

Chapter 18-03: Rural Residential (RR) Zone

Sections:

- 18-03.010 Purpose
- 18-03.020 Property development standards.

18-03.010 Purpose.

The RR Zone is intended primarily to provide housing opportunities for lower density residential development, such as single family homes on larger sized lots with a density not to exceed 1 unit to the acre. This zone shall be applied to areas designated "low density residential" on the Clearlake General Plan Zoning Map,

18-03.020 Property development standards.

The property development standards for the RR Zone are as follows:

- A. **Maximum density:** one dwelling unit per net acre (refer to "acre" in definitions, Chapter 18-45).
- B. **Yards:** See Section 18-20.040.
- C. **Maximum height:** 25 feet; up to 35 feet if the Director approves an administrative use permit (see also Section 18-20.060).
- D. **Minimum lot size:** 1.25 acres.
- E. **Parking requirements:** See Section 18-04.080.

Chapter 18-18: Use Regulations

Sections:

- 18-18.010 Uses allowed by zones.
- 18-18.020 Residential, agricultural and institutional uses allowed by zones.
- 18-18.030 Commercial, recreation and amusement uses allowed by zones.
- 18-18.040 Industrial, communications and transportation uses allowed by zones.
- 18-18.050 Temporary uses allowed by zones.

18-18.010 Uses allowed by zones.

- A. Status of uses.** Uses within zones shall be as provided in Tables 4, 5, 6 and 7 subject to parts B through F below. In Table 4, symbols shall have these meanings:

1. P = The use is allowed.
2. L = The use is subject to an administrative use permit (Limited Use) as provided in Section 18-28 of the Zoning Code, approved by the Director subject to:
 - a. The standards for permitted uses that are set out in this Zoning Ordinance.
 - b. The applicable limited use standards for the specified use.
3. C = The use is subject to a use permit by the Planning Commission in accordance with Chapter 18-28 of the Zoning Code. If the Planning Commission approves a use permit the use shall be subject to:
 - a. Standards for permitted uses that are set out in this Zoning Ordinance.
 - b. The applicable limited use standards for the specified use.
 - c. The conditional use standards of Section TBD, Conditional Use Procedures, which apply to all conditional uses.
4. “–” means that the use is Prohibited in the specified zoning district.
5. Special notes affecting the status of uses are indicated by number that may be found at the end of the table.

- B. Interpretation of use listing.** These regulations are intended to permit similar types of uses within each zone. The Director, subject to the appeal procedures of Chapter 18-36, shall determine whether uses which are not listed shall be deemed

allowed or allowed subject to use permit approval in a certain zone. This interpretation procedure shall not be used as a substitute for the amendment procedure as a means of adding new types of uses to a zone.

- C. Principal and accessory uses.** Listed uses are principal uses. Accessory uses are allowed with principal uses.
- D. Production and sales.** Where manufacturing is allowed, incidental sale of items made on the premises is allowed. When sale of a particular type of item is allowed, craftsman-type production of such an item for sale on the premises is allowed.
- E. Prohibition of mineral extraction.** Commercial mining is prohibited in City limits.
- F. Specific plan consistency.** Some land subject to City zoning is also subject to one of several Specific Plans, which are intended to provide additional direction for the development of those areas. Land within Specific Plans, designated by the SP zoning, may be subject to further restrictions. The list of uses and permit requirements in the Specific Plan shall prevail.

18-18.020 Residential, Agricultural and institutional uses allowed by zones.

- A. Residential, Agricultural and institutional land use table.** Residential, agricultural and institutional uses are allowed in each zoning district as provided in Table 4

Table 4 Residential, Agricultural and Institutional Uses								
P=Use Allowed; L=Use Subject to Administrative Permit; C=Use Subject to Use Permit from Planning Commission								
Land Use	Zoning Districts							
	Residential			Business & Commercial		Mixed- Use	Industrial	Open Space
	RR & LDR	MDR	HDR	GC	CD	MUX	IN	O
Residential Uses								
Single-Family Detached Dwelling	P	P	C	C	L	L	C	P
Manufactured Home (F see below)	P	P	C	C	L	L	C	P
Duplex (two-family) Dwelling	L	L	-	-	L	L	C	-
Townhome (multiple family) dwelling	L	L	-	-	L	L	C	-
Live-Work	L	L	-	-	L	L	C	-
Micro Primary Dwelling (400-749 sf.)	L	L	L	-	-	-	-	-

Table 4 Residential, Agricultural and Institutional Uses**P=Use Allowed; L=Use Subject to Administrative Permit; C=Use Subject to Use Permit from Planning Commission**

Land Use	Zoning Districts							
	Residential			Business & Commercial		Mixed- Use	Industrial	Open Space
	RR & LDR	MDR	HDR	GC	CD	MUX	IN	O
Accessory and Junior Accessory Dwelling Units	P	P	P	C	P	P	C	P
*Multiplex / Multifamily Dwellings for two or more families living independently of each other as separate units, including apartment houses, condominiums, duplexes, triplexes and fourplexes.	L	P	P	C	P	P	C	C
Residential Neighborhoods (Requires a minimum area for the parcel proposed for development. See Subsection ----- Residential Development Area and Density Standards.								
Mixed-Use Housing	-	L	C	C	P	P	C	-
Cohousing (see D. below for HDR District)	P	P	P	-	L	L	C	-
Manufactured Home Park	C	C	C	-	-	C	-	-
Agricultural Uses								
Agriculture, Support / Rural Services (H see below)	P	P	-	-	-	-	P	P
Greenhouses, hothouses	C	-	-	-	-	-	L	L
Institutional Uses								
Assisted Living Facilities / Congregate Care	L	L	L	P	L	C	-	-
College / University / Vo-Tech	C	C	-	P	L	C	C	C
Emergency Shelter	C	C	P	C	C	C	-	C
Low Barrier Navigation Center (see J below)	-	C	P	P	P	P	P	-
Hospital / Walk-In Clinic / Birthing Center / Surgical Facility	-	-	-	C	C	C	C	-
Nursing	L	L	L	L	L	C	-	-
Personal Marijuana Cultivation	L	L	L	L	L	L	L	L
Police or Fire Station	P	P	P	P	P	P	P	P

Table 4 Residential, Agricultural and Institutional Uses

P=Use Allowed; L=Use Subject to Administrative Permit; C=Use Subject to Use Permit from Planning Commission

Land Use	Zoning Districts							
	Residential			Business & Commercial		Mixed- Use	Industrial	Open Space
	RR & LDR	MDR	HDR	GC	CD	MUX	IN	O
Prison / Protective Care	-	-	-	-	-	-	C	-
Private Club	C	C	C	P	L	C	C	L
Public Assembly (places of worship; preschools; elementary, middle and high schools; libraries; community centers; child or adult day care)	L	L	L	L	L	C	C	C
Safe Parking	C	C	C	L	C	C	L	C
Senior Independent Living Center	L	L	-	L	L	L	C	-

*To comply with California Government Code Section 65583.2(c) to allow residential uses by right for housing developments which at least 20 percent of the units are affordable to lower income households on vacant sites that were identified in the two previous housing elements as referenced in Table 8.39 (or equivalent Table of the General Plan Housing Element).

- B. Production and sales.** Where manufacturing is allowed, incidental sale of items made on the premises is allowed.
- C. Dwelling units on the first floor.** Dwelling units that are proposed for the first floor of any building located in the CD district shall not be established unless a Conditional Use Permit has been granted.
- D. Minimum Dwelling Unit Sizes:** Except as required for Accessory and Junior Accessory Dwellings, per Section 18-19.320 single-family detached dwellings, including manufactured homes, shall have a minimum 750 square feet floor area (exclusive of garages and carports). A primary dwelling unit size from 400 to 749 square feet (micro primary dwelling) may be approved in any residential zoning district with approval of an administrative use permit. Duplexes, townhomes, and multiplex/multiple family dwellings shall have a minimum 450 square feet of floor area.
- E. Residential care facilities.**
1. Small residential care facilities. A small residential care facility is permitted in the same district as a single-family or multi-family use, provided that:
 - a. It meets all of the regulations of this Zoning Code that apply to the type of housing that is proposed for the care facility; and

- b. It is duly licensed by the State of California.
- 2. Large residential care facilities. All large residential care facilities are a conditional use in the same districts as a single-family or multi-family use, provided that:
 - a. A conditional use permit has been granted by the City of Clearlake;
 - b. It meets all regulations of this Zoning Code that apply to the type of housing that is proposed for the care facility; and
 - c. The facility is duly licensed by the State of California.
- 3. Supportive housing and transitional housing. Supportive housing and transitional housing are permitted in the same district as a single-family or multi-family use, provided that:
 - a. It meets all regulations of this Zoning Code that apply to the type of housing that is proposed for the facility; and
 - b. The facility is duly licensed by the State of California.
- 4. Multi-plex and multi-family housing in the HDR District.
 - a. Multi-plex and multi-family housing is limited use in the HDR District, provided that it is a minimum of 16 dwelling units per acre.
 - b. Multi-plex and multi-family housing that is less than 16 dwelling unit per acre shall not be permitted unless a conditional use permit has been granted by the City.
 - c. Housing other than multi-family housing is not permitted in the HDR District, unless a conditional use permit has been issued. Such developments are limited to the following types:
 - i. Mixed-housing cluster; or
 - ii. Traditional neighborhood development.
- F. **Personal cannabis cultivation.** Personal cannabis cultivation, typically conducted in residential zones, shall comply with regulations concerning cannabis uses established by Ordinance 200-17, 2017 and incorporated into this Zoning Code as Chapter 18-41, in order to avoid adverse effects that may result from the use, as set forth in more detail in the ordinance and associated ordinance provisions that remains in full force and effect.
- G. **Older mobile homes.** Mobile homes that were constructed more than 10 years from the date of proposed installation shall be prohibited.
- H. **Agricultural Operations**

1. Definitions
 - a. "Adult" refers to an animal over six (6) months of age. Offspring are not counted up until this point.
 - b. "Livestock" includes but is not limited to:
 - i. Small: poultry (including, ducks, chickens), rabbit
 - ii. Medium: sheep, mules, goats
 - iii. Large: horse, cow, swine
2. Growing and harvesting of trees, vines, vegetables, fields crops, grains, pasture and other agricultural commodities.
3. Sale of agricultural products, including sale at roadside stands, if the products are produced on the property where the sale is conducted.
4. Raising of small livestock (up to four (4) adults per 5,000SF in LDR & MDR when occupied with a single family dwelling; otherwise up to 50 per acre), excluding roosters in LDR & MDR.
5. Bee keeping (one beehive per half acre, no less than 20 feet from property lines in LDR & MDR when occupied with a single family dwelling; otherwise unlimited as long as no more than two (2) hives within one mile of a populated area).
6. 4-H/FFA projects permitted without limitation with a minimum of ½ acre.
7. Excluding LDR & MDR:
 - a. Agricultural service establishments primarily engaged in performing agricultural animal husbandry or horticultural services including, but not limited to large animal veterinary practices, blacksmiths, farm management offices, custom meat cutting, and other agriculturally dependent uses which are of a similar character and not substantially different from the list above.
 - b. Agricultural processing such as fruit dehydrators and packing sheds not exceeding a use area of five thousand (5,000) square feet.
 - c. Open space uses including, but not limited to wildlife habitat, wetlands and game preserves but not including hunting clubs.
 - d. Raising of medium livestock, up to ten (10) adults per acre.
 - e. Raising of large livestock, up to two (2) adults per acre.

- C. Density averaging.** Where portions of a lot are within two or more different zones that allow different maximum densities and any portion is not of the size required for a lot in that zone, density may be averaged over the whole lot, with each portion contributing to the overall maximum development potential in proportion to its area and maximum allowed density.
- D. Density bonus for low-income and moderate-income housing.** Pursuant to California Government Code Section 65915, the City may negotiate a density bonus or other benefits in exchange for provision of housing affordable to households with low or moderate income, as defined in the Government Code and as stipulated in Chapter 18.31 (Density Bonus) of these regulations.
- E. Exceptions for dwellings rebuilt after involuntarily destroyed.** Residences in RR, LDR, MDR, HDR, CD, GC and MUX Zones, which have been involuntarily damaged or destroyed by fire, other catastrophic event or the public enemy by more than 50% of their pre-damaged value, may be rebuilt at the same density and up to the same size, under the following circumstances:
1. All construction must conform to current building codes, zoning regulations and architectural guidelines, except that the previously existing number of dwelling units and size of buildings will be allowed.
 2. A building permit for the replacement structure(s) must be obtained within 3 years of the date of the damage or destruction. This time limit may be extended by the Director on a case by case basis.
 3. Notwithstanding the above provisions, application for replacement structures of the same density and size may be denied if the Director makes one of the following findings:
 - a. The reconstruction, restoration or rebuilding will be detrimental or injurious to the health, safety or general welfare of persons living or working in the neighborhood.
 - b. The reconstruction, restoration or rebuilding will be detrimental or injurious to property and improvements in the neighborhood.
 - c. The existing nonconforming use of the building or structure would be more appropriately moved to a zone in which the use is permitted.
 - d. There no longer exists a zone in which the existing nonconforming use is permitted.

18-20.030 Recreational vehicle as dwelling unit.

No recreational vehicle, camper shell, automobile or similar device shall be used for living or sleeping quarters on private property, except in a lawfully operated mobile home park, travel trailer park or campground. Parking of vehicles for purposes of overnight camping or sleeping within city streets, areas of the public right-of-way and City-owned parking

areas, is prohibited unless otherwise specifically allowed in this code, such as Safe Parking provisions of Section 18-19.350.

18-20.040 Yards.

A. Definitions and purpose.

1. A “yard” is an area along a property line within which no structures, parking spaces or parking backup spaces may be located, except as otherwise provided in these regulations. Yards are intended to help determine the pattern of building masses and open areas within neighborhoods. They also provide separation between combustible materials in neighboring buildings. Yards are further intended to help provide landscape beauty, air circulation, views and exposure to sunlight for both natural illumination and use of solar energy.
2. These regulations provide for two types of yards:
 - a. “Street yard” means a yard adjacent to a local street or State highway. Frontages on Highway SR 53 are not street yards.
 - b. An “other yard” is any yard other than a street yard (i.e. side and rear yards).

B. Measurement of yards. Street yards shall be measured from the right of way line to the nearest point of the wall of any building. Other yards shall be measured from the property line to the nearest point of the wall of any building.

C. Yard standards.

1. Street yards shall comply with Table 13, as follows:

Table 13. Minimum Street Yards	
Zone	Minimum Street Yards
RR	20 feet
LDR	20 feet
MDR	15 feet
HDR	15 feet
MUX	As provided in zone of adjacent lot*
CD	As provided in zone of adjacent lot*
GC	As provided in zone of adjacent lot*
IN	As provided in zone of adjacent lot*
O	20 feet

Table 13. Minimum Street Yards

Zone	Minimum Street Yards
Notes: * If the zone of adjacent lot does not have its own standard, no street yard is required. Lots separated by streets or other rights-of-way are not considered adjacent. If more than one zone is adjacent, the largest yard shall be required.	

2. Other yards shall comply with Tables 14, 15, 16 and 17 as follows:

Table 14. Minimum Other Yards In RR, LDR, MDR, and HDR Zones

Rear Yard	Side Yard
10'	5'
Except for accessory and junior accessory dwellings in accordance with Section 18-19.320	

Table 15. Minimum Other Yards In MUX, GC, CD, O and IN Zones

Zone	Minimum Other Yard
MUX	As provided in zone of adjacent lot *
GC	As provided in zone of adjacent lot *
IN	As provided in zone of adjacent lot *

3. Yards with City-required landscape plans and storm water facilities shall be landscaped and maintained in accordance with approved plans.

D. What may and may not occupy yards.

1. Prohibited encroachments. Table 16 summarizes what may not occupy yards.

Table 16. Prohibited Encroachments within Yards

Description	Prohibited Encroachments
A. Intersection visibility	At the intersections not controlled by a stop sign or traffic signal, no plant, structure or other solid object over 3 feet high which would obstruct visibility may be located within the area indicated in Figure 1. At controlled intersections, the Public Works Director may determine visibility requirements for proper sight distance.
B. Front yard paving (See Figure 2)	No more than 50% of any residential front yard (see definition of "front yard"), not be covered by concrete or any other impervious material, including driveways, patios, and landscape features (see Table 18 (F) for exceptions).