

Introduced by: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 (THE ZONING CODE) TO CHANGE THE DEVELOPMENT STANDARDS OF THE MULTIFAMILY RESIDENTIAL DISTRICTS (RM-16, 32 AND 48; CITY OF GARDENS), PARKING STANDARDS AND THE ENCROACHMENT STANDARDS

The People of the City of Pasadena ordain as follows:

SECTION 1. This ordinance, due to its length and corresponding publication will be published by title and summary as permitted by Section 508 of the Charter. The approved summary of this ordinance is as follows:

“Summary

Ordinance No. _____ amends Title 17 (Zoning Code) of the Pasadena Municipal Code by amending Article 2, Chapter 17.22, Residential Zoning District Standards (City of Gardens); Article 4, Chapter 17.40, Setback and Encroachment Plane Requirements; Chapter 17.46, Off-Street Parking Requirements; and Article 5, Chapter 17.50, Section 17.50.340, Transit Oriented Development, to provide more flexible development standards to the main garden, building height, fence height and driveway requirements and provide an additional setback between single-family districts and two and three-story multifamily buildings. The parking standards will provide new definitions and flexibility for location of parking and a reduction to the parking requirement for one bedroom and studio units

Ordinance _____ shall take effect 30 days from its publication.”

SECTION 2. A project requiring a legislative or quasi-judicial approval will be processed under the rules in effect on the date of the approval. Examples of these entitlements

include, but are not limited to, a conditional use permit, design review, variance, zone change, etc.

SECTION 3. Pasadena Municipal Code, Title 17, Article 2, Chapter 17.22, Section 17.22.060, Table 2-3 is amended to read as shown in **Exhibit 1** attached hereto and incorporated by this reference.

SECTION 4. Pasadena Municipal Code, Title 17, Article 2, Chapter 17.22, Section 17.22.060, Table 2-4 is amended to read as shown in **Exhibit 2** attached hereto and incorporated by this reference.

SECTION 5. Pasadena Municipal Code, Title 17, Article 2, Chapter 17.22, Section 17.22.070 is amended as follows:

a. By replacing Subsection B in its entirety as follows:

“B. Setback Requirements. The following minimum standards for building setbacks apply in addition to any encroachment plane requirement.

1. Front setback. The following front setback requirements are intended to ensure compatibility with the adjacent neighborhood.

a. When 40 percent or more of the lots on a blockface in the same zoning district (excluding corner yards of reversed corner lots) are developed with primary structures, the minimum front setback shall be the average of the front setbacks of the developed lots, but not less than 20 feet. In calculating the blockface average, measurement shall be from the front property line to the principal structure. Building projections (such as eaves or bay windows) and unenclosed porches shall not be used as the reference point for this measurement.

b. Where less than 40 percent of the lots on a blockface within the same zoning district (excluding corner yards or reversed corner lots) are developed with primary structures, the

minimum front setback shall be 20 feet. See section 17.40.160 for allowed projections into front yard setbacks.”

2. Side setback when adjoining an RS district. In addition to the encroachment plane requirements, principal and accessory structures shall be setback a minimum of 5 feet along an interior side yard that is adjoining an RS district.

3. Rear setback when adjoining an RS district. For principal and accessory structures in which the rear property line adjoins an RS district, the rear setback shall be as follows.

<u>Story</u>	<u>Setback (feet)</u>
First Story	5
Second story	15
Third story	25

b. By amending Subsection C as follows:

“Yard encroachments. Structures and structural features may project into required setbacks in compliance with Section 17.40.150 (Setback Measurement and Exceptions). For projects in which the rear or side yard adjoins an RS district, no balconies or upper floor decks may project into the rear or side yard setback.”

c. By deleting Figure 2-1.

d. By amending Subsection D, Paragraph 3 as follows:

“3. Habitable encroachments prohibited. No encroachment that consists of habitable space is permitted into the building separation requirement. Uninhabitable encroachments, including chimneys and projecting eaves, may project up to three feet into the building separation requirement.”

e. By amending Subsection F, Paragraph 1 as follows:

a. When any part of a building is over parking, the parking shall be considered a full story unless it meets the requirements for fully or partially subterranean parking in Section 17.46.020.K.5 and 6.

b. If a single building is located within two separate zoning districts with two different height limits, each portion of the building shall comply with the height limit of the district in which it is located.

c. In the RM-16 and RM-32 districts, when more than 50 percent of the buildings on a blockface of a proposed project and the blockface on the opposite side of the street have a one-story building element at the street, the project shall have a one-story building element for a distance of 15 feet behind the required front setback. The one-story element shall not exceed 15 feet to the ridge line. Open porches may be used to satisfy the one-story building element but

may not encroach into the required front setback. Projects in the RM-48 district shall be permitted to have a two-story building element not to exceed 24 feet to the top plate and 27 feet to the ridge line.

d. When multiple lots have been consolidated to form a single building site with a combined front street frontage of more than 160 feet, the height limit shall be two stories over the entire site.

e. The measurement of height for a new residential structure in an RM district is measured from the lowest point of existing grade at an exterior wall of the structure to the highest point of the structure. The highest point of the structure shall be considered its highest ridge or parapet.

f. In the RM-16, RM-16-2 districts and on lots less than 60 feet in width in the RM-32 district, the maximum height of structures is 23 feet to the top plate and 32 feet to the highest ridge line.

g. On lots 60 feet in width or greater in the RM-32 district, the maximum height of structures in the front 60 percent of the site is 24 feet to the highest ridgeline. Through the Design Review process, the maximum height in the front 60 percent of the site can be increased to 32 feet (to the highest ridgeline) if the project is not adjacent to a RS or RM-12 district. In the rear 40 percent of the site the maximum height of structures is 36 feet to the highest ridgeline. No maximum top plate is applicable.

h. In the RM-16-1 district, the maximum height of structures is 36 feet to the highest ridgeline. No maximum top plate height is applicable.

i. In the RM-48 district, the maximum height of structures is 38 feet to the highest ridgeline. No maximum top plate height is applicable.”

f. By deleting Subsection F, Paragraph 2, Subparagraph d.

g. By amending Subsection H, Paragraph 3 as follows:

“3. The height of a wall or fence in a front or corner yard shall not exceed four feet if it is 50 percent open and two feet if the wall or fence is solid. The wall or fence height shall be measured from existing grade and shall be setback 18 inches from the front property line.”

h. By amending Subsection H, Paragraph 9 as follows:

“9. All heights are measured from existing grade to the top of the wall. Where the existing grade changes (i.e., for a driveway) the fence height shall change with the grade.”

SECTION 6. Pasadena Municipal Code, Title 17, Article 2, Chapter 17.22, Section 17.22.080 is amended as follows:

a. By amending Subsection A as follows:

“**A. Main garden requirements.** Each multi-family project shall have a landscaped open space as its central focus. This space may take the form of a main garden, private garden or landscaped court. It shall be a well-defined, coherent area that is an essential component of the project design, not merely space left over after the building mass is placed.”

b. By amending Subsection A, Paragraph 1, subparagraph 1 as follows:

“**1. Main garden location.** The placement of a main garden shall comply with at least one of the following standards. Additional alternatives may be approved through the Design Review process.” (Subparagraphs a – f remain unchanged.)

c. By amending Subsection A, Paragraph 1, by adding new Subparagraphs g and h as follows:

“g. In the RM-16 district, 50 percent of the required main garden area shall be provided as a main garden, and shall meet one of the location requirements described in a through f, above, including the required minimum dimension. The balance of the required main garden

area may be provided in the form of private gardens (not including balconies) adjoining and directly accessible from each unit (not including the required front setback); no minimum dimension is required. The private garden shall not be paved over more than 50 percent of its surface area.

h. In the RM-32 and 48 districts, when the required garden area is 2,500 square feet or greater, 50 percent of the required main garden area shall be provided as a main garden meeting one of the location requirements described in a through f, above, including the required minimum dimension. The balance of the required main garden area may be provided in the form of ancillary gardens throughout the project site (not including the required front setback), and shall meet the minimum dimension of 20 feet in both directions. A minimum of 80 percent of the ancillary garden shall be landscaped.”

d. By amending Subsection A, Paragraph 3 as follows:

“3. Minimum main garden dimensions. The main garden shall be a rectangular shape and shall have a minimum dimension of 20 feet in either direction. With approval through the Design Review process, an alternative shape for the main garden, private gardens, and ancillary gardens may be approved as long as the minimum total garden area and dimensions are met.”

e. By amending Subsection A, Paragraph 5, Subparagraph a as follows:

“a. On lots with more than 60 feet of street frontage, an opening at least 10 feet wide and 10 feet high shall provide a view to the main garden from the street. All fencing across the opening shall be partially open or perforated; fence or wall openings shall constitute a minimum of 80 percent of the screening surface and be evenly distributed throughout the fencing or wall. Gates, fences and landscaping across the opening of or leading to the main garden shall not exceed 6 feet in height.”

f. By amending Subsection A, Paragraph 6, Subparagraph a, Paragraph 4 as follows:

“(4) The maximum dimension of unit pavers shall be 24 inches. Colored concrete is not an acceptable substitute for unit pavers. Fifty percent of the main garden area may be paved with an architectural grade finish, including embossed and/or patterned concrete.”

g. By amending Subsection A, Paragraph 7, Subparagraph a as follows:

“a. Eaves may project up to three feet and fireplaces or chimneys may project up to two feet for a length of 10 feet measured parallel to the building into the main garden without having to maintain the minimum 20-foot dimension. The following encroachments may occur within the main or ancillary garden (but not private gardens) as long as the minimum dimension in any direction of the main garden is not reduced to less than 20 feet.”

h. By amending Subsection A, Paragraph 7, Subparagraph a, Section 2 as follows:

“(2) Enclosed living space may encroach into the main garden subject to the following limitations:” (The remainder of this subparagraph remains unchanged.)

i. By amending Subsection A, Paragraph 7, Subparagraph b as follows:

“b. Private garden space for individual units is subject to the following limitations:

(1) The maximum height of walls or other elements separating such space from the rest of the main garden shall be two feet or less in height if opaque and four feet or less if in height if it allows 80 percent visibility. Height should be measured from the finished grade of the main garden.

(2) The private garden shall meet the planting and paving standards of Subsection A.6 (Main garden planting and paving standards).”

j. By amending Subsection C as follows:

“C. Incentives for the preservation of ~~significant structures~~ historic resources. In developments that preserve historic resources and structures with a California Historical Resources Status Code of 6L (determined ineligible for local listing or designation through local government review process; may warrant special consideration in local planning), a decision may be made through the Design Review process to waive development standards or accept alternative solutions to assist in the preservation of these structures. The decisionmaker may waive or grant up to a 50 percent reduction to the main garden (and thereby accordingly reduce the total garden requirement), waive some or all of the required architectural elements and modulation requirements, if such action is reasonably necessary to accommodate such preservation. The total garden requirement may not be reduced by more than the amount of square footage reduction of the main garden.”

k. By amending Subsection D, Paragraph 3, Subparagraph a as follows:

“a. Except for walkways, the front yard shall be planted in its entirety with trees, shrubs, ground cover and water-conserving plant materials.”

l. By amending Subsection D, Paragraph 4 as follows:

“4. Front yard encroachments. See Section 17.40.160 (Setback Measurement and Exceptions) for building encroachments. Private open space (excluding the private garden area) is not an encroachment and may be included as part of the front yard subject to the following limitations:

a. The maximum height of walls or other elements separating such space from the rest of the front yard shall be two feet or less in height if opaque and four feet or less in height if it allows 80 percent visibility.” (The remainder of this paragraph remains unchanged.)

SECTION 7. Pasadena Municipal Code, Title 17, Article 3, Chapter 17.34, Section 17.34.050 is amended to read:

“For the development of single family uses, the development standards of the RS-6 district shall apply. For the development of two dwelling units on a lot, the development standards of the RM-12 district shall apply. For the development of three or more dwelling units on a lot, the development standards (including height and setbacks) of the RM-32 district (within the CL portions) and RM-48 district (within the CO portions) shall apply.”

SECTION 8. Pasadena Municipal Code, Title 17, Article 4, Chapter 17.40, Section 17.40.160, Subsection D is amended as follows:

a. By amending the title of Figure 4-8 to read as follows:

“Figure 4-8 – Encroachment plane requirements for the RS and RM-12 districts”.

b. By adding a new paragraph 4 as follows:

“4. Multi-family projects adjacent to single-family districts. Principal and accessory structures using the City of Gardens Standards (Section 17.22.070) that adjoin an RS district along a side lot line shall provide a five-foot side yard setback and shall not be located within a side 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 side lot line (See Figure 4-8.1). See encroachment exceptions in Table 4-2.1.”

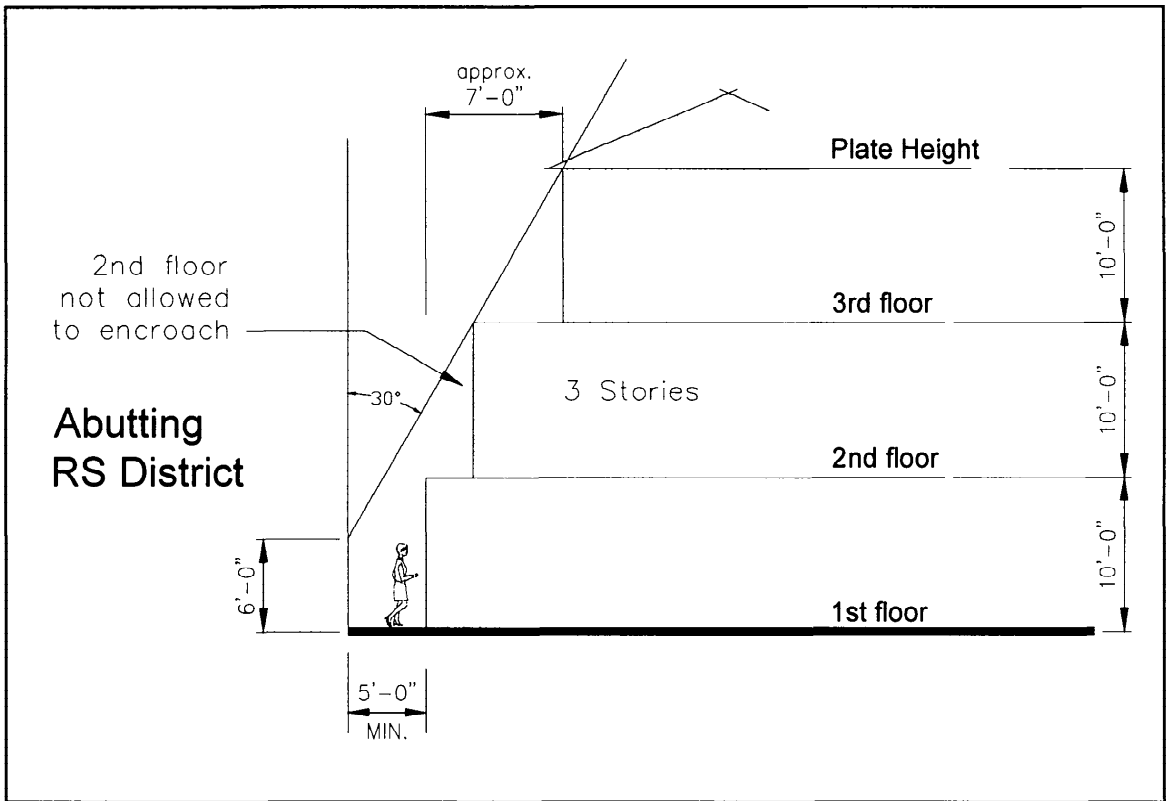


Figure 4-8.1 – Side Yard Encroachment Plane

SECTION 9. Pasadena Municipal Code, Title 17, Article 4, Chapter 17.40, Section 17.40.160 Table 4-1 is amended to read as shown in **Exhibit 3** attached here to and incorporated by this reference.

SECTION 10. Pasadena Municipal Code, Title 17, Article 4, Chapter 17.40, Section 17.40.160 is amended by adding a new Table 4-2.1 as shown in **Exhibit 4** attached hereto and incorporated by this reference.

SECTION 11. Pasadena Municipal Code, Title 17, Article 4, Chapter 17.46, Section 17.46.020, Subsection K is amended as follows:

a. By amending Paragraph 1, Subparagraph 1a as follows:

1. Parking at grade. Parking at grade shall be located in the rear 40 percent of the site.

“a. Through the Design Review process, at grade parking may be located beyond the rear 40 percent of the site but shall not be located within the front yard setback.

b. If a project contains affordable housing in conjunction with a density bonus in Compliance with Chapter 17.18 (Inclusionary Housing and Density Bonus Provisions), then no approval is necessary through the Design Review process.

c. On double frontage lots, no parking shall be located in the front 30 percent of the site along each street frontage.

d. On corner lots, the narrowest street frontage shall be used in determining the rear 40 percent of the site. In no case shall surface parking or parking with dwelling unit over be located in any required front or side setback.

e. The parking area shall not be visible from the main garden, and it shall be screened from the street or at grade from an adjacent lot by building walls, or freestanding walls, or landscaped elements at least six feet in height.”

b. By amending Paragraph 2 as follows:

“**2. Tuck under parking.** Tuck under parking is unenclosed parking located below the unit where parking is accessed from an open parking drive, at grade or below. Tuck under parking shall be restricted to the rear 40 percent of the site and openings to the parking spaces shall not be visible from the street or from an adjacent property.

SECTION 12. Pasadena Municipal Code, Title 17, Article 4, Chapter 17.46, Section 17.46.040 Table 4-6 is amended as shown in **Exhibit 5** attached hereto and incorporated by this reference.

SECTION 13. Pasadena Municipal Code, Title 17, Article 4, Chapter 17.46, Section 17.46.130, Table 4-13 is amended as follows:

**TABLE 4-13 - DRIVEWAY WIDTH - MULTI-FAMILY PROJECTS
(CITY OF GARDENS)**

Number of Spaces Served	Maximum Driveway Width (feet)
25 or fewer parking spaces	One driveway - 10 feet wide
26 or more parking spaces	Two one-way driveways – 10 feet wide each
	One two-way driveway – 12 feet wide

(See Section 17.46.180 (Driveway Location and Frequency for Projects Utilizing Multi-Family Development Standards))

SECTION 14. Pasadena Municipal Code, Title 17, Article 4, Chapter 17.46, Section 17.46.160, Subsection B is amended as follows:

“B. Driveway widths. On sites with 80 feet or more of street frontage, the width of a single driveway shall remain constant for no more than 100 feet from the front property line. The driveway then shall either widen to accommodate two-way traffic, or a turnout of at least 30 feet long and ten feet wide shall be provided.”

SECTION 15. Pasadena Municipal Code, Title 17, Article 4, Chapter 17.46, Section 17.46.160 is amended by deleting Subsection D and renumbering Subsection E as the new Subsection D.

D. Use of driveway on adjacent lot. A new project may use the driveway on an adjacent lot, provided the following requirements are met: (The remainder of this subsection remains unchanged.)

SECTION 16. Pasadena Municipal Code, Title 17, Article 4, Chapter 17.46, and Section 17.46.180 is amended as follows:

a. By amending Subsection B as follows:

“B. Less than 80 feet of street frontage. On sites with less than 80 feet of street frontage, a single driveway shall be located on either side of the site. The maximum distance between the outside edge of the driveway and the closest property line shall be five feet.”

b. By amending Subsection C, Paragraph 1, Subparagraph b as follows:

“b. The maximum distance between the outside edge of the driveway and the closest property line shall be five feet.”

c. By amending Subsection C, Paragraph 3 as follows:

“3. Two driveways required. Where the number of parking spaces requires two driveways, they shall be located so that one is placed on each side of the site. The maximum distance from the outside edge of the driveway and the nearest property line shall be five feet. On corner lots and in projects which require more than 26 parking spaces and that cannot accommodate more than one driveway, one 12-foot wide driveway at one side of the site may replace the requirement for the two driveways.”

d. By amending Subsection E as follows:

“E. Ramp leading to subterranean parking. When a driveway is a ramp leading to partially or fully subterranean parking, the maximum distance between the outside edge of the driveway and the side property line shall be five feet.”

SECTION 17. Pasadena Municipal Code, Title 17, Article 4, Chapter 17.46, Section 17.46.190, Subsection A is amended as follows:

“A. Opaque garage doors required. Garage doors shall be opaque when permitted to be visible from the street, adjacent property or main garden.”

SECTION 18. Pasadena Municipal Code, Title 17, Article 5, Chapter 17.50, Section 17.50.340, Subsection E, Paragraph 3 is amended to read as follows:

“3. Residential development projects. The following requirements apply to multi-family residential and mixed-use development projects proposing at least 48 dwelling units per acre.

a. Residential parking shall be a minimum of:

(1) 1 space for each unit with 650 square feet or less to a maximum of 1.25 spaces per unit (this provision is limited to one-bedroom units and studios only) and;

(2) 1.5 spaces for units with over 650 square feet to a maximum of 1.75 spaces per unit.”

(The remainder of this subsection remains unchanged.)

SECTION 19. Pasadena Municipal Code, Title 17, Article 8, Chapter 17.80, Section 17.80.020 is amended as follows:

a. **By amending the following two definitions:**

“Building Elements. Architectural elements intended to enhance a building’s appearance including upper floor loggias or pergolas recessed within a building, roofed balconies, exterior wooden or masonry stairs, and tile or masonry fountains.”

“Garden, Main. A primarily landscaped, well defined, rectangular open space that provides a central focus, and is an essential component in the design of a multi-family residential project subject to the City of Gardens provisions (17.22.070).”

b. **By amending portions of the definition of Parking Facility as follows:**

“3. Parking at grade. At grade, (carport, partially closed or enclosed) parking with or without a dwelling above.”

“5. Podium parking. At grade-Surface parking that is fully enclosed with a common entrance that has dwellings over. Podium parking can be at grade or partially depressed by no more than two feet below existing grade. See Figure 8-5.”

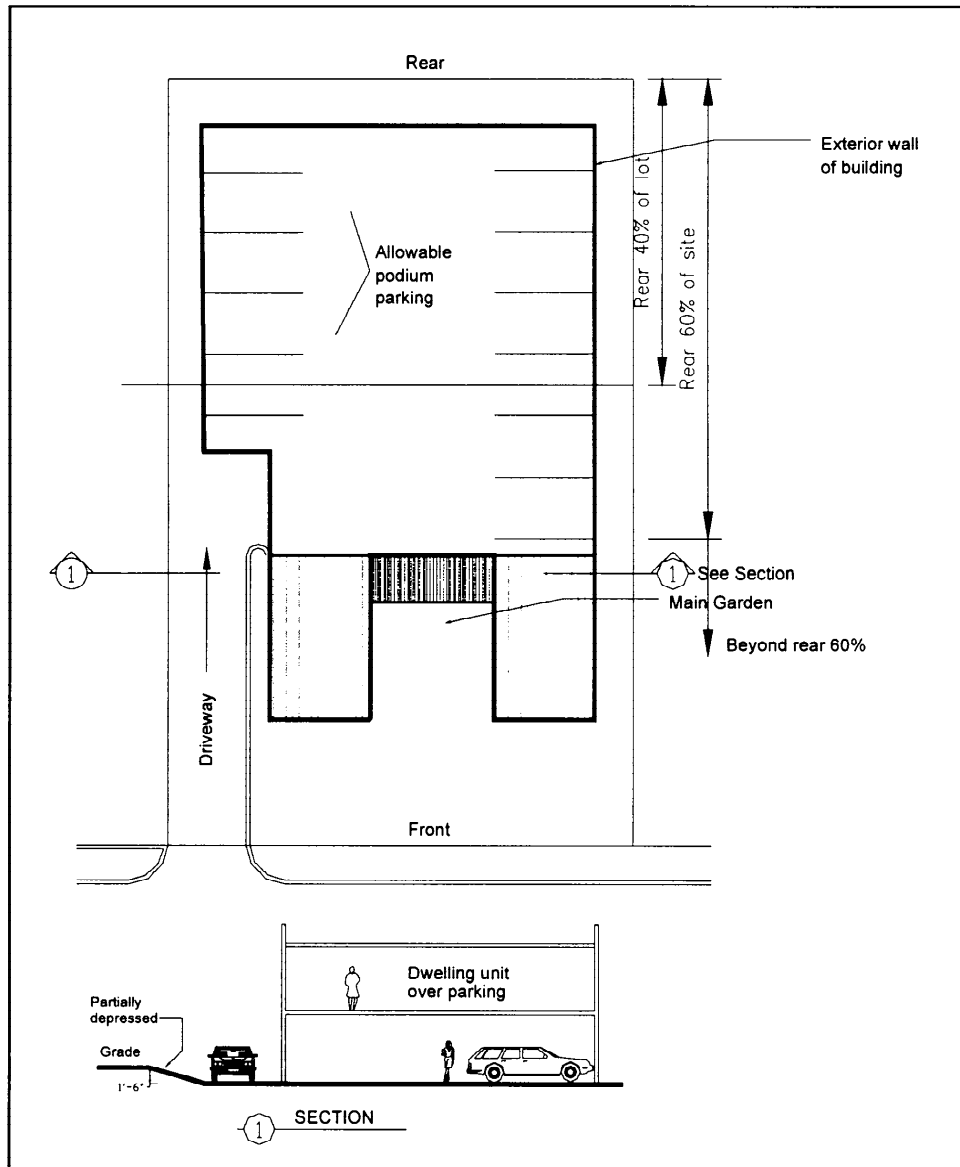


Figure 8-5 – Podium Parking

c. By adding the following new definitions in the proper alphabetical sequence:

“Garden, Ancillary. A predominately landscaped area that is separate and distinct from the main garden and meets the minimum dimensions and area as described in 17.22.080.”

Garden, Private. A predominately landscaped area adjacent to and accessible from a residential unit for the sole use of the occupants of the residential unit and that meets the required area under the City of Gardens requirements (17.22.080).”

d. By amending the definition of Parking Facility by adding the following new definition:

“7. Tuck-under parking. Tuck-under parking is unenclosed parking located below the unit where parking is accessed from an unenclosed driveway that may be at existing grade or below. See Figure 8-6.

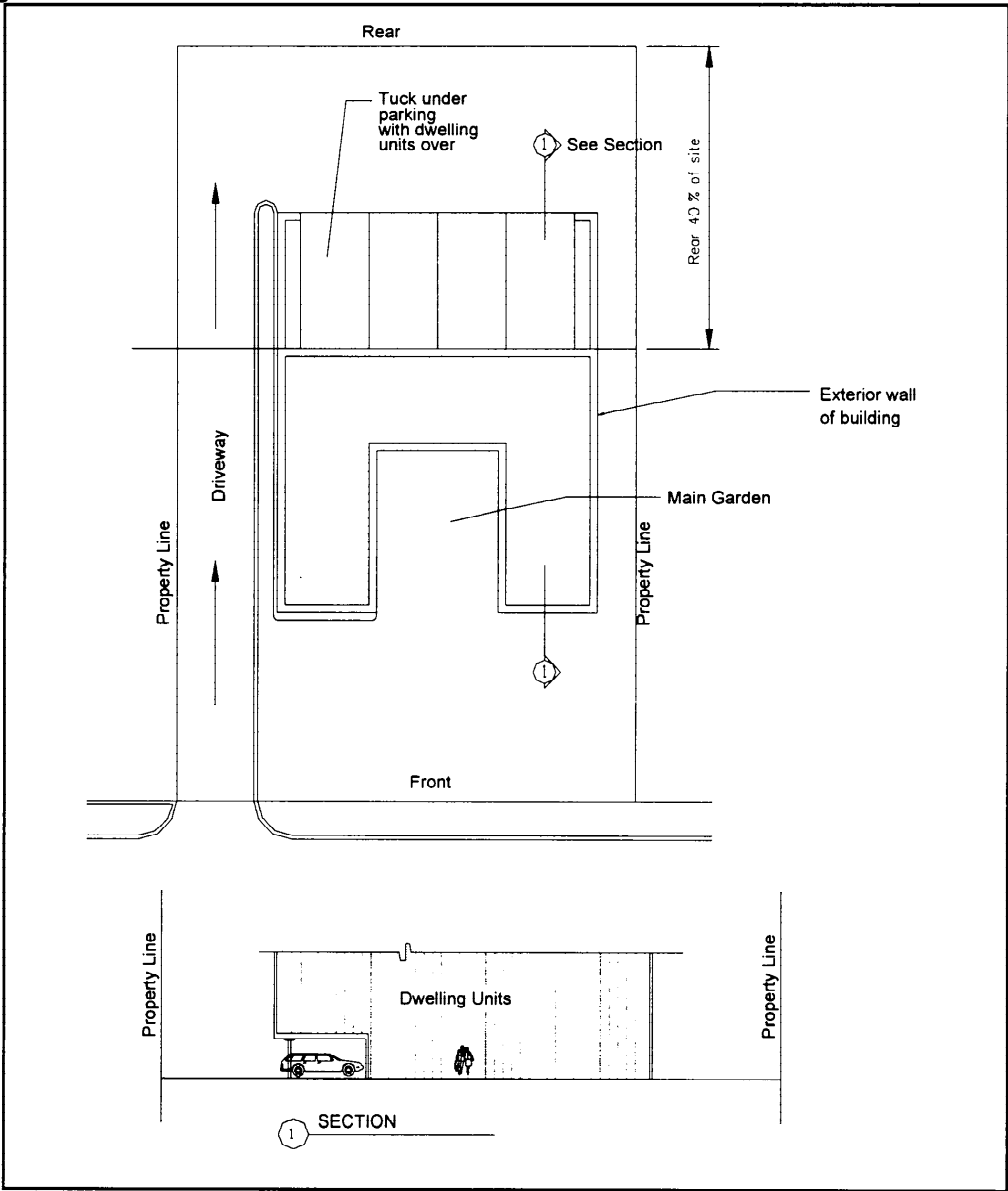


Figure 8-6 – Tuck-under Parking

Window, Bay. An extension of a building wall which is habitable space that encroaches into a required yard and is a minimum of three feet above finished grade. A bay window shall have a minimum of 50 percent fenestration.

SECTION 20. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published by title and summary.

SECTION 21. This ordinance shall take effect 30 days from its publication.

Signed and approved this _____ day of _____, 2006.

Bill Bogaard
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting held this _____ day of _____ 2006, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Date Published:

Jane L. Rodriguez, CMC
City Clerk

Approved as to form:

A handwritten signature in black ink, appearing to read 'Theresa E. Fuentes', written over a horizontal line.

Theresa E. Fuentes
Deputy City Attorney

TABLE 2-3 - RS AND RM-12 RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS

Development feature	Requirement by Zoning District				
	RS-1	RS-2	RS-4	RS-6	RM-12
Minimum lot size	<i>Minimum area and width for new parcels.</i>				
Minimum area (1)	40,000 sf	20,000 sf	12,000 sf	7,200 sf	
With Density Bonus	30,000 sf	15,000 sf	9,000 sf	5,400 sf	
Width (2)	100 ft	100 ft	75 ft	55 ft	
Maximum density	1 dwelling unit per lot				2 units per lot
Setbacks	<i>Minimum setbacks required. See Section 17.40.160 for setback measurement, allowed projections and encroachments into setbacks, and exceptions to setbacks.</i>				
Front - Main facade	See Section 17.22.050				
Front - Garage	See Section 17.22.050				
Sides	10% of lot width, with a minimum of 5 ft, and a maximum requirement of 10 ft, and consistent with Section 17.40.160 (Encroachment Plane).				
Corner side	10% of lot width, with a minimum of 10 ft, and a maximum requirement of 25 ft				
Rear	25 ft			10 ft	
Maximum site coverage	No maximum on lots of 7,200 sf or less, 35 % otherwise.				
Maximum floor area	<i>Maximum allowed gross floor area of all structures on the site.</i>				
Site less than 32,670 sf	30% of lot size plus 500 sf			35% of lot size plus 500 sf per unit	
Site of 32,670 sf or more	30% of lot size plus 1,000 sf				
Height limit	<i>Maximum height of main structures at points noted. See 17.40.060 for height measurement, and exceptions to height limits. All structures shall also comply with the encroachment plane requirements of 17.40.160.</i>				
Site less than 20,000 sf	32 ft, and within the encroachment plane (Section 17.40.150) (<u>Section 17.40.160</u>)				
Site of 20,000 sf or more	36 ft, and within the encroachment plane (Section 17.40.150) (<u>Section 17.40.160</u>)				
Maximum top plate height	23 ft, and within the encroachment plane (Section 17.40.150) (<u>Section 17.40.160</u>)				
Accessory structures	See Section 17.50.250 (Residential Accessory Uses and Structures)				
Landscaping	Chapter 17.44 (Landscaping)				
Parking	Chapter 17.46 (Parking and Loading)				
Signs	Chapter 17.48 (Signs)				
Other applicable standards	Section 17.22.050 (RS and RM-12 District Additional Development Standards) Chapter 17.40 (General Property Development and Use Standards)				

Notes:

- (1) See Chapter 17.42 regarding density bonus provisions.
- (2) See Section 17.40.030 regarding development on an undeveloped lot and section 17.40.040 regarding development on a substandard lot.

Scored language deleted, underlined language added.

TABLE 2-4 - MULTI-FAMILY RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS

Development feature	Requirement by Zoning District			
	RM-16 RM-16-2	RM-16-1	RM-32	RM-48
Minimum lot size	<i>Minimum area and width for new parcels.</i>			
Minimum area (2)	7,200 sf	12,000 sf	10,000 sf	
Width (2)	55 ft	75 ft	60 ft	
Maximum density (1)	<i>Minimum lot area in square feet required for each dwelling unit. See 17.22.070.</i>			
Lots of 10,000 sf or more	2,750 sf	3,000 sf	1,360 sf	910 sf
			See Section 17.22.070.A.2	
Setbacks (see Figure 2-1)	<i>Minimum setbacks required. See Section 17.40.150 17.50.160 for setback measurement, allowed projections and encroachments into setbacks, and exceptions to setbacks.</i>			
Front	See 17.22.070.B	40 ft	See Section 17.22.070.B	
Sides	5 ft to within 20 ft from rear property line; none required in the rear 20 ft.; <u>if adjoining an RS district, 5 ft. and structure shall not project within an encroachment plane (17.40.160.D.4).</u>	10 ft	5 ft. for a distance of 40 ft. behind the front setback line, <u>otherwise none required; if adjoining an RS district, 5 ft., and structure shall not project within an encroachment plane (17.40.160.D.4).</u>	
Corner side	15 ft	30 ft	15 ft	
Rear	None required <u>unless adjoining an RS district, then 5 ft. at the first story, 15 ft. at the second story, 25 ft. at the third story (see 17.22.070.B).</u>	20 ft	None required; <u>unless adjoining an RS district, then 5 ft. at the first story, 15 ft. at the second story, 25 ft. at the third story (see 17.22.070.B).</u>	
Rear, Corner lots	5 ft for a distance of 40 ft. behind the corner side yard setback, <u>unless adjoining to an RS district, then 5 ft. at the first story, 15 ft. at the second story, 25 ft. at the third story (see 17.22.070.B).</u>	20 ft	5 ft for a distance of 40 ft. behind the corner side yard setback, <u>unless adjoining an RS district, then 5 ft. at the first story, 15 ft. at the second story, 25 ft. at the third story (see 17.22.070.B).</u>	

EXHIBIT 2

Maximum site coverage	N.A.	35%	N.A.
Minimum floor area	<i>Minimum required gross floor area for each dwelling unit.</i>		
	N.A.	1,400 sf	N.A.
Height limit	Maximum height of main structures at points noted. See 17.22.070.F for height limits when adjoining an RS district, shall meet the encroachment plane requirements of 17.40.160.D.4. See 17.40.060 for height measurement, and exceptions to height limits.		
	See Section 17.22.070.F		
Accessory structures	See Section 17.50. 250 (Residential Accessory Uses and Structures)		
Landscaping	See Chapter 17.44 (Landscaping).		
Parking	See Chapter 17.46 (Parking and Loading).		
Signs	See Chapter 17.48 (Signs)		
Other applicable standards	Chapter 17.40 (General Property Development and Use Standards)		

Notes:

- (1) See Chapter 17.42 regarding density bonus provisions.
- (2) See Section 17.40.030 regarding development on an undeveloped lot and section 17.40.040 regarding development on a substandard lot.

Scored language deleted, underlined language added.

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.
<p data-bbox="272 520 586 552">Bay (window, etc.) Bay window</p> <p data-bbox="272 632 656 663">Bay (window, etc.) (1) Bay window (1)</p>	<p data-bbox="753 520 1409 604">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.</p> <p data-bbox="753 632 1409 793">No greater than 3 feet deep and 10 feet long and shall be a minimum of 3 ft from finished grade, and no higher than two <u>one</u> stories story may project into the front yard. <u>A bay window must be a minimum of 3 feet above finished grade.</u> The maximum frequency of such bays is one bay per 15 feet of lot width measured at the front property line.</p>
Eaves, moldings, cornices and roof overhang	36 inches into a required side or rear yard.
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 or main garden (Not private garden space).
First story addition to main structure (2)	<p data-bbox="753 1024 1409 1087">May project into a required side setback that is nonconforming as to side setback requirements; provided, that:</p> <ol data-bbox="753 1087 1409 1247" style="list-style-type: none"> <li data-bbox="753 1087 1409 1140">1. The addition maintains the existing setback of the structure to which it relates <li data-bbox="753 1140 1409 1192">2. The existing distance between the main structure and the side property line is a minimum of four ft; and <li data-bbox="753 1192 1409 1247">3. The addition does not project into a required side setback encroachment plane.
Freestanding trellis (2)	<p data-bbox="753 1268 1409 1331">May be located in a front or corner side yard setback; provided, that the trellis:</p> <ol data-bbox="753 1331 1409 1486" style="list-style-type: none"> <li data-bbox="753 1331 1409 1362">1. Does not occupy more than 5% of the required setback area; <li data-bbox="753 1362 1409 1394">2. Is nine ft or less in height; <li data-bbox="753 1394 1409 1425">3. Is at least 50% open on top and all sides; <li data-bbox="753 1425 1409 1478">4. Complies with Municipal Code Chapter 12.12 relating to the obstruction of views at intersections; and <li data-bbox="753 1478 1409 1486">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 data-bbox="753 1591 1409 1612">May project into a required front setback as follows:</p> <ol data-bbox="753 1612 1409 1780" style="list-style-type: none"> <li data-bbox="753 1612 1409 1665">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; <li data-bbox="753 1665 1409 1717">2. The width of the porch shall not exceed the width of the main structure; <li data-bbox="753 1717 1409 1770">3. The porch shall not exceed one story and a maximum plate height of 12 feet; and <li data-bbox="753 1770 1409 1780">4. The porch shall not be enclosed.
Unenclosed front porch (1)	<p data-bbox="753 1801 1409 1822">May project into a required front setback as follows:</p> <ol data-bbox="753 1822 1409 1879" style="list-style-type: none"> <li data-bbox="753 1822 1409 1879">1. The maximum projection into the front setback shall be 10 ft;

EXHIBIT 3

	<p>2. The porch shall not exceed one story 3. The porch shall not be enclosed.</p>
--	--

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.

Scored language deleted, underlined language added.

**TABLE 4-2.1 ALLOWED PROJECTIONS INTO ENCROACHMENT PLANE
FOR PROJECTS USING CITY OF GARDENS STANDARDS (17.22.070)**

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 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 after February ____,2006.

TABLE 4-6 - OFF-STREET PARKING SPACE REQUIREMENTS

Use Classification	Minimum Parking
Residential Uses	
Boarding Houses	1 covered space for each 3 habitable rooms provided in the facility.
Caretaker Quarters	1 space.
Dormitories	1 covered space for each 3 habitable rooms provided in the facility.
Fraternity Sorority Housing	1 covered space for each 3 habitable rooms provided in the facility.
Mixed-Use Developments	Combination of individual residential and commercial parking requirements.
Multi-Family Residential	
CD (Central District)	Parking shall be provided in compliance with Section 17.50.340 (Transit-Oriented Development) for those areas within the Central District Transit-Oriented Area (Figure 3-5). Outside the transit district, parking shall be 1 space for units less than 550 650 sq. ft. and 1.5 spaces for units 550 650 sq. ft. or greater. Developments with 10 units or more shall also provide 1 guest parking space for each 10 units. The guest spaces shall be clearly marked for "Guest Parking Only."
Multi-family Dwelling Units	2 covered spaces per unit 550 650 sq. ft. or larger; 1 covered space per unit less than 550 650 sq. ft. of net floor area. Developments with 10 units or more shall also provide 1 guest parking space for each 10 units. The guest spaces shall be clearly marked for "Guest Parking Only."
Senior Citizen Housing	Subject to approval of a Conditional Use Permit and making findings required in Section 17.46.070 (Reduced Parking in Senior Citizens' Housing Developments); no less than .50 spaces per unit. For density bonus projects, no Conditional Use Permit is required. Projects with 10 units or more shall also provide 1 guest parking space for each 10 units. The guest spaces shall be clearly marked for "Guest Parking Only."
Residential Care Facilities, General	As specified by Conditional Use Permit.
Residential Care Facilities, Limited	2 covered parking spaces per unit within a garage or carport.
Single-Room Occupancy Affordable	1 space per 4 units; plus 2 spaces for the resident manager.
Single-Room Occupancy Market Rate (or not guaranteed affordable)	1 space per unit; plus 2 spaces for the resident manager.
Single-Family Dwelling Units	2 covered spaces per unit within a garage or carport.
Transition Housing	2 covered spaces per unit within a garage or carport.

Scored language deleted, underlined language added.