

CHAPTER 02-11 R-3 RESIDENTIAL ZONE

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02-11-001 PURPOSE AND INTENT

The R-3 Residential Zone has been established as a zone for family residential purposes with a higher density than both the R-1 and R-2 zones, to provide a setting for medium density residential living by commingling single-family dwellings, as well as multi-family dwellings, plus parks, playgrounds, schools, churches, and other community facilities to serve the residents of the zone. This zone is characterized by more compact development and should be designed to include neighborhood design that incorporates open space with convenient pedestrian and bicycle access, and connectivity between adjacent property, among residential, office, and recreational areas of the City. Industrial uses are not permitted in this zone.

Additionally, the zone has been established to promote the following:

1. High quality, innovative and creative development that includes a mixture of uses, heights and setbacks, varying densities and lot sizes and sufficient diversity of housing types to meet the full life cycle of housing needs for residents within the City of Naples;
2. Promote useable recreation areas, parks, playgrounds, trails, and open space.
3. Recreational uses that meet or exceed the needs of the residents;
4. A pedestrian environment which encourages transit and bicycle usage; and
5. A desirable living environment with unique identity and character.

02-11-002 PERMITTED USES

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

1. Single family detached dwelling
2. Multi-family dwellings, designed in a row-type housing arrangement, each unit occupied by households, each living independently, and sharing common walls, being connected in a row-type housing arrangement, containing two (2), a “duplex”, to six (6) dwelling units per building.
3. Churches;
4. Parks, trails and/or playgrounds;
5. Recreation Centers;
6. Schools;
7. Temporary building for uses incidental to construction work. Such shall be removed upon the completion of the construction;
8. Home occupations, in accordance with Chapter 13 this ordinance.
9. Home gardens
10. Accessory buildings such as garages and sheds.

02-11-003 USE REGULATIONS

Uses may be conducted in the R-3 Zone only in accordance with the following regulations:

1. Multi-family dwellings units shall be designed in a row-type housing arrangement, attached horizontally with a common wall, and shall not exceed 6 attached units per building. In no case shall dwelling units be stacked vertically.
2. Multi-family projects shall include a variety of unit sizes and shall include a variety of building colors and materials.
3. The maximum area of any lot that may be covered by structures is seventy-five (75) percent.
4. In no case shall there be more than 9 units per acre.
5. There shall be no open storage of trash, debris, used materials or commercial goods or wrecked or neglected materials, equipment or vehicles in the Zone. No commercial materials, inventory, or equipment may be stored in the open.
6. Parking, storing, or leaving of any vehicle that are wrecked, junked, dismantled, inoperative or abandoned is not permitted on any private or public property within the Zone for longer than seventy-two (72) hours. However, storing up to two such vehicles or their parts thereof is allowed, provided they are kept entirely within an enclosed building.
7. In the Zone, commercial vehicles and heavy equipment used for earth moving or material handling are not to be parked or stored on any property, except when used for temporary development or construction activities. This category includes semi-trucks and trailers, vehicles with a curb weight of 12,000 lbs. or more, delivery trucks, dump trucks, back hoes, graders, loaders,

agricultural equipment, cement trucks, bulldozers, belly dumps, scrapers, forklifts and other similar vehicles or equipment.

02-11-004 MINIMUM LOT AREA REQUIREMENTS

1. The minimum lot area for a single-family dwelling is 6,000 square feet, the residence must contain a minimum 1,200 square feet of finished living area on the main floor and a minimum 20'x20' two-car attached garage.
2. The minimum lot area for a multi-family dwelling is 9,000 square feet (in the case of duplex), plus 1,800 additional square feet of lot area for each additional dwelling unit above 2 units, with a maximum of 6 units per building. Each dwelling unit must contain a minimum 1,200 square feet of living area and a minimum 20'x20' two-car attached garage.
3. The minimum lot area for a church, school, is 20,000 square feet.
4. The minimum lot area for any other permitted use is 10,000 square feet.

**02-11-005 MINIMUM WIDTH REQUIREMENTS
(MEASURED AT BOTH FRONT ¹ROAD RIGHT-OF-WAY AND SETBACK
LINES)**

1. The minimum lot width for a single-family dwelling is 60 feet.
2. The minimum lot width for a duplex dwelling is 90 feet, with a minimum 45 feet for each dwelling.
3. The minimum lot width for any multi-family dwelling utilizing zero side yard is 35 feet per unit at the front property line.
4. The minimum lot width for any other permitted use shall be 100 feet.

02-11-006 OFF-STREET PARKING REQUIREMENTS

1. A minimum of three (3) off-street parking places shall be provided for each dwelling unit. Driveways must be a minimum of thirty (30) feet long in order to keep sidewalks and streets clear of larger vehicles. See Chapter 02-15 Off-street Parking Regulations for more information on parking regulations.
2. Guest parking shall be provided at a ratio of 0.50 stalls per unit.
3. Guest parking shall be located within 200 ft of the dwelling unit.
4. Driveways shall not be counted towards the guest parking requirements.
5. Accessible parking spaces shall be provided in off-street parking areas and shall count towards fulfilling the minimum requirements for guest parking.
6. All landscaped areas abutting any paved surface shall be curbed. Boundary landscaping around the perimeter of the parking areas shall be separated by concrete curbs six inches higher than the parking surface.
7. Clear Sight Triangle 02-14-20 must be observed.

02-11-007 HEIGHT REQUIREMENTS

¹ Amended Feb 25, 2021

Maximum – Thirty-five (35) feet above grade. Church steeples are exempt from this requirement.

02-11-008 LOCATION REQUIREMENTS

MINIMUM SETBACKS FROM ²ROAD RIGHT-OF-WAY LINES:

1. Main buildings on INTERIOR (non-corner) LOTS:

Front: 30 feet

Side: 8 feet (20 feet minimum for both sides combined)

Rear: 10 feet

2. Main buildings on CORNER LOTS:

Front: 30 feet

Side: 20 feet on street-side, and 8 feet on interior side

Rear: 10 feet (8 feet for dwellings with attached garage or carport)

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 20 feet from the turn-around or cul-de-sac right-of-way.

Side: 8 feet

Rear: 10 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 5 feet to any lot line, and in no case shall any two homes on adjacent lots be closer than 10 feet.

4. Accessory buildings³:

Front: 30 feet

Side: 3 feet unless the accessory building is located within 5 feet of the rear of the main building, then the side setback is the same as the main building.

Rear: 3 feet.

One story detached accessory structures located 5 or more feet behind the main building are exempt from permit and location requirements provided that the floor area does not exceed 200 square feet.

Setbacks are measured from either the property line or the back of curb or sidewalk, whichever is furthest from public right-of-way. Porches may not be built in the setback area, but steps leading up to porches may be built in the setback area.

² Amended Feb 25, 2021

³ Amended Feb 24, 2022

Regardless of orientation, the closest a main building may be to any property line is 8 feet.

Each dwelling unit shall front upon an access road whether it be a city or private road, and shall have a front and rear yard.

02-11-009 SPECIAL PROVISIONS

1. Plans showing proposed off-street parking layout and landscaping for the development shall be submitted to and approved by the city Planning Commission 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.
2. A bond or other financial guarantee shall be required, guaranteeing landscaping, streets, sidewalk, trails, curb, gutter, lighting, and other improvements within a year of occupancy. See 02-31 Subdivisions for the procedures of bonds.
3. All residential dwellings shall be connected to a public sewer system.
4. The design for curb and gutter shall be either high back or modified high back.
5. All dwellings shall be supplied with culinary water, and plumbed in accordance with the current edition of International Plumbing Code in Utah.
6. All new residential developments shall have curb, gutter, and a minimum 5-foot-wide sidewalk, all of which adhere to ADA standards.
7. Street lights and street signs shall not be located in the sidewalk, as to avoid impeding pedestrian flow.
8. A six-foot-high sight obscuring fence/wall shall be installed for all dwellings, which extends directly from the unit enclosing the entire back yard from each adjoining lot or dwelling unit, to delineate between common and private space. Fencing shall be uniform in design and construction.
9. Clustering of dwelling units is encouraged to allow for larger open spaces. Housing units and open space should be distributed in a manner that does not unduly separate the usable open space from residents.
10. The Land Use Administrator may approve variation from applicable development standards of the Naples City Land Use Ordinances, if found that the following conditions are met:
 - a. The granting of the variation will not adversely affect the rights of adjacent landowners or residents.
 - b. The variation desired will not adversely affect the public health, safety, or general welfare; and
 - c. The granting of the variation will not be opposed to the general spirit and intent of the subdivision code.

02-11-010 OPEN SPACE

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All permanent open space in the R-3 Zone must be landscaped to accommodate approved recreational or agricultural uses. Each development must allocate at least 20% of its total area to such open spaces. These areas will be designated as subdivision lots or as common areas, situated as per environmental and infrastructure considerations. Maintenance of these spaces must adhere to perpetual open space or conservation easement standards. Owners or associations, having the authority to levy maintenance fees, are responsible for the upkeep of privately owned open spaces. These spaces should not include individual lot or yard areas. Privately owned open spaces accessible to the public, whether free or fee-based can be included in the mandatory open space requirement.

1. Open space may include parks, playgrounds, sidewalks, non-motorized pathways, trails, and outdoor amenities may be computed into the open space requirement.
2. Open space excludes private balconies, decks, patio areas, recreation buildings, indoor amenities, vehicle parking, street, and streetscape sidewalks.
3. Open space should be clustered to create the most beneficial and efficient use of space.
4. All pathways and trails shall be paved or constructed of asphalt or concrete, or when approved by the city, an alternate hard surface may be used.