

ARTICLE 2 - Chapter 17.12

RESIDENTIAL ZONING DISTRICTS

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- 17.12.060 Residential Estate; Two Acre Minimum District or (RE-2) District.**
- 17.12.070 Residential Estate; Three Acre Minimum District or (RE-3) District.**
- 17.12.080 Residential Estate; Five Acre Minimum District or (RE-5) District.**
- 17.12.090 Residential Estate; Ten Acre Minimum District or (RE-10) District.**

17.12.010 Purpose. This Chapter lists the types of residential zoning districts and establishes regulations for permitted land uses, conditional uses, minimum parcel size, building intensity, and minimum and maximum residential density. Development to a density of one unit per less than two acres or denser must be served by paved roads and public water. Development to a density of one unit per one-third acre or denser must be served by public sewer.

A. Purposes of Residential Zoning Districts:

1. Single-Family Residential District. The purpose of the Single-Family Residential (R-1) District is to stabilize and protect the residential characteristics of the District and to promote and encourage a suitable environment for family life. The Single-Family Residential (R-1) District is intended for suburban family homes.
2. Medium Density Residential District or (R-2) District. The purpose of the Medium Density Residential (R-2) District is to accommodate medium density urban residential developments such as duplexes, triplexes, and fourplexes while

3. Multiple-Family Residential District or (R-3) District. The purpose of the Multiple-Family Residential (R-3) District is to accommodate high density urban residential developments such as apartments, dwelling groups, condominiums, mobile home parks, and townhouses to economically and efficiently meet a variety of urban housing needs while ensuring, through site review procedures, that such developments will:
 - a. Have the least possible impact on the natural environment;
 - b. Be designed and built in accordance with latest accepted engineering and site layout standards; and
 - c. Offer the most possible amenities that contribute to a high quality of life for their residents.
4. Residential Estate, One Acre Minimum District, or (RE-1)

- District. The purpose of the Residential Estate, One Acre Minimum (RE-1) District is to provide for residential neighborhoods with a country-like character in which limited agricultural pursuits and the keeping of livestock are permitted. The RE-1 District is intended to provide for a suburban-style family living on a variety of parcel sizes at least one acre in area.
5. Residential Estate; Two Acre Minimum District or (RE-2) District. The purpose of the Residential Estate, Two Acre Minimum (RE-2) District is to provide areas where persons may enjoy rural residential living while engaging in limited agricultural pursuits or maintaining livestock. The RE-2 District, being lower in population density than the RE-1 District, is intended to occur where fewer municipal services are available.
 6. Residential Estate; Three Acre Minimum District or (RE-3) District. The purpose of the Residential Estate, Three Acre Minimum (RE-3) District is to provide areas where persons may enjoy country-estate type living while engaged in limited agricultural pursuits or maintaining livestock. The RE-3 District, being lower in population density than the RE-2 District, is consistent with the density standards of the Tuolumne County Airport Land Use Compatibility Plan for compatibility zones B2 and C. Public services such as public water and sewer need not be available, nor is a demand for such services in these areas desired.
 7. Residential Estate; Five Acre Minimum District or (RE-5) District. The purpose of the Residential Estate, Five Acre Minimum (RE-5) District is to provide a low density residential zoning classification offering country-estate-type living conditions while maintaining large areas of open space dedicated to agricultural pursuits, grazing, or left undisturbed. The RE-5 District is intended for areas where public services are limited.
 8. Residential Estate; Ten Acre Minimum District or (RE-10) District. The purpose of the Residential Estate, Ten Acre Minimum (RE-10) District is to provide areas for country-estate type living conditions while maintaining large areas of open space dedicated to agricultural pursuits, grazing or left undisturbed. The RE-10 District is intended for areas where public services are limited.
- 17.12.020 Single-Family Residential District or (R-1) District**
- A. Allowed uses. Table 17.12.1 lists uses allowed and the level of review required within any Single-Family Residential (R-1) District
1. Minimum parcel size. Within any Single-Family Residential (R-1) District, no parcel of real property shall be divided or reconfigured where any parcel so created will be less than 7,260 square feet (net acreage) in area or less than 50 feet in width at the front setback line except as otherwise provided herein. An existing parcel that does not meet the parcel size or width at front setback regulations may be reconfigured to a

resulting parcel that does not meet the parcel size or front setback regulations provided the reconfiguration does not result in a decrease in the size of the existing parcel and the width at front setback of the existing parcel. Parcels resulting from a merger shall be exempt from the minimum parcel size and width at front setback requirements.

B. Building intensity. Within any Single-Family Residential (R-1) District, the maximum residential building intensity shall be six dwelling units per acre. The maximum ratio of the coverage of all buildings on a parcel that is 7,260 square feet (net acreage) in area or greater, referred to as the floor area ratio (FAR), shall be 0.5. The maximum FAR for parcels less than 7,260 square feet (net acreage) in area shall be 0.6 if the parcel is improved with a single-story residence and 0.75 if the parcel is improved with a multiple-story residence. Additional units/building coverage are possible for attached secondary single-family dwelling units or through a density bonus for the provision of affordable housing in accordance with the California Government Code.

C. Minimum residential density. Residential development within any Single-Family Residential (R-1) District shall require a minimum density of three dwelling units per acre, exclusive of areas zoned Open Space or Open Space-1, designated for park or recreational facilities, or encumbered by or proposed for deeded or dedicated easements, unless the property owner can demonstrate and the Board of Supervisors determines that physical or environmental constraints on the property make development to the minimum density infeasible.

17.12.030 Medium Density Residential District or (R-2) District.

A. Allowed uses. Table 17.12.1 lists uses allowed and the level of review required within any Medium Density Residential (R-2) District.

B. Minimum parcel size. Within any Medium Density Residential (R-2) District, no parcel of real property shall be divided or reconfigured where any parcel so created will be less than 7,500 square feet (net acreage) in area or less than 50 feet in width at the front setback line except as otherwise provided herein. An existing parcel that does not meet the parcel size or width at front setback regulations may be reconfigured to a resulting parcel that does not meet the parcel size or front setback regulations provided the reconfiguration does not result in a decrease in the size of the existing parcel and the width at front setback of the existing parcel. Parcels resulting from a merger shall be exempt from the minimum parcel size and width at front setback requirements.

C. Building intensity. Within any Medium Density Residential (R-2) District, the maximum residential building intensity shall be 12 dwelling units per acre permitted without discretionary review. The maximum ratio of the coverage of all buildings on a parcel that is 7,500 square feet (net acreage) in area or greater, referred to as the FAR, shall be 0.5. The maximum FAR for parcels less than 7,500 square feet (net acreage) in area shall be 0.6 if the parcel is improved with a single-story residence and 0.75 if the parcel is improved with a multiple-story residence. Additional units/building coverage are possible through a density bonus for the provision of affordable housing in accordance with the California Government Code.

D. Minimum residential density. Residential development within any Medium Density Residential (R-2) District shall require a minimum density of six dwelling units per acre, exclusive of areas zoned Open Space or Open Space-1, designated for park or recreational facilities, or encumbered by or proposed for deeded or dedicated easements, unless the property owner can demonstrate and the Board of Supervisors determines that physical or environmental constraints on the property make development to the minimum density infeasible.

E. Additional Multiple-Family Use Provisions. The following provisions apply to the development of multiple-family uses.

1. Multiple-family developments are encouraged to include smoke-free policies to limit residents' exposure to the harmful effects of secondhand smoke.
2. Multiple-family developments consisting of five or more units, such as apartments or mobile home parks, shall provide at least 200 square feet of recreation space on site.

17.12.040 Multiple-Family Residential District or (R-3) District.

A. Allowed uses. Table 17.12.1 lists uses allowed and the level of review required within any Multiple-Family Residential (R-3) District.

B. Minimum parcel size. Within any Multiple-Family Residential (R-3) District, no parcel of real property shall be divided or reconfigured where any parcel so created will be less than 12,500 square feet (net acreage) in area or less than 50 feet in width at the front setback line as otherwise provided herein. An existing parcel that does not meet the parcel size or width at front setback regulations may be reconfigured to a resulting parcel that does not meet the parcel size or front setback regulations provided the reconfiguration does not result in a decrease in the size of the existing parcel and the width at front setback of the existing parcel. Parcels resulting from a merger shall be exempt from the minimum parcel size and width at front setback requirements.

C. Building intensity. Within any Multiple-Family Residential (R-3) District, the maximum residential building intensity shall be 15 dwelling units per acre permitted without discretionary review. The maximum ratio of the coverage of all buildings on a parcel that is 12,500 square feet (net acreage) in area or greater, referred to as the FAR, shall be 0.5. The maximum FAR for parcels less than 12,500 square feet (net acreage) in area shall be 0.6 if the parcel is improved

with a single-story residence and 0.75 if the parcel is improved with a multiple-story residence. Additional units/building coverage are possible through a density bonus for the provision of affordable housing in accordance with the California Government Code.

D. Minimum residential density. Residential development within any Multiple-Family Residential (R-3) District shall require a minimum density of eight dwelling units per acre, exclusive of areas zoned Open Space or Open Space-1, designated for park or recreational facilities, or encumbered by or proposed for deeded or dedicated easements, unless the property owner can demonstrate and the Board of Supervisors determines that physical or environmental constraints on the property make development to the minimum density infeasible.

E. Additional Multiple-Family Use Provisions. The following provisions apply to the development of multiple-family uses.

1. Multiple-family developments are encouraged to include smoke-free policies to limit residents' exposure to the harmful effects of secondhand smoke.
2. Multiple-family developments consisting of five or more units, such as apartments or mobile home parks, shall provide at least 200 square feet of recreation space on site.

17.12.050 Residential Estate, One Acre Minimum District, or (RE-1) District

A. Allowed uses. Table 17.12.1 lists uses allowed and the level of review required within any Residential Estate, One Acre Minimum (RE-1) District.

B. Minimum parcel size. Within any Residential Estate, One Acre Minimum (RE-1) District, no parcel of real property shall be divided or reconfigured where any parcel so created will be less than one net acre in area or less than 100 feet in width at the front setback line except as otherwise provided herein. An existing parcel that does not meet

the minimum parcel size or width at front setback regulations may be reconfigured to a resulting parcel that does not meet the minimum parcel size or width at front setback regulations provided the reconfiguration does not result in a decrease in the size of the existing parcel and in the width at front setback of the existing parcel. Parcels resulting from a merger shall be exempt from the minimum parcel size and width at front setback requirements.

C. Building intensity. Within any Residential Estate, One Acre Minimum (RE-1) District, the maximum residential building intensity shall be one dwelling unit per acre. The maximum ratio of the coverage of all buildings on a parcel, referred to as the FAR, shall be 0.5. Additional units/building coverage are possible for secondary single-family dwelling units, or through a density bonus for the provision of affordable housing in accordance with the California Government Code.

D. Minimum residential density. Residential development within any Residential Estate, One Acre Minimum (RE-1) District shall require a minimum density of one dwelling unit per two acres, exclusive of areas zoned Open Space or Open Space-1, designated for park or recreational facilities, or encumbered by or proposed for deeded or dedicated easements, unless the property owner can demonstrate and the Board of Supervisors determines that physical or environmental constraints on the parcel make development to the minimum density infeasible.

17.12.060 Residential Estate; Two Acre Minimum District or (RE-2) District

A. Allowed uses. Table 17.12.1 lists uses allowed and the level of review required within any Residential Estate, Two Acre Minimum (RE-2) District.

B. Minimum parcel size. Within any Residential Estate, Two Acre Minimum (RE-2) District, no parcel of real property shall be divided or reconfigured where any parcel so created will be less than two gross acres in area or less than 100 feet in width at the front setback line. An existing parcel that does not meet the minimum parcel size or width at

front setback requirements may be reconfigured to a resulting parcel that does not meet the minimum parcel size and width at front setback requirements provided the reconfiguration does not result in a decrease in the size of the existing parcel and in the width at front setback of the existing parcel. Parcels resulting from a merger shall be exempt from the minimum parcel size and width at front setback requirements.

C. Building intensity. Within any Residential Estate, Two Acre Minimum (RE-2) District, the maximum residential building intensity shall be one dwelling unit per two acres. The maximum ratio of the coverage of all buildings on a parcel, referred to as the floor area ratio (FAR), shall be 0.5. Additional units/building coverage are possible for secondary single-family dwelling units, or through a density bonus for the provision of affordable housing in accordance with the California Government Code.

17.12.070 Residential Estate; Three Acre Minimum District or (RE-3) District

A. Allowed uses. Table 17.12.1 lists uses allowed and the level of review required within any Residential Estate, Three Acre Minimum (RE-3) District.

B. Minimum parcel size. Within any Residential Estate, Three Acre Minimum (RE-3) District, no parcel of real property shall be divided or reconfigured where any parcel so created will be less than three gross acres in area or less than 100 feet in width at the front setback line. An existing parcel that does not meet the minimum parcel size or width at front setback requirements may be reconfigured to a resulting parcel that does not meet the minimum parcel size and width at front setback requirements provided the reconfiguration does not result in a decrease in the size of the existing parcel and in the width at front setback of the existing parcel. Parcels resulting from a merger shall be exempt from the minimum parcel size and width at front setback requirements.

C. Building intensity. Within any Residential Estate, Three Acre Minimum (RE-3) District, the maximum residential building intensity shall be one dwelling unit per three acres. The maximum ratio of the coverage of

all buildings on a parcel, referred to as the FAR, shall be 0.5. Additional units/building coverage are possible for secondary single-family dwelling units or through a density bonus for the provision of affordable housing in accordance with the California Government Code.

17.12.080 Residential Estate; Five Acre Minimum District or (RE-5) District

A. Allowed uses. Table 17.12.1 lists uses allowed and the level of review required within any Residential Estate, Five Acre Minimum (RE-5) District.

B. Minimum parcel size. Within any Residential Estate, Five Acre Minimum (RE-5) District, no parcel of real property shall be divided or reconfigured where any parcel so created will be less than five gross acres in area or less than 200 feet in width at the front setback line. An existing parcel that does not meet the minimum parcel size or width at front setback requirements may be reconfigured to a resulting parcel that does not meet the minimum parcel size and width at front setback requirements provided the reconfiguration does not result in a decrease in the size of the existing parcel and in the width at front setback of the existing parcel. Parcels resulting from a merger shall be exempt from the minimum parcel size and width at front setback requirements.

C. Building intensity. Within any Residential Estate, Five Acre Minimum (RE-5) District, the maximum residential building intensity shall be one dwelling unit per five acres. The maximum ratio of the coverage of all buildings on a parcel, referred to as the FAR, shall be 0.2. Additional units/building coverage are possible for secondary single-family dwelling units, or through a density bonus for the provision of affordable housing in accordance with the California Government Code.

17.12.090 Residential Estate; Ten Acre Minimum District or (RE-10) District

A. Allowed uses. Table 17.12.1 lists uses allowed and the level of review required within any Residential Estate, Ten Acre Minimum (RE-10) District unless otherwise provided in this Chapter:

B. Minimum parcel size. Within any Residential Estate, Ten Acre Minimum (RE-10) District, no parcel of real property shall be divided or reconfigured where any parcel so created will be less than 10 gross acres in area. An existing parcel that does not meet the minimum parcel size may be reconfigured to a resulting parcel that does not meet the minimum parcel size provided the reconfiguration does not result in a decrease in the size of the existing parcel. Parcels resulting from a merger shall be exempt from the minimum parcel size requirement.

C. Building intensity. Within any Residential Estate, Ten Acre Minimum (RE-10) District, the maximum residential building intensity shall be one dwelling unit per 10 acres. The maximum ratio of the coverage of all buildings on a parcel, referred to as the FAR, shall be 0.2. Additional units/building coverage are possible through a density bonus for the provision of affordable housing in accordance with the California Government Code.

TABLE 17.12.1 ALLOWED LAND USES AND PERMIT REQUIREMENTS

Key	Blank Cell – Not Permitted “P” – Permitted without Discretionary Review “C” – Discretionary Review Required								
A. Land Use Classification	B. R-1	C. R-2	D. R-3	E. RE-1	F. RE-2	G. RE-3	H. RE-5	I. RE-10	J. Additional Regulations
Residential Uses									
One primary single-family dwelling per parcel	P	P	P	P	P	P	P	P	
Two single-family dwellings or one duplex per parcel	P	P	P						
Multifamily of four units or less		P	P						
Multifamily of more than four units			P						
Accessory dwelling unit	P	P	P	P	P	P	P	P	Ch. 17.36
Junior accessory dwelling unit	P	P	P	P	P	P	P	P	Ch. 17.36
Residential care homes or day care centers, for not more than eight nonemployee occupants	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	
Small or large family day care home within a permitted or conditional use single-family dwelling, subject to the requirements of Chapter 17.54	P	P	P	P	P	P	P	P	Ch. 17.54
Mobile home parks	C ²	C	P	C	C	C	C		Ch. 17.70
Transitional housing and supportive housing	P	P	P	P	P	P	P	P	
Agricultural laborer housing	P			P	P	P	P	P	
Employee housing for six persons or less	P	P	P	P	P	P	P	P	
Residential care homes for more than 6 nonemployee occupants that require state licensing and day care	C	C	C	C	C	C	C	C	

Key	Blank Cell – Not Permitted “P” – Permitted without Discretionary Review “C” – Discretionary Review Required								
A. Land Use Classification	B. R-1	C. R-2	D. R-3	E. RE-1	F. RE-2	G. RE-3	H. RE-5	I. RE-10	J. Additional Regulations
centers, other than family day care homes									
Residential care homes that don't require state licensing	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	
Emergency shelters		P	P						Ch. 17.58
Mobile home on permanent foundation	P	P	P	P	P	P	P	P	
Boardinghouse			C						
Home Occupation	P	P	P	P	P	P	P	P	Ch. 17.64
Agricultural and Resources Uses									
Nurseries and greenhouses for domestic use	P	P	P	P	P	P	P		
Keeping of poultry when the parcel complies with the requirements of Section 17.42	P			P	P	P	P		
Christmas tree farms	C	C	C						
Sawmills for processing timber grown only on the same parcel as the sawmill is located, for a period not to exceed 60 days	C			C	C	C	C	C	
General farming and ranching				P	P	P	P	P	
Agricultural processing facilities and activities for the agricultural product grown on the parcel				P ^{3,4}	P ^{3,4}	P ^{3,5}	P ^{3,6}	P ^{3,7}	
Agricultural by-product processing facilities accessory to the agricultural operation on the parcel				P	P	P	P	P	
Agricultural marketing facilities or activities				C	C	P	P	P	
U-pick operations				C	C	C	P	P	

Key	Blank Cell – Not Permitted “P” – Permitted without Discretionary Review “C” – Discretionary Review Required								
A. Land Use Classification	B. R-1	C. R-2	D. R-3	E. RE-1	F. RE-2	G. RE-3	H. RE-5	I. RE-10	J. Additional Regulations
Private stables				P	P	P	P	P	
Commercial stables and, riding clubs including, but not limited to, accessory shows and clinics							C	C	
Growing and harvesting timber products				P	P	P	P	P	
Seasonal activities including, but not limited to, crop mazes, pumpkin patches and berry harvests				C	C	C	P	P	
Institutional and Recreation Uses									
General recreation and parks open to the public	C	C	C						
General non-commercial recreational use incidental to the primary use of the parcel	P	P	P	P	P	P	P	P	
Firehouses and police stations	P	P	P						
Public schools	P	P	P	P	P	P	P	P	
On- and off-shore marina facilities	C	C	C	C	C	C	C	C	
Tent revivals, circuses, and carnivals	C	C	C	C	C	C	C	C	
Weddings and Commercial Events ⁸	C	C	C	C	C	C	C	C	
Public utility distribution facilities	P	P	P						
Health care facilities	C	C	C	C	C	C			
Private and alternative schools, places of worship, libraries, museums, art galleries, tourist information facilities	C	C	C	C	C	C	C		
Public utility uses	C	C	C	C	C	C	C	C	
Water treatment plants				C	C	C	C	C	

Key	Blank Cell – Not Permitted “P” – Permitted without Discretionary Review “C” – Discretionary Review Required								
A. Land Use Classification	B. R-1	C. R-2	D. R-3	E. RE-1	F. RE-2	G. RE-3	H. RE-5	I. RE-10	J. Additional Regulations
Commercial refuse and sewage sludge disposal sites, and public water and sewer treatment plants					C	C	C	C	
Public safety facilities				P	P	P	P	P	
Refuse and sewage disposal sites and water and sewer treatment plants	C	C	C						
Airports and heliports					C	C	C	C	
Commercial alternative energy generating facilities including, but not limited to, wind and solar power facilities				C	C	C	C	C	
Cemeteries							C	C	
Mortuaries, funeral homes, mausoleums, columbaria and crematoria, when in conjunction with a cemetery							C	C	
Educational workshops, craft demonstrations, and demonstration gardens not accessory to the primary agricultural use of the parcel							C	C	
Petting zoo							C	C	
Commercial Uses									
Bed and breakfast establishments, six bedrooms or less	C ¹	C ¹		C ¹	P ¹	P ¹	P ¹	P ¹	
Roadside stand up to 1,500 square feet in area				C	C	C	P	P	Ch. 17.62
Roadside stand exceeding 1,500 square feet in area							C	C	
Animal hospitals, indoors				C	C	C	P	P	

Key		Blank Cell – Not Permitted “P” – Permitted without Discretionary Review “C” – Discretionary Review Required							
A. Land Use Classification	B. R-1	C. R-2	D. R-3	E. RE-1	F. RE-2	G. RE-3	H. RE-5	I. RE-10	J. Additional Regulations
Animal hospitals, outdoors, veterinary clinics, kennels, or animal boarding facilities							C	C	
Commercial composting facilities							C	C	
Commercial events on agricultural land pursuant to Section 17.48							C	C	Ch. 17.48
Industrial Uses									
Prospecting	P	P	P	P	P	P	P	P	
Development of aggregate resources	C	C	C	C	C	C	C	C	
Communications Facilities									
Construction, alteration, or maintenance of gas, water, sewer, electrical, communication, or other public utility distribution facilities, except as otherwise provided in this Code				P	P	P	P	P	
Wireless Communication Facilities							C	C	Ch. 17.94
Temporary Uses									
Temporary sales offices for parcels and residences	C	C	C	C	C	C	C	C	Ch. 17.92
Accessory Uses									
Private garages accessory to a single-family dwelling, or one private garage, not to exceed 4,000 square feet, as a primary use of the parcel	P ⁹	P ⁹	P ⁹	P	P	P	P	P	
Accessory uses and structures appurtenant to permitted uses	P	P	P	P	P	P	P	P	Ch. 17.38

Key	Blank Cell – Not Permitted "P" – Permitted without Discretionary Review "C" – Discretionary Review Required								
A. Land Use Classification	B. R-1	C. R-2	D. R-3	E. RE-1	F. RE-2	G. RE-3	H. RE-5	I. RE-10	J. Additional Regulations
Accessory uses and structures appurtenant to conditional uses	C	C	C	C	C	C	C	C	Ch. 17.38
Educational workshops, craft demonstrations, or demonstration gardens accessory to the agricultural operation on the parcel				C	C	C	P	P	

¹ Within a permitted single-family dwelling.

² For provisions on mobile home accessory structures see [Chapter 15.12](#) of this Code.

³ Use becomes conditional when facilities and activities are not for the agricultural product grown on the parcel.

⁴ Not to exceed 20% of the parcel size or one-half acre, whichever is less. Use becomes conditional when it exceeds 20% of the parcel size or one-half acre, whichever is less.

⁵ Not to exceed 20% of the parcel size or one acre, whichever is less. Use becomes conditional when it exceeds 20% of the parcel size or one acre, whichever is less.

⁶ Not to exceed 20% of the parcel size or two acres, whichever is less. Use becomes conditional when it exceeds 20% of the parcel size or two acres, whichever is less.

⁷ Not to exceed 10% of the parcel size or two acres, whichever is less. Use becomes conditional when it exceeds 10% of the parcel size or two acres, whichever is less.

⁸ Where a fee is required.

⁹ Not to exceed a building coverage of 25% of the parcel or 4,000 square feet, whichever is less.