

## Chapter 14.06

### R1-10 SINGLE-FAMILY DISTRICT

#### Sections:

- 14.06.010 R1-10 District.
- 14.06.020 Permitted uses (R1-10).
- 14.06.030 Conditional uses (R1-10).
- 14.06.040 Site area (R1-10).
- 14.06.050 Site frontage, width and depth (R1-10).
- 14.06.060 Coverage (R1-10).
- 14.06.070 Floor area ratio (R1-10).
- 14.06.080 Setbacks (R1-10).
- 14.06.090 Height of structures (R1-10).
- 14.06.100 Daylight plane (R1-10).
- 14.06.110 Basements (R1-10).
- 14.06.120 Accessory structures, outdoor barbeques and swimming pools (R1-10).
- 14.06.130 Design control (R1-10).
- 14.06.140 Off-street parking (R1-10).
- 14.06.150 Signs (R1-10).
- 14.06.160 Fences (R1-10).
- 14.06.170 Nonconforming use regulations (R1-10).

#### 14.06.010 R1-10 District.

The regulations, general provisions, and exceptions set forth in this chapter and in Chapter 14.66 shall apply in the R1-10 District, which shall include:

- A. Most properties in the general plan designated Residential 2 — Single-Family;
- B. Residential 3 — Single-family small lot. Existing clusters of established small lots from four thousand (4,000) to nine thousand (9,000) square feet in the R1-10 zoning district have been identified in the city's adopted general plan. Where indicated, it is the intent of these regulations to allow for additional flexibility, in order to provide for house designs that are usable, proportional, and appropriate to smaller lots; and

C. The following shall apply to those areas designated in the Los Altos General Plan as Residential 3 — Single-Family Small Lot:

- 1. Flag lots are not permitted; and
- 2. Combining of existing small lots is not permitted, as it is not consistent with the city's intent to preserve existing small lots. (Ord. 04-267 § 2 (part))

#### 14.06.020 Permitted uses (R1-10).

The following uses shall be permitted in the R1-10 District:

- A. Single-family residences, including ancillary accessory structures;
- B. Second living units as provided in Chapter 14.14 of this title;
- C. Home occupations;
- D. Agriculture and horticulture;
- E. Animals as provided in Chapter 5.10 of this code; and
- F. Small family day care. (Ord. 05-285 § 2 (part): Ord. 04-267 § 2 (part))

#### 14.06.030 Conditional uses (R1-10).

Upon the granting of a use permit in accordance with the provisions of Chapter 14.80 of this title, the following uses shall be permitted in the R1-10 District:

- A. Flag lots;
- B. Large family day care; and
- C. Pre-existing community facilities as provided in Chapter 14.70 of this title. New community facilities are prohibited. (Ord. 05-285 § 2 (part): Ord. 05-271 § 2 (part): Ord. 04-267 § 2 (part))

#### 14.06.040 Site area (R1-10).

The minimum site area shall be ten thousand (10,000) square feet, except that on corner lots the minimum site area shall be eleven thousand (11,000) square feet and on flag lots the minimum site area shall be fifteen thousand (15,000) square feet. (Ord. 04-267 § 2 (part))

**14.06.050 Site frontage, width and depth (R1-10).**

A. The minimum site frontage and width shall be eighty (80) feet and the minimum site depth shall be one hundred (100) feet, except that the minimum site width for a corner lot shall be ninety (90) feet and the minimum site frontage on a cul-de-sac turnaround shall be sixty (60) feet.

B. The minimum width of the access corridor for each flag lot shall be twenty (20) feet, and shall access directly to a public or private street. The access corridor shall not connect to any portion of the turnaround space of a cul-de-sac. (Ord. 04-267 § 2 (part))

**14.06.060 Coverage (R1-10).**

A. The maximum coverage for all structures in excess of six feet in height shall be thirty-five (35) percent of the total area of the site where the height of one-story development does not exceed twenty (20) feet.

B. The maximum coverage for all structures in excess of six feet in height shall be thirty (30) percent on sites where the height of one-story development exceeds twenty (20) feet or is developed with a two-story structure.

C. On sites where the lot coverage exceeds thirty (30) percent, two-story structures shall not be allowed. (Ord. 04-267 § 2 (part))

**14.06.070 Floor area ratio (R1-10).**

A. For lots with a net site area not exceeding eleven thousand (11,000) square feet, the maximum floor area shall be thirty-five (35) percent of the net lot area.

B. For lots with a net site area exceeding eleven thousand (11,000) square feet, the maximum floor area shall be three thousand eight hundred fifty (3,850) square feet plus ten (10) percent times the net lot area minus eleven thousand (11,000) square feet. (Ord. 04-267 § 2 (part))

**14.06.080 Setbacks (R1-10).**

A. Except as noted below, the minimum setbacks shall be as follows:

Front	25 feet
Interior side	
First story	10 feet
Second story	17.5 feet
Exterior side	20 feet
Rear	25 feet

B. A minimum of fifty (50) percent of the required front yard area shall be pervious.

C. The second story setback shall be measured from the wall of the second story, or in the case of a sloping ceiling or roof where there is no exterior wall, from the point the second story ceiling has a height of five feet or greater from the finished floor.

D. On flag lots, the minimum width of side yards shall be fifteen (15) feet.

E. On a lot less than eighty (80) feet in width, or in the case of a corner lot less than ninety (90) feet in width (hereinafter referred to as "narrow" lots), the minimum width of side yards shall be as follows:

1. On a narrow corner lot, the minimum width of the side yard adjoining the street shall be twenty (20) percent of the average lot width but in no case less than ten (10) feet, whichever is greater. The minimum interior side yard setback for corner lots greater than eighty (80) feet in width shall be as provided in subsection A of this section. The minimum interior side yard setback for corner lots less than eighty (80) feet in width shall be as provided in subsection (E)(2) of this section. For a garage or carport facing an exterior side yard, the minimum setback to the face of the structure shall be twenty (20) feet.

2. The minimum width of all other side yards on narrow lots shall be ten (10) percent of the average lot width but in no case less than five feet, whichever is greater, for any portion of a structure which is one story in height, with seven and one-half feet added for any portion of a structure which is two stories in height, except the additional second story setback may be reduced to five feet if a thirty-five (35) foot front yard setback is provided.

3. Notwithstanding the provisions of Section 14.66.220 of this title, projections into the side yards of narrow lots shall not be permitted, with the exception of chimneys, which shall not extend more than two feet into the required side yard setback, and roof eaves, which shall not extend more than eighteen (18) inches into the required side yard setback.

F. On a lot less than one hundred (100) feet in depth, the rear yard shall be twenty-five (25) percent of the depth of the site or twenty (20) feet, whichever is greater.

G. When a structure legally constructed according to existing yard and setback regulations at the time of construction encroaches upon currently required setbacks, the city planner may approve one encroaching setback to be extended by no more than twenty (20) feet or fifty (50) percent, whichever is less, along its existing building line without a variance, subject to the following provisions:

1. The extension may only be applied to the first story;

2. Only one such administrative extension may be permitted for the life of the building. Other extensions may be considered, subject to the filing of a variance application;

3. Extensions are only permitted for the main structure and cannot result in a further encroachment into any required setback area.

H. With the exception of the provisions of Section 14.66.080 of this title, when a structure has an existing nonconforming setback and fifty (50) percent or more of the floor area of that structure is voluntarily being eliminated or replaced, the entire structure shall be brought into conformance with current setback requirements. (Amended during 2/06 supplement; Ord. 05-285 § 2 (part); Ord. 05-278 § 1 (part); Ord. 04-267 § 2 (part)) (Ord. No. 2012-375, § 4, 1-24-2012)

#### **14.06.090 Height of structures (R1-10).**

No structure shall exceed two stories or twenty-seven (27) feet in height from the natural grade. On

flag lots the height of structures shall be limited to one story and twenty (20) feet in height. Basements shall not be considered a story. When the lot coverage exceeds or is proposed to exceed thirty (30) percent, the maximum height of structures shall be twenty (20) feet. (Ord. 04-267 § 2 (part))

#### **14.06.100 Daylight plane (R1-10).**

No structure shall extend above or beyond a daylight plane as follows:

A. For lots seventy (70) feet or greater in width, the daylight plane starts at a height of eleven (11) feet at each side property line and at an angle of twenty-five (25) degrees from the horizontal;

B. On a lot, which is less seventy (70) feet in width for its entire length, the plane starts at a height of nineteen (19) feet at each second story setback line and proceeds inward at an angle of twenty-five (25) degrees;

C. On a site where the grade slopes greater than ten (10) percent from side property line to side property line, the daylight plane at the lower side property line shall be measured from a point equal to the average elevation of the site and proceed inward at an angle of twenty-five (25) degrees;

D. An extension of an existing gable roof may project over or beyond the daylight plane when it is determined by the city planner that such projection is necessary to maintain the architectural integrity of the structure;

E. Television and radio antennas, chimneys, and other similar appurtenances may project above the daylight plane as provided for in Section 14.66.250. (Ord. 07-312 § 5 (part); Ord. 04-267 § 2 (part))

#### **14.06.110 Basements (R1-10).**

Basements shall be regulated as follows:

A. Basements shall not extend beyond the footprint of the main or accessory structure above;

B. Light wells, ingress and egress wells, patio wells, and other similar elements shall not be permitted within a required front or exterior side yard

setback. These elements may be permitted within an interior side or rear yard setback, but in no event closer than five feet to a property line;

C. Light wells, ingress and egress wells, patio wells, and other similar elements shall utilize vertical retaining walls. Contour graded slopes, which expose the basement as a story, are prohibited. (Ord. 04-267 § 2 (part)) (Ord. No. 10-348, § 3, 4-13-2010)

**14.06.120 Accessory structures, outdoor barbeques and swimming pools (R1-10).**

A. Accessory structures that are no more than six feet in height may be located in interior and exterior side and rear yard setbacks subject to the following provisions:

1. The maximum width of the accessory structure shall be five feet.
2. The maximum length of the accessory structure shall be sixteen (16) feet.
3. The accessory structure shall be screened from off-site view with solid fencing which is not lower in height than the accessory structure and which is constructed in conformance with the provisions of Chapter 14.72 of this title.
4. In no case shall there be less than a five-foot clearance between either the accessory structure and the main structure or the accessory structure and the property line.

B. Accessory structures that are more than six feet in height may be located in the required rear yard setback area or in the main structure's building envelope, subject to the following provisions:

1. Accessory structures shall have a minimum setback of two and one-half feet from the side property line and a minimum setback from the rear property line as follows:
  - i. Two and one-half feet when the structure is under eight feet in height;
  - ii. Five feet when the structure is between eight and ten (10) feet in height;

iii. Seven and one-half feet when the structure is between ten (10) and twelve (12) feet in height; and

iv. Two and one-half feet when the rear property line abuts an alley.

2. No portion of any accessory structure shall project above a daylight plane, beginning at a height of six feet at the side property line and increasing at a slope of four feet for each ten (10) feet of distance from the side property line to a distance of ten (10) feet from the side property line.

3. The maximum allowable height for accessory structures shall be twelve (12) feet.

4. The maximum allowable size for each accessory structure located in the required rear yard setback area shall be eight hundred (800) square feet of gross floor area.

5. Notwithstanding the provisions of Section 14.66.210 of this title, no portion of an accessory structure, including but not limited to roof eaves, chimneys and vents, shall project into any required setback or daylight plane as outlined in this subsection B.

6. The architectural and site review committee may approve an accessory structure located entirely within the main structure's building envelope to extend up to eighteen (18) feet in height if the committee finds and determines that the additional height is necessary in order to establish architectural compatibility with the main structure.

C. Outdoor barbeques, fireplaces, sinks and similar structures located within the required rear yard setback shall be set back a minimum of five feet from any property line. Said structures shall not be located in the required front or side yard setback areas.

D. Swimming pools, hot tubs, and spas located within the required rear yard setback shall be set back a minimum of five feet from any property line. Said structures shall not be located in the required front or side yard setback area.

E. Accessory structures containing swimming pool motors and equipment shall not be located in

14.06.120

a required interior side yard setback area. (Ord. 08-329 § 2 (part); Ord. 05-285 § 3 (part); Ord. 04-267 § 2 (part))  
(Ord. No. 10-348, § 2, 4-13-2010; Ord. No. 2012-375, § 3, 1-24-2012)

**14.06.130 Design control (R1-10).**

As provided in Chapter 14.76 of this title.  
(Ord. 04-267 § 2 (part))

**14.06.140 Off-street parking (R1-10).**

As provided in Chapter 14.74 of this title.  
(Ord. 04-267 § 2 (part))

**14.06.150 Signs (R1-10).**

As provided in Chapter 11.04 of this code.  
(Ord. 04-267 § 2 (part))

**14.06.160 Fences (R1-10).**

As provided in Chapter 14.72 of this title.  
(Ord. 04-267 § 2 (part))

**14.06.170 Nonconforming use regulations  
(R1-10).**

As provided in Chapter 14.66 of this title.  
(Ord. 04-267 § 2 (part))