

Sec. 9-4.2106. Limitations on specific uses.

Where indicated in the matrix, a specific use is limited in size, scope or nature pursuant to the following provisions:

(a) Apiculture and honey extraction. Apiaries are subject to the following limitations:

- (1) No occupied hive shall be located or maintained within one hundred fifty (150') feet of any public road, street or highway.
- (2) No occupied hive shall be located or maintained within four hundred (400') feet of any dwelling, unless the owner of said dwelling(s) has consented.
- (3) No occupied hive shall be located or maintained within fifty (50') feet of any property line common to other property, except when such other property also contains an apiary.

(4) Adequate water supply shall be available and maintained on the property to serve the bees.

(b) Boarding and care of horses. Boarding and care of horses is allowed subject to the following:

- (1) A minimum lot size of ten (10) acres is required.
- (2) Accommodations for grooms and caretakers are permitted within the same building.
- (3) In the R-P-D and R-P-D-SFD zones, no more than four (4) horses per acre may be stabled within such a boarding facility, unless otherwise waived by the Planning Commission.

(c) Commercial uses in R-3 zone. Commercial uses are allowed only as follows:

- (1) The property is located along a major roadway and within two hundred (200') feet of existing commercially zoned property.
- (2) The property is already improved with a non-conforming building, and no expansion of the building shall be permitted.
- (3) A special use permit may be approved by the Community Development Director upon a finding that residents within three hundred (300') feet of the subject property do not object. Otherwise, the Planning Commission shall be the decision-making body.

(4) Permits shall be granted for a maximum of three (3) years.

(d) Residential care facilities, large.

- (1) In the R-E zone, a minimum subzone of 5 acres is required, or a minimum parcel size of 5 acres is required.
- (2) In the H-P-D zone, a minimum parcel size of 5 acres is required.
- (3) No large residential care facility shall be located within five hundred (500') feet of another existing or entitled large residential care facility based on the rebuttable presumption that the location of such a facility within five hundred (500') feet of another residential care facility will result in an overconcentration of residential care facilities in the neighborhood.

(e) Substance abuse treatment facilities.

- (1) In the R-E zone, a minimum subzone of 5 acres is required, or a minimum lot size of 5 acres is required.
- (2) In the H-P-D zone, a minimum parcel size of 5 acres is required.
- (3) No substance abuse treatment facility shall be located within five hundred (500') feet of another existing or entitled substance abuse treatment facility based on the rebuttable presumption that the location of such a facility within five hundred (500') feet of another residential care facility will result in an overconcentration of substance abuse treatment facilities in the neighborhood.

(f) Protected Ridgeline Overlay (PR) zone standards. For any property within the PR Overlay zone, a request to waive or modify one or more development standards set forth in Sections 9-4.3502(a) and (b) of this chapter requires filing and consideration of a special use permit application by the Planning Commission. The criteria and findings for approving said special use permit are as set forth in Sections 9-4.3502(c) and (d) of this chapter.

(g) Farm cottages. Where permitted, farm cottages are limited as follows:

- (1) They shall be single-family one-story dwellings, leased to and occupied only by persons employed and working exclusively on the farm premises or premises under the same ownership, and their dependents.
- (2) The parcel of land on which the farm cottage is located is at least ten (10) acres in size.
- (3) There shall be not more than one farm cottage per ten (10) acres of land of said parcel.
- (4) There shall be no more than two (2) farm cottages on any parcel of land.
- (5) A farm cottage may not be located closer than fifty (50') feet to a public street, nor less than twenty-five (25') feet from another farm cottage, main dwelling or guest house.

- (6) No additional parking space is required for a farm cottage.
- (h) Residential development limitations. Residential development is limited as follows:
 - (1) In the R-A, R-E, R-O, and R-1 zones, one single-family dwelling is permitted per lot.
 - (2) In the R-2 zone, either two single-family dwellings or a duplex is permitted per lot.
 - (3) In the R-3 zone, any housing type is permitted, and the density of development on a lot is limited to a maximum of thirty (30) dwelling units per net acre.
 - (4) In the R-P-D Zone, any housing type is permitted and the maximum density is as designated by the density subzone (e.g., RPD-7U is limited to seven (7) dwellings per net acre).
 - (5) In the R-P-D-SFD Zone, only single-family dwellings are permitted.
 - (6) Pursuant to Sec. 9-4.2527, transitional and supportive housing, as defined in Sec. 9-4.202, are permitted in the respective zones as residential uses based on their type and density of dwelling units.
 - (i) Guest houses. Where permitted, guest houses are limited as follows:
 - (1) A guest house shall be a one-story single-family structure for the exclusive use of bona fide guests.
 - (2) A guest house is limited to a maximum of 600 square feet floor area.
 - (3) The parcel of land on which a guest house is located shall be at least one (1) acre in size and contain a main residence.
 - (4) There shall not be more than one (1) guest house per acre of parcel size.
 - (5) There shall be no more than two (2) guest houses on any parcel of land.
 - (6) A guest house may not be located closer than fifty (50') feet to a public street, nor less than twenty-five (25') feet from another guest house, main dwelling or farm cottage.
 - (7) No additional parking space is required for a guest house.
 - (j) Incidental uses and structures. Uses clearly incidental or accessory to the main permitted use and compatible with the area; construction of structures may require a discretionary permit per Article 18 of this chapter.
 - (k) Keeping of Horses, Bovines, Goats, and/or Sheep. Horses, bovines, goats, and sheep may be maintained as an accessory use to a single family dwelling where permitted in a zone subject to the following limitations:
 - (1) The lot size must be at least 20,000 square feet.
 - (2) Two horses, bovines, goats, or sheep, or a combination of animals equaling two (2) total animals may be kept.
 - (3) For each additional 20,000 square feet of lot size above the 20,000 square foot minimum, an additional one animal may be kept. In the R-O zone, a maximum of three (3) animals may be permitted, no matter how large the lot is.
 - (4) No horse may be housed, kept, pastured, stabled, or confined within forty (40') feet of any habitable dwelling, religious facility, school, or other place of human habitation, except the dwelling of the owner thereof.
 - (l) Small animals for family use. Permitted as follows:
 - (1) No more than twenty-four (24) birds and twelve (12) rabbits if the lot area is more than 10,000 square feet. No more than twelve (12) birds and six (6) rabbits where the lot area is 7,000 to 10,000 square feet and the property is located in the R-1 zone.
 - (2) In the R-E and R-1 zones, one calf, pig, sheep or goat raised as a 4-H or school project, provided that the lot area is not less than 10,000 square feet.
 - (3) In the R-O zone, up to two (2) calves, pigs, sheep, or goats, or combination thereof, raised as a 4-H or school project when the lot area is not less than 10,000 square feet, plus an additional calf, pig, sheep, or goat for each additional 10,000 square feet of lot size.
 - (4) In the R-1 zone, a Farm Animal Permit is required per Sec.9-4.703.
 - (m) Stands for sale of products. Stands for the sale of agricultural products grown or produced on the premises as permitted by this chapter are allowed, subject to the following limitations:
 - (1) The floor area of such stands may not exceed four hundred (400') square feet.
 - (2) Such stands shall not be located or maintained within twenty (20') feet of any public road, street, or highway.
 - (n) Temporary model home and real estate sales complexes. Allowed for the limited purpose of conducting sales only of lots in the subdivision as follows:
 - (1) May be permitted in advance of the filing of the final map after road plans have been submitted to the Public Works Department for approval.

(2) May be maintained for a period of eighteen (18) months or until all the lots in the subdivision have been sold, whichever is earlier.

(o) Water supply. Water wells are permitted only for purposes of providing water to the lot or parcel upon which the well is located.

(p) Veterinary hospitals and clinics, small animals. Treatment rooms, cages, pens, and kennels shall be maintained within a completely enclosed soundproof building. The hospital or clinic shall be operated in such a way as to produce no objectionable odors outside the building.

(q) Veterinary hospitals and clinics, large animals. No treatment rooms, open kennels, or pens shall be maintained nearer than two hundred (200') feet from any other property.

(r) Emergency shelters. Subject to the special standards in Sec.9-4.2525 of this chapter. Except for such special standards, emergency shelters shall be subject to the same development and management standards that apply to commercial development in the underlying zone where permitted.

(s) Coffee shops in C-O zone. There shall be no entrance directly from the street to such businesses, no signs or other evidence indicating the existence of such business visible from the outside of the building, and the office building shall be of sufficient size and character so that the patronage of such businesses may be expected to be furnished substantially or wholly by the occupants of the building.

(t) Trade and training schools and college and university extension classrooms and associated offices in the C-4 zone. Said uses are permitted only as an accessory use within an existing office or commercial building.

(u) Personal care uses in C-O zone. In the C-O zone, only barber shops and beauty shops are permitted, provided they are located within an office building and have no entrances directly from the street. There shall be no signs or other evidence indicating the existence of such businesses visible from the outside of the building, and the office building shall be of sufficient size and character such that the patronage of such businesses may be expected to be furnished substantially or wholly by the occupants of the building.

(v) Incidental manufacturing and processing accessory to retail use. Limited manufacture, treatment, and treatment of products integral to a retail business and conducted on the same premises is permitted subject to the following limitations:

(1) Not more than five (5) persons shall be employed in the permitted manufacturing, processing, or treating of products; and,

(2) The operations and products shall not unreasonably emit noise, odor, dust, smoke, vibration, or other objectionable effects.

(w) Newsstands in C-O zone. In the C-O zone, newsstands are permitted, provided they are located within an office building and have no entrances directly from the street. There shall be no signs or other evidence indicating the existence of such businesses visible from the outside of the building, and the office building shall be of sufficient size and character such that the patronage of such businesses may be expected to be furnished substantially or wholly by the occupants of the building.

(x) Pharmacies in C-O zone. In the C-O zone, pharmacies are permitted provided they are located within an office building and have no entrances directly from the street. There shall be no signs or other evidence indicating the existence of such businesses visible from the outside of the building, and the office building shall be of sufficient size and character such that the patronage of such businesses may be expected to be furnished substantially or wholly by the occupants of the building. Provided further that they are limited to the preparation, dispensing, and retailing of drugs and the dispensing and retailing of orthopedic and medical appliances clearly incidental to, and as an accessory use to, the permitted uses of this article, and specifically excluding the retailing or dispensing of non-related pharmaceutical commodities, products, or articles.

(y) Vehicle sales and leasing. Vehicles sales and leasing businesses where permitted shall be subject to the following limitations:

(1) No repair or reconditioning of automobiles, trailers, or boats shall be permitted unless such work is done entirely within an enclosed building; and,

(2) The entire area of the premises is improved with paved surfaces, landscaping and structures.

(z) Limitations on manufacturing, processing, and treating of products for certain uses in C-1 zone. No more than (5) persons shall be employed in the manufacturing, processing and treating of products involved with the retail use, if located in the C-1 zone.

(aa) Natural Open Space in OS zone. In the OS zone, improvements associated with natural open space are limited to (1) pathways for recreational travel (trails); (2) parking facilities at ingress and egress points for pathways for recreational travel; (3) natural minimally landscaped park areas; (4) minimal regulatory and directional signs along pathways for recreational travel and at ingress and egress sites to open space; (5) structures and fencing which prevent access to open space, sensitive habitats, or endangered archaeological sites; (6) drinking stations or permanent impoundments for wildlife habitat enhancement purposes; and (7) limited recreational structures, such as bridges, campsites, fire pits, hitching racks, information kiosks, and structures designed for the education of the public.

(bb) Limitations on commercial recreation facilities in C-1 zone. Commercial recreation facilities allowable within the C-1 zone are limited to tennis and handball/racquetball courts.

(cc) Independent auto body repair in C-2/AM zone. Any special use permit issued for an independent auto body repair use in the C-2/AM zone shall be reviewed administratively through a minor modification one year from the first day of occupancy to ensure that the operation does not create any adverse effects to surrounding properties.

(dd) Equipment rental in C-2 zone. In the C-2 zone, the following limitations regarding the rental and storage of equipment apply:

- (1) Concrete mixers limited to one-half ($\frac{1}{2}$) sack size;
- (2) Small tractors limited to the operation of a five-eighths ($\frac{5}{8}$) cubic yard skip loader of a five (5') foot blade attachment;
- (3) Rototillers;
- (4) Home improvement or maintenance equipment;
- (5) Trailers limited to one ton capacity;
- (6) Hand tools and garden equipment;
- (7) Trucks not exceeding one and one half ($1\frac{1}{2}$) tons capacity;
- (8) Any outdoor storage area shall have an improved surface (e.g., concrete or asphalt).

(ee) Self storage facilities in C-2 zone. In the C-2 zone, self-storage buildings limited to public use and rental are subject to the following conditions and limitations:

(1) Office and/or retail development shall be a component of the same development and shall be located on the street frontage;

(2) Self-storage buildings shall be located behind the office and/or retail building(s) with a minimum setback of one hundred (100') feet from the property line along the street frontage;

(3) The maximum size of the self storage facility shall not exceed five (5) acres, and no individual rental storage space shall exceed five hundred (500) square feet;

(4) Self-storage buildings shall be permissible only on parcels legally created prior to July 1, 2011, which as of that date have a lot depth that is more than four (4) times the lot width.

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