

## ARTICLE X

### HIGH DENSITY RESIDENTIAL DISTRICT (R-3)

#### SECTION 1000 - PURPOSE OF THIS DISTRICT

The purpose of this district is to provide areas for the development of apartments or condominium complexes with adequate, usable open space to prevent overcrowding. As conditional uses, single-family dwellings may be constructed subject to all of the regulations of the R-2 Medium Density Residential District.

It is the intent of this Ordinance that these districts be carefully located only in areas where the infrastructure of the County (i.e., the street/highway system, storm drainage and water and sanitary sewer systems) is adequate to serve such higher density housing. The use of this district is appropriate *as a transition* between lower density (R-1, R-1A, R-1B) residential districts or medium density (R-2) residential districts and higher intensity uses, such as commercial uses or limited industrial (TIP) uses that are not compatible with lower density residential environment. All apartment or condominium developments shall front upon at least one street or highway that is classified as a Principal Arterial or Minor Arterial on the adopted Thoroughfares Plan.

#### SECTION 1001 - LAND USES PERMITTED

The following uses are permitted outright in R-3 districts subject to the regulations prescribed herein.

- A. Duplexes as defined in Article II.
- B. Multiple family dwellings including apartments and condominiums as defined in Article II.
- C. Accessory uses or structures in multiple family residential complexes, including laundromats, vending machine centers, recreational buildings, swimming pools, tennis courts, and similar uses and structures incidental to multiple family buildings. Such uses and structures shall be reserved exclusively for use by residents and guests of residents of the multiple family complex.
- D. Home occupations in compliance with Section 405 of this Ordinance.
- E. Public roads and highways, excluding Federal Interstate highways and scenic parkways, which are regulated as special uses in SU-1 districts.
- F. *Public* recreational or open space facilities.

**SECTION 1002 - CONDITIONAL USES AND STRUCTURES AS PROVIDED IN SECTION 2605**

- A. Public or quasi-public facilities and utilities in conformance with Section 402 and other regulations of this Ordinance.
- B. Single-family residences subject to all the regulations of the R-2 Medium Density Residential District.

**SECTION 1003 - DIMENSIONAL REQUIREMENTS FOR DUPLEXES AND ALL MULTIPLE FAMILY USES**

- 1003.01 Maximum Height: 40 feet or 2 ½ stories.
- 1003.02 Minimum Lot Area :
  - (a) For duplexes: 10,600 square feet.
  - (b) For single-family residences approved as conditional uses: 10,600 square feet.
  - (b) For all multiple family uses: two (2) acres.
- 1003.03 Minimum Floor Area for Multiple Family Uses:
  - (a) One bedroom units: 750 square feet.
  - (b) Two bedroom units: 950 square feet.
  - (c) Three or more bedroom units: 1,200 square feet.
- 1003.04 Maximum Density for Multiple Family Uses: 10 dwelling units per gross acre.
- 1003.05 Minimum Lot Width:
  - (a) For duplexes: 75 feet.
  - (b) For single-family residences approved as conditional uses: 10,600 square feet: 75 feet.
  - (b) For all multiple family uses: 200 feet at the building setback line.

1003.06

Minimum Yards for Duplexes and Multiple Family Uses:

- (a) Front yard: 40 feet from the right-of-way line. This yard shall be a landscaped open area with no encroachments permitted including parking lots, patios or swimming pools, or other paved areas except for entrance/exit driveways.
- (b) Side and rear yards: 25 feet from each side lot line or rear lot line to any building, except where a side or rear lot line abuts any R-1, R-1A, R-1B, or R-2 district or existing single-family residential use, *in which case the side or rear yard shall be 50 feet from any building to the lot line abutting the R-1, R-1A, R-1B or, R-2 district or existing single-family residential use.*

This yard shall be a landscaped open area with no encroachments permitted including driveways, parking lots, patios or swimming pools, or other paved areas.

1003.07

Minimum Yards for Single-Family Residences Approved as Conditional Uses:

- (a) Front yard: 30 feet from the street right-of-way line to the building setback line. See Section 401.02 regarding double-frontage and corner lots.
- (b) Side yards: 10 feet.
- (c) Rear yard: 25 feet.

1003.08

Accessory Buildings for Single-Family Residences Approved as Conditional Uses: : No accessory building shall be located in the front yard or side yard of any principal structure in this district. No accessory building shall be located in the rear yard closer to the rear lot line than 10 feet, nor shall an accessory building occupy more than 25 percent of a required rear yard.

1003.09

Minimum Space between Buildings in an Apartment of Condominium Complex: No principal building or accessory building shall be constructed nearer than thirty (30) feet to any other principal building or accessory building.

## **SECTION 1004 - REQUIRED OPEN SPACE RESERVATION/ DEDICATION FOR MULTIPLE FAMILY DEVELOPMENTS**

A minimum of 30% of the gross site area to be developed for a condominium or apartment complex shall be devoted to open space. In calculating this open space requirement, the front, side and rear yards may be included. Parking lots and driveways, however, MAY NOT be included in calculating this required open space. The required site plan (see Section 1005) shall indicate the location and area (in acres) to be so reserved or dedicated for open space or recreational facilities.

- 1004.01      Maximum Amount of Common Open Space Covered by Water: Lakes and ponds shall not constitute 100% of the required open space.
- 1004.02      Steep Slopes: In reviewing the site plan for a proposed apartment or condominium development, the Planning/Zoning Commission shall determine if any land containing slopes of twelve percent (12%) or greater may be included in the required common open space. This determination shall be based upon the developer's specific proposed use of the steep slope land. The Planning/Zoning Commission shall make a recommendation to the President of the Board of Supervisors and Board as to whether or not any steep slope land should be approved for use in meeting the requirements of this Section.
- 1004.03      Physical Improvements: Common open space shall be suitably improved for the intended use, but open space containing natural features worthy of preservation may be left unimproved if such unimproved areas are approved by the Board of Supervisors as part of the site plan review process. Open space improvements may include pedestrian or bicycle trails, tennis courts, recreational buildings and swimming pools or similar facilities.
- 1004.04      Performance Bonds: Prior to the rental/ lease of any apartment or the sale of any condominium, the developer may be permitted, at the discretion of the Board of Supervisors, to post with the County a performance bond of sufficient surety to insure the completion of all proposed open space improvements (where applicable). Such performance bonds must be issued by a company that is licensed and admitted to business in the State of Mississippi. The Director of Public Works and the County Engineer in conjunction with the developer shall determine the amount of the performance bond after reviewing the construction plans for all improvements.

**SECTION 1005 - SITE PLAN REQUIRED**

The developer of ANY apartment or condominium complex shall submit a site plan to the Planning/Zoning Commission in accordance with Sections 2607 through 2610 of this Ordinance.

**SECTION 1006 - REQUIRED LANDSCAPING ALONG ARTERIAL STREETS**

Developers of multiple family residential uses and other uses permitted in R-3 zones shall comply with Section 404 of this Ordinance regarding the provision of landscaping along arterial streets upon which the use abuts.

**SECTION 1007 - SPRINKLER SYSTEM REQUIRED**

A fire-extinguishing sprinkler system shall be installed in all apartment or condominium complexes constructed in unincorporated Madison County after the effective date of this Ordinance. Such systems shall be installed in accordance with the appropriate fire protection code for the County.

**SECTION 1008 - REQUIREMENTS FOR OFF-STREET PARKING, LOADING AND ACCESS CONTROL**

For reasons of fire safety all proposed apartment or condominium complexes shall provide *at least two separate points of ingress/egress to/from the complex*. Spacing requirements for these access points are provided under Article XXIII. Developers of any proposed apartment or condominium complex or permitted special exception shall comply with parking and loading requirements included under Article XXIII.

**SECTION 1009 - SIGNS**

See Article XXV for sign regulations.