

CHAPTER 1264 **Multi-Family Residential District Regulations**

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1264.01 PURPOSE.

The R-3 Residential District and its regulations are established in order to achieve, among others, the following purposes:

- (a) To regulate the bulk and location of dwellings to obtain proper privacy and useable open spaces.
- (b) To regulate the density and distribution of population in accordance with the Master Plan to avoid congestion and provide adequate public services.
- (c) To protect the desirable characteristics and promote the stability of existing residential development and to protect adjacent properties from unreasonable obstruction of light and air.
- (d) To permit a variety of housing types while offering convenience of location and a maximum amount of open space.
- (e) To provide for proper location of institutions and other community facilities so as to increase the general convenience, safety and amenities within the community.

(Ord. 58-01. Passed 5-29-01.)

1264.02 USE REGULATIONS.

(a) Uses Permitted By Right. A use listed in Schedule [1264.03](#) 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) Special Uses. A use listed in Schedule [1264.03](#) shall be permitted as a special use in a district when denoted by the letters "SU," provided the Planning Commission first makes the determination that the requirements of [Chapter 1280](#) have been met, according to the procedures set forth in [Chapter 1230](#).

(c) Accessory Uses. An accessory use that is clearly incidental and subordinate to a use listed in Schedule [1264.03](#) 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 in subsequent sections of this Planning and Zoning Code.

(d) Compliance With Development Standards and Other Applicable Regulations. Although a use may be indicated as a permitted principal, special or accessory use in an R-3 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 Planning and Zoning Code applicable to the specific use and parcel in question.

(e) Uses Not Listed in Schedule. Any use not specifically listed as either a permitted principal or special use shall be a prohibited use in this zoning district and shall only be permitted upon amendment of this Planning and Zoning Code and/or the Zoning Map as provided in [Chapter 1236](#), or upon a finding by the Planning Commission that a use is substantially similar to a permitted principal or special use in the district according to the procedures set forth in Section [1230.11](#).

(Ord. 58-01. Passed 5-29-01.)

 **1264.03 SCHEDULE OF PERMITTED USES.**

<u>R-3</u> <u>Multi-Family</u>	
(a) <u>Residential</u>	
(1) Attached single-family dwellings	P
(2) Multi-family dwellings	P
(3) Senior Housing	P
(4) Family homes for handicapped persons	SU
(5) Group homes for handicapped persons	SU
(6) Congregate care facilities	SU
(b) <u>Community Facilities</u>	
(1) Church or other place of worship	SU
(2) Day care facility, child and/or adult	SU
(3) Library	SU

(4) Public cultural institution	SU
(5) Public safety facility	SU
(6) Public utility substation	SU
(7) School, public or private	SU
(c) <u>Recreation/Open Space</u>	
(1) Cemetery	SU
(2) Public park and/or noncommercial public recreational facility	SU
(d) <u>Agricultural Uses</u>	
(1) Farm	P
(2) Accessory farm building (in excess of 2% of the total lot area)	SU
(3) Commercial farm building	SU
(e) <u>Other</u>	
(1) Accessory uses/structures customarily incidental to permitted use	A
(2) Family day care, Type "B"	A
(3) Home occupations	A
(4) Swimming Pools	A
P = Principal Use Permitted by Right SU = Special Use A = Accessory Use	

(Ord. 58-01. Passed 5-29-01; Ord. 212-03. Passed 11-10-03; Ord. 76-16. Passed 7-11-16.)

1264.04 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 to be developed shall not be less than that set forth in Schedule [1264.04\(e\)](#). The entire tract of land to be developed shall be considered one zoning lot.

(b) Maximum Density.

(1) The density of a residential development project shall not exceed the number of dwelling units per acre set forth in Schedule [1264.04\(e\)](#).

(2) The total number of dwelling units permitted for a particular development 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 Building Coverage of Lot. The maximum building coverage of the lot, including all areas covered by principal and accessory buildings, shall not exceed the percentage of the total development area set forth in Schedule [1264.04\(e\)](#).

(d) Minimum Landscaped Open Space. The percentage of the development area devoted to landscaped open space shall not be less than specified in Schedule [1264.04\(e\)](#).

(e) Schedule [1264.04\(e\)](#) Area and Density Regulations.

	<i>R-3 District</i>
(1) Minimum development area	5 acres*
(2) Maximum density–General Population	10 Dwelling units/acre
(3) Maximum density–Senior Housing	12 Dwelling units/acre
(4) Maximum building coverage of lot	30%
(5) Minimum landscaped open space	35%
* or parcels that are defined as lots of record under Section 1222.02(b)(74)	

(Ord. 58-01. Passed 5-29-01; Ord. 89-02. Passed 5-28-02; Ord. 39-03. Passed 4-14-03; Ord. 76-16. Passed 7-11-16.)

1264.05 SITE DEVELOPMENT REGULATIONS.

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

(a) Setback from Rights-of-Way. The setback of a principal building from a street right-of-way shall not be less than the distance set forth in Schedule [1264.05\(e\)](#).

(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 distance set forth in Schedule [1264.05\(e\)](#).

(c) Building Spacing. The minimum distance between buildings on the same site shall not be less than the distance set forth in Schedule [1264.05\(e\)](#). The following definitions shall apply to terms used in this section:

(1) “Main wall.” The outside walls of a building which contain the primary windows of any living, family or dining room.

(2) “End wall.” Any outside wall not considered to be a main wall of a building. End walls may be blank or contain windows not considered to be primary windows.

(d) Building Height. No building or structure in an R-3 District shall exceed the maximum height set forth in Schedule [1264.05\(e\)](#).

(e) Schedule [1264.05\(e\)](#): Site Development Standards.

Schedule 1264.05(e) <u>MINIMUM SITE DEVELOPMENT STANDARDS</u>	
	<u>R-3 District</u>
(1) <u>Minimum Building Setback:</u>	
A. From existing public street right-of-way	75 feet ^(a)
B. From interior street right-of-way	30 feet
C. From project boundary line adjacent to an R-3 or nonresidential district	30 feet
D. From project boundary line adjacent to an R-1 or R-2 District	30 feet ^(b)
(2) <u>Minimum distance between principal buildings:</u>	
A. Between face of main wall and face of main wall	50 feet
B. Between face of main wall and end wall	40 feet
C. Between end wall and end wall	30 feet
(3) <u>Maximum building height:</u>	
A. Principal building	40 feet
B. Accessory building	15 feet ^(c)
<p><u>Notes to Schedule 1264.05(e).</u></p> <p>(a) Where a lot fronts on an arterial or collector street, as defined in Chapter 1246, front setbacks shall not be less than 115 feet from the road centerline for collector streets and 125 feet from the road centerline for arterial streets.</p> <p>(b) Or equal to the length of the building wall facing the R-1 or R-2 District, whichever is greater.</p> <p>(c) Or the height of the dwelling unit, whichever is greater.</p>	

(Ord. 58-01. Passed 5-29-01.)

 1264.06 DWELLING UNIT AREA REQUIREMENTS.

(a) Dwelling units in an R-3 District shall be erected, altered, moved, maintained, modernized or occupied so as to provide and maintain the minimum dwelling unit requirements set forth in division (b) of this section. In computing the floor area, areas devoted to hallways, basements, elevators, terraces, open porches, decks, uncovered steps, and/or garages shall not be included.

(b) Attached Single-Family Dwelling.

(1) Ground floor entrance. All individual dwelling units will have a ground floor living space with a separate ground floor entrance.

A. One-story building. The minimum total floor area required per unit shall be 1,400 square feet.

B. Multi-story building. The minimum total floor area required per unit shall be 1,400 square feet. The minimum first floor area per unit shall be 1,000 square feet.

(2) Attached covered garage. All individual dwelling units will have an attached, covered garage.

A. All three bedroom apartments will have a two-car attached garage.

B. Fifty percent of two-bedroom apartments will have a two-car attached garage.

C. Fifty percent of two-bedroom apartments will have, at a minimum, a one-car attached garage.

D. All one-bedroom apartments will have a one-car attached garage.

(3) Special provisions. Ten percent of the designated project may be developed as follows:

A. Efficiency units must have minimum total floor area required of 600 square feet.

B. One-bedroom units must have minimum total floor area of 800 square feet, plus 200 square feet for each additional bedroom.

C. One enclosed garage per living unit is required as per Section [1292.04\(a\)\(3\)](#).

(Ord. 58-01. Passed 5-29-01; Ord. 37-03. Passed 4-14-03.)

1264.07 ADDITIONAL REGULATIONS FOR ATTACHED SINGLE-FAMILY DWELLINGS.

(a) Maximum Number of Attached Units. No more than six dwelling units shall be attached in sequence.

(b) Building Wall Length. No wall in a sequence of attached units shall exceed 50 feet in an unbroken plane without an offset of at least ten feet.

(c) Roofline. The roofline shall reflect the required offset described in division (b) of this section.

(d) Private Land. In the planning of attached single-family dwellings in a variety of groups or clusters, land should be provided for the private outdoor use of the occupants at locations such as the entrances, sides and/or rear of buildings.

(e) Common Land. Where a development area contains common land, such land should be readily accessible and of such condition, size and shape as to be usable for recreation, natural and landscaped areas. All common area shall be prohibited from further subdivision or development

by deed restriction or other agreement in a form acceptable to the Law Director and duly recorded in the office of the County Recorder.

(f) Pedestrian Paths. Concrete walks having a minimum width of five feet shall be provided from parking areas to building entries, and to all accessory buildings, public streets and common areas. Such walks shall be illuminated to a minimum of one foot-candle.

(g) Local Circulation System. Each dwelling unit should be served by a local or service street, planned so as to exclude through traffic. The vehicular circulation system and parking facilities shall be designed to fully accommodate the local traffic with safety and efficiency, without permitting it to dominate and destroy the form of the neighborhood.

(h) Garage Areas.

(1) No garage shall be placed below ground level.

(2) Garages shall be designed so that the doors are either turned so as not to face directly on a public street and the face or front of the attached single-family dwelling units are recessed or otherwise screened. Entrance courts or other similar landscape forms are recommended.

(3) The required number of enclosed parking spaces shall comply with Schedule [1292.04](#).

(i) Utilities. All utilities shall be located entirely underground and shall be installed according to the specifications of the City.

(Ord. 58-01. Passed 5-29-01.)

1264.08 ADDITIONAL REGULATIONS FOR MULTI-FAMILY DWELLINGS.

(a) Building Wall Length. No exterior wall shall exceed 60 feet in length without a change in plane by a minimum of five feet. Such offset shall not be considered in determining distances between buildings.

(b) Roofline. The roofline shall reflect the required offset described in division (a) of this section.

(c) Building Arrangement. Multi-family buildings may be arranged in a group and need not directly front onto a street.

(d) Common Recreation Area.

(1) A contiguous and identified common recreation area shall be provided at the rate of 100 square feet for each dwelling unit. Such an area shall be for the purpose of outdoor recreation and shall be reasonably level to allow for games.

(2) When provided, recreational facilities such as but not limited to pools, tennis courts, and children's play areas shall be counted toward the common recreation area requirement.

(3) If the common recreation area requirement as described herein exceeds 10,000 square feet, a separate area or areas may be developed to satisfy the remaining common recreation area requirements.

(4) Areas used for storm water retention shall not be included as common recreation areas.

(e) Pedestrian Paths. Concrete walks a minimum of five feet wide shall be provided from parking areas to building entries, and to all accessory buildings, public streets and common areas. Such walks shall be illuminated to a minimum of one foot-candle.

(f) Waste Storage. Areas devoted to the temporary storage of refuse shall be identified on the development plan and shall be screened according to the regulations set forth in Section [1294.07](#).

(g) Utilities. All utilities shall be located entirely underground and shall be installed according to the specifications of the City.

(Ord. 58-01. Passed 5-29-01; Ord. 81-02. Passed 6-10-02; Ord. 38-03. Passed 4-14-03.)

1264.09 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, provided such building, structure or use complies with the regulations set forth below:

(a) Distances from Accessory Uses to Buildings and Streets. The minimum distances from accessory uses such as storage garages, parking areas, driveways, walks and recreation areas to walls of principal buildings, streets and the project boundaries shall not be less than set forth in Schedule [1264.09\(b\)](#). The following definitions shall apply to terms used in this section:

(1) “Main wall.” The outside walls of a principal building which contain the primary windows of any living, family or dining room.

(2) “End wall.” Any outside walls of a principal building not considered to be a main wall. End walls may be blank or contain windows not considered to be primary windows.

(b) Schedule 1264.09(b) Accessory Use Setbacks.

Schedule [1264.09\(b\)](#)

ACCESSORY USE SETBACKS				
<u>Accessory Use</u>	<u>Minimum Distance</u>			
	<u>From Main Wall</u>	<u>From End Wall</u>	<u>From Street Right-of-Way</u>	<u>From Project Boundary</u>
(1) Accessory building, garage	30 feet	10 feet	NP in front yard	12 feet
(2) Parking areas	20 feet	10 feet	30 feet	20 feet
(3) Circulation drives	30 feet	10 feet	30 feet ^(a)	10 feet
(4) Public walkways	15 feet	10 feet	3 feet	10 feet
(5) Active recreation areas, including swimming pools	40 feet	30 feet	NP in front yard	15 feet

Notes to Schedule 1264.09(b).

(a) Only when traversing the front yard to provide access to a parking area in a side or rear yard.

NP = Not Permitted.

(c) Fences and Walls. Fences and walls may be erected in an R-3 District in compliance with the regulations set forth in Section [1294.08](#), except for fences erected as enclosures for swimming pools, which shall comply with the regulations set forth in Sections [1478.07](#) and [1478.09](#) of the Building and Housing Code.

(d) Swimming Pools. Swimming pools operated without charge and not for profit shall be permitted for the exclusive use of household tenants and guests in an R-3 District, provided the pool is located on the same lot as the building or buildings served. Such swimming pool shall be constructed and operated in accordance with the requirements set forth in [Chapter 1478](#) of the Building and Housing Code and all other applicable City regulations.

(e) Family Day Care, Type B. Family Day Care, Type B shall comply with the standards in Section [1262.08\(f\)](#).

(f) Home Occupations. Home Occupations shall comply with the standards in Section [1262.08\(g\)](#).

(g) Signs. Signs shall be permitted in accordance with [Chapter 1290](#).

(h) Parking and Storage of Vehicles. Parking and vehicle storage shall be provided according to the requirements of [Chapter 1292](#).

(Ord. 58-01. Passed 5-29-01.)

1264.10 LANDSCAPING AND SCREENING REQUIREMENTS.

Landscaping, visual screening and landscape buffers shall be provided in accordance with the provisions set forth in [Chapter 1294](#).

(Ord. 58-01. Passed 5-29-01.)

1264.11 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 1228](#).

(Ord. 58-01. Passed 5-29-01.)

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