

3.03.09.02. - R-3b—Multifamily residential district.

- A. *Purpose and intent.* The purpose and intent of the R-3b, multifamily residential district is to provide for multifamily residential living where high density residential development exists or is proposed. This district requires public or community water and sewer facilities.
- B. *Permitted principal uses and structures.* In the R-3b, multifamily residential district, no premises shall be used except for the following uses and their customary accessory uses or structures:
1. Single-family dwellings meeting the requirements of the R-1b district.
 2. Multifamily dwellings.
 3. Townhouses.
 4. Recreational areas accessory to residential developments.
 5. Short-term vacation rentals.
- C. *Permitted special exceptions.*
1. Single-family dwellings meeting the requirements of the R-1c or R-1d districts.
 2. Two-family dwellings meeting the requirements of the R-2 district.
 3. Cluster subdivisions.
 4. Home occupations (subject to special exception guidelines for home occupations as outlined in subsection 3.07.03G "special exception regulations for home occupations").
 5. Community residential homes, seven (7) to fourteen (14) persons.
 6. Common household pet animal sanctuary/shelter facilities.
- D. *Dimensional requirements.*
1. Minimum site size: One (1) acre.
 2. Maximum density: Nine (9) units per acre with an affordable multifamily density bonus of an additional one (1) unit per acre for a total of ten (10) units per acre. The affordable multifamily density bonus is awarded provided the following criteria are met:
 - a. Definitions:

Affordable multifamily unit: A multifamily unit which is available to a household earning one hundred (100) percent or less of the county's median income, adjusted for family size, which can be rented or purchased in the market without spending more than thirty (30) percent of its income.

Land use restriction agreement: A deed restriction which establishes the responsibilities of the developer and his successors.

Low income household: A household in the county which earns less than eighty (80) percent of the county's median income, adjusted for family size.

Moderate income household: A household in the county which earns eighty (80) to one hundred (100) percent of the county's median income, adjusted for family size.

- b. At least ten (10) percent of the project's units must be designated as affordable multifamily units for low and moderate income households. A maximum of thirty (30) percent of the project's units may be designated as affordable housing for low income households and a maximum of thirty (30) percent of the project's units may be designated for moderate income households. A minimum of forty (40) percent of the units must remain market rate units.
 - c. The maximum percentages listed above for low to moderate income units may not be exceeded for a minimum of a fifteen-year period. To insure compliance with this provision, the property owner shall execute a land use restriction agreement with the county, which specifies the low to moderate income occupancy requirements for the property, including the number of rental units which will be subject to affordability provisions, the rent limits, the income limits proposed, and the affordability period. The land use restriction agreement shall require the developer and his successors to submit an annual report to the county for the purpose of monitoring compliance with the agreement.
3. Minimum lot size per dwelling unit:
 - Area: Two thousand (2,000) square feet.
 - Width: Twenty (20) feet.
 4. Minimum setback requirements per dwelling unit on separately platted lots within the same project:
 - Front yard: Twenty-five (25) feet.
 - Rear yard: Twenty (20) feet.
 - Side yard:
 - Interior lot: No minimum
 - Abutting any street: Twenty-five (25) feet.
 5. Minimum spacing requirements: Between buildings—Thirty (30) feet.
 6. Minimum living area per dwelling unit: Six hundred fifty (650) square feet.
 7. Maximum building height: Thirty-five (35) feet within one hundred (100) feet of the project perimeter and forty-five (45) feet in areas located more than one hundred (100) feet from the project perimeter.
 8. Project perimeter setback: No structures shall be located within fifty (50) feet of the project's

perimeter with the exception of parking areas, recreation areas, or other nonstructural amenities. Twenty-five (25) feet of this area shall be used for a vegetative buffer as described in section 5.01.04, Landscape development standards.

9. Minimum pervious area: Thirty (30) percent.
 10. Minimum land area devoted to recreational uses: Five (5) percent of the total developed area.
- E. *Off-street parking and loading requirements.* Off-street parking and loading space meeting the requirements of section 3.06.04 shall be constructed.
- F. *Site development plan requirements.*
1. A site development plan meeting the requirements of Appendix B is required. Lots or parcels of five (5) acres or more require site plan approval by the planning and zoning board.
 2. Lots or parcels less than five (5) acres require site plan review by the technical review committee.
- G. *Reserved.*

(Ord. No. 97-12, § 2, 8-18-97; Ord. No. 04-22, § 3, 12-20-04; Ord. No. 2011-10, § 2A., 12-12-11; Ord. No. 2015-02, § 2.A.10, 2-19-15; Ord. No. 2016-01, § 2.A.10, 1-11-16)