

§ 14-16-2-14 R-D RESIDENTIAL AND RELATED USES ZONE, DEVELOPING AREA.

This zone permits a mixture of dwelling unit types and incidental related commercial activities.

(A) Permissive Uses.

- (1) Permissive uses when pursuant to a Sector Development Plan, and to a Site Development Plan and a Landscaping Plan:
 - (a) Uses permissive in the R-3 zone.
 - (b) Permissive uses in the C-1 zone, except shopping centers. Such incidental commercial uses shall not exceed 15% of the R-D zone covered by a given Sector Development Plan.
 - (c) Mobile home development.

(B) Permissive uses when pursuant only to a Sector Development Plan: uses permissive in the R-T zone, subject to all controls of the R-T zone.

(C) Permissive uses, in areas not covered by an adopted Sector Development Plan, but pursuant to a Site Development Plan and Landscaping Plan approved by the Planning Director: uses permissive in the R-T zone, subject to all controls of the R-T zone.

(D) Permissive uses in areas not covered by an adopted Sector Development Plan or more detailed plan: uses permissive in the R-1 zone, subject to all controls of the R-1 zone.

(E) Conditional Uses.

- (1) Uses conditional in the R-1 zone when the area is not covered by an adopted Sector Development Plan.
- (2) Uses conditional in the R-3 zone when the area is covered by an adopted Sector Development Plan.
- (3) Uses conditional in the C-1 zone on commercial locations approved by a Sector Development Plan.

(F) Open Space.

- (1) Two thousand four hundred or more square feet of open space per dwelling shall be preserved. Of the total 2,400 square feet, the following minimum amounts shall be usable open space on the lot with the dwelling: 200 square feet for each efficiency or one-bedroom dwelling; 250 square feet for each two-bedroom dwelling, and 300 square feet for each dwelling containing three or more bedrooms. The remaining requirement may be met by the alternatives listed in § 14-16-3-8(A) of this Zoning Code.
- (2) When an aggregate of two or more dwelling units is constructed on any given lot, the development shall include landscaping of the ground-level usable open space planted and maintained according to a landscaping plan approved by the Zoning Enforcement Officer.

(G) Procedure. Procedure, in addition to that specified in § 14-16-4-3 of this Zoning Code, shall be as follows: An area may be zoned R-D with or without simultaneous approval of a Sector

Development Plan. However, before the first building permit may be issued one of the following shall take place:

- (1) A Sector Development Plan covering the area is adopted by the City as provided in § 14-16-4-3 of this Zoning Code.
- (2) Ninety days after a person applies for the first building permit in a given R-D area not covered by an approved Sector Development Plan, a building permit shall be approved as to zoning even if there is still no approved Sector Development Plan, provided the building permit is consistent with divisions (C) or (D) of this section.
- (3) Ninety days after a person applies for approval of a subdivision plat (other than a boundary plat for a large area) in an area not covered by an approved Sector Development Plan, the plat shall be approved if it is consistent with divisions (C) or (D) of this section and with Chapter 14, Article 14, Subdivision Regulations. Building permits on the lots created by the plat shall be approved as to zoning even if there still is no approved Sector Development Plan, provided the plat and the building permits are consistent with divisions (C) or (D) of this section.

(‘74 Code, § 7-14-18) (Ord. 80-1975; Am. Ord. 38-1978; Am. Ord. 92-1980; Am. Ord. 42-1981; Am. Ord. 77-1984; Am. Ord. 12-1990; Am. Ord. 19-2010; Am. Ord. 2012-036)