

SECTION 705 RMH MULTI-FAMILY RESIDENTIAL HIGH DENSITY DISTRICT

705.01 INTENT: This district is intended primarily to provide living areas within the City where development is limited to high density concentrations or multiple-family dwellings and single family dwellings which are compatible in character and density with the multiple-family residential environment where regulations are designed to accomplish the following; to promote and encourage a suitable environment for family life; to provide space for community facilities needed to compliment urban residential areas and for institutions which require a residential environment; to minimize traffic congestion and to avoid the overloading of utilities and public facilities designed to service only residential and residential service uses in accord with standards of the comprehensive plan.

705.02 PERMITTED PRINCIPAL USES AND STRUCTURES: The following shall be permitted as uses by right.

- (1) Single-family dwellings;
- (2) Attached single family dwellings;
- (3) Two family dwellings;
- (4) Residential condominiums pursuant to Section 1116.
- (5) Multiple-family dwellings with forty-eight (48) or fewer living units.
- (6) Churches, parsonages and other religious institutions.
- (7) Row crop agricultural production (planting, fertilizing, harvesting) or alfalfa / feed grass production on parcels which have been regularly used for such production prior to January 1, 2011. No parcel in this zoning district shall be switched to this Use from a different use. Parcels three (3) acres or larger may continue with this Use and other Permitted or Excepted Uses with a minimum separation of fifty (50) feet from any other Use.

705.03 PERMITTED ACCESSORY USES AND STRUCTURES: The following accessory uses and structures shall be permitted:

- (1) Accessory uses and structures normally appurtenant to the permitted uses and structures and to uses and structures permitted as exceptions.

705.04 EXCEPTIONS: After the provisions of this Ordinance relating to exceptions have been fulfilled, the City Council may permit the following conditional uses as exceptions in the RMH Multi-Family Residential High Density District in accordance with ARTICLE 14 of this Ordinance:

- (1) Home occupations and home professional offices;
- (2) Public and quasi-public uses of an educational, recreational or religious type including public

and parochial elementary schools, junior high schools and colleges; nursery schools; private and nonprofit schools and colleges; public parks, public playgrounds;

(3) Public and private charitable institutions;

(4) Public uses of an administrative, public service or cultural type including city, county, state or federal administrative centers and courts, libraries, museums, art galleries, police and fire stations and other public buildings, structures and facilities;

(5) Cemeteries, with or without columbarium;

(6) Electrical distribution substations, gas regulator stations, communications equipment buildings, public service pumping stations, and/or elevated pressure tanks;

(7) Convalescent, nursing and rest homes;

(8) Boarding and rooming houses;

(9) Hospitals, medical and dental clinics and other medical and health facilities;

(10) Professional offices;

(11) Mortuaries, funeral homes and funeral chapels;

(12) Signs subject to SECTION 1114 of this Ordinance;

(13) Family day care home, not operated within a private dwelling, group day care home, or day care center;

(14) Multiple family dwellings with greater than forty-eight (48) living units;

(15) Parking lots.

705.05 CONDITIONS FOR GRANTING EXCEPTIONS: The requirements of ARTICLE 14 of this Ordinance shall apply as minimum requirements for granting exceptions in the RMH Multi-Family Residential High Density District.

705.06 PROHIBITED USES AND STRUCTURES: All other uses and structures which are not specifically permitted or not permissible as exceptions shall be prohibited from the RMH Multi-family Residential High Density District.

705.07 MINIMUM LOT REQUIREMENTS:

(1) The minimum lot area for single family dwellings shall be forty-eight hundred (4,800) square feet.

(2) The minimum lot area for a multiple-family dwelling unit: (2 units) = six thousand (6,000) square-feet. Each additional unit shall require one-thousand five hundred (1,500) square-feet per unit.

(3) Each lot shall have not less than forty (40) feet of frontage when a lot fronts on a cul de sac or loop street except any lot with a two-family dwelling or an attached single family-dwelling shall have not less than sixty (60) feet of frontage when a lot fronts on a cul de sac or loop street.

(4) The minimum width of each lot shall be sixty (60) feet. provided, however, the minimum lot requirement shall not apply to individual dwelling units of attached single-family dwellings.

(5) Each lot shall have a depth of not less than eighty (80) feet.

(6) Driveways shall have a maximum grade of ten (10) percent. Driveways and curb cuts shall be located not less than three (3) feet from the side lot line. Curb cuts for straight curbs and the flare for rolled curbs shall be three (3) feet wider than the driveway pavement on each side.

705.08 MINIMUM YARD REQUIREMENTS:

(1) Front yard: On all streets or highways there shall be a minimum front yard of not less than a depth of twenty (20) feet from the property line.

(2) Rear yard: The minimum rear yard of a principal structure shall be ten (10) feet, provided, however, if the principal structure is other than a single-family dwelling and the site abuts a residential district without separation by an alley, the minimum rear yard shall be fifteen (15) feet.

(3) Side yards: The minimum side yards of a principal structure shall be seven (7) feet.

- a. On the street side of a corner lot, side yards shall not be less than ten (10) feet.
- b. A side yard providing access to more than one dwelling unit shall be not less than ten (10) feet.
- c. The minimum side yard shall be nine (9) feet for any site adjacent to a RL Residential Low-Density District.
- d. Attached garages or attached carports fronting on the side yard of a corner lot shall be set back a minimum of twenty (20) feet from the sidewalk, or twenty (20) feet from the property line if no sidewalk exists, on a straight driveway approach, or fifteen (15) feet from the property line where the garage opening is perpendicular to the property line requiring a curved driveway approach.
- e. The side yard requirements as set forth herein shall not apply to the common fire walls and the line thereof extended to the front and rear property lines of attached single family dwellings or town houses.

(4) YARD REQUIREMENTS FOR ACCESSORY BUILDINGS:

(A) Side yard –

- a. An accessory building may be located in the side yard as close as five (5) feet to the property line providing it is located between the rear building line of the principle building and the rear property line.

- b. Unattached garages may be located in the side yard adjacent to the primary structure, providing the design and construction of the garage are similar in style and color to the primary structure. The side-yard setback shall be seven (7) feet and the distance between the garage and the primary structure must be four (4) feet or more, with proper fire-resistant construction.
- c. No building shall be located within any easement or right-of-way
- d. Accessory buildings or carports fronting on the side yard of a corner lot shall be set back a minimum of twenty (20) feet from the sidewalk, or twenty (20) feet from the property line if no sidewalk exists, on a straight driveway approach, or fifteen (15) feet from the property line where the garage opening is perpendicular to the property line requiring a curved driveway approach.

(B) Front Yard - No accessory building shall be located between the front building line of the principle building and the front property line. An accessory building may be located in the second front by a Conditional Use Permit (CUP). The CUP may include additional requirements of landscaping, screening, etc.

(C) Rear Yard - Unless specifically permitted, no accessory building shall be located closer than five (5) feet from the rear property line and no accessory building shall be located within any easement or right-of-way along the rear property line. If the accessory building requires vehicular access perpendicular to an alley, a minimum fifteen (15) feet access driveway is required between said accessory building and the alley.

705.085 ADDITIONAL SETBACK REQUIREMENTS – CREEKS/WATER COURSES: In addition to any other minimum yard requirements, no structure shall be installed or constructed in violation of section 1110.5 of this Zoning Ordinance.

705.09 MAXIMUM LOT COVERAGE: The maximum lot coverage shall not exceed seventy (70) percent of the total lot area.

705.10 MAXIMUM HEIGHT: The height of all structures shall not exceed thirty-five (35) feet for the main structure, except multi-family dwellings shall not exceed sixty (60) feet. The size limitations for accessory structures shall be subject to the provisions of SECTION 1103 and SECTION 1105 of the Comprehensive Zoning Ordinance of the City of Blair, Nebraska.

705.11 SIGN REGULATIONS: All signs shall be in conformance with the regulations provided herein and with the provisions of SECTION 1114 of this Ordinance.

705.12 OFF-STREET PARKING: Off-street parking shall be hard surfaced in conformance with the provisions of Section 204 of this Ordinance.

705.125 DRIVEWAYS: Driveways shall be paved as per section 303.01(51.5).

(END OF SECTION)