



Planning & Development Division
Planning & Economic Development Department

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Date: March 2, 2022

To: Planning Commissioner

From: Adam Fulton, Deputy Director

RE: Public Hearing, Proposed UDC Text Amendments –MU-P & R-P Districts, Cottage Home Parks

Proposed changes to the UDC text for the referenced districts are based on updates discussed over the past several months with the Commission, and based on previous work plan items for UDC updates, and the policy direction of the Imagine Duluth 2035 Comprehensive Plan. These items were brought initially before the Planning Commission in August 2021, for preliminary review and comment.

Recommendation:

Staff recommends that the Planning Commission conduct a public hearing on the proposed UDC changes, and make a recommendation of approval for those changes to the City Council.

Proposed changes are as follows:

Residential-Planned (R-P) – Section 50-14.7

The R-P district allows for modifications to the underlying zoning requirements through a adoption of a regulating plan for a given development site with a stronger focus on development of new housing options in the City.

The proposed amendments would address establishment of a minimum standard to allow for modifications to underlying base zoning, but would establish additional flexibility in site plan development should the project achieve those minimum standards as part of development of an effective regulating plan. That flexibility is proposed to be expanded, through broader options in property setbacks, frontage, and lot area, as well as through additional options for height and parking. The standards for 'common open space' are also streamlined, as this area of the R-P requirements has resulted in substantial challenge in its utility for development sites because it is written in a highly proscriptive way. The minimum lot size for R-P districts would also be reduced, to match MU-P at a minimum size of one acre.

The proposed changes were evaluated and developed based on guidance of the comprehensive plan, as follows:

Housing Policy #1 - Increase density in and around the designated Core Investment Areas. (page HS-20)

Strategy 3: Explore opportunities to increase amenities to create livable and walkable neighborhoods

Strategy 4: Focus on creative housing options of a non-traditional neighborhood design, such as homeownership through dense attached or detached single-family housing development fronting a pedestrianized street.

Housing Policy #2 – Provide affordable, attainable housing opportunities (page HS-21)

Strategy 6: Continue to adjust applicable UDC criteria for housing development to encourage innovation and to simplify and accelerate the development process.

Economic Development Policy #3—Build on Existing Economic Strengths & Competitive Advantages (page ED-18)

Strategy 2: Coordinate with major institutions, including hospital and university campuses, to plan for their growth, minimize development impacts, and provide for stability and livability for the campuses, their employees, and surrounding neighborhoods.

Mixed Use – Planned (MU-P) – Section 50-15.7

The MU-P district allows for modifications to the underlying zoning requirements through adoption of a regulating plan for a given development site. The proposed changes for the MU-P district would clarify the requirements for circumstances when an MU-P is permitted, providing for a minimum of three policy directives to be met from the list in 50-15.7.C before such modifications can be pursued.

The remainder of the proposed changes for the MU-P district relate predominately to the table following 50-15.7.C, providing for additional modifications in the categories such as lot frontage, height, and parking. The proposed minimum size for a MU-P-eligible site would be reduced from a minimum of two acres to one acre.

These changes are related long-identified issues in the UDC that do not function for use of the MU-P district in new development scenarios, and to the Imagine Duluth 2035 comprehensive plan, which included the following direction:

Economic Development Policy #3—Build on Existing Economic Strengths & Competitive Advantages (page ED-18)

Strategy 4: Create a menu of options and next steps to encourage redevelopment of short-term priority sites.

Governing Principle #8: Encourage mix of activities, uses, and densities. (page G-4)

Cities have evolved as a mix of land uses, building types, housing types, and activities. Accommodating choice while protecting investment is a balance to strike in land use regulation. Mixed uses provide opportunities for a diversity of activity that segregated, uniform uses do not provide.

Cottage Home Parks (50-20.1.G)

City staff are proposing several minor changes to the Cottage Home Park use specific standards. Most changes are corrective/clarifying changes to better establish the city's expectations for these type of developments. The most significant change is increasing the size of cottage homes from 200 to 800 square feet (the current size for accessory dwellings) to 200 to 1,200 square feet. The minor increase in size is to allow more housing variety, but still preserve the intent of having homes that are smaller and more compact than average/contemporary new homes entering the market, preserving the goal to keep development and construction costs lower and assist with affordability.

General Development Policies, Zoning Updates (page GD-7):

Strategy 2: Revise UDC lot size and dimensional standards to determine appropriateness of using small lots, including 25-foot lots, for new development. Consider educational measures about how to execute small-lot development while maintaining consistency with neighborhood form and creating modern, desirable housing.

MU-P district

50-15.7 Mixed Use-Planned (MU-P).

A. Purpose.

The MU-P district is established to provide a flexible development option for mixed use projects that integrate creative site design, provide a variety of building types, provide unique on-site amenities, conserve natural features, increase pedestrian connectivity, or otherwise result in a final product that provides a greater level of public benefit than would be required under the existing zone district. Each MU-P district requires approval of an MU-P regulating plan that includes the location, type, and intensity of proposed development and a description of public amenities or benefits included. A variety of residential and commercial uses are permitted, as shown in Table 50-19.8, provided projects are compatible in scale and character with the surrounding neighborhood and are included in the approved MU-P plan;

B. Examples.



C. Modifications.

An applicant may seek only the modifications in Table 50-15.7-1, based on demonstration of how the proposal supports the purpose of the MU-P district as stated in Section 50-15.7.A and proposes as part of the project to be achieved through the MU-P rezoning three or more of the following priorities ~~the following desired MU-P amenities:~~

1. Significant preservation and protection of natural resources and undeveloped areas, including wetlands, trees, key habitat, and wildlife areas;
2. A higher level of sustainability, demonstrated in buildings, site design, and transportation, than required by Section 50-28;
3. More efficient and effective use of streets, utilities, and public facilities to support high quality development at a lesser cost;
4. Recreational facilities that are open available for regular to the public use, such as parks, trails, and playgrounds.
5. Accommodations for and linkages to mass transit;
6. Creative site and building design;
7. Bike lanes and trails within the development and that connecting to other trails and destinations in the city's transportation systems;
8. Pedestrian services amenities such as benches, plazas, pedestrian-scaled lighting, traffic calming, and art;

Table 50-15.7-1: Modifications Allowed.	
Chapter Requirement	Maximum Modification Allowed
Distance from property lines	No required yards
Building height	<u>50% 20% increase if not within 200' of an R-1 or R-2, if application demonstrates avoidance of substantial impacts to views from uphill sites</u>
Lot frontage	<u>40% decrease No required lot frontage</u>
Buildings per lot	More than one building may be placed on one lot
Parking	<u>40% decrease in addition to other allowable chapter reductions or a 10% increase over the maximum—Provided in accordance with the parking needs for proposed development, as demonstrated through a professionally completed parking study</u>
Landscaping	<u>20% decrease—Alternative or off-site landscaping permitted</u>
Street <u>cross-section width</u>	<u>Public or private street permitted; street cross section as determined by City Engineer and Land Use Supervisor</u>
Building design standards	<u>Can May</u> propose alternative standards
Higher Education Overlay	<u>Can May</u> propose alternative standards

D. Applicability.

An MU-P district shall only be established in the R-2, MU-N, MU-C, and MU-B districts provided the property meets the requirements in Table 50-15.7-2.

TABLE 50-15.7-2: Characteristics of MU-P Areas.	
Current zoning	R-2, MU-N, MU-C, MU-B
Minimum lot size	<u>2 — acres 1 acre</u>

E. Rezoning approval and regulating plan required.

The establishment of an MU-P district requires rezoning the property per Section 50-37.3 from a current zone district to MU-P and the approval of an MU-P plan per Section 50-37.11, that governs the uses, location, density, dimensional standards and character of the proposed project.

In accordance with the purpose of the MU-P district, approval of the MU-P plan is deemed to include subdivision approval; MU-P districts are not required to submit a separate subdivision application under Section 50-37.5,

F. Development standards.

1. The development standards of the base zone district(s) where the property is located shall apply to any MU-P zoned land unless waived or varied by the terms of an approved MU-P regulating plan. The ordinance approving an MU-P district and the approved regulating plan shall identify the previous base zone districts for each portion of the property;
2. Overall density in residential portions of the MU-P shall ~~be identified; follow the density requirements of the previous zone district unless modified as part of the MU-P plan;~~
3. ~~Height standards:~~
 - ~~(a) Maximum building height within 200 feet of an R-1 district is 35 feet;~~
 - ~~(b) Maximum building height within 200 feet of an R-2 district is 50 feet;~~
4. Common open space. Adequate provisions shall be made for the permanent preservation and maintenance of active or passive open space. Common open space shall not be less than 20 percent of the area of the project ~~and shall comply with the following requirements:~~
 - ~~(a) Common open space shall include the shore and bluff impact zones;~~
 - ~~(b) Common open space shall include, where possible, wetlands, floodplains, wildlife areas, steep slopes, rock outcrops, tree stands and areas unsuitable for development in their natural state;~~
 - ~~(c) At least 50 percent of the common open space shall be retained in a contiguous area;~~
- ~~5.4. Common open space shall not include roads or right-of-way;~~
- 6.5. The development shall encourage walkable, bikeable communities through the use of complete streets, alleys, sidewalks and trails, interconnected street networks, small blocks, front porches, and buildings that are sited adjacent to streets;
- 7.6. All ~~shoreland setbacks and other dimensional~~ natural resource requirements from Section 50-18.1 (NR-O) shall continue to apply and cannot be varied through the MU-P process;

G. Required community meeting.

The applicant shall hold at least one community meeting to discuss the project plan before submitting an application for MU-P rezoning the plan for review and approval by the city. Notice of the public meeting shall be mailed to all property owners within 350 feet outside the planning area boundaries, and the city shall provide the applicant with the names and address of those property owners upon request. The applicant shall submit with the application documentation that the community meeting has taken place, the date and time of the meeting, the number of attendees, any issues raised regarding the plan and any responses to those concerns incorporated in the plan;

H. Required rezoning application and regulating plan contents.

1. The rezoning application (approved per Section 50-37.3) shall include the following information:
 - (a) A concept map showing the property to be rezoned and general uses within the area;
 - (b) Maximum residential densities and maximum square footage for nonresidential land uses;
 - (c) Maximum building heights;
2. The regulating plan (approved per Section 50-37.11) shall cover all of the land in the proposed MU-P district and shall regulate all future development in the MU-P district. An approved MU-P plan is required before any building permits may be issued within the MU-P district. The MU-P plan shall include maps and text describing the following information:
 - (a) General layout of development areas and building parcels in relation to the natural features to be protected and the proposed road, trail and bicycle circulation systems;
 - (b) Lot sizes and widths, building setbacks, and maximum building heights for all proposed development parcels;
 - (c) Previous base zone districts;
 - (d) A traffic impact analysis;

- (e) A road, trail and bicycle circulation plan (including how the circulation may intersect with transit use) and a description of proposed road, trail and bike route widths, trail surfaces, a proposal for maintenance of each road and trail (which may include dedication to and maintenance by the city), and a statement as to whether public access will be permitted on each road, trail, and bicycle route;
- (f) A natural resources inventory and natural site features to be protected;
- (g) Common open space to be provided, the location of that open space, a calculation of proposed open space as a percentage of the total land area in the MU-P zone, a proposal for protection and maintenance of the open space over time and a statement as to whether public access to the open space shall be provided;
- (h) Permitted and special uses for the site, which shall be consistent with those shown in Table 50-19.8; special uses listed in the MU-P plan will need to apply for and receive a special use permit prior to building;
- (i) Maximum residential densities and maximum square footage for nonresidential land uses;
- (j) A plan describing the demand for and location of water, sewer, and utility service to the property, including any additional right-of-way needed to accommodate those utilities. In addition, the plan shall indicate all utilities that will be owned or maintained by the public, and if any of those services are to be provided by the city or a public or quasi-public district, and provide a statement as to whether the proposed facilities will meet the engineering and maintenance standards of that entity;
- (k) Details on buffering or transitioning between uses of different intensities both on- and off-site;
- (l) A plan for stormwater collection and treatment that includes a summary of land use and technical methods used to minimize storm water run-off from the site;
- (m) Off-street parking to be provided in driveways, surface lots and garages;
- (n) Any public amenities, other than common open space, to be provided by the applicant, together with a statement as to whether those amenities shall be available for public use;
- (o) Any required building types, form-based regulation or architectural design requirements, as well as a description of how those standards will be maintained and enforced over time;
- (p) If a project involves construction over a period of time in two or more phases, a phasing plan demonstrating that each phase meets density requirements, open space requirements, and provision of public amenities. Phasing plan shall include an approximate time frame for each phase of development. The applicant shall provide agreements, contracts, covenants, deed restrictions, and sureties acceptable to the city attorney for the completion of the development according to the approved MU-P plan;
- (q) Cross sections demonstrating the proportions of buildings and the relationship between those buildings, pedestrian spaces and the streetscape;

I. Amendments.

Applications to amend an existing MU-P plan shall follow the process described in Section 50-37.3 if they relate to uses, densities, or height. All other amendments shall follow the process in Section 50-37.11. (Added by Ord. No. 10192, 12-17-2012, § 6; Ord. No. 10286, 3-10-2014, § 4.)

50-14.7 Residential-Planned (R-P).

A. Purpose.

The R-P district is established to provide a flexible development option for residential projects that integrate creative site design, provide a variety of housing types, provide unique on-site amenities, conserve natural features, increase pedestrian connectivity, or otherwise result in a final product that provides a greater level of public benefit than would be required under the existing zone district. Each R-P district requires approval of an R-P regulating plan that includes the location, type and intensity of proposed development and a description of public amenities or benefits included. Single-family residences, two-family residences and townhouses, as well as accessory uses, are permitted, as shown in Table 50-19.8, provided projects are compatible in scale and character with the surrounding neighborhood and are included in the approved R-P plan;

B. Examples.

C. Modifications.

An applicant may seek only the modifications in Table 50-14.7-1, based on demonstration of how the proposal supports the purpose of the R-P district as stated in subsection 50-14.7.A and proposes as part of the project to be achieved through the R-P rezoning three or more of the following priorities the following desired R-P amenities:

1. Significant preservation and protection of natural resources and undeveloped areas, including wetlands, trees, key habitat, and wildlife areas.
2. A higher level of sustainability, demonstrated in buildings, site design, and transportation, than required by Section 50-28.
3. More efficient and effective use of streets, utilities, and public facilities to support high quality development at a lesser cost.
4. Recreational facilities that are ~~open~~ available for regular to the public use, such as parks, trails, and playgrounds.
5. Accommodations for and linkages to mass transit.
6. ~~Creative site design as appropriate for the site, such as New Urbanist design for a walkable community or conservation development for a rural neighborhood.~~ Compact residential development that incorporates small lots and significant density (for single-family developments this would be 4-10 units/acre).
7. Bike lanes and trails within the development ~~and that connecting~~ in the city's transportation system.
8. Pedestrian services ~~amenities~~ such as benches, plazas, pedestrian-scaled lighting, traffic calming, and art.

Table 50-14.7-1: Modifications Allowed	
Chapter Requirement	Maximum Modification Allowed
Distance from property lines	Reduction in setbacks; minimum 5' setback from rights of way <u>No required yards</u>
Lot frontage	25% decrease <u>No required minimum lot frontage</u>
Lot area, general	20% decrease <u>No required minimum lot area</u>
Lot area, when clustering is used to preserve open space	Overall density of the R-P district should demonstrate a maximum of 20% decrease over base zone districts. Individual lot sizes are allowed up to a 50% decrease.
Building height	Up to a 5' increase <u>Up to a 50% increase, if application demonstrates avoidance of substantial impacts to views from uphill sites</u>
Parking	<u>Provided in accordance with the parking needs for proposed development, as demonstrated through a professionally completed parking study</u>
Landscaping	15% decrease <u>Alternative or off-site landscaping permitted</u>
Street cross-section width	<u>As determined by city engineer and land use supervisor</u>

D. Applicability.

An R-P district shall only be established in the ~~RR-1, RR-2, and R-1, and R-2~~ districts provided the property meets the requirements in Table 50-14.7-2;

TABLE 50-14.7-2: Characteristics of High-Density and Low-Density in R-P Areas	
Current zoning	RR-1, RR-2, R-1, R-2
Minimum lot size	4 1 acres

E. Rezoning approval and regulating plan required.

The establishment of an R-P district requires rezoning the property per Section 50-37.3 from a current zone district to R-P and the approval of an R-P plan per Section 50-37.11 that governs the uses, location, density, dimensional standards and character of the proposed project.

In accordance with the purpose of the R-P district, approval of the R-P plan is deemed to include subdivision approval; R-P districts are not required to submit a separate subdivision application under Section 50-37.5;

F. Development standards.

1. The development standards of the base zone district(s) where the property is located shall apply to any R-P zoned land unless waived or varied by the terms of an approved R-P regulating plan. The ordinance approving an R-P district and the approved regulating plan shall identify the previous base zone districts for each portion of the property;

2. Overall density in residential portions of the R-P shall follow the density requirements of the previous zone district unless modified as part of the R-P plan;

3. Minimum percentage of property (excluding common open space) used for residential purposes shall be 66 percent;

4. Common open space. Adequate provisions shall be made for the permanent preservation and maintenance of active or passive open space. Common open space shall not be less than 30 percent of the area of the project (not including right-of-way) and shall follow generally accepted conservation design practices and include preservation of views, sensitive natural areas, trees, and natural habitat. Common open space should endeavor to be contiguous and shall be owned and managed by a property owners association or, if acceptable to the city, dedicated to the public. comply with the following requirements:

~~(a) Common open space shall include the shore and bluff impact zones;~~

~~(b) Common open space shall include, where possible, lands within the Skyline Overlay;~~

~~(c) Common open space shall include, where possible, wetlands, floodplains, wildlife areas, steep slopes, rock outcrops, tree stands and areas unsuitable for development in their natural state;~~

~~(d) No more than one quarter of the required common open space shall consist of wetlands;~~

~~(e) Common open space shall not include areas within 25 feet of any structure, any impervious surface, or the area between buildings within an individual cluster of buildings;~~

~~(f) At least 50 percent of the common open space shall be retained in a contiguous area;~~

~~(g) Where possible, the design should utilize features such as vegetation, fences, topography, roads or trails to delineate the boundary of the common open space to minimize potential physical encroachments into the common open space by adjacent homeowners;~~

~~(h) Common open space shall not include land within rights of way;~~

~~(i) Ownership of common open space. Common open space shall be owned and managed by a property owners association and shall be encumbered through an easement, restrictive covenant or other instrument suitable to the city;~~

5. All shoreland setbacks and other dimensional requirements from Section 50-18.1 (NR-O) shall continue to apply and cannot be varied through the R-P process;

G. Required community meeting.

The applicant shall hold at least one community meeting to discuss the plan before submitting the rezoning application plan for review and approval by the city. Notice of the public meeting shall be mailed to all property owners within 350 feet outside the planning area boundaries, and the city shall provide the applicant with the names and address of those property owners upon request. The applicant shall submit with the application documentation that the community meeting has taken place, the date and time of the meeting, the number of attendees, any issues raised regarding the plan and any responses to those concerns incorporated in the plan;

H. Required rezoning application and regulating plan contents.

1. The rezoning application (approved per Section 50-37.3) shall include the following information:

- (a) A concept map showing the property to be rezoned and general uses within the area;
- (b) Maximum residential densities and maximum square footage for nonresidential land uses;
- (c) Maximum building heights;

2. The regulating plan (approved per Section 50-37.11) shall cover all of the land in the proposed R-P district and shall regulate all future development in the R-P district. An approved R-P plan is required before any building permits may be issued within the R-P district. The R-P plan shall include maps and text describing the following information:

- (a) General layout of development areas and building parcels in relation to the natural features to be protected and the proposed road, trail and bicycle circulation systems;
- (b) Lot sizes and widths, building setbacks, and maximum building heights for all proposed development parcels;
- (c) Previous base zone districts;
- (d) A road, trail and bicycle circulation plan (including how the circulation may intersect with transit use) and a description of proposed road, trail and bike route widths, trail surfaces, a proposal for maintenance of each road and trail (which may include dedication to and maintenance by the city), and a statement as to whether public access will be permitted on each road, trail, and bicycle route;
- (e) A natural resources inventory and natural site features to be protected;
- (f) Common open space to be provided, the location of that open space, a calculation of proposed open space as a percentage of the total land area in the R-P zone, a proposal for protection and maintenance of the open space over time and a statement as to whether public access to the open space shall be provided;
- (g) Permitted and special uses for the site, which shall be consistent with those shown in Table 50-19.8; special uses listed in the R-P plan will need to apply for and receive a special use permit prior to building;
- (h) Maximum residential densities and maximum square footage for nonresidential land uses;

- (i) A plan describing the demand for and location of water, sewer, and utility service to the property, including any additional right-of-way needed to accommodate those utilities. In addition, the plan shall indicate all utilities that will be owned or maintained by the public, and if any of those services are to be provided by the city or a public or quasi-public district, and provide a statement as to whether the proposed facilities will meet the engineering and maintenance standards of that entity;
- (j) Details on buffering or transitioning between uses of different intensities both on- and off-site;
- (k) A plan for stormwater collection and treatment that includes a summary of land use and technical methods used to minimize storm water run-off from the site;
- (l) Off street parking to be provided in driveways, surface lots and garages;
- (m) Any public infrastructure, ~~amenities~~, other than common open space, to be provided by the applicant, together with a statement as to whether those amenities shall be available for public use;
- (n) Any required building types, form-based regulation or architectural design requirements, as well as a description of how those standards will be maintained and enforced over time;
- (o) If a project involves construction over a period of time in two or more phases, a phasing plan demonstrating that each phase meets density requirements, open space requirements, and provision of public amenities. Phasing plan shall include an approximate time frame for each phase of development. The applicant shall provide agreements, contracts, covenants, deed restrictions, and sureties acceptable to the city attorney for the completion of the development according to the approved R-P plan;
- (p) Cross sections demonstrating the proportions of buildings and the relationship between those buildings, pedestrian spaces, and the streetscape;

I. Previously approved developments.

All residential developments approved prior to November 19, 2010, as low-density planned developments pursuant to Sections 50-36.1 through 50-36.3 of the previous zoning code shall be treated as approved developments, and will be rezoned to the R-P zone district;

J. Amendments.

Applications to amend an existing R-P plan shall follow the process described in Section 50 37.3 if they relate to uses, densities, or height. All other amendments shall follow the process in Section 50-37.11. (Ord. No. 10044, 8 16 2010, § 6; Ord. No. 10096, 7 18 2011, § 9; Ord. No. 10192, 12 17 2012, § 4; Ord. No. 10286, 3 10 2014, § 1.)

50-20.1.G Cottage Home Park

In the ~~RR-1~~, RR-2, R-1, R-2, and MU-N districts, this use is subject to the use-specific standards as set forth below:

1. Development standards. All dwelling units within a cottage home park shall be subject to setback, height, off-street parking, and other regulations appropriate for one-family dwellings in the applicable zone district that the cottage home park is located, except as provided within this section;
2. Minimum lot area and lot frontage. Dwelling units shall meet the minimum lot area and lot frontage requirement for multi-family, townhome, or two family developments of the applicable zone district that the home park is located, whichever is smaller or least;
3. ~~Principal entrance~~ Design Standards. Each dwelling unit shall have a principal entrance. oriented towards a public street or towards a central community area within a cottage home development. Cottage homes within a cottage home park may not be less than 200 square feet nor more than 1,200 square feet.
4. Common open space or amenity area. Cottage housing developments shall provide common open space or an amenity area which is centrally located, accessible from, and at the disposition of all dwelling units. Common open space shall not be less the than 20 percent of the area of the cottage home park, excluding land dedicated for public or private streets or alleys.
5. Connectivity and access. A connectivity plan shall be submitted as part of any Special Use Permit application that shows sidewalks or multi-use paths connecting units to public streets, nearest DTA bus stop, nearest public park, other community amenities and other destinations, and to other units within the cottage home park. The connectivity plan shall encourage a walkable, bikeable cottage home park through the use of complete streets, alleys, sidewalks and trails;
6. Subdivision. Approval of a cottage home park does not negate to the need for subdivision review and approval, where applicable. The Special Use Permit application shall indicate compliance with city subdivision standards, or indicate if it is exempt due to state statute (CIC plat, etc).
7. Utility Connections. A utility plan shall be submitted that shows how utilities will be provided to all units within the cottage home park, including any utility easements required for the provision of utilities. Cottage home parks must provide separate sewer and water services for each dwelling unit as required by the city engineer, except in those areas where City utilities are not available without significant utility extensions as identified by the city engineer.
8. Access. Either a public or private street is permitted to provide accessto units within a Cottage Home Park. A road plan must be submitted with the Special Use Permit application that shows proposed cross section, which must be approved determined by City Engineer and Land Use Supervisor

50-41.4

Dwelling, cottage. A one-family dwelling unit which does not include any accessory dwelling units, and providing basic requirements for living, sleeping, cooking, eating, and sanitation, constructed on compliant footings or foundation, with permanent connections to public sanitary sewer and water, and which is located within a cottage housing development. No recreational vehicle, or structure on a chassis, shall constitute a cottage dwelling. A dwelling, cottage, must contain at least 200 square feet of enclosed space, but may not exceed 1200 square feet.