

CHAPTER 02-24 RESIDENTIAL ZONE R-1

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02-24-001 OBJECTIVES AND CHARACTERISTICS OF ZONE

The R-1 Residential Zone covers the portion of Naples which is primarily suited for residential development, represented by a mixture of single-family, dwellings, schools, churches, and other community facilities designed to serve the residents of the zone. In order to accomplish the objectives and purposes of this ordinance and to stabilize and protect the essential characteristics of this zone, the following regulations shall apply in the R-1 Residential Zone:

02-24-002 PERMITTED USES

The following buildings, structures, and uses of land shall be permitted upon compliance with the requirements set forth in this ordinance:

- Single-family dwelling.
- Schools and churches.
- Public utility substations.
- Day-care nurseries, which have been approved by the appropriate state and local agencies. Day cares permitting more than 8 children are prohibited.
- Home occupations, in accordance with Chapter 13 this ordinance.
- Home Gardens
- Accessory Dwelling Unitsⁱⁱ

02-24-003 MINIMUM LOT AREA REQUIREMENTS

A. Single-Family Dwelling	12,000 sq. ft
B. Schools, churches, and public utility substations	20,000 sq. ft.

02-24-004 MINIMUM LOT WIDTH REQUIREMENTS (MEASURED AT 30 FOOT FRONT SETBACK LINE AND CONTINUOUSLY UP TO THE HOUSE)

A. Single-Family Dwelling	100 feet
B. Schools, churches, and public utility substations	100 feet

02-24-005 LOCATION REQUIREMENTS

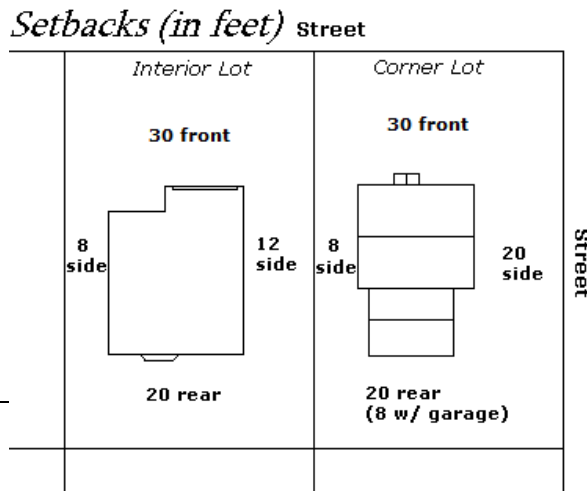
MINIMUM SETBACKS FROM ¹ROAD RIGHT-OF-WAY LINES:

1. Main buildings on INTERIOR LOTS (NON-CORNER LOTS):
 - Front: 30 feet
 - Side: 12 feet for one side and 8 feet for the other (20 feet minimum for both sides combined)
 - Rear: 30² feet

2. Main buildings on CORNER LOTS:
 - Front: 30 feet
 - Side: 20 feet on street-side, and 8 feet on interior side
 - Rear: 30 feet

3. Main buildings on CUL-DE-SAC LOTS:
 - Front: 30 feet measured perpendicular to a straight line between the front lot corners, and no less than 25 feet from the turn-around or cul-de-sac right-of-way.
 - Side: 8 feet
 - Rear: 30 feet measured perpendicular from the rear wall of the home to the lot line. In no case shall any part of the home be closer than 8 feet to any lot line, and in no case shall any two homes on adjacent lots be closer than 20 feet.

4. Accessory buildings:
 - Front: 30 feet
 - Side: Same as main building, unless ³the accessory building is 5 feet behind the main building, then the side setback is 5 feet.
 - Rear: 5 feet



¹ Amended Feb 25, 2021
² Amended June 27, 2019
³ Amended Jan 9, 2020

02-24-006 HEIGHT REQUIREMENTS

Maximum Height for Any Dwelling, or Other Main Structure is 35 feet above grade.

02-24-007 SPECIAL PROVISIONS

1. Plans showing proposed off-street parking layout and landscaping for churches and schools shall be submitted to and approved by the city building official prior to the issuance of a building permit. Said plans shall provide that all land not covered by buildings or by off-street parking space shall be landscaped as lawn, trees, shrubs, gardens, or ground cover and otherwise landscaped and maintained in accordance with good landscaping practice. Only twenty-five percent (25%) of the required front yard setback space shall be used for automobile parking, and the rest shall be landscaped and maintained with lawn, trees, shrubs, or group cover.
2. A bond or other financial guarantee shall be required, guaranteeing landscaping and other improvements within a year of occupancy. See 02-31 Subdivisions for the procedures of bonds.
3. At least eighty percent of the lot area not covered by buildings or parking shall be maintained as open space and shall be kept free from refuse and debris.
4. All residential dwellings shall be connected to a public sewer system.
5. The design for curb and gutter shall be either high back or modified high back according to UDOT standards.
6. Produce gardens shall have a 15-foot minimum setback measured from the curb.
7. For the purpose of determining front, side, and rear setback requirements, any part of the separate building situated within 5 feet of a dwelling, or other main building, shall be considered as a part of the main building, and not act as an accessory building.
8. All dwellings shall be supplied with culinary water and plumbed in accordance with the current edition of International Plumbing Code in Utah.
9. All new residential developments shall have curb, gutter, and a minimum 5-foot-wide sidewalk, all of which adhere to ADA standards. If a development includes

a green strip between the sidewalk and the street, then it shall be a minimum of 4 feet wide. The green strip shall be maintained by the developer and/or property owner. Naples City may plow snow into piles on the green strip in order to keep the streets clear of snow.

10. The lot area around the buildings and structures shall be kept free from refuse and debris.

11. Household Pets and Urban Livestock are permitted uses, but all other Livestock and animals are prohibited. (See Supplementary Regulations 02-14-025).

02-24-08 ACCESSORY DWELLING UNITS (ADU)ⁱⁱⁱ

Accessory dwelling units, as defined in chapter 02-02 Definitions, shall be subject to the following:

A. For the purposes of this title, "owner occupant" shall mean the following:

1. An individual who:

- a. Possesses, as shown by a recorded deed, fifty percent (50%) or more ownership in a dwelling unit; and
- b. Occupies the dwelling unit a majority of the time during the year; or

2. An individual who:

- a. Is a trustor of a family trust which:
 - (1) Possesses fee title ownership to a dwelling unit;
 - (2) Was created for estate planning purposes by one or more trustors of the trust; and
- b. Occupies the dwelling unit owned by the family trust with a bona fide intent to make it his or her primary residence. Each living trustor of the trust shall so occupy the dwelling unit except for a trustor who temporarily resides elsewhere due to a disability or infirmity. In such event, the dwelling unit shall nevertheless be the domicile of the trustor during the trustor's temporary absence.

B. Accessory dwelling units shall conform to the following purpose statement and requirements:

1. General Requirements:

- a. Accessory dwelling units shall only be permitted when an owner occupant lives on the property within either the main dwelling or accessory dwelling unit.
- b. A lot approved for development with an accessory dwelling unit shall have a deed restriction, the form of which shall be approved by the city attorney, filed with the county recorder's office indicating such owner-occupied requirement of the property prior to issuance of a final certificate of occupancy for the accessory

dwelling unit by the city. Such deed restriction shall run with the land until the accessory dwelling unit is abandoned or revoked.

c. One (1) accessory dwelling unit is permitted per residential lot.

d. Unless specifically provided otherwise in this section, accessory dwelling units are subject to the regulations for a main building of the zone.

e. A single-family dwelling shall exist on the lot or will be constructed in conjunction with the accessory dwelling unit.

f. While accessory dwelling units are allowed only in conjunction with a main dwelling on a lot, the unit may be built internal to, attached to, or as a separate unit detached from the main dwelling.

g. The minimum lot area required for an accessory dwelling unit shall be:

(1) Internal: For accessory dwelling units located within the main single-family structure, no minimum lot area is required;

(2) Attached: For accessory dwelling units located within an addition to the single-family structure, no minimum lot area is required; or

(3) Detached: For accessory dwelling units located within a detached structure, a minimum lot area of seven thousand (7,000) square feet is required.

h. Accessory dwelling units are subject to compliance with current building code at time of the building permit approval.

i. The structure shall be connected to the public water and sanitary sewer systems.

j. Home occupations may be conducted in an accessory dwelling unit.

2. An accessory dwelling unit may only be created through one or more of the following methods:

a. Converting existing living area within a main structure, such as a basement or attic space;

b. Adding floor area to a main structure;

c. Constructing a new single-family detached dwelling unit structure with an internal or detached accessory dwelling unit;

d. Converting or adding onto an existing accessory structure on a lot, such as to a garage or other outbuilding, where no required parking for the main dwelling is eliminated by the accessory dwelling unit; or

e. Constructing a new accessory dwelling unit within a separate detached structure in compliance with applicable lot coverage regulations.

3. The maximum size of an accessory dwelling unit may be no more than fifty percent (50%) of the gross square footage of the main dwelling unit or one-thousand five hundred (1,500) square feet whichever is less. The minimum size of an accessory dwelling unit is that size specified and required by the adopted building code of the city.

4. An accessory dwelling unit shall not be sold separately or subdivided from the main dwelling unit or lot.

5. Parking:

a. An accessory dwelling unit that contains a studio or single bedroom, one additional onsite parking space is required.

b. An accessory dwelling unit that contains two (2) or more bedrooms, two (2) additional onsite parking spaces are required.

6. Location of Entrance to Accessory Dwelling Unit:

a. Accessory dwelling units that are internal to or attached to a main dwelling may take access from an existing entrance on a street-facing front facade of the main dwelling. No new entrances may be added to the front facade of a main dwelling for an accessory dwelling unit unless such access is located at least twenty feet (20') behind the front facade of the main dwelling unit.

b. Detached Units: Accessory dwelling units that are detached from the main dwelling:

(1) May utilize an existing street-facing front facade entrance as long as the entrance is located a minimum of twenty feet (20') behind the front facade of the main dwelling or install a new entrance to the existing or new detached structure for the purpose of serving the accessory dwelling unit as long as the entrance is facing the rear or side of lot.

(2) Shall be located no closer than thirty feet (30') from the front property line and shall take access from an alley when one is present and accessible.

c. On corner lots, existing entrances on the street-facing sides may be used for an accessory dwelling unit, but any new entrance shall be located facing toward the rear property line or interior side yard, or toward the back of the main dwelling.

7. Exterior Design:

a. Accessory dwelling units shall be regulated by the following exterior design standards:

(1) The maximum height of a detached accessory dwelling unit shall not exceed the main structure; and

(2) An accessory dwelling unit shall be designed and constructed to be compatible with the main structure.

ⁱ Added 4-26-2018

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ⁱⁱⁱ Added 4-26-2018