

ARTICLE XII

HIGH DENSITY RESIDENTIAL DISTRICT (R-3)

SECTION 1200 - PURPOSE OF THIS DISTRICT

The purpose of this district is to provide areas for the development of apartments or condominium complexes with adequate, usable open space to prevent overcrowding.

This district also permits duplexes, triplexes and fourplexes, as defined by this Ordinance.

It is the intent of this Ordinance that these districts be carefully located only in areas where the infrastructure of the County (i.e., the street/highway system, storm drainage and water and sanitary sewer systems) is adequate to serve such higher density housing. The use of this district is appropriate as a transition between lower density (R-E, RE-MH, R-1) residential districts or moderate density (R-2) residential districts and higher intensity uses, such as commercial uses or limited industrial (I-1) uses that are not compatible with lower density residential environment.

SECTION 1201 - LAND USES PERMITTED

The following uses are permitted outright in R-3 districts subject to the regulations prescribed herein.

- A. Duplexes, triplexes, and fourplexes as defined in Article II.
- B. Multiple family dwellings including apartments and condominiums as defined in Article II.
- C. Single Family Residences
- D. Modular housing as defined by this Ordinance.
- E. Accessory uses or structures in multiple family residential complexes, including laundromats, vending machine centers, recreational buildings, swimming pools, tennis courts, and similar uses and structures incidental to multiple family buildings. Such uses and structures shall be reserved exclusively for use by residents and guests of residents of the multiple family complex.
- F. Home occupations in compliance with Section 405 of this Ordinance.

- G. Public roads and highways, excluding Federal Interstate highways and scenic parkways, which are regulated as special uses in SU-1 districts.
- H. Railroads or railroad facilities existing at the effective date of this Ordinance.

SECTION 1202 - CONDITIONAL USES AND STRUCTURES AS PROVIDED IN SECTION 2805

- A. Public or quasi-public facilities and utilities in compliance with Section 402 and other regulations of this Ordinance.
- B. Proposed new railroads or railroad facilities NOT existing at the effective date of this Ordinance.
- C. Manufactured homes or mobile homes. Persons proposing to locate a manufactured/ mobile home in an R-3 district shall demonstrate a genuine hardship to the Board of Supervisors. A genuine hardship shall only consist of:
 - (a) The need to place a manufactured/ mobile home on a lot as a temporary dwelling while a site-built residence that was destroyed by fire, tornado or other disaster is being rebuilt or repaired; or
 - (b) Medical hardship which requires the person to live near a relative in order that the relative can assist in meeting the needs of the person having a medical hardship. A physician’s statement confirming such hardship shall accompany the application for a conditional use permit.

SECTION 1203 - DIMENSIONAL REQUIREMENTS FOR DUPLEXES AND ALL MULTIPLE FAMILY USES

- 1203.01 Maximum Height: 70 feet, unless greater height is approved by the Board of Supervisors.
- 1203.02 Minimum Lot Area :
 - (a) For duplexes: 12,060 square feet.
 - (b) For triplexes: 16,080 square feet
 - (c) For fourplexes: 20,100 square feet

- (d) For all multiple family uses: two (2) acres.

1203.03 Minimum Floor Area for Multiple Family Uses:

- (a) One bedroom units: 750 square feet.
- (b) Two bedroom units: 950 square feet.
- (c) Three or more bedroom units: 1,200 square feet.

1203.04 Maximum Density for Multiple Family Uses: 10 dwelling units per gross acre.

1203.05 Minimum Lot Width:

- (a) For duplexes: 90 feet.
- (b) For triplexes: 120 feet
- (c) For fourplexes: 150 feet
- (d) For all multiple family uses: 200 feet at the building setback line.

1203.06 Minimum Yards for Duplexes, Triplexes, Fourplexes and Multiple Family Uses:

- (a) Front yard: 40 feet from the right-of-way line. This yard shall be a landscaped open area with no encroachments permitted including parking lots, patios or swimming pools, or other paved areas except for entrance/exit driveways.
- (b) Side and rear yards: 15 feet from each side lot line or rear lot line to any building, except where a side or rear lot line abuts any R-E, RE-MH, R-1, or R-2 district or existing single-family residential use, in which case the side or rear yard shall be 20 feet with buffering from any building to the lot line abutting the R-E, R-1, or R-2 district or existing single-family residential use. Where abutting such districts or an existing single-family residence, this yard shall be a landscaped open area with no encroachments permitted including driveways, parking lots, patios or swimming pools, or other paved areas.

- 1203.07 Minimum Space between Buildings in an Apartment of Condominium Complex: No principal building or accessory building shall be constructed nearer than thirty (30) feet to any other principal building or accessory building.

SECTION 1204 - REQUIRED OPEN SPACE RESERVATION FOR MULTIPLE FAMILY DEVELOPMENTS

A minimum of 1% of the gross site area to be developed for a condominium or apartment complex shall be devoted to open space. However, a lesser amount may be permitted for larger developments, subject to reviewed by Plan Commission and final approval by Board of Supervisors. In calculating this open space requirement, the front, side and rear yards may be included. Parking lots and driveways, however, MAY NOT be included in calculating this required open space. The required site plan (see Section 2808) shall indicate the location and area (in acres) to be so reserved for open space or recreational facilities.

- 1204.01 Maximum Amount of Common Open Space Covered by Water: Lakes and ponds shall not constitute 100% of the required open space.
- 1204.02 Steep Slopes: In reviewing the site plan for a proposed apartment or condominium development, the Planning Commission shall determine if any land containing slopes of twelve percent (12%) or greater may be included in the required common open space. This determination shall be based upon the developer's specific proposed use of the steep slope land. The Planning/Zoning Commission shall make a recommendation to the President of the Board of Supervisors and Board as to whether or not any steep slope land should be approved for use in meeting the requirements of this Section.
- 1204.03 Physical Improvements: Common open space shall be suitably improved for the intended use, but open space containing natural features worthy of preservation may be left unimproved if such unimproved areas are approved by the Board of Supervisors as part of the site plan review process. Open space improvements may include pedestrian or bicycle trails, tennis courts, recreational buildings and swimming pools or similar facilities.
- 1204.04 Performance Bonds: Prior to the rental/ lease of any apartment or the sale of any condominium, the developer may be permitted, at the discretion of the Board of Supervisors, to post with the County a performance bond of sufficient surety to insure the completion of all proposed open space improvements (where applicable). Such performance bonds must be issued by a company that is licensed and admitted to business in the State of Mississippi. The County Engineer in conjunction with the developer

shall determine the amount of the performance bond after reviewing the construction plans for all improvements.

1205.05 Waivers for Requirements of This Section: Where there are practical difficulties not created by the developer that would make it difficult or impossible to comply with the provisions of this Section, he/ she may apply for a waiver from the development standards specified herein. The Planning Commission shall review the application for a waiver and make a recommendation to the Board of Supervisors as to whether the waiver should or should not be approved. The Board of Supervisors shall render the final decision regarding the requested waiver.

SECTION 1205 - SITE PLAN REQUIRED

The developer of ANY duplex, triplex, fourplex, apartment or condominium complex shall submit a site plan to the Planning/Zoning Commission in accordance with Sections 2807 through 2810 of this Ordinance.

SECTION 1206 - REQUIRED LANDSCAPING ALONG ARTERIAL STREETS

Developers of multiple family residential uses and other uses permitted in R-3 zones shall comply with Section 404 of this Ordinance regarding the provision of landscaping along arterial streets upon which the use abuts.