

Chapter 20.08 - RESIDENTIAL ZONING DISTRICTS

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20.08.010 Purpose of the Residential Zoning Districts

- A. **Rural Residential (R-R).** The R-R zoning district provides an area for single-family dwellings on large lots in a semi-rural environment. The R-R zoning district serves as a buffer between the City's urbanized areas and agricultural land and other environmentally sensitive or resource areas.
- B. **Low Density Residential (R-1).** The R-1 zoning district is intended to stabilize, protect, and encourage the establishment and maintenance of a suitable environment for detached single-family dwellings, duplexes, and other land uses typically compatible with or authorized by State law for a low-density residential setting. The R-1 zoning district is divided into four subzones (R-1-20, R-1-10, R-1-6, and R-1-5) allowing for a range of minimum lot sizes.
- C. **Low Medium Density Residential (R-2).** The R-2 zoning district is intended to stabilize, protect, and encourage the establishment and maintenance of a suitable environment for single-family dwellings, duplex homes, limited multi-family dwellings, and other land uses typically compatible with a low to medium-density residential setting.
- D. **Medium Density Residential (R-3).** The R-3 zoning district provides an area for a full range of residential uses, including single-family dwellings, duplex homes, multi-family dwellings, single room occupancy housing, and other land uses typically compatible with a medium density residential setting. The R-3 zoning district is divided into two subzones (R-3-1.5 and R-3-2) allowing for a range of permitted residential densities.
- E. **High Density Residential (R-4).** The R-4 zoning district provides an area for the highest density residential uses in Merced. Permitted uses include single-family dwellings, duplex homes, multi-family dwellings, single room occupancy housing, and other land uses typically compatible with a high-density residential setting in close proximity to shopping, transportation, and other facilities.
- F. **Mobile Home Park (R-MH).** The R-MH zoning district provides an area for mobile home parks with regulations and standards intended to maintain a suitable environment for mobile home park residents.

20.08.020 Land Use Regulations for Residential Zoning Districts

A. Permitted Land Uses. Table 20.08-1 identifies land uses permitted in residential zoning districts.

TABLE 20.08-1 PERMITTED LAND USES IN THE RESIDENTIAL ZONING DISTRICTS

Key	Zoning District ^[1]						Additional Regulations
P Permitted Use							
M Minor Use Permit Required							
SP Site Plan Review Permit Required							
C Conditional Use Permit Required							
X Use Not Allowed							
	R-R	R-1	R-2	R-3	R-4	R-MH	
RESIDENTIAL USES							
Accessory Dwelling Units	P	P	P	P	P	X	Chapter 20.42
Duplex Homes	X	P	P	P	P	X	
Fraternities and Sororities	X	C	C	C	C	X	Sec. 20.44.060
Group/Transitional/Supportive Housing	P [3]	P [3]	P [3]	P [3]	P [3]	P [3]	
Mobile Home Parks	C	X	X	X	X	SP	
Multiple-Family Dwellings	X	X	C [4]	P	P	X	20.46.030 & 20.44.180
Residential Care Facilities, Small (1-6 persons)	P	P	P	P	P	P	
Residential Care Facilities, Large (More than 6)	C	C	C	C	C	X	
Single-Family Dwellings	P	P	P	P	P	M	Sec. 20.46.020
Single-Room Occupancy	X	X	X	SP	SP	X	Sec. 20.44.120
Small House	X	P	P	P	P	X	Sec. 20.08.060
Small House Village	X	X	C	P	P	X	Sec. 20.08.060
COMMUNITY USES							
Colleges and Trade Schools	C	C	C	C	C	X	
Community Assembly	C	C	C	C	C	C	
Community Gardens	C	C	C	C	C	C	Sec. 20.44.050
Cultural Institutions	X	C	C	C	C	X	
Day Care Centers	X	X	X	M	M	M	
Day Care, Adult (1-12 persons)	X	X	C[5]	C[5]	C[5]	X	
Day Care Home Facilities, Small (1-8 children)	P	P	P	P	P	P	
Day Care Home Facilities, Large (9-14 children)	P	P	P	P	P	P	
Foster Family Homes, Small (6 persons or fewer)	P	P	P	P	P	P	
Foster Family Homes, Large (7+ persons)	C	X	X	C	C	X	
Golf Courses	C	C	X	X	X	X	
Nursing and Convalescent Homes	C	X	X	C	C	X	
Parks and Recreational Facilities	C	C	C	C	C	C	
Public Safety Facilities	C	C	C	C	C	C	
Schools, Public or Private	C	C	C	C	C	X	

Key	Zoning District ^[1]						Additional Regulations
	R-R	R-1	R-2	R-3	R-4	R-MH	
P Permitted Use							
M Minor Use Permit Required							
SP Site Plan Review Permit Required							
C Conditional Use Permit Required							
X Use Not Allowed							
COMMERCIAL USES							
Bed and Breakfast	C	C	C	C	C	C	Sec. 20.44.030
Commercial Recreation, Indoor	X	X	X	X	X	M [6]	
Commercial Recreation, Outdoor	C	X	X	X	X	M [6]	
Home Occupation, Major	SP[9]	SP [9]	SP [9]	SP [9]	SP [9]	SP[9]	Chapter 20.48
Home Occupation, Minor	P[9]	P[9]	P[9]	P[9]	P[9]	P[9]	Chapter 20.48
Mobile Home Sales	X	X	X	X	X	M	
Personal Services	X	X	X	SP[6]	SP[6]	SP[6]	
Retail, General (Limited)	M[7]	X	X	M [8]	M [8]	M [6]	
Temporary Subdivision Sales Offices (<i>Max. 2 Years</i>)	P	P	P	P	P	P	
AGRICULTURE AND NATURAL RESOURCES USES							
Animal Raising and Production	SP[10]	C [10]	C [10]	C [10]	X	X	Chapter 6.04
Crop Cultivation	SP[10]	C [10]	C [10]	C [10]	C [10]	C [10]	
TRANSPORTATION, COMMUNICATIONS, AND UTILITIES USES							
Utilities, Major	C	C	C	C	C	X	
Utilities, Minor	P	P	P	P	P	X	
Wireless Communications Facilities	See Chapter 20.58						

Notes:

- [1] A Site Plan Review Permit may be required per Chapter 20.32 (Interface Regulations) regardless of the uses shown in Table 20.08-1.
- [2] DELETED
- [3] Only permitted for rooming and boarding houses as an accessory use. The maximum persons allowed are: R-1, R-R, & R-MH (1 person); R-2 (2 persons); and R-3 and R-4 (no limit).
- [4] Permitted only on lots six thousand (6,000) sq. ft. at the density permitted in the existing zoning district.
- [5] For day care home facilities for adults, a Conditional Use Permit would allow up to twelve (12) adults in care.
- [6] Permitted only as an ancillary use to serve residents, not to exceed more than two thousand five hundred (2,500) sq. ft.
- [7] Permitted only for onsite retail for agricultural products.
- [8] Permitted only when ancillary to a multi-family use and intended to serve residents only. No exterior display or advertising is permitted. Retail use must be located within the same building as residences.
- [9] A Minor Use Permit is required for a cottage food industry home occupation.
- [10] Agricultural uses are temporary, transitional uses in the City and should not remain on a permanent basis. The appropriate length of time for the use will be defined in the Conditional Use Permit based on the types of crops, surrounding uses, etc. Hog-raising and onsite sale of products, including wholesale, are prohibited. See Chapter 6.04 (Animal Control) for additional regulations.

B. Duplex Homes in the R-1 Zoning Districts. One (1) Duplex home per lot is permitted in the R-1 zoning districts when the following standards are met:

1. The lot meets the minimum lot size for the District.
2. One (1) off-street parking space for each unit is provided consistent with Chapter 20.38 (Off-Street Parking). However, no parking may be required if either of the following is true:



- a. The parcel is located within one-half mile walking distance of either a high- quality transit corridor as defined in Subsection (b) of Section 21155 of the Public Resources Code, or a major transit stop as defined in Section 21064.3 of the Public Resources Code; or,
 - b. There is a car share vehicle located within one block of the parcel.
3. Driveways are a minimum twenty (20) feet in length (measured from garage/carport to the back of the sidewalk or front property line whichever is furthest from the street).
4. The lot does not have frontage along a designated collector or higher order street as defined in the General Plan, or has a circular driveway or other driveway configuration that enables vehicles to enter and exit the site in the same direction and not back out into the street.

C. Small Houses. Small Houses may be proposed in Residential Planned Development (RP-D), Inner Village Residential (R-IV), Outer Village Residential (R-OV), Low Density Residential (R-1), Low Medium Density Residential (R-2), High Medium Density Residential (R-3), and High Density Residential (R-4) Zoning Districts. The City may determine that a proposed Small House subdivision is not allowed where public facilities and services are insufficient for the proposed development.

1. Small House proposed within R-2, R-3, or R-4 zoning districts shall require approval of a Site Plan Review. All subdivisions of land shall receive permits and approvals required by Title 18 (Subdivisions) of the Merced Municipal Code. Small House Villages proposed within the R-2 zoning district shall require approval of a conditional use permit.
2. Residential Design Standards
 - a. Small Houses. Each Small House is required to comply with Chapter 20.46.020 of this Code, except where specified below.
 - b. Small House Villages. Each Small House Village is required to comply with Chapter 20.46.030 of this Code, except where specified below.
3. Density and Intensity
 - a. One (1) Small House is permitted per lot, in districts where Small Houses are permitted, subject to regulations contained in this Chapter.

- b. Small House Villages are permitted in the R-2, R-3, and R-4 districts at the densities permitted in the existing zoning district.

TABLE 20.08-1B--DEVELOPMENT STANDARDS FOR SMALL HOUSES AND SMALL HOUSE VILLAGES

	Zoning Districts			
	R-1	R-2	R-3	R-4
Lot and Density Standards (Minimum)				
Density	2-6	6-12	12-24	24-36
Lot Area (Single-Family Lots)	3,000 sq ft	3,000	3,700 sq ft	2,000 sq ft
Lot Area (Small House Villages)	--	11,000 sq ft	5,500 sq ft	5,100 sq ft
Minimum Lot Width				
Interior Lots	30 ft	30 ft	30 ft	30 ft
Corner Lots	45 ft	45 ft	35 ft	35 ft
Minimum Lot Depth	75 ft	75 ft	60 ft	60 ft
Primary Structure Standards				
Setbacks (Minimums)				
Front	10 ft	10 ft	10 ft	10 ft
Front Yard Setback to Garage	18 ft	18ft	18ft	18 ft
Interior Side	8 ft	8 ft	8 ft	8 ft
Street Side	5 ft	5 ft	5 ft	5 ft
Rear	5 ft	5 ft	5 ft	6 ft
Lot Coverage (Single-Family Lots)	60%	60	60%	60%
Height (Maximum)				
Feet	35 ft	35 ft	35 ft	35 ft
Stories	2 stories	2 stories	2 stories	2 stories

4. Development Standards

- a. Infill lots that do not meet the required lot depth and width requirements may be granted an exception if the Director finds that all other development and density standards are met.
- b. Any non-conforming or substandard residential zoned lot in compliance with Chapter 20.50 is permitted to construct one (1) Small House as a primary dwelling.
- c. **Walls and Fences.** Walls and fences shall be provided and developed in compliance with Chapter 20.30 (Walls and Fences).

- d. **Parking Standards.** Parking shall be provided and developed in compliance with Chapter 20.38 (Parking and Loading).
- i. Within the R-1 and R-2 zoning districts, required off-street parking spaces may not be located within any required exterior setback area, except for required parking spaces for accessory dwelling units on the property.
 - ii. Within the R-3 and R-4 zoning districts, off-street parking spaces may be located within required exterior setback areas if the total off-street parking requirement exceeds four (4) spaces.
 - iii. When the required off-street parking for a single-family or duplex home in any residential zoning district is provided outside of a covered garage or carport, each parking space shall be located and designed so that it may later be covered by a garage or carport structure.

20.08.030 Development Standards for Residential Zoning Districts

A. **Basic Standards.** Tables 20.08-2 and 20.08-3 identify development standards that apply in residential zoning districts.

B. **Variation in Lot Dimensions for R-1 Subdivisions.** The Planning Commission may approve reduced lot widths for an R-1 subdivision when the following conditions are met:

1. The subdivision creates at least ten (10) lots.
2. Excluding corner lots, at least twenty-five (25) percent of the remaining lots are at least five (5) feet above the minimum required width.
3. Excluding corner lots, no more than forty (40) percent of the remaining lots may be less than the minimum required width.
4. No lot shall have a depth less than the minimum required depth or a width less than fifteen (15) feet below the minimum required width.
5. No corner lot may be less than the minimum required width or area.
6. No more than two (2) lots below the minimum required width may be adjacent to one another.



- C. **Residential Design Standards.** All residential structures shall comply with the design standards established in Chapter 20.46 (Residential Design Standards). See Figure 20.08-1.

Figure 20.08-1 -- Residential Development Standards

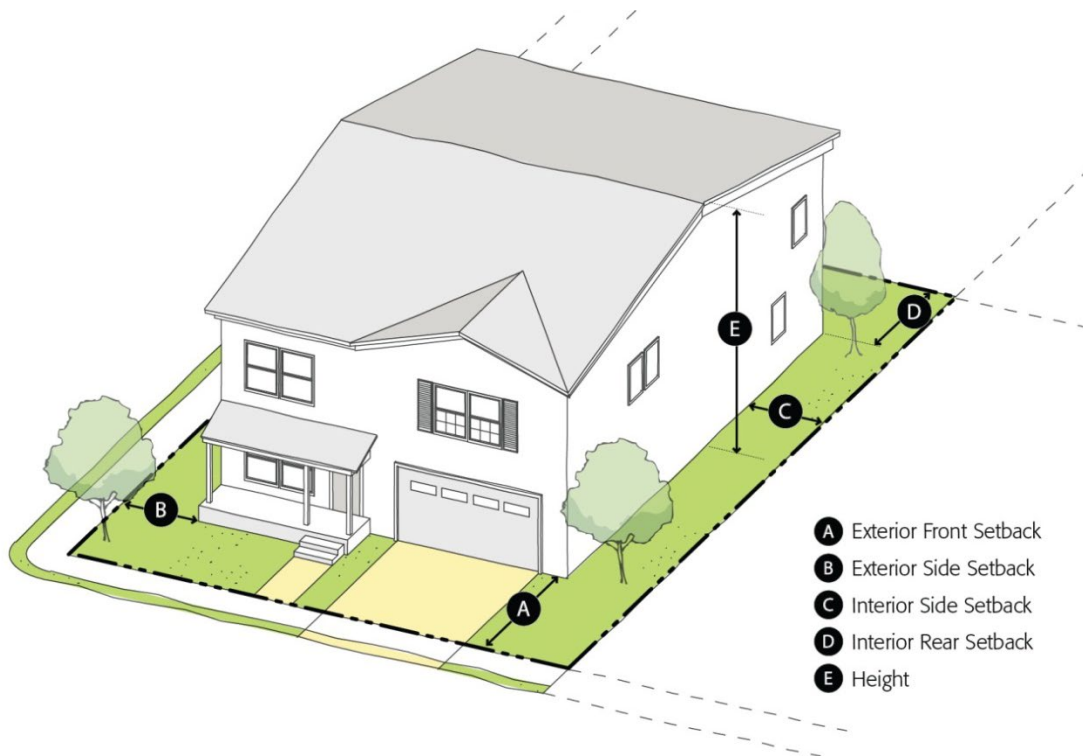


TABLE 20.08-2 DEVELOPMENT STANDARDS FOR SINGLE-FAMILY RESIDENTIAL ZONING DISTRICTS

	Figure Label	Zoning District				
		R-R	R-1-20	R-1-10	R-1-6	R-1-5
Lot and Density Standards (Minimums)						
Lot Area		1 acre [4]	20,000 sq. ft.	10,000 sq. ft.	6,000 sq. ft.	5,000 sq. ft.
Lot Width [2]						
Interior Lots		125 ft.	85 ft.	70 ft.	60 ft.	50 ft.
Corner Lots		125 ft.	85 ft.	70 ft.	65 ft.	55 ft.
Lot Depth [3]		None	125 ft.	100 ft.	100 ft.	80 ft.
Lot Area per Dwelling Unit		1 acre [4]	20,000 sq. ft.	10,000 sq. ft.	6,000 sq. ft.	5,000 sq. ft.
Primary Structure Standards						
Setbacks (min.)						
Exterior Yards, Front	A	30 ft.	30 ft.	20 ft.	20 ft.	15 ft. [1]
Exterior Yards, Side (Corner Lots only) [5]	B	15 ft.	15 ft.	10 ft.	10 ft.	10 ft.
Exterior Yards, Cul-De-Sacs		30 ft.	30 ft. [1]	15 ft. [1]	15 ft.[1]	15 ft.[1]
One Interior Yard	C D	15 ft.	15 ft.	10 ft.	10 ft.	10 ft.
All Other Interior Yards	C D	25 ft.	10 ft.	7 ft.	5 ft.	5 ft.
Height (max.)	E					
Feet		35 ft.	35 ft.	35 ft.	35 ft.	35 ft.
Other Standards						
Accessory Structure Standards		See Chapter 20.28				
Driveway Length (min.)[6]		20 ft.	20 ft.	20 ft.	20 ft.	20 ft.
Lot Coverage (max.)		25%	30%	40%	45%	50%
Off-Street Parking		See Chapter 20.38				
Projections Into Required Yards		See Chapter 20.26				
Separation Betw Structures (min)		As required by the California Building Code				

Notes:

- [1] Twenty (20)-foot minimum for garages.
- [2] Lots located on curved streets, turnarounds, or cul-de-sac bulbs shall meet the minimum lot width requirement at the established front setback line.
- [3] Cul-de-sac lots located on the cul-de-sac bulbs shall meet the minimum lot depth requirement measured at the mean horizontal distance between the front and rear lot lines, but at no point shall be less than eighty (80) feet in depth.
- [4] May be reduced to one-third (1/3) acre if City sewer and water serves the property.
- [5] On corner lots, if the yard abuts the exterior front yard of an adjacent lot, then it shall be considered an exterior front yard. Otherwise, it shall be considered an exterior side yard.
- [6] Driveway length is measured from the garage/carport to the back of the sidewalk or front property line whichever is furthest from the street.

TABLE 20.08-3 DEVELOPMENT STANDARDS FOR MULTI-FAMILY RESIDENTIAL ZONING DISTRICTS

	Figure Label	Zoning District				
		R-2	R-3-2	R-3-1.5	R-4	R-MH
Lot and Density Standards (Minimums)						
Lot Area		6,000 sq. ft.	6,000 sq. ft.	7,500 sq. ft.	7,500 sq. ft.	10 acres
Lot Width						
Interior Lots		60 ft.	60 ft.	60 ft.	70 ft.	200 ft.
Corner Lots		65 ft.	65 ft.	65 ft.	70 ft.	200 ft.
Lot Depth		100 ft.	-	-	-	200 ft.
Lot Area per Dwelling Unit		3,000 sq. ft.	2,000 sq. ft.	1,500 sq. ft.	1,000 sq. ft.	[1]
Primary Building Standards						
Setbacks (min.)						
Exterior Yards, Front	A	15 ft.	15 ft.	15 ft.	15 ft.	25 ft.
Exterior Yards, Side (<i>Corner Lots Only</i>)	B	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.
One Interior Yard	C D	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.
All Other Interior Yards	C D	5 ft.	5 ft.	5 ft.	6 ft. [2]	10 ft.
Height (max.)	E					
Feet		35 ft.	35 ft.	35 ft.	40 ft.	35 ft.
Other Standards						
Accessory Structure Standards		See Chapter 20.28				
Driveway Length (min.)		20 ft.	-	-	-	-
Lot Coverage (max.)		50%	55%	55%	65%	65%
Off-Street Parking		See Chapter 20.38				
Projections Into Required Yards		See Chapter 20.26				
Separation Between Structures (min.)		15 ft.	15 ft.	15 ft.	10 ft.	15 ft.

Notes:

[1] The maximum residential density in the R-MH zoning district is ten (10) dwelling units per acre.

[2] Rear yard minimum ten (10) feet for structures over twenty-five (25) feet in height, an additional one (1) foot per each additional five (5) feet in height.

D. R-1-5 Subdivisions. Homes for R-1-5 subdivisions shall comply with the following design standards, unless exceptions from individual standards are granted through a Minor Use Permit per Section 20.68.020:

1. A minimum of twenty-five (25) percent of the front elevations along a street shall have a minimum twenty-five (25)-foot garage setback.
2. No three-car garages shall be allowed on five thousand (5,000)-square-foot lots, except on lots with alley access or lots exceeding sixty (60) feet in width.
3. All subdivisions shall provide a variety of dwelling elevations appropriate for the scale of the project. Elevations shall be approved by the Planning Division. At a minimum, the same elevations shall not be repeated for adjacent houses. Varied front setbacks and heights are encouraged as ways of achieving variety.
4. Windows, doors, and garage doors (except recessed garage doors) on the front elevation shall have raised trim in order to provide visual interest and relief.
5. Plans for two-story structures immediately adjacent to a developed R-1 area shall receive special attention by the Planning Division. Planning Division staff shall consider the relationship of second-story windows, doors, and balconies with the privacy of neighbors, and may require that these features be redesigned or omitted from second-story rear walls.



E. Exceptions on Required Front Setback. In any residential zoning district, the required front setback may be modified with a Minor Use Permit if at least fifty (50) percent of the homes are already constructed on the same block with front setbacks that are different from the front setback requirement in Table 20.08-2 (Setback and Height Standards for Residential Zoning Districts). In such cases, the modified setbacks shall comply with the following requirements:

1. The front setback shall not exceed the average of existing front setbacks on the same block.
2. The front setback shall not exceed the average of existing front setbacks of the two (2) immediately adjoining lots.
3. For corner lots, the front setback shall not exceed the front setback of the immediately adjoining lot.
4. The front setback for all lots shall be a minimum of ten (10) feet and a maximum of fifty (50) feet.

F. Parking.

1. Within the R-1 and R-2 zoning districts, required off-street parking spaces may not be located within any required exterior setback area, except for required parking spaces for accessory dwelling units on the property.
2. Within the R-3 and R-4 zoning districts, off street parking spaces may be located within required exterior setback areas if the total off-street parking requirement exceeds four (4) spaces.
3. When the required off-street parking for a single-family or duplex home in any residential zoning district is provided outside of a covered garage or carport, each parking space shall be located and designed so that it may later be covered by a garage or carport structure.

20.08.040 Additional Dwelling Units on R-1 Lots

A. General. Up to three (3) single-family dwelling units are permitted on an R-1 lot provided that all of the following conditions are met:

1. The minimum lot size is fifteen thousand (15,000) square feet for R-1-5; eighteen thousand (18,000) square feet for R-1-6; thirty thousand (30,000) square feet for R-1-10; and sixty thousand (60,000) square feet for R-1-20.
2. The minimum lot area per dwelling unit is five thousand (5,000) square feet for R-1-5; six thousand (6,000) square feet for R-1-6; ten thousand (10,000) square feet for R-1-10; and twenty thousand (20,000) square feet for R-1-20.
3. A minimum separation of twenty (20) feet is provided between dwelling units located behind each other.
4. For dwelling units located side by side on one lot:
 - a. The lot has a width of at least one hundred (100) feet.
 - b. A minimum separation of ten (10) feet is provided between dwelling units.



B. Deep R-1 Lots. R-1 lots that are over one hundred fifty (150) feet in depth with an existing dwelling unit may add an additional dwelling unit, provided that the following conditions are met:

1. The existing dwelling unit existed prior to the adoption of this title.
2. The existing dwelling unit is located at least seventy-five (75) feet back from the front lot line.
3. The additional dwelling unit is located on the front half of the lot.
4. A minimum separation of twenty (20) feet is provided between the two (2) dwelling units.

C. Rear Dwellings.

1. No structure to the rear of a principal structure on the same lot shall be used for residential purposes unless it conforms to all the lot area, setback, open space, and off-street parking requirements of this title.

2. Vehicle access to rear dwellings shall be provided from a public street or alley. The minimum driveway width shall be ten (10) feet for driveways serving two (2) units, and twenty-two (22) feet for driveways serving three (3) or more units.

D. Dwelling Units Over Garages. Dwelling units occupying an upper story above a garage may be set back three (3) feet from a rear lot line that abuts an alley. The ground floor garage shall be set back five (5) feet from the rear lot line. All other setback and open space requirements must be observed.

E. Accessory Dwelling Units. Dwelling Units that meet the requirements of Chapter 20.42 shall be permitted in R-1 zoning districts.

20.08.050 Rural Residential Zoning District

A. Purpose. This section establishes supplemental standards and procedures for properties within the Rural Residential zoning district. The intent of this section is to maintain the existing rural character of these properties and to allow for continued agricultural uses and operations in addition to residential uses.

B. Agricultural Uses

1. Crop, orchard, and vineyard operations are permitted as a primary land use in the Rural Residential zoning district if a dwelling unit is also located on the property.
2. The keeping of livestock and poultry shall be a permitted use in the Rural Residential zoning district subject to the requirements of Merced Municipal Code Section 6.04.081 (Exception to Livestock and Poultry Regulations).



C. Infrastructure Improvements. Through a Special Project Permit process as outlined in Section 20.68.060, the City Council may waive or defer for a specified amount of time requirements for properties in the Rural Residential zoning district only to install City sewer, City water, curb, sidewalk, streetlights, and other infrastructure improvements consistent with adopted City policies and regulation.