

Sec. 113-335. - R-P Residential—Professional Districts.

Within R-P Residential—Professional Districts, the following regulations shall apply:

- (1) *Permitted uses.* The following uses only shall be permitted:
- a. Single-family dwellings.
 - b. Parish houses.
 - c. Essential municipal uses.
 - d. Public utilities serving the neighborhood area, excluding towers, buildings or storage areas.
 - e. Gardening activities customarily incidental to single-family dwellings.
 - f. Duplex family living units.
 - g. Multiple family living units, except townhouse residential units.
 - h. Satellite dish antenna in the manner specified in section 113-243.
 - i. The professional activities listed below, to the extent that they do not involve the manufacture, preparation, or sale of an article or commodity on or from within the premises except that uses accessory to the principal permitted uses shall be allowed:
 1. Accountants.
 2. Architects.
 3. Attorneys.
 4. Barber shops/beauty salons.
 5. Chiropractors.
 6. Dental labs.
 7. Dentists.
 8. Engineers.
 9. Existing church building.
 10. Insurance brokers.
 11. Optometrists.
 12. Osteopaths.
 13. Physicians.
 14. Real estate brokers.

15. Consultants to the above.
 16. Professional activities similar and conforming to the standards governing the above and not more detrimental, objectionable, or annoying to the community.
 - j. Community residential home (level I or level II facilities) subject to satisfying the standards set forth in section 113-246.
 - k. Townhouse residential units subject to the following restrictions:
 1. Lot area for each unit. No townhouse residential unit site shall be less than 2,000 square feet, and each unit shall have its foundation on its individual site, except where the units are separated by a common party wall in which the foundation may be installed equidistant on each side of the lot line for the length of the party wall and its extension along the offset of the townhouses on abutting lots.
 2. No townhouse residential unit shall be smaller than 1,000 square feet.
 3. No townhouse residential unit shall be less than 20 feet in width.
 4. Grouping length. A grouping of townhouses shall not exceed 150 feet in length, and shall not contain more than six units, for each building in the grouping.
 5. Side yards for a townhouse residential unit shall be not less than ten feet at each end of the group of townhouses.
 6. For all individual townhouse residential units the building permit for which is issued after April 1, 2024 and which unit is not subject to a condominium form of ownership, said individual townhouse residential unit shall be subject to a plat or replat, the lot lines of which shall be coincident with the boundaries of the individual townhouse residential unit.
- (2) *Standards governing permitted uses.* The following standards shall govern uses:
- a. No odor, dust, fumes, gas, smoke or other atmospheric pollutants shall be disseminated beyond the boundaries of the immediate site of the building in which the use is conducted.
 - b. Noise level from operations shall be negligible. No noise or vibration resulting from or in connection with the use shall be perceptible from any part of any residence district.
 - c. There shall be no glare resulting from or in connection with the use that is observable from outside the boundaries of the R-P residential-professional district.
 - d. The vehicular traffic resulting from or in connection with the use shall not add materially to the traffic on streets that primarily serve residence districts.

- e. The use shall not be otherwise detrimental, objectionable, or annoying to the owners or occupants of nearby property.
- (3) *Prohibited uses.* The following are specifically prohibited uses. Merely because a use is not specifically listed does not mean that the use is not prohibited.
- a. All uses which are not permitted uses.
 - b. Vacation rentals.
 - c. Bed and breakfast facilities.
 - d. Medical marijuana treatment center dispensing facility.
- (4) *Building height limitation:*
- a. The maximum height (see definition, section 113-4) of any building other than an accessory use shall be 30 feet, and the building shall not exceed two stories.
 - b. The maximum height permitted for an accessory use structure shall be eight feet, if the use is set back at least four feet from the rear and side lot lines. The maximum height permitted for an accessory use structure shall be increased 1½ feet to a maximum of 14 feet for each additional one foot that the accessory structure is set back, in excess of four feet, from the rear and side lot lines.
- (5) *Lot area.* Except as otherwise provided herein, the minimum area of any lot shall be 10,000 square feet.
- (6) *Lot dimensions.* Except as otherwise provided herein for townhouse residential units, the minimum dimensions of any lot shall be:
- a. Depth: 100 feet.
 - b. Width at building line: 100 feet.
- (7) *Front yards.* Front yards shall be not less than 25 feet in depth.
- (8) *Side yards.* Except as otherwise provided herein for townhouse residential units, side yards shall be not less than:
- a. Interior lots: ten feet in depth on each side;
 - b. Where side yard of a corner lot abuts one of two intersecting streets: 25 feet in depth on the side abutting the street and ten feet in depth on the other side.
- (9) *Rear yards.* Rear yards shall be not less than 20 feet in depth.
- (10) *Living and professional use areas.*
- a. The minimum living area of any dwelling shall be:

1. Single-family dwellings: 1,350 square feet.
 2. Duplex dwellings: 800 square feet per unit.
 3. Multifamily dwellings (except townhouse residential units): 800 square feet per unit. For multifamily dwellings subject to a building permit issued after April 1, 2024, the minimum living area shall be 1,000 square feet.
- b. The minimum area for any professional use shall be 1,000 square feet per unit.
- (11) *Parking spaces.*
- a. All off-street parking facilities shall meet the requirements of section 113-232.
 - b. For professional uses, one parking space for every 400 square feet of floor area devoted to such use, excluding storage space, shall be provided.
- (12) *Rental use.* Renting rooms shall be permitted, provided the area devoted to such use shall not exceed 25 percent of the total area of any dwelling unit.
- (13) *Signs.* Article V of this chapter applies.
- (14) *Buffer wall.*
- a. Where the property abuts property in the R-1-A district, R-1-B district, R-2 district, or R-3 district, a solid wall, six feet high and at least six inches thick, constructed of brick, block, mortar, or similar building materials, and sufficient to obstruct the view of such abutting residential property, shall be provided.
 - b. The buffer wall shall parallel the length of the common boundary between the subject property located within the R-P district and the R-1-A district, R-1-B district, R-2 district, or R-3 district. The buffer wall shall be placed at the common property line of the R-P district and the R-1-A district, R-1-B district, R-2 district, or R-3 district. A wooden fence is strictly prohibited.
 - c. The buffer wall shall be installed when there is a substantial improvement to the R-P zoned property. As used in this section, the term "substantial improvement" means:
 1. A change in the use of a major and material nature. For example, a change from a residential use to a professional office use would constitute a major and material change;
 2. Clearing of an entirely undeveloped property and making use of the property. For example - use of the property as a parking lot;
 3. Demolition of an existing principal structure and construction of a new principal

structure for use as a professional office;

4. An expansion of the floor area of an existing professional office structure by ten percent or more; or
 5. Construction of a professional office structure on undeveloped property.
- (15) *Ground covering.* In addition to meeting the following requirements, a landscape plan shall be submitted to the town along with architectural plans.
- a. At least 20 percent of the parcel of land must be devoted to lawn or plants. At least one-half of the minimum required landscaping must be contained in the front yard area.
 - b. A landscape buffer of not less than two feet wide along the side property lines shall be provided.
- (16) *Density.* The maximum density for this zone shall be not greater than 15 units per acre.
- (17) *Accessory buildings, structure and uses.*
- a. Accessory buildings, structures and uses customarily incidental to any use permitted by this section shall be allowed.
 - b. All accessory buildings and structures located in the rear yard shall be set back not less than four feet from all lot lines. Utility sheds may be placed as permitted by section 113-225 of this Code. On corner lots when the lot abuts two intersecting streets, accessory use structures shall be set back not less than 25 feet from any lot line abutting a street or public right-of-way. All accessory use structures shall be set back not less than five feet from any principal or primary permitted use.
 - c. All accessory uses shall meet the requirements of section 113-225.
- (18) *Grading and drainage.* Chapter 14, article V applies.

(Code 1962, § 28-94; Code 1993, § 17-125; Ord. No. 142, 10-3-1972; Ord. No. 153, §§ 1, 5, 6-19-1973; Ord. No. 154, § 4, 1-15-1974; Ord. No. 197, § 1, 6-15-1976; Ord. No. 261, §§ 6, 17, 7-17-1979; Ord. No. 81-298, § 4, 8-18-1981; Ord. No. 84-344, § 2, 3-20-1984; Ord. No. 87-4, § 6, 2-17-1987; Ord. No. 87-9, § 3, 8-18-1987; Ord. No. 90-13, § 4, 1-15-1991; Ord. No. 92-3, § 6, 1-21-1992; Ord. No. 92-4, § 6, 2-18-1992; Ord. No. 92-13, § 6, 3-16-1993; Ord. No. 95-9, § 10, 7-18-1995; Ord. No. 95-13, § 7, 10-17-1995; Ord. No. 97-9, § 1, 7-1-1997; Ord. No. 00-05, §§ 1—3, 11-21-2000; Ord. No. 02-04, § 3, 2-18-2002; Ord. No. 08-01, § 8, 11-20-2007; Ord. No. 15-05, § 2, 8-12-2015; Ord. No. 17-10, § 6, 5-15-2017; Ord. No. 17-14, § 6, 9-13-2017; Ord. No. 2022-05, § 7, 5-11-2022; Ord. No. 2024-03, § 4, 3-13-2024)