

9.7. - R-6 Multiple-family dwellings district.

It is the purpose of this district to encourage the creation and maintenance of a stable and enduring multiple-residence environment. To do this, limitations are imposed on the use, character and density or development of land so as to take advantage of, or to avoid conflict with, natural topography, existing development, arrangement and location of existing or planned community facilities and the social needs of the city. This district may also be utilized for the appropriate use of redevelopment areas.

9.7-1. - Use restrictions.

(A) Dwelling standards:

- (1) Any single-family structure shall have a total ground floor area of not less than seven hundred fifty (750) square feet measured from the outside of the exterior walls including utility rooms but excluding cellars, basements, open porches, breezeways, garages and other spaces that are not used frequently or during extended periods for living, eating or sleeping purposes.
- (2) Two-family dwelling structures shall have a total floor area of not less than seven hundred (700) square feet for each dwelling unit measured from the outside walls including utility rooms but excluding all other areas not used for living, eating or sleeping purposes.
- (3) Multiple-family dwelling structures shall have a total floor area of not less than six hundred fifty (650) square feet for each dwelling unit measured from the outside walls including utility rooms but excluding all other areas not used for living, eating or sleeping purposes.
- (4) Independent senior housing dwelling units shall have a minimum total floor area per dwelling unit of not less than:
 - a. Studio units: Four hundred (400) square feet/dwelling unit
 - b. One (1) bedroom units: Five hundred seventy-five (575) square feet/dwelling unit
 - c. Two (2) bedroom units: Seven hundred eighty (780) square feet/dwelling unitAssisted/supportive housing dwelling units shall have a minimum total floor area per dwelling unit of not less than:
 - a. Studio units: Three hundred fifty (350) square feet/dwelling unit
 - b. One (1) bedroom units: Four hundred seventy-five (475) square feet/dwelling unit
 - c. Two (2) bedroom units: Six hundred fifty (650) square feet/dwelling unit

For the purposes this subsection, assisted/supportive living facilities shall have common areas totaling not less than forty (40) percent of its building area.

(B) Accessory uses:

- (1) Height. No accessory use shall be higher than fifteen feet six inches (15'6").
- (2) Setbacks. No accessory use shall be located within the front yard area. No part of an accessory building shall be located in any part of the side yard.
- (3) Yard coverage. Accessory uses shall not cover more than thirty (30) percent of the rear yard.
- (4) Use as dwelling. Use of any accessory structure as a dwelling is strictly prohibited.
- (5) Satellite receiving dishes. Are allowable as an accessory use provided they comply with all accessory building requirements.

(C) Only one (1) principal building may be erected on any one (1) lot.

(Ord. No. 2733, § 17, 4-4-94; Ord. No. 4408, § 2, 4-16-2001)

9.7-2. - Lot and building requirements.

(A) Lot size. Every detached dwelling hereafter erected shall be located on a lot having the following minimum area requirements:

- (1) Single-family dwellings—Nine thousand (9,000) square feet.
- (2) Two-family dwellings—Six thousand (6,000) square feet.
- (3) Multi-family—Five thousand (5,000) square feet (per dwelling unit).
- (4) Senior housing—Two thousand (2,000) square feet (per dwelling unit).

(B) Yard areas. No building shall be erected or enlarged unless the following yards are provided and maintained:

- (1) Front yard. On every zoning lot a front yard shall be provided of not less than twenty-five (25) feet. For buildings exceeding twenty-five (25) feet in height, the minimum front yard shall be increased by one (1) foot for each two (2) feet or fraction thereof by which the building height exceeds twenty-five (25) feet.
- (2) Side yard. For every single family, two-family and multiple-family dwelling units, the side yard on each side of the main building shall be a minimum of ten (10) feet in width plus an additional two (2) feet in width for each

additional story above two (2) stories in height. On corner lots there shall be maintained a side yard of not less than fifteen (15) feet on the side adjacent to the street.

In case of a reversed corner lot, there shall be maintained a setback from the side street of not less than fifty (50) percent of the front yard required on the lots in rear of such corner lots, but such setback need not exceed fifteen (15) feet. No accessory building on such reversed corner lot shall project beyond the front yard required on the adjacent lot to the rear nor be located nearer than five (5) feet to the side lot line of such adjacent lots.

On a lot improved with a nonresidential building there shall be a side yard of not less than twelve (12) feet on each side of the main building and combined total of side yards of not less than thirty (30) feet.

(3) Rear yard. On every zoning lot a rear yard shall be provided of not less than thirty (30) feet in depth.

(C) Reserved.

(D) Lot coverage. Not more than sixty (60) percent of the area of a lot may be covered by building and structure including accessory buildings.

(E) Height limitations maximum height of seventy-five (75) feet.

(Ord. No. 4408, § 3, 4-16-2001)

9.7-3. - Permitted uses.

(A) Single-family residence dwellings.

(B) Multiple-family dwellings.

(C) Condominiums.

(D) Apartments.

(E) Parks and recreational areas when publicly owned and operated.

(F) Small community residences, provided:

(1) They are located not less than one thousand three hundred (1,300) feet from another small community residence.

(2) Prior to occupancy, a certificate of zoning compliance is applied for and received.

(G) Large community residences subject to the following conditions:

(1) No such residence shall be located less than six hundred (600) feet from a small or large community residence;

provided however, that this spacing requirement may be waived by the city council if they find that the cumulative effect of such use would not alter the residential character of the neighborhood setting, and by its operation would not create an adverse effect on surrounding properties.

- (2) Prior to admitting residents, the operator of such residence shall demonstrate that the dwelling will comply with all applicable licensing and code standards.
- (3) Applicant shall submit a statement of the exact nature of the residence, the qualifications of the agency that will operate the residence, the number and type of personnel who will be employed, and the number and nature of the residents who will live in the residence.
- (4) The residence shall, to the extent possible, conform to the type and outward appearances of the residences in the area in which it is located.
- (5) Prior to occupancy, a certificate of zoning compliance is applied for and received.

9.7-4. - Special uses.

- (A) Schools—public, denominational or private including playgrounds and athletic fields auxiliary thereto.
- (B) Churches and other places of worship.
- (C) Cemeteries.
- (D) Institutions for the aged which are licensed.
- (E) Home occupations.
- (F) Golf courses of regulation size which may include driving ranges; provided that no clubhouse, parking lot or accessory building is located nearer than five hundred (500) feet to any dwelling unit or other zoning district.
- (G) Planned unit developments.
- (H) Medical and dental offices and group medical centers.
- (I) Offices for professionals such as physicians, dentists, attorneys-at-law, architects, engineers, musicians, artists, teachers, accountants, photographers, real estate agents, insurance agents, public stenographers, brokers, business consultants and other professional offices as determined by the plan commission.
- (J) Rest homes, nursing homes, hospitals, sanitariums, group medical centers, which are licensed and/or registered.
- (K) Agriculture, horticulture, forestry.

- (L) Dormitories.
- (M) Barber shops.
- (N) Beauty shops.
- (O) Parking lots.
- (P) Public facilities including libraries and museums.
- (Q) Drug stores.
- (R) Restaurants.
- (S) Religious retreats.
- (T) Above ground service facilities.

(Ord. No. 07-O-0024, § 11, 3-19-2007)

10.4. - B-3 Regional shopping district.

This district is intended to accommodate and regulate business developments, which are directly and indirectly accessed from major arterial roadways. This district is large retail shopping center oriented and is primarily located at the city's busiest intersection.

(Ord. No. 01-O-0117, § 1(Exh. B), 12-17-2001)

10.4-1. - Use restrictions.

- (A) Outdoor storage is prohibited.
- (B) An outside seating area is permitted ancillary to a permitted or special use provided the area does not encroach onto any required parking spaces or interfere with vehicle or pedestrian traffic. If located on a walkway, a minimum of four-foot wide clearance shall be preserved.
- (C) Banks and financial institutions.
 - (1) Shall consist of a minimum leasable floor area of six thousand five hundred (6,500) square feet if located in a stand alone building.
 - (2) Shall consist of a minimum leasable floor area of three thousand five hundred (3,500) square feet if located in a multi-tenant office building.
 - (3) Shall not be permitted in a multi-tenant retail building.

(Ord. No. 2733, § 19, 4-4-94; Ord. No. 4123, § 5, 9-22-98; Ord. No. 01-O-0117, § 1(Exh. B), 12-17-2001; Ord. No. 03-O-0040, § 12, 6-16-2003; Ord. No. 03-O-0074, § 2, 10-6-2003; Ord. No. 04-O-0030, § 1, 4-19-2004; Ord. No. 08-O-0080, §§ 7, 8, 1-19-2009; Ord. No. 09-O-0047, § 7, 8-17-2009)

10.4-2. - Lot and building requirements.

- (A) Minimum lot size: Five (5) acres.
- (B) Minimum lot width: One hundred fifty (150) feet at established building line.
- (C) Minimum setbacks:
 - (1) Front yard: Fifty (50) feet for buildings and structures. A twenty (20) foot landscape yard shall be provided along the front lot line, with landscaping in accordance with the provisions of sections 14.4 through 14.8 hereof.
 - (2) Corner side yard: Fifty (50) feet for buildings and structures. A twenty (20) foot landscape yard shall be provided along the

corner side lot line, with landscaping in accordance with the provisions of Sections 14.4 through 14.8 hereof.

(3) Side yards: Thirty-five (35) feet for buildings. A ten (10) foot landscape yard shall be provided.

(4) Rear yard: Thirty-five (35) feet for buildings and structures. A fifteen (15) foot landscape yard shall be provided along the rear lot line.

(D) Floor area ratio: Not to exceed three (3).

(E) Maximum structure height: Seventy-five (75) feet.

(Ord. No. 01-O-0117, § 1(Exh. B), 12-17-2001)

10.4-3. - Reserved.

10.4-4. - Permitted uses.

(A) Animal hospitals/veterinarian clinics (no outside kennel).

(B) Banquet halls.

(C) Barber shops.

(D) Beauty parlors and nail salons.

(E) Broadcasting studios.

(F) Daycare facilities.

(G) Drive-in and drive-thru facilities.

[(H) Reserved.]

(I) Florists.

[(J) Reserved.]

(K) Government facilities.

(L) Hotels and motels.

(M) Laundromats and dry cleaners.

(N) Medical and dental clinics and offices.

(O) Movie and performance theaters.

- (P) Offices.
- (Q) Piano and musical (retail only).
- (R) Printing, publishing and photocopying.
- (S) Real estate services.
- (T) Resale stores.
- (U) Restaurants, including those with live entertainment.
- (V) Retail establishments.
- (W) Schools, elementary and secondary.
- (X) Supermarkets/grocery stores.
- (Y) Trade schools.
- (Z) Variety stores.
- (AA) Video rental.
- (BB) Health, fitness and exercise centers.
- (CC) Massage establishments that are associated with a medical facility, physician's office, health care facility or full service health and beauty salon.
- (DD) Servicing and repair of goods that are offered for sale by any of the permitted uses in this district.
- (EE) Warehousing, not more than twenty (20) percent of the gross floor area of the unit and ancillary to a permitted use.
- (FF) Above ground service facilities.
- (GG) Personal training and group exercise facility.

(Ord. No. 01-O-0117, § 1(Exh. B), 12-17-2001; Ord. No. 02-O-0084, § 5, 6-17-2002; Ord. No. 03-O-0040, §§ 14, 15, 20, 6-16-2003; Ord. No. 03-O-0074, § 3, 10-6-2003; Ord. No. 04-O-0045, § 3, 5-17-2004; Ord. No. 04-O-0055, § 2, 6-21-2004; Ord. No. 05-O-0067, § 12, 9-19-2005; Ord. No. 07-O-0024, § 16, 3-19-2007; Ord. No. 09-O-0047, § 8, 8-17-2009; Ord. No. 13-O-0027, § 3, 8-19-2013; Ord. No. 16-O-0018, § 3, 4-18-2016)

10.4-5. - Special uses.

- [(A) Reserved.]
- (B) Automobile body shops.

- (C) Automobile care centers.
- (D) Automobile laundry.
- (E) Automobile rental.
- (F) Automobile repair facilities.
- (G) Automobile service stations.
- (H) Golf course, including, but not limited to accessory uses such as driving ranges, bars, restaurants, meeting and banquet rooms, facilities for employees and maintenance structures.
- (I) Motorcycle sales and service.
- (J) New automobile sales and service.
- (K) Pawnshops (pawnshops shall maintain a five hundred-foot separation distance from any residential use, school, church and daycare facility).
- (L) Planned unit developments.
- (M) Tattoo parlors (tattoo parlors must maintain a five hundred-foot separation distance from any residential use, school, church and daycare facility).
- (N) Theaters, drive-in.
- (O) Used automobile sales and service facilities, ancillary to new automobile sales and service facilities.
- (P) Intentionally deleted, reserved.
- (Q) Vehicle sales and service.
- [(R)] Warehousing, not more than twenty (20) percent of the gross floor area of the unit and ancillary to a special use.
- (S) Banks and financial institutions.

(Ord. No. 01-O-0117, § 1(Exh. B), 12-17-2001; Ord. No. 02-O-0117, § 3, 10-7-2002; Ord. No. 03-O-0040, §§ 13, 16, 6-16-2003; Ord. No. 03-O-0062, § 1, 7-2-2003; Ord. No. 04-O-0045, § 4, 5-17-2004; Ord. No. 07-O-0024, § 17, 3-19-2007; Ord. No. 08-O-0075, § 1, 10-20-2008; Ord. No. 09-O-0047, § 9, 8-17-2009)