

3.05.07 Residential/Neighborhood Commercial District (RC)

A. Intent and Purpose of District

1. It is the intent of this district to provide for and guide the development and use of land in the downtown areas of the City of Freeport
2. It is further the purpose of this district to promulgate development of the expanded downtown area, which results from the realignment of Route 331, as an intensely developed center of the City through providing for a planned mixture of residential, commercial and office uses. Various ancillary uses and amenity features appropriate for a downtown will also be incorporated.

B. Uses Permitted

Unless otherwise specified, the following use categories or combination thereof, are determined to be appropriate to and compatible with the expressed purpose of this district and shall be permitted.

1. Uses permitted in R-1, R-2, and R-3 Districts.
2. The following uses and others consistent with the intent of the district, which are not otherwise excluded, are permitted:
 - a. Antique shops.
 - b. Bakeries, the products of which are sold only at retail on the premises.
 - c. Buildings used exclusively for federal, state and local government for public purposes.
 - d. Churches and schools.
 - e. Day nurseries, kindergartens, and other child-care centers.
 - f. Florist shops, the products of which are displayed and sold wholly within an enclosed building.
 - g. Funeral homes.
 - h. Grocery, fruit, vegetable and retail meat market stores.
 - i. Health baths and spas.
 - j. Hospitals and nursing homes, but not animal hospitals.
 - k. Interior decorating, home furnishing and furniture stores.
 - l. Marinas.
 - m. Mini-warehouses to provide private storage compartments primarily for use by private individuals for storage only, and not to be used for any other purpose including but not limited to workshops, and garages and further limited in the following ways.
 - (1) The buildings shall not exceed 15 feet in height.
 - (2) Street frontage to be set back a minimum of 30 feet from property lines; and

- (3) All storage will be within the confines of the buildings and nothing shall be stored outside thereof.
- n. Motels.
 - o. Music conservatory, dancing schools and art studios.
 - p. Music, radio and television shops.
 - q. Performing arts theatres and museums.
 - r. Personal service establishments such as banks, beauty parlors, barbershops, medical and dental clinics, financial institutions, parking garages, parking lots, laundry and dry-cleaning pick-up stations, self-service coin-operated laundry and dry-cleaning establishments, shoe repair, tailoring, watch and clock repair, locksmiths and data processing.
 - s. Police and fire stations.
 - t. Pharmacies
 - u. Professional office buildings.
 - v. Radio broadcasting and telecasting stations; studios and offices.
 - w. Recycling collection centers.
 - x. Restaurants.
 - y. Retail businesses, such as: drug, hardware stores, book stationary, gift shops, china and luggage shops, newsstands, photographic supplies and studios, ladies' and men's and children's apparel.
 - z. Retail paint and wallpaper stores.
 - aa. Retail shops with a maximum floor area of three thousand square feet.
 - bb. Shopping Centers.
 - cc. Planned development projects as provided for in Section 3.08.00.
 - dd. Other uses which are substantially similar to the uses permitted herein, which would promote the intent and purposes of this District. Determination shall be made by the development approval authority which shall be without public notice or public hearing. The development approval authority may, at its discretion, request a determination by the City Council. Such determinations shall be final.

C. Uses permitted as Variances

- 1. One single family dwelling which is accessory and attached to a permitted principal building actively engaged in a permitted use.
- 2. Apartment complex when located above at least one story of commercial uses, providing each dwelling unit has a minimum floor area of 500 square feet and that parking requirements for the

residential use are met.

D. Uses Specifically Prohibited

The following uses are specifically prohibited from location in the Residential/Neighborhood Commercial (RC) District.

1. Billboards and off-premises signs.
2. Outside storage.
3. Vehicle or equipment dealerships and repair facilities except minor filling station servicing.
4. Wholesale trade establishments.

E. Site and Building Requirements

1. **Lot Area.** There shall be no minimum lot size
2. **Lot Coverage.** The maximum combined area occupied by all principal and accessory buildings shall not exceed 70 percent of the total lot area.
3. **Lot Width.** There shall be no minimum lot width.
4. **Yard Requirements.** There shall be a rear yard of at least 15 feet. Where a commercial use or district is contiguous to a residential use or district, there shall be a minimum side yard of ten feet on the side abutting the residential district unless the two districts are separated by a public street, body of water, or similar man-made or natural buffer in which case no side yard is required. There shall be a minimum front yard depth of not less than 15 feet, except as provided for in Section 3.07.03.
5. **Screening Requirements.** Where a lot line of a lot within an RC Residential/Neighborhood Commercial District abuts a side or rear lot line of a residential use or lot in a residential district, the open storage of equipment, vehicles, materials or commodities shall be screened from said residential lot line. Such screen may be in the form of walls, fences or landscaping; shall be at least six feet in height and shall be at least 50 percent opaque as viewed from any point along said residential lot line. Where such open storage exists unscreened as of the date of adoption of these regulations, the non-residential property owner shall be required to meet the screening requirements of this section within 18 months of the adoption date of this code. When landscaping is used for screening, the height and opacity requirements shall be attained within 18 months of planting.

6. **Other Requirements.** Driveways, streets and facilities for routing traffic shall be designed in such a manner that entrances and exits to public streets shall not be hazardous and that traffic congestion is minimized. Furthermore, no entrances or exits shall direct traffic into adjacent residential districts.
7. **Performance Standards:** Each use, activity or operation within this district shall comply with the performance standards specified in Sections 3.11.00 and 3.12.00.
8. **Residential Requirements.**
 - a. Densities shall be the same as the R-3 District.
 - b. Multiple family side yard requirements shall be the lesser of ten percent of lot width at the front building line or 15 feet. The maximum floor area ration shall be 3.0.
 - c. Floor area ratios shall not include balconies which extend less than six feet from the main building.

9. **Commercial Requirements:**

- a. Floor Area Ratio
 - (1) No new structure shall be constructed with a floor area ratio in excess of 3.0.
 - (2) No structure shall be renovated with floor area ratio in excess of 3.0.
 - (3) Structures used exclusively for parking shall not be included in floor area ratio calculations, but must meet all other requirements and shall be included in site coverage, yard regulations, etc.
- b. Site Coverage. Renovations of existing structures will be allowed for a structure covering 100 percent of the site area. New construction may only cover 70 percent of the entire site area at ground level.
- c. Yard Regulations. There are no specific yards or set backs required except where a lot line is adjacent to a residential use, in which case a 15-foot building set back from the adjacent residential lot line shall be maintained.

10. **Height Restrictions:**

- a. Single-Family Residential: 2 ½ stories or 35 feet, whichever is lesser

- b. Multi-family Residential: 3 stories or 45 feet, whichever is lesser.
- c. Non-Residential: 4 stories or 50 feet, whichever is lesser.

B. Off-Street Parking and Loading:

1. Parking

- a. There shall be provided at the time of erection or alteration of any commercial structure within the Residential Commercial District, one off-street parking space for each 300 square feet of net rentable tenant or occupant space, along with adequate provisions for ingress and egress by automobiles of standard size, except as set forth below.
- b. There shall be an exemption from the requirement of off-street parking, for the purchase and renovation of an existing structure without available appurtenant off-street parking, or for the renovation of the same for any usage not inconsistent with the other requirements of these regulations.
- c. There shall be provided at the time of erection or alteration of any residential structure within the district, adequate off-street parking along with suitable provision of ingress and egress by automobiles of standard size as follows:
 - (1) 1-4 Units: 2.0 spaces per unit
 - (2) 5 or more Units: 1.5 spaces per unit

2. Loading. For requirements, refer to Section 5.02.00 of these land development regulations.