

Chapter 19.14**OPEN SPACE RESIDENTIAL (OSR)****Sections:**

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19.14.010 Purpose. This district is intended for properties which have limited development and limited development potential. OSR designated lands include publicly owned lands, BLM land, mountainous territory with scenic value, or other prominent land forms. The intent of the OSR designation is to allow development of single family dwellings, with minimal disruption of the land. Public uses are to be focused on the natural qualities of the area, keeping as much open space as reasonably possible.

19.14.020 Permitted and Conditional Uses. Permitted and conditional uses for the OSR Land Use District are provided in Table 19.14-A, and have been determined to be compatible with the values and character of the district, subject to appropriate development conditions. Any use identified in the table that is left blank (or identified by a “-“) shall be prohibited.

Any use not included in the table shall be considered prohibited, unless it is determined by the Community Development Director to be compatible with the values and character of the district. Such determination is dependent upon both the compatibility of the use with the purpose and function of the district, and the anticipated impacts, including, but not limited to, aesthetics, generation of traffic, types of traffic, parking requirements, hazards, and noise generation.

New construction or development of permitted uses may be subject to Site Plan Review approval pursuant to Chapter 19.28. The establishment of conditional uses, whether through new construction or establishment within an existing facility, are subject to review and approval pursuant to Chapter 19.30, *Conditional Use Permits*, or Chapter 19.31, *Minor Use Permits*. All temporary uses are subject to review and approval pursuant to Chapter 19.32, *Temporary Use Permits*.

**Table 19.14-A
PERMITTED AND CONDITIONAL USES**

Key: P = Permitted Use
C = Conditional Use Permit
M = Minor Use Permit

Use	OSR	Notes
<u>A. Residential Uses and Care Facilities</u>		
Single family dwelling	P	Includes mobilehomes and manufactured homes which comply with the requirements of Section 19.14.090. A maximum of one single-family dwelling unit is allowed per parcel, except as provided Chapter 19.53, <i>Second Dwelling Units</i> .
Small family day care	P	Day care for eight (8) or fewer children, in compliance with the requirements of Chapter 19.56, <i>Community Care Facilities</i> .
Large family day care	P	Day care for nine (9) to fourteen (14) children, in compliance with the requirements of Chapter 19.56, <i>Community Care Facilities</i> .
Residential, community, or congregate care facilities serving six (6) or fewer persons.	P	Includes intermediate health care facilities, community care facilities, residential care facilities for elderly, alcoholism recovery facilities, and facilities for mentally disordered, handicapped persons, or dependent and neglected children, subject to the provisions of Chapter 19.56, <i>Community Care Facilities</i> .
<u>B. Residential Accessory Uses</u>		
These uses are permitted only as accessory or incidental to a primary use on the same property.		
Non-habitable structures, unlighted private recreational courts, and private swimming pools and accessory equipment.	P	Subject to permits and requirements specified in Chapter 19.48, <i>Accessory Uses and Structures</i> .
Agriculture: Row, field, and tree crops which do not require large amounts of water.	P	
Antennas, noncommercial up to thirty-five (35) feet in height. Up to a fifty percent (50%) increase, to 52 ½ feet in height, may be approved subject to Site Plan Review.	P/M* S/M*	Antenna shall be set back from all property lines at least 1 1/4 times the height of the antenna. Height does not include the additional height of whip antenna. * One antenna Permitted per parcel. Minor Use Permit required for additional antennae.
Caretaker housing	C	For institutional and other non-residential uses permitted in the District.
Home occupations	P	Subject to permits and requirements specified in Chapter 19.36 <i>Home Occupations</i> .
Second units	P	Second dwelling units must be detached. Manufactured and Mobile homes may be allowed if they comply with the

Use	OSR	Notes
		requirements Chapter 19.53, <i>Second Units</i> .
Windmills and solar energy collectors, non commercial, up to thirty-five (35) feet in height. Up to a fifty percent (50%) increase, to 52 feet in height, may be approved subject to Site Plan Review.	P/M*	Structures shall be set back from all property lines at least 13 times the height of the structure, measured to top of the highest element of the fixed structure. * One windmill Permitted per parcel. Minor Use Permit required for additional windmills.
<u>C. Agricultural Uses & Related Uses</u> Also see <i>Accessory Uses</i> . Certain agricultural uses are permitted as accessory uses primarily restricted to those required for domestic, on-site family use.		
Row, field, and tree crops, which do not require large amounts of water for commercial purposes	C	
Cultivation of ornamental or landscaping plants, including greenhouses, for commercial purposes	C	
Produce stands for products primarily grown on the same property	M	
Retail nurseries	C	
<u>D. Institutional Uses</u> All institutional uses shall be accessible from an Expressway, Arterial or Collector Street, or have an adequate, improved private drive.		
Cemeteries	C	
Conference centers and organizational camps	C	
Governmental facilities	C	Including public service facilities, such as libraries, museums, parks, recreation facilities, and civic uses.
<u>F. Transient Lodging Facilities</u>		
Bed and Breakfast Uses	C	Subject to the limitations, regulations and standards in Chapter 19.54, <i>Bed and Breakfast Inns</i> .
Campgrounds and recreational vehicle parks not exceeding a density of four (4) units per acre.	C	Subject to the limitations, regulations and standards in Chapter 19.72, <i>Mobilehome/RV Parks and Campgrounds</i> .
<u>G. Transportation and Communication Facilities, and Utilities</u>		
Communication facilities	C	Including, but not limited to, radio and television stations or towers, satellite receiving stations, microwave relay towers, and similar facilities.
Utility and service uses and structures	C	Including, but not limited to reservoirs, pumping plants,

Use	OSR	Notes
		electrical substations, central communications office, sewer plants, sewer treatment facilities, and solid waste disposal sites.
<i>H. TEMPORARY AND INTERIM USES (See Chapter 19.32, Temporary Use Permits)</i>		
<i>I. MINERAL EXTRACTION</i>		
Mining	C	Limited to resources found in the district, only with the strictest controls that minimize land disruption. Also subject to the requirements of Chapter 19.38, Surface Mining and Reclamation Permits.

19.14.030 Development Standards. The development standards for the OSR District shall be as delineated in Table 19.14-B:

**Table 19.14-B
OPEN SPACE RESIDENTIAL DISTRICT
DEVELOPMENT STANDARDS**

Standard	OSR	Notes
Minimum lot size	10 acres	
Minimum lot dimensions - interior lot (width x depth)	300 x 300 ft.	
Minimum lot dimensions - corner lot (width x depth)	300 x 300 ft.	
Maximum lot coverage (impervious surface)	5 %	
Maximum building height	35 ft.	Structures such as chimneys, cupolas, flagpoles, steeples, and the like may exceed height limits up to fifty (50) percent.
Front yard setback	32 ft.	
Side yard setback, interior	15 ft.*	* Two story structures shall be set back a minimum of twenty (20) feet from any property line.
Street side or rear yard setback	25 ft.	
Rear yard setback	20 ft.	

19.14.040 Encroachments Into Yards or Setbacks. Provided that the projection does not obstruct the view in a required Clear Sight Triangle (See Section 19.06.030 *Definitions*), the following encroachments or projections are permitted in required yard areas:

1. Attached architectural features such as awnings, canopies, eaves, chimneys, cornices, planter boxes, bay windows, and cantilevered portions of the structure (not exceeding fifty percent (50%) of the length of the wall) are permitted to encroach up to four (4) feet into front or rear yards and two (2) feet into side yards.
2. Attached unenclosed patio roofs, decks, porches and similar structures (having open, unenclosed sides around at least fifty [50] percent of their perimeters) are permitted to encroach fifteen (15) feet into a rear yard, with a minimum five (5) foot setback to the rear property line.
3. Fences, walls, screening, and dense hedges are permitted up to a maximum of four (4) feet in height in front and street side yards and a maximum of eight (8) feet in height in side and rear yards.

19.14.050 Parking and Driveways. Parking and driveways shall be provided pursuant to the regulations of Chapter 19.82, Off Street Parking and Loading Regulations.

19.14.060 Street Dedications and Improvements.

A. Before building permits are issued for the construction of a new single-family residence or new second dwelling unit with a kitchen, the dedication of additional right-of-way and construction of required street improvements in accordance with the General Plan Circulation Element shall be required. "Street improvements" mean any or all concrete curbs, gutters, sidewalks, driveway approaches, and drainage structures; asphalt curbs; asphalt paving; connecting pavement; and related improvements such as back-filling and preparation of the road surface to rough grade, and the placement of paving, unless otherwise approved pursuant to chapter 19.85 *Public Improvements – Delaying, Deferring, Street Improvement Impact Fee*. Property owners constructing a new single-family residence or new second dwelling unit with a kitchen shall be responsible for the construction of required improvements along the street frontage of their lot, up to a maximum of 150 feet. If street improvements existed prior to approval of the new development, and were paid for with funds from the Local or Citywide Street Improvement Impact Fee or other public funds, the property owner shall be responsible for the payment of a Local Street Improvement Impact Fee, in accordance with Section 19.85.040. The requirements of this Section shall not apply if the property owner or the property owner's predecessor in interest previously constructed the improvements required by this Section or paid the Local Street Improvement Fee. The requirement imposed by this Section to either construct Street Improvements or pay a Local Street Improvement Impact Fee may be deferred if the property owner applies for,

and receives authorization to enter into a deferral agreement with the City. The process by which to obtain a deferral agreement shall be to make an application to the Planning Commission, which shall make a recommendation to the City Council. If approved by the City Council, any such deferral agreement shall be executed by the City Manager on behalf of the City.

B. Before occupancy shall be granted for any such building or improvement, the Building Official shall determine the following:

1. That all of the required dedications have been provided.

2. That all of the required street improvements have either been installed or that a cash deposit, surety bond or other form of surety acceptable to the City Council in an amount equal to the estimated cost of the street improvements has been posted with the City to assure the installation of said street improvements. In lieu of requiring the installation of curbs, gutters, and sidewalks, a Street Improvement Impact Fee may be required and assessed in accordance with Section 19.85.040, at the discretion of the City Engineer.

C. The following street improvement standards shall apply to Local Streets in the OSR District:

1. Asphalt berms may be installed in lieu of curb and gutter.

2. Sidewalks shall not be required.

19.14.070 Utilities. All utilities serving new projects of more than four (4) dwelling units shall install underground utilities both onsite and in the public right-of-way. New projects of four (4) or less dwelling units shall install underground utilities onsite; utilities in the public right-of-way shall be installed in a manner consistent with the existing surrounding improvements.

19.14.080 Signage. All signs shall comply with the regulations provided in Chapter 19.84 *Signs*.

19.14.090 Standards for Residential

Development. All residential development shall comply with the following minimum standards:

- A. The home and accessory structures shall be subject to all provisions of the Development Code applicable to residential structures.
- B. Manufactured and Mobile homes shall be constructed to meet the standards of the National Mobilehome Construction and Safety Standards Act pursuant to Section 18551 of the California Health and Safety Code.
- C. Manufactured and Mobile homes must be less than ten (10) years old, unless an older coach is approved by the Planning Commission.
- D. Manufactured and Mobile homes shall be attached to an engineered, permanent perimeter foundation approved by the Building Division.
- E. The home shall have a minimum width of twenty (20) feet excluding garages, porches, patios, eaves, cabanas, and popouts.
- F. The siding material shall consist of stucco, wood, brick, stone, or decorative concrete block. Synthetic siding material and textures may be used when determined by the Planning Division to be compatible with the neighborhood.
- G. The exterior covering material shall extend to surrounding grade.
- H. The roofing material shall be tile, rock, shingles, or materials customarily used on residential structures in the neighborhood.
- I. The roof shall have a pitch not less than two (2) inches of vertical rise for each twelve (12) inches of horizontal run.
- J. The roof shall have sloping lines with a minimum twenty-four (24) inch eaves overhang, measured from the vertical side of the home. The Planning Director may approve an alternate design, if the Planning Director finds that the alternate design is architecturally compatible with homes in the vicinity or that the alternate design is compatible with the Desert Southwest Design Guidelines adopted by the City.
- K. The minimum parking requirement for a single-family residence shall be a two-car garage. The minimum parking requirement for a multi-family structure, where permitted, shall be one covered space and one open space per dwelling unit; covered parking shall be either a carport with solid roof covering or a garage.