

ORDINANCE NO. 572 N.S.AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING THE ZONING CODE TO REVISE THE R-1 DISTRICT REGULATIONS

WHEREAS, at its meeting of January 24, 1989, the Planning Commission took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- c. In accordance with the California Environmental Quality Act, considered a proposed Negative Declaration, but on a 3-3 vote, did not make a recommendation that the City Council adopt a Negative Declaration; and
- d. On a 3-3 vote, did not make a recommendation that the City Council adopt this ordinance, and

WHEREAS, at its meeting of March 6, 1989, the City Council took the following actions:

- a. Considered the facts and analysis, as presented in the staff reports prepared for this project;
- b. Considered the discussions of the Planning Commission regarding this ordinance;
- c. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- d. Based on the scope and nature of the proposed code changes, found that the proposed ordinance would not have a significant effect on the environment and adopted a Negative Declaration in accordance with the California Environmental Quality Act; and

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of El Paso De Robles, to adopt this ordinance to amend the zoning code, adopted by Ordinance 405 N.S., to revise the R-1 District regulations as follows:

SECTION I: Chapter 21.08 (Definitions) is hereby amended to add four sections/definitions to read as follows:

- a. "21.08.036 Bench, Benching: A bench is a flat area (+2 percent slope) for a portion, but not the whole, of a foundation for a single building or structure. Benching is the act of grading to create a bench."
- b. "21.08.215 Grading, Mass: Grading to create a contiguous series of flat (+2 percent slope) building and yard pads for more than one building or lot."
- c. "21.08.271 Lot, Reversed Corner: A corner lot whose street side lot line is substantially a continuation of the front lot line of a lot to its rear."
- d. "21.08.318 Pad, Padding: A pad is an individual flat area (+2 percent slope) for the entire foundation and adjacent flat yards for a single building or structure. Padding is the act of grading to create a pad."

SECTION II: Section 21.16.020 (R-1 District Regulations) is amended to delete the existing text and replace it with the text contained in Exhibit A (attached).

SECTION III: Section 21.20.203 (Front Yard Setbacks in the R-1 District) is hereby repealed.

PASSED AND ADOPTED THIS 20th day of March, 1989 by the following roll call vote:

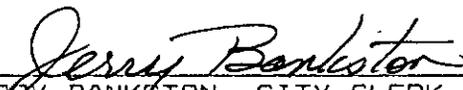
AYES: Russell, Reneau, Conway and Martin

NOES: Dolan

ABSENT: None


MAYOR STEVE MARTIN

ATTEST:


JERRY BANKSTON, CITY CLERK

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EXHIBIT A

Section 21.16.020

R-1 DISTRICT REGULATIONS

A. PURPOSE:

The purpose of the R-1 District is to provide a district reserved for the development of single family residential (one dwelling unit per lot) neighborhoods and compatible land uses, in both hillside and non-hillside areas.

B. RELATIONSHIP TO THE HILLSIDE DEVELOPMENT OVERLAY DISTRICT:

The Hillside Overlay District is defined in (Chapter 21.14A). The overlay district defines geographic areas subject to Hillside Development Standards. Properties defined in this section in terms of degree of existing topographic slope are also subject to the same Hillside Development Standards.

C. RELATIONSHIP TO THE PLANNED DEVELOPMENT OVERLAY DISTRICT:

The Planned Development District (Chapter 21.16A) may be used as an overlay district to the R-1 District for the purposes of modifying the R-1 development standards contained within this section in order to create a subdivision with uniform lot areas and/or dimensions or to cluster lots in order to provide common open space.

The City Council may grant approval of such modifications to the R-1 District Regulations if the City Council can find that the proposed density does not exceed the maximum density which could be achieved under strict adherence to the Hillside Development Standards contained within this section. To support this finding, applicants seeking modifications to the R-1 and hillside development standards shall submit an alternative conceptual subdivision map that shows dimensioned lots and streets, contours at 2 foot intervals (except that 5 foot intervals may be used where slopes are thirty [30] percent or greater), and slope categories required by this section.

D. PERMITTED LAND USES:

Those land uses which are permitted by right and those which are subject to the approval of a conditional use permit in the R-1 District are listed in Table 21.16.020 - 1.

E. DEVELOPMENT STANDARDS FOR THE CREATION OF NEW LOTS:

The following minimum standards shall apply to the creation of new lots via parcel or tract maps or the reconfiguration of existing lots via lot line adjustments.

(NOTE: Notwithstanding the requirements of Section 21.20.150 [Lots Less Than Minimum Size], all lots which do not conform to the size, width, or depth and maximum developable slope standards contained within this section, but which were legally created prior to the effective date of the ordinance amending this section, are still legal lots and may be developed, subject to compliance with the current development standards of the Zoning Code.)

1. Maximum Developable Slope: No new lots shall be created which would necessitate the placement of building foundations upon natural slopes of thirty-five (35) percent or greater. A subdivider may be required to demonstrate that a lot has an adequate buildable area, in a manner subject to the approval of the Planning Commission and/or City Council.

2. Effect of Slope on Lot Sizes, Widths, and Depths: Lot sizes, widths, and depths shall be determined by the category of the natural (ungraded) slope of the developable area of the lot. For this purpose, the following slope categories are established: 0-4 percent; 5-9 percent; 10-14 percent; 15-24 percent; and 25-34 percent.

For new lots to be created by tract maps, parcel maps and lot line adjustments, developable areas shall be defined as that area used for pads, benches, driveways, and graded slopes for buildings and driveways.

Where a proposed lot has more than one slope category, the developable area shall be determined by plotting a dimensioned building envelope on the proposed lot. (A separate detailed map or survey information may be required by the City Planner for this purpose.) The building envelope shall represent the horizontal extent of pads, benches, driveways, and graded slopes for buildings and driveways. If any portion of the building envelope overlays a natural slope of in a steeper slope category, the lot size, width, and depth requirements of the steeper category shall apply. It is the responsibility of the applicant to demonstrate that a particular building envelope will feasibly accommodate the horizontal extent of pads, benches, driveways, and graded slopes for buildings and driveways.

3. Method of Determining Slope: A slope map shall be prepared for each application for a tentative tract map, tentative parcel map, and lot line adjustment. The slope map shall consist of a copy of the proposed tentative tract or parcel map or lot line adjustment map and shall show the following:

a. Contour intervals of 2 feet except where the slope is 30 percent or greater, in which case 5 foot intervals shall be shown;

b. The percent of slope shall be determined as the vertical rise divided by the horizontal run, where the run is perpendicular to the contour lines, multiplied by 100;

c. The slope percent categories identified above for determining lot size, width, and depths shall be overlaid on the map so that the boundaries of the categories are clearly delineated.

Where a slope map reveals that a proposed tentative tract map has areas that fall under several slope categories, and that one or more of these areas are relatively small or narrow, the Planning Commission and/or City Council may apply the standards applicable to the nearest predominant slope category to ensure that strict compliance with the minimum lot size, width, and depth requirements would not result in a subdivision with non-uniform lot areas or non-orderly development.

4. Lot sizes: Minimum lot sizes shall be as follows:

(NOTE: Lot sizes are shown in square feet, unless otherwise noted. Lot sizes do not include fee or easement dedications for public street purposes.)

Slope (%)	Minimum Lot size per zoning district (square feet)					
	R-1	R-1,B-1	R-1,B-2	R-1,B-3	R-1,B-4	R-1,B-5
0-4	7,000	7,500	10,000	20,000	1 acre	2 acres
5-9	10,000	10,000	10,000	20,000	1 acre	2 acres
10-14	12,500	12,500	12,500	20,000	1 acre	2 acres
15-24	15,000	15,000	15,000	20,000	1 acre	2 acres
25-34	20,000	20,000	20,000	20,000	1 acre	2 acres

ABJ649

5. Lot widths: Minimum lot widths shall be as set forth below. Lot widths shall be measured at the front building setback line for all lots and shall not include driveway strips for flag lots.

Slope (%)	Minimum Lot width, per zoning district, in feet					
	R-1	R-1,B-1	R-1,B-2	R-1,B-3	R-1,B-4	R-1,B-5
0-4	70	70	80	100	100	100
5-9	80	80	80	100	100	100
10-14	100	100	100	100	100	100
15-24	120	120	120	120	120	120
25-34	150	150	150	150	150	150

6. Lot Depths: The minimum depth of any lot shall be 100 feet where the natural (ungraded) slope beneath the developable area of a lot is less than 10 percent, and shall be 120 feet where the where the natural (ungraded) slope beneath the developable area of a lot is 10 percent or greater.

7. Demonstration of Buildability: As part of an application for a tract or parcel map or lot line adjustment, it shall be the responsibility of the applicant to demonstrate, to the satisfaction of the City Planner, that the new lots to be created are buildable in a manner consistent with the Paso Robles Municipal Code; the City does not in any way warrant that it will be economically feasible to build on any property. For the purpose of demonstrating that lots are buildable, detailed drawings of conceptual site and grading plans for individual lots may be required by the City Planner to be submitted with the application.

8. Flag Lots: The driveway strips for flag lots may be used for calculation of minimum lot size but shall be ineligible for calculation of minimum lot widths and depths.

9. Grading Limitations: The following grading standards shall apply:

a. Preliminary Grading Plans shall be submitted with every application for a subdivision map and may be required for submittal of parcel map and lot line adjustment applications.

b. "Stair-step mass grading" shall be avoided. In general, the extent of cut and fill grading shall be minimized. Where large scale or pad grading can be accomplished in a manner consistent with purpose and intent of this Chapter and such grading is necessary for reasonable use of the property, extra-ordinary efforts shall be made to minimize exposed slope and retaining wall heights and to install mitigating landscaping.

c. "Benching" shall be encouraged and may be required as a construction technique in order to minimize the extent of grading and height of both retaining and stem walls.

d. The vertical height of graded slopes and/or exterior retaining walls to create pads or benches shall be limited as specified in Table 21.16.020 - 3.

e. All retaining walls to create building pads shall be constructed of masonry materials.

f. The exposed face of a stem wall shall not exceed nine (9) feet in average height and shall be heavily landscaped and/or screened in a manner subject to approval of the City Council or its designee.

g. The overall shape, height and grade of graded slopes shall not exceed 2:1; 4:1 slopes are preferred. (Exception: The City Engineer may approve steeper cut slopes for construction of

AAB257

streets, where a registered soils engineer recommends such approval.)

h. The crest of all graded slopes in excess of 8 feet vertical height shall be rounded.

i. Where graded slopes intersect, the ends of each slope shall be horizontally rounded and blended.

j. All graded slopes with vertical heights of three (3) feet or greater shall be provided with landscaping materials and irrigation systems that are under the control of a single property owner or under the jurisdiction of a homeowner's association.

k. All grading activities are subject to specific erosion control measures required by the City Engineer. Grading plans shall be prepared by a California registered engineer. (Exception: If a California licensed architect prepared the structural plans for a building, said architect may prepare the grading plans.)

10. Oak Tree Preservation: Creation of new lots and streets shall be designed to protect oak trees in a manner consistent with the City's Oak Tree Preservation Ordinance (Chapter 10.01).

11. Utilities:

a. All utility service lines shall be undergrounded.

b. Transformers, control points and other utility housings shall be located so as to minimize their visual impact and shall be screened in a manner approved by the Architectural Review Committee.

12. Hillside Street Standard: Use of the Hillside Street Standard shall be subject to Planning Commission or City Council Approval in conjunction with applications for tract maps, parcel maps, or a waiver of street improvements to be approved as specified in Chapter 21.23A.

13. Vistas: Subdivisions shall be designed to minimize landform alteration as viewed from outside the site. Landscaping shall be used to mitigate the visual effects of grading for streets.

F. DEVELOPMENT STANDARDS FOR R-1 LOTS:

The following development standards apply to the development of all R-1 zoned lots (once created):

1. Lot Coverage: The maximum lot coverage shall be 50 per cent for all main buildings (single family residences, churches, schools, quasi-public buildings, etc.) and accessory buildings.

2. Height Limits: The maximum height for main buildings (single family residences, churches, schools, quasi-public buildings) shall be 35 feet. The maximum height for detached accessory buildings shall be 15 feet. Exceptions to these height limits may be approved via conditional use permit.

3. Setbacks:

a. General: Buildings and structures shall be setback from property lines as shown on Table 21.16.020 - 2;

b. Rear Yard Setbacks for Five-Sided Lots: The rear yard setback on five-sided lots may be measured from either property line that is not contiguous to the front property line,

AAB257

as long as a rear yard is provided which measures at least 20 feet deep and 1,200 square feet in area.

c. Determination of Front Yard for Flag Lots: The front yard for flag lots shall be measured to be 20 feet deep from that property line adjacent to the driveway strip which represents the width (or narrower dimension) of the lot.

4. Building Separations: The minimum separation between all detached buildings shall be 10 feet, as measured from the exterior walls or vertical posts to support roofs. To be considered attached, buildings shall be made structurally a part of, and shall have a common roof with, the main building(s).

5. Grading Limitations: The grading standards contained within subsection E9, above, shall apply to all development within the R-1 District.

6. Oak Tree Preservation: Development of lots shall be designed and graded to protect oak trees in a manner consistent with the City's Oak Tree Preservation Ordinance (Chapter 10.01).

7. General Architectural Requirements:

a. All single family dwellings shall adhere to the following architectural standards:

(1) Roofs shall be constructed with concrete or clay tile, fire-retardant wood shake, asphalt composition, crushed rock, or other similar roofing material; reflective, glossy, polished, and/or roll-formed type metal roofing is prohibited;

(2) Siding shall consist of stucco, wood, masonite, brick, or other similar materials; reflective, glossy, polished, and/or roll-formed type metal siding is prohibited;

(3) Every single family dwelling shall have a width and depth of not less than twenty-four (24) feet.

b. Architectural review is required for all development on slopes of ten (10) percent or greater or for any lot located within the Hillside Development District as defined in Chapter 21.14A. Architectural review for buildings and structures shall be conducted by the Planning Commission or Architectural Review Committee (ARC), or may be delegated by the Commission or ARC to the City Planner.

c. Detached accessory buildings shall conform to the following requirements:

(1) The gross floor area shall not exceed fifty (50) percent of the gross floor area, including any attached garage, of the main building, except by approval of a conditional use permit.

(2) They shall be constructed to be architecturally compatible with the main building(s) in terms of materials, colors, and relief treatment for elevations and roofing materials. The City Planner shall make determinations of compatibility. Applicants may appeal a decision of the City Planner to the Architectural Review Committee.

8. Patio Covers:

a. Patio covers that are attached to the main building shall comply with the following requirements:

(1) If open on two or more sides, they may extend no more than ten (10) feet into the required twenty (20) foot rear yard setback.

(2) If open on one side or enclosed, they shall maintain the required twenty (20) foot rear yard setback.

(3) They shall conform with the requirements of this section for side yard setback for main buildings;

b. Patio covers that are detached from the main building shall be considered to be detached accessory buildings and shall comply with the minimum requirements for setbacks and building separations.

9. Projections into Yards (Setbacks):

a. Architectural features such as cornices, eaves, and canopies may not project more than three (3) feet into any minimum required front, side, or rear yard (setback). (Exception: Patio covers which comply with the above requirements).

b. Uncovered porches, decks, stoops, and outside stairs, higher than 30 inches, may not project more than two (2) feet into any minimum required side yard (setback) and not more than six (6) feet into any minimum required front yard.

10. Swimming Pools and Spas:

a. Swimming pools and spas and their filter and heating systems are considered to be accessory buildings and as such must comply with the setbacks shown in Table 21.16.020-2.

b. Filter and heating systems for pools and spas shall not be located closer than 20 feet to any dwelling other than the property owner's and shall be screened by a solid fence.

11. Satellite Dish Antennae: Satellite dish antennae shall comply with the following regulations:

a. Only one satellite dish antenna may be installed on a lot;

b. They may only be mounted on the ground and shall not be mounted on the roof of any building or structure;

c. They shall not be located in any required front or side yard and shall be at least 20 feet from any adjacent property whenever physically feasible;

d. They shall not exceed fifteen (15) feet in height, including any platform or structure upon which they are mounted;

e. They shall not extend beyond the property lines of the lot on which they are placed;

f. They shall not be unnecessarily bright, shiny, or reflective;

g. The visual impact from adjacent properties and streets shall be minimized via screening via fences, landscaping, buildings, or topography.

12. Air Conditioning and Evaporative Cooling Systems: Air conditioning and evaporative cooling systems shall not be mounted on the roof of any building or structure.

13. Off-street Parking, Driveways and Vehicle Storage:

a. All uses shall provide off-street parking spaces and facilities as required by Chapter 21.22. The number and location of all driveways shall be subject to approval of the City Engineer.

b. Driveways parallel to a street (such as circular driveways and hammerhead turnarounds) shall be designed to provide a minimum 10 foot wide maintained landscaped setback between the street right-of-way and the parallel edge of the driveway closest to said street right-of-way.

c. No automobile, truck, motorcycle, recreational vehicle, boat, camper, trailer, farm equipment or similar vehicle, materials, or equipment shall be parked or stored between a dwelling and the street except on paved driveways. Except for lots with circular drives, pavement of the front yard shall be limited to fifty (50) percent of the front yard. On corner lots, pavement of the street side yard shall be limited to ten (10) percent of the street side yard unless the garage/carport is accessed via the side street. In such a case, pavement of the street side yard may be increased to provide direct access to the garage/carport. Pavement in front and street side yard areas shall not exceed what is necessary to access off-street parking facilities. The balance of all areas between the main building and each street frontage shall be landscaped and maintained in a neat and orderly manner.

14. Fence Restrictions: Where the street side yard of a reversed corner lot fronts onto a local street, no fence higher than 3 feet shall be placed in the street side yard except where the Architectural Review Committee may approve a height not to exceed 4 feet where it can be demonstrated by the applicant that such a height will not impair the sight distance of vehicles on the street or on the driveway of the lot to the rear of the reversed corner lot.

Those fences in the street side yards of reversed corner lots that exceed these height limits and that were constructed prior to the effective date of this ordinance shall be considered to be nonconforming structures.

15. Landscaping Requirements for Front Yard Areas: Within one (1) year of issuance of a certificate of occupancy, the holder of a building permit for a single family dwelling shall have installed front yard landscaping in all non-paved portions of the area between the front of the home and the street upon which the home faces. Said landscaping may consist of lawn, ground cover, flowers, gravel, bark, or other equivalent decorative materials. Bare ground and/or weeds are not acceptable landscaping treatments.

In order to insure enforcement of this provision, if required landscaping is not completed prior to issuance of a Certificate of Occupancy, a security deposit, in a form and an amount to be established by City Council resolution, shall be submitted prior to issuance of the Certificate of Occupancy. Said deposit shall be refunded upon compliance with the requirements of this section.

Upon completion of landscaping installation, the holder of the building permit shall request a building inspection; upon approval of the installed landscaping, the permit holder is released from further responsibility regarding the landscaping. Following approval of landscaping installation, it shall thereafter be the responsibility of the property owner to insure that the installed landscaping is adequately maintained. Inadequately maintained landscaping may be grounds for public nuisance abatement. Judgement of the adequacy of installed and/or maintained landscaping shall be the responsibility of the City Planner, who shall use reasonable discretion. Exceptions from the requirement to landscape front yard areas may be granted by the Architectural Review Committee upon demonstration that such landscaping would not be reasonable or appropriate based on property size or location.

16. Hillside Development Standards: Development on lots located within the Hillside Development District, including those hillside lots with developable areas on slopes of 10 percent or

greater but located outside of the Hillside Development District boundaries, shall comply with the following standards:

a. Site Design: Lots, buildings and structures shall be laid out to minimize adverse impacts on hillside topography. This will include designing the buildings to conform to the contours of the site and arranging driveways, parking areas and patio areas to be compatible with the slopes and building design.

b. Building Design:

(1) Color and Materials: Color and Materials used for buildings shall be subject to the approval of the Architectural Review Committee. Roofing shall be fire-retardant and shall be neither white nor reflective.

(2) Architectural Treatment: Elevations and roof lines shall provide visual relief features which minimize monotony.

(3) Foundations: Where padding is restricted because of grading limitations, residential buildings to be located on hillside lots shall utilize special foundation design prepared by a registered engineer or architect. Split level homes, benching, cantilever foundations, poles, piers, step and stem wall foundations will be encouraged where the method would minimize soil disruption and where such measures can be implemented in an aesthetically acceptable manner. Architectural Review shall include a review of the visual impact of all foundations. No building foundations shall be placed upon natural slopes which are thirty-five (35) per cent or greater.

c. Landscaping: Landscaping plans shall be approved by the Architectural Review Committee to meet the following standards:

(1) Protection and Use of Existing Vegetation: Development on hillside lots shall, to the maximum extent possible, protect and use existing vegetation. Existing groundcover and shrubs should not be removed from lands with steep slopes (30 per cent or greater) unless necessary for weed abatement to remove fire hazards. Existing groundcover should not be removed from lesser slopes unless replaced with other vegetation. Existing groundcover shall be protected from damage during construction.

(2) New Landscaping: All development on hillside lots shall provide new landscaping as follows:

(a) Erosion Control: All graded or cleared slopes shall be landscaped with groundcover designed to hold the slope and to mitigate the visual impacts associated with the bare ground.

(b) Architectural Enhancement: Trees and shrubs shall be planted to provide screening under decks, along walls, and where required as a condition of Architectural review to assist in providing visual relief.

(c) Street Trees: Street trees shall be planted as required by Title 10 of this code.

(d) Irrigation: All landscaping required for erosion control, street trees and architectural enhancement shall be irrigated except where the Architectural Review Committee explicitly approves otherwise.

(e) Plant Species: New landscaping shall incorporate plant species which meets the following criteria:

(i) New vegetation should be compatible with natural vegetation and that on surrounding properties;

(ii) All planting within thirty feet of buildings should be fire-retardant;

(iii) For water conservation purposes, drought-tolerant species are encouraged.

(f) Completion of Landscaping: All landscaping and irrigation required for erosion control, street trees and architectural enhancement shall either be completed prior to issuance of a Certificate of Occupancy or security such as a performance bond be posted.

d. Driveways: Where it appears that topography, vegetation, or other characteristics of a site would obstruct the vision of a driver of a vehicle backing out from the site onto a street, the Architectural Review Committee or City Planner may require driveways to be designed and constructed in a manner to provide a paved area of adequate size on which vehicles may be turned so that they can be driven out onto the street head-first.

H. CONFLICTS WITH OTHER SECTIONS:

In the event of any conflicts between the provisions of this section and of any other section in this Code, particularly Sections 21.16.130 (B District Regulations), 21.20.190 (Accessory Buildings), 21.20.195 (Patio Covers), 21.20.140 (Fences and hedges), 21.20.160 (Canopy or cornice near side lot line), and 21.20.170 (Porches or stairways near front yard), the provisions of this section shall prevail.

I. EFFECTIVE DATE OF THIS SECTION:

All applications for tentative tracts, tentative parcel maps, lot line adjustments, conditional use permits, variances, and building permits, that have been filed with the Community Development Department and have been determined to be complete after March 6, 1989, shall be required to meet the standards established by this ordinance.

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TABLE 21.16.020 - 1

PERMITTED LAND USES IN THE R-1 DISTRICT

A. USES PERMITTED BY RIGHT:

1. Detached single family dwelling (one per lot, regardless of lot size)
2. Mobile homes on individual lots as permanent dwellings (in accordance with Chapter 21.15A)
3. Residential care facilities (for elderly, handicapped, etc.) for 6 and fewer residents
4. Day care for 6 and fewer children
5. Public schools, all levels
6. Accessory buildings to single family dwellings (e.g. Storage sheds, garages, patio covers, pools, spas) provided that there is a single family dwelling on the lot (i.e. a lot may not be developed with only an accessory building)

B. USES SUBJECT TO APPROVAL OF A CONDITIONAL USE PERMIT:

1. Guest house without kitchen facilities
2. Senior housing unit (in accordance with Chapter 21.16D)
3. Detached accessory buildings with heights greater than 15 feet and gross floor areas greater than 50 percent of the main structure
4. Bed and breakfast inns (in accordance with Sections 21.15.210-240)
5. Churches (including meeting halls and sunday schools as accessory uses)
6. Day care centers for more than 6 children
7. Residential care facilities (for elderly, handicapped, etc.) for more than 6 residents
8. Quasi-public facilities (private libraries, museums, art galleries, scout huts, etc.)
9. Public facilities (government offices, community centers, libraries, recreation buildings, equipment yards, etc.)
10. Public parks, playgrounds, ballfields
11. Public utilities facilities (electrical substations, transmission facilities, etc.)
12. Private schools, all levels
13. Private/commercial recreation facilities:
 - a. Racquetball, handball courts
 - b. Ballfields, playgrounds, stadiums
 - c. Golf courses, driving ranges
 - d. Off-road vehicle courses
 - e. Pools, waterslides (for use other than accessory to a single dwelling)
 - f. Tennis courts (for use other than accessory to a single dwelling)
14. Private off-street parking for commercial and industrial uses when adjacent to the use being served

AAB257

15. Winetasting rooms (in accordance with section 21.21.100)
16. Crop production (includes dry and irrigated farming, orchards, vineyards)

C. USES SIMILAR TO ANY OF THE ABOVE-LISTED USES

Any use not specifically listed above is not permitted unless the Planning Commission or City Council makes a determination that a particular land use is similar to a use which is specifically listed as permitted by right or subject to approval of a conditional use permit.

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TABLE 21.16.020 - 2

MINIMUM SETBACKS IN THE R-1 DISTRICT

NOTES:

1. All setbacks are measured from the property line unless otherwise noted.
2. DAB's are Detached Accessory Buildings which include, but are not limited to, the following buildings when detached from the main building: garages, carports, sheds, auxiliary buildings, swimming pools and spas, tennis courts, antennae.

Yard	R-1	R-1 B-1	R-1 B-2	R-1 B-3	R-1 B-4	R-1 B-5
Front (Main Bldgs) +	20'	20'	20'	25'	25'	25'
Front (Garage Door) ++	25'	25'	25'	25'	25'	25'
Front (DAB's)	50'	50'	50'	50'	50'	50'
Street Side (Main Bldgs)	10'	10'	10'	15'	15'	15'
Street Side (DAB's)	10'	10'	10'	15'	15'	15'
Street Side (Garage Door) ++	25'	25'	25'	25'	25'	25'
Interior Side (Main Bldgs)	*	10'	10'	15'	15'	15'
Interior Side (DAB's) **	3'	3'	3'	3'	3'	3'
Rear (Main Bldgs)	20'	20'	20'	20'	20'	20'
Rear (DAB's) **	3'	3'	3'	3'	3'	3'

+ This setback is measured from the property-side of the sidewalk unless the sidewalks have been waived in the manner prescribed by Section 21.23A.030 in which case this setback shall be reduced by 5 feet and measured from the front property line.

++ This setback pertains to garage doors which open directly toward a street. It is measured from the property-side of the sidewalk unless the sidewalks have been waived in the manner prescribed by Section 21.23A.030 in which case this setback shall be reduced by 5 feet and measured from the front property line.

* In the R-1 District, the minimum interior side yard setbacks shall be 5 feet on one side and 10 feet on the other side for all lots 65 feet or wider. Lots less than 65 feet wide, which were created prior to the effective date of this ordinance, shall have minimum side yard setbacks of 5 feet on each side. Additionally, all second stories shall be setback 10 feet from the side property line.

** Detached accessory buildings shall not be located within 5 feet of any alley or within 10 feet of any dwelling unit, existing or under construction, on the same or adjacent lot.

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TABLE 21.16.020 - 3

**MAXIMUM VERTICAL HEIGHTS
OF
GRADED SLOPES AND EXTERIOR RETAINING WALLS**

The maximum vertical height of a graded slope or combination graded slope and the exposed face of an exterior retaining wall used to create a pad or a bench shall be related to the size of the lot and shall not exceed the following limits:

1. Between Two Side Yards or a Side and a Rear Yard:

a. The maximum height of the exposed face of an exterior retaining wall shall not exceed 4 feet. If more than one retaining wall is used, the minimum horizontal distance between the exposed faces shall be equal to, or greater than, the height of the exposed face of the higher of two adjacent walls. See Figure 21.16.020 - 1 for a graphic example of this requirement.

b. The average maximum height of a graded slope, series of exterior retaining walls, or combination of both shall be limited as follows:

- (1) 4 feet on lots with areas of 7,000 square feet or less;
- (2) 8 feet on lots with areas of 10,000 square feet or less;
- (3) 12 feet on lots with areas greater than 10,000 square feet.

NOTE: The average height shall be determined in the manner indicated on Figure 21.16.020 - 2.

2. Between Two Rear Yards:

a. The maximum height of the exposed face of an exterior retaining wall shall not exceed 6 feet. If more than one retaining wall is used, the minimum horizontal distance between the exposed faces shall be equal to, or greater than, the height of the exposed face of the higher of two adjacent walls.

b. The average maximum height of a graded slope, series of exterior retaining walls, or combination of both shall be limited as follows:

- (1) 6 feet on lots with areas of 7,000 square feet or less;
- (2) 8 feet on lots with areas of 10,000 square feet or less;
- (3) 12 feet on lots with areas greater than 10,000 square feet.

NOTES:

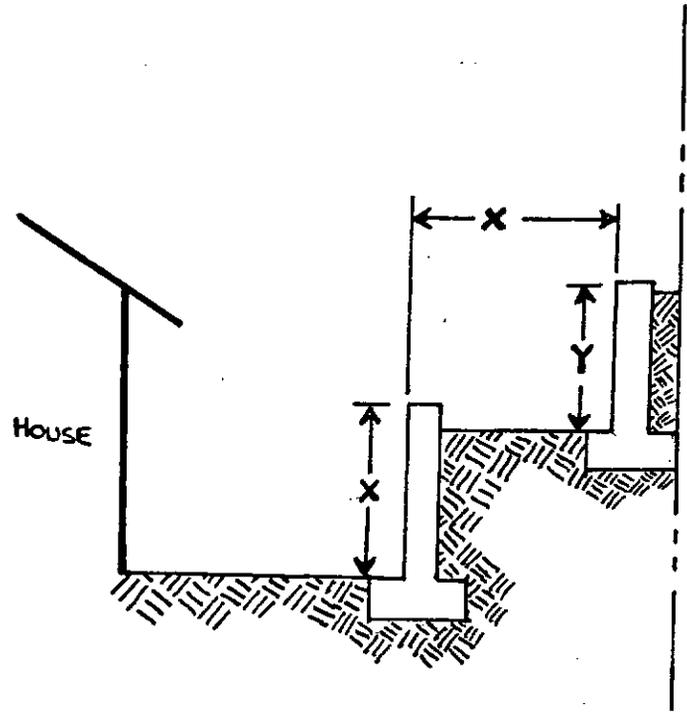
Where streets are parallel with contour lines, the above regulations may require that downhill lots be graded to drain to a drainage easement in the rear of the downhill lots instead of draining to the street.

Benching, raised (stem) wall foundations, interior retaining walls, and similar construction methods may be required in order to comply with the above limits for vertical height of graded slopes and/or exterior retaining walls for pads or benches.

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FIGURE 21.16 - 1

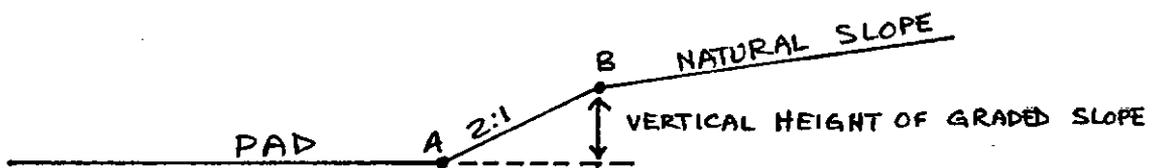
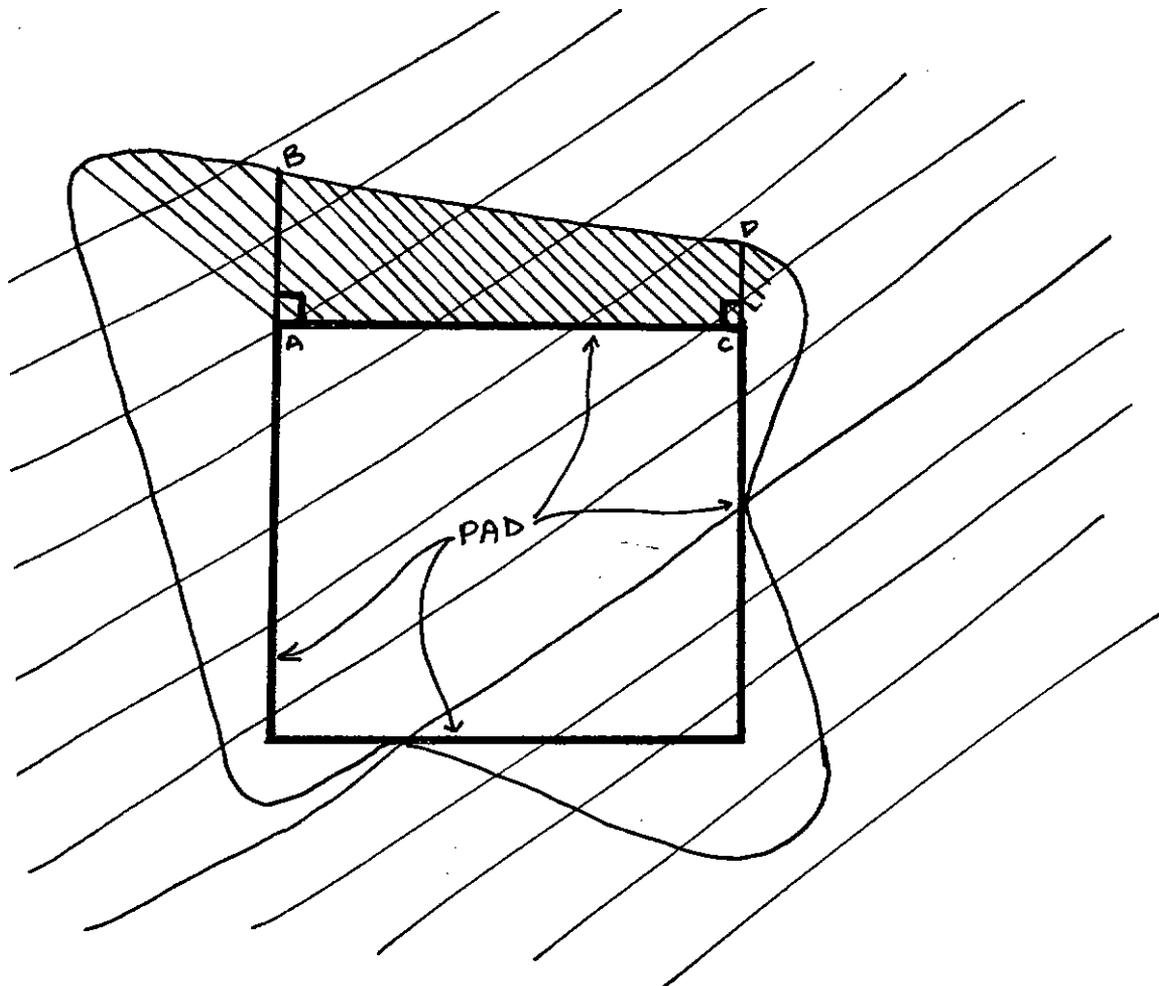
HORIZONTAL DISTANCE BETWEEN EXTERIOR RETAINING WALLS



ABJ649

In this illustration, "x" is greater than "y".
The walls shall be separated by "x" feet.

FIGURE 21.16 - 2

METHOD OF DETERMINATION OF
AVERAGE HEIGHT OF GRADED SLOPE

The average height of the graded slope area is determined by the average heights of the graded slope as measured at two points at either end of a pad or bench in a direction perpendicular to the edge of the pad or bench.

In the above figure, the average height of the shaded graded slope is:

$$\frac{\text{vertical height from A to B} + \text{vertical height from C to D}}{2}$$

PROOF OF PUBLICATION

STATE OF CALIFORNIA

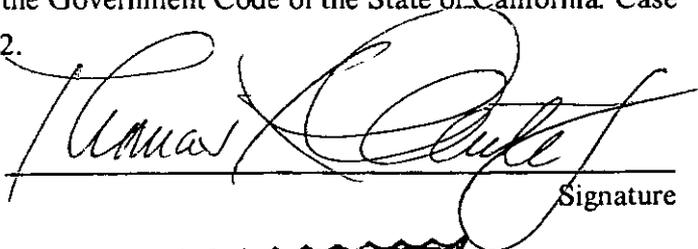
County of San Luis Obispo

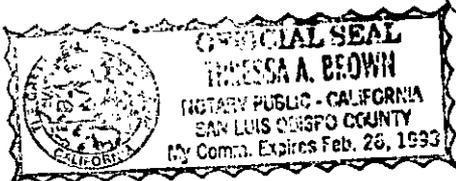
SS.

THOMAS R. CHUTE JR, of said county, being first duly sworn, deposes and says: That I am the publisher of The Country News, a newspaper printed and published each Wednesday, at Paso Robles, in the County of San Luis Obispo, State of California; that the notice, of which a true copy is hereto attached, was published in the above named newspaper on the following dates, to wit:

RUN DATE 03-29-89

that said newspaper was duly regularly ascertained and established a newspaper of general circulation by decree entered in the Superior Court of San Luis Obispo County, State of California, on March 11, 1982, under the provisions of Chapter 1, Division 7, Title 1 of the Government Code of the State of California. Case No. 56022.


Signature



Subscribed and sworn to before this 3 day
of Apr, 1989

Notary Public