



ZONING ORDINANCE
DIVISION 708
DISTRICT STANDARDS AND PERMITTED USES

708.13 RHR, Residential High-Rise

A. Purpose and Intent.

The RHR district is intended to provide suitable areas for high density residential dwellings with provisions for accessory uses and structures. This zoning district may serve as a transitional zone between commercial/office uses and residential districts of a lesser intensity.

B. Permitted Uses.

1. High rise apartments and condominiums.
2. Group homes, limited to one bed per 250 gross square feet of heated building space. Operator must obtain all necessary state certifications.
3. Fraternity and sorority houses and residence halls.
4. Assisted living, personal care and retirement home facilities, provided:
 - a) Such facilities must obtain all necessary state licenses and/or certifications.
 - b) The maximum number of beds permitted shall be determined by multiplying the site's acreage by the district's density limitation.

Ex. A 1.5 acre site could include 98 beds [(1.5 acres) x (65 DUA) = 98]

5. Retail trade provided all sales and service activities are ancillary to the operation of the high-rise apartment development and are conducted wholly within the building housing the use to which such activities are accessory, provided that the floor space used shall be limited to the first floor.
6. Accessory uses and structures incidental to any legal permitted use.

C. Temporary/Conditional Uses Allowed by the Director.

1. Limited Home Occupations (see standards set forth in Section 712.04).
2. Garage Sales, provided:
 - a) Sales may not last more than 3 consecutive days and are limited to one sale every 3 months.
 - b) No consignment goods may be offered for sale.
 - c) Sales are conducted between the hours of 8:00 a.m. and 7:00 p.m.
 - d) One sign per property frontage is allowed, maximum 6 square feet in size.
3. Mobile Retail Food Establishment shall be allowed on property zoned RHR according to the restrictions listed below:
 - a) Written permission of the property owner is obtained.
 - b) Such use does not last longer than one day and no more than 3 days annually.
 - c) These uses are not located within any public right-of-way or City owned property, unless otherwise authorized by the City.
 - d) Adequate paved parking, ingress and egress are provided on site.
 - e) A temporary use permit is applied for and approved by the Director of the Department of Development Services.
 - f) The Board of Zoning Appeals shall not issue and are not granted the authority to issue variances to any of the regulations relating to Mobile Retail Establishments; all such variance requests must be submitted to City Council. Variances for mobile food establishments shall be considered according to the criteria defined under §712.01 (E).

D. Special Uses Permitted by Board of Zoning Appeals.

Not applicable in this district.

E. Special Uses Permitted by City Council

1. Halfway houses (see standards set forth in Section 712.02).

- a) The structure meets all aspects of the Standard Housing Code including minimum dwelling space requirements.
- b) The operator obtains certification from the appropriate state licensing body.
- c) No other such facility is located within 1,000 feet as measured from property line to property line.
2. Places of assembly, private parks and playgrounds, and neighborhood recreation centers or swimming pools, provided:
 - a) Lighting shall be established in such a way that no direct light shall cast over any property line nor adversely affect neighboring properties.
 - b) Any building or structure established in connection with such use must be setback no less than 75 feet from any property line.
 - c) All pools must adhere to the standards of the Standard Swimming Pool Code, as amended. (See standards set forth in Section 712.01).
3. Party Houses

F. Accessory Structures.

1. All such structures shall be located upon the same lot and to the side or rear of the principal use at least 10 feet from side or rear lot lines. In cases of corner lots, the accessory structure may not be closer to any right-of-way than the principal building.
2. When an accessory building is attached to the principal building in any manner, it shall be deemed part of the principal structure and subject to all bulk and area requirements of same.
3. No accessory building shall be constructed upon a lot before the principal building.
4. If the accessory structure is a parking garage, up to 50% of the gross floor area of the ground floor level may be devoted toward commercial use oriented towards pedestrian traffic.
5. The height of accessory structures shall be limited to 50 feet but in no case exceed 33% of the mean height of the principal building.
6. Swimming pools must be enclosed by a fence not less than 4 feet in height with a self-closing, self-latching gate and must comply with all applicable safety and health ordinances.
7. Heating and air conditioning units may encroach 5 feet into the required rear or side setback.
8. Accessory structures utilizing canvas coverings, tarpaulins, sails, tents, or other nondurable materials, are considered temporary and are not permitted for long term use, as they do not meet the minimum requirements of the building code for an accessory structure. Such temporary accessory structures may only be utilized for a period not lasting longer than 14 days consecutively and 42 days annually.

G. Use Limitations.

1. All outside storage associated with non-residential uses must be stored in a side or rear yard and screened from all streets and adjacent properties by an opaque fence no less than six feet in height. The Director may approve the substitution of plantings for the required fence. Storage of portable sanitation units, portable chemical toilets or any other container intended to hold human waste is prohibited. Unenclosed carports and front porches may not be used for storing any materials other than firewood or recyclable materials within a city approved container.
2. When over 75% of the required parking is provided underground, a density bonus of 10 dwelling units per acre shall be allowed.
3. Each dwelling unit may contain a maximum of 4 domesticated animals weighing 3 lb. or more. This standard shall not apply to animals less than six months of age. No livestock are permitted.

H. Bulk and Area Regulations.



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Minimum Tract Size:	2 acres
Maximum Tract Size:	10 acres
Maximum Density:	65 dwelling units per acre
Minimum Lot Width:	100 ft.
Max./min. Building Height:	15/5 stories
Minimum Floor Area:	500 sq. ft. for an efficiency 650 sq. ft. for 1 bedroom unit 800 sq. ft. for 2 bedroom unit 1000 sq. ft. for 3 bedroom unit
Maximum Floor Area Ratio:	4.0
Maximum Impervious Surface:	60%
Minimum Parking Required:	2 spaces per unit
Recreation area provided:	10% of total area
Front Setback (arterial):	50 ft.
Front Setback (collector):	35 ft.
Front Setback (local):	35 ft.
Side Setback (major):	35 ft.
Side Setback (minor):	30 ft.
Rear Setback:	40 ft.

I. *Landscape and Buffer Requirements.*

When an RHR district abuts a more restrictive residential district or use, a 50-foot buffer shall be established. (see standards set forth in Section 710.05) Such buffer must include a solid fence or wall no less than six feet in height and shall be required around all parking and outdoor activity areas, regardless of adjacent zoning.