

ATTACHMENT 7

§ 24-40

ZONING

§ 24-42

- (4) *Building character.* Every building constructed under this zone shall have an exterior design and appearance of a residential structure. Improvements, additions or modifications to the exterior of an existing structure shall enhance or be consistent with the appearance of a residential structure.
- (5) *Setback requirements.* No building or structure shall be located within the following areas set back from the respective lot or parcel lines:
- | | |
|-------------|-----------------------|
| Front | 10 feet |
| Rear | 20 feet |
| Side | 10 feet for each side |
- (6) *Density.* The maximum density in this zone shall not exceed six (6) individual units per gross acre, exclusive of accessory structures. The dedication of streets to public use within the project shall not reduce the permissible density.

(b) All permitted and special exception uses within this zone do not require residential occupancy of on-site buildings; however, such occupancy shared with other uses of the same building is encouraged as a furtherance of achieving the purposes of the zone.

(c) The Traditional Neighborhood Design (TND) option may be used as an alternate method of development, subject to compliance with the standards set forth in section 24-22.3 of Chapter 24 of this Code.

(Ord. No. O-5-82, § 2; Ord. No. O-3-99, 1-19-99)

Sec. 24-41. Site plan review and landscape plan.

(a) No building or structure shall be hereafter erected, altered or modified under the RB Zone which would require the issuance of a building permit, nor shall any use be established, altered or enlarged under this zone which requires the issuance of an occupancy permit until a site development plan has been approved by the city planning commission pursuant to the requirements of Article V of this chapter.

(b) In addition to all other requirements contained in Article V of this chapter, a landscape plan shall be submitted to the city planning commission for its approval. Such landscape plan shall reflect the final condition of and improvements to all pervious areas, including, but not limited to, all man-made and natural features, the location, height or caliper and species of all permanent plant material. Further, such landscape plan shall emphasize buffering and screening against visual intrusion to adjacent properties.

(Ord. No. O-5-82, § 2)

DIVISION 4. RP-T ZONE, MEDIUM DENSITY RESIDENTIAL

Sec. 24-42. Purpose of zone.

The RP-T Zone is intended to provide for the development of a variety of residential uses at a density higher than that permitted in the R-90 Zone, and to encourage the provision of usable

open green space areas. It is further intended to encourage creativity in the design of residential development by the elimination of minimum lot sizes and some yard requirements. (Res. No. R-1-68; Ord. No. O-6-77)

Sec. 24-43. Permitted uses.

The following uses shall be permitted:

- (1) Dwellings including single family attached and detached, two family, semi detached, multiple family and multiple family condominium dwellings.
 - (2) Playgrounds and parks.
 - (3) Accessory uses:
 1. Home based businesses authorized pursuant to article X, chapter 24 of this Code.
 2. Child or elderly day care facilities in single family detached dwellings or duplexes accommodating not more than eight (8) individuals.
 3. Community swimming pools.
 4. Noncommercial recreation facilities primarily for use of residents of the project in which they are located.
 5. Any use on the same lot or parcel as the primary use which is customarily incidental and subordinate to the principal or primary use.
 - (4) Accessory structures, if accessory to a townhouse form of development, shall occupy no greater than forty-eight (48) square feet of rear yard area. Accessory structures erected in other forms of development must adhere to the requirements of section 24-163 of this Code.
 - (5) Temporary sales offices: The use of not more than two (2) dwellings in a project as offices for the sale of new dwelling units within the project only as long as the original sale of dwelling units is not complete.
 - [5.1] Satellite television antennas and towers, poles, antennas or other structures intended for use in connection with transmission or receipt of radio or television signals, or both, subject to the provisions of section 24-167A of this Code.
 - (6) Bed and breakfast subject to the requirements contained in section 24-167B.
 - (7) Public buildings and uses.
- (Res. No. R-1-68; Ord. No. O-1-76, § 1; Ord. No. O-6-77; Ord. No. O-1-79; Ord. No. O-4-80, § 4; Ord. No. O-17-81, § 3; Ord. No. O-20-87, 9-8-87; Ord. No. O-3-88, 3-28-88; Ord. No. O-5-93, 4-12-93; Ord. No. O-17-93, 11-15-93; Ord. No. O-1-96, 2-5-96; Ord. No. O-8-98, § 2, 8-3-98; Ord. No. O-13-02, 11-4-02; Ord. No. O-5-04, 1-20-04)

Sec. 24-43A. Uses by special exception.

The following uses shall be permitted by special exception:

- (1) Child or elderly day care facilities in buildings or dwellings other than single-family detached dwellings or duplexes accommodating not more than eight (8) individuals.
- (2) Telecommunications facilities, subject to the requirements of section 24-167A(C)(2).
- (3) Home based businesses—Material impact.
(Ord. No. O-5-93, 4-12-93; Ord. No. O-21-97, 11-17-97; Ord. No. O-8-98, § 2, 8-3-98)

Sec. 24-44. Density requirements.

Except as provided in section 24-54A, there shall be no more than nine (9) dwelling units per gross acre. The dedication of streets to public use within the project shall not be construed to reduce the permissible density.

(Res. No. R-1-68; Ord. No. O-6-77; Ord. No. O-3-87, 3-2-87)

Sec. 24-45. Setback requirements.

(a) Except as provided in section 24-54A, no building shall be built within thirty-five (35) feet of any street line or proposed street line of any public street which constitutes an outside boundary of the project, or any public street within the project other than a residential tertiary, residential secondary or residential primary street as these terms are defined in Chapter 19 of this Code.

(b) No building shall be built within twenty (20) feet of any outside boundary line of the project other than a street line.

(Res. No. R-1-68; Ord. No. O-6-77; Ord. No. O-3-87, 3-2-87)

Sec. 24-46. Height limit.

Except as provided in section 24-54A, building height shall not exceed thirty-five (35) feet.

(Res. No. R-1-68; Ord. No. O-6-77; Ord. No. O-3-87, 3-2-87)

Sec. 24-47. Townhouse locations.

Townhouse units shall be so located on their lots that not more than two (2) abutting townhouses shall have their front walls in the same vertical plane.

(Res. No. R-1-68; Ord. No. O-6-77)

Sec. 24-48. Open space.

(a) Except as provided in section 24-54A, at least fifty (50) percentum of the land area of any project in this zone remaining after the dedication of streets to public use shall be devoted to open space. In calculating open space, patio slabs and pedestrian walkways and recreation areas not contained in buildings may be included, but not off-street parking spaces or private driveways.

(b) Except as provided in section 24-54A, of the minimum required open space, at least one thousand (1,000) square feet per dwelling unit within the project shall be located so as to permit and encourage its use in common by the occupants of the project in leisure activities. (Res. No. R-1-68; Ord. No. O-6-77; Ord. No. O-3-87, 3-2-87)

Sec. 24-49. Reserved.

Editor's note—Ord. No. O-3-87, adopted March 2, 1987, provided in part for the repeal of former § 24-49, which pertained to off-street parking and derived from Res. No. R-1-68 and Ord. No. O-6-77.

Sec. 24-50. Street design.

Any public or private street, sidewalk, curb and gutter or driveway apron within the project shall be constructed in accordance with the applicable materials standards of Chapter 19 of this Code.

(Res. No. R-1-68; Ord. No. O-6-77)

Sec. 24-51. Reserved.

Editor's note—Repealed by Ord. No. O-12-78, § 2.

Sec. 24-52. Frontage on public streets.

Anything to the contrary notwithstanding in any regulation in this Code, lots in this zone shall not be required to have immediate access to a public street provided the planning commission shall find, in the course of site development plan review, that satisfactory access to a public street over private walkways or driveways will be provided.

(Res. No. R-1-68; Ord. No. O-6-77)

Sec. 24-53. Applicability of division to land shown on zoning map as R-T Zone.

All land shown on the official zoning map of the city in the R-T Zone shall be governed by the regulations contained in this division.

(Res. No. R-1-68; Ord. No. O-6-77)

Sec. 24-54. Applicant to furnish bylaws, articles of incorporation, etc., of homeowner's association applicable to property.

In addition to site plan preparation with the requirements of this division, the applicant shall furnish to the city the bylaws of the homeowner's association, the articles of incorporation of the homeowner's association and a copy of the declaration of covenants, conditions and restrictions applicable to the property which is supposed to have been recorded with the clerk of the circuit court.

Sec. 24-54A. Housing for the elderly or handicapped; development standards.

This use shall be located on a lot containing a minimum of five (5) acres. Housing for the elderly or handicapped shall also be subject to the following development standards:

- (a) Building height shall not exceed fifty (50) feet.
- (b) Density shall not exceed one dwelling unit per one thousand five hundred (1,500) square feet. The dedication of streets to public use shall not be construed to reduce the permissible density.
- (c) No building shall be built within thirty-five (35) feet of a residential tertiary, residential secondary or residential primary street as these terms are defined in Chapter 19 of this Code; provided, however, that no building shall be built within one hundred fifty (150) feet of any street line or proposed street line of any public street with a right-of-way of greater than sixty (60) feet.
- (d) No building shall be built within forty-five (45) feet of a residential lot line of an adjacent residential lot.
- (e) At least sixty (60) percentum of the land area of any project in this zone remaining after the dedication of streets to public use shall be devoted to open space. In calculating open space, patio slabs and pedestrian walkways and recreation areas not contained in buildings may be included, but not off-street parking spaces or private driveways. Of the minimum required open space, at least eight hundred (800) square feet per dwelling unit within the project shall be located so as to permit and encourage its use in common by the occupants of the project in leisure activities.
- (f) Off-street parking shall be provided as specified in section 24-219(b).
- (g) Ancillary facilities such as retail services, beauty parlors, libraries and laundry rooms serving exclusively the residents of the project shall be allowed; provided, no exterior signs or direct outside entrances shall be permitted to such service uses.
- (h) Offices, meeting and conference rooms and administrative uses related to the operation, business or program or service needs of the project shall be allowed.

(Ord. No. O-3-87, 3-2-87)

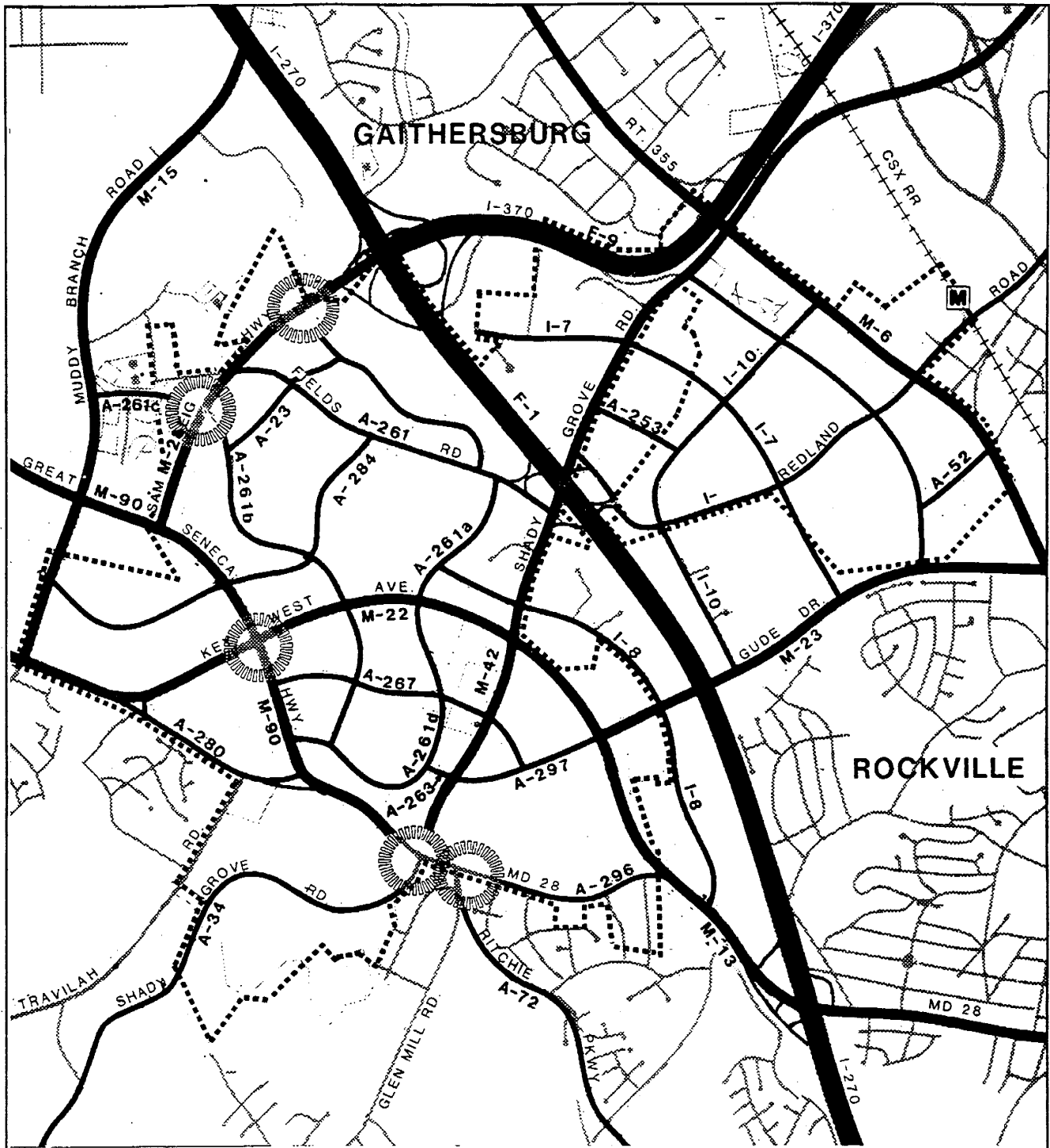
Sec. 24-54B. Traditional Neighborhood Design (TND) option.

The Traditional Neighborhood Design (TND) option may be used as an alternate method of development, subject to compliance with the standards set forth in section 24-22.3 of Chapter 24 of this Code.

(Ord. No. O-3-99, 1-19-99)

Highway Plan

Figure 7.3



	Freeway		Future Interchange or Grade Separation
	Major Highway		
	Arterial Business Industrial Roads		
	Study Area Boundary		



M-NCPPC