

**§ 165-402.02. Permitted uses.**

- A. All uses shall be developed in accordance with an approved master development plan unless otherwise waived under Article VIII of this chapter.
- B. Structures and land shall be used for one of the following uses:
  - (1) All residential housing types specified in § 165-402.09.
  - (2) Schools and churches.
  - (3) Fire stations and companies and rescue squads.
  - (4) Group homes.
  - (5) Home occupations.
  - (6) Utility distribution facilities necessary to serve residential uses, including, but not limited to, poles, lines, distribution transformers, pipes and meters.
  - (7) Accessory uses and structures. Accessory structures attached to the main structure shall be considered part of the main structure. Mobile homes and trailers, as defined, shall not be permitted as accessory structures or buildings.
  - (8) Required or bonus recreational facilities, public or private parks, neighborhood parks, playgrounds, or other noncommercial recreational facilities.
  - (9) Business signs associated with schools, churches, fire stations and companies and rescue squads, recreational facilities, public parks, playgrounds, and libraries.
  - (10) Temporary model homes used for sale of properties in a residential development.
  - (11) Libraries.
  - (12) Public buildings.
  - (13) Residential subdivision identification signs.
  - (14) Signs allowed in § 165-201.06B.
  - (15) Temporary family health care structure. (NOTE: By adding temporary family health care structure as a permitted use in the RP District, it is also automatically a permitted use in the R4 and R5 Districts.) **[Added 8-14-2013]**

**§ 165-402.03. Conditional uses.**

Uses and associated signs permitted with a conditional use permit shall be as follows:

- A. Convalescent and nursing homes and adult care residences and assisted living care facilities.
- B. Cottage occupations, as defined.
- C. Nationally chartered fraternal lodges or civic clubs, social centers and their related club facilities, with an approved site plan, meeting the requirements of this chapter and with the following conditions:
  - (1) All principal activities shall take place entirely within an enclosed structure.
  - (2) All outdoor facilities shall be incidental to the principal facility or activity.
  - (3) No facility or activity shall be erected or conducted less than 30 feet from any residential district or area within other districts which are predominantly residential in nature.
- D. Day-care facilities.
- E. Rooming houses, boardinghouses and tourist homes.
- F. Veterinary offices, veterinary clinics or veterinary hospitals, excluding the boarding of animals for nonmedical purposes.
- G. Museums.

#### **§ 165-402.04. Number of uses restricted.**

More than one principal structure or use and its customary accessory structures or uses are permitted in the RP Residential Performance District for multiplexes, garden apartments, multifamily residential buildings and age-restricted multifamily housing.

#### **§ 165-402.05. Gross density and multifamily housing.**

A gross density shall be established for each proposed development, including all land contained within a single master development plan, according to the characteristics of the land, the capacity of public facilities and roads and the nature of surrounding uses. Because of these characteristics, some developments may not be allowed to employ the maximum density allowed by these regulations. The following density requirements shall apply to all parcels as they exist at the time of the adoption of this section:

- A. Subsequent divisions of land shall not increase the allowed density on parcels of land.
- B. In no case shall the gross density and maximum percentage of multifamily housing of any development within an approved master development plan exceed the densities and percentages set forth in the following table:

<b>Density by Land Use</b>	<b>Density (units/acre)</b>	<b>Maximum Percentage of Multifamily Housing</b>
Multifamily residential buildings and age-restricted multifamily (excluding garden apartments)	20	100%
Garden apartments	10	100%
Townhouse (single-family attached)	10	N/A

**Density by Parcel Size**

**(for all other housing types and development with mixed housing types)**

<b>(acres)</b>	<b>Density (units/acre)</b>	<b>Maximum Percentage of Multifamily Housing</b>
0 to 10	10	100%
10.1 to 25	6	100%
25.1 to 50	6	75%
50.1+	6	50%

- C. Within developments utilizing transferable development rights, the maximum gross residential density for the development shall be determined in § 165-302.03H.