

3.3-3. "R-3" multifamily district. The following regulations shall apply in all "R-3" districts:

(a) *Authorized uses.* Uses permitted by right shall be those set forth in the land use matrix in section 144-4.2. The allowed uses in the district, which are intended to be identical with those listed in the land use matrix, are as follows:

(1) *Uses permitted by right.*

Residential uses:

- Accessory building/structure.
- Accessory dwelling (one accessory dwelling per lot, no kitchen).
- Boardinghouse/lodging house.
- Community home (see definition).
- Duplex/two-family/duplex condominiums.
- Family home adult care.
- Family home child care.
- Home occupation (see section 144-5.5).
- Hospice.
- Multi-family (apartments/condominiums).
- One-family dwelling, detached.
- Rental or occupancy for less than one month (see section 144-5.17).
- Single-family or two-family industrialized home (see section 144-5.8).

Non-residential uses:

- Adult daycare (with overnight stay).
- Assisted living facility/retirement home.
- Barns and farm equipment storage (related to agricultural uses).
- Cemetery and/or mausoleum.
- Church/place of religious assembly.
- Community building (associated with residential uses).
- Contractor's temporary on-site construction office (only with permit from building official; see section 144-5.10).
- Country club (private).
- Electrical substation.
- Farms, general (crops) (see chapter 6 and section 144-5.9).
- Farms, general (livestock/ranch) (see chapter 6 and section 144-5.9).
- Fraternal organization/civic club (private club).
- Golf course, public or private.
- Governmental building or use with no outside storage.
- Museum.

Nursing/convalescent home/sanitarium.

Park and/or playground (public or private).

Plant nursery (growing for commercial purposes but no retail sales on site).

Public recreation/services building for public park/playground areas.

Recreation buildings (private or public).

Retirement home/home for the aged—Public.

School, K-12 (public or private).

Telephone exchange buildings (office only).

University or college (public or private).

Water storage (surface, underground or overhead), water wells and pumping stations that are part of a public or municipal system.

(2) *Conflict.* In the event of conflict between the uses listed in the land use matrix and those listed in subsection (1), the uses listed in this subsection shall be deemed those authorized in the district.

(b) *Maximum height, minimum area and setback requirements.*

(1) *One-family dwellings.*

(i) *Height.* 35 feet.

(ii) *Front building setback.* 25 feet.

(iii) *Side building setback.* There shall be a side building setback on each side of a building not less than five feet in width. Buildings on corner lots shall have 15-foot side building setbacks adjacent to the street where the rear lot lines of the corner lots coincide with the rear lot lines of the adjacent lots. Buildings on corner lots shall have 25-foot side building setbacks adjacent to the street where the rear lot lines of the corner lots coincide with the side lot lines of the adjacent lots.

(iv) *Garage setback.* Where a driveway is located in front of a garage, the garage shall be setback 20 feet from the right-of-way or the driveway to the garage shall be at least 20 feet long to provide enough space for a vehicle to park without overhanging into the right-of-way, if the garage door is closed. (See Illustration 8 in section 144-5.1-1.)

(v) *Rear building setback.* 20 feet.

(vi) *Width of lot.* Interior lots 60 feet. Corner lots 70 feet. Where a lot has less width than herein required, and such lot was in separate ownership prior to September 25, 1967, this requirement will not prohibit the erection of a one-family dwelling.

(vii) *Lot area per family.* Every single-family dwelling hereafter erected or altered shall provide a lot area of not less than 6,600 square feet per dwelling for interior lots, and 7,000 square feet per dwelling for corner lots, provided that where a lot has less area than herein required and such lot was in separate ownership prior to September 25, 1967, this requirement will not prohibit the erection of a one-family dwelling. Where public or community sewer is not available and in use, for the disposal of all sanitary sewage, each lot shall provide not less than one-half acre and one acre on the Edwards Aquifer Recharge Zone.

(viii) *Lot depth.* 100 feet.

(ix) *Parking.* Two off-street parking spaces shall be provided for each one-family detached dwelling. See section 144-5.1 for other permitted uses' parking.

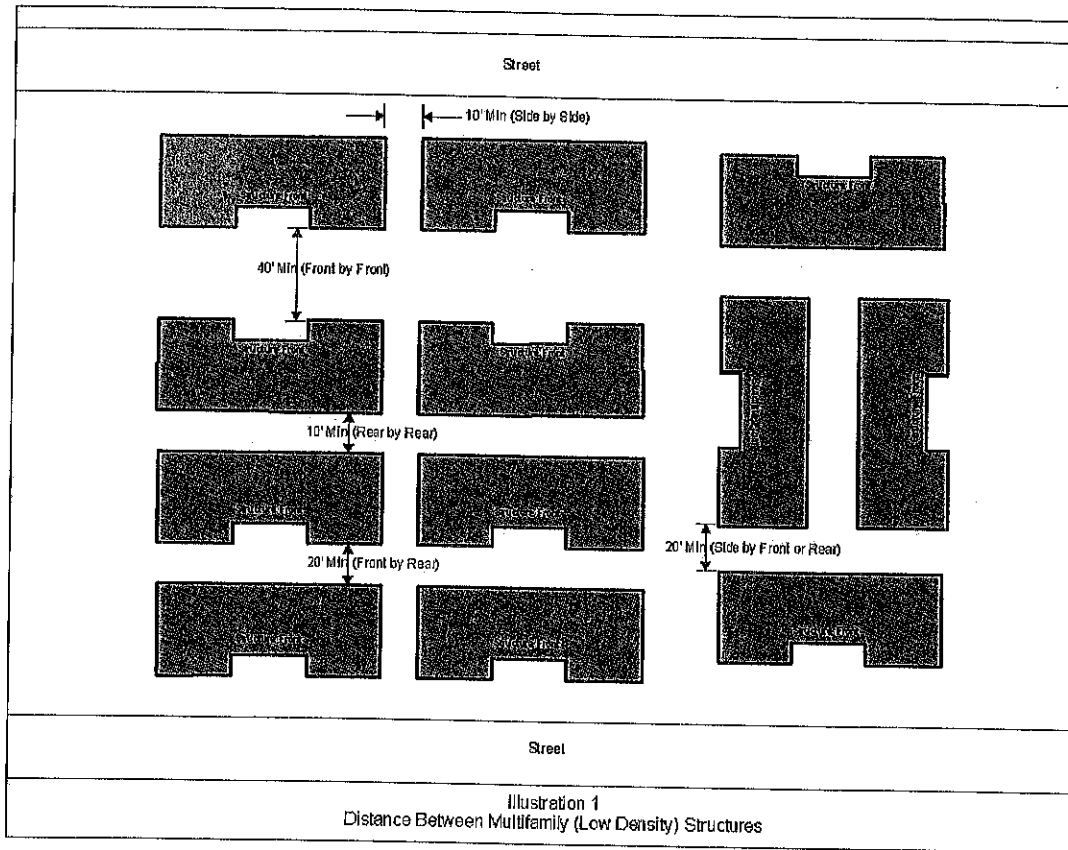
(2) *Duplexes.*

- (i) *Height.* 35 feet.
- (ii) *Front building setback.* 25 feet.
- (iii) *Side building setback.* There shall be a side building setback on each side of a building not less than five feet in width. Buildings on corner lots shall have 15-foot side building setbacks adjacent to the street where the rear lot lines of the corner lots coincide with the rear lot lines of the adjacent lots. Buildings on corner lots shall have 25-foot side building setbacks adjacent to the street where the rear lot lines of the corner lots coincide with the side lot lines of the adjacent lots.
- (iv) *Garage setback.* Where a driveway is located in front of a garage, the garage shall be setback 20 feet from the right-of-way or the driveway to the garage shall be at least 20 feet long to provide enough space for a vehicle to park without overhanging into the right-of-way, if the garage door is closed. (See Illustration 8 in section 144-5.1-1.)
- (v) *Rear building setback.* 20 feet.
- (vi) *Width of lot.* The minimum width of an interior lot shall be 60 feet and the minimum width of a corner lot shall be 70 feet, provided that where a lot has less width than herein required, and such lot was in separate ownership prior to September 25, 1967, this requirement will not prohibit the erection of a one-family dwelling.
- (vii) *Lot area per family.* Duplexes hereafter erected or altered shall have a lot area of not less than 8,000 square feet for an interior lot and 8,500 square feet for a corner lot. Where a lot was legally under separate ownership prior to September 25, 1967, but has an area less than the minimum required in this provision, this regulation shall not prohibit the erection of a one-family residence, but shall prohibit the erection of a two-family residence. Where a public or community sewer is not available and in use for the disposal of all sanitary sewage, each lot shall provide not less than one acre and approved by the city sanitarian.
- (viii) *Lot depth.* 100 feet.
- (ix) *Parking.* Two off-street parking spaces shall be provided for each two-family dwelling unit. See section 144-5.1 for other permitted uses' parking.

(3) *Multifamily dwellings.*

- (i) *Height.* 45 feet, 60 feet when a pitched roof is used (minimum 4:12 pitch).
- (ii) *Front building setback.* 25 feet.
- (iii) *Rear building setback.* 25 feet.
- (iv) *Side building setback.* There shall be a side building setback on each side of a building not less than five feet in width. Buildings on corner lots shall have 15-foot side building setbacks adjacent to the street where the rear lot lines of the corner lots coincide with the rear lot lines of the adjacent lots. Buildings on corner lots shall have 25-foot side building setbacks adjacent to the street where the rear lot lines of the corner lots coincide with the side lot lines of the adjacent lots.
- (v) *Garage setback.* Where a driveway is located in front of a garage, the garage shall be setback 20 feet from the right-of-way or the driveway to the garage shall be at least 20 feet long to provide enough space for a vehicle to park without overhanging into the right-of-way, if the garage door is closed. (See Illustration 8 in section 144-5.1-1).
- (vi) *Residential setback.* Effective November 8, 2006, where a multifamily dwelling abuts a one- or two-family use or zoning district, the setback from the one- or two-family property line shall be at least 20 feet plus one foot for each foot of building height over 20 feet.

- (vii) *Width of lot.* The minimum width of an interior lot shall be 60 feet and the minimum width of a corner lot shall be 70 feet, provided that where a lot has less width than herein required, and such lot was in separate ownership prior to September 25, 1967, this requirement will not prohibit the erection of a one-family dwelling.
- (viii) *Lot area.* The minimum lot area for a multifamily dwelling shall be 15,000 square feet; for each unit over ten an additional 1,500 square feet of lot area shall be required. Where public or community sewer is not available and in use, for the disposal of all sanitary sewage, multifamily developments shall be approved by the city sanitarian.
- (ix) *Lot coverage.* The combined area of all yards shall be at least 55 percent of the total lot or tract; provided, however, that in the event enclosed parking is provided the minimum total yard area requirement shall be 40 percent of the total lot or tract.
- (x) *Distance between structures.* For multifamily structures, there shall be a minimum of ten feet between structures side by side; a minimum of 20 feet between structures side by front or rear; a minimum of 40 feet between structures front to front; and a minimum of ten feet between structures backing rear to rear, and a minimum of 20 feet front to rear. (See Illustration 1.)



- (x) *Lot depth.* 100 feet.
- (xi) *Parking.* For apartments, apartment hotel units and other multifamily dwellings, off-street parking spaces shall be provided in accord with the following schedule:
 1. One-bedroom apartment or unit: One and one-half spaces.
 2. Two-bedroom apartment or unit: Two spaces.

3. Each additional bedroom: One-half space.
 4. Each dwelling unit provided exclusively for low income elderly occupancy: Three-fourths space ("low income elderly" is defined as any person 55 years of age or older with low or moderate income, according to HUD standards.)
- (4) *Non-residential uses.*
- (i) *Height.* 45 feet.
 - (ii) *Front building setback.* 25 feet.
 - (iii) *Side building setback.* There shall be a side building setback on each side of a building not less than five feet in width. Where any building abuts a property with a one- or two-family use, the setback from the one- or two-family property line shall be at least 20 feet plus one foot for each foot of building height over 20 feet.
 - (iv) *Corner lots.* Buildings on corner lots shall have 15-foot side building setbacks adjacent to the street where the rear lot lines of the corner lots coincide with the rear lot lines of the adjacent lots. Buildings on corner lots shall have 25-foot side building setbacks adjacent to the street where the rear lines of the corner lots coincide with the side lot lines of the adjacent lots. Where a minimum 25-foot setback is required, a canopy at least eight feet in height, attached to the main building, may be built within 15 feet of the property line so long as such construction will not obstruct the vision of vehicular or pedestrian traffic.
 - (v) *Garage setback.* Where a driveway is located in front of a garage, the garage shall be setback 20 feet from the right-of-way or the driveway to the garage shall be at least 20 feet long to provide enough space for a vehicle to park without overhanging into the right-of-way, if the garage door is closed. (See Illustration 8 in section 144-5.1-1.)
 - (vi) *Rear building setback.* 20 feet.
 - (vii) *Width of lot.* 60 feet.
 - (viii) *Lot depth.* 100 feet.
 - (ix) *Parking.* See section 144-5.1 for permitted uses' parking.