ARTICLE 3

Site Planning and Project Design Standards

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CHAPTER 106.30 - STANDARDS FOR ALL DEVELOPMENT AND LAND USES

Sections:

106.30.010 - Purpose and Applicability
106.30.020 - Access
106.30.030 - Building and Site Security
106.30.040 - Creekside Development and Flood Hazard Mitigation
106.30.050 - Fences and Walls
106.30.060 - Height Limits and Exceptions
106.30.070 - Outdoor Lighting
106.30.080 - Performance Standards
106.30.090 - Screening
106.30.100 - Setback Requirements and Exceptions
106.30.110 - Solid Waste/Recyclable Materials Storage
106.30.120 - Undergrounding of Utilities

106.30.010 - Purpose and Applicability

A. This Chapter expands upon the zoning district development standards of Article 2 (Zoning Districts and Allowable Land Uses) by addressing additional details of site planning, project design, and the operation of land uses. The intent of these standards is to ensure that proposed development is compatible with existing and future development on neighboring properties, and produces an environment of stable and desirable character, consistent with the General Plan and any applicable specific plan.

B. The requirements of this Chapter shall apply to all proposed development and new land uses, except as specified in Chapter 106.70 (Nonconforming Uses, Structures, and Parcels), and shall be considered in combination with the standards for the applicable zoning district in Article 2 (Zoning Districts and Allowable Land Uses), and those in Article 4 (Standards for Specific Land Uses). If there is a conflict, the standards in Article 4 shall control.

106.30.020 - Access

Each parcel shall have access to a public street as follows. Driveways shall be developed in compliance with Section 106.36.080 (Parking Design and Development Standards).

A. Except as provided in Subsection B., each lot shall have frontage on, and direct access to a public street, provided that the subdivision review authority may allow one lot in a proposed subdivision to access a public street by way of a public or private easement or recorded reciprocal (mutual) access agreement, as determined by the review authority. Private streets are not allowed within the RD-1 through RD-7 zones.

B. Within non-residential zoning districts and residential districts of higher density than RD-7, private streets may be allowed only if a continuing maintenance and funding mechanism is first approved by the City.

106.30.030 - Building and Site Security

A. Applicability. In addition to any safety and security requirements of the City's Building Code, each residential project shall comply with the minimum standards of this Section.

B. Standards for all residential structures. The following requirements apply to all residential structures.

1. Exterior doors and windows. All exterior perimeter doors of a dwelling unit and/or the building other than sliding glass doors shall:

a. Be solid core doors (windows as provided in Subsection B.1.d, below);

b. Have a minimum one-inch deadbolt lock with hardened, rotating tapered, external cylinder guard collar;

c. Have a 180-degree optical door viewer, located between 52 and 58 inches above the finished floor, except where it can be demonstrated that a lower height is appropriate (handicapped unit under CHFA);

d. Not have a window within 40 inches of the locking device (unless acrylic plastic, or polycarbonate sheeting is installed over the interior of the window);

e. Have the side jambs of the door frames nailed to the door trimmers with 16d finish nails staggered 12 inches on-center, and the door trimmers nailed to the stud with 16d nails 12 inches on center or equal.

2. Street addresses. Each structure containing a dwelling unit shall have legible street address numbers in an appropriate location that is readily visible from the street providing access to the site. Multi-unit dwelling projects shall also comply with Subsection C.1, below. Landscaping shall be maintained so as to not obscure any street address.

C. Standards for multi-unit residential projects. The following requirements apply to structures with two or more dwelling units.

1. Street addresses. Street addresses shall be provided as follows.

a. Address numbers shall be of a color that contrasts with background colors.

b. Each address shall be illuminated at night.

c. Addresses shall be located so that emergency service providers do not have to enter alcoves, recessed doorways, etc., to inspect each door (i.e., displayed at each walkway entrance to individual building clusters).

d. Address numbers shall be at least four inches in height for individual units and six inches for the project and the range of addresses posted on each building.

e. Each driveway entering a multi-unit residential site shall be provided an illuminated project directory, constructed of vandal-resistant material. The lettering, numbering and diagrams shall be large enough so that the driver of a vehicle can read the directory from the driver's seat. The driveway shall also be designed with a pull-out area for viewing the directory, so that a driver viewing the directory does not obstruct traffic flow.

All street addresses and directories shall be installed prior to the occupancy of any unit within the project.

2. **Parking addresses.** Assigned parking shall not be addressed to correspond to street addresses where multiple dwellings are serviced by vehicular access to the rear through any driveway, alleyway or parking lot. Addressing shall also be displayed to be visible from the vehicle and provide adequate direction.

3. **Common facilities - Locks.** Laundry rooms, recreational buildings, other separate or common indoor facilities shall comply with the following requirements.

    a. The facilities shall be provided with locksets as required by the Building Code.

    b. Separate laundry rooms shall be maintained locked, with access keys provided to the tenant and shall be illuminated during hours they are open.

4. **Common facilities - Management.** Multipurpose laundry, office, restrooms and recreations rooms shall be under the control of the management, and shall:

    a. Post the hours available for use in a conspicuous place;

    b. Be locked when not available; and

    c. Be illuminated during open hours and be controlled by timer or photocell, except when a management person is on duty.

5. **Lighting.** In addition to exit illumination (includes exit doors, corridors, exterior balconies, stairs exit courts and exit passage ways), which is required to be not less than one foot candlepower at the floor level by the Uniform Building Code, the following shall also apply:

    a. Illumination shall be 0.25 foot-candles at grade level for surface areas of alcoves, walkways, and yards other than required for exits;

    b. One foot candlepower at floor level for open parking areas and carports;

    c. All lights shall be placed on a timer or photo electronic cell capable of turning the lights on and off one-half hour prior to dawn and one-half hour past dusk; and

    d. Outdoor lighting shall also comply with the requirements of Section 106.30 070 (Outdoor Lighting).

106.30.040 - Creekside Development and Flood Hazard Mitigation

A. Purpose. The requirements of this Section shall apply to all proposed development within designated creekside properties and shall comply with all requirements of Chapter 42 of the City's Municipal Code (Floods). This Section provides standards that are intended to:

1. Protect the natural, scenic, and recreational value of waterway and riparian resources within the City, including the provision of adequate buffer areas between creeks and adjacent development;

2. Ensure that development either avoids areas subject to inundation by a 100-year flood or more frequent flooding event, or is located and/or designed and protected so that it will not be damaged by flooding, or increase the hazard of flooding on other properties;

3. Protect new development from erosion caused by the meandering nature of the creek system; and

4. Protect the water quality of the creeks.

B. Applicability. The requirements of this Section apply to:

1. Creekside properties. Proposed development, other than public works or infrastructure, on any site adjacent to or crossed by a watercourse that is shown on the map in Figure 3-1; and

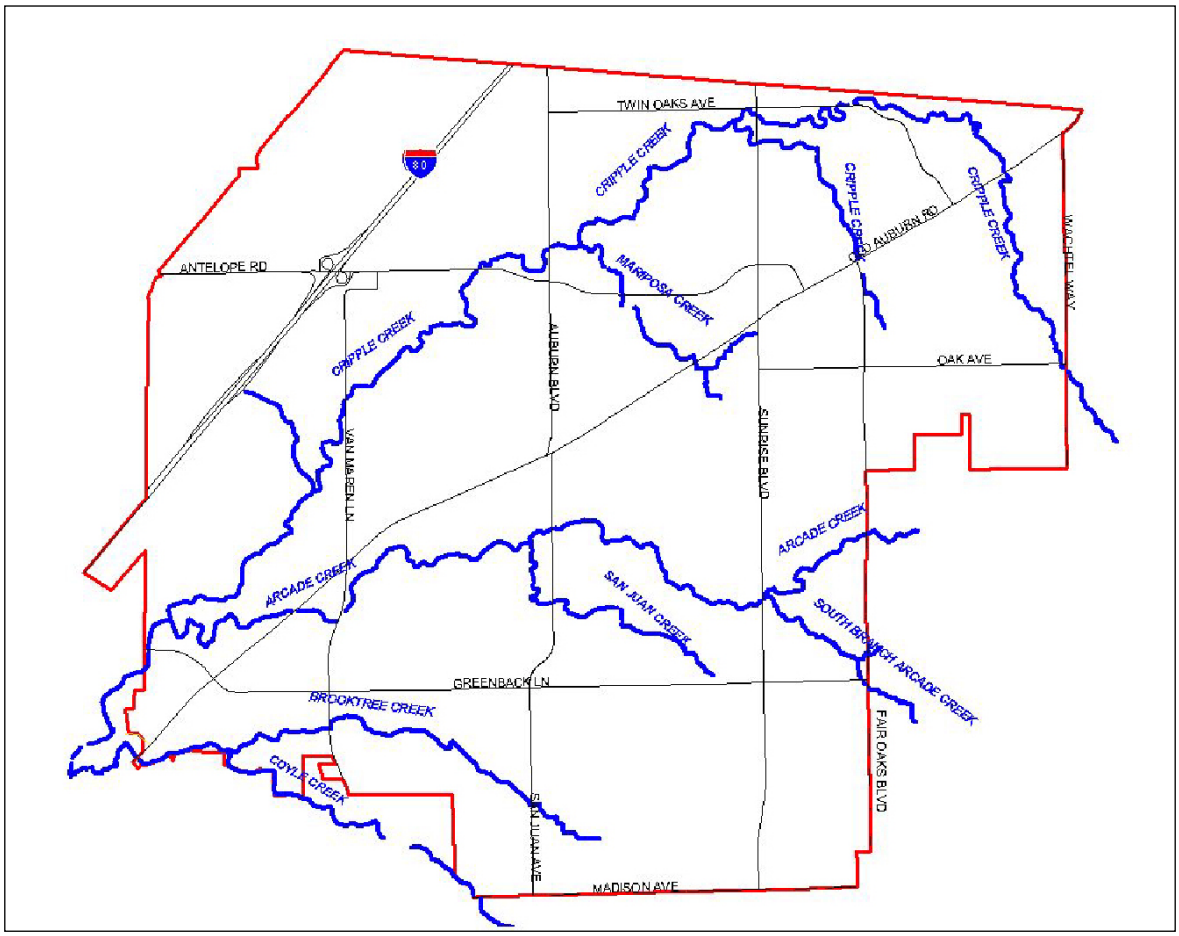


Figure 3-1 – Creeks Where Section 106.30.040 Applies

2. Properties within areas subject to flooding. All properties shown on the Flood Insurance Rate Maps (FIRM) prepared by the Federal Emergency Management Agency (FEMA) as being partly or entirely located in an area subject to flooding by a 100-year flood or more frequent flooding event, and other areas known to the City to be subject to flooding. These areas shall be referred to in this Section as "flood hazard areas."

C. Streambed analysis required. A planning permit application for a project subject to this Section shall include a site-specific streambed analysis prepared by a hydrologist, civil engineer, or other qualified professional approved by the City to identify the precise boundary/top of bank of the waterway. The Director may waive this requirement if it is determined that the project, because of its size, location, or design will not have a significant impact on the waterway, or that sufficient information already exists and further analysis is not necessary. A required streambed analysis shall include all information and materials required by the Department and/or the City Engineer.

D. Subdivision requirements. Each new parcel proposed adjacent to a designated tributary shall be designed to provide the lot area shown in the following table for the applicable zone, located outside the 100-year floodplain of the tributary.

Zoning District	Minimum Net Lot Area
RD-1	0.50 acres
RD-2	0.25 acres
RD-3, RD-4	7,500 sf
RD-5, RD-7	Entire lot or 5,000 sf, whichever is less
RD-10 and above	Entire area except for common open space and landscape areas
Commercial and Industrial zones	Entire area except for landscaping

E. Development standards.

1. Location of proposed development. Proposed structures and other development shall comply with the more restrictive of the following requirements.

a. Creek setback for resource preservation. Each proposed structure shall be set back a distance of 2.5 times the height of the stream bank plus 30 feet, as measured from the top of the stream bank outward.

(1) The City may require additional setbacks to preserve existing vegetation or other significant environmental resources along any waterway.

(2) The City may require erosion protection to be placed at creek bends, drainage outfalls, and other locations that are subject to erosion, or where bank steepness indicates that severe erosion is taking, or may take place.

(3) A setback required by the applicable zoning district adjacent to a creekside path or open space area shall be measured from the boundary of the path or open space on the side away from the creek.

(4) A path or trail may be located within a creekside setback; however, no structure, road, parking access, parking space, paved area, or swimming pool shall be constructed within a creek or creekside setback area.

b. Limitations on development within floodplain. All construction, except fences, shall be located outside the 100-year floodplain of the tributary. The 100-year floodplain shall be established using the most current data available and a physical survey by a registered surveyor. Current data includes the Flood Insurance Rate Map, historical data from the 1986, 1995 & 1997 flood events, and the county hydrology study. Fences within a floodplain shall be limited to wrought iron or split rail design. No fill or grading shall be allowed within a 100-year floodplain. Where the review authority determines that an existing parcel contains no feasible building site outside of a 100-year floodplain and that the site complies with an exception outlined in Chapter 42 of the City's Municipal Code, the City's Drainage and Development Policy, the review authority may approve construction that complies with the creek setback required by Subsection E.1.a.

2. Standards for development allowed within floodplain. Any development allowed within a 100-year floodplain in compliance with this Section shall comply with the following standards, as applicable.

a. Finished floor elevation. Each approved structure shall be designed to provide all habitable finished floor areas at least two feet above the 100-year water surface elevation. The FEMA 100-year flood elevation may be considered as a minimum level. Historical data from the 1986, 1995 & 1997 flood events, the county hydrology study and other miscellaneous studies shall be used to determine if a higher minimum elevation is required. The venting under the home and venting for a garage shall comply with the standards of the National Flood Insurance Program.

b. Fences, culverts, bridges, and drainage improvements.

(1) Fences and other structures including culverts and bridges that must be constructed within a floodway shall be designed to the requirements of the Engineering Division to prevent obstructions or diversions of flood and drainage flow, and to minimize adverse effects to natural riparian vegetation.

(2) Where drainage improvements are required, they shall be placed in the least visible locations and naturalized through the use of river rock, earthtone concrete, and landscaping with native plant materials.

c. Anchorage. All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.

d. Construction practices and materials. All new construction or substantial improvements shall be constructed with materials and utility equipment resistant to flood damage using methods and practices that minimize flood damage.

e. Water and sewer systems. New and replacement water and sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters.

f. Floodproofing. Each structure requiring floodproofing shall be designed in compliance with National Flood Insurance Program standards. A FEMA elevation certificate shall be obtained and filed with the City prior to occupancy. A registered professional engineer or architect shall certify compliance with the standards of this Section, and the Building Official shall be provided a copy of the certification.

3. Alteration of natural features. No construction, grading or filling, planting of exotic/non-native or non-riparian plant species, or removal of native vegetation shall occur within a creek or creekside setback area, except where:

a. Approved by the review authority in conjunction with an application for rezoning, and/or a planning permit, or through Use Permit approval if no other application has been filed; and

b. Authorized for flood control purposes by the proper permits issued by the California State Department of Fish and Game, and all other applicable State and Federal agencies having authority over the creek.

4. Use of permeable surfaces. Proposed development should incorporate permeable surfaces (for example, wood decks, sand-joined bricks, and stone walkways) where feasible, to minimize off-site flows and facilitate the absorption of water into the ground.

5. Creek bank stabilization. Development or land use changes that increase impervious surfaces or sedimentation may result in channel erosion. This may require measures to stabilize creek banks.

a. Creek rehabilitation is the preferred method of stabilization, with the objective of maintaining the natural character of the creek and riparian area. Rehabilitation may include enlarging the channel at points of obstruction, clearing obstructions at points of constriction, limiting uses in areas of excessive erosion, and restoring riparian vegetation.

b. Concrete channels and other mechanical stabilization measures shall not be allowed unless no other alternative exists.

c. If bank stabilization requires other than rehabilitation or vegetative methods, hand-placed stone or rock rip-rap are the preferred methods.

6. Physical and visual access.

a. Public access and visibility to creeks should be provided, if feasible, through the use of single-loaded frontage roads adjacent to creeks, but outside of the creek setback. Structures or lots that back-up to creeks or creek frontage roads are discouraged.

b. The provision of multipurpose creekside trails and public open space is encouraged. Open space areas should include planting for riparian enhancement with native shrubs and trees, paths and trails, lighting, benches, play and exercise equipment, and trash receptacles outside of the riparian habitat area, where appropriate.

c. Where streets are not used, frequent access to creekside trails and public open space should be provided at least every 300 feet, and may occur at the end of cul-de-sacs.

7. Best management practices (BMPs) for storm water quality. Development along creekside areas shall be designed to minimize impacts to storm water quality.

a. Drainage swales and runoff should be filtered through grassy swales or other BMPs acceptable to the City Engineer to remove street oils, sediments and other site specific storm water environmental hazards.

b. Fertilizer or pesticide usage is discouraged. Plants and trees for landscape areas should be selected that can survive without fertilizers or pesticides. Long-term ponding of water from landscape irrigation shall be avoided.

c. Retention/detention basins will require mosquito abatement.

F. Warning – Liability denied. The degree of flood protection required by this Section is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This Section does not imply that land outside the areas of special flood hazards or uses permitted within the areas will be free from flooding or flood damages. This Section shall not create liability on the part of the City or by any officer or employee for any flood damages that result from reliance on this Section or any administrative decision lawfully made under this Section.

106.30.050 - Fences and Walls

A. Applicability. The requirements of this Section apply to all fences and walls unless otherwise stated.

1. Fences or wall in flood hazard area. A fence or wall in an area subject to flooding identified on a Federal Flood Insurance Rate Map (FIRM) or as otherwise known to the City shall comply with all requirements of Section 106.30.040 (Creekside Development and Flood Hazard Mitigation), and the City's Drainage and Development Policy, in addition to this Section.

2. Exemptions. This Section does not apply to fences or walls required by regulations of a local, State or Federal agency.

B. Design Review.

1. When required. Design Review in compliance with Section 106.62.040 (Design Review) shall be required for a fence or wall that is visible from a public right-of-way and:

a. Located within a commercial zone; or

b. Has a height greater than eight feet; or

b. Regardless of height, has a length greater than 200 feet.

2. Findings required for approval. Design Review approval of a fence or wall identified in Subsection B.1 above shall require that the review authority first find that the fence or wall:

a. Complies with all applicable requirements of this Section; and

b. Complies with the design guidelines for fences and walls in Section 106.31.070G (Fences and walls).

C. Height limitations. Each fence, wall, and hedge shall comply with the height limitations shown in Table 3-1.

TABLE 3-1 - MAXIMUM HEIGHT OF FENCES, WALLS, AND HEDGES

Location	Maximum Height
Within required front yard setback	3 ft (2)
Within required side and rear yard setbacks	8 ft as the fence appears from a parcel or right-of-way abutting the site, 10 ft as the fence appears on the site. See Figure 3-2. (1)
Within required street side setback	3 ft. See also Section 106.30.060.E (Height Limit at Street Corners). Fencing exceeding a height of 3 ft shall be set back a minimum of 3 ft from the property line or sidewalk to allow for the planting of landscaping to mitigate the visual impact of the fence mass; provided that this requirement shall not apply to a fence that was lawfully constructed prior to November 6, 2006, which may be replaced in the same location. (1)
At intersections of alleys, streets, and driveways within sight visibility areas. See 106.30.060.E (Height Limit at Street Corners).	2' 6"
Outside of a required setback	As determined by the height limit for structures within the applicable zoning district. (1)
Within a zone where no setback is required, and not adjacent to a street	8 ft (1)

Notes:

(1) Additional height to a maximum of 10 ft may be authorized through Design Review approval (Section 106.62.040).

(2) Front yard fence setback in the RD-1 through RD-15 zoning districts is 20 ft. In the RD-20 through RD-30 zoning districts the front yard fence setback is 25 ft.

D. Measurement of fence and wall height.

1. Fence and wall height shall be measured from the top of the fence or wall to the level of the finished grade.

2. The height of fencing placed on top of a retaining wall shall be measured from the base of the wall, except as provided in Subsection D.3.

3. In cases where elevation of the finished grade within six feet of the base of the fence differs from one side of the fence to the other (as when a fence is placed at the top of a slope or on a retaining wall), the height shall be measured from the side with the lowest natural grade. See Figure 3-2.

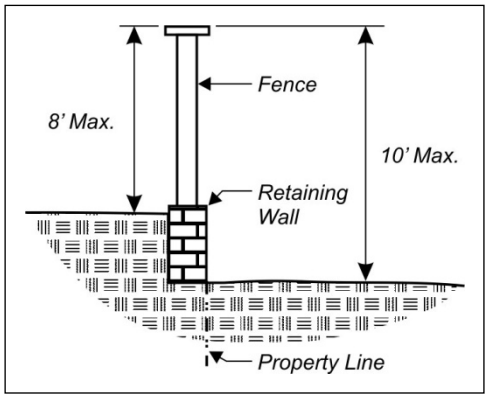


Figure 3-2 – Fence Height Measurement

E. Specific fence and wall requirements.

1. Fencing between different land uses. Fencing between different land uses shall be provided in compliance with Section 106.30.090 (Screening).

2. **Swimming pools, spas, and similar features.** Swimming pools/spas and other similar water features shall be fenced in compliance with Building Code requirements, regardless of the other requirements of this Section.

3. **Outdoor equipment, storage, and work areas.** Screening of non-residential outdoor uses and equipment adjacent to a residential use shall be provided in compliance with Section 106.30.090 (Screening).

4. **Temporary fencing during construction.** Temporary fencing may be necessary to protect archaeological or historic resources, trees, or other similar sensitive features during site preparation and construction. This fencing shall be approved by the Director.

5. **Temporary security fencing.** Temporary Security Fencing (including chain link) with a maximum height of six feet may be installed around the property lines of vacant property with the approval of the Director. The vacant property shall be maintained in a condition free from weeds and litter.

6. **Retaining walls.** Embankments to be retained that are over 48 inches in height shall be benched so that no individual retaining wall exceeds a height of 36 inches, and each bench is a minimum width of 36 inches. Wood shall not be used for a retaining wall that is more than two feet in height.

F. Commercial Fencing Commercial walls and fences can become significant visual elements on a site. When walls and fences are required, they shall be designed as an extension of architectural and landscape design concepts.

1. All walls and fences within a commercial zone visible from a public right-of-way are subject to Design Review approval.

2. All walls and fences within commercial zones and visible from a public right-of-way shall be limited to a maximum of eight feet in height. Walls and fences not visible from a public right-of-way may be authorized to a maximum height of ten feet with Design Review approval. Fences and walls shall also comply with all requirements of Section 106.30.060 (Heights Limits and Exceptions) within a traffic safety visibility area.

3. If walls or fences are not required for a specific screening or security purpose they should not be used. The intent is to keep a wall or fence as low as possible while still performing their screening and security functions.

4. Screen walls and fences should be architecturally treated as an extension of the building, using similar colors, design, and materials. Vertical and horizontal reveals, accents, reliefs, and other details shall be included. Chain link fences are prohibited, unless they are used as temporary security fencing.

5. Wherever possible along pedestrian routes, screen walls and fences should be set back a minimum of three feet from the sidewalk to allow for landscaping. Additionally, the use of climbing vines or ivy on walls and fences is highly encouraged.

G. Prohibited materials. Sheet or corrugated iron, steel, aluminum, bamboo, or asbestos are prohibited, with the exception of ornamental fences approved by the Director. Barbed wire, concertina or razor wire, or electrified or similar fence types are not permitted.

H. Graffiti resistance. Each fence and wall adjacent to a public right-of-way in a non-residential zone, or a zone that allows multi-unit residential development, shall be provided with a permanently maintained, graffiti resistant coating.

106.30.060 - Height Limits and Exceptions

A. Purpose. This Section describes the required methods for measuring the height of structures in compliance with the height limits established by this Zoning Code, and provides exceptions to those height limits under specified circumstances.

B. Maximum height of structures. The height of each structure shall not exceed the height limit established for the applicable zoning district by Article 2 (Zoning Districts and Allowable Land Uses), except as otherwise provided by this Section.

C. Height measurement. The maximum allowable height shall be measured as the vertical distance from the lowest point on the structure at the finished grade of the site to the highest point on the structure. Artificially filling a site to achieve additional height is prohibited.

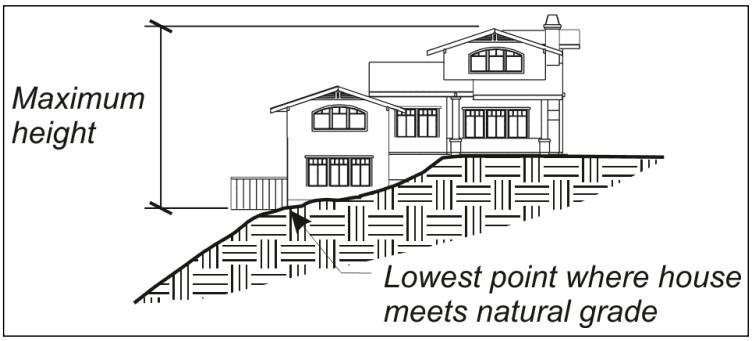


Figure 3-3 – Height Measurement

D. Exceptions to height limits.

1. A chimney, cupola, building entry feature, building mounted flag pole, monument, spire, theater scenery loft, tower, vent, mechanical equipment screening, water tank, and/or similar structure, may exceed the height limit of the applicable zoning district by a maximum of eight feet, or greater height specifically authorized through Design Review.

2. Telecommunications facilities, including antennas, poles, towers, and necessary mechanical appurtenances, may exceed the height limit established for the applicable zoning district in compliance with Chapter 106.44 (Telecommunications Facilities).

E. Height limit at street corners. Development proposed adjacent to any public or private street, or an alley intersection, shall be designed to provide a traffic safety visibility area for pedestrian and traffic safety. See Figure 3-4.

1. Measurement of visibility area. A traffic safety visibility area is a triangle measured as follows, and may include private property and/or public right-of-way.

The visibility area shall be defined by measuring 20 feet from the intersection of the extension of the front and street side right-of-way lines (or 10 feet for driveways) and connecting the lines across the property.

2. Height limit. No structure, sign, or landscape element shall exceed 30 inches in height within the traffic safety visibility area, unless approved by the City Engineer, except for trees with their canopy trimmed to a minimum of eight feet above grade.

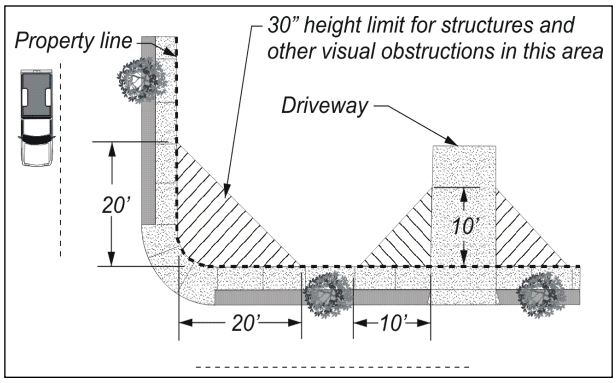


Figure 3-4 – Required Traffic Safety Visibility Area

106.30.070 - Outdoor Lighting

Outdoor lighting on private property shall comply with the requirements of Chapter 106.35 (Outdoor Lighting).

106.30.080 - Performance Standards

A. Purpose. This Section provides performance standards that are designed to minimize various potential operational impacts of land uses and development within the City, and promote compatibility with adjoining areas and land uses.

B. Applicability. The provisions of this Section apply to all new and existing land uses, including permanent and temporary uses in all zoning districts, unless an exemption is specifically provided. Uses existing on the effective date of this Section shall not be altered or modified thereafter to conflict with these standards.

C. Combustibles and explosives. The storage of flammable and combustible liquids is limited to the volumes established by the Fire District.

D. Dust. Activities that may generate dust emissions (e.g., construction, grading, commercial gardening, and similar operations) shall be conducted to limit the emissions beyond the site boundary to the maximum extent feasible. Appropriate methods of dust management shall include the following, subject to approval by the Building Official.

1. **Scheduling.** Grading shall be designed and grading activities shall be scheduled to ensure that repeat grading will not be required, and that completion of the dust-generating activity (e.g., construction, paving or planting) will occur as soon as possible.

2. **Operations during high winds.** Clearing, earth-moving, excavation operations or grading activities shall cease when the wind speed exceeds 25 miles per hour averaged over one hour.

3. **Limiting the area of disturbance.** The area disturbed by clearing, demolition, earth-moving, excavation operations or grading shall be minimized at all times.

4. **Dust control.** Fugitive dust emissions shall be controlled by regular watering, paving or other treatment of permanent on-site roads and construction roads, the covering of trucks carrying loads with dust content, and/or other dust-preventive measures (e.g., hydroseeding, etc.).

5. **Revegetation.** Graded areas shall be revegetated as soon as possible to minimize dust and erosion. Disturbed areas of the construction site that are to remain inactive longer than three months shall be seeded with a native plant seed mix and watered until plant cover is grown and maintained. Temporary irrigation systems shall be installed in accordance with Section 106.34.

6. **Fencing.** Appropriate fences or walls shall be constructed to contain dust within the site as required by the Building Official.

E. Ground vibration. No ground vibration shall be generated that is perceptible without instruments by a reasonable person at the property lines of the site, except for vibrations from temporary construction or demolition activities, and motor vehicle operations.

F. Light and glare. Light or glare from mechanical or chemical processes, or from reflective materials used or stored on a site, shall be shielded or modified to prevent emission of light or glare beyond the property line. Outdoor lighting shall comply with the requirements of Section 106.30.070 (Outdoor Lighting).

G. Liquid waste. No liquid shall be discharged into a public or private body of water, sewage system, watercourse, or into the ground, except in compliance with applicable regulations of the Regional Water Quality Control Board.

H. Noise. Noise producing activities shall comply with the City's Noise Ordinance.

I. Odor. No obnoxious odor or fumes shall be emitted that are perceptible without instruments by a reasonable person at the property line of the site.

J. Radioactivity, electrical disturbance or electromagnetic interference. None of the following shall be emitted:

1. Radioactivity, in a manner that does not comply with all applicable State and Federal regulations; or

2. Electrical disturbance or electromagnetic interference that interferes with normal radio or television reception, or with the function of other electronic equipment beyond the property line of the site; or that does not comply with all applicable Federal Communications Commission (FCC) and other applicable State and Federal regulations.

106.30.090 - Screening

A. Purpose. This Section establishes standards for the screening and separation of adjoining residential and nonresidential land uses, equipment and outdoor storage areas, and surface parking areas.

B. Where required. Screening shall be provided in the following circumstances.

1. Screening between different land uses. A commercial or industrial land use proposed on a site adjacent to a residential zoning district shall provide screening at the parcel boundary as follows. Other nonresidential uses adjacent to a residential use may also be required by the review authority to comply with these requirements.

a. The screen shall consist of plant materials and a solid, decorative wall of masonry, as approved by the review authority. The screen shall be six or eight feet in height, as required by the review authority. Openings or pedestrian connections may be required at the discretion of the review authority.

b. The decorative wall shall be architecturally treated on both sides, subject to the approval of the review authority.

c. A landscaping strip with a minimum width of five feet shall be installed adjacent to a screening wall, except that 10 feet of landscaping shall be provided between a parking lot and a screening wall, in compliance with Section 106.34.040.D (Landscape Location Requirements - Parking areas).

d. The review authority may waive or approve a substitute for the requirements of this Subsection if the review authority first determines that:

(1) The relationship of the proposed uses make the required screening unnecessary;

(2) The intent of this Section can be successfully met by means of alternative screening methods;

(3) Physical constraints on the site make the required screening infeasible; or

(4) Physical features of the site or adjoining parcels (e.g. topography, vegetation, etc.) make the required screening unnecessary.

2. Mechanical equipment, loading docks, and refuse areas.

a. Roof or ground mounted mechanical equipment shall be screened from public view from adjoining public streets and rights-of-way and adjoining areas zoned for residential uses. This equipment includes air conditioning, heating, ventilation ducts, and exhaust vents, loading docks, refuse storage areas, and utility services, electrical transformers, gas meters, etc.

b. The method of screening shall be architecturally compatible with the colors, materials, and architectural style of other on-site development.

3. Outdoor storage and work areas. See Section 106.42.170 (Outdoor Storage).

4. Outdoor building materials and garden supply areas. See Section 106.42.160 (Outdoor Displays and Sales).

C. Fence and wall standards. Where screening is provided in compliance with this Section in the form of a fence or wall, the fence or wall shall comply with all applicable requirements of Section 106.30.050 (Fences and Walls).

106.30.100 - Setback Requirements and Exceptions

A. Purpose. This Section provides standards for the use and minimum size of setbacks. Setbacks provide open areas around structures for: visibility and traffic safety; access to and around structures; access to natural light, ventilation and direct sunlight; separation between incompatible activities; and space for privacy, landscaping, and recreation.

B. Setback requirements.

1. Minimum setbacks for all structures. Each structure shall comply with the setback requirements of the applicable zoning district, and with any setbacks established for specific uses by Article 4 (Standards for Specific Land Uses), except as otherwise provided by this Section. No portion of any structure, including eaves or roof overhangs, shall extend beyond a property line; or into an access easement or street right-of-way.

2. Infill development within previously approved projects. Where the City has established specific setbacks for individual parcels through the approval of a specific plan, subdivision map, or other entitlement, those setbacks shall apply to continuing development within the approved project instead of the setbacks required by this Zoning Code.

3. Exemptions from setback requirements. The minimum setback requirements of this Zoning Code apply to all development and new land uses, except the following:

a. A fence or wall to the extent allowed by Section 106.30.050 (Fences and Walls);

b. Decks, earthworks, steps, terraces, and other site design elements that are placed directly upon grade and do not exceed a height of 18 inches above the surrounding grade at any point;

c. A sign in compliance with Chapter 106.38 (Signs); and

d. A retaining wall less than three feet in height above finished grade. A higher wall may be allowed within a required setback with Design Review by the Director.

C. Measurement of setbacks. A required setback from a street shall be measured from the edge of the abutting street/public right-of-way, and its proposed widening and extensions as indicated by the City Engineer. The width of any street or highway that does not appear in the Master Streets and Highways Plan shall be determined from the standards for street widths and improvements in the Subdivision Ordinance and/or City standards (Municipal Code Title 22).

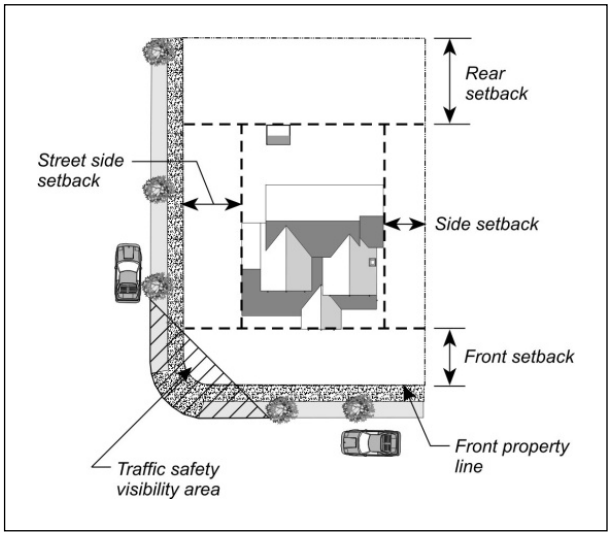


Figure 3-5 – Location of Required Setbacks

1. Front yard setbacks. The front yard setback shall be measured at right angles from the nearest point on the front property line of the parcel, to the nearest point of the wall of the structure, except as follows. The front property line is the most narrow dimension of a lot adjacent to a street.

a. Offer of dedication. The front setback shall be measured at right angles from the nearest point on the edge of an Irrevocable Offer of Dedication (IOD).

b. Private street. The front setback shall be measured at right angles from the nearest point on the edge of the recorded access easement of a private street, or the edge of the pavement, whichever is greater.

c. Flag lot. The front setback on a flag-shaped lot shall be measured from the nearest point of the wall of the structure to the property line intersected by the access strip, establishing a setback line parallel to the property line nearest to the public street or right-of-way; except that any fencing proposed along the access strip shall comply with the setback requirements applicable to the adjacent parcels. See Figure 3-6.

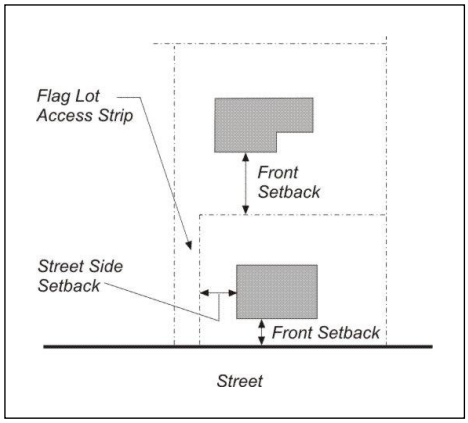


Figure 3-6 – Flag Lot Setbacks

d. Corner lot. The measurement of the front setback shall be from the nearest point of the wall of the structure to the nearest point of the most narrow street frontage property line. If the property lines on both street frontages are of the same length, or if there is a predominant development pattern in the vicinity of the property, the Director shall determine the property line to be used for front yard setback measurement.

e. Double-frontage lot. Proposed development on a double-frontage lot shall comply with the front yard setback requirements of the applicable zoning district on both street frontages.

2. Side yard setbacks. The side yard setback shall be measured at right angles from the nearest point on the side property line of the parcel to the nearest point of the wall of the structure; establishing a setback line parallel to the side property line, which extends between the front and rear yard setbacks.

3. Street side yard setbacks. The side yard on the street side of a corner parcel shall be measured from the nearest point on the side property line bounding the street, or the edge of an easement for a private road, or the inside edge of the sidewalk, whichever results in the greatest setback from the roadway.

4. Rear yard setbacks.

a. The rear yard shall be measured at right angles from the nearest point on the rear property line to the nearest line of the structure, establishing a setback line parallel to the rear property line.

b. Where a parcel has no rear property line because its side property lines converge to a point, an assumed line 10 feet long within the parcel, parallel to and at a maximum distance from the front property line, shall be deemed to be the rear property line for the purpose of determining the depth of the required rear yard. See Figure 3-7.

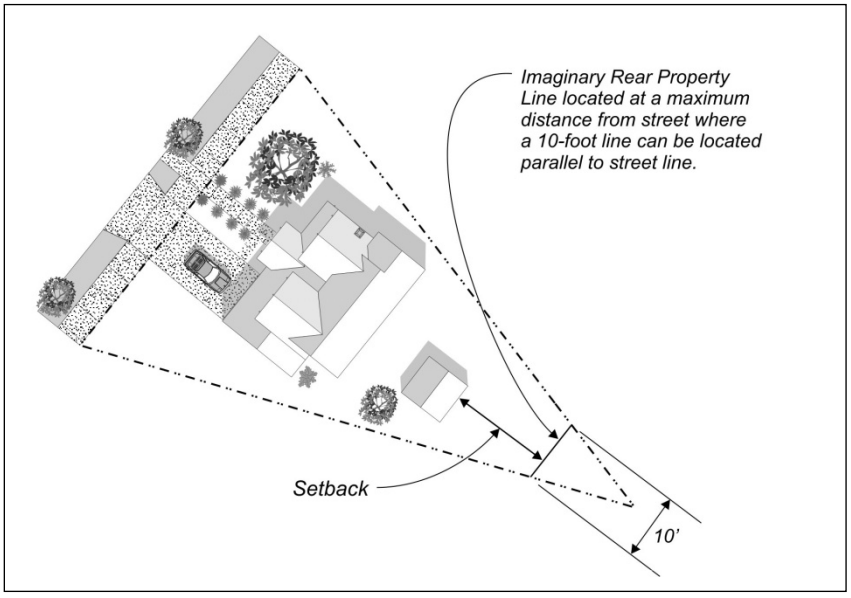


Figure 3-7 – Rear Setback on Irregular Lot

D. Limitations on uses of setbacks.

1. Structures. A required setback shall not be occupied by structures other than:

a. The fences and walls permitted by Section 106.30.050 (Fences and Walls);

b. The projections into setbacks allowed by Subsection E.; and

c. Residential accessory structures as allowed by Section 106.42.200 (Residential Accessory Uses and Structures).

2. **Storage.** No front or street side setback shall be used for the accumulation, placement or storage of automobiles, other motor vehicles, recreational vehicles, trailers, building materials, scrap, junk or machinery except for:

   a. Automobiles, other motor vehicles, recreational vehicles, and/or trailers parked within a designated off-street parking area, and which shall be operable, registered, and licensed as allowed under Section 106.36.080(B)(2).

   b. Building materials required for construction on the parcel, immediately before and during a construction project which has a valid Building Permit in force. Storm discharge Best Management Practices (BMPs) shall be used to prevent runoff from these materials into the storm drainage system.

   c. Materials stored behind a fence that is at least six feet high and in compliance with Section 106.30.050 (Fences and Walls).

3. **Parking.** See Section 106.36.080 (Parking Design and Development Standards) for all parking requirements within setbacks.

E. Allowed projections into setbacks.

1. **Primary structure into rear setback.** Within a residential zoning district, a primary structure may project into a required rear yard setback provided that an area equal to the projection is provided as a yard or court within the buildable area of the lot. In no event shall the rear yard setback be less than 10 feet for a one-story building, or 15 feet for a two-story building.

2. **Accessory structures.** See Section 106.42.200 (Residential Accessory Uses and Structures).

3. **Architectural features.** A cornice, sill, eave, canopy, chimney, window bay, media niche, or similar architectural feature may project into a required setback by a maximum of 24 inches; provided that the length of a projecting chimney, canopy or window bay along the wall from which it projects shall be limited to a maximum of 10 feet.

   a. Accessory structure. An accessory structure shall maintain a minimum three-foot setback from property lines for any portion of the structure.

   b. Front porch. A front porch may encroach five feet into the front setback.

   c. Window bay. A window bay with glass comprising at least 50 percent of the total area of its vertical surfaces, may project 24 inches into a required setback when the finished floor of the window bay is at least 15 inches above the finished floor of the room. The roof overhang above the window bay shall not project beyond 24 inches into the setback area.

4. **Existing legal non-conforming setback.** Additions to structures with existing legal non-conforming side yard setbacks in RD-1,2,3, and 4 zones may maintain the non-conforming setback distance for the expansion with the Director's approval.

F. Setback requirements for specific structures.

1. **Accessory structures.** See Section 106.42.200 (Residential Accessory Uses and Structures).

2. **Fences.** See Section 106.30.050 (Fences and Walls).

3. **Decks or other site design element.** Detached decks, freestanding solar devices, steps, terraces, and other site design elements which are placed directly upon the grade, and which exceed a height of 18 inches

above the surrounding grade at any point, shall conform to the setback requirements of this Zoning Code for detached accessory structures. (Note: a site design element less than 18 inches above grade is exempt.)

4. **Swimming pool, hot tub, etc.** A swimming pool shall be set back: 20 feet from a front property line; 12½ feet from a street side property line; and three feet from a rear or interior property line as measured to the water's edge.

5. **Air conditioning and mechanical equipment.** Ground-mounted air conditioning equipment shall comply with the front and street side setback requirements of the applicable zoning district. Air conditioning equipment requires no setback from a side or rear property line. Other types of mechanical equipment shall be set back a minimum of five feet from side and rear property lines. A mechanical unit on the ground shall be screened from public view with a solid wood or masonry fence.

106.30.110 - Solid Waste/Recyclable Materials Storage

A. Purpose. This Section provides standards which recognize the City's support for and compliance with the California Solid Waste Reuse and Recycling Access Act (Public Resources Code Sections 42900 through 42911).

B. Applicability. These requirements apply to new multi-unit residential, and nonresidential development, or changes to existing multi-unit residential or nonresidential development that increase gross floor area by 25 percent or more.

C. Extent of storage area required. Solid waste and recyclables storage areas shall be provided in the number, dimensions, and types required by the waste hauler. Additional storage areas may be required by the Director as deemed necessary.



Figure 3-8 – Storage Area Enclosure

D. Enclosure requirements. Each storage area shall be fully enclosed by a six-foot high masonry wall or other solid enclosure that is architecturally compatible with adjacent structures. See Figure 3-8.

1. **Location and access.** Adequate access for vehicle maneuvering and refuse pick-up shall be provided.

   a. **Residential zoning district.** An enclosure shall be located in compliance with the front and street side setback requirements of the applicable zone, and 25 feet from an interior side or rear property line abutting property that is also in a residential zoning district.

   b. **Non-residential zoning district.** An enclosure shall be located 15 feet from a front or street side property line in a non-residential zoning district, and as required by the interior side and rear setback requirements of the applicable zoning district.

2. **Gates and landscaping.** Gates shall be solid metal and continuously maintained in working order. Landscaping shall be provided to soften and screen the enclosure in compliance with Chapter 106.34 (Landscaping Standards).

106.30.120 - Undergrounding of Utilities

All electric and telephone facilities, fire alarm conduits, street lighting wiring, cable television and other wiring conduits, and similar facilities shall be placed underground by the developer. The Director may grant a modification, including a complete waiver of the undergrounding requirement, after considering the voltage, project size, and location of the proposed development.

CHAPTER 106.31 - DESIGN STANDARDS

Sections:

106.31.010 - Purpose
106.31.020 - Applicability
106.31.030 - Residential Project Design
106.31.040 - Commercial Project Design
106.31.050 - Large-Scale Retail and Retail Center Design
106.31.060 - Design Standards for Specific Commercial Uses
106.31.070 - Industrial Project Design

106.31.010 - Purpose

The design standards provided in this Chapter are intended to assist in preserving and rehabilitating existing structures within the City. These standards are also intended to provide for infill development of high architectural quality that is compatible with existing development, to promote the conservation and reuse of existing structures, and to preserve neighborhood character.

106.31.020 - Applicability

These design guidelines will be used in the review of projects (additions, remodeling, relocation, new construction, or a subdivision map) that require Design Review (Section 106.62.040).

A. The design elements of each project (including site design, architecture, landscaping, signs, and parking design) will be reviewed on a comprehensive basis.

B. The Design Review process may include the interpretation of these design guidelines with some flexibility in their application to specific projects, as not all design criteria may be workable or appropriate for each project. In some circumstances, one guideline may be relaxed to facilitate compliance with another guideline determined by the review authority to be more important in the particular case. The overall objective is to ensure substantial compliance with the design guidelines and the intent of this Chapter.

C. The graphics included in these guidelines are intended to be illustrative, but not prescriptive.

106.31.030 - Residential Project Design

A. Guidelines for all residential development. The following guidelines apply to all multi-unit residential development, single dwellings developed as part of a new land division or subdivision, second story additions to existing dwellings, garages, carports, and garage conversions, and any residential accessory structure located between a front property line and a primary structure.

1. General principles. New residential development should be compatible in scale, siting, detailing, and overall character with adjacent buildings and those in the immediate neighborhood, unless the review authority determines that proposed development represents a desirable improvement over existing character. This is crucial when a new or remodeled house is proposed to be substantially larger than others in the neighborhood. When new homes are developed adjacent to older ones, the height and bulk of the new construction can have a negative impact on adjacent, smaller scale buildings.

2. **Visual impacts from building height.** The height of new buildings should be consistent with surrounding residential structures. Where greater height is desired, a second story addition to an existing structure, and/or a new two-story structure should be designed to set back upper floors from the edge of the first story to reduce their visual impact on adjacent smaller homes. See Figure 3-9.



Figure 3-9 – Second Floor Addition Design to Minimize Impact on Smaller House

3. **Outdoor living areas.** New structures are encouraged to include balconies, verandas, porches, and courtyards.

4. **Exterior finish materials.** Exterior finish materials should be durable and require low maintenance. The use of combined materials (such as stucco and wood siding) can provide visual interest and texture; however, all sides of each single dwelling or multi-unit structure should employ the same materials, design details, and window treatment. A residential building should have a carefully designed and detailed facade facing the street, and at the same time should not use bland, featureless stucco or other undetailed materials on the other exterior building walls.

5. **Windows, privacy.** A new two-story residence or second story residential addition should be designed to respect the privacy of adjacent homes and apartments through appropriate building orientation, window placement, and building height, so that windows do not overlook and significantly impair the privacy of the indoor or outdoor living space of adjacent units. Where one or more windows are proposed 10 feet or less from a side property line, or within 10 feet of another dwelling, the windows should be located and/or screened to provide privacy for the residents of both structures. In some cases, glass block or translucent glass may be appropriate to provide light, but also provide privacy between buildings.

6. **Garages, carports.**

   a. Garages and carports should be of the same architectural style and use the same exterior materials as the primary structures on the site. When attached to a primary dwelling, the design of a garage or carport must be integrated with that of the house, and appear to have been designed together with the house, as determined by the review authority.

   b. The use of detached garages is encouraged.

   c. Whether attached or detached, the face of a garage shall be oriented or designed so as to not be the dominant visual element of the streetscape.

7. **Grading.** Grading for residential development should be minimized, and proposed development should be designed to accommodate and maintain the natural topography to the greatest extent feasible.

8. **Solar Access.** A new two-story residence or second story residential addition should be designed to minimize impact on solar access for adjacent units.

B. New residential subdivisions. The following guidelines apply to new residential subdivisions, and address how new residential subdivisions should relate to their surroundings.

1. Neighborhood compatibility. Each new residential project should be designed with consideration of the surrounding neighborhood. Parcels proposed at the edge of a new subdivision, which abut residential parcels in an adjoining residential neighborhood, should be of a size and orientation determined by the review authority to be compatible with the adjacent existing parcels, as shown in Figure 3-10.

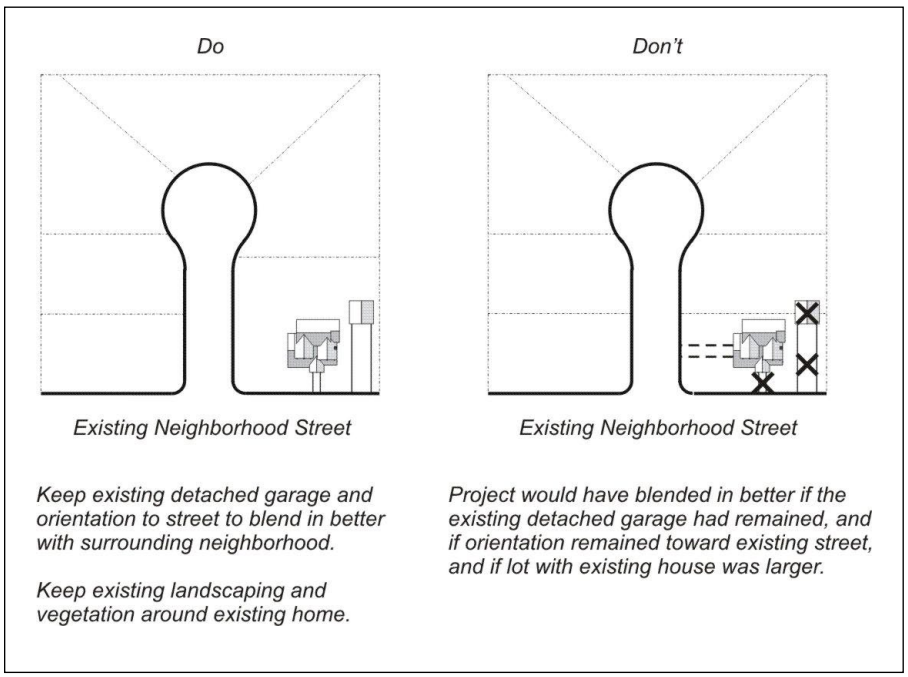


Figure 3-10 – Compatible Lot Sizes and Building Placement

2. Integrated open space and natural features. New subdivisions adjacent to planned or existing parks, other public open spaces and natural features (e.g., creeks, riparian areas), or the landscaped grounds of schools or other public facilities should maximize visibility and pedestrian access to these areas. Where these facilities are not already planned, the subdivision should be designed to provide usable public open spaces in the form of parks, linear bicycle and pedestrian trails, squares, community gardens and greens, as appropriate.

Existing significant natural features shall be incorporated into the design of a proposed subdivision, recognizing that their inclusion may require reduction in the number of residential units in the subdivision.

3. Gated projects. Gated residential projects, and other residential developments designed to appear as continuous walled-off areas, disconnected and isolated from the rest of the community, are discouraged. While walls and fences may be useful for security, sound attenuation and privacy, these objectives can often be met by creative design that controls the height and length of walls, develops breaks and variations in relief, and uses landscaping, along with natural topographical changes, for screening.

4. **Street layout.** New public streets and sidewalks should be aligned with, and be connected to those of adjacent developments to interconnect the community.

   a. **Pedestrian orientation.** Subdivision design should emphasize pedestrian connectivity within each project, to adjacent neighborhoods, nearby schools and parks, and to transit stops within 1/4-mile of planned residential areas. All streets and walkways should be designed to provide safe and pleasant conditions for pedestrians, including the disabled, and cyclists. Light or utility poles, guy wires, transformer or relay boxes, gate/door swing radii, bus benches or shelters, or permanent traffic or informational signals may be sited adjacent to, but shall not encroach upon, sidewalks or other marked pedestrian or bicycle pathways.

   b. **Block length.** The length of block faces between intersecting streets should be as short as possible, ideally between 400 to 800 feet, to provide pedestrian connectivity.

   c. **Street width and design speed.** Streets within neighborhoods should be no wider than needed to accommodate parking and two low-speed travel lanes. Streets in new subdivisions should be designed to accommodate traffic speeds of 25 miles per hour or less, with most streets in a subdivision designed for lower speeds.

   d. **Street frontage, parcel access.** Each proposed parcel must be designed to provide the minimum width required by the applicable zoning district at the front property line.

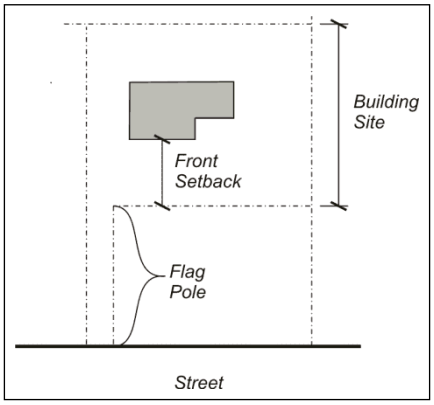


Figure 3-11 – Flag Lot Proportions

      (1) Parcels without street frontage, and accessed by easements or designed as flag lots, are not allowed unless the review authority determines that no more appropriate design is feasible.

      (2) Where the review authority determines that a flag lot or access easement is appropriate, the easement or lot "flag pole" should be no longer than 1.5 times the depth of the building site being accessed. Neither a flag pole or an easement that provides parcel access shall be counted when determining compliance with the minimum lot area requirements of the applicable zoning district.

      (3) If a parcel is approved with access to a public street via an easement over another parcel that fronts on the street, both parcels shall be served by a single driveway.

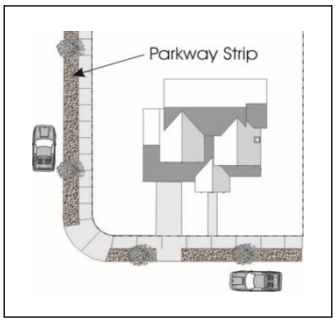


Figure 3-12 – Parkway Strip

   e. **Parkway/planting strips.** Sidewalks should be separated from curbs by parkway strips of at least five feet in width, where feasible. Parkways should be planted with canopy trees at an interval appropriate to the species of the selected street tree that will produce a continuously shaded sidewalk. Parkways should also be planted with non-turf ground covers or other plant materials that will withstand pedestrian traffic. Turf is not permitted in parkways.

f. Access to open areas. Single-loaded streets (those with residential development on one side and open space on the other) should be used to provide public access to, and visibility of natural open spaces, public parks, and neighborhood schools, as well as a means for buffering homes from parks and schools.

Where single-loaded streets are not feasible or desirable, other methods that provide similar access and visibility may be used, including private streets, bike and pedestrian paths, or the placement of private common open space or recreation facilities adjacent to the public open space.

g. Cul-de-sac streets. The use of cul-de-sac streets should be limited because they contribute to traffic congestion on through streets elsewhere in the neighborhood and community, and typically produce irregular lots that inefficiently use the property being subdivided.

(1) If the review authority determines that cul-de-sacs are necessary, the end of each cul-de-sac should provide a pedestrian walkway and bikeway between private parcels to link with an adjacent cul-de-sac, street, and/or park, school, or open space area.

(2) A pedestrian way linking cul-de-sacs shall be lined with fences or walls of durable, easily maintained materials, designed to protect the privacy and security of adjacent lots while creating attractive walking space for pedestrians.

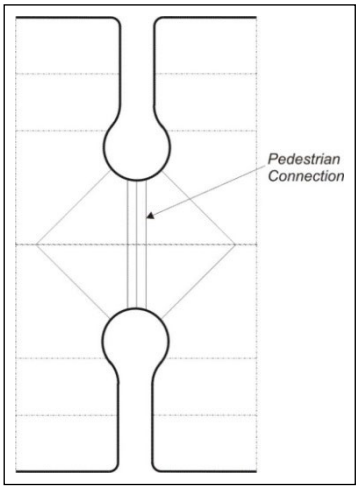


Figure 3-13 – Cul-de-sac Pedestrian Connection

h. Dwelling unit. A proposed residential subdivision of five or more lots should be designed so that at least 20 percent of the houses are one-story, to increase buyer choices, and provide opportunities to create more compatible transitions with existing one-story adjacent development.

i. Solar Access. New residential subdivisions should be designed to maximize solar access for new homes to encourage the use of passive solar, photovoltaic solar, etc.

C. Multi-unit housing and apartments. The higher densities of multi-unit housing, and other housing projects that concentrate dwellings tend to generate larger parking areas and provide less private open space. If not properly designed, parking can dominate a multi-unit site, and open space may only be provided as "left over," unusable areas, unrelated to other project features. New multi-unit projects that are surrounded by high walls, parking lots and/or rows of carports along a street are inappropriate in the City and should be avoided. These guidelines address the problems associated with higher density developments through appropriate site planning, parking layout, circulation patterns, building design, and landscaping.

1. Site planning. Site planning project should create a pleasant, comfortable, safe, and distinct place for residents, without the project "turning its back" on the surrounding neighborhood.

a. Lower density multi-unit projects should be designed as "walk-up" rather than "stacked" units, with each unit adjacent to a street having its primary pedestrian entrance from the street sidewalk. Higher density projects should be designed either with ground floor units having individual sidewalk entrances, or as courtyard projects with at least one significant pedestrian entrance from the street sidewalk. Where individual units have access to the street sidewalk, private "front yard" outdoor space may be differentiated from the public right-of-way by a porch, or small yard enclosed by a low fence. See Figure 3-14.



Figure 3-14 – Clustered Units, Ground Floor Entrances Facing the Street

b. Residential units and activity areas not adjacent to a street should be accessible via pedestrian walkways and bikeways separate from vehicle parking areas and driveways. See Figure 3-15.



Figure 3-15 – Walkways Separate From Vehicle Access

c. Residential units should be oriented to maximize solar access to encourage the use of passive solar, photovoltaic solar, etc.

2. Parking and driveways.

a. Long, monotonous parking drives and large, undivided parking lots are discouraged.

b. The main vehicle access into a multi-unit site should be through an attractive entry drive. Colored and textured paving treatment is encouraged outside of the public street right-of-way, and within the project.

c. Parking areas should be visible from the residential units to the extent possible.

d. Safe and protected bicycle parking should be located convenient to each dwelling unit.

e. Parking areas should be separated from each other by buildings within the project, or by landscape or natural open space areas at least 30 feet wide.

f. Large scale multi-unit projects (i.e., more than 20 units) with internal streets should have the streets designed as if they were pleasant public streets, with comprehensive streetscapes including sidewalks, and planting strips between curb and sidewalk with canopy trees. Planting strips shall be at least five feet in width, where feasible. Planting strips should be planted with canopy trees at an interval appropriate to the species of the selected street tree that will produce a continuously shaded sidewalk. Planting strips should also be planted with non-turf ground covers or other plant materials that will withstand pedestrian traffic. Turf is not permitted in planting strips.

3. **Multi-unit and apartment project architecture.** The exterior design, height and bulk of multi-unit projects should not negatively impact adjacent lower density residential areas.

a. Facade and roof articulation. A structure with three or more attached units should incorporate wall and roof articulation to reduce apparent scale. Changes in wall planes and roof heights, and elements such as balconies, porches, arcades, dormers, and cross gables can avoid the barracks-like quality of long flat walls and roofs. Secondary hipped or gabled roofs covering the entire mass of a building are preferable to mansard roofs or segments of pitched roof applied at the structure's edge. Structures (including garages and carports) exceeding 150 feet in length are discouraged.

b. Scale. Because multi-family projects are usually taller than one story, their bulk can impose on surrounding uses. The larger scale of these projects should be considered within the context of their surroundings. Structures with greater height may require additional setbacks at the ground floor level and/or upper levels (stepped-down) along the street frontage so they do not shade adjacent properties or visually dominate the neighborhood. Large projects should be broken up into groups of structures, and large single structures should be avoided.

c. Balconies, porches, and patios. The use of balconies, porches, and patios as part of multi-family structures is encouraged for both practical and aesthetic value. These elements should be used to break up large wall masses, offset floor setbacks, and add human scale to structures. Individual unit entrances within a multi-unit project should have individual covered porches. See Figure 3-16.

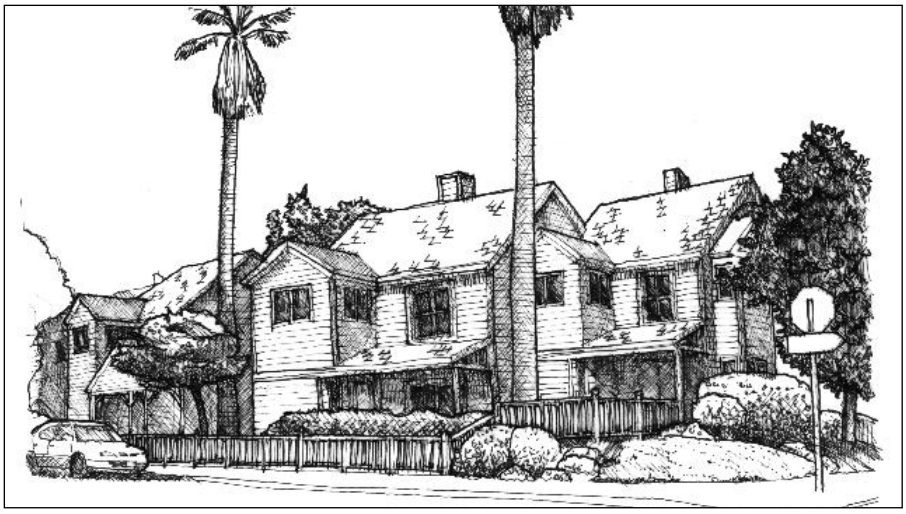


Figure 3-16 – Example of Articulation, Scale, and Covered Porches for Multi-unit Units

d. Dwelling unit access. The use of balconies and corridors to provide access to units should be limited. To the extent possible, main entrances to individual units should be from street sidewalks. Distinctive architectural elements and materials should be used to highlight primary entrances.

Building entrances should be located so that clear lines of sight are provided to adjacent public sidewalks, or internal walkways and parking areas, as applicable.

e. Exterior stairways. A stairway that provides access to an upper level of a multi-unit structure should be integrated into the building design. Where an exterior stairway is necessary, it should provide residents and visitors protection from weather, and should be of low maintenance, durable materials, and located so as to be visible from the street and/or public areas of the site.

f. Accessory structures. Accessory structures should be designed as an integral part of a project. Their materials, color, and details should be the same as the principal structures on the site.

g. Walls and fences. Walls and fences should comply with the design standards in Section 106.31.070.G (Walls and fences), and shall comply with the standards in Section 106.30.050 (Fences and Walls).

D. Small Lot Housing Product Project Design. The design of small lot housing developments requires careful consideration to ensure privacy, safety, open space and quality of life are considered. The goals of these guidelines are to create high quality indoor and outdoor living environments, enhance the public realm, provide increased opportunities for home ownership, provide solutions for infill housing, and prioritize livability over density.

1. Relationship to street frontage. Small lot developments should be oriented towards the street.

a. Homes fronting a public street should have a primary entrance and main windows facing the street. (See 1 on Figure 3-17).

b. For homes not fronting a public street, a primary entrance should face the vehicular access and/or a paseo (for alley loaded products). (See 2 on Figure 3-17).

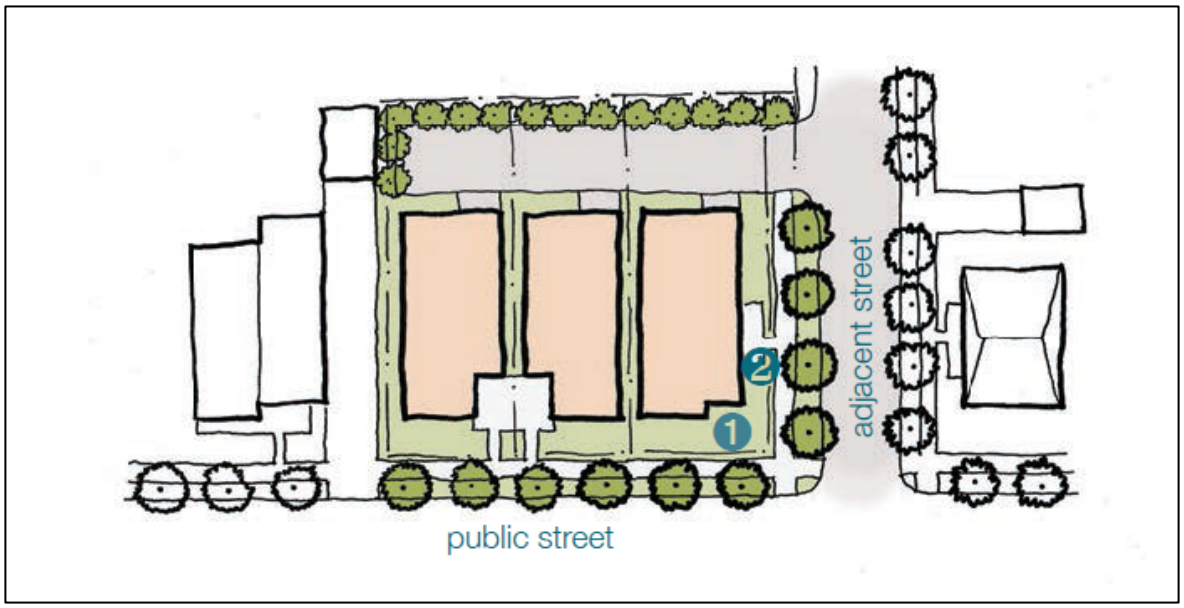


Figure 3-17 – Project oriented towards the street

2. Small Lot Housing Product Layout and Circulation.

a. Pedestrian circulation should be provided to each unit through clearly delineated sidewalks or paths.

b. When multiple units share a common driveway that is lined with garages, provide distinguishable pedestrian paths to connect parking areas to individual entries.

c. Minimum drive aisle width shall be 20 feet for alleys or drive aisles. Private street width shall be determined by the review authority.

3. Parking. Parking should not dominate the site.

a. Locate parking to the rear of dwellings where homes front the public street.

b. Allow for a pedestrian access path separate from driveway wherever possible.

c. Parking spaces shall be located at least six feet from any habitable space measured in any direction from the edge of a parking space (including vertical angle measurement).

d. Driveways shall be designed to be either greater than 20 feet long or less than 6 feet long.

e. Paving materials of driveways should contribute to the sense of place of the development. Use of decorative paving or design treatments is encouraged. Decorative paving and landscaping should break up parking and access areas.

4. Building Design. Building design and architecture is essential to small lot developments. Building design should distinguish individual units while also creating cohesiveness throughout the development.

a. Primary entryways shall be something other than a garage door. Individual residences should be clearly distinguishable by incorporating transitions such as stoops, landscaping, canopies or other design features.

b. Employ architectural details to enhance scale and interest by breaking up the façade into distinct planes that are offset from the main building façade.

c. Design balconies or other patio areas to maximize their use as open space. Avoid tacked on looking balconies with limited purpose and maximize privacy between balconies

d. Use of varying materials, massing, colors, and design details shall be incorporated within a proposed development.

e. Exterior finish materials should be durable and require low maintenance. The use of combined materials (such as stucco and wood siding) can provide visual interest and texture; however, all sides of each dwelling should employ the same materials, design details, and window treatment. No residential structure should have a carefully designed and detailed facade facing the street, and use bland, featureless stucco or other simple materials on the other exterior building walls. Each residential structure should look like the same building from all sides.

f. The use of quality materials, windows, and features with horizontal and vertical relief are required to add interest and character to the design of garage doors and to coordinate their design with the architecture of the primary residence.

5. Landscaping and Open Space.

a. Use fences and shrubbery less than 3 feet tall adjacent to public sidewalks and internal pathways to clearly distinguish private space while maintaining visibility and street orientation. Solid wood fences are discouraged.

b. Landscaping should not be an afterthought to project design. Landscaping should accent project features and breakup hardscape.



Figure 3-18 – Use of Landscaping and low fences to distinguish private areas from public areas

6. Privacy. Careful design is required to ensure privacy between both new structures and existing structures surrounding the site.

a. Windows and balconies from separate dwellings should not face or overlook each other.

b. Minimize the number of windows overlooking neighboring interior private yards.

c. Use translucent glass, landscaping, or other screening methods to create privacy.

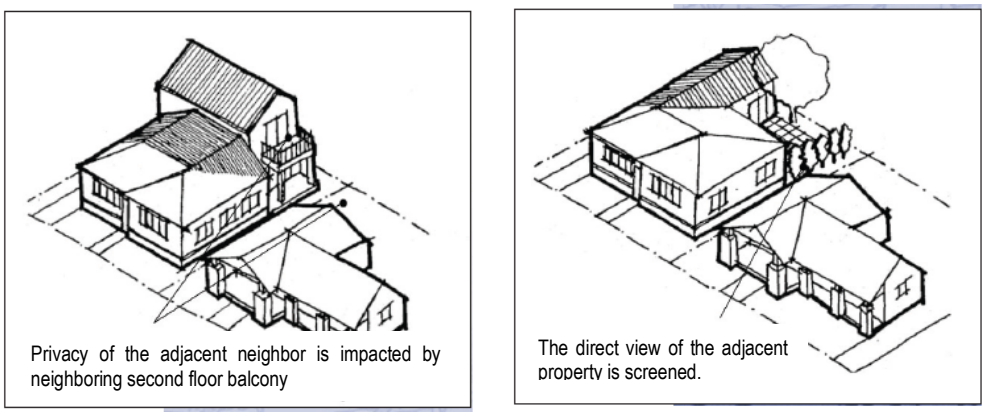


Figure 3-19 – Privacy Screening

7. **Mechanical Equipment, Utilities, Garbage and Screening.** The location of mechanical equipment, garbage cans, and utilities should be considered early in the plan development. The location of unsightly equipment and infrastructure should be screened by fencing or landscaping or incorporated into the building design.

   a. Incorporate mechanical equipment into the design of the building to the greatest extent possible.

   b. Screen all trash and recycling enclosures from public view by landscaping and locate enclosures to minimize visual conflicts with units, common open spaces, or adjacent properties.

   c. For developments where individual trash totes are provided identify a location for screened storage when not in use and a location on site for trash pickup.



Figure 3-20 – Screening of Garbage and HVAC via Landscaping and Fencing



Figure 3-21 – Do not leave HVAC and other equipment unscreened

8. **Fencing.** Fencing should be designed to avoid areas that appear "walled off". 6 feet tall wood fences, particularly along corner parcels should be avoided.

   a. Fencing should be designed to create semi-private open spaces for individual units. The use of solid fences is discouraged. Open fencing or shorter fencing is encouraged to create semi-private side yards.



Figure 3-22 – Semi-Private Fencing Concepts

106.31.040 - Commercial Project Design

A. Purpose. The city's commercial areas present special urban design challenges. The present character of these areas reflects both the architectural styles of non-residential, automobile-oriented development that were predominant when many of the structures were built, and various modernization and renovation efforts thereafter. This Section provides guidelines for new and renovated commercial structures.

B. Applicability. The standards in this Section apply to all retail, office, service commercial, and other commercial development within the City. Large-scale commercial development (including buildings of 50,000 square feet or larger, and retail centers with five or more shops) is also subject to the standards in Section 106.31.050 (Large Scale Retail and Retail Center Design).

C. Overall design objectives for commercial projects. The design of each project should work toward improving the visual character and quality of the City, and achieve the following objectives.

1. Consider residential neighborhoods adjacent to the commercial area and demonstrate sensitivity to the design context of the surrounding area.

2. Avoid "boxy" structures with large, flat wall planes by articulating building forms and elevations to create interesting roof lines, building shapes, and patterns of shade and shadow.

3. Incorporate pedestrian connections within and to the site that are safe, convenient, and direct for both internal and external circulation.

4. Provide landscaping as a project amenity, and to help screen parking, equipment and storage areas.

5. Provide logical and safe access to the site, and design parking and internal circulation areas to avoid awkward or cramped turning movements. In general, on-site access driveways should be located away from street intersections to minimize conflicts with turning movements from traffic on adjacent streets.

6. Consider the need for signs and their appropriate scale and locations early in the design process, so that they are not an afterthought.

7. Locate outdoor equipment, trash receptacles, storage, and loading areas in the least conspicuous part of the site.

8. Grading for commercial development should be minimized, and proposed development should be designed to accommodate and maintain the natural topography to the greatest extent feasible.

D. General architectural design guidelines.

1. Architectural style. No particular architectural style or design theme is required in the City, but the compatibility of new projects with existing structures should be a priority, to maintain desired community character. "Canned" or "trademark" building designs used by franchised businesses in other cities are discouraged in Citrus Heights, as they collectively have the effect of making the commercial areas of the City look like anywhere in California. Corporate or franchise colors should be used as accent only.

2. **Design consistency.** Building designs should demonstrate a consistent use of colors, materials, and detailing throughout all elevations of the building. An elevation that does not directly face a street need not have the same appearance as one facing the street, but its design should relate to the other building facades. See Figure 3-23.



Figure 3-23 – Example of Consistent Building

4. **Form and mass.** Building design should provide a sense of human scale and proportion. Horizontal and vertical wall articulation should be expressed through the use of wall offsets, recessed windows and entries, awnings, full roofs with overhangs, second floor setbacks, or covered arcades. See Figure 3-24.



Figure 3-24 – Human Scale Expressed in Building Form and Mass

4. Rooflines. Roof design contributes strongly to the image of a structure as having quality and permanence.

a. A structure with a pitched roof, or pitched roofs over key building elements can sometimes project a more small town image and reinforce the pedestrian orientation that is prominent in many parts of Citrus Heights. Structures with flat roofs and parapets require special attention to the wall-to-parapet juncture, and cornice details.

b. Pitched roofs may be gable, hip, or shed-style, but should either be full pitched or should appear so from the street. Any flat portions (i.e., equipment wells) should be relatively small and not visible from streets or other public areas. On larger structures, pitched roofs should be multi-planed to avoid large, monotonous expanses.

c. Flat roofs should be used only with a continuous screening parapet topped with coping, or a cornice. Green or vegetated roofs are permitted with complimentary architectural design. Mansards should be used only if they maintain the same roof pitch as surrounding structures and are both high and deep enough to create the illusion of being a true roof. Steeply-pitched mansard roofs are discouraged.

5. **Awnings.** Awnings should be retained and/or incorporated where feasible and compatible with the storefront.

   a. Where a commercial building facade is divided into bays (sections defined by vertical architectural elements, such as masonry piers), awnings should be placed within the vertical elements rather than overlapping them.

   b. Awning shape should relate to the window or door opening the awning covers. Barrel-shaped awnings should be used over arched windows while square awnings should be used over rectangular windows. See Figure 3-25.

   c. Awnings shall not be internally illuminated.

   d. Canvas or standing seam metal are the preferred materials for awnings. Plastic, vinyl, or other glossy materials are not appropriate.

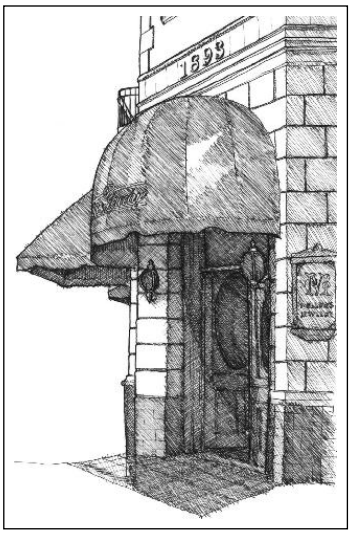


Figure 3-25 – Commercial Awning

   e. A single building face with multiple tenants should use consistent awning design and color on each building floor, unless the building architecture differentiates the separate tenant spaces.

6. **Parapets.** Parapet walls should be treated as an integral part of the building design, with architectural detailing consistent with the rest of the facade, and should not appear as unrelated elements intended only to screen the roof behind them.

7. **Entries.** Building entries should be important and obvious elements in the design of a facade. See Figure 3-26.

   a. Each entry should be protected from the elements and should create an architectural focal point for the building.

   b. Wall recesses, roof overhangs, canopies, arches, columns, signs, and similar architectural features should be integral elements of the building's entry design, and used to call attention to its importance.



Figure 3-26 – Building Entries

8. **Additions to existing structures and centers.** The design of a proposed addition should follow the same general scale, proportion, massing, and detailing of the original structure, and not be in stark contrast to the original structure. Incorporating the main characteristics of the existing structure may include: extending architectural lines from the existing structure to the addition; repeating bay, window, and entrance spacing and cornice details; roof design and ground-level details; use of the same or complementary colors and materials; and including similar architectural details (such as window/door trim, lighting fixtures, tile/brick decoration). New building pads should not significantly block views of interior commercial buildings from the street, or significantly block views from interior commercial buildings to the street.

9. **Building materials.** Building materials shall be carefully chosen to enhance the consistency of the architectural theme and design.

   a. Materials should be used honestly. Artificial or decorative facade treatments, where one or more unrelated materials appear "stuck-on" to a building (such as artificial columns or posts), should be avoided. While authentic materials such as brick, stone, and wood are preferred, artificial products that effectively imitate real materials may be appropriate in limited situations. If artificial stone-like materials are used, they should look like local natural materials.

   b. Exterior finish materials should be chosen and applied so that they do not appear "thin" and otherwise artificial, as in the case of "brick" veneer applied to a single building face so that it is obviously only ¼-inch thick when viewed from the side. Veneers should turn corners, avoiding exposed edges.

   c. Downspouts and drain pipes should preferably be placed within building walls. If they must be placed on a building exterior, they shall be integrated with the architectural design, colors, and finish materials of the building.

   d. Bulkheads should be constructed of a durable material other than stucco, such as tile, brick, rock, or pre-cast concrete.

10. **Windows.** Existing windows should be maintained, and not "walled-in" or darkened to provide more interior wall or storage space. Ground floor windows are highly encouraged. These should ideally provide pedestrians with views into the building, but even display windows can improve the pedestrian experience of the building at the street or sidewalk level. See Figure 3-27.



Figure 3-27 – Pedestrian-oriented Windows

11. **Colors.** Colors should be compatible with the colors of existing buildings in the surrounding area but need not duplicate existing colors.

   a. Large areas of bright, intense colors should generally be avoided. While more subdued colors usually work best for large facade areas, brighter accent colors may be appropriate for trim, windows, doors, and other key architectural elements. Bold stripes of color are not a substitute for architectural detailing.

   b. The transition between base and accent colors should relate to changes in building materials or the change of building surface planes. Colors should generally not meet or change without some physical change or definition to the surface plane.

12. **Corporate identification.** Colors or logos identified with an individual company should be employed as building accent features, and not used as the main or dominant architectural feature of any wall.

13. Signs. Each structure should be designed with specific consideration for adequate signing, including provisions for sign placement, sign scale in relation to building scale, and readability. The colors, placement, and materials of all signs should be integrated with the architecture and facade details of the structure. See Figure 3-28. Sign permits (see Chapter 106.38 (Signs) shall be required for color schemes, architectural features, and other design details that are:



Figure 3-28 – Integrated Signage

a. Primarily designed to advertise or to provide information in the nature of advertising, to direct or attract attention to a person, institution, business, product, or service;

b. Used as the main or dominant feature of a building, building surface, or structure; and

c. Determined by the Director to demonstrate sensitivity to the design context of the building or surrounding area.

14. Equipment screening. The attractive appearance of a building can be ruined by mechanical equipment (for example, heating, ventilation, and air conditioning) in highly visible locations on the roof, or on the ground adjacent to the structure.

a. Mechanical and utility service equipment (e.g., compressors, air conditioners, pumps, heating and ventilating equipment, generators, solar collectors, satellite dishes, communications equipment, transformers, gas meters, etc.) and any other type of mechanical equipment should be located within the building or in an equipment room with an exterior entrance. If located outside the building, equipment should be screened from public streets and neighboring properties, and should be insulated as necessary to prevent noise generated by the equipment from being audible off the property. Screening methods may include landscaping, placing components below grade, screen walls or a combination of these methods approved by the Director.

b. Roof-mounted mechanical equipment and vents should be screened by a building parapet or other effective roof design.

c. All ground-level screening shall be provided graffiti-resistant finishes.

E. Site planning. Project site planning should comply with the following guidelines.

1. Building and parking location.

a. Buildings should generally be oriented parallel to streets. A site with multiple buildings should be planned to provide adequate visibility of each building from the street.

b. The orientation of the building and its entrances should respond to the pedestrian or vehicular nature of the street. A building with high pedestrian use, or on a street where the City is working to create a pedestrian orientation, should face and be directly accessible from the sidewalk.

A building in a part of the City that is more suburban and auto-oriented in character should not face a large parking lot located between the building and the street, but should instead face major on-site open space and streetscape elements provided for pedestrian use. In the case of new commercial structures located on major arterials, it may also be appropriate to provide landscaped setbacks between buildings and streets.

c. The City encourages shared parking arrangements. Parking areas on adjoining parcels should be connected to allow continuous vehicle, bicycle, and pedestrian access. Pedestrian linkages between parcels should be located separately from vehicle connections where possible and, in all cases, clearly differentiated from vehicle ways. Driveways should be consolidated and shared between properties and parking areas to the greatest extent feasible.

d. Multiple buildings in a single project should be designed to create a visual and functional relationship with one another. Whenever possible, multiple buildings should be clustered to achieve a "village" scale, with plazas and pedestrian areas, and without long rows of buildings. When clustering is impractical, a visual link should be established between buildings through the use of arcades, trellises, colonnades, landscaping and trees, or enhanced paving.

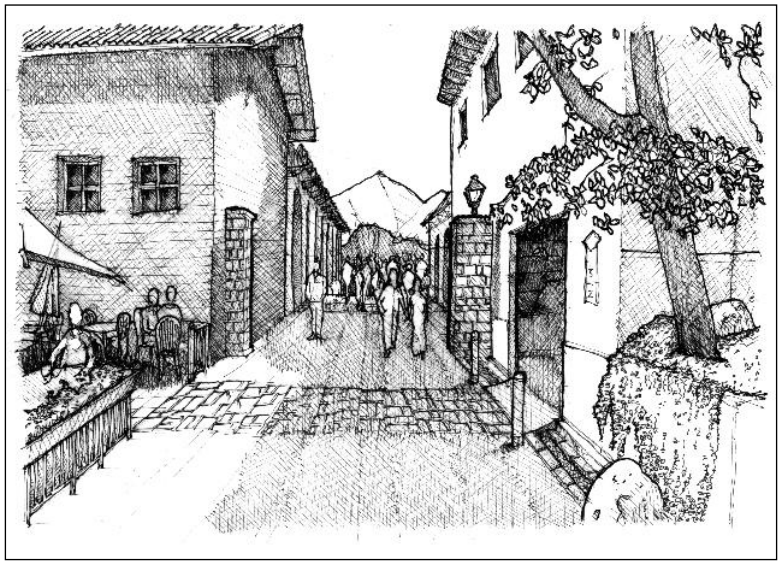


Figure 3-29 – Cluster Buildings to Achieve a "Village Scale"

e. The location of open space areas should be accessible from the majority of structures, and should be oriented to take advantage of sun or shade, as appropriate.

f. The visual impact of parking lots should be minimized by locating these facilities to a portion of the site least visible from the street and by providing adequate screening and parking lot landscaping.

g. Driveways should be consolidated.

h. Parking areas should be connected to building entrances by means of enhanced (patterned or stamped) paving.

i. Handicapped access should be provided into the property from the nearest point of public transit, and enhanced paving should be used to improve accessibility.

j. Loading facilities should not be located at the front of buildings where they will interfere with customer and employee traffic and be difficult to adequately screen. These facilities are usually more appropriate at the rear of buildings; however, loading areas should not look like an afterthought. They should be screened from street and off-site views to the maximum extent feasible, and shall be architecturally integrated with the design of the building.

Special attention must be given to the design of loading facilities adjacent to residential uses.

Techniques such as block walls, enhanced building setbacks with landscaping, and careful attention to the location and shielding of lighting can help minimize adverse impacts to residents. It is sometimes preferable to require that tenant spaces within a commercial project receive and ship products through the "front door," rather than subject adjacent residential uses to the noise and night time glare associated with loading facilities.

2. Pedestrian and bicycle features.

a. Pedestrian connections. Safe and direct pedestrian routes should be provided from public sidewalks, through parking areas, and along building facades to primary entrances.

(1) Clearly demarcated and direct pedestrian routes should extend from peripheral public sidewalks and transit stops to the internal sidewalks that front commercial buildings, at least once in each 200 linear feet of sidewalk adjacent to the project.

(2) Pedestrian connections should be provided to existing centers on adjoining sites.

b. Bordering and internal sidewalks.

(1) Sidewalks of at least five feet are required, and eight feet in width are encouraged along all sides of the lot that abut a public street.

(2) Sidewalks must be provided along the full length of the building along any facade with a customer entrance, and along any facade abutting a parking area.

(a) Sidewalks must be located at least six feet from the facade to provide area for landscaping, except where the facade incorporates pedestrian-oriented features such as pedestrian entrances or ground floor windows.

(b) Sidewalks should be eight feet wide, exclusive of any area planned for outdoor display or storage.

(c) The sidewalks should have wells for canopy trees at 30-foot intervals along the sidewalk edge adjacent to parking areas or vehicle access ways, so that the combination of building wall, sidewalk, and trees provide an enhanced pedestrian experience.

(3) Pedestrian walkways within the site should be provided covered for weather protection within 15 feet of all customer entrances, which should also cover nearby short-term bicycle parking.

(4) Light or utility poles, guy wires, transformer or relay boxes, gate/door swing radii, bus benches or shelters, or permanent traffic or informational signs may be sited adjacent to, but shall not encroach upon, sidewalks or other marked pedestrian or bicycle pathways.

c. Pedestrian walkway identification. Pedestrian walkways within the site must be distinguished from driving surfaces through the use of special pavers, bricks, or colored/textured concrete to enhance pedestrian safety and the attractiveness of the walkways. Pedestrian circulation in parking areas should be parallel to traffic flow toward building entrances. Sidewalk landings should be provided and extended between parking spaces where needed to connect pedestrians to walkways.

d. Sitting and activity areas. Site planning should include an outdoor use area or focal point adjacent to major building entrances as appropriate to the scale of the development. The area should provide public amenities, examples of which include water features, benches, landscaped areas, public square, etc. A project with two or more structures should group the buildings to define this space.

3. **Landscaping.** Landscaped areas should be planned as an integral part of the overall project and not simply located in "left over" areas of the site.

   a. Landscaping should be used to help define outdoor spaces, soften a structure's appearance, screen parking, loading, storage, and equipment areas, manage stormwater, and recharge groundwater.

   b. The use of on-site pedestrian amenities (such as benches, shelters, drinking fountains, lighting, and trash receptacles) is encouraged. These elements should be provided in conjunction with on-site open spaces and be integrated into the site plan as primary features.

   c. Landscaping should be designed to minimize pollutants and improve water quality, including post-construction stormwater Best Management Practices such as grassy swales, detention basins with low flow swales, and approved underground vaults.

F. Outdoor lighting. The design, size, and placement of outdoor lighting fixtures on buildings and in parking lots should be complementary to the architectural style of the buildings. More, smaller-scale parking lot lights instead of fewer, overly tall and large parking lot lights should be installed. Outdoor light fixtures mounted on building walls should relate to the height of pedestrians and not exceed eight to 10 feet. All lighting fixtures shall comply with the requirements of Chapter 106.35 (Outdoor Lighting).

G. **Solar Access.** Commercial structures should be oriented to maximize solar access to encourage the use of passive solar, photovoltaic solar, etc.. Solar equipment shall be screened by a parapet or other building feature or incorporated into the building architectural design.

106.31.050 - Large-Scale Retail and Retail Center Design

A. Purpose. The design guidelines in this Section are intended to produce large scale (i.e., "big box") retail stores and retail centers with more pedestrian orientation and scale than conventional projects of this type elsewhere.

B. Applicability. The standards in this Section apply to large-scale commercial development (including buildings of 50,000 square feet or larger, and retail centers with five or more shops). These guidelines apply to large-scale retail projects in addition to those for commercial uses in Section 106.31.040.

C. Site planning. Project site planning should emphasize pedestrian-oriented features, even though most customer trips to these facilities may be by auto.

1. The layout of buildings and parking on the site should emphasize a strong relationship to adjoining streets, and encourage pedestrian circulation and access between the buildings and the street. Buildings should be placed near the street frontage on streets with slower traffic speeds and a pedestrian orientation, but may be located farther from a wide street with higher traffic speeds. The placement of buildings should also consider solar orientation, and the shading of outdoor pedestrian areas.

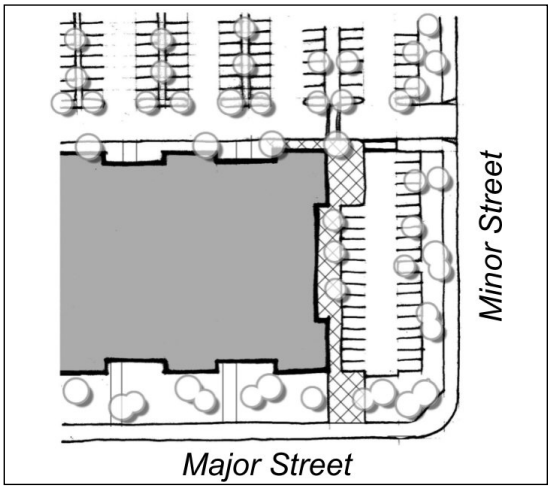


Figure 3-30 – Emphasizing Relationship with Street

2. Site planning should include an outdoor use area or focal point adjacent to major building entrances. The area should provide public amenities such as a water feature, benches, landscaped areas, public square, etc. A project with two or more structures should group the buildings to define this space.

D. Parking areas. Parking lots should be designed to be equally pedestrian and vehicular oriented, as follows.

1. Location and design of parking. Parking should not be the dominant visual element of a site. Large, expansive paved areas between the building and the street are to be avoided in favor of smaller multiple lots separated by landscaping or buildings, or located to the sides and rear of buildings.

2. Landscaping. Parking areas should include substantial landscaping to soften the appearance of the adjacent large structures, and make walking around the site a more pleasant experience for pedestrians. Planting sites should provide adequate "uncompacted" soil area for root growth to support the mature size of the species/size of tree selected.

3. Pedestrian routes. Safe and direct pedestrian routes should be provided through parking areas to primary entrances, and designed as noted under Subsection E.

4. Shopping carts. Parking areas shall include an adequate number of shopping cart corrals where carts can be dropped-off without obstructing vehicle, bicycle, or pedestrian traffic movement, or being left in landscape planter areas. Cart corrals should be both attractive and durable, and their design will be a specific consideration in Design Review.

E. Pedestrian circulation and amenities. It is the nature of large retail uses that most customers arrive by car and make purchases that could not be carried home by foot or bike. Nevertheless, the large parking lots in these projects cause much of the customer's experience to be as a pedestrian, often walking long distances from car, to entrance and back. Safe accommodation for pedestrians is essential and must be an integral part of site design.

1. Sidewalks of at least five feet are required, and eight feet in width are encouraged along all sides of the lot that abut a public street.

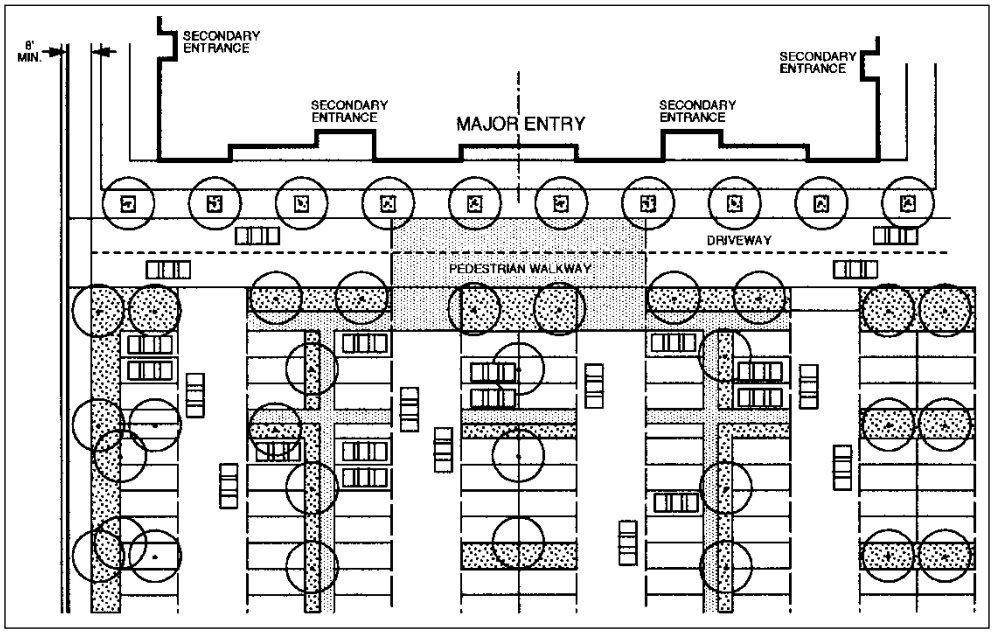


Figure 3-31 – Examples of Parking Lot and Pedestrian Circulation Features

2. Sidewalks must be provided along the full length of the building along any facade with a customer entrance, and along any facade abutting a parking area.

    a. Sidewalks must be located at least six feet from the facade to provide area for landscaping, except where the facade incorporates pedestrian-oriented features such as pedestrian entrances or ground floor windows.

    b. Sidewalks should be eight feet wide, exclusive of any area planned for outdoor display or storage.

    c. The sidewalks should have wells for canopy trees at 30-foot intervals along the sidewalk edge adjacent to parking areas or vehicle access ways, so that the combination of building wall, sidewalk, and trees provide an enhanced pedestrian experience.

3. Pedestrian walkways within the site should be provided covered for weather protection within 15 feet of all customer entrances, which should also cover nearby short-term bicycle parking.

4. Pedestrian walkways within the site must be distinguished from driving surfaces through the use of special pavers, bricks, or colored/textured concrete to enhance pedestrian safety and the attractiveness of the walkways. Pedestrian circulation in parking areas should be parallel to traffic flow toward building entrances. Sidewalk landings should be provided and extended between parking spaces where needed to connect pedestrians to walkways.

5. Wheel stops shall comply with the requirements in Section 106.36.080.J (Wheel stops/curbing).

6. Light or utility poles, guy wires, transformer or relay boxes, gate/door swing radii, bus benches or shelters, or permanent traffic or informational signs may be sited adjacent to, but shall not encroach upon, sidewalks or other marked pedestrian or bicycle pathways.

7. Clearly demarcated and direct pedestrian routes should extend from peripheral public sidewalks and transit stops to the sidewalks that front commercial outlets, and along driveways. Pedestrian connections to commercial development on adjoining sites should also be provided.

F. Building design. Building design shall be site-specific. Building details should relate to the scale of pedestrians as well as passing motorists. The tendency of many "big-box" retail chains is to replicate a corporate or generic aesthetic, often treating the building elevations much like large, scale-less billboards. The lack of human scale and absence of architectural character or local connection serve to emphasize a disconnection between the chain store and the community. The City discourages these conventional approaches to large-scale retail design.

1. Entrances. Each side of a principal building facing a public street should have a customer entrance. Customer entrances must be clearly defined and highly visible, with features such as canopies or porticos, arcades, arches, wing walls, and integral planters.

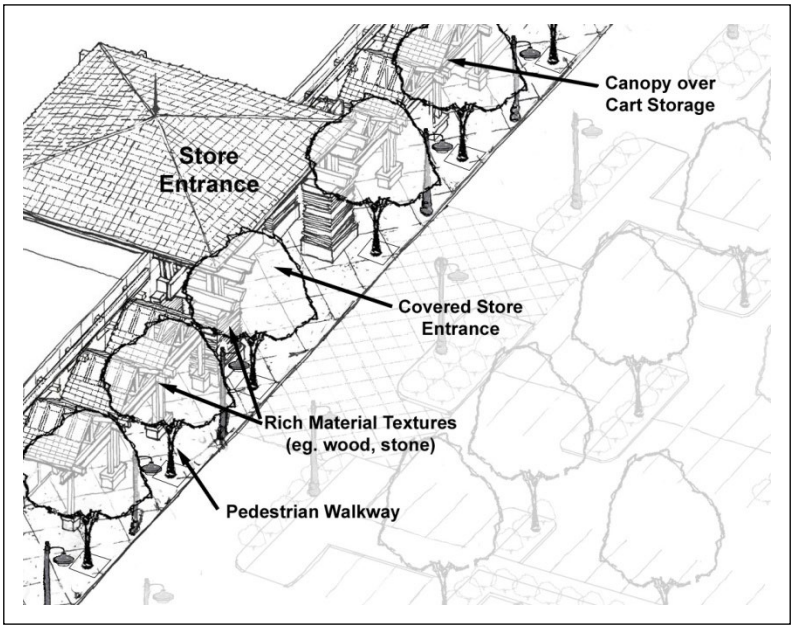


Figure 3-32 – Building Entrance and Design Features Example

2. Exterior wall materials. Predominant exterior building materials must be of high quality. Examples include brick, wood, stone, tinted/textured stucco, and tile accents.

a. Building walls should incorporate the same quality and level of detail of ornamentation on each elevation visible from a public right-of-way.

b. Building facade details and materials should be authentic, and integrated into building design, and should not be or appear as artificial "glued/tacked-on" features, such as trellises that do not support plant materials, encouraging the perception of low quality.

3. **Wall design.** All building walls should be designed to break up the appearance of a box-like structure, especially when visible from public roadways or residential areas. See Figures 3-33 and 3-34.

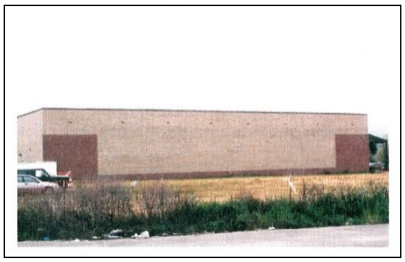


Figure 3-33 – Lack of Wall Design



Figure 3-34 – Good Wall Design

a. **Facade articulation.** Include extensive facade articulation in the form of horizontal and vertical design elements to provide variations in wall plane and surface relief, including providing a variety of surface textures, recesses and projections along wall planes. Facades greater than 100 feet in length should incorporate recesses or projections at least 20 feet deep along at least 30 percent of the length of the facade. Ideally, these recesses or projections should accommodate secondary uses/liner shops, and/or reflect the different internal functions of the store.



Figure 3-35 – Examples of Wall Features

b. **Ground floor windows.** Ground floor windows are highly encouraged. These should ideally provide pedestrians with views into the building, but even display windows can improve the pedestrian experience of the building at the street or sidewalk level.

c. **Design details.** A variety of building and wall features should be used, in ways that avoid a cluttered appearance. These may include varying colors, reveals, an external wainscot or bulkhead at the building base to reduce apparent bulk, cornices and parapet details, and moldings. The features should employ a variety of materials as appropriate for the architectural style.

Bulkheads should be constructed of a durable material other than stucco, such as tile, brick, rock, or pre-cast concrete. Windows, awnings, and arcades must total at least 60 percent of the facade length facing a street.

4. **Vertical wall articulation.** The height of building walls facing streets or on-site pedestrian areas should be varied so that the vertical mass is divided into distinct, human-scaled elements.

a. Except on a pedestrian-oriented public street where buildings are at the back of the sidewalk, structures over 20 feet in height (typical for structures of two stories or more) should step-back the building mass at least five feet for the portions of the structure above 14 feet (or the height where an actual second story begins) to provide visual variation.

b. The facade of the areas stepped-back above the actual or apparent first floor should include detailed building articulation with windows, eaves, and decorative details such as tiles, wood trim, etc. as appropriate. It is also important that the facade below the step-back have a substantial structural appearance, and not simply appear as an awning "tacked-on" to the building.

c. Building facades that are tall for no functional reason, have little surface articulation or relief, and are simply intended to provide high, visible surfaces for tenant signage are not appropriate.

5. Roof lines. The roof lines should also be varied to break up the mass of the building. Pitched roofs with roof overhangs proportional to the scale of the adjoining building wall are encouraged. Major roof-mounted equipment shall not be visible from off the site. Parapets and decorative cornices should be utilized to conceal flat roofs and to screen any roof-mounted mechanical equipment. The height of mechanical equipment shall not exceed that of the parapets or other roof features intended to screen the equipment. Enclosures, blinds, or other architectural treatment may be necessary to screen roof equipment visible from residences or public areas. Green roofs or vegetated rooftops are permitted.

6. Location of secondary uses. Secondary uses or departments including pharmacies, photo finishing/development, snack bars, dry cleaning, offices, storage, etc., should be oriented to the outside of the building by projecting them outward or recessing them inward. This includes providing the individual uses with separate entrances and windows facing the outside of the building. The intent is to break up the appearance of the large, primary building with more human-scale elements. Food courts/bars should provide indoor and sheltered outdoor eating areas with tables, chairs, umbrellas, etc.

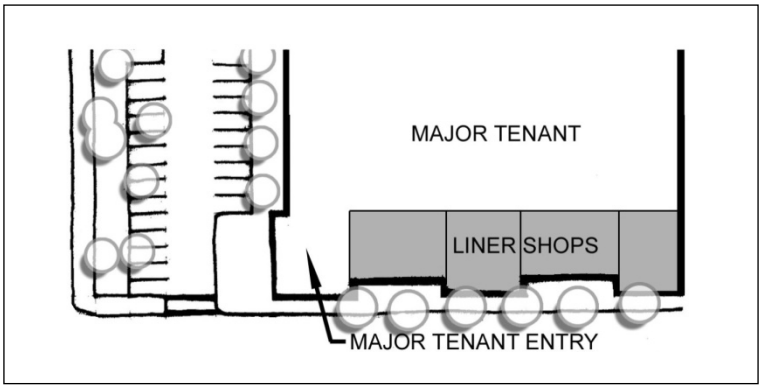


Figure 3-36 – Break-up Façade with Liner Shops

7. Design continuity. Large-scale retail projects shall incorporate elements to visually unify the buildings and signage without creating monotony. Buildings on separate pads should maintain the overall architectural character of the site; at the same time architectural variety is encouraged.

G. Loading areas. Loading docks, trash collection areas, outdoor storage, and similar facilities should be incorporated into the overall design of the building and landscaped, so that the visual and acoustic impacts of these functions are fully contained, and out of view from adjacent properties and streets. Any screening materials must be of the same quality and appearance as those used on the building itself, and shall be provided graffiti-resistant finishes.

H. Landscaping. Landscaping that complements and is in scale with the building should be provided adjacent to structures. Landscaping should include evergreen trees, shrubs and ornamental landscaping (and berms where appropriate) with all landscape areas having a minimum width of six feet. Landscaping should be used to create a focal point near front building entrances. Sidewalks and other walkways should also be integrated with landscape areas around building base and in parking lot areas. Trees should be planted in notable clusters within larger planting areas, and not exclusively in lines along building facades.

I. Outdoor lighting. The design, size, and placement of outdoor lighting fixtures on buildings and in parking lots should be in keeping with the architectural style of the buildings. More, smaller-scale parking lot lights instead of fewer, overly tall and large parking lot lights should be installed. Outdoor light fixtures mounted on building walls should relate to the height of pedestrians and not exceed eight to 10 feet. All light fixtures should be directed downward and shielded so that the light source itself is not visible.

J. Signs.

1. Guidelines.

a. The signs provided in conjunction with a large-scale retail project should comply with the following guidelines.

b. Proposed large-scale retail projects shall include a comprehensive program that effectively integrates signage into the project design.

c. Signs for these projects, and the buildings themselves, should not be designed to be freeway-oriented.

d. Along with typical auto-oriented wall and freestanding signage, permanent, pedestrian-oriented window, awning, projecting, and suspended signs should also be provided, that do not obstruct or create a safety hazard for pedestrians or cyclists.

2. Sign Permit requirements. Sign permits (see Chapter 106.38 (Signs) shall be required for color schemes, architectural features, and other design details that are:

a. Primarily designed to advertise or to provide information in the nature of advertising, to direct or attract attention to a person, institution, business, product, or service;

b. Used as the main or dominant feature of a building, building surface, or structure; and

c. Determined by the Director to not demonstrate sensitivity to the design context of the building or surrounding area.

106.31.060 - Specific Commercial Uses

The following design standards apply to the specific commercial uses identified.

A. Service stations. A service station (with or without a car wash) is an intensive auto-oriented use with large areas of pavement that requires particular design attention to be an attractive neighbor.

1. Site planning. Service station site plans should incorporate the following features.

a. The site should be designed to accommodate anticipated car and truck (including fuel delivery truck) circulation patterns and minimize paving.

b. Driveway cuts should be limited to two per site, unless otherwise allowed by the City Engineer for valid circulation reasons.

c. Service and wash bays should not face streets or residential properties. The visibility of service and wash bays otherwise should be minimized.

d. Fuel pump islands and canopies should be screened by the main building structure. The retail market/office building should be placed at the street frontage with a pedestrian entrance from, and display windows along the sidewalk, to encourage pedestrian use.

2. Building design. Service station buildings should be designed to comply with the following guidelines.

a. Site specific architectural design is encouraged. Corporate or franchise "stock" design solutions are discouraged.

b. Each structure on the site should be architecturally consistent and related to an overall architectural theme.

c. High quality building materials are encouraged. Reflective, glossy, and florescent surfaces are discouraged.

d. The roof design of all structures, including pump canopies, should incorporate pitched roof treatments with a low to moderate pitch. Flat or mansard roofs are discouraged unless they are consistent with an established and attractive architectural theme in the site vicinity.

e. Fuel pump canopies should not be internally illuminated. Light fixtures shall be completely recessed into the canopy so that the light source is concealed.

f. Each pump island should include stacking for at least two vehicles (40 feet) on-site, or at least at one end of the pump island.

106.31.070 - Industrial Project Design

A. General design objectives. The following guidelines address the overall approach to industrial project design favored by the City.

1. A variety of building and parking setbacks should be provided to avoid long monotonous building facades and to create diversity within the project.

2. Building setbacks should be provided proportionate to the scale of the structure and in consideration of existing adjacent development. Larger structures require more setback area for a balance of scale and so as not to impose visually on neighboring uses.

3. The placement of structures to create plazas, courts, or gardens is encouraged. Setback areas can often be used to provide space for patio and outdoor eating areas.

4. The main elements of preferred business park/industrial site design include the following:

   a. Easily identifiable site access;

   b. Service areas located at the sides and rear of buildings;

   c. Convenient access, visitor parking and on-site circulation;

   d. Screening of outdoor storage, work areas, and equipment;

   e. Emphasis on the main building entry and landscaping;

   f. Placement of buildings to provide plazas and courtyards;

   g. Landscaped open space; and

   h. Multiple buildings on the same site clustered to create a campus-like setting that takes advantage of shared open space and pedestrian amenities.

B. Architectural design. The inherently utilitarian nature of industrial buildings need not prevent the design of attractive industrial areas within the city.

1. Architectural style. The architectural style of business park and industrial buildings should incorporate clean simple lines. Buildings should project an image of high quality through the use of appropriate durable materials and well landscaped settings. See Figure 3-37.



Figure 3-37 – Desirable Clean Lines and Articulated Facade

2. Mass and scale of structures. As a category of structure type, typically bland industrial buildings often present unattractive, unadorned, "box-like" forms. A variety of design techniques should be used to help overcome this situation and to produce a cohesive design statement.

a. Provide articulated facades with offsets and recessed entries.

b. Entries to structures should have a quality appearance while being architecturally tied into the overall building composition and scale.

c. Alteration of colors, textures, and materials should be used to produce diversity and enhance architectural forms.

d. A compatible variety of siding materials (i.e., metal, masonry, concrete texturing, cement or plaster) should be used to produce effects of texture and relief that provide architectural interest.

3. Undesirable elements. Undesirable design elements to be avoided include:

a. Large blank, unarticulated wall surfaces.

b. Exposed, untreated precision block walls;

c. Chain link fence and barbed wire;

d. False fronts;

e. Steeply pitched Mansard roofs;

f. Materials with high maintenance (such as stained wood, shingles or light gauge metal siding);

g. Mirror window glazing;

h. Loading bays or doors facing a street; and

i. Exposed roof drains and downspouts, except where integrated with the colors, materials, and other details of the building architecture.

C. Parking and vehicle circulation. Parking lots should not be the dominant visual elements of a site. Large expansive paved areas located between the street and the building are to be avoided in favor of smaller multiple lots separated by landscaping and buildings and located to the sides and rear of buildings whenever possible.

1. Site access and internal circulation should be designed in a straightforward manner that emphasizes safety and efficiency. The circulation system should be designed to reduce conflicts between vehicular and pedestrian traffic.

2. Entrances and exits to and from parking and loading facilities should be clearly marked with appropriate directional signage where multiple access points are provided.

3. Parking lots adjacent to and visible from public streets must be adequately screened from view through the use of rolling earth berms, low screen walls, changes in elevation, landscaping or combinations of these features.

D. Pedestrian circulation.

1. Clearly demarcated and direct pedestrian routes should extend from peripheral public sidewalks and transit stops to the sidewalks that front on-site buildings, and along driveways.

2. Pedestrian walkways must be distinguished from driving surfaces through the use of special pavers, bricks, or colored/textured concrete to enhance pedestrian safety and the attractiveness of the walkways. Pedestrian circulation in parking areas should be parallel to traffic flow toward building entrances. Sidewalk

landings should be provided and extended between parking spaces where needed to connect pedestrians to walkways.

3. Wheel stops shall comply with the requirements in Section 106.36.080.I (Wheel stops/curbing).

E. Loading facilities. Loading bays are key elements of the function of many industrial buildings, but can be problematic in creating an overall building design that is attractive from the public view.

1. To alleviate the unsightly appearance of loading facilities, these areas should not be located at the front of buildings where it is difficult to adequately screen them from view. Loading facilities are generally more appropriate at the rear of a building where they are more functional and can be more effectively screened.

2. When site features prevent the placement of loading facilities at the rear of the building, loading docks and doors may be at the side of the building but must be screened from view by a combination of screen walls, ornamental landscaping and/or portions of the building. Gates should be located so as not to allow views from the public right-of-way into loading areas.

3. Rolling shutter doors located on the inside of the building are the preferred method for providing large loading doors while keeping a clean, uncluttered appearance from the exterior.

4. Loading areas must be designed so that trucks will not need to back-in from the public street onto the site.

F. Landscaping. Landscaping should be used on industrial sites to define areas such as entrances to buildings and parking lots, define the edges of various land uses, provide transition between neighboring properties (buffering), provide screening for outdoor storage, loading and equipment areas, manage stormwater, and recharge groundwater.

1. Landscaping should be in scale with adjacent buildings and be of appropriate size at maturity to accomplish its intended purpose.

2. Landscaping around the entire base of buildings is recommended to soften the edge between the parking lot and the structure and the view of the structure from the public right-of-way. Landscaping should be accented at building entrances to provide a focal point.

3. Use berming at the edge of the building in conjunction with landscaping to reduce the apparent height of the structure and its mass, especially along street frontages.

4. Development in areas with native vegetation or located within riparian, viewshed or other unique natural environments are encouraged to use landscape designs and material that are sensitive to and compatible with existing vegetation.

5. Tree planting areas must be adequate to support the mature size of the species selected.

G. Walls and fences. The fact that industrial uses often require large outdoor areas for production activities, parking, or storage necessitates the thoughtful design of surrounding walls and fences because they can become significant visual elements on the site. Fences and walls shall also comply with the requirements of Section 106.30.050 (Fences and Walls).

1. If walls are not required for a specific screening or security purpose they should not be used. The intent is to keep walls as low as possible while still performing their screening and security functions.

2. Where walls are used at property frontages, or screen walls are used to conceal storage and equipment areas, they should be designed to blend with the site's architecture. Landscaping should be used in combination with such walls whenever possible.

3. Long expanses of fence or wall surfaces should be offset and architecturally designed to prevent monotony. Landscape pockets should be provided along the wall. See Figure 3-38.

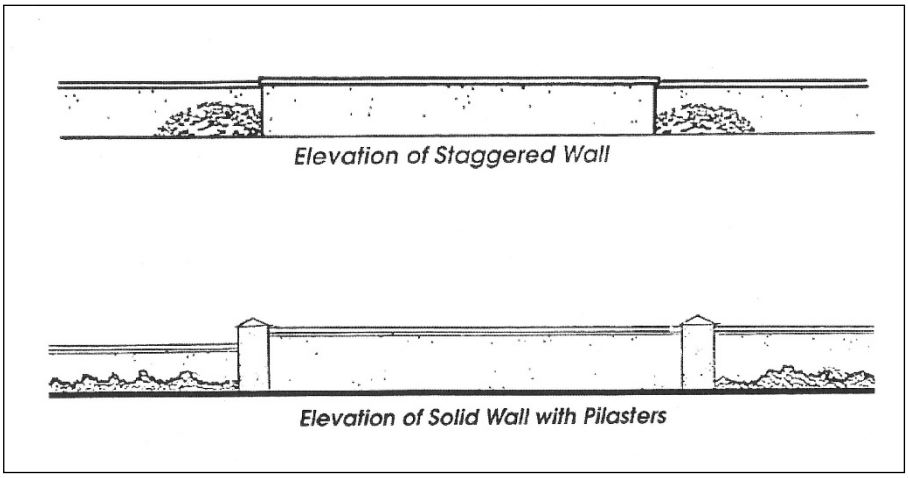


Figure 3-38 – Example of Wall Articulation

4. With taller walls over five feet in height, it may be more appropriate to have a stepped design which allows for the creation of a planter area between wall components. The use of trailing vines or groundcovers in these planters is encouraged.

5. When security fencing is required, it should be a combination of solid columns, or short solid wall segments, and wrought iron grill work, rather than the entire fence being a single material.

H. Screening. The nature of some industrial uses and their sites may inevitably result in unsightly features. In these cases, screening features must be carefully designed so that their appearance is not equally unattractive.

1. Exterior storage and loading areas should be confined to portions of the site least visible to public view where screening needs are minimized.

2. Where screening is required, a combination of elements should be used including solid masonry walls, berms, and landscaping. Chain link fencing with wood or metal slatting is an acceptable screening material only for areas not visible from a public street or parking lot.

3. Where permanent screening is required between a manufacturing zone and a residential zone, a decorative, solid masonry screening wall is required. Evergreen landscaping should be placed adjacent to the wall.

4. Screening that includes a fence or wall shall also comply with Section 106.30.050 (Fences and Walls).

I. Roofs. Roof design contributes strongly to the image of a structure as having quality and permanence.

1. Unless roofing materials are a part of the design element (for example, tiles, concrete or metal roofing elements), the ridge line elevation should not exceed the parapet elevation.

2. Piecemeal mansard roofs (used on a portion of the building perimeter only) should be avoided. Mansard roofs should wrap around the entire perimeter of the structure.

3. Rooftop equipment must be screened.

J. Metal buildings. All metal buildings should be designed to have architectural interest and articulation as is encouraged with conventionally built structures.

1. In addition to architectural metal panels, exterior surfaces should include either stucco, plaster, glass, stone, brick, or decorative masonry. Stock, "off-the-shelf" metal buildings are highly discouraged as main structures.

2. Metal buildings should employ a variety of building forms, shapes, colors, materials and other architectural treatments to add visual interest and variety to the building. Architectural treatments should emphasize the primary entrance to the building.

3. All exterior surfaces of metal buildings that have a risk of being struck and damaged by vehicles or machinery should be protected with landscaped areas, raised concrete curbs, and/or traffic barriers.

K. Signs. Every structure should be designed with a specific concept for adequate signing. Provisions for sign placement, sign scale in relation to building scale, and the readability of the sign should be considered in developing the overall project's signing concept.

1. The design of each sign should be compatible with the design of the structure and site design relative to color, material, and placement.

2. Monument signs are preferred for business identification. Where several tenants occupy the same site, individual wall mounted signs are appropriate in combination with a monument sign identifying the business park complex and address. See Figure 3-39.



Figure 3-39 – Example of a Compatible Monument Sign

3. The use of carved wood, or backlit individually cut letter signs is encouraged.

4. The industrial site should be appropriately signed to give directions to loading and receiving areas, visitor parking and other special areas.

CHAPTER 106.32 - AFFORDABLE HOUSING INCENTIVES

Sections:

106.32.010 - Purpose
106.32.020 - Eligibility for Bonus, Incentives, or Concessions
106.32.030 - Allowed Density Bonuses
106.32.040 - Allowed Incentives or Concessions
106.32.050 - Parking Requirements in Density Bonus Projects
106.32.060 - Bonus and Incentives for Housing with Child Care Facilities
106.32.070 - Continued Availability
106.32.080 - Location and Type of Designated Units
106.32.090 - Processing of Bonus Requests
106.32.100 - Density Bonus Agreement
106.32.110 - Control of Resale
106.32.120 - Judicial Relief, Waiver of Standards

106.32.010 - Purpose

As required by Government Code Section 65915, this Chapter offers density bonuses, and incentives or concessions for the development of housing that is affordable to the types of households and qualifying residents identified in Section 106.32.020 (Eligibility for Bonus, Incentives, or Concessions). This Chapter is intended to implement the requirements of Government Code Section 65915, et seq., and the Housing Element of the General Plan. If conflicts occur between requirements of this Chapter of the Zoning Code and Government Code Section 65915 through 65918, the requirements of Government Code Section 65915 through 65918 shall apply.

106.32.020 - Eligibility for Bonus, Incentives, or Concessions

In order to be eligible for a density bonus and other incentives or concessions as provided by this Chapter, a proposed housing development shall comply with the following requirements, and satisfy all other applicable provisions of this Zoning Code, except as provided by Section 106.32.040 (Allowed Incentives or Concessions).

A. Resident requirements. A housing development proposed to qualify for a density bonus shall be designed and constructed so that it includes at least any one of the following:

1. 10 percent of the total number of proposed units are for lower income households, as defined in Health and Safety Code Section 50079.5;

2. Five percent of the total number of proposed units are for very low income households, as defined in Health and Safety Code Section 50105;

3. The project is a senior citizen housing development as defined in Civil Code Sections 51.3 and 51.12, or is a mobile home park that limits residency based on age requirements for housing older persons in compliance with Civil Code Sections 798.76 or 799.5; or

4. 10 percent of the total dwelling units are for persons and families of moderate income, as defined in Health and Safety Code Section 50093, provided that all units in the development are offered to the public for purchase.

5. 10 percent of the total units of a housing development are for transitional foster youth, as defined in Section 66025.9 of the Education Code, disabled veterans, as defined in Section 18541 of the Government Code,

or homeless persons, as defined in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sect. 11301 et seq.) are for very low income households, as defined in Health and Safety Code Section 50105.

6. 20 percent of the total units for low income college students in housing dedicated for full-time students at accredited colleges meeting the requirements of Government Code 65915.

7. The project donates at least one acre of land to the city for very low income units, and the land has appropriate general plan designation, zoning, permits and approvals, and access to public facilities needed for such housing per Government Code Section 65915.

B. Applicant selection of basis for bonus. For purposes of calculating the amount of the density bonus in compliance with Section 106.32.030 (Allowed Density Bonuses), below, the applicant who requests a density bonus shall elect whether the bonus shall be awarded on the basis of Subsections A.1., 2., 3., 4., 5., 6., or 7. above.

C. Bonus units shall not qualify a project. A density bonus granted in compliance with Section 106.32.030 (Allowed Density Bonuses), below, including "total units," "total dwelling units," or "total rental beds" shall not be included when determining the number of housing units that is equal to the percentages required by Subsection A.

D. Minimum project size to qualify for density bonus. The density bonus provided by this Chapter shall be available only to a housing development of five or more dwelling units.

E. Condominium conversion projects. A condominium conversion project for which a density bonus is requested shall comply with the eligibility and other requirements in Government Code Section 65915.5.

106.32.030 - Allowed Density Bonuses

The amount of a density bonus allowed in a housing development shall be determined by the Council in compliance with this Section. For the purposes of this Chapter, "density bonus" means a density increase over the otherwise maximum allowable residential density ("base density") under the applicable zoning district and designation of the Land Use Element of the General Plan as of the date of application by the applicant to the City. If the base density under the zoning designation is inconsistent with the General Plan or any Specific Plan, the greater density shall apply. If a range of densities are permitted, the maximum numbers of units will be allowed.

A. Density bonus. A housing project that complies with the eligibility requirements in Subparagraphs 106.32.020.A.1 shall be entitled to density bonuses as follows, unless a lesser percentage is proposed by the applicant.

1. Bonus for units for low, very low, and moderate income households, land donations, senior citizen developments, transitional foster youth housing, disabled veterans housing, homeless persons housing, or student housings. A housing development that is eligible for a bonus in compliance with one of the criteria listed in Section 106.32.020.A shall be entitled to a density bonus calculated as follows:

Affordable Unit Percentage**	Very Low Income Density Bonus	Low Income Density Bonus	Moderate Income Density Bonus***	Land Donation Density Bonus	Senior****	Foster Youth/Disabled Vets/Homeless	College Students
5%	20%	--	--	--	20%	--	--
6%	22.5%*	--	--	--	20%	--	--
7%	25%	--	--	--	20%	--	--
8%	27.5%	--	--	--	20%	--	--
9%	30%	--	--	--	20%	--	--
10%	32.5%	20%	5%	15%	20%	20%	--
11%	35%	21.5%	6%	16%	20%	20%	--
12%	38.75%	23%	7%	17%	20%	20%	--
13%	42.5%	24.5%	8%	18%	20%	20%	--
14%	46.25%	26%	9%	19%	20%	20%	--
15%	50%	27.5%	10%	20%	20%	20%	--
16%	50%	29%	11%	21%	20%	20%	--
17%	50%	30.5%	12%	22%	20%	20%	--
18%	50%	32%	13%	23%	20%	20%	--
19%	50%	33.5%	14%	24%	20%	20%	--
20%	50%	35%	15%	25%	20%	20%	35%
21%	50%	38.75%	16%	26%	20%	20%	35%
22%	50%	42.5%	17%	27%	20%	20%	35%
23%	50%	46.25%	18%	28%	20%	20%	35%
24%	50%	50%	19%	29%	20%	20%	35%
25%	50%	50%	20%	30%	20%	20%	35%
26%	50%	50%	21%	31%	20%	20%	35%
27%	50%	50%	22%	32%	20%	20%	35%
28%	50%	50%	23%	33%	20%	20%	35%
29%	50%	50%	24%	34%	20%	20%	35%
30%	50%	50%	25%	35%	20%	20%	35%
31%	50%	50%	26%	35%	20%	20%	35%
32%	50%	50%	27%	35%	20%	20%	35%
33%	50%	50%	28%	35%	20%	20%	35%
34%	50%	50%	29%	35%	20%	20%	35%
35%	50%	50%	30%	35%	20%	20%	35%
36%	50%	50%	31%	35%	20%	20%	35%
37%	50%	50%	32%	35%	20%	20%	35%
38%	50%	50%	33%	35%	20%	20%	35%
39%	50%	50%	34%	35%	20%	20%	35%
40%	50%	50%	35%	35%	20%	20%	35%
41%	50%	50%	38.75%	35%	20%	20%	35%
42%	50%	50%	42.5%	35%	20%	20%	35%
43%	50%	50%	46.25%	35%	20%	20%	35%
44%	50%	50%	50%	35%	20%	20%	35%
100%*****	80%	80%	80%	35%	20%	20%	35%

*All density bonus calculations resulting in fractions are rounded up to the next whole number

**Affordable unit percentage is calculated excluding units added by a density bonus

***Moderate income density bonus applies to for sale units, not to rental units

****No affordable units are required for senior units

*****Applies when 100% of the total units (other than manager's units) are restricted to very low, lower, and moderate income (maximum 20% moderate)

a. Increased bonus. The increase in the table above shall be in addition to any increase in density required by Subsections A.1, up to a maximum combined mandated density increase of 35 percent if an applicant seeks both the increase required in compliance with a land donation, as well as the bonuses provided by any other qualifying category as described in Subsection A.1.

b. Eligibility for increased bonus. An applicant shall be eligible for the increased density bonus provided by this Subsection if all of the following conditions are met.

(1) The applicant donates and transfers the land no later than the date of approval of the final subdivision map, parcel map, or residential development application.

(2) The developable acreage and zoning classification of the land being transferred are sufficient to permit construction of units affordable to very low income households in an amount not less than 10 percent of the number of residential units of the proposed development.

(3) The transferred land is at least one acre, or of sufficient size to permit development of at least 40 units, has the appropriate General Plan designation, is appropriately zoned for development as affordable housing, and is or will be served by adequate public facilities and infrastructure. The land shall have appropriate zoning and development standards to make the development of the affordable units feasible.

(4) No later than the date of approval of the final subdivision map, parcel map, or of the residential development, the transferred land shall have all of the permits and approvals, other than Building Permits, necessary for the development of the very low income housing units on the transferred land, except that the City may subject the proposed development to subsequent design review to the extent authorized by Government Code Section 65583.2(I) if the design is not reviewed by the City before the time of transfer.

(5) The transferred land and the affordable units shall be subject to a deed restriction ensuring continued affordability of the units consistent with Section 106.32.070 (Continued Availability), below, which shall be recorded on the property at the time of dedication.

(6) The land is transferred to the City or to a housing developer approved by the City. The City may require the applicant to identify and transfer the land to the approved housing developer.

(7) The transferred land shall be within the boundary of the proposed development or, if the City agrees, within one-quarter mile of the boundary of the proposed development.

(8) The proposed source of funding for the very low income units shall be identified not later than the date of approval of the final subdivision map, parcel map, or residential development application.

(9) Any development in an area designated as a Very Low Vehicle Miles Traveled Area as defined in Government Code 65915 are eligible for the following benefits:

1. A height increase of three stories or 33 feet for projects that are 100% lower income units in addition to the four incentives/concessions already allowed. Manager's unit(s) are allowed and up to 20% may be for moderate income households.

2. Unlimited density.

B. Greater or lesser bonuses. The City may choose to grant a density bonus greater than provided by this Section for a development that meets the requirements of this Section, or grant a proportionately lower density bonus than required by this Section for a development that does not comply with the requirements of this Section.

C. Density bonus calculations. The calculation of a density bonus in compliance with this Section that results in fractional units shall be rounded up to the next whole number, as required by State law. For the purpose of calculating a density bonus, the residential units do not have to be based upon individual subdivision maps or parcels.

D. Requirements for amendments or discretionary approval. The granting of a density bonus shall not be interpreted, in and of itself, to require a General Plan amendment, Zoning Map amendment, or other discretionary approval.

E. Location of bonus units. The developer may locate density bonus units in the housing project in other than the areas where the units for the lower income households are located.

106.32.040 - Allowed Incentives or Concessions

A. Applicant request and City approval. An applicant for a density bonus in compliance with this Chapter may submit to the City a proposal for the specific incentives or concessions listed in Subsection C. (Type of incentives), below, that the applicant requests in compliance with this Section, and may request a meeting with the Director. The applicant may file their request either prior to an application for City approval of the proposed project, or concurrently with the application for project approval. The Council shall grant an incentive or concession request that complies with this Section unless the Council makes either of the following findings in writing, based upon substantial evidence:

1. The incentive or concession is not required to provide for affordable housing costs, as defined in Health and Safety Code Section 50052.5, or for rents for the targeted units to be set as specified in Section 106.32.070.B. (Unit cost requirements); or

2. The incentive or concession would have a specific adverse impact, as defined in Government Code Section 65589.5(d)(2), upon public health and safety, or on any real property listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate income households.

3. The concession or incentive would be contrary to state or federal law.

B. Number of incentives. The applicant shall receive the following number of incentives or concessions.

No. of Incentives/Concessions	Very Low Income %	Low Income %	Moderate Income %
1	5%	10%*	10%
2	10%	17%	20%
3	15%	24%	30%
4	100% Low/Very Low/Mod (20% Moderate Allowed)	100% Low/Very Low/Mod (20% Moderate Allowed)	100% Low/Very Low/Mod (20% Moderate Allowed)

*One incentive or concession is also required for projects that include at least 20 percent of the total units for lower income students in a student housing development.

C. Type of incentives. For the purposes of this Chapter, concession or incentive means any of the following:

1. A reduction in the site development standards of this Zoning Code (e.g., site coverage limitations, setbacks, reduced parcel sizes, and/or parking requirements (see also Section 106.32.050 [Parking Requirements in Density Bonus Projects]), or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission in compliance with Health and Safety Code Section 18901 et seq., that would otherwise be required, that results in identifiable, financially sufficient, and actual cost reductions;

2. Approval of mixed-use zoning not otherwise allowed by this Zoning Code in conjunction with the housing development, if nonresidential land uses will reduce the cost of the housing development, and the nonresidential land uses are compatible with the housing project and the existing or planned development in the area where the project will be located;

3. Other regulatory incentives proposed by the applicant or the City that will result in identifiable, financially sufficient, and actual cost reductions; and/or

4. In its sole and absolute discretion, a direct financial contribution granted by the Council, including writing-down land costs, subsidizing the cost of construction, or participating in the cost of infrastructure.

D. Effect of incentive or concession. The granting of a concession or incentive shall not be interpreted, in and of itself, to require a General Plan amendment, Zoning Map amendment, or other discretionary approval.

106.32.050 - Parking Requirements in Density Bonus Projects

A. Applicability. This Section applies to a development that meets the requirements of Section 106.32.020 (Eligibility for Bonus, Incentives, or Concessions), above, but only at the request of the applicant. An applicant may request additional parking incentives or concessions beyond those provided in this Section in compliance with Section 106.32.040 (Allowed Incentives or Concessions), above.

B. Number of parking spaces required.

1. At the request of the applicant, the City shall apply the following vehicular parking ratios for a project that complies with the requirements of Section 106.32.020 (Eligibility for Bonus, Incentives, or Concessions), above, inclusive of handicapped and guest parking, pursuant to Government Code Section 65915(p)(1):

Studio	1 space
1 Bedroom	1 space
2 Bedroom	1.5 spaces
3 Bedroom	1.5 spaces
4+ Bedrooms	2.5 spaces

a. Lower parking ratios apply to specified projects as follows:

Rental/for sale projects with at least 11% very low income or 20% low income units, within ½ mile of accessible major transit stop	0.5 spaces per unit
Rental projects 100% affordable to low income, within ½ mile of accessible major transit stop	0 spaces per unit
Rental senior projects 100% affordable to low income, either with paratransit service or within ½ mile of accessible bus route (operating at least 8 times per day)	0 spaces per unit
Rental special needs project 100% affordable to low income households, either with paratransit service or within ½ mile of accessible bus route (operating at least 8 times per day)	0 spaces per unit
Rental supportive housing developments 100% affordable to low income households	0 spaces per unit
For sale projects with at least 40% moderate income units, within ½ mile of accessible major transit stop	0.5 spaces per bedroom

2. If the total number of parking spaces required for a development is other than a whole number, the number shall be rounded up to the next whole number.

C. Location of parking. For purposes of this Section, a development may provide on-site parking through tandem or uncovered parking, but not through on-street parking.

106.32.060 - Bonus and Incentives for Housing with Child Care Facilities

A housing development that complies with the resident and project size requirements of Subsections 106.32.020.A., and B., above, and also includes as part of that development a child care facility other than a large or small family day care home, that will be located on the site of, as part of, or adjacent to the development, shall be subject to the following additional bonus, incentives, and requirements.

A. Additional bonus and incentives. The City shall grant a housing development that includes a child care facility in compliance with this Section either of the following:

1. An additional density bonus that is an amount of floor area in square feet of residential space that is equal to or greater than the floor area of the child care facility; or

2. An additional incentive that contributes significantly to the economic feasibility of the construction of the child care facility.

B. Requirements to qualify for additional bonus and incentives.

1. The City shall require, as a condition of approving the housing development, that:

   a. The child care facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the density bonus units are required to remain affordable in compliance with Section 106.32.070 (Continued Availability), below; and

   b. Of the children who attend the child care facility, the children of very low income households, lower income households, or families of moderate income shall equal a percentage that is equal to or greater than the percentage of dwelling units that are required for very low income households, lower income households, or families of moderate income in compliance with Subsection 106.32.020 A (Resident requirements), above.

2. The City shall not be required to provide a density bonus for a child care facility in compliance with this Section if it finds, based upon substantial evidence, that the community has adequate child care facilities.

106.32.070 - Continued Availability

The units that qualified the housing development for a density bonus and other incentives and concessions shall be continue to be available as affordable units in compliance with the following requirements, as required by Government Code Section 65915(c)). See also Section 106.32.110 (Control of Resale).

A. Duration of affordability. The applicant shall agree to, and the City shall ensure the continued availability of the units that qualified the housing development for a density bonus and other incentives and concessions, as follows.

1. Low-, and very low-income units. The continued affordability of all low- and very low income qualifying units shall be maintained for 55 years, or a longer time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program.

2. Moderate income units in common interest development. The continued availability of moderate income units in a common interest development shall be maintained for a minimum of 10 years.

B. Unit cost requirements. The rents and owner-occupied costs charged for the housing units in the development that qualify the project for a density bonus and other incentives and concessions, shall not exceed the following amounts during the period of continued availability required by this Section:

1. **Lower income units.** Rents for the lower income density bonus units shall be set at an affordable rent as defined in Health and Safety Code Section 50053; and

2. **Owner-occupied units.** Owner-occupied units shall be available at an affordable housing cost as defined in Health and Safety Code Section 50052.5.

C. Occupancy and resale of moderate income common interest development units. An applicant shall agree to, and the City shall ensure that the initial occupant of moderate income units that are directly related to the receipt of the density bonus in a common interest development as defined in Civil Code Section 1351, are persons and families of moderate income, as defined in Health and Safety Code Section 50093, and that the units are offered at an affordable housing cost, as defined in Health and Safety Code Section 50052.5. The City shall enforce an equity sharing agreement unless it is in conflict with the requirements of another public funding source or law. The following requirements apply to the equity sharing agreement.

1. Upon resale, the seller of the unit shall retain the value of any improvements, the down payment, and the seller's proportionate share of appreciation.

2. The City shall recapture any additional subsidy and its proportionate share of appreciation, which shall then be used within three years for any of the purposes described in Health and Safety Code Section 33334.2(e) that promote home ownership. For the purposes of this Section:

   a. The City's initial subsidy shall be equal to the fair market value of the home at the time of initial sale, minus the initial sale price to the moderate-income household, plus the amount of any down payment assistance or mortgage assistance. If upon resale the market value is lower than the initial market value, then the value at the time of the resale shall be used as the initial market value; and

   b. The City's proportionate share of appreciation shall be equal to the ratio of the initial subsidy to the fair market value of the home at the time of initial sale.

106.32.080 - Location and Type of Designated Units

A. Location/dispersal of units. As required by the Council in compliance with Section 106.32.090 (Processing of Bonus Requests), below, designated units shall be reasonably dispersed throughout the project where feasible, shall contain on average the same number of bedrooms as the non-designated units in the project, and shall be compatible with the design or use of remaining units in terms of appearance, materials, and finished quality.

B. Phasing. If a project is to be phased, the density bonus units shall be phased in the same proportion as the non-density bonus units, or phased in another sequence acceptable to the City.

106.32.090 - Processing of Bonus Requests

A. Permit requirement. A request for a density bonus and other incentives and concessions shall be submitted concurrently with the filing of the planning application for the first discretionary permit required for the housing or commercial development. The density bonus request shall be submitted in writing and shall be processed concurrently with the planning application. The applicant shall be informed whether the application is consistent with Government Code Section 65943.

B. Application Contents. An application to request a density bonus shall be filed with the Department on a City application form together with all information required by the City's list of required application contents.

C. Application Review Process. The review process for a density bonus project shall be the same as that required for associated discretionary permits. Discretionary actions on density bonus project shall be subject to the same appeal process applied to associated discretionary permits. The application and approval of a density bonus and

any associated incentives or concessions shall not require a separate permit or approval process from that otherwise required for the same project without a density bonus request.

D. Findings for approval. In addition to the findings required by any discretionary permits, the approval of a density bonus and other incentives and concessions shall require that the review authority first make all of the following additional findings:

1. The residential development will be consistent with the General Plan, except as provided by this Chapter for density bonuses, and other incentives and concessions;

2. The approved number of dwellings can be accommodated by existing and planned infrastructure capacities;

3. Adequate evidence exists to indicate that the project will provide affordable housing in a manner consistent with the purpose and intent of this Chapter; and

4. There are sufficient provisions to guarantee that the units will remain affordable for the required time period.

106.32.100 - Density Bonus Agreement

A. Agreement required. An applicant requesting a density bonus shall agree to enter into a density bonus agreement (referred to as the "agreement") with the City in the City's standard form of agreement.

B. Agreement provisions.

1. Project information. The agreement shall include at least the following information about the project:

a. The total number of units approved for the housing development, including the number of designated dwelling units;

b. A description of the household income group to be accommodated by the housing development, and the standards and methodology for determining the corresponding affordable rent or affordable sales price and housing cost consistent with HUD Guidelines;

c. The marketing plan for the affordable units;

d. The location, unit sizes (square feet), and number of bedrooms of the designated dwelling units;

e. Tenure of the use restrictions for designated dwelling units of the time periods required by Section 106.32.070 (Continued Availability);

f. A schedule for completion and occupancy of the designated dwelling units;

g. A description of the additional incentives being provided by the City;

h. A description of the remedies for breach of the agreement by the owners, developers, and/or successors-in-interest of the project; and

i. Other provisions to ensure successful implementation and compliance with this Chapter.

2. Minimum requirements. The agreement shall provide, at minimum, that:

a. The developer shall give the City the continuing right-of-first-refusal to lease or purchase any or all of the designated dwelling units at the appraised value;

b. The deeds to the designated dwelling units shall contain a covenant stating that the developer or successors-in-interest shall not assign, lease, rent, sell, sublet, or otherwise transfer any interests for designated units without the written approval of the City;

c. When providing the written approval, the City shall confirm that the price (rent or sale) of the designated dwelling unit is consistent with the limits established for low and very low income households, as published by HUD;

d. The City shall have the authority to enter into other agreements with the developer, or purchasers of the designated dwelling units, to ensure that the required dwelling units are continuously occupied by eligible households;

e. Applicable deed restrictions, in a form satisfactory to the City Attorney, shall contain provisions for the enforcement of owner or developer compliance. Any default or failure to comply may result in foreclosure, specific performance, or withdrawal of the Certificate of Occupancy;

f. In any action taken to enforce compliance with the deed restrictions, the City Attorney shall, if compliance is ordered by a court of competent jurisdiction, take all action that may be allowed by law to recover all of the City's costs of action including legal services; and

g. Compliance with the agreement will be monitored and enforced in compliance with the measures included in the agreement.

3. For-sale housing conditions. In the case of for-sale housing developments, the agreement shall provide for the following conditions governing the initial sale and use of designated dwelling units during the applicable restriction period:

a. Designated dwelling units shall be owner-occupied by eligible households, or by qualified residents in the case of senior housing; and

b. The initial purchaser of each designated dwelling unit shall execute an instrument or agreement approved by the City which:

(1) Restricts the sale of the unit in compliance with this Chapter during the applicable use restriction period;

(2) Contains provisions as the City may require to ensure continued compliance with this Chapter and State law; and

(3) Shall be recorded against the parcel containing the designated dwelling unit.

c. The housing units are purchased by a qualified nonprofit housing corporation pursuant to a recorded contract that satisfies all of the requirements specified in paragraph (10) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code and that complies with all requirements as described in Government Code Section 65915.

4. Rental housing conditions. In the case of a rental housing development, the agreement shall provide for the following conditions governing the use of designated dwelling units during the use restriction period:

a. The rules and procedures for qualifying tenants, establishing affordable rent, filling vacancies, and maintaining the designated dwelling units for qualified tenants;

b. Provisions requiring owners to annually verify tenant incomes and maintain books and records to demonstrate compliance with this Chapter;

c. Provisions requiring owners to submit an annual report to the City, which includes the name, address, and income of each person occupying the designated dwelling units, and which identifies the bedroom size and monthly rent or cost of each unit; and

d. The applicable use restriction period shall comply with the time limits for continued availability in Section 106.32.070 (Continued Availability), above.

C. Execution of agreement.

1. Following Council approval of the agreement, and execution of the agreement by all parties, the City shall record the completed agreement on the parcels designated for the construction of designated dwelling units, at the County Recorder's Office.

2. The approval and recordation shall take place at the same time as the final map or, where a map is not being processed, before issuance of Building Permits for the designated dwelling units.

3. The agreement shall be binding on all future owners, developers, and/or successors-in-interest.

106.32.110 - Control of Resale

In order to maintain the availability of for-sale affordable housing units constructed in compliance with this Chapter, the following resale conditions shall apply.

A. Limits on resale price. The price received by the seller of an affordable unit shall be limited to the purchase price plus an increase based on the Sacramento metropolitan area consumer price index, an amount consistent with the increase in the median income since the date of purchase, or the fair market value, whichever is less. Before offering an affordable housing unit for sale, the seller shall provide written notice to the City of their intent to sell. The notice shall be provided by certified mail to the Director.

B. Units to be offered to the City. Home ownership affordable units constructed, offered for sale, or sold under the requirements of this Section shall be offered to the City or its assignee for a period of at least 90 days from the date of the notice of intent to sell is delivered to the City by the first purchaser or subsequent purchasers. Home ownership affordable units shall be sold and resold from the date of the original sale only to households as determined to be eligible for affordable units by the City in compliance with this Section. The seller shall not levy or charge any additional fees nor shall any "finders fee" or other monetary consideration be allowed other than customary real estate commissions and closing costs.

C. Declaration of restrictions. The owners of any affordable unit shall attach and legally reference in the grant deed conveying title of the affordable ownership unit a declaration of restrictions provided by the City, stating the restrictions imposed in compliance with this Section. The grant deed shall afford the grantor and the City the right to enforce the declaration of restrictions. The declaration of restrictions shall include all applicable resale controls, occupancy restrictions, and prohibitions required by this Section.

D. City to monitor resale of units. The City shall monitor the resale of ownership affordable units. The City or its designee shall have a 90-day option to commence purchase of ownership affordable units after the owner gives notification of intent to sell. Any abuse in the resale provisions shall be referred to the City for appropriate action.

106.32.120 - Judicial Relief, Waiver of Standards

A. Judicial relief. As provided by Government Code Section 65915(d)(3), the applicant may initiate judicial proceedings if the City refuses to grant a requested density bonus, incentive, or concession.

B. Waiver of standards preventing the use of bonuses, incentives, or concessions.

1. As required by Government Code Section 65915(e), the City will not apply a development standard that will have the effect of precluding the construction of a development meeting the criteria of Subsection 106.32.020 A (Resident requirements), above, at the densities or with the concessions or incentives allowed by this Chapter.

2. An applicant may submit to the City a proposal for the waiver or reduction of development and zoning standards that would otherwise inhibit the utilization of a density bonus on a specific site, including minimum parcel size, side setbacks, and placement of public works improvements.

3. The applicant shall show that the waiver or modification is necessary to make the housing units economically feasible.

C. City exemption. Notwithstanding the provisions of Subsections A. and B., above, nothing in this Section shall be interpreted to require the City to:

1. Grant a density bonus, incentive, or concession, or waive or reduce development standards, if the bonus, incentive, concession, waiver, or reduction, would have a specific, adverse impact, as defined in Government Code Section 65589.5(d)(2), upon health or safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact; or

2. Grant a density bonus, incentive or concession, or waive or reduce development standards that would have an adverse impact on any real property that is listed in the California Register of Historical Resources.

CHAPTER 106.34 - LANDSCAPING STANDARDS

Sections:

106.34.010 - Purpose
106.34.020 - Applicability
106.34.030 - Landscape and Irrigation Plans
106.34.040 - Landscape Location Requirements
106.34.050 - Landscape Standards
106.34.060 - Water Efficient Landscaping
106.34.070 - Maintenance of Landscape Areas

106.34.010 - Purpose

This Chapter establishes requirements for landscaping to enhance the appearance of development, provide shade, reduce heat and glare, control soil erosion, conserve water, screen potentially incompatible land uses, enhance the quality of neighborhoods, improve air quality, and improve pedestrian and vehicular traffic and safety.

106.34.020 - Applicability

The provisions of this Chapter apply to all development and land uses as follows:

A. **New projects.** Each new nonresidential, mixed-use, and multi-unit residential project shall provide landscaping in compliance with this Chapter. Each single dwelling subdivision of five or more parcels shall provide street trees in compliance with Section 106.34.050.B.2.d(2).

B. **Existing development.** Existing nonresidential, mixed-use, multi-unit and/or single-family residential development shall comply with the minimum maintenance provisions of Chapter 106.34.070. The approval of a Minor Use Permit, Use Permit, Minor Variance, Variance, or application for Design Review for physical alterations and/or a change in use within an existing development may include one or more conditions of approval requiring compliance with specific landscaping and irrigation requirements of this Chapter to the extent determined by the review authority to be feasible. Changes to existing development that require only Zoning Clearance are not required to comply with this Chapter unless the Director determines that existing landscaping is not being properly maintained.

C. **Timing of installation.** Required landscape and irrigation improvements shall be installed prior to final building inspection. The installation of landscaping may be deferred for a maximum of 90 days in compliance with Section 106.64.060 (Performance Guarantees).

D. **Alternatives to requirements.** The review authority may modify the standards of this Chapter to accommodate alternatives to required landscape materials or methods, where the review authority first determines that the proposed alternative will be equally effective in achieving the purposes of this Chapter.

106.34.030 - Landscape and Irrigation Plans

A. **Preliminary Landscape Plan.** A Preliminary Landscape Plan shall be submitted as part of each application for new development, or the significant expansion (i.e., a total of 25 percent or more of floor area over a two-year period), or redevelopment of an existing use, as determined by the Director.

B. **Final Landscape Plan.** After land use approval, a Final Landscape Plan shall be submitted as part of the application for a Building Permit. A Final Landscape Plan shall be approved by the Director prior to the start of grading or other construction, and prior to the issuance of a Building Permit.

C. Content and preparation. Preliminary Landscape Plans and Final Landscape Plans shall contain the information required for landscape plans by the Department. Each landscape plan shall be prepared by a California licensed landscape architect, licensed landscape contractor, certified nurseryman, or other professional determined by the Director to be qualified, based on the requirements of State law.

D. Review and approval. After initial application, the Director shall review each Preliminary Landscape Plan and Final Landscape Plan to verify its compliance with the provisions of this Chapter. The Director may approve the submittal in compliance with this Chapter, or may disapprove or require changes to a submittal if it is not in compliance.

E. Statement of surety. When required by the Director, security in the form of cash, performance bond, letter of credit, or certificate of deposit, in an amount equal to 150 percent of the total value of all plant materials, irrigation, installation, and maintenance shall be posted with the City for a two-year period. The Director may require statements of surety for phased development projects, a legitimate delay in landscape installation due to seasonal requirements (including adverse weather conditions) and similar circumstances where it may not be advisable or desirable to install all approved landscaping before occupancy of the site.

F. Minor changes to standards. Landscape plan approval may include the Director authorizing minor changes from the requirements of this Chapter.

106.34.040 - Landscape Location Requirements

Landscaping shall be provided in all areas of a site subject to development with structures, grading, or the removal of natural vegetation, as follows.

A. Setbacks. The setback and open space areas required by this Zoning Code, and easements for utilities and drainage courses shall be landscaped, except where:

1. Occupied by approved structures or paving;

2. A required single dwelling residential setback is screened from public view; or

3. They are retained in their natural state, and the review authority determines that landscaping is not necessary to achieve the purposes of this Chapter.

B. Unused areas. Any area of a project site not intended for a specific use, including a commercial pad site intended for future development, shall be landscaped unless retained in its natural state, and the review authority determines that landscaping is not necessary to achieve the purposes of this Chapter.

1. Unused areas that are temporarily revegetated shall use a low-water use native plant seed mix.

C. Requirements by land use type. The minimum area of each site to be landscaped with materials permeable to water shall comply with Table 3-6:

TABLE 3-6 - AMOUNT OF LANDSCAPING REQUIRED

Land Use Type	Minimum Area of Landscaping Required
Single dwelling	Front yard and all common areas. Street trees in compliance with Section 106.34.050.B.2.
Other residential (duplex and multi-unit)	All usable open areas not occupied by decks or patios Street trees in compliance with Section 106.34.050.B.2.
Commercial	20 percent of net site area, except for a reduction approved by the review authority due to parcel size or zero lot line construction. Street trees in compliance with Section 106.34.050.B.2.
Industrial	20 percent. Street trees in compliance with Section 106.34.050.B.2.
All others	At the discretion of the review authority.

D. Parking areas. Parking areas shall be landscaped as follows.

1. Landscape materials. Landscaping shall be provided throughout the parking lot as a combination of ground cover, shrubs, and trees. Plants shall be selected from approved list or approved by City staff.

2. Curbing. Areas containing plant materials shall be protected in compliance with Section 106.36.080.I (Wheel stops/curbing).

3. Stormwater management/ groundwater recharge. The design of parking lot landscape areas shall consider, and may, where appropriate, be required to include provisions for the on-site detention of stormwater runoff, pollutant cleansing, and groundwater recharge.

4. Perimeter parking lot landscaping. All surface parking areas shall be screened from streets and adjoining properties, and the open areas between the property line and the public street right-of-way shall be landscaped.

a. Adjacent to streets.

(1) A parking area for a nonresidential use adjacent to a public street shall be designed to provide a minimum 10-foot wide landscaped planting strip between the street right-of-way and parking area.

(2) A parking area for a residential use, except for a single dwelling or duplex, shall be designed to provide a landscaped planting strip between the street right-of-way and parking area equal in depth to the setback required by the applicable zoning district.

(3) The landscaping shall be designed and maintained to screen cars from view from the street to a minimum height of 36 inches, but shall not exceed any applicable height limit for landscaping within a setback.

(4) Screening materials may include a combination of plant materials, earth berms, solid decorative masonry walls, raised planters, or other screening devices which meet the intent of this requirement.

(5) Shade trees shall be provided at a minimum rate of one for every 30 linear feet of landscaped area.

(6) Plant materials, signs, or structures within a traffic safety sight area of a driveway shall comply with Section 106.30.060.E (Height Limit at Street Corners).

b. Adjacent to side or rear property lines. A parking area for a nonresidential use or a multi-unit residential project shall provide a perimeter landscape strip at least eight feet wide (inside dimension) where the parking area adjoins a side or rear property line. The requirement for a landscape strip may be satisfied by a setback or buffer area that is otherwise required to be eight feet or greater. Trees shall be provided within the landscape strip at the rate of one for each 30 linear feet of landscaped area.

c. Adjacent to structures. When a parking area is located adjacent to a nonresidential structure, a minimum eight-foot wide (inside dimension) landscape strip shall be provided adjacent to the structure, exclusive of any building entries, or areas immediately adjacent to the wall of the structure that serve as pedestrian accessways. A landscape strip of at least three feet shall be provided adjacent to a trash enclosure. The Director may modify these requirements where the Director determines that the small area of a site makes compliance infeasible.

d. Adjacent to residential use. A parking area for a nonresidential use adjoining a residential use shall provide a landscaped buffer setback with a minimum 10-foot width between the parking area and the common property line bordering the residential use. A solid, continuous decorative masonry wall or fence and landscape buffer shall be provided along the property line, except for approved access points, to address land use compatibility issues (e.g., nuisance noise and light/glare), as determined by the review authority to be necessary. Trees shall be provided at the rate of one for each 30 linear feet of landscaped area. The Director may modify these requirements where the Director determines that the requirements are unnecessary because of site conditions, or that alternative designs will be equally effective in satisfying the objectives of this Section.

5. Interior parking lot landscaping.

a. Amount of landscaping. Multi-unit, commercial, and industrial uses shall provide landscaping within each outdoor parking area at a minimum ratio of 10 percent of the gross area of the parking lot. Trees not less than five feet in height and 15-gallon container in size at the time of planting shall be planted throughout the parcel and along any street frontage. Trees shall be planted in parking areas so that 50 percent shading of parking lot pavement is achieved within 10 years. Street trees shall shade 30 percent of the street and sidewalk within 10 years. At a minimum, one shade tree shall be provided for every five parking spaces.

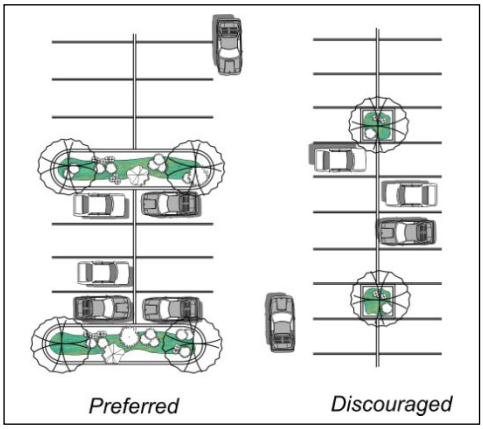


Figure 3-40 – Preferred Method for Parking Lot Tree Planting

b. Location of landscaping. Landscaping shall be evenly dispersed throughout the parking area, as follows.

(1) Orchard-style planting (the placement of trees in uniformly-spaced rows) is encouraged for parking areas with more than 50 spaces. The planting of trees in landscape islands that extend the full length of parking spaces is preferred over trees in smaller planting areas between spaces. See Figure 3-40.

(2) Parking lots with more than 50 spaces shall provide a concentration of landscape elements at primary entrances, including, at a minimum, specimen trees, flowering plants, enhanced paving, and project identification.

(3) Landscaping shall be located so that pedestrians are not required to cross unpaved landscaped areas to reach building entrances or pedestrian walkways from parked cars. This shall be achieved through proper orientation of the landscaped fingers and islands, and by providing pedestrian access through landscaped areas that would otherwise block direct pedestrian routes.

(4) Planting sites for trees shall provide adequate uncompacted rooting area below grade and/or pavement for shade trees. Adequate rooting area may be achieved through planter excavation, connected tree wells, linear planters, suspended pavement, pervious pavements, structural soils, and/or other approved design intended to facilitate the infiltration of water and air.

c. Groundwater recharge. The design of parking lot landscape areas shall consider, and may, where appropriate, be required to include provisions for the on-site detention of stormwater runoff, pollutant cleansing, and groundwater recharge.

E. Subdivisions. A new subdivision shall be designed and constructed to provide landscaping as follows.

1. Residential subdivisions. A residential subdivision shall provide landscaping in the form of one street tree for each 25 feet of street frontage, in the planter strip or other location approved by the review authority, landscaping with irrigation facilities for any common areas or other open space areas within the subdivision, and any additional landscaping required by the review authority. Plants shall be selected from the approved list or approved by City staff and planted consistent with the City's standard specifications or recommendation of a licensed arborist and/or landscape architect and approved by City staff.

2. Nonresidential subdivisions. Nonresidential subdivisions shall be provided landscaping as required by the review authority.

3. Stormwater management/ groundwater recharge. The design of subdivision landscape areas shall consider, and may, where appropriate, be required to include provisions for the on-site detention of stormwater runoff, pollutant cleansing, and groundwater recharge.

106.34.050 - Landscape Standards

A. Landscape design. The required landscape plan shall be designed to integrate all elements of the project (e.g., buildings, parking lots, and streets) to achieve their aesthetic objectives, desirable microclimates, and minimize water and energy demand.

1. Plant selection and grouping. Plant materials shall be selected for: low water demand and drought tolerance; use of appropriate native species; adaptability and relationship to the Citrus Heights environment, and the geological and topographical conditions of the site; color, form, and pattern; ability to provide shade; and soil retention capability, in compliance with Section 106.34.060 (Water Efficient Landscaping), below.

a. Plants having similar water use shall be grouped together in distinct hydrozones.

b. The protection and preservation of native species and natural areas is encouraged, and may be required by conditions of approval.

2. **Minimum dimensions.** Each area of landscaping shall have a minimum interior width of five feet within the residential, commercial, and industrial zoning districts. Wherever this Zoning Code requires a landscaped area of a specified width, the width shall be measured inside of any bordering curb or wall.

3. **Height limits.** Landscape materials shall be selected, placed on a site, and maintained to not:

   a. Exceed a maximum height of 30 inches within a required traffic safety visibility area (Section 106.30.060.E - Height limit at street corners), except for trees with the lowest portion of their canopy maintained at a minimum height of eight feet above grade; or

   b. Interfere with the proper operation of existing solar energy equipment or passive solar design on adjacent parcels.

4. **Safety requirements.** Landscape materials shall be located so that at maturity they do not:

   a. Interfere with safe sight distances for vehicular, bicycle, or pedestrian traffic;

   b. Conflict with overhead utility lines, overhead lights, or walkway lights; or

   c. Impede pedestrian or bicycle ways.

B. Plant material. Required landscape plans shall include ground covers, shrubs, and trees, which shall be selected and installed in compliance with Section 106.34.060 (Water Efficient Landscaping), below, and as follows.

1. **Size at time of planting.** Plant materials shall be sized and spaced to achieve immediate effect and shall not be less than a five-gallon container for specimen shrubs, a 15-gallon container for trees, and a one-gallon container for mass planting, unless otherwise approved by the review authority.

2. **Trees.** Tree planting shall comply with the following standards. Existing trees shall be retained and preserved where feasible.

   a. A tree shall not be planted under a structure that may interfere with normal tree growth (e.g., an eave, overhang, balcony, light standard, or other similar structure).

   b. Trees shall be selected from the approved tree list or approved by City staff. Where overhead utilities are present, tree species shall be limited to small-stature, utility-friendly species as identified in the approved tree list or approved by City staff.

   c. Tree planting sites shall have a minimum size as follows:

      (1) 60 cubic feet - For small stature trees, which generally mature to a maximum height under 30 feet
      (2) 300 cubic feet - For medium stature trees, which generally mature to a maximum height between 30 and 50 feet
      (3) 500 cubic feet - For large stature trees, which generally mature to a maximum height greater than 50 feet.:

   d. Root channels, structural soil, connected tree wells, linear planters, suspended pavement, permeable paving, and/or other approved design intended to facilitate the infiltration of water and air may be used to achieve/expand the available root space.

   e. Tree planting sites, including wells, islands, parkways, medians, etc. shall provide adequate uncompacted soil area amenable to root growth. The depth of suitable soil shall be a minimum of 24” and a maximum of 36" unless otherwise approved.

f. Root barriers shall be provided for trees in landscape planters less than 10 feet in width or located five feet or closer to a permanent structure. Root barrier(s) shall not interfere with minimum planting site requirements.

g. Trees shall be staked in compliance with International Society of Arboriculture guidelines and/or ANSI A300 standards. Planting stakes and ties shall be regularly inspected and adjusted (as necessary) to ensure that they are not causing damage to trunk cambium. Planting stakes and ties shall be removed within 12 months. After 12 months, trees that are not able to stand upright without staking shall be replaced at the discretion of the City.

h. All trees shall be irrigated by root watering bubblers, or equivalent drip emitters, on their own valve, regardless of whether there is additional landscape irrigation.

i. Number of trees:

(1) Parking area: refer to Section 106.34.040.D., above.

(2) Street trees: one per 25-foot length of right-of-way. The review authority may modify this requirement depending on the chosen tree species and its typical spread at maturity.

3. Groundcover and shrubs. Landscape areas shall include the following types of plant materials:

a. Groundcover, shrubs, turf, or other types of plants that are drought tolerant and selected from the approved plant list or approved by City staff.

b. Plants shall be grouped in planting areas by water use rating (low, medium, and high) as shown in Water Use Classification of Landscape Species (WUCOLS). Plants not evaluated in WUCOLs shall be assigned a value based on related species, reputable sources, and local experience.

c. A minimum of two, five-gallon size shrubs shall be provided for every six feet of distance along street frontages, or as approved by the review authority.

d. Groundcover shall be provided throughout the landscaped area and shall be spaced to achieve full coverage within one year.

e. Artificial groundcover or shrubs shall not be allowed.

f. Redwood chips, pebbles, stone, and similar materials shall be allowed up to 15 percent of the total required landscape area.

g. Non-turf areas (e.g., shrub beds) shall be top dressed with bark chip, mulch, or approved alternative.

4. Turf. Non-native turf shall be limited to special landscape areas or in residential landscaping of at least 8' in width. No turf shall be allowed:

a. In any area of eight feet or less in width; or

b. On any slope exceeding 10 percent. A level buffer zone of 18 inches shall be provided between bermed turf areas and any hardscape (e.g., any street, walkway, or similar feature).

Where allowed, all turf shall be a drought tolerant variety.

Drought tolerant native turf may be used as a low-water use groundcover on up to 25% of the total landscaped area. On sites where it is being used as a no-mow groundcover for stormwater swales or infiltration basins, the total area of turf may be increased with planning staff approval.

5. Soil testing and preparation.

a. A soil test for horticultural suitability shall be required prior to landscape installation in each landscaped area.

b. Sample and analyze the soil(s) into which plantings are to be made. If all plantings will be in new imported soil, City staff may waive this requirement.

c. At a minimum the soil analysis shall include:
   (1) Soil texture

   (2) Infiltration rate determined by laboratory test or soil texture infiltration rate table

   (3) pH

   (4) Essential nutrients

   (5) Percent organic matter

   (6) Recommendations for soil amendments or nutrient applications to ameliorate the soil limitations identified by the analysis and the amount of compost required to bring the soil organic matter content to a minimum of 3.5% by dry weight or a minimum application of at least 4 cubic yards per 1,000 square feet. The required practice of adding compost is waived if the plant palette primarily includes California native species that are adapted to soils with little or no organic matter as documented by a published plant reference or if soil tests show greater than 25% organic matter in the top 6 inches of soil.

d. The soil report shall include the following types of recommendations:
   (1) Recommendations based on an 'organic' approach to soil and landscape management that specifies natural and non-synthetic fertilizers to rectify any soil deficiencies.

   (2) If the soils are to be irrigated with recycled water, recommendations tailored to recycled water.

   (3) Management actions to remediate limiting soil characteristics, such as ripping the soil to alleviate compaction.

   (4) Organic mulch materials should take precedence over inorganic materials in instances where it is suitable, ecologically possible, and the material does not pose a fire hazard. Composted organic material, in particular that which includes post-consumer material, should be considered over more compacted products such as bark, wood chips, etc

e. The soil shall be prepared and/or amended to be suitable for the landscape to be installed per soil test recommendations and in compliance with Section 106.34.060.D. (Soil conditioning and mulching), below.
   (1) Prior to the installation of any plant materials, compacted soils shall be transformed to a friable condition. Compaction of planting areas should not exceed 85% in the upper 12 inches of the planting profile, unless required for slope stability.

   (2) .For trees, consider root-zone expanding design measures such as tree wells, linear planters, suspended pavement, pervious pavements, structural soils, and/or other approved design intended to facilitate the infiltration of water and air.

C. Irrigation system requirements. All landscaped areas shall include an automatic irrigation system, designed and installed in compliance with Section 106.34.060 (Water Efficient Landscaping).

106.34.060 - Water Efficient Landscaping

A. Purpose. The provisions of this Section are intended to ensure efficient water use by establishing standards for landscape design appropriate to Citrus Heights' climate, soils, water resources and land uses.

B. Applicability. Except as provided below, this Section shall apply to all applications that are subject to Design Review in compliance with Section 106.62.040. The Director may modify the requirements of this Section where the Director determines that a specific requirement would be infeasible or ineffective.

1. This Section shall not apply to the following:

    a. Landscaping of less than 500 square feet in new single-family residential projects, other than front yard landscaping of model homes;

    b. Any rehabilitated landscape project with a total landscaped area less than 2,500 square feet;

    c. Any landscaped area which is irrigated with reclaimed water;

    d. Registered historical sites;

    e. Irrigation of crops; and

    f. Ecological restoration projects that will be irrigated for less than 2 years.

2. Cemeteries and recreational areas (parks, playgrounds, schools, sports fields, picnic grounds, amphitheatres, and golf course trees, fairways, and greens) are exempt from the turf area limit of this Section. Turf will be allowed for these uses in all areas where the functional need for turf can be demonstrated. The other provisions of this Section shall apply to these uses.

C. Water features. Decorative water features (e.g., fountains, ponds, pools) shall have recirculating water systems.

D. Soil conditioning and mulching.

1. A minimum eighteen-inch depth of non-mechanically compacted soil shall be available for water absorption and root growth in planted areas.

2. Organic amendment shall be incorporated into the soil to a minimum depth of six inches at a minimum rate of five cubic yards for each 1,000 square feet of landscape area, or as specified by amendment recommendations from a soils laboratory report, whichever is greater.

3. A minimum of a two inch layer of porous mulch shall be applied to all exposed soil surfaces of non-turf areas within the landscaped area. Nonporous material (e.g., plastic sheeting), shall not be placed under the mulch; however, porous landscape fabric is allowed.

E. Irrigation.

1. Design requirements. All new construction projects with a landscape greater than 500 square feet and all rehabilitated landscapes with an aggregate landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check or design review shall meet the following requirements:

a. Water-efficient systems (e.g., with drip, micro-spray, multi-stream rotors, bubbler-type, or similar point application methods with a maximum precipitation rate of 1-inch per hour) shall be used unless determined to be infeasible by the review authority. Slopes greater than 25% shall not be irrigated with a precipitation rate exceeding 0.75-inches per hour. Any alternative system shall require review authority approval.

b. No overhead spray systems shall be allowed in planters less than 10-feet in width, except in garden beds for edible plants.

c. Overhead spray shall not be used within 24 inches of any non-permeable surface unless the surface is designed to drain entirely to a landscape area.

d. For the purpose of determining Maximum Applied Water Allowance (MAWA), average irrigation efficiency is assumed to be 0.85 for residential and 0.92 for non-residential areas.

e. For residential projects the MAWA is 50% (0.50) of evapotranspiration (ETo) and shall be calculated using the equation: MAWA = (ETo)(0.62)(0.5 x landscape area)

f. For non-residential projects the MAWA is 40% (0.40) of evapotranspiration and shall be calculated using the equation: MAWA = (ETo)(0.62)[(0.4 x landscape area)+(0.6 x special landscape areas)]. Special landscape areas include recreation areas, edible crops, and areas irrigated with recycled water.

F. Equipment requirements.

a. Dedicated landscape water meters are required for all non-residential landscapes of 1,000 square feet or more and residential landscapes of 5,000 feet or greater. A landscape water meter may either be a customer service meter dedicated to landscape use provided by the water purveyor or a privately owned meter or submeter.

b. All landscaped areas shall be irrigated with automatic controllers using site specific soil moisture or evapotranspiration data with repeat start-time potential and non-volatile memory. Dual or multi-program controllers with separated valves and circuits shall be used when the project contains more than one type of landscape treatment (e.g., turf, ground cover, shrub, tree areas), or a variety of sun exposures.

c. Rain and wind sensors/shut-off devices shall be used on all projects.

d. Master valves are required on all projects.

e. Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be required, as close as possible to the point of connection of the water supply, to minimize water loss in case of an emergency (such as a main line break) or routine repair.

f. Flow sensors that detect high flow conditions created by system damage or malfunction are required for all non-residential projects and non-residential projects with landscape areas over 5,000 square feet.

g. Pressure regulation, such as in-line pressure regulators, booster pumps, or other devices shall be installed to effect correct operating pressure for each type of irrigation head or drip method.

h. Static water pressure, dynamic or operating pressure and flow reading of the water supply shall be measured at the point of connection. These pressure and flow measurements shall be conducted at the design stage. If the measurements are not available at the design stage, the measurements shall be conducted at installation.

i. Check valves are required where elevation differential may cause low head drainage.

j. Low-flow sprinkler heads with precipitation rates matched within 20 percent of one another shall be used on each irrigation circuit when multi-stream rotors, rotor, or spray heads are specified for watering shrubs and ground cover areas. Pressure compensating bubbles may be included in circuits serving shrub areas.

2. Installation. Irrigation delivery systems shall be installed so that water does not run off or overspray onto adjacent pavement, sidewalks, structures, or other non-landscaped areas.

3. Scheduling of irrigation. Watering shall be scheduled at times of minimal wind conflict and evaporation loss. When possible, irrigation should be scheduled to occur in the early morning hours prior to sunrise

4. Temporary Irrigation: Temporary irrigation systems are those that will be used for 2 years or less.

G. Rain Barrels. This section establishes standards for placement of rain barrels for irrigation purposes in residentially zoned properties.

1. Placement. The rain barrel shall be located in the side or year yard. The barrel shall not be elevated more than six inches above adjacent grade and shall be placed on a level, hard surface (not wood or gravel).

2. Size Limits. The rain barrel shall be no more than 70 gallons or greater than five feet above grade.

3. Design Standards. The rain barrel shall be fed by a downspout and be located within six inches of the dwelling. The barrel shall be restrained to prevent tipping and shall have a tight fitting lid. The barrel shall also have a permanently fitted lid with an insect guard.

H. Documentation for compliance. The following documentation shall be submitted to the City as part of the requirements of this Section.

1. Preliminary landscape statement. The preliminary landscape statement shall contain a brief description of the planting and design actions that are intended to meet the requirements of this Section.

2. Final Design Review. The following shall be submitted with the Building Permit application.

a. A landscape planting design plan that accurately and clearly identifies and depicts: new and existing groundcovers, shrubs, trees, turf, and any other planting areas; plants by botanical name and common name; plant sizes and quantities; plant water use; property lines, new and existing building footprints, driveways, sidewalks, streets, and other hardscape features; and water features.

b. An irrigation design plan which indicates irrigation methods, water use zones, and design actions that will be employed to meet the irrigation specifications of this Section.

c. Water Use Calculation Form.

d. Landscape maintenance recommendations.

3. Completion of installation. Upon completion of installation of the landscape, the landscape design principal or owner shall submit to the Building Department a certificate of completion and a certificate of conformance, stating that the project has been installed as designed, or with documentation of suitable substitutions. The City may require an irrigation audit performed by a certified irrigation auditor that is not the designer or installer or the landscape.

I. Alternative provisions. The review authority shall:

1. Consider and may allow the substitution of design alternatives and innovations that will lead to a greater reduction in water consumption than the measures identified in this Section; and

2. Accept documentation methods, water allowance determinations, and landscape and irrigation design requirements of the State of California's Model Water Efficient Landscape Ordinance in lieu of the requirements of this Section in cases where it is demonstrated that compliance with the requirements of the State's model ordinance will lead to a greater, or equivalent reduction in water consumption than the measures identified in this Section.

106.34.070 - Maintenance of Landscape Areas

A. Maintenance required. All site landscaping shall be maintained in a healthy and thriving condition at all times. Irrigation systems and their components shall be maintained in a fully functional manner consistent with the originally approved design and the provisions of this Chapter. Regular maintenance shall include:

1. Checking, adjusting, and repairing irrigation equipment; resetting automatic controllers; resetting irrigation heads to maintain proper depth and level; adjusting overhead irrigation spray patterns to ensure no overspray onto paving, buildings, or other non-permeable surfaces; aerating and dethatching turf areas; adding/replenishing mulch, fertilizer, and soil amendments; pruning; trimming; and weeding of all landscaped areas;

2. Irrigation systems shall be maintained and managed to meet or exceed a side-wide average landscape irrigation efficiency of 0.85 for residential and 0.92 for non-residential areas

3. Retrofitting irrigation systems with new technology for greater efficiency, as long as doing so does not impact existing plant materials. Any plant materials impacted by irrigation maintenance or retrofit shall be restored to its original condition.

4. The trimming of vegetation as necessary, consistent with Subsection B (Tree Pruning), to maintain the effective functioning of existing solar energy facilities and passive solar design features installed both on-site and on adjacent properties; and

5. The trimming of vegetation as necessary to keep vehicle, pedestrian, and bicycle paths clear.

6. Planting stakes and ties shall be regularly inspected and adjusted (as necessary) to ensure that they are not causing damage to tree trunk cambium. Planting stakes and ties shall be removed within 12 months. After 12 months, trees that are not able to stand upright without staking shall be replaced at the discretion of the City.

B. Tree pruning. Prior to pruning any tree on other than a lot with a single dwelling or duplex, a Tree Pruning Permit shall be approved by the Director. Tree Pruning shall be performed by a California Landscape Contractor (C-27 or C-61). The licensed contractor shall also be certified by the International Society of Arboriculture as a Certified Tree Worker or Certified Arborist.

1. Limitations on allowable pruning. Tree pruning shall be allowed only for the following purposes:

a. Removal of dead wood and diseased, crowed, and weakly attached trunks and branches that create a hazard to private property and citizens;

b. Providing adequate clearance and visibility for safe use of parking stalls, travel ways and walkways for the passage of persons and vehicles;

c. Eliminating traffic sign visibility obstructions;

d. Providing adequate visibility for security patrols;

e. Repairing split trees and limbs in order to save a tree and its appearance;

f. Removing or severing tree roots that are causing damage to public or private property, including curbs, gutters, sidewalk, drainage lines and parking lot surfaces;

g. Providing visibility for merchant signs and increasing parking lot lighting only when the aesthetics of the tree and parking lot shading will not be reduced.

2. Application requirements. A Tree Pruning Permit application shall include the following information.

a. A site plan indicating the type of tree, size and location of the trees to be pruned;

b. Reasons for pruning;

c. Evidence that the pruning will be performed and/or directly supervised by a Certified Arborist or Certified Tree Worker;

d. Number of trees to be pruned.

C. Tree Maintenance: Tree maintenance shall be performed and/or supervised by an ISA Certified Arborist or Tree Worker. Tree care operations shall adhere to ANSI A300 and ANSI Z133.1 standards.

D. Tree removal. City requirements for tree removal are in Chapter 106.39 (Tree Preservation and Protection).

E. Removal and replacement of landscaping. All plant material removed from a project with an approved landscape plan shall be replaced with the following replacement sizes: shrubs - five-gallon; groundcover - flats. Trees shall be replaced as specified in Chapter 106.39 (Tree Preservation and Protection).

F. Water waste prohibited. Water waste in existing developments resulting from inefficient landscape irrigation leading to excessive runoff, low head drainage, overspray, and other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, or structures is prohibited. Efficient watering practices shall be conducted in compliance with Section 106.34.060 (Water Efficient Landscaping), above.

G. Enforcement.

1. Maintenance failure. Failure to maintain landscape areas in compliance with this Section shall be deemed a nuisance, and shall be subject to abatement in compliance with the Municipal Code, and/or the applicable planning permit may be revoked.

a. Property owner shall maintain record of irrigation maintenance. If owner cannot provide documentation of ongoing maintenance activities, they may be liable for any damage caused by leaks, breaks, or water waste.

b. The City may require a property owner to provide the results of an irrigation audit conducted by a Certified Irrigation Auditor if irrigation systems are not being properly maintained or are the source of nuisance runoff.

2. Unpermitted pruning or tree removal. The pruning or removal of a tree in violation of a requirement of this Chapter shall require that the property owner replace each affected tree with substantially larger (e.g., specimen trees rather than 15 gallon) and/or more trees, as required by the review authority. If the replacement of damaged or removed tree(s) is deemed unfeasible by the Director or City approved certified

tree care professional, the replacement value shall be calculated using the Replacement Cost or Trunk Value Formula outlined in the most current edition of the "Guide for Plant Appraisal" by the Council of Tree & Landscape Appraisers. Penalties shall be deposited in the City's Tree Mitigation Fund.

CHAPTER 106.35 - OUTDOOR LIGHTING

Sections:

106.35.010 - Purpose
106.35.020 - Applicability
106.35.030 - Definitions
106.35.040 - General Lighting Design and Development Standards
106.35.050 - Outdoor Lighting Plans
106.35.060 - Signs
106.35.070 - Outdoor Performance, Sport and Recreation Facilities
106.35.080 - Energy Conservation Guidelines

106.35.010 - Purpose

This Chapter provides requirements for outdoor lighting within the City to:

A. Promote a safe and pleasant nighttime environment for residents;

B. Protect and improve safe travel for all modes of transportation;

C. Prevent nuisances caused by unnecessary light intensity, direct glare, and light trespass;

D. Protect the ability to view the night sky by restricting unnecessary upward projection of light; and

E. To promote lighting practices and systems to conserve energy.

106.35.020 - Applicability

A. New outdoor lighting. All outdoor lighting fixtures installed after the effective date of this Chapter on the site of a non-residential or multi-unit residential use shall comply with the requirements of this Chapter.

B. Exempt lighting.

1. All outdoor light fixtures existing and legally installed prior to the effective date of this Chapter are exempt from the requirements of this Chapter; provided that no replacement, structural alteration, or restoration of an outdoor light fixture shall be made unless it thereafter complies with the requirements of this Chapter. The Director may grant an exemption from this conformance standard if:

    a. The use of a conforming outdoor light fixture would have the effect of decreasing the lighting levels to below the minimum illumination levels required by the City, and the additional cost necessary to meet the minimum illumination levels would pose an unreasonable financial burden; and/or

    b. The use a conforming outdoor light fixture would negatively impact the aesthetic quality/architectural design of the property or immediate area by mixing substantially different styles and types of fixtures/poles.

2. All outdoor light fixtures producing light directly by the combustion of fossil fuels, such as, kerosene lanterns or gas lamps, are exempt from the requirements of this Article.

3. Temporary lights used for holiday decorations are exempt from the requirements of this Chapter.

4. All outdoor light fixtures which are luminous tube lighting are exempt from the requirements of this Chapter.

5. Construction or emergency lighting is exempt, provided such lighting is temporary and is discontinued immediately upon completion of the construction work or abatement of the emergency necessitating said lighting.

6. Signs of the type constructed of translucent materials and wholly illuminated from within are exempt from the shielding requirement.

C. Prohibitions. The installation of any new fixture not in conformance with this Chapter is prohibited after the effective date of this Chapter.

1. No outdoor lighting fixture shall be installed, aimed, or directed to produce light or glare that spills over into neighboring properties or the public right-of-way that exceeds 0.5 footcandles within two feet of the property line of the light source.

2. No outdoor lighting fixture may be operated in such a manner as to constitute a hazard or danger to persons, or to safe vehicular travel.

3. Blinking, flashing, moving, revolving, scintillating, flickering, changing intensity, and changing color lights and internally illuminated signs are prohibited, except as allowed by 106.38.080 (Nonconforming Signs).

4. The installation of new mercury vapor lamps is prohibited.

5. The use of search lights, laser source lights, or any similar high-intensity light is prohibited except for emergency use by police and fire personnel or at their direction, or for approved temporary lighting under a special event permit issued by the Director.

106.35.030 - Definitions

The technical terms and phrases used in this Chapter are defined in Article 8 (Glossary), under "Outdoor Lighting."

106.35.040 - General Lighting Design and Development Standards

The following standards apply to all non-exempt outdoor lighting fixtures.

A. Nuisance prevention. All outdoor lighting fixtures shall be designed, located, installed, aimed downward or toward structures, and maintained in order to prevent glare, light trespass, and light pollution.

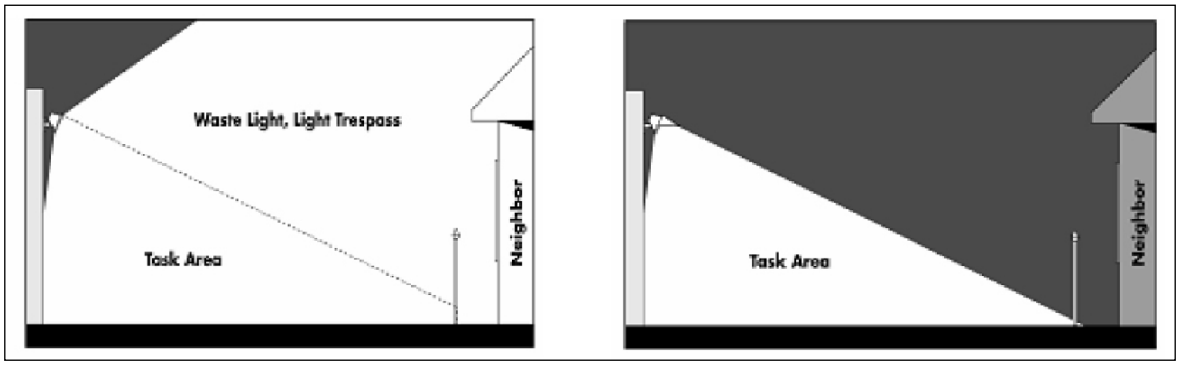


Figure 3-41 – Properly Shielded Lighting Prevents Light Trespass

B. Maintenance.

1. Fixtures and lighting systems shall be maintained in good working order and in a manner that serves the original design intent of the system.

2. An outdoor lighting fixture may only be aimed against a structure if the light is effectively contained by the structure and glare visible from off-site is minimized, as determined by the Director.

C. Lighting levels. Outdoor lighting installations shall be designed illuminate at the minimum level necessary for safety and security, and to avoid harsh contrasts in lighting levels between the project site and adjacent properties to the maximum extent feasible.

D. Lamp types. Light-emitting diode (LED), Metal Halide or High Pressure Sodium lamps are preferred for all new commercial and industrial area lighting (parking lot and yard lights) and street lighting installed after the effective date of this Chapter due to good color rendering and good energy efficiency. Low Pressure Sodium lamps may be used for area lighting, but are not preferred due to poor color rendering. Low wattage incandescent or compact fluorescent lamps are preferred for residential lighting.

E. Fixture types. All new outdoor lighting shall use full cut-off luminaires with the light source downcast and fully shielded with no light emitted above the horizontal plane, with the following exceptions:

1. Fixtures that have a maximum output of 400 lumens (equivalent to one 40-watt incandescent bulb) or less, regardless of the number of bulbs, may be left unshielded provided that it has an opaque top to prevent the light from shining directly up. However, partial (e.g. obscured glass) or full shielding is preferred to control light output in all situations.

2. Fixtures that have a maximum output of 1,000 lumens (equivalent to one 60-watt incandescent bulb) or less may be partially shielded using a semi-translucent barrier, provided that the lamp is not visible from off-site, no direct glare is produced, and the fixture has an opaque top to keep light from shining directly up.

3. Floodlights that do not meet the definition of "full cut-off" may be used if permanently directed downward, if no light is projected above the horizontal plane, and if and fitted with external shielding to prevent glare and off-site light trespass. Unshielded floodlights are prohibited.

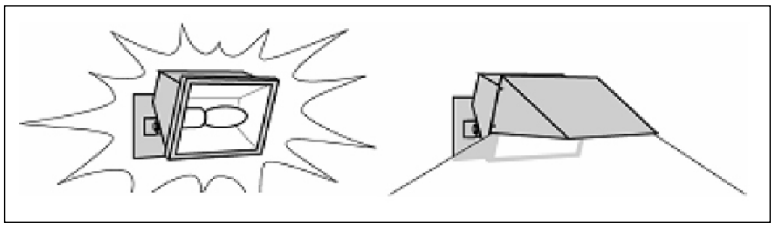


Figure 3-42 – Shielding Prevents Glare

F. Accent lighting. Architectural features may be illuminated by uplighting, provided that the light is effectively contained by the structure, the lamps are low intensity to produce a subtle lighting effect, and no glare or light trespass is produced. For national flags, statues, public art, or other objects of interest that cannot be illuminated with down-lighting, alternate upward lighting may be used in a form acceptable to the satisfaction of the Director provided the alternative confines the illumination to the object of interest.

G. Alternative designs, materials, and installations. The requirements of this Chapter are not intended to prevent the use of any design, material, or method of installation or operation not specifically prescribed in this Chapter, provided that the Director has approved any alternative. An alternative proposal may be approved if it provides at least approximate equivalence to the applicable specific requirements of this Chapter, or if it is otherwise satisfactory and complies with the intent of this Chapter.

106.35.050 - Outdoor Lighting Plans

A. When required. A preliminary outdoor lighting plan shall be submitted as part of each planning permit application (e.g., for Design Review, Use Permit; subdivision approval), and a final lighting plan shall be submitted as part of an application for a building permit for a new structure, or addition of 25 percent or of gross floor area, seating capacity, or parking spaces (either with a single addition or cumulative additions). A final outdoor lighting plan is required for all new outdoor lighting installations on commercial, multi-unit residential project, industrial, and institutional properties. The Director may request outdoor lighting plans from applicants for other types of projects due to project location, size, or proposed use, as necessary.

B. Plan content. An outdoor lighting plan shall include at least the following:

1. Manufacturer specification sheets, cut-sheets, or other manufacturer provided information for all proposed outdoor lighting fixtures to show fixture diagrams and light output levels;

2. The proposed location, mounting height, and aiming point of all outdoor lighting fixtures (a site plan is preferred); and

3. If building elevations are proposed for illumination, drawings for all relevant building elevations showing the fixtures, the portions of the elevations to be illuminated, the illuminance level of the elevations, and the aiming point for any remote light fixture.

C. Additional information. If needed to review the proposed outdoor lighting fixture installation, the Director may require additional information following the initial outdoor lighting plan submittal, including a written narrative to demonstrate the objectives of the lighting, photometric data, and other descriptive information on the fixtures, computer generated photometric grid showing footcandle readings every 10 feet within the property or site and 10 feet beyond the property lines (An iso-footcandle contour line style plan may be acceptable), and/or landscaping information to describe potential screening.

D. Decision on plan. The Director may approve, deny, or require modifications to any outdoor lighting plan in order to meet the purpose of this Chapter.

106.35.060 - Signs

All outdoor lighting for commercial signs installed and maintained in compliance with Chapter 106.38 shall comply with this Chapter. Light bulbs or lighting tubes used for sign illumination shall not be readily visible from the vehicular travel lanes, adjacent public rights-of-way, or adjoining properties. The intensity of sign lighting shall not exceed that necessary to illuminate and make legible a sign from the approved location of view, such as pedestrian walkway, adjacent travel way or closest town street.

106.35.070 - Outdoor Performance, Sport and Recreation Facilities

A. Where playing fields or other special activity areas are to be illuminated, lighting fixtures shall be mounted, aimed, and shielded so that their beams fall within the primary playing area and immediate surroundings, and so that no significant off-site light trespass is produced.

B. The main lighting shall be turned off as soon as possible following the end of an event. Where feasible, a low level lighting system shall be used to facilitate patrons leaving the facility, cleanup, nighttime maintenance, and other closing activities.

106.35.080 - Energy Conservation Guidelines

Incorrect installations, poor choice of fixtures, and overlighting can result in unnecessarily high energy costs. The following recommendations are intended to encourage the efficient use of energy for lighting purposes.

A. All non-essential outdoor commercial and residential lighting is encouraged to be turned off after business hours and/or when not in use.

B. Where practical, outdoor lighting installations are encouraged to include timers, dimmers, sensors, or photocell controllers that turn the lights off during daylight hours to reduce overall energy consumption and eliminate unnecessary lighting. Sensor activated fixtures should not be triggered by activity off the subject property.

C. When selecting new outdoor lighting, the full cost of operation over the life of the fixtures should be considered. Substantial annual energy savings may be realized by using quality efficient fixtures.

D. Indiscriminate and excessive lighting should be avoided. Light should be directed only to where it is needed with appropriate intensity.

CHAPTER 106.36 - PARKING AND LOADING

Sections:

106.36.010 - Purpose
106.36.020 - Applicability
106.36.030 - General Parking Regulations
106.36.040 - Number of Parking Spaces Required
106.36.050 - Disabled/Handicapped Parking Requirements
106.36.060 - Bicycle Parking
106.36.070 - Motorcycle Parking
106.36.080 - Reduction of Parking Requirements
106.36.090 - Parking Design and Development Standards
106.36.100 - Loading Space Requirements
106.36.110 - Trip Reduction

106.36.010 - Purpose

The requirements of this Chapter are intended to ensure that sufficient but not excessive off-street parking facilities are provided for all uses, and that parking facilities are properly designed, attractive, and located to be unobtrusive while meeting the needs of the specific use. The City discourages providing parking in excess of that required by this Chapter.

106.36.020 - Applicability

Each land use and structure shall provide off-street parking and loading areas in compliance with this Chapter. This Chapter shall also apply to changes to, or expansion of a land use or structure. A land use shall not be commenced and a structure shall not be occupied until the improvements required by this Chapter are completed and approved by the Director.

106.36.030 - General Parking Regulations

A. **Timing of installation.** A new or altered structure shall not be occupied, and a new land use not requiring a structure shall not be established, until all off-street parking and loading facilities required by this Chapter are in place and approved by the City.

B. **Permanent facilities required.** Each required parking and loading space shall be permanently available, marked, and maintained for parking or loading purposes for the use it is intended to serve. The approval of a Temporary Use Permit (Section 106.62.030) may allow the temporary use of a parking or loading space for other purposes.

C. **Unrestricted facilities required.** An owner, lessee, tenant, or other person who controls the operation of a site with required parking or loading spaces shall not prevent, prohibit, or restrict authorized persons from using the spaces without the prior approval of the Director.

D. **Truck or Trailer Parking.** The parking of a motor vehicle used for commercial or industrial purposes and rated more than one (1) ton capacity and trailers used for commercial or industrial purposes shall not be parked or stored in any residential zone except when loading, unloading, or rendering service.

E. **State-mandated exemptions.** Per Government Code 65863.2, parking is not required for any residential, commercial, or other development project within ½ mile of public transit (see Section 106.80.020 for definition of "public transit"). These rules do not apply to requirements for ADA parking spaces, EV charging spaces, or existing grandfathered contracts with the city to provide public parking.

F. Residential Parking and Storage. No front or street side setback shall be used for the accumulation, placement or storage of automobiles, other motor vehicles, recreational vehicles, trailers, building materials, scrap, junk or machinery except as allowed in Section 106.30.100 (D)2).

106.36.040 - Number of Parking Spaces Required

Each land use shall be provided the number of off-street parking spaces required by this Section. See Section 106.36.060 for off-street parking requirements for bicycles and motorcycles.

A. Parking requirements by land use.

1. **Minimum number required.** Each land use shall provide the number of off-street parking spaces required by Table 3-7, except where a greater number of spaces are required through Minor Use Permit or Use Permit approval. Regardless of the requirements of Table 3-7, each non-residential land use shall provide a minimum of five off-street spaces, except where the review authority determines that the number of spaces required by Table 3-7 is sufficient.

2. **Use not listed.** A land use not specifically listed by Table 3-7 shall provide parking as required by the Director. The Director shall use the requirements in Table 3-7 as a guide in determining the number of off-street parking spaces required.

3. **Measurement of floor area.** In any case where Table 3-7 establishes a parking requirement based on floor area in square feet (for example: 1 space per 1,000 sf of floor area), the floor area shall be construed to mean gross interior floor area.

4. **Use with accessory components.** The review authority may require a single use with accessory components to provide parking for each component, where the review authority determines that separate vehicle trips will likely be generated by each component. For example, a hotel with a meeting room may be required to provide the parking spaces required by Table 3-7 for a hotel (i.e., the guest rooms), and for a meeting room.

5. **Bench or bleacher seating.** Where fixed seating is provided as benches, bleachers, pews, or similar seating, a seat shall be defined as 24 inches of bench space for the purpose of calculating the number of required parking spaces as provided in Table 3-7.

B. Expansion of structure, change in use. When a structure is enlarged, or when a change in its use requires more off-street parking than the previous use, additional parking spaces shall be provided in compliance with this Chapter except where the number of additional spaces required is 10 percent or less of the number of existing spaces. See also Subsection E. (Nonconforming parking).

C. Multi-tenant sites. A site with multiple tenants shall provide the aggregate number of parking spaces required for each separate use; except where the site is developed as an integrated center with shared parking and no spaces reserved for a particular use, parking shall be provided as required by Table 3-7 for a retail complex. When a multi-tenant center includes one or more uses that will need more parking than retail uses (for example, a fitness center, restaurant, or theater) additional parking shall be required for the high parking demand use unless a parking reduction is approved in compliance with 106.36.070 (Reduction of Parking Requirements).

D. Excessive parking. The City discourages providing more off-street parking than required by this Chapter, to avoid the inefficient use of land, unnecessary pavement, and excessive storm water runoff from paved surfaces. An off-street parking lot that exceeds the amount required by Table 3-7 by 20 percent or more shall require Minor Use Permit approval, a determination by the review authority that information provided by the applicant documents a year round need for the additional parking, and the provision of additional landscaping and pedestrian amenities to the satisfaction of the review authority.

E. Nonconforming parking. A structure with nonconforming off-street parking may be physically changed or undergo a change in use subject to the following provisions.

1. Residential uses. No additional parking spaces shall be required, provided the change does not increase the number of dwelling units, nor eliminate the only portion of the site that can be used for the required or existing parking or access.

2. Nonresidential uses. The number of existing parking spaces shall be maintained on the site and additional parking shall be provided in compliance with this Chapter for any additional floor area. If the use of the structure is changed to one that requires more parking than the previous use, the difference between the parking spaces required for the previous use and the new use shall be provided.

TABLE 3-7 – PARKING REQUIREMENTS BY LAND USE

Land Use Type: Manufacturing Processing and Warehousing	Minimum Number of Vehicle Spaces Required
All manufacturing, industrial, and processing uses, except the following:	1 space for each 250 sf of office area; 1 space for each 1,000 sf of floor area and/or outdoor area devoted to other than office.
Industrial research and development, laboratories	1 space for each 4,000 sf of floor area.
Recycling – Small collection facility	Determined by Use Permit.
Storage – Personal storage/mini-storage facilities	
Indoor units	1 space for each 4,000 sf of floor area, plus 2 spaces for manager's office
Separately accessible units	4 spaces for manager's office.
Storage – Warehouse	1 per 2,000 sf

TABLE 3-7 – PARKING REQUIREMENTS BY LAND USE (Continued)

Land Use Type: Recreation, Education, Public Assembly	Minimum Number of Vehicle Spaces Required
Commercial recreation facilities – Indoor, except for the following:	1 per 200 sf
Bowling alleys	5 spaces for each lane.
Card Rooms	1 per 3 seats
Pool and billiard rooms	2 spaces for each table.
Skating rinks	1 space for each 100 sf of rink area.
Commercial recreation facilities – Outdoor	Determined by Use permit or Minor Use Permit
Health/fitness facilities	1 space for each 175 sf of floor area.
Library, museum	1 space for each 300 sf of floor area.
Meeting facility, public or private	1 space for each 3 seats, or 1 space for each 40 sf of floor area if no seats are provided, whichever is greater; plus 1 space for each classroom or office.
Schools (public and private)	
Kindergarten and nursery schools	1 space for each 3 employees (including administrators and teachers) and 1 space for each 10 children.
Elementary/middle schools	1 space for each employee plus 1 space for each 8 students.
Secondary (high) schools	1 space for each employee plus 1 space for each 4 students.
College or university (including trade and business schools)	1 space for each 1.5 students
Studios (art, dance, martial arts, music, etc.)	1 space for each 200 sf of floor area.
Swimming pools (public, private and commercial)	1 space for each 100 sf of pool deck area.
Tennis/racquetball/handball or other sport courts	2 spaces for each court, plus 1 space for each 300 sf of flor area for accessory uses.
Theater	1 space for each 3 seats for less than 8 screens; 1 space for each 6 seats for 8 or more screens.

TABLE 3-7 – PARKING REQUIREMENTS BY LAND USE (Continued)

Land Use Type: Residential	Minimum Number of Vehicle Spaces Required
Live/work unit	2 spaces for each unit.
Mobile home	
Individual mobile home outside of park	2 spaces for each unit
Mobile home park	2 spaces for each mobile home, plus 1 additional space per 8 mobile homes shall be provided for guest parking, which shall be dispersed throughout the park.
Multi-unit dwellings, including condominiums	Parking requirements may be modified by the review authority for affordable housing and/or mixed use projects.
Studio units and one-bedroom units	1 covered space within a garage/carport for each unit.
Two- and three-bedroom units	2 spaces for each unit; at least 1 within a garage/carport.
Four-bedroom units and above	2 spaces for each unit, or as required by the review authority. At least 1 shall be within a garage/carport.
Guest parking	1 space for each 4 units
Organizational house	1 space for each bedroom.
Residential care home	1 space per 4 beds, plus 1 space per employee on duty at same time.
Rooming or boarding house	1 space for each bedroom.
Senior housing project	1 space for each unit, with half the spaces covered, plus 1 guest parking space for each 10 units. Reduced parking may be provided in compliance with Section 106.36.070 C. (Reduced parking for senior housing projects).
Single dwelling	2 spaces.

TABLE 3-7 – PARKING REQUIREMENTS BY LAND USE (Continued)

Land Use Type: Retail Trade	Minimum Number of Vehicle Spaces Required
All "Retail Trade" uses listed in Tables 2-2 or 2-5, except the following:	1 space for each 250 sf of floor area, and 1 space for each 1,000 sf of outdoor sales area.
Auto and vehicle sales and rental	1 space for each 400 sf of floor area for showroom and office; 1 space per 600 sf of area used for repairs and services; and 1 space for each 2,000 sf of outdoor display area. (All customer parking shall be clearly marked, and not used for parking vehicles for sale.)
Bar/tavern, night club	1 space for each 3 seats in a bar; 1 space for each 50 sf of seating area and waiting/lounge area exclusive of dance floor; and 1 space for each 30 sf of dance floor.
Furniture, furnishings, and appliances stores	1 space for each 500 sf of indoor display area for first 10,000 sf; 1 space for each 1,000 sf of indoor display area over 10,000; And 1 space for each 1,000 sf of outdoor display area.
Grocery store, supermarket, delicatessen	1 space for each 150sf of floor area used for display and sales, and 1 space for each 800 sf of floor area used exclusively for storage.
Restaurant	1 space for each 50 sf of dining, indoor/outdoor seating, waiting, and lounge areas.
Retail complex	1 space for each 250 sf of floor area for complex less than 30,000 sf, and 1 space for each 300 sf for complex of 30,000 sf or more.
Service (gas) station	1 space for each 250 sf of interior retail floor area, plus 3 spaces for each service bay.

TABLE 3-7 – PARKING REQUIREMENTS BY LAND USE (Continued)

Land Use Type: Service Uses	Minimum Number of Vehicle Spaces Required
Bank, financial services	1 space for each 250 sf of floor area, plus 1.5 spaces per exterior automated teller machine
Child day care	
Large family day care home	3 spaces minimum; may include spaces provided to fulfill residential parking requirements and on-street parking that abuts the site.
Child/adult day care enter	1 space for each employee plus 1 space for each 10 children or adults being supervised.
Equipments rental	1 space for each 300 sf of floor area, plus 1 space for each 1,000 sf of outdoor storage and rental area.
Lodging	
Bed and breakfast inn	1 space for each guest room, plus 2 covered spaces for the resident family.
Hotel or motel	1 space for each guest room or rental unit, or 1 space for each two beds, whichever is greater, plus required spaces for accessory uses.
Medical services, except the following:	1 space for each 225 sf of floor area, or 4 spaces for each doctor, whichever is greater.
Clinic, laboratory, urgent care	1 space for each 225 sf of floor area, or 4 spaces for each doctor, whichever is greater.
Extended care	1 space for each 3 patient beds the facility is licensed to accommodate.
Hospital	2 spaces for each patient bed the facility is licensed to accommodate.
Mortuaries, funeral homes	1 space for each 4 seats in chapel.
Office	
Business and service, government, professional	1 space for each 250 sf of floor area.
Processing	1 space for each 150 sf of floor area.
Personal services	1 space for each 250 sf of floor area.
Vehicle services – All excepts the following	(All customer parking shall be clearly marked and not used for parking of unregistered vehicles. No damaged, inoperative or abandoned vehicle shall be stored in any exterior area for more than five days) 2 spaces for each service bay, plus spaces for retail and office as required by this Section.
Car wash – Self service	1 drying space for each stall.
Car wash – Full Service	10 spaces.
Veterinary clinic, animal hospital, kennel	1 space for each 250 sf of floor area.
Kennel separate from other facilities	1 space for each employee, plus 2 spaces.

Table 3-7 – Parking Requirements by Land Use (Continued)

Land Use Type: Transportation, Communication, Infrastructure	Minimum Number of Vehicle Spaces Required
Ambulance, taxi, transportation dispatch facility	1 space for each stored vehicle; 1 space for each 250 sf of office.
Broadcast studio	1 space for each 250 sf of office; 1 space for each 400 sf of studio and equipment space;1 space for each 4 seats of audience space.
Transit station or terminal	As required by Use Permit
Utility facility	1 space for each 3 employees, plus additional spaces required by Use Permit.

106.36.050 - Disabled/Handicapped Parking Requirements

Parking spaces for the disabled shall be provided in compliance with the Uniform Building Code (UBC), the Federal Accessibility Guidelines, and/or California Code of Regulations Title 24, as applicable. These spaces shall count toward fulfilling the off-street parking requirements of this Chapter. See also Section 106.36.070.I (Parking lot re-striping to accommodate disabled parking).

106.36.060 - Bicycle and Motorcycle Parking

A. Bicycle Parking. Each multi-unit project and nonresidential land use shall provide bicycle parking in compliance with this Section. Each required bicycle parking space shall remain available for use by cyclists at all times.

1. **Number of bicycle spaces required.** Multi-unit, retail commercial, and office uses shall provide bicycle parking spaces equal to a minimum of one bicycle space for every 20 motor vehicle spaces, up to 100 spaces. For each additional 100 spaces, one bicycle space shall be required.

2. **Bicycle parking space location.** Bicycle spaces shall be conveniently located near the primary entrance of each structure they are intended to serve.

3. **Bicycle parking design and devices.** Each bicycle parking space shall include a stationary parking device to adequately secure the bicycle, shall be a minimum of two feet in width and six feet in length, installed and maintained in compliance with City standards. Overhead clearance shall be a minimum of seven feet.

B. Motorcycle parking. A parking lot with 50 or more motor vehicle parking spaces shall provide motorcycle parking spaces conveniently located near the primary entrance of a structure, accessed by the same aisles that provide access to the motor vehicle parking spaces in the parking lot.

1. **Number of spaces required.** A minimum of one motorcycle parking space shall be provided for each 50 motor vehicle spaces or fraction thereof. Required motorcycle spaces may be substituted for up to 10 percent of required vehicle spaces.

2. **Space dimensions.** A motorcycle parking space shall have minimum dimensions of four feet by seven feet.

106.36.070 - Reduction of Parking Requirements

A. Shared on-site parking. Where two or more adjacent nonresidential uses have distinct and differing peak parking usage periods, (e.g. a theater and a bank), a reduction in the required number of parking spaces may be allowed through Minor Use Permit approval. Approval shall also require a recorded covenant running with the land, recorded by the owner of the parking facility, guaranteeing that the required parking will be maintained exclusively for the use or activity served, for a time period determined by the Minor Use Permit.

B. Reduction of parking for a use with low parking demand. The review authority for the overall project may reduce the number of parking spaces required by Section 106.36.040 (Number of Parking Spaces Required) for the re-use of an existing building by up to 15 percent, based on quantitative information provided by the applicant that documents the need for fewer spaces (e.g., sales receipts, documentation of customer frequency, information on parking standards required for the proposed land use by other cities, etc.).

C. Reduced parking for restricted senior housing projects.

1. Extent of reduction. The review authority may reduce the number of parking spaces required by Section 106.36.040 (Number of Parking Spaces Required) for senior housing projects, for persons aged 55 and over, based on quantitative information provided by the applicant that documents the need for fewer spaces for these types of residential development projects.

2. Change of use, removal of senior restriction.

a. Notification to the City. The owner/operator of a senior housing project that was granted reduced parking on the basis of senior occupancy shall immediately notify the Director of any change of site occupancy or operations that allows other than seniors to reside on the site.

b. Effect of removal of senior restriction. Upon notification that a restriction to occupancy by seniors has been removed, the Director shall determine a reasonable time in which one of the following shall occur:

(1) Substitute parking is provided that is acceptable to the Director; or

(2) The size or capacity of the use is reduced in proportion to the parking spaces lost.

D. Reduced parking for mixed use projects. The residential component of a horizontal mixed use project shall provide the parking required by Table 3-7 for multi-unit dwellings, minus the guest spaces required by Table 3-7. A vertical mixed use project shall require the same number of spaces as a horizontal mixed use project, reduced by 30 percent.

E. Parking reduction based on alternative facilities or programs. A proponent of an office, commercial or industrial project may provide alternative facilities or programs which serve to reduce parking demand in return for a reduction in vehicle parking requirements. Vehicle parking requirements may be reduced in accordance with the following provisions by the Director:

1. Shower/locker facilities. A project with 100 or more employees may reduce its parking requirement by providing shower and clothing locker facilities for bicycle commuting employees. Maximum reduction: two percent of required parking.

2. Secure bicycle parking. Developments which provide secure bicycle parking facilities may reduce their parking requirement by one vehicle space for every three additional bicycle spaces provided. Maximum reduction: two percent of required parking.

3. **Preferred carpool/vanpool parking spaces.** Office or industrial developments which guarantee preferred parking spaces (e.g., covered, shaded, or near building entrance) to employees who participate regularly in a carpool or vanpool may reduce their parking requirement by one vehicle space for every one space which is marked and reserved for carpools/vanpools at a preferred location. Maximum reduction: two percent of required parking.

4. **Transit Access.** Developments which are located within 500 feet of an operational transit stop may reduce their parking requirement by one vehicle space for every twenty spaces provided. Maximum reduction: five percent of required parking.

F. Parking Variances. Parking reductions exceeding the maximums in this Section, or modifications of improvement requirements, may be authorized by Variance in compliance with Subsection 106.62.060.F.2 (Findings for off-street parking Variance).

G. Off-site parking. With Minor Use Permit approval, required parking may be located in a common or shared parking facility up to 300 feet away from the site of the proposed use in compliance with the following requirements.

1. **Evaluation of proposal.** In considering a request for shared off-site parking, the review authority shall consider how the distance between the parking area and the proposed use may affect whether the off-site facility will satisfy the parking needs of the proposed use.

2. **Guarantee of continued availability.** Required parking spaces that are approved off-site shall be committed by a recordable covenant, lease, or other agreement, acceptable to the City Attorney. The parties to the covenant, lease, or agreement shall include the owners, and if applicable, the lessees of the off-site parking spaces and the owners, and if applicable, the lessees of the subject site, with covenants reflecting the conditions of approval and the approved off-site parking plan.

3. **Loss of off-site spaces.**

   a. **Notification to the City.** The owner/operator of a business that uses approved off-site spaces to satisfy its parking requirements shall immediately notify the Director of a change of ownership or use of the property for which the spaces are required, and of termination or default of the agreement between the parties.

   b. **Effect of termination of agreement.** Upon notification that a lease for required off-site parking has terminated, the Director shall determine a reasonable time in which one of the following shall occur:

      (1) Substitute parking is provided that is acceptable to the Director; or

      (2) The size or capacity of the use is reduced in proportion to the parking spaces lost.

H. Valet parking. The Commission may modify the parking configuration required by this Chapter (e.g., to allow tandem parking) in the case of a use proposed to have permanent valet parking.

I. Parking lot re-striping to accommodate disabled parking. A site shall not be considered to have nonconforming parking if the number of off-street spaces provided is reduced to less than required by this Chapter solely because the lot is re-striped to comply with disabled parking requirements.

106.36.080 - Parking Design and Development Standards

Required parking areas shall be designed and constructed in compliance with this Section.

A. Location of parking. Off-street parking areas shall be located as follows:

1. Required single-family residential parking. Residential parking shall be located on the same site as each residential unit served; except for a mixed use project developed in compliance with Section 106.42.130 (Mixed Use Projects).

a. Required parking may be located within the required front and interior side setback provided the required parking occurs on an approved driveway at least 20 feet in length and is perpendicular to the street. Alternate locations may be approved by the Director provided the design of the driveway is aesthetically pleasing, compatible with the surroundings and will not create a pedestrian or vehicular hazard.

2. Multi-unit residential. Required parking shall not occupy any required front setback, or a side or rear setback.

3. **Nonresidential parking.** Nonresidential parking shall be located on the same site as the use served, or within 300 feet of the parcel when off-site parking is approved in compliance with Section 106.36.070.G (Off-site parking), with reasonable access to and from the use for which the spaces are required.

B. Additional residential parking standards

1. Parking-within a front setback shall be limited to the required driveway plus 12 feet abutting and parallel to the driveway. The additional 12 feet of width shall be located adjacent to the interior side property line of a corner lot. Alternate locations for the additional pavement may be approved by the Director and City Engineer. The total approved parking surface width in the front of the lot shall not exceed 50 percent of the lot frontage. The Director and City Engineer may grant an exception for exceeding the allowed limits for lots located on a collector or arterial street, where the owner proposes a circular driveway. This Subsection does not apply to front setback areas that were paved to a greater extent than allowed by this Section, prior to October 5, 2006.

2. Temporary (overnight) parking is allowed within required setback areas only on an approved, paved driveway, in compliance with Section 106.36.080 (Parking Design and Development Standards). The following parking restrictions apply to all residential zones:

3. Acceptable parking surfaces include concrete, asphalt, decomposed granite, inlaid brick or stone, or parking strips composed of the above mentioned materials. Other pervious material may be accepted per approval of director.

4. Parking may not occur within any required clear vision triangle (Section 106.30.060 Figure 3-4) area on a corner lot.

5. Recreational vehicle and trailer parking.

a. All portions of the vehicle must be located entirely within the property boundaries, and do not extend into the public right of way.

b. Storage of a recreational vehicle, trailer, boat, and/or other mobile equipment is not allowed within the front or street side yard setback unless located on a required parking spaces or on an approved paved parking surfaces per Section 106.36.080(B)(3). When located within any side or rear yard, a recreational vehicle and/or boat must maintain a three-foot-wide continuous fire accessway from the front of the property. The use of any recreational vehicle for residential occupancy is prohibited except on property zoned for mobile home parks or camping.

C. Access to parking. Access to parking shall be provided as follows for all parking areas other than for individual single dwellings, and duplexes. Site design shall minimize the amount of paved surfaces and driveway lengths and widths while providing for safe and suitable access for vehicular circulation.

1. Direction of travel. Parking areas shall provide suitable maneuvering area so that vehicles exit to a street in a forward direction. Parking lots shall be designed to prevent access at any point other than at designated access drives. Single dwellings and duplexes are exempt from this requirement.

2. Stacking area for non-residential parking. A commercial or industrial use shall have access driveways that are not intersected by a parking aisle, parking space, or another access driveway for a minimum distance of 20 feet from the street right-of-way, to provide a stacking area for vehicles entering and exiting the parking area. The City Engineer may require a greater distance for uses with high traffic volumes or located along heavily traveled arterials. See Figure 3-43.

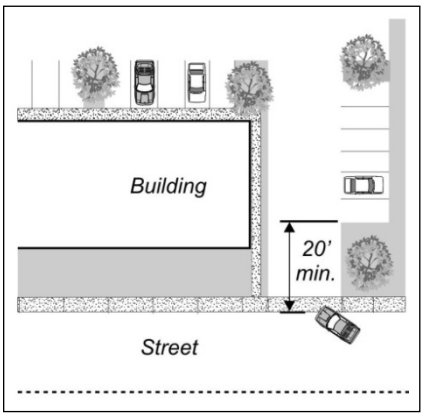


Figure 3-43 – Queuing Area

3. Clear height above parking. A minimum unobstructed clearance height of 14 feet shall be maintained above areas accessible to vehicles within nonresidential uses.

D. Access to adjacent sites. The City may require the design of a parking area to provide vehicle and pedestrian connections to parking areas on adjacent properties or to connect with adjoining public walkways, to provide for convenience, safety, and efficient circulation. A joint access agreement running with the land shall be recorded by the owners of the abutting properties, as approved by the Director, to guarantee the continued availability of the shared access between the properties.

E. Parking stall and aisle design.

1. Minimum dimensions.

a. Parking spaces. Each parking space shall be a minimum of nine feet wide and 19 feet long. Compact car spaces with minimum dimensions of eight feet by 16 feet may be allowed within a parking lot interior, up to a maximum of 25 percent of the total number of spaces. Compact spaces shall be dispersed throughout the parking lot. Parallel parking spaces shall have minimum dimensions of nine feet wide and 24 feet long.

b. Parking lot aisles. Each parking lot aisle shall comply with the minimum dimension requirements in Table 3-8.

TABLE 3-8 - MINIMUM PARKING LOT AISLE DIMENSIONS

Parking Angle	Aisle Width
45 degree	20 ft for a 2-way aisle 14 ft for a 1-way aisle
60 degree	20 ft for a 2-way aisle 18 ft for a 1-way aisle
90 degree	24 ft for a 2-way aisle 23 ft for a 1-way aisle
Parallel parking	24 ft for a 2-way aisle 12 ft for a 1-way aisle

2. **General configuration.** Tandem parking, or the parking of vehicles inline shall be prohibited in multi-unit residential and commercial zoning districts.

3. **Employee parking.** Where Table 3-7 requires employee parking, the spaces shall be identified by the employer as "employee parking" and shall be located as far away as possible from the main entrance.

4. **90-degree single-loaded parking aisles.** A parking lot aisle that provides access to parking spaces on one side only may be reduced to a width of 22 feet provided a landscaped planter at least five feet in width, or a two-foot planter with a walkway, is installed adjacent to the aisle.

5. **Dead-end aisles.** Dead-end aisles are discouraged. When used, 90 degree angle stalls with adequate turning space are required, as approved by the Engineering Division.

F. Landscaping. Landscaping shall be provided in compliance with Section 106.34

G. Lighting. See Chapter 106.35 (Outdoor Lighting).

H. Striping and identification. Parking spaces shall be clearly outlined with double stripes painted on the parking surface (see Figure 3-44). Car pool spaces shall be clearly identified for car pool use only. The re-striping of a parking space or lot shall require the approval of a re-striping plan by the Director.

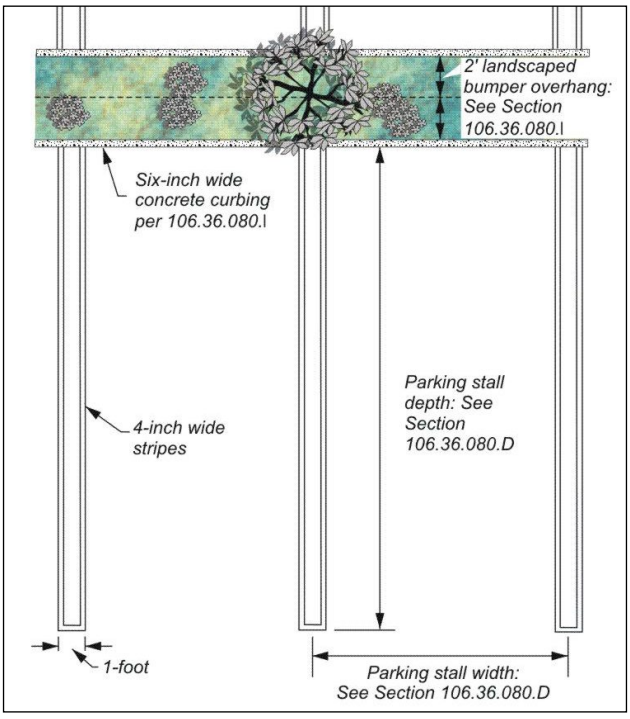


Figure 3-44 – Parking Lot Striping

I. Surfacing. Parking spaces and maneuvering areas shall be paved and permanently maintained with asphalt, concrete or other all-weather surfacing approved by the Director.

J. Wheel stops/curbing. Continuous concrete curbing at least four inches high and six inches wide shall be provided for parking spaces located adjacent to fences, walls, property lines, landscaped areas (except stormwater swales), and structures, and walkways that are less than six feet in width.

In addition to curbing, wheel stops shall be employed for any parking stall adjacent to a walkway that is less than six feet in width and has parking adjacent to it on one side. If parking adjoins both sides of the walkway, wheel stops shall be provided if the width of the walkway is less than 9 feet.

1. Individual wheel stops may be provided in lieu of continuous curbing when parking is adjacent to a landscaped area to which drainage is directed.

2. When provided, wheel stops shall be placed to allow for 30" of vehicle overhang area within the dimension of the parking space. Wheel stops shall be placed 30" from the curb.

3. Parking spaces may be designed to allow vehicle overhang of a landscape area only where the width of the landscape area is increased two additional feet over the width required by Section 106.34.040.D (Parking areas). The same overhang allowance shall apply where parking spaces directly abut a pedestrian walkway. The overhang allowance shall not be considered as part of the design width of the walkway.

In parking areas adjacent to vegetated stormwater swales or infiltration basins, curb stops alone may be used or cuts may be provided in the concrete curbing to allow water to enter the stormwater treatment planting area.

K. Drainage facilities. Drainage facilities shall be provided in all public parking areas adequate to handle the drainage requirements of the site, to alleviate the creation of flooding and drainage problems for the site or any surrounding property.

1. New parking lots and significantly redeveloped sites with existing parking shall be required to install Best Management Practices (BMPs) for their storm water discharge.

2. Post BMPs may include vegetated swales, rain gardens, storm water basins with a low flow channel to cleanse the runoff, an underground stormwater vault, or other Low-Impact Design solutions approved by the City. Low-Impact Design solutions are preferred to underground vaults.

3. Stormwater vaults and basins will require an access agreement for the City to conduct periodic inspections of the post BMP system.

106.36.090 - Loading Space Requirements

All retail and wholesale stores, warehouses, supply houses, buildings devoted to manufacturing, hotels, hospitals or other buildings where large amounts of goods are received or shipped shall provide adequate space to handle the volume and frequency of truck traffic to the building or shopping center, as required by the review authority.

A. Number of spaces required. The minimum number of spaces shall be determined in compliance with the estimated volume of truck traffic and loading requirements as approved by the Director.

B. Space design. Each required loading space shall be not less than 10 feet wide, 35 feet long and 14 feet high, exclusive of driveways. Loading docks shall not face the public right-of-way unless adequate screening is provided as required by the review authority.

CHAPTER 106.38 - SIGNS

Sections:

106.38.010 - Purpose
106.38.020 - Applicability
106.38.030 - Building Permit and Master Sign Plan Requirements
106.38.035 - Exemptions from Sign Permit Requirements
106.38.040 - Prohibited Signs
106.38.050 - General Requirements for All Signs
106.38.060 - Zoning District Sign Standards
106.38.070 - Standards for Specific Sign Types
106.38.080 - Nonconforming Signs
106.38.090 - Judicial Review

106.38.010 - Purpose

The regulations established by this Chapter are intended to appropriately limit the placement, type, size, and number of signs allowed within the City, and to require the proper maintenance of signs. The purposes of these limitations and requirements are to:

A. Avoid traffic and/or safety hazards to motorists, bicyclists, and pedestrians, caused by visual distractions and obstructions, or to impede their access;

B. Promote the aesthetic and environmental values of the community by providing for signs that do not impair the attractiveness of the City as a place to live, work, and shop;

C. Provide for signs as an effective channel of communication, while ensuring that signs are aesthetically proportioned in relation to adjacent structures and the structures to which they are attached;

D. Preserve the quiet, low-traffic character of residential neighborhoods; and

E. Safeguard and protect the public health, safety, and general welfare.

106.38.020 - Applicability

A. Signs regulated. The requirements of this Chapter shall apply to all signs in all zoning districts.

B. Applicability to sign content. The provisions of this Chapter do not regulate the message content of a sign (sign copy), regardless of whether the message content is commercial or noncommercial.

C. Definitions. Definitions of the specialized terms and phrases used in this Chapter may be found in Article 8 (Glossary) under "Sign."

106.38.030 - Building Permit and Master Sign Plan Requirements

A. Building permit and/or master sign plan required. No sign shall be constructed, installed, or modified, unless a building permit and, where applicable, a master sign plan approval is first obtained in compliance with this Chapter, or the sign is allowed without sign permit by Section 106.38.035 (Exemptions from Sign Permit Requirements).

1. Compliance with standards and permit required. No building permit for a sign or master sign plan shall be approved for an existing or proposed sign unless the sign is in compliance with all applicable requirements of this Chapter. After approval of a sign permit and/or sign plan, each sign shall comply with the permit and plan.

2. Temporary signs. Temporary signs shall comply with Section 106.38.070.I (Temporary signs).

B. Review authority. The Director shall review all building permit applications for signs and master sign plan applications and approve only those that comply with the findings required in Subsection E. (Findings for approval). The Director may also refer a building permit for a sign or master sign plan application to the Commission for review and decision, either for the individual permit, or as part of a development project that is otherwise subject to Commission review. The review authority may require conditions of approval that are deemed reasonable and necessary to achieve the purposes of this Chapter.

C. Timing. A sign permit shall be concurrent with a building permit for the sign if a building permit is otherwise required for the sign. A stand alone sign permit may be granted if no Building Permit is required (e.g., for a frame).

D. Master sign plan.

1. When required. A master sign plan shall be required for the types of nonresidential projects listed below. Each sign installed or replaced within the nonresidential project shall comply with the approved master sign plan.

a. A new nonresidential project with four or more tenants; and

b. Major rehabilitation work on an existing nonresidential project with four or more tenants, that involves exterior remodeling, and/or the application proposes modification to 50 percent or more of the existing signs on the site within a 12-month period. For the purposes of this Chapter, major rehabilitation means adding more than 50 percent to the gross floor area of the structures, or exterior redesign of more than 50 percent of the length of any facade within the project.

c. Nonresidential projects requesting an exception to sign regulations as specified in Section 106.62.080 (Exception to Sign Regulations)

2. Plan content. A master sign plan shall include the information and materials required by Subsection D., and shall provide standards for the uniform style, construction, height, size, and placement of signs within the proposed project.

3. Revisions. The Director may approve revisions to a master sign plan in compliance with Section 106.64.080 (Change to an Approved Project).

E. Findings for approval. The approval of a sign permit or master sign plan shall require that the review authority first make all the following findings, as applicable.

1. The proposed signs comply with the standards of this Chapter unless an Exception to Sign Regulations is approved pursuant to 106.62.080 (Exception to Sign Regulations). ;

2. That the placement of each sign on the site is appropriate for the height and area of a freestanding or projecting sign;

3. That a wall sign or projecting sign is consistent with the architectural design of the structure;

4. No sign unreasonably impairs the visibility of existing signs on adjacent properties;

5. The placement and size of the sign will not impair pedestrian or vehicular safety;

6. The design, height, location, and size of the signs are visually complementary and compatible with the scale, and architectural style of the primary structures on the site, and structures on adjacent properties on the same street;

7. The proposed signs are in substantial conformance with the design criteria in Subsection 106.38.050.G (Design criteria for signs); and

8. The proposed signs are of a color, height, letter type, location, material, shape, size, and style that is appropriate for the use of the premises, enhancing to the premises, and harmonious with the surrounding neighborhood.

F. Expiration and extension of sign permit.

1. An approved sign permit shall expire 12 months from the date of approval unless the sign has been installed, or a different expiration date is stipulated at the time of approval. Before the expiration of a sign permit, the applicant may apply to the Director for an extension of an additional 12 months from the original date of expiration. In response to an extension request, the review authority may make minor modifications, or deny further extensions.

2. The expiration date of the sign permit shall be automatically extended to concur with the expiration date of the companion Building Permit or other applicable permits.

G. Appeal. The applicant may appeal the denial of a sign permit or master sign plan application in compliance with Chapter 106.72 (Appeals).

106.38.035 - Exemptions from Sign Permit Requirements

The following signs are allowed without sign permit or master sign plan approval, provided that they comply with Section 106.38.050 (General Requirements for All Signs), and any required Building Permit is obtained.

A. Nonstructural modifications and maintenance.

1. Modifications to sign copy on conforming signs, or changes to the face or copy of a conforming changeable copy sign;

2. Nonstructural modifications of the face or copy of an existing conforming sign installed in compliance with a master sign plan; provided, the modifications are consistent with the approved master sign plan; and

3. The normal maintenance of conforming signs, except as identified in Subsection 106.38.080.B (Maintenance and changes).

B. Identification signs. Street identification, and house identification signs not exceeding one square foot.

C. Hours of operation signs. Open, closed, and hours of operation signs, not to exceed two square feet.

D. Temporary signs. The following temporary signs are allowed without a sign permit.

1. Real estate signs. Real estate signs are allowed without a sign permit in compliance with California Civil Code Section 713, and subject to the following requirements, provided that no sign shall be placed within a public or private right-of-way.

Zoning District	Maximum Sign Area (If sign is:)	Minimum Setback from Public Right-of-Way (The setback is:)
Sign on Developed/Improved Property		
Commercial, Industrial, Multi-family Residential, or Non-Residential SPA	16 sf	10 ft
	24 sf	15 ft
	32 sf	25 ft
Single Family Residential or Residential SPA	5 sf	10 ft
Sign on Undeveloped/Unimproved Property		
Any zoning district	24 sf	25 ft

2. Construction signs. Construction identification signs may be allowed in all zoning districts in compliance with the following standards.

a. Only one sign, located on-site, shall be allowed;

b. The area of the sign shall not exceed 32 square feet;

c. Sign height shall not exceed eight feet;

d. The sign shall not be illuminated;

e. A construction sign shall not be allowed if an on-site subdivision sign is approved; and

f. Construction signs shall be removed within 30 days after completion of construction.

3. Noncommercial signs. Noncommercial signs are allowed without a sign permit provided that the signs:

a. Are installed with the property owner's consent;

b. Do not exceed a maximum cumulative area of 50 square feet on any lot, do not exceed a maximum height of six feet, and are not illuminated;

c. If freestanding are set back a minimum of five feet from any property line, and are not placed within 15 feet of a fire hydrant, street sign, or traffic signal, and do not interfere with, confuse, obstruct, or mislead traffic;

d. Are not placed unlawfully. The placement of a sign in the public right-of-way in violation of this Chapter or any other provisions of the Municipal Code is a nuisance, and any sign so placed may be removed summarily and disposed of by the City; and

e. Each sign shall be removed within 10 days after the conclusion of the political campaign or event to which they relate. A sign that is not removed may be removed by the City at the expense of the political candidate or organization involved.

E. Governmental signs. Signs installed by a Federal or State governmental agency, City, County, or a local agency, including the following:

1. Emergency and warning signs necessary for public safety or civil defense;
2. Traffic signs erected and maintained by an authorized public agency;
3. Legal notices, licenses, permits, and other signs required to be displayed by law;
4. Signs showing the location of public facilities (e.g., civic buildings and facilities, public telephones, restrooms, and underground utilities);
5. A sign, posting, public notice, or similar sign placed by or required by a governmental agency in carrying out its responsibility to protect public health, safety, and general welfare; and
6. A sign placed by a government agency for the purpose of announcing events and transmitting community information to the general public.

F. Other signs. The following signs are also allowed without a sign permit.

1. Street addresses. Street address numbers not exceeding 12 inches in height.

2. Official flags. Flags of national, State, or local governments, or nationally recognized religious, fraternal, or public service agencies; provided that:

a. The length of a flag shall not exceed one-fourth the height of the flag pole;

b. The height of the flag pole shall not exceed 20 feet within a residential zoning district except flag poles for non-residential uses within a residential zoning district may be 30 feet; and

c. No private flag pole shall be located within a public right-of-way or required setback.

3. Ornamentation and decoration. Symbols, pictures, patterns, and illumination approved by the City as architectural ornamentation or decoration.

4. Banners. Artistic banners without advertising, as approved by the Director.

5. Historical markers. Historical markers erected and maintained by non-profit organizations, memorials, building cornerstones, and date-constructed stones.

6. Service station price signs. Service station price signs required by State law, provided that the signs are monument signs. (The monument sign structure requires a building permit.)

7. Window signs. Window signs shall be in compliance with Section 106.38.070.M (Window signs).

8. City required signs. Traffic control signs on private property as required by the City in compliance with City standards or as approved by the City Engineer.

106.38.040 - Prohibited Signs

All signs not expressly allowed by this Chapter shall be prohibited unless allowed through an Exception to Sign Regulations application as specified in Section 106.62.080 (Exception to Sign Regulations). Examples of prohibited signs include, but are not limited to, the following:

A. Abandoned signs;

B. Animated, moving, variable intensity, blinking, or flashing signs, or signs that emit a varying intensity of light or color. Not included are electronic message displays for time and temperature (which are not considered signs), barber poles; and electronic message boards when permitted under Section 106.38.070.D (Electronic Message Displays);

C. Off-site signs (e.g., billboards, and signs painted or mounted on a vehicle parked for longer than necessary for on-site delivery or pick-up operations), except as provided by Sections 106.38.070.G (Off-site signs), and 106.38.070.J.2 (Temporary Signs - Subdivision directional signs - Off-site);

D. Obscene signs, as obscenity is defined by State law;

E. Pole signs;

F. Roof signs;

G. Because of the City's compelling interest in ensuring traffic safety, signs that simulate in color, size, or design, any traffic control sign or signal, or that make use of words, symbols, or characters in a manner that interferes with, misleads, or confuses pedestrian or vehicular traffic;

H. A sign in the form or shape of a directional arrow, or otherwise displaying a directional arrow, except as approved by the review authority, or as required for safety and convenience and for control of on-site vehicular and pedestrian traffic;

I. A sign painted on, attached to, or suspended from, a car, truck, boat, other vehicle, or other movable object that is parked longer than necessary for on-site delivery or pick-up operations within a public right-of-way, or located on private property but conspicuously visible from a public right-of-way; except a sign painted directly upon, magnetically affixed to, or permanently affixed to the body or other integral part of a vehicle that is smaller than a single door panel;

J. A sign burned, cut, or otherwise marked on or affixed to a rock, tree, or other natural feature;

K. A sign placed within a public right-of-way, except as provided by Section 106.38.050.E (Signs within a public right-of-way);

L. Temporary and portable signs, except as specifically allowed by Section 106.38.070.J (Temporary signs), including the following:

    1. Balloons and other inflatable devices;

    2. Flags, except as allowed by Section 106.38.035.F.2 (Official flags); and

    3. Pennants and streamers, except in conjunction with an athletic event, carnival, circus, or fair, and as allowed in Section 106.38.070.I (Temporary signs).

M. Individual letters mounted on an exposed electrical raceway instead of mounted directly on a building wall. Exposed raceways are permitted only when the raceway is an integral design component of the sign as determined by the Director.

106.38.050 - General Requirements for All Signs

A. Sign area measurement. The measurement of sign area to determine compliance with the maximum sign area requirements of this Chapter shall occur as follows.

1. Surface area. The surface area of a sign shall be calculated by enclosing the extreme limits of all framing, emblem, logo, representation, writing, or other display within a single continuous perimeter composed of squares or rectangles with no more than eight lines. See Figure 3-45.

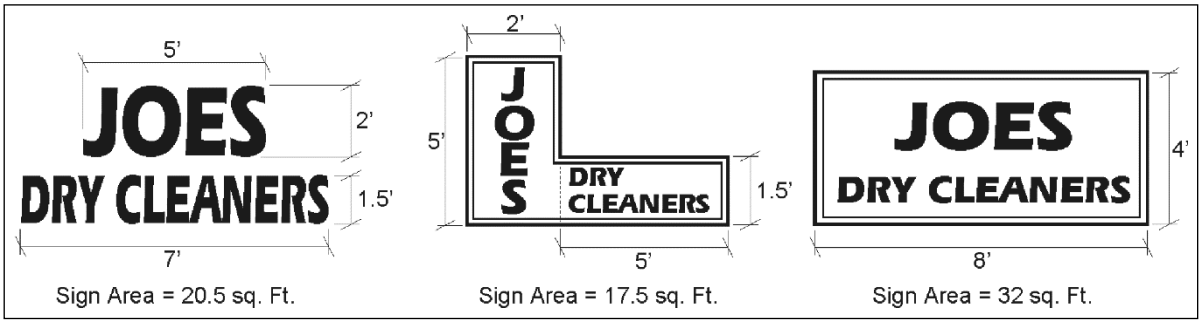


Figure 3-45 – Sign Area Measurement

2. Sign structure. Supporting bracing or framework that is clearly incidental to the display itself shall not be computed as sign area.

3. Multi-faced signs. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces, except that if the two sides are of equal size and within five degrees of parallel, the area of one sign face shall be considered to be the area of the sign.

4. Three-dimensional objects. Where a sign consists of one or more three-dimensional objects (e.g., balls, cubes, clusters of objects, sculpture, or statue-like trademarks), the sign area shall be measured as their maximum projection upon a vertical plane. See Figure 3-46.

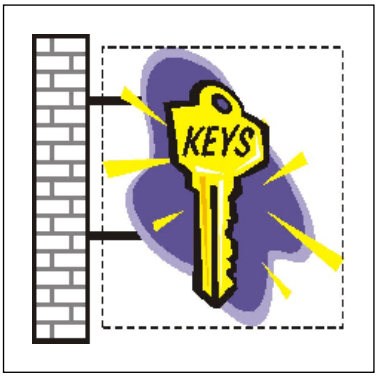


Figure 3-46 – 3-D Sign Measurement

5. Time and/or temperature device. The area of any time and/or temperature device incorporated into a sign shall not be included in the calculation of total sign area. The cumulative area of time and/or temperature signs shall not exceed ten (12) square feet.

6. Sign lighting. Permanently installed illuminated panels, visible tubing, and strings of lights outlining all or a portion of a structure, other than lighting that is primarily for indirectly illuminating architectural features, signs, or landscaping, shall be deemed "signs" subject to this Chapter and shall be counted as part of the allowed sign area. Each line of tubing or lights shall be deemed to have a minimum width of at least six inches for the purpose of area calculation.

B. Sign height measurement. The height of a sign shall be computed as the vertical distance from the lowest point of the base of the sign at normal grade, to the top of the highest attached component of the sign. See Figure 3-47.

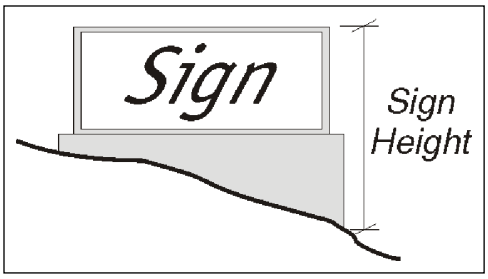


Figure 3-47 – Sign Height Measurement

1. Normal grade. Normal grade shall be construed to be the lower of either the:

a. Existing grade before construction; or

b. Newly established grade after construction, exclusive of any berming, filling, mounding, or excavating solely for the purpose of locating the sign.

2. Where normal grade cannot be determined. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumptions that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the parcel, whichever is lower.

C. Sign height limitations. Each sign shall comply with the sign height requirements of 106.38.060 (Zoning District Sign Standards) for the applicable zoning district or 106.38.070 (Standards for Specific Sign Types) as applicable.

D. Sign location requirements. Each sign shall be located in compliance with the following requirements, and all other applicable provisions of this Chapter, but in no case shall any sign be located so as to impede the normal flow of pedestrian and/or bicycle traffic.

1. On-premise signs required. Each sign shall be located on the same site as the subject of the sign, except as otherwise allowed by this Chapter.

2. Setback requirements. Each sign shall comply with the setback requirements of the applicable zoning district, except for an approved projecting sign, or a freestanding sign that is set back a minimum of 5 feet from the front and street side property lines.

3. Placement on a building. No sign shall be placed so as to interfere with the operation of a door or window. Signs should not be located so that they cover prominent architectural features of the building.

E. Signs within a public right-of-way.

1. No sign shall be allowed in the public right-of-way except for the following:

a. A projecting sign in compliance with Section 106.38.070.G (Projecting and suspended signs).

b. Public signs erected by or on behalf of a governmental agency to convey public information, identify public property, post legal notices, or direct or regulate pedestrian or vehicular traffic;

c. Transit stop signs installed on behalf of a public or contracted private transit company;

d. Informational signs of a public utility regarding its lines, pipes, poles, or other facilities; or

e. Emergency warning signs erected by a governmental agency, a public utility company, or a contractor doing authorized work within the public right-of-way.

2. Any sign installed or placed within the public right-of-way other than in compliance with this Section shall be forfeited to the public and be subject to confiscation.

3. In addition to other remedies identified in Municipal Code Chapter 50 (Neighborhood Enhancement Code), the City shall have the right to recover from the owner, or person placing the sign, the full costs related to the removal and disposal of the sign.

4. A sign permit shall not be required for City signs placed within the public right-of-way.

F. Sign design, construction, and maintenance. All signs shall be designed, constructed, and continuously maintained in compliance with the following standards:

1. Compliance with applicable provisions. All signs shall comply with the applicable provisions of the uniform codes of the City, any other applicable City ordinances, resolutions, or regulations, and this Chapter.

2. Permanent materials and attachment. Except for banners, flags, temporary signs, and window signs conforming with the requirements of this Chapter, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.

G. Design criteria for signs. The following design criteria shall be used in reviewing the design of individual signs. Substantial conformance with each of the following design criteria shall be required before a sign permit or Building Permit can be approved.

1. Color. Colors on signs and structural members should be harmonious with one another and relate to the dominant colors of the other structures on the site. Contrasting colors may be utilized if the overall effect of the sign is still compatible with the structure colors and prevailing colors in the surrounding neighborhood (where a theme can be identified).

2. Design and construction.

a. All permanent signs shall be designed by professionals (e.g., architects, building designers, landscape architects, interior designers, or those whose principal business is the design, manufacture, or sale of signs), or others who are capable of producing professional results.

b. All permanent signs shall be constructed by persons whose principal business is building construction or a related trade including sign manufacturing and installation businesses, or others capable of producing professional results. The intent is to ensure public safety, achieve signs of careful construction, neat and readable copy, and durability so as to reduce maintenance costs and to prevent dilapidation.

3. Materials and structure.

a. Sign materials (including framing and supports) shall be representative of the type and scale of materials used on the site of the sign. Sign materials shall match those used on the structure and on other signs.

b. No sign shall include reflective material.

c. Materials for permanent signs shall be durable and capable of withstanding weathering over the life of the sign with reasonable maintenance.

d. The size of the structural members (e.g. columns, crossbeams, and braces) shall be proportional to the sign panel they are supporting. In general, fewer larger supporting members are preferable to many smaller supports.

e. The use of individual letters incorporated into the building design is encouraged, rather than a sign with background and framing other than the structure wall.

4. **Street address.** The review authority may require that a sign include the street address of the site, where it determines that public safety and emergency vehicle response would be more effectively served than if the street address were displayed solely on one or more structures on the site.

H. Copy design guidelines. The City does not regulate the message content (copy) of signs; however, the following are principles of copy design and layout that can enhance the readability and attractiveness of signs. Copy design and layout consistent with these principles is encouraged, but not required.

1. Sign copy should relate only to the name and/or nature of the business or commercial center.

2. Permanent signs that advertise continuous sales, special prices, or include phone numbers, etc. should be avoided.

3. Information should be conveyed briefly or by logo, symbol, or other graphic manner. The intent should be to increase the readability of the sign and thereby enhance the identity of the business.

4. The area of letters or symbols should not exceed 40 percent of the background area in commercial districts or 60 percent in residential districts.

5. Freestanding signs should contain the street address of the parcel or the range of addresses for a multi-tenant center.

I. Sign lighting. Sign lighting shall be designed to minimize light and glare on surrounding rights-of-way and properties.

1. External light sources shall be directed and shielded so that they do not produce glare off the site, on any object other than the sign.

2. Sign lighting shall not blink, flash, flutter, or change light intensity, brightness, or color.

3. Colored lights shall not be used at a location or in a manner so as to be confused or construed as traffic control devices.

4. Neither the direct nor reflected light from primary light sources shall create hazards for pedestrians or bicyclists, or operators of motor vehicles.

5. For energy conservation, light sources shall be hard-wired florescent or compact florescent lamps, or other lighting technology that is of equal or greater energy efficiency. Incandescent lamps shall be prohibited.

6. The maximum allowable level of sign illumination shall not exceed the amounts in the following table. If the lighting system consists of or includes other than florescent tubes, the luminance level produced by the system shall not exceed the luminance level produced by a fluorescent system using the above criteria. Compliance shall be confirmed by calculations that compare the allowable fluorescent luminance with the proposed alternate luminance based upon a report from a qualified electrical engineer, and approved by the Director.

Lighting Type	Maximum Power	Maximum Number
Florescent	800 milliamps	2 tubes per fixture
Neon	30 milliamps	None

J. Sign maintenance.

1. Each sign and supporting hardware, including temporary signs, shall be maintained in good repair and functioning properly at all times.

2. Any repair to a sign shall be of materials and design of equal or better quality as the original sign.

3. A sign that is not properly maintained and is dilapidated shall be deemed a public nuisance, and may be abated in compliance with the Municipal Code.

4. When an existing sign is removed or replaced, all brackets, poles, and other supports that are no longer required shall be removed.

K. Sign removal. When a business, activity, or entity that is the subject of an on-site sign leaves the site, the sign shall be removed within 10 days thereafter.

106.38.060 - Zoning District Sign Standards

Each sign shall comply with the sign type, area, height, and other restrictions provided by this Section, in addition to the provisions of Section 106.38.070 (Standards for Specific Sign Types).

A. Setback requirement for freestanding signs. A freestanding sign shall be set back a minimum of 5 feet from a dedicated public right-of-way, except where this Zoning Code requires a different setback for a specific sign type.

B. Residential zone sign standards. Each sign in the residential zoning districts shall comply with the requirements in Table 3-11, except for signs that are allowed by standards for a specific land use in Chapter 106.42.

TABLE 3-11 - SIGN STANDARDS FOR RESIDENTIAL ZONES

Allowed Sign Types	Maximum Sign Height	Maximum Number of Signs Allowed per Parcel	Maximum Sign Area Allowed per Parcel
Single Dwelling, Duplex, Triplex, Home Occupation			
Wall	Comply with Maximum Sign Area Allowed per Parcel Standard	1	1 sf
Multi-Unit Residential Project or Structure			
Wall or freestanding	Wall signs: below edge of roof; Freestanding: 4 ft	1 of either allowed sign type per entrance or street frontage	50 sf total for all signs
Non-Residential Use			
Wall	Below edge of roof	1 allowed per street frontage	Total combined sf of all wall signage shall not exceed .50 (one-half) sf for each linear ft of primary building frontage
Freestanding	6 ft; height may be increased by one additional foot up to 10 ft max with increased setback as per 106.38.080.E.5	1 allowed per entrance or street frontage	Total combined of all freestanding signs shall not exceed 100 sf

C. Commercial and industrial zone sign standards. Each sign in the commercial and industrial zoning districts shall comply with the requirements in Table 3-12, except for service station signs which are subject to Section 106.38.070.H (Service station signs).

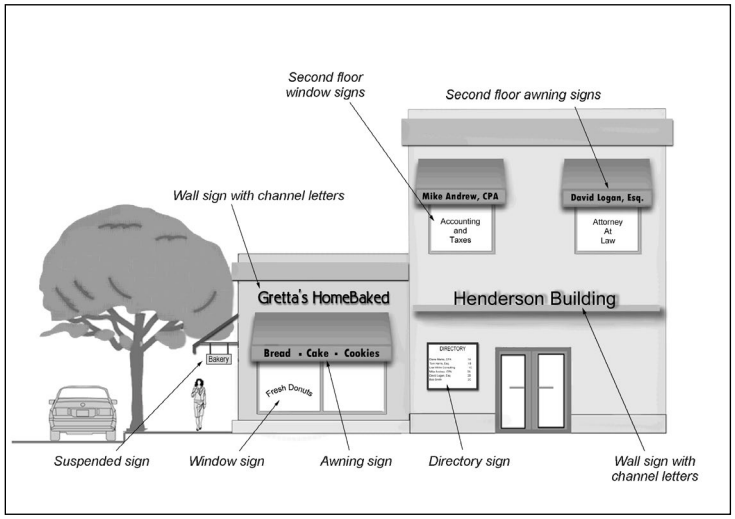


Figure 3-48 – Example of Sign Types

TABLE 3-12 - SIGN HEIGHT AND AREA STANDARDS FOR COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS

Allowed Sign Types	Maximum Sign Height (see Section 106.38.050.B)	Maximum Sign Area (see Section 106.38.050.A)
Ground-mounted and Ground-floor Signs		
Awning	At least one foot below the top of a parapet, the sill of a second floor window, and/or the lowest point of any cornice or roof overhang.	**Maximum sign area per tenant space.** The combined total area of signs allowed for a business shall not exceed the following requirements; provided that the allowed area for a freestanding monument sign is in addition to the maximum area allowed below. 1. 1 sf for each linear ft of primary building frontage in the BP zone; 2 sf for each linear ft of primary building frontage elsewhere. Buildings within the Sunrise Boulevard/Greenback Lane Special Sign District shall refer to Section 106.38.060.D. 2. Each use is allowed a total sign area of at least 25 sf regardless of frontage length. Notwithstanding the above, a freestanding directory sign in the AC zone shall not exceed 200 sf. **Site with 4 or more tenants:** is allowed an additional freestanding identification sign of 0.25 sf for each linear ft of total primary structure frontage, up to 100 sf maximum.
Freestanding	AC zone - 30 ft with a 10-ft setback from public right-of-way BP zone – 5 ft GC zone - 5 ft (1) LC zone – 5 ft (1) MP zone - 5 ft SC zone – 5 ft (1)	
Projecting, or Wall	At least one foot below the top of a parapet, the sill of a second floor window, and/or the lowest point of any cornice or roof overhang.	
Suspended	Below eave/canopy; at least 8 ft above a walking surface	
Temporary/Portable	See Sections 106.38.070.A and 106.38.070.I	
Window	See Section 106.38.070.L	
Second Floor Signs		
Awning, Projecting, Wall	At least one foot below the top of a parapet, the sill of a second floor window, and/or the lowest point of any cornice or roof overhang.	12 sf for each tenant. 1 directory sign not to exceed 12 sf is also allowed to identify upper floor occupants.
Window	See Section 106.38.070.M	

Notes:
(1) Sign height may be increased by one foot for each foot the setback of the sign is increased, to a maximum sign height of 25 ft.

D. Signage within Sunrise Boulevard/Greenback Lane Special Sign District. Within the area identified in Figure 3-49, signs shall comply with the following requirements, instead of those in Subsection C.

1. Allowable sign types and sign area.

a. Monument signs are allowed with a total sign area of one square foot per foot of public street frontage with a maximum area of 100 square feet; and

b. Wall signage is allowed with a total of one square foot for each linear foot of primary building frontage in the BP zone; 2 square feet of each linear foot of primary building frontage elsewhere. Buildings whose primary frontage is 300 feet or greater from the public right-of-way shall be allowed three square feet of wall signage for each linear foot of primary frontage.

2. Setback requirements. Monument signs shall be set back as follows:

a. Two feet adjoining any property zoned for any commercial or industrial zone; and

b. 10 feet adjoining any property in a residential, recreation, or open space zone.

3. Height limits. A monument sign shall not exceed a maximum height of 10 feet, and may be increased one foot for each foot of increased sign setback, to a maximum height of 12 feet.

4. Landscaping. Two feet of landscaping is required in every direction from the exterior portions of any part of the monument sign.

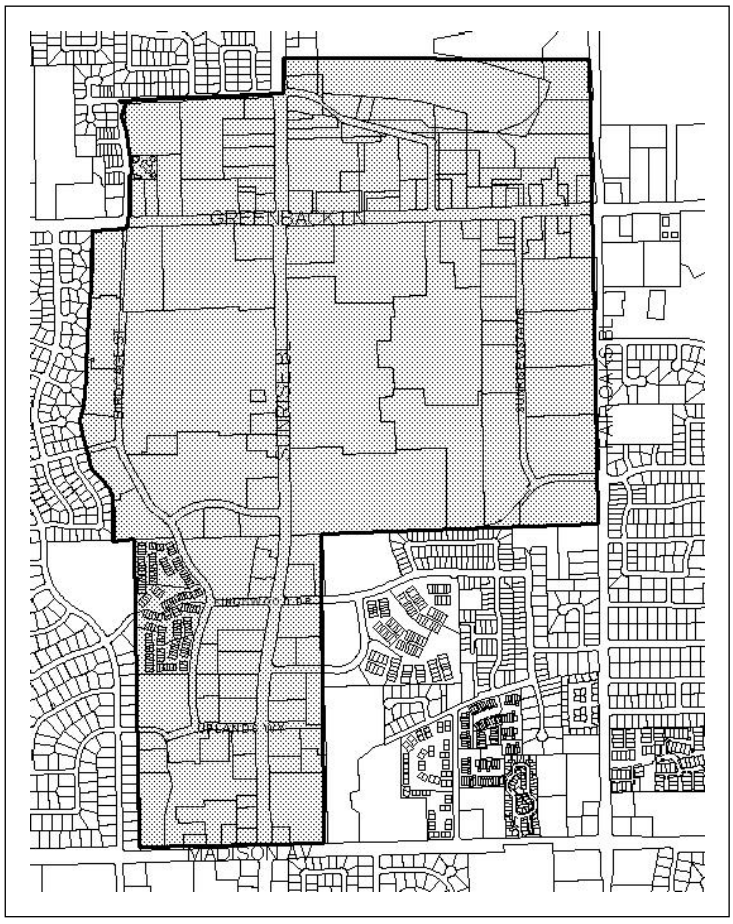


Figure 3-49 – Sunrise Boulevard/Greenback Lane Special Sign District

106.38.070 - Standards for Specific Sign Types

Each proposed sign shall comply with the standards of this Section applicable to the specific sign type. Each sign type listed in this Section shall be included in the calculation of the total sign area allowed on a parcel by Section 106.38.060 (Zoning District Sign Standards), unless this Section explicitly provides otherwise. Each sign shall also comply with the sign area, height, and other requirements of Section 106.38.060 (Zoning District Sign Standards), and all other applicable provisions of this Chapter.

A. A-board and other portable sidewalk signs. Each parcel may display one A-board or other similar portable sign in compliance with the following standards.

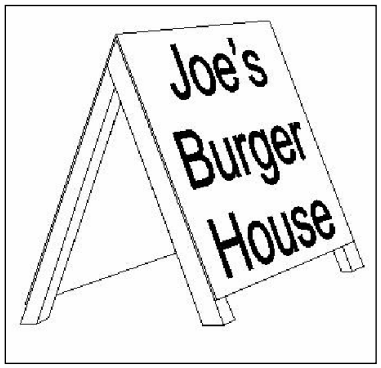


Figure 3-50 – A-board Sign

1. Limitation on location. An A-board sign may be approved on private property within a commercial or industrial zoning district, only on a site where:

a. The review authority determines that a property owner has taken advantage of all permanent signs allowed by this Chapter, and site visibility remains seriously impaired; and

b. The structure to which directions are being provided is located more than 150 feet from a predominant public street frontage, the site is developed with all other signs allowed by this Chapter, and the business entry and the other exterior signs allowed for the site by this Chapter are not visible from the predominant public street. The "predominant public street" is the major vehicular route that provides access to the site and surrounding area.

2. Maximum number. No more than one A-board sign per street frontage shall be permitted per parcel.

3. Sign size. Each sign shall not exceed a width of 30 inches. Sign height shall be limited to 48 inches. Sign height shall be measured perpendicular from the placement surface to the highest point of the A-board sign.

4. Sign placement. An A-board sign shall be placed only on private property within the boundaries of the applicable business' street frontage, and shall be positioned so that it will not:

a. Obstruct required ADA sidewalk clearance;

b. Impede any line of sight for motorists or bicyclists at public street intersections, as recommended by the City Engineer; or

c. Interfere with people exiting and entering parked cars.

5. Design and construction standards. The review authority shall approve an A-board sign only if it first determines that the design and appearance of the sign, including any graphics and/or text, will reflect attractive, professional design, and that the sign will be durable and stable when in place.

6. Stabilization. The sign shall be stabilized to withstand wind gusts or shall be removed during windy conditions.

7. Daily removal. The sign shall be removed at the close of business each day.

8. Maintenance. The sign shall be continuously maintained in good condition with no peeling paint or other deterioration.

B. Awning signs. The following standards apply to awning signs (Figure 3-51) in all zoning districts where allowed by Section 106.38.060 (Zoning District Sign Standards).

1. Signs on awnings are limited to ground level or second story occupancies only.

2. Awnings shall not be internally illuminated. Direct exterior lighting may be allowed. Translucent awning materials are prohibited.

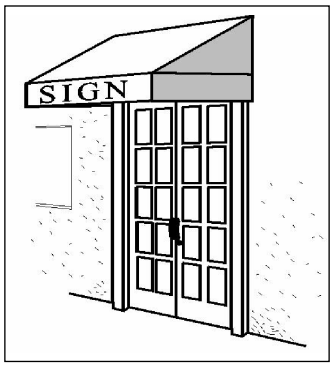


Figure 3-51 – Awning Sign

C. Directional/Directory Signs On-site. The following standards apply to directory and directional signs in all zoning districts.

1. Maximum Sign Area. A sign shall not exceed 10 square feet; except the Director may authorize larger signs based upon special site/project characteristics.

2. Maximum Number. The maximum number of freestanding directional signs shall be one per driveway and one per service entrance. The maximum number of wall mounted directory signs shall be one per building frontage. Additional signs may be permitted if a health and safety need is demonstrated to the satisfaction of the Director. Directional signs no more than 30 inches in height and 4 square feet shall not be included when calculating the total number of signs.

3. Setback Requirements. A directional/directory shall be set back a minimum of 5 feet from a public right-of-way, plus one additional foot per foot of sign height over 5 feet, up to a maximum setback of 25 feet.

4. Safety Requirements. A sign shall not project over public property, vehicular easements, or rights-of-way, and shall not obstruct traffic safety visibility area, as determined by the review authority.

D. Electronic Message Display Signs. The following standards apply to electronic signs in all zoning districts where freestanding signs are allowed by Section 106.38.060 (Zoning District Sign Standards):

1. Permit Required. Minor Use Permit approval is required.

2. Exemptions. The following types of electronic message display signage are exempt from these requirements:

a. Window signs up to four square feet are exempt from this chapter.

b. Warning signs typically used at a construction site or for traffic/road diversion.

c. Signs used for a special event in conjunction with a Temporary Use Permit.

d. Sign displays advertising gas station pricing.

e. Electronic message display signs that only function for time and temperature. Time and temperature displays legally installed prior to November 1, 2015 may be allowed to display messages in accordance with these regulations without the issuance of a Minor Use Permit.

5. Where Allowed. An electronic message display sign may be approved within a commercial zoning district or within a residential zoning district. Electronic displays located within a residential zoning district must be

located at least 100 feet away from a residential building. The measurement shall be from the sign face to the nearest portion of any residential structure.

f. **Maximum Sign Area**. The electronic portion of a monument sign shall comprise no more than 50% of the total sign area.

g. **Design Criteria.** An electronic message display sign shall be integrated into a monument sign that contains architectural detailing that is compatible with the building including consistent use of colors and materials. The electronic message display sign shall not appear "stuck-on" to a monument sign.

3. Maximum Number. Each site may have one electronic message display sign.

4. Operational Standards. An electronic message display sign shall operate subject to the following:

a. Sign shall display static messages only. The sign shall not be animated, have movement, or the appearance or optical illusion of movement in or any part of the sign structure, design, or pictorial segment of the sign. Each static message shall not include flashing or scintillating lighting, or varying light intensity.

b. Each message on a sign within a commercial zoning district must be displayed for a minimum of twelve seconds and each message on a sign within a residential zoning district must be displayed for a minimum of one hour.

c. Sign may only display messages related to a use that is located on the same site or within the same center.

d. Electronic message display sign within a commercial zoning district may be full color. An electronic message display sign within a residential zoning district shall operate only in one color.

e. The electronic message display sign shall have a light sensing device that will adjust the brightness of the sign as ambient light conditions change throughout the day.

f. The electronic message display sign shall have a device that renders the sign to dark upon malfunction.

g. Signage should not be designed to emulate traffic safety signage.

5. Other Requirements. An electronic message display sign shall comply with Section 106.38.050 (General Requirements for All Signs).

6. Certification Required. The applicant shall provide written certification that the sign will operate with a maximum of 0.3-foot candle over ambient lighting. The measurement shall be taken at least thirty minutes past sunset, using a foot candle meter accurate to at least two decimals to record the ambient light reading for the area. This is done while the message center is off or displaying all back copy. All measurements shall be taken perpendicular to the face of the sign at the distance determined by the following formula:

$$D = \sqrt{a * 100}$$

D = Measurement Distance
a = Sign Area

7. **Exceptions.** The review authority shall have the right to grant an exception to these provisions pertaining to height, location, sign area, shape, and number of signs for commercial projects in compliance with Section 106.62.80 (Exceptions to Sign Regulations).

E. Freestanding signs. The following standards apply to freestanding signs (Figure 3-52) in all zoning districts where allowed by Section 106.38.060 (Zoning District Sign Standards).



Figure 3-52 – Freestanding Sign

1. **Separation.** Multiple signs shall be separated by a minimum of 75 feet to ensure adequate visibility for all signs. The review authority may waive this requirement where the locations of existing signs on adjacent properties would make the 75-foot separation impractical, or there is no other alternative.

2. **Safety requirements.** A sign shall not project over public property, vehicular easements, or rights-of-way, and shall not obstruct a traffic safety sight area, as determined by the review authority.

3. **Street address.** To assist emergency response personnel in locating the site, freestanding signs should contain an illuminated street address plate. Numbers shall be a minimum of six inches in height. Street address numbers not exceeding six inches in height shall not be included in calculations of allowed sign area.

4. **Maximum number.** The maximum number of freestanding signs allowed on a site shall be limited to one per street frontage of less than 300 feet; and one additional sign for each additional 300 feet of frontage or fraction.

5. **Setback requirements.** A freestanding sign shall be set back a minimum of 5 feet from a public right-of-way, plus one additional foot per foot of sign height over 5 feet, up to a maximum setback of 25 feet; except in the AC zoning district, where no additional setback is required for the maximum allowed height of 30 feet, and in the Sunrise Boulevard/Greenback Lane Special Sign District, in compliance with Section 106.38.060.D.

6. **Landscaping.** A freestanding sign shall be designed and constructed with accent landscaping at the base of sign to the approval of the review authority.

F. Freeway-oriented signs. A freeway-oriented sign may be approved in compliance with the following requirements.

1. **Permit requirement.** Use Permit approval is required for a freeway-oriented sign.

2. **Where allowed.** A freeway-oriented sign may be approved only on a parcel abutting the Interstate 80 right-of-way within a commercial zoning district.

3. **Required findings.** The approval of a Use Permit for a freeway-oriented sign shall require that the Commission first find that the use or site cannot be adequately identified by other signs permitted within the applicable zoning district, in addition to the other findings required for Use Permit approval by Section 106.62.050 (Use Permit and Minor Use Permit).

4. **Height limit.** No freeway-oriented sign shall exceed a maximum height of 30 feet, unless the Use Permit allows greater height, as follows.

a. Criteria for approval. A sign with a height greater than 30 feet may be approved only if the Commission determines that the applicant has demonstrated that an overcrossing of Interstate 80, or its ramps, or trees or vegetation will significantly obstruct the visibility of the proposed sign from the eastbound or westbound lanes of Interstate 80.

b. Procedure for determining allowed height. The Commission shall approve no sign height over 30 feet more than the minimum necessary for the message area of the sign to clear the identified visual obstruction. The determination of maximum height by the Commission shall be based on the following procedure, which shall occur prior to the public hearing on the Use Permit.

(1) The applicant shall arrange for a boom truck with a sign target to be on the site at the location of the proposed sign, with a tape measure attached to the top of the target so that an accurate ground reading of height can be determined.

(2) City staff will go to the site, pick up the applicant or applicant's representative, and drive Interstate 80 east and west of the target on the site, to visually verify that the target is set at the minimum height necessary to clear the visual obstruction. Staff will then record the height to the top of the target.

(3) City staff will report their findings to the Commission in the staff report on the Use Permit.

G. Murals. A mural placed on the wall of a structure may be allowed in any commercial or industrial zoning district subject to Design Review, and as follows.

1. A mural without text visible from a public right-of-way may be approved in addition to (not counted as part of) the sign area allowed by Section 106.38.060 (Zoning District Sign Standards); a mural with text shall comply with the sign area limitations applicable to the site.

2. Murals that illustrate the local setting and history as sources of inspiration are encouraged.

3. The approval of a mural shall require that the review authority first find that the size, colors, and placement of the mural are visually compatible with the structure architecture, and that the mural will serve to enhance the aesthetics of the City.

4. The mural shall be provided a graffiti-resistant coating at the time of installation.

H. Off-site signs. New billboards are prohibited within the City in compliance with Section 106.38.040 (Prohibited Signs), except that the City may initiate the replacement or relocation of an existing billboard, provided that the replacement or relocation shall require the approval of an agreement by the Council. A governmental agency may place an off-site sign for the purpose of announcing events and transmitting community information to the general public. Allowed off-site signs are exempt from the standards listed in Section 106.38.060 (Zoning District Standards);

I. Projecting and suspended signs. The following standards apply to projecting signs (Figure 3-53) in all zoning districts where allowed by Section 106.38.060 (Zoning District Sign Standards).

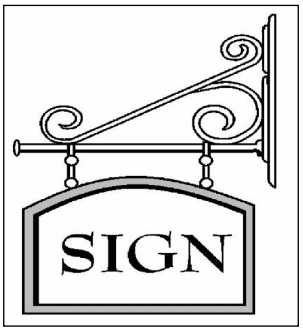


Figure 3-53 – Projecting Sign

1. The maximum projection of a sign from a structure wall over a public right-of-way shall not exceed 36 inches over a sidewalk. Larger projections from the structure wall over private property may be approved by the review authority. Any projection over a public right-of way shall require an Encroachment Permit.

2. The top of a projecting sign shall not exceed the lesser of 14 feet, eave height, parapet height, or sill height of a second floor window. No portion of the sign shall project above the eave line of a sloped roof or the top of the parapet on a flat roof.

3. A projecting sign shall maintain a minimum clearance of eight feet from the bottom of the sign to the finished grade below.

4. Icon signs using shapes or symbols uniquely suited to the business, creative shapes, and three-dimensional signs are encouraged. See Figure 3-54.

5. Each sign shall be graphically designed for pedestrians, with a maximum area of nine square feet on each sign face, regardless of the length of the building frontage.

6. Sign supports shall be well-designed and compatible with the design of the sign.

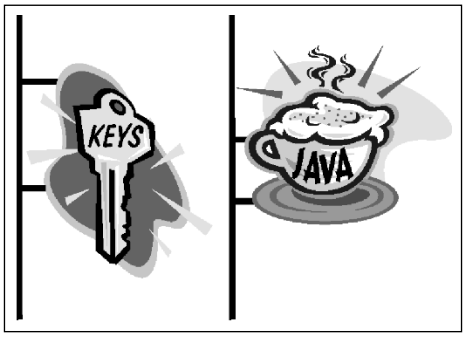


Figure 3-54 – Use of Icons/Symbols

J. Service station signs. The following standards apply to signs on service station sites, where service stations are allowed by Article 2 (Zoning Districts and Allowable Land Uses).

1. On-site signs, excluding exempt signs Subsection H.3 below, are limited to 125 square feet for a primary service station, and 75 square feet for a secondary service station. All signs shall be designed to be compatible with the character of the surrounding neighborhood. Ancillary food markets or other services are included in these sign limits. Freestanding directory signs are prohibited.

2. No more than one freestanding sign is permitted on a service station site, with a maximum area of 36 square feet; except that where price signs are included on the freestanding sign, the area shall not exceed 52 square feet. The base of a freestanding sign is not included in allowable area. The maximum height of a freestanding shall be 10 feet. The height of the sign may be increased one foot for each foot the setback of the sign is increased, provided that the maximum height of the sign does not exceed 16 feet.

3. Signs of instructive nature, information or otherwise required by other enforcement agencies are exempt from these sign area limitations. The following signs are specifically exempt, but not necessarily limited to: telephone booth, gas pump use instructions, instructions for recreational vehicle waste dump station, brake and smog certification, restroom identification, no smoking, propane tank identification, gas pump identification, air and water, drive to forward pump, price signs, special, oil price, service available, and gas pump identification cashier, odd-even sign, hours of operation, required gallon to liter conversion, approved flag identification system, full- and self-service signs at each island not exceeding four square feet, and traffic directory signs as approved by enforcement agencies for necessary traffic control and direction provided that they do not exceed four square feet each and do not exceed 30 inches in height in front or side street yard and no symbol, name, or other message is on the signs.

K. Temporary signs. Temporary signs are allowed within the commercial and industrial zoning districts as follows.

1. Banners and pennants. Temporary banners and pennants on private property may be allowed with temporary use permit approval, and shall comply with the following requirements.

a. The use of a banner or pennants may be allowed only for a licensed business one-time per year not to exceed 30 days each year. Each business is also allowed the additional one-time use of a banner for the first 30 days after the commencement of the business.

b. The application for a temporary sign permit for banners or pennants shall include the dates proposed by the applicant for scheduled banner use.

c. Banner must be mounted to a building. If site has visibility restrictions than alternate location can be authorized through the Temporary Use Permit.

d. All structures used to hold or display temporary signs must be removed when not in use.

2. Subdivision directional signs, off-site. Off-site signs providing directions to a new subdivision may be allowed with sign permit approval, and shall comply with the following standards:

a. A maximum of two off-site signs may be located on private property (not within any public right-of-way).

b. The total area of each sign shall not exceed 32 square feet;

c. The height of each sign shall not exceed eight feet;

d. The signs shall not be illuminated;

e. The signs may be displayed only during the two years following date of recordation of the final map, or until all of the units have been sold, whichever first occurs; and

f. The signs shall not affect pedestrian or vehicular safety.

3. Subdivision signs, on-site. On-site subdivision identification signs may be allowed with sign permit approval, in compliance with the following standards:

a. A maximum of four on-site signs may be located within the project boundaries; provided, no more than one sign for each street frontage is allowed, and multiple signs shall be separated by a minimum of 75 feet.

b. The area of each sign shall not exceed 24 square feet;

c. Sign height shall not exceed six feet;

d. The signs shall not be illuminated; and

e. The signs may be displayed only during the two years following date of recordation of the final map, or until all of the units have been sold, whichever first occurs.



Figure 3-55 – Wall Sign

L. Wall signs. The following standards apply to wall signs (see Figure 3-55) in all zoning districts where allowed by Section 106.38.060 (Zoning District Sign Standards).

1. Sign location. A wall sign may be located on any primary or secondary structure frontage.

2. Projection from wall surface. A wall sign shall not project more than 18 inches from the surface to which it is attached.

M. Window signs. The following standards apply to window signs (see Figure 3-56) where allowed by Section 106.38.060 (Zoning District Sign Standards).

1. Sign location. Window signs shall be allowed only on windows located on the ground level and second story of a structure frontage.



Figure 3-56 – Window Sign

2. **Maximum sign area.** Window signs are allowed in addition to the total sign area allowed by Section 106.38.060 (Zoning District Sign Standards), provided that window signs shall not occupy more than 25 percent of the combined total window area. The entire part of the window that is painted shall be included in calculating the sign area.

3. **Sign materials.** Window signs shall consist of individual letters, logos, or symbols applied to, stenciled on, or etched into the glass surface; however, neon signs with transparent backgrounds may be hung inside the window glass.

106.38.080 - Nonconforming Signs

A nonconforming sign is any permanent or temporary sign that was legally established and maintained in compliance with the provisions of all applicable laws in effect at the time of original installation but that does not now comply with the provisions of this Zoning Code.

A. General requirements. A nonconforming sign shall not be:

1. Changed to another nonconforming sign;

2. Structurally altered to extend its useful life;

3. Enlarged;

4. Re-established after a business is discontinued for 12 months; or

5. Re-established after damage or destruction to 50 percent or more of the value of the sign, or its components, as determined by the Building Official.

B. Maintenance and changes. Sign copy and face changes, nonstructural modifications, and nonstructural maintenance (e.g., painting, rust removal) are allowed without a sign permit up to a maximum of 25 percent of the existing total area of the sign. Face changes not including copy, and any nonstructural modifications exceeding 25 percent of the existing total area of the sign, and any structural changes shall comply with all applicable standards of this Chapter.

106.38.090 - Judicial Review

Any permit issued or denied in compliance with this Chapter shall be subject to expedited judicial review to the extent provided by the time limits identified in Code of Civil Procedure Section 1094.8 et seq.

CHAPTER 106.39 - TREE PRESERVATION AND PROTECTION

Sections:

106.39.010 - Purpose
106.39.020 - Applicability
106.39.030 - Tree Permit Application Requirements
106.39.040 - Arborist's Report
106.39.050 - Standard Policies and Procedures for Approved Work
106.39.060 - Tree Planting and Replacement
106.39.070 - Tree Permit Approval or Denial
106.39.080 - Post Approval Procedures

106.39.010 - Purpose

This Chapter provides regulations for the protection, preservation, and maintenance of:

A. Native oak trees;

B. The habitat values of oak woodlands;

C. Trees of historic or cultural significance;

D. Groves and stands of mature trees; and

E. Mature trees in general that are associated with proposals for development.

106.39.020 - Applicability

A. Applicability to protected trees. The provisions of this Chapter shall apply in all zoning districts to the removal or relocation of any protected tree, and to any encroachment (for example, grading) within the protected zone of a protected tree. A protected tree is any of the following:

1. A native oak tree with a diameter of six or more inches as measured 54 inches above the ground, or a multi-trunked oak tree having an aggregate diameter of 10 inches or more measured 54 inches above ground. A native oak tree is defined as any of the following species; blue oak (*Quercus douglasii*), interior live oak (*Quercus wizlizenii*), coastal live oak (*Quercus agrifolia*), and valley oak (*Quercus lobata*);

2. A heritage, or landmark tree or grove identified by Council resolution;

3. Significant groves or stands of trees identified by Council resolution;

4. A mature tree other than those listed in Subsections A.1 through A.3, that is 19 inches or more in diameter as measured at 54 inches above the ground, and located on a commercial parcel, or on a residential parcel that can be further subdivided, or on a parcel in the RD-1, RD-2, or RD-3 zones, provided that the tree is not a willow (*Salix* spp.*)*, fruit tree, eucalyptus (*Eucalyptus* spp.), alder (*Alnus* spp.), cottonwood (*Populus* spp.), pine (*Pinus* spp.), catalpa (*Catalpa* spp.), fruitless mulberry (*Morus* spp.), privet (*Ligustrum* spp.), tree of heaven (*Ailanthus altissima*), or palm (*Acoelorrphe* spp.);

5. A tree required to be planted, relocated, or preserved by a requirement of this Zoning Code, or by a condition of approval of a Tree Permit or other discretionary permit, and/or as environmental mitigation for a discretionary permit; and

6. A tree within 25 feet of a seasonal stream that is 19 inches or more in diameter as measured at 54 inches above the ground.

B. Tree Permit required.

1. Activities requiring a permit. A Tree Permit shall be required prior to:

a. The relocation, removal, cutting-down, or other act that causes the destruction of a protected tree;

b. Any grading, paving, or other ground-disturbing activity within the protected zone of a protected tree or anything that would change the soil moisture content in the protected zone; and

c. Any pruning of a protected tree.

2. Permit issuance. A Tree Permit shall not be issued for tree removal in a non-residential zoning district, except in conjunction with:

a. The approval of a discretionary project for the same site;

b. The approval of a Building Permit for the same site; or

c. The approval of improvement plans for a subdivision of the same property.

C. Exceptions. The removal or relocation of a protected tree is exempt from the provisions of this Chapter under the following circumstances.

1. Existing tree on residential property. The removal of a tree of the type described in Subsection A.1 and A.4 is exempt if the tree is within a residential zoning district on a parcel that contains a single dwelling, and that is 10,000 square feet or less, or that cannot be further subdivided based on the minimum lot area requirements of the applicable residential zone.

2. Emergency situation. Cases of emergency where the Director, General Services Director, a member of a law enforcement agency, or the Fire Department determines that a protected tree poses an imminent threat to the public safety, or general welfare.

3. Traffic visibility obstructions. Removal or relocation of trees necessary to maintain adequate line-of-sight distances as required by the Director, or City Engineer.

4. Public utility damage. Removal of trees for the protection of existing electrical power or communication lines.

5. Street widening. The widening of a street right-of-way approved by the City.

6. Nursery. Removal of trees planted, grown, or held for sale by a nursery, tree farm, or similar commercial operation.

7. Orchards. Removal of orchards or fruit trees grown, planted, or held for sale for cash crop or commercial purposes.

8. Dead or dying trees. Removal of trees determined by the Director, or an arborist approved by the Director, to be dead or dying, have become hazardous or unsightly as a result, and provide limited habitat value.

106.39.030 - Tree Permit Application Requirements

A. Application contents. Each Tree Permit application shall include the following information and materials.

1. General content requirements. The application shall use the forms provided by the Department, shall include an Arborist's report in compliance with Section 106.39.040 (Arborist's Report), and shall be accompanied by the application fee required by the City fee schedule.

2. Site plan. A Tree Permit application shall include a site plan with the following information, provided that the requirement for a site plan may be waived by the Director if the permit is for removal of dead trees or hazardous trees.

a. Physical features of the site. The site plan shall accurately show the location of the following existing and proposed features of the site, and structures on the site:

(1) Property lines;

(2) Streets, access easements and/or public or private driveways and other paved areas;

(3) Existing and proposed buildings or structures, including eaves and other architectural features, and the dimensions of the setbacks of all buildings and structures from property lines;

(4) Parking and other paved areas;

(5) Land uses on the site (existing and proposed as applicable);

(6) Proposed grading and construction, including utility trenches;

(7) Existing and proposed grades; and

(8) Chimneys.

b. Tree locations and protected zones. The site plan shall show each protected tree on the site, together with the exact location of the base and protected zone for each protected tree within areas of the site subject to grading, other construction or alteration of the ground surface. The site plan shall also show any tree on an adjacent parcel with a dripline that extends over the site property line.

(1) A survey of the exact horizontal and vertical locations of the protected trees trunks shall be conducted by a professional engineer or a licensed land surveyor. Each tree shall be numbered on both the site plan and grading plan. The base elevation of each protected tree shall be shown on the grading plan.

(2) The exact location of the protected zone of a protected tree is crucial to evaluate impacts from construction; consequently, rough approximations will not be acceptable.

(a) The radius of the protected zone is a circle equal to the trunk diameter in inches converted to feet. (For example, the radius of the protected zone of a tree with a trunk diameter of six inches is six feet.) Trunk diameter is measured at 54 inches above the ground.

(b) In the case of a trunk that is divided into limbs at a point below 54 inches, the trunk diameter shall be measured at the narrowest diameter of the trunk between the base of the tree and 54 inches above the ground.

In certain cases, it may be possible to physically stake the surveyed corner of a buildings or related improvements in the field in order to assess the potential impacts upon the trees.

B. Application filing. An application for a Tree Permit involving a discretionary project shall be included as part of the application for the discretionary project. An application for a Tree permit not associated with a discretionary project shall be filed with the Department separately.

106.39.040 - Arborist's Report

A Tree Permit application involving one or more live trees shall include an Arborist's report, in compliance with the following requirements, where determined by the Director to be necessary based on the number, type, and locations of trees on the site.

A. Minimum information. The Arborist's report shall include the following information:

1. Botanical name of trees by tree number;
2. Common name of trees by tree number;
3. Location of trees by tree number;
4. Diameter at 54 inches above the ground, by tree number;
5. Height by tree number (optional);
6. Protected zone radius by tree number (measure longest radius);
7. Condition (structure and vigor as described below) by tree number;
8. Construction impacts; and
9. Recommendations.

B. Determination of tree condition. The information on tree condition in the report shall be developed as follows:

1. Rating system. The condition of each tree is to be considered when determining a tree's rating according to the following categories: excellent (it is rare that a tree qualifies in this category); good; fair to good; fair; fair to poor; or poor.

2. Factors to be considered. At least the following factors shall be considered in light of the trees life expectancy under existing and planned conditions when determining a tree's rating:

a. The condition and environment of the tree's root crown (also roots, if applicable);

b. The condition of the trunk, including decay, injury callusing or presence of fungus sporophores;

c. The condition of the limbs, including strength of crotches, amount of deadwood, hollow areas, and whether there is excessive weight borne by them;

d. The condition and growth rate history of the twigs, including pest damage and diseases;

e. Leaf appearance, including abnormal size and density as well as pest and disease damage; and

f. The dripline environment, including evidence of grade changes and presence of water courses or ponding.

3. Formulation of tree condition. Using an averaging of the above factors together with the Arborist's best judgment, the tree shall be described using the above rating categories. It is important to rate structural condition separately from the tree's vigor condition if they are different. Root crown, trunk and limb ratings relate most to structure, while twigs and foliage, including growth rate, relate most to vigor. The structure of the root crown-trunk area is of primary importance and takes precedence over any other factor. This information should not be considered to be a formula but simply a guideline to help describe a tree's condition.

C. Arborist's recommendations. The Arborist's recommendations shall be developed in compliance with the following:

1. Recommendations by tree number. Based upon the conditions and findings, recommendations should be made that logically follow the report conditions. For instance, if weak crotches are reported, cabling would be a logical recommendation to include in the report. These recommended mitigative measures should be spelled out and in some cases may even improve the tree's condition ratings.

2. Preservation measures for each tree not being removed. The specific recommendations must consider the impacts from the activities proposed.

106.39.050 - Standard Policies and Procedures for Approved Work

Great care must be exercised when work is conducted upon or around protected trees. The purpose of this Section is to define procedures necessary to protect the health of affected protected trees. The policies and procedures described in this Section apply to all encroachments into the protected zone of protected trees. All Tree Permits shall be deemed to incorporate the provisions of this chapter except as the Tree Permit may otherwise specifically provide.

A. Trenching procedure. Trenching within the protected zone of a protected tree, when permitted, may only be conducted with hand tools or compressed air or as otherwise directed by an arborist, in order to avoid root injury.

1. When a trenching machine is being used adjacent to the dripline of protected trees, and roots are encountered smaller than two inches (2”), the wall of the trench adjacent to the trees shall be hand-trimmed, making clear, clean cuts through the roots. All damaged, torn, and cut roots shall be given a clean cut to remove ragged edges, which promote decay. Trenches shall be filled within 24 hours; where this is not possible, the side of the trench adjacent to the trees shall be kept shaded with four layers of dampened, untreated burlap, wetted as frequently as necessary to keep the burlap wet. Roots two inches (2”) or larger, when encountered, shall be reported immediately to the Project Arborist, who will decide whether the Contractor may cut the root as mentioned above or shall excavate by hand or with compressed air under the root. All exposed roots are to be protected with dampened burlap.

2. Where possible, route pipes outside of the dripline of a protected tree to avoid conflict with roots.

3. Where it is not possible to reroute pipes or trenches, the contractor shall bore or tunnel beneath the dripline of the tree. The boring shall take place not less than three feet (3’) below the surface of the soil in order to avoid encountering “feeder” roots. All boring equipment must be staged outside of the dripline of protected trees.

B. Root, Trunk, and Crown Protection

1. No vehicles, construction or otherwise, and no materials, construction or otherwise, shall be placed for any period of time within the protected zone other than those described in this section.

2. Staging areas for equipment shall be established far enough from existing trees to ensure adequate protection of the root zone.

3. Entry and exit routes shall be established and fenced off with chain link or construction fencing. When planning routes, avoid utility access corridors.

4. A six-inch (6") layer of coarse mulch or wood chips is to be installed within the Tree Protection Zone of protected trees. Mulch shall be kept 12 inches away from the trunk.

5. When determined necessary by an arborist, trunks of trees shall be protected with a single wrap of Geocomposite. Geocomposite shall be double sided, Geonet core with non-woven covering (such as Tenax Tendrain 770/2), or equivalent.

6. Trees that have been identified in the site inventory as posing a health or safety risk may be removed or pruned by no more than one-third, subject to approval of the required permit by the Planning Division. Pruning of existing limbs and roots shall only occur under the direction of the Project Arborist

C. Cutting roots.

1. Minor roots less than one inch in diameter may be cut, but damaged roots shall be traced back and cleanly cut behind any split, cracked or damaged area.

2. Major roots over one inch in diameter may not be cut without approval of an Arborist. Depending upon the type of improvement being proposed, bridging techniques or a new site design may need to be employed to protect the root and the tree.

D. Ground surface fabric. If any native ground surface fabric within the protected zone must be removed for any reason, it shall be replaced within 48 hours.

E. Irrigation systems. An independent low-flow drip irrigation system may be used for establishing drought-tolerant plants within the protected zone of a protected tree. Irrigation shall be gradually reduced and discontinued after a two-year period.

F. Plant materials under oaks. Planting live material under native oak trees is generally discouraged, and it will not be permitted within six feet of the trunk of a native oak tree with a diameter at breast height (DBH) of 18 inches or less, or within 10 feet of the trunk of a native oak tree with a DBH of more than 18 inches. Only low water use plants will be permitted within the protected zone of native oak trees.

G. Protective fencing.

1. Type of fencing. A minimum five-foot high chain link or substitute fence approved by the Director shall be installed at the outermost edge of the protected zone of each protected tree or groups of protected trees. Exceptions to this policy may occur in cases where protected trees are located on slopes that will not be graded. However, approval must be obtained from the Department to omit fences in any area of the project.

2. Fence installation. The fences shall be installed in accordance with the approved fencing plan prior to the commencement of any grading operations or such other time as determined by the review body. The developer shall call the Department for an inspection of the fencing prior to grading operations.

3. **Signing.** Signs shall be installed on the fence in four equidistant locations around each individual protected tree. The size of each sign must be a minimum of two feet by two feet and must contain the following language:

   "WARNING, THIS FENCE SHALL NOT BE REMOVED OR RELOCATED WITHOUT WRITTEN AUTHORIZATION FROM THE CITRUS HEIGHTS COMMUNITY DEVELOPMENT DEPARTMENT."

   Signs placed on fencing around a grove of protected trees shall be placed at approximately 50-foot intervals.

4. **Fence removal.** Once approval has been obtained, the fences shall remain in place throughout the entire construction period and shall not be removed without obtaining written authorization from the Department.

H. Retaining walls and root protection. Where a Tree Permit has been approved for construction of a retaining wall within the protected zone of a protected tree, the developer shall provide for the immediate protection of exposed roots from moisture loss during the time prior to completion of the wall. The retaining wall shall be constructed within 72 hours after completion of grading unless appropriate root protection is provided, as approved by the arborist.

I. Preservation devices. If required, preservation devices such as aeration systems, oak tree wells, drains, special foundation systems, special paving and cabling systems must be installed per approved plans and certified by the Arborist.

J. Grading.

1. Every effort should be made to avoid cut and/or fill slopes within or in the vicinity of the protected zone of any protected tree.

2. No grade changes are permitted which cause water to drain to within twice the longest radius of the protected zone of any protected tree.

3. No grade changes are permitted that will lower the ground on all sides of the tree.

4. All grade changes within the dripline of a protected tree shall be supervised by the Project Arborist. Cuts or fills of soil within the dripline of a protected tree may have a retaining wall system installed as approved by the Project Arborist and City Staff .

K. Chimney locations. A chimney for a wood-burning fireplace or stove shall not be located within the current or potential canopy of a tree within eight feet of any branch of a tree, or in another location where sparks from the chimney may damage a tree.

L. Certification letters. Certification letters are required for all regulated activities within the protected zone of protected trees. The developer's Arborist will be required to submit a certification letter to the Department within five working days of completing any regulated activity, attesting that all work was conducted in accordance with the appropriate permits and the requirements of this Chapter.

M. On-site information. The following information shall be on-site while any construction activity is on going for a project requiring a Tree Permit:

1. Arborist's Report and all future modifications;

2. Tree location map with a copy of the tree fencing plan;

3. Tree Permit and inspection card;

4. Approved construction plans;

5. Tree Preservation Guidelines; and

6. Approved planting and irrigation drawings.

N. Information on standards. The developer shall be responsible for informing all subcontractors and individuals who will be performing work around protected trees of the requirements of this Section for working around trees and conditions of approval for the project. This information shall be provided in writing to the subcontractors and employees by the general contractor or applicant.

O. Utility trenching pathway plan. As a condition of the Tree Permit, the developer will be required to submit a utility trenching-pathway plan for approval following approval of the project improvement or civil plans.

1. Contents. The trenching-pathway plan shall depict all of the following systems: storm drains, sewers, easements, water mains, area drains, and underground utilities. Except in lot sale subdivisions, the trenching-pathway plan must show all lateral lines serving buildings. To be completely effective, the trenching-pathway plan must include the surveyed locations of all protected trees on the project as well as an accurate plotting of the protected zone of each protected tree.

2. Standards for plan. The trenching-pathway plan should be developed considering the following general guidelines:

a. The trenching-pathway plan must be developed to avoid going into the protected zone of any protected tree on its path from the street to the building.

b. Where it is impossible to avoid encroachment, the design must minimize the extent of such encroachment. Encroachments and mitigation measures must be addressed in a supplemental Arborist's Report.

P. Impact Avoidance Measures. The following practices shall be prohibited at all times unless specifically allowed in the Arborist Report or the Tree Permit Conditions of Approval**:**

1. Run off or spillage of potentially damaging materials into the area below any tree canopy

2. Fires under and adjacent to trees

3. Discharge of exhaust into foliage

4. Securing of cable, chain, or rope to trees or shrubs

5. Application of soil sterilizers under pavement within driplines of existing trees

Q. Final certification of tree work. All of the tree preservation measures required by the conditions of the discretionary project approval, the Arborist's report and the Tree Permit, as applicable, shall be completed and certified by the developer's Arborist prior to issuing an occupancy permit.

1. The Project Arborist shall provide periodic inspections during construction as necessary to monitor the effectiveness of preservation measures outlined in the Tree Permit Conditions of Approval and to provide recommendations for any additional care or treatment. Inspection frequency may be specified in the Tree Permit Conditions of Approval.

106.39.060 - Tree Mitigation

The City's principal objective for the Tree Permit process is the preservation of protected trees. The review authority may condition any Tree Permit involving removal of a protected tree upon the replacement of trees in kind. The review authority may approve a replacement program using one of the following four methods or any combination of the five methods. The preferred alternative is on-site replacement.

A. Replacement trees. Replacement trees may be planted on-site or in other areas where maintenance and irrigation are provided to ensure survival of the trees. The replacement trees shall have a combined diameter equivalent not less than the total diameter of the trees removed. A minimum of 50 percent of the replacement requirement shall be met by native oaks. Up to 50 percent may be met by non-native species. The replacement requirement shall be calculated based upon an inch for inch replacement of the DBH of the removed trees using the following formula:

1. One 15 gallon tree (e.g. nursery stock in a #15 container) will replace one inch DBH of the removed tree;

2. One 24 inch box tree will replace two inches DBH of the removed tree; and

3. One 36 inch box tree will replace three inches DBH of the removed tree.

B. Relocation of trees. In certain cases, the City may consider the relocation of native oak trees from one area in a project to another. Credit shall be given for relocation on the same basis as replacement. The guidelines and limitations for relocation are as follows:

1. The trees being recommended for relocation must be approved by the review authority whose decision will be based upon factors relating to health, type, size, time of year and proposed location.

2. The relocation of a tree shall be conditioned to require a secured five-year replacement agreement for the tree with security provided by the developer in a form satisfactory to the City Attorney. If at the end of five years the tree is deemed by an arborist to be in a substantially similar condition to that prior to the transplanting, the agreement will be terminated. If the tree dies during the five-year period, it shall be replaced as required by this Section.

C. Revegetation requirements. The review authority may, instead of requiring replacement trees, require implementation of a revegetation plan. The applicant shall enter into a written agreement with the City obligating the applicant to comply with the requirements of the revegetation plan. A performance security or bond for 150 percent of the cost of the revegetation plan shall be required to insure that the agreement is fulfilled. The review authority shall approve the proposed plan. The revegetation program shall propagate native oak trees from seed using currently accepted methods. A revegetation program shall identify the seed source of the trees to be propagated, the location of the plots, the methods to be used to ensure success of the revegetation program, an annual reporting requirement, and the criteria to be used to measure the success of the plan. A revegetation program shall not be considered complete until the trees to be propagated have reached one-half inch in diameter or the revegetation plan demonstrates the need for alternative success criteria and achieves mitigation on an inch for inch basis as approved by the Commission.

D. In-lieu mitigation fee. The review authority may determine that the remedies described above are not feasible or desirable and may require instead payment of a cash contribution based upon the cost of purchasing, planting, irrigating and maintaining the required number of 15 gallon trees. The cost of purchasing, planting, irrigating and maintaining a 15 gallon oak tree shall be set by Council resolution. The cash contribution shall be deposited into the Tree Mitigation Fund.

Tree Mitigation Funds can be used as determined by the Director:

1. **Tree Mitigation Fund.** This fund shall be used to propagate, purchase, plant, protect and maintain trees, including purchasing property to plant or protect trees, propagating trees from seed or container stock and maintaining existing and replacement trees.

2. To fund special projects that enhance urban forestry programming, build on existing information, and/or to develop outreach or educational materials in support of the community urban forest and tree canopy.

E. On-site tree preservation. On-site preservation of native oak trees that are less than 6 inches (<6 inches) DBH, as described in Section 106.39.020, and within the buildable area of the site may also be used to meet the tree mitigation requirement pursuant to the formula described in Section 106.39.060(A).

106.39.070 - Tree Permit Approval or Denial

Each Tree Permit application shall be reviewed, and approved or denied in compliance with this Section.

A. Review authority. A Tree Permit shall be reviewed, and approved or denied by the Director, except that the Commission shall decide upon a Tree Permit application where tree removal is part of a project that otherwise requires approval by the Commission.

B. Application evaluation criteria. The following criteria shall be used to support the findings required by Subsection C. for the approval of a Tree Permit.

1. General criteria.

a. The gross floor area of proposed buildings in relation to the "usable" size of the site and the amount of usable space on the site that does not require the removal of protected trees;

b. Design features in comparison with other existing or approved projects in the vicinity and in the same zone that have or had protected trees on their sites;

c. Factors that are unique to the site, such as topographic constraints, lot configuration and other physical limitations;

d. The overall health and structural condition of the potentially impacted protected trees;

e. The approximate age of the each protected tree compared with the average life span for each species;

f. The number of healthy protected trees that the site will support, with and without the proposed development;

g. The effect of tree removal on soil stability/erosion, particularly near watercourses or on steep slopes;

h. Whether there are any alternatives that would allow for the preservation of the protected tree; and

i. Any other information the review authority finds pertinent to the decision, including any information obtained at a public hearing.

2. Criteria for removal.

a. The age of the protected tree with regard to whether its removal would encourage healthier, more vigorous growth of younger similar trees in the area;

b. The number of existing protected trees in the area and the effect of removal upon public health, safety and the general welfare of the area;

c. The potential for the protected tree to be a public nuisance or interfere with utility service, as well as its proximity to existing structures; and

d. Present and future shade potential with regard to solar heating and cooling.

3. Criteria for encroachment. Whether the degree of encroachment is likely to result in the subsequent decline of the affected protected tree or create a future risk to public safety or pose a hazard to adjacent structures.

C. Required findings for approval. The approval of a Tree Permit shall require that the review authority first make all the following findings:

1. The approval of the Tree Permit will not be detrimental to the public health, safety or welfare, and approval of the Tree Permit is consistent with the provisions of this Chapter; and

2. Measures have been incorporated into the project or permit to mitigate impacts to remaining trees or to replace the trees removed.

D. Considerations for denial of a Tree Permit. A Tree Permit shall be denied if the review authority finds that any one of the following situations exists.

1. Removal or damage of a healthy tree could be avoided by:

a. Reasonable redesign of the site plan prior to construction; or

b. Pruning, thinning, tree surgery, or other reasonable treatment, as determined by the Director.

2. Adequate provisions for drainage, erosion control, land stability, windscreen, buffers along the road and between neighbors have not been made where these problems are anticipated as a result of the removal.

3. The tree to be removed contains an active nest of a bird covered by the Migratory Bird Treaty Act, that has been identified through the project environmental review process or that is otherwise known to the review authority, and a qualified professional has determined that the relocation of the nest without damage to the nestlings is not possible. In this case, tree removal shall be delayed until nesting is complete.

E. Limitation on approved activities. A Tree Permit shall not be issued for temporary parking, or the storage of vehicles, trailers, equipment, construction materials, or temporary structures within the protected zone of a protected tree.

F. Conditions of approval. The approval of a Tree Permit shall include conditions of approval as necessary to ensure compliance with Section 106.39.060 (Tree Planting and Replacement).

106.39.080 - Post Approval Procedures

The following procedures apply after the approval of a Tree Permit application.

A. Appeals. The decision of the Director shall be final unless an appeal is filed in compliance with Chapter 106.72 (Appeals).

B. Expiration/extension. Except where otherwise provided by this Chapter, a Tree Permit shall be exercised within six months from the date of approval or other time limit established through a concurrent land use permit approval.

Time extensions, for up to a total of two additional years, may be granted in compliance with Chapter 106.64 (Permit Implementation, Time Limits, and Extensions). A Tree Permit not exercised within its time limits shall expire in compliance with Chapter 106.64.

C. Performance guarantee. The review authority may require that a monetary security deposit, or surety bond if acceptable to the City, be posted and maintained where deemed necessary to ensure:

1. The preservation of protected trees during construction; and

2. The completion of required mitigation measures.

The deposit shall be posted in a form approved by the City Attorney prior to any grading or movement of heavy equipment onto the site or issuance of any permits. Each violation of any Tree Permit condition regarding tree preservation shall result in forfeiture of a portion or the entirety of the deposit, at the discretion of the review authority, provided that this determination may be appealed in compliance with Chapter 106.72.

D. Construction monitoring. Monitoring of tree protection and restoration measures specified as conditions of approval shall be performed by site inspection conducted by the Director.

E. Revocation. A Tree Permit may be revoked or modified after a public hearing conducted by the Commission, with any of the following findings that the tree removal, relocation, or protection activities:

1. Cannot support the original findings;

2. Resulted from misrepresentation or fraud;

3. Has not been implemented in a timely manner;

4. Has not met, or has violated any condition of approval;

5. It is in violation of any code, law, ordinance, or statute;

6. Is detrimental to public health, safety, or welfare; or

7. Constitutes a nuisance.

F. Stop work orders. Whenever any construction or work is being performed contrary to the provisions of this Chapter or applicable conditions of approval, the Director may issue a written notice to the responsible party to stop work on the project on which the violation has occurred or upon which the danger exists. The notice shall state the nature of the violation and the risk to the trees. No further work shall be allowed until the violation has been corrected and approved by the Department.

G. Enforcement. Any person who cuts, damages, or moves a protected tree in violation of this Chapter shall be subject to the enforcement provisions of the Municipal Code.

1. Violation of the tree preservation requirements of this Chapter shall be punishable as a misdemeanor or an infraction at the discretion of the City Attorney.

2. A person responsible for the damage or removal of protected trees not authorized by a permit issued in compliance with this Chapter shall be required to pay a mitigation fee equal to three times the value of each damaged or removed tree, as determined by an arborist engaged by the City.

106.39.090 – Fees and Penalties

The following fees and penalties apply to all conditions applicable to Tree Preservation and Protection (106.39)

A. Where replacement on site of tree(s) permitted for removal is deemed unfeasible, an in-lieu fee, calculated at $298 per inch diameter measured at 52 inches above grade, shall be paid into the Tree Mitigation Fund for each tree that is removed and not replaced on site. For multi-stemmed trees, the diameter shall be calculated as the sum diameter of all stems measured at 52 inches above grade.

B. Where replacement or restoration of an unpermitted tree that has been damaged or removed is deemed unfeasible by the Director or certified tree care professional, the replacement value shall be calculated using the Replacement Cost or Trunk Value Formula outlined in the "Guide for Plant Appraisal" by the Council of Tree & Landscape Appraisers (9th Edition or most current). Fees and penalties shall be deposited to the Tree Mitigation Fund.