

SPECIAL PROVISIONS



Article 50. Specific Standards for Residences, Residential Accessory Buildings and Uses, and Related Uses

Sec. 8-5.5001. Standards for Certain Permitted Uses.

In any district that permits a residence, the following types of accessory buildings and uses are permitted if the required standards are met.

A. Keeping of animals and other creatures.

1. **On lots of one half acre or less**, the keeping of chicken hens (no roosters), rabbits, guinea pigs, or similar small animals, not exceeding a combined total of 12 in number (excluding the offspring thereof, up to the age of 6 months), may be kept for home enjoyment or consumption, subject to the provisions of other applicable laws. No hooved animals are permitted, except 2 pot bellied pigs are allowed as pets.
2. **On lots exceeding one half acre**, the keeping of animals listed above in numbers exceeding those listed or keeping of other types of livestock shall be permitted with an approved use permit. Such animals housed in pens or buildings shall not be nearer than 35 feet to any lot line and not nearer than 40 feet from a residence.
3. **Kennels** are not permitted in residential districts.

4. **Beehives** are only permitted within the City limits on a temporary basis when used in conjunction with a bona fide agricultural operation for which bees are needed for pollination of trees within the City.

B. Garage/yard sales.

Garage/yard sales are allowed when involving the sale of common household goods, primarily owned by the resident, for a duration not to exceed 3 days, nor more frequently than 2 times per year per residence. On-site signs are permitted. Off-site signs are permitted pursuant to Sec. 8-5.6306 (F) of this chapter. If illegal off-site signs are posted in the vicinity of the garage/yard sale, the person or persons operating the garage/yard sale at the location indicated on the sign shall be held responsible for the posting of the prohibited sign(s).

C. Residential accessory buildings (including guest houses).

In addition to the standards established by the district in which the building is located, the following standards apply:

1. Unless otherwise provided for in this chapter residential accessory buildings are subject to lot coverage requirements.
2. A residential accessory building cannot be constructed prior to the main building on the lot.
3. No accessory building, except garages or carports, may encroach on the front 1/2 of any lot or be within 50 feet of the front property line, whichever is less.
4. Height limits/yard reductions –

a. Type of Building	Building Height (maximum)	Minimum Rear Yard	Minimum Side Yard
Children's Playhouse	8	0 ⁽¹⁾	0 ⁽¹⁾
Storage Shed	8	0 ⁽¹⁾	0 ⁽¹⁾
Accessory Building	10 ft.	5 ft. ⁽²⁾	5 ft.
	15 ft.	10 ft.	5 ft.
	20 ft.	Outside Rear Yard	5 ft.

(1) Within a required interior side or rear yard one building used exclusively as a storage shed and one structure for a children's playhouse is permitted, and not subject to lot coverage limitations, provided:

- i. Each has a roof area of less than 120 square feet;

- ii. Each does not exceed 8 feet in height; and
- (2) For those lots that back onto a General Plan street with a City maintained landscape strip the height of an accessory building shall not exceed 8 feet when located within 10 feet of the rear lot line.

D. Patio covers in yard areas.

A patio cover may encroach into the rear yard of a one-family or two-family residential unit, and not be subject to lot coverage limitations, provided:

1. The patio cover remains open from the ground to the roof except screening on all sides not attached to the main building.
2. The patio cover is attached to the main building or meets the minimum 6 foot separation required for accessory buildings.
3. The patio cover may encroach a maximum of 10 feet into the required rear yard, provided:
 - a. The support posts for the patio cover shall be a minimum of 10 feet from the rear property line and the eaves on the patio cover shall not extend more than 2 feet beyond that;
 - b. The minimum side yard standard shall be maintained;
 - c. The width of the patio cover shall not exceed 1/2 the width of the main building;
 - d. Only shed-type of flat roofs shall be allowed for patio covers, with a maximum eave height of 9 feet.

E. One-family residence - Zero lot line.

1. Must meet residential density standards of the General Plan.
2. Must be part of a project designed for this type of development. The building footprints of the residences must be approved as part of the subdivision map.
3. The opposite side yard must be a minimum of 10 feet wide (R-1 District only).
4. No more than 2 units attached to each other.

5. Minimum lot size	R-1	R-2
interior	3,500 sq. ft.	3,000 sq. ft.
corner	4,000 sq. ft.	3,500 sq. ft.
6. Minimum lot width	R-1	R-2
interior	35 ft.	30 ft.
corner	40 ft.	35 ft.

F. Second Residence in the R-1 District.

1. Second units shall be allowed only in the R-1 District.
2. The property owner shall reside in the primary residence.
3. The second unit may be an attached addition to an existing single-family home, a conversion of existing space within a single-family home or a detached unit on the same lot meeting setback requirements. If a mobile home is used as the second unit, it shall comply with the Performance Standards for Mobile homes in a Residential District as specified by Sec. 8-5.5002 (A).
4. If second unit is attached to the primary residence, its size shall not exceed 50 percent of the living area or floor area of the primary residence and in no case shall the second unit exceed 1,200 square feet of living area.
5. The second unit shall meet the parking requirements for second units found in Section 8-5.6102 (A).
6. Parking in the front yard setback shall not be allowed.
7. The design and exterior finish of the second unit shall be reasonably similar to the existing primary residence in architectural style, color, exterior materials, and roofing color, materials and design.
8. The second unit shall have a separate entryway.

Sec. 8-5.5002. Standards for Uses Requiring a Zoning Clearance.

A. Use of a mobile home as a one-family residence.

A mobile home may be placed upon any lot as a one-family residence within any residential district which allows one or two family residences as a permitted use, provided the mobile home meets the following standards:

1. The mobile home shall be certified under the National Mobile home Construction and Safety Act of 1974;
2. The mobile home shall be placed upon a permanent foundation approved by the Building Department;

3. The mobile home has a minimum width of 20 feet;
4. The mobile home is covered with an exterior material compatible to residential structures in the surrounding area;
5. The exterior covering material extends to the ground. If a solid concrete or masonry perimeter foundation is used, the exterior covering material need not extend more than 3 inches below the top of the foundation. Alternative skirting materials, customarily used in conventional residential structures, will be considered compatible;
6. The roofing material is composition shingles or other materials customarily used on conventional residential structures in the surrounding area;
7. The roof has a pitch of not less than 2.5 inches of vertical rise for each 12 inches of horizontal run;
8. The roof has eaves and gable overhangs of not less than one foot measured from the vertical side of the mobile home or what is customarily found on conventional residential structures in the surrounding area;
9. The mobile home has an enclosed attached garage or a carport, if they are customarily found with conventional residential structures in the surrounding area;
10. The exterior covering material of the garage or carport is the same as the mobile home;
11. The finished floor is a maximum of 25 inches above the exterior finish grade of the lot;
12. The facade which fronts on the street is designed with sufficient detail to make it visually compatible with conventional residential structures in the area.

B. Home occupations.

A home occupation may be conducted in any residential district subject to the following conditions:

1. The residential use remains the primary activity on the property;
2. The activity is limited to one customer on the premises at a time for which off-street parking shall be provided in addition to that required for the residential use;
3. It involves no sale of merchandise other than that produced on the premises or merchandise directly related to the business and incidental to the services offered;

4. It is carried on by the members of the family occupying the dwelling, with no other persons employed on-site;
5. It produces no exterior evidence of its existence beyond the premises, including but not limited to outdoor storage, noise, smoke, odors and vibrations;
6. No external signage relative to the business shall be allowed;
7. If the residence is not owner occupied, property owner authorization for the home occupation is provided;
8. There shall be no outdoor storage of building materials, machinery, equipment or other materials related to the home occupation;
9. The repair of autos, trucks, motorcycles, boats, trailers and similar equipment is specifically prohibited as a home occupation.

Home occupations that allow more than one customer at a time may be approved with a use permit (Sec. 8-5.7003) provided that the Planning Commission finds that the added traffic will not adversely impact the neighborhood and that adequate off-street parking is provided.

C. Model homes.

Model homes with sales offices and temporary information/sales trailers are permitted in new residential subdivisions, provided the following criteria are met:

1. A site plan shall be submitted to the Planning Department showing the location of all model homes and temporary information/sales trailers, signage (Sec. 8-5.6306 (K)), identification flags (Sec. 8-5.6306 (L)) and fencing proposed;
2. A temporary information/sales trailer may be used during the construction of the model homes for a maximum period of 6 months;
3. Real estate sales shall be limited to properties within the subject subdivision;
4. Prior to the sale of any of the subject models as a single-family residence, any portion used for commercial purposes shall be converted to its intended residential purpose;
5. The zoning clearance (Sec. 8-5.7002) shall be valid for a term period of 3 years or until completion of the sale of lots/residences, whichever comes first. One year extensions may be approved by the Planning Director until the sale of all lots/residences is completed.

Sec. 8-5.5003. Standards for Uses Requiring Use Permits.

- A. Deleted.

B. Locational criteria for churches.

In order to ensure compatibility between churches and neighboring one-family residential development, churches located in an R-1 or R-2 Districts must meet the following criteria, in addition to any conditions imposed as part of the use permit approval:

1. Churches must be located on a lot that is either:
 - a. contiguous with a multiple family, commercial, industrial or public district; or
 - b. has primary frontage on a collector or arterial street, as designated by the General Plan.
2. Vehicle access to the church parking lot should be as near as feasible, or directly onto, a collector or arterial street.
3. The minimum yard area between the church and any one-family residential lot shall be that of the district within which the property is located or 20 feet, whichever is greater. At least 10 feet of that yard area shall be landscaped with the intent of screening building and paved areas from the one-family residence.
4. The lot coverage standard for the R-1 or R-2 Districts shall apply to the church facility.
5. Expansion of churches existing prior to this ordinance shall comply only with the yard area and lot coverage standards described above.

C. Standards for mobile home parks.

Mobile home parks, where permitted, shall meet the following requirements in addition to any conditions imposed by the use permit:

1. **Mobile home space dimensions -**
 - a. All mobile home lots in the mobile home park shall average at least 3,000 square feet in area, and in any case no lot shall be less than 2,500 square feet.
 - b. Yards for mobile homes in mobile home spaces shall be:
 - i. Front - 10 feet.
 - ii. Side - 5 feet (zero and 10 feet if the project is designed for this type of development).
 - iii. Rear - 10 feet.
 - iv. Awnings and carports, may be within 3 feet from any mobile home space boundary.

2. **Circulation** -
 - a. All mobile home lots shall access internal private streets located within the mobile home park. There shall be no direct access from a mobile home lot to a public street or alley.
 - b. All interior streets shall be a minimum of 25 feet in width, exclusive of required parking areas and shall be designed and improved to City standards.
 - c. All necessary rights-of-way adjacent to the site as may be necessary to conform to the standards of the General Plan shall be offered for dedication to the City.
3. **On-site utilities** - Shall be underground.
4. **Walls and screening** - All exterior boundaries shall be screened with a solid decorative wall or fence. The wall shall be inside of required landscape areas for front and street side yards of the respective district.
5. **Parking** - As provided in Article 61 of this chapter.
6. **Common open space/recreation areas** - A minimum of 400 square feet of space for each mobile home space shall be devoted to common open space and recreational facilities within the mobile home park. This area does not include street rights-of-way, parking areas, areas between structures less than 15 feet wide or private yards.
7. **Landscaping** - All common open space areas, exterior front and street side yards and common parking areas shall be landscaped, as provided in Article 60 of this chapter, unless otherwise used for recreation activities.
8. **Walkways** - Walkways shall link the mobile homes with recreational and other internal facilities as well as other mobile homes.
9. **Mobile home type** - All mobile homes shall be certified under the National Mobile Home Construction and Safety Act of 1974.

D. Residential parking and yard reductions or waivers.

This section provides a means of relief from the parking and yard requirements of this chapter for those residential property owners who purchased residential property for use as their own place of residence which have parking and yard violations which existed prior to their purchase of the property.

A use permit to reduce or waive parking or yard requirements under this section may be approved only when the following findings can be made:

1. The modifications to the structure or to the property were completed by a prior owner of the property;
2. The current owner of the property has not participated in or contributed to creating, increasing, or compounding of the degree of severity of the violation;
3. The total cost of restoration of the property or structure to conform to the Zoning Regulations will exceed One Thousand (1,000) Dollars.

In addition to the above findings, the Planning Commission shall make such additional findings as required by this chapter for the approval of use permits.

All properties or structures receiving parking or setback reductions or waiver under this section shall be classified as a nonconforming structure and shall receive all rights and privileges conferred by that status.