1454, 1999; Ord. No. 1461, 1999; Ord. No. 1477, 2000; Ord. No. 1500, 2001; Ord. No. 1501, 2001; Ord. No. 1507, 2002; Ord. No. 1508, 2002; Ord. No. 1509, 2002; Ord. No. 1519, 2002; Ord. No. 1520, 2002; Ord. No.

1535, 2003; Ord. No. 1543, 2004; Ord. No. 1546, 2004; Ord. No. 1550, 2004; Ord. No. 1553, 2004; Ord. No. 1554, 2004; Ord. No. 1555, 2004; Ord. No. 1556, 2004; Ord. No. 1575, 2005; Ord. No. 1563, 2004; Ord. No. 1593, 2006; Ord. No. 1604, 2007; Ord. No. 1627, 2008; Ord. No. 1656, 2009; Ord. No. 1670 2010; Ord. No. 1688, 2011.

**Section 12-5-702 Statement of purpose for Multiple Family Residential District.**

This district is designed to provide for moderately high density apartment development and other uses which have characteristics similar to those found in operation of apartment houses.

**Section 12-5-703 Principal permitted uses.**

1. The principal permitted uses common to all residential districts.
2. Multiple dwellings.
3. Hospitals and rest homes, nursing homes.
4. Rooming houses and boarding houses.
5. Private clubs, fraternity houses, sorority houses, lodges and similar establishments, but specifically excluding those establishments which have a name or legal basis as the aforesaid, but are in fact operated as a business enterprise, and also excluding concessions associated with the aforesaid which are operated as a business enterprise.
6. Buildings of non-profit community organizations and social welfare establishments.
7. Day care centers.

**Amended:** Ord. 1222, 1988; Ord. No. 1470, 2000.

**Cross reference:** Section 12-5-102.

**Section 12-5-704 Accessory uses.**

The permitted accessory uses common to all residential districts.

**Cross reference:** Section 12-5-103.

**Section 12-5-705 Conditional uses.**

1. The conditional uses common to all residential districts.

2. The offices of one or more professional persons engaged in the activities which generate a limited amount of contact with the general public, but including medical clinics, offices of lawyers, accountants, architects, planners, engineers and similar professions. Office buildings for conduct of the administrative business of a single company when such business does not deal with the public directly from the site of such office building.

3. Mortuaries, funeral homes and funeral chapels.

4. Produce Sales

**Cross reference:** Section 12-5-104.

**Source:** Ord. No. 1332, 1993; Ord. No. 1470, 2000.

### **Section 12-5-706 Space limitations.**

#### **Building Height Limit:**

No building shall exceed seventy-five (75) feet in height; provided further that no building shall exceed thirty-five (35) feet in height in Blocks 18, northerly one-half of 19, 25, and 28, Fourth Railway Addition; Block 6, Central Addition; Block 33, Ashes Second Addition, and Block 3, Wells Addition, all in the City of Pierre, Hughes County, South Dakota.

#### **Required Lot Area:**

1. No multiple-family dwelling shall be constructed on a lot having less than 6,000 square feet.
2. Except as otherwise provided, each multiple-family dwelling shall be located on a lot having a minimum of 800 square feet of open space for each dwelling unit housed thereon.
3. The open space requirement for multiple-family dwellings containing one bedroom or efficiency units shall be seven hundred (700) square feet for each dwelling unit.
4. Solely for the purpose of determining compliance with lot area per dwelling unit requirements, each lodging room in a group dwelling shall be considered as one-half (1/2) a dwelling unit.

#### **Percentage of Lot Coverage:**

All buildings including accessory buildings shall not cover more than fifty (50) per cent of the area of the lot.

#### **Yards Required:**

Each lot shall have front, side and rear yards of not less than the depths or widths following:

1. Front yard depth - twenty-five (25) feet.
2. Rear yard depth - twenty-five (25) feet, or equal in depth to the height of the building, whichever is greater.
3. Side yards - Five (5) feet, but each side yard shall be equal to one-fourth (1/4) of the height of the building.

**Required Court Dimensions:**

The least dimension of an inner court shall be not less than one-half ( 1/2) of the height of the building which contains the court.

**Source:** Ord. 1434, 1998

**Sections 12-5-707 to 799, inclusive. Reserved.**