

CHAPTER 19.20

MEDIUM-DENSITY RESIDENTIAL (R-2) DISTRICT

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19.20.010 PURPOSE AND APPLICATION

The purpose of the Medium-density Residential (R-2) District is to designate areas for single-family, duplex, and other medium-density, multifamily residential uses. The maximum density allowed is sixteen (16) dwelling units per net acre. While single-family houses and duplexes typify this district, other innovative housing techniques, including clustering and zero lot line developments, are permitted in combination with the Cluster (CL) Combining District.

19.20.020 PERMITTED USES

The following uses and all others determined to be similar to these uses pursuant to Sections 19.08.030 through 19.08.080 of this title are permitted in the R-2 District in accordance with the standards and procedures set out in Chapter 19.80 of this title:

A. RESIDENTIAL USES

- Accessory dwelling unit, pursuant to Chapter 19.90
- Apartment
- Condominium
- Duplex
- Manufactured home, one (1) per lot, pursuant to Section 19.20.130.D of this chapter
- Quadruplex

- Residential accessory structures
 - Residential facility, serving six (6) or fewer persons
 - Single-family dwelling
 - Triplex
- B. RECREATIONAL, ENTERTAINMENT, AND TOURIST FACILITIES
- Community recreational facilities
- C. COMMERCIAL USES
1. Offices
- Temporary on-site real estate tract sales, including commercial coaches, pursuant to Subsection 19.20.130.C of this title
- D. UTILITY AND COMMUNICATION FACILITIES
- Transmission lines and supporting towers, poles, pipelines, and underground facilities for gas, water, electricity, telephone, or telegraph service owned and operated by a public utility company under the jurisdiction of the California Public Utilities Commission, pursuant to Section 19.08.090 of this title
- E. RESOURCE EXTRACTION AND ENERGY DEVELOPMENT USES
- Solar energy electrical generator which is accessory to a permitted or conditionally permitted use and where the power generated does not exceed the total on-site power demand
 - Small wind energy system, pursuant to Section 19.08.415
- F. MISCELLANEOUS USES
- Community garden pursuant to Section 19.20.130 of this chapter.
 - Construction trailer, temporary, during construction activity only
 - Day-care center, not to exceed a capacity of one (1) child for every three (3) dwelling units located on the property, where the lot contains a minimum of three (3) dwelling units
 - Day-care home, large family, pursuant to Chapter 19.96 of this title
 - Day-care home, small family, when located within a detached single-family dwelling

- Drainage sump, if proposed and approved as part of a tentative subdivision map or tentative parcel map, or if accessory to a permitted use
- Garage or yard sales pursuant to Subsection B of Section 19.20.130 of this chapter
- Home occupation pursuant to Chapter 19.94 of this title
- Water storage or groundwater recharge facilities
- Water system, small or large

19.20.030 USES PERMITTED WITH A CONDITIONAL USE PERMIT

The following uses and all others determined to be similar to these uses pursuant to Sections 19.08.030 through 19.08.080 of this title are permitted in the R-2 District in accordance with the standards set out in Chapter 19.80 of this title and subject to securing a conditional use permit in accordance with the standards and procedures set out in Chapter 19.104 of this title:

A. RESIDENTIAL USES

- Boarding or rooming house
- Community care facility
- Emergency shelter
- Manufactured home or mobilehome, maximum of two (2) per lot, pursuant to Section 19.20.130.D.6 of this chapter (see Section 19.20.020.A)
- Rest home
- Retirement home
- Supportive or transitional housing

B. RECREATION, ENTERTAINMENT, AND TOURIST FACILITIES

- Country club
- Golf course
- Golf driving range
- Park or playground
- Swimming pool, public

C. COMMERCIAL USES

- Tennis or swim club

- 1. Offices
 - Temporary on-site real estate sales/construction
- 2. Services
 - Ambulance
- D. TRANSPORTATION FACILITIES
 - Auto parking garage or lot, when located within five hundred (500) feet of the business or businesses it is intended to serve
- E. UTILITY AND COMMUNICATIONS FACILITIES
 - Radio, television, microwave, or commercial communications transmitter, receiver, or translator
 - Utility substation
- F. RESOURCE EXTRACTION AND ENERGY DEVELOPMENT USES
 - Mineral exploration
 - Mining and mineral extraction pursuant to Chapter 19.100 of this title
 - Oil or gas exploration and production pursuant to Chapter 19.98 of this title
 - Wind-driven electrical generators, commercial or domestic
- G. WASTE FACILITIES
 - Sewage treatment plant
- H. INSTITUTIONAL
 - Cemetery, mausoleum, columbarium, or mortuary
 - Charitable or public service organization
 - Church
 - Club or lodge
 - Community or senior citizens center
 - Crematory in conjunction with a cemetery, mausoleum, columbarium, or mortuary

- Library
- Museum
- Public agency or public utility buildings and facilities
- Rehabilitation facilities
- Sanitarium
- Water treatment plant

I. EDUCATIONAL INSTITUTIONS AND SCHOOLS

General

- Preschool
- Elementary school
- Junior high school
- Senior high school
- College or university

J. MISCELLANEOUS USES

- Community septic disposal system
- Day-care center, with or without extended overnight services
- Drainage sump
- Flood control facilities
- Recreational vehicle or boat storage, private, and accessory to a residential development

19.20.040 PROHIBITED USES

All other uses not permitted by Sections 19.20.020 and 19.20.030 of this chapter are prohibited in the R-2 District.

19.20.050 MINIMUM LOT SIZE

Except as otherwise provided in Chapter 19.58 of this title, no lot created within the R-2 District shall contain less than six thousand (6,000) net square feet, excepting in the case of the conveyance to or from a governmental agency, public entity, public utility, community water company, or

mutual water company for public purposes, public utility purposes, or for rights-of-way or well sites.

19.20.060 MINIMUM LOT AREA PER DWELLING UNIT

Except as otherwise provided in Chapter 19.58 of this title, there shall be a minimum of two thousand seven hundred and twenty-two (2,722) net square feet of lot area per dwelling unit in the R-2 District.

19.20.070 YARDS AND SETBACKS

The following yard and setback requirements apply in the R-2 District:

A. **Front Yard.** Except as otherwise provided in Section 19.08.120 of this title, the front-yard minimum setback for all buildings shall be as follows:

1. Fifty-five (55) feet from the legal centerline of any existing or proposed public or private local street or access easement.
2. Seventy (70) feet from the legal centerline of any existing or proposed secondary highway.
3. Eighty (80) feet from the legal centerline of any existing or proposed major highway.

In no case shall the front-yard minimum setback be less than twenty-five (25) feet from the right-of-way established by any Official or Specific Plan Line, street, or access easement.

B. **Side Yard.** There shall be a side yard on each side of any building of not less than five (5) feet, except that on the street side of corner lots, buildings shall be set back a minimum of ten (10) feet from the right-of-way of any local street, existing or proposed secondary or major highway, or the right-of-way established by any Official or Specific Plan Line. However, within the rear twenty-five (25) feet of all reverse corner lots, there shall be a minimum side yard of twenty-five (25) feet from the right-of-way of any local street, existing or proposed secondary or major highway, or the right-of-way established by any Official or Specific Plan Line.

C. **Rear Yard.** There shall be a rear yard of not less than five (5) feet, except that in the case of through lots, the designated rear yard shall be in accordance with the front-yard setback requirements.

19.20.080 HEIGHT LIMITS

The following height limits apply in the R-2 District:

- A. Buildings shall not exceed three (3) stories or thirty-five (35) feet.
- B. Detached accessory structures shall not exceed two (2) stories or thirty-five (35) feet.
- C. Radio and television antennae, communication towers, chimneys, and other similar structures shall not exceed eighty (80) feet.

19.20.090 MINIMUM DISTANCE BETWEEN STRUCTURES

Minimum distance between structures in the R-2 District shall be as follows:

- A. There shall be a minimum distance of ten (10) feet between residential buildings.
- B. There shall be a minimum distance of six (6) feet between a residential building and an accessory building or between accessory buildings.

19.20.100 PARKING

Off-street parking shall be provided in the R-2 District in accordance with the requirements of Chapter 19.82 of this title.

19.20.110 SIGNS

The following types of signs are permitted in the R-2 District in accordance with the requirements of Chapter 19.84 of this title:

- A. Apartment identification signs, not exceeding thirty-six (36) square feet
- B. Temporary real estate signs advertising the property for sale or rent, not to exceed six (6) square feet each, excluding the area of any vertical and/or horizontal support members
- C. Temporary subdivision signs
- D. Permanent subdivision identification signs
- E. Temporary construction signs
- F. Temporary political, religious, and civic campaign signs
- G. Institutional identification signs, approved in conjunction with a conditional use permit

19.20.120 LANDSCAPING

Landscaping in the R-2 District shall be provided in accordance with the requirements of Chapter 19.86 of this title.

19.20.130 SPECIAL REVIEW PROCEDURES AND DEVELOPMENT STANDARDS

The following special review procedures and development standards apply in the R-2 District:

- A. All development in the R-2 District shall comply with the minimum standards set out in Chapter 19.80 of this title except for one (1) single-family dwelling.
- B. Garage or yard sales are permitted without special permit provided they meet the following standards:

1. Sales last no longer than three (3) days.
 2. Sales are held no more than twice yearly.
 3. Sales are conducted on the owner's or tenant's property. Multiple-family sales are permitted if they are held on the property of one (1) of the participants.
 4. No goods purchased for resale may be offered for sale.
 5. No consignment goods may be offered for sale.
 6. Directional signs may be placed on the street right-of-way.
 7. All directional and advertising signs shall be freestanding and removed after completion of the sale.
 8. All directional and advertising signs placed on private property shall have the owner's permission.
 9. No directional or advertising signs may be larger than two (2) feet by three (3) feet.
- C. Temporary on-site real estate tract sales offices are permitted without special permit provided they meet the following standards:
1. The office shall be permitted for recorded subdivision tracts only.
 2. No more than one (1) office shall be permitted within any subdivision tract.
 3. Only lots within the subject subdivision tract shall be marketed through the office.
 4. All signs shall conform with the requirements of Section 19.84.070.
 5. No construction equipment or materials storage shall be permitted.
 6. Upon sale of all lots within the residential tract, the site shall be converted to residential use.
- D. Manufactured homes shall be permitted provided that the proposed manufactured home complies with the following requirements:
1. The manufactured home shall be certified under the National Manufactured Housing Construction and Safety Act of 1974 (42 U.S.C. - Section 5401 et seq.); and
 2. The manufactured home shall be installed on a foundation system pursuant to Section 18551 of the California Health and Safety Code; and
 3. The manufactured home is no older than ten (10) years from the date application is made for an installation permit; and

4. The manufactured home has a width greater than sixteen (16) feet; and
 5. The manufactured home complies with the following architectural requirements:
 - a. A minimum three-twelfths (three (3) inches vertical to twelve (12) inches horizontal) roof pitch; and
 - b. Shingles customarily utilized in the construction of conventional single-family dwellings; and
 - c. A minimum one- (1-) foot eave around the entire perimeter of the manufactured home as measured from the vertical wall surface; and
 - d. Nonreflective siding material customarily utilized in the construction of conventional single-family dwellings which shall extend to ground level; and
 - e. Siding material utilized as skirting shall be the same in construction materials, composition, and color as the siding material utilized on the exterior wall surface of the manufactured home.
 6. Manufactured homes or mobilehomes not meeting all of the installation and architectural requirements specified in this section shall be permitted only upon approval of a conditional use permit, pursuant to Chapter 19.104.
- E. Community gardens are permitted subject to the issuance of a permit as provided for in Section 19.102.070 of this title and subject to the following requirements:
1. The lot or lots used for the garden are owned or leased by a property owner's association, homeowner's association, tenant's association, non-profit organization or public agency which has established an organizational entity and framework for administration of the garden.
 2. The organizational entity that administers the garden shall establish and enforce rules pertaining to the use of the property and rights of membership. A copy of the adopted rules shall be filed with the Kern County Planning and Community Development Department, together with name and contact information of an individual who oversees the program. The adopted rules shall contain provisions requiring the removal of all structures and materials in the event of the dissolution of the administering entity.
 3. A maximum of five (5) acres shall be used in conjunction with any community garden site established pursuant to this chapter. Larger garden sites may be accommodated through the conditional use permit provisions contained in Chapter 19.104 of this title.
 4. Each community garden site shall be posted with a sign not exceeding sixteen (16) square feet and not exceeding a height of six (6) feet that identifies the site as a community garden and provides essential contact information.

5. No permanent buildings shall be permitted; however, temporary structures not exceeding 120 square feet each may be placed on site for the storage of tools, materials, and equipment used for on-site gardening, if authorized under the rules adopted by the organizational entity that administers the garden. The combined area of all such storage structures shall not exceed ten percent (10%) of the overall garden site area. Benches or picnic tables, composting bins, trash containers, garden art, and designated play areas for children may be provided for the benefit of community garden members, if provided for in the adopted rules governing the use of the site and rights of membership and if determined by the Planning Director to be clearly accessory and incidental to the community garden. Perimeter and individual plot fencing is permitted and shall not exceed a height of six (6) feet.
 6. The community garden shall be operated and maintained in such a manner so that irrigation water is retained on site and there are no off-site erosion or sedimentation impacts.
 7. There shall be no on-site sales except for produce grown on site. One temporary produce stand not exceeding an area of 600 square feet may be permitted for each community garden site, if provided for in the adopted rules governing the use of the site and rights of membership and considered by the Planning Director pursuant to Section 19.102.070. Up to two (2) temporary on-site signs not exceeding a combined total of forty-eight (48) square feet to advertise the sale of produce may be authorized in conjunction with a request for a temporary produce stand, as determined by the Planning Director.
 8. The Planning Director may impose reasonable conditions in conjunction with approval of a community garden permit that are deemed necessary to safeguard public health, safety, and general welfare.
 9. If public complaints arise from the operations of a community garden authorized by this title or if any such garden creates nuisance impacts on surrounding roads or properties, the Planning Director may serve written notice upon the community garden property owner and the responsible organizational entity to abate the problem. If the problem continues beyond a reasonable time period as set forth in the Planning Director's written order, the Planning Director may schedule a public hearing pursuant to Sections 19.102.020 and 19.102.090 of this title. The Planning Director shall consider whether or not the community garden may continue to operate and may modify conditions or impose additional conditions deemed necessary to safeguard the public health, safety, and general welfare. If the Planning Director orders the closure of the community garden, all structures, material, and produce shall be removed from the site within sixty (60) days of the effective date of said order. Any decision of the Planning Director may be appealed to the Board of Supervisors, subject to payment of the required filing fee and the applicable provisions specified in Section 19.102.110 of this title.
- F. Development in the R-2 District shall also comply with the interpretations and provisions of Chapter 19.08 of this title.