

Subdivision I. - In General

Sec. 122-566. - Purpose and intent.

The purpose and intent of the historic preservation districts in this division and in divisions 7 through 12 of this article is to provide a management framework for implementing comprehensive plan historic preservation objectives and policies. Development within the districts identified in this division and in divisions 7 through 12 of this article shall be planned and developed in a manner to preserve the form, function, image, and ambiance of the historic district. Any development plans for these areas shall be designed in a manner compatible with historic structures within the vicinity.

(Ord. No. 97-10, § 1(2-5.5), 7-3-1997; Ord. No. 00-04, § 11, 2-1-2000)

Secs. 122-567—122-595. - Reserved.

Subdivision II. - Historic Medium Density Residential District (HMDR)^[9]

Cross reference— Historic preservation, ch. 102.

Sec. 122-596. - Intent.

- (a) The historic medium density residential district (HMDR) is established to implement comprehensive plan policies for areas designated "HMDR" on the comprehensive plan future land use map. **The HMDR district shall accommodate historic Old Town medium density residential development for permanent residents, including single-family, duplex, and multiple-family residential structures.** The HMDR district shall provide a management framework for preserving the residential character and historic quality of the medium density residential areas within Old Town.
- (b) In addition, accessory uses, including approved home occupations conducted within the residential structure, and customary community facilities can be located in the HMDR designated area. This area shall not accommodate transient residential uses, including guesthomes, motels or hotels. Similarly, the area shall not accommodate commercial office, retail, or other commercial uses. Lawfully existing office or commercial uses shall be permitted to continue to exist as lawful nonconforming uses if such uses continue to comply with conditions invoked when the respective uses were approved.

In the event the city owns the portion of the Truman Waterfront Parcel designated HMDR, the site will be developed for 100 percent affordable housing. If the site is privately owned, one-third of the dwelling units will be affordable.

(Ord. No. 97-10, § 1(2-5.5.1(A)), 7-3-1997; Ord. No. 99-18, § 1 (Exh. A(2-5.5.1(A)), 9-8-1999)

Sec. 122-597. - Permitted uses.

Uses permitted in the historic medium density residential district (HMDR) are as follows:

- (1) Single-family and two-family residential dwellings.
- (2) Multiple-family residential dwellings.
- (3) Group homes with less than or equal to six residents as provided in section 122-1246.

(Ord. No. 97-10, § 1(2-5.5.1(B)), 7-3-1997; Ord. No. 99-18, § 1 (Exh. A(2-5.5.1(B)), 9-8-1999)

Sec. 122-598. - Conditional uses.

Conditional uses in the historic medium density residential district (HMDR) are as follows:

- (1) Group homes with seven to 14 residents as provided in section 122-1246.
- (2) Cultural and civic activities.
- (3) Educational institutions and day care.
- (4) Nursing homes/rest homes and convalescent homes.
- (5) Parks and recreation active and passive.
- (6) Places of worship.
- (7) Protective services.
- (8) Public and private utilities.
- (9) Parking lots and facilities.

(Ord. No. 97-10, § 1(2-5.5.1(C)), 7-3-1997; Ord. No. 99-18, § 1 (Exh. A(2-5.5.1(C)), 9-8-1999)

Sec. 122-599. - Prohibited uses.

In the historic medium density residential district (HMDR), all uses not specifically or provisionally provided for in this subdivision are prohibited.

(Ord. No. 97-10, § 1(2-5.5.1(D)), 7-3-1997; Ord. No. 99-18, § 1 (Exh. A(2-5.5.1(D)), 9-8-1999)

Sec. 122-600. - Dimensional requirements.

The dimensional requirements in the historic medium density residential district (HMDR) are as follows; however, construction may be limited by proportion, scale and mass considerations as expressed through the historic architectural review commission design guidelines:

- (1) Maximum density: 16 dwelling units per acre (16 du/acre).
- (2) Maximum floor area ratio: 1.0.
- (3) Maximum height: 30 feet.
- (4) Maximum lot coverage:
 - a. Maximum building coverage: 40 percent.
 - b. Maximum impervious surface ratio: 60 percent.
- (5) Minimum lot size: 4,000 square feet.
 - a. Minimum lot width: 40 feet.
 - b. Minimum lot depth: 90 feet.
- (6) Minimum setbacks:
 - a. Front: 10 feet.
 - b. Side: 5 feet.
 - c. Rear: 15 feet.

d. Street side: 7.5 feet.

(Ord. No. 97-10, § 1(2-5.5.1(E)), 7-3-1997; Ord. No. 99-18, § 1 (Exh. A(2-5.5.1(E)), 9-8-99; Ord. No. 10-04, § 3, 1-5-2010)

Secs. 122-601—122-610. - Reserved.