

Chapter 20 | Overlay Districts

Section 20.080 NIO, Neighborhood Infill Overlay

20.080-A General

1. Purpose and Intent

The Neighborhood Infill Overlay (NIO) establishes zoning regulations that are intended to promote the development of alternative infill housing in established neighborhoods. The overlay allows for a variety of residential housing types in a manner that is compatible, in mass and scale, with the character of surrounding properties. The regulations are also intended to promote housing types that accommodate households of varying sizes and income levels and provide for a more efficient use of residential land.

2. Applicability

Except as otherwise expressly stated, the Neighborhood Infill Overlay regulations of this section apply to ~~RS-3, RS-4, RS-5, RD, RT, RM-0, RM-1, RM-2, and RM-3~~ RE, RS, RD, RT, RM, O, and C zoning districts only within the boundaries of the Neighborhood Infill Overlay districts to all new permitted uses and structures and all building alterations and site modifications that require a building permit.

3. Nonconformities

Nonconformities that exist within the overlay district are governed by the regulations of Chapter 80 except that in residential zoning districts, a ~~single detached house, duplex, or multi-unit house~~ residential use, where the particular residential building type is allowed by right or is allowed by special exception and a special exception has been granted, may be ~~erected~~ located on a nonconforming lot without complying with the minimum lot area, minimum lot area per unit, minimum lot width, or minimum street frontage ~~or minimum open space per unit~~ requirements of the subject zoning district, ~~provided that at least 50% of the lot area remains as open space~~. All other lot and building regulations apply, except that ~~detached houses, duplexes, or multi-unit houses~~ permitted residential uses may be ~~erected~~ located on corner lots that are nonconforming with regard to lot width, subject to a reduced minimum street side building setback of 5 feet. Garages that are accessed through a side yard abutting a street must be set back at least ~~20~~ 22 feet from the property line or the back of the sidewalk, whichever is greater.

4. Conflicting Regulations

All applicable regulations of the underlying base zoning district apply to property in the Neighborhood Infill Overlay unless otherwise expressly stated in the Neighborhood Infill Overlay regulations. For properties with approved development plans (PUD, CO, MPD, Optional Development Plan), the approved development plan and development standards apply.

20.080-B Use Regulations – Residential, Household Living

~~Residential, All principal~~ household living ~~principal~~ uses are allowed in the Neighborhood Infill Overlay district ~~in accordance with Table 20-4.~~

1. ~~Permitted Uses~~

~~Residential, household living uses identified with a "P" symbol are allowed by right in the Neighborhood Infill Overlay district within the particular base zoning district, subject to compliance with any supplemental regulations identified in Chapter 40 and all other applicable regulations of this zoning code.~~

2. ~~Special Exception Uses~~

~~Uses identified with an "S" may be allowed and if reviewed and approved in accordance with the special exception procedures of Section 70.120.~~

3. ~~Prohibited Uses~~

~~Uses identified with an "-" are expressly prohibited. Uses that are not listed in the table and that cannot be reasonably interpreted (as stated in §35.020-E) to fall within any defined use category are also prohibited.~~

Table 20-4: Neighborhood Infill Overlay District Use Regulations for Household Living

USE CATEGORY Subcategory Specific use	Base Zoning Districts:								
	RS-			RD	RT	RM-			
	3	4	5			0	1	2	3
RESIDENTIAL									
Household Living (if in building type allowed in Table 20-4.5)									
Single household	P	P	P	P	P	P	P	P	P
Two households on single lot	P	P	P	P	P	P	P	P	P
Three or more households on single lot	P	P	P	P	P	P	P	P	P

20.080-C

Residential Building Types for Household Living

In the Neighborhood Infill Overlay district, within the particular base zoning district, household living uses must be located in the residential building types identified in Table 20-4.5. Descriptions of the residential building types and references to applicable regulations are found in Section 35.010.

Table 20-4.5: Neighborhood Infill Overlay District Building Type Regulations for Household Living

USE CATEGORY	Base Zoning Districts:								
	RS-					RM-			
	3	4	5	RD	RT	0	1	2	3
Subcategory									
Specific use									
Building Types									
RESIDENTIAL									
Household Living									
Single household									
Detached house	P	P	P	P	P	P	P	P	P
Patio House	P	P	P	P	P	P	P	P	P
Townhouse									
2-unit townhouse	P	P	P	P	P	P	P	P	P
3+ unit townhouse	P	P	P	P	P	P	P	P	P
Manufactured housing unit	S	S	S	S	S	S	S	S	S
Manufactured housing subdivision	-	-	-	-	-	-	-	-	-
Mobile home	-	-	-	-	-	-	-	-	-
Mixed-use building	-	-	-	-	-	S	S	S	
Vertical mixed-use building	-	-	-	-	-	S	S	S	
Two households on single lot									
Duplex	P	P	P	P	P	P	P	P	P
Mixed-use building	-	-	-	-	-	-	P	P	P
Vertical mixed-use building	-	-	-	-	-	-	P	P	P
Three or more households on single lot									
Cottage house development	P	P	P	P	P	P	P	P	P
Multi-unit house	P	P	P	P	P	P	P	P	P
Apartment/Condo	P[1]	P[1]	P[1]	P[1]	P[1]	P	P	P	P
Mobile home park	-	-	-	-	-	-	-	-	-
Mixed-use building	-	-	-	-	-	-	P	P	P
Vertical mixed-use building	-	-	-	-	-	-	P	P	P

USE CATEGORY	Base Zoning Districts:				
	RE, RS, RD, RT	RM-0	RM 1-3	O Districts & CS	CG & CH
Subcategory					
Specific use					
Building Types					
Single household					
Detached house	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Patio House	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Townhouse	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Manufactured housing unit	<u>S</u>	<u>S</u>	<u>S</u>	-	<u>S</u>
Manufactured housing subdivision	-	-	-	-	-
Mobile home	-	-	-	-	-
Mixed-use building	-	-	<u>S</u>	<u>P</u>	<u>P</u>
Vertical mixed-use building	-	-	<u>S</u>	<u>P</u>	<u>P</u>
Two households on single lot					
Duplex	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Mixed-use building	-	-	<u>P</u>	<u>P</u>	<u>P</u>
Vertical mixed-use building	-	-	<u>P</u>	<u>P</u>	<u>P</u>
Three or more households on single lot					
Cottage house development	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Multi-unit house	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Apartment/Condo	<u>P [1]</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Mobile home park	-	-	-	-	-
Mixed-use building	-	-	<u>P</u>	<u>P</u>	<u>P</u>
Vertical mixed-use building	-	-	<u>P</u>	<u>P</u>	<u>P</u>

1. **Table 20-4.5 Notes**

The following notes refer to the bracketed numbers (e.g., " [1]") in Table 20-4.5:
 [1] Apartment/Condo is limited to no more than 6 dwelling units on a single lot.

20.080-D **Lot and Building Regulations**

1. **Residential Districts**

In the Neighborhood Infill Overlay district, the lot and building regulations of Table 20-5 apply in the RE, RS-3, RS-4, RS-5, RD, RT, and RM-0, RM-1, RM-2, RM-3 base zoning districts to Duplex, Townhouse, Cottage House Development, Multi-unit House and Apartment/Condo residential building types. General exceptions to these regulations and rules for measuring compliance can be found in Chapter 90. Regulations governing accessory uses and structures can be found in Chapter 45.

Table 20-5: Neighborhood Infill Overlay District Lot and Building Regulations

Minimum Lot Area (sq. ft.)	<u>1,200</u>
Townhouse	1,600
Duplex, Cottage House Development, Multi-Unit House, Apartment/Condo	4,000
Minimum Lot Area per Unit (sq. ft.)	N/A
Minimum Lot Width	
Townhouse	<u>20</u> 16
Duplex, Cottage House Development, Multi-Unit House, Apartment/Condo <u>All other residential building types</u>	<u>40</u> 25
Minimum Street Frontage (feet)	20 [1]
Minimum Open Space per Unit (sq. ft.)	100
Minimum Building Setbacks (feet)	
Street	10 [2]
Side	3 [3]
Rear	<u>10</u> 5
Maximum Building Height (feet)	35

Table 20-5 Notes

- The following notes refer to the bracketed numbers (e.g., " [1]") in Table 20-5:
- [1] Minimum street frontage requirements apply to townhouse developments, not to individual townhouse units. ~~Cottage house developments require minimum street frontage of 50 feet.~~
 - [2] Minimum setback for street-facing garage doors is 20 feet.
 - [3] No side setback is required for interior units in townhouse developments. Side setback applies to end units.

2. **Office and Commercial Districts**

In the Neighborhood Infill Overlay district, the lot and building regulations of Section 15.030 apply in O and C base zoning districts, except that the minimum street frontage in the OL, OM, OMH, CS, and CG districts is reduced to 20 feet for household living uses. The minimum street frontage requirement applies to townhouse developments, not to individual townhouse units. General

[exceptions to these regulations and rules for measuring compliance can be found in Chapter 90. Regulations governing accessory uses and structures can be found in Chapter 45.](#)

20.080-E Parking Regulations

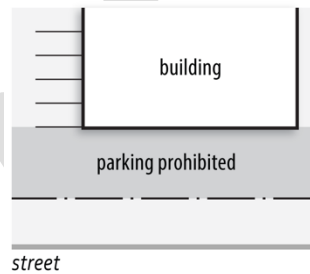
1. Minimum Parking Ratios

The minimum parking ratios established in [Section 55.020, Table 55-1](#) for a Household Living use are reduced by 50% in the Neighborhood Infill Overlay district.

2. Location

Parking spaces, not including drive aisles, are prohibited between building and street right-of-way (see [Figure 20-5](#)) on lots occupied by a 3+ Unit Townhouse, Cottage House Development, Multi-unit House and Apartment/Condo.

Figure 20-5: Parking Prohibited between Building and Street Right-of-Way



20.080-F Accessory Dwelling Units

Accessory dwelling units (ADUs), as defined in [Section 45.031](#), are permitted by right. [Two accessory dwelling units are allowed per lot, provided that the number may be increased in accordance with the special exception procedures of Section 70.120.](#)