

Note: **Highlights** indicate changes already approved by City Council Ordinance CS-432 but that are pending review by the California Coastal Commission.

Chapter 21.16 R-3 MULTIPLE-FAMILY RESIDENTIAL ZONE*

Sections:

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- 21.16.070 Minimum lot area.**
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* **Prior ordinance history:** Ord. Nos. 9060, 9135, 9224, 9336, 9455, 9513, 9638, 9674, 9785, 9800, 9804, NS-243, NS-274, NS-283, NS-355, NS-409, NS-662, NS-663, and NS-675.

21.16.010 Intent and purpose.

A. The intent and purpose of the R-3 multiple-family residential zone is to:

1. Implement the ~~residential medium-high density (RMH) R-15 (Residential 8-11.5-15 du/ac)~~ and ~~residential high density (RH) R-23 (Residential 15-19-23 du/ac)~~ land use designations of the Carlsbad general plan; and
2. Provide regulations and standards for the development of residential dwellings and other permitted or conditionally permitted uses as specified in this chapter. (Ord. NS-718 § 9, 2004)

21.16.020 Permitted uses.

- A. In the R-3 zone, notwithstanding any other provision of this title, only the uses listed in Table A, below, shall be permitted, subject to the requirements and development standards specified by this chapter, and subject to the provisions of Chapter 21.44 of this title governing off-street parking requirements.
- B. The uses permitted by conditional use permit, as indicated in Table A, shall be subject to the provisions of Chapter 21.42 of this title.
- C. A use similar to those listed in Table A may be permitted if the city planner determines such similar use falls within the intent and purposes of this zone, and is substantially similar to the specified permitted uses.

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Table A
Permitted Uses

In the table, below, subject to all applicable permitting and development requirements of the municipal code:

“P” indicates the use is permitted. (See note 7 below)

“CUP” indicates that the use is permitted with approval of a conditional use permit. (See note 7 below)

1 = Minor Conditional Use Permit (Process One), pursuant to Chapter 21.42 of this title.

2 = Conditional Use Permit (Process Two), pursuant to Chapter 21.42 of this title.

3 = Conditional Use Permit (Process Three), pursuant to Chapter 21.42 of this title.

“Acc” indicates use is permitted as an accessory use.

Use	P	CUP	Acc
Accessory buildings/structures (ex. garages, workshops, tool sheds, patio covers, decks, etc.) (see notes 1 and 2, below) (defined: Section 21.04.020)			X
Accessory dwelling unit (subject to Section 21.10.030; defined: Section 21.04.121)			X
Agricultural crops	X		
Animal keeping (household pets) (subject to Section 21.53.084)			X
Animal keeping (wild animals) (subject to Section 21.53.085)			X
Aquaculture (defined: Section 21.04.036)		2	
Bed and breakfasts (subject to Section 21.42.140(B)(5); defined: Section 21.04.046)		1	
Biological habitat preserve (subject to Section 21.42.140(B)(30); defined: Section 21.04.048)		2	
Campsites (overnight) (subject to Section 21.42.140(B)(40))		2	
Cemeteries		3	
Child day care center (subject to Chapter 21.83; defined: Section 21.04.086)		1	
Churches, synagogues, temples, convents, monasteries, and other places of worship		2	
Dwelling, one-family (see note 3, below) (defined: Section 21.04.125)	X		
Dwelling, two-family (defined: Section 21.04.130)	X		
Dwelling, multiple-family (subject to Section 21.53.120 if more than 4 units are proposed; defined: Section 21.04.135)	X		
Educational institutions or schools, public/private (defined: Section 21.04.140)		2	
Employee housing (serving six or fewer employees) (defined: Section 21.04.140.7)	X		
Family day care home (large) (subject to Chapter 21.83; defined: Section 21.04.147)			X
Family day care home (small) (subject to Chapter 21.83; defined: Section 21.04.148)			X
Farmworker housing complex, small (subject to Section 21.10.125; defined: Section 21.04.148.4)	X		
Greenhouses (2,000 square feet maximum)	X		
Greenhouses > 2,000 square feet (subject to Section 21.42.140(B)(70))		1	
Golf courses (see note 4, below)		3	
Home occupation (subject to Section 21.10.040)			X
Housing for senior citizens (subject to Chapter 21.84)	X		
Junior accessory dwelling unit (accessory to a one-family dwelling; subject to Section 21.10.030; defined: Section 21.04.122)			X
Mobile buildings (subject to Section 21.42.140(B)(90); defined: Section 21.04.265)		2	

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Use	P	CUP	Acc
Mobile home (see notes 3 and 5, below) (defined: Section 21.04.266)	X		
Packing/sorting sheds (600 square feet maximum)	X		
Packing/sorting sheds > 600 square feet (subject to Section 21.42.140(B)(70))		1	
Professional care facilities (defined: Section 21.04.295)		2	
Public/quasi-public buildings and facilities and accessory utility buildings/facilities (defined: Section 21.04.297)		2	
Residential care facilities (serving six or fewer persons) (defined: Section 21.04.300)	X		
Residential care facilities (serving more than six persons) (subject to Section 21.42.140(B)(125); defined: Section 21.04.300)		2	
Satellite TV antennae (subject to Sections 21.53.130 through 21.53.150; defined: Section 21.04.302)			X
Signs (subject to Chapter 21.41; defined: Section 21.04.305)			X
Supportive housing (defined: Section 21.04.355.1)	X		
Temporary bldg./trailer (real estate or construction) (subject to Sections 21.53.090 and 21.53.110)	X		
Time-share projects (subject to Section 21.42.140(B)(155); defined: Section 21.04.357)		3	
Transitional housing (defined: Section 21.04.362)	X		
Wireless communication facilities (subject to Section 21.42.140(B)(165); defined: Section 21.04.379)		1 / 2	
Zoos (private) (subject to Section 21.42.140(B)(170); defined: Section 21.04.400)		2	

Notes:

1. Private garages (defined: Section 21.04.150) shall accommodate not more than two cars per dwelling unit.
2. When associated with a two-family or multiple-family dwelling, accessory buildings shall not include guesthouses or accessory living quarters (defined: Section 21.04.165).
3. One-family dwellings are permitted when developed as two or more detached units on one lot. Also, a single one-family dwelling shall be permitted on any legal lot that existed as of October 28, 2004, and which is designated and zoned for residential use. Any proposal to subdivide land or construct more than one dwelling shall be subject to the density provisions of the general plan and intent of the underlying residential land use designation.
4. A conditional use permit is not required for a golf course if it is approved as part of a master plan for a planned community development.
5. Mobile homes must be certified under the National Mobilehome Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 et seq.) on a foundation system pursuant to Section 18551 of the State Health and Safety Code.
6. A parking lot/structure (commercial) is permitted with approval of a CUP when the lot on which it is located in the R-3 zone abuts upon a lot zoned for commercial or industrial purposes.
7. Any use meeting the definition of an entertainment establishment, as defined in Section 8.09.020 of the Carlsbad Municipal Code (CMC), shall be subject to the requirements of CMC Chapter 8.09.

(Ord. CS 324 § 2, 2017; Ord. CS-249 § VII, 2014; Ord. CS-224 §§ XI, XII, 2013; Ord. CS-191 § IX, 2012; Ord. CS-189 § XV, 2012; Ord. CS-178 § XII, 2012; Ord. CS-164 § 10, 2011; Ord. CS-102 §§ XXV—XXVII, 2010; Ord. NS-791 § 13, 2006; Ord. NS-746 § 8, 2005; Ord. NS-718 § 9, 2004)

21.16.030 Building height.

In the R-3 zone no building shall exceed a height of thirty-five feet. (Ord. NS-718 § 9, 2004)

21.16.040 Front yard.

Every lot in the R-3 zone shall have a front yard of not less than twenty feet, except that on key lots and lots which side upon commercially or industrially zoned property the depth of the required front yard need not exceed fifteen feet. (Ord. NS-718 § 9, 2004)

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21.16.050 Side yards.

- A. In the R-3 zone every lot shall have side yards as follows:
1. Interior lots shall have a side yard on each side of the lot which side yard has a width not less than ten percent of the width of the lot; provided, that such side yard shall be not less than five feet in width and need not exceed ten feet; and
 2. Corner lots and reversed corner lots shall have the following side yards:
 - a. On the side lot line which adjoins another lot, the side yard shall be the same as that required on an interior lot, and
 - b. On the side street side the width of the required side yard shall be ten feet and said side yard shall extend the full length of the lot. (Ord. NS-718 § 9, 2004)

21.16.060 Placement of buildings.

- A. Placement of buildings on any lot shall conform to the following, except as otherwise stated for accessory dwelling units (or junior accessory dwelling units where permitted) pursuant to Section 21.10.030:
1. Interior Lots.
 - a. No building shall occupy any portion of a required yard;
 - b. Any building, any portion of which is used for human habitation, shall observe a distance from any side lot line the equivalent of the required side yard on such lot and from the rear property line the equivalent of twice the required side yard on such lot;
 - ~~c. The distance between buildings used for human habitation and between buildings used for human habitation and accessory buildings shall not be less than ten feet;~~ **ed.** All accessory structures shall comply with the following development standards:
 - i. The lot coverage shall include accessory structures in the lot coverage calculations for the lot,
 - ~~ii. The distance between buildings used for human habitation and accessory buildings shall be not less than ten feet;~~
 - iiiii.** When proposed on a lot adjoining native vegetation, accessory structures within a fire suppression zone must be reviewed and approved by the fire department,
 - iiiv.** Buildings shall not exceed one story,
 - ivv.** Building height shall not exceed fourteen feet if a minimum roof pitch of 3:12 is provided or ten feet if less than a 3:12 roof pitch is provided;
 - ed.** Habitable detached accessory structures shall comply with all requirements of the zone applicable to placement of a dwelling unit on a lot including setbacks;
 - fe.** Detached accessory structures which are not dwelling units and contain no habitable space, including, but not limited to, garages, workshops, tool sheds, decks over thirty inches above grade and freestanding patio covers shall comply with the following additional development standards when located within a lot's required setback areas:
 - i. The maximum allowable building area per structure shall not exceed a building coverage of four hundred forty square feet,
 - ii. The following setbacks shall apply: a front yard setback of twenty feet, a rear yard setback of five feet, a side yard setback of five feet and an alley setback of five feet,
 - iii. The maximum plumbing drain size shall be one and one-half inches in diameter so as to prohibit toilets, showers, bathtubs and other similar fixtures,

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- iv. The additional development standards listed above (subsections (A)(1)(f)(i) through (iii) of this section) shall apply to the entire subject accessory structure, not just the portion encroaching into a lot's setback area; and
 - gf.** The provisions of this section are applicable notwithstanding the permit requirements contained in Section 18.04.015.
2. Corner Lots and Reversed Corner Lots.
- a. No building shall occupy any portion of a required yard;
 - ~~b. The distance between buildings used for human habitation and between buildings used for human habitation and accessory buildings shall not be less than ten feet;~~**cb.** Any building, any portion of which is used for human habitation, shall observe a distance from the rear property line the equivalent of twice the required interior side yard on such lot;
 - cd.** All accessory structures shall comply with the following development standards:
 - i. The lot coverage shall include accessory structures in the lot coverage calculations for the lot,
 - ~~ii. The distance between buildings used for human habitation and accessory buildings shall be not less than ten feet;~~
 - ~~iii.~~**ii.** When proposed on a lot adjoining native vegetation, accessory structures within a fire suppression zone must be reviewed and approved by the fire department,
 - ~~iiii.~~**iii.** Buildings shall not exceed one story,
 - ~~v.~~**iv.** Building height shall not exceed fourteen feet if a minimum roof pitch of 3:12 is provided or ten feet if less than a 3:12 roof pitch is provided;
 - de.** Habitable detached accessory structures shall comply with all requirements of the zone applicable to placement of a dwelling unit on a lot including setbacks;
 - ef.** Detached accessory structures which are not dwelling units and contain no habitable space, including, but not limited to, garages, workshops, tool sheds, decks over thirty inches above grade and freestanding patio covers shall comply with the following additional development standards when located within a lot's required setback areas:
 - i. The maximum allowable building area per structure shall not exceed a building coverage of four hundred forty square feet,
 - ii. The following setbacks shall apply: a front yard setback of twenty feet, a rear yard setback of five feet, a side yard setback of five feet and an alley setback of five feet,
 - iii. The maximum plumbing drain size shall be one and one-half inches in diameter so as to prohibit toilets, showers, bathtubs and other similar fixtures,
 - iv. The additional development standards listed above (subsections (A)(~~12~~)(**gf**)(i) through (iii) of this section) shall apply to the entire subject accessory structure, not just the portion encroaching into a lot's setback area; and
 - gf.** The provisions of this section are applicable notwithstanding the permit requirements contained in Section 18.04.015. (Ord. CS-384 § 11, 2020; Ord. CS-324 § 12, 2017; Ord. NS-718 § 9, 2004)

21.16.070 Minimum lot area.

The minimum required area of a lot in the R-3 zone shall be not less than seven thousand five hundred square feet. (Ord. CS-102 § XXVIII, 2010; Ord. NS-718 § 9, 2004)

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21.16.080 Lot width.

Every lot created after the effective date of the ordinance codified in this chapter shall maintain a width not less than sixty feet at the rear line of the required front yard. (Ord. CS-102 § XXIX, 2010; Ord. NS-718 § 9, 2004)

21.16.090 Lot coverage.

All buildings, including accessory buildings and structures, shall not cover more than sixty percent of the area of a lot. (Ord. NS-718 § 9, 2004)