

CHAPTER 6
RESIDENTIAL DISTRICTS
NEIGHBORHOOD RESIDENTIAL DISTRICT (R-4)

TYPE OF DISTRICT: FORM-BASED

ARTICLE 4: NEIGHBORHOOD RESIDENTIAL DISTRICT (R-4)

SECTION 6-4.01: PURPOSE

This Residential District makes up the core of the residential neighborhoods surrounding the Downtown and other areas of nonresidential development. It is made up of a complementary mix of historical and post-WW II homes. These areas reflect what is known as Traditional Neighborhood Design (TND). The Neighborhood District expresses its residential character with its mature trees, grid street system, sidewalks, with clearly defined front entrances, small lots, front porches, and well maintained homes relatively close to the street.

SECTION 6-4.02: DEVELOPMENT OBJECTIVES

Development objectives in the Neighborhood District include:

- Maintaining a stable, single family residential environment.
- Providing access to the commercial center of the community, Downtown Fremont.
- Allowing a modest mix of non-residential uses intended to complement the Downtown, rather than compete with it.

SECTION 6-4.03: USES

Purpose and Intent

While a modest mix of land uses is permissible, it is not the intent of the District to create a substantial non-residential/commercial area that competes with the Downtown or Urban commercial areas. With some exception, nonresidential uses will be limited to those that are intended to serve the immediate neighborhood, as opposed to larger scale retail uses.

Uses	Neighborhood Residential District			
Uses	Uses by Right	Development Requirements	Special Land Uses	Development Requirements
Educational	None		Private pre-school, elementary, middle & secondary school	
Residential	All except Special Land Uses	See Chapter 3 “General Provisions”	Two Family	Permitted on lots with frontage on collector or arterial streets
	Home Occupations	See Chapter 3 “General Provisions”	Multiple family	Permitted only on corner lots that abut a non-residential use.
			Senior housing	
			Bed and breakfast home	
Accessory dwelling unit				
Residential Care	Adult foster care family home		Adult foster care small group home	
	Family day care home		Group day care home	
Government & Institutional	Park, plaza, square, playground, walkway and similar uses		Religious institution	

Financial, Medical and Professional Office and Related Services	General and professional office	Permitted only on lots that directly abut or front upon streets that abut properties in the Downtown Commercial District. Permitted only in structures that are residential in character. UFA for any single building shall not exceed 5,000 sq. ft.	Artist/craft studio	Permitted only in structures that are residential in character. UFA for any single building shall not exceed 5,000 sq. ft.
	Medical and dental clinic		General and professional office Medical and dental clinic	Permitted only on properties that abut a non-residential use. UFA for any single building shall not exceed 5,000 sq. ft.
Utility	None		Electrical substation, communications switch facilities, central heating and cooling plant	Permitted only on properties that abut a non-residential use.

SECTION 6-4.04: SITING

Siting	Neighborhood Residential District Development Requirements		Administrative Departures	
Purpose and Intent	The Siting provisions of this District are intended to provide a complementary development pattern, ensure that uses are easily accessible, and provide for certain building projections and variations in design. An additional purpose is to create a walkable, pedestrian environment that promotes accessibility to nonresidential uses.			
Building Placement and Projections	Required Building Line (RBL)	The building façade shall occupy at least fifty percent 50% of the RBL		
		Building frontages shall be located parallel to the street and sidewalk.		
		The RBL shall be consistent with the established dimension of existing main buildings. The RBL for a new structure or addition shall be equal to, or the average of the front setbacks of existing main buildings within 200 ft. of the lot where the front yard setbacks are established.	The RBL shall be:	Adjustments of up to 5 ft. in the established dimensions may be permitted to accommodate individual site conditions such as mature trees, topography, or other similar physical condition. In no case shall the setback be less than ten 10 ft.
		On the same side and facing side street; and		
		In the same zoning district as the subject parcel.		
Where there is no establishment dimension the RBL shall be between fifteen 15 and twenty 20 ft.				
An attached garage may extend in front of the principal structure as long as it does not extend in front of the required RBL.				
		On corner lots the RBL shall be met on both		

		frontages.	
	Side yard setback	5 feet except zero side lot setbacks are permitted under the following conditions: <ul style="list-style-type: none"> • Both properties are being used for commercial purposes • Both properties are adjacent to the C-1 Downtown Commercial District 	

Building Placement and Projections	Side yard setback	At least 10 ft. shall be maintained between a non-residential building and a residential building.	
		Driveways, if located in the front and not shared with an adjacent property, shall be set back at least 5 ft. from a common lot line. If located on a corner lot, driveways shall be at least 25 ft. from any block corner or other driveway.	A shared driveway may be permitted where existing conditions require. The driveway setback from the corner may be varied up to 10 ft. where necessary to account for changes in grade, landscape features, or other physical obstruction.
	Rear yard setback	12 ft., except for lots with alley access where a 3 foot setback is required.	
	Projections	No part of any building, except overhanging eaves, awnings, balconies, bay windows, front porches and stoops, as specified by this Ordinance, shall encroach beyond the RBL.	A ramp meeting ADA requirements may be placed forward of the RBL or in a required setback, provided that it is at least

			3 ft. from any lot line.
		Bay windows shall project not more than 36 inches beyond the RBL; and shall maintain an interior clear width of at least four 4 ft.	

Building Placement and Projections	Projections	The sections of the building façade at the RBL may include jogs of not more than 18 inches in depth, except as specified by this district to allow bay windows, and balconies	
		Balconies shall not project more than 15 ft. forward of the RBL or into a required side or rear setback.	
Lot Requirements	Minimum lot area	4,500 sq. ft.	
	Maximum lot area	15,000 sq. ft.	The Zoning Administrator may permit a lot that exceeds this requirement by up to fifty percent (50%), if the existing lot shape or lot frontage makes compliance impractical; or if creation of the lot results in lessening the nonconforming nature of a lot or of adjacent lots.

	Minimum lot width	30 ft.	
	Lot coverage	At least fifteen percent 15 % of the total buildable area shall be preserved as contiguous open area on every lot, located behind the RBL.	

Variances and Deviations Siting	Variances	Placement of buildings, parking areas, driveways or projections resulting in a RBL or setback that is less than the above requirements, other than administrative departures.	
		All lot requirements, other than administrative departures, except maximum lot area.	
	Deviations	Maximum lot area, all others.	
SECTION 6-405: BUILDING ELEMENTS	Neighborhood Residential District Development Requirements		Administrative Departures
Purpose and Intent	The intent of regulating building elements is to pull building facades closer to the street and sidewalk. By doing so, building facades along a block face will be aligned to form a street edge that frames the public realm, while retaining sufficient width for people to walk and mingle with their neighbors. New buildings shall be designed to blend with existing buildings. Horizontal elements should be reflected in the design including lintels, windowsills, cornices, transoms, etc., but the character of existing residential areas as expressed by traditional architecture and residential style entries, window openings, and building height shall be emphasized.		
	Maximum of 2 ½ stories		
	Residential Ground Story Interior Height	The finished floor elevation shall be no less than two 2 ft. above the exterior sidewalk elevation in front of the building and no more than five 5 ft.	

Height		above the exterior sidewalk elevation in front of the building or from the ground elevation once construction is complete.	
		The first story shall have a maximum interior floor to ceiling height of 16 ft. At least eighty percent 80% of the first story shall have an interior floor to ceiling height of at least eight 8 ft.	
	Residential Upper Story Interior Height	The maximum interior clear height (floor to ceiling) for stories other than the ground story is twelve 12 ft.	
Height	Residential Upper Story Interior Height	At least eighty percent 80 % of each upper story shall have an interior clear height (floor to ceiling) of at least eight 8 ft.	
		The height requirements may be exceeded by parapet walls not over four 4 ft. in height, chimneys, television and radio antennas, cupolas, spires or other ornamental projections as needed.	
		Additional habitable space is permitted within the roof where configured as a half story.	
Façade Variations	Blank walls shall not face a public street. For building facades facing public streets and/or parks that exceed 100 ft., no more than 30 ft. of horizontal distance of wall shall be provided without articulation or architectural design variations for building walls facing the street to assure that the building is not monotonous in appearance. Acceptable variations	Recess and projections along the building façade. Variations in depth must be a minimum of eighteen 18 inches.	The 30-foot requirement may be varied by up to five 5 ft., depending on actual building design, entry placement, and other factors that make the thirty 30 foot requirement impractical.
		Architectural details or features.	
		Enhanced ornamentation around building entryways.	

	include, but are not limited to:	Streetscape element, such as park benches or street trees.	
	For multiple family buildings:	There shall be a gap between adjacent frontage buildings of between not less than ten 10 or more than twenty 20 feet.	Other methods may be used to provide adequate articulation, provided that the visual effect of articulation is maintained.
		Not more than one-hundred-thirty 130 ft. of one RBL frontage shall be continuous as a single (attached) building. On corner lots the remaining RBL may be constructed as a continuous building of not more than two-hundred 200 ft.	

Windows/ Transparency	Building facades facing streets shall have a minimum of twenty percent 20% and a maximum of sixty percent 60% of window and door openings.	
	Transparency requirements shall apply to the area of the façade between two 2 and ten 10 ft. above grade of the building. Only clear or lightly tinted, non-reflective glass in windows, doors, and display windows shall be considered transparent.	
	Façade transparency requirements do not apply to religious institutions and similar assembly uses, provided that the façade is enhanced by architectural detailing, network, landscaping or similar features.	
	Window openings and window panes shall be taller than they are wide or be divided into segments that are taller than they are wide.	
	Exterior steel barriers and other security devices are not permitted. If they are located inside a building, they may not be visible from the outside business hours.	

	No window may face or direct views toward a common lot line within fifteen 15 ft. unless that view is contained within the lot (e.g. by a privacy fence/wall) or the sill is at least six 6 ft. above the finished floor level.	The Zoning Administrator may permit alteration of this requirement when the privacy of the structure or of an adjoining structure is not compromised.
Roof Type	Pitched roofs shall be moderately steep and symmetrical slopes no less than 4:12 and not more than 12:12, except that entry ways may have slopes of not less than 2:12.	Public buildings are exempt.
	For nonresidential buildings, flat roofs shall not be visible when viewed from the street level in the immediate vicinity of the building and shall be enclosed by parapets a minimum of forty-two 42 inches high, or as required to conceal mechanical equipment.	
Exterior Building Wall Materials	Durable building materials, simple configurations and solid craftsmanship are required. Eighty (80) percent of the building façade (after transparency requirements are met) visible from public streets shall be constructed of the following materials: <ul style="list-style-type: none"> • Brick • Fiber cement siding or better siding • Gypsum reinforced fiber concrete (for trim and cornice elements only) • Metal (beams, lintel, trim elements and ornamentation only) • Split faced block (piers, foundation walls and chimneys) • Stone • Wood lap siding • Vinyl 	
	Awnings shall be made of a canvas material or similar material, and shall be opaque to light (no under or in canopy illumination my show though).	Similar materials shall be approved before use. Vinyl awnings are not permitted.
	The entrance shall be clearly identified using an awning, paving treatments, change in roofline or other features, such	Other methods, such as unique color treatments or other similar

	Residential Uses		provided the same effect is achieved.
		Main building entrances and exits shall face the street and may be recessed.	
		Each lot/ground floor façade unit shall include a stoop or a front porch. The stoop or porch may be covered.	
		A stoop may be built forward of the RBL and be not more than five 5 ft. deep and eight 8 ft. wide (plus steps).	Dimension and size of the stoop or porch may be varied to account for various architectural and design considerations, provided that usability and function are not impaired.
		A front porch shall project forward of the RBL and be between eight 8 and ten 10 ft. deep, with a width not less than fifteen percent 50% of the RBL. A porch may not be enclosed unless approved by the Zoning Administrator.	A front porch may be enclosed if approved by the Zoning Administrator if it satisfies the setback requirements and if it is in keeping with the character of the neighborhood.
Entry	Non-residential uses	A visible and usable building entrance is required for a building's frontage on the primary street (the street providing the principal frontage for nonresidential buildings that is most intensively used by pedestrians or patrons).	
Variances and Deviations	Variances	Maximum building height and/or number of stories	
		Façade variation requirements for multiple family buildings	
		Entry projections forward of the RBL other than administrative departures	
	Deviations	All others	

SECTION 6-4.06: ACCESSORY PROVISIONS	Neighborhood Residential District Development Requirements			Administrative Departures
Signs	See Chapter 2 “Definitions” and Chapter 3 “General Requirements”			
	Government and Institutional Uses and Financial/Medical Professional Offices only	Ground	One thirty-two 32 sq. ft. sign is permitted, not exceeding 6 ft in height and set back at least ten 10 ft. from side and rear property lines and five 5 ft. from the right-of-way line.	
			Up to thirty percent 30% of the sign may include a reader board or electronic display; however, electronic displays shall be limited to text only, with only one color used for text, on a single color background.	
Non-residential uses only	Wall	One wall sign is permitted per façade and/or frontage onto a parking area		

Signs	Non-residential uses only	Wall	Wall signs shall not exceed 1.25 sq. ft. per each lineal foot of building wall length associated with the use to which it refers, with a maximum of thirty-two 32 sq. ft.	
			Signs shall be located on the wall facing street and off-street parking area designated for that use.	
			See Section Chapter 3 “General Provisions” for regulations pertaining to	

			multiple uses in a building.	
		Window	Signs may be painted, etched, or affixed to glass windows or doors provided they pertain to the business conducted on the premises and do not exceed twenty-five 25% of the glass surface area or diminish any applicable façade transparency requirements.	
		Awning or Canopy	An awning or canopy sign may be painted, stenciled or otherwise affixed flat to the awning surface, and cannot extend vertically or horizontally beyond the limits of the awning or canopy.	
			Characters can be no more than twelve 12 inches in height	
			No more than two 2 awnings and/or canopies per frontage shall contain signs.	

Signs	Non-residential uses only	Awning or Canopy	The combined area of signs on one awning or canopy shall not exceed fifteen 15 sq. ft.	
			One suspended sign may be suspended under an awning or canopy for each ground floor establishment, not exceeding three 3 sq. ft. in area and with a minimum clearance of eight 8 ft. above the sidewalk.	
	Real Estate		One sign per lot is permitted not exceeding six 6 sq. ft. in area, provided a corner lot may have one sign on each	

		street frontage	
	Political	One sign per issue or candidate not exceeding six 6 sq. ft. in area.	
	See Chapter 3 “General Provisions” for General Requirements		
Parking	Location	Residential parking areas shall be located behind the RBL.	Parking may be permitted nearer to the RBL where no other location or parking arrangement is possible provided that the location of parking ensures compatibility with surrounding building lines and the pedestrian environment of the site and area. Appropriate screening may be required.
		Non-residential and multiple family parking shall be located not less than twenty 20 ft. behind the RBL excepting the side street for corner lots, where it shall be behind the RBL.	
		The number of off-street parking spaces provided shall not exceed Standard Requirement for uses on the parcel.	Additional parking may be approved, based on documented evidence provided by the applicant demonstrating that the parking will be required to accommodate the use on a typical day.
Parking			Fewer parking spaces may be approved, provided a shared parking analysis is submitted

	Number			by the owner demonstrating that the spaces planned will be sufficient.
		On-street parking adjacent to the parcel shall be included in calculating the required number of parking spaces. Uses split by multiple spaces shall be counted for the building frontage occupying at least fifty percent 50% of the length of the space in front of the building.		
		Use	Standard Requirement	
		Educational	One (1) for each teacher, employee, or administrator, plus one (1) for each three (3) seats in the auditorium.	
			For high schools, add 1 space per 10 students.	
		Office	3 spaces per 1,000 sq. ft. of UFA.	
Residential	2 spaces per dwelling unit, except senior housing, which shall provide 1 space per dwelling unit.			

Parking	Number	Residential Care	Residential requirement, plus 1 space per employee not in residence	
		Utility	1 space per use	
		Government & Institutional	1 space per 3 persons by seating capacity in the largest assembly area if no assembly area is provided, 2 spaces per 1,000 sq. ft. of UFA	
	Dimensions	A minimum combined sidewalk and parkway dimension of ten 10 ft. shall be provided for all lots in a new subdivision and for all new lots in a neighborhood where an established sidewalk network is established. Sidewalk		Space for bikes, civic art, or other similar uses/activities may be permitted, provided the minimum sidewalk clear area (5

Sidewalks		will not be required on lots that are developed in neighborhoods without an established sidewalk network.	feet) is met.
	Display Areas (non-residential uses only)	Outdoor temporary displays are permitted on nonresidential sites, but shall not be forward of the RBL and shall not extend into adjoining sites. If located at the rear or side yard, it shall be contained within the same lot. A minimum of five 5 ft. of sidewalk along the curb and leading to the entrance to the establishment shall be maintained. Pedestrian circulation and access to the building entrance shall not be impaired.	Alternate locations may be approved where pedestrian circulation or entrances to building are not impaired, provided that the RBL is maintained free of displays.
Landscaping/ Screening	See Chapter 3 “General Provisions” for General Requirements		
	Street Trees	One 2 ½ inch caliper street tree shall be provided and located at no less than thirty 30 foot intervals of street frontage. Spacing shall comply with Chapter 18 of Fremont’s Code of Ordinances.	Spacing may be varied for individual site conditions.
	Parking Areas (non-residential and multiple family uses only)	In order to enclose the portion of the parking exposed to view of pubic streets, parking lots visible from a public street, walkways, or adjacent Residential District shall be screened by a decorative masonry wall no greater than three 3 ft. high, constructed at the RBL of the lot.	Landscaping of the same height (at planting) may be used if it screens the parking area with at least 75% opacity.
Landscaping/ Screening	Parking Areas (non-residential and multiple family uses only)	Parking lots exceeding twenty-five 25 spaces shall provide interior landscaping, dispersed evenly throughout the parking lot in order to break up large expanses of pavement and assist with vehicular and pedestrian flow. At least 1 canopy tree shall be provided per 12 parking spaces.	Location and design of interior landscaping shall be administratively approved unless a Site Plan Review is required.
	Screening (non-residential and multiple family uses only)	Exterior trash disposal areas/equipment shall be enclosed by brick, decorative concrete, or a material that matches the material of the main building. The enclosure shall be a minimum of six 6 ft. high, with three 3 sides with a gate on the fourth side. Outdoor mechanical equipment	

		shall be similarly screened, provided that the enclosure need be only as high as necessary to fully screen the equipment.	
Other	Lighting (non-residential and multiple family uses only)	See Chapter 3 “General Provisions” for General Requirements	
		Lighting, if installed, shall be pedestrian-style lighting along all sidewalks and within parking areas.	
		For pole lighting within parking areas, light fixtures shall not exceed a height of twenty 20 ft.	Higher fixtures not exceeding thirty 30 ft. may be permitted for pole lighting if the fixture is located at least two-hundred 200 ft. from any adjacent Residential District or use property.
		Building, wall, and pole exterior lighting fixtures shall be directed downward in order to reduce glare onto adjacent properties and streets. Any fixtures or structures used in relation to lighting shall be architecturally compatible with the remainder of the structure.	Greater intensities may be allowed where additional security to prevent vandalism or to protect pedestrians or drivers where needed. A lighting plan shall be submitted as part of a request for greater lighting. In no case shall illumination exceed ten 10 foot-candles.
Other	Accessory Buildings:	One attached or detached accessory garage, not exceeding the ground floor GFA of the main building, or 700 sq. ft., whichever is less, and seventeen 17 ft. in height (as measured to the peak of the roof) is permitted.	The height of the garage may be varied if the Zoning Administrator determines the height needs to be adjusted to be in keeping with the architectural design of the building.
		In addition to the above accessory building, one	

	Residential (See Chapter 3 “General Provisions”)	accessory building of not more than 144 sq. ft. and twelve 12 ft. in height may be erected on a residential lot for storage purposes (e.g., sheds), meeting the setback requirements for accessory buildings. Additional accessory structures used for entertainment purposes (gazebo, pergola, etc.) are only allowed, and if attached to the main building, it should be considered as part of the main building for setback purposes. If the accessory structure is detached, the spacing requirements as required in this section apply.	
		For single and two family uses one carport space is permitted per residential dwelling unit if no other accessory garage is present. No single carport or space shall exceed four-hundred 400 sq. ft. in roofed area or be higher than ten 10 ft. Carports shall maintain a side yard setback of five 5 ft. from any property line and otherwise meet all other setbacks and the RBL applicable in the District.	
		A detached accessory structure shall be located at least 10 ft. from the main building and at least ten 10 ft. from any other accessory structure.	
		A detached accessory building shall be located at least five 5 ft. from the rear or side lot lines and shall be no closer to the front lot line than the RBL established by the main building.	
	Fencing (See Chapter 3 “General Provisions”)	A front yard fence, wall, or hedge, not more than thirty-six 36 inches in height, may be placed along the frontage and common lot lines surrounding the front yard.	Fences located in a front yard adjacent to a sidewalk shall be setback a minimum of two 2 feet from the sidewalk; however, fencing in the front yard adjacent to a public
		A privacy fence, maximum six 6 ft. in height, may be placed along any unbuilt rear and common lot line not	

		surrounding the front yard or otherwise occupied by the building.	sidewalk may be placed on the property line if it is determined that care of the sidewalk will not be impaired and/or if the property owner agrees to maintain the fence if the care of the sidewalk damages the fence.
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Other	Fencing	The height of the front yard fence, wall, or privacy fence shall be measured from the adjacent public sidewalk or, when not adjacent to a sidewalk, from the adjacent ground elevation once construction is complete.		
Variances and Deviations: Accessory Provisions	Variances	Signs	All signs number permitted, height and maximum area	
			Suspended signs: minimum clearance above the sidewalk	
		Parking	Location	
			Minimum number of parking spaces, if not approved administratively	
		Sidewalks	Minimum sidewalk and parkway dimension	
			Clear area between building and curb	
		Landscaping/ Screening	Dimensions of screening (fences, walls, landscaping, etc.) except administrative departures	
			Parking area requirements	
Lighting	Maximum height of fixtures			
	Accessory	All requirements		

		Buildings		
		Fencing	Height	
	Deviations	All others		