

Sec. 656.311. - Residential-Professional-Institutional Category.

This mixed use category primarily for office, institutional and medium density residential uses. Large scale institutional uses, which require supporting residential and office components, are permitted, as are office-professional uses, nursing homes, day care centers and related uses when sited in compliance with all applicable development regulations.

The category permits housing and mixed use developments in a gross density range of up to 20 dwelling units per acre when full urban services are available to the site. Generally, multi-family dwellings such as apartments, condominiums, townhomes and rowhouses will be the predominant land use in this category, although cluster and patio home developments, and supporting professional, office and institutional uses may also be developed in appropriate locations. Developments in this category are frequently appropriate transitional uses between residential and nonresidential areas.

The following primary and secondary zoning districts may be considered in the residential professional and institutional category depicted on the Future Land Use Maps of the Comprehensive Plan.

- A. *Primary zoning districts.* The primary zoning districts shall include the following:
- (1) Residential, Medium Density-D (RMD-D); Section 656.306.
 - (2) Commercial Office (CO); Section 656.311.
 - (3) Commercial Residential and Office (CRO); Section 656.311.
 - (4) Residential Office (RO); Section 656.311.

The commercial office and residential mixed use districts allow for business and professional offices and medium density residential uses of a density of 20 dwelling units per acre.

- I. *Residential Medium Density-D (RMD-D).* Permitted uses and structures, accessory uses and structures, permissible uses by exception, minimum lot and yard requirements, maximum lot coverage, impervious surface ratio, and height of buildings and structures shall be as provided in Section 656.306.
- II. *Commercial Office (CO) District.*
 - (a) *Permitted uses and structures.*
 - (1) Medical and dental or chiropractor offices (but not clinics or hospitals).
 - (2) Professional or business offices.
 - (3) Cosmetology and similar uses including facilities for production of eyeglasses, hearing aids, dentures, prosthetic appliances and similar products either in conjunction with a professional service being rendered

or in a stand alone structure not exceeding 4,000 square feet.

- (4) Day care centers incidental to a professional office
 - (5) Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
 - (6) Single family dwellings which were originally constructed as single family dwellings.
- (b) *Permitted accessory uses and structures.* See Section 656.403.
- (c) *Permissible uses by exception.*
- (1) Day care centers meeting the performance standards and development criteria set forth in Part 4.
 - (2) Churches, including a rectory or similar use, meeting the performance standards and development criteria set forth in Part 4.
 - (3) Off-Street parking lots meeting the performance standards and development criteria set forth in Part 4.
- (d) *Minimum lot requirements (width and area).*
- (1) Width—60 feet.
 - (2) Area—6,000 square feet (except as otherwise required for certain uses).
- (e) *Maximum lot coverage by all buildings and structures.* 50 percent. *Impervious surface ratio* as required by Section 654.129.
- (f) *Minimum yard requirements.*
- (1) Front—20 feet.
 - (2) Side—10 feet.
 - (3) Rear—10 feet.
- (g) *Maximum height of structures.* 35 feet; provided, height may be unlimited where all required side yards are increased one foot for every one foot of building height in excess of 35 feet. No building shall be higher than 35 feet, when located adjacent to a single family use or zoning district.
- (h) *Limitations on permitted and permissible uses by exception.* Unless otherwise provided, all of the permitted and permissible uses by exception in the CO District are limited by the following conditions:
- (1) No retail sales, display or storage of merchandise shall be permitted.
 - (2) No vehicles other than passenger automobiles or trucks of not more than

3/4-ton payload capacity or 5,000 pounds in actual scale weight shall be used in the business operation.

III. *Commercial, Residential and Office (CRO) District.*

(a) *Permitted uses and structures.*

- (1) Medical and dental office or clinics (but not hospitals).
- (2) Professional and business offices.
- (3) Multiple-family dwellings.
- (4) Single family dwellings that were originally designed and constructed prior to adoption of the Comprehensive Plan.
- (5) Schools meeting the performance standards and development criteria set forth in Part 4.
- (6) Vocational, trade or business schools.
- (7) Colleges and universities.
- (8) Fraternity and sorority houses.
- (9) Churches, including a rectory or similar uses, meeting the performance standards and development criteria set forth in Part 4.
- (10) Parks, playgrounds and playfields or recreational or community structures meeting the performance standards and development criteria set forth in Part 4.
- (11) Adult Congregate Living Facility (but not group care home or residential treatment facility).
- (12) Libraries, museums and community centers.
- (13) Radio and television broadcasting studios and offices (subject to Part 15).
- (14) Banks without drive-through, savings and loan institutions, and similar uses.
- (15) Art galleries, dance, art, gymnastics, fitness centers, martial arts and music studios, and theaters for stage performances (but not motion picture theaters).
- (16) Cosmetology and similar uses including facilities for production of eyeglasses, hearing aids, dentures, prosthetic appliances and similar products either in conjunction with a professional service being rendered or in a stand alone structure not exceeding 4,000 square feet.
- (17) Bed and breakfast establishments meeting the performance standards and development criteria set forth in Part 4.

- (18) Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
 - (19) Community residential homes of up to six residents meeting the performance standards and development criteria set forth in Part 4.
 - (20) Hospice facilities.
 - (21) Employment office (but not a day labor pool).
- (b) *Limitations on permitted uses.* All of the permitted uses in the CRO District are limited by the following conditions unless otherwise provided:
- (1) Retail sales, display or storage of merchandise shall be subordinate and clearly incidental to a permitted use.
 - (2) No vehicles, other than passenger automobiles or trucks of not more than three-quarter-ton payload capacity or 5,000 pounds actual scale weight shall be used.
- (c) *Permitted accessory uses and structures.* See Section 656.403.
- (d) *Permissible uses by exception.*
- (1) Cemeteries and mausoleums but not funeral homes or mortuaries.
 - (2) Residential treatment facilities.
 - (3) Off-street parking lots for premises requiring off-street parking meeting the performance standards and development criteria set forth in Part 4.
 - (4) New Single-family dwellings.
 - (5) Community residential homes of seven to 14 residents meeting the performance standards and development criteria set forth in Part 4.
 - (6) Emergency shelter meeting the performance standards and development criteria set forth in Part 4.
 - (7) Group care home meeting the performance standards and development criteria set forth in Part 4.
 - (8) Essential services meeting the performance standards and development criteria set forth in Part 4.
 - (9) Day care centers meeting the performance standards and development criteria set forth in Part 4.
 - (10) Home occupations meeting the performance standards and development criteria set forth in Part 4.
 - (11) Drive-through facilities in conjunction with a permitted or permissible use

or structure.

- (12) Rooming houses.
 - (13) Private clubs.
 - (14) Churches, including a rectory or similar use, meeting the performance standards and development criteria set forth in Part 4.
 - (15) Retail outlets for the sale of food, leather goods and luggage, jewelry (including watch repair but not pawn shops), art, cameras or photographic supplies (including camera repair), sporting goods, hobby shops and pet shops (but not animal kennels), musical instruments, television and radio (including repair incidental to sales), florist or gift shops, delicatessens, bake shops (but not wholesale bakeries), and dry cleaning pickup stations, all not to exceed 50 percent of the gross floor area of the buildings of which they are a part.
 - (i) Sale, display and preparation shall be conducted within a completely enclosed building.
 - (ii) Products shall be sold only at retail.
 - (iii) No sale, display or storage of secondhand merchandise shall be permitted.
 - (16) Restaurants, including the facilities for the sale and service of all alcoholic beverages for on-premises consumption only, subject to the following condition:
 - (i) Seating shall not exceed a capacity of 60; provided, that seating may be unlimited where total floor area of the restaurant does not exceed ten percent of the gross floor area of the building of which it is a part.
 - (17) Pharmacies in existence with a valid exception as of the effective date of Ordinance 2018-75-E shall continue to be legally permitted uses and shall not be deemed legal nonconforming uses.
- (e) *Minimum lot requirements (width and area).*
- (1) Width:
 - (i) Single-family dwellings—50 feet.
 - (ii) Multiple-family dwellings—50 feet.
 - (iii) All other uses 70 feet (except as otherwise required for certain uses).
 - (2) Area:

- (i) Single-family dwellings—5,000 square feet.
 - (ii) Multiple-family dwellings—6,000 square feet for the first two family units and 2,100 square feet for each additional unit.
 - (iii) All other uses—7,000 square feet (except as otherwise required for certain uses).
- (f) *Maximum lot coverage by all buildings and structures.* 50 percent. *Impervious surface ratio* as required by Section 654.129.
- (g) *Minimum yard requirements.*
 - (1) Single-family dwellings:
 - (i) Front—20 feet.
 - (ii) Side—5 feet; provided that the combined side yards shall be no less than 15 feet.
 - (iii) Rear—10 feet.
 - (2) Multiple-family dwellings:
 - (i) Front—20 feet.
 - (ii) Side—10 feet.
 - (iii) Rear—20 feet.
 - (3) Multiple-family dwellings with more than one principal structure on the lot:
 - (i) Front—20 feet.
 - (ii) Side—20 feet.
 - (iii) Rear—20 feet.
 - (4) All other uses:
 - (i) Front—20 feet.
 - (ii) Side—10 feet.
 - (iii) Rear—20 feet.
- (h) *Accessory use structure used in conjunction with multi-family structure:*
 - (1) Front—Accessory use structures shall not be permitted in front yards as they are established by the location of the principal structure.
 - (2) Side and rear—5 feet
- (i) *Maximum height of structures.*
 - (1) Single-family dwellings—35 feet.
 - (2)

Accessory Use Structures—15 feet, provided the structure may be one foot higher for each 3 feet of additional setback up to the height of the primary structure or the structure shall otherwise be required the same setbacks of the primary structure.

- (3) All other uses—45 feet; provided however, that height may be unlimited where all required yards are increased by one foot for every one foot of building height in excess of 45 feet.

IV. *Residential Office (RO) District.*

(a) *Permitted uses and structures.*

- (1) Professional and business offices.
- (2) Multiple-family dwellings.
- (3) Single family dwellings.
- (4) Parks, playgrounds and playfields or recreational or community structures meeting the performance standards and development criteria set forth in Part 4.
- (5) Bed and breakfast establishments meeting the performance standards and development criteria set forth in Part 4.
- (6) Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
- (7) Community residential homes of up to six residents meeting the performance standards and development criteria set forth in Part 4.

(b) *Limitations on permitted uses.* All of the permitted uses in the RO District are limited by the following conditions unless otherwise provided:

- (1) Retail sales, display or storage of merchandise shall be subordinate and clearly incidental to a permitted use.
- (2) No vehicles, other than passenger automobiles or trucks of not more than three-quarter-ton payload capacity or 5,000 pounds actual scale weight shall be used.

(c) *Permitted accessory uses and structures.* See Section 656.403.

(d) *Permissible uses by exception.*

- (1) Libraries and community centers.
- (2) Cemeteries and mausoleums but not funeral homes or mortuaries.
- (3) Medical and dental office or clinics (but not hospitals).

(e) *Minimum lot requirements (width and area).*

- (1) Width:
 - (i) Single-family dwellings—50 feet.
 - (ii) Multiple-family dwellings—50 feet.
 - (iii) All other uses—70 feet (except as otherwise required for certain uses).
- (2) Area:
 - (i) Single-family dwellings—5,000 square feet.
 - (ii) Multiple-family dwellings—6,000 square feet for the first two family units and 2,100 square feet for each additional unit.
 - (iii) All other uses—7,000 square feet (except as otherwise required for certain uses).
- (f) *Maximum lot coverage by all buildings and structures. 50 percent. Impervious surface ratio as required by Section 654.129.*
- (g) *Minimum yard requirements.*
 - (1) Single-family dwellings:
 - (i) Front—20 feet.
 - (ii) Side—5 feet.
 - (iii) Rear—10 feet.
 - (2) Multiple-family dwellings:
 - (i) Front—20 feet.
 - (ii) Side—10 feet.
 - (iii) Rear—20 feet.
 - (3) Multiple-family dwellings with more than one principal structure on the lot:
 - (i) Front—20 feet.
 - (ii) Side—20 feet.
 - (iii) Rear—20 feet.
 - (4) All other uses:
 - (i) Front—20 feet.
 - (ii) Side—10 feet.
 - (iii) Rear—20 feet.
- (h) *Accessory use structure used in conjunction with single-family or multi-family*

structure:

(1) Front—Accessory use structures shall not be permitted in front yards as they are established by the location of the principal structure.

(2) Side and rear—1 foot.

(i) *Maximum height of structures.*

(1) Principle structures—35 feet.

(2) Accessory Use Structures—15 feet, provided the structure may be one foot higher for each 3 feet of additional setback up to the height of the primary structure or the structure shall otherwise be required the same setbacks of the primary structure.

(j) The requirements set forth above in (e), (f), (g), (h) and (i) for this Residential Office District shall apply unless otherwise provided for in a specific Zoning Overlay.

B. *Secondary zoning districts.* The following secondary zoning districts may be permitted in the Residential-Professional Office Category as depicted on the Future Land Use Maps of the Comprehensive Plan, subject to the district regulations for same.

(1) Residential Low Density-60 (RLD-60); Section 656.305.

(2) Reserved.

(3) Residential Medium Density-A (RMD-A); Section 656.306.

(4) Residential Medium Density-B (RMD-B); Section 656.306.

(5) Residential Medium Density-C (RMD-C); Section 656.306.

(6) Residential Medium Density-D (RMD-D); Section 656.306.

(7) Residential Medium Density-MH (RMD-MH); Section 656.306.

(8) Agriculture (AGR); Section 656.331.

(9) Commercial Neighborhood (CN); Section 656.312.

(10) Public Buildings and Facilities (PBF); Section 656.332.

(11) Conservation (CSV); Section 656.333.

(12) Planned Unit Development (PUD); Section 656.340.

The aforementioned secondary zoning districts may be permitted provided that the supplemental criteria and standards for same specified in Subpart G, Part 3 are met.

(Ord. 2007-704-E, § 1; Ord. 2008-969-E, § 4; Ord. 2015-338-E, § 1; Ord. 2018-75-E, § 2; Ord. 2019-375-E, §

1)