
Chapter 6

Single-Family Residential Zoning Districts

Section 6.01 Purpose

The Single-Family Residential Districts are designed to provide for a wide range of single-family residential land use areas. The purpose of these Districts is to protect the stability of existing neighborhoods and to encourage desirable new residential developments, encompassing the many lifestyles and areas of the Town, from large-lot development to cluster development. It is also the intent of these Districts to accommodate the needs of single-family residential neighborhoods by providing for associated, limited, nonresidential uses, including religious, educational and recreational facilities. The Single-Family Residential Districts are further delineated in the following categories:

A. Low-Density Residential Districts:

1. R1-190. Single-Family Residential Zoning District – 190,000 Square Feet Per Dwelling Unit: The principal purpose of the zoning district is to conserve and protect open space land uses, foster orderly growth in steep topography, and prevent urbanization of significant topographic areas with native desert vegetation. The primary purpose of requiring large minimum lots not less than one hundred ninety thousand (190,000) square feet in area is to discourage small lot or residential subdivisions where public facilities such as water, sewage disposal, parks, and playgrounds, and governmental services such as police and fire protection are not as readily available or could not reasonably be made available. Principal uses permitted in this zoning district include both low-density single-family residential, recreational and institutional uses.
 2. R1-43. Single-Family Residential District – One-Acre Per Dwelling Unit: The principal purpose of this zoning district is to foster orderly low-density growth and prevent urban land use conflicts; but when governmental facilities and services, public utilities and street access are available, or can reasonably be made available, applications for change of this zoning district to any other single-family residential zoning district will be given favorable consideration.
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3. R1-35. Single-Family Residential Zoning District – 35,000 Square Feet Per Dwelling Unit: The principal purpose of this Zoning District is to conserve and protect single-family residential development where minimum lots of not less than thirty-five thousand (35,000) square feet in area are suitable and appropriate, taking into consideration existing conditions, including present use of land, present lot sizes, future land use needs, and the availability of public utilities. Principal uses permitted in this Zoning District include single-family dwellings, churches, schools, parks, playgrounds and other community facilities.

4. R1-35H. Single-Family Residential Hillside Zoning District – 35,000 Square Feet per Dwelling Unit: The principal purpose of this Zoning District is to conserve and protect single-family residential development where minimum lots of not less than thirty-five thousand (35,000) square feet in area are suitable and appropriate, taking into consideration existing hillside conditions, including present use of land, present lot sizes, future land use needs, hillside preservation, and the availability of public utilities. Principal uses permitted in this Zoning District include single-family dwellings, churches, schools, parks, playgrounds and other community facilities.

B. Medium Density Residential:

1. R1-18. Single-Family Residential Zoning District – 18,000 Square Feet Per Dwelling Unit: The principal purpose of this Zoning District is to conserve and protect single-family residential development where minimum lots of not less than eighteen thousand (18,000) square feet in area are suitable and appropriate, taking into consideration existing conditions, including present use of land, present lot sizes, future land use needs and the availability of public utilities. Principal uses permitted in this Zoning District include single-family dwellings, churches, schools, parks, playgrounds and other community facilities.

2. R1-10. Single-Family Residential Zoning District – 10,000 Square Feet Per Dwelling Unit: The principal purpose of this Zoning District is to conserve and protect single-family residential development where minimum lots of not less than ten thousand (10,000) square feet in area are suitable and appropriate, taking into consideration existing conditions, including present use of land, present lot sizes, future land use needs, and the availability of public utilities. Principal uses permitted in this Zoning District include single-family dwellings, churches, schools, parks, playgrounds and other community facilities.

3. R1-10A. Single-Family Residential Zoning District – 10,000 Square Feet Per Dwelling Unit: The principal purpose of this Zoning District is to conserve and protect single-family

residential development where minimum lots of not less than ten thousand (10,000) square feet in area are suitable and appropriate taking into consideration existing conditions, including present use of land, present lot sizes, future land use needs and the availability of public utilities. Principal uses permitted in this Zoning District include single-family dwellings, churches, schools, parks, playgrounds and other community facilities.

4. R1-8. Single-Family Residential Zoning District – 8,000 Square Feet Per Dwelling Unit: The principal purpose of this Zoning District is to conserve and protect single-family residential development where minimum lots of not less than eight thousand (8,000) square feet in area are suitable and appropriate taking into consideration existing conditions, including present use of land, present lot sizes, future land use needs, and the availability of public utilities. Principal uses permitted in this Zoning District include single-family dwellings, churches, schools, parks, playgrounds and other community facilities.

5. R1-8A. Single-Family Residential Zoning District – 8,000 Square Feet Per Dwelling Unit: The principal purpose of this Zoning District is to conserve and protect single-family residential development where minimum lots of not less than eight thousand (8,000) square feet in area are suitable and appropriate taking into consideration existing conditions, including present use of land, present lot sizes, future land use needs and the availability of public utilities. Principal uses permitted in this Zoning District include single-family dwellings, churches, schools, parks, playgrounds and other community facilities.

6. R1-6. Single-Family Residential Zoning District – 6,000 Square Feet Per Dwelling Unit: The principal purpose of this Zoning District is to conserve and protect single-family residential development where minimum lots of not less than six thousand (6,000) square feet in area are suitable and appropriate taking into consideration existing conditions, including present use of land, present lot sizes, future land use needs and the availability of public utilities. Principal uses permitted in this Zoning District include single-family dwellings, churches, schools, parks, playgrounds and other community facilities.

7. R1-6A. Single-Family Residential Zoning District – 6000 Square Feet Minimum Per Dwelling Unit: The principal purpose of this Zoning District is to conserve and protect single-family residential development where minimum lots of not less than four thousand, five hundred (4,500) square feet in area are suitable. Additional useable open space within the platted subdivision must be provided, so that when the lot areas and the useable open space are combined, they will result in not less than six thousand (6,000) square feet in

area per dwelling unit. This Zoning District may be designated in areas that are suitable and appropriate when taking into consideration the existing conditions, including present use of land, present lot sizes, future land use needs and the availability of public utilities. Principal uses permitted in this Zoning District include single-family dwellings, churches, schools, parks, playgrounds and other community facilities.

Section 6.02 Permitted Uses

"P" designates use classifications permitted in the Residential District.

"SUP" designates use classifications permitted on approval of a Special Use Permits.

"--" designates use not allowed in that zoning district.

"TUP" designates use classifications permitted on approval of a Temporary Use Permit.

"(x)" a number in parentheses refers to footnotes following the table.

Table 6.02 Uses Permitted in Single-Family Residential Zoning Districts

Land Use Category (See Sec. 1.13)	Zoning Districts	Zoning Requirements
	R1-190, R1-43, R1-35H, R1-35, R1-18, R1-10, R1-10A, R1-8, R1-8A, R1-6, R1-6A	
A. Open Space		
Golf Course	P (1)	
Parks and Nature Preserves	P	
B. Agricultural		
Corrals	P (R1-190, R1-43, R1-35H, and R1-35 only)	Sec. 6.04 A.
C. Residential		
Community Residence	P	Sec. 15.13
Single Residence		

Detached	P	Sec. 6.04 B. & C.
D. Public/Quasi-Public		
Community and Cultural Activities	P	
Educational Facilities		
Primary and Secondary Schools	P	
Parks and Recreation Facilities	P	
Place of Worship	P (2)	
Protective Services	P	
F. Commercial		
Child/Adult Day Care Facility	TUP	Sec. 6.04 D.
Schools, private		
Primary and Secondary Schools	P(3)	
H. Utilities		
Utility Services	P (4)	
I. Accessory		
Guest House	P (5)	Sec. 15.06 H.
Home Day Care Center	P	Sec. 6.04 E.
Home Occupation	P	Sec. 15.14
Master-Planned Village Sales and Information Center	TUP	Sec. 6.04 F.
Model Home	TUP	Sec. 6.04 G.
Swim School	TUP	Sec. 6.04 H.
Wireless Communication Towers and Equipment	P	Chapter 24

(1) Includes clubhouses but not miniature golf courses.

(2) Includes accessory columbaria provided that the building area of the columbaria shall not exceed ten (10) percent of the total building area of the church buildings.

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- (3) Private schools allowed if they have curricula substantially the same as customarily offered in public schools.
 - (4) Not including offices, wastewater treatment plants, generating plants, and wireless communication towers and antennas, unless otherwise specifically permitted elsewhere in this ordinance.
 - (5) May not be used for any commercial or non-residential use and cannot be owned separately from the principal building.

Section 6.03 Prohibited Uses

Except for items listed above, nonresidential uses or activities of property or dwellings and associated structures are prohibited.

Section 6.04 Specific Regulations

A. Corrals for the keeping of horses are permitted in the R1-190, R1-43, R1-35H, and R1-35 Zoning Districts provided such corrals are located in the rear yard, set back from all lot lines a distance of not less than forty (40) feet and contain at least twenty thousand (20,000) square feet of area for each horse kept therein. The keeping of horses on properties located in residential Zoning Districts in other than permitted corral areas is prohibited.

B. In order to ensure that homes being built in single-family zoned neighborhoods qualify to be considered single-family dwellings, the following provisions shall apply:

1. The front facade of the dwelling should not include mirror images of each half of the building, especially with the placement and orientation of multiple two-car garages and points of entry.
 2. *Kitchens.* If a dwelling unit includes more than one area indoors for the preparation of food (a kitchen), one kitchen must be designated on the building plans as the primary kitchen and the total countertop area, including islands, devoted to other indoor area(s) for preparation of food can be no more than half the square footage of countertop area in the designated primary kitchen.
 3. *Floor Plan, Except as Allowed for Guest Houses.* All conditioned space within the dwelling must be fully accessible from all other areas within the dwelling without having to go outside. No fire rated walls can separate one part of the dwelling from another.
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C. A plan for a single-family dwelling shall not be approved as a single-family dwelling:

1. If it is designed with more than one distinct living area when each area contains at least six of the following:

- a. Bedroom(s);
- b. Three-quarter or larger bathroom(s);
- c. Laundry room;
- d. Kitchen or area for food preparation;
- e. Separate water heater;
- f. Separate, direct access from:
 - i. The front side of the property, or
 - ii. The garage;
- g. Separate HVAC system with thermostats;
- h. Electrical service from subpanels are aligned with the distinct living areas of the dwelling.

2. The above limitation shall not apply to:

- a. Guest houses meeting the requirements of large accessory structures; or
- b. Designs when one of the living areas is less than thirty percent (30%) of the size of the livable area of the dwelling unit.

D. Child/Adult Day Care Facilities. A day care center for the care of more than five (5) people is permitted by temporary use permit only. A day care center for the care of more than five (5) people may be operated in Single-Family Residential Zoning Districts with the following minimal stipulations:

1. The Day Care Operator must reside in the house. If a nonresidential facility is legally used for another purpose, such as a church building, this requirement may be waived.
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2. No more than ten (10) nonresidents may be cared for in a residential structure.
 3. Only one (1) nonresident employee may be allowed and one (1) additional on-site parking space shall be required for this employee.
 4. One non-tandem parking space shall be required for each five (5) persons, or fraction thereof, allowed in the day care center.
 5. Only one sign not to exceed two (2) square feet in size and mounted flatly on the wall of the residence shall be permitted.
 6. The play yard must be fenced with a minimum five (5) foot high fence.
 7. No playground equipment, ornamental figures, or designs denoting a Day Care Center shall be allowed in front of the front plane of the principal building.
 8. Any Day Care Center with a swimming pool or other applicable body of water as defined in Section 5.09 D. of this Ordinance must meet the requirements for a pool enclosure described in that Section.
 9. Any Day Care Center, which cares for more than five people, shall be required to have a valid Fountain Hills Business License and be licensed by the State of Arizona.

E. Home Day Care Center in an operator's residence, with no swimming pool, for five (5) or less people, operation only between the hours of 6:00 A.M. and 8:00 P.M. No signage or other evidence of a day care center is permitted. One additional off-street parking space is required. Any operation of a day care center prior to 6:00 A.M. and after 8:00 P.M. is permitted only by a special use permit.

F. Master-Planned Village Sales and Information Center: The developer of a master-planned village may operate a master-planned village sales and information center within a residentially zoned area by temporary use permit only. In the review for a master-planned village sales and information center temporary use permit, the staff may consider lighting, landscaping, hours of operation, signage, parking, duration, and neighborhood impact. At a minimum, the following standards shall apply:

1. On-site sales personnel must be present at least five (5) days a week during normal business hours. In no case shall the center be open before 7:00 A.M. or after 9:00 P.M.
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2. The center shall be for the purpose of marketing the specific master-planned village, the sale of lots in the master-planned village and the distribution of material concerning the attributes of the Town and surrounding areas. The office may not be used as an office for the sales of houses, the resale of lots, subdivisions with model homes, or property outside of the master-planned village. The sale of country club memberships within the master-planned village is permitted as an accessory use only if the master-planned village has such a country club.
 3. There shall be at least twenty (20) off-street parking stalls provided.
 4. The center must be a permanent structure that meets the adopted building codes of the Town.
 5. There shall be no more than one such center in the master-planned village.
 6. The center shall be removed upon termination of the temporary use permit or the completion of the master developer's marketing activities, whichever comes first.
 7. Signage shall be in conformance with Chapter 6 of this ordinance.
 8. There shall be a landscape buffer of at least one hundred fifty (150) feet between the sales and information center and any occupied residential structures.
 - a. Landscaped areas shall include an approved mixture of drought tolerant or other plant materials, and organic and nonorganic ground cover materials. Landscaping shall consist of one (1) plant for each twenty (20) square feet of landscape area. At least twenty-five (25) percent of the plants shall be 15 gallon or greater plants and the remaining plants must be at least five (5) gallon plants. The approval of the above mixture of landscape materials shall be by the Zoning Administrator with appeal to the Planning and Zoning Commission.
 - b. An automatic irrigation system shall be provided and maintained to all landscaped areas requiring water.
 - c. All landscaped areas adjacent to vehicular parking and access areas shall be protected by six (6) inch vertical concrete curbing in order to control storm water flows and minimize damage by vehicular traffic.
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G. Model Homes: Model Homes may be permitted in a single-family residential area by Temporary Use Permit only. In the review for a model home, the staff may consider lighting, landscaping, hours of operation, signage, parking, duration, and neighborhood impact. At a minimum, the following standards shall apply:

1. On-site sales personnel must be present at least five days a week during normal business hours. In no case shall a model home be open before 7:00 A.M. or after 9:00 P.M.
2. The model home shall be for the purpose of marketing the construction of custom or tract homes with a given product line in Fountain Hills. A model home may not be used as an office for the marketing of developed property, or the marketing of property outside of Fountain Hills.
3. An off-street parking stall for each person stationed on site, plus two spaces shall be provided. Parking lots for model homes may be located on an adjacent lot owned by the owner of the model home.

H. Swim School: Swim schools may be permitted in residential zones by temporary use permit only. At a minimum, the following standards shall apply:

1. The swim school shall operate from a single-family dwelling unit. The operation of the swim school shall not change the residential character of the dwelling unit.
 2. All employees of the swim school shall be members of the immediate family residing in the dwelling unit where the swim school is being operated, except that one employee may be a nonresident.
 3. The area used for a swim school shall not exceed:
 - a. Thirty (30) percent of the area of the rear yard; and,
 - b. Twenty-five (25) percent of the gross floor area of the dwelling.
 4. Customer trip generation shall not exceed twenty (20) trips a day.
 5. No signs identifying the business or any commercial project or service are allowed.
 6. Any pool used for a swim school shall be fenced in accordance with subsection 5.09(D) of this ordinance, as may be amended from time to time.
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7. Other related activities, including, but not limited to, pool parties and aerobics instruction, are not allowed.

Section 6.05 General Provisions

The general provisions in Chapter 15 herein shall apply.

Section 6.06 Signs

The sign regulations in Chapter 16 herein shall apply.

Section 6.07 Parking and Loading

The parking and loading regulations in Chapter 17 herein shall apply.

Section 6.08 Outdoor Lighting

The outdoor lighting provisions in Chapter 18 herein shall apply.

Section 6.09 Plan Review

The site plan provisions of Chapter 2, Section 2.04, herein shall apply.

Section 6.10 Density, Area, Building and Yard Regulations

Table 6.10 specifies the minimum lot sizes, minimum lot width, maximum building heights, minimum yard setbacks and maximum lot coverage percentages, and distance minimum between buildings.

Table 6.10 Density, Area, Building, and Yard Regulations

District	Area (Sq. Feet)	Width (Feet)	Bldg. Height (Feet) ^f	Minimum Yard Setbacks (Feet)				Lot Coverage	Distance Between Bldgs. (Feet)
				Front ^f	Side	Street Side	Rear		
R1-190	190,000	300	30	60	30	60 ^d	60	5%	6
R1-43	43,560	145	30	40	30	40 ^d	40	20%	6
R1-35	35,000	145	30	40	20	20	40	20%	6
R1-35H	35,000	145	30	20	20	20 ^d	40	20%	6
R1-18	18,000	120	30	20	10	20 ^d	30	25%	6
R1-10	10,000	80	30	20	7	20 ^{d,g}	25	30%	6
R1-10A	10,000	80 ^a	30	20	7	20 ^{d,g}	20	40%	6
R1-8	8,000	80	30	20	7	20 ^{d,g}	25	35%	6
R1-8A	8,000	80 ^a	30	20 ^{b,d,e}	7	20 ^{d,g}	20	40%	6
R1-6	6,000	60	30	20	5	20 ^{d,g}	25	40%	6
R1-6A	6,000 ^c	60 ^a	30	20 ^b	5	20 ^{d,g}	10	50%	6

a Flag lots permit a 30-foot width provided there are no more than two flag lots adjoining each other.

b A side entry garage is allowed a 10-foot setback.

c An approved P.U.D. permits lots no smaller than 4,500 square feet, provided there is 1,500 square feet of useable common open space per lot or a combination thereof. Lots larger than 4,500 square feet may have less than 1,500 square feet of common useable open space per lot if the combination of lot size and the common useable open space is at least 6,000 square feet per lot.

d Or building height, whichever is greater.

e A garage positioned at a 45-degree angle or greater from the front property line must be set back at least 15.

f Lots on which the house footprint has an average natural slope in excess of equal to or greater than thirty percent (30%) are permitted to utilize the modified front setback and height standards for canyon-side lot, as determined pursuant to Section 15.10.

g For corner lots, extensions to a nonconforming structure on the street side yard may encroach into the required minimum building setback line if the extension is at or behind the existing wall plane of the adjoining structure, but shall be no closer than 10 feet to the property line, or the height of the extension, whichever is greater.