

PART X. MULTIPLE-FAMILY RESIDENTIAL ZONE DISTRICTS (R-3, R-4)

§ 155.XXX PURPOSE.

The following zone districts are referred to collectively in this Section as the “multiple-family residential zones.”

- (A) The Multiple-Family/Medium Density Residential (R-3) zone district provides a suitable environment for those wishing to live in detached housing on small lots, apartments, or multiple dwelling units. The intent is to promote pedestrian- and street-oriented design, allow for residential development on existing parking lots for religious institutions, retain desirable residential characteristics for medium density living, and stabilize and protect existing medium density areas. Detached and attached housing is permitted with a range of density (9.1 to 25 units per acre) with heights of two to four stories and high-quality design to ensure neighborhood quality.
- (B) The Multiple-Family/High Density Residential (R-4) zone district provides a suitable environment for those wishing to live in apartments or multiple dwelling units. The intent is to promote pedestrian- and street-oriented design, allow for residential development on existing parking lots for religious institutions, retain desirable residential characteristics for high density living, and stabilize and protect existing high density areas. Multiple dwelling unit developments is permitted with a range of density (25.1 to 40 units per acre) with heights of two to four stories and high-quality design to ensure neighborhood quality.

§ 155.XXX USES.

Principal permitted uses and conditional uses are shown in Table XX. Where a “P” is indicated, the use is a principal permitted use in the zone. Where a “CUP” is indicated, the use is permitted in the zone only after a valid conditional use permit has first been issued. Where an “AUP” is indicated, the use requires an administrative use permit from the Director of Planning and Development

Table XX: Multiple-Family Residential Allowed Uses and Permit Requirements			
P: Permitted Use	CUP: Conditional Use Permit		
Blank: Use Not Allowed	AUP: Administrative Use Permit		

Use	Land Use Regulation		Specific Use Regulations
	R-3	R-4	
RESIDENTIAL USES			
Single Unit Dwelling	P	P	
Multi-Unit Dwelling	P	P	
Accessory Dwelling Unit. / Junior Accessory Dwelling Unit	P	P	Permitted only as accessory use Subject to the regulations in § 155.64
Accessory Uses	P	P	See § 155.XXX
Boarding House and Single Room Occupancy (SRO)	CUP	CUP	
Employee Housing, Large	P	P	

Use	Land Use Regulation		Specific Use Regulations
	R-3	R-4	
Employee Housing, Small	P	P	Six or fewer occupants
Manufactured (Mobile) Home	P	P	Requires permanent foundation
Mobile Home Park	P	P	
Resident Manager's Unit	P	P	
Supportive Housing	P	P	Subject to only those restrictions and processing requirements that apply to other residential dwellings of the same type in this district
Transitional Housing	P	P	Subject to only those restrictions and processing requirements that apply to other residential dwellings of the same type in this district
CARE SERVICES AND FACILITIES			
Residential Care, Assisted Living	CUP	CUP	
Community Care Facilities, Large	CUP	CUP	
Community Care Facilities, Small	P	P	Six or fewer occupants
Emergency Shelter, Permanent	--	--	
Emergency Shelter, Low Barrier Navigation Centers	--	--	
Family Day Care Home, Large	AUP	AUP	Subject to Approval by Director of Planning and Development See Section 155.625; Day Care; Large Family
Family Day Care Home, Small	P	P	Child Care Nurseries subject to § 155.619
RECREATION, EDUCATION, AND PUBLIC ASSEMBLY USES			
Clubs, lodges and similar organizations, except those operated for profit	CUP	CUP	See § 155.622 Clubs, Lodges and Similar Organizations
Community Gardens	P	P	
Cultural Institutions	CUP	CUP	May not include storage yards, warehouses, or similar facilities
Parks and Public Plazas	CUP	CUP	
Public or Quasi-Public Facilities	CUP	CUP	May not include storage yards, warehouses, or similar facilities

Use	Land Use Regulation		Specific Use Regulations
	R-3	R-4	
Recreation, Public or Quasi-Public	CUP	CUP	May not include storage yards, warehouses, or similar facilities
Religious Assembly Facilities	CUP	CUP	
Schools, K-12 – Private	CUP	CUP	
Schools, K-12 – Public	P	P	
Business or Professional Schools	CUP	CUP	
Colleges and Universities – Public and Private	CUP	CUP	
RETAIL, COMMERCIAL SERVICE, AND OFFICE			
Office, Business, and Professional (non-medical and Dental Offices)	CUP	CUP	
OTHER USES			
Temporary Uses/Activities	Subject to the approval of the Director of Planning		See Section 155.643 Sales Promotion Uses; Temporary.
Electrical Distribution Substations	CUP	CUP	May not include storage yards, warehouses, or similar facilities
Utility Facilities			
Facilities with On-site Staff	CUP	CUP	
Facilities with No On-site Staff	CUP	CUP	
Wireless Telecommunication Facilities, Satellite Dish Antenna	Subject to Section 157 (Wireless Telecommunications Facilities) and as otherwise regulated by this Section		

§ 155.XXX ACCESSORY USES.

The following accessory uses are permitted in the multiple-family residential use zones:

- (A) Garages, gardening sheds, lath houses, recreation rooms and similar uses customarily incidental to principal permitted uses.
- (B) The provisions of room and board for not more than two persons per dwelling unit, other than members of the household or household servants.
- (C) Private swimming pools.
- (D) Keeping of not more than one adult dog and one adult cat and their litters up to the age of 10 weeks.
- (E) Home occupations in accordance with the provisions of § 155.635.
- (F) Vegetable or flower gardens.
- (G) Yard sales in accordance with the following:

- (1) A permit shall be required from the Department of Planning and Development to conduct a yard sale in the multiple-family residential zones. The said permit shall be posted conspicuously on the property during the course of the yard sales event.
 - (2) A resident shall be allowed a maximum of three yard sale events in any calendar year.
 - (3) Each yard sale shall not exceed three consecutive days.
 - (4) Each sale may begin no earlier than 8:00 a.m. and conclude no later than 6:00 p.m.
 - (5) One sign, with an area not greater than six feet, may be posted on the private property where the yard sale occurs; the sign must be removed at the conclusion of the sale each day. No other signs are permitted, including signs on public property.
 - (6) The merchandise offered for sale shall be limited to the resident's personal goods. The offering of merchandise acquired for the purpose of resale is prohibited.
- (H) Cottage food operations in accordance with the provisions of § 155.635.1.
- (I) Other uses not explicitly prohibited that, in the opinion of the Director of Planning, are incidental and accessory to multiple-family residential use and meet the intent of the respective zone and this Title.

§ 155.XXX DEVELOPMENT STANDARDS.

The property development standards that follow shall apply to all lots in the multiple-family residential zones. The property development standards in §§ 155.445 through 155.463 shall also apply.

Table XX: Multiple-Family Residential Zones Development Standards			
Standards	Land Use Regulation		
	R-3	R-4	Comments
Minimum lot area	7, 500 sf	20,000 sf	Small-lot subdivisions in R-3 zones may use PD process to create smaller lots
Minimum lot width	60 ft	None	
Minimum lot depth	125 ft	None	
Minimum dwelling size	500 sf ¹	--	
Maximum lot coverage	60%	X	
Open Space	--	200 sf/unit	
Storage	--	240 cu ft/unit	
Minimum setback - Front - Rear - Interior Side ² - Corner/Street Side Minimum setbacks for structures abutting a Single-Family Residential (R-1) zone - Rear - Interior Side ²	15 ft 5 ft 5 ft ³ 10 ft ⁴ 20 ft ³ 15 ft	15 ft 5 ft 5 ft ³ 10 ft ⁴ 20 ft ³ 15 ft	Additional 5 ft setback required for each additional 10 ft of building height above height limitation
Maximum building height (base)	3 stories; 40 ft	4 stories; 55 ft	Increased height allowed with additional setbacks noted above
Maximum building height within 25 feet of a lot line abutting a residential zone (required step-down)	30 ft	30 ft	

¹ Excludes garages and porch areas.

² When used for driveway access to serve parking facilities, a side yard shall be not less than 10 feet.

³ Except as provided in §§ 155.385 through 155.958, no part of the area between the street property line and the wall of the building shall be used for parking or storage purposes, including the parking or storage of motor vehicles, trailers, boats or boat trailers, unless completely screened from view from the adjoining street.

⁴ On a reversed corner lot, the side yard adjoining the street shall be not less than the front yard required on interior lots on the street upon which the reversed corner lot sides. Except as provided in §§ 155.385 through 155.958, no part of the area between the street property line and the wall of the building shall be used for parking or storage purposes, including the parking or storage of motor vehicles, trailers, boats, or boat trailers, unless completely screened from view from the adjoining street.

Table XX: Multiple-Family Residential Zones Development Standards			
Standards	Land Use Regulation		
	R-3	R-4	Comments
Minimum distance between buildings containing dwelling units ⁵	20 ft	20 ft	
Maximum density	25 du/ac	40 du/ac	
	See also residential density bonus in §155.625.1		

§ 155.XXX PERMITTED FENCES, HEDGES AND WALLS.

Fences, hedges and walls shall be permitted; except, that in a required front yard or required side or rear yard, where adjoining a dedicated street, the height shall not exceed three and one-half feet.

§ 155.XXX SCREENING OF MECHANICAL EQUIPMENT

- (A) Building walls. Where mechanical equipment is permitted on a building wall that abuts a public street or civic space, it shall be screened from view from the right-of-way or civic space. Standpipes, meters, vaults, and similar equipment need not be screened but shall not be placed on a front elevation when other feasible alternatives exist; such equipment shall be placed on a side or rear elevation or on a secondary street of a corner lot, where feasible.
- (B) Rooftops. Rooftop mechanical units shall be setback or screened behind a parapet wall so that they are not visible from any public street, civic space or abutting property.
- (C) Ground-mounted mechanical equipment. Ground-mounted equipment, such as generators, air compressors, trash compactors, and similar equipment, shall be screened with fences or walls constructed of materials similar to those on adjacent buildings. Hedges, trellises, and similar plantings may also be used as screens where there is adequate air circulation and sunlight, and irrigation is provided. The city may require additional setbacks and noise dampening equipment for compatibility with adjacent uses.

§ 155.XXX REQUIRED OFF-STREET PARKING AND LOADING AND BICYCLE PARKING

Off-street parking and loading facilities shall be provided in accordance with §§ 155.475 through 155.502 of this Section.

§ 155.XXX REQUIRED ACCESS.

Access to off-street parking facilities shall be provided in accordance with the provisions of §§ 155.488 through 155.490 of this Section.

§ 155.XXX SIGNS.

No signs shall be permitted in the multiple-family residential zones except in accordance with the following provisions. The provisions of §§ 155.515 through 155.536 regarding signs shall also apply.

- (A) Signs or nameplates not exceeding one square foot in area and displaying only the name and address of the premises and the owner or lessee thereof shall be permitted.

⁵ The minimum distance between buildings set forth in this subchapter shall be increased by five feet for each 10 feet, or fraction thereof, above the building height limitation of 40 feet.

- (B) Each apartment building or development may have one permanent sign not exceeding 20 square feet in area identifying the premises. Such sign shall not extend above the roof of the building.
- (C) Temporary subdivision tract signs and architect's or builder's signs shall be permitted in accordance with the provisions of §§ 155.515 through 155.536.
- (D) "For rent," "for sale," or "for lease" signs, each lot exceeding six square feet in area and not more than two such signs on any one lot or parcel, shall be permitted.
- (E) Signs which move or which have moving parts or flashing lights shall not be permitted in this zone.

§ 155.XXX LANDSCAPING, OUTDOOR OPEN SPACE AND STORAGE.

The following landscaping provisions shall apply in the multiple-family residential zones. In addition, the landscaping provisions of §§ 155.545 through 155.559 shall also apply:

- (A) Street facing landscaping.
 - (1) Front and side yard areas that adjoin a dedicated street shall be suitably landscaped and maintained.
 - (2) The parkway portion of the adjoining dedicated street shall be improved with sidewalks and/or landscaping and street trees in accordance with the requirements of the Director of Public Works.
 - (3) Fences or walls, including building walls, constructed adjacent to a public street and within 20 feet of the front property line, or side property line in the case of a corner lot, the entire area between the fence or wall and the property line shall be landscaped.
- (B) Parking lot landscaping. All areas shall have landscaping installed equivalent to 6% of the total parking areas. This landscaping shall be distributed so that 50% of the landscaping is located around the perimeter of the parking area, and the balance located within the parking area.
- (C) Curbs. Concrete curbs shall be installed along the borders of all on-site landscaped areas where said landscaped areas interface with driveways, off-street parking and loading areas and other similar facilities.
- (D) The Planning Commission shall have the authority to grant a temporary waiver of required landscaping in accordance with the provisions of § 155.557.
- (E) Open Space. All R-4 residential projects shall provide common and/or private open space. The minimum amount of open space area required for each dwelling unit on the site is stated in Table XXX. Required area may be provided as individual, private outdoor areas, such as patios or balconies, or as common areas. There also may be a combination of individual and common areas. Where a combination of individual unit and common areas is provided, each individual area must meet § 155.XXX.E.1 and each common area must meet § 155.XXX.E.2 below, and together must provide a total amount of open space equivalent to the combined amount of outdoor area required for each dwelling unit.
 - (1) Where a separate outdoor area is provided for an individual unit, it must be designed so that a 4-foot by 6-foot dimension will fit entirely within it. The outdoor area must be directly accessible to the unit. Areas used for pedestrian circulation to more than one dwelling unit do not count towards meeting the required outdoor area.
 - (2) Common areas may be indoors or outdoors.
 - (a) Where outdoor areas are common, shared areas, each area must be designed so that it is at least 500 square feet in area and must measure at least 20 feet in all directions. A portion of the outdoor common area must be located within 20 feet of a building entrance providing access to residential units. Required outdoor areas must be surfaced with lawn, pavers, decking, or sport court paving which allows the area to be used for active or passive recreational use. User amenities, such as tables, benches, trees, shrubs, planter

boxes, garden plots, drinking fountains, barbeques, spas, or pools, may be placed in the outdoor area. Common, shared outdoor areas may also be developed with amenities such as play areas, plazas, roof-top patios, picnic areas, and open recreational facilities.

- (b) Where an indoor common area is provided, it must be an indoor recreational facility or an indoor tenant community room (e.g., exercise rooms, club rooms, etc.). Indoor common areas that are not recreational facilities or community rooms, such as lobbies, hallways, laundry facilities, mail rooms, storage rooms, and vehicle or bicycle facilities, cannot be used to meet this requirement.

§ XXX ACCESSORY BUILDINGS.

The standards in this section apply to development and redevelopment of accessory structures on properties within the multiple-family residential zones.

- A) Any accessory building located less than 70 feet from the front property line shall have the same minimum side yard as that required for the main building.
- B) An accessory building having a maximum height of 16 feet.
- C) An accessory building may be located on a side property line which does not border a street when said building complies with all of the following:
 - (1) Is 70 feet or more from the front property line.
 - (2) Has no openings on those sides of the building adjoining a property line and is of one hour fire-resistant construction on said sides.
 - (3) Has provision for all roof drainage to be taken care of on the subject lot.
- D) An accessory building which is 70 feet or more from the front property line, but which does not meet the requirements of subdivision (2) of this division, may not be located closer than three feet from the side property line.
- E) An accessory building having direct vehicular access from an alley shall be located not less than 25 feet from the opposite side of the alley.
- F) An accessory building may be permitted on the rear property line when said building:
 - (1) Has no openings on the sides adjoining any property line and is of one hour fire-resistant construction on said sides.
 - (2) Has provision for all roof drainage to be taken care of on the subject property.
- G) An accessory building which does not comply with the requirements of subdivision (5)(a) of this division shall not be located closer than three feet from the rear property line.
- H) An accessory building having direct vehicular access from an alley shall be located not less than 25 feet from the opposite side of the alley.
- I) On a reverse corner lot, an accessory building shall not be located closer than five feet from any rear property line which is also the side property line for the property to its rear.

§ 155.XXX PERMITTED ENCROACHMENTS INTO REQUIRED YARDS.

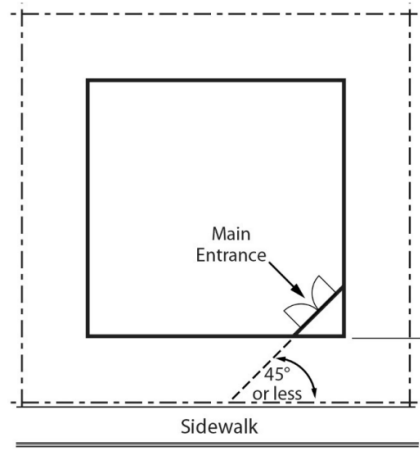
Certain encroachments shall be permitted in required yard areas. The type of encroachments and the distance they may extend into yard areas are set forth in §155.455 (D) and §155.457 (C).

§ 155.XXX BUILDING ENTRIES.

These provisions ensure that all entrances to a primary building are visible and connected to the sidewalk by a pedestrian walkway. These features are important when the building is accessed by a pedestrian from the street (rather than from the parking lot). These standards apply to the primary building(s) on a site (e.g., not to accessory structures).

- (A) Required walkway. All primary entrances to a building (e.g., tenant entrance, lobby entrance, breezeway entrance, or courtyard entrance) must be connected to the sidewalk abutting a street by a direct and continuous walkway.
- (B) Entry orientation. All buildings must have at least one primary entrance facing a major street (i.e., within 45 degrees of the street property line). See Figure XX: Entry Orientation.

Figure XXX: Entry Orientation



- (C) Entry design. The primary building entrance(s) must be architecturally emphasized through the use of one or more of the following features: recessed doorway(s); overhangs or canopies; transom windows; ornamental light fixtures; larger, transparent or more prominent doors; or pilasters or columns that frame the principal doorway.

§ XXX STREETScape REQUIREMENTS.

- (A) Sidewalks and other pedestrian improvements. All sidewalk construction shall be designed and constructed to meet standard city specifications as approved by the City. On major street frontages, the Director of Planning may condition development approvals on construction of wider sidewalks, pedestrian streetscape furniture, pedestrian-scale lighting, safety enhancements (e.g., bollards) and textured paving surfaces.
- (B) Street trees. Street trees are required on all streets. Street trees shall be selected, planted and maintained in accordance with city specifications for street trees. On major street frontages, if street trees are planted within tree wells, the Director of Planning may condition development approvals on such wells having city-approved metal grates.