

## **ARTICLE 10. RESIDENTIAL DISTRICTS**

### **Section 1. INTENT AND GENERAL PROVISIONS:**

The zoning of property to the Residential Districts is intended to provide for residential dwellings and accessory uses in neighborhoods which are compatible with the exurban-density and large-lot residential character of these Residential Districts. Property zoned to these Residential Districts should include only those tracts which abut or are in close proximity to existing large-lot, exurban-density single-family residential development and which have an established neighborhood character of single-family dwellings on lots containing at least the minimum acreage required for these districts. Land considered for these Residential Districts should also include only that land where public sanitary sewers are not planned to be provided within a reasonable period of time such as five (5) to seven (7) years due to its location or the conditions resulting from adjacent large-lot, exurban-density or low-density residential development. These districts are further established to govern the intensity and patterns of development for rural and residential uses in unincorporated Johnson County and to provide for efficiency in the provision of public facilities and services needed for developing areas in the County. The regulations for these districts are intended to provide protection for existing development while allowing for new construction in accordance with current development and performance standards and density objectives.

The uses permitted and development regulations for these districts are set forth in Sections 2 through 4 below.

### **Section 2. RESIDENTIAL LOW DENSITY DISTRICT (RLD):**

- A. Purpose: The zoning of property to the Residential Low Density District is intended to a). provide for the development of large-lot single-family residential neighborhoods that retain the character of a rural area with limited residential development. b). maintain and enable accessory limited garden uses, and c). to serve as a holding zone for lands where urban expansion may be proposed but is not yet appropriate due to inadequately available facilities or services. This district is suitable in locations where paved public roads, schools, central water supply with adequate capacity for domestic and reasonable fire fighting purpose as required by the County Fire Code, all usual residential utility services, and public safety services are readily available as required in the minimum infrastructure requirements in Article 31 of these regulations. This district is not suitable in all rural locations; it is inappropriate in areas predominantly agricultural in character where public facilities and services are adequate only to meet the needs of farm residences and farm operations. In general, this district is intended to have lots which are served by local or collector streets without fronting onto arterial streets unless such frontage would clearly be of an interim nature. This district is also intended to serve as a holding zone for lands where future urban expansion is possible but not yet appropriate due to inadequately available urban level facilities and services.
- B. Permitted Uses: In the Residential Low Density District, no building, structure, land, or premises shall be used and no building or structure hereafter shall be erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:
1. Permanent Single-family dwelling.
  2. Accessory buildings and uses customarily incidental to single-family uses and as set out in Article 18.
  3. Home occupations as set out in Article 18.

4. Neighborhood parks, playgrounds, and community buildings open to residents of the neighborhood.
  5. Supplementary Uses as set out in Article 16.
- C. Conditional Uses and Special Permits: Certain uses may be allowed in the Residential Low Density District by Conditional Use Permit or Special Permit. See Article 23 and Article 33.
- D. Height Area and Bulk Regulations:
1. Height Regulations:
    - a. Maximum height of residences: forty (40) feet.
    - b. Maximum height of accessory structures: thirty (30) feet.
  2. Yard Regulations:
    - a. Front Yard: The depth of the front yard shall be at least fifty (50) feet. The required front yard setback shall be provided and maintained from all street frontages. A front setback of at least one hundred (100) feet is recommended for residential structures if the adjoining roads do not have a dust-free surface.
    - b. Side Yard: There shall be a side yard of at least twenty-five (25) feet on each side of a lot.
    - c. Rear Yard: There shall be a rear yard of at least twenty-five (25) feet.
  3. Minimum Lot Dimensions: The minimum depth of a lot and the lot depth to width ratio shall comply with the provisions in the subdivision regulations. The minimum width of a lot shall be one hundred fifty (150) feet.
  4. Minimum Lot Area: Every dwelling hereafter erected, constructed, reconstructed, moved or altered shall have a lot area of not less than three (3) acres.
  5. Supplementary Height, Area and Bulk Regulations: As set out in Article 17.
- E. Parking Regulations: Two (2) off-street parking spaces shall be provided on the premises for each dwelling unit. See Article 19, Off-Street Parking Requirements.
- F. Sign Regulations: See Article 20, Sign Regulations.
- G. Minimum Infrastructure: After the effective date of these regulations, within this zoning district, all Minimum Infrastructure Requirements set forth in Article 31 shall be met prior to rezoning or development of any site in the Residential Low Density District. Compliance with the highly recommended infrastructure factors established by Article 31 shall also be required unless the applicant can show good cause why the highly recommended infrastructure factors should not be provided and that a waiver should be allowed in accordance with Section 2 (E) of Article 31. See Minimum Infrastructure Requirements in Article 31 of these regulations.

**Section 3. RESIDENTIAL NEIGHBORHOOD TWO DISTRICT (RN-2):**

- A. Purpose: The zoning of property to the Residential Neighborhood Two District is intended to provide for the development of exurban-density single-family residential neighborhoods that

retain the character of a rural area yet allow an influx of residential development at densities greater than those in low-density residential districts but lesser than the densities in the residential neighborhood one districts. This district is suitable in locations where paved public roads, schools, central water supply with adequate capacity for both domestic and fire fighting purposes, all usual residential utility services, and public safety services are readily available as required by the minimum infrastructure requirements in Article 31 of these regulations. This district is not suitable in all locations; it is inappropriate in areas predominantly agricultural in character where public services and facilities are adequate only to meet the needs of farm residences and farm operations. Lots in this district shall be served by local or collector streets and shall not front onto arterial streets unless such frontage would clearly be of an interim or temporary nature or is found to be unavoidable with respect to sound subdivision layout considerations. This district is also intended to serve as an interim zone for lands where future urban expansion is possible but not yet appropriate due to inadequately available urban level facilities and services.

- B. Permitted Uses: In the Residential Neighborhood Two District, no building, structure, land, or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:
1. Permanent Single-family dwelling.
  2. Accessory buildings and uses customarily incidental to single-family uses and as set out in Article 18.
  3. Home occupations as set out in Article 18.
  4. Parks, playgrounds and neighborhood buildings open to residents of the neighborhood.
  5. Supplementary uses as set out in Article 16.
- C. Conditional Uses and Special Permits: Certain uses may be allowed by Conditional Use Permit or Special Permit. See Article 23 and Article 33.
- D. Height Area and Bulk Regulations:
1. Height Regulations:
    - a. Maximum height of residences: forty (40) feet.
    - b. Maximum height of accessory structures: thirty (30) feet.
  2. Yard Regulations:
    - a. Front Yard: The depth of the front yard shall be at least fifty (50) feet. The required front yard setback shall be provided and maintained from all street frontages.
    - b. Side Yard: There shall be a side yard of at least twenty-five (25) feet on each side of a lot.
    - c. Rear Yard: There shall be a rear yard of at least twenty-five (25) feet.
  3. Minimum Lot Dimensions: The minimum depth of a lot and the lot depth to lot width ratio shall comply with the provisions in the subdivision regulations. The minimum width of a lot shall be one hundred (100) feet.

4. Minimum Lot Area: Every dwelling hereafter erected, constructed, reconstructed, moved or altered shall have a lot area of not less than two (2) acres.
  5. Supplementary Height, Area and Bulk Regulations: As set out in Article 17.
- E. Parking Regulations: Two (2) off-street parking spaces shall be provided on the premises for each dwelling unit. See Article 19, Off-Street Parking Requirements.
  - F. Sign Regulations: See Article 20, Sign Regulations.
  - G. Minimum Infrastructure: After the effective date of these regulations, within this zoning district, all Minimum Infrastructure Requirements set forth in Article 31 shall be met prior to rezoning or development of any site in the Residential Neighborhood Two District. Compliance with the highly recommended infrastructure factors established by Article 31 shall also be required unless the applicant can show good cause why the highly recommended infrastructure factors should not be provided and that a waiver should be allowed in accordance with Section 2 (E) of Article 31. See Minimum Infrastructure Requirements in Article 31 of these regulations.

**Section 4. RESIDENTIAL NEIGHBORHOOD ONE DISTRICT (RN-1):**

- A. Purpose: The zoning of property to the Residential Neighborhood One District is intended to provide for the development of exurban -density single-family residential neighborhoods that retain the character of a rural area yet allow an influx of residential development. This district is suitable in locations where paved public roads, schools, central water supply with adequate capacity for both domestic and fire fighting purposes, all usual residential utility services, and public safety services are readily available as required by the adequate infrastructure requirements in Article 31 of these regulations. This district is not suitable in all locations; it is inappropriate in areas predominantly agricultural in character where public services and facilities are adequate only to meet the needs of farm residences and farm operations. Lots in this district shall be served by local or collector streets and shall not front onto arterial streets unless such frontage would clearly be of an interim or temporary nature or is found to be unavoidable with respect to sound subdivision layout considerations. This district is also intended to serve as an interim zone for lands where future urban expansion is possible but not yet appropriate due to inadequately available urban level facilities and services.
- B. Permitted Uses: In the Residential Neighborhood One District, no building, structure, land, or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:
  1. Permanent Single-family dwelling.
  2. Accessory buildings and uses customarily incidental to single-family uses and as set out in Article 18.
  3. Home occupations as set out in Article 18.
  4. Parks, playgrounds and neighborhood buildings open to residents of the neighborhood.
  5. Supplementary uses as set out in Article 16.
- C. Conditional Uses and Special Permits: Certain uses may be allowed by Conditional Use Permit or Special permit. See Article 23 and Article 33.

D. Height Area and Bulk Regulations:

1. Height Regulations:

- a. Maximum height of residences: thirty-five (35) feet.
- b. Maximum height of accessory structures: twenty-five (25) feet.

2. Yard Regulations:

- a. Front Yard: The depth of the front yard shall be at least fifty (50) feet. The required front yard setback shall be provided and maintained from all street frontages.
- b. Side Yard: There shall be a side yard of at least twenty-five (25) feet on each side of a lot.
- c. Rear Yard: There shall be a rear yard of at least twenty-five (25) feet.

3. Minimum Lot Dimensions: The minimum depth of a lot and the lot depth to lot width ratio shall comply with the provisions in the subdivision regulations. The minimum width of a lot shall be one hundred (100) feet.

4. Minimum Lot Area: Every dwelling hereafter erected, constructed, reconstructed, moved or altered shall have a lot area of not less than one (1) acre.

5. Supplementary Height, Area and Bulk Regulations: As set out in Article 17.

E. Parking Regulations: Two (2) off-street parking spaces shall be provided on the premises for each dwelling unit. See Article 19, Off-Street Parking Requirements.

F. Sign Regulations: See Article 20, Sign Regulations.

G. Minimum Infrastructure: After the effective date of these regulations, within this zoning district, all Minimum Infrastructure Requirements set forth in Article 31 shall be met prior to rezoning or development of any site in the Residential Neighborhood One. Compliance with the highly recommended infrastructure factors established by Article 31 shall also be required unless the applicant can show good cause why the highly recommended infrastructure factors should not be provided and that a waiver should be allowed in accordance with Section 2 (E) of Article 31. See Minimum Infrastructure Requirements in Article 31 of these regulations.