

CHAPTER 1129

CLUSTER DIVISIONS

1129.01 PURPOSE

The purpose of the cluster subdivision is to permit a procedure for development which will:

1. Promote imaginative, well-designed subdivisions and ensure that the best possible relationship between development and the land is achieved through diversity and originality in lot layout and individual building design.
2. Preserve desirable and proper open space for recreational, scenic and/or public service purposes, and other purposes related thereto, and ensure that the suitability of common open space intended for scenic value and purposes is determined by its visibility from a significant number of units or buildings or length of public or private streets.
3. Preserve the physical qualities of the land.
4. Ensure that individual lots, buildings, units and parking areas are arranged and situated to relate to surrounding properties, to improve the view from and the view of the buildings, to lessen the land area devoted to motor vehicle access, and to avoid the adverse effects of shadows, noise and traffic on the residents of the cluster subdivision.

To achieve these goals:

- E. A variety of architectural styles will be encouraged.
6. In each residential district, lot width, lot coverage and yard requirements may be modified on individual lots or building sites to reflect a group of two or more dwellings designed and developed as a unit coordinated with surrounding areas. Density and usage shall comply with the following zoning requirements:

R-1	3.9 dwelling units per acre
R-2	4.4 dwelling units per acre for single family, 5.8 dwelling units per acre for two family
R-3	4.8 dwelling units per acre for single family, 8.3 dwelling units per acre for two family
R-4	4.8 dwelling units per acre for single family, 11.6 dwelling units per acre for two family, 17.4 dwelling units per acre for multi-family
7. This grouping of single-family, two-family or multi-family dwellings as permitted by the given zoning district shall be allowed if the difference between the lot area

requirements of the district and the areas of the lots created is designated as common open space by covenants to be permanently in effect. Common open space shall be preserved and maintained for its scenic value, for recreation or conservation purposes, or related uses. Common open space shall be made available for the use of all residents of the cluster subdivision unless the Planning Commission finds that the size, location, type of development or maintenance of such common open space would make use of such space undesirable or unnecessary.

8. Cluster subdivisions are conditional uses in R-1, R-2, R-3 and R-4 residential districts. A cluster subdivision plan shall be prepared and reviewed in accordance with Chapter 1111. If after conditional use approval of a cluster subdivision plan, the preliminary or final plat is not approved by the Planning Commission, conditional use approval is also revoked.

1129.02 LAND AREAS

The minimum land area required for a cluster subdivision shall be at least two acres.

1129.03 PERMITTED DWELLING TYPES

1. In R-1 Districts:
 1. Single-family detached* dwellings.
2. In R-2 Districts:
 1. Attached and detached* single-family and detached* two-family dwellings.
 2. Attached single-family dwellings shall be comprised of not more than two single-family dwelling units.
3. In R-3 Districts:
 1. Attached and detached* single family and detached* two family dwellings.
 2. Attached two-family dwellings.
 3. Attached single family dwellings shall be comprised of not more than two single family dwelling units.
 4. Attached two family dwellings shall be comprised of not more than two duplexes equaling a total of four dwelling units provided that if these duplexes abut, share, or are attached to each other by a common party wall, excluding garage wall(s), breezeway(s), carport(s), maintenance storage structure(s), then a minimum setback offset of at least ten (10) feet shall be required between the two duplexes; however, in an R-2 district, not more than 25% of the total number of units proposed may be developed as attached two family dwellings.

4. In R-4 Districts:
 1. Single-family, two-family and multi-family detached* and attached units.
 2. All attached dwellings shall not be comprised of more than eight dwelling units.
 3. Attached dwellings comprised of more than two dwelling units shall be designed and constructed so that building lines and elevations of each of the units are staggered.

*Detached dwellings shall not include those single family, two family or multi-family buildings which touch or abut one another at a corner or at any other point(s). See diagram A.

1129.04 DENSITY

Density and usage shall comply with the given requirements of the zoning district in which the cluster subdivision is proposed to be located. Maximum density shall be calculated as follows:

1. For cluster developments proposed to contain all public dedicated streets, density shall be calculated on the total land area, excluding that portion of land to be reserved for right of way.
2. For cluster developments proposed to contain either all private streets or a mixture of private and public dedicated streets, density shall be calculated on only 85% of the total land area; 15% of the land area to be deducted for right of way.

1129.05 MINIMUM LOT AREA

The minimum size of a lot of record within a cluster subdivision may be reduced to not less than 3,000 square feet per unit in an R-1 district, and not less than 2,000 square feet per unit in R-2, R-3, and R-4 districts.

No development of land under this cluster subdivision section shall be approved unless the land is subdivided into lots with each single-family, two-family, or multi-family structure having a separate lot described on a subdivision plat.

1129.06 LOT WIDTH, COVERAGE AND YARD REQUIREMENTS

Although modification and variation of lot width, lot coverage and yard requirements may be permitted by the Planning Commission, in no case shall any lot have less than twenty-five feet of frontage on a public or private street except for common open space lots which are not required to have any frontage on a public or private street, but must provide for pedestrian easements of access to them. Such modification and variation must be shown on any cluster subdivision plan.

1129.07 CLUSTER SUBDIVISION APPROVAL

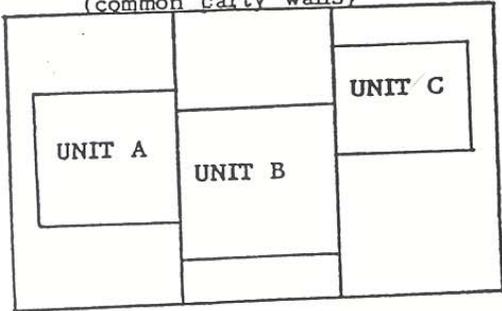
1. A cluster subdivision shall not be approved unless evidence is presented which establishes the following:
 1. That the proposed building or use complies with all applicable regulations of the Zoning Code and Subdivision Regulations. Compliance with Chapter 1111 is required.
 2. That the proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety and general welfare.
 3. That the proposed cluster development will be constructed, arranged and operated so as not to interfere with the development and use of neighboring property, in accordance with the applicable district regulations.
 4. That the proposed cluster development will be served adequately by spaces, police and fire protection, drainage structures, refuse disposal, water and sewers; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services. Each cluster subdivision is required to meet the required densities either with lot size or with common open area. Such common open area shall have a recorded agreement specifying preservation of the open space, and responsibility for maintenance costs and other costs.
 5. That the proposed cluster development will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance.
2. In acting on a proposed cluster subdivision plan, the Planning Commission shall give particular consideration to the following criteria:
 1. That individual lots, buildings, streets and parking areas will be designed and situated to minimize alteration of the natural site features to be preserved, such as but not limited to, ravines, stream beds, lakes, significant stands of trees, individual trees of significant size, and rock outcroppings.
 2. That usability of common open space intended for a recreation or public use will be determined by the size, shape, topographic, and location requirements of the particular purpose proposed for the site. Usability of the common open space shall be determined prior to plan approval by the Planning Commission. The common open space shall not consist of more than 50% storm water detention areas.
 3. That common open space will include irreplaceable natural features located in the tract, such as but not limited to, ravines, stream beds, lakes, significant stands of trees, individual trees of significant size, and rock outcroppings.

4. That common open space intended for a recreation or public use will be easily accessible to pedestrians, which accessibility shall meet the needs of the handicapped and elderly. Sidewalks are required along public or private roadways and shall connect to public sidewalks.
5. Cluster subdivisions are strongly discouraged for existing subdivision lots, but may be approved where natural features would warrant.

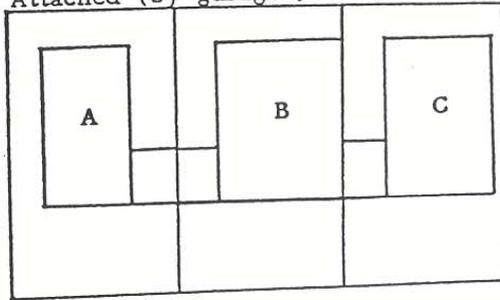
(Ord. 37-00, Passed 7-17-00.)

DIAGRAM A

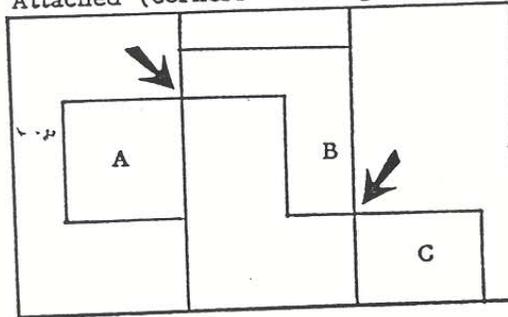
I. Attached Dwellings. Attached
(common party walls)



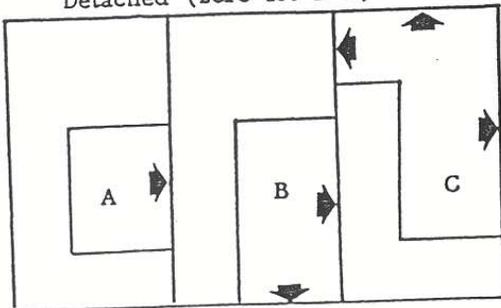
Attached (by garages, etc.)



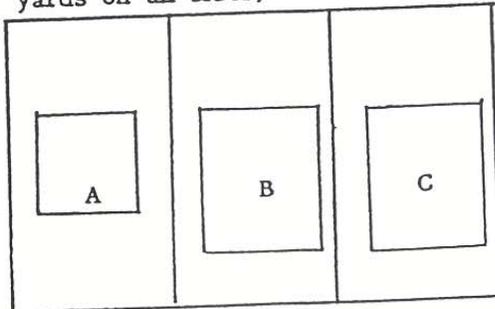
Attached (corners touching)



II. Detached Dwellings. Totally
Detached (zero lot line)



Totally Detached (surrounded by
yards on all sides)



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