

12.6.5 R-1-10 Residential Zone

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12.6.5.1 Purpose and Zone Characteristics

The R-1-10 Residential Zone is established to provide areas within the City for single family, two family, and limited multi-family dwellings on average sized large lots with very limited commercial services such as home occupations. The City encourages in-fill development, where appropriate, in accordance with Section 12.6.14, herein, in the R-1-10 Zone.

12.6.5.2 Permitted, Conditional, and Accessory Uses (*amended 3/11/2003 Ord. 2003-05*)

Permitted Uses

The following land use types are permitted uses in the R-1-10 Residential Zone. Unless specifically listed, any other use is not a permitted use in the zone. Uses listed as conditional or accessory uses are allowed in the zone only in accordance with the criteria established in this ordinance.

1. Single family dwellings – detached
2. Public or private rights-of-way
3. Public or private utilities and maintenance facilities
4. Parks and recreational facilities
5. Subdivisions pursuant to the Subdivision Ordinance
6. Child care facilities (less than 6 children)
7. Residential Facilities for Elderly Persons or Persons with a Disability in accordance with Chapter 12.21 herein
8. Planned Residential Developments in accordance with Title 12

Conditional Uses

The following land use types are allowed as conditional uses in the R-1-10 Residential Zone. Unless specifically listed, any other use is not allowed as a conditional use in the zone. Each conditional use must be reviewed and approved in accordance with Section 12.13 of this ordinance.

1. Two family dwellings and multi-family dwellings in accordance with Section 12.6.5.3.1
2. Water storage facilities, culinary or irrigation
3. Cemetery grounds and facilities
4. Religious buildings and structures
5. Residential care facilities for the elderly or handicapped in accordance with State law
6. Public and private schools, not daycare facilities
7. Golf courses
8. Accessory dwelling unit (*amended 10/8/2002 Ord. 2002-12*)
9. Public uses (*amended 10/8/2002 Ord. 2002-12*)

Accessory Uses

The following land use types are allowed as accessory uses in the R-1-10 Residential Zone. Unless specifically listed, any other use is not allowed as an accessory use in the zone. Any accessory use must be clearly incidental to a permitted or conditional use of the property. Accessory uses are not allowed without the approval of a permitted or conditional use of the parcel unless otherwise noted in this Section.

1. Garages - detached
2. Storage facilities for machinery and equipment as an accessory use to a permitted or conditional use in the zone and only behind the dwelling unit. The accessory building shall not be larger than ten (10) percent of the total area of the lot or parcel and must meet all setback requirements
3. Except as a legal non-conforming use, accessory structures for the housing of animals or poultry is not permitted, other than incidental shelter for pets as allowed by City ordinance
4. Home Occupations pursuant to City ordinance

12.6.5.3 Lot Area

Each dwelling in the R-1-10 Residential Zone shall be on a separate lot containing not less than ten thousand (10,000) square feet, unless otherwise approved for clustering in accordance with Section 12.6.5.3.1 or as an in-fill parcel in accordance with Section 12.6.14 herein.

12.6.5.3.1 Clustered Residential Development

At the discretion of the City Council, an applicant may be allowed to reduce the required lot size in order to accomplish one or more of the following objectives:

1. Protection or preservation of environmentally sensitive areas.
2. Provision of open space used for view shed protection or public recreational use.
3. Protection of valuable agricultural land with lots arranged to allow continued agricultural use of the property.
4. Improved circulation and traffic flow
5. More efficient operation and maintenance of public infrastructure.

It is not the intention of this Section to increase density. The Bluffdale City Council finds that clustering of residential lots is a bonus for the applicant. Lot sizes and arrangement may vary to take advantage of topographical or aesthetic features. Two family dwellings and limited multi-family dwellings may be allowed in order to further accomplish the goals of this Section, but the City Council is under no obligation to allow two family dwellings or multi-family dwellings.

The City Council is under no obligation to allow clustered residential development. Each proposed clustered development will be reviewed and approved and denied on its own merits. Denial of a clustered residential development will not affect the ability of the applicant to develop the property in accordance with the standards set forth in this Chapter.

12.6.5.4 Lot Width

Each lot in the R-1-10 Residential Zone shall have a minimum width of one hundred (100) feet for all of the area within the required front setback of the zone, unless otherwise approved in accordance with Section 12.6.5.3.1 or as an in-fill parcel in accordance with Section 12.6.14 herein.

If the lot or parcel is located on an approved curve radius or cul-de-sac, the width requirement may be reduced to eighty (80) feet, provided that the requirement is satisfied at the front setback line.

12.6.5.5 Lot Frontage

Each lot in the R-1-10 Residential Zone shall abut a public street, or private street if approved by the City Council, for a minimum distance of eighty (80) feet, unless otherwise approved in accordance with Section 12.6.5.3.1 or as an in-fill parcel in accordance with Section 12.6.14 herein.

If the lot or parcel is located on an approved curve radius or cul-de-sac, the frontage requirement may be reduced to

thirty (30) feet, provided that the width requirement is satisfied at the front setback line. *(amended 6/26/01 Ord. 2001-08)*

12.6.5.6 Lots Created Prior to Adoption of Ordinance

Lots or parcels of land which were legally created and eligible for a building permit prior to the adoption and application of this zone shall not be denied the issuance of a building permit for the construction of one (1) single family dwelling solely on the reason of non-conformance with the parcel size requirements of this Chapter. A building permit must be obtained and all requirements of the appropriate building code must be satisfied.

It shall be the burden of the applicant to demonstrate that the parcel legally existed and was recorded in the office of the County Recorder.

12.6.5.7 Setback Requirements

The following minimum setback requirements shall apply in the R-1-10 Residential Zone. Each setback is measured from the property line of the lot or parcel.

1. Front setback - Each lot or parcel in the R-1-10 Zone shall have a minimum front setback of thirty (30) feet.
2. Side setback - Each lot or parcel in the R-1-10 Zone, unless otherwise noted below, shall have a minimum side setback of twelve (12) feet.
 - a. Side setback for corner lot - Each corner lot or parcel in the R-1-10 Zone shall have a minimum setback of twenty (20) feet along the public street on the side of the lot not being used as the front setback.
 - b. Side setback for accessory building - The side setback for any permitted accessory building shall be a minimum of ten (10) feet.
5. Rear setback - Each lot or parcel in the R-1-10 Zone shall have a minimum rear setback of thirty (30) feet.
 - a. Rear setback for accessory building - An accessory building may not be located less than ten (10) feet from the rear property line.
 - b. Accessory buildings that house animals or poultry shall have a minimum rear setback of fifty (50) feet and be located no less than seventy-five (75) feet from any dwelling unit.

12.6.5.8 Projections into Setbacks

The following structures may be erected on or projected into any required setback:

1. Fences and walls in conformance with all applicable City ordinances and resolutions.
2. Appropriate landscaping.
3. Necessary appurtenances for utility service.

The following structures may be erected on or projected into any required front or rear setback not more than four (4) feet, and into a side setback not more than two (2) feet:

1. Cornices, eaves, sills, buttresses, or other similar architectural features.
2. Awnings, decks, and planter boxes.

12.6.5.9 Building Height Requirements

A primary building or structure may not exceed thirty-five (35) feet in height, nor be lower than ten (10) feet in height, except that accessory buildings may not exceed eighteen (18) feet in height.

12.6.5.10 Distance Between Buildings

The distance between any accessory building and any dwelling shall not be less than ten (10) feet.

12.6.5.11 Permissible Lot Coverage

The sum total of all buildings and structures on any parcel in the R-1-10 Zone shall not be greater than forty (40) percent of the total area of the parcel, unless approved for clustering in accordance with Section 12.6.5.3.1.

12.6.5.12 Parking, Loading and Access

Each lot or parcel in the R-1-10 Residential Zone shall have on the lot or parcel two off-street parking spaces for each dwelling unit. The spaces shall be hard surfaced with asphalt or concrete and be accessed from a public or

private road by a hard surfaced, composed of asphalt or concrete, drive approach.

12.6.5.13 Project Plan Approval

Any request for project plan approval in the R-1-10 Residential Zone is subject to any and all applicable City resolutions and ordinances including the Subdivision Ordinance, Design Guidelines and Standard Specifications, and the Bluffdale City General Plan.

12.6.5.14 Other Requirements

The following requirements are in addition to the requirements found in this ordinance or any other applicable resolution or ordinance.

1. Signs - Signs are permitted in accordance with Chapter 12.15 herein.
2. Landscaping - Each dwelling unit shall landscape the lot or parcel from the front of the unit to the public street prior to issuance of a Certificate of Occupancy.
1. Trash, junk, and other debris - No trash, used materials, unsightly storage of any kind, or non-licensed or abandoned vehicles shall be stored in an open area. All such materials shall be enclosed in a building or, if deemed appropriate by the City, by a sight obscuring fence.