

ARTICLE 10. RM MULTI-FAMILY RESIDENTIAL DISTRICTS

Sec. 1001. Purposes and application.

The RM Multi-Family Residential Districts are intended primarily to provide the development of multi-family residential structures at densities consistent with the location and character of the area as follows:

1. The RM-3 District is intended for application in areas adjacent to or in the immediate vicinity of an R-1-20, One-Family Residential District.
2. The RM-2 District is intended for application in areas adjacent to or in the immediate vicinity of an R-1-12, One-Family Residential District.
3. The RM-1.5 District is intended for application in areas adjacent to or in the immediate vicinity of R-1-8 or R-1-6, One-Family Residential Districts.

For mixed density, mixed use, and variable density developments which include multiple-family uses, see Article 20.

Sec. 1002. Permitted uses.

- A. One-family dwelling per legal parcel not associated with mixed density, mixed use, and variable density developments.
- B. Raising of fruit and nut trees, vegetables and horticultural specialties.
- C. Accessory structures located on the same site with a permitted use including private garages, carports, patio covers, one guesthouse, storage sheds 120 square feet or less in size with side walls not more than six (6) feet in height (not exceeding two (2) per parcel), garden structures, greenhouses, recreation rooms and hobby shops.
- D. Swimming pools for either individual, family or communal use on an exclusive noncommercial basis, provided that no swimming pool or accessory mechanical equipment shall be located less than five (5) feet from a property line, or within a utility easement, and further provided that such pool accessory equipment shall be located behind the front yard fence line.
- E. Non-commercial, personal use solar electrical generation equipment with a design capacity to serve the electrical needs of only that site or use.
- F. Reserved.
- G. Reserved.
- H. Reserved.
- I. Minor home occupations, in accordance with the regulations prescribed in Article 16, Section 1601, subsection D.
- J. Small family day care homes for eight (8) or fewer children.
- K. Residential care facilities which serve six (6) or fewer persons, including an intermediate care facility/developmentally disabled habilitative, an intermediate care facility/developmentally disabled-nursing; a residential care facility which serves six (6) or fewer persons (Health and Safety Code Section 1568.0831(a)(5)); a residential care facility for the elderly which serves six (6) or fewer persons (Health and Safety Code Section 1569.85); an alcohol or other drug recovery or treatment facility which serves six (6) or fewer persons (Health and Safety Code Section 11834.23).
- L. The keeping of ordinary household pets, such as dogs, cats, canaries and parakeets, excluding livestock and poultry.

(Ord. No. 269.62, § 16, 10-25-05; Ord. No. 269.63, § 23, 4-25-06; Ord. No. 269.65, §§ 48 and 49, 10-28-08)

Sec. 1003. Permitted uses; site plan review.

The following uses may be permitted in accordance with the provisions of Article 21:

- A. Multiple-family dwellings.
- B. Public parks and grounds.
- C. Enclosed temporary construction materials storage yards required in connection with the development of a subdivision.
- D. Temporary subdivision sales offices and signs and model home display areas, in accordance with the regulations prescribed in Article 16.

- E. Electrical distribution substations, gas regulator stations, communications equipment buildings, public service pumping stations and/or elevated pressure tanks.
- F. Urban home occupations, in accordance with regulations prescribed in Article 16, Section 1601, subsection A.
- G. Rest homes and nursing homes; boarding or rooming houses with an occupancy of 30 or fewer people.
- H. Accessory structures and uses located on the same site as a permitted use.
- I. Mobile home or manufactured home on a temporary foundation for use as a caretaker's quarters in connection with uses enumerated in Section 1004 A. B. C. and D.
- J. Accessory structures and uses located on the same site as a conditional use which has been approved by the planning commission, except for those uses which are owned or operated by a public agency.
- K. Mobile home or manufactured home on a temporary foundation for guest house or dwelling. (Note: Guest house must meet the criteria listed in Article 25, Section 2503.64)
- L. Swimming pools within a utility easement, or located less than five (5) feet from a property line.
- M. One second dwelling unit pursuant to Government Code Section 65852.2, and in accordance with the regulations prescribed in Section 2102.C.15 of Article 21.
- N. Large family day care homes for nine (9) to fourteen (14) children. (Note: Not less than 10 days prior to the date on which the decision will be made on the application, the zoning administrator shall give notice of the proposed use by mail or delivery to all owners shown on the last equalized assessment roll as owning real property within a 100 foot radius of the exterior boundaries of the proposed large family day care home.)
- O. Fences, walls, gates, hedges, and screening and landscaping in accordance with Article 16, Section 1605.B.2.
- P. Vehicular ingress and egress gates of any height within the front yard or the street side yard of a corner lot as prescribed in Article 16, Section 1605.B.2.
- Q. Emergency shelters pursuant to Government Code Section 65583, Health and Safety Code Section 50800, and Article 16, Section 1607 of this ordinance.

(Ord. No. 269.1, § 10, 6-21-66; Ord. No. 269.3, § 10, 5-6-69; Ord. No. 269.4, § 19, 6-3-70; Ord. No. 269.33, § 16, 9-21-82; Ord. No. 269.41, § 4, 1-9-96; Ord. No. 269.56, § 42, 9-10-03; Ord. No. 269.62, § 16, 10-25-05; Ord. No. 269.63, § 24, 4-25-06; Ord. No. 269.64, § 17, 10-16-07; Ord. No. 269.65, §§ 50 and 51, 10-28-08)

Sec. 1004. Conditional uses; planning commission approval.

The following uses may be permitted in accordance with the procedures prescribed in Article 19:

- A. Public and quasi-public uses of an educational or religious type including public and parochial schools and colleges; preschools and nursery schools; day care uses exceeding fourteen (14) individuals; private nonprofit schools and colleges; churches, parsonages, and other religious institutions, but not including uses listed under section 1003 of this article.
- B. Public and private charitable institutions, hospitals, sanitariums, rest homes and nursing homes, not including hospitals, sanitariums, rest homes or nursing homes for mental or alcohol and other drug addicted cases.
- C. Public uses of an administrative, public service or cultural type including city, county, state or federal administrative centers and courts, libraries, museums, art galleries, police and fire stations and other similar public buildings, structures and facilities.
- D. Neighborhood grocery stores.
- E. Manufactured Housing Community or Mobile home parks pursuant to Section 65852.7 of the California Government Code and subject to the provisions of Article 16, Section 1603.
- F. Accessory structures and uses which are owned or operated by a public agency and are located on the same site as a conditional use requiring planning commission approval.
- G. Cemeteries.
- H. Private non-commercial clubs and lodges; excluding such clubs and lodges which sell, distribute, or serve, or allow the sale, distribution, service or consumption of alcoholic beverages on the premises; or conduct or allow the operation of any game of chance on the premises; or other activity which may be disruptive in any way to an environment for family life.
- I. Reserved.
- J. Urban home occupations in accordance with the regulations prescribed in Article 16, Section 1601, subsection C.

(Ord. No. 269.1, § 11, 6-21-66; Ord. No. 269.3, § 11, 5-6-69; Ord. No. 269.4, § 20, 6-3-70; Ord. No. 269.28, § 1, 6-30-81; Ord. No. 269.33, § 17, 9-21-82; Ord. No. 269.44, § 24, 7-29-97; Ord. No. 269.63, § 25, 4-25-06; Ord. No. 269.65, § 52, 10-28-08)

Sec. 1005. Fences, walls and hedges.

Fences, walls and hedges shall be allowed under the provisions of Article 16, Section 1605.

(Ord. No. 269.1, § 12, 6-21-66; Ord. No. 269.41, § 5, 1-9-96; Ord. No. 269.42, § 10, 5-7-96; Ord. No. 269.56, § 43, 9-10-03)

Sec. 1006. Site area.

- A. The minimum site area shall be six thousand (6,000) square feet.
- B. The minimum site area for those sites which qualify for density bonus site area reductions pursuant to Section 906.B. of this Ordinance shall not be less than four thousand eight hundred (4800) square feet.

(Ord. No. 269.3, § 12, 5-6-69)

Sec. 1007. Site area per dwelling unit.

The minimum site area per dwelling unit shall be as follows:

<u>District</u>	<u>Permitted or Conditional Use</u>	<u>Density Bonus</u>
RM-3	3,000 square feet per dwelling unit	2,400 Sq. ft. per du
RM-2	2,000 square feet per dwelling unit	1,600 Sq. ft. per du
RM-1.5	1,500 square feet per dwelling unit	1,200 Sq. ft. per du

(Ord. No. 269.40, § 1, 10-4-94)

Sec. 1008. Frontage, width and depth of site.

- A. Each site shall have not less than fifty (50) feet of frontage on a street, except that those sites which front on a cul-de-sac or loop-out street may have a frontage of not less than forty (40) feet provided that the width of the site as measured along the front yard setback line is at least fifty (50) feet.
- B. The minimum width of each site shall be sixty (60) feet for interior lots and sixty-five (65) feet for corner lots, except developments that qualify for density bonuses which shall have a width not less than fifty (50) feet for interior lots and fifty-five (55) feet for corner lots.
- C. The minimum depth of each site shall be one hundred (100) feet for interior lots and eighty (80) feet for corner lots, except developments that qualify for density bonuses which shall have a depth not less than eighty (80) feet for both interior lots and corner lots.

(Ord. No. 269.3, § 13, 5-6-69)

Sec. 1009. Coverage.

The maximum site area covered by structures shall be as follows:

<u>District</u>	<u>Coverage</u>
RM-3	50%
RM-2	60%
RM-1.5	70%

Sec. 1010. Yard requirements.

- A. Front yard: The minimum front yard shall be as follows:

<u>District</u>	<u>Minimum Front Yard</u>	<u>Density Bonus</u>
RM-3	20 feet	15 feet
RM-2	20 feet	15 feet
RM-1.5	15 feet	15 feet

No accessory structure over three (3) feet in height may be located in any portion of a required front yard, except as provided in Section 1005 of this Article.

On a site between sites improved with buildings, where the said buildings are set back less than the minimum distance required by this section, the minimum front yard shall be the average depth of front yards on the improved sites adjoining the side lines of the site, but such minimum shall not be less than ten (10) feet.

- B. Rear yard: The minimum rear yard of a permitted use and its accessory structures shall be ten (10) feet, provided, however, that where construction involves more than one story, and the site lies adjacent to a site in an R District, the rear yard shall be increased by ten (10) feet for each additional story. Where the rear of the site abuts on an alley right-of-way, the rear yard may be decreased one (1) foot for each two (2) feet of such alley right-of-way. Accessory structures under six (6) feet in height may be located within any portion of a required rear yard, garden structures greater than six (6) feet in height may be located in any portion of a required rear yard which is not within a utility easement. Storage sheds 120 square feet or less in size with side walls not more than six (6) feet in height may be set within any portion of a required rear yard.
- C. Side yards: The minimum side yards of a permitted use and its accessory structures shall be five (5) feet per story, subject to the following conditions:
 - 1. On the street side of a corner lot, side yards shall not be less than ten (10) feet.
 - 2. On a reverse corner lot, the side yard adjoining the street shall be not less than one-half (½) the required front yard on the adjoining key lot.
 - 3. Accessory structures under three (3) feet in height may be located in any portion of a required side yard. Garden structures greater than six (6) feet in height may be located in any portion of a required side yard which is not opposite the main building or accessory structures of the lot or site adjacent to such side yard. Storage sheds 120 square feet or less in size with side walls not more than six (6) feet in height may be set within any portion of a side yard provided the minimum side yard setback is maintained from the property line.
 - 4. A side yard providing access to more than one dwelling unit shall be not less than ten (10) feet.
 - 5. Where construction involves more than one story and the site lies adjacent to a site in an R District, the side yards shall be increased by five (5) feet for each additional story.
 - 6. Attached or detached garages or carports fronting on the street side yard of a corner lot shall be set back a minimum of twenty (20) feet from the property line on a straight driveway approach or fifteen (15) feet from the property line where the garage opening is perpendicular to the property line requiring a curved driveway approach.
- D. If greater minimum distances between structures than those listed in this section are required by the fire code regulations for safety and fire protection, such greater separation requirements shall be imposed. This includes distances from structures on adjacent properties. Construction methods using higher fire ratings may be substituted to satisfy all or part of such higher fire-related separation requirements.

(Ord. No. 269.1, § 13, 6-21-66; Ord. No. 269.44, § 25, 7-29-97; Ord. No. 269.59, § 7, 11-9-04; Ord. No. 269.65, § 53, 10-28-08)

Sec. 1011. Height of structures.

The maximum height of a permitted use and its accessory structures shall be thirty (30) feet. The maximum height of a conditional use and its accessory structures shall be fifty (50) feet. No structure exceeding three (3) feet in height may be located within a Traffic Safety Visibility Area.

(Ord. No. 269.65, § 54, 10-28-08)

Sec. 1012. Distance between structures.

The minimum distance between structures shall be ten (10) feet. However, greater minimum distances between structures may be required if fire code regulations require greater separation between structures for safety and fire protection. Construction methods using higher fire ratings may be substituted to satisfy all or part of such fire-related separation requirements.

(Ord. No. 269.44, § 26, 7-29-97)

Sec. 1013. Off-street parking areas, aisles, access drives, access lanes and off-street loading facilities.

Off-street parking areas, aisles, access drives, access lanes and off-street loading facilities shall be provided on the site for each use as prescribed in Article 15.

(Ord. No. 269.65, § 55, 10-28-08)

Sec. 1014 Signs.

Signs shall be allowed pursuant to the provisions of Article 16, Section 1606.C.8.

(Ord. No. 269.64, § 18, 10-16-07)

Sec. 1015. General provisions and exceptions.

All uses shall be subject to the general provisions and exceptions prescribed in Article 17.

h:\planning\ordinances\zoning ord\zoning_amendments\ztc\26965\ztc 26965\art10-65.doc

This page was left blank intentionally