

CHAPTER 165.18 R-1 SINGLE FAMILY RESIDENTIAL DISTRICT

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165.18.010 Intent

This District (which consists of four sub-districts each having varying lot size, width and yard requirements) is intended to provide for a high quality low density development primarily for single family detached housing at a density of 4.2 dwelling units per acre or less. Where such densities can be maintained and conditions exist that permit or warrant zero lot line construction such development may be permitted with the concurrence of the Board.

165.18.020 Use Regulations

A building lot or tract within the R-1, Single Family Residential District, shall be used only for the following purposes, unless otherwise provided in this chapter.

A. Principle Uses Permitted.

1. Single-Family dwellings at a density established upon adoption of the official map as amended from time to time. These zones are identified by a number 6, 8, 12 or 20 which represent the total number of square feet of lot area in thousands of square feet. For example 6 represents a minimum lot size of 6,000 square feet. The setbacks and yard requirements for the various categories are shown in 165.60.105.

2. Parks, playgrounds, and community buildings owned or operated by public agencies.

3. Public and parochial schools and private schools having a similar basic curriculum.

4. Church, synagogue or other place of worship.

5. Golf courses and country clubs except miniature courses or practice driving tees operated for commercial purposes.

6. Home office.

7. Home occupation, provided such use shall be reviewed by the Board at a public hearing and shall comply with the following additional requirements as may be deemed reasonably necessary for the proper protection of the surrounding area:

a. The use does not require any construction, extension or structural alteration or height increase incompatible with requirements of the district in which such use is proposed to be authorized.

b. The use does not infringe upon the right of neighboring residents to enjoy the peaceful occupancy of their home for the purpose the district was created and primarily intended.

c. That there shall be no sign used in connection with such use, other than a name plate not more than one square foot in area, or no display that will indicate from the exterior that the building is being utilized in whole or in part for any purpose other than that of a residential dwelling.

d. The use shall not be conducted within any accessory building other than such accessory buildings as are permitted by the regulations contained in this chapter.

e. The use shall not create traffic or parking requirements which impose a burden upon the neighboring residents. Off-street parking may be required, and, if required, shall be set back from the street in accordance with the required front yard of the district and shall observe a minimum side yard of seven feet on the side of the lot adjoining a dwelling use. The Board may require the parking area to be improved and screened in accordance with the provisions contained elsewhere in the ordinance and in particular 165.75.022 site plan requirements.

f. The Board may exact any other regulations and assurances, covenants and warranties as may be necessary to protect the rights of the neighboring residents.

g. The conditional permit, if granted, shall be personal to the applicant and shall expire one year after the grant thereof, subject to renewal upon the grantees' filing sixty days prior to the anniversary of the grant of such permit a statement in such form as may be required from time to time by the Board of setting forth that said permit has and continues to comply with all the requirements of this Chapter and of the conditions attached to the issuance of the permit and such other information as may be required by the Board. The Board, at any time within the sixty days prior to the said anniversary date and after notice to the permittee, may hold a hearing on whether or not such permit shall be amended, modified, or revoked for any reason which would cause the board to deny or attach conditions to the grant of such permit the same as if the application therefore were first being made at the time of hearing. In the event such hearing is not held and the statement herein is filed as required, such permit shall be automatically renewed for an additional period of one year on the same terms and conditions. Nothing herein contained shall prevent the Board, after notice and hearing from at any time revoking a permit because of violations of its terms. Notice thereunder shall be in writing and mailed by certified mail to the permittee at the address of the premises concerned in the permit, such mailing to be at least ten days prior to the hearing.

B. Accessory Uses.

1. One private garage structure, attached or detached, not to exceed 40% of the living area of the residence, except that all principle residential structures shall be allowed a three car garage not to exceed 864 square feet in size. The garage shall be used in conjunction with the residential use. A garage requires a paved drive connected to a street or alley and is primarily used for storage of motor vehicles used multiple times on a daily or weekly basis. A garage can be attached to the primary structure. A garage may be used for general storage associated with the primary (residential) use of the property. A garage shall not be used to run a business or any other activity not permitted by the zoning regulation. Additionally sheds may be permitted in rear yards. The floor size of shed(s) shall not exceed 30% of the required rear yard area and no single shed shall exceed 720 square feet in floor size. Sheds shall be required to have side and rear setbacks equal to distance of the side yard setback of the zoning in which it is located. In an R-1-6 zoning district and an R-1-8 zoning district the side and rear yard setbacks for a shed shall be 7.5 feet; in an R-1-12 the side and rear setbacks shall be 10 feet. Sheds shall be used for storage of items related to primary (residential) use of the property including the storage of garden tools, lawn equipment, household equipment, bikes, toys, and general household storage. Sheds shall not be used to store a motor vehicle that is typically used on a daily or weekly basis. Sheds shall not be attached to the primary structure. Sheds shall not be used to run a business or any other activity not permitted by the zoning regulation.

2. Non-commercial radio or television towers not exceeding fifty feet in height.

3. Other accessory structures or uses customary to the permitted principle uses including the use of solar energy systems including solar collectors, storage facilities and distribution components for space heating and cooling, and domestic water heating for the principle structure.

C. Special Uses Permitted.

The Board may, by special use permit, after public hearing pursuant to 165.72 and 165.80, and subject to such protective restrictions that it deems necessary, authorize the location, construction, extension or structural alteration, or an increase in their height, of any of the following buildings or uses:

1. Utility Substation – A landscape screen and/or fence eight feet in height shall be erected around the perimeter of the substation to minimize the visual impact of the utility substation on the surrounding residential units.
2. Cemeteries and mausoleums.
3. Kindergarten, day nursery or day care center.
4. Non-commercial radio or television towers over fifty feet in height and not exceeding ninety-nine feet in height.
5. Off street parking area in an R district when adjoining a C or M district provided the following performance standards are met:
 - a. No business involving the repair or service to vehicles or sale or display thereof shall be conducted from or upon such parking areas.
 - b. No structures other than lighting standards shall be erected or remain on any portion of the parking area.
 - c. No signs shall be erected on the parking area except as approved by the Board. Such signs shall conform to the front yard requirements of the district.
 - d. Parking areas shall be used for the parking of patron's private passenger vehicles only and no charge shall be made for parking within such premises.
 - e. The parking shall be set back from the street in accordance with the required front yard of the R district and shall observe a minimum side yard of seven feet on the side of the lot adjoining an R district.
 - f. The parking area shall be improved and screened in accordance with the provisions of Section 165.75.022 site plan requirements.

D. Temporary Uses and Performance Standards.

The Building Official may permit the following uses to operate on a temporary basis only after registration:

1. Real estate subdivision sign not to exceed one hundred square feet for each face. The permit shall specify the location of the sign. Each permit shall be valid for a period of not more than one year and shall not be renewed for more than five successive periods at the same location.
2. Temporary building, trailer or yard for construction materials and/or equipment, both incidental and necessary to construction in the zoning district. Each permit shall specify the location of the building or yard and the area of permitted operation. Each such permit shall be valid for a period of not more than six calendar months and shall not be renewed for more than four successive periods at the same location.
3. Temporary office, both incidental and necessary for the sale or rental of real property. Each permit shall specify the location of the office and the area of permitted operation. Each such permit shall be valid for a period of not more than one year and shall not be renewed for more than five successive periods at the same location.

165.18.030 Height, Yard and Setback Requirements

The height, yard and setback requirements within the R-1, Single Family Residential District, shall be as required in Chapter 165.60.

165.18.040 Off-street Parking and Loading Regulations

The off-street parking and loading requirements within the R-1, Single Family Residential District, shall be as required in Chapter 165.65.

165.18.050 Sign Regulations

The sign requirements within the R-1, Single Family Residential District, shall be limited to those permitted in Chapter 165.67.