

City Plan Board's Recommendation

Sec. 30-124. – Fowl (Chickens)

- (a) Permitted zoning districts. The keeping of fowl (chickens) shall be allowed as accessory to any single family residence for personal use in the following zoning districts: RSF-1, 3.5 units/acres single-family residential district; RSF-2, 4.6 units/acres single-family residential district; RSF-2, 5.8 units/acres single-family residential district; RSF-4, 8 units/acres single-family residential district; and RC, 12 units/acre residential conservation district as a use by right in-accordance with subsection (b) below.
- (b) Permitting requirements:
- (1) No more than 10 chickens shall be allowed ~~four (4) hens shall be allowed on lots 10,000 square feet or less and up to 6 hens on lots greater than 10,000 square feet.~~
 - (2) Roosters are prohibited.
 - (3) All fowl must be kept in an enclosed area, if a coop is used the location must meet the setbacks for a principal structure in the zoning districts and must be placed in a rear yard. Coops whether mobile or stationary, shall be designed to ~~must be mobile to protect turf and prevent the build-up of pathogens and waste~~
 - (4) Off –premise free range fowl is prohibited.
 - (5) All properties must be kept in a sanitary condition at all times in such a manner to control noxious odors, and the breeding of rodents, flies and other insects, so as not to create a nuisance of any kind, including keeping feed in enclosed containers and disposing of waste regularly . Odors must not be detectable at the property lines
 - (6) All properties must comply with city codes regarding noise and nuisances.
 - (7) Poultry and poultry by products shall not be sold on the premises

DIVISION 2. - RESIDENTIAL ZONING DISTRICTS

Sec. 30-51. - Single-family residential districts (RSF-1, RSF-2, RSF-3 and RSF-4).

- (a) *Purpose.* The single-family districts are established for the purpose of providing areas for low density single-family residential development with full urban services at locations convenient to urban facilities, neighborhood convenience centers, neighborhood shopping centers and activity centers. These districts are characterized by single-family residential structures designed and located so as to protect the character of single-family residential neighborhoods.
- (b) *Objectives.* The provisions of these districts are designed to:
- (1) Protect and stabilize the essential characteristics of such existing development;
 - (2) Encourage such future development to occur on vacant land where the natural characteristics of such land are suitable for this type of development;
 - (3) Enable single-family development to occur at appropriate locations and with sufficient density so as to facilitate the provision of urban services and facilities in an economical and efficient manner;
 - (4) Encourage low density development where higher density development would be detrimental to the health, safety and welfare of the community by reason of environmental constraints, open space or other factors; and
 - (5) Discourage any activities not compatible with such residential development.
- (c) *Permitted uses.*
- (1) *Uses by right.*
 - a. Single-family dwellings and customary accessory buildings incidental thereto.
 - b. Occupancy of a single-family dwelling by one family.
 - c. Community residential homes, in accordance with article VI.
 - d. Family child care homes, in accordance with state law.
 - e. Adult day care homes, in accordance with article VI.
 - f. Home occupations, in accordance with article IV.
 - g. Large family child care homes, in accordance with article VI.
 - h. Fowl (chickens), in accordance with article VI.**
 - (2) *Uses by special use permit.*
 - a. Places of religious assembly, in accordance with article VI.
 - b. Private schools, in accordance with article VI.
 - c. Public schools, other than institutions of higher learning, in accordance with [section 30-77](#), educational services district (ED).
- (d) *General requirements.* All structures and uses within this district shall also comply with the applicable requirements and conditions of [section 30-56](#) and article IX.
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(e) *Dimensional requirements.* (See Table 1):

TABLE 1. DIMENSIONAL REQUIREMENTS FOR RSF DISTRICTS
Principal Structures

	RSF-1	RSF-2	RSF-3	RSF-4
Maximum density	3.5 du/a	4.6 du/a	5.8 du/a	8 du/a
Minimum lot area	8,500 sq. ft.	7,500 sq. ft.	6,000 sq. ft.	4,300 sq. ft.
Minimum lot width at minimum front yard setback	85 ft.	75 ft.	60 ft.	50 ft.
Minimum lot depth	90 ft.	90 ft.	90 ft.	80 ft.
Minimum yard setbacks:				
Front	20 ft.	20 ft.	20 ft.	20 ft.
Side (interior)	7.5 ft.	7.5 ft.	7.5 ft.	7.5 ft.
Side (street)	10 ft.	10 ft.	7.5 ft.	7.5 ft.
Rear	20 ft.	20 ft.	15 ft.	10 ft.
Maximum building height	35 ft.	35 ft.	35 ft.	35 ft.

Accessory Structures¹, Excluding Fences and Walls

Minimum front and side yard setbacks	Same requirements are for the principal structure.
Minimum yard setback, rear ²	7.5 ft.
Maximum building height	25 ft.
Transmitter towers ³	80 ft.

¹ Accessory screened enclosure structures whether or not attached to the principal structure may be erected in the rear yard as long as the enclosure has a minimum yard setback of three feet from the rear

property line. The maximum height of the enclosure at the setback line shall not exceed eight feet. The roof and all sides of the enclosure not attached to the principal structure must be made of screening material.

² One pre-engineered or premanufactured structure of 100 square feet or less may be erected in the rear and side yards as long as the structure has a minimum yard setback of three feet from the rear or side property lines, is properly anchored to the ground, and is separated from neighboring properties by a fence or wall which is at least 75 percent opaque.

³ In accordance with article VI.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3955, § 10, 2-14-94; Ord. No. 960060, § 1, 6-8-98; Ord. No. 980990, § 1, 6-28-99; Ord. No. 041268, § 2, 8-22-05; Ord. No. 070619, § 1, 3-24-08)

Sec. 30-52. - Residential low density districts (RMF-5, RC and MH).

- (a) *Purpose.* The residential low density districts are established to provide suitable areas for low density residential development with various dwelling unit types compatible with single-family dwellings. These districts are designed and located so as to provide a desirable residential environment and transition between differing intensities of land use. Specifically, the RC district is established to provide suitable zoning protection to those areas where single-family development has occurred on properties with minimum lot sizes and where such development patterns are desirable to maintain due to unique neighborhood, social and physical characteristics which are present. The MH district is established to provide for mobile home neighborhoods of sufficient size to sustain a stable and sound micro-environment with individual lots of dimensions necessary to provide safe and healthful residential living.
- (b) *Objectives.* The provisions of these districts are designed to:
- (1) Encourage such development to locate near neighborhood convenience centers and neighborhood shopping centers;
 - (2) Create transition areas between low intensity land uses and other more intense land uses;
 - (3) Provide for a variety of dwelling unit types compatible with traditional single-family residential development;
 - (4) Provide for low density residential development in areas where such development could be logically integrated with or located near traditional single-family residential development or in transitional areas on land where the clustering of units would permit the most effective use of such land, while preserving open space and other natural features;
 - (5) Encourage privacy, internal stability, attractiveness, order and efficiency in these areas by providing for adequate light, air and usable open space for residential purposes through the careful design and consideration of the proper functional relationships among uses permitted; and
 - (6) Provide for such residential development to occur where public facilities and services are present.
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(c) *Permitted uses.*

(1) *Uses by right.*

a. *Uses by right for RMF-5 and RC districts.*

Use	Conditions
Single-family dwellings	
Two-family dwellings ¹	
Three-family dwellings ¹	Excluding RC district
Four-family dwellings ¹	Excluding RC district
Townhouses or rowhouses of up to six attached dwellings	Except in RC district. No more than four-family dwellings are allowed in RMF-5 unless the dwellings are townhouses or rowhouses. Each dwelling has a maximum width of 40 feet. More than six attached units are allowed if the property is not adjacent to property zoned RSF-1, RSF-2, RSF-3, and RSF-4. Each townhouse unit shall have a separate front entrance to the street side sidewalk from the outside at ground level. Stoops are permitted and may occur up to five feet forward of the required setback line as provided in the Land Development Code. Stoops may be covered or uncovered and shall be constructed according to the dimensions described in the "Building Elements" section of the University Heights Special Area Plan.
Housing for the elderly	In accordance with article VI.
Community residential homes	In accordance with article VI.
Family child care homes	In accordance with state law.
Large family child	In accordance with article VI.

care homes	
Adult day care homes	In accordance with article VI.
Home occupations	In accordance with article IV.
Places of religious assembly	In accordance with article VI.
Public schools other than institutions of higher learning	In accordance with the provisions of article IV, section 30-77 , educational services district (ED).
Private schools	In accordance with article VI.
Day care centers	In accordance with article VI.
Accessory buildings	Incidental to permitted uses, not including management offices.
<u>Fowl (chickens)</u>	<u>Excluding RMF-5 and In accordance with article VI.</u>

¹Units shall be erected on separate lots if the intent is to sell the individual units separately.