

Chapter 17.45  
R-3 OVERLAY ZONE

Sections

17.45.10	Purpose
17.45.20	Map
17.45.30	General Requirements for all R3 Overlay applications
17.45.40	Lot size, setbacks, and size limits
17.45.50	Lot frontage, width to depth ratio, and lot coverage
17.45.60	Accessory buildings, projections into yards, sport courts, and other requirements not listed in this chapter
17.45.70	Parking
17.45.80	Streets
17.45.90	Declaration of Covenants, Conditions, and Restrictions
17.45.100	Application submittal requirements

Section 17.45.010 Purpose

1. The purpose of the R3 Overlay zone is to provide for the opportunity to develop detached, single-family residential dwellings on the west of Geneva Road and east of 2000 West, within the Light Industrial and Mixed Commercial zones. These developments should be similar in character to other residential neighborhoods within Lindon, and also provide an opportunity for a component of housing oriented towards retirement age individuals. An additional objective of the R3 Overlay zone is to provide moderate income housing, as defined by the Utah State Code (10-9-307(2)(a)). Except as permitted by home occupations, commercial and industrial uses are not permitted if the R3 Overlay has been approved for a parcel within the overlay area.
2. The R2 Overlay zone also applies to any residential development established under the R3 Overlay. Neighborhood organizations,

homeowners associations, and and/or private citizens shall not be permitted to restrict the placement and construction of R2 Overlay projects. In specific neighborhoods and subdivisions through the use and implementation of Conditions, Covenants, and Restrictions and/or other types of restrictive legal documents. Such practices undermine Lindon City’s ability to provide for the housing needs of its citizens and prohibit attainment of established zoning requirements and General Plan Goals.

3. **NOTICE OF RIGHT TO**

**OPERATE** – Given that the R3 Overlay will be established in an area adjacent to Light Industrial and Mixed Commercial zones, notice is hereby given that all activities, operation of machinery, noises, dust, odors, hours of operation, etc. that are commonly associated with any adjacent Light Industrial, Mixed Commercial, agricultural, and other non-residential uses found in the area will be allowed to continue in a reasonable fashion consistent with the zoning standards in the Lindon City Code. Nuisance complaints received from residents within the R3 Overlay regarding ‘commonly associated non-residential activities’ consistent with the zone in which the nuisance originates will not be taken into consideration or acted upon. This notice shall be recorded on any plat approved within the R3 Overlay and shall be recorded on a separate document for each individual lot or property sold within any R3 development.

Section 17.45.020 Map

This division includes a map which defines the boundaries of the R3 Overlay Zone. This overlay is site-specific and does not apply to the entire City. Any expansion of this overlay area may only be permitted after recommendation from the Planning Commission and approval by the City Council.

Section 17.45.030 General requirements for all R3 Overlay applications.

Any development with the R3 Overlay zone is required to incorporate certain components and designs elements into the subdivision. The goal of these requirements is to allow some flexibility in design, while still incorporating desired goals and characteristics of Lindon City. The following elements are required for any development, whether only a portion of the R3 Overlay area, or development of the entire site:

1. Curvilinear Streets: To a reasonable extent, side streets not contained within the City's Master Street Plan shall be designed in a curvilinear fashion. Long, straight roadways are discouraged.
2. Parks and open space: Any R3 subdivision shall provide the equivalent of 4-acres of public park space per 1000 residents. Residents per household shall be determined according to the most recent U.S. Census Data for Lindon City. Retirement units shall be counted as having two (2) person per household. One public park area shall be a minimum of two (2) contiguous acres, which may require a combined effort to reserve this space should multiple developments occur within the overlay area. The minimum size for public park area is 0.5 contiguous acres (1/2 acre). Open space or

common areas smaller than 0.5 acres and not dedicated a 'public park space' will not count towards meeting the park acreage requirement, except pathway corridors connecting cul-de-sacs or adjacent streets may be counted towards the park space requirement and are exempt from the 0.5 acre minimum. Public access may not be denied to dedicated public park spaces within a retirement development. The City shall entertain possible waivers of park impact fees, waive park improvement requirements, or determine other methods of compensation for dedication of public park spaces within this development area. Under the direction and final approval of the City Council, DRC staff will negotiate any compensation terms for park dedication.

3. Retirement/Senior housing element: Any application for a subdivision shall provide approximately 10% of the buildable area as retirement community housing, but in no case shall the total number of retirement units in the entire R3 Overlay exceed fifty (50) units or cover more than nine (9) contiguous acres. The portion of retirement housing within any R3 development may be recorded as a separate plat, but must be reviewed, approved and recorded simultaneously with the single-family lots in other areas of the property being developed. The retirement housing shall be detached single-family style buildings, or twin-homes, and may be constructed as part of a home-owners association or designed with common areas around the dwellings. Each unit

shall be on an individual 5,000 square foot lot. Twin-homes may have common walls that are centered on a 'zero lot line.'

4. Pathways and Trails: Pathways connecting neighboring streets and connection of any development to regional trails is strongly encouraged in any design. When feasible with the design layout, a subdivision shall provide paved pathways connecting cul-de-sacs to through streets or connecting to other adjacent cul-de-sacs. If the length of a roadway exceeds hundred (800) feet between any connecting streets, a pathway shall be provided between the connecting streets to allow access to neighboring roadways. All pathways shall be within a minimum twenty (20) foot corridor with a ten (10) foot paved path that is centered or meandering in the corridor. Sides of the pathway within the corridor shall be landscaped with grass and irrigated with an underground sprinkler system. Pathway grades/slope, ADA access, and other design principles shall be approved by the City Engineer upon review of the subdivision plan.
5. Moderate Income Housing: All applications for a subdivision shall provide the following minimum number of homes as "moderate income housing" as defined by Utah State Code (10-9-307(2)(a)); At the time of first sale of the home to the "intended resident", at least twenty percent (20%) of the home sales on the 10,000 square foot lots shall be within the moderate income range, and thirty percent (30%) of the retirement housing shall be within this range. The term "sale" is interpreted as the final cost of the

home at the time of closing. The sale of additional units at or below the moderate income level is encouraged. An application shall provide documentation showing that each dwelling unit proposed as moderate income housing will meet the definition as per Utah State Code.

6. Compliance with Lindon City Code: Any proposal in the R3 Overlay Zone shall comply with the requirements of this Chapter and all other applicable Lindon City Code divisions.

Section 17.45.040 Lot size, Setbacks, and Height Limits

Any residential dwelling in the R3 Overlay shall maintain a minimum 20' setback to any adjacent non-residential zone. Any structure within a non-residential zone shall also be required to maintain a 20' setback to the R3 Overlay boundary line. In this way, any dwelling unit in the R3 Overlay will be setback at least 40' from any structure in a non-residential zone. A site-obscuring fence shall be installed by the R3 developer at the property line between any R3 Overlay area and a non-residential zone. The type and size of the site obscuring fence shall be approved by the Planning Commission and City Council during the review process. The minimum lot size for single-family lots shall be ten thousand (10,000) square feet. Minimum setbacks on the 10,000 square foot lots are measured from the property line and are as follows:

- Maximum Height – 35 feet
- Front Setback – 30 feet
- Rear Setback – 30 feet, except on a corner lot it shall be a minimum of 10 feet.
- Side Yard – 10 feet
- Street Side Yard - 30 feet, but may be decreased at the rate of one foot per

additional two feet of setback from the front lot line, except such side street setback shall not be less than twenty (20) feet.

The retirement housing minimum lot size shall be five thousand (5,000) square feet per unit. Minimum setbacks are as follows:

Maximum Height - 35 feet  
Front Setback - 20 feet  
Rear Setback - 20 feet, except on a corner lot it shall be a minimum of 10 feet

Side Yard - 7.5 feet  
Street Side Yard - 20 feet, but may be decreased at the rate of one foot per additional two feet of setback from the front lot line, except such side street setback shall not be less than ten (10) feet.

Zero lot line setbacks between units (common wall dwellings) may be established for twin-home style housing. All other retirement housing setbacks apply for twin homes.

Section 17.45.050 Lot Frontage, Width to Depth Ratio, and Lot Coverage.

All subdivision lots shall have a minimum lot frontage on a public road of fifty (50) feet or more, and shall not exceed a 1 to 3 width-to-depth ratio. Buildings shall not occupy more than forty percent (40%) of the total lot area.

Section 17.45.060 Accessory Buildings, Projections Into Yards, Sport Courts, and Other Requirements Not Listed in This Chapter

Accessory buildings are permitted as found in Chapter 17.44.140 of the Single Family Residential section of the code. For other requirements and standards, such as projections into side yards, sport courts, etc.

refer to Chapter 17.44 (Single Family Residential).

Section 17.45.070 Parking  
All lots in the R3 Overlay, including retirement lots, shall provide at least two (2) off street parking spaces that are not within the front yard or street-side yard setback area of the lot. (Ord. 2008-6, adopted 04/15/2008)

Section 17.45.080 Streets

- a. All streets within the R3 Overlay shall comply with city standards unless other street cross-sections are proposed as part of a development and approved by the City. DRC staff shall review any proposals for varied street cross-sections and should allow flexibility in design aspect related to parking, placement of street trees, and installation of parking strips between the sidewalk and street. Flexibility in the location of the right-of-way line and street width should also be considered.
- b. All driveways shall be paved with either concrete or asphalt.
- c. All streets that are shown on the Lindon City Master Street Plan shall be developed as public streets according to the size and general location shown on the Lindon City Master Street Plan. The Planning Commission and City Council have the authority to require streets in an R3 proposal to connect with other public streets outside the proposed project where such connection is found necessary for proper traffic circulation in the area. All streets in an R3 proposal shall be public streets dedicated to the City.

Section 17.45.090 Declaration of Covenants,

