

Summary of Proposed Amendments to Residential Zoning Districts

Proposed Amendment	Basis for Amendment
All Residential Zoning Districts	
Add transient commercial occupancies (short-term rentals) as prohibited use	Prohibit "vacation rentals"
Add small family child care as a permitted use*	Required by state law
Add large family child care as a conditionally-permitted use	Required by state law
Add limited residential care (24-hour care facilities with six or fewer beds) as a permitted use*	<ul style="list-style-type: none"> • Required by state law • Implementation of Housing Element Action H-2.1/A2
Add general residential care (24-hour care facilities with seven or more beds) as a conditionally-permitted use	<ul style="list-style-type: none"> • Required by state law • Implementation of Housing Element Action H-2.1/A2
Replace "churches" with "religious institutions"	Broaden use classification
Add references to other relevant Zoning Code sections (e.g., design review, parking, affordable housing, trees)	Provide notification of other applicable standards and requirements
Reformatting and rewording	Improve clarity of standards and consistency of language
RR-H District	
Clarify that only one one-family dwelling and one second dwelling unit (i.e., granny unit) are allowed per lot	Existing wording is unclear as to how many units are allowed on a lot
Add minimum setback requirements for additions to primary structures on properties developed prior to the establishment of the requirement that a use permit be approved for all development	Many properties in the RR-H District were developed prior to adoption of the Code provision that requires setbacks for each property to be established through a use permit
RR District	
Add Purpose section	Provide overview of district
Clarify that only one one-family dwelling and one second dwelling unit are allowed per lot	Existing wording is unclear as to how many units are allowed on a lot
R-1 District	
Add Purpose section	Provide overview of district, i.e., allow development of one-family dwellings and second dwelling units
Clarify that only one one-family dwelling and one	Existing wording is unclear as to how many units

second dwelling unit are allowed per lot	are allowed on a lot
<ul style="list-style-type: none"> • Delete "Employee housing as defined in Cal. Health & Safety Code §17008 for six or fewer employees in accordance with Cal. Health & Safety Code §17000, et seq." • Expand definition of "One-family dwelling" to include "employee housing for six or fewer persons as provided by California Health & Safety Code Section 17021.5." 	Reflect intent of state law that qualifying employee housing be considered a one-family dwelling
R-2 District	
Add Purpose section	Provide overview of district, i.e., allow development of one-family and duplex residences
Clarify that one or two one-family dwellings, or one duplex, are allowed per lot	Existing wording is unclear as how many units are allowed on a lot
Clarify that only one second dwelling unit is allowed per lot and that it can only occur on a lot with one one-family dwelling	Existing wording is unclear as how many units are allowed on a lot
Delete triplexes, parking lots and mobile home parks as allowable uses	These uses are inconsistent with the intent of the Medium Density Residential land use designation of General Plan
Increase minimum lot sizes and widths	Promote development consistent with purpose of District
Add rear yard setback and lot coverage standards	Current Code does not include these standards
R-3 District	
Delete one-family dwellings, duplexes and second dwelling units as allowable uses	These uses are inconsistent with the General Plan High Density Residential land use designation and the intent of the district
Reclassify multi-family dwellings from conditionally-permitted to permitted use	Provide conformance with the High Density Residential land use designation of the General Plan, the intent of the district and Housing Element Action H-1.2/A4
Add convalescent and congregate care facilities as conditionally-permitted uses	Implementation of Housing Element Action H-2.1/A2
Delete references to numbers of units in supportive and transitional housing projects	Provide conformance with state law
Add side yard setback standard that relates to height of building (instead of 5 feet, regardless of building height)	Increase setback for taller buildings
Delete parking lots as a conditionally-permitted use within 500 feet of a DC or CC District	Conserve properties for residential use

Increase minimum lot area, lot width and lot depth standards	Ensure that density allowed by the High Density Residential land use designation of the General Plan is achievable (Housing Element Action H-1.2/A2); reflect existing lot sizes in district
Add usable open space requirement for multi-family development	Provide opportunities for recreation and gathering

*Except in the RR-H District, which requires a use permit

Proposed revisions

Chapter 17.14

R-R RURAL RESIDENTIAL DISTRICT

Sections:

- 17.14.010 Purpose
- 17.14.020 Uses allowed.
- 17.14.030 Height limit of buildings and structures.
- 17.14.040 ~~Minimum development standards~~ Lot area requirements.
- 17.14.050 Other development requirements.

17.14.010 Purpose

~~The purpose of the RR Rural Residential Zoning District is to allow the development of single-family residences on large lots that serve as a buffer between the agricultural lands around the city and the urbanized part of Calistoga, along with light agricultural uses that are consistent with the Rural Residential land use designation of the Calistoga General Plan. Together with compatible accessory uses, other uses are allowed under certain circumstances in order to offset the cost of preserving large lots in agricultural production.~~

17.14.020 Uses allowed.

Uses allowed in ~~an~~ the R-R district are as follows:

A. Uses ~~A~~ allowed without ~~a~~ Use ~~P~~ permit.

- ~~1. One Single~~ one-family dwellings per lot;
- ~~2. One S~~ second dwelling units per lot in accordance with ~~CMC~~ Chapter 17.37 ~~CMC~~;
3. Light agricultural uses, including but not limited to: farms on a commercial scale devoted to the growing of field, tree, berry or bush crops, and vegetable or flower gardens;
4. The keeping of horses for non-commercial purposes on sites with a ratio of not less than one-half acre per horse;
- ~~5. Student projects devoted to agricultural education;~~
- ~~6. Home occupations in accordance with Chapter 17.21 CMC;~~
- ~~5. Residential care, limited, as defined and operated in accordance with state law~~
- ~~6.7.~~ Uses determined by the Planning Commission to be similar in nature as provided by ~~CMC the procedures in~~ Chapter 17.02 ~~CMC~~.

B. Uses ~~A~~ allowed with ~~a~~ Use ~~P~~ permit.

1. Public or private recreational and educational uses and their necessary facilities, including but not limited to: public parks, ~~and~~ playgrounds, schools, colleges, religious institutions churches, temples, golf, swimming, tennis, polo, civic or country clubs, fairgrounds, public facilities buildings, utility substations or parking lots;
2. Geothermal activity (exploration, development, and use);

Comment [LG1]: Make consistent with RR-H District format

Comment [LG2]: Provide overview of district

Comment [LG3]: Clarify that only one primary dwelling is allowed per lot; use consistent terminology

Comment [LG4]: Clarify that only one secondary dwelling is allowed per lot

Comment [LG5]: Moved to Accessory Uses

Comment [LG6]: Reflect state law requirement

3. ~~Veterinary clinics with animal boarding facilities, subject to. The issuance of a conditional use permit shall be in accordance with the findings contained in CMC 17.40.010 and shall also comply with~~ the following:

- a. The minimum lot size shall be two acres;
- b. Noise ~~associated with the conditionally permitted use~~ shall be mitigated to a level consistent with otherwise permitted uses established in this chapter;
- c. Odors ~~associated with the conditionally permitted use~~ shall be mitigated to a level consistent with otherwise permitted uses established in this chapter;
- d. ~~New facilities and expansions have received design review approval consistent with the provisions contained in Chapter 17.06 CMC;~~

4. Light agricultural uses including farms on a commercial scale devote to the hatching, raising, fattening, or marketing of animals such as, but not limited to, poultry, rabbits, goats, sheep, pigs; aviaries and kennels; the grazing and experimental or selective breeding or training of cattle or horses; provided, that such use is not a part of, nor conducted as, stock feed or livestock sales yards, or a commercial riding academy located on the same premises;

~~5. Family child care, large, as defined and operated in accordance with state law~~

~~6. Residential care, general, as defined and operated in accordance with state law~~

~~6. Uses determined by the Planning Commission to be similar in nature as provided by the procedures in Chapter 17.02 CMC;~~

~~7. Home occupations in accordance with Chapter 17.21 CMC;~~

~~7.8.~~ Small scale winery operations producing less than 2,000 cases of wine annually, provided, that the following guidelines have been considered prior to ~~the required~~ use permit approval:

- a. The parcel size is two acres or more;
- b. The parcel is established with a principal residence and the winery shall be subordinate to the primary residential use;
- c. A minimum of 75 percent of the fruit used to make wine produced on site must be grown within the County of Napa. Of that, a minimum of 20 percent of the wine produced on site shall originate from fruit grown on the parcel with modifications only approved through the use permit process;
- d. Only one winery shall be permitted on site;
- e. Public tours and tastings shall be prohibited;
- f. The number and frequency of private wine marketing events shall be strictly limited and reviewed during the use permit process. Private wine marketing events are limited to a maximum of four events per calendar year. The maximum number of guests allowed at any private wine marketing event shall be determined during the use permit process. This maximum capacity shall be posted in a conspicuous place in the small winery building. Use permit conditions may impose stricter limitations if

Comment [LG7]: Delete redundant and unnecessary language

Comment [LG8]: Reflect state law

Comment [LG9]: Home occupations are permitted accessory uses

residential development on adjoining parcels is in close proximity to the new small winery use;

- g. Winery events shall be prohibited. All private wine marketing events shall be held within the confines of the on-site residential unit, the production area of the small winery building, or outside or except as previously defined;
- h. The establishment of on-premises wine sales shall be determined through the use permit process. If wine sales are to be allowed, they shall be restricted only to wine that is produced on the premises. No merchandise shall be sold;
- i. The hours of sales shall be by appointment only as reviewed during the use permit process;
- j. There can be no advertising in publications produced for general distribution for private wine marketing events and all attendees shall be specifically invited to participate in the private wine marketing event by the small winery owner/operator;
- k. All the requirements of CMC Title 19 shall be met;
- l. Notwithstanding CMC 17.14.040, buildings and structures used for winery operations shall be located at least 50 feet from the front lot line, and 20 feet from any side lot line, and 50 feet from any dwelling on an adjacent lot, not including perimeter fencing.

89. Large scale winery operations producing up to 4,000 cases of wine annually; provided, that the following guidelines have been considered prior to ~~the required~~ use permit approval:

- a. The parcel size is four acres or more.
- b. The parcel is established with a principal residence and the winery shall be subordinate to the primary residential use.
- c. Only one winery shall be permitted on site.
- d. The winery conducts limited public tours and tastings, sells wine-related items or holds private wine marketing events and winery events with a use permit.
- e. Noise shall be restricted to a decibel level of 55 dba at property boundaries.
- f. A minimum of 75 percent of the fruit used to make wine produced on site must be grown within the County of Napa. Of that, a minimum of 30 percent of the wine produced on site shall originate from fruit grown on the parcel with modifications only approved through the use permit process.
- g. The number and frequency of private wine marketing events and winery events shall be strictly limited and reviewed during the use permit process. A maximum of four events per calendar year may be allowed. The maximum number of guests allowed at any event shall be determined during the use permit process. This maximum capacity shall be posted in a conspicuous place in the winery building. Use permit

conditions may impose stricter limitations if residential development on adjoining parcels is in close proximity to the winery use.

- h. All events shall be held within the confines of the on-site residential unit, the production area of the large winery building, or outside.
- i. The establishment of on-premises wine sales shall be determined through the use permit process. If wine sales are to be allowed, they shall be restricted only to wine that is produced on the premises.
- j. The hours of public tours and tastings and sales shall be by appointment only as reviewed during the use permit process.
- k. There can be no advertising in publications produced for general distribution for private wine marketing events or winery events and all attendees shall be specifically invited to participate in an event by the large winery owner/operator.
- l. All the requirements of CMC Title 19 shall be met.
- m. Notwithstanding CMC 17.14.040, buildings and structures used for winery operations shall be located at least 50 feet from the front lot line, and 20 feet from any side lot line, and 50 feet from any dwelling on an adjacent lot, not including perimeter fencing.

~~910.~~ Bed and breakfast inns and facilities, in accordance with CMC Chapter 17.35 CMC

~~106.~~ Uses determined by the Planning Commission to be similar in nature as provided by the procedures in CMC Chapter 17.02-CMC;

C. ~~Allowed~~ AA accessory buildings and Uses.

The following Any ~~aa~~ accessory buildings and uses are allowed, corral, coop, hutch, pen, garage, stable, storage shed or similar structure, provided, that no accessory building or us shall be constructed or established prior to the construction of a main building, or on a lot separate from the main building.

- 1. Garages, storage sheds, workshops, pool houses, playhouses, corrals, coops, hutches, pens, stables and similar structures
- 2. Student projects associated with agricultural education
- 3. Home occupations in accordance with CMC Chapter 17.21
- 4. Family child care, small, as defined and operated in accordance with state law,

D. Prohibited Uses.

The following uses are prohibited in the RR District:

- 1. Transient commercial occupancies of dwelling units.
- 2. Other Uses not specified in subsections (A) through (C) of this section ~~are prohibited.~~

Comment [LG10]: Clearly prohibit "vacation rentals"

17.14.030 Height limit of buildings and structures.

The Height limit of buildings and structures in thean R-R District shall be 25 feet. See additional height requirements in Chapter 17.38 CMC.

17.14.040 Minimum development standards~~Lot area requirements.~~

The following standards apply to development within the RR District~~Lot area requirements in an R-R district are as follows:~~

- A. Minimum lot sizes are as follows, except that the maximum allowable density shall be determined by the Rural Residential land use designation of the Calistoga General Plan:
1. Eighty thousand (80,000) square feet if both on-site water and wastewater disposal are proposed;
 2. Forty thousand (40,000) square feet if either on-site water or wastewater disposal is proposed;
 3. Twenty thousand (20,000) square feet if City water and wastewater services are provided.
- B. Minimum lot width shall be 100 feet.
- C. Minimum lot depth shall be 200 feet.
- D. Setbacks from the property lines for main buildings shall be:
1. Front yard: 20 feet;
 2. Side yard, interior lot (CMC 17.38.040, Exhibit A): 10 feet, except that non-residential uses require a 20-foot setback from a side interior lot line
 3. Street Sside yard, corner lot (CMC 17.38.040, Exhibit A): 15 feet
 4. Street side yard, reverse corner lot (CMC 17.38.040, Exhibit A): 20 feet;
 3. interior lot, 10 feet, except that the following uses require 20-foot setback from side interior lot line: recreational and educational uses and their necessary facilities, public buildings, public utility substations, hospitals, schools, churches, temples, golf, swimming, tennis, polo, civic or country clubs, parking lots, parks, fairgrounds or playgrounds;
 5. Rear yard: 20 feet;
- E4. Setbacks for accessory buildings and structures from the property lines and other structures shall be five feet except that no accessory building or structure shall be allowed in the required front or street side yard unless otherwise maintained as provided for in by CMC 17.38.050.
- FG. Maximum coverage of lot by structures, including accessory structures, shall be 30 percent.
- F. ~~For parking requirements, see Chapter 17.36 CMC.~~

17.14.050 Other development requirements.

Additional requirements that apply to development in the RR District include, but are not limited to, the following.

- Design Review, per CMC Chapter 17.06
- Affordable Housing, per CMC Chapter 17.08
- Off-Street Parking and Loading, per CMC Chapter 17.36
- General Provisions and Exceptions, per CMC Chapter 17.38
- Use Permits, per CMC Chapter 17.40
- Fences, Hedges or Walls, per CMC Chapter 17.52

Highway and Street Setback Requirements, per CMC Chapter 17.56
Requests for Reasonable Accommodation, per CMC Chapter 17.60

Comment [LG11]: Enhance user awareness of other provisions

Proposed revisions

Chapter 17.15

RR-H RURAL RESIDENTIAL: - HILLSIDE DISTRICT

Sections:

- 17.15.010 Purpose and general development principles.
- 17.15.020 Applicability Definition.
- 17.15.0340 Uses allowed.
- 17.15.0450 Height limit of buildings and structures.
- 17.15.0560 Minimum development standards Lot area requirements.
- 17.15.0670 Preliminary development plan – Concept phase.
- 17.15.0780 Final development plan – Permit phase.
- ~~17.15.090 Diagram of hillside development process.~~
- 17.15.4080 Density and development standards.
- ~~17.15.090 Other development requirements.~~

17.15.010 Purpose and general development principles.

- A. The purposes of the ~~Rural Residential - H~~ hillside residential Zoning dDistrict ~~is are~~ to:
 - 1. Provide for the development of hillside areas in a manner that will preserve the environmental and scenic benefits of these areas and protect development on the hillsides and in surrounding areas;
 - 2. Promote hillside environmental goals and policies of the Land Use and eOpen sSpace and eConservation eElements of the General Plan;
 - 3. Establish densities and open space areas consistent with adopted area, general or specific plans and provide density increase incentives to create open space;
 - 4. Maintain an environmental balance consistent with existing vegetation, soils, geology, slopes and drainage patterns and to protect the natural topography, including swales, canyons, knolls, ridge lines, and rock outcroppings;
 - 5. Avoid development that would result in an unacceptable hazard from fire, flood, land slide or other natural disaster;
 - 6. Avoid development that results in high public maintenance costs;
 - 7. Provide for flexible design so that development is concentrated in areas with the greatest environmental carrying capacity.
- B. The following principles and standards are intended to carry out the hillside environment goals and policies of the Land Use and eOpen sSpace and eConservation eElements of the General Plan and the stated purpose of this tTitle. All uses in the RR-H dDistrict must be found to be consistent with these principles and standards and adopted area, general or specific plans, before any approvals required by this title may be given:
 - 1. The location, orientation and design for building sites, buildings, fences and other structures, and streets and other circulation elements shall maintain and preserve natural topography, cover, significant landmarks and trees, minimize cut and fill, and preserve and enhance views and vistas on and off the subject property. Exceptions to City street standards may be made in order to

accomplish these objectives; provided, that such exceptions shall not inhibit access or maneuvering area for emergency vehicles.

2. The design of buildings, fences and other structures shall be in harmony with and enhance natural site characteristics in regard to height, bulk, textures, color, reflective properties, roof characteristics and setbacks.
3. In those areas where approval is given to disturb or remove natural vegetation and ground cover, natural ground covers and other surfacing shall be installed and a system designed for perpetual maintenance and care. All landscaping, ground covering, and other surfacing shall be in harmony with the natural site characteristics.

17.15.020 ~~___~~ **DefinitionApplicability.**

The RR-H district may be applied to properties or portions of properties that are part of a hillside, hilly or mountainous area, ridgetop or plateau, where a slope greater than five percent exists on the property, and as designated on the official zoning map of the City.

17.15.0340 ~~___~~ **Uses allowed.**

Uses allowed in ~~an the~~ RR-H ~~d~~istrict are as follows:

A. Uses ~~A~~llowed without ~~a~~ ~~U~~se ~~P~~ermit.

1. Small-scale agriculture, horticulture, and gardens, commercial vineyards and orchards ~~when such are~~ not larger than two acres in area;
2. Raising of chickens, or similar poultry, and rabbits and raising of livestock, for private use; provided, that not more than one large domestic animal (such as a horse, mule, cow, steer or sheep) shall be kept for each one-half acre of grazing land;

~~3. Student 4-H projects;~~

~~34.~~ Uses determined by the Planning Commission to be similar in nature as provided by ~~the procedures in CMC~~ Chapter 17.02 ~~CMC~~.

B. Uses ~~R~~equiring ~~a~~ ~~U~~se ~~P~~ermit.

~~1. One one-family dwelling per lot~~ ~~Single-family dwellings;~~

~~2. One Ssecond dwelling units per lot~~ in accordance with ~~CMC~~ Chapter 17.37 ~~CMC~~;

~~3. Home occupations as permitted in Chapter 17.21;~~

~~34.~~ Bed and breakfast inns and facilities ~~with greater than two units~~, in accordance with ~~CMC~~ Chapter 17.35 ~~CMC~~;

~~45.~~ Family child care, small or large, as defined and operated in accordance with ~~state law~~ ~~Day care or child nurseries other than home occupations;~~

~~56.~~ Religious institutions ~~Churches, public or private schools;~~

~~6.~~ ~~p~~ublic ~~facilities~~ ~~buildings or utility substations;~~

~~7.~~ ~~Parking lots only when such area is located within 500 feet of a C-DD zoning designation;~~

~~8.~~ ~~Subdivision sales office in conjunction with an approved subdivision;~~

~~79.~~ Geothermal activity (exploration, development and land use);

Comment [LG1]: Moved to Accessory Uses

Comment [LG2]: Clarify that only one primary dwelling is allowed per lot; use consistent terminology

Comment [LG3]: Clarify that only one secondary dwelling is allowed per lot

Comment [LG4]: Moved to Accessory Uses

Comment [LG5]: B&Bs with one unit are also appropriate for this district

Comment [LG6]: Reflect state law requirement

Comment [LG7]: Not appropriate for hillside areas

Comment [LG8]: Simplify and broaden the range of public uses

Comment [LG9]: There are no areas in the RR District appropriate for this use

Comment [LG10]: Moved to administrative use permit

840. Uses determined by the Planning Commission to be similar in nature as provided by ~~CMC the procedures in~~ Chapter 17.02-CMC.

C. Uses requiring an administrative use permit

1. Subdivision sales office in conjunction with an approved subdivision
2. Building additions of 400 square feet or more
3. New accessory buildings or structures of 400 square feet or more on a parcel that is already developed with a primary use

Comment [LG11]: Provide review for larger additions and accessory buildings

DC. Allowed Accessory Uses and structures.

1. ~~Any accessory building or structure, fences, corrals, coops, hutches, pens, garages, stables, storage sheds or and similar structures, shall be subject to CMC 17.38.050;~~ provided, that no accessory building shall be constructed prior to the construction of a main-primary building, nor on a lot separate from the main-primary building.
2. Student projects associated with agricultural education
3. Home occupations as permitted in by CMC Chapter 17.21;

D. Prohibited Uses.

Uses prohibited in the RR-H District are as follows:

1. ~~No commercial uses, shall be allowed in the district designated as RR-H, including but not limited to retail or wholesale nurseries and or tree farms, or the raising of poultry, rabbits, goats, pigs, dogs or other animals for commercial purposes.~~
2. Transient commercial occupancies of dwelling units
3. ~~Other uses not specified in subsections (A) through (C) of this section are prohibited.~~

Comment [LG12]: Clearly prohibit "vacation rentals"

~~E. Setbacks for accessory buildings and structures from the property lines shall be five feet except that no accessory buildings or structure shall be allowed in the required front or street side yard unless otherwise provided for in CMC 17.38.050. (Ord. 544 § 3, 1998).~~

Comment [LG13]: Addressed by Section 17.15.050

17.15.0540 Height limit of buildings and structures.

A. ~~The Hheight limits of new primary buildings and structures in a the RR-H dDistrict for all uses wishall be determined by use permit procedure in accordance with the development principles and standards set forth in CMC 17.15.010.~~

B. The height limits of additions to primary buildings shall be 25 feet unless a greater height is approved by a use permit.

17.15.0650 Minimum development standardsLot area requirements.

The following standards apply to development within the RR-H District:

Lot area requirements in a RR-H district are as follows:

A. Minimum setbacks

1. Setbacks from the property lines for additions to primary buildings that existed prior to the establishment of the RR-H District shall be:
 - a. Front yard: 20 feet

- b. ~~Side yard, interior lot (CMC 17.38.040, Exhibit A): 10 feet, except that non-residential uses require a 20-foot setback from a side interior lot line~~
- c. ~~Street side yard, corner lot (CMC 17.38.040, Exhibit A): 15 feet~~
- d. ~~Street side yard, reverse corner lot (CMC 17.38.040, Exhibit A): 20 feet~~
- e. ~~Rear yard: 20 feet~~

~~2. Minimum front, side, and rear yard setback requirements for primary structures related to the development of a vacant lot, or for a new primary structure on a previously-developed lot, shall be determined by use permit in accordance with the development principles and standards of CMC 17.15.010.~~

~~3. Setbacks from the property lines and other structures for accessory buildings and structures shall be maintained as provided by CMC 17.38.050.~~

~~A. Each hillside lot shall have front, side, and rear yard setback requirements, as approved by use permit.~~

B. The yard setback requirements, in combination with height limit requirements, shall define a volume of space called the lot's building envelope within which all building structures shall be constructed.

~~C. The maximum lot coverage of each hillside lot shall be 40 percent. Lot coverage shall include all buildings and accessory structures as approved on the use permit.~~

D. Each hillside lot shall be provided with a minimum amount of accessible, usable, and private yard open space, as approved on the use permit. ~~The minimum amount of usable open space required shall be an amount~~ equal to 25 percent of the floor area of the house. Usable open space shall be defined as areas covered by grass, dirt or natural vegetation; ~~outdoor patios; decks; swimming pools and game courts.~~ Heavily landscaped areas not normally expected to be walked upon, driveways, parking spaces, and yard or open space areas having a slope greater than 10 percent shall not be credited towards the minimum open space. ~~Outdoor patio areas, decks, swim pools, game courts, shall be credited as usable open space.~~ Walkways, stairs, steps and the like can be credited as open space at the discretion of the Planning Commission or Planning and Building Department.

~~E. The setback, building envelope, lot area, and usable yard open space lot requirements, as listed in subsections (A) through (D) of this section, shall be determined by use permit in accordance with the development principles and standards of CMC 17.15.010.~~

~~F. Parking Requirements. See Chapter 17.36 CMC.~~

17.15.0760 Preliminary development plan – Concept phase.

A. Prior to the use permit approval, applicants shall submit a preliminary development plan to the Planning Commission for approval in principle. The purpose of the preliminary development plan is to determine quickly and inexpensively if an applicant has a desirable hillside development project. This approval shall be limited to the general acceptability of the land uses, specific uses and densities proposed, and interrelationships.

B. A preliminary development plan shall be defined as a review of all land uses proposed, including site plans and drawings to adequately describe the proposed development plan concept, including its architectural character. The preliminary development plan

Comment [LG14]: Add setbacks for additions to buildings that existed prior to the establishment of the RR-H District; clarify that all setbacks for all new primary structures on a previously-developed lot require a use permit

Comment [LG15]: Duplicative of Subsections A - D

Comment [LG16]: Covered by new section 17.15.090

may also include additional conceptual information such as existing and proposed grades, building footprints, exterior elevations, circulation and parking, and major landscape features.

- C. The Planning Commission shall hold public hearings on the preliminary development plan in accordance with the procedure set forth in Chapter 17.40 CMC. The Planning Commission may deny the preliminary development plan as submitted, or approve the plan in concept subject to specific amendments or conditions.
- D. A preliminary development plan shall be accompanied by an initial study to outline potential adverse environmental impacts of a proposed hillside development project. An environmental impact report, if required, shall accompany the final development plan.
- E. The preliminary development plan shall include the following:
 - 1. Legal description of subject property;
 - 2. Proposed land uses showing general locations of all buildings and proposed specific uses;
 - 3. Delineation on the site and for the adjacent properties within a 300-foot radius of the subject property of the following: significant natural features such as trees, rock outcroppings, drainage courses and topography shown on contour maps with contour intervals not to exceed five feet;
 - 4. A tabulation of the total land area and percentage thereof designated for various uses;
 - 5. General circulation pattern indicating both public and private vehicular and pedestrian ways;
 - 6. Relationship of present and future land uses to the surrounding area and to the general plan;
 - 7. A preliminary report indicating provisions for storm drainage, sewage disposal, grading and public utilities;
 - 8. Delineation of development phasing, if any;
 - 9. A preliminary evaluation of the vegetation, soils, geology and hydrology of the area including the downstream effects of development and methods for preventing on-site slippage and erosion;
 - 10. A visual analysis of the property as it relates to the existing and proposed setting; a characterization of the significant visual elements of the land (and parts thereof) in terms of scale, form, color, visual amenity and relation to surrounding terrain;
 - 11. Preliminary plans for preserving natural features, including vegetation, during construction and in perpetuity;
 - 12. Preliminary report on methods for minimizing grading of building sites and streets and indicating where natural materials will be deposited and removed;
 - 13. A conceptual landscaping plan;
 - 14. Statement of conditions for ultimate ownership and maintenance of all parts of the development including streets, structures and open spaces;

15. Any additional information which may be required to determine if the contemplated arrangement of uses is consistent with the hillside environmental goals and policies of the open space and conservation element of the City General Plan and the provisions of this title.

17.15.0780 Final development plan – Permit phase.

- A. The purpose of the final development plan use permit approval phase is to describe with considerable detail the site planning, architectural and landscaping components of an approved preliminary development plan. The level of detail required for final plans shall be that which would be required for a building permit submittal. In instances where proposed hillside developments are relatively small (i.e., one single-family dwelling), both the preliminary development plan and the final development plan can be consolidated into one review phase.
- B. The final development plan shall include all the components of a preliminary plan in greater detail.
- C. An environmental impact report, if required, shall be approved prior to approval of a final development plan and use permit.

17.15.090 Diagram of hillside development process.

Please refer to the following diagram for the hillside review process. The approval process requires Step #1 review and approval of initial study and preliminary development plan, Step #1a (if required) preparation and approval of an environmental impact report, Step #2 review and approval of final development plan, use permit, and (if required) a tentative map, and Step #3 review and approval of individual use permits (if required) for individual home sites.



Comment [LG17]: This diagram is duplicative and unnecessary

17.15.4080 Density and development standards.

- A. The minimum land area required per dwelling unit in any RR-H zone-District shall be determined by the following slope regulations:

AVERAGE SLOPE—For the purpose of this section, the average slope of a lot or parcel shall be determined according to the formula:

$$S = \frac{0.0023 IL}{A}$$

where:

S is the average slope in percent;

I is the contour interval in feet;

L is the combined length of contour lines in feet;

A is the gross area in acres of the parcel or lot as applicable.

- B. In measuring the slope, a topographic base map prepared by the United States Geological Service (USGS) or similar map as approved by the City Engineer shall be used. Contour measurement shall be made at contour intervals no more than 10 feet.
- C. Each individual lot resulting from the proposed subdivision of hillside land shall require an average slope (S) calculation. No average slope for ~~each~~ an individual lot shall exceed 30 percent. Existing legal lots of record with greater than 30 percent slope shall be allowed to contain only one dwelling unit.
- D. In calculating the average percent of slope, any part of a parcel may be excluded from the calculation if requested by the owner and the Planning Commission so elects. However, in calculating allowable land use densities applicable to the parcel, only the land used in the slope calculation shall be used. If land is excluded from the calculation of density, the land must remain undeveloped and a deed restriction recorded.

- E. The minimum land area per dwelling unit shall not be less than "a" as determined by the formula:

$$a = \frac{1}{1.089 - 0.017798S}$$

where "S" is the average slope of a lot or a parcel not exceeding 30 percent.

- F. Minimum lot sizes shall also be determined in additional ways:
 - 1. Except for clustered development designs, minimum lot sizes shall be determined by the Planning Commission to range from 40,000 square feet to 200,000 square feet depending on the availability of City sewer and water services, as indicated in the General Plan.
 - 2. Clustered development designs, as encouraged in the General Plan and as allowed to provide incentives to create open space, may contain smaller lot sizes when determined appropriate by the Planning Commission. In any other instances where it might be unclear what is the minimum lot size allowed, the Planning Commission shall make that determination.
- G. Lands in excess of an average slope of 30 percent shall be shown on subdivision maps in either of two ways:
 - 1. As permanent open space shown on all maps maintained by a homeowner association, open space association, some other type of district, or other similar organization as approved by the Planning Commission; or
 - 2. As land included within the designated subdivision lots (those lots with average slopes of 30 percent or less). The area of lands over 30 percent average slope

cannot be used in any area or density calculations with those lands of slopes 30 percent or under (see subsection (D) of this section).

H. — As of the effective date of this amendment, existing legal lots of record with greater than 30 percent slope shall be allowed to contain only one dwelling unit.

17.15.090 Other development requirements.

Additional requirements that apply to development in the RR-H District include, but are not limited to, the following.

Design Review, per CMC Chapter 17.06

Affordable Housing, per CMC Chapter 17.08

Off-Street Parking and Loading, per CMC Chapter 17.36

General Provisions and Exceptions, per CMC Chapter 17.38

Use Permits, per CMC Chapter 17.40

Fences, Hedges or Walls, per CMC Chapter 17.52

Highway and Street Setback Requirements, per CMC Chapter 17.56

Requests for Reasonable Accommodation, per CMC Chapter 17.60

Trees, per Chapter 19.01

Conservation Regulations, per Chapter 19.08

Comment [LG18]: Enhance user awareness of other provisions

Proposed revisions

Chapter 17.16

R-1 AND R-1-10 SINGLEONE^[LG1]-FAMILY RESIDENTIAL DISTRICTS

Sections:

- 17.16.010 Purpose.
- 17.16.020 Uses allowed.
- 17.16.030 Height limit of buildings and structures.
- 17.16.040 ~~Minimum development standards~~Lot area requirements.
- 17.16.050 ~~Other development requirements.~~

17.16.010 Purpose

~~The purpose of the R-1 and R-1-10 One-Family Residential Zoning Districts is to allow the development of single-family and special needs residential uses that are consistent with the Calistoga General Plan and state law, in a manner that provides generous private open space and setbacks. Together with compatible accessory uses, other uses that are compatible with single-family residential neighborhoods are allowed under certain circumstances.~~

^[LG2] 17.16.020 Uses allowed.

Uses allowed in ~~thean~~ R-1 and R-1-10 Districts are as follows:

A. Uses ~~A~~allowed without a ~~U~~Use ~~P~~Permit.

- ~~1. Single One one-family dwellings per lot;~~^[LG3]
- ~~2. One Ssecond dwelling unit on a lot with a one-family dwelling in accordance with Chapter 17.37 CMC;~~^[LG4]
- ~~3. Home occupations, in accordance with Chapter 17.21 CMC;~~
- ~~4. Agricultural employee housing as defined in Chapter CMC;~~^[LG5]
- ~~35. Supportive housing as defined in Chapter CMC;~~
- ~~46. Transitional housing as defined in Chapter CMC;~~
- ~~5. Residential care, limited, as defined and operated in accordance with state law~~

~~67.~~^[LG6] Uses determined by the Planning Commission to be similar in nature, as provided by ~~the procedures in~~ Chapter 17.02 CMC.

B. Uses ~~R~~requiring a ~~U~~Use ~~P~~Permits.

- ~~1. Family child care, large, as defined and operated in accordance with state law;~~^[LG7] Repealed by Ord. 599;
2. Bed and breakfast inns and facilities, in accordance with Chapter 17.35 CMC;
- ~~3. ChurchesReligious institutions;~~^[LG8]
4. ~~p~~Public or private schools;
- ~~54. Public facilitiesbuildings, public utility substations, parking lots;~~^[LG9]
- ~~65. Temporary subdivision sales offices in conjunction with an approved subdivision;~~
- ~~76. Private recreational facilities for which a membership charge may be made but which are not open to the general public;~~

87. Geothermal activity (exploration, development, and use);

~~9. Residential care, general, as defined and operated in accordance with state law;~~

Comment [LG10]: Reflect state law requirement

108. ~~Similar u~~Uses determined by the Planning Commission to be similar in nature as provided ~~for according to the procedures~~ in Chapter 17.02 CMC.

C. Allowed ~~A~~accessory buildings and ~~U~~ses.

~~The following A~~accessory buildings and uses ~~are allowed~~, whose use is clearly incidental and subordinate to the main use, ~~including a garage, storage shed or similar structure~~; provided, that no accessory building or use shall be constructed or established prior to the construction of a main building, or on a lot separate from the main building.

1. ~~Garages, storage sheds, workshops, pool houses, playhouses and similar structures~~

2. ~~Home occupations, in accordance with Chapter 17.21 CMC~~

3. ~~The keeping of household pets~~

4. ~~Family child care, small, as defined and operated in accordance with state law~~

Comment [LG11]: Reflect state law requirement

D. Prohibited ~~U~~ses.

~~The following uses are prohibited in the R-1 and R-1-10 Districts:~~

1. ~~Transient commercial occupancies of dwelling units~~

Comment [LG12]: Clearly prohibit "vacation rentals"

2. ~~Other U~~ses not specified in subsections (A) through (C) of this section ~~are prohibited~~.

17.16.030 Height limit of buildings and structures.

~~The H~~height limit of buildings and structures in ~~the an~~ R-1 and R-1-10 Districts shall be 25 feet.

17.16.040 ~~Minimum development standards~~Lot-area requirements

Comment [LG13]: Broaden to reflect development standards in addition to lot area

~~The following standards apply to development within the R-1 and R-1-10 Districts~~Lot-area requirements in an R-1 district are as follows:

A. Minimum lot area and minimum lot dimensions in ~~the an~~ R-1 District ~~are as follows~~ shall be:

- 1. Corner lots: ~~7,000~~ 7,000 square feet;
- 2. Interior lots: ~~6,000~~ 6,000 square feet;
- 3. Lot width: ~~interior, 60 feet; corner, 70 feet~~;
- 4. Lot depth: ~~100~~ 100 feet.

B. Minimum lot area ~~and minimum lot dimensions~~ requirements in ~~the an~~ R-1-10 District shall be:

- 1. Corner lots: ~~12,000~~ 12,000 square feet;
- 2. Interior lots: ~~10,000~~ 10,000 square feet;
- 3. Lot width: ~~interior, 100 feet; corner, 120 feet~~;
- 4. Lot depth: ~~100~~ 100 feet.

~~C. Notwithstanding the above, developments meeting the City's affordable housing program can have lot sizes as small as 5,000 square feet and lot widths of 50 feet.~~

Comment [LG14]: Defer to affordable housing incentives allowed by state law

CD. Setbacks from the property lines for mainprincipal buildings shall be:

1. Front yard: 20 feet;
2. Side yards:

Side yards shall be not less than one-half the height of the building; provided, that:

- a. The interior side yard for a one-story building the height of which is less than 15 feet shall not be required to be more than five feet unless, the building height exceeds 15 feet, in which case the side yard shall be not less than one-half the height of the building;
 - b. No An interior side yard shall be not less than five feet nor be required to be more than 15 feet;
 - c. The side yard for a Ccorner lot (CMC 17.38.040, Exhibit A) shall be not less than 15 feet;
 - d. The side yard for a Rreverse corner lot (CMC 17.38.040, Exhibit A) shall be not less than 20 feet;
3. Rear yard: 20 feet.

E. For parking requirements, see Chapter 17.36 CMC.

DF. Setbacks for Accessory Buildings and Structures.

1. Setbacks for accessory buildings and structures from the property lines and other structures shall be five feet, except that no accessory building or structure shall be allowed in the required front or street side yard unless otherwise maintained as provided by for in CMC 17.38.050.
2. Notwithstanding subsection (F)(1) of this section, for garages and carports opening onto a street, the minimum distance between the opening of such garage or carport and the lot line shall be 20 feet.

EG. The Maximum coverage of a lot by structures, including accessory structures, shall be 30 percent, except as provided by CMC 17.38.050.

17.16.050 Other development requirements.

Additional requirements that apply to development in the R-1 Districts include, but are not limited to, the following.

- Design Review, per CMC Chapter 17.06
- Affordable Housing, per CMC Chapter 17.08
- Off-Street Parking and Loading, per CMC Chapter 17.36
- General Provisions and Exceptions, per CMC Chapter 17.38
- Use Permits, per CMC Chapter 17.40
- Fences, Hedges or Walls, per CMC Chapter 17.52
- Highway and Street Setback Requirements, per CMC Chapter 17.56
- Requests for Reasonable Accommodation, per CMC Chapter 17.60

Comment [LG15]: Covered by new Section 17.16.050

Comment [LG16]: Enhance user awareness of other provisions

Proposed revisions

Chapter 17.18

R-2 ~~MULTIPLE TWO~~ FAMILY RESIDENTIAL DISTRICT

Sections:

- 17.18.010 Purpose.**
- 17.18.020 Uses allowed.
- 17.18.030 Height limit of buildings and structures.
- 17.18.040 ~~Minimum development standards~~ **Lot area requirements.**
- 17.18.050 ~~Other development requirements~~ **Design review.**

17.18.010 Purpose

~~The purpose of the R-2 Two-Family Residential Zoning District is to allow the development of single-family, duplex and special needs residential uses that are consistent with the Calistoga General Plan and state law, in a manner that provides generous private open space and setbacks. Together with compatible accessory uses, other uses that are compatible with single-family residential neighborhoods are allowed under certain circumstances.~~

17.18.020 Uses allowed.

Uses allowed in ~~thean~~ R-2 ~~d~~istrict are as follows:

A. Uses ~~A~~llowed without a ~~U~~se ~~P~~ermit.

- ~~1. Single~~ **One one-family dwellings per lot**
- ~~2. One S~~ **second dwelling units on a lot with a single one-family dwelling in accordance with Chapter 17.37 CMC**
- ~~3. One D~~ **duplexes and triplexes or two one-family dwellings on a lot of at least 9,000 square feet;**
- ~~4. Home occupations in accordance with Chapter 17.21 CMC;~~
- ~~4.5. Supportive housing as defined in Chapter 17.04 CMC, not to exceed three units in size;~~
- ~~5.6. Transitional housing as defined in Chapter 17.04 CMC, not to exceed three units in size;~~
- ~~6. Residential care, limited, as defined and operated in accordance with state law~~
7. Uses determined by the Planning Commission to be similar in nature, as provided by ~~the procedures in~~ Chapter 17.02 CMC.

B. Uses ~~R~~equiring a ~~U~~se ~~P~~ermits.

- ~~1. Family child care, large, as defined and operated in accordance with state law~~ **Repealed by Ord. 599;**
2. Bed and breakfast inns and facilities ~~with greater than two units~~, in accordance with Chapter 17.35 CMC;
- ~~3. Residential care, general, as defined and operated in accordance with state law~~ **Child care nurseries;**
4. ~~Churches~~ **Religious institutions;**

Comment [LG1]: Reflect uses allowed in R-2 District

Comment [LG2]: Provide overview of district, consistent with General Plan

Comment [LG3]: Clarify allowable uses, consistent with purpose of R-2 District

Comment [LG4]: Clarify allowable uses, consistent with purpose of R-2 District

Comment [LG5]: Moved to Accessory Uses

Comment [LG6]: Reflect state law requirements

Comment [LG7]: Reflect state law requirement

Comment [LG8]: Reflect state law requirement

5. ~~Public and private schools~~

~~65. Public facilities buildings, public utility substations;~~

~~6. Parking lots within 500 feet of C-DD zone;~~

~~7. Mobile home parks;~~

78. Private recreational facilities for which a membership charge may be made, but which are not open to the general public;

89. Geothermal activity (exploration, development and use);

940. Uses determined by the Planning Commission to be similar in nature as provided for according to the procedures in Chapter 17.02 CMC.

C. Allowed ~~A~~ accessory ~~U~~ uses and structures.

The following ~~A~~ accessory buildings and uses are allowed, whose use is clearly incidental and subordinate to the main use, ~~including a garage, storage shed or similar structure~~; provided, that no accessory building or use shall be constructed or established prior to the construction of a primary building, or on a lot separate from the main-primary building;

1. ~~Garages, storage sheds, workshops, pool houses, playhouses and similar structures~~

2. ~~Home occupations, in accordance with Chapter 17.21 CMC~~

3. ~~The keeping of household pets~~

4. ~~Family child care, small, as defined and operated in accordance with state law~~

D. Prohibited ~~U~~ uses.

The following uses are prohibited in the R-2 District:

1. ~~Transient commercial occupancies of dwelling units~~

2. ~~Other U~~ uses not specified in subsection (A) through (C) of this section ~~are prohibited.~~

17.18.030 Height limit of buildings and structures.

The height limit of buildings and structures in the R-2 District shall be 25 feet.

17.18.040 ~~Minimum development standards~~ Lot area requirements.

The following standards apply to development within the R-2 District ~~Lot area requirements in an R-2 district are as follows:~~

A. Minimum lot area and minimum lot dimensions in an R-2 ~~d~~istrict ~~are as follows shall be:~~

1. ~~Corner lot areas;~~ 710,000 square feet;

2. ~~Interior lot areas;~~ 69,000 square feet;

3. ~~Lot width: interior, 690 feet; corner, 7100 feet;~~

4. Lot depth; 100 feet;

Comment [LG9]: Simplify and broaden the range of public uses

Comment [LG10]: Delete as inappropriate use for R-2 District; mobilehome parks are zoned MHP

Comment [LG11]: Reflect state law requirement

Comment [LG12]: Clearly prohibit "vacation rentals"

Comment [LG13]: Broaden to reflect development standards in addition to lot area

Comment [LG14]: Increase to encourage duplexes

~~5. Notwithstanding the above, developments meeting the City's affordable housing program may have lot sizes as small as 5,000 square feet and lot widths as narrow as 50 feet.~~

Comment [LG15]: Defer to affordable housing incentives allowed by state law

~~B. Maximum Lot Density. On all lots, no more than one dwelling unit for each 3,000 square feet of net land area, except that rental units that meet the City's affordable housing guidelines may have one dwelling unit for each 1,000 square feet of net land area.~~

Comment [LG16]: Density is determined by General Plan land use designation (4-10 units per acre)

BC. Setbacks for main buildings shall be as follows:

1. Front yard, 20 feet;
2. Side yards, on each side of an interior lot shall be not less than one-half the height of the building, provided, that:
 - a. The interior side yard for a one-story building the height of which is less than 15 feet shall not be required to be more than five feet unless the building height exceeds 15 feet, in which case the side yard shall be not less than one-half the height of the building;
 - b. No interior side yard shall be not less than five feet nor be required to be more than 15 feet;
 - c. The side yard, for a corner lot, (CMC 17.38.040, Exhibit A) shall be not less than 15 feet;
 - d. The side yard, for a reverse corner lot (CMC 17.38.040, Exhibit A) shall be not less than 20 feet.

~~3. Rear yard: 20 feet.~~

Comment [LG17]: Regulation for rear yard setback needed

CE. Setbacks for accessory buildings and structures.

1. Setbacks for accessory buildings and structures from the property lines and other structures shall be five feet except that no accessory building or structure shall be allowed in the required front or street side yard unless otherwise maintained as provided for in by CMC 17.38.050.
2. Notwithstanding subsection (E)(1) of this section, for garages and carports opening onto a street, the minimum distance between the opening of such garage or carport and the lot line shall be 20 feet.

D. Maximum lot coverage.

~~The maximum coverage of a lot by structures, including accessory structures, shall be 40 percent.~~

Comment [LG18]: Regulation for maximum lot coverage needed

~~D. For parking requirements, see Chapter 17.36 CMC.~~

~~F. Fences, hedges or walls, see Chapter 17.52 CMC.~~

~~17.18.050 Design review.~~

~~Multi-family developments shall require design review in accordance with the provisions of Chapter 17.06 CMC.~~

Comment [LG19]: Covered by new Section 17.18.050

~~17.18.050 Other development requirements.~~

~~Additional requirements that apply to development in the R-2 District include, but are not limited to, the following.~~

~~Design Review, per CMC Chapter 17.06~~

Affordable Housing, per CMC Chapter 17.08
Off-Street Parking and Loading, per CMC Chapter 17.36
General Provisions and Exceptions, per CMC Chapter 17.38
Use Permits, per CMC Chapter 17.40
Fences, Hedges or Walls, per CMC Chapter 17.52
Highway and Street Setback Requirements, per CMC Chapter 17.56
Requests for Reasonable Accommodation, per CMC Chapter 17.60

Comment [LG20]: Enhance user awareness of other provisions

Proposed revisions

Chapter 17.19

R-3 MULTI-FAMILY RESIDENTIAL/~~PROFESSIONAL~~ OFFICE DISTRICT

Sections:

- 17.19.010 Purpose and intent.
- 17.19.020 Uses allowed.
- 17.19.03025 Height limit of buildings and structures.
- 17.19.0430 ~~Lot area requirements~~ Minimum development standards.
- 17.19.0450 ~~Design review~~ Other development requirements.

17.19.010 Purpose and intent.

The intent of the R-3 ~~Multi-Family/professional~~ Office ~~d~~ District is to increase the diversity and affordability of housing stock in Calistoga by providing housing close to ~~the~~ downtown services and ~~the~~ to provide convenient accessibility to ~~light~~ professional office uses for residents and ~~the~~ businesses ~~located in the downtown~~, while ensuring that care is taken to preserve the character of existing neighborhoods.

17.19.020 Uses allowed.

Uses allowed in ~~the~~ R-3 ~~d~~ District are as follows:

A. Uses ~~A~~ allowed without ~~U~~ Use P permit.

- ~~1. One family dwellings, duplexes, triplexes~~ Multi-family dwellings;
- ~~2. Home occupations in accordance with Chapter 17.24 CMC;~~
- ~~3. Second dwelling units in accordance with Chapter 17.37 CMC;~~
- ~~24. Supportive housing as defined in Chapter 17.04 CMC, not to exceed three units in size;~~
- ~~35. Transitional housing as defined in Chapter 17.04 CMC, not to exceed three units in size;~~
- ~~4. Residential care, limited, as defined and operated in accordance with state law~~
- ~~56. Uses determined by the Planning Commission to be similar in nature, as provided by CMC the procedures in Chapter 17.02 CMC.~~

B. Uses ~~R~~ requiring a U se P permits.

- ~~1. Two separate one family structures;~~
- ~~2. Multiple family dwelling units;~~
- ~~31. Bed and breakfast inns and facilities with greater than two units, in accordance with CMC Chapter 17.35 CMC;~~
- ~~42. Family child care, large, as defined and operated in accordance with state law~~ Child care services;
- ~~3. Convalescent and congregate care facilities~~
- ~~45. Churches~~ Religious institutions;

Comment [LG1]: Reflect intent of district

Comment [LG2]: Moved to Accessory Uses section

Comment [LG3]: Reflect intent of district

Comment [LG4]: Reflect state law requirements

Comment [LG5]: Reflect intent of district

Comment [LG6]: Reflect state law requirement

Comment [LG7]: Reflect Medium Density Residential General Plan land use designation

5. ~~Public or~~ private schools;

6. Public ~~buildings~~ facilities;

~~7. Parking lots within 500 feet of a DC-DD or CC-DD zone;~~

78. ~~Offices~~ Professional offices, clinics and health care facilities;

89. Geothermal activity (exploration, development and use);

~~10. Supportive housing as defined in Chapter 17.04 CMC, four or more units in size;~~

~~11. Transitional housing as defined in Chapter 17.04 CMC, four or more units in size;~~

912. Uses determined by the Planning Commission to be similar in nature, as provided by the procedures in CMC Chapter 17.02 ~~CMC~~.

C. ~~Allowed~~ Accessory buildings and Uses.

~~The following A~~ accessory buildings and ~~structures~~ uses are allowed, provided, that no accessory building or use shall be constructed or established prior to the construction of the main primary building; nor on a lot separate from the primary main building. ~~Accessory structures for the use of storage or parking such as garages or carports shall be limited to one story in height.~~

~~Accessory structures such as recreation rooms, laundry facilities, and the like shall observe the same height restrictions as a main structure.~~

1. Garages, carports, storage buildings, pool houses, club houses, on-site management offices and similar structures

2. Home occupations in accordance with CMC Chapter 17.21-CMC;

3. The keeping of household pets

4. Family child care, small, as defined and operated in accordance with state law

D. Prohibited Uses.

The following uses are prohibited in the R-3 District:

1. ~~Transient commercial occupancies of dwelling units.~~

2. ~~Other U~~ses not specified in subsections (A) through (C) of this section ~~are prohibited.~~

17.19.03025 Height limit of buildings and structures.

A. ~~The H~~height limit of primary buildings and structures in ~~an the~~ R-3 ~~d~~istrict shall be 25 feet.

B. ~~A~~ccessory structures for the use of storage or parking such as garages or carports shall be limited to ~~one story~~ 15 feet in height.

17.19.0430 Lot area requirements Minimum development standards.

The following standards apply to development within the Lot area requirements in an R-3 district, ~~shall be as follows:~~

A. Minimum lot area shall be:

1. Corner lots: 710,000 square feet;

Comment [LG8]: Conserve properties for residential use

Comment [LG9]: Reflect state law requirement

Comment [LG10]: Addressed by Section 17.19.030

Comment [LG11]: Clearly prohibit "vacation rentals"

2. Interior lots; 69,000 square feet;

~~3. Except that affordable housing projects may have lot sizes as small as 5,000 square feet.~~

B. Minimum lot width shall be:

1. Corner lots; 710 feet;

2. Interior lots; 690 feet;

~~3. Except that affordable housing projects may have lot widths as small as 50 feet.~~

C. Minimum lot depth shall be 120 feet.

1. Corner lots, 100 feet;

2. Interior lot, 100 feet.

D. Minimum lot density shall be:

1. On all lots, no more than one dwelling unit for each 2,000 square feet of net land area, except that developments that meet the City's affordable housing program may have one dwelling unit for each 1,000 square feet of net land area.

DE. The Maximum coverage of a lot by structures shall be 40 percent.

E. The maximum floor area ratio for office uses shall be .80.

F. Minimum setbacks for main buildings shall be:

1. Front yard; 15 feet;

2. ~~Side yards shall be not less than one-half the height of the building, provided that~~

~~a. The interior side yard for a one-story building the height of which is less than 15 feet shall not be required to be more than five feet~~

~~b. An interior side yard shall be not less than five feet nor be required to be more than 15 feet~~

~~c. The side yard for a corner lot (CMC 17.38.040, Exhibit A) shall be not less than 15 feet~~

~~d. The side yard for a reverse corner lot (CMC 17.38.040, Exhibit A) shall be not less than 20 feet Side yard, interior, five feet; side yard, corner or reverse corner lot, 15 feet;~~

3. Rear yard; 10 feet for one-story buildings, ~~and~~ 15 feet for two-story buildings.

G. Minimum setbacks for accessory buildings shall be:

1. ~~For G~~garages ~~or and~~ carports opening onto a street, the minimum distance between the opening of such garage or carport and the lot line, shall be 20 feet;

2. Setbacks ~~from the property lines~~ for accessory buildings and structures ~~from the property lines~~ shall be ~~five feet~~ except that no accessory building or structure shall be allowed in the required front or street side yard unless otherwise as provided for in CMC 17.38.050.

H. A minimum of 300 square feet of usable open space shall be provided for each dwelling unit, subject to the following location and design criteria:

Comment [LG12]: Insufficient size to accommodate multi-family residential development

Comment [LG13]: Reflect existing lot sizes and promote larger lots to facilitate the development of multi-family residential

Comment [LG14]: Density is dictated by General Plan and state affordable housing law

Comment [LG15]: Make consistent with General Plan

Comment [LG16]: Maintain consistency with other R districts

Comment [LG17]: Require usable open space for multi-family development to provide opportunities for recreation and gathering

1. Required open space may be group (common) and/or private open space.
2. Each square foot of private open space shall be considered the equivalent of two square feet of group open space and may be so substituted.
3. Private open space located at ground level shall have a minimum area of 150 square feet.
4. Private open space shall be adjacent to the dwelling unit being served.
5. The minimum dimension in any one direction for any group open space shall be 15 feet.
6. Up to 20 percent of the required open space may be a garden, balcony, deck, or similar usable open space feature located on the roof of a building other than an attached garage or carport.
7. Up to 50 percent of ground level open space may be covered by an overhang or balcony.
8. All required open space shall be planted or shall have a dust-free surface, such as concrete, landscape pavers or similar material.
9. No required open space shall be located in a parking area, driveway, service area or required front yard area.
10. No required open space shall have a slope greater than eight percent.

~~H. Parking requirements, see Chapter 17.36 CMC.~~

17.19.040 Design review.

~~Multifamily developments shall require design review in accordance with Chapter 17.06 CMC.~~

17.19.050 Other development requirements.

Additional requirements that apply to development in the R-3 District include, but are not limited to, the following:

- Design Review, per CMC Chapter 17.06
- Affordable Housing, per CMC Chapter 17.08
- Off-Street Parking and Loading, per CMC Chapter 17.36
- General Provisions and Exceptions, per CMC Chapter 17.38
- Use Permits, per CMC Chapter 17.40
- Fences, Hedges or Walls, per CMC Chapter 17.52
- Highway and Street Setback Requirements, per CMC Chapter 17.56
- Requests for Reasonable Accommodation, per CMC Chapter 17.60

Comment [LG18]: Included in Section 17.19.050

Comment [LG19]: Enhance user awareness of other provisions