



City of Calistoga
Planning Commission
Agenda Item Summary

DATE	September 26, 2018
ITEM	Zoning Code Amendment ZOA 2018-3 Clarifications and Reformatting of Zoning Districts
STAFF CONTACT	Lynn Goldberg, Planning & Building Director
POTENTIAL CONFLICTS	None
RECOMMENDATION	Recommend to the City Council amendments to the Zoning Code to clarify the applicability of lot area and dimension requirements in various zoning districts, and to reformat certain chapters to improve their usability
SUGGESTED MOTION	"I move that the Planning Commission adopt Resolution 2018-17 recommending to the City Council approval of Zoning Code amendments to clarify the applicability of lot area and dimension requirements in various zoning districts, and to reformat certain chapters to improve their usability"

**CALISTOGA PLANNING COMMISSION
STAFF REPORT**

TO: Chair Coates and Members of the Planning Commission
FROM: Lynn Goldberg, Planning & Building Director
MEETING DATE: September 26, 2018
SUBJECT: **Zoning Ordinance Amendment ZOA 2018-3
Clarifications and reformatting of zoning districts**

1 **ITEM**

2 Consideration of amendments to Calistoga Municipal Code Title 17, Zoning to clarify the
3 applicability of lot area and dimension requirements in various zoning districts, and to
4 reformat certain chapters to improve their usability

5 **BACKGROUND**

6 During the Planning Commission's consideration of the design review application for the
7 1514 Washington Street apartments project, members of the public asserted that the
8 project could not be approved because the property did not meet the minimum lot area
9 and lot dimension requirements for the R-3 District¹.

10 Specifically, CMC Section 17.19.040, Minimum Development Standards, provides the
11 following (emphasis added):

12 *The following standards apply to development within the R-3 district:*

13 *A. Minimum lot area shall be:*

- 14 *1. Corner lots: 10,000 square feet*
15 *2. Interior lots: 9,000 square feet*

16 *B. Minimum lot width shall be:*

- 17 *1. Corner lots: 100 square feet*
18 *2. Interior lots: 90 square feet*

19 *C. Minimum lot depth shall be 120 feet.*

20 There is no language in the Municipal Code that expressly states that minimum lot area
21 and dimensions apply only to subdivisions of land or lot line adjustments. However, the
22 provision – in practice and application – has been interpreted by staff, and validated
23 through decision-making bodies (i.e., the Planning Commission and City Council), to
24 refer only to land subdivisions and lot line adjustments.

25 The provisions have not been applied when property owners/applicants seek planning
26 entitlements or building permits for existing lots that were lawfully created prior to

¹ The 1514 Washington Street property is 9,230 square feet in area and has a lot width of 93.58 feet, both of which are less than the required minimums.

27 adoption of the relevant zoning district’s regulations. To interpret the Code otherwise
28 would preclude owners of a substantial number of lots in the city from any further
29 development on their properties. In most cases, the City cannot lawfully prohibit further
30 development on a legally-created lot without providing some form of compensation to
31 the property owner. Accordingly, because these provisions must be interpreted against
32 this background law, the common sense interpretation of these provisions and the intent
33 of the City Council in passing the ordinance reflecting Section 17.19.040 (and possibly
34 other Code sections referring to minimum lot areas and dimensions) would have been
35 that these provisions apply to future subdivisions and not to lots in existence at the time.
36 For example, strictly applying the minimum lot area and dimension requirements to the
37 six properties on the east side of 4th Street that are improved with single-family
38 residences would prevent further “development” on any of them. While the properties
39 meet the minimum lot depth requirement, none meet the minimum lot width regulation,
40 and only one includes the minimum lot area.

Address	Lot area <i>9,000 sf. reqd.</i>	Lot width <i>90 feet reqd.</i>
1406 4th	6,534 sq. ft.	55 feet
1410 4th	7,405 sq. ft.	60 feet
1412 4th	10,018 sq. ft.	80 feet
1418 4th	7,405 sq. ft.	60 feet
1424 4th	7,840 sq. ft.	60 feet
1428 4th	7,405 sq. ft.	60 feet

41 While the Zoning Code does not define “development,” it would be reasonable to
42 consider the construction of accessory structures or residential additions as such.
43 Strictly interpreting the current provision would therefore prohibit these types of
44 improvements on any properties that do not meet the minimum lot area, lot width or lot
45 depth requirements.

46 **PROPOSED CODE AMENDMENTS**

- 47 • In order to clarify the non-applicability of minimum lot area, lot width or lot depth
48 requirements to development on legally-created properties, staff proposes to revise
49 eight zoning districts to create sections for these requirements that are separate
50 from each district’s “development standards” sections. In most districts, this would
51 be achieved by replacing a district’s currently-separate “height limits” section with the lot
52 area/width/depth regulations, and moving the height limitation provisions to the
53 development standards sections, which is where they should logically be located.
- 54 • Other proposed amendments include reformatting the various development
55 standards sections so that the standards are arranged in the same order for each
56 zoning district (e.g., setbacks, followed by lot coverage and building height) and

57 using the same language for each standard (e.g., simplified listings of standards vs.
58 complete sentences) for quick reference. Attachment 2 shows the current
59 arrangement and wording of regulations for each of the affected zoning districts and
60 the proposed reformatting and rewording. No development standards would be
61 altered as part of this proposed reformatting and rewording.

- 62 • Staff also recommends adding the same “Other Development Standards” section to
63 the Public and Light Industrial District chapters that have been added over time to
64 the other zoning districts.
- 65 • Lastly, staff proposes to rename Chapter 17.44 from “Nonconforming Uses” to
66 “Nonconformities” and add the following section to stipulate that development of
67 nonconforming lots may occur:

68 *17.44.060 Nonconforming lots.*

69 *The minimum lot area and minimum lot dimensions prescribed for each*
70 *zoning district apply to applications for new subdivisions and lot line*
71 *adjustments. They do not apply to the development of a lot that has*
72 *been legally created but does not meet the minimum requirements.*

73 **ENVIRONMENTAL REVIEW**

74 The proposed Zoning Code amendments have been reviewed in accordance with the
75 California Environmental Quality Act and the City has determined that CEQA Guidelines
76 Section 15061(b)(3), the “general rule” exemption, applies because it can be seen with
77 certainty that there is no possibility that the amendments may have a significant effect
78 on the environment. Therefore, the proposed action is exempt from CEQA.

79 **RECOMMENDATION**

80 Adopt a resolution recommending to the City Council approval of Zoning Code
81 amendments to clarify the applicability of lot area and dimension requirements in
82 various zoning districts, and to reformat certain chapters to improve their usability.

ATTACHMENTS

1. Draft resolution
2. Proposed Reorganization of Selected Zoning District Standards

CITY OF CALISTOGA
PLANNING COMMISSION
PC RESOLUTION 2018-17

RECOMMENDING THAT THE CITY COUNCIL AMEND CALISTOGA MUNICIPAL CODE TITLE 17, ZONING, TO CLARIFY THE APPLICABILITY OF LOT AREA AND DIMENSION REQUIREMENTS IN VARIOUS ZONING DISTRICTS, AND TO REFORMAT CERTAIN CHAPTERS TO IMPROVE THEIR USABILITY (ZOA 2018-3)

1 WHEREAS, certain language contained in multiple chapters of Title 17, Zoning,
2 of the Calistoga Municipal Code (CMC) implies that legally-created lots cannot be
3 developed if they do not meet minimum lot area and/or lot dimensions; and

4 WHEREAS, these provisions have not been applied by the City when property
5 owners/applicants seek planning entitlements or building permits for existing lots that
6 were lawfully created prior to adoption of the relevant zoning district's regulations; and

7 WHEREAS, to interpret the Code otherwise would preclude owners of a
8 substantial number of lots in the city from any further development on their properties;
9 and

10 WHEREAS, formatting all of the zoning districts' development standards in the
11 same manner improves the Code's usability; and

12 WHEREAS, the Planning Commission reviewed the proposed amendments at a
13 public hearing on September 26, 2018, and during its review, considered the public
14 record, including the staff report, findings, and any written materials and testimony
15 presented by the public; and

16 WHEREAS, the Planning Commission has determined that the proposed
17 amendments are not subject to the California Environmental Quality Act (CEQA) under
18 Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that
19 there is no possibility that they may have a significant effect on the environment.

20 NOW, THEREFORE, BE IT RESOLVED by the City of Calistoga Planning
21 Commission that, based on the above findings, it is recommended that the City Council
22 amend Title 17 of the Calistoga Municipal Code Section as shown in Exhibit A attached
23 hereto.

APPROVED AND ADOPTED on September 26, 2018 by the following vote of the
Calistoga Planning Commission:

AYES:

NOES:

ABSENT:

ABSTAIN:

Paul Coates, Chair

ATTEST: _____
Lynn Goldberg, Secretary

Exhibit A

24 **1. CMC Section 17.04.690 is hereby added as follows:**

25 17.04.690 Yard, street side

26 "Street side yard" shall mean that area of a lot lying between a side lot line that is
27 adjacent to a street and the building setback line.

28 **2. CMC Sections 17.14.030 and 17.14.040 are hereby rescinded and replaced with
29 the following:**

30 17.14.030 Lot area and dimensions.

31 Minimum lot area and lot dimensions in the RR District are as follows.

32 A. Minimum lot area is as follows, except that the maximum allowable density shall
33 be determined by the Rural Residential Land Use Designation of the Calistoga
34 General Plan:

- 35 1. 80,000 square feet if both on-site water and wastewater disposal are
36 proposed
- 37 2. 40,000 square feet if either on-site water or wastewater disposal is proposed
- 38 3. 20,000 square feet if city water and wastewater services are provided

39 B. Minimum lot width: 100 feet

40 C. Minimum lot depth: 200 feet

41 17.14.040 Development standards.

42 The following standards apply to development within the RR District.

43 A. Minimum setbacks for principal buildings are as follows.

- 44 1. Front yard: 20 feet
- 45 2. Interior side yard: 10 feet, except that 20 feet is required for nonresidential
- 46 3. Street side yard, corner lot: 15 feet
- 47 4. Street side yard, reverse corner lot: 20 feet
- 48 5. Rear yard: 20 feet

49 B. Minimum setbacks for accessory buildings and structures shall be maintained as
50 provided by CMC 17.38.050.

51 C. Maximum lot coverage: 30 percent

52 D. Maximum height of buildings and structures: 25 feet

53 **3. CMC Sections 17.16.030 and 17.16.040 are hereby rescinded and replaced with
54 the following:**

55 17.16.030 Lot area and dimensions.

56 A. Minimum lot area and lot dimensions in the R-1 District are as follows.

- 57 1. Corner lots: 7,000 square feet
- 58 2. Interior lots: 6,000 square feet
- 59 3. Lot width
 - 60 a. Interior: 60 feet
 - 61 b. Corner: 70 feet

- 62 4. Lot depth: 100 feet
- 63 B. Minimum lot area and lot dimensions in the R-1-10 District are as follows.
- 64 1. Corner lots: 12,000 square feet
- 65 2. Interior lots: 10,000 square feet
- 66 3. Lot width
- 67 a. Interior: 100 feet
- 68 b. Corner: 120 feet
- 69 4. Lot depth: 100 feet

70 17.16.040 Development standards.

71 The following standards apply to development within the R-1 and R-1-10 Districts.

- 72 A. Minimum setbacks for principal buildings are as follows.
- 73 1. Front yard: 20 feet
- 74 2. Side yards shall be not less than one-half the height of the building; provided,
- 75 that:
- 76 a. The interior side yard for a one-story building the height of which is less
- 77 than 15 feet shall not be required to be more than 5 feet
- 78 b. An interior side yard shall be not less than 5 feet nor be required to be
- 79 more than 15 feet
- 80 c. Street side yard, corner lot: 15 feet
- 81 d. Street side yard, reverse corner lot: 20 feet
- 82 3. Rear yard: 20 feet
- 83 B. Minimum setbacks for accessory buildings and structures are as follows.
- 84 1. Setbacks for accessory buildings and structures shall be maintained as
- 85 provided by CMC 17.38.050.
- 86 2. Notwithstanding subsection (B)(1) of this section, for garages and carports
- 87 opening onto a street, the minimum distance between the opening of such
- 88 garage or carport and the lot line shall be 20 feet.
- 89 C. Maximum lot coverage: 30 percent, except as provided by CMC 17.38.050
- 90 D. Maximum building height: 25 feet

91 **4. CMC Sections 17.18.030 and 17.18.040 are hereby rescinded and replaced with**
92 **the following:**

93 17.18.030 Lot area and dimensions.

94 Minimum lot area and lot dimensions in the R-2 District are as follows.

- 95 A. Corner lot area: 10,000 square feet
- 96 B. Interior lot area: 9,000 square feet
- 97 C. Lot width
- 98 1. Interior: 90 feet
- 99 2. Corner: 100 feet
- 100 D. Lot depth: 100 feet

101 17.18.040 Development standards.

- 102 The following standards apply to development within the R-2 District.
103 A. Minimum setbacks for principal buildings are as follows.
104 1. Front yard: 20 feet
105 2. Side yards shall be not less than one-half the height of the building; provided,
106 that:
107 a. The interior side yard for a one-story building the height of which is less
108 than 15 feet shall not be required to be more than 5 feet.
109 b. An interior side yard shall be not less than 5 feet nor be required to be
110 more than 15 feet.
111 c. The street side yard for a corner lot shall be not less than 15 feet.
112 d. The street side yard for a reverse corner lot shall be not less than 20 feet.
113 3. Rear yard: 20 feet
114 B. Minimum setbacks for accessory buildings and structures are as follows.
115 1. Setbacks for accessory buildings and structures from the property lines and
116 other structures shall be maintained as provided by CMC 17.38.050.
117 2. For garages and carports opening onto a street, the minimum distance
118 between the opening of such garage or carport and the lot line shall be 20
119 feet.
120 C. Maximum lot coverage: 40 percent
121 D. Maximum height of buildings and structures: 25 feet.

122 **5. CMC Sections 17.19.030 and 17.19.040 are hereby rescinded and replaced with**
123 **the following:**

- 124 17.19.030 Lot area and dimensions.
125 Minimum lot area and lot dimensions in the R-3 District are as follows.
126 A. Minimum lot area
127 1. Corner lots: 10,000 square feet
128 2. Interior lots: 9,000 square feet
129 B. Minimum lot width
130 1. Corner lots: 100 feet
131 2. Interior lots: 90 feet
132 C. Minimum lot depth: 120 feet

133 17.19.040 Development standards.
134 The following standards apply to development within the R-3 District.

- 135 A. Minimum setbacks for main buildings are as follows.
136 1. Front yard: 15 feet
137 2. Side yards shall be not less than one-half the height of the building; provided,
138 that:
139 a. The interior side yard for a one-story building the height of which is less
140 than 15 feet shall not be required to be more than 5 feet.
141 b. An interior side yard shall be not less than 5 feet nor be required to be
142 more than 15 feet.

- 143 c. The street side yard for a corner lot shall be not less than 15 feet.
144 d. The street side yard for a reverse corner lot shall be not less than 15 feet.
145 3. Rear yard: 10 feet for one-story buildings, 15 feet for two-story buildings.
146 B. Minimum setbacks for accessory buildings are as follows.
147 1. Setbacks from property lines for accessory buildings and structures shall be
148 as provided in CMC 17.38.050.
149 2. For garages and carports opening onto a street, the minimum distance
150 between the opening of such garage or carport and the lot line shall be 20
151 feet.
152 C. Maximum lot coverage: 40 percent
153 D. Maximum floor area ratio for office uses: 0.80
154 E. Maximum height
155 1. Primary buildings and structures: 25 feet
156 2. Accessory structures: 15 feet
157 F. A minimum of 300 square feet of usable open space shall be provided for each
158 dwelling unit, subject to the following location and design criteria:
159 1. Required open space may be group (common) and/or private open space.
160 2. Each square foot of private open space shall be considered the equivalent of
161 two square feet of group open space and may be so substituted.
162 3. Private open space located at ground level shall have a minimum area of 150
163 square feet.
164 4. Private open space shall be adjacent to the dwelling unit being served.
165 5. The minimum dimension in any one direction for any group open space shall
166 be 15 feet.
167 6. Up to 20 percent of the required open space may be a garden, balcony, deck,
168 or similar usable open space feature located on the roof of a building other
169 than an attached garage or carport.
170 7. Up to 50 percent of ground level open space may be covered by an overhang
171 or balcony.
172 8. All required open space shall be planted or shall have a dust-free surface,
173 such as concrete, landscape pavers or similar material.
174 9. No required open space shall be located in a parking area, driveway, service
175 area or required front yard area.
176 10. No required open space shall have a slope greater than eight percent.

177 **6. CMC Section 17.21.055 is hereby added as follows:**

178 17.21.055 Lot area and dimensions.

179 Minimum lot area and lot dimensions in the DC District are as follows.

180 A. Minimum lot area: 5,000 square feet

181 B. Minimum lot width: 30 feet

182 **7. CMC Section 17.21.060 is hereby rescinded and replaced with the following:**

183 17.21.060 Development standards.

- 184 The following standards apply to development within the DC District.
- 185 A. Minimum setbacks
- 186 1. Principal buildings shall comply with the following setbacks.
- 187 a. Front yard: 0 feet, unless directly across the street from a residential
- 188 district, in which case the setback shall be 20 feet
- 189 b. Interior side yard: 0 feet, unless abutting or adjacent to a residential
- 190 district, in which case the setback shall be 5 feet
- 191 c. Street side yard: 0 feet, unless across the street from a residential district,
- 192 in which case the setback shall be 15 feet
- 193 d. Rear yard: 0 feet, unless abutting or adjacent to a residential district, in
- 194 which case the setback shall be 10 feet
- 195 2. Accessory buildings and structures shall comply with the following setbacks.
- 196 a. Front yard: Setback equal to or greater than the principal structure on the
- 197 lot
- 198 b. Interior side yard: 0 feet, unless abutting or adjacent to a residential
- 199 district, in which case the interior side setback shall be 5 feet
- 200 B. Maximum lot coverage
- 201 1. Maximum lot coverage: 80 percent
- 202 2. Additional lot coverage may be authorized by a use permit pursuant to CMC
- 203 Chapter 17.40.
- 204 C. Maximum floor area ratio
- 205 1. Maximum floor area for nonresidential uses: 200 percent
- 206 2. Floor area devoted to residential uses shall be excluded from this calculation.
- 207 D. Maximum height, number of stories
- 208 1. Maximum height
- 209 a. Principal buildings: 30 feet, with the following exceptions:
- 210 i. Where a commercial building abuts or adjoins a parcel in a residential
- 211 district, the maximum height is 25 feet.
- 212 ii. Taller structures may be approved pursuant to CMC 17.38.030.
- 213 b. Accessory buildings: 15 feet above grade
- 214 2. Maximum number of stories for principal buildings: 2 stories, provided that 3
- 215 stories may be authorized by a use permit pursuant to CMC Chapter 17.40.
- 216 E. Minimum landscaping of open space: A minimum of 40 percent of open space
- 217 on a lot shall be landscaped. Walks, pools, patios and other similar areas may be
- 218 considered as part of the open space requirement. Parking areas shall not be
- 219 counted unless special paving or other design features are incorporated.
- 220 F. Parking and access
- 221 1. Parking within the front setback or street side setback is prohibited.
- 222 2. New driveways over any portion of the public sidewalk fronting on Lincoln
- 223 Avenue between Foothill Boulevard and Fair Way shall require authorization
- 224 by the Planning Commission through the approval of a use permit pursuant to
- 225 CMC Chapter 17.40.

226 G. Fixed place of business: All retail sales and service establishments shall be
227 conducted within a fixed place of business.

228 **8. CMC Section 17.22.055 is hereby added as follows:**

229 17.22.055 Lot area and dimensions.

230 Minimum lot area and lot dimensions in the CC District are as follows.

231 A. Minimum lot area: 5,000 square feet

232 B. Minimum lot width: 50 feet

233 **9. CMC Section 17.22.060 is hereby rescinded and replaced with the following:**

234 17.22.060 Development standards.

235 The following standards apply to development within the CC District.

236 A. Minimum setbacks

237 1. Principal buildings shall comply with the following setbacks.

238 a. Front yard: 10 feet, unless directly across the street from a residential
239 district, in which case the front setback shall be 20 feet

240 b. Interior side yard: 0 feet, unless abutting or adjacent to a residential
241 district, in which case the interior side setback shall be five feet

242 c. Street side yard: 10 feet, unless across the street from a residential
243 district, in which case the street side setback shall be 20 feet

244 d. Rear yard: 0 feet, unless abutting or adjacent to a residential district, in
245 which case the rear setback shall be 10 feet

246 2. Accessory buildings and structures shall comply with the following setbacks.

247 a. Front yard: Setback equal to or greater than the principal structure on the
248 lot

249 b. Interior side yard: 0 feet, unless abutting or adjacent to a residential
250 district, in which case the interior side setback shall be five feet

251 c. Street side yard: Setback equal to or greater than the principal structure
252 on the lot

253 d. Rear yard: 0 feet, unless abutting or adjacent to a residential district, in
254 which case the rear setback shall be 5 feet

255 B. Maximum lot coverage

256 1. Maximum lot coverage: 60 percent

257 2. Additional lot coverage may be authorized by a use permit pursuant to CMC
258 Chapter 17.40.

259 C. Maximum floor area ratio

260 1. Maximum floor area for nonresidential uses: 80 percent.

261 2. Floor area devoted to residential uses shall be excluded from this calculation.

262 D. Minimum landscaping of open space: A minimum of 40 percent of open space
263 on a lot shall be landscaped. Walks, pools, patios and other similar areas may be
264 considered as part of the open space requirement. Parking areas shall not be
265 counted unless special paving or other design features are incorporated.

266 E. Maximum height, number of stories

- 267 1. Maximum height
- 268 a. Principal buildings: 30 feet, with the following exceptions:
- 269 i. Where a commercial building abuts or adjoins a parcel in a residential
- 270 district, the maximum height is 25 feet.
- 271 ii. Taller structures may be approved pursuant to CMC 17.38.030.
- 272 b. Accessory buildings: 15 feet above grade
- 273 2. Maximum number of stories for principal buildings: 2 stories are allowed for
- 274 principal buildings, provided that 3 stories may be authorized by a use permit
- 275 pursuant to CMC Chapter 17.40.
- 276 F. Parking within the front setback or street side setback may be authorized by a
- 277 use permit pursuant to CMC Chapter 17.40.
- 278 G. Fixed place of business: All retail sales and service establishments shall be
- 279 conducted within a fixed place of business.

280 **10. CMC Sections 17.23.030 and 17.23.040 are hereby rescinded and replaced with**
281 **the following:**

282 17.23.030 Development standards.

283 The following standards apply to development in the P District.

- 284 A. Setbacks for main buildings and accessory buildings shall be as follows.
- 285 1. Front yard: 20 feet
- 286 2. Side and rear yards: No requirement unless adjacent to a residential use or
- 287 zoning district, wherein a 20-foot building setback is required
- 288 B. Maximum floor area ratio: 0.80.
- 289 C. Maximum height of buildings and structures: 30 feet, except that when P-zoned
- 290 property directly abuts residentially-zoned property, all structures within 50 feet of
- 291 the residential property line shall have a height not to exceed the maximum
- 292 permitted in the adjacent residential district.

293 17.23.040 Other development standards.

294 Additional requirements that apply to development in the P District include, but are

295 not limited to, the following:

- 296 A. Off-street parking and loading, per CMC Chapter 17.36
- 297 B. General provisions and exceptions, per CMC Chapter 17.38
- 298 C. Use permits, per CMC Chapter 17.40
- 299 D. Design review, per CMC Chapter 17.41
- 300 E. Fences, hedges or walls, per CMC Chapter 17.52
- 301 F. Signs and advertising regulations, per CMC Chapter 17.58

302 **11. CMC Section 17.22.055 is hereby added as follows:**

303 12.26.025 Lot area and dimensions

304 Minimum lot area and lot dimensions in the I District are as follows.

- 305 A. Minimum lot area: 20,000 square feet unless otherwise specifically provided by a
- 306 use permit
- 307 B. Minimum lot width: 100 feet

308 C. Minimum lot depth: 200 feet

309 **12. CMC Sections 17.26.030 and 17.26.040 are hereby rescinded and replaced with**
310 **the following:**

311 17.26.030 Development standards.

312 The following standards apply to development within the I District.

313 A. Setbacks for buildings shall be as specified by use permit; provided that where
314 the lot abuts a residential district, the setbacks shall in no case be less than is
315 required under the setback requirements in the abutting residential district

316 B. Maximum lot coverage: 40 percent

317 C. Maximum height limit of buildings and structures: 30 feet; provided that where
318 the lot abuts a residential district, all structures within 50 feet of the residential
319 property line shall have a height not to exceed the maximum permitted in the
320 adjacent residential district

321 17.26.040 Other development standards.

322 Additional requirements that apply to development in the I District include, but are
323 not limited to, the following:

324 A. Off-street parking and loading, per CMC Chapter 17.36

325 B. General provisions and exceptions, per CMC Chapter 17.38

326 C. Use permits, per CMC Chapter 17.40

327 D. Design review, per CMC Chapter 17.41

328 E. Fences, hedges or walls, per CMC Chapter 17.52

329 F. Signs and advertising regulations, per CMC Chapter 17.58

330 **13. CMC Chapter 17.44 is hereby amended as follows:**

331 A. Chapter 17.44 is retitled "Nonconformities"

332 B. Section 17.44.060 is added as follows:

333 17.44.060 Nonconforming lots.

334 The minimum lot area and minimum lot dimensions prescribed for each
335 zoning district apply to applications for new subdivisions and lot line
336 adjustments. They do not apply to the development of a lot that has been
337 legally created but does not meet the minimum requirements.

Proposed Reorganization of Selected Zoning District Standards

Existing Code Provisions	Proposed Revisions
RR RURAL RESIDENTIAL District	
<p>Sections: 17.14.030 Height limit of buildings and structures. 17.14.040 Minimum development standards.</p>	<p>Sections: 17.14.030 Lot area and dimensions. 17.14.040 Development standards.</p>
<p>17.14.030 Height limit of buildings and structures. The height limit of buildings and structures in the RR district shall be 25 feet.</p>	<p>17.14.030 Lot area and dimensions. Minimum lot area and lot dimensions in the RR District are as follows. A. Minimum lot area is as follows, except that the maximum allowable density shall be determined by the Rural Residential Land Use Designation of the Calistoga General Plan: 1. 80,000 square feet if both on-site water and wastewater disposal are proposed 2. 40,000 square feet if either on-site water or wastewater disposal is proposed 3. 20,000 square feet if city water and wastewater services are provided B. Minimum lot width: 100 feet C. Minimum lot depth: 200 feet</p>
<p>17.14.040 Minimum development standards. The following standards apply to development within the RR district: 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. 80,000 square feet if both on-site water and wastewater disposal are proposed. 2. 40,000 square feet if either on-site water or wastewater disposal is proposed. 3. 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,</p>	<p>17.14.040 Development standards. The following standards apply to development within the RR District. A. Minimum setbacks for principal buildings are as follows. 1. Front yard: 20 feet 2. Interior side yard: 10 feet, except that 20 feet is required for nonresidential 3. Street side yard, corner lot: 15 feet 4. Street side yard, reverse corner lot: 20 feet 5. Rear yard: 20 feet B. Minimum setbacks for accessory buildings and structures shall be maintained as provided by CMC 17.38.050. C. Maximum lot coverage: 30 percent D. Maximum height of buildings and structures: 25 feet</p>

<p>Exhibit A): 10 feet, except that nonresidential uses require a 20-foot setback from a side interior lot line.</p> <p>3. Street side yard, corner lot (CMC 17.38.040, Exhibit A): 15 feet.</p> <p>4. Street side yard, reverse corner lot (CMC 17.38.040, Exhibit A): 20 feet.</p> <p>5. Rear yard: 20 feet.</p> <p>E. Setbacks for accessory buildings and structures from the property lines and other structures shall be maintained as provided by CMC 17.38.050.</p> <p>F. Maximum coverage of lot by structures, including accessory structures, shall be 30 percent.</p>	
<p>R-1 AND R-1-10 ONE-FAMILY RESIDENTIAL DISTRICTS</p>	
<p>Sections: 17.16.030 Height limit of buildings and structures. 17.16.040 Minimum development standards.</p>	<p>Sections: 17.16.030 Lot area and dimensions. 17.16.040 Development standards.</p>
<p><u>17.16.030 Height limit of buildings and structures.</u> The height limit of buildings and structures in the R-1 and R-1-10 districts shall be 25 feet.</p>	<p>17.16.030 Lot area and dimensions.</p> <p>A. Minimum lot area and lot dimensions in the R-1 District are as follows.</p> <ol style="list-style-type: none"> 1. Corner lots: 7,000 square feet 2. Interior lots: 6,000 square feet 3. Lot width <ol style="list-style-type: none"> a. Interior: 60 feet b. Corner: 70 feet 4. Lot depth: 100 feet <p>B. Minimum lot area and lot dimensions in the R-1-10 District are as follows.</p> <ol style="list-style-type: none"> 1. Corner lots: 12,000 square feet 2. Interior lots: 10,000 square feet 3. Lot width <ol style="list-style-type: none"> a. Interior: 100 feet b. Corner: 120 feet 4. Lot depth: 100 feet
<p><u>17.16.040 Minimum development standards.</u> The following standards apply to development within the R-1 and R-1-10 districts:</p> <p>A. Minimum lot area and minimum lot dimensions</p>	<p>17.16.040 Development standards. The following standards apply to development within the R-1 and R-1-10 Districts.</p> <p>A. Minimum setbacks for principal buildings are as</p>

in the R-1 district are as follows:

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

B. Minimum lot area and minimum lot dimensions in the R-1-10 district are as follows:

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

C. Setbacks from the property lines for principal buildings are as follows:

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.
 - 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.

3. Rear yard: 20 feet.

D. Setbacks for Accessory Buildings and Structures.

1. Setbacks for accessory buildings and structures from the property lines and other structures shall be maintained as provided by CMC 17.38.050.
2. Notwithstanding subsection (D)(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.

follows.

1. Front yard: 20 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 5 feet
 - b. An interior side yard shall be not less than 5 feet nor be required to be more than 15 feet
 - c. Street side yard, corner lot: 15 feet
 - d. Street side yard, reverse corner lot: 20 feet

3. Rear yard: 20 feet

B. Minimum setbacks for accessory buildings and structures are as follows.

1. Setbacks for accessory buildings and structures shall be maintained as provided by CMC 17.38.050.
2. Notwithstanding subsection (B)(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.

C. Maximum lot coverage: 30 percent, except as provided by CMC 17.38.050

D. Maximum building height: 25 feet

<p>E. The maximum coverage of a lot by structures, including accessory structures, shall be 30 percent, except as provided by CMC 17.38.050.</p>	
<p>R-2 TWO-FAMILY RESIDENTIAL DISTRICT</p>	
<p>Sections: 17.18.030 Height limit of buildings and structures. 17.18.040 Minimum development standards.</p>	<p>Sections: 17.18.030 Lot area and dimensions. 17.18.040 Development standards.</p>
<p>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.</p>	<p>17.18.030 Lot area and dimensions. Minimum lot area and lot dimensions in the R-2 District are as follows. A. Corner lot area: 10,000 square feet B. Interior lot area: 9,000 square feet C. Lot width 1. Interior: 90 feet 2. Corner: 100 feet D. Lot depth: 100 feet</p>
<p>17.18.040 Minimum development standards. The following standards apply to development within the R-2 district: A. Minimum lot area and minimum lot dimensions in an R-2 district are as follows: B. Setbacks for main buildings are as follows: 1. Front yard: 20 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. 3. Rear yard: 20 feet. C. Setbacks for Accessory Buildings and Structures.</p>	<p>17.18.040 Development standards. The following standards apply to development within the R-2 District. A. Minimum setbacks for principal buildings are as follows. 1. Front yard: 20 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 5 feet. b. An interior side yard shall be not less than 5 feet nor be required to be more than 15 feet. c. The street side yard for a corner lot shall be not less than 15 feet. d. The street side yard for a reverse corner lot shall be not less than 20 feet. 3. Rear yard: 20 feet B. Minimum setbacks for accessory buildings and structures are as follows. 1. Setbacks for accessory buildings and structures from the property lines and other</p>

<ul style="list-style-type: none"> 1. Setbacks for accessory buildings and structures from the property lines and other structures shall be maintained as provided by CMC 17.38.050. 2. Notwithstanding subsection (C)(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. <p>D. Maximum Lot Coverage. The maximum coverage of a lot by structures, including accessory structures, shall be 40 percent.</p>	<p>structures shall be maintained as provided by CMC 17.38.050.</p> <ul style="list-style-type: none"> 2. 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. <p>C. Maximum lot coverage: 40 percent</p> <p>D. Maximum height of buildings and structures: 25 feet.</p>
R-3 MULTIFAMILY RESIDENTIAL/OFFICE DISTRICT	
<p>Sections:</p> <p>17.19.030 Height limit of buildings and structures.</p> <p>17.19.040 Minimum development standards.</p>	<p>Sections:</p> <p>17.19.030 Lot area and dimensions.</p> <p>17.19.040 Development standards.</p>
<p>17.19.030 Height limit of buildings and structures.</p> <ul style="list-style-type: none"> A. The height limit of primary buildings and structures in the R-3 district shall be 25 feet. B. Accessory structures shall be limited to 15 feet in height. 	<p>17.19.030 Lot area and dimensions.</p> <p>Minimum lot area and lot dimensions in the R-3 District are as follows.</p> <ul style="list-style-type: none"> A. Minimum lot area <ul style="list-style-type: none"> 1. Corner lots: 10,000 square feet 2. Interior lots: 9,000 square feet B. Minimum lot width <ul style="list-style-type: none"> 1. Corner lots: 100 feet 2. Interior lots: 90 feet C. Minimum lot depth: 120 feet
<p>17.19.040 Minimum development standards.</p> <p>The following standards apply to development within the R-3 district.</p> <ul style="list-style-type: none"> A. Minimum lot area shall be: <ul style="list-style-type: none"> 1. Corner lots: 10,000 square feet. 2. Interior lots: 9,000 square feet. B. Minimum lot width shall be: <ul style="list-style-type: none"> 1. Corner lots: 100 feet. 2. Interior lots: 90 feet. C. Minimum lot depth shall be 120 feet. D. The maximum coverage of a lot by structures shall be 40 percent. E. The maximum floor area ratio for office uses shall be 0.80. 	<p>17.19.040 Development standards.</p> <p>The following standards apply to development within the R-3 District.</p> <ul style="list-style-type: none"> A. Minimum setbacks for main buildings are as follows. <ul style="list-style-type: none"> 1. Front yard: 15 feet 2. Side yards shall be not less than one-half the height of the building; provided, that: <ul style="list-style-type: none"> 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 5 feet. b. An interior side yard shall be not less than 5 feet nor be required to be more

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 15 feet.
3. Rear yard: 10 feet for one-story buildings, 15 feet for two-story buildings.

G. Minimum Setbacks for Accessory Buildings.

1. 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.
2. Setbacks from the property lines for accessory buildings and structures shall be as provided 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:

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

than 15 feet.

c. The street side yard for a corner lot shall be not less than 15 feet.

d. The street side yard for a reverse corner lot shall be not less than 15 feet.

3. Rear yard: 10 feet for one-story buildings, 15 feet for two-story buildings.

B. Minimum setbacks for accessory buildings are as follows.

1. Setbacks from property lines for accessory buildings and structures shall be as provided in CMC 17.38.050.
2. 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.

C. Maximum lot coverage: 40 percent

D. Maximum floor area ratio for office uses: 0.80

E. Maximum height

1. Primary buildings and structures: 25 feet
2. Accessory structures: 15 feet

F. 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:

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

<p>direction for any group open space shall be 15 feet.</p> <ol style="list-style-type: none"> 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. 	<p>roof of a building other than an attached garage or carport.</p> <ol style="list-style-type: none"> 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.
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DC DOWNTOWN COMMERCIAL DISTRICT

<p>Sections: 17.21.060 Development standards.</p>	<p>Sections: 17.21.055 Lot area and dimensions. 17.21.060 Development standards.</p>
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<p><u>17.21.060 Development standards.</u> The following development standards shall apply in the DC district:</p> <p>A. Minimum Setbacks.</p> <ol style="list-style-type: none"> 1. Principal buildings shall comply with the following setbacks from a property line: <ol style="list-style-type: none"> a. Front: zero feet, unless directly across the street from a residential district, in which case the front setback shall be 20 feet; b. Interior side: zero feet, unless abutting or adjacent to a residential district, in which case the interior side setback shall be five feet; c. Street side: zero feet, unless across the street from a residential district, in which case the street side setback shall be 15 feet; d. Rear: zero feet, unless abutting or adjacent to a residential district, in 	<p>17.21.055 Lot area and dimensions. Minimum lot area and lot dimensions in the DC District are as follows.</p> <ol style="list-style-type: none"> A. Minimum lot area: 5,000 square feet B. Minimum lot width: 30 feet <p>17.21.060 Development standards. The following standards apply to development within the DC District.</p> <p>A. Minimum setbacks</p> <ol style="list-style-type: none"> 1. Principal buildings shall comply with the following setbacks. <ol style="list-style-type: none"> a. Front yard: 0 feet, unless directly across the street from a residential district, in which case the setback shall be 20 feet b. Interior side yard: 0 feet, unless abutting or adjacent to a residential district, in which case the setback shall be 5 feet c. Street side yard: 0 feet, unless across the street from a residential district, in
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which case the rear setback shall be 10 feet.

2. Accessory buildings and structures shall comply with the following setbacks from a property line:
 - a. Front: setback equal to or greater than the principal structure on the lot;
 - b. Interior side: zero feet, unless abutting or adjacent to a residential district, in which case the interior side setback shall be five feet;
 - c. Street side: setback equal to or greater than the principal structure on the lot;
 - d. Rear: zero feet, unless abutting or adjacent to a residential district, in which case the rear setback shall be five feet.

B. Minimum Lot Area and Lot Width.

1. The minimum lot area is 5,000 square feet.
2. The minimum lot width is 30 feet.

C. Maximum Lot Coverage.

1. The maximum lot coverage is 80 percent.
2. Additional lot coverage may be authorized by the Planning Commission by a use permit pursuant to Chapter 17.40 CMC.

D. Maximum Floor Area Ratio. The maximum floor area for nonresidential uses is 200 percent. Floor area devoted to residential uses shall be excluded from this calculation.

E. Minimum Landscaping of Open Space. A minimum of 40 percent of open space on a lot shall be landscaped. Walks, pools, patios and other similar areas may be considered as part of the open space requirement. Parking areas shall not be counted unless special paving or other design features are incorporated.

F. Maximum Height, Number of Stories.

1. Maximum Height.

- a. Principal Buildings. The maximum height of a principal building is 30 feet, with the following exceptions:
 - i. Where a commercial building abuts or adjoins a parcel in a

which case the setback shall be 15 feet

- d. Rear yard: 0 feet, unless abutting or adjacent to a residential district, in which case the setback shall be 10 feet

2. Accessory buildings and structures shall comply with the following setbacks.

- a. Front yard: Setback equal to or greater than the principal structure on the lot
- b. Interior side yard: 0 feet, unless abutting or adjacent to a residential district, in which case the interior side setback shall be 5 feet

B. Maximum lot coverage

1. Maximum lot coverage: 80 percent
2. Additional lot coverage may be authorized by a use permit pursuant to CMC Chapter 17.40.

C. Maximum floor area ratio

1. Maximum floor area for nonresidential uses: 200 percent
2. Floor area devoted to residential uses shall be excluded from this calculation.

D. Maximum height, number of stories

1. Maximum height

- a. Principal buildings: 30 feet, with the following exceptions:
 - i. Where a commercial building abuts or adjoins a parcel in a residential district, the maximum height is 25 feet.
 - ii. Taller structures may be approved pursuant to CMC 17.38.030.
- b. Accessory buildings: 15 feet above grade

2. Maximum number of stories for principal buildings: 2 stories, provided that 3 stories may be authorized by a use permit pursuant to CMC Chapter 17.40.

E. Minimum landscaping of open space: A minimum of 40 percent of open space on a lot shall be landscaped. Walks, pools, patios and other similar areas may be considered as part of

<p>residential district, the maximum height is 25 feet.</p> <p>ii. Taller structures may be approved pursuant to CMC 17.38.030.</p> <p>b. Accessory Buildings. The maximum height of an accessory building is 15 feet above grade.</p> <p>2. Maximum Number of Stories for Principal Buildings.</p> <p>a. Up to two stories are allowed for principal buildings.</p> <p>b. Three stories may be authorized by the Planning Commission by a use permit pursuant to Chapter 17.40 CMC.</p> <p>G. Parking and Access.</p> <p>1. Parking within the front setback or street side setback is prohibited.</p> <p>2. New driveways over any portion of the public sidewalk fronting on Lincoln Avenue between Foothill Boulevard and Fair Way shall require authorization by the Planning Commission through the approval of a use permit pursuant to Chapter 17.40CMC.</p> <p>H. Fixed Place of Business. All retail sales and service establishments shall be conducted within a fixed place of business.</p>	<p>the open space requirement. Parking areas shall not be counted unless special paving or other design features are incorporated.</p> <p>F. Parking and access</p> <p>1. Parking within the front setback or street side setback is prohibited.</p> <p>2. New driveways over any portion of the public sidewalk fronting on Lincoln Avenue between Foothill Boulevard and Fair Way shall require authorization by the Planning Commission through the approval of a use permit pursuant to CMC Chapter 17.40.</p> <p>G. Fixed place of business: All retail sales and service establishments shall be conducted within a fixed place of business.</p>
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CC COMMUNITY COMMERCIAL DISTRICT

<p>Sections: 17.22.060 Development standards.</p>	<p>Sections: 17.22.055 Lot area and dimensions. 17.22.060 Development standards.</p>
<p>17.22.060 Development standards.</p> <p>The following development standards shall apply in the CC district:</p> <p>A. Minimum Setbacks.</p> <p>1. Principal buildings shall comply with the following setbacks from a property line:</p> <p>a. Front: 10 feet, unless directly across the street from a residential district, in which case the front setback shall be 20 feet;</p> <p>b. Interior side: zero feet, unless abutting</p>	<p>17.22.055 Lot area and dimensions.</p> <p>Minimum lot area and lot dimensions in the CC District are as follows.</p> <p>A. Minimum lot area: 5,000 square feet</p> <p>B. Minimum lot width: 50 feet</p> <p>17.22.060 Development standards.</p> <p>The following standards apply to development within the CC District.</p> <p>A. Minimum setbacks</p> <p>1. Principal buildings shall comply with the</p>

<p>or adjacent to a residential district, in which case the interior side setback shall be five feet;</p> <ul style="list-style-type: none"> c. Street side: 10 feet, unless across the street from a residential district, in which case the street side setback shall be 20 feet; d. Rear: zero feet, unless abutting or adjacent to a residential district, in which case the rear setback shall be 10 feet. <p>2. Accessory buildings and structures shall comply with the following setbacks from a property line:</p> <ul style="list-style-type: none"> a. Front: Setback equal to or greater than the principal structure on the lot; b. Interior side: zero feet, unless abutting or adjacent to a residential district, in which case the interior side setback shall be five feet; c. Street side: Setback equal to or greater than the principal structure on the lot; d. Rear: zero feet, unless abutting or adjacent to a residential district, in which case the rear setback shall be five feet. <p>B. Minimum Lot Area and Lot Width.</p> <ul style="list-style-type: none"> 1. The minimum lot area is 5,000 square feet. 2. The minimum lot width is 50 feet. <p>C. Maximum Lot Coverage.</p> <ul style="list-style-type: none"> 1. The maximum lot coverage is 60 percent. 2. Additional lot coverage may be authorized by the Planning Commission by a use permit pursuant to Chapter 17.40 CMC. <p>D. Maximum Floor Area Ratio. The maximum floor area for nonresidential uses is 80 percent. Floor area devoted to residential uses shall be excluded from this calculation.</p> <p>E. Minimum Landscaping of Open Space. A minimum of 40 percent of open space on a lot shall be landscaped. Walks, pools, patios and other similar areas may be considered as part of the open space requirement. Parking areas shall</p>	<p>following setbacks.</p> <ul style="list-style-type: none"> a. Front yard: 10 feet, unless directly across the street from a residential district, in which case the front setback shall be 20 feet b. Interior side yard: 0 feet, unless abutting or adjacent to a residential district, in which case the interior side setback shall be five feet c. Street side yard: 10 feet, unless across the street from a residential district, in which case the street side setback shall be 20 feet d. Rear yard: 0 feet, unless abutting or adjacent to a residential district, in which case the rear setback shall be 10 feet <p>2. Accessory buildings and structures shall comply with the following setbacks.</p> <ul style="list-style-type: none"> a. Front yard: Setback equal to or greater than the principal structure on the lot b. Interior side yard: 0 feet, unless abutting or adjacent to a residential district, in which case the interior side setback shall be five feet c. Street side yard: Setback equal to or greater than the principal structure on the lot d. Rear yard: 0 feet, unless abutting or adjacent to a residential district, in which case the rear setback shall be 5 feet <p>B. Maximum lot coverage</p> <ul style="list-style-type: none"> 1. Maximum lot coverage: 60 percent 2. Additional lot coverage may be authorized by a use permit pursuant to CMC Chapter 17.40. <p>C. Maximum floor area ratio</p> <ul style="list-style-type: none"> 1. Maximum floor area for nonresidential uses: 80 percent. 2. Floor area devoted to residential uses shall be excluded from this calculation. <p>D. Minimum landscaping of open space: A minimum of 40 percent of open space on a lot shall be landscaped. Walks, pools, patios and</p>
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<p>not be counted unless special paving or other design features are incorporated.</p> <p>F. Maximum Height, Number of Stories.</p> <p>1. Maximum Height.</p> <p>a. Principal Buildings. The maximum height of a principal building is 30 feet, with the following exceptions:</p> <p>i. Where a commercial building abuts or adjoins a parcel in a residential district, the maximum height is 25 feet.</p> <p>ii. Taller structures may be approved pursuant to CMC 17.38.030.</p> <p>b. Accessory Buildings. The maximum height of an accessory building is 15 feet above grade.</p> <p>2. Maximum Number of Stories for Principal Buildings.</p> <p>a. Up to two stories are allowed for principal buildings.</p> <p>b. Three stories may be authorized by the Planning Commission by a use permit pursuant to Chapter 17.40 CMC.</p> <p>G. Parking. Parking within the front setback or street side setback may be authorized by the Planning Commission by a use permit pursuant to Chapter 17.40 CMC.</p> <p>H. Fixed Place of Business. All retail sales and service establishments shall be conducted within a fixed place of business.</p>	<p>other similar areas may be considered as part of the open space requirement. Parking areas shall not be counted unless special paving or other design features are incorporated.</p> <p>E. Maximum height, number of stories</p> <p>1. Maximum height</p> <p>a. Principal buildings: 30 feet, with the following exceptions:</p> <p>i. Where a commercial building abuts or adjoins a parcel in a residential district, the maximum height is 25 feet.</p> <p>ii. Taller structures may be approved pursuant to CMC 17.38.030.</p> <p>b. Accessory buildings: 15 feet above grade</p> <p>2. Maximum number of stories for principal buildings: 2 stories are allowed for principal buildings, provided that 3 stories may be authorized by a use permit pursuant to CMC Chapter 17.40.</p> <p>F. Parking within the front setback or street side setback may be authorized by a use permit pursuant to CMC Chapter 17.40.</p> <p>G. Fixed place of business: All retail sales and service establishments shall be conducted within a fixed place of business.</p>
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<p>P PUBLIC DISTRICT</p>	
<p>Sections: 17.23.030 Height limit of buildings and structures. 17.23.040 Lot area requirements.</p>	<p>Sections: 17.23.030 Development standards. 17.23.040 Other development standards.</p>
<p>17.23.030 Height limit of buildings and structures. Height limit of buildings and structures in a P district shall be 30 feet, except that when P zoned property directly abuts residentially zoned property, all structures within 50 feet of the residential property line shall have a height not to exceed the maximum permitted in the adjacent</p>	<p>17.23.030 Development standards. The following standards apply to development in the P District.</p> <p>A. Setbacks for main buildings and accessory buildings shall be as follows.</p> <p>1. Front yard: 20 feet</p>

<p>residential district.</p>	<p>2. Side and rear yards: No requirement unless adjacent to a residential use or zoning district, wherein a 20-foot building setback is required</p> <p>B. Maximum floor area ratio: 0.80.</p> <p>C. Maximum height of buildings and structures: 30 feet, except that when P-zoned property directly abuts residentially-zoned property, all structures within 50 feet of the residential property line shall have a height not to exceed the maximum permitted in the adjacent residential district.</p>
<p>17.23.040 Lot area requirements.</p> <p>Lot/area requirements in a P district shall be as follows:</p> <p>A. Lot area and lot dimensions: no minimum.</p> <p>B. Floor area ratio: .80.</p> <p>C. Setbacks for main buildings and accessory buildings shall be:</p> <ol style="list-style-type: none"> 1. Front Yard. Each lot shall have a yard of 20 feet; 2. Side and Rear Yard. No requirement unless adjacent to a residential use or zoning designation wherein a 20-foot building setback shall be required. <p>D. Parking requirements, see Chapter 17.36 CMC.</p> <p>E. Fences, hedges or walls, see Chapter 17.52 CMC.</p>	<p>17.23.040 Other development standards.</p> <p>Additional requirements that apply to development in the P District include, but are not limited to, the following:</p> <ol style="list-style-type: none"> A. Off-street parking and loading, per Chapter 17.36 CMC B. General provisions and exceptions, per Chapter 17.38 CMC C. Use permits, per Chapter 17.40 CMC D. Design review, per Chapter 17.41 CMC E. Fences, hedges or walls, per Chapter 17.52 CMC F. Signs and advertising regulations, per Chapter 17.58 CMC
<p>I LIGHT INDUSTRIAL DISTRICT</p>	
<p>Sections:</p> <p>17.26.030 Height limits.</p> <p>17.26.040 Lot area requirements.</p>	<p>Sections:</p> <p>12.26.025 Lot area and dimensions</p> <p>17.26.030 Development standards.</p> <p>17.26.040 Other development standards.</p>
<p>17.26.030 Height limits.</p> <p>Height limit of buildings and structures in an I district shall be 30 feet, except that when I zoned property directly abuts a residential zoning designation all structures within 50 feet of the residential property line shall have a height not to exceed the maximum permitted in the adjacent residential district.</p>	<p>12.26.025 Lot area and dimensions</p> <p>Minimum lot area and lot dimensions in the I District are as follows.</p> <ol style="list-style-type: none"> A. Minimum lot area: 20,000 square feet unless otherwise specifically provided by a use permit B. Minimum lot width: 100 feet C. Minimum lot depth: 200 feet

<p>17.26.040 Lot area requirements.</p> <p>A. Lot area requirements in an I district shall be as follows:</p> <ol style="list-style-type: none"> 1. The minimum lot area shall be 20,000 square feet unless otherwise specifically provided in the use permit; 2. Minimum lot width, 100 feet; 3. Minimum lot depth, 200 feet. <p>B. Maximum coverage of lot by structures shall be 40 percent.</p> <p>C. Setbacks for buildings shall be as specified in the use permit; provided, that where the lot abuts an R district the setbacks shall in no case be less than is required under the yard setback requirements in the abutting R district.</p> <p>D. Parking requirements, see Chapter 17.36 CMC.</p>	<p>17.26.030 Development standards.</p> <p>The following standards apply to development within the I District.</p> <ol style="list-style-type: none"> A. Setbacks for buildings shall be as specified by use permit; provided that where the lot abuts a residential district, the setbacks shall in no case be less than is required under the setback requirements in the abutting residential district B. Maximum lot coverage: 40 percent C. Maximum height limit of buildings and structures: 30 feet; provided that where the lot abuts a residential district, all structures within 50 feet of the residential property line shall have a height not to exceed the maximum permitted in the adjacent residential district
	<p>17.26.040 Other development standards.</p> <p>Additional requirements that apply to development in the I District include, but are not limited to, the following:</p> <ol style="list-style-type: none"> A. Off-street parking and loading, per Chapter 17.36 CMC B. General provisions and exceptions, per Chapter 17.38 CMC C. Use permits, per Chapter 17.40 CMC D. Design review, per Chapter 17.41 CMC E. Fences, hedges or walls, per Chapter 17.52 CMC F. Signs and advertising regulations, per Chapter 17.58 CMC