

**CHAPTER 1135 – MULTI-FAMILY RESIDENTIAL DISTRICT
REGULATIONS**

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SECTION 1135.01 INTENT

Multi-Family Residential Districts (RMF-A, RMF-B) and their regulations are established in order to achieve, among others, the following purposes:

- (a) Regulation of bulk and location of dwellings to obtain proper privacy and useable open spaces appropriate for the various districts;
- (b) Regulation of density and distribution of population to avoid congestion and to provide adequate public services;
- (c) Protection of the desirable characteristics and promotion of stability of existing residential development;
- (d) The RMF-A District is established to provide for multi-family units at not more than 12 units per acre;
- (e) The RMF-B District is established to provide for multi-family units at not more than 24 units per acre.

SECTION 1135.02 USE REGULATIONS

(a) Uses Permitted By Right. A use listed in Schedule 1135.03 shall be permitted by right as a principal use in a district when denoted by the letter "P" provided that all requirements of other city ordinances and this Zoning Ordinance have been met;

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(b) Conditional Uses. A use listed in Schedule 1135.03 shall be permitted as a conditional use in a district when denoted by the letter "C", provided the Planning Commission first makes the determination that the requirements of Chapter 1145 have been met according to the procedures set forth in Chapter 1177;

(c) Accessory Uses. An accessory use that is clearly incidental and subordinate to a use listed in Schedule 1135.03 shall be permitted provided that the requirements of all other City ordinances and this Zoning Ordinance have been met. Accessory uses are further regulated as noted below.

- (1) Family day care home, “type B” in compliance with Section 1133.10.
- (2) Fences, walls, landscape features, other structures, see Section 1135.07.
- (3) Garages and off street parking spaces, in compliance with this chapter and Chapter 1153.
- (4) Recreation and community facilities intended for use by residents of the development in compliance with Section 1135.07.
- (5) Signs, in compliance with Chapter 1151.

(d) Use Not Listed in Schedule. Although a use may be indicated as a permitted principal, conditional or accessory use in a particular multi-family residential district, it shall not be approved on a parcel unless it can be located thereon in full compliance with all of the standards and other regulations of this Ordinance applicable to the specific use and parcel in question. Any use not specifically listed as either a permitted principal or conditional use shall be a prohibited use in these zoning districts and shall only be permitted upon amendment of this Ordinance and/or the Zoning Map as provided in Chapter 1181 or upon a finding that a use is substantially similar as provided in Section 1177.09.

SECTION 1135.03 SCHEDULE OF PERMITTED USES

	RMF-A	RMF-B
Residential		
Multi-Family Dwelling	P	P
Adult Family Home	P	P
Family Home for Handicapped Persons	C	C
Group Home for Handicapped Persons	C	C
Residential Care Facility	C	C
Community Facilities		
Day Car Facility, Adult	C	C
Day Care Facility, Child	C	C
Library, Museum	C	C
Off-Street Parking as Principal Use on Lot	C	C
Place of Worship	C	C
Public Park and/or Playground	C	C
Safety Facility, Public	C	C
School, Public or Private	C	C
Notes: P = Principal use permitted by right C = Conditional use, permitted only when approved by the Planning Commission		

SECTION 1135.04 AREA AND DENSITY REGULATIONS

Land area shall be divided and developed, and buildings shall be erected, altered, moved and maintained in an RMF District only in compliance with the following area regulations.

(a) Minimum Development Area. The gross area of a tract of land shall not be less than that set forth in Schedule 1135.04. The entire tract of land to be developed shall be considered one zoning lot.

(b) Maximum Density.

(1) The density of a residential development shall not exceed the number of dwelling units per acre set forth in Schedule 1135.04 for the district in which the development is located.

(2) The total number of dwelling units permitted shall be calculated by multiplying the total development area, exclusive of public rights-of-way existing at the time the development plan is submitted, by the number of dwelling units permitted per acre.

(c) Maximum Coverage. The maximum building coverage of the lot, including all areas covered by principal and accessory buildings, shall not exceed the percentage of total area of the development project set forth in Schedule 1135.04.

(d) Maximum Schedule 1135.04: Area And Density Regulations.

	RMF-A	RMF-B
Minimum Development Area	20,000 sq. ft.	20,000 sq. ft.
Maximum Density	12 dwelling units per acre	24 dwelling units per acre
Maximum Coverage	30%	30%
Minimum width at building line	100 ft.	100 ft.
Minimum lot frontage	60 ft.	60 ft.

SECTION 1135.05 SITE DEVELOPMENT REGULATIONS

The following regulations are established to regulate the design and development of buildings in an RMF district.

(a) Setback from Existing Rights-of-Way. The setback of a principal building from an existing public right-of-way shall not be less than the distance set forth in Schedule 1135.05.

(b) Setback from Project Boundary. The setback of a principal building from any project boundary that is not an existing public right-of-way shall not be less than the distance set forth in Schedule 1135.05.

(c) Building Spacing. The minimum distance between buildings on the same site shall not be less than the distance set forth in Schedule 1135.05. The following definitions shall apply to terms used in this Section.

(1) Main Wall. The outside wall of a building that contains the primary windows of any living, family or dining room.

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- (2) End Wall. The outside walls other than a main wall of a building, which may be blank or contain windows not considered to be primary windows.

(d) Building Arrangement. Multi-family buildings may be arranged in a group and need not directly front onto a street.

(e) Schedule 1135.05. Site Development Regulations.

	RMF-A	RMF-B
Setback from existing public street right-of-way	40 ft.	40 ft.
Setback from project boundary when adjacent to RMF or non-residential district	20 ft.	20 ft.
Setback from project boundary when adjacent to R-70, R-50, or R2F district	40 ft. (a)	40 ft. (a)
Setback of interior street from:		
Proposed public right-of-way	20 ft.	20 ft.
Pavement of a private street	20 ft.	20 ft.
Distance between buildings within the same project boundary		
Main wall of one building facing main wall of another building	50 ft. (b)	50 ft. (b)
Main wall of one building facing an end wall of another building	35 ft. (b)	35 ft. (b)
End wall of one building facing and end wall of another building	20 ft. (b)	20 ft. (b)
Notes:		
(a) Except that when the length of the building wall facing the lot line is longer than 50 feet, the setback from the project boundary shall be increased by one additional foot of setback for every two feet of wall length greater than 50 feet.		
(b) Except that when the length of the longer of the two building walls facing each other is longer than 75 feet, the spacing between the two walls shall be increased by one additional foot of setback for every two feet of wall length greater than 75 feet.		

SECTION 1135.06 HEIGHT REGULATIONS

All buildings and structures shall comply with the following height regulations:

- (a) The height of principal buildings shall not exceed 35 feet.
- (b) The height of accessory buildings shall not exceed 15 feet.

(c) Principal buildings in excess of 35 feet may be permitted as a conditional use when the Planning Commission determines that the conditional use criteria set forth in Sections 1145.02 and 1145.03 has been met.

SECTION 1135.07 ACCESSORY USE REGULATIONS

Any accessory use permitted in an RMF District may occupy a part of the principal building, occupy a separate accessory structure or constitute an accessory land use.

(a) Distances from Accessory Uses to Buildings and Streets. The minimum distances from accessory uses such as storage garages, parking areas, driveways, walks and recreation areas to main buildings, streets and the project boundaries shall not be less than set forth in Schedule 1135.07.

(b) Fence and Wall Regulations.

(1) Height of Fences.

(A) Fences and walls in a front yard or corner side yard shall not exceed a height of three (3) feet.

(B) All other fences and walls shall not exceed a height of six (6) feet.

(2) Fence Materials. Fences shall be of chain link, picket, split rail, sapling, louver or other design, and if painted, shall be one color. Chain link fences that are located in the front yard or that abut an “R” district shall have sufficient landscaping to screen a minimum of 50% of the fence, as viewed from the street or adjacent lot in an “R” district.

(3) Construction Maintenance and Repair. Fences and walls shall be maintained in good repair at all times by the owner and/or occupant of the lot on which they are located. The smooth finished side of the fence or wall shall be the side of the fence that faces outward from the lot or yard being fenced.

(c) Schedule 1135.07 Required Distances between Accessory Uses and Other (in feet).

Accessory Building or Use	To Wall of Main Buildings		To Street		To Lot Lines Abutting District	
	Main	End	Public ROW	Private Street Pavement	R Districts	Other Districts including RMF
Accessory building, garage	20	10	40	20	10	5
Parking area	20	10	40	20	10	5
Driveway	20	10	40(a)	20	10	5
Project Walk	15(b)	5	0	0	10	5
Fences and Walls	0	0	0	0	0	0
Active recreation area, including pool, tennis court, and community facilities			40	20	40	
Trash receptacles	20	10	NP	NP	10	5
Notes:						
(a) Except as required to access the public or private street.						
(b) A project walk may be less than 15 feet, but not less than 10 feet, from a main wall if all windows have sills at least 8 feet above the finished grade.						

(d) Accessory Recreation And Community Facilities. Recreation and community facilities that are accessory to a multi-family project or subdivision and intended for use by residents of such project or subdivision shall comply with the following:

- (1) Accessory Facilities. Accessory recreation and community facilities when provided may include facilities such as tennis courts, swimming pools, walking trails, a community building and open space provided the use of the facilities is available for the exclusive use of residents and guests in a multi-family project or subdivision, provided they comply with the regulations of this Section.
- (2) The intensity of the facilities shall be appropriate for the number of units and expected population in the development or subdivision.
- (3) The facility shall be located on the same lot as the building or buildings served or within the same development or subdivision.
- (4) Supplemental Requirements for Pools. The pool shall be enclosed within a wall or fence not less than five feet in height to prevent any access to the pool except from a controlled point.
 - (A) All fences and other pool enclosures shall be constructed so as to have no openings, holes, or gaps larger than three inches in width, except for doors, gates or windows which shall be equipped with suitable locking devices to prevent unauthorized access. Access secured accessory buildings and walls of principal buildings may be used in place of, or as part of, the enclosure.
 - (B) The construction and operation of a pool shall meet all other applicable City regulations.

(e) Ownership and Maintenance. All such facilities shall remain under the ownership and control of the developer (or his successor) or a homeowners association or similar legal entity. The legal instruments establishing such control and maintenance responsibilities by the developer or homeowners association or similar legal entity shall be submitted to the North Canton Law Director for review and approval.

SECTION 1135.08 LANDSCAPE, SCREENING, AND LIGHTING REQUIREMENTS

Visual screening, landscape buffers and lighting shall be provided for multi-family developments in accordance with the provisions set forth in Chapter 1155.

SECTION 1135.09 SITE IMPROVEMENT STANDARDS

The following site improvement standards shall apply to all developments in an RMF District.

(a) Underground Utilities. All utilities required to serve a development shall be located underground.

(b) Sidewalks. Concrete sidewalks shall be provided to each outdoor entryway in an RMF development and shall connect all units to adjacent streets and to any recreation facilities that are provided as part of the development.

SECTION 1135.10 DEVELOPMENT PLAN REVIEW

All uses in an RMF District shall be permitted only after development plans have been reviewed and approved by the Planning Commission according to the procedures set forth in Chapter 1175.