

DIVISION 8. - MULTIFAMILY URBAN DISTRICT

Sec. 60-333. - Purpose.

This district is intended to stabilize and protect high density residential areas by providing for a varied, denser, urban pattern made suitable to the built-up portions of the city. This multifamily zone has a maximum density of 26 dwelling units per net acre, yet retains the open character of residential areas by requiring 50 percent green space. It is intended that this district will provide the maximum possible freedom in the design of structures and their grouping and will encourage flexible and imaginative layouts and designs.

(Ord. of 9-21-2009, § 3.44A)

Sec. 60-334. - Use regulations.

- (a) *Permitted uses.* All uses permitted in the Multifamily Suburban (MFS) District except section 60-306(a)(5).
- (b) *Special exception uses.* The following uses are permitted special exceptions after approval by the planning board in accordance with division 3 of article XVI of this chapter:
- (1) All uses permitted by special exception in the Multifamily Suburban (MFS) District (division 8 of article IV of this chapter).
 - (2) Medical and dental clinics, provided that:
 - a. Shall be in buildings which are listed on the state resource list and/or federal historic register.
 - b. All renovations to the building either internally or externally or both to accommodate the office use shall be accomplished in conformance with the accepted historic preservation and rehabilitation guidelines.
 - c. A single sign to identify the building and its uses, conforming to the requirements contained in article VI of this chapter. Signs shall not be lighted.

(Ord. of 9-21-2009, § 3.45B)

Sec. 60-335. - Dimensional regulations.

All structures in this district, except as noted, shall be subject to the following dimensional regulations:

- (1) *Minimum lot area, width and depth.* For each building erected there shall be provided lot areas as follows:
 - a. Building housing one family: 5,000 square feet minimum lot area, not less than 50 feet width, and 100 feet in depth.
 - b. Buildings housing two families: 6,500 square feet minimum lot area, not less than 50 feet width, and 100 feet in depth.
 - c. Buildings housing three families: 8,000 square feet minimum lot area, not less than 50 feet width, and 100 feet in depth.
 - d. Buildings housing four families: 9,500 square feet minimum lot area, not less than 100 feet width, and 100 feet in depth.
 - e. Multifamily buildings: 5,000 square feet minimum lot area for the first dwelling unit and 1,500 square feet minimum lot area for each additional dwelling unit. No lot shall be less than 50 feet width and 100 feet in depth. more than one principal building per lot is allowed. Buildings located inside the fire zone (as defined in the city building code) are subject to the requirements of chapter 12, pertaining to buildings and building regulations.

(2) *Density.* The following maximum densities per acre shall apply, according to housing type:

One-family	8 units per acre
Two-family	13 units per acre
Three-family	15 units per acre
Four-family	17 units per acre
Multifamily	26 units per acre

Not less than 50 percent of the net acreage shall be devoted to green area. Green space shall be deemed to include patios, whether paved or not, pedestrian walks, and landscaping within parking lots, but no off-street parking spaces, driveways, or common roads. For townhouse projects, the green area of individual lots may be counted toward the 50 percent green space requirement of the project. Net acreage shall include all land contained within the project except dedicated streets or street rights-of-way shown on the city's adopted master development plan or proposed to be so included within a reasonable period of time.

(3) *Yard requirements.*

- a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 25 feet or 25 percent of the average depth of lot, whichever is less.
- b. *Side.* There shall be a minimum distance of five feet between any building and the side property line plus the side yard setback shall be increased one foot for every five feet or part thereof increase in street frontage over 50 feet to a maximum of 15 feet for side yard setback.
- c. *Front.* There shall be in front of every building a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot whichever is less.
- d. *Principal buildings.* More than one principal building may be erected on a lot, provided that the building meet all yard setback requirements and are separated by a distance equivalent to the height of the higher building or 30 feet, whichever is greater.

(4) *Height.* The height of all structures shall be limited to two and one-half stories or 35 feet, except as follows: A church or temple or windmill may have a maximum height of 65 feet from grade, provided that the front yard, rear yard and each of the side yards shall be increased by one foot for each foot in height in excess of 45 feet.

(5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in articles V through XI of this chapter.

(Ord. of 9-21-2009, § 3.45C)

DIVISION 7. - MULTIFAMILY SUBURBAN DISTRICT

Sec. 60-305. - Purpose.

This district is intended to stabilize and protect medium to high density residential areas by providing for a varied denser urban pattern made suitable to the needs of the population by encouraging a range of dwelling types. This multifamily zone has a maximum density of 17 dwelling units per acre, yet retains the open character of residential areas by requiring 50 percent green space. It is intended that this district will provide the maximum possible freedom in the design of structures and their grouping and will encourage flexible and imaginative layouts and designs.

(Ord. of 9-21-2009, § 3.44A)

Sec. 60-306. - Use regulations.

(a) *Permitted uses.* The following uses are permitted:

- (1) One-family detached dwellings.
- (2) Two-family dwellings.
- (3) Multifamily dwellings in existence on September 23, 1988.
- (4) Attached single-family dwellings, provided that they are approved by the planning board as part of a planned residential unit development and subdivision, under the provisions of division 10 of article IV and division 4 of article XVI of this chapter.
- (5) Farming of field crops, row crops, orchards or truck gardens.
- (6) Shelter for abused persons.
- (7) Accessory uses, buildings or structures.
- (8) Newly constructed multifamily dwellings and existing structures expanded to contain three or more additional dwelling units within a five-year period, provided that they are approved by the planning board as a subdivision under division 4 of article XVI of this chapter.
- (9) Municipal uses and buildings.

(b) *Special exception uses.* The following uses are permitted as special exceptions after approval by the planning board in accordance with division 3 of article XVI of this chapter:

- (1) All uses are permitted by special exception in the Urban Residence (UR) District (division 7 of article IV of this chapter).
- (2) Off-street parking lot, provided that:
 - a. Such parking is limited to occupants of buildings located within 500 feet of such parking area whether or not within the same zone.
 - b. Reasonable conditions imposed by the planning board regarding location, fencing, screening, drainage, ingress and egress, signs and lighting and total capacity of the parking area designed to protect the residential character of the neighborhood are met.
- (3) Professional offices.
 - a. Shall be in buildings which are listed on the state resource list and/or federal historic register.
 - b. All renovations to the building either internally and externally or both to accommodate the office use shall be accomplished in conformance with accepted historic preservation and rehabilitation guidelines.
 - c. A single sign to identify the building and its uses, conforming to the requirements contained in article VI of this chapter. Signs shall not be lighted.

(Ord. of 9-21-2009, § 3.44B)

Sec. 60-307. - Dimensional regulations.

All structures in this district, except as noted, shall be subject to the following dimensional regulations.

- (1) *Minimum lot area, width and depth.* For each building erected, there shall be provided lot areas as follows:
 - a. Building housing one family: 10,000 square feet minimum lot area, not less than 100 feet width, and 100 feet in depth.
 - b. Buildings housing two families: 12,000 square feet minimum lot area, not less than 100 feet width, and 100 feet in depth.
 - c. Buildings housing three families: 14,000 square feet minimum lot area, not less than 100 feet width, and 100 feet in depth.
 - d. Buildings housing four families: 16,000 square feet minimum lot area, not less than 100 feet width, and 100 feet in depth.
 - e. Multifamily buildings: 10,000 square feet minimum lot area for the first dwelling unit and 2,000 square feet minimum lot area for each additional dwelling unit. No lot shall be less than 100 feet width and 200 feet in depth. More than one principal building per lot is allowed.
- (2) *Density.* The following maximum densities per acre shall apply, according to housing type:

One-family	4 units per acre
Two-family	6 units per acre
Three-family	9 units per acre
Four-family	10 units per acre
Multifamily	17 units per acre

Not less than 50 percent of the net acreage shall be devoted to green area. Green space shall be deemed to include patios, whether paved or not, pedestrian walks, and landscaping within parking lots, but no off-street parking spaces, driveways, or common roads. For townhouse projects, the green area of individual lots may be counted toward the 50 percent green space requirement of the project. Net acreage shall include all land contained within the project except dedicated streets or street rights-of-way shown on the city's adopted master development plan or proposed to be so included within a reasonable period of time.

- (3) *Yard requirements.*
 - a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 25 feet or 25 percent of the average depth of lot, whichever is less.
 - b. *Side.* There shall be a minimum distance of five feet between any building and the side property line plus the side yard setback shall be increased one foot for every five feet or

part thereof increase in street frontage over 50 feet to a maximum of 15 feet for side yard setback.

- c. *Front.* There shall be in front of every building a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot whichever is less.
 - d. *Principal buildings.* More than one principal building may be erected on a lot, provided that the building meet all yard setback requirements and are separated by a distance equivalent to the height of the higher building or 30 feet, whichever is greater.
- (4) *Height.* The height of all structures shall be limited to 2½ stories of 35 feet, except as follows:
- a. Multifamily buildings shall have a maximum height of 45 feet from grade.
 - b. A church or temple or windmill may have a maximum height of 65 feet from grade, provided that the front yard, rear yard and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.
- (5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in articles V through XI of this chapter.

(Ord. of 9-21-2009, § 3.44C)

D R A F T

DIVISION 7 ~~A. — MODERATE DENSITY RESIDENTIAL MULTIFAMILY SUBURBAN~~ DISTRICT

Sec. 60-305. - Purpose.

This district is intended to stabilize and protect medium ~~to high~~ density residential areas by providing for a varied denser urban pattern made suitable to the needs of the population by encouraging a range of dwelling types. This ~~multifamily-mixed residential~~ zone has a maximum density of ~~47~~ 10 dwelling units per acre, yet retains the open character of residential areas by requiring 50 percent green space. It is intended that this district will provide the maximum possible freedom in the design of structures and their grouping and will encourage flexible and imaginative layouts and designs.

(Ord. of 9-21-2009, § 3.44A)

Sec. 60-306. - Use regulations.

(a) *Permitted uses.* The following uses are permitted:

- (1) One-family detached dwellings.
- (2) Two-family dwellings.
- (3) Multifamily dwellings in existence on September 23, 1988.
- (4) Attached single-family dwellings, provided that they are approved by the planning board as part of a planned residential unit development and subdivision, under the provisions of division 10 of article IV and division 4 of article XVI of this chapter.
- (5) Farming of field crops, row crops, orchards or truck gardens.
- (6) Shelter for abused persons.
- (7) Accessory uses, buildings or structures.
- (8) ~~Newly constructed multifamily dwellings and e~~ Existing structures expanded to contain three or more additional dwelling units within a five-year period, provided that they are approved by the planning board as a subdivision under division 4 of article XVI of this chapter.
- (9) Municipal uses and buildings.

(b) *Special exception uses.* The following uses are permitted as special exceptions after approval by the planning board in accordance with division 3 of article XVI of this chapter:

- (1) All uses are permitted by special exception in the Urban Residence (UR) District (division 7 of article IV of this chapter).
- (2) Off-street parking lot, provided that:
 - a. Such parking is limited to occupants of buildings located within 500 feet of such parking area whether or not within the same zone.
 - b. Reasonable conditions imposed by the planning board regarding location, fencing, screening, drainage, ingress and egress, signs and lighting and total capacity of the parking area designed to protect the residential character of the neighborhood are met.
- (3) Professional offices.
 - a. Shall be in buildings which are listed on the state resource list and/or federal historic register.
 - b. All renovations to the building either internally and externally or both to accommodate the office use shall be accomplished in conformance with accepted historic preservation and rehabilitation guidelines.

D R A F T

- c. A single sign to identify the building and its uses, conforming to the requirements contained in article VI of this chapter. Signs shall not be lighted.

(4) Newly constructed Multi-Family Dwellings.

(Ord. of 9-21-2009, § 3.44B)

Sec. 60-307. - Dimensional regulations.

All structures in this district, except as noted, shall be subject to the following dimensional regulations.

- (1) *Minimum lot area, width and depth.* For each building erected, there shall be provided lot areas as follows:
 - a. Building housing one family: 10,000 square feet minimum lot area, not less than 100 feet width, and 100 feet in depth.
 - b. Buildings housing two families: 12,000 square feet minimum lot area, not less than 100 feet width, and 100 feet in depth.
 - c. ~~Buildings housing three families: 14,000 square feet minimum lot area, not less than 100 feet width, and 100 feet in depth.~~
 - d. ~~Buildings housing four families: 16,000 square feet minimum lot area, not less than 100 feet width, and 100 feet in depth.~~
 - e. Multifamily buildings: 10,000 square feet minimum lot area for the first dwelling unit and 2,000 square feet minimum lot area for each additional dwelling unit. No lot shall be less than 100 feet width and 200 feet in depth. More than one principal building per lot is allowed.
- (2) *Density.* The following maximum densities per acre shall apply, according to housing type:

One-family	4 units per acre
Two-family	6 units per acre
Three-family	9 units per acre
Four-family	10 units per acre
Multifamily	10 7 units per acre

Not less than 50 percent of the net acreage shall be devoted to green area. Green space shall be deemed to include patios, whether paved or not, pedestrian walks, and landscaping within parking lots, but no off-street parking spaces, driveways, or common roads. For townhouse projects, the green area of individual lots may be counted toward the 50 percent green space requirement of the project. Net acreage shall include all land contained within the project except dedicated streets or street rights-of-way shown on the city's adopted master development plan or proposed to be so included within a reasonable period of time.

- (3) *Yard requirements.*

D R A F T

- a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 25 feet or 25 percent of the average depth of lot, whichever is less.
 - b. *Side.* There shall be a minimum distance of five feet between any building and the side property line plus the side yard setback shall be increased one foot for every five feet or part thereof increase in street frontage over 50 feet to a maximum of 15 feet for side yard setback.
 - c. *Front.* There shall be in front of every building a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot whichever is less.
 - d. *Principal buildings.* More than one principal building may be erected on a lot, provided that the building meet all yard setback requirements and are separated by a distance equivalent to the height of the higher building or 30 feet, whichever is greater.
- (4) *Height.* The height of all structures shall be limited to 2½ stories of 35 feet, except as follows:
- a. Multifamily buildings shall have a maximum height of 45 feet from grade.
 - b. A church or temple or windmill may have a maximum height of 65 feet from grade, provided that the front yard, rear yard and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.
- (5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in articles V through XI of this chapter.

(Ord. of 9-21-2009, § 3.44C)