

**CHAPTER 1153**  
**Multi-Family Residential District Regulations**

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**1153.01 INTENT.**

Multi-Family Residential District (R-3) regulations are established in order to achieve, among others, the following purposes:

- (a) Regulation of the bulk and location of dwellings to obtain proper privacy and useable open spaces appropriate for the various districts;
- (b) Regulation of the density and distribution of population to avoid congestion and to provide adequate public services;
- (c) Protection of the desirable characteristics and promotion of stability of existing residential development;
- (d) Development of attached single-family and multi-family dwellings with a minimum project size of five acres and a maximum density of 15 dwelling units per acre.

**1153.02 USE REGULATIONS.**

- (a) Uses Permitted By Right. A use listed in Schedule 1153.03 shall be permitted by right as a principal use in a district when denoted by the letter "P" provided that all requirements of other city ordinances and this Planning and Zoning Code have been met;
- (b) Conditional Uses. A use listed in Schedule 1153.03 shall be permitted as a conditional use in a district when denoted by the letter "C", provided the Planning Commission first makes the determination that the requirements of Chapter 1161 have been met according to the procedures set forth in Chapter 1185;
- (c) Accessory Uses. An accessory use that is clearly incidental and subordinate to a use listed in Schedule 1153.03 shall be permitted provided that the requirements of all other City ordinances and this Planning and Zoning Code have been met. Accessory uses are further regulated as noted below.
  - (1) Accessory storage buildings including garages in compliance with Section 1153.09.
  - (2) Fences, walls, landscape features and other structures in compliance with Section 1153.09 and Chapter 1167.
  - (3) Home occupations in compliance with Section 1151.10.

- (4) Private garages and off-street parking spaces in compliance with this chapter and Chapter 1165.
  - (5) Recreation and community facilities intended for use by residents of the development in compliance with Section 1153.09.
  - (6) Signs in compliance with Chapter 1163.
- (d) Use Not Listed in Schedule. Although a use may be indicated as a permitted principal, conditional or accessory use in a particular multi-family residential district, it shall not be approved on a parcel unless it can be located thereon in full compliance with all of the standards and other regulations of this Code applicable to the specific use and parcel in question. Any use not specifically listed as either a permitted principal or conditional use shall be a prohibited use in these zoning districts and shall only be permitted upon amendment of this Code and/or the Zoning Map as provided in Chapter 1121 or upon a finding that a use is substantially similar as provided in Section 1185.11.

**1153.03 SCHEDULE OF PERMITTED USES.**

|  | <b>R-3</b>            |
|--|-----------------------|
|  | Multi-Family District |
| <b>(a) Residential</b>   |                       |
| (1) Single-family attached dwelling  | P                     |
| (2) Multiple-family dwelling   | P                     |
| (3) Family home for handicapped persons  | C                     |
| (4) Group home for handicapped persons   | C                     |
| (5) Congregate care facility   | C                     |
| <b>(b) Community Facilities</b>  |                       |
| (1) Church or other place of worship   | C                     |
| (2) Day care facility, child and/or adult  | C                     |
| (3) Hospital   | C                     |
| (4) Library or museum  | C                     |
| (5) Public safety facility   | C                     |
| (6) Public utility structure   | C                     |
| (7) School facility, public or private   | C                     |
| <b>(c) Open Space, Recreation, Other</b>   |                       |
| (1) Golf course, except miniature golf   | C                     |
| (2) Public recreational areas, including a park and/or playground or swimming pool   | C                     |
| (3) Wireless telecommunication facility  | See Chapter 1169      |
| <p><u>Notes to Schedule 1153.03:</u><br/>                     P = Principal use permitted by right.<br/>                     C = Conditional use.<br/>                     Blank Cell = Use not permitted in district.</p> |                       |

**1153.04 AREA AND DENSITY REGULATIONS.**

Land area shall be divided and developed, and buildings shall be erected, altered, moved or maintained in an R-3 District only in compliance with the following area regulations.

- (a) Minimum Development Area. The gross area of a tract of land shall not be less than 5 acres. The entire tract of land to be developed shall be considered one zoning lot.

- (b) Maximum Density.
  - (1) The density of a residential development shall not exceed 15 dwelling units per acre.
  - (2) The total number of dwelling units permitted shall be calculated by multiplying the total development area, exclusive of public rights-of-way existing at the time the development plan is submitted, by the number of dwelling units permitted per acre.
- (c) Maximum Coverage. The maximum lot coverage, including all areas covered by principal buildings, accessory buildings and pavement, shall not exceed 60 percent of the total area of the development project.
- (d) Minimum Lot Frontage. Each zoning lot shall abut a public street with a minimum lot frontage of 100 feet.

**1153.05 SITE DEVELOPMENT REGULATIONS.**

The following regulations are established to regulate the design and development of buildings in an R-3 district.

- (a) Setback from Existing Rights-of-Way. The setback of a principal building from an existing public right-of-way shall not be less than 40 feet or, when the lot is adjacent to an R-1 or R-2 District, equal to the required setback of an adjacent R District whichever is greater.
- (b) Setback from Project Boundary. The setback of a principal building from any project boundary that is not an existing public right-of-way shall not be less than the following:
  - (1) 40 feet or a distance equal to the length of the wall, whichever is greater, when abutting single-family residential districts.
  - (2) 20 feet or a distance equal to one-half the length of the wall, whichever is greater, when abutting all other districts including R-3 Districts.
- (c) Building Spacing. The minimum distance between buildings on the same site, shall not be less than the distances set forth below:
  - (1) When the main wall of one building faces the main wall of another building, the minimum separation between the two walls shall be 40 feet or equal to the length of the overlap, whichever is greater.
  - (2) When the main wall of one building faces an end wall of another building, the minimum separation between the two walls shall be

30 feet or equal to one-half of the length of the overlap, whichever is greater.

- (3) When the end wall of one building faces an end wall of another building, the minimum separation between the two walls shall be 20 feet.
- (d) Definitions. The following definitions shall apply to terms used in this Section:
  - (1) Main Wall. The outside wall(s) of a building, which contains the primary windows of any living, family or dining room.
  - (2) End Wall. The outside walls other than a main wall of a building, which may be blank or contain windows not considered to be primary windows.
- (e) Building Arrangement. Multi-family buildings may be arranged in a group and the buildings need not front directly onto a street.

**1153.06 HEIGHT REGULATIONS.**

All buildings shall comply with the following height regulations:

- (a) The height of principal buildings shall not exceed 35 feet.
- (b) The height of accessory buildings shall not exceed 18 feet.
- (c) Permitted height exceptions are set forth in Section 1175.03.

**1153.07 OFF-STREET PARKING REGULATIONS.**

Off-street parking areas shall conform to the regulations of Chapter 1165 and to the parking requirements specified below.

- (a) Off-street parking areas shall be located in compliance with the minimum setbacks, measured from the street right-of-way or property line, as specified below in Schedule 1153.07 unless otherwise noted.

**Schedule 1153.07 Minimum Parking Setbacks**

|   | Adjacent to Single-Family or Traditional Residential District | Adjacent to R-3 or Nonresidential District |
|---|---|--|
| (1) Setback from the existing street right-of-way   | (a)   | 30 feet                                    |
| (2) Setback from side or rear lot line  | 20 feet   | 10 feet                                    |
| <p><b>Notes to Schedule 1153.07:</b><br/>                     (A) Parking areas shall be located no closer to the existing public right-of-way than the principal building.</p> |   |  |

- (b) The area within the parking setback shall be landscaped in accordance with Chapter 1167.

**1153.08 DWELLING UNIT AREA REQUIREMENTS.**

In order to promote healthful living conditions and to stabilize the value and character of residential areas, dwelling units shall be erected, altered, moved, maintained or occupied only in accordance with the minimum floor area requirements set forth below:

- (a) Attached One-Family Dwelling:
  - (1) The minimum total floor area per dwelling unit shall be 1,000 square feet.
  - (2) The minimum ground floor area per dwelling unit shall be 750 square feet.
- (b) Multi-Family Dwelling: The minimum floor area per dwelling unit shall be 650 square feet plus 200 square feet for every bedroom over one.

**1153.09 ACCESSORY USE REGULATIONS.**

Any accessory use permitted in an R-3 District may occupy a part of the principal building, occupy a separate accessory structure or constitute an accessory land use.

- (a) Fence and Wall Regulations. Fences and walls shall comply with the setback requirements set forth in Section 1151.08(i).
- (b) Swimming Pools. Swimming pools for the exclusive use of residents of the premises shall comply with the distance requirements of subsection 1153.09 (c) as well as the regulations set forth in Section 1151.08 (h).
- (c) Minimum Setbacks for Accessory Buildings and Uses. Accessory buildings including garages, carports and recreation facilities, and active recreation areas such as a swimming pool or tennis court which is intended for use by the residents of the residential development shall comply with the minimum setbacks set forth below:
  - (1) The minimum setback from the public right-of-way for such accessory buildings and uses shall be equal to the setback of the principal building.
  - (2) The minimum setback from a side or rear lot line abutting an R-3 or nonresidential district shall be 15 feet.
  - (3) The minimum setback from the side or rear lot line abutting an R-1 or R-2 district shall be 20 feet.

**1153.10 LANDSCAPE, SCREENING AND LIGHTING REQUIREMENTS.**

Visual screening, landscape buffers and lighting fixtures shall be provided for multi-family developments in accordance with the provisions set forth in Chapter 1167.

**1153.11 SITE IMPROVEMENT STANDARDS.**

The following site improvement standards shall apply to all developments in an R-3 District.

- (a) Underground Utilities. All utilities required to serve a development shall be located underground.
- (b) Sidewalks. Paved sidewalks shall be provided to each outdoor entryway in an R-3 development and shall connect all units to adjacent streets and to any recreation facilities that are provided as part of the development.
- (c) Waste Receptacles. All solid waste products that result from any permitted principal, conditional or accessory use shall either be disposed of, stored in buildings, or completely enclosed in containers. Such building, container or dumpster shall be located in a side or rear yard on a paved surface in compliance with the minimum parking setbacks established in Schedule 1153.07 as well as the screening requirements set forth in Section 1167.07.



**1153.12 DEVELOPMENT PLAN REVIEW.**

All uses in an R-3 District shall be permitted only after development plans have been reviewed and approved by the Planning Commission according to the procedures set forth in Chapter 1183.