

FR-3/12,000: Zoning Code Excerpt of Applicable Base Regulations

21A.24.040: FR-3/12,000 FOOTHILLS RESIDENTIAL DISTRICT:

- A. Purpose Statement:** The purpose of the FR-3/12,000 Foothills Residential District is to promote environmentally sensitive and visually compatible development of lots not less than twelve thousand (12,000) square feet in size, suitable for foothills locations as indicated in the applicable community Master Plan. The district is intended to minimize flooding, erosion, and other environmental hazards; to protect the natural scenic character of foothill areas by limiting development; to promote the safety and well being of present and future residents of foothill areas; to protect wildlife habitat; and to ensure the efficient expenditure of public funds. The FR-3/12,000 Foothills Residential District is intended for application in most areas of foothills development existing as of April 12, 1995.
- B. Uses:** Uses in the FR-3/12,000 Foothills Residential District, as specified in section 21A.33.020, "Table Of Permitted And Conditional Uses For Residential Districts", of this title, are permitted subject to the general provisions set forth in section 21A.24.010 of this chapter, including subsection 21A.24.010P of this chapter, and this section.
- C. Minimum Lot Area And Lot Width:** The minimum lot areas and lot widths required in this district are as follows:

Land Use	Minimum Lot Area	Minimum Lot Width
Municipal service uses, including City utility uses and police and fire stations	No minimum	No minimum
Natural open space and conservation areas, public and private	No minimum	No minimum
Places of worship less than 4 acres in size	12,000 square feet	80 feet
Public pedestrian pathways, trails and greenways	No minimum	No minimum
Public/private utility transmission wires, lines, pipes and poles	No minimum	No minimum
Single-family detached dwellings	12,000 square feet	Interior: 80 feet Corner: 100 feet
Utility substations and buildings	12,000 square feet	Interior: 80 feet Corner: 100 feet
Other permitted or conditional uses as listed in section 21A.33.020 of this title	12,000 square feet	Interior: 80 feet Corner: 100 feet

- D. Maximum Building Height:** See subsections 21A.24.010P1 and P2 of this chapter.
- E. Minimum Yard Requirements:**
 - 1. Front Yard:** The minimum depth of the front yard for all principal buildings shall be equal to the average of the front yards of existing buildings within the block face. Where there are no existing buildings within the block face, the minimum depth shall be twenty feet (20'). Where the minimum front yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail. For buildings legally existing on April 12, 1995, the required front yard shall be no greater than the established setback line of the existing building.

2. **Corner Side Yard:** The minimum depth of the corner side yard for all principal buildings shall be equal to the average of the existing buildings on the block face. Where there are no other existing buildings on the block face, the minimum depth shall be twenty feet (20'). Where the minimum corner side yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail.
 3. **Interior Side Yard:** Ten feet (10') (if a side yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail).
 4. **Rear Yard:** Thirty five feet (35').
 5. **Accessory Buildings And Structures In Yards:** No accessory building may be located in any required yard, regardless of any other regulations in this title. Accessory structures (other than accessory buildings) are permitted subject to section 21A.36.020, table 21A.36.020B of this title.
- F. Maximum Building Coverage:** The surface coverage of all principal and accessory buildings shall not exceed thirty five percent (35%) of the lot area.
- G. Slope Restrictions:** For lots subdivided after November 4, 1994, no building shall be constructed on any portion of the site that exceeds a thirty percent (30%) slope. All faces of buildings and structures shall be set back from any nonbuildable area line, as shown on the plat if any, a minimum of ten feet (10') and an average of twenty feet (20').
- H. Unauthorized Site Work Prohibited:** No grading, excavation, building, removal of vegetation or other site work shall be allowed without specific authorization of the building official. Site work not authorized by a building permit shall be permitted only upon issuance of a site development permit in conformance with the requirements of the site development ordinance.
- I. Landscape Plan:** A landscape plan conforming to the requirements of chapter 21A.48 of this title shall be required.
- J. Maximum Lot Size:** With the exception of lots created by a subdivision or subdivision amendment recorded in the Office of the Salt Lake County Recorder, the maximum size of a new lot shall not exceed eighteen thousand (18,000) square feet. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:
1. The size of the new lot is compatible with other lots on the same block face;
 2. The configuration of the lot is compatible with other lots on the same block face; and
 3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.
- K. Standards For Attached Garages:**
1. **Width Of An Attached Garage:** The width of an attached garage facing the street may not exceed fifty percent (50%) of the width of the front facade of the house. The width of the garage is equal to the width of the garage door, or in the case of multiple garage doors, the sum of the widths of each garage door plus the width of any intervening wall elements between garage doors.

2. **Located Behind Or In Line With The Front Line Of The Building:** No attached garage shall be constructed forward of the "front line of the building" (as defined in section 21A.62.040 of this title), unless:
 - a. A new garage is constructed to replace an existing garage that is forward of the "front line of the building". In this case, the new garage shall be constructed in the same location with the same dimensions as the garage being replaced;
 - b. At least sixty percent (60%) of the existing garages on the block face are located forward of the "front line of the building"; or
 - c. The garage doors will face a corner side lot line.

21A.24.010.P. Special Foothills Regulations:

The FP Foothills Protection District, section 21A.32.040 of this title, and the FR-1/43,560, FR-2/21,780 and FR-3/12,000 Districts shall be subject to the regulations of this subsection, other general provisions for residential districts, and the district regulations of each district.

1. Special Building Height Controls:

Uses and buildings in the FR-1/43,560, FR-2/21,780, FR-3/12,000 and FP Districts shall conform to the following special height regulations:

- a. In the FR-1 District, the maximum building height shall be thirty five feet (35') measured from established grade. The front and rear vertical building wall height shall not exceed thirty one feet (31') measured from finished grade. On a corner lot, roof gable ends which face onto either the front or corner side yard, but not both, are permitted to the height of thirty five feet (35') measured from established grade.
- b. In the FR-2, FR-3 and FP Districts, the maximum building height shall be twenty eight feet (28') measured from established grade. The front and rear vertical building walls shall not exceed twenty five feet (25') measured from finished grade. On a corner lot, roof gable ends which face onto either the front or corner side yard, but not both, are permitted to a height of twenty eight feet (28').
- c. All building heights for initial construction of a building in a foothill zone shall be measured from the established grade. Up to four feet (4') of fill (or 6 feet within the buildable area of the lot) may be added on top of the established grade in order to bring the exposed portion of the lower story of a single exterior wall of building into compliance with the definition of a basement when the majority of that lower level of that exterior wall already complies with this definition. The height of any subsequent structural modification or addition to a building shall be measured from the finished grade existing at the time a building permit is requested.

2. Height Special Exception:

The Planning Commission, as a special exception to the height regulations of the applicable district, may approve a permit to exceed the maximum building height but shall not have the authority to grant additional stories. To grant a height special exception the Planning Commission must find the proposed plan:

- a. Is a design better suited to the site than can be achieved by strict compliance to these regulations; and
- b. Satisfies the following criteria:
 - (1) The topography of the lot presents difficulties for construction when the foothill height limitations are applied,
 - (2) The structure has been designed for the topographic conditions existing on the particular lot, and
 - (3) The impact of additional height on neighboring properties has been identified and reasonably mitigated.
- c. In making these considerations the Planning Commission can consider the size of the lot upon which the structure is proposed.
- d. The burden of proof is upon the applicant to submit sufficient data to persuade the Planning Commission that the criteria have been satisfied.
- e. The Planning Commission may deny an application for a height special exception if:
 - (1) The architectural plans submitted are designed for structures on level, or nearly level, ground, and the design is transposed to hillside lots requiring support foundations such that the structure exceeds the height limits of these regulations;
 - (2) The additional height can be reduced by modifying the design of the structure through the use of stepping or terracing or by altering the placement of the structure on the lot;
 - (3) The additional height will substantially impair the views from adjacent lots, and the impairment can be avoided by modification; or
 - (4) The proposal is not in keeping with the character of the neighborhood.

3. Design Regulations: The following design regulations shall also apply:

- a. **Exterior Building Colors:** The exterior of any building or structure shall blend with the natural materials and predominant colors and hues of the surrounding foothills. Colors permitted include grays, browns, greens, tans and other earth tones. White or bright colors shall be limited to window casings, doors, eaves and other trim areas.
- b. **Exterior Building Glass:** Windows and other glass surfaces shall have an outdoor visible light reflective value no more than eighteen percent (18%) as defined and measured by ASTM E308-90 or its successor.
- c. **Roof Materials And Colors:** Roof colors shall be earth tones. White, bright and reflective materials are prohibited from roofs. Tile, slate, architectural asphalt shingles and fire retardant wood are permitted as roofing materials.
- d. **Mechanical Equipment:** Mechanical equipment including, without limitation, swamp coolers, air conditioning equipment, heat pumps, vents, blowers and fans shall be screened from view or painted to match the building color adjacent to the equipment. Roof mounted mechanical equipment, excluding solar panels which are subject to section 21A.40.190 of this title, shall not extend above the highest roof ridgeline.

4. **Satellite Antennas:** In addition to the regulations contained in chapter 21A.40 of this title, satellite antennas shall be painted nonreflective black or other dark earth tone colors.
5. **Exterior Lighting:** Floodlighting of buildings and structures is prohibited. Exterior lighting shall be architecturally integrated decorative lighting. Yard areas may be lit only with "directional" lighting and no direct light beam may impact any other property, except for security lights intended to be activated only at limited times as necessary for immediate security.
6. **Grade Changes:** No grading shall be permitted prior to the issuance of a building permit. The grade of any lot shall not be altered above or below established grade more than four feet (4') at any point for the construction of any structure or improvement except:
 - a. Within the buildable area. Proposals to modify established grade more than six feet (6') shall be reviewed as a special exception subject to the standards in chapter 21A.52 of this title. Grade change transition areas between a yard area and the buildable area shall be within the buildable area;
 - b. Within the front, corner side, side and rear yard areas, proposals to modify established grade more than four feet (4') shall be reviewed as a special exception subject to the standards found in chapter 21A.52 of this title; and
 - c. As necessary to construct driveway access from the street to the garage or parking area grade changes and/or retaining walls up to six feet (6') from the established grade shall be reviewed as a special exception subject to the standards in chapter 21A.52 of this title.
7. **Grading:** Unauthorized grading and other surface disturbing activities are prohibited in all undevelopable areas within the lot or the subdivision. Prior to any grading or other surface disturbing activity on the property, the undevelopable areas shall be clearly delineated by temporary fencing or flagging. Any flagging stakes used to delineate undevelopable areas there shall be a minimum of four feet (4') above grade and no more than twenty five feet (25') apart.
8. **Retaining Walls:** All cuts and fills in excess of two feet (2') shall be supported by retaining walls if required by the Zoning Administrator. Any stacking of rocks to create a rock wall in excess of a thirty percent (30%) slope, that is intended to retain soil, shall be considered a retaining wall. No retaining wall may exceed four feet (4') in height above the established grade except as provided in subsections P6a, P6b and P6c of this section. In a terrace of retaining walls, each four foot (4') vertical retaining wall must be separated by a minimum of three (3) horizontal feet, and any six foot (6') retaining wall must be separated from any other retaining wall by a minimum of five (5) horizontal feet. The horizontal area between terraced retaining walls shall be landscaped with vegetation. All retaining walls, in excess of four feet (4') in height shall be approved by an engineer licensed by the State, and the engineer's approval shall be consistent with the provisions of a geotechnical report. The Zoning Administrator may require an engineer's approval for retaining walls less than four feet (4') that there are sufficient risk factors, such as slope, soil stability, or proximity to structures on adjacent property.

- 9. Roads And Driveways:** To ensure that private roads and driveways minimize impact on the natural landscape, plans for the design and improvement of roads and driveways shall be subject to review and approval by the City Engineer and Fire Department as a condition of building permit issuance. Design standards and guidelines for private roads and driveways shall include the following:
- a. Driveways which serve more than one parcel are encouraged as a method of reducing unnecessary grading, paving, and site disturbance. The drive approach for driveways which serve more than one parcel shall not exceed the standard widths for drive approaches as specified by the Salt Lake City Transportation Division.
 - b. Driveway approaches shall not be located within six feet (6') of any side property line. Exceptions may be considered by the development review team, based on the driveway slope and dimension, slope of the roadway or lot, location of existing drive approaches serving abutting properties, and proposed uses.
 - (1) Driveway approaches shall maintain a twelve foot (12') separation from another drive approach. Drive approaches shall be located ten feet (10') from a corner property line or five feet (5') from the termination of a corner curb radius, whichever is greater. Drive approaches located along a designated right turn lane shall maintain a fifty foot (50') setback from the termination of a corner curb radius. Exceptions to those requirements may be approved by the development review team.
 - c. A driveway shall not exceed sixteen percent (16%) average slope with standard vertical curve transitions from the property line to a legal parking space.
 - (1) The cross slope of driveways should not exceed four percent (4%).
 - d. Driveway approaches shall maintain a five foot (5') offset from power poles, fire hydrants, trees or any other roadside hazards. Exceptions to the requirement may be approved by the development review team.
 - e. Sight obstructions along driveways shall maintain a ten foot (10') wide by ten foot (10') deep sight distance triangle as noted in section 21A.62.050, figure 21A.62.050I of this title. Obstructions in the required sight distance triangle shall generally not exceed thirty inches (30") in height. Exceptions may be approved by the development review team based upon location and type of material.
- 10. Fence Restrictions:** Fences and walls shall only be constructed after first obtaining a building permit subject to the standards of this section.
- a. **Site Plan Submittal:** As part of the site plan review process, a fencing plan shall be submitted which shall show:
 - (1) Any specific subdivision approval conditions regarding fencing;
 - (2) Material specifications and illustrations necessary to determine compliance with specific approval limitation and the standards of this section.

b. Field Fencing Of Designated Undevelopable Areas: Fencing on areas identified as undevelopable areas or transitional areas on any subdivision granted preliminary approval by the Planning Commission after November 4, 1994, or any lot previously platted which identifies undevelopable areas or transitional areas shall be limited to the following standards unless subdivision approval granted prior to November 4, 1994, included specific fencing requirements which are more restrictive. The more restrictive requirement shall apply.

- (1) Low visibility see through fencing shall consist of flat black colored steel "T" posts and not more than four (4) strands of nonbarbed steel wire, strung at even vertical spacing between such "T" post, and erected to a height of not more than forty two inches (42") above the natural ground surface.
- (2) When fencing lot boundary lines, vegetation or native brush shall not be cleared so as to create a visible demarcation form off site.
- (3) The existing surface of the ground shall not be changed by grading activities when erecting boundary fences.
- (4) Fence materials and designs must not create a hazard for big game wildlife species.
- (5) No field fencing shall be erected in conflict with pedestrian easements dedicated to Salt Lake City.

c. Buildable Area Fencing: Fencing on any portion of a lot identified as buildable area or required side yard on any subdivision granted preliminary approval by the Planning Commission after November 4, 1994, or any lot previously platted which identifies undevelopable area or transitional areas shall be limited to the following standards unless subdivision approval granted prior to November 4, 1994, includes specific fencing requirements which are more restrictive. The more restrictive requirement shall apply.

- (1) Open, see through fencing constructed of tubular steel, wrought iron or similar materials, finished with a flat black, nonreflective finish constructed to a height of six feet (6') or less; or
- (2) Sight obscuring or privacy type fencing shall be of earth tone colors, or similar materials to the primary dwelling, and located in a way which screens private outdoor living spaces from off site view.

d. Front Yard Fencing: Walls and fences located within the front yards and along roadways shall not exceed a maximum of forty two inches (42") in height.

11. Utilities: To the maximum extent practical, all utilities shall be placed within existing road rights-of-way and front yard setbacks. For lots platted after September 4, 1992, all water, sewer, electrical, telephone, cable television and other utilities shall be placed underground, except that transformers, pedestals and other appurtenances which are normally located aboveground in connection with the underground installations are permitted. All areas disturbed by the installation of underground utilities shall be revegetated in conformance with the regulations of this subsection,

and chapter 21A.48 of this title. Temporary or emergency utilities may be erected and maintained aboveground for no more than four (4) months.

12. Landscaping And Revegetation: Installation of all required landscaping shall begin no later than one month after a certificate of occupancy; except that if the certificate of occupancy is issued between October 15 and the following April 1, installation of the landscaping shall begin no later than April 30. Landscaping shall be substantially completed within nine (9) months after a certificate of occupancy is issued. Landscaping shall conform to the requirements of chapter 21A.48 of this title, and shall also conform to the following requirements:

- a. **Front Yards And Side Yards:** Front yards, corner side yards and interior side yards shall be completely landscaped except for driveways, walkways and patios/decks.
- b. **Disturbed Areas:** All other areas disturbed during construction shall be either landscaped or revegetated to a natural state.
- c. **Undevelopable Areas:** Lawns or gardens are prohibited in the undevelopable areas. Native and drought tolerant plant species established in undevelopable areas may be enhanced by irrigation and supplemental planting as approved by the Zoning Administrator, provided the Zoning Administrator finds that such supplemental planting is in keeping with the natural conditions.

13. Applicability To Existing Buildings And Structures: Colors and building materials on existing structures may be maintained and/or repaired with materials and colors similar to those existing before the enactment of this title. Such colors and materials may only be modified to bring them into closer compliance with subsection P3 of this section. The provisions of this subsection shall apply to additions to existing buildings and structures within the FR-1/43,560, FR-2/21,780, FR-3/12,000 and FP Districts. Additions after April 12, 1995, to buildings and structures existing prior to April 12, 1995, shall conform to all provisions of this subsection, except that building colors and materials may match the original building or structure.

FR-3/12,000: Land Use Table

21A.33.020: TABLE OF PERMITTED AND CONDITIONAL USES FOR RESIDENTIAL DISTRICTS:

Legend:	C = Conditional	P = Permitted
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Use	Permitted and Conditional Uses By District		
	FR-1/ 43,560	FR-2/ 21,780	FR-3/ 12,000
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	P	P	P
Adaptive reuse of a landmark site	C ⁸	C ⁸	C ⁸
Alcohol, bar establishment (2,500 square feet or less in floor area)			
Alcohol, brewpub (2,500 square feet or less in floor area)			
Alcohol, tavern (2,500 square feet or less in floor area)			
Animal, veterinary office			
Art gallery			
Artisan food production (2,500 square feet or less in floor area)			
Bed and breakfast inn			
Bed and breakfast manor			
Clinic (medical, dental)			
Commercial food preparation			
Community garden	C	C	C
Community recreation center			
Crematorium			
Daycare center, adult			
Daycare center, child			
Daycare, nonregistered home daycare	P ²²	P ²²	P ²²
Daycare, registered home daycare or preschool	P ²²	P ²²	P ²²
Dwelling, accessory guest and servant's quarter	P ¹¹	P ¹¹	P ¹¹
Dwelling, accessory unit	C	C	C
Dwelling, assisted living facility (large)			
Dwelling, assisted living facility (limited capacity)	C	C	C
Dwelling, assisted living facility (small)			
Dwelling; dormitory, fraternity, sorority			
Dwelling, group home (large) ¹⁴			
Dwelling, group home (small) ¹⁵	P	P	P
Dwelling, manufactured home	P	P	P
Dwelling, multi-family			
Dwelling, residential support (large) ¹⁶			
Dwelling, residential support (small) ¹⁷			
Dwelling, rooming (boarding) house			
Dwelling, single-family (attached)			
Dwelling, single-family (detached)	P	P	P
Dwelling, twin home and two-family			
Eleemosynary facility	C	C	C
Financial institution			
Funeral home			

Governmental facility	C	C	C
Home occupation	P ²⁴	P ²⁴	P ²⁴
Laboratory (medical, dental, optical)			
Library			
Mixed use development			
Mobile food business (operation on private property)			
Municipal service use, including City utility use and police and fire station	C	C	C
Museum			
Nursing care facility			
Office, excluding medical and dental clinic and office			
Open space on lots less than 4 acres in size	P	P	P
Park	P	P	P
Parking, off site (to support nonconforming uses in a residential zone or uses in the CN or CB Zones)			
Parking, park and ride lot shared with existing use			
Place of worship on lots less than 4 acres in size	C	C	C
Reception center			
Recreation (indoor)			
Restaurant			
Restaurant with drive- through facility			
Retail goods establishment			
Retail goods establishment, plant and garden shop with outdoor retail sales area			
Retail service establishment			
School, music conservatory			
School, professional and vocational			
School, seminary and religious institute	C	C	C
Seasonal farm stand			
Studio, art			
Temporary use of closed schools and churches	C ²³	C ²³	C ²³
Theater, live performance			
Theater, movie			
Urban farm	P	P	P
Utility, building or structure	P ⁵	P ⁵	P ⁵
Utility, transmission wire, line, pipe or pole	P ⁵	P ⁵	P ⁵
Wireless telecommunications facility (see section 21A.40.090 , table 21A.40.090E of this title)			

Qualifying provisions:

1. A single apartment unit may be located above first floor retail/office.
2. Provided that no more than 2 two-family buildings are located adjacent to one another and no more than 3 such dwellings are located along the same block face (within subdivisions approved after April 12, 1995).
3. Must contain retail component for on-site food sales.
4. Reserved.
5. See subsection 21A.02.050B of this title for utility regulations.

6. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a design review.
7. Subject to conformance to the provisions in section 21A.02.050 of this title.
8. Subject to conformance with the provisions of subsection 21A.24.010S of this title.
9. Subject to conformance with the provisions in section 21A.36.300, "Alcohol Related Establishments", of this title.
10. In the RB Zoning District, the total square footage, including patio space, shall not exceed 2,200 square feet in total. Total square footage will include a maximum 1,750 square feet of floor space within a business and a maximum of 450 square feet in an outdoor patio area.
11. Accessory guest or servant's quarters must be located within the buildable area on the lot.
12. Subject to conformance with the provisions of section 21A.36.150 of this title.
13. Prohibited within 1,000 feet of a Single- or Two-Family Zoning District.
14. No large group home shall be located within 800 feet of another group home.
15. No small group home shall be located within 800 feet of another group home.
16. No large residential support shall be located within 800 feet of another residential support.
17. No small residential support shall be located within 800 feet of another residential support.
18. Large group homes established in the RB and RO Districts shall be located above the ground floor.
19. Small group homes established in the RB and RO Districts shall be located above the ground floor.
20. Large residential support established in RO Districts shall be located above the ground floor.
21. Small residential support established in RO Districts shall be located above the ground floor.
22. Subject to section 21A.36.130 of this title.
23. Subject to section 21A.36.170 of this title.
24. Subject to section 21A.36.030 of this title.