

ARTICLE 4

Site Planning and General Development Standards

Chapter 17.40 - General Property Development and Use Standards	4-5
17.40.010 - Purpose of Chapter	4-5
17.40.020 - Applicability	4-5
17.40.030 - Development on an Undeveloped Lot	4-6
17.40.040 - Development on a Substandard Lot	4-6
17.40.050 - Flag Lot Development Standards	4-7
17.40.060 - Height Requirements and Exceptions	4-11
17.40.070 - Limited Hours of Operation	4-12
17.40.080 - Outdoor Lighting	4-13
17.40.090 - Performance Standards	4-15
17.40.100 - Public Art Requirements and Design Standards	4-14
17.40.110 - Reflective Surfaces	4-15
17.40.120 - Refuse Storage Facilities	4-16
17.40.130 - Relocated Structures	4-18
17.40.140 - Remodeling of Single-Family Residences	4-18
17.40.150 - Screening	4-19
17.40.160 - Setback and Encroachment Plane Requirements and Exceptions	4-20
17.40.170 - Truck Trip Limitations	4-26
17.40.180 - Walls and Fences	4-27
17.40.190 - Underground Utilities	4-31
Chapter 17.42 - Affordable Housing Incentives and Requirements	4-33
17.42.010 - Purpose of Chapter	4-33
17.42.020 - Applicability and Exempt Projects	4-33
17.42.030 - Definitions	4-34
17.42.040 - Inclusionary Unit Requirements	4-34
17.42.050 - Alternatives to Units within Project	4-35
17.42.060 - Housing Plan and Housing Agreement Required	4-36
17.42.070 - Standards	4-36
17.42.080 - Enforcement	4-37
17.42.090 - Takings Determination	4-37
17.42.100 - Density Bonus and Incentive Provisions	4-38
17.42.110 - Inclusionary Housing Trust Fund	4-41
17.42.120 - Administrative Fees	4-41
17.42.130 - Appeal	4-41

Contents

Chapter 17.44 - Landscaping	4-43
17.44.010 - Purpose of Chapter	4-43
17.44.020 - Applicability	4-43
17.44.030 - Preliminary Landscape Plan	4-43
17.44.040 - Final Landscape and Irrigation Plan	4-45
17.44.050 - Landscape Documentation Package	4-45
17.44.060 - Landscape Location Requirements	4-47
17.44.070 - Landscape Standards	4-49
17.44.080 - Maintenance of Landscaping	4-53
17.44.090 - Tree Retention	4-53
17.44.100 - Street Trees	4-54
Chapter 17.46 - Parking and Loading	4-55
17.46.010 - Purpose of Chapter	4-55
17.46.020 - Basic Requirements for Off-Street Parking and Loading	4-58
17.46.030 - Alternate Means for Providing Required Parking	4-61
17.46.040 - Number of Off-Street Parking Spaces Required	4-63
17.46.050 - Shared Parking	4-72
17.46.060 - Participation in Public Parking Assessment District	4-73
17.46.070 - Reduced Parking in Senior Citizens' Housing Developments	4-73
17.46.080 - Tandem Parking	4-74
17.46.090 - Compact Parking Spaces Prohibited	4-74
17.46.100 - Parking Spaces for the Handicapped	4-75
17.46.110 - Parking Space Dimensions	4-75
17.46.120 - Application of Dimensional Requirements	4-75
17.46.130 - Aisle Dimensions	4-77
17.46.140 - Parking Access from Street	4-78
17.46.150 - Driveway Design, Widths, and Clearances	4-78
17.46.160 - Driveway Configuration for Multi-Family Projects	4-81
17.46.170 - Driveway Visibility	4-82
17.46.180 - Driveway Location and Frequency for Multi-Family Projects	4-82
17.46.190 - Garage Door and Grill Standards for Multi-Family Projects	4-83
17.46.200 - Driveway Encroachments for Multi-Family Projects	4-84
17.46.210 - Parking Area Screening – Walls and Fences	4-84
17.46.220 - Outdoor Parking Area Lighting	4-84
17.46.230 - Parking Lot Landscaping	4-85
17.46.240 - Parking Structure Yards and Landscaping	4-87
17.46.250 - Additional Design Standards for Parking Structures and Lots	4-87
17.46.260 - Number, Location, and Design of Off-Street Loading Spaces	4-88
17.46.270 - Ramps	4-91
17.46.280 - Driveway Paving for Multi-Family Projects	4-92
17.46.290 - Trip Reduction Requirements for Nonresidential Projects	4-92
17.46.300 - Paving	4-93
17.46.310 - Electric Recharge Stations	4-93
17.46.320 - Bicycle Parking Standards	4-94

Chapter 17.48 - Signs 4-97

 17.48.010 - Purpose 4-97

 17.48.020 - Applicability 4-98

 17.48.030 - Building Permit and Design Review Required 4-98

 17.48.040 - Exempt Signs and Maintenance 4-98

 17.48.050 - Sign Exceptions 4-100

 17.48.060 - Master Sign Plan 4-100

 17.48.070 - Creative Sign Permit 4-101

 17.48.080 - Regulations For On-Premises Signs 4-103

 17.48.090 - Sign Standards by Zoning District 4-104

 17.48.100 - General Provisions for On-Premise Signs 4-108

 17.48.110 - Standards for Specific Types of Permanent Signs 4-111

 17.48.120 - Standards for Temporary Signs 4-119

 17.48.130 - Prohibited Signs 4-121

 17.48.140 - Nonconforming Signs 4-122

 17.48.150 - Abandoned Signs 4-124

 17.48.160 - Illegal Signs 4-124

 17.48.170 - Definitions 4-124

Contents

CHAPTER 17.40 - GENERAL PROPERTY DEVELOPMENT AND USE STANDARDS

Sections:

- 17.40.010 - Purpose of Chapter
- 17.40.020 - Applicability
- 17.40.030 - Development on an Undeveloped Lot
- 17.40.040 - Development on a Substandard Lot
- 17.40.050 - Flag Lot Development Standards
- 17.40.060 - Height Requirements and Exceptions
- 17.40.070 - Limited Hours of Operation
- 17.40.080 - Outdoor Lighting
- 17.40.090 - Performance Standards
- 17.40.100 - Public Art Requirements and Design Standards
- 17.40.110 - Reflective Surfaces
- 17.40.120 - Refuse Storage Facilities
- 17.40.130 - Relocated Structures
- 17.40.140 - Screening
- 17.40.150 - Setback Requirements and Exceptions
- 17.40.160 - Walls and Fences
- 17.40.170 - Underground Utilities

17.40.010 - Purpose of Chapter

This Chapter expands upon the requirements of Article 2 by addressing additional details of site planning, project design, and the operation of land uses, to ensure that proposed development produces an environment of stable and desirable character, is compatible with existing and future development in the vicinity, and protects the use and enjoyment of neighboring properties consistent with the General Plan and any applicable specific plan.

17.40.020 - Applicability

- A. **All proposed development and new land uses.** The requirements of this Chapter shall apply to all proposed development and new land uses, except as specified in Chapter 17.62 (Nonconforming Uses, Structures, and Lots), and shall be considered in combination with the standards for the applicable zoning district in Articles 2 (Zoning Districts and Allowable Land Uses), 3 (Specific Plan Standards), and 5 (Standards for Specific Land Uses). If there is a conflict, the standards in Article 5 shall control.
- B. **Remodeling projects.** Whenever more than 50 percent of the exterior walls of a structure is removed, the replacement construction would constitute a new structure that would have to comply with all current development standards of the subject zoning district.

17.40.030 - Development on an Undeveloped Lot

No land use permit shall be approved for a proposed project on an undeveloped lot that was created before March 4, 1972, by means other than a Parcel or Tract Map, unless a Certificate of Compliance is first obtained and recorded with the Los Angeles County Recorder.

17.40.040 - Development on a Substandard Lot

- A. **Use of a substandard lot.** A legally created substandard lot may be granted the land use permit required by Article 2 for a use allowed by the applicable zoning district without needing a Variance for lot width or area. The development of an illegally created lot is prohibited.
- B. **Limitation on Variances for lots of less than 5,000 square feet.** If new construction, or an addition to a structure on a lot less than 5,000 square feet, cannot meet the development standards of the applicable zoning district and requires a Variance, the size of the lot may not be used as the sole basis for granting a Variance.

17.40.050 - Flag Lot Development Standards

The following regulations apply to a subdivision where one or more flag lots are proposed, or where an existing flag lot is to be developed with an addition or a new residence.

- A. **When allowed.** A flag lot shall only be allowed:
 - 1. On property zoned RS, and only within the Hillside Development (HD) Overlay District (a flag lot shall not be allowed in the HD-1 Overlay District or any other zoning district);
 - 2. Only if there is no reasonable alternative due to extreme topographic conditions or other physical conditions as determined by the Subdivision Committee; and
 - 3. Only when extreme physical constraints and circumstances are inherent.

In considering a new flag lot, a conventional subdivision would first have to be possible.

- B. **Required procedure.**
 - 1. **Subdivision process.** A flag lot may be created only through Parcel Map or Tract Map approval; a Lot Line Adjustment shall not be used to create a flag lot.
 - 2. **Conditional Use Permit.** The creation of a flag lot shall also require Conditional Use Permit approval by the Subdivision Committee, in compliance with Section 17.61.050.
 - 3. **Geotechnical report.** A geotechnical report shall be filed for review and approval by the Building and Safety Division attesting to the stability of the site, before consideration of the subdivision map or Conditional Use Permit by the Subdivision Committee.
 - 4. **Standards.** All lots proposed in flag lot subdivision shall comply with all applicable standards of this Zoning Code, the requirements of the Department, and the requirements

of other City departments or divisions including the Department of Public Works, Transportation Department, Fire Department, and the Building Division.

B. Design standards.

1. **Pole configuration, street frontage.** Each flag lot shall be designed to provide a "pole" that functions primarily as an accessway from the street to the main body ("flag" portion) of the lot. Private access easements shall not be allowed. See Figure 4-1.
 - a. A minimum 20 feet, and a maximum 25 feet of frontage and width shall be maintained throughout the length of the pole.
 - b. A minimum 12-foot wide paved driveway shall be maintained throughout the entire length of the pole.
 - c. The pole portion shall be deemed to end, and the flag portion of the lot shall be deemed to commence, at the extension of the front property line.

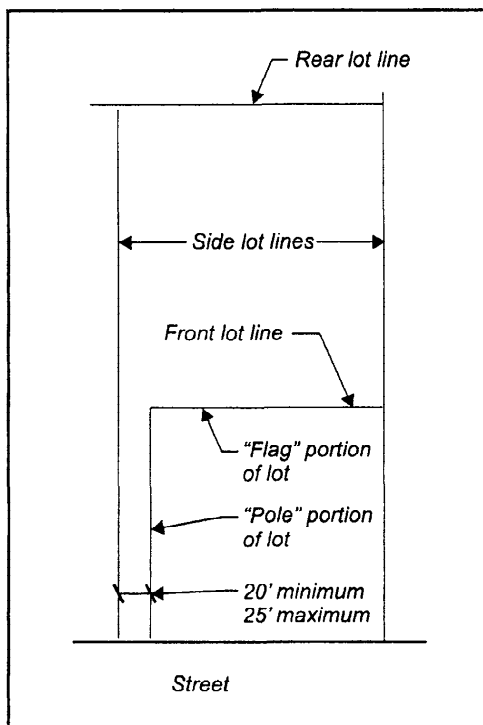


Figure 4-1 - Flat lot components

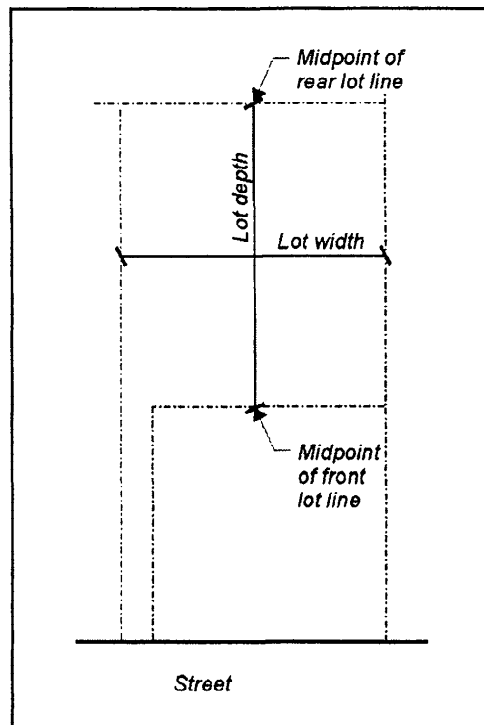


Figure 4-2 - Flag lot width/depth

2. **Designation of property lines.** The following requirements determine the location of the front, side, and rear property lines of a flag lot.
 - a. **Front property line.** The front property line shall be the lot boundary that most nearly parallels the public or private street providing access to the lot, and which abuts the end of the pole, but does not include the pole. If the pole is not at a 90-degree angle to the front property line, the front property line shall be

calculated as if the front property line continued by drawing an imaginary line to the pole.

b. Side and rear property lines.

(1) The side property line shall be any lot boundary that does not abut a public or private right-of-way, and which is not a front or rear property line, exclusive of the pole portion of the lot.

(2) The rear property line shall be the lot boundary opposite the front property line.

3. Measurement of lot depth. Lot depth shall be measured at the midpoints of the front property line, as defined in Subsection B.3, and the rear property line of the flag portion of the lot. When measuring the depth of a flag lot, the pole shall not be included. See Figure 4-2.

4. Lot width. The width of the flag portion of a lot shall comply with the minimum standards of the applicable residential base zoning district. See Figure 4-2.

a. Lot width shall be measured by a line connecting two points on opposite side property lines, that will result in a line parallel to the front property line, as defined in Subsection B.2.

c. For purposes of measuring the width of a flag lot, the calculation shall not include the pole of the flag lot.

5. Minimum lot area. The flag portion of a flag lot shall comply with the minimum area and dimensions required by the applicable residential base zoning district.

a. For purposes of measuring the lot area, only the flag portion shall be considered.

b. The flag portion of a flag lot shall not include the pole, or any other portion of the lot where lot width is less than the minimum required by the applicable residential base zoning district. Where the pole is not at a 90-degree angle to the front property line abutting the pole, the front property line shall be calculated as if the front property line continued by drawing an imaginary line, which will also illustrate the boundary of the main body of the lot.

6. Maximum number of lots. The total number of lots in a flag lot subdivision shall comply with the following requirements.

a. Where the average slope of a site is 15 percent or less, the total maximum allowable number of lots shall be determined by the applicable residential base zoning district.

b. Where the average slope of a site exceeds 15 percent, the total maximum allowable number of lots shall be determined in compliance with Section 17.39.040 (Hillside Subdivision Design Standards).

C. Multiple flag lots. Where a subdivision proposes more than one flag lot, the following standards shall apply:

1. Not more than two flag lot poles shall be contiguous to each other.
2. The poles of two flag lots that are contiguous shall have a maximum width of 40 feet.
3. No wall, fence, hedge, or other obstruction, as determined by the Fire Department, shall be constructed or planted within the width of the pole area of the flag lots.
4. Private access easements shall not be allowed.
5. Where a total of three or more lots are created, and two are flag lots with poles that are contiguous to each other, the driveway to the nonflag lots shall be separated from the contiguous poles by a minimum five-foot wide landscaped planter.

D. Development standards for flag lots. Where an addition to a residence on a flag lot is proposed, or where a new residence is proposed on a flag lot, the following standards shall apply:

1. Construction and development of a single-family residence and related accessory structures on a flag lot shall only occur in the flag portion of the lot.
2. The maximum gross Floor Area Ratio (FAR) shall be based upon the area of the flag portion of the lot.
3. Each structure on a flag lot shall be oriented to provide the maximum privacy to surrounding existing and future residential structures.
 - a. Large windows and decks on the second floor of a residence on a flag lot shall orient to on-site setback areas and not to surrounding properties.
 - b. Other methods for protecting privacy may include using translucent material in (upper floor) windows, eliminating windows, reducing and/or relocating balconies, or eliminating balconies.
4. The street address of the flag lot shall be placed in a conspicuous location within the pole of the lot that is easily visible from the street.

E. Required findings for flag lots. The approval of a Conditional Use Permit for flag lots shall require that the Subdivision Committee first make all of the following findings, in addition to the findings required for Conditional Use Permit approval in Section 17.61.050.G (Findings and decision):

1. The proposed flag lot subdivision is the only reasonable subdivision design due to extreme topographic conditions, or other physical and natural constraints of the subject property (e.g., natural drainage course or streams, protected trees, etc);

2. The design of the proposed flag lot subdivision complies with the flag lot development standards identified in this Section; and
3. The lots created from the proposed flag lot subdivision do not adversely impact the established neighborhood character nor deviate from the established neighborhood character, which shall consider the scale of the existing lot sizes and lot configurations in the surrounding area. For purposes of this finding, the surrounding area shall mean all properties within a 1,000-foot radius of the subject property’s boundary (before subdivision).

17.40.060 - Height Requirements 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 exceptions to those height limits.
- 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), other provisions of this Article, Article 5 (Standards for Specific Land Uses), or by any height limit (HL) overlay zone (Section 17.16.050), except as otherwise provided by this Section.
- C. **Height measurement.**
 1. The maximum allowable height of a structure shall be measured from the lowest elevation of the existing grade at an exterior wall of the structure to the highest point of the structure, except as otherwise specified by this Zoning Code. See Figure 4-3.

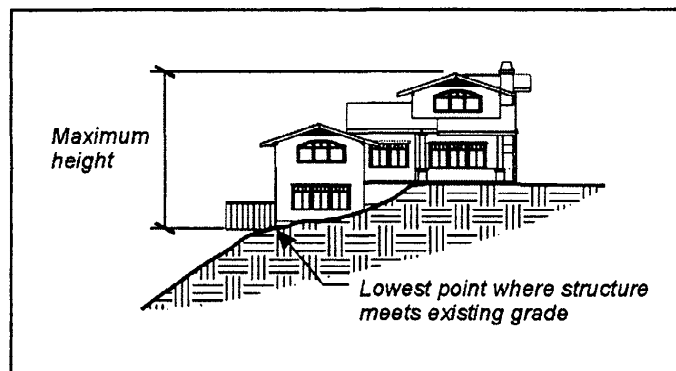


Figure 4-3 - Height Measurement

2. The highest point of the structure shall be considered its highest ridge or parapet.
3. Where the height limits of the applicable zoning district require measurement to the top plate, the height shall be measured from the lowest elevation of the existing grade at the exterior wall of the structure to the top plate elevation.

4. If a single structure crosses a zoning or height district boundary (e.g., where one structure is located in two or more different zoning or height districts), the maximum height shall be measured separately for each portion of the structure in order to ensure compliance with the zoning or height district in which it is located. See Figure 4-4.

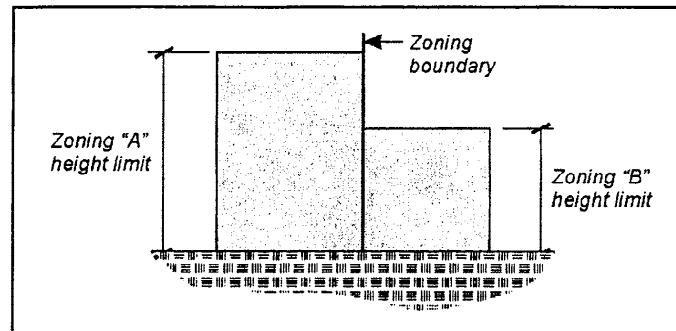


Figure 4-4 - Height with site divided by zoning

D. Height limit exceptions.

1. **Chimney exceptions.** A chimney may exceed the height limit established by the applicable zoning district by a maximum of two feet.
2. **Roof mounted exceptions.**
 - a. **Commercial and industrial structures.** For commercial and industrial structures, appurtenances covering not more than 25 percent of the roof area may exceed the height limit established by the applicable zoning district by a maximum of 15 feet.
 - (1) The Design Commission may allow the appurtenance height to go to a maximum of 20 feet if the DC finds that the additional height provides an improved architectural design (e.g., towers or other architectural features).
 - (2) If the project is not subject to Design Review, the Director may allow the height to go to a maximum of 20 feet if the Director finds that the additional height provides an improved architectural design (e.g., towers or other architectural features).
 - b. **Multi-family structures.** For multi-family structures, appurtenances covering not more than 25 percent of the roof area may exceed the height limit established by the applicable zoning district by a maximum of 10 feet. For projects subject to the City of Gardens provisions (17.22.060) enclosed or trellised roof decks may exceed the height limit upon approval of a minor conditional use permit.
 - c. **Roof-top garden railings.** An open railing around a roof-top garden may be allowed to exceed the height limit established by the applicable zoning district; provided the railing is the minimum height required under the Building Code (for safety purposes) and the railing is stepped back so as not to be visible from the street. See Figure 4-5.

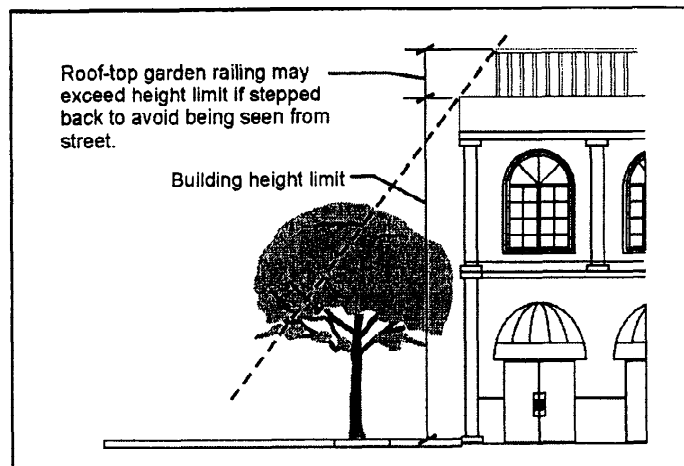


Figure 4-5 - Roof-top garden railings

17.40.070 - Limited Hours of Operation

A. Applicability.

1. The limited hours of operation regulations shall apply as contained on the Land Use Charts in Article 3 and the Specific Plan in Article 5.
2. The regulations only apply when one or more of the identified uses are located on a site that is located within 150 feet of a residential zoning district.
3. If located as specified in Subsection A.2., above, the identified uses may only operate between the hours of 7:00 a.m. and 10:00 p.m. by right; and between the hours of 10:00 p.m. and 7:00 a.m. subject to the issuance of a Conditional Use Permit.
4. This Section does not apply to the CD zoning district, except for the provisions of Subsection C. (Special hours for loading, unloading, and trash pick-up), below.

B. Exempt activities. The following land use activities are exempt from these restrictions:

1. Accessory antenna arrays.
2. Public, Semi-public uses.
3. Adult day-care – limited.
4. Automated teller machines (ATMs).
5. Banks (with walk-up services only).
6. Child day-care – large care home.
7. Child day-care – small care home.

8. Emergency shelters.
 9. Life/care facilities.
 10. Lodging (operation of check-in/check-out and room services only), including bed and breakfast inns, and hotels and motels.
 11. Mixed-use projects (see 17.50.160).
 12. Mortuaries.
 13. Offices with fewer than 15 employees working on-site at one time.
 14. Offices, government.
 15. Single-room occupancy facilities.
 16. Temporary uses.
 17. Wireless communications facilities – major and minor.
 18. Work/live units.
- C. Special hours for truck loading, unloading, and trash pick-up.** In the CD, CG, CL, CO, and IG zoning districts and within the commercial districts of specific plan areas, truck loading, unloading, and trash pick-up for any use that is located within 300 feet of a residential zoning district is allowed only between the hours of 7:00 a.m. to 9:00 p.m., Monday through Friday, and between 9:00 a.m. to 5:00 p.m. on Saturdays. No truck loading, unloading, or trash pick-up is allowed on Sundays.

17.40.080 - Outdoor Lighting

Exterior lighting on private property shall comply with the following requirements. Parking lot lighting shall comply with Section 17.46.220 (Outdoor Parking Area Lighting).

- A. Lighting shall be energy-efficient, and shielded.** Lighting shall be energy-efficient, and shielded or recessed so that direct glare and reflections are confined to the maximum extent feasible within the boundaries of the site, and shall be directed downward and away from adjoining properties and public rights-of-way. No lighting on private property shall produce an illumination level greater than one footcandle on any property within a residential zoning district except on the site of the light source.
- B. No lights shall blink, flash, or be of high intensity or brightness.** No permanently installed lighting shall blink, flash, or be of unusually high intensity or brightness, as determined by the Zoning Administrator.
- C. Lighting shall be appropriate in scale, intensity, and height.** All lighting fixtures shall be appropriate in scale, intensity, and height to the use they are serving.

- D. Outdoor sports court lighting.** Lighting for an outdoor sports court or field within 300 feet of a residential zoning district shall require Minor Conditional Use Permit approval.

17.40.090 - Performance Standards

The following performance standards shall apply to all land uses in all zoning districts. The Zoning Administrator or the Code Enforcement Administrator shall require evidence of the ability to comply with these requirements as they deem reasonably necessary before issuance of a Code Compliance Certificate, a Building Permit, or an Occupancy Permit.

- A. Electromagnetic interference.** No use, activity, or process shall cause electromagnetic interference with normal radio or television reception on another site or with the function of other electronic equipment on another site.
- B. Heat and humidity.** No use, activity, or process shall produce any unreasonable, disturbing, or unnecessary emissions of heat or humidity at the property line of the site that cause material distress, discomfort, or injury to the average person.
- C. Odor.** No use, process, or activity shall produce odor that causes discomfort or annoyance to a reasonable person of normal sensitivity or which endangers the comfort, repose, health, or peace of residents whose property abuts the site.
- D. Solar access.** No structure shall be established or enlarged unless it has been reviewed by the Zoning Administrator for its effect on solar access to existing and future solar applications on adjacent properties subject to the following findings:
1. There are no conditions, covenants, and restrictions existing or proposed that are adverse to solar energy systems;
 2. Solar access has been addressed within the context of any required Environmental Impact Report; and
 3. The proposed structure will not prohibit or unreasonably restrict the use of solar energy systems on adjacent properties.
- E. Vibration.** No use, activity, or process shall produce vibrations that cause discomfort or annoyance to reasonable persons of normal sensitivity, or which endangers the comfort, repose, health, or peace of residents whose property abuts the site.

17.40.100 - Public Art Requirements and Design Standards

A. Purpose. This Section implements the policies of the Cultural and Recreational Element of the Pasadena Comprehensive General Plan that call for provisions for the arts and other cultural resources in new commercial development. This Section will further this program goal by establishing a requirement that the design of certain projects incorporate a public art component.

B. Applicability.

1. **Projects over 25,000 square feet.** Each commercial, industrial, and mixed-use project over 25,000 square feet of gross floor area shall incorporate in its design a public art component.
2. **All City projects.** All City construction projects shall also incorporate in their design a public art component.
3. **Public art defined.** For the purposes of this Section, "public art" shall mean the creation of an original work or service of an artist for a publicly accessible space which could be, but is not limited to, earthworks, mosaics, murals, and sculpture.
4. **One percent of Building Permit.** The minimum standard of performance used to measure compliance with this Section shall be that the public art component shall have a value of not less than one percent of the Building Permit valuation.

C. Exceptions. This Section shall not apply to a project:

1. Having a fully executed owner participation agreement ("OPA"), disposition and development agreement ("DDA") or development agreement, or a Vesting Tentative Map approved before the effective date of the ordinance enacting this Section;
2. Within the northwest enterprise zone as that zone may be amended from time to time;
3. Within the boundaries of a master plan or planned development zone change area approved before the effective date of the ordinance enacting this Section;
4. For which a Building Permit was issued before the effective date of the ordinance enacting this Section. A Building Permit for additions to the same project which is issued after the effective date of the ordinance enacting this Section shall be subject to this Section; and
5. Within the boundaries of any redevelopment project area. As to redevelopment project areas, the applicant shall comply with the design for development adopted in compliance with to the applicable redevelopment plan.

D. Guidelines for compliance.

1. The Arts Commission shall recommend and the Council, by resolution, shall adopt guidelines to be used in determining whether there has been compliance with this Section.

2. The Arts Commission shall be responsible for determining compliance with this Section.

E. Verification of compliance. No Certificate of Occupancy shall be issued for a project subject to the requirements of this Section until the Arts Commission has made a written determination of compliance with this Section.

17.40.110 - Reflective Surfaces

A. Reflective glass. For new structures, mirror or highly reflective glass shall not cover more than 20 percent of a structure's surface visible from a street.

B. Metallic finishes. In the RS and RM-12 zoning districts, the exterior walls and/or roof of a main structure may have a metallic finish (e.g., exposed metal cladding) only with the approval of a Minor Conditional Use Permit, in compliance with Section 17.61.050.

17.40.120 - Refuse Storage Facilities

A. Applicability.

1. A refuse storage area for the collection of trash and recycled goods shall be provided at the time any structure is constructed.
2. Refuse storage areas for additional dwelling units or for enlargements to existing nonresidential uses shall meet the minimum size required by this Section.
3. The number of dwelling units or amount of floor area used in determining the size of the refuse storage area shall be the total number of units or amount of floor area when the project is completed.

B. Design standards. Each proposed development and new land use shall provide a refuse storage area in compliance with the following requirements, provided that the Zoning Administrator may approve deviations to these standards.

1. **Location.** Each required refuse storage area shall be located within 150 feet of the users and shall not be located in a required garden, yard, court, or landscape area.
2. **Minimum storage area required.** Each required refuse storage area shall provide space for the storage of trash and recyclable materials as follows.
 - a. **Trash area.** An area for the storage of trash shall be provided with minimum clear dimensions of five feet by seven feet for all multi-family residential uses of four to 19 dwelling units, and for all nonresidential uses with a gross floor area of less than 25,000 square feet. Multi-family residential uses with 20 or more dwelling units, and nonresidential uses with 25,000 square feet of gross floor area or more, shall provide trash storage areas with the minimum size determined by the Director of Public Works based on the type of use, the size of the refuse area proposed, and the frequency of refuse collection.

being used and shall contain a provision requiring the Zoning Administrator to be notified in writing at least 30 days before the termination of the lease. The lease shall be recorded with the County Recorder and a copy filed with the Zoning Administrator.

17.40.130 - Relocated Structures

A structure may be relocated from one lot to another in compliance with the following requirements.

- A. Permit requirement.** Minor Conditional Use Permit approval is required for relocation of a structure to a lot within the RS or RM-12 zoning districts. In the RM-16, RM-32, and RM-48 zoning districts a Minor Conditional Use Permit is required for a structure relocation for structures subject to the RS or RM-12 development standards.
- B. Guarantee of performance.**
1. Before the structure's relocation to the lot, the applicant shall submit to the Zoning Administrator a certificate of deposit, for the benefit of the City, the amount of which shall be approved by the Zoning Administrator, to cover the cost of completion of the relocation project.
 2. The deposit shall be returned to the applicant upon completion of the project as determined by the Zoning Administrator, less any amount drawn upon by the Zoning Administrator to complete the project if the applicant fails to do so.
 3. The Zoning Administrator may modify this requirement for projects that are City-assisted or if the applicant can demonstrate other guarantees to the satisfaction of the Zoning Administrator.
- C. Time for placement on foundation.** The structure shall be secured immediately upon relocation and shall be placed on its foundation within 30 days of its relocation.
- D. Time for completion of work.** All exterior work on the structure and any required landscaping shall be substantially completed within 365 days or less, in compliance with a schedule approved by the Zoning Administrator before issuance of a Building Permit.

17.40.140 - Remodeling of Single-Family Residences

Whenever more than 50 percent of the exterior wall(s) of a structure is removed, the replacement construction shall constitute a new structure that would have to comply with all current development standards of the subject zoning district.

17.40.150 - Screening

- A. General requirement.** Except as otherwise specified herein, all new exterior mechanical equipment, except solar collectors, shall be screened or located out of view from public rights-of-way (not including freeways). Equipment to be screened includes air conditioning and refrigeration equipment, duct work, heating, plumbing lines, and satellite receiving antennas.
- B. Utility meters.** Aboveground utility meters shall not be located between the front property line and the front foot of building occupancy or the corner side property line and the front foot of building occupancy.
- C. Screening specification.** At a minimum, screening materials shall have evenly distributed openings or perforations not exceeding 50 percent of surface area and shall effectively screen mechanical equipment.
- D. Exceptions.** The following are exceptions to the above screening requirements:
1. Screening requirements are not applicable to an antenna array consisting of a whip antenna that does not exceed a height of 15 feet or to satellite earth station antennas that are preempted by Part 25 of Title 47 of the Code of Federal Regulations.
 2. The Zoning Administrator may allow utility meters to be located between the front property line and the front foot of building occupancy or the corner side property line and the front foot of building occupancy when no other location is feasible. Aboveground utility meters located in front or corner yards shall be screened from view from the public right-of-way.
 3. Exceptions to the screening of mechanical equipment may be approved for projects subject to Design Review in Chapter 17.42 when the equipment is designed as an integral part of the architecture or where the screening enclosure substantially increases the visual mass on the roof line of a structure and alternative treatment may be preferable.

17.40.160 - Setback and Encroachment Plane Requirements and Exceptions

A. Purpose.

1. This Section provides standards for the use and minimum size of required setbacks, and for the application of encroachment planes.
2. These standards are intended to provide open areas around structures for visibility and traffic safety; access to and around structures; access to natural light, ventilation and direct sunlight; separation of incompatible land uses; and space for privacy, landscaping, and recreation.
3. The encroachment plane standards of this Section are intended to moderate the mass and scale of proposed structures within certain residential and commercial zoning districts to maintain the desired neighborhood character.

B. Setback requirements.

1. All structures.

- a. All structures shall comply with the setback requirements of the applicable zoning districts established by Article 2 (Zoning Districts and Allowable Land Uses), with the requirements of this Section, and other setback requirements established by this Article and/or Article 5 (Standards for Specific Land Uses).
- b. Each required setback shall be maintained open and unobstructed from the ground upward, except for trees, other plant materials, and the storage of City-provided refuse containers in single-family side or rear setbacks, and except as provided by Subsection E. (Setback and encroachment plane exceptions, allowed projections) below.

2. **Commercial and industrial abutting residential zoning district.** In the commercial and industrial zoning districts, except for the CD district, a 15-foot side and/or rear setback shall be provided adjacent to any abutting residential zoning district.

C. Measurement of setbacks.

The following setbacks shall be measured from each exterior wall of a structure, to define a setback line parallel to the adjacent property line. Figure 4-6 shows the location of each type of setback, and the points from which they are measured.

1. **Front setbacks.** The front setback shall be measured at a right angle from the front property line of the lot to the point on the structure nearest to the front property line excluding the front porch.
 - a. **Corner lots.** The measurement shall be taken from the nearest point on the structure, excluding any porches, to the nearest point of the property line adjoining the street that is opposite the rear yard.
 - b. **Flag lots.** See Section 17.40.050 (Flag Lot Development Standards).

2. **Side setbacks.** Side setbacks shall be measured at right angles from the nearest point on the side property line of the lot to the nearest portion of the structure, excluding any porches; establishing a setback line parallel to the side property line that extends between the front and rear yards.
3. **Rear setbacks.** The rear setback shall be measured at right angles from the nearest point on the rear property line of the lot to the nearest portion of the structure, establishing a setback line parallel to the rear property line.

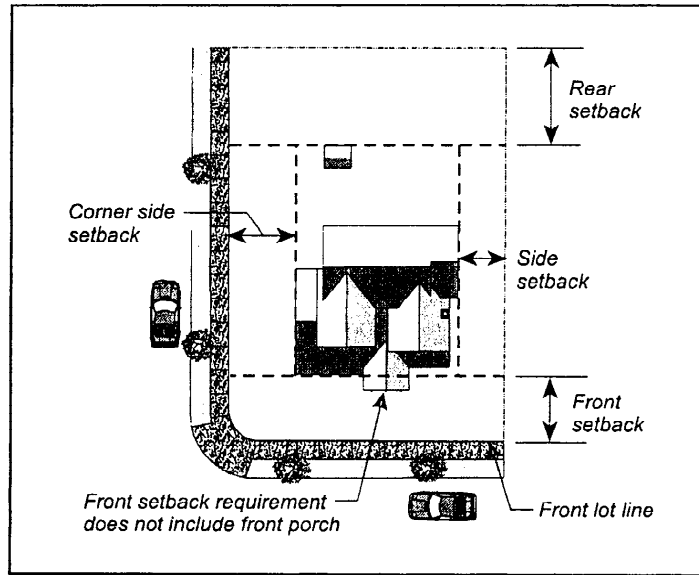


Figure 4-6- Location and measurement of setbacks

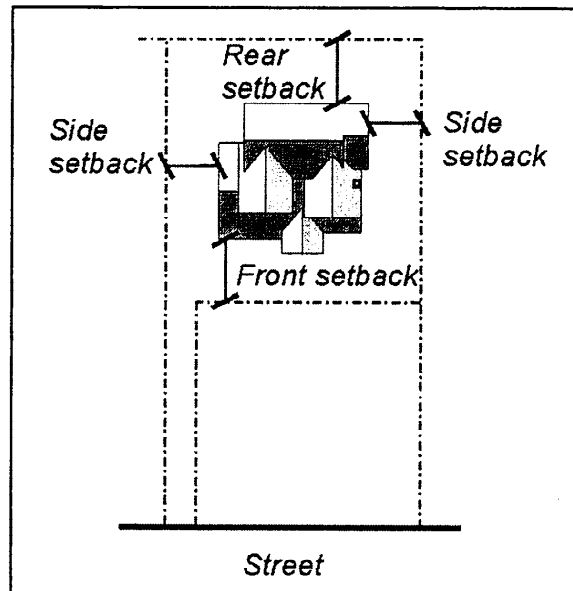


Figure 4-7 - Flag lot setbacks

D. Encroachment plane requirements. Proposed structures shall comply with the following encroachment plane requirements in addition to the minimum setback requirements of this Section except as otherwise provided by Subsection E. (Setback and encroachment plane exceptions, allowed projections) below. In addition to the minimum setback requirements of the applicable zoning district and as defined in Subsection C., above, a main structure within:

1. **RS and RM-12 zoning districts.** Principal structures within the RS and RM-12 zoning districts shall not be located within a side setback encroachment plane sloping upward and inward to the site at a 30-degree angle measured from the vertical, commencing six feet above the existing grade along the interior side property line; and (See Figure 4-8).

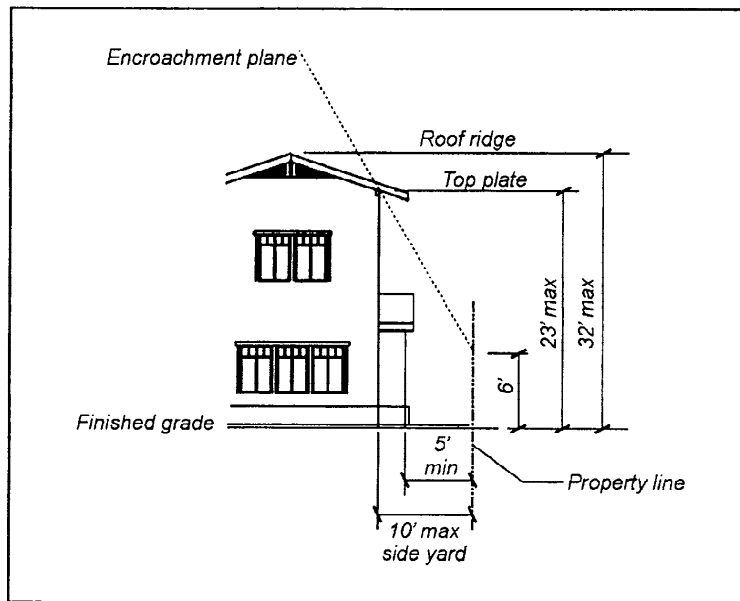


Figure 4-8 - Encroachment plane requirements for the RS and RM districts

2. **CG, CL, and IG zoning districts.** Principal and accessory structures within the CG, CL, and IG zoning districts shall not be located within an encroachment plane sloping upward and inward to the site at a 45-degree angle, commencing 20 feet above the existing grade at the property line of the abutting residential zoning district. (See Figure 4-9.)

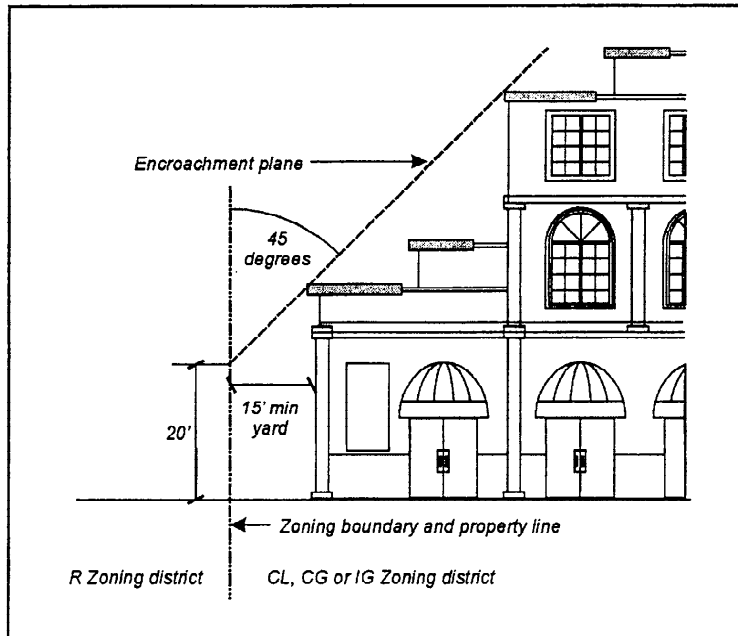


Figure 4-9 - Encroachment plane requirements for the CL, CG, and IG districts

- E. Setback and encroachment plane exceptions, allowed projections.** An attached architectural feature may extend beyond the wall of the structure and into a front, side, or rear setback, and into the encroachment plane required by Subsection D. (Encroachment plane requirements), above, in compliance with Tables 4-1 and 4-2.

TABLE 4-1 - ALLOWED PROJECTIONS INTO SETBACKS

Projecting Feature	Allowed Projection into Setback
Additions to multi-family buildings with 3 or more units built before February 14, 1989	May project into a required side yard which is nonconforming as long as addition maintains existing setback and is no closer than 4 feet to a property line.
Balconies (1)	Maximum depth of 10 feet into the front yard.
Bay (window, etc.)	24 inches into a required front, rear or corner side yard setback for a linear distance not to exceed 10 ft for any one bay, nor a total of 15 ft for all bays into each setback.
Bay (window, etc.) (1)	No greater than 3 feet deep and 10 feet long and no higher than two stories may project into the front yard. The maximum frequency of such bays is one bay per 15 feet of lot width measured at the front property line.
Eave/roof overhang	36 inches
Fireplace or chimney (2)	24 in. for a maximum length of 10 ft along the wall from which it projects.
Fireplace or chimney (1)	3 feet into a required yard.
First story addition to main structure (2)	<p>May project into a required side setback that is nonconforming as to side setback requirements; provided, that:</p> <ol style="list-style-type: none"> 1. The addition maintains the existing setback of the structure to which it relates 2. The existing distance between the main structure and the side property line is a minimum of four ft; and 3. The addition does not project into a required side setback encroachment plane.
Freestanding trellis (2)	<p>May be located in a front or corner side yard setback; provided, that the trellis:</p> <ol style="list-style-type: none"> 1. Does not occupy more than 5% of the required setback area; 2. Is nine ft or less in height; 3. Is at least 50% open on top and all sides; 4. Complies with Municipal Code Chapter 12.12 relating to the obstruction of views at intersections; and 5. Is not located over a driveway.
Uncovered steps, or landings, not more than 36 in. in height (3)	36 inches in width, for a maximum length of 10 ft.
Unenclosed front porch (3)	<p>May project into a required front setback as follows:</p> <ol style="list-style-type: none"> 1. The maximum projection into the front setback shall be 10 ft, but shall be no closer than 15 ft to the front property line; 2. The width of the porch shall not exceed the width of the main structure; 3. The porch shall not exceed one story and a maximum plate height of 12 feet; and 4. The porch shall not be enclosed.
Unenclosed front porch (1)	<p>May project into a required front setback as follows:</p> <ol style="list-style-type: none"> 1. The maximum projection into the front setback shall be 10 ft; 2. The porch shall not exceed one story 3. The porch shall not be enclosed.

Notes:

- (1) Applies to projects subject to the City of Gardens standards of 17.22.060.
- (2) Applies only to projects subject to the RS or RM-12 development standards.
- (3) This limitation only affects the front and corner side yard setbacks.

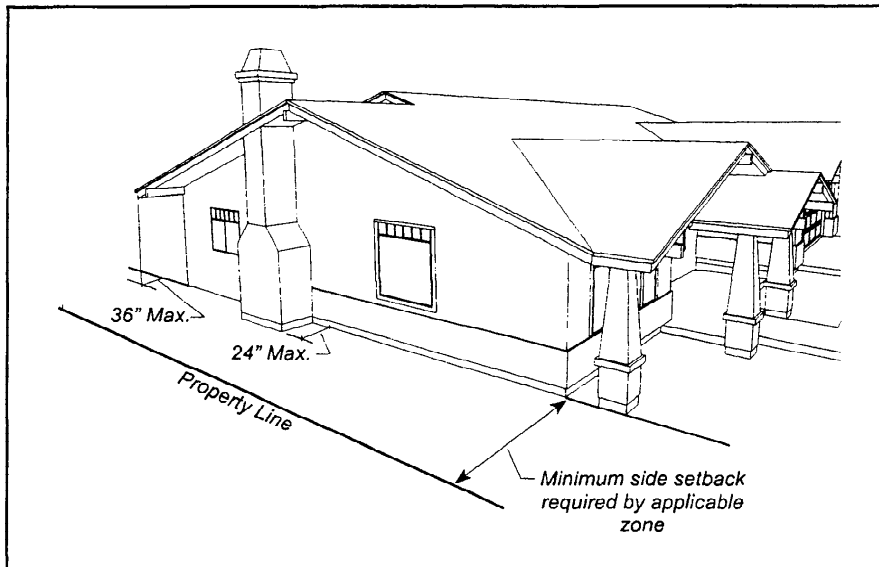


Figure 4-10 - Examples of allowed projections into setbacks

TABLE 4-2 - ALLOWED PROJECTIONS INTO ENCROACHMENT PLANE USING RS AND RM-12 STANDARDS

Projecting Feature	Allowed Projection into Encroachment Plane
Eave/roof overhang	36 inches
Fireplace or chimney	24 in. for a maximum length of 10 ft along the wall from which it projects.
Dormer, gable, and/or gable end of roof structure on main structure	36 inches
Second story of main structure	May be within encroachment plane for a maximum length of 40 linear feet, so long as: <ol style="list-style-type: none"> 1. The structure setback of the second story continues the structure setback of the first story; 2. The side setback adjacent to the main structure complies with the minimum setback required by the applicable zoning district; and 3. The structure was constructed under a Building Permit issued before June 20, 1991 in the RS district, and before November 4, 1994 in the RM-12 district.

F. Limitations on the use of setbacks. A required setback shall only be used in compliance with the following requirements.

- 1. **Storage.** No required setback shall be used for the storage of:
 - a. Junk, inoperable vehicles, scrap, or similar material; or