

**Chapter 17.07**  
**REGULATIONS FOR RESORT/RESIDENTIAL OR "R-5" DISTRICT**

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**17.07.010 Purpose.**

To establish areas for a mixture of resort, residential, and lake-associated uses primarily along the shore of Clear Lake and other appropriate locations. This district is intended to allow for resort development including hotels and motels, limited retail uses consistent and compatible with lakefront recreational uses, and residential uses. The following regulations shall apply in all R-5 districts. (Ord. 796 Att. A(part), 1999)

**17.07.020 Performance standards.**

Uses permitted within this district shall be subject to the performance standards set forth in Chapter [17.28](#) and architectural and design review criteria set forth in Chapter [17.27](#). (Ord. 796 Att. A(part), 1999)

**17.07.030 Uses permitted.**

- A. Duplexes, triplexes, fourplexes, apartments, and condominiums.
- B. Resorts.
- C. Hotels and motels.
- D. Private swimming pools, tennis courts, and similar recreational amenities.
- E. Garage and yard sales.
- F. Public parks, playgrounds, and recreational facilities. (Ord. 796 Att. A(part), 1999)

***G. Personal cannabis cultivation subject to the regulations as set forth in Section 17.38.***

**17.07.040 Uses permitted subject to a zoning permit.**

Those uses permitted in the R-2 and R-3 zoning districts with a zoning permit. (Ord. 796 Att. A(part), 1999)

**17.07.050 Uses permitted subject to a use permit.**

- A. Restaurants.
- B. Food and beverage sales.
- C. Retail sales of lake-oriented and recreational merchandise, including limited food and beverage sales.
- D. Rental of lake-oriented recreational equipment.
- E. Mobilehome park, RV park, and campgrounds.
- F. Marinas.
- G. Boat storage facility and boat repair activity within a building.
- H. Those uses permitted in the R-2 and R-3 zoning districts with a use permit.
- I. Bed and breakfast inns with food service and catering.
- J. Residential care facility. (Ord. 893 §3(6), 2014; Ord. 821 §1(part), 2003; Ord. 796 Att. A (part), 1999)

**17.07.060 Development standards.**

- A. Maximum Permitted Density. Multifamily residential and condominium development: two thousand two hundred fifty square feet per dwelling unit.
- B. Minimum Lot Size.
  - 1. Six thousand square feet for an interior lot.
  - 2. Six thousand five hundred square feet for a corner lot.
- C. Minimum Lot Length. Eighty feet.
- D. Minimum Average Lot Width.
  - 1. Sixty feet for an interior lot.
  - 2. Sixty-five feet for a corner lot.
  - 3. Lots on a cul-de-sac bulb or corner bulb (knuckle) may be thirty-five feet wide and shall be at least sixty feet wide at the midpoint line.
- E. Maximum Length to Width Ratio. Three to one.

F. Maximum Lot Coverage.

1. One story structure: sixty percent.
2. Two story structure: fifty-five percent.
3. Three story structure: fifty percent.

G. Minimum Yards.

1. Multifamily dwellings and condominiums.
  - a. Front yard: fifteen feet from the front lot line, twenty feet required to garage/carport.
  - b. Rear yard: fifteen feet from the lot line.
  - c. Side yard: ten feet from the lot line.
  - d. Accessory structures: less than one hundred twenty square feet without utilities may be within one foot of the side or rear property lines.
2. All other uses permitted within the R-5 resort/residential district shall comply with the setbacks as determined through the architectural and design review process.

H. Maximum Height.

1. Principal structure: twenty-five feet, however, the structure cannot be higher than twenty-six feet above 12.79 on the Rumsey gauge (one thousand three hundred thirty-one feet above sea level). Height limit may be increased subject to obtaining a use permit.
2. Accessory structures: fifteen feet in height.

I. Building Separation, Open Space, and Landscaping. All multifamily residential uses and condominiums shall comply with the building separation, open space, and landscaping requirements set forth in Section [17.06.060\(H\)](#).

J. All dwelling units must be at least fifteen feet in width or diameter (excluding eaves) and shall contain the following minimum gross floor area, exclusive of parking areas, open porches and patios:

1. Studio: four hundred fifty square feet;

2. One-bedroom: six hundred fifty square feet;
3. Two-bedroom: eight hundred square feet;
4. For each additional bedroom in excess of two: one hundred square feet. (Ord. 856 §1(part), 2006; Ord. 796 Att. A (part), 1999)

**17.07.070 Development criteria for resorts, hotels, motels, or mixed use projects.**

- A. Plans Required. A plan of development shall be required for all uses listed in this section in accordance with the standards below.
- B. Pre-application. Prior to the preparation of an application for a plan of development, the applicant shall attend a pre-application meeting with the community development department staff to explain the purpose of the development plan, to review the project's consistency with the Lakeport general plan, to review the municipal code requirements, and to provide for a review of the applicant's conceptual design and development objectives.
- C. Application. An application shall be made on forms provided by the community development department and accompanied by all fees, information, and supplemental plans required.
- D. Plan of Development Criteria. The plan of development shall be a graphic and written representation of the applicant's intended development project including:
  1. A graphic drawing consisting of:
    - a. The entire plan development with drawings and agreed upon scale showing the entire proposed development and site;
    - b. The location and sizes of all proposed land uses;
    - c. An overlay of the City's general plan and zoning;
    - d. The location and approximate size of all areas to be reserved in open space or setbacks;
    - e. The preliminary on-site circulation pattern;
    - f. The type and location of proposed buildings and other site improvements;
    - g. The type and location of all proposed public facilities;

- h. The existing site conditions showing all topographic features such as natural drainage ways, streams, creeks, shorelines, vernal pools and ponds; significant rock outcroppings; topography; location and types of all on-site trees; areas of historic or archaeological impact or value; and existing development including roadways and structures;
  - i. Topography at a contour level determined by the size and complexity of the plan and existing surface conditions; and
  - j. Other information on land adjacent to the proposed project which will show the relationship between the proposed development and the areas adjacent to the site including land uses, parcel size, ownership patterns, mineral leaseholds, soil conditions, planning and zoning designations, densities, traffic circulation system, public facilities, major geotechnical features, and physiographic features such as lakes, streams, shorelines, drainage patterns, ridgelines, tree clusters, and other prominent natural features.
2. A written plan that shall support the graphic representation and shall, at a minimum, include:
- a. Project description including an indication of the present and proposed ownership;
  - b. A list and description of all uses shown on the proposed specific plan of development;
  - c. A development schedule indicating the approximate date when construction of the project can be expected to begin and be completed for each phase of the project including the permit phase;
  - d. A statement of the applicant's intent with regard to the future segregation and selling and/or leasing of all portions of the project including whether or not there is an intent to subdivide and sell lots either as condominiums or undeveloped lots;
  - e. A statement of the applicant's proposal for utilities and public services including sewer, water, general government, school, solid waste, power, cable TV, telephones, storm water runoff, and others.
  - f. Quantitative data about the development including, but not limited to, net and gross acreage, approximate dimension and location of structures, support services required, traffic generation, parking and loading requirements, outdoor storage requirements, and other applicable information; and

- g. Demographic information about the development including, but not limited to, estimates of the number of employees, their ages, skill levels, salaries and annual payroll, number of employees to be relocated, number of school age children, and other information as necessary. (Ord. 796 Att. A(part), 1999)