

165.35 "R-3" MULTI-FAMILY RESIDENTIAL DISTRICT. The regulations set forth in this section or elsewhere in this chapter which are applicable shall apply in the "R-3" Multi-Family Residential District.

1. Principal Permitted Uses. A building or premises shall be used only for the following purposes.
 - A. Any use permitted in the "R-2" Residential District providing such use shall comply with the minimum requirements of the "R-3" District.
 - B. Multiple-family apartment and condominium buildings designed for more than two (2) dwelling units providing such use shall not exceed eight (8) dwelling units per one-half acre of lot area, and twelve (12) dwelling units for each building.
 - C. Multi-family dwellings when part of a Townhouse Residential Complex of two or more such buildings, and provided such complex shall not exceed eight (8) dwelling units on each acre of lot area.
 - D. Nursery schools and other child care.
2. Accessory Uses.
 - A. Any use permitted in the "R-2" Residential District providing such use shall comply with the minimum requirements of the "R-3" District.
 - B. Multi-family entertainment and service centers, providing such areas shall not be located to the front of the principal building at ground level or above, and such areas shall be screened from public view.
 - C. Retail shops and refreshment stands accessory to principal buildings described in Section (1)(B) of this section (apartment and condominium buildings); provided, however, there shall be no access to such place of retail shop except from the inside of the principal building or internal courtyard, nor shall any display of stock, goods or advertising for such be so arranged that it can be viewed from outside the principal building.
3. Height Regulations. No principal building shall exceed three (3) stories or thirty-five (35) feet in height, at the required front, side and rear yard building lines.
4. Lot Area, Lot Frontage and Yard Requirements. The following minimum requirements for all uses shall be observed:

- A. Lot area 10,000 square feet
- B. Lot width 80 feet
- C. Front yard depth 30 feet
- D. Side yard (least width on any one side)..... 10 feet
- E. Width (minimum sum of both side yards).. 20 feet
- F. Rear yard depth..... 35 feet

The side yard least width on any one side for townhouses shall, however, be zero feet.

5. Building Floor Area to Lot Area Ratio Requirements. The building floor area ratio shall not exceed the following:

Height of Building	Total Floor Area to Lot Area Ratio
1 story	0.30
2 story	0.50
3 story	0.60

- 6. Off-street Parking Regulations.
 - A. For each one (1) and two (2) family dwelling unit, there shall be two (2) parking spaces for each dwelling unit, exclusive of private garages.
 - B. For a multi-family dwelling, there shall be two (2) parking spaces for each dwelling unit.

7. Open Space Regulations. On each lot there shall be provided an open space equal to at least twenty percent (20%) of the total lot area, said space shall be unencumbered with any structure or off-street parking and shall be landscaped and well maintained with grass, trees and shrubbery, except for areas used as pedestrian walks and ingress-egress drives; and ingress-egress drives shall not exceed two 20-foot lanes which are separated by open space.

8. Buffers Required. Buffers may be required in accord with Section 165.42 of this chapter.

9. *(Repealed by Ord. 379 – Jan. 08 Supp.)*

§301.14. "R-4" Row Dwelling and Townhome District. The "R-4" District is established to provide for row dwelling and townhome dwelling uses and areas.

A. **Principal Permitted Uses.** Only the uses of structures or land listed in this Section shall be permitted in the "R-4" District.

1. Row dwellings or townhomes consisting of not more than twelve (12) dwelling units in one building or attached structure; and not to exceed six (6) units in length.
2. For units to qualify under the terms and provisions of this classification, each dwelling unit shall have separate facilities for gas, electricity, sewerage and water.

B. **Permitted Accessory Uses.**

1. Storage garages

C. **Bulk Regulations.** The following minimum requirements shall be observed subject to the modifications contained in Section 301.26. Sanitary sewer is required for other than R-1 or R-2 residential use.

1. Minimum Plat Area: 15,000 square feet
(The area within the perimeter of the plat)
2. Lot Area Per Dwelling Unit: 3,500 square feet per unit (Higher density maybe allowed upon review and approval by the Planning and Zoning Commission and City Council.)
June 6, 2005 – Ordinance 2518
3. Minimum Floor Area: 800 square feet per unit.
June 6, 2005 – Ordinance 2519
4. Lot Width: Row dwellings - 20 feet per unit; 75 ft overall

- 5. Front Yard: 30 feet; when fronting on the right-of-way of a major thoroughfare shown on the Official Major Street Plan, the front yard shall be measured from the proposed right-of-way line.
- 6. Side Yards: A total of 15 feet; one side may be reduced to not less than 7 feet; 15 feet for any other principal building. For the purpose of determining side yard requirements in row dwellings, the entire row dwelling structure shall be considered to be one building.
- 7. Rear Yards: Same as in "R-2" District.
- 8. Maximum Height: Same as in "R-2" District.
- 9. Maximum Number of Stories: Same as in "R-2" District.

D. **Off-Street Parking and Loading.** Spaces for off-street parking and loading shall be provided in accordance with the provisions of Section 301.27.

E. **"R-1" or "R-2" Election.** In any "R-4" District the owner may elect to treat the district as an "R-1" or "R-2" District; provided, however, if plat approval is requested containing any one- or two-family detached dwelling, then the entire district will be either an "R-1" District or an "R-2" District and subject to the requirements of Section 301.11 or 301.12. Thereafter, no row dwellings or townhome dwellings may be built in said district.

F. **Site Plan Requirements.** See Chapter 304 of the Municipal Code.

G. **Minimum Open Space.** The total land area devoted to open space and landscaping shall not be less than twenty (20) percent of the gross land area included in the building lot. Such open space shall be maintained as grassed and landscaped area and shall not include access drives, parking areas, structures or buildings; except ornamental structures included as part of the landscaping theme.

October 20, 2003 – Ordinance 2437

165.40 R-5 TOWNHOUSE RESIDENTIAL DISTRICT.

1. Purpose. The purpose of this district is to provide space for individuals and small families in low-density group housing accommodations with individual or shared parking, open space and other facilities in locations near major arterials and shopping facilities and in neighborhoods that are or soon will be served by a full range of public services.
2. Permitted Uses. Any use permitted in and conforming to the minimum and maximum requirements of the R-2 or R-3 District and multiple family uses. Accessory uses incidental to and on the same zoning lot as the principal use.
3. Accessory Uses.
 - A. Private garages.
 - B. Normal accessory buildings and structures for a dwelling, such as swimming pools, children's playhouses, radio and television receiving antennas, barbecue pits, playground equipment, tennis courts, etc.
 - C. Raising and keeping of animals is prohibited on a commercial basis.
 - D. Temporary buildings for use incidental to construction work. Such buildings shall be removed upon the completion or abandonment of the construction work.
4. Conditional Uses. The following conditional uses may be allowed by the Board of Adjustment subject to the requirements of this and all other City ordinances and in accordance with the Comprehensive Plan of the City.
 - A. Public or private elementary, junior high or middle schools, high schools, and similar educational facilities, but not including boarding, rooming, or residential dwelling units.
 - B. Churches and other religious organizations.
 - C. Public or nonprofit museums and historic sites or buildings, including offices and support facilities accessory thereto.
 - D. Public utility facilities, including transmission and distribution equipment, substations, regulator stations, and buildings associated therewith, but not including facilities for maintenance or general operations or communication towers. Evidence shall be provided to show such facilities are essential to service the public, that no reasonable alternative exists, and that all negative impacts, including esthetics, have been mitigated to the extent possible.
 - E. Nursery schools and other child care.
 - F. Extended care, intermediate care, or rehabilitation or residential care nursing facilities, but not including care of (or homes for) the emotionally disturbed, mentally ill, retarded, persons with social or personal problems, delinquents or offenders, or persons with past or present drug or alcohol dependence.
 - G. Bed and breakfast.
5. Use Intensity Ratios. A maximum land use intensity ratio of 4.0 shall be permitted. Ratios relating to floor area, open space, living space and recreation space

shall be coordinated for this and any lesser rating that may be selected to the degree that minimum and maximum requirements indicated in Table 1 for each ratio are observed.

TABLE 1: LAND USE INTENSITY RATIOS

Land Use Intensity Rating	Maximum Floor Area Ratio	Minimum Open Space Ratio	Minimum Living Space Ratio	Minimum Recreation Space Ratio	Land Use Intensity Ratio
3.0	.100	8.3	6.5	.25	3.0
3.1	.107	7.4	5.8	.24	3.1
3.2	.115	6.9	5.2	.23	3.2
3.3	.123	6.4	4.7	.23	3.3
3.4	.132	5.9	4.2	.22	3.4
3.5	.141	5.5	3.8	.21	3.5
3.6	.152	5.1	3.5	.20	3.6
3.7	.162	4.8	3.3	.20	3.7
3.8	.174	4.4	3.0	.19	3.8
3.9	.187	4.2	2.8	.19	3.9
4.0	.200	3.8	2.6	.18	4.0
4.1	.214	3.6	2.4	.18	4.1
4.2	.230	3.3	2.2	.17	4.2
4.3	.246	3.0	2.0	.16	4.3
4.4	.264	2.8	1.8	.16	4.4
4.5	.283	2.6	1.7	.15	4.5
4.6	.303	2.4	1.5	.15	4.6
4.7	.325	2.2	1.4	.14	4.7
4.8	.348	2.1	1.3	.14	4.8
4.9	.373	1.9	1.2	.14	4.9
5.0	.400	1.8	1.1	.13	5.0
5.1	.429	1.7	1.0	.13	5.1
5.2	.459	1.6	.91	.12	5.2
5.3	.492	1.5	.84	.12	5.3
5.4	.528	1.4	.77	.12	5.4
5.5	.566	1.3	.71	.11	5.5
5.6	.606	1.2	.66	.11	5.6
5.7	.650	1.1	.61	.10	5.7

6. Off-Street Parking Regulations.
- A. There shall be two (2) parking spaces for each dwelling unit, exclusive of private garages.
- B. For multi-family dwellings: two (2) spaces per dwelling unit.
7. Off-Street Loading. The following off-street loading requirements shall apply in the RS District:
- A. All activities or uses allowed in the RS District shall be provided with adequate receiving facilities accessible by motor vehicle off any adjacent service drive or open space on the same zoning lot.
- B. Loading shall not be permitted to block public right-of-way.

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165.15 R-4 ROW DWELLING AND TOWNHOUSE DISTRICT. The R-4 District is established to provide for row dwelling and townhouse dwelling uses and areas.

1. Principal Permitted Uses. Only the uses of structures or land listed in this section shall be permitted in the R-4 District.

A. Row dwellings or townhouses consisting of not more than twelve (12) dwelling units in one building or attached structure; and not to exceed six (6) units in length.

B. For units to qualify under the terms and provisions of this classification, each dwelling unit shall have separate facilities for gas, electricity, sewerage and water.

2. Permitted Accessory Uses.

A. Storage garages.

3. Bulk Regulations. The following minimum requirements shall be observed subject to the modifications contained in Section 165.28. Sanitary sewer is required for other than R-1 or R-2 residential use.

Minimum Plat Area:	15,000 square feet (the area within the perimeter of the plat)
Lot Area Per Dwelling Unit:	2,500 square feet per unit
Minimum Floor Area:	750 square feet per unit.
Lot Width:	Row dwellings – 20 feet per unit; 75 feet overall.
Front Yard:	25 feet; when fronting on the right-of-way of a major thoroughfare shown on the Official Major Street Plan, the front yard shall be measured from the proposed right-of-way line.
Side Yards:	A total of 15 feet; one side may be reduced to not less than 7 feet; 15 feet for any other principal building. For the purpose of determining side yard requirements in row dwellings, the entire row dwelling structure shall be considered to be one building.
Rear Yard:	Same as in R-2 District
Maximum Height:	Same as in R-2 District
Maximum Number of Stories:	Same as in R-2 District

4. Off-Street Parking and Loading. Spaces for off-street parking and loading shall be provided in accordance with the provisions of Section 165.29.

5. R-1 or R-2 Election. In any R-4 District the owner may elect to treat the district as an R-1 or R-2 District; provided, however, if plat approval is requested containing any one- or two-family detached dwelling, then the entire district will be

either an R-1 District or an R-2 District and subject to the requirements of Section 165.11 or 165.12. Thereafter, no row dwellings or townhouse dwellings may be built in said district.

6. Site Plan Requirements. See Chapter 156 of this Code of Ordinances.

7. Minimum Open Space. The total land area devoted to open space and landscaping shall not be less than twenty percent (20%) of the gross land area included in the building lot. Such open space shall be maintained as grassed and landscaped area and shall not include access drives, parking areas, structures or buildings; except ornamental structures included as part of the landscaping theme.

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