



## **ARTICLE V - DIVISION 10 RM-10 RESIDENTIAL MULTIFAMILY DISTRICT**

### **Sec. 29-421. Purpose and Intent.**

(a) The RM-10 Residential Multifamily District is intended for areas affected by the Interstate, and other land appropriate for Residential Medium density development. Multifamily is permitted at a maximum density of up to 10 units per acre. Single-Family residences are permitted at lower densities, as shown elsewhere in these regulations. For the purpose of establishing relative intensity and potential impacts, the residential equivalent uses (see Definition (sec. 29-2) are based on the number of beds per dwelling unit at the permitted density.

(b) Uses required to serve governmental, religious, and noncommercial recreational needs are permitted; as a Special Exception certain nonresidential uses appropriate to a particular area may be permitted. A variety of residential uses are permitted subject to special design provisions provided for those areas along the Interstate and other high speed traffic noise generators.

(c) Along the Interstate and other high traffic noise generators, residential development within 200 feet of that highway is intended to reflect measures to reduce traffic noise impact. These measures include but are not limited to clustering low-rise buildings away from the highway, using berms and natural plantings, orienting interior spaces requiring privacy away from the highway and requiring noise control features to be incorporated into the structures.

(d) Developments in this zoning district which are also located within a designated Community Redevelopment Area, as such area is defined in F.S. ch. 163, shall be reviewed by the Community Redevelopment Agency (see section 29-49) for compliance with adopted redevelopment plans.

### **Sec. 29-422. Permitted Principal Uses and Structures.**

Subject to the provisions or restrictions contained in this section and elsewhere in this chapter, permitted principal uses and structures in the RM-10 Residential Multifamily District are as follows. Site Plans for permitted uses and structures with up to 50,000 square feet gross floor area inclusive or up to 60 units inclusive require approval by the Mayor. Uses and structures with more than 50,000 square feet gross floor area or 60 units will require Site Plan approval by the Environmental Development Commission.

- (1) Single-Family and Multifamily Development up to 60 dwelling units inclusive.
- (2) Special Residential Development of not more than 60 units.
- (3) Community Residential Homes for one to 14 residents, subject to conditions set forth in section 29-219(a) and section 29-219(b).
- (4) Public Parks, Playgrounds and Playfields.
- (5) Public educational facilities.

**Sec. 29-423. Permitted Accessory Uses and Structures.**

The following accessory uses and structures are permitted in the RM-10 Residential Multifamily District:

- (1) Uses and structures which:
  - a. Are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures.
  - b. Do not involve the conduct of the business.
  - c. Are not of a nature prohibited under section 29-425.
- (2) Guest Houses.
- (3) Noncommercial docks and boathouses, including tie poles in conformance with chapter 16, article V (Dock Ordinance).
- (4) One garage apartment, which shall be counted as one dwelling unit, is permitted as an accessory use, provided minimum lot and yard size and parking requirements are met.
- (5) Temporary structures and operations in connection with, and on the site of, building or land preparation developments, including dredging and filling, grading, paving, installation of utilities, construction, erection of field offices, and structures for storage of equipment and building materials, provided a certificate of occupancy shall have been issued therefor.

**Sec. 29-424. Permitted Special Exceptions.**

After public notice and hearing, and subject to appropriate conditions and safeguards, the Environmental Development Commission may permit the following special exceptions in the RM-10 Residential Multifamily District (see article II, division 3):

- (1) Single-Family and Multifamily Development greater than 60 dwelling units.
- (2) Special Residential Development of more than 60 units. See section 29-205.
- (3) Community Residential Homes for more than 14 residents, subject to conditions set forth in section 29-219(c).
- (4) Community Service Clubs when abutting the Interstate, arterial and collector streets, as identified by the Major Street Map and made part of this chapter.
- (5) Golf Courses.
- (6) Nursing Homes, if abutting at least one major street, as identified by the Major Street Map and made part of this chapter.
- (7) Cemeteries and Columbariums.
- (8) Day Care Centers, as an accessory use. Outdoor activity areas (i.e., playgrounds) for the day care

center shall be visually shielded from a residential district by six-foot high solid decorative walls or fences, in accordance with the fence and wall limitations in section 29-220.

- (9) Day Care Centers, as a principle use, when abutting the Interstate, arterial and collector streets, as identified by the Major Street Map and made part of this chapter.

Outdoor activity areas (i.e., playgrounds) for the day care center shall be visually shielded from a residential district by a six-foot high solid decorative walls or fences, in accordance with the fence and wall limitation of section 29-220.

- (10) Nongovernmental educational facilities, colleges and universities.

- (11) Government and Community Buildings and Uses.

- (12) [Reserved]

- (13) Utility Substations.

- (14) Nongovernmental, Noncommercial Neighborhood Buildings and Uses.

- (15) Churches.

- (16) Off-street Parking Lots, in connection with a contiguous commercial use; in accordance with the specifications in section 29-215.

- (17) Bed and Breakfast Homes.

**Sec. 29-425. Prohibited Uses and Structures.**

- (a) All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the RM-10 Residential Multifamily District.
- (b) Any use which the Environmental Development Commission, upon appeal, and after investigating similar uses elsewhere, shall determine to be potentially noxious, dangerous or offensive to residents of the district or to those who pass on public ways, by reason of odor, smoke, noise, glare, fumes, gas, fire, explosion or emission of particulate matter or likely for other reasons to be incompatible with the character of the district, is hereby prohibited in the RM-10 Residential Multifamily District.

**Sec. 29-426. Minimum Lot Requirements.**

The minimum lot area and width requirements in the RM-10 Residential Multifamily District are as follows:

Note: An ancillary non-residential use which exceeds three (3) acres, a transportation/utility use which exceeds three (3) acres, or an institutional use which exceeds five (5) acres, whether alone or when added to existing contiguous like use(s), shall require a Future Land Use Plan map amendment that shall include such use and all contiguous like uses.

- (1) *Single-Family Dwellings; Community Residential Homes for one to six residents; Bed and Breakfast Homes.*
- a. Lot area: 6,500 square feet.
  - b. Lot width: 60 feet.
- (2) *Multifamily Dwellings.*
- a. Lot area: 4,356 square feet for each dwelling unit (10 units per acre).
  - b. Lot width: 60 feet.
- (3) *Community Residential Homes for seven or more residents.*
- a. Lot area: 4,356 square feet for each dwelling unit with 200 square feet of living space per resident.
  - b. Lot width: 60 feet.
- (4) *Residential Equivalent Uses.*
- Lot area: Minimum lot area = 15,000 square feet, (1,742 square feet for each bed).
- (5) *Churches.*
- a. Lot area: 1 ½ acres.
  - b. Lot width: 150 feet.
- (6) *Schools.*
- a. Lot width: 300 feet.
  - b. Lot area:
    - 1. Elementary: Four acres plus one acre per 100 students and major fraction thereof.
    - 2. Middle: Six acres plus one acre per 100 students and major fraction thereof.
    - 3. Senior High: Eight acres plus one acre per 100 students and major fraction thereof.
- (7) *Community and Government Buildings other than Schools.*
- a. Lot area: One acre.
  - b. Lot width: 200 feet.
- (8) *Community Service Clubs.*
- Lot area: 2 1/2 acres.
- (9) *All Other Uses.* As determined by the Environmental Development Commission for Special Exceptions.
- (10) *Approved Neighborhood Plans.* There are dimensional characteristics of existing neighborhoods

related to building lot width and area. Therefore, minimum lot area and width characteristics of neighborhoods with approved Neighborhood Plans may differ from the requirements of this district. The POD or designee may approve residential development that meets lot area and width characteristics and standards identified in approved Neighborhood Plans and such approval shall not constitute a variance. Approval of the lot area shall be based on consideration of the lot area for the majority of the lots within the block and surrounding blocks of the subject lot. Approval of lot width shall be based on the standards identified in the approved Neighborhood Plan.

The POD shall notify all property owners within 200 feet of the subject property as shown in current tax rolls and any other person or group which has on file with the POD a request to be notified. Request for notification must be renewed on an annual basis. Notification of the application shall be by regular mail postmarked no later than 10 days prior to action on the application. Public notice of the application shall be posted on the property at least seven days prior to the action. Notice shall include the earliest date on which the POD's action may be taken. Any persons may file with the POD, prior to the action, a written protest to the application. Failure to give notice of review of the application shall not invalidate the action of the POD. If a protest to the application has been filed, the application will be forwarded to the Board of Adjustment for review and action. The Board of Adjustment shall follow the notification procedures required for variances.

**Sec. 29-427. Minimum Yard Requirements.**

The minimum yard depths in the RM-10 Residential Multifamily District shall be as required in this section. All yards abutting major streets shall be considered front yards.

- (1) *Single-Family Dwellings; Community Residential Homes for one to six residents; Bed and Breakfast Homes.*
  - a. Front yards: 25 feet.
  - b. Side yards: Six feet; 15 feet adjacent to the street. On lots of record of 60 feet or less in width, the interior side yard shall be six feet, and the street side yard on corner lots shall be 12 feet.
  - c. Rear yards: 20 feet; 10 feet for accessory structures.
- (2) *Community Residential Homes for seven to 14 residents.*
  - a. Front yards: 25 feet.
  - b. Side yards: 7 1/2 feet; 15 feet adjacent to the street.
  - c. Rear yards: 20 feet; 10 feet for accessory structures.
- (3) *Garage Apartments.* Construction of a garage apartment has the same effect on yard requirements as construction of any other dwelling unit. A garage apartment or other accessory structure may not be located closer to the side lot line than the width of the required side yard, nor closer than 10 feet to the rear lot line.
- (4) *Multifamily Development up to and including 10 dwelling units.*

- a. Front yards: 20 feet.
  - b. Interior side yards:
    - 1. Two to six dwelling units: 7 1/2 feet minimum, 20 feet combined.
    - 2. Seven to 10 dwelling units inclusive: 10 feet minimum, 25 feet combined.
  - c. Side yards adjacent to street: 15 feet.
  - d. Rear yards: 20 feet; 10 feet for accessory structures.
  - e. Interior yards between buildings: 20 feet.
- (5) *Multifamily Development with more than 10 dwelling units; Community Residential Homes for more than 14 residents.*
- All exterior and interior yards, including between buildings: 20 feet.
- (6) *Residential Equivalent Uses.*
- All yards: 25 feet.
- (7) *Churches.*
- a. Front yards: 35 feet.
  - b. Side and rear yards: 25 feet.
  - c. No use other than off-street parking shall be located in any yard which adjoins a residentially zoned lot.
- (8) *Schools; Colleges and Universities.*
- a. All yards: 50 feet.
  - b. No use other than off-street parking shall be located in any yard which adjoins a residentially zoned lot.
- (9) *Community and Government Buildings other than Schools.*
- a. Front yards: 35 feet.
  - b. Side and rear yards: 50 feet.
  - c. No use other than off-street parking shall be located in any yard which adjoins a residentially zoned lot.
- (10) *Community Service Clubs.*
- a. All yards: 25 feet.
  - b. No off-street parking is permitted in required yards.
- (11) *All Other Uses.* As determined by the Environmental Development Commission for Special Exceptions.

(12) *Approved Neighborhood Plans.* There are dimensional characteristics of existing neighborhoods related to building setbacks related to the rhythm of spacing between buildings (side yard setbacks), front yard setbacks, and alignment of buildings along the block face. Therefore, minimum yard setback characteristics of neighborhoods with approved Neighborhood Plans may differ from the requirements of this district. The POD may approve residential development that meets setback characteristics and standards identified in approved Neighborhood Plans and said approval shall not constitute a variance.

Approval shall be based on the following:

- a. Front and side yard setbacks permitted in the neighborhood will be based on the predominate building setbacks established in the block containing the proposed development.
- b. Evaluation of building setbacks will also consider the pattern of building setbacks on the block(s) adjacent to the proposed development.

The POD shall notify all property owners within 200 feet of the subject property as shown in current tax rolls and any other person or group which has on file with the POD a request to be notified. Request for notification must be renewed on an annual basis. Notification of the application shall be by regular mail postmarked no later than 10 days prior to action on the application. Public notice of the application shall be posted on the property at least seven days prior to the action. Notice shall include the earliest date on which the POD's action may be taken. Any persons may file with the POD, prior to the action, a written protest to the application. Failure to give notice of review of the application shall not invalidate the action of the POD. If a protest to the application has been filed, the application will be forwarded to the Board of Adjustment for review and action. The Board of Adjustment shall follow the notification procedures required for variances.

**Sec. 29-428. Maximum Floor Area Ratio.**

The maximum floor area ratio for nonresidential uses shall be .40.

**Sec. 29-429. Maximum Impervious Surface Ratio.**

The maximum impervious surface ratio (ISR) for nonresidential uses shall be .65.

The maximum impervious surface ratio for multifamily residential uses shall be .45.

The maximum impervious surface ratio for residential equivalent uses, other than residential uses, shall be .65.

**Sec. 29-430. Maximum Height of Structures.**

The maximum height of structures in the RM-10 Residential Multifamily District shall be 35 feet. For each one foot of additional height, two additional feet of yard measured at the ground on all sides is required (see section 29-193 for Height Limitations); and subject to Airport height guidelines.

**Sec. 29-431. Off-Street Parking, Loading Requirements.**

The minimum off-street parking and off-street loading requirements in the RM-10 Residential Multifamily District shall be as provided in this section (see Sections 29-197 and 29-198, also Chapter 16, Article IX):

- (1) *Single-Family*. Two spaces for each dwelling unit.
- (2) *Multifamily*. Two spaces for each dwelling unit.
- (3) *Community Residential Homes*.
  - a. With six or fewer residents: Two spaces.
  - b. With seven or more residents: Two spaces, plus one space for each three residents.
- (4) *Residential Equivalent Uses*. One space for each 300 square feet of gross floor area.
- (5) *Churches*. One space for each 200 square feet in congregational seating area (including aisles) in church proper and in Sunday school or other meeting rooms and classrooms. Off-street space shall be provided for taking on and discharging passengers and for formation of automobile processions.
- (6) *Schools*.
  - a. *Elementary and Middle*: Two spaces for each classroom or office room, plus one space for each 150 square feet of seating area (including aisles) in any auditorium or any gymnasium or cafeteria intended to be used as an auditorium.
  - b. *Senior High, Colleges and Universities*: Four spaces for each classroom or office room, plus one space for each 150 square feet of seating area (including aisles) in any auditorium or any gymnasium or cafeteria intended to be used as an auditorium.
- (7) *Government and Community Buildings*. Four spaces for each office room, plus one space for each 150 square feet of seating area (including aisles) in any room used for public meetings.
- (8) *Community Service Clubs*. One space for each 100 square feet of gross floor area, or one space for each three seats in any room for assembly, whichever is greater; all parking shall be shielded from view by heavy planting; no parking to be permitted in required yards of Community Service Clubs.
- (9) *Bed and Breakfast Homes*. See section 29-222.
- (10) *All Other Uses*. One space for each 200 square feet of gross floor area, or as determined by the Environmental Development Commission for Special Exceptions.

**Secs. 29-432—29-440. Reserved.**