

6.05.10 R-3 - Medium High Density Residential District

A. Purpose: This district is designated to provide suitable areas for medium to high density residential development where sufficient urban services and facilities are available or will be prior to development, or where the extension of such services and facilities will be physically and economically facilitated. It is the intent of these regulations to permit single and two family structures and multiple family structures within the density range as defined in the district regulations subject to the density range as defined in the district regulations subject to the required provision for open space within the project parcel.

The purpose of this Section is to exclude from this district all buildings and other structures and uses having commercial characteristics, whether operated for profit or otherwise, except those home occupations and conditional uses specifically provided for in these regulations. Commercial activities shall be classified as conditional uses since such activities may be compatibly integrated into some highly accessible areas within the district where specified performance criteria may be satisfied. However, commercial activities may not be compatible in other areas where the prevailing densities and scale of development in the immediate vicinity are less intensive, the subject site is less accessible to major streets and intersections, or where development of such site for commercial activities would generate undue congestion, adversely impact natural systems or otherwise burden existing public service systems or adjacent and surrounding properties.

B. Permitted Uses: In this district a building or premises may be used only for the following purposes: detached single family, zero lot line, patio homes, cluster homes, duplexes, group homes, attached and detached multiple family residential structures and accessory structures and facilities. Mobile homes are prohibited.

C. Conditional Uses: In this district as a conditional use, a building or premises may be used only for the following purposes upon determination by the County Board of Adjustment (Zoning Review and Appeals Board) that the respective uses comply with standards regulating conditional uses in Section 6.09.00 et. seq. and comply with the site plan review requirements listed in Section 4.04.00: public and private not for profit administrative services; child care services; civic or cultural activities and clubs; public facilities; educational institutions; golf courses; places of worship; recreation and park areas; accessory parking lots; recreational activities; public and private utilities and public facilities; business and professional offices; medical services; nursing homes; special residential facilities; and placement of an accessory building on a lot directly across the right-of-way from where the principle dwelling is located and is under the same ownership.

D. Site Plan Approval: Site plan approval as provided in Section 4.04.00, is required for all development proposals.

E. Subdivision Conformance: Any lot within a plat of record as of the effective date of this ordinance shall not be divided into two (2) or more lots unless the provisions of the Subdivision Ordinance are satisfied.

F. Density: For residential development, property in this district may be developed, at the

option of the owner, to a maximum eighteen (18) units per acre.

G. Lot Size: The minimum width of any lot used for one (1) or two (2) family dwelling units shall be fifty (50) feet when measured at the minimum front setback line. The minimum width of any lot or project parcel used for a multiple family dwelling shall be one hundred (100) feet when measured at the street right-of-way line when measured from front lot corner to front lot corner. Zero lot-line, patio, and cluster homes shall provide a minimum forty (40) foot wide lot at the street right-of-way line when measured from front lot corner to front lot corner. Zero lot-line, patio home, and cluster home sites shall provide a minimum four thousand (4,000) square foot lot size for lots which are created through metes and bounds subdivision. There shall be no minimum lot size for zero lot-line, patio home or cluster home lots which are created through the platting process. In all cases, the minimum lot width shall be maintained through the rear of the residential structure.

The minimum lot width on dead end cul-de-sac lots shall not be less than forty (40) feet when measured at the top of the arc of the street right-of-way line. For one (1) and two (2) family dwelling units, the lot width of a cul-de-sac lot shall not be less than fifty (50) feet when measured at the top of the arc at the minimum front setback line. The minimum width shall be maintained through the rear of the residential structure.

Existing lots of record at the time of the adoption of this ordinance or amendments thereto which contain less lot area or width than is required in this district may be used for multiple-dwelling purposes, but may not exceed a gross density than would be allowed in the zoning district.

H. Building Height: No building or structure shall exceed fifty (50) feet, above the required minimum finished floor elevation exclusive of chimneys, elevator shafts, air conditioning condensing units or cooling towers, except as provided for antennas in Section 2.10.01 of this ordinance.

I. Minimum Required Setbacks:

1. Setbacks Along Collector or Arterial Roads: The minimum required building setback along a collector or arterial road, as described in Section 4.04.03(D) shall be as follows:
 - a) Along a collector road, the minimum required building setback shall be twenty-five (25) feet.
 - b) Along an arterial road, the minimum required building setback shall be fifty (50) feet.

If any other setback requirement of this Code conflicts with the above requirements, the more restrictive requirement will apply.

2. Front Setback: Except as provided in Section 4.03.03(B)(2)(b) and Section 2.10.02, no building or structure shall have a setback less than fifteen (15) feet from any street, unless the front yard is located on the perimeter of a project, in which case the setback shall be twenty-five (25) feet.

The front yard setback of a lot or project parcel developed for multiple family or office use in the R-3 district and separated by a street from a single family district shall have no parking or other paved surface except for access driveways or sidewalks leading to a structure on the premises and such driveways and sidewalks shall be located generally perpendicular to the street lot line.

3. Side Setback: Except as provided for in Section 2.10.04, individual dwelling units on individual lots shall have a side building setback of ten percent (10%) of the lot width when measured at the minimum front setback to a maximum of fifteen (15) feet. For project parcels or multi-family projects the minimum side building setback shall be ten (10) feet. Zero lot line, patio, and cluster homes shall have one side building setback of at least ten percent (10%) of the lot width.
4. Rear Setback: Every lot or project parcel shall have a rear building setback of not less than ten (10) feet in depth, unless the rear yard is located on the perimeter of a project, in which case the setback shall be twenty-five (25) feet. The setback requirement shall apply to that area within twenty-five (25) feet of the common lot line. See Section 2.10.03 for exceptions.

J. Performance Standards

1. Open Area/Landscaping: All landscaped areas shall be planted and maintained in lawn, sod or natural foliage in conformance with the requirements set forth in Article 7.

Additionally, for every lot or project parcel used for any dwelling of any classification there shall be a minimum of twenty-five percent (25%) of the total parcel area set aside for open space, recreational, or landscaped area.

Every lot used for non-residential use in this district shall have a minimum of fifteen percent (15%) of the total parcel set aside for open landscaping area. Refer to Article 7 of this Ordinance for further requirements.

- K. Where a multifamily residential use abuts a single-family residential district or use, there shall be a building setback from said single-family residential district or use of twice the height of the proposed building.

(Modified: Ord. 95-25, 9-14-95; Ord. 96-30 10-24-96; Ord. 98-17, 10-22-98; Ord. 08-36, 10-23-08)