

ORDINANCE 94-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIDGECREST AMENDING THE RIDGECREST MUNICIPAL CODE AND THE ZONING MAP AS IT RELATES TO THE NEW LOW DENSITY RESIDENTIAL DISTRICTS, RESIDENTIAL AGRICULTURE (RA), COUNTRY ESTATE (CE)-2½ ACRE MINIMUM, AND COUNTRY ESTATE (CE)-1 ACRE MINIMUM AND APPROVING ZONE DESIGNATIONS FOR PROPERTIES GENERALLY LOCATED IN SECTION 11, T 27 S. R 40 E. M.D.M., THE SOUTHWEST CORNER OF BOWMAN ROAD AND COUNTY LINE ROAD.

THE CITY COUNCIL OF THE CITY OF RIDGECREST DOES ORDAIN as follows:

SECTION 1. Purpose and Scope

This ordinance amends the Municipal Code to create new zoning districts combining certain advantages of both urban and rural location by limiting development to very low density concentration of one family dwellings and permitting a limited number of animals to be kept for pleasure, hobbies, and of a commercial nature.

SECTION 2. Amendment

Section 20-5B.1 is hereby added to the Municipal Code to read as follows:

§ 20-5B.1 Residential Agriculture District

20-5B.1 Purpose and Intent. The Residential Agriculture (RA) District is hereby created. This district is intended to provide living areas combining certain advantages of both urban and rural location by limiting development to very low-density concentration of one family dwellings and permitting a limited number of animals to be kept for pleasure, hobbies, and of a commercial nature. This district is intended primarily for application of land in natural and scenic areas to:

- a. Permit the opportunity of developing rural size parcels which because of their size cannot be economically accommodated within urban areas;
- b. To permit agricultural pursuits which may not be harmonious and compatible with urban areas; and
- c. To assure the provisions and/or construction of at least those minimum physical

Ordinance No. 94-05

Page 2

improvements that are necessary to protect safety and general welfare of people living on rural size parcels.

SECTION 3. Amendment

Section 20-5B.2 is hereby added to the Ridgecrest Municipal Code to read as follows:

20-5B.2 Permitted Uses.

The following uses are permitted in the Residential Agriculture District:

- a. A one family dwelling.
- b. Accessory buildings and structures located on the same parcel of land.
- c. Keeping of bovine and equine animals, provided, however that there shall not be allowed on the premises more than one of any adult animal of the foregoing for each 10,000 square feet of site area. The keeping of such fowl and animals shall conform to all other provisions of law governing same, and no fowl or animals, nor any pen, coop, stable, barn or corral shall be kept or maintained within 50 feet of any dwelling or other building used for human habitation, or within 100 feet of the front lot line of the lot upon which it is located, or within 100 feet of any public park, school, hospital or similar institution. There shall be no raising, killing or dressing of any such animals or poultry for commercial purposes.
 1. One hog or pig per 10,000 square feet of area; or
 2. Three goats or three sheep or three similar livestock per 10,000 square feet of area; or
 3. 24 chickens per 10,000 square feet of area; or
 4. Ten ducks or ten rabbits or ten similar livestock per 10,000 square feet of area;
 5. The outdoor growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain, and similar food and fiber crops;
 6. Equine boarding stables subject to requirements of sub section 20-5B.2(c).
- d. Home Occupations
- e. Enclosed temporary construction materials storage yards required in connection with the development of a subdivision and temporary subdivision sales offices and signs and model home display areas.

SECTION 4. Amendment

Section 20-5B.3 is hereby added to the Ridgecrest Municipal Code to read as follows:

20-5B.3 Uses permitted with a Conditional Use Permit.

Ordinance No. 94-05

Page 3

The following uses may be permitted in the Residential Agriculture District with a conditional use permit:

- a. One stand for the sale of agricultural products grown on the premises.
- b. The raising, feeding, maintaining, and breeding of poultry, fowl, rabbits, fur-bearing animals, and the like, for other than domestic purposes with the exception of slaughtering.
- c. Kennels and veterinarian clinics.
- d. Public and private nonprofit elementary schools, junior high schools, and colleges.
- e. Art, craft, music and dancing schools.
- f. Churches, public playgrounds, parks, community centers, libraries, museums, and similar uses and buildings.
- g. Cemeteries, mausoleums, columbariums, and crematoriums.
- h. Public utility buildings and public service or utility uses (transmission and distribution lines excepted), including but not limited to reservoirs, storage tanks, pumping stations, telephone exchanges, power stations, transformer stations, service yards, and parking lots.
- i. Equine riding academies .
- j. Game preserves and refuges other than for migratory birds.
- k. Wholesale nurseries and greenhouses for the indoor propagation and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, and similar crops.
- l. Minor agricultural services which serve the immediate vicinity including black-smithing, welding, small machinery repair, and the like.
- m. Guest houses.

SECTION 5. Amendment

Section 20-5B.4 is hereby added to the Ridgecrest Municipal Code to read as follows:

Section 20-5B.4 Dimensional Minimums

The following minimum dimensions apply in the Residential Agriculture Zone:

- (a) Site Area. The minimum gross site area shall be no less than 2½ acres.
- (b) Building height and Coverage. Building height and coverage shall be as set forth in the R-1 District.
- (c) Lot Frontage. Each lot shall have not less than 220 feet of frontage on a public or private street unless located on a knuckle or cul-de-sac. In this case the front yard width as scribed by the radius arc shall be no less than 140 feet.

Ordinance No. 94-05

Page 4

(d) Lot Width. The minimum lot width of each lot shall be no less than 220 feet except as provided in subsection 20-5B.6.

(e) Lot Depth. The minimum depth of each lot shall be no less than 300 feet.

(f) Site Density. Not more than one dwelling unit shall be permitted on each site.

(g) Yard Requirements.

1. Front yard. The minimum front yard setback shall be 40 feet as measured from the front property line. On a cul-de-sac or knuckle lot the minimum front yard setback line shall be determined by scribing a straight line between two points located 40 feet behind the front property line on the side property lines. In no case shall any portion of the setback line be less than 30 feet.

2. Rear yard. The minimum rear yard shall be 20 feet. Accessory structures may be located in any portion of a required rear yard provided they do not encroach into a utility easement. Further, the drip line of an accessory structure shall not fall outside the lot line on which the accessory structure is installed.

3. Side yard. The minimum side yard setback on each side of a main building shall not be less than 20 feet on either side.

SECTION 6. Amendment

Section 20-5B.5 is hereby added to the Ridgecrest Municipal Code to read as follows:

Section 20-5B.5 Site Plan Review. All uses in the Country Estate District except a single family dwelling and incidental residential uses shall comply with the provisions of Section 20-22.

and;

SECTION 7. Amendment

Section 20-5C.1 is hereby added to the Ridgecrest Municipal Code to read as follows:

§ 20-5C.1 Country Estate District-2½ acre minimum.

20-5C.1 Purpose and Intent. This district is intended to provide living areas combining certain advantages of both urban and rural location by limiting development

to very low density concentration of one-family dwelling and permitting a limited number of animals to be kept for pleasure or hobbies, free from activities of a commercial nature.

This district is intended primarily for application of land in natural and scenic areas to (1) permit the opportunity of developing rural size parcels which because of their size cannot be economically accommodated within urban areas, (2) to permit limited agricultural pursuits which may not be harmonious and compatible with urban areas, and (3) to assure the provisions and/or construction of at least those minimum physical improvements that are necessary to protect safety and general welfare of people living on rural size parcels.

SECTION 8. Amendment

Section 20-5C.2 is hereby added to the Ridgecrest Municipal Code to read as follows:

20-5C.2 Permitted Uses.

The following uses are permitted in the Country Estate (CE) District

- a. A one-family dwelling.
- b. Accessory buildings and structures located on the same parcel of land.
- c. Home Occupations.

SECTION 9. Amendment

Section 20-5C.3 is hereby added to the Ridgecrest Municipal Code to read as follows:

20-5C.3 Uses permitted with a Conditional Use Permit. The following uses may be permitted in Country Estate District with a conditional use permit.

- a. Keeping of bovine and equine animals, provided, however that there shall not be allowed on the premises more than one of any adult animal of the foregoing for each 10,000 square feet of site area. The keeping of such fowl and animals shall conform to all other provisions of law governing same, and no fowl or animals, nor any pen, coop, stable, barn or corral shall be kept or maintained within 50 feet of any dwelling or other building used for human habitation, or within 100 feet of the front lot line of the lot upon which it is located, or within 100 feet of any public park, school, hospital or similar institution. There shall be no raising, killing or dressing of any such animals or poultry for commercial purposes.

Ordinance No. 94-05

Page 6

1. One hog or pig per 10,000 square feet of area; or
 2. Three goats or three sheep or three similar livestock per 10,000 square feet of area; or
 3. 24 chickens per 10,000 square feet of area; or
 4. Ten ducks or ten rabbits or ten similar livestock per 10,000 square feet of area;
 5. The outdoor growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain, and similar food and fiber crops;
- b. Public and quasi-public uses of an educational religious type including public and parochial elementary schools, junior high schools, high schools and colleges, day care centers, nursery schools, private nonprofit schools and colleges, churches, parsonages and other religious institutions.
 - c. Public and private charitable institutions, hospitals, sanitariums, rest homes and nursing homes, not including hospitals, sanitariums, rest homes or nursing homes for mental or drug addict or liquor addict cases.
 - d. Public uses of an administrative, recreational, public service or cultural type, including city, county, state or federal administrative centers and courts, libraries, museums, art galleries, police and fire stations and other public buildings, structures and facilities, public playgrounds, parks and community centers.
 - e. Guest houses.
 - f. Electrical distribution substations gas regulator stations, communications equipment buildings, public service pumping stations and/or elevated pressure tanks.
 - g. Enclosed temporary construction materials storage yards required in connection with the development of a subdivision and temporary subdivision sales offices and signs and model home display areas.

SECTION 10. Amendment

Section 20-5C.4 is hereby added to the Ridgcrest Municipal Code to read as follows:

Section 20-5C.4 Dimensional Minimums

The following minimums apply in the Country Estate District:

- (a) **Site Area.** The minimum site area shall be no less than 2½ acres.
- (b) **Building Height and Coverage.** Building height and coverage shall be as set forth in the R-1 District.
- (c) **Lot Frontage.** Each lot shall have not less than 220 feet of frontage on a public or private street unless located on a knuckle or cul-de-sac. In this case, the front yard

width as scribed by the radius arc shall be no less than 140 feet.

(d) Lot Width. The minimum lot width of each lot shall be no less than 220 feet except as provided in subsection 20-6.6.

(e) Lot Depth. The minimum depth of each lot shall be no less than 300 feet.

(f) Site Density. Not more than one dwelling unit shall be permitted on each site.

(g) Yard Requirements.

1. Front yard. The minimum front yard setback shall be 40 feet as measured from the front property line. On a cul-de-sac or knuckle lot the minimum front yard setback line shall be determined by scribing a straight line between two points located 40 feet behind the front property line on the side property lines. In no case shall any portion of the setback line be less than 30 feet.

2. Rear yard. The minimum rear yard shall be 20 feet. Accessory structures may be located in any portion of a required rear yard provided they do not encroach into a utility easement. Further, the drip line of an accessory structure shall not fall outside the lot on which the accessory structure is installed.

3. Side yard. The minimum side yard setback on each side of a main building shall not be less than 20 feet on either side

SECTION 11. Amendment

Section 20-5C.5 is added to the Ridgecrest Municipal Code to read as follows:

Section 20-5C.5 Site Plan Review. All uses in the Country Estate District except a single family dwelling and incidental residential uses shall comply with the provisions of Section 20-22.

and;

SECTION 12. Amendment

Section 20-5D.1 is hereby added to the Ridgecrest Municipal Code to Read as follows:

§ 20-5D.1 Country Estate District- 1 acre minimum.

20-5D.1 Purpose and Intent. The Country Estate District is hereby created. This

district is intended to provide living areas combining certain advantages of both urban and rural location by limiting development to very low density concentration of one-family dwelling and permitting a limited number of animals to be kept for pleasure or hobbies, free from activities of a commercial nature.

This district is intended primarily for application of land in natural and scenic areas to (1) permit the opportunity of developing rural size parcels which because of their size cannot be economically accommodated within urban areas, and (2) to assure the provisions and/or construction of at least those minimum physical improvements that are necessary to protect safety and general welfare of people living on rural size parcels.

SECTION 13. Amendment

Section 20-5D.2 is hereby added to the Ridgecrest Municipal Code to read as follows:

20-5D.2 Permitted Uses.

The following uses are permitted in the Country Estate District:

- a. A one-family dwelling.
- b. Accessory buildings and structures located on the same parcel of land.
- c. Home Occupations.

SECTION 14. Amendment

20-5D.3 Uses permitted with a Conditional Uses. The following uses may be permitted in the Country Estate District with a conditional use permit:

a. Keeping of equine animals, provided, however that there shall not be allowed on the premises more than one of any adult animal of the foregoing for each 20,000 square feet of site area. The keeping of such animals shall conform to all other provisions of law governing same, and no animals, stable, barn or corral shall be kept or maintained within 50 feet of any dwelling or other building used for human habitation, or within 100 feet of the front lot line of the lot upon which it is located, or within 100 feet of any public park, school, hospital or similar institution.

b. Public and quasi-public uses of an educational religious type including public and parochial elementary schools, junior high schools, high schools and colleges, day care centers, nursery schools, private nonprofit schools and colleges, churches, parsonages and other religious institutions.

c. Public and private charitable institutions, hospitals, sanitariums, rest homes and nursing homes, not including hospitals, sanitariums, rest homes or nursing homes for mental or drug addict or liquor addict cases.

Ordinance No. 94-05

Page 9

d. Public uses of an administrative, recreational, public service or cultural type, including city, county, state or federal administrative centers and courts, libraries, museums, art galleries, police and fire stations and other public buildings, structures and facilities, public playgrounds, parks and community centers.

e. Guest houses.

f. Electrical distribution substations gas regulator stations, communications equipment buildings, public service pumping stations and/or elevated pressure tanks.

g. Enclosed temporary construction materials storage yards required in connection with the development of a subdivision and temporary subdivision sales offices and signs and model home display areas.

(a) Site Area. The minimum site area shall be no less than 1 acre.

(b) Building Height and Coverage. Building height and coverage shall be as set forth in the R-1 District.

(c) Lot Frontage. Each lot shall have not less than 110 feet of frontage on a public or private street unless located on a knuckle or cul-de-sac. In this case, the front yard width as scribed by the radius arc shall be no less than 70 feet.

(d) Lot Width. The minimum lot width of each lot shall be no less than 110 feet except as provided in subsection 20-6.6.

(e) Lot Depth. The minimum depth of each lot shall be no less than 150 feet.

(f) Site Density. Not more than one dwelling unit shall be permitted on each site.

(g) Yard Requirements.

1. Front yard. The minimum front yard setback shall be 20 feet as measured from the front property line. On a cul-de-sac or knuckle lot the minimum front yard setback line shall be determined by scribing a straight line between two points located 20 feet behind the front property line on the side property lines. In no case shall any portion of the setback line be less than 15 feet.

2. Rear yard. The minimum rear yard shall be 10 feet. Accessory structures may be located in any portion of a required rear yard provided they do not encroach into a utility easement. Further, the drip line of an accessory structure shall not fall outside the lot on which the accessory structure is installed.

3. Side yard. The minimum side yard setback on each side of a main building shall not be less than 10 feet on either side

20-5D.4 Site Plan Review. All uses in the Country Estate District except a single family dwelling and incidental residential uses shall comply with the provisions of

Section 20-22.

SECTION 14. Approval

Except as provided herein, the Ridgecrest Municipal Code is hereby reaffirmed and readopted.

APPROVED AND ADOPTED this 15th day of June, 1994, by the following vote:

AYES: Vice Mayor Auld, Council Members Bitney and Parode.

NOES: None.

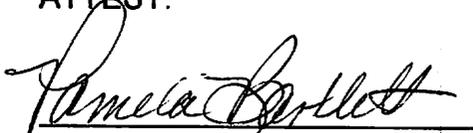
ABSTAIN: None.

ABSENT: Mayor Corlett and Council Member Bryan.



Kevin Corlett, Mayor by
Howard Auld, Vice Mayor

ATTEST:



Pamela Bartlett, City Clerk