~~Strike rhrough means remove~~ Green means my add Blue is a comment Black is Walt’s that I am keeping

**Section** **2.01.04** **Permitted** **Uses** **-** **All** **Zones**

The following uses and activities are permitted in all zones identified in Article 2: (I like this concept a lot.)

(A) ~~Placement and maintenance of underground or above ground wires, cables, pipes, guys, support structures, pump stations, drains, and detention basins within rights-of-ways by public agencies and utility companies for telephone, TV cable, or electrical power transmission, or transmission of natural gas, petroleum products, geothermal water, water, wastewater, sewage, and rainwater.~~

 Facilities within the public right of way designed to provide public utilities. (Just simplified)

(B) ~~Surfaced travel lanes, curbs, gutters, drainage ditches, sidewalks, transit stops, landscaping, and related structures and facilities located within rights-of-ways controlled by a public agency.~~

 Roads and other related facilities within the public right of way designed to provide public access.

(C~~) Expansion of public right-of-way and widening or adding improvements within the right-of-way, provided the right-of-way is not expanded to more width than pre- scribed for the street in the Public Facilities segment of the Comprehensive Plan.~~ (Covered above)

(D) ~~The growing of crops, orchard products, vegetables, or similar food items for personal use.~~

 Growing food for personal use or use in the on premise business (example: herbs for a restaurant) (Simplified and business use added)

 (E) Public parks and recreation areas including waysides, walking and bicycle paths. (I don’t know why Walt left this one out; it’s listed in most – if not all -zones.)

(F) Property line adjustments and Partitions subject to provisions in Article 4. (This is in Walt’s Special Provisions everywhere I looked so I just put them in Permitted everywhere.)

**Section** **2.01.05** **Prohibited** **Uses** **–** **All** **Zones** (I like this concept a lot.)

The following uses are prohibited ~~regardless of the underlying zone or interpretation~~ in all zones:

(A) The use of private property for the burial of human remains, ~~and,~~ including family burial grounds.

(B) Breeding, raising, sheltering and/or keeping of animals whose usual adult weigh exceeds 150 pounds ~~swine.~~ This may permit sheep, goats, emus and alpacas, but eliminates cows, swine, llamas & horses except by variance; we can discuss these.

(C) ~~Commercial feed lots, dairies, and auction yards for livestock~~ (Should be covered by the above)

 (D) Rendering plants, slaughterhouses and meat packing plants.

(E ) Breeding, raising, sheltering and/or keeping of 2 legged outside animals that are noisy like rosters and geese.

(F) Using food, shelter or other means to attract wild animals (The last 2 are prohibited by ordinance in many cities, but I could not find good wording)

**Section** **2.02.**02 R1 **Permitted** **Uses**

In an R-1 zone the following uses ~~and their accessory uses~~ are permitted outright: (Note: if all the info is in section 2 for each permitted use, I did not reference it. If you have to go elsewhere - like (F) Manufactured Home - I referenced where to go. The references will be hyper linked. Walt sometimes put “and their accessory uses” in and sometimes not, so I just address it as a use; this also aloowed me to reference restrictions in Article 4.)

(A) Detached single-family dwelling

(B) Duplexes

(C) Family day care center.

~~(D) Public parks and public recreation areas.~~ (Went to permitted in all zones)

 ~~(E) Residential home.~~ (This is defined as a hone where the family is not present; all staff is hired so I would make this conditional.)

(F) Manufactured homes subject to the requirements of 4 (Walt put it in Special, which I want to eliminate. It is outright permitted in present code).

(G) Cottage industry, subject to provisions in Article 4. This is conditional in the present ordinance although the same thing - Home Occupation - with a 250 sq ft limit is outright permitted. I would eliminate Home Occupation.

(H) Bed and Breakfast establishment, subject to provisions in Article 4

(Since a B&B in R1 is limited to 2 rooms and requires a live in family, I would move it to outright permitted.)

(I) Middle Housing subject to provisions of 4. (SB406)

(J) Accessory Dwelling Units , subject to provisions in Article 4. (SB2001)

(K) Accessory Structures/uses subject to the provisions of 4. (Walt sometimes put “and their accessory uses” in and sometimes not, so I just address it as a use).

~~(I)~~ (L) A recreational vehicle not exceeding three hundred square feet in area, used temporarily during the construction period of a permitted use for which a building permit has been issued, but not to exceed one year. (This is outright permitted in present code so I moved it from 2.02.03 to here)

**Section** **2.02.03** **Special** **Permitted** **Uses The only 2 items that are new here are Subdivisions and Planned Developments; they need to be in a section with Cottage Clusters.**

~~The following uses, when developed under the special development requirements, are permitted in the R-1 zone:~~

~~(A) Property line adjustments subject to provisions in Article 4.~~

~~(B) Partitions, subject to provisions in Article 4.~~

~~(C) Subdivisions subject to provisions in Article 4.~~

~~(D) Planned developments subject to provisions in Article 4.~~

 ~~(E) Attached single-family dwelling subject to provisions in Article 4.~~

~~(F) Manufactured homes on individual lots, subject to provisions in Article 4.~~

~~(G) Home occupations, subject to provisions in Article 4.~~

~~(H) Residential accessory structures, subject to provisions in Article 4.~~

~~(I) A recreational vehicle not exceeding three hundred square feet in area, used temporarily during the construction period of a permitted use for which a building permit has been issued, but not to exceed one year~~. (This is outright permitted in present code so I moved it to 2.02.02)

**Section** **2.02.04** **Conditional** **Uses**

In the R-1 zone, the following Conditional Uses are permitted subject to the provisions of Article 5

(A) Multiple family dwellings.

(B) Church or community meeting halls.

(C) ~~Public utility buildings or municipal structures~~ Government Facilities

(D) Day Care Center and Adult Foster Home subject to the provisions of 4.20.9 for day care; adult foster home has no provisions but needs one. (Both have no family present; all staff is hired)

(E) Dental care facilities, Hospitals or other medical facilities (including Chiropractic, and “alternative” type medicine). (Please reword if you have a better way to say it. Present code says Hospital or other medical facilities)

(F) Public or private schools.

(G~~) Cottage industry, subject to provisions in Article 4.~~ (Moved to outright permitted)

(H~~) Bed and Breakfast establishment, subject to provisions in Article 4.~~ (Moved to outright permitted)

(F) Residential home. No provisions except definition and parking in 4.03.06; needs more (This is defined as a hone where the family is not present; all staff is hired so I would make this conditional; not outright permitted.)

 (J) Accessory Structures/uses subject to the provisions of 4.12 (Walt sometimes put “and their accessory uses” in and sometimes not, so I just address it as a use)

**Section** **2.02.05** R1 **Dimensional** **Standards**

Unless otherwise required by this Chapter, the following minimum dimensional standards shall be required for all development in the R-1 zone:

(A) Minimum Lot Size shall be 5000 square feet. If all setbacks can be me, annty of the following are allowed:

 (1) A residential dwelling and an Accessory Dwelling Unit on the same lot.

 (2) Middle housing

~~1. Single Family Home~~

~~a. Attached – 3,750 square feet b. Detached – 5,000 square feet.~~

~~2. Duplex - 7,500 square feet~~

~~3. Non-Residential Uses – Sufficient area to comply with setback, parking landscaping and other development standards. Inability to comply with this provision shall not form the basis for a variance request.~~

(B) Minimum Lot Dimensions:

1. Lot Width - 40 feet; corner lot - 50 feet along each street frontage.

2. Lot Depth – 85 feet.

(C) Minimum Setback

(1) Non-corner lot (1) through (4) (C) brings Walt’s version to match present code

 (A) Front Yard – ~~15~~ 20 feet.

 ~~(B) Street Side Yard – 15 feet.~~

 (B) Side Yard – 5 feet.

 (C) Rear Yard – ~~15-~~10 feet

(2) Corner lot

(A) Front Yard – 20 feet.

(B) Street Side Yard – 15 feet.

 (C) Non-Street facing Side Yard – 5 feet.

 (D) Rear Yard – 5 feet

(3) Flag lot

(A) Front Yard – 20 feet. The front yard is the yard that has street access via a driveway.

(B) Side Yard – 5 feet.

 (C) Rear Yard – 10 feet

 (4) Dwelling plus an ADU (If a corner lot is involved, use those setbacks)

(A) Front Yard – 20 feet.

(B) Side Yard – 5 feet.

 (C) Rear Yard – 10 feet

(D) If the ADU is detached, there is a minimum distance of 10’ feet between bulidings This is all mine.

 (5) Middle Housing when units face in multiple directions All mine

(A) The face of each unit has a 15’ setback

(B) The side yard setback is 5’ unless it is a corner lot. In that case:

 (1) Street Side Yard – 15 feet.

. (2) Non street Side Yard – 5 feet

For example, a quadplex is on a non-corner lot and two units face east and the other rwo west. The east setback is 15’, the west setback is 15’ and the north and south setbacks are 5’.

(6) Condominiums (attached buildings with individual ownership regardless of their configuration). If a corner lot is involved, use those building setbacks).

(A) Front Yard – 20 feet.

(B) Side Yard – 5 feet.for the building; each unit shall bave a zero lot line between attached units

 (C) Rear Yard – 10 feet

(~~D) Minimum Setback (Non-Residential):~~

~~1. Front Yard – 15 feet.~~

~~2. Street Side Yard – 15 feet.~~

~~3. Side Yard – 10 feet.~~

~~4. Rear Yard – 15-feet; corner lot - 10-feet.~~

(E) Maximum Building Height: Primary - 24 feet; accessory structure - 15 feet. ~~(F) Maximum Lot Coverage:~~

~~1. Single Family Home~~

~~a. Detached – 50%~~

~~b. Attached – 70%~~

~~2. Duplex – 60%~~

~~3. Non-residential Uses – 60%~~

**Section** **2.02.06** **Development** **Standards**

All development in the R-1 Zone shall comply with the applicable provisions of this

Chapter. The following references establish additional development requirements:

(A) Off-street Parking. Parking, driveway and loading improvements shall comply with provisions in Article 4.

(B) Signs. Signs in the R-1 zone shall conform to the standards in Article 4.

(C) Yards and Lots. Yards and lots shall conform to provisions contained in Article 4.

(D) Fencing. Fences shall conform to provisions contained in Article 4.

(E) ~~Prohibited Uses. Short term rentals~~.

(F) Development. New uses and significant expansions may be subject to a Site Development Review (see Article 4).

(G) Other. A property owner is advised other regulations may apply for property in the floodplain (Article 3) and geological hazard areas (Article 4).

R2

**Section** **2.03.02** R2 **Permitted** **Uses**

In an **R-2 zone** the following uses are permitted outright

(A) Detached single-family dwelling.

(B) Duplexes.

(C) Family day care center.(Not in Walt’s or present code, but should be the same as R1)

(D) Manufactured homes subject to the requirements of 4.09 (Walt put this one in the Special section which I want to eliminate.)

 ~~(D) Park, wayside, bicycle paths and public owned recreation areas~~.(Went to permitted in all zones)

 ~~(E) Residential home.~~ (This is defined as a hone where the family is not present; all staff is hired so I would make this conditional.)

(G) Cottage industry, subject to provisions in Article 4. (Same logic as R1)

(H) Accessory Dwelling Unit (ADU)

(I) Middle Housing subject to provisions of 4. (SB406)

 (J) Multiple family Dwellings. (This will require a Design Review which we may want to say.)

 (K) Accessory Structures/uses subject to the provisions of 4.12 (Walt sometimes put “and their accessory uses” in and sometimes not, so I just address it as a use)

**Section** **2.03.03** **Conditional** **Uses**

In the **R-2 zone**, the following Conditional Uses are permitted subject to the provisions of Article 5

(A) Church or community meeting halls.

(B) ~~Public utility buildings or municipal structure.~~ Government Facility (using the same term for all zones)

( C) Manufactured dwelling parks subject to provisions in Article 4

(D) Day care center and adult foster home subject to provisions in Article 4. (Both have no family present; all staff is hired; there are no Article 4 provisions today; we will need to write them.)

(E~~) Hospitals or other medical~~ Health Care Facilities This should include dental and what the AMA considers “alternative” health care

(F) Public or private schools.

~~(G) Cottage industry, subject to provisions in Article 4.~~ (Moved to outright permitted)

(H) Bed and Breakfast establishment, subject to provisions in Article 4. (Since this permits up to 4 rooms, it looks more like a purpose build facility than a home taking in tourist for a night or a few nights so I left it in Conditional)

(I) Residential home subject to provisions in Article 4. (There are no Article 4 provisions today except parking; we will need to write them. This is defined as a hone where the family is not present; all staff is hired so I would make this conditional)

(J) Accessory Structures/uses subject to the provisions of 4.12 (Walt sometimes put “and their accessory uses” in and sometimes not, so I just address it as a use)

 (K) RV Park or Campgrounds on parcels of 10 acres or more, subject to provisions in Article 4. (Same as today’s ordinance. This was probably written this way specifically for Paradise Cove)

 (L) A recreational vehicle not exceeding three hundred square feet in area, used temporarily during the construction period of a permitted use for which a building permit has been issued, but not to exceed one year. (This is conditionally permitted in present code so I moved it from 2.02.03 to here)

(M) Plant Nursery subject to provisions in Article 4 (Same as today’s ordinance, but of course present code has no restrictions/guideline. Walt just ignored it in his whole document.)

**Section** **2.02.05** R1 **Dimensional** **Standards**

Unless otherwise required by this Chapter, the following minimum dimensional standards shall be required for all development in the R-1 zone:

(A) Minimum Lot Size shall be 5000 square feet. If all setbacks can be me, annty of the following are allowed:

 (1) A residential dwelling and an Accessory Dwelling Unit on the same lot.

 (2) Middle housing

~~1. Single Family Home~~

~~a. Attached – 3,750 square feet b. Detached – 5,000 square feet.~~

~~2. Duplex - 7,500 square feet~~

~~3. Non-Residential Uses – Sufficient area to comply with setback, parking landscaping and other development standards. Inability to comply with this provision shall not form the basis for a variance request.~~

(B) Minimum Lot Dimensions:

1. Lot Width - 40 feet; corner lot - 50 feet along each street frontage.

2. Lot Depth – 85 feet.

(C) Minimum Setback

(1) Non-corner lot (1) through (4) (C) brings Walt’s version to match present code

 (A) Front Yard – ~~15~~ 20 feet.

 ~~(B) Street Side Yard – 15 feet.~~

 (B) Side Yard – 5 feet.

 (C) Rear Yard – ~~15-~~10 feet

(2) Corner lot

(A) Front Yard – 20 feet.

(B) Street Side Yard – 15 feet.

 (C) Non-Street facing Side Yard – 5 feet.

 (D) Rear Yard – 5 feet

(3) Flag lot

(A) Front Yard – 20 feet. The front yard is the yard that has street access via a driveway.

(B) Side Yard – 5 feet.

 (C) Rear Yard – 10 feet

 (4) Dwelling plus an ADU (If a corner lot is involved, use those setbacks)

(A) Front Yard – 20 feet.

(B) Side Yard – 5 feet.

 (C) Rear Yard – 10 feet

(D) If the ADU is detached, there is a minimum distance of 10’ feet between bulidings This is all mine.

 (5) Middle Housing when units face in multiple directions All mine

(A) The face of each unit has a 15’ setback

(B) The side yard setback is 5’ unless it is a corner lot. In that case:

 (1) Street Side Yard – 15 feet.

. (2) Non street Side Yard – 5 feet

For example, a quadplex is on a non-corner lot and two units face east and the other rwo west. The east setback is 15’, the west setback is 15’ and the north and south setbacks are 5’.

(6) Condominiums (attached buildings with individual ownership regardless of their configuration). If a corner lot is involved, use those building setbacks).

(A) Front Yard – 20 feet.

(B) Side Yard – 5 feet.for the building; each unit shall bave a zero lot line between attached units

 (C) Rear Yard – 10 feet

(~~D) Minimum Setback (Non-Residential):~~

~~1. Front Yard – 15 feet.~~

~~2. Street Side Yard – 15 feet.~~

~~3. Side Yard – 10 feet.~~

~~4. Rear Yard – 15-feet; corner lot - 10-feet.~~

(E) Maximum Building Height: Primary - 24 feet; accessory structure - 15 feet. ~~(F) Maximum Lot Coverage:~~

~~1. Single Family Home~~

~~a. Detached – 50%~~

~~b. Attached – 70%~~

~~2. Duplex – 60%~~

~~3. Non-residential Uses – 60%~~

**Section** **2.02.06** **Development** **Standards**

All development in the R-1 Zone shall comply with the applicable provisions of this

Chapter. The following references establish additional development requirements:

(A) Off-street Parking. Parking, driveway and loading improvements shall comply with provisions in Article 4.

(B) Signs. Signs in the R-1 zone shall conform to the standards in Article 4.

(C) Yards and Lots. Yards and lots shall conform to provisions contained in Article 4.

(D) Fencing. Fences shall conform to provisions contained in Article 4.

(E) ~~Prohibited Uses. Short term rentals~~.

(F) Development. New uses and significant expansions may be subject to a Site Development Review (see Article 4).

(G) Other. A property owner is advised other regulations may apply for property in the floodplain (Article 3) and geological hazard areas (Article 4).

**2.07 P (Public) (I put it next like our present code, but we can move it)**

**Section** **2.07.02** **Permitted** **~~Principal~~** **Uses**

In a P zone, the following uses and their accessory uses are permitted outright:

~~(A) Parks and waysides.~~ (Already permitted in every zone).

~~(B) Pedestrian and bicycle paths.~~ (Already permitted in every zone).

(C) Public dock.

(D) ~~Schools, fire stations and city-owned buildings~~. (Moved to Conditional since they are mostly there in present code).

**Section** **2.07.04** **Conditional** **Uses**

In a P zone, the following conditional uses are permitted subject to provisions of Article 5:

(A~~) Hospitals or other medical~~ Health Care Facilities Facilities This should include dental and what the AMA considers “alternative” health care

(B) Community meeting halls ~~not owned by city.~~

(C) ~~Public utility buildings.~~ Not sure we need this.

(D) Other public ~~buildings~~ facilities including Fire Stations, Government Facilities and Park enhancements.

 ( E) Schools Permitted in present code.

**Section** **2.04.02** **Permitted** **Uses**

In a GC zone the following uses and their accessory uses are permitted outright:

(A) Retail trade establishments ~~such as grocery stores, drug stores, gift shops, variety stores, appliance stores,~~ along with associated repair and service. Present code defines the in red above, but I don’t think we need to; where do bakers that don’t have on prem consumption, fabric stores or marijuana dispensaries fit if we define the type of retail?

(B) Arts and crafts galleries and studios.

(C) Eating and drinking establishments.

 (D) Theaters, ~~including movie theaters.~~ Present code leaves this as just Theaters.

(E) Wholesale business in conjunction with a retail business on the same premises.

(F) Residential use in conjunction with a permitted or conditional use where the street level shall be maintained as a commercial use.

(G) ~~Publicly owned park identified as part of an adopted Master Parks Plan.~~ Moved to all zones

(H) ~~Family day care center.~~ Since this involves a resident family and residents must be on the second floor, this just doesn’t work for me. Also it requires a fenced area for kids and that is not likely to be a visually desirable space for kids because what is usually in the back of commercial buildings.

(I) Business, personal and professional service establishments.

(J) Financial institutions, real estate offices and similar businesses. Walt added real estate offices and similar businesses to our present code.

(K) Mobile food or mobile merchandise vendor by special permit.

**Section** **2.04.04** **Conditional** **Uses**

In the GC zone, the following Conditional Uses are permitted subject to the provisions of Article 5:

(A) Automobile service stations, subject to provisions in Article 4.

(B) Government ~~offices or~~ facilities. Using the same words for all zones

(C) Hotel, motel, time-share condominium; or, Bed and Breakfast subject to provisions in Article 4~~, in a residence existing prior to adoption of this Ordinance.~~ Walt added the in red to our present ordinance which I don’t think is necessary.

(D) Churches, lodges or meeting halls.

(E) RV Parks on 4.5 acres or more, subject to provisions in Article 4. This was probably written specifically for Paradise Cove.

(F~~) Amusement arcade including, but not limited to, shooting galleries, bumper cars, or similar facilities.~~ Walt added this and we specifically prohibit is in present code along with junk yards and video arcades.