

## Section 21: Residential District

(orig. 3-26-13)

### A. Intent and Purpose

1. The Residential Districts are intended to provide areas for residential development and includes single-family dwellings, two-family dwellings, duplexes, townhomes and multi-family dwellings, where allowed. (orig. 3-26-13)
2. Contained in this section are the allowed land uses, building and lot standards (including minimum setbacks) and other general requirements for each specific residential zone district. (3-26-13)
3. The Residential Zone Districts are divided as follows: (orig. 3-26-13)
  - a. Residential-One (R-1)
  - b. Restricted Residential (RR)
    - (1) Restricted Residential Quarter Acre (RR-1/4)
    - (2) Restricted Residential One Half Acre (RR-1/2)
    - (3) Restricted Residential One Acre (RR-1)
    - (4) Restricted Residential Two Acre (RR-2)
    - (5) Restricted Residential Five Acre (RR-5)
    - (6) Restricted Residential Ten Acre (RR-10)
  - c. Residential-One A (R-1A)
  - d. Residential-One B (R-1B)
  - e. Residential-One C (R-1C)
  - f. Residential-Two (R-2)
  - g. Residential-Three (R-3)
  - h. Residential-Three A (R-3A)
  - i. Residential-Four (R-4)

### B. Permitted Uses (orig.3-26-13)

Use	R-1	RR	R-1A	R-1B	R-1C	R-2	R-3	R-3A	R-4
Single-family dwelling	X	X	X	X	X	X	X		
Two-family dwelling or duplex						X	X	X	
Multi-family dwelling or townhome							X	X	
Multi-family dwelling (20 dwelling units to 50 dwelling units per acre).									X
Religious Assemblies and related uses, parish house and/or parsonage.							X	X	X
Private nonprofit museum							X	X	X
Parochial or private schools. Not included are private vocational, trade or professional schools, schools of art, music or dance and schools for subnormal or mentally disturbed adults.							X	X	X
Colleges; not included are private vocational, trade or professional schools, schools of art, music or dance and schools for subnormal or mentally disturbed adults.									X

Use	R-1	RR	R-1A	R-1B	R-1C	R-2	R-3	R-3A	R-4
State licensed daycare or large day –care home or preschool or nursery.							X	X	X
Group Home for up to 8 aged persons not located with 750 of another such group home; state licensed group home for up to 8 developmentally disabled persons not located with 750 of another such group home; state licensed group home for up to 8 mentally ill persons not located with 750 of another such group home or group home for the aged or developmentally disabled persons.	X	X	X	X	X	X	X	X	X
Public park, Class I and Class II public recreation facilities.	X	X	X	X	X	X	X	X	X
Homes for the aged and nursing homes								X	X
Hospital, nursing homes and clinics but not including institutions exclusively for the mentally disturbed, mental defectives, or for contagious or infectious diseases.									X
Telecommunications Land Uses shall comply with the provisions of the Telecommunications Uses Section of this Zoning Resolution.	X	X	X	X	X	X	X	X	X
Energy Conversion Systems (ECS) land uses shall comply with the provisions of the Alternative Energy Resources Section of the Zoning Resolution.	X	X	X	X	X	X	X	X	X

**C. Accessory Uses** (orig.3-26-13)

Use	R-1	RR	R-1A	R-1B	R-1C	R-2	R-3	R-3A	R-4
Private garage, mini structure, storage shed	X	X	X	X	X	X	X	X	X
Private greenhouse and nursery, noncommercial conservatory for plants and flowers.	X								
Private poultry house and pigeon coop with no more than 400 square feet of floor area; private rabbit and chinchilla hut with no more than 100 square feet of floor area.	X								
Private building or kennel for housing dogs, cats and similar domestic pets. <sup>1</sup>	X	X	X	X	X	X	X	X	
Private stable and/or barn for keeping horses, cattle, sheep, goats or other similar domesticated animals. See general requirements below.	X								
Home Occupations provided the requirements and conditions of the Board of Adjustment or the Home Occupation Section of the Zoning Resolution have been met.	X	X	X	X	X	X	X		

Use	R-1	RR	R-1A	R-1B	R-1C	R-2	R-3	R-3A	R-4
Accessory Uses per the Accessory Use Section of the Zoning Resolution.	X	X	X	X	X	X	X	X	X
Commercial service activities, which are accessory to the main use of the building <sup>2</sup>									X

<sup>1</sup> But not including horses, cattle, sheep, goats, chickens, ducks, geese or other fowl. The maximum total number of dogs, cats and similar domestic pets which may be kept shall be 3. Litters of puppies or kittens may be kept until weaned.

<sup>2</sup> May be conducted, provided said use is contained within the main building. Cafeterias, offices, studios and personal services such as beauty parlors, barber shops, laundry pick-up stations and pharmacies may be conducted. However, the sum total of commercial uses may not exceed more than 10 percent of the floor area of any single building or structure. The entrance to any such accessory business will be from inside the building and no advertising said business activity shall be visible from outside the building. Such accessory use is one which:

- a. Is subordinate to and serves the principal building or principal use.
- b. Is subordinate in area, extent, or purpose to the principal building or principal use served.
- c. Contributes to the comfort, convenience, or necessity of occupants of the principal building or principal use served.
- d. Is located on the same lot as the principal building or principal use served.

**D. Special Uses (3-26-13)**

The following uses shall be permitted only upon review by the Planning Commission and approval by Board of County Commissioners: (orig. 3-26-13)

Use	R-1	RR	R-1A	R-1B	R-1C	R-2	R-3	R-3A	R-4
Religious Assemblies and related uses, parish house and/or parsonage.	X	X	X	X		X			
Private nonprofit museum	X	X	X	X		X			
Cable Television reception station	X	X	X	X	X	X	X	X	X
Water supply reservoir and irrigation canal	X	X	X	X	X	X	X	X	
A group living facility, other than homes for social rehabilitation, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender.	X	X	X	X	X	X	X	X	X
Group, foster or communal home, residential treatment center, community residential home, home for social rehabilitation, assisted living residence, personal case boarding home, specialized group facility, receiving home for more than 4 foster home residents, residential child care facility or shelter from domestic violence, licensed or certified by state if applicable, in which 7 or more residents who are not legally related live and cook together as a single housekeeper unit not located within 750 of another similar type home or shelter.	X	X	X	X	X	X	X	X	X

Use	R-1	RR	R-1A	R-1B	R-1C	R-2	R-3	R-3A	R-4
Group home for the aged, group home for the developmentally disabled, group home for the mentally ill persons, licensed or certified by the state if applicable, in which 9 or more residents who are not legally related live and cook together as a single housekeeper unit, where such home is not located within 750 of another similar type home, licensed or certified by the state if applicable.	X		X	X	X	X	X	X	X
State licensed daycare center or preschool or nursery	X	X	X	X	X	X			
Parochial or private schools. Not included are private vocational, trade or professional schools, schools of art, music or dance and schools for subnormal or mentally disturbed adults. Exceptions listed above shall not preclude home occupations authorized by the Board of Adjustment or the Home Occupations Section of this Zoning Resolution.	X	X	X	X	X	X			
Home for social rehabilitation or adjustment for up to 10 residents plus staff, not located within 750 ft. of another similar facility.							X		
Oil and gas drilling and production subject to the Drilling and Production of Oil and Gas Section of this Zoning Resolution, except where located within a subdivision platted and recorded in the records of the Clerk and Recorder.	X	X	X	X		X	X	X	X
Class I or II commercial recreational facility. Class II public recreational facility.	X	X	X	X		X	X	X	X

**E. Lot and Building Standards (orig. 3-26-13)**

Districts	Front Setback		
	Primary Structure/Garage	Adjacent to Arterial	All Other Accessory Structures
<b>R-1</b>	20 ft.	30 ft.	Housing Animals – 100 ft. All Other Accessory Structure – 50 ft.
<b>R-1A</b>	20 ft.	30 ft.	50 ft.
<b>R-1B</b>	20 ft.	30 ft.	50 ft.
<b>R-1C</b>	12 ft. (living space) 20 ft. (garage)	18 ft. (living space) 30 ft. (garage)	30 ft.
<b>R-2</b>	20 ft.	30 ft.	20 ft.

Districts	Front Setback		
	Primary Structure/Garage	Adjacent to Arterial	All Other Accessory Structures
R-3	20 ft.	30 ft.	50 ft.
R-3A	20 ft.	30 ft.	50 ft.
R-4	40 ft.	40 ft.	40 ft.
RR-1/4	20 ft.	20 ft.	20 ft.
RR-1/2	30 ft.	30 ft.	30 ft.
RR-1	30 ft.	30 ft.	30 ft.
RR-2	30 ft.	30 ft.	30 ft.
RR-5	50 ft.	50 ft.	50 ft.
RR-10	75 ft.	75 ft.	75 ft.

Districts	Side Setback <sup>1</sup>		
	Main Structure	Adjacent to local/collector	Adjacent to arterial
R-1	15 ft.	20 ft.	30 ft.
R-1A	5 ft. min (15 ft. total)	20 ft.	30 ft.
R-1B	5 ft.	20 ft.	30 ft.
R-1C	5 ft.	15 ft.	20 ft.
R-2	5 ft. in (15 ft. total)	20 ft.	30 ft.
R-3	5 ft. <sup>2</sup>	20 ft.	30 ft.
R-3A	5 ft. <sup>2</sup>	20 ft.	30 ft.
R-4	30 ft.	30 ft.	30ft.
RR-1/4	10 ft.	20 ft.	20 ft.
RR-1/2	20 ft.	30 ft.	30 ft.
RR-1	30 ft.	30 ft.	30 ft.
RR-2	30 ft.	30 ft.	30 ft.
RR-5	50 ft.	50 ft.	50 ft.
RR-10	50 ft.	75 ft.	75 ft.

<sup>1</sup> For a two-family dwelling, no side setback shall be required where there is a common wall shared between buildings on adjacent lots.

<sup>2</sup> The minimum side setback for a single-family dwelling, two-family dwelling, duplex, townhome, or multi-family dwelling with 1 story, shall be 5 feet on each side. The minimum side setback for any other main building shall be 10 feet on each side.

Districts	Rear Setback					
	Single-Family	Two-Family or Duplex	Townhome	Multi-Family	Other Main Building	Garage or Other Accessory Structure
<b>R-1</b>	5 ft.	n/a	n/a	n/a	5 ft.	5 ft.
<b>R-1A</b>	20 ft.	n/a	n/a	n/a	20 ft.	5 ft.
<b>R-1B</b>	20 ft.	n/a	n/a	n/a	20ft.	5 ft.
<b>R-1C</b>	10 ft.	n/a	n/a	n/a	10 ft.	3 ft.
<b>R-2</b>	5 ft.	5 ft.	n/a	n/a	5 ft.	5 ft.
<b>R-3</b>	5 ft.	5 ft.	10 ft	10 ft.	10 ft.	5 ft.
<b>R-3A</b>	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.
<b>R-4</b>	n/a	n/a	n/a	30 ft.	30 ft.	30 ft.
<b>RR-1/4</b>	20 ft	n/a	n/a	n/a	20 ft	20 ft
<b>RR-1/2</b>	20 ft.	n/a	n/a	n/a	20 ft.	20 ft.
<b>RR-1</b>	20 ft.	n/a	n/a	n/a	20 ft.	20 ft.
<b>RR-2</b>	30 ft.	n/a	n/a	n/a	30 ft.	30 ft.
<b>RR-5</b>	50 ft.	n/a	n/a	n/a	50 ft.	50 ft.
<b>RR-10</b>	50 ft.	n/a	n/a	n/a	50 ft.	50 ft.

Districts	Building Separation		Building Height		
	Between Townhome or Multi-family Groups	From Building on Adjacent Lot	Primary Structure	Multi-Family Structure	All Other Accessory Structure <sup>1</sup>
R-1	n/a	n/a	35 ft.	n/a	25 ft.
R-1A	n/a	15 ft.	35 ft.	n/a	25 ft.
R-1B	n/a	n/a	35 ft.	n/a	25 ft.
R-1C	n/a	n/a	30 ft.	n/a	25 ft.
R-2	n/a	15 ft.	35 ft.	n/a	25 ft.
R-3	25 ft.	n/a	35 ft.	45 ft.	25 ft.
R-3A	25 ft.	n/a	35 ft.	45 ft.	25 ft.
R-4	30 ft. <sup>2</sup>	n/a	80 ft.	80 ft.	25 ft.
RR-1/4	n/a	n/a	35 ft.	n/a	25 ft.
RR-1/2	n/a	n/a	35ft	n/a	25 ft.
RR-1	n/a	n/a	35 ft.	n/a	25 ft.
RR-2	n/a	n/a	35 ft.	n/a	25 ft.
RR-5	n/a	n/a	35 ft.	n/a	25 ft.
RR-10	n/a	n/a	35 ft.	n/a	25 ft.

<sup>1</sup> No such building shall exceed the lesser of the height indicated or the height of the primary structure.

Districts	Lot Size				
	Single-Family Dwelling	Two-Family Dwelling	Duplex	Townhome	Multi-Family
R-1	12,500 s.f.	n/a	n/a	n/a	n/a
R-1A	9,000 s.f.	n/a	n/a	n/a	n/a
R-1B	7,500 s.f.	n/a	n/a	n/a	n/a
R-1C	4,500 s.f.	n/a	n/a	n/a	n/a
R-2	9,000 s.f.	12,500 s.f. min. develop area and 5,000 s.f. min lot area per unit	12,500 s.f.	n/a	n/a

Districts	Lot Size				
	Single-Family Dwelling	Two-Family Dwelling	Duplex	Townhome	Multi-Family
R-3	7,500 s.f.	3,000 s.f. min. develop area and 1,500 s.f. min lot area per unit	9,000 s.f.	12,500 s.f. min. develop area and 2,000 s.f. min lot area per unit	12,500 s.f. min. develop area and 2,000 s.f. min lot area per unit
R-3A	n/a	4,000 s.f. min. develop area and 2,000 s.f. Min lot area per unit	12,500 s.f.	4,000 s.f. min. develop area and 2,000 s.f. Min lot area per unit	12,500 s.f. min. develop area and 3,000 s.f. min lot area per unit
R-4	n/a	n/a	n/a	n/a	1 acre min develop area and 850 s.f. Min lot area per unit
RR-1/4	¼ acre (10,890 s.f.)	n/a	n/a	n/a	n/a
RR-1/2	½ acre (27,180 s.f.)	n/a	n/a	n/a	n/a
RR-1	1 acre (43,560 s.f.)	n/a	n/a	n/a	n/a
RR-2	2 acres (87,120 s.f.)	n/a	n/a	n/a	n/a
RR-5	5 acres (217,800 s.f.)	n/a	n/a	n/a	n/a
RR-10	10 acres (435,600 s.f.)	n/a	n/a	n/a	n/a

**F. Fences**

1. Maximum fence height: 6 feet. (orig. 3-26-13)
2. Fence permits are required for any fence over 42 inches in height. (orig. 3-26-13)
3. No fence more than 42 inches in height of any type shall be permitted within the front setback line and the front lot line. (orig. 3-26-13)
4. No barbed wired or electric fence shall be permitted in this zone district. (orig. 3-26-13)
5. Fences on corner lots must comply with the vision clearance triangle requirements as specified in the Definitions Section of this Zoning Resolution. (orig. 3-26-13)
6. On adjacent lots where allowed fence heights differ, the lower height restriction shall govern. (orig. 3-26-13)

**G. General Requirements**

1. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 3-26-13)
2. Corner lots must comply with the vision clearance triangle requirements as specified in the Definitions Section of this Zoning Resolution. (orig. 3-26-13)
3. The placement of improvements on any such zoned property may be further restricted by plat notes approved by the Board of County Commissioners in conjunction with an approved Plat, Exemption from Platting, or other process subject to the Land Development Regulations. (orig. 3-26-13)
4. No structure may be erected, placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 3-26-13)

5. Manure shall not be allowed to accumulate so as to cause a hazard to the health, safety or welfare of humans and/or animals. The outside storage of manure in piles shall not be permitted within 100 feet of the front lot line and shall conform to the side and rear setback requirements of a dwelling. (orig. 3-26-13)
6. Stallions and bulls shall be kept in a pen, corral or run area enclosed by a 6 foot chain link fence, or material equal or greater in strength, except when it is necessary to remove them for training, breeding or other similar purposes. (orig. 3-26-13)
7. Where allowed the keeping of horses, cattle, sheep, goats, or other similar domesticated animals shall be kept in a fenced area. The total number of animals, listed above, is limited as follows. (orig. 3-26-13)

The minimum square footage of open lot area, not including the dwelling, shall be 9,000 square feet for the first animal and 6,000 square feet for each additional animal. The total number of such animals that may be kept shall not exceed 4 per 1 acre; except that offspring of animals on the property may be kept until weaned. (orig. 3-26-13)