

CHAPTER 1234: D-3 MEDIUM DENSITY DWELLING UNIT DISTRICT

Section

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CROSS REFERENCES

Lot access for dwellings - see P. & Z. 1224.01

Home occupations and home professions - see P. & Z. 1224.07, 1224.08

Parking recreational equipment, vehicles - see P. & Z. 1224.10, 1224.12

Housing and architectural standards - see P. & Z. Ch. 1225

Dwelling groups - see P. & Z. 1260.01

§ 1234.01 INTENT.

The D-3 District is intended to provide medium density residential uses in urban areas with complete Municipal services.

(Ord. 4886, passed 12-27-1968)

§ 1234.02 PRINCIPAL USES PERMITTED.

No structure or land shall be used for any other than one or more of the following purposes:

(a) *Residential*. Single-family detached dwellings, multiple-family dwellings containing not more than four families or housekeeping units in any single building, rooming houses for not more than four roomers or lodgers by a resident family and not including separate kitchen facilities for the use of such roomers or

lodgers, multi-family dwelling groups as provided in Chapter 1260; mobile homes or mobile home-type structures are expressly prohibited.

(b) *Institutional*. Churches and other places of worship, provided that any building in such use shall be located at least 25 feet from any lot or property line, and provided that any lot or tract for such use shall contain at least one acre and shall be located on a primary, secondary or collector street as designated on the Official Thoroughfare Plan; cemeteries, provided that structures related to such use shall be at least 100 feet from any lot or property line, and provided that any lot or tract for such use shall contain at least ten acres;

(c) *Educational*. Public elementary and secondary schools, provided that any such building in such use shall be located at least 50 feet from any lot or property line, and provided that any lot or tract in such use shall contain at least three acres and that secondary schools shall be located on a primary or secondary thoroughfare as designated on the Official Thoroughfare Plan; and

(d) *Recreational*. Public parks, playgrounds, playfields, recreational and community center buildings and grounds, public golf courses, tennis courts and similar recreational uses of a noncommercial nature, provided that any principal building shall be located at least 50 feet from any lot or property line, and any swimming pool shall be located at least 100 feet from any lot or property line.

(Ord. 5066, passed 2-10-1970)

§ 1234.03 CONDITIONAL USES PERMITTED.

The following uses shall be permitted only if specifically authorized by the Planning Commission in accordance with the procedure set forth in Chapter 1278:

(a) *Residential*. On any tract one acre in size, or larger, which has 100 feet frontage on a primary or secondary thoroughfare as designated on the Official Thoroughfare Plan, may be permitted for multi-family, more than four families or housekeeping units, but less than 12 units in any single building, rooming houses for more than four roomers or lodgers by a residential family and not including separate kitchen facilities for the use of such roomers or lodgers as provided in Chapter 1260, provided that no dwelling units in such use is located more than 300 feet from the primary thoroughfare.

(Ord. 4886, passed 12-27-1968; Am. Ord. 2003-18, passed 3-18-2003)

(b) *Institutional*. Nursing homes, rest homes and rehabilitation facilities shall be permitted, provided that any lot or tract for such use shall be at least two acres in area, and further provided that any buildings in which patients are housed shall be at least 50 feet from any lot line. Also, family and group care homes, as regulated by § 1272.13, shall be permitted.

(Ord. O82-12, passed 2-16-1982)

(c) *Educational*. Parochial or private schools having a curriculum equal to that of a public elementary or secondary school shall be permitted, provided that any building in such use shall be located at least 50 feet from any lot or property line. Any lot or tract for such use shall contain at least three acres and schools equivalent to public secondary schools shall be located on a primary or secondary thoroughfare as designated on the Official Thoroughfare Plan. Nursery schools and child welfare centers shall be located on a tract containing at least one acre.

(d) *Recreational*. Private golf courses, tennis courts and similar recreational uses of a noncommercial nature shall be permitted, provided that any building shall be located at least 50 feet from any lot or property line, and any swimming pool shall be located at least 100 feet from any lot or property line. This requirement shall not apply to private swimming pools accessory to residential uses mentioned in § 1234.05(b).

(e) *Utilities.* Static transformer stations, booster stations, unit wastewater treatment plants and other utility stations when operating requirements necessitate locating within the district to serve the surrounding neighborhood, shall be permitted, provided that there shall be no garage, shed or yard for maintenance or storage, and further provided that the premises upon which such station is located shall be appropriately landscaped and screened so as to be in harmony with the general appearance of the neighborhood and not objectionable as to noise, odor, vibration or other disturbance.

(f) *Public structures.* Public structures shall be as permitted in a DS District.

(Ord. 4886, passed 12-27-1968)

§ 1234.04 PLANNED USE MODIFICATION.

Modification of permitted uses in this district may be approved in accordance with the provisions stated in this section, provided that a request for approval of a Planned Use Modification Supplemental District is filed in accordance with provisions of Chapter 1266.

(a) *Allowable planned uses.* The following planned uses may be permitted in accordance with procedures set forth in § 1266.03:

(1) *Modified uses.* Any use and density permitted or conditionally permitted in any P-1 District, provided that such development is located on a primary thoroughfare as designated on the Official Thoroughfare Plan, and conforms with standards set forth in Chapter 1262; and

(2) *Redevelopment.* A redevelopment plan covering a tract of a minimum of one acre in size may be submitted for the purpose of redeveloping an existing built-up site or for the elimination of a nonconforming use. The Planning Commission may modify permitted uses and other restrictions as they apply to the project in the district wherein the project lies, provided that any such modified uses and other provisions are principally or conditionally permitted in a P-1 District, and that the redevelopment plan complies with standards set forth in Chapter 1262.

(b) *Designation of modified zone.* Any tract within a district which is modified to permit a planned development project shall be designated on the Official Zoning Map as a D-3(P) District.

(Ord. 4886, passed 12-27-1968; Am. Ord. 2003-18, passed 3-18-2003)

§ 1234.05 ACCESSORY USES PERMITTED.

Structures and uses customarily incidental to any of the permitted uses provided in this chapter and occupying the same lot or tract shall be permitted, including the following:

(a) *Parking facilities.* Private garages or parking areas exclusively for the use of residents and their guests, as regulated in Chapter 1270;

(b) *Swimming pools.* Swimming pools for the exclusive use of residents and their guests, subject to the requirements of Part Fourteen - the Building and Housing Code;

(c) *Temporary buildings.* Temporary buildings incidental to construction work which shall be removed upon completion of the work;

(d) *Signs.* Signs, as covered in Chapter 1272;

(e) *Home professional offices.* Groups A and B uses, as set forth in § 1224.08;

(f) *Home occupations.* Groups A and B occupations, as set forth in § 1224.07; and

(g) *Essential services*. Essential services, as defined in § 1224.05.

(Ord. 4886, passed 12-27-1968)

§ 1234.06 HEIGHT REGULATIONS.

No single or two-family residential structure shall exceed two and one-half stories or 30 feet in height, whichever is greater. No accessory structure shall exceed one story or 15 feet in height, whichever is greater. No residential structure containing more than four family units or nonresidential structures shall exceed the distance from the building to the centerline of the street in height.

(Ord. 4886, passed 12-27-1968; Am. Ord. 2003-18, passed 3-18-2003)

§ 1234.07 OFF-STREET PARKING AND LOADING REQUIREMENTS.

Off-street parking and loading facilities shall be provided as regulated in Chapter 1270.

(Ord. 4886, passed 12-27-1968)

§ 1234.08 LOT AREA AND YARD REQUIREMENTS.

The following minimum lot area and yard requirements shall apply:

<i>D-3 Medium Density Dwelling District</i>	<i>Minimum Square Feet</i>
(a)	<i>Lot area*</i>
(1) Single-family	9,000
(2) Two-family	11,000
(3) Three-family	13,000
(4) Four-family	15,000
(5) More than four family, but less than 12	One acre
(6) Nonresidential	15,000
(b)	<i>Lot width*** Feet</i>
(1) Single-family	70
(2) Two-family	80
(3) Three-family	90
(4) Four-family	100
(c) Lot depth	125
(d) Front yard	30
(e) Rear yard	30
(f) Side yards**	6 feet
NOTES TO TABLE: * Except as otherwise specified in this district. ** Side yard facing side street shall be same as required front yard on	

adjacent lot on that street.

*** Corner lots shall have a minimum width equal to 25 feet plus the applicable interior lot width requirement.

(Ord. 4886, passed 12-27-1968; Am. Ord. 2002-91, passed 8-6-2002; Am. Ord. 2003-18, passed 3-18-2003; Am. Ord. 2003-61, passed 5-6-2003; Am. Ord. O2009-68, passed 9-1-2009)

§ 1234.09 DWELLING SIZE, LOT COVERAGE AND FLOOR AREA.

All single family dwellings shall have a minimum of 1,500 square feet livable floor area, a maximum lot coverage ratio of 40% and a maximum floor area ratio of 60%. One story single-family dwellings shall have a minimum of 1,500 square feet of livable floor area. One and one-half and two story single-family dwellings shall have a minimum of 1,700 square feet of total livable floor area. All two-, three- and four-family residential units must contain a minimum of 1,000 square feet of total livable floor area for each unit. All single, two-, three and four-family dwellings shall also be subject to the architectural review standards provided in Chapter 1225.

(Ord. 2002-91, passed 8-6-2002; Am. Ord. 2003-18, passed 3-18-2003; Am. Ord. O2005-114, passed 11-15-2005; Am. Ord. O2009-69, passed 9-1-2009)

§ 1234.10 INFILL LOTS.

All infill lots in D-3 zoning districts (including those rezoned to D-3 by this chapter) shall have a minimum 1,200 square feet of livable floor area on the first floor regardless of number of stories. They shall be subject to the housing and architectural standards set forth in § 1225.03 unless waived by the Architectural Review Board pursuant to § 1225.05(d)(2).

(Ord. 2002-91, passed 8-6-2002)