

Chapter 30.12

LOW DENSITY RESIDENTIAL (R1-10)

30.12.010 Purpose. The R1-10 Zone is designed to provide for an area of one-family residential development at a density level consistent with the City Community Plan. The standards of the zone are intended to preserve an open and uncrowded character and protect the unique residential environment of Del Mar. The standards are intended to promote and protect those special amenities associated with a district of single-family homes. Factors of topography and environmental sensitivities, the character of existing, low-density residential areas, and the need to identify Del Mar as a distinct and separate community shall be taken into account in administering the standards contained herein.

30.12.020 Boundaries. Property within the R1-10 Zone shall be designated by ordinance to be depicted upon the City zone map.

30.12.030 Allowable Uses. The allowable uses in the R1-10 Zone are: [Ord. 711]

A. A one family dwelling on each building site; and

B. On parcels that meet the minimum lot size specified for the R1-10 Zone, a Second Dwelling Unit, provided the Second Dwelling Unit meets all of the following criteria: [Ord.760, 900]

1. The Second Dwelling Unit shall be subordinate to an existing or proposed single family dwelling unit on the property.

2. The Second Dwelling Unit shall not exceed 550 square-feet of gross floor area, including any basement area.

3. The Second Dwelling Unit shall provide separate independent living quarters available for use by one or more persons.

4. The Second Dwelling Unit shall be designed and constructed in a manner so as to be deemed a Dwelling Unit pursuant to applicable California Building Code standards.

5. If located in a detached structure, the Second Dwelling Unit shall not exceed a building height of 14 feet, as measured pursuant to the Del Mar Municipal Code.

6. The Second Dwelling Unit shall be composed of the same or similar architectural style, details, colors, roof pitch, building materials, and exterior lighting as the single family dwelling unit on the property.

7. Notwithstanding the provisions of Del Mar Municipal Code Chapter 23.08, a Second Dwelling Unit located in a detached structure shall not be subject to the requirement for receipt of a Design Review Permit.

8. A Second Dwelling Unit attached to a single family dwelling unit shall comply with the following:

a. The Second Dwelling Unit shall be limited to the first floor and/or basement level of the structure.

b. The Second Dwelling unit shall have a separate entrance other than that of the single family residential unit on the property.

c. If a proposed Second Dwelling Unit is to be an attached part of a new, proposed single family dwelling unit, or attached to an existing single family dwelling unit proposed for remodeling, the entirety of the proposed or remodeled structure shall be subject to review, as applicable, under the Design Review Process specified in the Del Mar Municipal Code.

d. If a proposed Second Dwelling Unit is to be attached to an existing single family

dwelling unit for which no other exterior modifications are proposed, the Proposed Second Dwelling Unit shall be exempt from the Design Review Process, provided it meets all of the criteria for a detached Second Dwelling Unit specified in this Section.

9. The Second Dwelling Unit shall comply with all Construction Standards specified in the underlying zoning district for the property.

10. All outdoor lighting of a Second Dwelling Unit shall be shielded and directed downward and away from neighboring properties and/or public rights-of-way.

11. A minimum of one covered or uncovered off street parking space shall be provided for a Second Dwelling Unit. The siting and design of the required off-street parking space shall be in compliance with requirements for residential off street parking spaces, as identified in the Del Mar Municipal Code.

12. A Second Dwelling Unit may be rented but shall not be sold separately from the single family dwelling unit on the property on which it is located, nor shall authorization be granted for a condominium conversion of a Second Dwelling Unit, as such conversions are defined and regulated per the Del Mar Municipal Code.

C. A Small Family Day Care Facility on each building site. [Ord. 725]

D. A Small Community Care Facility on each building site. [Ord. 758]

30.12.040 Accessory Uses. The following accessory uses may be established in the R1-10 Zone:

A. Accessory buildings and uses customarily incidental to a one-family dwelling, including a private garage or carport to accommodate not more than three vehicles.

B. The renting of not more than one room to not more than one person, or the providing of table board to one person, or both.

C. Accessory living quarters as defined in this Title.

D. Off-street parking accessory to a one-family dwelling.

E. Recreational facilities intended for the use of on-site residents, including swimming pools, saunas, tennis courts, and exercise rooms.

F. The keeping of not more than one horse for each acre of land held in contiguous, single ownership.

G. The keeping of dogs, cats, and other household pets normally kept within the house.

H. The keeping of other domestic animals, providing however, that no such animal or any pen, coop, stable, or barn shall be located, kept or maintained within 75 feet of any window or door of any building used for human habitation, nor within 40 feet of any adjacent property line; and

I. Home occupation as authorized by this Code.

30.12.050 Parking Requirement. See Chapter 30.80 for parking requirements.

30.12.060 Design Review. (Reserved) open spaces, the beach, and the beach bluffs.

30.12.070 Development Standards.

A. Density: One building site for each 10,000 square feet of net land area.

B. Lot Dimensions:

1. Minimum lot size: 10,000 square feet.

2. Minimum street frontage: 20 feet.

3. Minimum lot width: 75 feet.
4. Minimum lot depth: 100 feet.

C. Construction Standards:

1. Setbacks
 - a. Front yard: 20 feet
 - b. Rear yard: 25 feet
 - c. Interior side yard: 7 1/2 feet
 - d. Street side: 10 feet
2. Height: 26 feet.
3. Floor area ratio: 25% or 2,000 sq. ft., whichever is greater.
4. Maximum lot coverage: 40% or 3,000 sq. ft., whichever is greater.

30.12.080 Special Regulations. Building height limit for properties located within the Bluff, Slope, and Canyon Overlay Zone shall be 14 feet unless the applicant can demonstrate that a greater height is consistent with the standards set forth in that overlay zone. However, in no case shall the allowed height exceed the maximum height specified in this Chapter.

30.12.090 Housing Reduction Mitigation Fee
[Ord. 889]

A. Where implementation of a development project would result in a net reduction in the number of dwelling units on a property, the project shall be conditioned for payment of the City of Del Mar's Housing Reduction Mitigation Fee, with payment made based upon the net reduction in dwelling units.

B. The requirement for payment of a Housing Reduction Mitigation Fee(s) required in this Section shall not apply where: 1) a property is nonconforming in that it contains a number of dwelling units in excess of that allowed per the Density Development Standards of this Chapter; and 2) the development project's net reduction of dwelling units will bring the property into conformance with the Density Development Standard.

1. The exemption for payment of a Housing Reduction Mitigation Fee(s) provided in this

subsection B shall not apply where the number of dwelling units to be reduced exceeds the requirement to achieve conformance with the Density Development Standards. In such cases, payment of a Housing Reduction Mitigation Fee(s) shall be required, on a unit-for-unit basis, for each dwelling unit reduction in excess of the minimum required to achieve conformance with the Density Development Standards.