

SUBCHAPTER 75: GENERAL DEVELOPMENT STRUCTURES

75.005 Minimum Area of Lots

No lot or parcel shall be divided or reduced in area in such a way as to violate the minimum area and width requirements of the zone in which the lot or parcel is located. No nonconforming lot of record shall be divided or reduced in area in such a way as to violate further the area and width requirements of the zone in which the lot or parcel is located.

75.010 Required Yard Areas not to be Divided

No portion of a lot or parcel necessary to provide the lot area or density of dwelling units required by the zone or plan designation in which that lot or parcel is located shall be divided or reduced in area. No yard, landscaped area, open space, or common area required by this ordinance shall be reduced in area or divided from the lot or parcel for which it is required.

75.015 Yards Apply to Only One Main Building

No yard, landscaped areas, open space, or common area required for a lot or a main building shall be counted as meeting the yard, open space, or area requirements of another lot or building.

75.020 Yards to be Unobstructed

Every required front, side, and rear yard shall be open and unobstructed by buildings or structures from the ground to the sky except for those projections and accessory structures permitted by this ordinance. Objects and materials such as firewood, building supplies, campers, boats, and vehicles which are stored for a period exceeding 30 consecutive days in one calendar year shall be subject to the yard requirements of this ordinance.

75.025 Parking in Required Yards

No parking of an automobile, truck, camper, boat, trailer, or other vehicle shall be allowed within 15 feet of any street, except in a driveway. No parking shall be allowed within any required landscaped area or common area. No driveway or required yard adjacent to a street shall be used for the permanent storage of any trailer, camper, or boat.

75.035 Projections into Required Front Yards

The following projections and structures may project or extend into a required front yard:

- A. Planter boxes;
- B. Chimneys and flues;
- C. Steps;
- D. Cornices;

- E. Eaves;
- F. Gutters;
- G. Belt courses;
- H. Headers;
- I. Sills;
- J. Pilasters;
- K. Lintels;
- L. Other ornamental features not extending more than 24 inches from the main building;
- M. Uncovered porches and balconies provided that the overall height of the appendage is not greater than the height of the ground floor of the primary structure;
- N. Covered, but unenclosed porches, which are not more than three (3) feet above grade;
- O. Stoops, the floors of which are not more than three (3) feet above grade;
- P. Bay windows.

In no case shall any of the above projections or structures encroach more than 20 percent into a required front yard.

75.040 Projections into Required Side Yards

- A. Cornices, eaves, gutters, bay windows and fire escapes may project into a required side yard not more than two (2) feet.
- B. Chimneys, flues, belt courses, leaders, sill, pilasters, lintels, and ornamental features may project not more than 1½ feet into a required side yard.
- C. Uncovered decks and patios attached to the main building when measured directly beneath the outside edge of the deck or patio may be extended to the side yard property line provided they are less than two (2) feet in height from ground level.

75.045 Projections into Required Rear Yards

- A. Cornices, eaves, gutters, bay windows, fire escapes, outside stairways or other unenclosed, unroofed projections may extend into a required rear yard a maximum distance of five (5) feet.

B. Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, gutters, and other ornamental features may project not more than 1½ feet into a required rear yard.

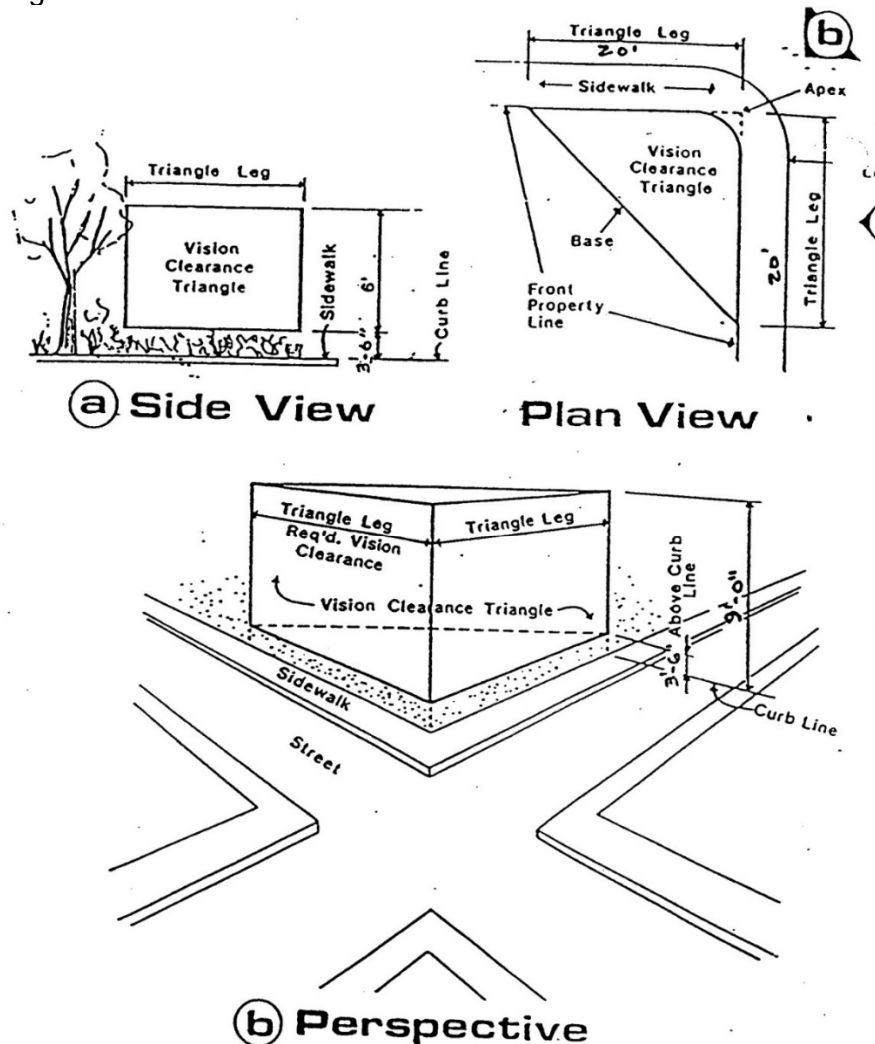
C. Uncovered patios, porches, and decks attached to the main building and having a height of two (2) feet or less may extend to the rear property line.

75.050 Projections Above Required Heights

Towers, chimneys, steeples, electronic communication antennae, and similar projections from the roof of a main building may exceed the height requirements of the zone in which they are located. Such projections shall not contain any habitable space and shall not exceed a total height above ground for 50 feet in any residential zone, or 85 feet in other zone.

75.055 Vision Clearance

Vision clearance, as defined in this ordinance, shall be provided in accordance with the following diagram:



75.060 Townhouse Dwelling Units

Townhouse units permitted in residential zones or authorized in approved subdivisions or Planned Unit Developments shall meet the following use and development standards:

A. Number of attached units. The number of townhouse units constructed as an adjoining structure shall not be more than four (4) dwelling units, each on a lot held in separate ownership. More than one such structure may be allowed per subdivision or planned unit development.

B. Maintenance easement. As a condition of issuance of a permit for any building having an exterior wall contiguous to a property line, the applicant shall furnish an easement from the owner of the property adjacent to said wall providing for ingress, egress, and use of such adjacent property for the purpose of maintaining, repairing, and replacing the building. Said easement shall be appurtenant to the property on which the building is located and shall be approved as to form by the City Attorney and shall be recorded with Polk County prior to issuance of the permit.

75.070 Cottage Cluster Developments

A. Siting Standards. The siting standards in the table below apply to the development of a Cottage Cluster on a lot.

Siting Standards - Cottage Cluster	
Minimum Number of Cottages per Cottage Cluster	5 cottages
Maximum Number of Cottages per Cottage Cluster	8 cottages
Average Cottage Size. Based on average floor area of all cottages and community buildings within the cottage cluster.	1,400 sf or less
Average Cottage Footprint	
• Average of cottages with height of 15 feet or less	1,400 sf or less
• Average of cottages with height over 15 feet	900 sf or less
Maximum Building/Structure Height	25 ft
Minimum Site Perimeter Setbacks	Same as underlying zone.
Maximum Lot Coverage	45%
Minimum Required Open Space - Courtyard	150 sf per cottage
Vehicle Parking	See Section 73.010.
Areas Owned in Common Common areas must be maintained by a homeowners association or other legal entity. Such legal entity may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions must be recorded and provided to the city prior to issuance of a building permit.	

B. Design Standards

1. Cottage orientation. Cottages must be clustered around a common courtyard as demonstrated by meeting the following standards:
 - a. Each cottage within a cluster must have a main entrance that is directly connected to the common courtyard by a pedestrian walkway.
 - b. A minimum of 50 percent of cottages within a cluster must:
 1. Be within 10 feet from the common courtyard, measured from the façade of the cottage that includes the main entrance to the nearest edge of the common courtyard; and
 2. Have a main entrance that either faces the common courtyard or is no more than 20 feet from the common courtyard.
 - c. Exceptions. An existing dwelling included within a cottage cluster may be excluded from the calculation of cottages oriented toward the common courtyard at the applicant's option.
2. Common Courtyard Design Standards. Each cottage cluster must share a common courtyard that meets the following standards:
 - a. The common courtyard must be a single, contiguous piece.
 - b. Cottages must abut the common courtyard on at least two sides of the courtyard.
 - c. The common courtyard must be a minimum of 15 feet wide at its narrowest dimension and must meet the minimum required open space area standard in the table in Section 75.070(A).
 - d. The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian walkways, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.
 - e. Pedestrian walkways must be included in a common courtyard. Walkways that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.
3. Community Buildings. Cottage cluster projects may include community buildings for the shared use of residents that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, day care, or community eating areas. Community buildings must meet the following standards:
 - a. Each cottage cluster is permitted one community building, which shall count towards the maximum average floor area, pursuant to the table in Section 75.070(A).

- b. If a community building meets the definition of a dwelling unit and has a footprint that exceeds the maximum footprint in the table in Section 75.070(A) and/or would exceed the maximum number of cottages in a cottage cluster, a covenant must be recorded against the property stating that the structure is not a legal dwelling unit and will not be used as a primary dwelling.
- 4. Pedestrian Access.
 - a. An accessible pedestrian walkway must be provided that connects the main entrance of each cottage to the following:
 - 1. The common courtyard;
 - 2. Shared parking areas;
 - 3. Community buildings; and
 - 4. Sidewalks in public rights-of-way abutting the lot or rights-of-way if there are no sidewalks.
 - b. The walkway must be hard-surfaced and a minimum of 5 feet wide.
- 5. Windows and Doors. Standard. Cottages that face a street or alley lot line must meet the following standards:
 - a. The front façade must have a minimum of 25 percent windows or pedestrian entrance doors.
 - b. Alley facing façade must have a minimum of 15 percent windows or pedestrian entrance doors.
 - c. All other street-facing facades must have a minimum of 15 percent windows or pedestrian entrance doors.
 - d. Exceptions. The following facades are exempt from these standards:
 - 1. Facades separated from the street lot line by a dwelling or buildable lot.
- 6. Parking Design.
 - a. Parking location and access. Parking areas shall meet the standards of Section 19.020.
 - b. Clustered parking. Off-street parking may be arranged in clusters, subject to the following standards:
 - 1. Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than 5 contiguous spaces.
 - 2. Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than 8 contiguous spaces.
 - 3. Parking clusters must be separated from other spaces by at least 4 feet of landscaping.
 - 4. Clustered parking areas may be covered.
 - c. Screening. Landscaping, fencing, or walls at least 3 feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.
 - d. Garages and carports.

1. Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.
 2. Individual detached garages must not exceed 400 square feet in floor area.
 3. Garage doors for attached and detached individual garages must not exceed 20 feet in width.
7. Accessory Structures.
 - a. Accessory structures must not exceed 400 square feet in floor area.
 - b. Accessory structures must not be located between a cottage and common open space or courtyard.
8. Existing Structures. On a lot to be used for a cottage cluster project, an existing detached single-unit dwelling on the same lot at the time of proposed development of the cottage cluster may remain within the cottage cluster project area under the following conditions:
 - a. The existing dwelling may be nonconforming with respect to the requirements of this code.
 - b. The existing dwelling may be expanded up to the maximum height or the maximum building footprint in Section 75.070(A); however, existing dwellings that exceed the maximum height and/or footprint of this code may not be expanded.
 - c. The floor area of the existing dwelling shall not count towards the average cottage size of a cottage cluster.
9. Trash Storage. Shared trash storage facilities for trash and recycling receptacles as defined in Chapter 13 of the IDC shall meet the screening standards of 54.010(C).