

CHAPTER 1153
R-5 Residential District

1153.01	Permitted uses.	1153.05	Area requirements.
1153.02	Accessory uses.	1153.06	Height requirements.
1153.03	Special uses.	1153.07	Site design requirements.
1153.04	Parking requirements.	1153.08	Enforcement and penalty.

CROSS REFERENCES

Interpretation and compliance - see P. & Z. Ch. 1123
Supplemental site and use regulations - see P. & Z. Ch. 1181
Special use regulations - see P. & Z. Ch. 1183
Planned Districts - see P. & Z. Ch. 1185
Nonconforming uses - see P. & Z. Ch. 1187
Swimming pools - see BLDG. Ch. 1311
Flood plain management - see BLDG. Ch. 1317
Soil erosion and sediment control - see BLDG. Ch. 1323
Housing and property maintenance standards - see PROP. STDS.Ch. 1711
Property performance standards - see PROP. STDS. Ch. 1717

1153.01 PERMITTED USES.

(a) The R-5 Residential District is reserved exclusively for potential use in the immediate vicinity of the D-1 District. Unless otherwise noted in this Chapter 1153, the requirements for allowable uses other than multiple-family dwellings shall be the same as provided in Chapter 1149 for the R-3 Residential District.

(b) Permitted Uses.

- (1) Single-family dwellings.
- (2) Two-family dwellings.
- (3) Publicly-owned and operated parks, playgrounds, community buildings, libraries, art galleries and other City-owned facilities.
- (4) Type B family day-care homes.
(Ord. 2003-1. Passed 3-13-03.)

1153.02 ACCESSORY USES.

(a) Accessory buildings, limited to not more than two (2) with a maximum area of 600 square feet total, as regulated in Section 1181.08.

(b) Swimming pools, tennis courts, sheds and similar structures.

(c) One (1) nonilluminated name sign may occupy required yards provided such sign is not more than one (1) square foot in area.

(d) Fences in front side and rear yards shall not exceed six feet in height.

(e) Retaining walls shall not exceed four (4) feet in height. A second tier retaining wall shall not exceed four (4) feet in height and shall be set back four (4) feet from the first lower wall. A fence on top of any retaining wall shall be set back two (2) feet from the retaining wall.

(f) Grading, filling, excavating or any change in the grade of property that involves the moving, depletion or replacement of more than 100 cubic yards of material or changes the existing elevation by more than one (1) foot requires a permit. At no time shall any grading be detrimental to surrounding property in appearance or in the diversion of stormwater drainage.

(g) Signs with the name of a multiple family development as approved as part of a special use, provided such sign is not internally illuminated.

(h) Home occupations subject to the regulations in Section 1181.07.
(Ord. 2003-1. Passed 3-13-03.)

1153.03 SPECIAL USES.

(a) The following special uses may be permitted with consideration given to the following criteria, in addition to the conditions set forth in Chapter 1183: characteristics of occupants; type of supervision; size of the site and density; people activity; vehicular activity; duration of activity; off-site impact; demand on community services; community needs; health, safety and general welfare; and overall appearance.

- (1) Multiple-family dwellings.
- (2) Churches, synagogues, and other places of worship.
- (3) Nursery, prekindergarten, kindergarten, daycare, special and other private schools.
- (4) Institutions of an educational, religious or philanthropic (e.g., YMCA, etc.) nature, institutions of higher learning and research (e.g., colleges and universities), hospitals, nursing homes and senior housing facilities, provided that buildings shall be set back an additional one (1) foot over usual yard requirements for each one (1) foot the building exceeds the usual height limit.
- (5) Residential group homes.
(Ord. 2003-1. Passed 3-13-03.)

1153.04 PARKING REQUIREMENTS.

(a) Number of Parking Spaces.

- (1) Single-family dwellings, two-family dwellings or multiple-family dwellings: two (2) parking spaces for each dwelling unit.

(b) Additional Parking Requirements.

- (1) Trucks and trailers designed and manufactured for or used for specific commercial purposes including, but not limited to, wreckers, dump trucks, tracked vehicles, buses, construction vehicles, and equipment vehicles and equipment carriers, bottling works delivery trucks, grain trucks and refrigerated trucks are prohibited from parking in this District. Any vehicle, excluding recreational trailers and recreational vehicles, in excess of 10,000 pounds gross vehicle weight is not permitted.
- (2) Exceptions. Any type commercial vehicle, regardless of gross vehicle weight, delivering or picking up merchandise for delivery or employed in performing a repair or construction service, may park for the purpose of making such pickup or delivery, or for the duration of the period during

which a repair or construction service is being performed on or to property in the area where parked.

- (3) Inoperable, partially dismantled or unlicensed vehicles and trailers shall be parked within an enclosed structure.
- (4) The total number of vehicles, including allowed recreational vehicles and trailers, on a premises shall not exceed three (3) for any one (1) residential unit within a multiple-family development.

(Ord. 2003-1. Passed 3-13-03.)

1153.05 AREA REQUIREMENTS.

(a) Minimum site: one (1) acre.

(b) Maximum Density. The minimum land area per dwelling unit shall be 1,500 square feet; however, the dwelling units per acre may be increased if:

- (1) The increase will not have an adverse effect on adjacent areas;
- (2) The higher density is in accord with the Comprehensive Plan;
- (3) The adjacent streets have sufficient capacity to accommodate the increased traffic;
- (4) Sufficient utility capacity is available;
- (5) The increased number of units will meet an identified local housing need;
- (6) The property has architectural compatibility with area development; and
- (7) The project provides a public benefit.

(c) The minimum building setback on all boundaries of the project area shall be fifteen (15) feet.

(d) Reasonable additional requirements as to landscaping, screening, accessways, building locations and height limitations may be imposed by the Planning Commission and/or Council for the protection of adjoining residential property owners.

(e) Every part of a required yard shall be open to the sky, unobstructed except for accessory buildings in a rear yard, and except for the ordinary projections of sills, belt courses, cornices and ornamental features, roof overhangs, planter boxes and similar items, not to extend more than twelve (12) inches into any required yard.

(f) There shall be no outside storage of household items, outdoor furniture, appliances, building materials, or of any such material including, but not limited to, vehicle parts. Patio furniture, gazebos, outdoor children play items, and other such items are permitted.

(g) In the event that a lot is to be occupied by a group of two (2) or more related buildings to be used for multi-family residential purposes, there may be more than one (1) main building on the lot.

(Ord. 2003-1. Passed 3-13-03.)

1153.06 HEIGHT REQUIREMENTS.

The maximum height is fifty (50) feet.

(Ord. 2003-1. Passed 3-13-03.)

1153.07 SITE DESIGN REQUIREMENTS.

The development shall be designed as a whole, unified single project in compliance with the following requirements and, if built in stages, each shall conform with the approved plan.

- (a) Each project shall have a minimum of two (2) entrances, driveway openings to interior drives, off-street parking areas and service areas.
- (b) Driveway openings to public streets shall be limited to one (1) driveway per 200 feet of project frontage. Driveway openings shall not exceed twenty-four (24) feet in width.
- (c) Driveway openings shall be located no closer than seventy-five (75) feet from any intersection.
- (d) Whenever possible, each project shall provide an interior drive that is looped to provide through movement of vehicles. All private roads and drives shall consist of a minimum twenty (20) feet in width pavement as prescribed in Chapter 1105. Curbs shall be provided along all roads and drives that do not abut parking spaces. All parking areas shall be edged with curbs.
- (e) Parking lots, with bays containing more than twenty (20) spaces, shall, whenever possible, provide ingress and egress at both ends of each parking bay or parking lot.
- (f) Underground storm drainage facilities shall be provided for all roads and drives and parking areas. All storm drainage shall be directed into established surface or underground storm drainage facilities. Stormwater retention basins shall be designed into landscaped areas as natural appearing ponds, or as architectural design features. Dry detention ponds shall be designed into landscaped areas.
- (g) Sidewalks shall be provided for internal pedestrian circulation within the project so as to connect parking spaces with the dwelling units and with any recreational or other accessory uses.
- (h) Sidewalks shall be provided along the front property line on the property or on the street right of way between the property line and the edge of the street paving or curb.
- (i) All parking areas and walkways shall be illuminated so as to produce a minimum illumination of 0.5 footcandle within such areas. All exterior lighting shall be erected so as to not create more than 0.2 footcandle of light onto adjacent single-family residential areas. All lighting shall be served with underground cable.
- (j) Unless equivalent plans are approved by the City as provided for in Chapter 1185, the site shall be landscaped in accordance with the Landscape Standards in Chapter 1188 and a separate plan shall be submitted detailing each of the landscape elements of the site.
- (k) Any part of lot area not used for buildings or other structures, or for roads, walks, parking, service areas or accessways shall be landscaped with grass, ground cover, trees and shrubs.
- (l) Foundation plantings shall be planted and maintained along all exterior walls of all buildings at the ratio of one (1) thirty-six (36) inch spread evergreen shrub for every five (5) lineal feet of exterior wall.
- (m) Where appropriate, landscaping shall be used to separate the project's residential units from streets, adjacent parking lots, or from unsightly vistas.
- (n) All maintenance facilities, work areas, service areas, dumpsters, utility boxes and other unsightly appurtenances shall be screened with a solid fence or wall at least six (6) feet in height, or by equivalent means.
- (o) In order to protect adjoining properties from adverse impact, additional requirements as to public and/or private infrastructure improvements, landscaping, lighting, signs or other advertising devices, screening, accessways,

building siting, and building setback and height limitations may be imposed in accordance with Chapter 1185.

- (p) All electric, telephone and cable lines shall be placed underground.
(Ord. 2003-1. Passed 3-13-03.)

1153.08 ENFORCEMENT AND PENALTY.

This Chapter is subject to enforcement and penalty as specified in Chapter 1129.