

1003.119 "R-5" Residence District Regulations.

1. Scope of Provisions.

This section contains the district regulations of the "R-5" Residence District. These regulations are supplemented and qualified by additional general regulations appearing elsewhere in this Chapter which are incorporated as part of this section by reference.

2. Permitted Land Uses and Developments.

The following land uses and developments are permitted in this District:

- (1) Churches.
- (2) Day care homes licensed under Chapter 819 of Title VIII SLCRO 1974, as amended which are located 500 feet or more, when measured from lot lines, from another day care home as determined by the Director of Planning. (O.No. 19480 - Adopted 5/27/99.)
- (3) Dwellings, single family.
- (4) Dwellings, single family attached.
- (5) Group homes for the handicapped to be occupied by not more than eight (8) individuals (excluding supervisory personnel) who need not be related by blood or marriage to the operator or operators of the facility. (O.No. 20750 - Adopted 12/19/01.)
- (6) Home occupations.
- (7) Libraries, public or private not-for-profit.
- (8) Local public utility facilities sixty (60) feet or less in height or one hundred thousand (100,000) cubic feet in volume or less, provided that any installation, other than poles and equipment attached to the poles shall be:
 - (a) adequately screened with landscaping, fencing or walls, or any combination thereof, or
 - (b) placed underground, or
 - (c) enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.All plans for screening these facilities shall be submitted to the Department of Planning for review. No building permit or installation permit shall be issued until these plans have been approved by the Department of Planning. (O.No. 15738 - Adopted 11/21/91.)
- (9) Parks, parkways, and playgrounds, public or private not-for-profit.
- (10) Police stations and fire stations.
- (11) Schools, public or private kindergarten, secondary, and collegiate. (O.No. 15379 - Adopted 2/15/91.)
- (12) Schools, public or private elementary, on a tract of land of at least five (5) acres. (O.No. 15379 - Adopted 2/15/91.)
- (13) Telecommunication towers of forty (40) feet or less in height. (O. No. 18420 - Adopted 3/20/97.)

3. Conditional Land Use and Development Permits Issued by the Commission.

The following land uses and developments may be permitted under conditions and requirements specified in Section 1003.181 Conditional Use Permits:

- (1) Adult day care centers. (O.No. 21012 - Adopted 7/17/02.)
- (2) Child care centers, day nurseries, nursery schools, and day care homes. (O.No. 12590 - Adopted 4/17/86.)
- (3) Private, not-for-profit clubs, private, not-for-profit recreational land uses, and community centers.
- (4) Dormitory or group living facilities for religious, educational, or charitable purposes.
- (5) Foster homes for handicapped children.

- (6) Golf courses, including practice driving tees on the same premises. Miniature golf courses are excluded.
- (7) Group homes for the handicapped to be occupied by nine (9) or more individuals (excluding supervisory personnel) not related by blood or marriage to the operator or operators of the facility. (O.No. 20750 - Adopted 12/19/01.)
- (8) Group homes for the elderly. (O.No. 12107 - Adopted 6/13/85.)
- (9) Group living facilities providing a permanent residence for not more than nine (9) individuals, all over eighteen (18) years of age and who are ordained or hold a designated religious position with the same religious institution. (O.No. 12898 - Adopted 11/6/86.)
- (10) Hospitals and hospices.
- (11) Local public utility facilities over sixty (60) feet in height or over one hundred thousand (100,000) cubic feet in volume. (O.No. 15738 - Adopted 11/21/91.)
- (12) Nursing homes.
- (13) Parking lot, when adjacent to land in a "C" Commercial or "M" Industrial District, and when parking is used with a commercial or industrial development.
- (14) Public utility facilities.
- (15) Retreats owned and operated by religious, educational, or other not-for-profit establishments.
- (16) Schools, public or private elementary, on a tract of land of at least three (3) acres but less than five (5) acres. (O.No. 15379 - Adopted 2/15/91.)
- (17) Sewage treatment facilities, other than facilities permitted as an accessory use.
- (18) Specialized private schools.
- (19) Telecommunication towers up to two hundred (200) feet in height. (O. No. 18420 - Adopted 3/20/97.)

4. Accessory Land Uses and Developments.

Subject to compliance with the procedures of this section, accessory buildings, structures, and uses are permitted in conjunction with a permitted land use or development or (unless restricted by applicable condition) a conditional land use or development when such accessory building, structure or use is customarily found in conjunction with the primary use, is a reasonably necessary incident to the primary use, is clearly subordinate to the primary use, and serves only to further the successful utilization of the primary use. Detached above-ground accessory structures shall not cover more than a total of 7% of the lot area. Accessory uses include the following: (O.No. 14895 - Adopted 3/15/90.)

- (1) Devices for the generation of energy, such as solar panels, wind generators, and similar devices.
- (2) Individual sewage treatment facilities serving an individual dwelling or non-residential use, as approved by the appropriate regulatory agency. The sewage treatment facilities shall not exceed 5,000 gallons per day flow.
- (3) Signs (directional and information).

5. Performance Standards.

All uses in the "R-5" Residence District shall operate in conformity with the appropriate performance standards contained in Section 1003.163 Zoning Performance Standard Regulations.

6. Height Limitations for Structures.

Other than telecommunication towers, the maximum height of structures in the "R-5" Residence District shall be as set out below: (O. No. 18420 - Adopted 3/20/97.)

- (1) No building elevation of any dwelling structure or building accessory to a dwelling structure shall exceed three (3) stories or forty-five (45) feet in height, whichever is less.

- (2) All other structures, other than a public utility tower or a local public utility facility authorized by a Conditional Use Permit, shall not exceed a height of sixty (60) feet above the average finished ground elevation at the perimeter of such structure; except that the height of structures may be further restricted as provided in Section 1003.161 Air Navigation Space Regulations.

7. Lot Area, Yard, and Density Requirements.

The minimum lot area and yard requirements for land uses and developments in the "R-5" Residence District as well as the maximum density of nursing home self-care units shall be as set out below:

(1) Minimum Lot Area Requirements:

- (a) The following Permitted and Conditional Land Uses shall be situated on tracts of land providing not less than the following areas:

Use	Minimum Area
Adult day care center (O.No. 21012 - Adopted 7/17/02.)	30,000 sq. ft.
Child care center	30,000 sq. ft.
Church	one-half (1/2) acre
Dormitory and group living facilities	3 acres
Dwelling, single family	6,000 sq. ft.
Dwelling, single family attached	6,000 sq. ft. per unit
Fire station	one-half (1/2) acre
Group homes for the handicapped (O.No. 20750 - Adopted 12/19/01)	6,000 sq. ft.
Group living facilities for religious purposes (O.No. 12898 - Adopted 11/6/86.)	6,000 sq. ft.
Library	1 acre
Local public utility facilities and telecommunication towers (O. No. 18420 - Adopted 3/20/97.)	6,000 sq. ft.
Mechanical sewage treatment facility	10,000 sq. ft.
Parking lot	6,000 sq. ft.
Police station	10,000 sq. ft.
Schools	
nursery or day nursery	15,000 sq. ft.
kindergarten (separate)	1 acre
elementary (permitted use) (O.No. 15379 - Adopted 2/15/91.)	5 acres
elementary (conditional use) (O.No. 15379 - Adopted 2/15/91.)	3 acres
junior high	10 acres
senior high	20 acres
collegiate	10 acres

- (b) Any lot or tract of record on the effective date of this Ordinance, which contains less than 6,000 sq. ft., may be used as a site for one (1) single family dwelling together with accessory structures and uses.

- (c) Foster homes for handicapped children, group homes for the elderly, and not-for profit private clubs and recreational land uses, including community centers, as approved by the Planning Commission via a Conditional Use Permit may be established on tracts of land less than five (5) acres where the related parking needs, outdoor facilities, size of buildings, and maximum membership of the developments and uses are deemed consistent with the intensity of land use in the neighborhood of the uses and developments. However, the minimum tract area for the conditional developments and uses shall not be less than 6,000 square feet. (O.No. 12107 - Adopted 6/13/85.)

- (d) Specialized private schools shall be located on a tract of land containing one (1) acre for each fifteen (15) pupils, but in no case less than five (5) acres, nor more than that required by the school land area requirements, as listed in paragraph 7.(1)(a).
 - (e) All other Permitted or Conditional Land Uses in this District shall be situated or conducted on tracts of land at least five (5) acres in area, except as may be clearly indicated otherwise by the context of these regulations.
- (2) Minimum Yard Requirements: General.
- (a) Front yard. No structure shall be allowed within twenty (20) feet of any roadway right-of-way line.
 - (b) Side yard. No structure except single family attached dwellings and detached garages accessory to unattached single family dwellings shall be allowed within six (6) feet of any side property line. Unattached sides of single family attached dwellings shall be a minimum of six (6) feet from any side property line. Detached garages accessory to unattached single family dwellings shall be a minimum of three (3) feet from any side property line.
 - (c) Rear yard. No structure, except single family attached dwellings and detached garages accessory to unattached single family dwellings, shall be allowed within fifteen (15) feet of any rear property line. Unattached sides of single family attached dwellings shall be a minimum of fifteen (15) feet from any rear property line. Detached garages accessory to unattached single family dwellings shall be a minimum of three (3) feet from any rear property line.
 - (d) Vehicle entrances on garages shall be a minimum of twenty (20) feet from the garage door to the back of any public sidewalk. (O.No. 23931 – Adopted 3/11/09.)
- (3) Specific Yard Regulations and Exceptions.
- (a) Notwithstanding any other provision of this Chapter, on corner lots, no structure or plant material exceeding three (3) feet in height above the elevation of the street pavement is allowed within the sight distance triangle.
 - (b) Boundary walls or fences, six (6) feet or less in height, are allowed within the minimum yard requirements.
 - (c) Permitted information signs, six (6) feet or less in height, are allowed within the minimum front yard setback.
 - (d) Permitted directional signs, three (3) feet or less in height, are allowed within the minimum front yard setback.
 - (e) Light standards for street lighting or at points of ingress and egress, but not including parking lot lighting, are allowed within the minimum front yard setback when approved by the Department of Planning. Light standards for parking lot lighting are allowed no closer than ten (10) feet of any side or rear yard line which adjoins property in the "NU" Non-Urban, "PS" Park and Scenic, or any "R" Residence District.
 - (f) In the event that greater than fifty (50) percent of the existing dwelling structures on the same side of a street and in both directions from a lot, for a distance of 500 feet or to the nearest intersecting street, whichever distance is less, have a front yard setback variation of no more than ten (10) feet, the required front yard for that lot shall be the average setback of those structures. However, in no case shall any building be located closer than fifteen (15) feet from any roadway right-of-way line, nor shall a setback of greater than fifty (50) feet be required.
 - (g) If a lot of record existing on the effective date of this ordinance has a width of sixty (60) feet or less, the side yard on each side of any structure erected on such lot may be reduced to a width of not less than ten (10) percent of the width of the lot, but in no instances shall such yard be less than five (5) feet in width.
 - (h) Any non-residential structure, other than a public utility tower authorized by a Conditional Use Permit, which exceeds thirty (30) feet in height shall be set back from all property lines at least one (1) additional foot for every foot of height above thirty (30) feet.

- (i) Parking lots for five (5) or more vehicles, loading spaces, or internal drives serving said parking lots or loading spaces, except ingress and egress drives shall be set back a minimum of twenty (20) feet from any roadway right-of-way line and ten (10) feet from any adjoining property in a "PS", "NU", or "R" District. No setback is required from adjoining properties in a "C" or "M" District unless required by the conditions of a Conditional Use Permit. Parking shall be screened from any adjoining property in a "PS", "NU", or "R" District using fences, berms, or landscaping.
 - (j) Notwithstanding any other provisions of this Chapter, telecommunication towers shall not be closer to a property line of "PS" Park and Scenic District, "NU" Non-Urban District or "R" Residence District property than a distance equivalent to the height of the proposed telecommunication tower. A greater setback may be required by the conditions of a Conditional Use Permit. (O. No. 18420 - Adopted 3/20/97.)
- (4) Maximum Density, Maximum Height and Minimum Yard Requirements for Nursing Homes:
- (a) Densities of self-care units shall not exceed twenty (20) units per acre.
 - (b) No building within a nursing home development shall exceed a height of three (3) stories or forty-five (45) feet above the average ground elevation at the perimeter of the building, whichever is less.
 - (c) No building within a nursing home development shall be allowed within a minimum of fifty (50) feet of any property line.

8. Off-Street Parking and Loading Requirements.

Off-street parking and loading requirements and setbacks for parking areas, loading spaces and internal drives are set forth in Section 1003.165 Off-Street Parking and Loading Requirements.

9. Sign Regulations.

Sign regulations are set forth in Section 1003.168 Sign Regulations.