

Sec. 35-310.05a. - "R-3", "R-2", and "R-1" Single-Family Residential District.

- (a) **Purpose.** The "R-3", "R-2", and "R-1" (residential single-family) zoning districts ~~is~~ are designed to provide options for developing dwelling units for specialized housing markets such as the affordable housing market, starter homes, and empty nester homes on small lots. ~~This~~ These districts will provide areas for medium to high-density, single-family residential uses where adequate public facilities and services exist, prevent the overcrowding of land, and facilitate the adequate provision of transportation. The "R-3", "R-2", and "R-1" (residential single-family) zoning districts ~~is~~ are designed to be in close proximity to schools, public parks, and open space serving the site. "R-3", "R-2", and "R-1" zoning districts are inappropriate for "enclave subdivisions" and are not permitted.

"R-3" subdivisions shall be limited to a maximum size of thirty (30) acres including lots, street right-of-way, easements and open space. "R-2", and "R-1" subdivisions shall be limited to a maximum size of ten (10) acres including lots, street right-of-way, easements and open space.

- (b) **General - Lot and Building Specification.**

- (1) **The following housing types may be developed in "R-3", "R-2", and "R-1" zoning districts.** The following housing types may be developed in "R-3", "R-2", and "R-1" zoning districts. Single-family attached dwellings, single-family detached dwellings, townhouses, and zero-lot line houses (cottages and garden homes) are allowed.

- (2) **Connectivity and Permitted Locations.** An "R-3" subdivision will have connectivity ratio of 1.4. In all "RM-4," "RM-5" and "RM-6" zoning districts, a limited number of lots may be developed as "R-3", "R-2", and "R-1" lots by right without additional zoning provided the total number of "R-3" "R-2", and "R-1" sized lots do not exceed fifteen (15) percent of the gross number of "RM-4," "RM-5" and "RM-6" lots within the development.

- (3) **"R-3" Lot Sizes and Specifications.** The following requirements for lot design shall be applicable regardless of which housing use is planned for the lot (single-family attached dwellings, single-family detached dwellings, townhouses, and zero-lot line houses):

A. ~~Minimum lot—three thousand (3,000) square feet. Building and lot dimensions shall be in accordance with Section 35-310.01 "Building and Lot Dimensions Table.~~

B. ~~Mixed lot sizes—A subdivision plat may have varied lot sizes under the following criteria: Not more than twenty (20) percent of the lots may be not less than two thousand (2,000) square feet if an equivalent number of single-family lots are not less than three thousand five hundred (3,500) square feet such that the average lot size of entire subdivision is not less than three thousand (3,000) square feet. Not more than five (5) percent of the lots may be developed as two (2) family units. Not more than five (5) percent of the lots may be not less than four thousand (4,000) square feet and developed as four (4) family units. Not more than five (5) percent of the lots may be not less than six thousand (6,000) square feet and developed as eight family.~~

C. ~~Minimum street frontage—twenty (20) feet.~~

D. ~~Minimum lot width—twenty (20) feet.~~

E. ~~Maximum building height—thirty-five (35) feet/three (3) stories.~~

F. ~~Minimum lot depth—seventy-five (75) feet.~~

G. ~~Minimum front setback—ten (10) feet.~~

H. ~~Maximum front setback—thirty-five (35) feet.~~

I. ~~Minimum side setback—five (5) feet.none.~~

J. ~~Minimum rear setback—ten (10) feet (Garages and accessory dwellings—none).~~

K. ~~Maximum building size per individual unit—Building cover shall not exceed seventy (70) percent of the lot area.~~

~~L. Maximum building size (average of total development of "R-3" homes) none.~~

~~M. Required open space Each lot must have a minimum of five hundred (500) contiguous square feet within the boundaries of the rear yard behind the rear of the building.~~

~~N. Front Porch: At least fifty (50) percent of the units shall have covered front porches of not less than fifteen (15) square feet. Porches may protrude beyond the front building line.~~

(4) "R-2" Lot Sizes and Specifications. The following requirements for lot design shall be applicable regardless of which housing use is planned for the lot (single-family attached dwellings, single-family detached dwellings, townhouses, and zero-lot line houses):

A. Building and lot dimensions shall be in accordance with Section 35-310.01 "Building and Lot Dimensions Table."

(5) "R-1" Lot Sizes and Specifications. The following requirements for lot design shall be applicable regardless of which housing use is planned for the lot (single-family attached dwellings, single-family detached dwellings, townhouses, and zero-lot line houses):

A. Building and lot dimensions shall be in accordance with Section 35-310.01 "Building and Lot Dimensions Table."

~~(4.6)~~ **Tree Preservation.** Solely for purposes of calculating requirements pursuant to section 35-523 (tree preservation) and section 35-B123 (tree preservation plan) of this chapter, the front setbacks shall be ten (10) feet and the rear setbacks shall be ~~twenty-five (205)~~ feet.

~~(5.7)~~ **Park/Open Space.** Within the "R-3" base zoning district, Park/open space requirement is one (1) acre for each seventy (70) units and all units for which park/open space is calculated must be within one (1) mile of the park/open space dedicated for those units. Within the "R-2" and "R-1" base zoning districts, Park/open space requirement is one-half (1/2) acre for each seventy (70) units and all units for which park/open space is calculated must be within one (1) mile of the park/open space dedicated for those units. Payment of a fee in lieu of park/open space dedication is not permitted in "R-3" subdivisions. Payment of a fee in lieu of park/open space dedication is permitted in "R-2" and "R-1" subdivisions.

~~(6.8)~~ **Mixed-Use.** If the development is a mixed-use development, one-half (1/2) acre for each one hundred (100) units may be dedicated to a "NC" or "C-1" land use. ~~"NC" or "C-1" uses may have upper levels developed as two (2), four (4) or eight (8) family units provided that the lot sizes are in accordance with those prescribed for two (2), four (4) and eight (8) family units.~~

~~(7.9)~~ **"NC" or "C-1" Land Use Within Mixed-Use Development.**

A. Maximum building front setback: Ten (10) feet.

B. Minimum building front setback: Zero (0) feet.

C. Minimum side setback: none.

~~(8.10)~~ **Off-Street Parking Required.**

~~A. Two (2) One (1) spaces per dwelling unit including garage or carport area (cluster parking allowed).~~ Off street parking requirements shall be the same as those required in Table 35-526-3a. In addition, the garage setback requirement in Section 35-516(g) shall not apply.

B. Driveway width for "R-3", "R-2", and "R-1" dwelling units shall not exceed twelve (12) feet within the street's right-of-way.

~~C. Off-street parking will be located to the rear of buildings in areas dedicated to "NC" or "C-1" land uses.~~

D. Minimum parking for "NC" or "C-1" land uses: none.

~~E. Maximum parking for "NC" or "C-1" land uses: one (1) per one thousand (1,000) square feet.~~

92 ~~F. Minimum sidewalk width adjacent to "NC" or "C-1" land uses: six (6) feet.~~

93 (Ord. No. 100126) (Ord. No. 101816, § 2, 12-15-05)

94 Sec. 35-311. Use Regulations

	TABLE 311-1 RESIDENTIAL USE MATRIX																		
PERMITTED USE	RP	RE	R-20	NP-15	NP-10	NP-8	R-6	RM-6	R-5	RM-5	R-4	RM-4	<a href="#">R-3, R-2, R-1</a>	MF-18	MF-25	MF-33	MF-40	MF-50 & MF-65	ERZD
Assisted Living Facility, Boarding Home Facility or Community Home with six (6) or fewer residents		P	P	P	P	P	P	P	P	P	P	P	<a href="#">P</a>	P	P	P	P	P	P
Assisted Living Facility, Boarding Home Facility or Community Home with seven (7) or more residents														P	P	P	P	P	P
Athletic Fields (Noncommercial And Supplemental To The Residential Use)	S	S	S	S	S	S	S	S	S	S	S	S	<a href="#">S</a>	P	P	P	P	P	P
Automobile Non-Commercial Parking																			NA
Automobile Commercial Parking	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	<a href="#">NA</a>	NA	NA	NA	NA	NA	NA

Bed and Breakfast, see § 35-374			S	S	S	S	S	S	S	S	S	S	<u>S</u>	S	S	P	P	P	P
Bus Shelter (Max Size 6'x13')	P	P	P	P	P	P	P	P	P	P	P		<u>P</u>	P	P	P	P	P	P
Bus Stop	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P	P	P	P
Cemetery, Columbarium Or Mausoleum	S	S	S				S		S		S		<u>S</u>						S
Childcare Daycare Center	S	S	S	S	S	S	S	S	S	S	S	S	<u>S</u>	S	S	S	S	S	P
Child Care, Licensed Child Care	S	S	S	S	S	S	S	S	S	S	S	S	<u>S</u>	S	S	S	S	S	P
Child Care - Registered Child Care Home	S	P	P	P	P	P	P	P	S	S	S	S	<u>S</u>	S	S	S	S	S	P
Child-Care Institution (Basic)	S	S	S	S	S	S		S		S	S	S	<u>S</u>	S	S	S	S	P	P
Church, Temple, Mosque (facilities that are for worship or study of religion)	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P	P	P	P
Dwelling - 1 Family (Attached or Townhouse)							P	P	P	P	P	P	<u>P</u>	P	P	P	P	P	P
Dwelling - 1 Family (Detached)	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P	P	P	P
Dwelling - 2 Family							P		P		P			P	P	P	P	P	P

Dwelling - 3 Family									P		P		P	P	P	P	P	P
Dwelling - 4 Family											P		P	P	P	P	P	P
Dwelling - College Fraternity or Sorority (Off Campus)														P	P	P	P	P
Dwelling - School Dormitories or Housing (Off Campus)														P	P	P	P	P
Dwelling - HUD-Code Manufactured Homes	S	S	S	S	S	S	S	S	S	S	S	S	<u>S</u>					P
Dwelling (loft and/or ARH)														P	P	P	P	P
Dwelling - Multi-Family (18 Units/Acre Maximum)														P	P	P	P	P
Dwelling - Multi-Family (25 Units/Acre Maximum)															P	P	P	P
Dwelling - Multi-Family (33 Units/Acre Maximum)																P	P	P
Dwelling - Multi-Family (40 Units/Acre Maximum)																	P	S*
Dwelling - Multi-Family (50 Units/Acre Maximum)																	P	S*

Units/Acre Maximum in MF-50; 65 Units/Acre Maximum in MF-65)																		
Dwelling, Zero Lot Line						P	P	P	P	P	P	<u>P</u>	P	P	P	P	P	P
Foster Family Home			P	P	P	P	P	P	S	P	S	<u>P</u>						P
Foster Group Home	S	S	S	S	S	S	S	S	S	S	S	<u>S</u>						P
Golf Course (see § 35-346 "G" district)																		S
Housing Facilities for Older Persons (see § 35-373(e))							P		P		P		P	P	P	P	P	P
Nursing Facility											P		P	P	P	P	P	P
Park - Public or Private	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P	P	P	P
Public Safety Facilities	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P	P	P	P
Radio/Television Station With Transmitter Tower	S	S	S	S	S													P
Recreation Facility, Neighborhood		P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P	P	P	P
Residential Greenhouse (incidental to a primary	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P	P	P	P

residential use)																		
Residential Market Garden (incidental to a primary residential use)	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P	P	P
School - Private (Includes Church Schools, Private Schools K-12, College or University)	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P	P	P
School - Public Includes All ISD Schools K-12, Open Enrollment Charter Schools, Public College or University	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P	P	P
Storage (moving pods) (see 35-A101)	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P	P	P
Transit Center														P	P	P	P	P
Transitional Home											S			S	S	S	S	P
Transit Park & Ride														P	P	P	P	S
Transit Transfer Center (Max Size 14'x33' and total footprint no larger than 30'x40')	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P	P	P
Transit Station														S	S	S	S	S
Urban Farm	P	P	P	P	P	P	S	S	S	S	S	S	<u>S</u>	P	P	P	P	P

Wireless Communication System	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
* An Engineering Report in lieu of a site plan shall be submitted showing adjacent wastewater main capacity.																				

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(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)
	LOT DIMENSIONS						BUILDING ON LOT				BUILDING		
Zoning District	Lot Size (min)	Lot Size (max)	Density (max) (units/acre)	Street Frontage (min)	Width (min)	Width (max)	Front Setback (min) * *	Front Setback (max)	Side Setback (min)	Rear Setback (min)	Height (max) (feet/#of stories)	Size - Individual Building Size (max)	Size - Aggregate Building Size (max)
RP	10 acres		0.1	—	—	—	15	—	5	—	35/2-½	—	—
RE	43,560		1	100	120	—	15	—	5	30	35/2-½	—	—
R-20	20,000		2	65	90	—	10	—	5	30	35/2-½	—	—
R-6 <sup>1</sup>	6,000		7	30	50	150	10	—	5	20	35/2-½	—	—
R-5 <sup>1</sup>	5,000		9	30	45	150	10	—	5	20	35/2-½	—	—
R-4 <sup>1</sup>	4,000		11	20	35	150	10	—	5	20	35/2-½	—	—
R-3 <sup>1</sup>	3,000 <sup>7</sup>		—	15	20	—	10	35	5	10	35/3	70% of lot area	—
<u>R-2<sup>1</sup></u>	<u>2,000</u>		<u>—</u>	<u>15</u>	<u>20</u>	<u>—</u>	<u>10</u>	<u>—</u>	<u>5</u>	<u>5</u>	<u>35/3</u>	<u>50% of lot area</u>	<u>—</u>
<u>R-1<sup>1</sup></u>	<u>1,250</u>		<u>—</u>	<u>15</u>	<u>20</u>	<u>—</u>	<u>10</u>	<u>—</u>	<u>5</u>	<u>5</u>	<u>35/3</u>	<u>45% of lot area</u>	<u>—</u>
RM-6 <sup>1</sup>	6,000		7	15	15	150	10	—	5	20	35/3	—	—
RM-5 <sup>1</sup>	5,000		9	15	15	100	10	—	5	10	35/3	—	—
RM-4 <sup>1</sup>	4,000		11	15	15	80	10	—	5	10	35/3	—	—
MF-18 <sup>1,4</sup>	—		18	50	50	—	—	20 <sup>3,4,6</sup>	5	10	35	—	—
"MF-25" 1,4,8	—		25	50	50	—	—	20 <sup>3,4,6</sup>	5	10	35	—	—



"MF-33" 1, 4, 8	—		33	50	50	—	—	20 <sup>3, 4, 6</sup>	5	10	45	—	—
"MF-40" 1, 4, 8	—		40	50	50	—	—	20 <sup>3, 4, 6</sup>	5	10	60	—	—
"MF-50" 1, 4, 8	—		50	50	50	—	—	20 <sup>3, 4, 6</sup>	5	10	—	—	—
"MF-65" 1, 4	—		65	50	50	—	—	20 <sup>3, 4, 6</sup>	5	10	—	—	—
O-1 <sup>10</sup>	—		—	50	50	—	—	35	20 <sup>2</sup>	30 <sup>2</sup>	25	10,000	90,000
O-1.5	—		—	50	50	—	—	35	20 <sup>2</sup>	30 <sup>2</sup>	60	—	—
O-2	—		—	50	—	—	25	80	20 <sup>2</sup>	30 <sup>2</sup>	—	—	—
NC <sup>10</sup>	—		—	20	—	—	—	15	10 <sup>2</sup>	30 <sup>2</sup>	25	3,000	5,000
C-1 <sup>10</sup>	—		—	50	50	—	—	20	10	30	25	5,000	15,000
C-2	—		—	20	—	—	—	—	10 <sup>2</sup>	30 <sup>2</sup>	25	—	—
C-2P <sup>10</sup>			—	20	—	—	—	35	10 <sup>2</sup>	30 <sup>2</sup>	25	—	—
C-3	—		—	20	—	—	—	—	30 <sup>2</sup>	30 <sup>2</sup>	35	—	—
D <sup>9</sup>	—		—	—	—	—	—	—	—	—	—	—	—
L				80	—	—	25	—	30 <sup>2</sup>	30 <sup>2</sup>	35	—	—
I-1	—		—	80	80	—	30	—	30 <sup>2</sup>	30 <sup>2</sup>	60	—	—
I-2	—		—	100	100	—	30	—	50 <sup>2</sup>	50 <sup>2</sup>	60	—	—
UD-Single-family	—	10,000	—	15	15	150	10	20	0	10	35/2-½		
UD-Multi-family-15	—	—	15	50	50	—	10	20	5	10	35		15 units
UD-Multi-family-33			33	50	50		10	20	5	10			150 units
UD Major Node				20			0	35	10 <sup>2</sup>	30 <sup>2</sup>	35		
UD Minor Node				20			0	35	10 <sup>2</sup>	30 <sup>2</sup>	25	6,000	

RD-Single-family	43,560		1	100	120		15		5	30		35/2-½	
RD Major Node				20			0	35	10 <sup>2</sup>	30 <sup>2</sup>		25	
RD Minor Node				20			0	35	10 <sup>2</sup>	30 <sup>2</sup>		25	6,000
FR-Single-family	25 acres*		0.04				15		5			35/2-½	35/2-½
FR-Ag Commercial	25 acres*						15		5			35/2-½	35/2-½
FR Minor Node**			50					10 <sup>2</sup>	30 <sup>2</sup>			6,000	
FR Village Center	2 acres			300					10 <sup>2</sup>	30 <sup>2</sup>			
MI-1				80	80		***		30 <sup>2</sup>	50 <sup>2</sup>		60	
MI-1 Minor Node**				50			***		10 <sup>2</sup>	30 <sup>2</sup>		6,000	
MI-1 Village Center	2 acres			300			***		10 <sup>2</sup>	30 <sup>2</sup>			
MI-2				100	100		***		50 <sup>2</sup>	50 <sup>2</sup>		150	
MI-2 Minor Node**				50			***		10 <sup>2</sup>	30 <sup>2</sup>		6,000	
MI-2 Village Center	2 acres			300			***		10 <sup>2</sup>	30 <sup>2</sup>			

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**Note (1) - column (A):** See sections 35-372, 35-373, 35-515, and 35-516 of this chapter for standards applicable to zero lot line dwellings and uses other than detached single-family dwellings.

**Note (2) - columns (J) and (K):** Applies only to the setback area measured from a lot line which abuts a residential use or residential zoning district. The side or rear setback shall be eliminated where the use does not abut a residential use or residential zoning district or the two districts are separated by a public right-of-way. The indicated setback would not apply if the subject property adjoins a residentially zoned property (single-family or multi-family) which is occupied by an existing nonresidential use such as a public or private use school, church, park and/or golf course.

**Note (3) -** Public and parochial school facilities and religious institutions whose primary activity is worship shall be exempt from the

mandatory maximum front setback provision.
<b>Note (4)</b> - Single-family lot development within an "MF" multi-family zoning district shall meet the minimum lot requirements for an "R-4" zoning district.
<b>Note (5)</b> - Maximum front setback for "RD" and "UD" commercial uses shall not apply to flag lots or properties with primary frontage on expressways and parkways.
<b>Note (6)</b> - For a lot with one hundred (100) feet or more of frontage along a public or private street the maximum front setback of twenty (20) feet in "MF-18," "MF-25," "MF-33," "MF-40," and "MF-50" may be extended to ninety (90) feet provided that no parking or drives other than egress/ingress drives shall be located within twenty (20) feet of the front property line. For a lot with less than fifty (50) feet of frontage on a public street the front setback shall be at least twenty (20) feet and shall be measured from the point at which the lot first becomes wider than fifty (50) feet in width.
<b>Note (7)</b> - May vary in accordance with subsection 35-410.05a(b)(3).
<b>Note (8)</b> - When multi-family units (apartments) are developed in a non-multifamily zoning district as stand alone apartments the buildings and lot shall conform to the standards of development (setback, yards, buffer, landscaping, etc.) for one of the following "MF-18," "MF-25," "MF-33," "MF-40" or "MF-50" zoning districts. The specific district shall be determined by the density to which the apartments are being developed.
<b>Note (9)</b> - Site planning and architectural criteria for the "D" Downtown Zoning District can be found in the Downtown Design Guide in Appendix G of this chapter.
<b>Note (10)</b> - Buildings shall contain ground level fenestration (transparent windows and openings at street level) of not less than 30%. Parking areas for new buildings or structures shall be located behind the front façade of the principal use or principal building. For "O-1" and "C-1", parking shall be located behind the front facade of the principal use or principal building, provided that up to two (2) rows of parking may be located to the front of the principal use or principal building.