

(2) No more than 60 percent lot coverage shall be allowed, except that 100 percent lot coverage shall be allowed in the Central Business District (Blocks 2, 3, 7, 8, 14, 15, 22 and 23).

(3) Building height limit: No building hereafter erected or structurally altered shall exceed 60 feet in height.

(4) In the event that any owner of property in this district desires to sell or transfer the property for any use not allowed herein, then upon application to the board of city commissioners of the city, the board shall change the zoning designation from public use to the same designation as the surrounding property.

**Sec. 3.13. Recreational district.**

The following regulations apply in the recreational district:

(1) Uses permitted:

- a. Recreational complex facilities.
- b. Stadiums.
- c. Amphitheaters.

(2) Intensity – no more than 40 percent lot coverage.

(3) Building height limit: No building hereafter erected or structurally altered shall exceed 35 feet in height

**Sec. 3.14. Open space district.**

The following regulations apply in the open space district:

(1) Uses permitted:

- a. Passive recreation activities such as hiking, canoeing, fishing, bird watching, picnicking.

(2) Intensity – no more than 10 percent lot coverage.

(3) Building height limit: No building hereafter erected or structurally altered shall exceed 35 feet in height

**Sec. 3.15. Conservation district.**

No development shall be allowed in the conservation district.

**Sec. 3.16. Mixed Use district.**

The purpose of the mixed use district is to allow a mix of residential, commercial and other uses to promote development of a high quality environment for living, working or visiting. Other uses allowed in the mixed use district are industrial, public uses, recreational, open space and conservation. The mixed use district may be assigned

to lands designated as mixed use in the future land use map and will be limited to areas with an adequate level of public facilities and services. The mixed use district will encourage vertical integration of various residential and non-residential uses within these areas, achieving internal trip capture.

The following regulations apply in the mixed use district:

Development shall contain the minimum percentage of at least two of the following districts:

Land use districts	Allowable mix of uses
Residential	25 - 75 %
Commercial	25 - 75 %
Other uses such as industrial, public, recreational, open space and conservation.	25 - 75 %

Residential density in the mixed use district may not exceed 15 units per acre; commercial and industrial uses may not exceed maximum lot coverage of 90% and 60 ft building height limitation. Intensity standards for other uses allowed in the mixed use district are as defined in the individual public, recreational, open space and conservation districts contained in this article.

**Sec. 3.17. Planned Unit Development (PUD).**

(1) Purpose and intent of district

The purpose of the Planned Unit Development (PUD) district is to encourage and allow more creative and imaginative design of land developments than is possible under conventional zoning districts. The PUD district allows substantial flexibility in planning and designing a project. This flexibility often provides relief from compliance with some conventional zoning district standards site and design requirements. An intrinsic premise upon which the approval of a Planned Unit Development (PUD) must be conditioned, is that while greater flexibility or more lenient siting requirements may be granted, the Planned Unit Development must contain features not normally required of traditional developments.

It is the intent of this section to encourage flexible and creative concepts of site planning; protect environmentally sensitive lands, natural and historical resources; accomplish a more desirable environment that would not be possible through the strict application of the minimum requirements of this Code; allow diversification of uses, structures and open spaces in a manner compatible with existing and permitted land uses on abutting properties; provide for an efficient use of land resulting in smaller networks of streets and utilities and thereby lowering development and housing costs; ensure that development will occur according to the limitations of use, design, density, coverage and phasing stipulated on an approved final development plan; and encourage an increase in the amount of usable open space areas by permitting a more economical and concentrated use of building areas than would be possible through conventional subdivision practices.

(15) The east half of block 1020 and the west half of block 1021, all having frontage on Harbor Street.

- a. Single-family sectional or modular homes shall be allowed so long as they meet any and all state and federal regulations applicable thereto and those state and federal regulations are incorporated herein by reference.

#### **Sec. 3.04. Same--District R-2.**

There shall be two subdistricts in district R-2 as identified on the city zoning map: Subdistrict R-2A and subdistrict R-2B.

(1) *R-2A Single-family district.*

- a. Uses permitted in R-2A: Any uses permitted in the VLR and R-1 district.
- b. Building height limit: No building shall exceed 35 feet in height, except as provided in subsection 3.10(3).
- c. Floor area required: No building shall be constructed in subdistrict R-2A of less than 800 square feet of living area. In computing the floor space as provided above the areas occupied by porches, patios, terraces, attached garages, carports or nonroofed areas shall be excluded.
- d. No home occupations shall be allowed in subdistrict R-2A.
- e. Front yard required: There shall be a front yard not less than 20 feet deep measured to the front line of the building. Where lots comprising 25 percent or more of the frontage on the same street within the block are developed with buildings having an average yard with a variation in depth of not more than six feet, no building hereafter erected or structurally altered shall project beyond the average front yard so established, provided the front yard shall not exceed 30 feet. Where the distance between dwellings on adjacent lots is 150 feet or more, the next above yard requirements will not apply. Where interior lots have a double frontage, the required front yard shall be provided on both streets, but no more than 30 percent of the total need be used for front yards.
- f. Side yard required: There shall be a side yard on each side of a lot, having a width of more than 50 feet, of at least ten feet. On lots of record as of October 3, 1995 having widths of 50 feet or less, the side yard on each side of the lot shall be no less than seven feet.
- g. Rear yard required: There shall be a rear yard of not less than 20 feet. On corner lots there shall be a setback of not less than 15 feet.
- h. No more than seven (7) units per acre shall be allowed in district R-2A and intensity shall be no more than 60 percent lot coverage.

(2) *R-2B district. Uses permitted:*

- a. Any use permitted in the R-1 or R-2A district.
- b. Multiple-family dwellings.
- c. Boarding and lodging houses.
- d. Hospitals and clinics, except animal hospitals.

- e. Clinics, nursing homes or congregate living facilities.
- f. Guest houses.
- g. Accessory buildings and uses customarily incident to any of the above uses, including private and storage garages when located on the same lot and not involving the conduct of a business.
- h. Community centers and buildings owned by a governmental agency and used for a public purpose.
- i. Home occupations shall be allowed in District R-2B.
- j. Funeral parlors and mortuary establishments may be permitted in this district provided application is made to the city commission for the establishment of same, and it shall be determined by the city commission that such use will not adversely affect the property values of the land adjacent thereto and the city commission shall find that such use is an appropriate use for the particular plot or parcel of land for which application is made for the establishment thereof.
- k. Building height limit: No building hereafter erected or structurally altered shall exceed 60 feet in height, except as provided in subsection 3.10(3).
- l. Building site and minimum floor area required: For the following specified uses every lot or parcel of land shall provide a land area for each family unit of at least the amount indicated:

TABLE INSET:

Number of dwellings	Square foot area of living quarters family unit	Square foot land area required per family unit on ground floor
One-family	650	5,000
Two-family	550	2,500
Three-family	480	2,000
Four-family	480	2,000
Five- to eight-family	480	1,400
Nine- to twelve-family	400	1,300

Where a lot has an area less than the above required minimum and was of record on October 3, 1995, such lot may be used, provided all setbacks and area requirements of this zone are observed.

m. Front yard required: There shall be a front yard having a depth of not less than 15 feet measured to the front of the building. Where lots comprising 25 percent or more of the frontage on the same street within the block are developed with buildings having an average yard with a variation in depth of not more than six feet, no building hereafter erected or structurally altered shall project beyond the average front yard so established. Where the distance between dwellings on adjacent lots is 100 feet or more, the next

above front yard requirement will not apply. Where interior lots have a double frontage, the required front yard shall be provided on both streets.

n. Side yard required: There shall be a side yard on each side of a lot, having a width of more than 50 feet, of at least ten feet. On lots of record as of October 3, 1995 having widths of 50 feet or less, the side yard on each side of the lot shall be no less than seven feet.

o. Rear yard required: There shall be a rear yard not less than 15 feet in depth. On corner lots there shall be a setback of not less than 15 feet.

p. Density and intensity shall be the same in district R-2B as in R-2A.

q. Law offices, accounting and bookkeeping services, counseling services, decorating or millinery businesses, or other service related businesses or occupations which in the opinion of the building inspector, will not cause a significant increase in vehicular traffic in the area. In the event that a property owner disagrees with the opinion of the building inspector, then the property owner can appeal to the planning and development review in accordance with the appeal process provided by this land development regulation code.

**Sec. 3.05. Same--District R-3.**

- (a) Uses permitted. Any use permitted in any other residential district.
- (b) No more than fifteen (15) units per acre shall be allowed in this district and intensity of no more than 80 percent lot coverage shall be allowed.
- (c) Building site and minimum floor area required. For the following specified uses every lot or parcel of land shall provide a land area for each family unit of at least the amount indicated.

TABLE INSET:

Number of dwellings	Square foot area of living quarters family unit	Square foot land area required per family unit on ground floor
One-family	650	5,000
Two-family	550	2,500
Three-family	480	2,000
Four-family	480	2,000
Five- to eight-family	480	1,400
Nine- to twelve-family	400	1,300

Where a lot has an area less than the above required minimum and was of record as of October 3, 1995, such lot may be used, provided all setbacks and area requirements of this zone are observed.

- (d) Building height limit: No building hereafter erected or structurally altered shall exceed 60 feet in height.