

CHAPTER 13

RS-40 SUBURBAN ZONE

Sections:

- 13.1.0 Purpose.
- 13.2.0 Permitted uses.
- 13.3.0 Permitted accessory uses.
- 13.4.0 Conditional Uses.
- 13.5.0 Development Standards.

13.1.0 PURPOSE. The RS-40 Suburban District is established to provide Urban Growth Area Boundaries a low-density residential environment permitting one dwelling unit per acre. Lands within this District shall, unless specifically allowed herein, contain suburban residential development with large lots and expansive yards. Structures in this District are limited to single-family dwellings and customary accessory structures. Certain public facilities and institutions may also be permitted, provided their nature and location are not detrimental to the intended suburban residential environment.

13.2.0 PERMITTED USES. The following uses shall be permitted in the RS-40 suburban zone:

- (1) One single-family dwelling.
- (2) Nothing contained in this section shall be deemed to prohibit the use of property for gardening or fruit raising.

13.3.0 PERMITTED ACCESSORY USES. The following uses shall be permitted as accessory to a permitted use in the RS-40 suburban district:

- (1) One detached residential garage, provided it does not exceed 1,200 square feet in area. Can exceed 1,200 square feet in area upon approval of a conditional/special use permit or meeting the requirements of 13.3.0(3). This portion does not apply to parcels, tracts, or lots in excess of 2.5 acres.
- (2) One storage building not exceeding 480 square feet, provided no storage containers shall be permitted. This portion does not apply to parcels, tracts, or lots in excess of 2.5 acres.
- (3) The square footage requirements for the accessory buildings specifically stated in 13.3.0(1) and (2) may be combined on parcels, tracts, or lots which are less than 2.5 acres in size, provided:
 - (a) If this combination requirement is utilized, only one (1) detached residential garage or one (1) storage building is allowed per parcel.
 - (b) The total combined accessory building square footage does not exceed the square footage of the footprint for the primary residence. This may be exceeded upon the approval of a conditional/special use permit.
- (4) Agricultural uses (limited). Agricultural uses (limited) may be considered a permitted use (Section 13.2.0) upon site inspection and verification by the Planning Director for parcels of land greater than 2.5 acres in size.

- (5) One animal unit shall be allowed for each full ten thousand square foot increment of land within the same parcel minus the area set aside for the minimum effective lot size for the dwelling on the lot (12,000) square feet; provided that all barns, barnyards, chicken houses, or corrals shall be located not less than twenty-five feet from a public roadway and not less than ten feet from any adjoining or abutting property held under separate ownership.
- (6) Family day-care home.
- (7) Home Occupations.
- (8) Accessory dwellings.

13.4.0 CONDITIONAL USES. In addition to the unclassified uses, the following uses may be permitted by special permit:

- (1) Churches and similar places of worship.
- (2) Public libraries, and municipal office buildings.
- (3) Public and private schools, public parks and playgrounds.
- (4) Fire department station houses.
- (5) Private nursery school, preschool, child mini day care, and child day care center;
- (6) Agricultural use (commercial).
- (7) Non-motorized recreational trails and similar facilities.
- (8) Commercial and private stables, riding academies, including farrier and training, and including caretakers' quarters.
- (9) Accessory Building (located in front yard area).

13.5.0 DEVELOPMENT STANDARDS

- (1) Minimum lot area: Forty thousand (40,000) square feet.
- (2) Density: One dwelling unit per lot.
- (3) Maximum Lot Coverage: Forty (40) percent.
- (4) Minimum Yard Setbacks (Primary):
 - (a) Front: Twenty-five (25) feet.
 - (b) Side: Ten (10) feet.
 - (c) Rear: Principal Building: Twenty-five (25) feet.
- (5) Minimum Yard Setbacks (Accessory):
 - (a) Side: Ten (10) feet. (See Site Design Standards Chapter for Corner Lot setback requirements).
 - (b) Rear: Ten (10) feet.
- (6) Maximum building height:
 - (a) Principal building. Thirty-five (35) feet.
 - (b) Accessory buildings: Eighteen (18) feet – average roof height. Heights can exceed the maximum allowed height upon approval of a Conditional/Special Use Permit.