

- A. First Reading of Ordinance 2024-01: An Ordinance to Amend and Reenact Title 10, Chapter 12, Residential Districts, Title 10, Chapter 2, Definitions, Title 10, Chapter 18, Use Regulations and to Amend and Reenact the Official Zoning Map of the City of Moorhead



City Council Communication

March 25, 2024

SUBJECT:

First Reading of Ordinance 2024-01: An Ordinance to Amend and Reenact Title 10, Chapter 12, Residential Districts, Title 10, Chapter 2, Definitions, Title 10, Chapter 18, Use Regulations and to Amend and Reenact the Official Zoning Map of the City of Moorhead

RECOMMENDATION:

The Mayor and City Council are asked to consider a first reading of Ordinance 2024-01: An Ordinance to Amend and Reenact Title 10, Chapter 12, Residential Districts, Title 10, Chapter 2, Definitions, Title 10, Chapter 18, Use Regulations and to Amend and Reenact the Official Zoning Map of the City of Moorhead.

BACKGROUND/KEY POINTS:

On March 28, 2022, the Moorhead City Council approved Onward Moorhead! Moorhead's Comprehensive Plan update, which requires complimentary changes to the Zoning Code and Zoning Map as part of that implementation process. Code updates will be brought forward and considered based on various topic areas – this Ordinance relating to residential zoning districts.

The main purposes of the proposed changes to the residential district codes are to modernize the codes, provide more flexibility for homeowners and builders, and to address infill development of “missing middle housing.”

The Planning Commission held two public hearings on April 3, 2023 and June 5, 2023 with no public comment and reviewed the proposed text and map changes. On June 5, 2023, they voted unanimously to recommend approval of the following proposed changes:

1. Combine current RLD-0A & 0B to create new RLD-1 with reduced dimensional standards.
2. Combine current RLD-1 & 2 to create new RLD-2 with reduced dimensional standards.
3. Combine current RMD-1 & 2 to create new RMD-1 with maintained standards of RMD-1
4. RLD-1, 2, 3, RMD-1, RHD-1: Remove minimum lot widths for 'Other Principal Uses' to line up with no lot width minimums required in Commercial & Mixed Use districts. Other permitted principal uses in residential districts: bed & breakfasts, campus organizations, child and adult daycare, licensed group homes & nursing care facilities, residential parking lots, public-semi-public recreation, public utility structures, parks/playgrounds/open space, religious institutions and schools.
5. Remove all minimum lot depths, which are not necessary when projects already requires minimum frontage and square footage/dwelling unit.



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6. RHD-1: Reduce lot area per dwelling unit from 1,500 sf to 1,000 sf and limit this to only Multi-Family apartments by removing Single-Family Attached Townhouses from district.
7. Reduce all Front Yard Setbacks to a minimum 22 ft, except new RLD-1.
8. Reduce all Single-Family Rear Yard Setbacks to a minimum of 20 ft, except new RLD-1.
9. Increase all Street Side Setbacks from 12 to 15 ft to provide enough space for both viewshed/visibility at corners and to address issues with easements in relation to utility & window well placement.
10. RLD-3, RMD-1, RHD-1: Increase Multi-Family heights – current 35 ft cannot accommodate structured parking (above ground), which is needed in many areas of the city due to soil conditions/high water table – 45 ft needed for 2-3 stories / 55 ft needed for 3-4 stories - 55 ft is the threshold most builders stay under because over 55 ft requires full sprinkler requirements.
11. Increase some setbacks for Multi-Family and Other Principal Uses to provide greater separation from lower density residential uses.
12. Remove Building Coverage maximums – maximums for impervious surfaces already calculated so this is duplicative.
13. Remove Note 4 setback language that is dependent on lot width and substitute clearer requirement.
14. Update front and street side yard setbacks for Multi-Family & Other Principal Uses – either standard missing or former setbacks based on street type - this requirement is not based on anything/not equitable when Mixed-Use Multi-Family can build with a 5 ft setback on busy streets. This reduced setback area is not to be used for parking to help blend these uses into residential areas.
15. RHD-1: Increase Multi-Family building separation to meet building code separation standards – Building Code requires 20 ft or walls cannot have doors or windows and must be fire-rated.
16. RLD-2 & RHD-1: Remove Townhouse/Rowhouse
17. RLD-3 & RMD-1: Add Triplex (stacked)
18. Add standards that were missing from last code
19. Make related adjustments to Chapter 18, Use Regulations, including Provisional and Conditional use Requirements.



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20. Make related adjustments to Chapter 2, Definitions

21. Make related Zoning Map Amendments

- a. Properties currently zoned RLD-0A and RLD-0B to be labeled RLD-1
- b. Properties currently zoned RLD-1 & RLD-2 to be labeled RLD-2
- c. Properties currently zoned RLD-3 to remain RLD-3
- d. Properties currently zoned RMD-2 to be labeled RMD-1
- e. Properties currently zoned RMD-1 to remain RMD-1
- f. Properties currently zoned RHD-1 to remain RHD-1

The complete Planning Commission packet is available at:
www.ci.moorhead.mn.us/government/boards-commissions/planning-commission

Since the Planning Commission public hearings, staff has further reviewed the proposed changes and made the following adjustments:

1. Reverted to original RHD-1 density of 1,500 sf per dwelling unit due to sewer capacity concerns and considerations.
2. Changed reduction for all Front Yard Setbacks from 22 ft back the former 25 ft for garages with doors facing street except new RLD-1. After vehicle analysis, 22 ft would accommodate most vehicles but extra space is still needed for an area to pass between vehicle and garage door. This will accommodate all vehicles without sidewalk encroachments.
3. Reverted to original street side setbacks of 12 ft from proposed 15 ft - to not further reduce buildable area of lot.
4. Added RLD-2 to Multi-Family Townhouse/Rowhouse or Triplex height increase.
5. Due to proposed height increases, added stacked triplex as an added housing type in RLD-2, RLD-3, RMD & RHD.
6. Reverted to original Townhouse/Rowhouse permitted in RLD-2 & RHD after reverting to original density in RHD-1 and increasing height allowances to permit housing type variety.
7. Clarified setbacks for garages with doors facing street. Added existing RLD-3 and RMD language to RLD-1 & 2 and clarified that 25 ft driveways also needed for detached garages on corner lots.
8. Clarified and made adjustments for siting new apartments and other principal uses next to existing single and two-families or other multi-family uses.



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9. Combined densities of RMD-1 (3,000 sf/ dwelling unit & RMD-2 (2,000 sf/dwelling unit) to create new 2,500 sf/dwelling unit density requirement for new RMD.

- Zoning analysis done for all vacant RHD-1, RMD-1 & RMD-2 vacant lots. There are only a handful of vacant RMD-2 lots that would be impacted. All are over the new minimum lot size and all still developable under new RMD.

In addition to the zoning text amendments, we are proposing zoning map amendments, as follows:

1. Properties currently zoned RLD-0A: Residential Low Density-0A and RLD-0B: Residential Low Density-0B to be rezoned as RLD-1: Residential Low Density-1

2. Properties currently zoned RLD-1: Residential Low Density-1 to be rezoned as RLD-2: Residential Low Density-2 except American Estates 2006 annexation area will remain RLD-1: Residential Low Density-1.

3. Properties currently zoned RMD-1: Residential Moderate Density-1 and RMD-2: Residential Moderate Density-2 to be rezoned as RMD: Residential Medium Density.

4. Properties currently zoned RHD-1: Residential High Density-1 to be rezoned as RHD: Residential High Density.

Proposed text amendments have been sent to the Building Industry Association (formerly called Home Builders Association). If there are comments, they will be addressed at the second reading of the ordinance.

In addition to these amendments, staff will be presenting other comprehensive plan implementation items this year including amendments for accessory buildings, structures and uses and mixed use districts.

FINANCIAL CONSIDERATIONS:

Not Applicable

Voting Requirements: Majority of Council

Submitted By:

Dan Mahli, City Manager

Robin Huston, City Planner / Zoning Administrator

Attachments:

Proposed Zoning Code

Current Zoning Code

Residential Planning and Building Terminology Guide



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Draft Ordinance 2024-01 – Text Amendment

NEW ZONING DISTRICTS	RLD-1	RLD-2	RLD-3	RMD	RHD
Permitted Housing Type	Single-Family	Single-Family, Two-Family Twinhome or Duplex, Multi-Family Townhouse/Rowhouse or Triplex	Single-Family, Two-Family Twinhome or Duplex, Multi-Family Townhouse/Rowhouse or Triplex, Multi-Family Apartments	Single-Family, Two-Family Twinhome or Duplex, Multi-Family Townhouse/Rowhouse or Triplex, Multi-Family Apartments	Multi-Family Apartments, Townhouse/Rowhouse or Triplex
Lot Area Minimum					
Per Dwelling Unit (DU)	12,500	6,000	4,000	2,500	1,500
Other Principal Use	none	none	none	none	none
Lot Width Minimum					
Single-Family	85	45	40	40	
Two-Family		25 ²	25 ²	25 ²	
Multi-family - Townhouse/Rowhouse/Triplex		25 ²	25 ²	25 ²	25 ²
Multi-Family - Apartments			100	100	100
Other Principal Use	0	0	0	0	0
Maximum Height	35	35-45 ³	45-55 ⁴	45-55 ⁴	45-55 ⁴
Maximum Impervious Coverage	35%	35%	60%	60%	70%
Residential Principal Use Setbacks					
Single-Family					
Front Yard	30	20 or 25 ¹	20 or 25 ¹	20 or 25 ¹	
Rear Yard	30	20	20	20	
Interior Side Yard	10	5	5	5	
Street Side Yard	15 or 25 ¹	12 or 25 ¹	12 or 25 ¹	12 or 25 ¹	
Two-Family Twinhome/Duplex (non-stacked & stacked)					
Front Yard		20 or 25 ¹	20 or 25 ¹	20 or 25 ¹	
Rear Yard		20	20	20	
Interior Side Yard		5	5	5	
Street Side Yard		12 or 25 ¹	12 or 25 ¹	12 or 25 ¹	
Common Wall		0	0	0	
Building Separation between end units on same lot		10	10	10	
Multi-Family Townhouse/Rowhouse or Triplex (3 or more)					
Front Yard		20 or 25 ¹	20 or 25 ¹	20 or 25 ¹	20 or 25 ¹
Rear Yard		20	20	20	20
Interior Side Yard		5	5	5	5
Street Side Yard		12 or 25 ¹	12 or 25 ¹	12 or 25 ¹	12 or 25 ¹
Common Wall		0	0	0	0
Building Separation between end units on same lot		10	10	10	10
Multi-Family Apartments					
Front Yard			25	25	25
Rear Yard			25	25	25
Interior Side Yard			25 if adjacent to single or two-family use/10 all other uses	25 if adjacent to single or two-family use/10 all other uses	25 if adjacent to single or two-family use/10 all other uses
Street Side Yard			25	25	25
Building Separation between end units on same lot			10	10	10
Other Principal Use Setbacks					
<i>Bed & breakfasts, campus organizations, child and adult daycare, licensed care facilities, residential parking lots, public-semi public recreation, essential government utility structures, parks/playgrounds/open space, religious institutions and schools</i>					
Front Yard	30	25	25	25	25
Rear Yard	30	25	25	25	25
Interior Side Yard	30	25 if adjacent to single or two-family use/10 all other uses	25 if adjacent to single or two-family use/10 all other uses	25 if adjacent to single or two-family use/10 all other uses	25 if adjacent to single or two-family use/10 all other uses
Street Side Yard	30	25	25	25	25
¹ Attached or detached garages must have adequate driveway depth to accommodate most vehicles to prevent vehicles overhanging into sidewalk. If garage door faces street- 25 ft setback required					
² per DU					not permitted
³ RLD-2: Single-family dwelling = 35 ft / 2F & MF = 45 ft					
⁴ 2F & MF structures within 150 ft from single-family principal residential structure, limited to 45 ft; 2F & MF structures more than 150 ft from single-family principal residential structure, limited to 55 ft					

Current Zoning	RLD-0A	RLD-0B	RLD-1	RLD-2	RLD-3	RMD-1	RMD-2	RHD-1
Permitted Housing Type	Single-Family Detached	Single-Family Detached	Single-Family Detached, Twinhome, Duplex, Townhouse/Rowhouse	Single-Family Detached, Twinhome, Duplex, Townhouse/Rowhouse	Single-Family Detached, Twinhome, Duplex, Townhouse/Rowhouse, Multi-Family	Single-Family Detached, Twinhome, Duplex, Townhouse/Rowhouse, Multi-Family	Single-Family Detached, Twinhome, Duplex, Townhouse/Rowhouse, Multi-Family	Multi-Family, Townhouse/Rowhouse
Lot Area Minimum								
Per Dwelling Unit (DU)	21,780	12,500	8,000	6,000	4,000	3,000	2,000	1,500
Other Principal Use	none	none	none	none	none	none	none	none
Lot Width Minimum								
Detached DU	145	90	60	45	40	40	40	
Attached DU			30	30 ²	25 ²	25 ²	25 ²	20 ²
Multi-Family					100	100	100	100
Other Principal Use	145	90	60	45	100	100	40	20
Lot Depth Minimum								
Detached DU	100	100	100	100	100	100	100	
Attached DU			100	100	100	100	100	100
Multi-Family			NA	NA	130	130	130	130
Other Principal Use	100	100	100	100	130	130	130	130
Maximum Height	35	35	35	35	35-45*	35	45	45
Maximum Building Coverage	25%	25%	33.33%	33.33%	40%	50%	60%	65%
Maximum Impervious Coverage	35%	35%	35%	35%	60%	60%	70%	70%
Principal Structure Setbacks								
Single-Family Detached								
Front Yard	50	30	25	25	20-25 ³	20-25 ³	20-25 ³	
Rear Yard	50	30	25	25	25	25	25	
Interior Side Yard	30	10	8	5	5	5	5	
Street Side Yard	50	15	12	12	12	12	12	
Single-Family Attached Twinhome								
Front Yard			25	25	20-25 ³	20-25 ³	20-25 ³	
Rear Yard			25	25	25	25	25	
Interior Side Yard			8	5	5	5	5	
Street Side Yard			12	12	12	12	12	
Common Wall				0	0	0	0	
Building Separation between end units on same lot								
Single-Family Attached Duplex								
Front Yard			25	25	20-25 ³	20-25 ³	20-25 ³	
Rear Yard			25	25	25	25	25	
Interior Side Yard			8	see note 4	see note 4	see note 4	see note 4	
Street Side Yard			12	12	12	12	12	
Building Separation between end units on same lot								
Single-Family Attached Townhouse/Rowhouse								
Front Yard			25	25	20-25 ³	20-25 ³	20-25 ³	25
Rear Yard			25	25	25	25	25	25
Interior Side Yard			8	5	5	5	5	6
Street Side Yard			12	12	12	12	12	12
Common Wall				0	0	0	0	0
Building Separation between end units on same lot								12
Multi-Family								
Front Yard					25	25	25	25
Rear Yard					25	25	25	25
Interior Side Yard					20	20	20	20
Street Side Yard					30-40 ¹	30-40 ¹	30-40 ¹	30-40 ¹
Building Separation between end units on same lot								12
Other Principal Structure Setbacks								
Front Yard	50	30	25	25				25
Rear Yard	50	30	25	25	25	25	25	25
Interior Side Yard	30	10	8	see note 4	see note 4	see note 4	see note 4	see note 4
Street Side Yard	50	15	12	12	12	12	12	12
¹ Depends upon street classification - 40 ft - principal or minor arterial/ 30 ft -all other streets ² per DU (e.g., duplex, townhouse) ³ If garage facing front = 25 ft ⁴ For lots 50 ft wide or less = 6 ft; lots more than 50 ft wide but less than 100 ft wide = 12% of width; lots over 100 ft wide or more = 12 ft ⁵ Building setback less than 150 ft from RLD1-3 zoning district, limited to 35 ft; building setback more than 150 ft from RLD1-3 zoning district, limited to 45 ft								
							not permitted	
							not addressed in code	

Residential Planning and Building Terminology Guide

ACCESSORY BUILDING, STRUCTURE OR USE: A subordinate building, structure or use which is located on the same lot as the principal building or use and which is incidental to the conduct of the principal use.

Examples: sheds, attached and detached garages, carports, pool houses, gazebos, etc.



BUILDING LINE: A line parallel to the adjacent property boundary line at any story level of a building and representing the minimum distance which all or any part of the building is set back from said boundary line.



Residential Planning and Building Terminology Guide

BUILDING FOOTPRINT: The outline of building drawn along foundation at grade level.



CONDOMINIUM, HOUSING: A development or a structure housing two or more dwelling units which are individually owned, and which have jointly owned and shared areas and facilities, which dwelling or development is subject to MN condominium law.



One Riverside Condos, 105 3rd St N

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DENSITY, RESIDENTIAL: A number expressing the relationship between the number of dwelling units to an acre of land as established in the Onward Moorhead! Comprehensive Plan:

Low Density Residential: Low density residential is comprised of single-family homes with a density of 1 to 5 units per acre.

Medium Density Residential: Medium density residential is comprised of attached housing with a density of 5 to 9 units per acre. Examples include duplexes, triplexes, quadraplexes, attached townhomes, and manufactured homes. Many of the infill housing opportunities encouraged throughout the city are included in this land use category.

High Density Residential: High density residential describes housing that consists of up to 16 units per acre. This usually occurs with apartment buildings of two or more stories.

DWELLING, MULTI-FAMILY: A building designed with three (3) or more dwelling units exclusively for occupancy by three (3) or more families living independently of each other. Includes townhouse/rowhouse, triplex and apartment buildings.

DWELLING, MULTI-FAMILY – APARTMENT BUILDING: A building located on one lot, designed with three (3) or more dwelling units exclusively for occupancy by three (3) or more families living independently of each other.



DWELLING, EFFICIENCY APARTMENT: A dwelling unit consisting of one principal room having bathing and cooking facilities used for combined living and sleeping purposes.

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DWELLING, MULTI-FAMILY - TOWNHOUSE/ROWHOUSE: A single structure on one (1) or more lots consisting of three (3) or more side-by-side dwelling units having one or more walls abutting with another dwelling unit for occupancy by three (3) or more families living independently of each other and designed to have all exits open directly to the outside.



DWELLING, MULTI-FAMILY – STACKED TRIPLEX: A single structure on one (1) lot consisting of three (3) stacked dwelling units for occupancy by three (3) families living independently of each other.



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DWELLING, SINGLE FAMILY: A dwelling unit designed exclusively for occupancy by one (1) family.



DWELLING, TWO-FAMILY – STACKED DUPLEX: A single structure on one (1) lot consisting of two (2) stacked dwelling units for two (2) separate families living independently of each other.



DWELLING, TWO-FAMILY - TWIN HOME OR NON-STACKED DUPLEX: A single structure on one (1) or two (2) lots consisting of two (2) side by side dwelling units for two (2) families living independently of each other.



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DWELLING UNIT, ACCESORY (ADU): A detached residential dwelling unit in a separate building located on the same lot as a principal dwelling.

ADUs are not currently permitted in the city of Moorhead (e.g., dwelling units in small backyard structures or above garages).



FAMILY:

- A. An individual; or
- B. Two (2) or more persons, all of whom are related by blood, marriage, adoption, guardianship or other duly authorized custodial relationship; or
- C. Two (2) unrelated people and any children related to either of them, or over whom they are guardians or have another duly authorized custodial relationship; or
- D. A group of not more than four (4) persons who need not be related by blood, marriage, adoption, guardianship or other duly authorized custodial relationship living together in a dwelling unit.

HEIGHT, ACCESSORY BUILDING OR STRUCTURE: The vertical distance measured from the grade plane to the highest point of the building or structure.

HEIGHT, PRINCIPAL BUILDING OR STRUCTURE: The vertical distance measured from grade plane to the average height of the highest roof surface of the building or structure.

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IMPERVIOUS SURFACE: The portion of the buildable parcel that has a covering, which does not permit water to percolate into the natural soil. Examples: buildings, driveways, sidewalks, patios, sports courts, and covered outdoor spaces such as porches and gazebos.



Residential Planning and Building Terminology Guide

MANUFACTURED HOME (or PREFABRICATED HOME or TINY/MICRO HOME): A structure, transportable in one or more sections, which may or may not be built on a permanent chassis designed to be used as a dwelling with or without permanent foundation that meets MN Building Codes for Prefabricated Buildings or Industrialized/Modular Buildings or HUD Manufactured Homes.

These types of dwellings are currently only permitted in a **MANUFACTURED HOME PARK:** Any parcel designed, improved, maintained, or intended for the purpose of supplying a location for manufactured home dwelling units.

Moorhead Manufactured Home Parks

1. Bennet Park - Main Ave SE between 2nd Ave S & 4th Ave S
2. Moorhead Estates - 15th Ave N/11th St N
3. Regal Estates - 28th St N between 8th Ave N & 4th Ave N



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MISSING MIDDLE HOUSING: A range of house-scale buildings with multiple units—compatible in scale and form with single-family homes—located in a walkable neighborhood. For example: twin homes/duplexes (stacked & unstacked), townhouse/rowhouse, triplex, 1-2 story multi-family apartment buildings and mixed use/live work buildings.

[Missing Middle Housing: Diverse choices for walkable neighborhood living](#)

[Five Things to Know About Missing Middle Housing — Alliance for Housing Solutions](#)

PARTY WALL/COMMON WALL: A wall which divides two (2) independent structures by a fire wall which can be placed along a zero-lot line (zero-foot interior side yard setback).



PERVIOUS SURFACE: (also known as porous or permeable surfaces) allow water to percolate into the soil. Examples: planting/mulched beds, grass, permeable pavers, pools/hot tubs with top at least 6 inches above the spill line outlets, wood/composite decking with a minimum spacing of ¼ inch, and permeable concrete.



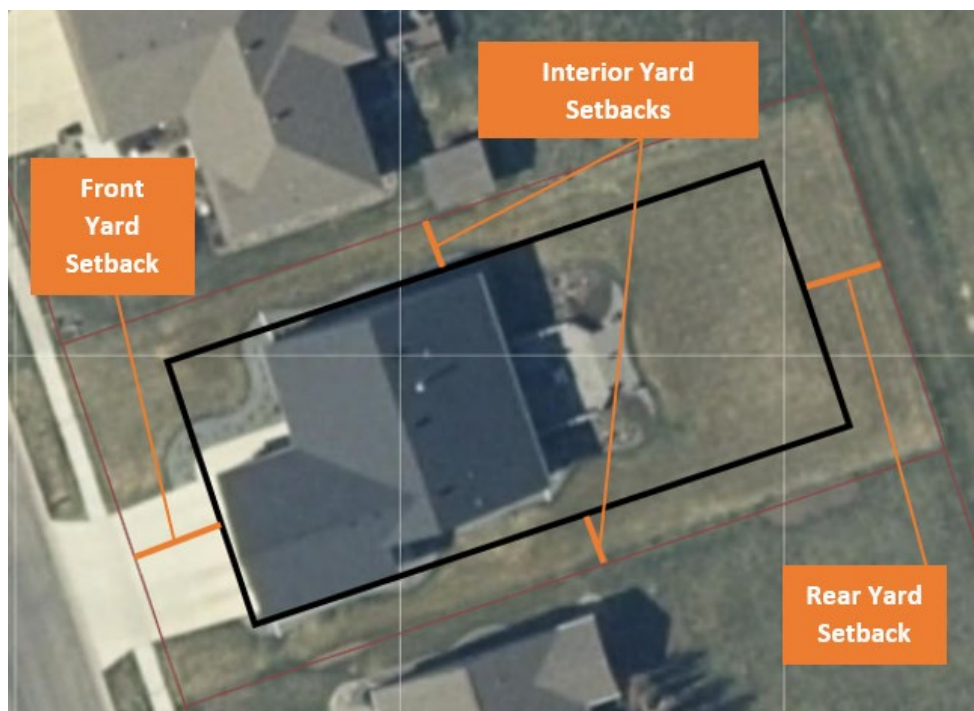
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PROJECTING ELEMENTS: Any features of a building that extend beyond exterior walls or roof. Examples include chimneys, sills, eaves, gutters, entryways, balconies, decks, porches, open fire balconies, open fire escapes, window wells, stairs, stoops and ramps. These items may encroach into required setbacks per Title 10-19-12.

Ground-mounted projections may not encroach into easements (e.g., window wells)



SETBACK: The minimum horizontal distance between a property line and the building line.



Residential Planning and Building Terminology Guide

SETBACK, FRONT YARD: The area extending along the full length of the front property line between the side property lines to the depth of the dimensional standard for that zoning district (e.g., proposed RLD-2 & 3 front yard setback is 20-25 ft).

SETBACK, REAR YARD: The area extending along the full length of the rear property line between the side property lines to the depth of the dimensional standard for that zoning district (e.g., proposed RLD-2 & 3 rear yard setback is 20 ft).

SETBACK, INTERIOR SIDE YARD: The area extending along the full length of the interior side property line between the front and rear property lines to the depth of the dimensional standard for that zoning district (e.g., proposed RLD-2 & 3 interior side yard setback is 5 ft).

SETBACK, STREET SIDE YARD FOR CORNER LOTS OR LOTS WITH FRONTAGE ON MORE THAN ONE STREET: The area extending along the full length of the street side property line between the front and rear property lines to the depth of the dimensional standard for that zoning district (e.g., proposed RLD-2 & 3 street side yard setback is 12 ft for a dwelling but 25 ft for a garage door facing the street).

ZERO-LOT LINE (ZERO-FOOT INTERIOR SIDE YARD SETBACK): The reduction of an interior side yard setback requirement to zero, permitting the placement of a structure near or adjacent to the interior side yard lot line. With a zero-lot line, no portion of the structure or accessory appurtenance shall project over the lot line.

DRAFT ORDINANCE 2024-01

AN ORDINANCE TO AMEND AND REENACT TITLE 10, CHAPTER 12, RESIDENTIAL DISTRICTS, TITLE 10, CHAPTER 2, DEFINITIONS, TITLE 10, CHAPTER 18, USE REGULATIONS AND TO AMEND AND REENACT THE OFFICIAL ZONING MAP OF THE CITY OF MOORHEAD

BE IT ORDAINED by the City Council of the City of Moorhead as follows:

SECTION 1. Title 10, Chapter 2, Definitions of the Moorhead Municipal Code is hereby amended and reenacted to read as follows (unchanged portions of the definitions have been omitted from the text below:

NEW ~~DELETE~~

10-2-2: DEFINITIONS:

The following words and terms, wherever they occur in this title, shall be interpreted as herein defined:

~~ABUTTING: Making contact with another property.~~ Directly beside a shared property line.

~~ACCESSORY BUILDING, STRUCTURE OR USE: A subordinate building, structure or use which is located on the same lot on which as the main principal building or use is situated and which is reasonably necessary and/or incidental to the conduct of the primary principal use of such building or main use.~~

~~ADJACENT: Directly beside, above, below or directly across the street or alley.~~

...
~~APARTMENT: A portion of a building consisting of a room or suite of rooms which is designed for, intended for, or used as a residence by a single family or an individual, and is equipped with cooking facilities. Includes dwelling unit and efficiency unit.~~

...
~~BOARDER: One who receives regular meals and/or regular meals and lodging for pay.~~

~~BOARDING (HOUSE) HOME, FOSTER CHILDREN: A family dwelling where parental care is provided by a family for children not related by blood or legal ties.~~

~~BOARDING (LODGING) HOUSE: A building other than a hotel where, for compensation and by prearrangement for definite periods, meals and/or lodging are provided to three (3) or more persons, not of the principal family therein, pursuant to previous arrangements and not to anyone who may apply, but not including a building providing these services for more than ten (10) persons.~~

...
~~BUILDING OR STRUCTURE HEIGHT, ACCESSORY BUILDING OR STRUCTURE: The vertical distance measured from the grade plane to the highest point of the building or structure.~~

~~BUILDING HEIGHT, PRINCIPAL BUILDING OR STRUCTURE: The vertical distance measured from grade plane to the average height of the highest roof surface of the building or structure.~~

~~BUILDING FOOTPRINT: The outline of a building drawn along the foundation at grade level.~~

~~BUILDING LINE: A line parallel to the street right of way at any story level of a building and representing the minimum distance which all or any part of the building is set back from said right of way. A line parallel to the adjacent property boundary line at any story level of a building and representing the minimum distance which all or any part of the building is set back from said boundary line.~~

...
~~CARPORT: A canopy supported by posts either ornamental or solid and completely open on one or more sides. A permanent roofed accessory structure designed for housing passenger vehicles open on at least one side anchored into pavement.~~

...

CONDOMINIUM: A development or a structure housing two (2) or more dwelling units which are individually owned and which have jointly owned and shared areas and facilities, which dwelling or development is subject to the provisions of the Minnesota condominium law, Minnesota statutes 515A.1-101 to 515A.4-118.

...

DWELLING: A building or portion thereof, designated exclusively for residential occupancy, including one-family, two-family, and multiple-family dwellings, but not including hotels, motels or licensed nursing care facilities ~~boarding houses~~.

DWELLING, EFFICIENCY APARTMENT: A dwelling unit consisting of one principal room having bathing and cooking facilities used for combined living and sleeping purposes.

~~DWELLING, MULTI-FAMILY PLE (APARTMENT): A building designed with three (3) or more dwelling units exclusively for occupancy by three (3) or more families living independently of each other. Includes townhouse/rowhouse, triplex and apartment buildings. A two-family dwelling (duplex) with a separate rooming unit(s) must be considered and classified as a multiple-family dwelling.~~

DWELLING, MULTI-FAMILY – APARTMENT BUILDING: A building located on one lot, designed with three (3) or more dwelling units exclusively for occupancy by three (3) or more families living independently of each other.

DWELLING, MULTI-FAMILY - STACKED TRIPLEX: A single structure on one (1) lot consisting of three (3) stacked dwelling units for occupancy by three (3) families living independently of each other.

DWELLING, MULTI-FAMILY - TOWNHOUSE/ROWHOUSE: A single structure on one (1) or more lots consisting of three (3) or more side-by-side dwelling units having one or more walls abutting with another dwelling unit for occupancy by three (3) or more families living independently of each other and designed to have all exits open directly to the outside. A building of more than two (2) units, each unit extending from ground to sky and having at least two (2) exposed sides.

DWELLING, SINGLE-FAMILY: A dwelling unit designed exclusively for occupancy by one (1) family.

—A. Attached: A dwelling which is joined to another at one or more sides by the sharing of a common wall(s) and which occupies its own lot.

—B. Detached: A dwelling unit not attached to another dwelling or structure or entirely surrounded by open space.

DWELLING, TWO-FAMILY STACKED DUPLEX: A single structure on one (1) lot consisting of two (2) stacked dwelling units for two (2) separate families living independently of each other.

~~DWELLING, TWO-FAMILY: A residence designed for or occupied by two (2) families only, with separate housekeeping and cooking facilities for each. A two-family dwelling (duplex) with a separate rooming unit(s) shall be considered and classified as a multi-family dwelling.~~

DWELLING, TWO-FAMILY TWIN HOME OR NON-STACKED DUPLEX: A single structure on one (1) or two (2) lots consisting of two (2) side by side dwelling units for two (2) families living independently of each other.

DWELLING UNIT, ACCESORY (ADU): A detached residential dwelling unit in a separate building located on the same lot as a principal dwelling.

DWELLING UNIT: A residential building or portion thereof intended for occupancy by one (1) or more persons with facilities for bathing, cooking, living and sleeping, cooking and eating, but not including hotels, motels or licensed nursing care facilities. ~~nursing homes, seasonal cabins, boarding or rooming houses, tourist homes or trailers.~~

...

~~EFFICIENCY APARTMENT (DWELLING UNIT): A one room dwelling unit consisting of one principal room having cooking facilities and used for combined living, dining and sleeping purposes.~~

...
~~GARAGE-STRUCTURE, PARKING: A building or portion of a building, except any herein defined as a "private residential garage" or as an automotive repair garage, used for the storage of motor vehicles or where any such vehicles are kept and in which any sale of gasoline, oil and accessories is only incidental to the principal use.~~

~~GARAGE, PRIVATE RESIDENTIAL: An accessory building or accessory portion of the principal building which is intended for and used for customary residential storage and hobbies and to store the for private passenger vehicles, racing cars, recreational vehicles and equipment, and noncommercial trucks not exceeding twelve thousand (12,000) pounds' gross weight, of for the family or families residing on upon the premises.~~

...
~~GUESTROOM: A room occupied by one or more guests for compensation and in which no provision is made for cooking, but not including rooms in a dormitory for sleeping purposes primarily.~~

...
~~HOME OCCUPATION: Any permitted occupation or profession engaged in by the occupant of a residential dwelling unit, which is clearly incidental and secondary to the residential use of the premises and does not change the character of said premises.~~

...
~~LODGING ROOM: A room rented as sleeping and living quarters, but without cooking facilities and with or without an individual bathroom. In a suite of rooms without cooking facilities, each room which provides sleeping accommodation shall be counted as one lodging room.~~

...
~~LOT, BASE: Lots meeting all specifications in the zoning district prior to being subdivided into a two-family dwelling.~~

...
~~LOT, UNIT: Lots created from the subdivisions of a two-family dwelling having different minimum lot size requirements than the conventional base lots within the zoning district.~~

...
~~MANUFACTURED HOME (or PREFABRICATED MOBILE HOME or TINY/MICRO HOME): A structure, transportable in one or more sections, which in the traveling mode is eight (8) body feet or more in width or forty (40) body feet or more in length or, when erected on site, is three hundred twenty (320) or more square feet, and which is may or may not be built on a permanent chassis and designed to be used as a dwelling with or without permanent foundation that meets Minnesota Building Codes for Prefabricated Buildings or Industrialized/Modular Buildings or HUD Manufactured Homes. when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein, except that the term includes any structure which meets all the requirements and with respect to which the manufacturer voluntarily filed a certification required by the secretary of the United States department of housing and urban development and complies with the standards established under this title.~~

~~MANUFACTURED HOME PARK: Any park, court, lot, parcel or tract of land, designed, improved, maintained or intended for the purpose of supplying a location for manufactured home dwelling units or upon which any manufactured homes are parked. It shall include all buildings used or intended for use as part of the equipment thereof, whether a charge is made for the use of the manufactured home park or not.~~

...
~~PARTY WALL/COMMON WALL: A common wall which divides two (2) independent structures by a fire wall which can be placed along a zero-lot line (zero-foot interior side yard setback).~~

...
~~PREFABRICATED HOME: See definition of Manufactured Home (Mobile Home).~~

...
PROJECTING ELEMENTS: Any features of a building or structure that extend beyond exterior walls or roof. Examples include chimneys, sills, eaves, gutters, entryways, balconies, decks, porches, open fire balconies,

open fire escapes, window wells, stairs, stoops and ramps. Ground-mounted projections may not encroach into easements.

...
~~ROOMER: One who rents a room and eats meals elsewhere.~~

~~ROOMING UNIT: A separate room providing minimum housing accommodations for a tenant with direct access to the outside or access through a hallway to an outside entrance, arranged primarily for sleeping and which may include a private bath but shall not include any kitchen equipment such as a sink or cooking device.~~
...

TINY OR MICRO HOME: See definition of Manufactured Home.
...

~~YARD, FRONT: The front A yard of a lot shall be considered to be the area extending along the full length of a front lot line between side lot lines and to the depth of the front building line of the principal building.~~

~~YARD, REAR: A space yard extending between the rear line of the main principal or accessory building and the rear lot line of the lot and extending the full width of the lot.~~

...
~~YARD, INTERIOR SIDE: A yard between the principal or accessory building and the side lot line of the lot extending from the front yard of the lot to the rear yard.~~

YARD, STREET SIDE: A corner lot yard adjacent to the street that is not the front yard between the principal or accessory building and the side lot line extending from the front yard to the rear yard.

~~ZERO-LOT LINE (ZERO-FOOT INTERIOR SIDE YARD SETBACK): The reduction of an interior side yard setback requirements to zero, permitting the placement of a structure near or adjacent to the interior side yard lot line. With zero-lot line, no portion of the structure or accessory appurtenance shall project over the lot line, unless easements are provided.~~
...

SECTION 2. Title 10, Chapter 12, Residential Districts of the Moorhead Municipal Code is hereby amended and reenacted to read as follows:

NEW ~~DELETE~~

A. TITLE 10, CHAPTER 12, RESIDENTIAL DISTRICTS, ARTICLE A. RLD-1: RESIDENTIAL LOW DENSITY-1

Article A. RLD-0 Residential Low Density — 0A and 0B

~~10-12A-1: PURPOSE:~~

~~The RLD-0 district is intended to provide a rural residential environment characterized by large lots with single-family detached housing units and limited outbuildings. The intent of this district is to allow for the hobby farm or small horticulturalist as opposed to active agriculture or intensive farming. (Ord. 2006-27, 9-5-2006)~~

~~10-12A-2: PERMITTED USES:~~

~~See residential use table in section 10-18-1 of this title for permitted uses. (Ord. 2006-27, 9-5-2006)~~

~~10-12A-3: ACCESSORY USES:~~

~~The following are permitted accessory uses in an RLD-0 district:~~

~~Boarding or renting of rooms to not more than two (2) persons.~~

~~Noncommercial greenhouses and conservatories.~~

~~Private garages, parking spaces and carports. Private garages are to be used for storing the private passenger vehicles of the family or families resident upon the premises, and shall not be used to conduct commercial business, service or industry.~~

Private swimming pools, tennis courts and other recreational facilities that are operated for the enjoyment and convenience of the residents of the principal use and their guests.

Recreational vehicles and equipment.

Tool houses, sheds and similar buildings for storage of domestic supplies and noncommercial recreational equipment.

Towers supporting amateur radio antennas and which meet the requirements of chapter 17, article D of this title. (Ord. 2006-27, 9-5-2006)

10-12A-4: PROVISIONAL USES:

See residential use table in section [10-18-1](#) of this title for provisional uses. Provisional uses are permitted as long as they meet the provisions as outlined in section [10-18-2](#) of this title. (Ord. 2006-27, 9-5-2006)

10-12A-5: CONDITIONAL USES:

See residential use table in section [10-18-1](#) of this title for conditional uses. Conditional uses are allowed subject to the criteria as outlined in chapter 4 and section [10-18-2](#) of this title. (Ord. 2006-27, 9-5-2006)

10-12A-6: LOT REQUIREMENTS AND SETBACKS:

The following minimum and maximum requirements shall be observed in an RLD-0 district subject to the additional requirements, exceptions and modifications set forth in this title:

A. RLD-0A:

1. Lot area:

a. Single-family dwelling units: Minimum twenty one thousand seven hundred eighty (21,780) square feet.

b. Other principal uses: No minimum.

2. Lot width: Minimum one hundred forty five feet (145').

3. Lot depth: One hundred feet (100').

4. Setbacks:

a. Front yard: Fifty feet (50').

b. Side yard:

(1) Principal building:

(A) Interior lot: Thirty feet (30').

(B) Corner lot: Fifty feet (50') on the street side.

(2) Accessory buildings, structures, uses:

(A) Interior lot: Three feet (3'). In addition, the minimum setback requirement is increased one foot (1') for every two feet (2') that the wall height exceeds ten feet (10').

(B) Corner lot: Fifty feet (50') on the street side.

c. Rear yard:

(1) Principal building: Fifty feet (50').

(2) Accessory buildings, structures and uses: Three feet (3'), except a minimum of fifty feet (50') where abutting a public street.

B. RLD-0B:

1. Lot area:

a. Single-family dwelling units: Minimum twelve thousand five hundred (12,500) square feet.

b. Other principal uses: No minimum.

2. Lot width: Ninety feet (90').

3. Lot depth: One hundred feet (100').

4. Setbacks:

a. Front yard: Thirty feet (30').

b. Side yard:

(1) Principal building:

(A) Interior lot: Ten feet (10').

(B) Corner lot: Fifteen feet (15') on the street side.

(2) Accessory buildings, structures, uses:

(A) Interior lot: Three feet (3'). In addition, the minimum setback requirement is increased one foot (1') for every two feet (2') that the wall height exceeds ten feet (10').

(B) Corner lot: Fifteen feet (15') on the street side.

c. Rear yard:

~~_____ (1) Principal building: Thirty feet (30').~~

~~_____ (2) Accessory buildings, structures and uses: Three feet (3'), except a minimum of fifteen feet (15') where abutting a public street. (Ord. 2014-15, 8-25-2014)~~

~~10-12A-7: MAXIMUM BUILDING HEIGHT:~~

~~—A. Dwelling units and other principal buildings: Thirty five feet (35').~~

~~—B. Accessory buildings: As governed by section [10-18-3](#) of this title. (Ord. 2006-27, 9-5-2006)~~

~~10-12A-8: MAXIMUM BUILDING COVERAGE:~~

~~Building coverage shall not exceed twenty five percent (25%) of the total lot area. (Ord. 2006-27, 9-5-2006)~~

~~10-12A-9: MAXIMUM IMPERVIOUS SURFACE COVERAGE:~~

~~Impervious surface coverage, inclusive of all structures, impermeable surfaces and detention ponds, shall be limited to thirty five percent (35%) of the lot area. (Ord. 2006-27, 9-5-2006)~~

10-12A-1: PURPOSE:

The RLD-1 district is intended to provide for a low density residential environment characterized by large lots with single-family housing and outbuildings.

10-12A-2: PERMITTED USES:

See residential use table in section 10-18-1 of this title for permitted uses.

10-12A-3: ACCESSORY USES:

The following are permitted accessory uses in an RLD-1 district:

Noncommercial greenhouses and conservatories.

Private residential garages, parking spaces and carports. Private residential garages are to be used for storing the private passenger vehicles belonging to the family upon the premises, and shall not be used to conduct commercial business, service or industry.

Private swimming pools, tennis courts and other recreational facilities.

Sheds and similar buildings for storage of domestic supplies and noncommercial recreational equipment.

Towers supporting amateur radio antennas and which meet the requirements of chapter 17, article D of this title.

10-12A-4: PROVISIONAL USES:

See residential use table in section 10-18-1 of this title for provisional uses. Provisional uses are permitted as long as they meet the provisions as outlined in section 10-18-2 of this title.

10-12A-5: CONDITIONAL USES:

See residential use table in section 10-18-1 of this title for conditional uses. Conditional uses are allowed subject to the criteria as outlined in chapter 4 and section 10-18-2 of this title.

10-12A-6: LOT REQUIREMENTS AND SETBACKS:

The following requirements shall be observed in an RLD-1 district subject to the additional requirements, exceptions and modifications set forth in this title:

A. Lot area:

1. Dwelling: Twelve thousand five hundred (12,500) square feet per unit.

2. Other principal uses: No minimum.

B. Lot width:

a. Dwelling: Eight-five feet (85').

b. Other principal uses: No minimum.

C. Setbacks:

1. Dwelling:

a. Front yard and Rear yard: Thirty feet (30')

b. Interior side yard: Ten feet (10')

c. Street side yard: Fifteen feet (15') except side walls with garage doors must be twenty-five feet (25').

2. Other principal uses

1. Front yard, Interior side yard, Street side yard, Rear yard: Thirty feet (30')

a. Front yard and Street side yards shall not be used for parking.

D. Design standards:

1. All principal and accessory uses must meet applicable site development standards in chapter 19 of this title, as approved by the zoning administrator.

2. Other principal uses:

a. All exterior walls must have equal design consideration to include materials, color, articulation and general aesthetics, as approved by the zoning administrator.

b. Building elevations that face a public street shall have either fifteen percent (15%) of the wall facing the street consisting of windows and/or entrance areas or include other design elements, as approved by the zoning administrator.

10-12A-7: MAXIMUM BUILDING HEIGHT:

A. Principal buildings: Thirty-five feet (35').

10-12A-8: MAXIMUM IMPERVIOUS SURFACE COVERAGE:

Impervious surface coverage, inclusive of all structures, impermeable surface and detention ponds shall be limited to thirty-five percent (35%) of the lot area.

10-12A-9: ACCESSORY BUILDINGS, STRUCTURES AND USES: In addition to above, as governed by section 10-18-3 of this title.

B. TITLE 10, CHAPTER 12, RESIDENTIAL DISTRICTS, ARTICLE B. RLD-2 RESIDENTIAL LOW DENSITY-

2

~~Article B. RLD-1 Residential Low Density — 1~~

~~**10-12B-1: PURPOSE:**~~

~~The RLD-1 district is established to encourage the preservation of residential neighborhoods characterized primarily by single-family dwellings and to preserve undeveloped lands for similar residential development. (Ord. 2006-27, 9-5-2006)~~

~~**10-12B-2: PERMITTED USES:**~~

~~See residential use table in section 10-18-1 of this title for permitted uses. (Ord. 2006-27, 9-5-2006)~~

~~**10-12B-3: ACCESSORY USES:**~~

~~The following are permitted accessory uses in an RLD-1 district:~~

~~Boarding or renting of rooms to not more than two (2) persons.~~

~~Noncommercial greenhouses and conservatories.~~

~~Private garages, parking spaces and carports. Private garages are to be used for storing the private passenger vehicles of the family or families resident upon the premises, and shall not be used to conduct commercial business, service or industry.~~

~~Private swimming pools, tennis courts and other recreational facilities which are operated for the enjoyment and convenience of the residents of the principal use and their guests.~~

~~Recreational vehicles and equipment.~~

~~Tool houses, sheds and similar buildings for storage of domestic supplies and noncommercial recreational equipment.~~

~~Towers supporting amateur radio antennas and which meet the requirements of chapter 17, article D of this title. (Ord. 2006-27, 9-5-2006)~~

~~**10-12B-4: PROVISIONAL USES:**~~

~~See residential use table in section 10-18-1 of this title for provisional uses. Provisional uses are permitted as long as they meet the provisions as outlined in section 10-18-2 of this title. (Ord. 2006-27, 9-5-2006)~~

~~**10-12B-5: CONDITIONAL USES:**~~

~~See residential use table in section 10-18-1 of this title for conditional uses. Conditional uses are permitted as long as they meet the criteria outlined in chapter 4 and section 10-18-2 of this title. (Ord. 2006-27, 9-5-2006)~~

~~**10-12B-6: LOT REQUIREMENTS AND SETBACKS:**~~

The following minimum requirements shall be observed in an RLD-1 district subject to the additional requirements, exceptions and modifications set forth in this title:

~~—A. Lot area:~~

- ~~—1. Dwelling units: Eight thousand (8,000) square feet.~~
- ~~—2. Other principal uses: No minimum.~~

~~—B. Lot width:~~

- ~~—1. Uses other than single-family attached: Sixty feet (60').~~
- ~~—2. Single-family attached: Thirty feet (30').~~

~~—C. Lot depth: One hundred feet (100').~~

~~—D. Setbacks:~~

- ~~—1. Front yard: Not less than twenty five feet (25').~~
- ~~—2. Side yard:~~

~~—a. Principal buildings:~~

- ~~—(1) Interior lots: Eight feet (8').~~
- ~~—(2) Corner lots: Twelve feet (12') on the street side. (Ord. 2006-27, 9-5-2006)~~

~~—b. Accessory buildings, structures and uses, except fences: A minimum of three feet (3') from a lot line, except a minimum of twelve feet (12') from a lot line when abutting a street right of way. In addition, the minimum setback requirement is increased one foot (1') for every two feet (2') that the wall height exceeds ten feet (10'). (Ord. 2014-15, 8-25-2014)~~

~~—3. Rear yard:~~

~~—a. Principal buildings: Twenty five feet (25'). (Ord. 2006-27, 9-5-2006)~~

~~—b. Accessory buildings, structures and uses, except fences: A minimum of three feet (3') from a lot line, except a minimum of twelve feet (12') from a lot line when abutting a street right of way. In addition, the minimum setback requirement is increased one foot (1') for every two feet (2') that the wall height exceeds ten feet (10'). (Ord. 2014-15, 8-25-2014)~~

10-12B-7: MAXIMUM BUILDING HEIGHT:

~~—A. Dwelling units or principal buildings: Thirty five feet (35').~~

~~—B. Accessory buildings: As governed by section 10-18-3 of this title. (Ord. 2006-27, 9-5-2006)~~

10-12B-8: MAXIMUM BUILDING COVERAGE:

~~No structure or combination of structures shall occupy more than thirty three and one third percent (33 $\frac{1}{3}$ %) of the lot area. (Ord. 2006-27, 9-5-2006)~~

10-12B-9: MAXIMUM IMPERVIOUS SURFACE COVERAGE:

~~Impervious surface coverage, inclusive of all structures, impermeable surfaces and detention ponds shall be limited to thirty five percent (35%) of the lot area. (Ord. 2006-27, 9-5-2006)~~

Article C. RLD-2 Residential Low Density – 2

10-12C-1: PURPOSE:

~~The RLD-2 district is intended to provide for a predominantly single-family detached housing pattern with a limited mixture of single-family attached units. (Ord. 2006-27, 9-5-2006)~~

10-12C-2: PERMITTED USES:

~~See residential use table in section 10-18-1 of this title for permitted uses. (Ord. 2006-27, 9-5-2006)~~

10-12C-3: ACCESSORY USES:

~~The following are permitted accessory uses in an RLD-2 district:~~

~~All permitted accessory uses as allowed in an RLD-1 district. (Ord. 2006-27, 9-5-2006)~~

10-12C-4: PROVISIONAL USES:

~~See residential use table in section 10-18-1 of this title for provisional uses. Provisional uses are permitted as long as they meet the provisions as outlined in section 10-18-2 of this title. (Ord. 2006-27, 9-5-2006)~~

10-12C-5: CONDITIONAL USES:

~~See residential use table in section 10-18-1 of this title for conditional uses. Conditional uses are permitted as long as they meet the criteria outlined in chapter 4 and section 10-18-2 of this title. (Ord. 2006-27, 9-5-2006)~~

10-12C-6: LOT REQUIREMENTS AND SETBACKS:

~~The following minimum requirements shall be observed in an RLD-2 district subject to additional requirements, exceptions and modifications set forth in this title:~~

~~—A. Lot Area:~~

- 1. Dwelling units: Six thousand (6,000) square feet per unit.
- 2. Other principal buildings and uses: No minimum. (Ord. 2006-27, 9-5-2006)
- B. Lot Width:
 - 1. Uses other than attached single-family dwellings: Forty five feet (45').
 - 2. Attached single-family dwellings: Thirty feet (30'). (Ord. 2008-10, 4-7-2008)
- C. Lot Depth: One hundred feet (100').
- D. Setbacks:
 - 1. Front yard: Not less than twenty five feet (25'). (Ord. 2006-27, 9-5-2006)
 - 2. Side yard:
 - a. Single, two-family, and attached, not stacked dwellings:
 - (1) Interior: Five feet (5').
 - (2) Corner: Twelve feet (12') on the street side.
 - (3) Common wall on attached single-family dwelling: Zero feet (0'). (Ord. 2015-18, 8-24-2015)
 - b. Other principal structures:
 - (1) Interior lots: For lots fifty feet (50') wide or less, each side yard must not be less than six feet (6') in width; for lots more than fifty feet (50') wide but less than one hundred feet (100') wide, each side yard must be not less than twelve percent (12%) of the width of the lot; and for lots one hundred feet (100') wide or more, each side yard must be not less than twelve feet (12') wide.
 - (2) Corner lot: Twelve feet (12') on the street side. (Ord. 2006-27, 9-5-2006)
 - c. Accessory buildings, structures and uses, except fences: A minimum of three feet (3') from any lot line, except a minimum of twelve feet (12') from a lot line when abutting a street right of way. In addition, the minimum setback requirement shall be increased one foot (1') for every two feet (2') that the wall height exceeds ten feet (10'). (Ord. 2014-15, 8-25-2014)
 - 3. Rear yard:
 - a. Principal buildings: Twenty five feet (25'). (Ord. 2006-27, 9-5-2006)
 - b. Accessory buildings, structures and uses, except fences: A minimum of three feet (3') from a lot line, except a minimum of twelve feet (12') from a lot line when abutting a street right of way. In addition, the minimum setback requirement is increased one foot (1') for every two feet (2') that the wall height exceeds ten feet (10'). (Ord. 2014-15, 8-25-2014)
 - E. Landscaping And Buffer Yards: Consistent with chapter 19 of this title. (Ord. 2006-27, 9-5-2006)

10-12C-7: MAXIMUM BUILDING HEIGHT:

- A. Dwelling units or principal buildings: Thirty five feet (35').
- B. Accessory buildings: As governed by section 10-18-3 of this title. (Ord. 2006-27, 9-5-2006)

10-12C-8: MAXIMUM LOT COVERAGE:

No structure or combination of structures shall occupy more than thirty three and one-third percent ($33\frac{1}{3}\%$) of the lot area. (Ord. 2006-27, 9-5-2006)

10-12C-9: MAXIMUM IMPERVIOUS SURFACE COVERAGE:

Impervious surface coverage, inclusive of all structures, impermeable surfaces and detention ponds, shall be limited to thirty five percent (35%) of the lot area. (Ord. 2006-27, 9-5-2006)

10-12B-1: PURPOSE:

The RLD-2 district is intended to provide for a mix of low density housing types including single-family, two-family twin home or duplex and multi-family townhouse/rowhouse or triplex.

10-12B-2: PERMITTED USES:

See residential use table in section 10-18-1 of this title for permitted uses.

10-12B-3: ACCESSORY USES:

Noncommercial greenhouses and conservatories.

Private residential garages, parking spaces and carports. Private residential garages are to be used for storing the private passenger vehicles belonging to the family upon the premises, and shall not be used to conduct commercial business, service or industry.

Private swimming pools, tennis courts and other recreational facilities.

Sheds and similar buildings for storage of domestic supplies and noncommercial recreational equipment.
Towers supporting amateur radio antennas and which meet the requirements of chapter 17, article D of this title.

10-12B-4: PROVISIONAL USES:

See residential use table in section 10-18-1 of this title for provisional uses. Provisional uses are permitted as long as they meet the provisions as outlined in section 10-18-2 of this title.

10-12B-5: CONDITIONAL USES:

See residential use table in section 10-18-1 of this title for conditional uses. Conditional uses are permitted as long as they meet the criteria outlined in chapter 4 and section 10-18-2 of this title.

10-12B-6: LOT REQUIREMENTS AND SETBACKS:

The following requirements shall be observed in an RLD-2 district subject to the additional requirements, exceptions and modifications set forth in this title:

- A. Lot area:
 - 1. Dwelling: Eight thousand (6,000) square feet per dwelling unit.
 - 2. Other principal uses: No minimum.
- B. Lot width:
 - 1. Single-family: Forty-five (45') per dwelling unit.
 - 2. Two-family & Multi-family: Twenty-five (25') per dwelling unit.
 - 3. Other principal uses: No minimum
- C. Setbacks:
 - 1. Dwelling:
 - a. Front yard: Twenty feet (20') except that dwellings with attached accessory garages must be twenty-five feet (25').
 - b. Rear yard: Twenty feet (20')
 - c. Interior side yard: Five feet (5')
 - i. Common wall: Zero feet (0')
 - d. Street side yard: Twelve feet (12') except side walls with garage doors must be twenty-five feet (25').
 - 2. Building separation between end units on same lot: Ten feet (10')
 - 3. Other principal uses
 - a. Front yard, Interior side yard, Street Side Yard, Rear Yard: Twenty-five feet (25')
 - i. Front yard and street side yards shall not be used for parking.
- D. Design standards:
 - 1. All principal and accessory uses must meet applicable site development standards in chapter 19 of this title, as approved by the zoning administrator.
 - 2. Other principal uses:
 - a. All exterior walls must have equal design consideration to include materials, color, articulation and general aesthetics, as approved by the zoning administrator.
 - b. Building elevations that face a public street shall have either fifteen percent (15%) of the wall facing the street consisting of windows and/or entrance areas or include other design elements, as approved by the zoning administrator.

10-12B-7: MAXIMUM BUILDING HEIGHT:

- A. Single-family: Thirty-five feet (35').
- B. Two-family & Multi-family: Forty-five feet (45').

10-12B-8: MAXIMUM IMPERVIOUS SURFACE COVERAGE:

Impervious surface coverage, inclusive of all structures, impermeable surfaces and detention ponds shall be limited to thirty five percent (35%) of the lot area.

10-12B-9: ACCESSORY BUILDINGS, STRUCTURES AND USES: In addition to above, as governed by section 10-18-3 of this title.

C. TITLE 10, CHAPTER 12, RESIDENTIAL DISTRICTS, ARTICLE C. RLD-3 RESIDENTIAL LOW DENSITY-3

Article D. RLD-3 Residential Low Density — 3

10-12D-1: PURPOSE:

The RLD-3 district is intended to provide opportunities for a variety of lot sizes, single-family detached and attached dwellings, and limited multi-family dwellings (townhomes, condominiums and small apartment buildings). (Ord. 2006-27, 9-5-2006)

10-12D-2: PERMITTED USES:

See residential use table in section 10-18-1 of this title for permitted uses. (Ord. 2006-27, 9-5-2006)

10-12D-3: ACCESSORY USES:

The following are permitted accessory uses in an RLD-3 district:

All permitted accessory uses as allowed in an RLD-2 district. (Ord. 2006-27, 9-5-2006)

10-12D-4: PROVISIONAL USES:

See residential use table in section 10-18-1 of this title for provisional uses. Provisional uses are permitted as long as they meet the provisions as outlined in section 10-18-2 of this title. (Ord. 2006-27, 9-5-2006)

10-12D-5: CONDITIONAL USES:

See residential use table in section 10-18-1 of this title for conditional uses. Conditional uses are permitted as long as they meet the criteria outlined in chapter 4 and section 10-18-2 of this title. (Ord. 2006-27, 9-5-2006)

10-12D-6: LOT REQUIREMENTS AND SETBACKS:

The following minimum requirements shall be observed in an RLD-3 district subject to additional requirements, exceptions and modifications set forth in this title:

~~—A. Lot Area:~~

- ~~—1. Dwelling units: Four thousand (4,000) square feet per unit.~~
- ~~—2. Other principal uses: No minimum. (Ord. 2006-27, 9-5-2006)~~

~~—B. Lot Width:~~

- ~~—1. Detached single-family dwellings: Forty feet (40').~~
- ~~—2. Attached single-family dwellings: Twenty five feet (25').~~
- ~~—3. Multi-family and all other principal uses: One hundred feet (100'). (Ord. 2008-10, 4-7-2008)~~

~~—C. Lot Depth:~~

- ~~—1. Single- and two-family dwellings: One hundred feet (100').~~
- ~~—2. Multiple-family dwellings and all other principal uses: One hundred thirty feet (130').~~

~~—D. Setbacks: Setbacks shall be of sufficient width to accommodate required buffering, screening and landscaping, required by sections 10-19-17 and 10-19-18 of this title.~~

~~—1. Front yard:~~

~~—a. Single-family, attached and detached: Not less than twenty feet (20'), except that garages with doors facing the street must be not less than twenty five feet (25').~~

~~—b. Multi-family: Not less than twenty five feet (25'). (Ord. 2006-27, 9-5-2006)~~

~~—2. Side yard:~~

~~—a. Single-, two-family, and attached, not stacked dwellings:~~

~~—(1) Interior lots: Five feet (5').~~

~~—(2) Corner lots: Twelve feet (12') on the street side.~~

~~—(3) Common wall of attached single-family dwelling: Zero feet (0'). (Ord. 2015-18, 8-24-2015)~~

~~—b. Multi-family buildings: Forty feet (40') along any principal or minor arterial, thirty feet (30') along any other street. Twenty feet (20') for any other side yard setback.~~

~~—c. Other principal structures:~~

~~—(1) Interior lots: For lots fifty feet (50') wide or less, each side yard must not be less than six feet (6') in width; for lots more than fifty feet (50') wide but less than one hundred feet (100') wide, each side yard must be not less than twelve percent (12%) of the width of the lot; and for lots one hundred feet (100') wide or more, each side yard must be not less than twelve feet (12') wide.~~

~~—(2) Corner lot: Twelve feet (12'). (Ord. 2006-27, 9-5-2006)~~

~~—d. Accessory buildings, structures, and uses, except fences: A minimum of three feet (3') from a lot line, except a minimum of twelve feet (12') from a lot line when abutting a street right of way. In addition, the~~

minimum setback requirement is increased one foot (1') for every two feet (2') that the wall height exceeds ten feet (10'). (Ord. 2014-15, 8-25-2014)

— 3. Rear yard:

— a. Principal buildings: Twenty five feet (25'). (Ord. 2006-27, 9-5-2006)

— b. Accessory buildings, structures and uses, except fences: A minimum of three feet (3') from a lot line, except a minimum of twelve feet (12') from a lot line when abutting a street right of way. In addition, the minimum setback requirement is increased one foot (1') for every two feet (2') that the wall height exceeds ten feet (10'). (Ord. 2014-15, 8-25-2014)

— E. Landscaping And Buffer Yards: Consistent with chapter 19 of this title. (Ord. 2006-27, 9-5-2006)

10-12D-7: MAXIMUM BUILDING HEIGHT:

— A. Dwelling units or principal buildings: Thirty five feet (35').

— B. Accessory buildings: As governed by section 10-18-3 of this title. (Ord. 2006-27, 9-5-2006)

10-12D-8: MAXIMUM BUILDING COVERAGE:

No structure or combination of structures shall occupy more than forty percent (40%) of the lot area. (Ord. 2006-27, 9-5-2006)

10-12D-9: MAXIMUM IMPERVIOUS SURFACE COVERAGE:

Impervious surface coverage, inclusive of all structures, impermeable surfaces and detention ponds, shall be limited to sixty percent (60%) of the lot area. (Ord. 2006-27, 9-5-2006)

10-12C-1: PURPOSE:

The RLD-3 district is intended to provide a mix of low density housing types including single-family, two-family twin home or duplex and multi-family townhouse/rowhouse, triplex and apartments.

10-12C-2: PERMITTED USES:

See residential use table in section 10-18-1 of this title for permitted uses.

10-12C-3: ACCESSORY USES:

Noncommercial greenhouses and conservatories.

Private residential garages, parking spaces and carports. Private residential garages are to be used for storing the private passenger vehicles belonging to the family upon the premises, and shall not be used to conduct commercial business, service or industry.

Private swimming pools, tennis courts and other recreational facilities.

Sheds and similar buildings for storage of domestic supplies and noncommercial recreational equipment.

Towers supporting amateur radio antennas and which meet the requirements of chapter 17, article D of this title.

10-12C-4: PROVISIONAL USES:

See residential use table in section 10-18-1 of this title for provisional uses. Provisional uses are permitted as long as they meet the provisions as outlined in section 10-18-2 of this title.

10-12C-5: CONDITIONAL USES:

See residential use table in section 10-18-1 of this title for conditional uses. Conditional uses are permitted as long as they meet the criteria outlined in chapter 4 and section 10-18-2 of this title.

10-12C-6: LOT REQUIREMENTS AND SETBACKS:

The following requirements shall be observed in an RLD-3 district subject to additional requirements, exceptions and modifications set forth in this title:

A. Lot Area:

1. Dwelling: Four thousand (4,000) square feet per dwelling unit.

2. Other principal uses: No minimum.

B. Lot Width:

1. Single-family: Forty feet (40') per dwelling unit.

2. Two-family, Multi-family Townhouse/Rowhouse or Triplex: Twenty-five feet (25') per dwelling unit.

- C. Multi-family apartments: One hundred feet (100').
- D. Other principal uses: No minimum
- C. Setbacks:
 - 1. Single-family, Two-family, Multi-family Townhouse/Rowhouse, Triplex Dwelling:
 - a. Front yard: Twenty feet (20') except that dwellings with attached garages must be twenty-five feet (25').
 - b. Rear yard: Twenty feet (20')
 - c. Interior side yard: Five feet (5')
 - i. Common wall: Zero feet (0')
 - d. Street side yard: Twelve feet (12') except side walls with garage doors must be twenty-five feet (25').
 - 2. Building separation between end units on same lot: Ten feet (10')
 - 3. Multi-family apartments:
 - a. Front yard, Street side yard and Rear yard: Twenty-five feet (25')
 - 1. Front yard and Street side yard shall not be used for parking.
 - b. Interior side yard:
 - 1. If adjacent to a single or two-family use: Twenty-five feet (25').
 - 2. If adjacent to all other uses: Ten feet (10').
 - c. Building separation between end units on same lot: Ten feet (10')
 - 4. Other principal uses
 - a. Front yard, Interior side yard, Street Side Yard, Rear Yard: Twenty-five feet (25')
 - 1. Front yard and Street side yard shall not be used for parking.
- D. Design standards:
 - 1. All principal and accessory uses must meet applicable site development standards in chapter 19 of this title, as approved by the zoning administrator.
 - 2. Multi-family apartments and other principal uses:
 - a. All exterior walls must have equal design consideration to include materials, color, articulation and general aesthetics, as approved by the zoning administrator.
 - b. Building elevations that face a public street shall have either fifteen percent (15%) of the wall facing the street consisting of windows and/or entrance areas or include other design elements, as approved by the zoning administrator.

10-12C-7: MAXIMUM BUILDING HEIGHT:

- A. Single-family: Thirty-five feet (35').
- B. Two-family: Forty-five feet (45').
- C. Multi-family:
 - a. If structure is within 150 ft of a principal residential structure zoned residential low density zone: Forty-five feet (45').
 - b. If structure is more than 150 ft of a principal residential structure in residential low density zone: Fifty-five (55')

10-12C-8: MAXIMUM IMPERVIOUS SURFACE COVERAGE:

Impervious surface coverage, inclusive of all structures, impermeable surfaces and detention ponds, shall be limited to sixty percent (60%) of the lot area.

10-12C-9: ACCESSORY BUILDINGS, STRUCTURES AND USES: In addition to above, as governed by section 10-18-3 of this title.

D. TITLE 10, CHAPTER 12, RESIDENTIAL DISTRICTS, ARTICLE D. RMD RESIDENTIAL MEDIUM DENSITY

Article E. RMD-1 Residential Moderate Density -- 1

10-12E-1: PURPOSE: The RMD-1 district is intended to allow a greater variety of attached housing and single-family detached dwellings.

10-12E-2: PERMITTED USES:

See residential use table in section 10-18-1 of this title for permitted uses. (Ord. 2006-27, 9-5-2006)

10-12E-3: ACCESSORY USES:

The following are permitted accessory uses in an RMD-1 district:

All permitted accessory uses as allowed in an RLD-3 district. (Ord. 2006-27, 9-5-2006)

10-12E-4: PROVISIONAL USES:

See residential use table in section 10-18-1 of this title for provisional uses. Provisional uses are permitted as long as they meet the provisions as outlined in section 10-18-2 of this title. (Ord. 2006-27, 9-5-2006)

10-12E-5: CONDITIONAL USES:

See residential use table in section 10-18-1 of this title for conditional uses. Conditional uses are permitted as long as they meet the criteria outlined in chapter 4 and section 10-18-2 of this title. (Ord. 2006-27, 9-5-2006)

10-12E-6: LOT REQUIREMENTS AND SETBACKS:

The following minimum requirements shall be observed in an RMD-1 district subject to additional requirements, exceptions and modifications set forth in this title:

—A. Lot area:

—1. Dwellings units: Three thousand (3,000) square feet per unit.

—2. Other principal uses: No minimum.

—B. Lot width:

—1. All uses other than attached single-family dwellings and multi-family: Forty feet (40').

—2. Attached single-family dwellings: Twenty five feet (25').

—3. Multi-family buildings and other principal uses: One hundred feet (100').

—C. Lot depth:

—1. Single- and two-family dwellings: One hundred feet (100').

—2. Multiple-family buildings and other principal uses: One hundred thirty feet (130'). (Ord. 2006-27, 9-5-2006)

—D. Setbacks: Setbacks shall be of sufficient width to accommodate required buffering, screening and landscaping, required by sections 10-19-17 and 10-19-18 of this title.

—1. Front yard:

—a. Single-family, attached and detached: Not less than twenty feet (20'), except that garages with doors facing the street must be not less than twenty five feet (25').

—b. Multi-family: Not less than twenty five feet (25').

—2. Side yard:

—a. Single- and two-family, and attached, not stacked dwellings:

—(1) Interior lots: Five feet (5').

—(2) Corner lots: Twelve feet (12') on the street side.

—(3) Common wall of attached single-family dwelling: Zero feet (0').

—b. Multi-family buildings: Forty feet (40') along any principal or minor arterial, thirty feet (30') along any other street. Twenty feet (20') for any other side yard setback.

—c. Other principal structures:

—(1) Interior lots: For lots fifty feet (50') wide or less, each side yard must not be less than six feet (6') in width; for lots more than fifty feet (50') wide but less than one hundred feet (100') wide, each side yard must be not less than twelve percent (12%) of the width of the lot; and for lots one hundred feet (100') wide or more, each side yard must be not less than twelve feet (12') wide.

—(2) Corner lot: Twelve feet (12').

—d. Accessory buildings, structures and uses, except fences: A minimum of three feet (3') from a lot line, except a minimum of twelve feet (12') from a lot line when abutting a street right of way. In addition, the minimum setback requirement is increased one foot (1') for every two feet (2') that the wall height exceeds ten feet (10').

—3. Rear yard:

—a. Principal buildings: Twenty five feet (25').

—b. Accessory buildings, structures and uses, except fences: A minimum of three feet (3') from a lot line, except a minimum of twelve feet (12') from a lot line when abutting a street right of way. In addition, the minimum setback requirement is increased one foot (1') for every two feet (2') that the wall height exceeds ten feet (10'). (Ord. 2014-15, 8-25-2014)

—E. Landscaping and buffer yards: Consistent with chapter 19 of this title. (Ord. 2006-27, 9-5-2006)

10-12E-7: MAXIMUM BUILDING HEIGHT:

- ~~—A. Dwelling units and other principal buildings: Thirty five feet (35').~~
- ~~—B. Accessory buildings: As governed by section 10-18-3 of this title. (Ord. 2006-27, 9-5-2006)~~

10-12E-8: MAXIMUM BUILDING COVERAGE:

~~No structure or combination of structures shall occupy more than fifty percent (50%) of the lot area. (Ord. 2006-27, 9-5-2006)~~

10-12E-9: MAXIMUM IMPERVIOUS SURFACE COVERAGE:

~~Impervious surface coverage, inclusive of all structures, impermeable surfaces and detention ponds, shall be limited to sixty percent (60%) of the lot area. (Ord. 2006-27, 9-5-2006)~~

Article F. RMD-2 Residential Moderate Density -- 2

10-12F-1: PURPOSE:

~~The RMD-2 district is intended to provide opportunities for attached townhomes, condominium and small apartments. (Ord. 2006-27, 9-5-2006)~~

10-12F-2: PERMITTED USES:

~~See residential use table in section 10-18-1 of this title for permitted uses. (Ord. 2006-27, 9-5-2006)~~

10-12F-3: ACCESSORY USES:

~~The following are permitted accessory uses in an RMD-2 district:~~

~~All permitted accessory uses as allowed in an RMD-1 district. (Ord. 2006-27, 9-5-2006)~~

10-12F-4: PROVISIONAL USES:

~~See residential use table in section 10-18-1 of this title for provisional uses. Provisional uses are permitted as long as they meet the provisions as outlined in section 10-18-2 of this title. (Ord. 2006-27, 9-5-2006)~~

10-12F-5: CONDITIONAL USES:

~~See residential use table in section 10-18-1 of this title for conditional uses. Conditional uses are permitted as long as they meet the criteria outlined in chapter 4 and section 10-18-2 of this title. (Ord. 2006-27, 9-5-2006)~~

10-12F-6: LOT REQUIREMENTS AND SETBACKS:

~~The following minimum requirements shall be observed in an RMD-2 district subject to additional requirements, exceptions and modifications set forth in this title:~~

~~—A. Lot area:~~

- ~~—1. Dwelling units: Two thousand (2,000) square feet per unit.~~
- ~~—2. Other principal uses: No minimum.~~

~~—B. Lot width:~~

- ~~—1. All uses other than attached single-family dwellings and multi-family: Forty feet (40').~~
- ~~—2. Attached single-family dwellings: Twenty five feet (25').~~
- ~~—3. Multi-family: One hundred feet (100').~~

~~—C. Lot depth:~~

- ~~—1. Single and two-family dwellings: One hundred feet (100').~~
- ~~—2. Multiple-family buildings and other principal uses: One hundred thirty feet (130'). (Ord. 2006-27, 9-5-2006)~~

~~—D. Setbacks: Setbacks shall be of sufficient width to accommodate required buffering, screening and landscaping, required by sections 10-19-17 and 10-19-18 of this title.~~

~~—1. Front yard:~~

- ~~—a. Single-family, attached and detached: Not less than twenty feet (20'), except that garages with doors facing the street must be not less than twenty five feet (25').~~
- ~~—b. Multi-family: Not less than twenty five feet (25').~~

~~—2. Side yard:~~

- ~~—a. Single and two-family, and attached, not stacked dwellings:~~
 - ~~—(1) Interior lots: Five feet (5').~~
 - ~~—(2) Corner lots: Twelve feet (12') on the street side.~~
 - ~~—(3) Common wall on attached single-family dwelling: Zero feet (0').~~

- ~~—b. Multi-family: Forty feet (40') along any principal or minor arterial. Thirty feet (30') along any other street. Twenty feet (20') for any other side yard setback.~~

~~—c. Other principal structures:~~

- ~~—(1) Interior lots: For lots fifty feet (50') wide or less, each side yard must not be less than six feet (6') in width; for lots more than fifty feet (50') wide but less than one hundred feet (100') wide, each side yard must be~~

not less than twelve percent (12%) of the width of the lot; and for lots one hundred feet (100') wide or more, each side yard must be not less than twelve feet (12') wide.

—— (2) Corner lot: Twelve feet (12').

—— d. Accessory buildings, structures and uses, except fences: A minimum of three feet (3') from a lot line, except a minimum of twelve feet (12') from a lot line when abutting a street right of way. In addition, the minimum setback requirement is increased one foot (1') for every two feet (2') that the wall height exceeds ten feet (10').

—— 3. Rear yard:

—— a. Principal buildings: Twenty five feet (25').

—— b. Accessory buildings, structures and uses, except fences: A minimum of three feet (3') from a lot line, except a minimum of twelve feet (12') from a lot line when abutting a street right of way. In addition, the minimum setback requirement is increased one foot (1') for every two feet (2') that the wall height exceeds ten feet (10'). (Ord. 2014-15, 8-25-2014)

—— E. Landscaping and buffer yards: Consistent with chapter 19 of this title. (Ord. 2006-27, 9-5-2006)

10-12F-7: MAXIMUM BUILDING HEIGHT:

—— A. Dwelling units or principal buildings: Maximum building height shall be forty five feet (45').

—— B. Accessory buildings: As governed by section 10-18-3 of this title. (Ord. 2006-27, 9-5-2006)

10-12F-8: MAXIMUM LOT COVERAGE:

No structure or combination of structures shall occupy more than sixty percent (60%) of the lot area. (Ord. 2006-27, 9-5-2006)

10-12F-9: MAXIMUM IMPERVIOUS SURFACE COVERAGE:

Impervious surface coverage, inclusive of all structures, impermeable surfaces and detention ponds, shall be limited to seventy percent (70%) of the lot area. (Ord. 2006-27, 9-5-2006)

10-12D-1: PURPOSE: The RMD district is intended to provide a mix of medium density housing types including single-family, two-family twin home or duplex and multi-family townhouse/rowhouse, triplex and apartments.

10-12D-2: PERMITTED USES:

See residential use table in section 10-18-1 of this title for permitted uses.

10-12D-3: ACCESSORY USES:

Noncommercial greenhouses and conservatories.

Private residential garages, parking spaces and carports. Private residential garages are to be used for storing the private passenger vehicles belonging to the family upon the premises, and shall not be used to conduct commercial business, service or industry.

Private swimming pools, tennis courts and other recreational facilities.

Sheds and similar buildings for storage of domestic supplies and noncommercial recreational equipment.

Towers supporting amateur radio antennas and which meet the requirements of chapter 17, article D of this title.

10-12D-4: PROVISIONAL USES:

See residential use table in section 10-18-1 of this title for provisional uses. Provisional uses are permitted as long as they meet the provisions as outlined in section 10-18-2 of this title.

10-12D-5: CONDITIONAL USES:

See residential use table in section 10-18-1 of this title for conditional uses. Conditional uses are permitted as long as they meet the criteria outlined in chapter 4 and section 10-18-2 of this title.

10-12D-6: LOT REQUIREMENTS AND SETBACKS:

The following requirements shall be observed in an RMD district subject to additional requirements, exceptions and modifications set forth in this title:

A. Lot Area:

—— 1. Dwelling: Two thousand five hundred (2,500) square feet per dwelling unit.

2. Other principal uses: No minimum.

B. Lot Width:

1. Single-family: Forty feet (40') per dwelling unit.

2. Two-family, Multi-family Townhouse/Rowhouse or Triplex: Twenty-five feet (25') per dwelling unit.

3. Multi-family apartments: One hundred feet (100').

4. Other principal uses: No minimum

C. Setbacks:

1. Single-family, Two-family, Multi-family Townhouse/Rowhouse, Triplex Dwelling:

a. Front yard: Twenty feet (20') except that dwellings with garage doors facing the street must be twenty-five feet (25').

b. Rear yard: Twenty feet (20')

c. Interior side yard: Five feet (5')

i. Common wall: Zero feet (0')

d. Street side yard: Twelve feet (12') except side walls with garage doors must be twenty-five feet (25').

2. Building separation between end units on same lot: Ten feet (10')

3. Multi-family apartments:

a. Front yard, Street side yard and Rear yard: Twenty-five feet (25')

1. Front yard and Street side yard shall not be used for parking.

b. Interior side yard:

1. If adjacent to a single or two-family use: Twenty-five feet (25').

2. If adjacent to all other uses: Ten feet (10').

c. Building separation between end units on same lot: Ten feet (10')

4. Other principal uses

a. Front yard, Interior side yard, Street Side Yard, Rear Yard: Twenty-five feet (25')

1. Front yard and Street side yard shall not be used for parking.

D. Design standards:

1. All principal and accessory uses must meet applicable site development standards in chapter 19 of this title, as approved by the zoning administrator.

2. Multi-family apartments and other principal uses:

a. All exterior walls must have equal design consideration to include materials, color, articulation and general aesthetics, as approved by the zoning administrator.

b. Building elevations that face a public street shall have either fifteen percent (15%) of the wall facing the street consisting of windows and/or entrance areas or include other design elements, as approved by the zoning administrator.

10-12D-7: MAXIMUM BUILDING HEIGHT:

A. Single-family: Thirty-five feet (35').

B. Two-family: Forty-five feet (45').

C. Multi-family:

c. If structure is within 150 ft of a principal residential structure in residential low density zone: Forty-five feet (45').

d. If structure is more than 150 ft of a principal residential structure in residential low density zone: Fifty-five (55')

10-12D-8: MAXIMUM IMPERVIOUS SURFACE COVERAGE:

Impervious surface coverage, inclusive of all structures, impermeable surfaces and detention ponds, shall be limited to sixty percent (60%) of the lot area.

10-12D-9: ACCESSORY BUILDINGS, STRUCTURES AND USES: In addition to above, as governed by section 10-18-3 of this title.

E. TITLE 10, CHAPTER 12, RESIDENTIAL DISTRICTS, ARTICLE E. RHD RESIDENTIAL HIGH DENSITY

Article G. RHD-1 Residential High Density -- 1

10-12G-1: PURPOSE:

The RHD-1 district is intended to provide opportunities for high density townhome or condominium development and stacked midrise apartment or condominium dwelling units. (Ord. 2006-27, 9-5-2006)

10-12G-2: PERMITTED USES:

See residential use table in section [10-18-1](#) of this title for permitted uses. (Ord. 2006-27, 9-5-2006)

10-12G-3: ACCESSORY USES:

The following are permitted accessory uses in an RHD-1 district:

All permitted accessory uses as allowed in an RMD-2 district. (Ord. 2006-27, 9-5-2006)

10-12G-4: PROVISIONAL USES:

See residential use table in section [10-18-1](#) of this title for provisional uses. Provisional uses are permitted as long as they meet the provisions as outlined in section [10-18-2](#) of this title. (Ord. 2006-27, 9-5-2006)

10-12G-5: CONDITIONAL USES:

See residential use table in section [10-18-1](#) of this title for conditional uses. Conditional uses are permitted as long as they meet the criteria outlined in chapter 4 and section [10-18-2](#) of this title. (Ord. 2006-27, 9-5-2006)

10-12G-6: LOT REQUIREMENTS AND SETBACKS:

The following minimum requirements shall be observed in an RHD-1 district subject to additional requirements, exceptions and modifications set forth in this title:

A. Lot area:

— 1. Dwelling units: One thousand five hundred (1,500) square feet per dwelling unit.

— 2. Other principal uses: No minimum.

B. Lot width:

— 1. All uses other than multi-family stacked dwelling units: Twenty feet (20').

— 2. Multi-family stacked dwellings: One hundred feet (100').

C. Lot depth:

— 1. Single-family, two-family and townhome dwellings: One hundred feet (100').

— 2. Multiple-family stacked buildings and all other uses: One hundred thirty feet (130').

— D. Setbacks: Setbacks shall be of sufficient width to accommodate required buffering, screening and landscaping, required by sections [10-19-17](#) and [10-19-18](#) of this title.

— 1. Front yard: Not less than twenty five feet (25').

— 2. Side yard:

— a. Attached dwellings, not stacked:

— (1) Common walls: Zero feet (0').

— (2) Between end units on the same lot: A building separation of twelve feet (12').

— (3) Interior lots: Six feet (6').

— (4) Corner lots: Twelve feet (12') on the street side.

— b. Multi-family stacked units: Forty feet (40') along any principal or minor arterial. Thirty feet (30') along any other street. Twenty feet (20') for any other side yard setback.

— c. Other principal structures:

— (1) Interior lots: For lots fifty feet (50') wide or less, each side yard must not be less than six feet (6') in width; for lots more than fifty feet (50') wide but less than one hundred feet (100') wide, each side yard must be not less than twelve percent (12%) of the width of the lot; and for lots one hundred feet (100') wide or more, each side yard must be not less than twelve feet (12') wide.

— (2) Corner lot: Twelve feet (12'). (Ord. 2006-27, 9-5-2006)

— d. Accessory buildings, structures, and uses, except fences: A minimum of three feet (3') from a lot line, except a minimum of twelve feet (12') from a lot line when abutting a street right of way. In addition, the minimum setback requirement is increased one foot (1') for every two feet (2') that the wall height exceeds ten feet (10').

— 3. Rear yard:

— a. Principal buildings: Twenty five feet (25').

— b. Accessory buildings, structures, and uses, except fences: A minimum of three feet (3') from a lot line, except a minimum of twelve feet (12') from a lot line when abutting a street right of way. In addition, the minimum setback requirement is increased one foot (1') for every two feet (2') that the wall height exceeds ten feet (10'). (Ord. 2014-15, 8-25-2014)

~~—E. Landscaping and buffer yards: Consistent with chapter 19 of this title. (Ord. 2006-27, 9-5-2006)~~

10-12G-7: MAXIMUM BUILDING HEIGHT:

~~—A. Dwelling units or principal buildings: Forty five feet (45').~~

~~—B. Accessory buildings: As governed by section 10-18-3 of this title. (Ord. 2006-27, 9-5-2006)~~

10-12G-8: MAXIMUM BUILDING COVERAGE:

~~No structure or combination of structures shall occupy more than sixty five percent (65%) of the lot area. (Ord. 2006-27, 9-5-2006)~~

10-12G-9: MAXIMUM IMPERVIOUS SURFACE COVERAGE:

~~Impervious surface coverage, inclusive of all structures, impermeable surfaces and detention ponds, shall be limited to seventy percent (70%) of the lot area. (Ord. 2006-27, 9-5-2006)~~

10-12E-1: PURPOSE:

The RHD district is intended to provide a mix of high density housing types including multi-family townhouse/rowhouse, triplex and apartments.

10-12E-2: PERMITTED USES:

See residential use table in section 10-18-1 of this title for permitted uses.

10-12E-3: ACCESSORY USES:

Private residential garages, parking spaces and carports. Private residential garages are to be used for storing the private passenger vehicles belonging to the family upon the premises, and shall not be used to conduct commercial business, service or industry.

Private swimming pools, tennis courts and other recreational facilities.

Sheds and similar buildings for storage of domestic supplies and noncommercial recreational equipment.

Towers supporting amateur radio antennas and which meet the requirements of chapter 17, article D of this title.

10-12E-4: PROVISIONAL USES:

See residential use table in section 10-18-1 of this title for provisional uses. Provisional uses are permitted as long as they meet the provisions as outlined in section 10-18-2 of this title.

10-12E-5: CONDITIONAL USES:

See residential use table in section 10-18-1 of this title for conditional uses. Conditional uses are permitted as long as they meet the criteria outlined in chapter 4 and section 10-18-2 of this title.

10-12E-6: LOT REQUIREMENTS AND SETBACKS:

The following minimum requirements shall be observed in an RHD district subject to additional requirements, exceptions and modifications set forth in this title:

A. Lot Area:

1. Dwelling: One thousand five hundred (1,500) square feet per dwelling unit.
2. Other principal uses: No minimum.

B. Lot Width:

1. Multi-family Townhouse/Rowhouse or Triplex: Twenty-five feet (25') per dwelling unit.
2. Multi-family apartments: One hundred feet (100').
3. Other principal uses: No minimum

C. Setbacks:

1. Multi-family Townhouse/Rowhouse or Triplex Dwelling:
 - a. Front yard: Twenty feet (20') except that dwellings with garage doors facing the street must be twenty-five feet (25').
 - b. Rear yard: Twenty feet (20')
 - c. Interior side yard: Five feet (5')
 - i. Common wall: Zero feet (0')
 - d. Street side yard: Twelve feet (12') except side walls with garage doors must be twenty-five feet (25').

2. Building separation between end units on same lot: Ten feet (10')

3. Multi-family apartments:

a. Front yard, Street side yard and Rear yard: Twenty-five feet (25')

1. Front yard and Street side yard shall not be used for parking.

b. Interior side yard:

1. If adjacent to a single or two-family use: Twenty-five feet (25').

2. If adjacent to all other uses: Ten feet (10').

c. Building separation between end units on same lot: Ten feet (10')

4. Other principal uses

a. Front yard, Interior side yard, Street Side Yard, Rear Yard: Twenty-five feet (25')

1. Front yard and Street side yard shall not be used for parking.

D. Design standards:

1. All principal and accessory uses must meet applicable site development standards in chapter 19 of this title, as approved by the zoning administrator.

2. Multi-family apartments and other principal uses:

a. All exterior walls must have equal design consideration to include materials, color, articulation and general aesthetics, as approved by the zoning administrator.

b. Building elevations that face a public street shall have either fifteen percent (15%) of the wall facing the street consisting of windows and/or entrance areas or include other design elements, as approved by the zoning administrator.

10-12E-7: MAXIMUM BUILDING HEIGHT:

D. Multi-family:

a. If structure is within 150 ft of a principal residential structure in residential low density zone: Forty-five feet (45').

b. If structure is more than 150 ft of a principal residential structure in residential low density zone: Fifty-five (55')

10-12E-8: MAXIMUM IMPERVIOUS SURFACE COVERAGE:

Impervious surface coverage, inclusive of all structures, impermeable surfaces and detention ponds, shall be limited to seventy percent (70%) of the lot area.

10-12E-9: ACCESSORY BUILDINGS, STRUCTURES AND USES: In addition to above, as governed by section 10-18-3 of this title.

SECTION 3. Title 10, Chapter 18, Use Regulations of the Moorhead Municipal Code is hereby amended and reenacted to read as follows (unchanged portions of the use table have been omitted from the text below):

NEW **DELETE**

Title 10, Chapter 18, Section 1: Use Regulations

Use Category (General)		Residential Districts						
		RLD-0	RLD-1	RLD-2	RLD-3	RMD-1	RMD-2	RHD-1
Residential uses:								
	Accessory dwelling units							
	...							
	Dwellings, 2 attached, each on a separate lot		PU [E]	PU [E]	P	P	P	
	Dwellings, 2 attached on the same lot		PU [E]	PU [E]	P	P	P	

	Dwellings, 3 or more attached townhomes		PU [E]	PU [E]	P	P	P	P
	Dwellings in buildings of 3 to 8 units		PU [E]	PU [E]	P	P	P	P
	Dwellings in buildings of 9 to 16 units				PU [E]	P	P	P
	Dwellings in buildings of more than 16 units				PU [E]	P	P	P
	Dwellings, single-family detached	P	P	P	P	P	P	
	Temporary family healthcare dwellings ¹							
	...							

Use Category (General)		Residential Districts				
		<u>RLD-1</u>	<u>RLD-2</u>	<u>RLD-3</u>	<u>RMD</u>	<u>RHD</u>
Residential uses:						
	...					
	<u>Dwelling, Multi-family apartments</u>			<u>P</u>	<u>P</u>	<u>P</u>
	<u>Dwelling, Multi-family townhouse/rowhouse or triplex</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Dwelling, Single-family</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
	<u>Dwelling, Two-family twin home or duplex</u>		<u>P</u>	<u>P</u>	<u>P</u>	
	<u>Dwelling, Temporary family healthcare¹</u>					
	<u>Dwelling Unit, Accessory</u>					
	...					

Note:

1. Pursuant to the authority granted by Minnesota Statutes section 462.3593, subdivision 9, the City of Moorhead opts out of the requirements of Minnesota Statutes section 462.3593.

...

SECTION 4. Title 10, Chapter 18, Use Regulations, Section 2, Provisional and Conditional Use Requirements of the Moorhead Municipal Code is hereby amended and reenacted to read as follows:

NEW ~~DELETE~~

Title 10, Chapter 18, Section 2, Provisional and Conditional Use Requirements.

E. Reserved ~~Single-family attached dwellings (including twin homes and townhomes) in the RLD-1 and RLD-2 districts:~~

~~—1. Single-family attached dwellings in the RLD-1 and RLD-2 districts existing as of January 1, 2012, shall be permitted.~~

~~—2. A minimum of twelve feet (12') of the principal building, inclusive of the main entrance, must be visible from and oriented toward a public street.~~

~~—3. On plats approved by the city council from January 1, 2002, until January 3, 2005, single-family attached dwellings may be constructed in the RLD-2, residential low density-2 district without the requirements of subsection E2 of this section.~~

F. Reserved

G. Reserved Multi-family dwellings in the RLD-3 district:

- ~~1. Number Of Units: No multi-family structure shall have more than twenty four (24) total units.~~
- ~~2. Street Frontage: Street frontage along major arterials, collectors or opposite existing single-family detached housing should be faced by the principal structure entrance (not garages).~~
- ~~3. Building Height:~~
 - ~~a. Building height for development that is set back less than one hundred fifty feet (150') from a principal residential structure in an RLD-1, RLD-2 or RLD-3 zoning district shall be limited to a maximum of thirty five feet (35').~~
 - ~~b. Building height for development that is set back one hundred fifty feet (150') or more from a principal residential structure in an RLD-1, RLD-2 or RLD-3 zoning district shall be limited to a maximum of forty five feet (45') if the following elements are met:~~
 - ~~(1) All exterior walls must have equal design consideration to include materials, color, articulation and general aesthetics.~~
 - ~~(2) Building elevations that face a public street shall have either fifteen percent (15%) of the wall facing the street consist of windows and/or entrance areas or include other design elements, as approved by the zoning administrator.~~
- ~~4. Surface Parking Areas: Surface parking areas shall be located in side, internal or rear yards.~~
- ~~5. Multi-Family Buildings With Eight Or More Units: Multi-family buildings with eight (8) or more units shall ensure access to a collector or arterial street or within three hundred feet (300') of such to minimize traffic through local residential neighborhoods.~~
- ~~6. Multi-Family Buildings With Sixteen Or More Units: Multi-family buildings with sixteen (16) or more units shall provide fifty percent (50%) of required parking either underground or attached (tuck under garages).~~

SECTION 5: The Official Zoning Map of the City of Moorhead, in accordance with Chapter 3 of Title 10 of the City of Moorhead, Minnesota is hereby amended to rezone the following as:

1. Properties currently zoned RLD-0A: Residential Low Density-0A and RLD-0B: Residential Low Density-0B to be rezoned as RLD-1: Residential Low Density-1
2. Properties currently zoned RLD-1: Residential Low Density-1 to be rezoned as RLD-2: Residential Low Density-2.
3. Properties currently zoned RMD-1: Residential Moderate Density-1 and RMD-2: Residential Moderate Density-2 to be rezoned as RMD: Residential Medium Density.
4. Properties currently zoned RHD-1: Residential High Density-1 to be rezoned as RHD: Residential High Density.

This Ordinance shall take effect after publication in accordance with the Moorhead City Charter.

PASSED: March 25, 2024 by the City Council of the City of Moorhead.

APPROVED BY:

ATTEST:

Michelle (Shelly) A. Carlson, Mayor

Christina Rust, City Clerk

First Reading: 03/25/2024

E-Post:

Second Reading:

Publication: