

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, SEPTEMBER 1, 2015

STATE OF NEBRASKA)
)
COUNTY OF BOX BUTTE) §
)
CITY OF ALLIANCE)

The Alliance City Council met in a Regular Meeting, August 18, 2015 at 7:00 p.m. in the Board of Education Meeting Room, 1604 Sweetwater Avenue. A notice of meeting was published in the Alliance Times Herald on August 11, 2015. The notice stated the date, hour and place of the meeting, that the meeting was open to the public, and that an agenda of the meeting, kept continuously current, was available for public inspection at the office of the City Clerk in City Hall; provided the Council could modify the agenda at the meeting if it determined an emergency so required. A similar notice, together with a copy of the agenda, also had been delivered to each of the City Council Members. An agenda, kept continuously current, was available for public inspection at the office of the City Clerk during regular business hours from the publication of the notice to the time of the meeting.

Mayor Yeager opened the September 1, 2015 Regular Meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Mayor Yeager, Council Members Feldges, Seiler, Jones and Korber-Gonzalez. Also present were City Manager Cox, Assistant City Manager/Finance Director Waggener, City Attorney Olsen and City Clerk Jines.

- Mayor Yeager read the Open Meetings Act Announcement.
- The first agenda item was the introduction of new City of Alliance Police Officer, David LaDuke.
- The next agenda item was the approval of the Consent Calendar.

Councilman Feldges made a motion, which was seconded by Councilman Seiler to approve the Consent Calendar as follows:

CONSENT CALENDAR – SEPTEMBER 1, 2015

1. Approval: Minutes of the Regular Meeting, August 18, 2015.
2. Approval: Payroll and Employer Taxes for the period August 1, 2015 through August 15, 2015 inclusive: \$191,321.73 and \$13,550.45 respectively.
3. Approval: Claims against all funds of the City of Alliance for the period August 11, 2015 through August 25, 2015 in the amount of \$2,203,705.94.
4. Approval: The issuance of the following Cemetery Certificates:

The East Half (E1/2) of Lot Eighteen (18), Section Nine (9), Block Twenty (20), Third Addition to the Alliance Cemetery to Charles R. Hamm, Rhonda S. Hamm and James Frohman.

The West Half (W1/2) of Lot Twenty-three (23), Section Nine (9), Block Twenty (20), Third Addition to the Alliance Cemetery to Charles R. Hamm, Rhonda S. Hamm and James Frohman.

The West Half (W1/2) of Lot Twenty-six (26), Section Nine (9), Block Twenty (20), Third Addition to the Alliance Cemetery to Charles R. Hamm, Rhonda S. Hamm and James Frohman.

5. Approval: The following contractor licenses:

General Contractor
Repair & Maintenance

CBA Construction Inc.
Gaspar Quintana dba Quintana, Inc.
Josh Simmons dba Dead on Steel Erecting

6. Approval: Resolution No. 15-72 authorizing the Grime Time Event sponsored by Box Butte General Hospital to be held on Saturday, September 12, 2015. The event primarily is held within the City's park system along the trail with obstacle type challenges for the participants. A map showing the location of the obstacles along with the obstacle descriptions have been included for your review. City staff does not participate in setting up the obstacles. BBGH has provided a Certificate of Liability Insurance which names the City as an additional insured.
7. Approval: Resolution No. 15-73. The cable franchise between Charter Communications and the City of Alliance granted by Ordinance No. 2465 on November 20, 2003 has expired. The attached resolution would extend the 2003 agreement to December 31, 2015 to allow for additional time to renegotiate a new cable franchise with Charter.
8. Approval: Resolution No. 15-74 authorizing the use of City streets and parking lot for Autumn on the Bricks and Homecoming activities on October 9 and 10, 2015. The Chamber of Commerce has provided a Certificate of Liability Insurance naming the City as an additional insurance for the Autumn on the Bricks events. The approval is also contingent upon receiving a Certificate of Insurance from the Schools naming the City as an additional insured for the Homecoming activities.
9. Approval: Resolution No. 15-86 designating the Nebraska Department of Roads as the Responsible Charge for the Box Butte Avenue Historic Lighting Project No. ENH-6257(2).

NOTE: City Manager Cox has reviewed these expenditures and to the best of his knowledge confirms that they are within budgeted appropriations to this point in the fiscal year.

Roll call vote with the following results:

Voting Aye: Feldges, Korber-Gonzalez, Seiler, Jones, Yeager.

Voting Nay: None.

Motion carried.

- City Manager Cox gave the City Manager's Report which follows in outline form:
 1. NDOR to Serve as RC
 - Streetscape (on tonight's agenda)
 - 10th Street
 - CM to serve as the Point of Contact
 2. Laing Lake Bridge
 3. NDOR Director Kyle Schneweis
 4. Transit
 - Friday Service – September 4
 5. Grass Clippings
 - Go in yards, not on streets
 6. Landfill
 - Tub grinder (brush) is operational
 7. Sidewalk by Public Works Building
 - Difficulty in requiring when lack in the past; now trying to correct
 - Looking to do the project correctly
 - Future Discussion on Sidewalks & Parkades
 8. Planning Commission
 - Tonight's Agenda and upcoming: Several items;
 - Thanks to Brent Kusek (Director) and members doing a great job
 9. BNSF Trip
 - Mayor Ralph Yeager, Chelsie Herian, Ellen Dillon, Susan Unzicker attended
 - Establish relationship
 10. Concession Volunteers by City Staff
 - City Finance Dept 9/24 Freshman football game
 - City Administration 10/5 JV football game
 11. Thousand Points of Light
 - United Methodist Church – Starting much-needed daycare!
 - Girl Scout Troop #10202 - Craft Booth (Bake sales, pet treats,) to purchase 60 tons of river rock at Alliance Animal Shelter

Highlights of Upcoming Council:

 - Sept 15 – Shipping Containers, Nuisances & Parkades
 - Sept 30 – Special Call / End of Year

Upcoming Calendar:

 - 9/23-25: LNM Conference (Handout?!)
 - 10/9-10/10: AOTB 2015

- The next agenda item was the first reading of Ordinance No. 2783, which will approve the Preliminary Plat request of Michael and Sandy McCarthy. Council was provided with the following information:

[The City of Alliance is in receipt of an application for a Preliminary Plat from Michael and Sandra McCarthy as well as Jason and Carey Tritle. The Preliminary Plat application is to combine Lots 5 and 6, Block 12, Lakefield Addition to the

City of Alliance and unplatted lands within corporate City limits. The two parcels of land are located at, and directly behind 2741 Laramie Avenue.

McCarthys are in the process of transferring ownership of the unplatted lands to Tritles who have been leasing the ground for a garage. Once that transfer is complete, the land on which the garage is located and the property already owned by Tritle must be combined into one lot in order for the garage to be considered a conforming accessory use.

The combination of lots is a process that can be done administratively if there is not any dedication of new ROW, easements, or changing any street or alley line. Although this plat meets those requirements, the east parcel of land has never been platted and as such is not eligible for an Administrative Replat combining the parcels into one lot.

The property is bordered to the north, west, and south, by R-1, Single Family Residential and to the east by R-1a, Single Family Residential. The lots to be platted are zoned R-1a and R-1. The zoning of the unplatted lands being platted will be changed from R-1a to R-1 at the same time the Final Plat is approved to eliminate the new lot from sitting in two different zoning districts.

The lots to the north, west, and south are residential in use and the lot to the east is zoned residential but is currently undeveloped and more rural in character.

The City of Alliance Planning Commission met at its regular meeting August 11, 2015 and found that the material presented to them was satisfactory. They voted yes on a recommendation to the Alliance City Council for the approval of the Preliminary Plat of Lot 6A, a Replat of Lots 5 and 6, Block 12, Lakefield Addition to the City of Alliance, and also a Part of Unplatted Lands in the Southwest Quarter of Section 24, Township 25 North, Range 48, West of the 6th Principal Meridian, Box Butte County, Nebraska.]

A motion was made by Councilman Seiler, seconded by Councilman Feldges to approve the first reading of Ordinance No. 2783 which City Clerk Jines read by title and follows in its entirety.

ORDINANCE NO. 2783

AN ORDINANCE APPROVING THE PRELIMINARY PLAT OF LOT 6A, A REPLAT OF LOTS 5 AND 6, BLOCK 12, LAKEFIELD ADDITION TO THE CITY OF ALLIANCE, NEBRASKA, AND ALSO A PART OF UNPLATTED LANDS IN THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 25 NORTH, RANGE 48 WEST OF THE 6TH P.M. TO THE CITY OF ALLIANCE, BOX BUTTE COUNTY, NEBRASKA.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF ALLIANCE, NEBRASKA:

SECTION 1. The City of Alliance has received the application for approval of the Preliminary Plat of Lot 6A, a replat of Lots 5 and 6, Block 12, Lakefield Addition to the City of Alliance, Nebraska, and also a Part of Unplatted Lands in the Southwest Quarter of Section 24, Township 25 North, Range 48 West of the 6th P.M. to the City of Alliance, Box Butte County, Nebraska from Michael and Sandra McCarthy and Jason and Carey Tritle.

SECTION 2. The Planning Commission held a public hearing August 18, 2015, and has recommended the approval of the Preliminary Plat.

SECTION 3. The Preliminary Plat contains information required by the City Code at Section 113-70, which is relevant to this request.

SECTION 4. The Preliminary Plat of Lot 6A, a replat of Lots 5 and 6, Block 12, Lakefield Addition to the City of Alliance, Nebraska, and also a Part of Unplatted Lands in the Southwest Quarter of Section 24, Township 25 North, Range 48 West of the 6th P.M.

to the City of Alliance, Box Butte County, Nebraska, is hereby approved and the subdividers are authorized to proceed with any required public works elements and preparation of a Final Plat.

SECTION 5. This approval shall expire one year from this date unless the Final Plat has been submitted. This approval does not constitute Final Plat approval or guarantee the approval of the subdivision by the City Council or the City Council's authorization to proceed with construction of improvements within the subdivision.

SECTION 6. This ordinance shall be in full force and effect from and after its approval, passage, and publication according to law.

Roll call vote to approve the first reading of Ordinance No. 2783 with the following results:

Voting Aye: Feldges, Yeager, Seiler, Jones, Korber-Gonzalez.

Voting Nay: None.

Motion carried.

- A Public Hearing to consider an amendment to the Alliance Municipal Code regarding zoning regulations in regards to accessory buildings was the next discussion item. Ordinance No. 2784 which will approve the amendment has been prepared for Council's consideration following the public hearing. Council was provided with the following information:

[At the request of the Alliance City Council, staff and the Planning Commission have prepared revisions to the Accessory Parking Structure Code in R-1 through R-5 Residential Zoning Districts. The goal was to create a code that was easier for residents to follow and for city staff to enforce.

The proposed revisions to the City of Alliance Municipal Code would split the accessory structure code into three segments detailing special requirements for carports, private garages and storage buildings.

The carport portion provides for metal carports but places greater restrictions on their placement, size, height, color and construction quality.

The code that is proposed for private garages eliminates the requirement for matching siding material as well as matching roof pitch. The remaining requirements were listed for clarification and easier interpretation. Added was the provision for a bathroom and the exclusion of a kitchen or living quarters in the garage.

The accessory storage structure code was moved from sub section (i) and revised to allow for structures up to 200 ft² without matching the residence. Storage structures greater than 200 ft² must meet the design requirements for private garages and their maximum size will be regulated by the 40% total lot coverage rule. Storage buildings that meet the definition of a "private garage" will be considered as such and limited to one per lot.

The City of Alliance Planning Commission had a discussion about the existing code at their regular meeting on June 9, 2015 and made recommendations to staff. They then held a Public Hearing at their regular meeting on August 11, 2015 wherein they voted to recommend that the Alliance City Council approve the ordinance accepting the proposed accessory structure code changes to Section 115-98 through 115-103 of the City of Alliance Municipal Code.]

Mayor Yeager stated "now is the date, time, and place to conduct a Public Hearing to hear support, opposition, criticism, suggestions, or observations of the taxpayers relating to the zoning regulations in regards to accessory buildings and opened the public hearing at 7:XX p.m.

Brent Kusek, Community Development Director was in attendance to provide Council will background information.

Hearing no further testimony, the Public Hearing closed at 7:XX p.m.

A motion was made by Councilman Jones, seconded by Councilman Korber-Gonzalez to approve the first reading of Ordinance No. 2784 which City Clerk Jines read by title and follows in its entirety.

ORDINANCE NO. 2784

AN ORDINANCE PERTAINING TO ACCESSORY USES FOR THE RESIDENTIAL DISTRICTS WITHIN THE ZONING REGULATIONS OF THE ALLIANCE MUNICIPAL CODE AND AMENDING SECTIONS 115-98 THROUGH 115-103, PROVIDING FOR AN EFFECTIVE DATE AND REPEALING EXISTING PROVISIONS OF THE ALLIANCE CODE NOT CONSISTENT WITH THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF ALLIANCE, NEBRASKA:

SECTION 1. Sections 115-98 through 115-103 of the Code of Ordinances of the City of Alliance, Nebraska are hereby amended to read as follows:

Sec. 115-98. R-1, Single-Family Residential District.

- (a) *Scope and intent.* This section applies to district R-1. The R-1, Single-Family Residential District is intended to provide a zone consisting primarily of single-family dwellings but which may have recreational, religious, and educational facilities to create a balanced neighborhood. This zone is intended to accommodate older neighborhoods in the community which were developed with smaller lot sizes.
- (b) *Permitted uses.*
 - (1) Dwellings, one-family.
 - (2) Publicly owned and operated community buildings, public museums, public libraries and churches.
 - (3) Public parks and playgrounds, including public recreation or service buildings within such parks, public administrative buildings, police and fire stations.
 - (4) Public schools, elementary and high, and private schools with curriculum equivalent to that of a public elementary or high school, and institutions of higher learning, including stadiums and dormitories in conjunction, if located on campus.
 - (5) Railroad rights-of-way, not including railroad yards.
 - (6) Manufactured homes subject to the following standards:
 - a. The home shall have no less than an 18-foot exterior width;
 - b. The roof shall be pitched with a minimum vertical rise of 2½ inches for each 12 inches of horizontal run;
 - c. The exterior material shall be of a color, material, and scale comparable with those existing in residential site-built, single-family construction;
 - d. The home shall have a nonreflective roof material which is or simulates asphalt or wood shingles, tile, or rock; and
 - e. The home shall have wheels, axles, transport lights, and removal towing apparatus removed.
- (c) *Conditional uses.*
 - (1) Golf courses and clubhouses and uses customarily accessory thereto, except miniature golf, driving ranges and other similar activities operated as a business.
 - (2) Group homes: provided that facility is not within 1,200 feet of another group home or a home of any size which serves other populations, including but not limited to correctional homes which serve people recuperating from the effects of drugs or alcohol, mental illness, or physical disability.
 - (3) Preschool nurseries and day care centers.
 - (4) Buildings, structures, and premises for public utility services, or public service corporations, which buildings or uses the council, after report of the city planning commission, deems reasonably necessary for public convenience or welfare.

- (5) Funeral homes.
- (6) Bed and breakfasts.
- (7) Irrigation wells and associated buildings and equipment, customarily incidental to the principal use of the property, only if approval is granted by the water superintendent.
- (8) Two-family dwelling.
- (9) Abandoned church or school property as permitted in [section 115-174](#)
- (d) *Performance standards.*
 - (1) *Area and bulk regulations.*

Use	Minimum Lot Size (sq. ft.)	Minimum Lot Width (feet)	Minimum Number of Dwelling Units	Setbacks (feet)				Maximum Height (feet)	Maximum Building Separation (feet)
				Front	Rear	Side	Side Street		
Dwelling (single-family)	6,600	60	1	25	25	5	15	30*	6
Accessory building	—	—	—	25	5	5	20		6

*Or a 3.5 feet addition to required northern or eastern side yard requirements for each vertical foot above 25 feet.

- a. Minimum dwelling size: 800 square feet.
- b. Lot coverage: 40 percent of total lot area.
- (2) *Permitted accessory uses.*
 - a. Home occupations as defined in [section 115-2](#) and provided in [section 115-171](#)
 - b. Detached Accessory Structures: ~~One detached garage or other accessory off-street parking structures located in the rear or side yards. Garages and other accessory off-street parking structures located in R1 through R5 districts shall not be of greater height than the principal residence, and shall be constructed of materials and colors that match the primary residence. The garage or accessory off-street parking structure and the principal residence must have the same roof pitch, matching shingles and matching siding. If either the siding or shingles of the primary residence are no longer available, then the garage shall be constructed of materials that are similar to the primary residence.~~
 - (1) Carports: No carport may be built or constructed except those which comply with the following restrictions:
 - (a) One carport or private garage may be constructed serving a principal use on the same lot. If the lot already contains a carport or a garage, it must be removed within six months of completion of the new structure.

(b) Metal carports must be placed in the rear yard.

(c) Must be placed on a concrete pad at least 4" thick.

(d) Maximum roof peak height of 10' as measured from the concrete pad.

(e) The structure must be anchored to the ground with either auger type tie downs or bolts embedded in concrete no less than the minimum depth as required by typical garage construction.

(f) Must conform to local wind and snow load requirements.

(g) The color of the structure must be the same or similar to the principal structure.

(h) A structure with more than two walls is to be considered a garage and must follow the guidelines for garage construction.

(i) The structure must be kept in good repair. Any structure deemed a nuisance by way of peeling paint, failing structural members, broken concrete, loose tie downs, etc., may be ordered to be repaired or removed by the City Building Official.

(2) Private Garages: No private garage may be built or constructed except those which comply with the following restrictions:

(a) One private garage or carport may be constructed serving a principal use on the same lot. If the lot already contains a carport or a garage, it must be removed within six months of completion of the new structure.

(b) May not be of greater height than the principal structure.

~~(c) Must be constructed using siding materials that are similar in appearance to the principal structure.~~

(d) The color of the garage must match or be similar to the color of the principal structure.

(e) Brick, stone, or veneer will only be required along the street and/or side street side(s) of the structure. If the type of covering is no longer available, the structure may be built using a similar brick, stone, or veneer as approved by the Building Official.

(f) A garage may be designed for a maximum of one bathroom; however, no kitchen, laundry facilities, or living quarters may be constructed.

(3) Storage Buildings: No storage building may be built or constructed except those which comply with the following restrictions:

(a) One storage building may be constructed or placed on a lot serving a principal use.

(b) Storage buildings greater than 200 square feet must be constructed using the same design criteria as private garages.

c. Signs as permitted in [chapter 111](#)

d. Fences as permitted in [section 115-172](#)

- e. Off-street parking and loading serving a principal use. All off-street parking shall be located on the same lot as the principal use. See [section 115-173](#)
- f. Temporary construction, grading, and demolition activities which are necessary and incidental to the development of facilities on the same lot, or on another of several lots being developed at the same time.
- g. Temporary conduct of a real estate sales office which is necessary and incidental to, and located on the site of, a subdivision being developed into five or more lots.
- h. Open area devoted to decorative paving, swimming pools, tennis courts, and other similar uses, located on the same lot as the principal use.
- i. Storage and service areas ~~and buildings~~ serving a principal use on the same lot, provided that ~~storage buildings do not exceed 150 square feet in size, or any unenclosed areas which are accessory to a principal nonresidential use not exceeding 200 square feet in area.~~
- j. A single trailer, camper, motor home or a boat, incidental to and on the same lot as principal residential uses, but only if the trailer, camper, motor home, or boat is not intended for habitation while it is on the lot, subject to the setback provisions in [section 115-170\(e\)](#).
- k. Television, radio receiving and transmitting equipment, and satellite dishes as permitted by [chapter 109](#), subject to the setback provisions in [section 115-170\(e\)](#) and not exceeding 60 feet in height.

Sec. 115-99. R-1A, Single-Family Residential District.

- (a) *Scope and intent.* This section applies to district R-1A. The R-1A, Single-Family Residential District is intended to provide a zone consisting primarily of single-family dwellings but which may have recreational, religious, and educational facilities to create a balanced neighborhood. This zoning district is intended to accommodate new and more recent subdivisions of the community that were created with larger lot sizes.
- (b) *Permitted uses.*
 - (1) Dwellings, one-family.
 - (2) Publicly owned and operated community buildings, public museums, public libraries and churches.
 - (3) Public parks and playgrounds, including public recreation or service buildings within such parks, public administrative buildings, police and fire stations.
 - (4) Public schools, elementary and high, and private schools with curriculum equivalent to that of a public elementary or high school, and institutions of higher learning, including stadiums and dormitories in conjunction, if located on campus.
 - (5) Manufactured homes subject to the following standards:
 - a. The home shall have no less than an 18-foot exterior width;
 - b. The roof shall be pitched with a minimum vertical rise of 2½ inches for each 12 inches of horizontal run;

- c. The exterior material shall be of a color, material, and scale comparable with those existing in residential site-built, single-family construction;
- d. The home shall have a nonreflective roof material which is or simulates asphalt or wood shingles, tile, or rock;
- e. The home shall have wheels, axles, transport lights, and towing apparatus removed.

(c) *Conditional uses.*

- (1) Golf courses and clubhouses and uses customarily accessory thereto, except miniature golf, driving ranges and other similar activities operated as a business.
- (2) Group homes: provided that facility is not within 1,200 feet of another group home or a home of any size which serves other populations, including but not limited to correctional homes which serve people recuperating from the effects of drugs or alcohol, mental illness, or physical disability.
- (3) Preschool nurseries and day care centers.
- (4) Buildings, structures, and premises for public utility services, or public service corporations, which buildings or uses the council, after report of the city planning commission, deems reasonably necessary for public convenience or welfare.
- (5) Bed and breakfasts.
- (6) Irrigation wells and associated buildings and equipment, customarily incidental to the principal use of the property, only if approval is granted by the water superintendent.
- (7) Two-family dwelling.
- (8) Abandoned church or school property as permitted in section 115-174

(d) *Performance standards.*

(1) *Area and bulk regulations.*

Use	Minimum Lot Size (sq. ft.)	Minimum Lot Width (feet)	Minimum Number of Dwelling Units	Setbacks (feet)				Maximum Height (feet)	Maximum Building Separation (feet)
				Front	Rear	Side	Side Street		
Dwelling (single-family)	7,000	70	1	<u>25</u>	<u>25</u>	5	15	30	6
Accessory building	—	—	—	<u>25</u>	5	5	<u>20</u>	30	6

- a. Lot coverage: 40 percent of total lot area.
- b. Minimum dwelling size: 1,000 square feet.

(2) *Permitted accessory uses.*

- a. Some occupations as defined in [section 115-2](#) and provided in [section 115-171](#)
- b. Detached Accessory Structures: One detached garage or other accessory off-street parking structures located in the rear or side yards. Garages and other accessory off-street parking structures located in R1 through R5 districts shall not be of greater height than the principal residence, and shall be constructed of materials and colors that match the primary residence. The garage or accessory off-street parking structure and the principal residence must have the same roof pitch, matching shingles and matching siding. If either the siding or shingles of the primary residence are no longer available, then the garage shall be constructed of materials that are similar to the primary residence.

(1) Carports: No carport may be built or constructed except those which comply with the following restrictions:

(a) One carport or private garage may be constructed serving a principal use on the same lot. If the lot already contains a carport or a garage, it must be removed within six months of completion of the new structure.

(b) Metal carports must be place in the rear yard.

(c) Must be placed on a concrete pad at least 4" thick.

(d) Maximum roof peak height of 10' as measured from the concrete pad.

(e) The structure must be anchored to the ground with either auger type tie downs or bolts embedded in concrete no less than the minimum depth as required by typical garage construction.

(f) Must conform to local wind and snow load requirements.

(g) The color of the structure must be the same or similar to the principal structure.

(h) A structure with more than two walls is to be considered a garage and must follow the guidelines for garage construction.

(i) The structure must be kept in good repair. Any structure deemed a nuisance by way of peeling paint, failing structural members, broken concrete, loose tie downs, etc., may be ordered to be repaired or removed by the City Building Official.

(2) Private Garages: No private garage may be built or constructed except those which comply with the following restrictions:

(a) One private garage or carport may be constructed serving a principal use on the same lot. If the lot already contains a carport or a garage, it must be removed within six months of completion of the new structure.

(b) May not be of greater height than the principal structure.

~~(c) Must be constructed using siding materials that are similar in appearance to the principal structure.~~

(dc)The color of the garage must match or be similar to the color of the principal structure.

(ed)Brick, stone, or veneer will only be required along the street and/or side street side(s) of the structure. If the type of covering is no longer available,

the structure may be built using a similar brick, stone, or veneer as approved by the Building Official.

(fe)A garage may be designed for a maximum of one bathroom; however, no kitchen, ~~laundry facilities,~~ or living quarters may be constructed.

(3) Storage Buildings: No storage building may be built or constructed except those which comply with the following restrictions:

(a) One storage building may be constructed or placed on a lot serving a principal use.

(b) Storage buildings greater than 200 square feet must be constructed using the same design criteria as private garages.

- c. Signs as permitted in [chapter 111](#)
- d. Fences as permitted in [section 115-172](#)
- e. Off-street parking and loading serving a principal use. All off-street parking shall be located on the same lot as the principal use. See [section 115-173](#)
- f. Temporary construction, grading, and demolition activities which are necessary and incidental to the development of facilities on the same lot, or on another of several lots being developed at the same time.
- g. Temporary conduct of a real estate sales office which is necessary and incidental to, and located on the site of, a subdivision being developed into five or more lots.
- h. Open area devoted to decorative paving, swimming pools, tennis courts, and other similar uses, located on the same lot as the principal use.
- i. Storage and service areas ~~and buildings~~ serving a principal use on the same lot, provided that ~~storage buildings do not exceed 150 square feet in size, or~~ any unenclosed areas which are accessory to a principal nonresidential use not exceeding 200 square feet in area.
- j. A single trailer, camper, motor home or a boat, incidental to and on the same lot as principal residential uses, but only if the trailer, camper, motor home, or boat is not intended for habitation while it is on the lot, subject to the setback provisions in [section 115-170\(e\)](#).
- k. Television, radio receiving and transmitting equipment, and satellite dishes as permitted by [chapter 109](#), subject to the setback provisions in [section 115-170\(e\)](#) and not exceeding 60 feet in height.

Sec. 115-100. District R-2, two-family residential.

- (a) *Scope and intent.* This section applies to district R-2s. The R-2, Two-Family Residential District is intended to provide a zone consisting primarily of single-family dwellings, single-family attached dwellings (duplexes) and two family homes, but which may have recreational, religious, and educational facilities to create a balanced neighborhood.
- (b) *Permitted uses.*
 - (1) Dwellings, one-family.

- (2) Publicly owned and operated community buildings, public museums, public libraries and churches.
- (3) Public parks and playgrounds, including public recreation or service buildings within such parks, public administrative buildings, police and fire stations.
- (4) Public schools, elementary and high, and private schools with curriculum equivalent to that of a public elementary or high school, and institutions of higher learning, including stadiums and dormitories in conjunction, if located on campus.
- (5) Railroad rights-of-way, not including railroad yards.
- (6) Dwellings, two-family.
- (7) Manufactured homes subject to the following standards:
 - a. The home shall have no less than an 18-foot exterior width;
 - b. The roof shall be pitched with a minimum vertical rise of 2½ inches for each 12 inches of horizontal run;
 - c. The exterior material shall be of a color, material, and scale comparable with those existing in residential site-built, single-family construction;
 - d. The home shall have a nonreflective roof material which is or simulates asphalt or wood shingles, tile, or rock; and
 - e. The home shall have wheels, axles, transport lights, and removal towing apparatus removed.

(c) *Conditional uses.*

- (1) Golf courses and clubhouses and uses customarily accessory thereto, except miniature golf, driving ranges and other similar activities operated as a business.
- (2) Group homes: provided that facility is not within 1,200 feet of another group home or a home of any size which serves other populations, including but not limited to correctional homes which serve people recuperating from the effects of drugs or alcohol, mental illness, or physical disability.
- (3) Preschool nurseries and day care centers.
- (4) Buildings, structures, and premises for public utility services, or public service corporations, which buildings or uses the council, after report of the city planning commission, deems reasonably necessary for public convenience or welfare.
- (5) Funeral homes.
- (6) Bed and breakfasts.
- (7) Irrigation wells and associated buildings and equipment, customarily incidental to the principal use of the property, only if approval is granted by the water superintendent.
- (8) Abandoned church or school property as permitted in section 115-174

(d) *Performance standards.*

- (1) *Area and bulk regulations.*

Use	Minimum	Minimum	Minimum	Setbacks	Maximum	Maximum
-----	---------	---------	---------	----------	---------	---------

	Lot Size (sq. ft.)	Lot Width (feet)	Number of Dwelling Units	(feet)				Height (feet)	Building Separation feet)
				Front	Rear	Side	Side Street		
Dwelling (single- family)	6,600	60	1	<u>25</u>	<u>25</u>	5	15	30*	6
Duplex	3,500	60	2	<u>25</u>	<u>25</u>	5	15	30*	6
Accessory building	—	—	—	<u>25</u>	5	5	<u>20</u>	30*	6

*Or a 3.5 feet addition to required northern or eastern side yard requirements for each vertical foot above 25 feet, but in no case higher than three stories.

- Minimum dwelling size: 750 square feet per unit if a two-family unit is constructed or 800 square feet if only a single-family unit is constructed.
- Lot coverage: 40 percent of total lot area.

(2) *Permitted accessory uses.*

- Home occupations as defined in [section 115-2](#) and provided in [section 115-171](#)
- Detached Accessory Structures: ~~One detached garage or other accessory off-street parking structures located in the rear or side yards. Garages and other accessory off-street parking structures located in R1 through R5 districts shall not be of greater height than the principal residence, and shall be constructed of materials and colors that match the primary residence. The garage or accessory off-street parking structure and the principal residence must have the same roof pitch, matching shingles and matching siding. If either the siding or shingles of the primary residence are no longer available, then the garage shall be constructed of materials that are similar to the primary residence.~~

(1) Carports: No carport may be built or constructed except those which comply with the following restrictions:

- One carport or private garage may be constructed serving a principal use on the same lot. If the lot already contains a carport or a garage, it must be removed within six months of completion of the new structure.
- Metal carports must be place in the rear yard.
- Must be placed on a concrete pad at least 4" thick.
- Maximum roof peak height of 10' as measured from the concrete pad.
- The structure must be anchored to the ground with either auger type tie downs or bolts embedded in concrete no less than the minimum depth as required by typical garage construction.
- Must conform to local wind and snow load requirements.

(g) The color of the structure must be the same or similar to the principal structure.

(h) A structure with more than two walls is to be considered a garage and must follow the guidelines for garage construction.

(i) The structure must be kept in good repair. Any structure deemed a nuisance by way of peeling paint, failing structural members, broken concrete, loose tie downs, etc., may be ordered to be repaired or removed by the City Building Official.

(2) Private Garages: No private garage may be built or constructed except those which comply with the following restrictions:

(a) One private garage or carport may be constructed serving a principal use on the same lot. If the lot already contains a carport or a garage, it must be removed within six months of completion of the new structure.

(b) May not be of greater height than the principal structure.

~~(c) Must be constructed using siding materials that are similar in appearance to the principal structure.~~

(dc) The color of the garage must match or be similar to the color of the principal structure.

(ed) Brick, stone, or veneer will only be required along the street and/or side street side(s) of the structure. If the type of covering is no longer available, the structure may be built using a similar brick, stone, or veneer as approved by the Building Official.

(fe) A garage may be designed for a maximum of one bathroom; however, no kitchen, ~~laundry facilities~~, or living quarters may be constructed.

(3) Storage Buildings: No storage building may be built or constructed except those which comply with the following restrictions:

(a) One storage building may be constructed or placed on a lot serving a principal use.

(b) Storage buildings greater than 200 square feet must be constructed using the same design criteria as private garages.

- c. Signs as permitted in [chapter 111](#)
- d. Fences as permitted in [section 115-172](#)
- e. Off-street parking and loading serving a principal use. All off-street parking shall be located on the same lot as the principal use.
- f. Temporary construction, grading, and demolition activities which are necessary and incidental to the development of facilities on the same lot, or on another of several lots being developed at the same time.
- g. Temporary conduct of a real estate sales office which is necessary and incidental to, and located on the site of, a subdivision being developed into five or more lots.
- h. Open area devoted to decorative paving, swimming pools, tennis courts, and other similar uses, located on the same lot as the principal use.

- i. Storage and service areas ~~and buildings~~ serving a principal use on the same lot, provided that ~~storage buildings do not exceed 150 square feet in size, or any unenclosed areas which are accessory to a principal nonresidential use not exceeding 200 square feet in area.~~
- j. A single trailer, camper, motor home or a boat, incidental to and on the same lot as principal residential uses, but only if the trailer, camper, motor home, or boat is not intended for habitation while it is on the lot, subject to the setback provisions in [section 115-170\(e\)](#).
- k. Television, radio receiving and transmitting equipment, and satellite dishes as permitted by [chapter 109](#), subject to the setback provisions in [section 115-170\(e\)](#) and not exceeding 60 feet in height.

Sec. 115-101. R-3, Multifamily Residential District.

- (a) *Scope and intent.* This section applies to district R-3. The R-3, Multifamily Residential District is intended to provide a zone consisting primarily of carefully designed medium and/or high density housing types, but which may have recreational, religious, and educational facilities to create a balanced neighborhood. Housing complexes constructed in the zone should create a transition from low density to higher intensity land uses and should encourage affordable housing, especially for young families, moderate to low income families and the elderly.
- (b) *Permitted uses.*
 - (1) Dwellings, one-family.
 - (2) Publicly owned and operated community buildings, public museums, public libraries and churches.
 - (3) Public parks and playgrounds, including public recreation or service buildings within such parks, public administrative buildings, police and fire stations.
 - (4) Public schools, elementary and high, and private schools with curriculum equivalent to that of a public elementary or high school, and institutions of higher learning, including stadiums and dormitories in conjunction, if located on campus.
 - (5) Railroad rights-of-way, not including railroad yards.
 - (6) Dwellings, two-family.
 - (7) Apartment houses, or other multiple dwellings.
 - (8) Fraternity or sorority houses and dormitories.
 - (9) Nursing, convalescent or senior citizens homes.
 - (10) Manufactured homes subject to the following standards:
 - a. The home shall have no less than an 18-foot exterior width;
 - b. The roof shall be pitched with a minimum vertical rise of 2½ inches for each 12 inches of horizontal run;
 - c. The exterior material shall be of a color, material, and scale comparable with those existing in residential site-built, single-family construction;

- d. The home shall have a nonreflective roof material which is or simulates asphalt or wood shingles, tile, or rock; and
- e. The home shall have wheels, axles, transport lights, and removal towing apparatus removed.

(c) *Conditional uses.*

- (1) Preschool nursery and day care centers.
- (2) Boardinghouses and lodginghouses.
- (3) Group home.
- (4) Hospitals and sanitariums.
- (5) Golf courses and clubhouses and uses customarily accessory thereto, except miniature golf, driving ranges and other similar activities operated as a business.
- (6) Group homes: provided that facility is not within 1,200 feet of another group home or a home of any size which serves other populations, including but not limited to correctional homes which serve people recuperating from the effects of drugs or alcohol, mental illness, or physical disability.
- (7) Preschool nurseries and day care centers.
- (8) Buildings, structures, and premises for public utility services, or public service corporations, which buildings or uses the council, after report of the city planning commission, deems reasonably necessary for public convenience or welfare.
- (9) Funeral homes.
- (10) Bed and breakfasts.
- (11) Irrigation wells and associated buildings and equipment, customarily incidental to the principal use of the property, only if approval is granted by the water superintendent.
- (12) Abandoned church or school property as permitted in section 115-174

(d) *Performance standards.*

(1) *Area and bulk regulations.*

Use	Minimum Lot Size (sq. ft.)	Minimum Lot Width (feet)	Minimum Number of Dwelling Units	Setbacks (feet)				Maximum Height (feet)	Maximum Building Separation (feet)
				Front	Rear	Side	Side Street		
Dwelling (single-family)	6,600	60	1	<u>25</u>	<u>25</u>	5	15	30*	6
Duplex	3,500	60	2	<u>25</u>	<u>25</u>	5	15	30*	6
Dwelling (multi-	2,000	60	n/a	<u>25</u>	<u>25</u>	5	15	35*	6

family)									
Accessory building	—	—	—	25	5	5	20	—	6

*Or a 3.5 feet addition to required northern or eastern side yard requirements for each vertical foot above 35 feet.

- a. Minimum dwelling size: 570 square feet per unit if the unit is larger than a two-family dwelling; 750 square feet per unit if a two-family unit is constructed, and 800 square feet for each single-family unit is constructed.
 - b. Lot coverage: 40 percent of total lot area.
- (2) *Permitted accessory uses.*

- a. Home occupations as defined in [section 115-2](#) and provided in [section 115-171](#)
- b. Recreation areas including tenant use swimming pool, and minor recreation buildings, tenant trash collection centers, power generators, vending machines for tenant use and other similar uses.
- c. Signs as permitted in [chapter 111](#)
- d. Fences as permitted in [section 115-172](#)
- e. Off-street parking and loading serving a principal use. All off-street parking shall be located on the same lot as the principal use. See [section 115-173](#)
- f. ~~Detached Accessory Structures: Garages and other accessory off-street parking structures located in all residential districts shall not be of greater square footage or height than the principal residence and shall be constructed of similar materials and colors and be in character and scale with existing neighborhood construction.~~

(1) Carports: No carport may be built or constructed except those which comply with the following restrictions:

- (a) One carport or private garage may be constructed serving a principal use on the same lot. If the lot already contains a carport or a garage, it must be removed within six months of completion of the new structure.
- (b) Metal carports must be place in the rear yard.
- (c) Must be placed on a concrete pad at least 4" thick.
- (d) Maximum roof peak height of 10' as measured from the concrete pad.
- (e) The structure must be anchored to the ground with either auger type tie downs or bolts embedded in concrete no less than the minimum depth as required by typical garage construction.
- (f) Must conform to local wind and snow load requirements.
- (g) The color of the structure must be the same or similar to the principal structure.
- (h) A structure with more than two walls is to be considered a garage and must follow the guidelines for garage construction.

(i) The structure must be kept in good repair. Any structure deemed a nuisance by way of peeling paint, failing structural members, broken concrete, loose tie downs, etc., may be ordered to be repaired or removed by the City Building Official.

(2) Private Garages: No private garage may be built or constructed except those which comply with the following restrictions:

(a) One private garage or carport may be constructed serving a principal use on the same lot. If the lot already contains a carport or a garage, it must be removed within six months of completion of the new structure.

(b) May not be of greater height than the principal structure.

~~(c) Must be constructed using siding materials that are similar in appearance to the principal structure.~~

(d) The color of the garage must match or be similar to the color of the principal structure.

(e) Brick, stone, or veneer will only be required along the street and/or side street side(s) of the structure. If the type of covering is no longer available, the structure may be built using a similar brick, stone, or veneer as approved by the Building Official.

(f) A garage may be designed for a maximum of one bathroom; however, no kitchen, ~~laundry facilities~~, or living quarters may be constructed.

(3) Storage Buildings: No storage building may be built or constructed except those which comply with the following restrictions:

(a) One storage building may be constructed or placed on a lot serving a principal use.

(b) Storage buildings greater than 200 square feet must be constructed using the same design criteria as private garages.

- g. Temporary construction, grading, and demolition activities which are necessary and incidental to the development of facilities on the same lot, or on another of several lots being developed at the same time.
- h. Temporary conduct of a real estate sales office which is necessary and incidental to, and located on the site of, a subdivision being developed into five or more lots.
- i. Open area devoted to decorative paving, swimming pools, tennis courts, and other similar uses, located on the same lot as the principal use.
- j. Storage and service areas ~~and buildings~~ serving a principal use on the same lot, provided that ~~storage buildings do not exceed 150 square feet in size, or any~~ unenclosed areas which are accessory to a principal nonresidential use not exceeding 200 square feet in area.
- k. A single trailer, camper, motor home or a boat, incidental to and on the same lot as principal residential uses, but only if the trailer, camper, motor home, or boat is not intended for habitation while it is on the lot, subject to the setback provisions in [section 115-170\(e\)](#).

- l. Television, radio receiving and transmitting equipment, and satellite dishes as permitted by chapter 109, subject to the setback provisions in section 115-170(e) and not exceeding 60 feet in height.

Sec. 115-102. R-4, Residential Mobile Home Park District.

- (a) *Scope and intent.* This section applies to district R-4. The R-4, Residential Mobile Home Park District is intended to provide for the location of mobile homes on rented lots that may, or may not, conform to lot size requirements of more traditional single-family residential subdivisions and which may accommodate mobile, or modular, homes in a less restrictive manner than the traditional single-family residential subdivision.
- (b) *Permitted uses.*
 - (1) Dwellings, one-family.
 - (2) Publicly owned and operated community buildings, public museums, public libraries and churches.
 - (3) Public parks and playgrounds, including public recreation or service buildings within such parks, public administrative buildings, police and fire stations.
 - (4) Public schools, elementary and high, and private schools with curriculum equivalent to that of a public elementary or high school, and institutions of higher learning, including stadiums and dormitories in conjunction, if located on campus.
 - (5) Railroad rights-of-way, not including railroad yards.
 - (6) Mobile homes on rented lots.
 - (7) Other permanent facilities in conjunction with owning and operating a park.
 - (8) Mobile homes located on individually owned lots shall be permitted within residential mobile home parks subject to the following provisions:
 - a. Mobile homes so located after October 8, 1987, shall comply with all regulations set forth in section 115-103, and, any addition or enlargement of an existing residential mobile home park after the effective date of the ordinance from which this section is derived shall comply in total with the regulations governing district R-5, single-family residential mobile home.
 - b. Mobile homes located on individually owned lots shall be served by independent connection to municipal water and sanitary sewer lines.
 - c. The sale of an unplatted lot or space within a mobile home park shall be approved by the planning commission and city council in compliance with statutory requirements for the subdivision of land.
 - d. Mobile homes or modular homes placed on individually owned lots shall meet the following or basement requirements: Foundation or basement requirement. All modular homes, manufactured housing units, sectionalized unit homes, site constructed homes, mobile homes, and any other structure used as a residence located in this zone, shall be placed upon basements or permanent perimeter foundations complying with the city's building code. The city building inspector may grant a delay of foundation construction due to adverse winter weather

conditions, in such case the foundation shall be completed within 30 days of resumption of permissible construction weather.

- e. The minimum area of an existing tract in a mobile home park as of October 8, 1987, shall be 4,000 square feet in order to transfer ownership.

(c) *Conditional uses.*

- (1) Buildings, structures, and premises for public utility services, or public service corporations, which buildings or uses the council, after report of the city planning commission, deems reasonably necessary for public convenience or welfare.
- (2) Irrigation wells and associated buildings and equipment, customarily incidental to the principal use of the property, only if approval is granted by the water superintendent.
- (3) Abandoned church or school property as permitted in section 115-174

(d) *Performance standards.*

- (1) Area and bulk regulations.

Use	Minimum Lot Size (sq. ft./DU)	Maximum Number of Dwelling Units	Front Setbacks* (feet)	Maximum Mobile Home Separation**	Height (stories)	
Dwelling (single family)						
Rented lot	—	1/lot	25		1	
Owned lot	4,000	1/lot	25		1	
Use	Minimum Lot Size (sq. ft./DU)	Minimum Number of Dwelling Units	Front Setbacks* (feet)	Maximum Height (feet)	Maximum Mobile Home Separation**	Height (stories)
Dwelling (single family)						
Rented lot	—	1/lot	25	30*		1
Owned lot	4,000	1/lot	25	30*		1

*The following exceptions regarding setbacks apply to the R-4 zone: The set back on lots along the north side of 8th Street between Flack and Pine Avenues, and the south side of 9th Street between Flack and Pine Avenues, and the east side of Flack Avenue between 2nd and 3rd Streets and the north side of 2nd Street between Flack Avenue and Avenue A, and lots abutting a dedicated public street of 60 feet or more, may be measured from the curbline, or curbline extended, of such street or avenue instead of from the property line to effect setback compliance, but in no event shall any mobile home be located so as to encroach on a platted city street. Although a number of mobile homes in the areas aforementioned will not now, as of this date have the prescribed 25 feet front set

back even after counting the width of the parking established between curblane, curblane extended, and the property line, as those lots are sold, the full 25 feet setback from the street or avenue curblane shall be required between the curblane or curblane extended and the mobile home.

****Mobile home separations:**

End to end: six feet

End to side: eight feet

Side to side: ten feet

- a. Minimum dwelling size.
 1. One bedroom: 570 square feet.
 2. Two bedroom: 700 square feet.
 3. Three bedroom: 850 square feet.
 4. Four bedroom: 1,020 square feet.
- b. Lot coverage: 30 percent of total lot area.
- c. Skirting: The entire undercarriage and wheel assembly shall be screened from the view by means of a nonflammable skirting material of metal or concrete construction that shall extend from the mobile home pad to the floor level.
- d. Single-wide and double-wide mobile homes, located in district R-4, on rented lots, may be placed upon basements or permanent foundations or, as a minimum, shall meet tie-downs, anchorage, pier and footing requirements of the Department of Defense Publication TR-75, which is hereby adopted by reference as if printed in the chapter.

(2) Permitted accessory uses.

- a. Home occupations as defined in [section 115-2](#) and provided in [section 115-171](#)
- b. Signs as permitted in [chapter 111](#)
- c. Fences as permitted in [section 115-172](#)
- d. Off-street parking and loading serving a principal use. All off-street parking shall be located on the same lot as the principal use. See [section 115-173](#)
- e. **Detached Accessory Structures: Garages and other accessory off-street parking structures located in all residential districts shall not be of greater square footage or height than the principal residence and shall be constructed of similar materials and colors and be in character and scale with existing neighborhood construction. The total area of all garages and other accessory off-street parking structures, whether integral with the home, attached, or detached from the home, in residential areas shall not exceed 2,000 square feet per lot. Only one detached garage per dwelling lot is permitted.**

(1) Carports: No carport may be built or constructed except those which comply with the following restrictions:

- (a) One carport or private garage may be constructed serving a principal use on the same lot. If the lot already contains a carport or a garage, it must be removed within six months of completion of the new structure.**

- (b) Metal carports must be placed in the rear yard.
 - (c) Must be placed on a concrete pad at least 4" thick.
 - (d) Maximum roof peak height of 10' as measured from the concrete pad.
 - (e) The structure must be anchored to the ground with either auger type tie downs or bolts embedded in concrete no less than the minimum depth as required by typical garage construction.
 - (f) Must conform to local wind and snow load requirements.
 - (g) The color of the structure must be the same or similar to the principal structure.
 - (h) A structure with more than two walls is to be considered a garage and must follow the guidelines for garage construction.
 - (i) The structure must be kept in good repair. Any structure deemed a nuisance by way of peeling paint, failing structural members, broken concrete, loose tie downs, etc., may be ordered to be repaired or removed by the City Building Official.
- (2) Private Garages: No private garage may be built or constructed except those which comply with the following restrictions:
- (a) One private garage or carport may be constructed serving a principal use on the same lot. If the lot already contains a carport or a garage, it must be removed within six months of completion of the new structure.
 - (b) May not be of greater height than the principal structure.
 - ~~(c) Must be constructed using siding materials that are similar in appearance to the principal structure.~~
 - (d) The color of the garage must match or be similar to the color of the principal structure.
 - (e) Brick, stone, or veneer will only be required along the street and/or side street side(s) of the structure. If the type of covering is no longer available, the structure may be built using a similar brick, stone, or veneer as approved by the Building Official.
 - (f) A garage may be designed for a maximum of one bathroom; however, no kitchen, laundry facilities, or living quarters may be constructed.
- (3) Storage Buildings: No storage building may be built or constructed except those which comply with the following restrictions:
- (a) One storage building may be constructed or placed on a lot serving a principal use.
 - (b) Storage buildings greater than 200 square feet must be constructed using the same design criteria as private garages.
- f. Temporary construction, grading, and demolition activities which are necessary and incidental to the development of facilities on the same lot, or on another of several lots being developed at the same time.

- g. Temporary conduct of a real estate sales office which is necessary and incidental to, and located on the site of, a subdivision being developed into five or more lots.
- h. Open area devoted to decorative paving, swimming pools, tennis courts, and other similar uses, located on the same lot as the principal use.
- i. Storage and service areas ~~and buildings~~ serving a principal use on the same lot, provided that ~~storage buildings do not exceed 150 square feet in size, or any~~ unenclosed areas which are accessory to a principal nonresidential use not exceeding 200 square feet in area.
- j. A single trailer, camper, motor home or a boat, incidental to and on the same lot as principal residential uses, but only if the trailer, camper, motor home, or boat is not intended for habitation while it is on the lot, subject to the setback provisions in [section 115-170\(e\)](#).
- k. Television, radio receiving and transmitting equipment, and satellite dishes as permitted by [chapter 109](#), subject to the setback provisions in [section 115-170\(e\)](#) and not exceeding 60 feet in height.

(e) *Design criteria.*

- (1) *Height and area regulations.* Mobile home parks may be developed only in the R-4 zone districts where this use is permitted in accordance with the following requirements:
 - a. *Park area.* The park has a minimum site area of 217,800 square feet or five acres with a minimum of ten developed mobile home lots.
 - b. *Complies to state and municipal regulations.* The park complies with all state and municipal licensing procedures, health, zoning, plumbing, electrical, building, fire prevention and all other applicable zoning ordinances and regulations of the city.
- (2) *Distance between structures.* Any portion of a mobile, or manufactured home, excluding the tongue, shall not be located closer than ten feet side to side, eight feet end to side, or six feet end to end horizontally from any other mobile or manufactured home or community building. No mobile home shall be located closer than 25 feet to any exterior property line.
- (3) *Design requirements.*
 - a. The request for this use shall specify the location and legal description of such proposed mobile home park and a plan of the park to include property dimensions, interior roads, proposed mobile home sites, sanitary utility lines and other improvements.
 - b. The park is properly landscaped, in the opinion of the planning commission, so as not to constitute a nuisance to other residence.
 - c. Mobile homes in such parks shall be limited to use for residential purposes, except for the mobile home park office.
 - d. Entrances to a mobile home park shall have direct connections to an improved public street and shall be designed to allow free movement of traffic on any adjacent public street.

- e. The design of private drives serving mobile home parks shall conform to all minimum street paving and width standards and shall have proper curb and gutter design.
- f. Utilities shall adhere to municipal utility spacing standards.

Sec. 115-103. R-5, Single-Family Residential Mobile Home District.

(a) *Scope and intent.* This section applies to district R-5. The R-5, Single-Family Residential Mobile Home District is intended to provide for the location of mobile homes on lots owned by the mobile home owner in a traditional single-family residential subdivision setting.

(b) *Permitted uses.*

- (1) Dwellings, one-family.
- (2) Publicly owned and operated community buildings, public museums, public libraries and churches.
- (3) Public parks and playgrounds, including public recreation or service buildings within such parks, public administrative buildings, police and fire stations.
- (4) Public schools, elementary and high, and private schools with curriculum equivalent to that of a public elementary or high school, and institutions of higher learning, including stadiums and dormitories in conjunction, if located on campus.
- (5) Railroad rights-of-way, not including railroad yards.
- (6) Mobile home on individually owned lots.

(c) *Conditional uses.*

- (1) Buildings, structures, and premises for public utility services, or public service corporations, which buildings or uses the council, after report of the city planning commission, deems reasonably necessary for public convenience or welfare.
- (2) Irrigation wells and associated buildings and equipment, customarily incidental to the principal use of the property, only if approval is granted by the water superintendent.
- (3) Abandoned church or school property as permitted in section 115-174

(d) *Performance standards.*

(1) *Area and bulk regulations.*

Use	Minimum Lot Size (sq. ft.)	Minimum Lot Width (feet)	Minimum Number of Dwelling Units	Setbacks (feet)				Maximum Height (feet)	Maximum Building Separation (feet)
				Front	Rear	Side	Side Street		
Dwelling (single-family)	7,000	(a)	1	25	25	5	15	30	6
Accessory	—	—	—	25	5	5	20	—	6

Building									
----------	--	--	--	--	--	--	--	--	--

a. Minimum lot dimensions and lot exceptions

1. Minimum lot dimensions: Minimum lot dimensions in district R-5 shall be 60 feet wide by 130 feet deep curvilinear platted lots shall have the minimum lot width at the front building setback line and shall contain the minimum lot area.
2. The planning commission and city council may approve previously platted lots not meeting the minimum dimensions of this section if said lots meet the minimum setback requirements and the minimum lot area of 7,800 square feet. Such approval shall be on an individual lot basis.

b. Minimum dwelling size.

1. One bedroom: 570 square feet.
2. Two bedroom: 700 square feet.
3. Three bedroom: 850 square feet.
4. Four bedroom: 1,020 square feet.

c. The minimum mobile home width in this district shall be 14 feet.

d. No R-5 district shall be created which contains less than five acres of contiguous area.

(2) *Permitted accessory uses.*

a. Home occupations as defined in [section 115-2](#) and provided in [section 115-171](#)

b. Detached Accessory Structures: ~~One detached garage or other accessory off-street parking structures located in the rear or side yards. Garages and other accessory off-street parking structures located in R1 through R5 districts shall not be of greater height than the principal residence, and shall be constructed of materials and colors that match the primary residence. The garage or accessory off-street parking structure and the principal residence must have the same roof pitch, matching shingles and matching siding. If either the siding or shingles of the primary residence are no longer available, then the garage shall be constructed of materials that are similar to the primary residence.~~

(1) Carports: No carport may be built or constructed except those which comply with the following restrictions:

(a) One carport or private garage may be constructed serving a principal use on the same lot. If the lot already contains a carport or a garage, it must be removed within six months of completion of the new structure.

(b) Metal carports must be place in the rear yard.

(c) Must be placed on a concrete pad at least 4" thick.

(d) Maximum roof peak height of 10' as measured from the concrete pad.