
Article 3

Site Planning and Development Standards

Table of Contents

	Page
Chapter 17.300 – Performance Standards.....	3-7
17.300.010 – Purpose	3-7
17.300.020 – Applicability.....	3-7
17.300.030 – Air Quality	3-7
17.300.040 – Electrical Disturbances.....	3-9
17.300.050 – Fire Hazards	3-9
17.300.060 – Noise.....	3-10
17.300.070 – Odor.....	3-10
17.300.080 – Outdoor Light and Glare	3-10
17.300.090 – Property Maintenance.....	3-11
17.300.100 – Vibration	3-11
17.300.110 – Waste Disposal.....	3-12
17.300.120 – Water Quality	3-12
Chapter 17.305 – Development and Use Standards	3-13
17.305.010 – Purpose	3-13
17.305.020 – Applicability.....	3-13
17.305.030 – Access, General	3-14
17.305.040 – Agriculture Preservation (Right-to-Farm)	3-14
17.305.050 – Floodplain Management.....	3-16
17.305.060 – Height Measurement and Height Limit Exceptions.....	3-16
17.305.070 – Hillside Development	3-17
17.305.080 – Metal Buildings and Structures	3-18
17.305.090 – Paving Within Residential Front Yard Area.....	3-18
17.305.100 – Rural Standards	3-19
17.305.110 – Screening and Buffering	3-19
17.305.120 – Setback Regulations and Exceptions.....	3-22
17.305.130 – Solid Waste/Recyclable Materials Storage	3-27
17.305.140 – Surface Mining and Reclamation	3-29
17.305.150 – Traffic Visibility Area.....	3-29
17.305.160 – Undergrounding of Utilities	3-33

	Page
Chapter 17.310 – Affordable Housing – Density Bonuses	3-37
17.310.010 – Purpose	3-37
17.310.020 – Applicability.....	3-37
17.310.030 – Eligible Projects for Density Bonus	3-37
17.310.040 – Concessions or Incentives.....	3-39
17.310.050 – Waivers or Reductions.....	3-41
17.310.060 – Application Filing, Processing, and Approval	3-41
17.310.070 – Findings for Approval of Density Bonus	3-43
Chapter 17.315 – Fences, Walls, and Hedges.....	3-45
17.315.010 – Applicability.....	3-45
17.315.020 – Location, Height, and Type Standards.....	3-45
17.315.030 – Modifications to Location and Height Standards	3-50
17.315.040 – Measurement of Height.....	3-50
17.315.050 – Retaining Walls.....	3-51
17.315.060 – Standards for Specific Types of Fences and Walls.....	3-51
17.315.070 – Materials and Construction.....	3-52
17.315.080 – Permit and Review Procedures	3-54
Chapter 17.325 – Landscaping Standards	3-55
17.325.010 – Purpose	3-55
17.325.020 – Applicability.....	3-56
17.325.030 – Exemptions from Landscaping Requirements	3-56
17.325.040 – Waiver or Modification of Landscaping Requirements.....	3-57
17.325.050 – Landscape Plans.....	3-58
17.325.060 – Landscape Standards	3-58
17.325.070 – Water Waste Prohibited.....	3-60
17.325.080 – Maintenance Required.....	3-61
17.325.090 – Protection of Solar Access.....	3-61
Chapter 17.330 – Off-Street Parking and Loading Standards.....	3-63
17.330.010 – Purpose	3-63
17.330.020 – Applicability.....	3-64
17.330.030 – General Parking Provisions.....	3-64
17.330.040 – Limitations on Parking/Storage of Vehicles.....	3-65
17.330.050 – Number of Parking Spaces Required.....	3-67
17.330.060 – Adjustments to Parking Requirements.....	3-76
17.330.070 – Disabled/Handicapped Parking Requirements.....	3-78
17.330.080 – Parking Design and Development Standards	3-79
17.330.090 – Landscaping Standards for Parking Areas	3-86
17.330.100 – Paving Limitations for Driveways in Residential Zones	3-88
17.330.110 – Bicycle Parking.....	3-88
17.330.120 – Off-Street Loading Design and Development Standards	3-90

	Page
Chapter 17.335 – Sign Regulations.....	3-93
17.335.010 – Purpose	3-93
17.335.020 – Applicability.....	3-94
17.335.030 – General Provisions.....	3-95
17.335.040 – Definitions	3-97
17.335.050 – Prohibited Signs.....	3-112
17.335.060 – Standards for All Types of Signs	3-113
17.335.070 – Standards for Permanent Signs	3-118
17.335.080 – Standards for Specific Types of Permanent Signs.....	3-122
17.335.090 – Standards for Signs for Specific Uses.....	3-130
17.335.100 – Standards for Temporary Signs.....	3-134
17.335.110 – Guidelines for Signs in Downtown Area	3-136
17.335.120 – Procedures for Sign Permits, Exemptions, and Revocations.....	3-136
17.335.130 – Comprehensive Sign Program.....	3-142
17.335.140 – Maintenance	3-144
17.335.150 – Enforcement	3-146
17.335.160 – Nonconforming Signs	3-146
17.335.170 – Abandoned Signs.....	3-148
17.335.180 – Illegal Signs.....	3-148
Chapter 17.350 – Transportation Demand Management.....	3-151
17.350.010 – Purpose	3-151
17.350.020 – Applicability.....	3-151
17.350.030 – Trip Reduction Standards and Plans	3-152
17.350.040 – Trip Reduction Facilities and Methods	3-152
17.350.050 – Enforcement	3-156
17.350.060 – Compliance with AQMD Regulation XV	3-156
17.350.070 – Voluntary Plans and Programs.....	3-156

List of Tables

	Page
Table 3-1	Minimum Separation Distance for Proposed New Sensitive Land Uses3-8
Table 3-2	Maximum Allowed Projections into Setback Areas 3-26
Table 3-3	Summary of State-Mandated Density Bonus Requirements.....3-38
Table 3-4	Standards for Fences, Walls, and Hedges 3-46
Table 3-5	Parking Requirements by Land Use3-69
Table 3-6	Maximum Distances For Off-Site Parking For Nonresidential Uses 3-80
Table 3-7	Parking Space Dimensions 3-84
Table 3-8	Parking Area Dimensions 3-84
Table 3-9	Required Loading Spaces 3-90
Table 3-10	Signs Allowed in Residential Zones 3-119
Table 3-11	Signs Allowed in Commercial, Office, Institutional, and Industrial Zones 3-121
Table 3-12	Number of Employees Generated by Land Uses.....3-151

List of Figures

	Page
Figure 3-1	Outdoor Light and Glare 3-11
Figure 3-2	Height Measurement 3-16
Figure 3-3	Limits on Paving and Hardscaping for Residential Front Yards..... 3-19
Figure 3-4	Screening and Buffering between Different Land Uses and Zones 3-21
Figure 3-5	Screening of Roof-Mounted Equipment..... 3-22
Figure 3-6	Rear Setback Areas on Irregularly-Shaped Parcels 3-25
Figure 3-7	Allowed Projections into Setback Area 3-27
Figure 3-8	Solid Waste Enclosure..... 3-29
Figure 3-9	Traffic Visibility Area for Street-to-Street Intersections..... 3-31
Figure 3-10	Traffic Visibility Area for Street-to-Driveway Intersections 3-32
Figure 3-11	Types of Fencing 3-48
Figure 3-12	Fence, Wall, and Hedge Location and Height..... 3-49
Figure 3-13	Maximum Height of Combined Fence and Retaining Wall 3-50
Figure 3-14	Stepped Retaining Walls 3-51
Figure 3-15	Allowable Recreational Vehicle Storage Area 3-67
Figure 3-16	Downtown Area Subject to Reduced Parking Requirements 3-77
Figure 3-17	Parking Area Layout 3-85
Figure 3-18	Interior Parking Lot Landscaping 3-87
Figure 3-19	Line of Sight Study 3-92
Figure 3-20	Awning Sign..... 3-97
Figure 3-21	Canopy Sign 3-98
Figure 3-22	Changeable Copy Signs..... 3-99
Figure 3-23	Directional Sign..... 3-100
Figure 3-24	Double-Faced Sign..... 3-101
Figure 3-25	Types of Freestanding Signs 3-102

	Page
Figure 3-26 Frontages.....	3-103
Figure 3-27 Projecting Sign	3-106
Figure 3-28 Sign Projection	3-106
Figure 3-29 Electrical Raceway with Channel Letter.....	3-107
Figure 3-30 Temporary Signs.....	3-109
Figure 3-31 Wall Sign.....	3-111
Figure 3-32 Sign Area Measurement	3-115
Figure 3-33 Calculation of Freestanding Sign Area.....	3-116
Figure 3-34 Sign Area Measurement for Three-Dimensional Objects	3-117
Figure 3-35 Example of Sign Types.....	3-120
Figure 3-36 Height of Awning.....	3-123
Figure 3-37 Pylon Sign Proportions	3-125
Figure 3-38 Monument Sign Proportions.....	3-125
Figure 3-39 Appropriate Wall Sign Location.....	3-128
Figure 3-40 Required Separation of Wall Signs	3-128
Figure 3-41 Wall Sign Location on Building Frontage	3-129
Figure 3-42 Real Estate Sign.....	3-140

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Chapter 17.300 – Performance Standards

Sections:

- 17.300.010 – Purpose
- 17.300.020 – Applicability
- 17.300.030 – Air Quality
- 17.300.040 – Electrical Disturbances
- 17.300.050 – Fire Hazards
- 17.300.060 – Noise
- 17.300.070 – Odor
- 17.300.080 – Outdoor Light and Glare
- 17.300.090 – Property Maintenance
- 17.300.100 – Vibration
- 17.300.110 – Waste Disposal
- 17.300.120 – Water Quality

17.300.010 – Purpose

The purpose of this Chapter is to establish uniform performance standards for development within the City that promote compatibility with surrounding areas and land uses.

17.300.020 – Applicability

The provisions of this Chapter apply to all new and existing uses in all zones. Uses of the land that existed on the effective date of this Chapter shall not be altered or modified so as to conflict with, or further conflict with, these standards. If requested by the Director or the review authority, applicants shall provide evidence to the Director that the proposed development is in compliance with the standards in this Chapter and other applicable standards in this Development Code before the issuance of a Building Permit or Business License.

17.300.030 – Air Quality

- A. **Discharge prohibited.** The operation of any structure or use shall not directly or indirectly discharge air contaminants (e.g., carbon, dust, fumes, gases, mist, noxious

acids, odors, particulate matter, smoke, soot, sulfur compounds, etc.) into the atmosphere that exceed any local, State, or Federal air quality standards or that might be obnoxious or offensive to anyone residing or conducting business either on-site or abutting the site.

- B. Compliance with rules and regulations.** Stationary sources of air pollution shall comply with the requirements of the most recent Air Quality Management Plan and any rules identified by the California Environmental Protection Agency (EPA), the California Air Resources Board (ARB), and the South Coast Air Quality Management District (SCAQMD).
- C. SCAQMD permit filing requirements.** If requested by the Director, operators of uses, activities, or processes that require SCAQMD approval to operate shall file a copy of the permit with the Department within 30 days of approval by the SCAQMD.
- D. Minimum separation distances.** The proximity of proposed sensitive land uses to air pollution sources shall be considered in the siting of the sensitive use. For the purposes of this Section, sensitive land uses are those land uses where individuals who are more susceptible to the effects of air pollution (e.g., athletes, children, elderly, sick, etc.) than the population at large are most likely to spend time (e.g., schools and schoolyards, parks and playgrounds, day care centers, nursing homes, hospitals, residential communities, etc.). Table 3-1 (Minimum Separation Distances for Proposed Sensitive Land Uses) identifies the minimum separations between new sensitive land uses and known air pollution sources.

Table 3-1
Minimum Separation Distance for Proposed New Sensitive Land Uses

<i>Air Pollution Source</i>	<i>Minimum Separation Distance for Proposed New Sensitive Land Use</i>
Freeways and High-Traffic Roads	500 feet away from limited access conventional highways (i.e., State Road 79 and the Mid-County Parkway) and from urban arterial highways, as described in the Circulation Element of the General Plan.
Distribution Centers	1,000 feet away from a distribution center that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units (TRUs) per day, or where TRU unit operations exceed 300 hours per week. The review authority should take into account the configuration of existing distribution centers and avoid locating residences and other new sensitive land uses near entry and exit points.
Dry Cleaners Using Perchloroethylene	300 feet away from any dry cleaning operation. For operations with two or more machines, provide for 500 feet of separation. For operations with three or more machines, consult with the South Coast Air Quality Management District (SCAQMD). New sensitive land uses shall not be sited in the same structure with perchloroethylene dry cleaning operations. This provision shall not apply to drop-off and pick-up only operations.
Gasoline Dispensing Facilities	300 feet away from a large gas station (defined as a facility with a throughput of 3.6 million gallons per year or greater). A minimum 50-foot separation shall be required for smaller gas dispensing facilities.

- E. Other performance standards.** Other land use-based air quality-specific performance standards that a review authority may impose include the following:
1. Placing a process vent away from the direction of the local playground that is nearby or increasing the stack height so that emissions are dispersed to reduce the emissions impact on surrounding homes or schools.
 2. Limiting the hours of operation of a facility to avoid excess emissions exposure or foul odors to nearby individuals.
 3. Requiring fleet operators to use cleaner vehicles before project approval (if a new business), or when expanding the fleet (if an existing business); and
 4. Providing alternate routes for truck operations that discourage detours into residential neighborhoods.
- F. Dust control measures.** See Section 17.520.040 (Soil Conservation) for provisions related to dust control.

17.300.040 – Electrical Disturbances

Uses, activities, and processes shall be conducted so as not to produce electric or magnetic fields that adversely affect public health, safety, and welfare including interference with normal radio, telephone, or television reception from off the premises where the activity is conducted, except for amateur radio operations that comply with Federal Communication Commission regulations. Existing or proposed uses that generate electrical disturbances that may be considered hazardous or a nuisance shall be shielded, contained, or modified to prevent any disturbances. Operators of these uses shall comply with all applicable Federal Communications Commission regulations. For regulations of wireless telecommunication facilities, see Section Chapter 17.430.360 (Wireless Telecommunication Facilities).

17.300.050 – Fire Hazards

- A. Structural fire hazards.** The use, handling, storage, and transportation of combustibles and explosives shall comply with the California Fire Code and California Code of Regulations, Title 19 (Public Safety).
- B. Wildland fire hazards.** A fire management plan shall be prepared for all development located in or adjacent to wildfire prone areas (i.e., naturally vegetated hillsides). The fire management plan shall be subject to the review and approval of the Fire Chief. The Fire Chief may require fire protection measures (e.g., landscape or open space buffers), maintenance programs for weed and vegetation abatement, installation of fire resistant plants, and the use of noncombustible building materials, including roofing.

17.300.060 – Noise

Noise emanating from any site or use shall comply with the noise standards contained in Municipal Code Chapter 8.40 (Noise) and in the Noise Element of the General Plan.

17.300.070 – Odor

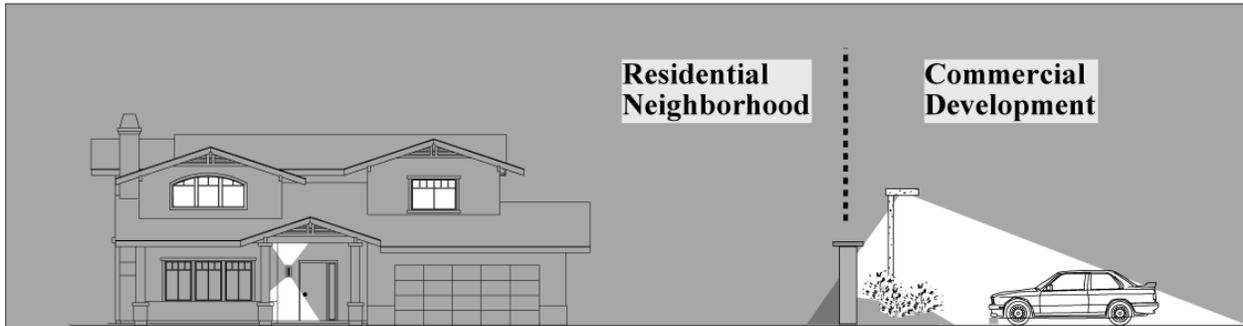
Sources of odorous emissions shall comply with the rules and regulations of the South Coast Air Quality Management District (SCAQMD) and the California Health and Safety Code. Noxious odorous emissions in a matter or quantity that is detrimental to or that endangers the public health, safety, comfort, or welfare is declared to be a public nuisance and unlawful, and shall be modified to prevent further emissions release, except for agricultural operations that are in compliance with Section 17.305.030 (Agricultural Preservation – Right to Farm).

17.300.080 – Outdoor Light and Glare

Light or glare from exterior lights, 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, or upward into the sky. See Figure 3-1 (Outdoor Light and Glare).

- A. Exterior lights shall be located so as to eliminate spillover illumination or glare onto adjoining properties and to prohibit any interference with the normal operation or enjoyment of adjacent property.
- B. Exterior lights shall be made up of a light source, reflector, and shielding devices so that, acting together, the light beam is controlled and not directed across a property line or upward into the sky. Bare bulbs shall not be allowed.
- C. Lighting fixtures used to illuminate an outdoor advertising display shall be mounted on the top of the advertising structure and be directed downward.
- D. Exterior light fixtures existing and legally installed prior to the effective date of this Development Code are exempt from the requirements of this Section. When existing luminaries are reconstructed or replaced, the reconstruction or replacement shall comply with this Section.
- E. Lights used for temporary holiday decorations are exempt from the requirements of this Section.

- F. Portable temporary lighting used by law enforcement or emergency services personnel to protect life or property, are exempt from the requirements of this Section.
- G. For lighting standards for parking areas, see Section 17.330.080 (Parking Design and Development Standards).



**Figure 3-1
Outdoor Light and Glare**

17.300.090 – Property Maintenance

Properties shall be properly maintained in compliance with the following provisions:

- A. Municipal Code Chapter 8.44 (Nuisances);
- B. Municipal Code Chapter 8.60 (Abandoned Residential Property Registration); and
- C. Municipal Code Section 9.12.060 (Graffiti abatement-A condition to issuance of city permits and approval).

17.300.100 – Vibration

Uses, activities, and processes that generate vibrations that may be considered a nuisance or hazard on any adjacent property shall be cushioned or isolated to prevent generation of vibrations. Uses shall be operated in compliance with the following provisions:

- A. Uses shall not generate ground vibration that is perceptible without instruments by the average person at any point along or beyond the property line of the parcel containing the activities;

- B. Uses shall not generate 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 property lines of the parcel;
- C. Uses shall not generate ground vibration that interferes with the operations of equipment and facilities on adjoining parcels; and
- D. Vibrations from temporary construction/demolition equipment and vehicles that leave the subject parcel (e.g., trucks, trains, etc.) are exempt from the provisions of this Section.

17.300.110 – Waste Disposal

An applicant for a proposed nonresidential project that will involve the generation, use, transportation, or storage of hazardous substances shall comply with the requirements of the County of Riverside Department of Environmental Health, which enforces the provisions of the Hazardous Waste Control Law (*Health and Safety Code Section 25100 et seq.*). The City's land use permit application for the project shall include detailed information on hazardous waste reduction, recycling, transportation, and storage, and a plan for emergency response to a release or threatened release of a hazardous material.

17.300.120 – Water Quality

No liquids of any kind shall be discharged into a public or private sewage or drainage system, watercourse, body of water, or into the ground, except in compliance with the following:

- A. The Porter-Cologne Water Quality Control Act (*Water Code Section 13000 et seq.*);
- B. Applicable regulations of the California Regional Water Quality Control Board (RWQCB) [*California Code of Regulations, Title 23 (Waters), Division 3 (State Water Resources Control Board and Regional Water Quality Control Boards)*]; and
- C. Municipal Code Chapter 13.44 (Storm Water Management).

Chapter 17.305 – Development and Use Standards

Sections:

- 17.305.010 – Purpose
- 17.305.020 – Applicability
- 17.305.030 – Access, General
- 17.305.040 – Agriculture Preservation (Right-to-Farm)
- 17.305.050 – Floodplain Management
- 17.305.060 – Height Measurement and Height Limit Exceptions
- 17.305.070 – Hillside Development
- 17.305.080 – Metal Buildings and Structures
- 17.305.090 – Paving Within Residential Front Yard Area
- 17.305.100 – Rural Standards
- 17.305.110 – Screening and Buffering
- 17.305.120 – Setback Regulations and Exceptions
- 17.305.130 – Solid Waste/Recyclable Materials Storage
- 17.305.140 – Surface Mining and Reclamation
- 17.305.150 – Traffic Visibility Area
- 17.305.160 – Undergrounding of Utilities

17.305.010 – Purpose

The purpose of this Chapter is to ensure that all development produces an environment of stable and desirable character that is harmonious with existing and future development, and protects the use and enjoyment of neighboring properties, consistent with the General Plan.

17.305.020 – Applicability

The standards of this Chapter apply to all zones. These standards shall be considered in combination with the standards for each zone in Article 2 (Zones, Allowable Land Uses, and Zone-Specific Standards) and in Article 4 (Standards for Specific Land Uses). In the event of a conflict, the standards specific to the zone or the specific land use shall override these general standards.

All structures, additions to structures, and uses shall conform to the standards of this Chapter as determined to be applicable by the Director, except as identified in Chapter 17.705 (Nonconforming Parcels, Structures, and Uses).

17.305.030 — Access, General

The following are general access requirements applicable to all land uses.

- A. **Access to streets.** Every structure shall be constructed upon or moved to a legally recorded parcel with a permanent means of access to a public street or road, or a private street or road, conforming to City standards. All structures shall be located to provide safe and convenient access for servicing, fire protection, and required off-street parking. Parcels, which are located on a private street or road and were legally established before the effective date of this Development Code, are exempt from the required compliance with the latest adopted City standards for private streets or roads.
- B. **Access to structures.** Structures or features shall not be located in a way that prevents complete pedestrian access at all times to and around a primary structure. Gates or other similar openings at least two and one-half feet in width shall be considered as providing suitable pedestrian access.
- C. **Driveways.** Driveways providing site access shall be from an improved street, alley, public right-of-way, or private right-of-way and shall be designed, constructed, and maintained in compliance with the City's standard specifications.
- D. **Flag lot.** The creation of flag lots shall be discouraged. However, where allowed, a flag lot shall have a minimum 20-foot wide direct access to a public or private right-of-way subject to the approval of the Director. See Municipal Code Section 16.20.120 (Lot side lines).

17.305.040 — Agriculture Preservation (Right-to-Farm)

This Section provides the City's policy regarding the "right to farm" and contains a subdivider's and owner's disclosure statement that acknowledges the subdivider's and owner's understanding of the presence of the adjoining agricultural use and the City's policy regarding its right to continue.

- A. **Policy of the City.** It is the declared policy of the City to preserve, protect, and encourage development of its agricultural land consistent with *Civil Code Section 3482.5*. That Section provides that no agricultural activity, operation, or facility, or appurtenances, conducted or maintained for commercial purposes, and in a manner consistent with proper and accepted customs and standards, as established and

followed by similar agricultural operations in the same locality, shall be or become a nuisance, private or public, due to any changed condition in or about the locality, after it has been in operation for more than three years if it was not a nuisance at the time it began. This policy applies to normally acceptable agricultural operations, as defined in *Civil Code Section 3482.5*, and shall not apply if the agricultural activity, operation, or facility, or appurtenances obstruct the free passage or use, in the customary manner, of any public park, square, street, or highway. This policy shall not invalidate any provision contained in the Health and Safety Code, Fish and Game Code, Food and Agricultural Code, or Division 7 (commencing with Section 13000) of the Water Code, if the agricultural activity, operation, or facility, or appurtenances constitute a nuisance, public or private, as specifically defined or described in any of those provisions.

- B. Subdivisions.** If a subdivision is at any point located within 300 feet of land zoned or used for agricultural uses, the approval of the tentative and final subdivision map or parcel map shall be conditional upon the recordation with the County Recorder of a Right-to-Farm Covenant acknowledging, accepting, and complying with this Section, in substantially the following wording or similar form:

The undersigned, in consideration of recordation of the subdivision by the City of San Jacinto, do hereby covenant and agree with the declared policy of the City of San Jacinto (Right-to-Farm Ordinance) to preserve, protect, and encourage development of its agricultural land consistent with *California Civil Code Section 3482.5* which provides that no agricultural activity, operation, or facility, or appurtenances thereof, as defined in the code, conducted or maintained for commercial purposes, and in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations in the same locality, shall be or become a nuisance, private or public, due to any changed condition in or about the locality, after it has been in operation for more than three years if it was not a nuisance at the time it began; that the described property is in or near agricultural zones or operations and that the residents of the property should be prepared to accept the inconveniences and discomfort associated with normal farm activities. This covenant shall run with the land and be binding upon all future owners, heirs, successors, and assigns to the property.

- C. Notice to owners and tenants.** Project applicants shall prepare a written disclosure statement before the sale, lease, or rental of a dwelling unit that is located within 300 feet of land zoned or used for agricultural purposes. The disclosure statement shall indicate that the buyers/occupants will be living in an area with active agricultural operations and that the noise, odors, and outdoor activity levels may be more intrusive than levels in a typical suburban residential area. Each buyer or tenant shall sign the written disclosure statement acknowledging that they have received, read, and understand the disclosure statement.

17.305.050 – Floodplain Management

See Municipal Code Chapter 15.40 (Floodplain Management).

17.305.060 – Height Measurement and Height Limit Exceptions

- A. Maximum height.** The height of structures shall not exceed the maximum standard established by the applicable zone in Article 2 (Zones, Allowable Land Uses, and Zone-Specific Standards), except as provided in this Section.
- B. Height measurement.** Maximum height shall be measured as the vertical distance from the finished grade to an imaginary plane located parallel to the finished grade at a height allowed by the zone. See Figure 3-2 (Height Measurement).

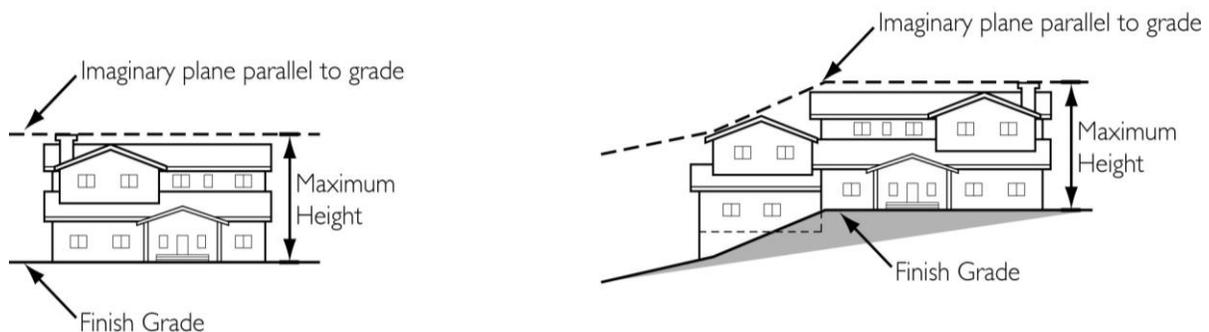


Figure 3-2
Height Measurement

- C. Increase in certain height limits.** The maximum allowable height may be increased by no more than 10 percent for the following structures, unless otherwise noted.
1. Barns, silos, grain elevators, and other farm structures in the RE (Residential Estate) zone.
 2. Architectural features of places of worship.
 3. Cooling towers, smokestacks, or other structures that are necessary to operate allowed industrial processes in industrial zones.
 4. Cupolas, domes, skylights, and gables.
 5. Elevator housings.

6. Fences, hedges, and walls, which shall comply with Chapter 17.315 (Fences, Walls, and Hedges).
7. Fire and hose towers.
8. Fire or parapet walls up to four feet above the allowable height limit of the structure. No mechanical equipment shall exceed the height of the parapet.
9. Flag poles.
10. Mechanical equipment and its screening to include roof-mounted wireless telecommunication support facilities.
11. Noncommercial antenna in compliance with Section 17.425.280 (Satellite/Dish Antenna and Amateur Radio Antenna).
12. Observation and carillon towers.
13. Ornamental towers and spheres.
14. Radio and television station towers.
15. Residential chimneys, flues, smokestacks, and enclosures.
16. Noncommercial solar energy collectors.
17. Signs, which shall comply with Chapter 17.335 (Sign Standards).
18. Stairway housings.
19. Stealth monopole towers, which shall comply with Section 17.425.340 (Wireless Telecommunication Facilities).
20. Water tanks and water towers.
21. Other roof structures and mechanical equipment similar to those listed above.

17.305.070 – Hillside Development

See Municipal Code Chapter 15.28 (Hillside Development).

17.305.080 – Metal Buildings and Structures

- A. Applicability.** This Section provides standards for all metal buildings and structures, except for the following:
1. Small metal storage structures not exceeding 120 square feet and utilized as accessory structures on residentially zoned properties; and
 2. Metal storage structures on sites with existing bona fide agricultural uses.
- B. Prohibited locations.** Prefabricated, all-metal buildings shall be prohibited on properties having frontage along streets with a classification of “Secondary” or higher in the General Plan Circulation Element. This shall not preclude the use of typical metal details (e.g., Cor-Ten™ steel, weathering steel, etc.) on structures approved through the Site Plan and Design Review process.
- C. Design criteria.**
1. Structures utilizing metal sheathing shall be designed to be compatible with surrounding land uses and architecture.
 2. The front of the structures shall face the street, where practical, and shall utilize materials other than metal (e.g., masonry, stone, concrete, wood, glass, etc.), either structurally or applied as a veneer.
 3. The structure’s design shall include an architecturally enhanced roofline (e.g., mansard roof, parapet wall, etc.).
 4. Enhanced treatment shall not end at an exposed corner, but shall wrap around the side walls a distance of at least three feet.

17.305.090 – Paving Within Residential Front Yard Area

- A. Driveways.** As specified in Section 17.330.100 (Paving Limitations for Driveways in Residential Zones), the amount of allowable paving for driveways shall not exceed 35 percent of the required total front yard area. See Figure 3-3 (Limits on Paving and Hardscaping for Residential Front Yards). The Director may approve deviations from this standard for parcels of 50 feet or less in width.
- B. Walkway.** The amount of paved walkways and hardscape shall not exceed 25 percent of the required front yard area. See Figure 3-3 (Limits on Paving and Hardscaping for Residential Front Yards).

- C. **All of front yard area.** A minimum of 40 percent of the front yard shall consist of pervious surfaces for landscaping.
- D. **Zoning Clearance.** New driveway paving and hardscape features (e.g., walkways, patios, etc.) shall require a Zoning Clearance issued in compliance with Chapter 17.655 (Zoning Clearances).

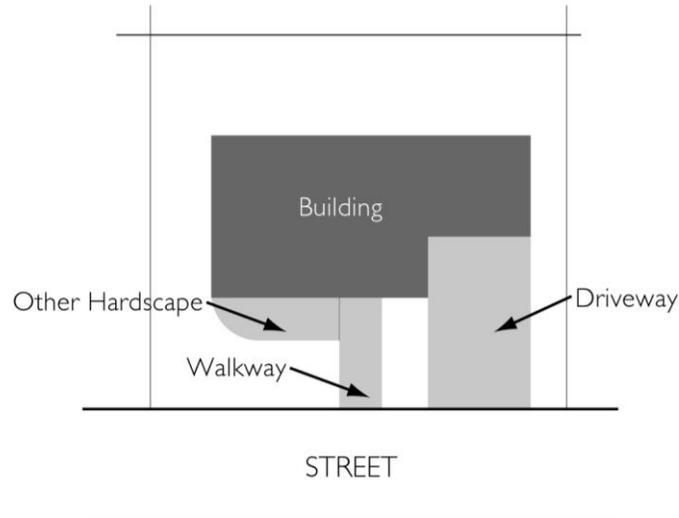


Figure 3-3
Limits on Paving and Hardscaping for Residential Front Yards

17.305.100 – Rural Standards

Improvements in residential subdivisions in the RE (Residential Estate) zone and RR (Rural Residential Zone) shall comply with Municipal Code 16.24.020 (Improvements - Rural Standards).

17.305.110 – Screening and Buffering

This Section establishes screening standards for the separation of adjoining residential and nonresidential land uses, equipment and outdoor storage areas, and surface parking areas. See also Chapter 17.315 (Fences, Walls, and Hedges).

A. Screening between different zones.

1. Screening shall be required between different zones. For example, a nonresidential land use proposed on a site abutting a residential zone shall provide screening at the lot line that is common with the residential zone. See Figure 3-4 (Screening and Buffering between Different Land Uses and Zones).
2. The screen shall consist of plant materials and a solid, decorative wall of masonry or similar durable material installed and maintained in compliance with Chapter 17.315 (Fences, Walls, and Hedges). See Figure 3-4 (Screening and Buffering between Different Land Uses and Zones).
3. The decorative wall shall be architecturally treated on both sides, subject to Director approval.
4. A landscape strip with a minimum width of five feet shall be installed adjacent to a screening wall, except that a greater landscape strip between a parking lot and a screening wall may be required in compliance with Section 17.330.090 (Landscaping Standards for Parking Areas).
5. The Director may waive, or approve a substitute for the requirements of Paragraphs 2, 3, and 4 above, if the Director first determines that:
 - a. The relationship of the proposed uses makes screening unnecessary;
 - b. The intent of this Section can be successfully met by alternative screening methods; or
 - c. Physical characteristics or constraints on the site make the required screening infeasible or unnecessary.

B. Mechanical equipment. Mechanical equipment (e.g., air conditioning, ductwork, heating, plumbing lines, refrigeration equipment, transformers, etc.) shall be screened as provided in this paragraph. Telecommunication equipment and antennae shall be screened in compliance with Section 17.425.340 (Wireless Telecommunication Facilities).

1. Exterior mechanical equipment installed on the ground shall be screened from public view on all sides.
2. Screening of the top of roof-mounted exterior mechanical equipment may be required by the Director, if necessary to protect views from adjacent parcels. See Figure 3-5 (Screening of Roof-Mounted Equipment).

3. Screening materials may be solid concrete, wood, or other opaque material and shall effectively screen the mechanical equipment so that it is not visible from an adjacent parcel or public right-of-way.
4. The method of screening shall be architecturally compatible with other on-site development in terms of colors, materials, and architectural style and subject to the approval of the Director.



Figure 3-4
Screening and Buffering between Different Land Uses and Zones

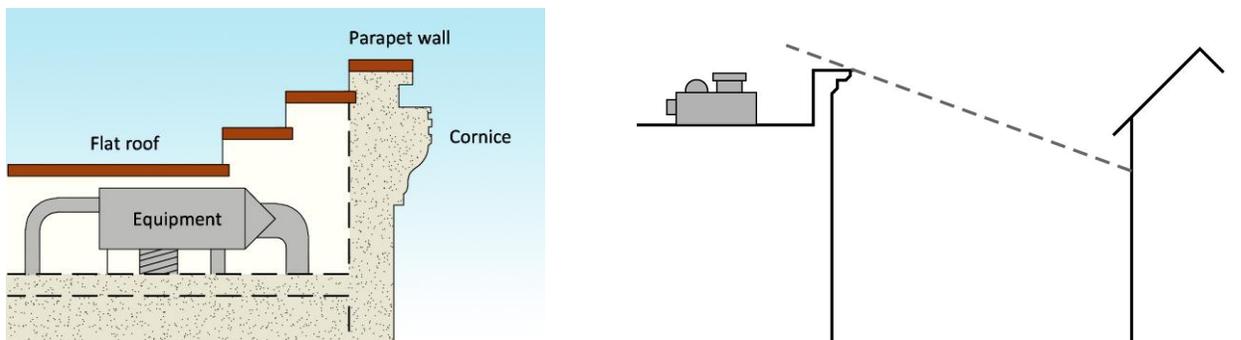


Figure 3-5
Screening of Roof-Mounted Equipment

- C. Utility meters.** Utility meters shall be:
1. Enclosed within subsurface vaults when located within a required front setback or in a street side setback; and
 2. Screened from view from public rights-of-way in compliance with Subparagraphs B.3 and B.4, above, but need not be screened on top or when located within the interior side setback of a single-family parcel.
- D. Loading docks and refuse areas.** Loading docks and refuse storage areas shall be screened so that they are not visible from an adjacent parcel or public right-of-way. The method of screening shall be architecturally compatible with other on-site development in terms of colors, materials, and architectural style and subject to the approval of the Director. Refuse storage areas shall comply with Section 17.305.100 (Solid Waste/Recyclable Materials Storage). The height of screening shall be determined by a sight distance analysis in which the wall intercepts a line drawn from the approximate eye level of a passerby in a vehicle to the top of the loading door.
- E. Screening for other activities and land uses.** Screening shall also be provided in compliance with the standards contained in Chapter 17.330 (Off-Street Parking and Loading) and Article 4 (Standards for Specific Land Uses), as applicable.
- F. Buffering between different land uses.**
1. Buffering between incompatible land uses shall be required. For example, a developer or a subdivider of a residential project shall install buffers between a residential project and adjacent agricultural uses (e.g., dairy farms, crops, horse farms, etc.), subject to approval of the Director.
 2. Roll-up doors and loading doors in nonresidential zones shall not face or be visible from a public right-of-way.
 3. Open space, landscaped buffers, trees, fences or walls, or any combination of them, shall be provided between major roadways and sensitive land uses identified in Section 17.300.030 (Air Quality).

17.305.120 — Setback Regulations and Exceptions

This Section establishes standards to ensure the provision of open areas for access to and around structures, access to natural light and ventilation, landscaping, recreation, separation of incompatible land uses, space for privacy, traffic safety, and visibility.

A. General requirements.

1. All structures shall conform to the setback requirements identified for each zone in Article 2 (Zones, Allowable Land Uses, and Zone-Specific Standards), except as modified for hillside development in compliance with Section 17.305.070 (Hillside Development) or for specific uses in Article 4 (Standards for Specific Uses).
2. Each setback area shall be open and unobstructed from the ground upward, except as provided in Paragraph C (Allowed projections into setback areas).

B. Exemptions from setback requirements. The minimum setback requirements do not apply to the following:

1. A building feature that encroaches into a required setback as allowed by Paragraph D (Allowed projections);
2. A fence or wall six feet or less in height, when located outside of a required front or street side setback;
3. A driveway, walkway, deck, earthwork, step, patio, free-standing solar device in other than a front setback, or other site design element that is placed directly upon grade and does not exceed a height of 18 inches above the surrounding grade at any point;
4. A sign in compliance with Chapter 17.335 (Sign Standards);
5. A retaining wall less than 30 inches in height above finished grade; or
6. An accessibility improvement is not subject to setback or lot coverage limitations if the size of the accessibility improvement does not exceed the minimum design specifications in the California Building Code. For purposes of this provision, an accessibility improvement is an unroofed and open structure, including a ramp and chairlift that: (1) allows a person with a physical disability access to a single-family dwelling and (2) is exterior to the single-family dwelling.

C. Measurement of setback areas. Setback areas -- Figure 8-6 (Setbacks) -- shall be measured as follows:

1. **Right-of-way line.** Whenever a future street right-of-way line is officially established (e.g., by designation in the General Plan, in subdivision map, etc.), required setback areas shall be measured from the established future right-of-way line(s).

2. **Front setback area.**
 - a. **Lots generally.** The front setback area shall be measured by a line, at right angles to the front lot line or by the radial line in the case of curved front lot line, from the nearest point on the front lot line to the nearest relevant setback line.
 - b. **Corner lots.** The front setback area for a corner lot shall be measured by a line, at right angles to the lot line adjoining the street to which access to the property is taken, from the nearest point on that front lot line to the nearest relevant setback line.
 - c. **Through lots.** One of the front setback areas of a through lot may serve as a required rear setback area, provided that the rear setback area conforms to the front setback area of the adjoining parcels.
 - d. **Averaging for infill situations.** In a residential zone, the required front setback area for a parcel may be the average depth of the front setback areas for the two adjacent parcels if the two adjacent parcels have existing structures that:
 - (1) Are located within 25 feet of the parcel's lot lines; and
 - (2) Project beyond the required front setback line.
3. **Side setback area.** The side setback area shall be measured by a line, at right angles to the side lot line, from the nearest point on the side lot line to the nearest relevant setback line.
4. **Street side setback area.** The side setback area on the street side of a corner lot shall be measured from the nearest point on the side lot line adjoining the street to the nearest point of the relevant setback line.
5. **Rear setback area.** The rear setback area shall be measured at right angles from the nearest point on the rear lot line to the nearest relevant setback line, except:
 - a. If an access easement or street right-of-way line extends into or through a rear setback area, the measurement shall be taken from the nearest point of the access easement or right-of-way line; and

- b. Where the side lot lines converge to a point at the rear of the lot, a line at least 10 feet long within the parcel, parallel to and at a maximum distance from the front lot line, shall be deemed to be the rear lot line for the purpose of determining the depth of the required rear setback area. See Figure 3-6 (Rear Setback Areas on Irregularly-Shaped Parcels).

6. **Director’s determination.** In situations different from those identified above, the Director shall have the authority to determine how setbacks shall be measured.

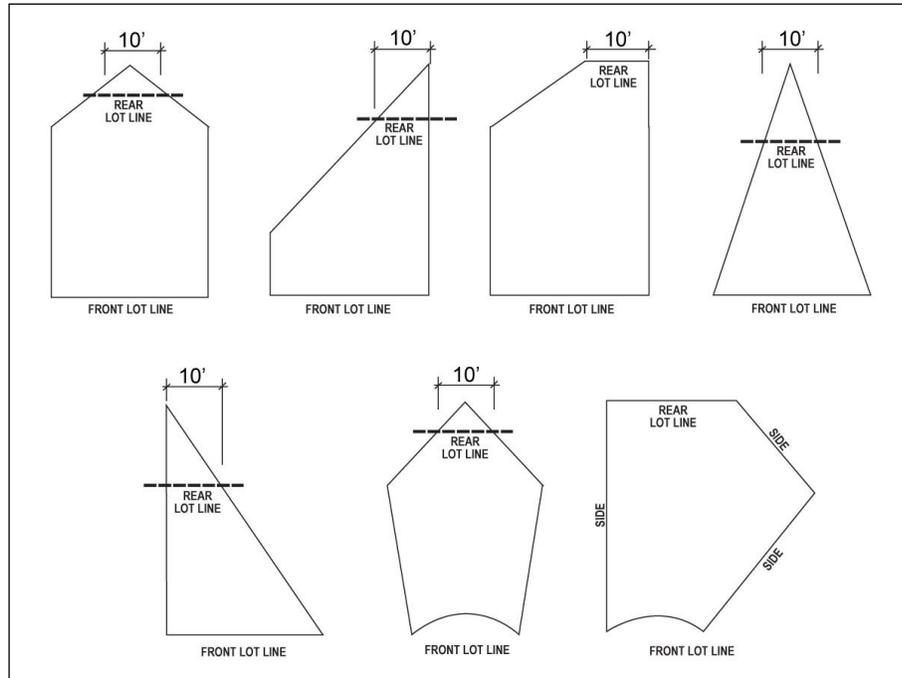


Figure 3-6
Rear Setback Areas on Irregularly-Shaped Parcels

D. Allowed projections into setback areas.

- 1. Projections into required setback areas are allowed for all zones in compliance with the standards in Table 3-2 (Maximum Allowed Projections into Setback Areas), subject to the exceptions in Subparagraph 2, below. For detached accessory structures, see Chapter 17.405 (Accessory Structures and Uses). See Figure 3-7 (Allowed Projections in Setback Areas).

**Table 3-2
Maximum Allowed Projections into Setback Areas**

Projecting Feature	<i>Front Setback Area</i>	<i>Side Setback Area</i>	<i>Rear Setback Area</i>
Architectural Features			
Brackets, cornices, eaves, roof overhangs, etc.	36 inches max.	36 inches max.	36 inches max.
Belt courses, ornamental moldings, pilasters, etc.	6 inches max.	6 inches max.	6 inches max.
Awnings and canopies			
Residential zones	20% of required front setback area or 5 ft, whichever is less	0 ft	20% of required rear setback area or 5 ft, whichever is less
Nonresidential zones	½ depth of required front setback area	2 ft max.	½ depth of required rear setback area
Balconies, decks, landings, porches, stairways			
Uncovered, unenclosed, and less than 30" above grade	6 ft max.	36 inches max.	36 inches max.
Covered, but otherwise unenclosed and less than 30" above grade	6 ft max.	20% of required side setback area	20% of required rear setback area
Covered and enclosed	Not allowed in required setback area		
Uncovered and 30" or more above grade	6 ft max.	36" max.	6 ft max.
Bay windows	30 inches max.	30 inches max.	30 inches max.
Chimneys, fireplaces, and barbecues (attached), 6 ft. or less in width	24 inches max.	24 inches max.	24 inches max.
Fire escapes	Not allowed	48 inches max.	48 inches max.

2. Exceptions to allowed projections.

- a. **Minimum 36-inch wide passageway.** Regardless of the allowed projections into setback areas, a minimum 36-inch wide passageway shall be maintained within at least one side setback area adjacent to the primary structure. The passageway shall be free of any encroachments and obstructions, including fences, walls, mechanical equipment, and other items not attached to the primary structure. No reduction or modification to this requirement shall be allowed.
- b. **Public rights-of-way.** A revocable encroachment permit issued by the City Engineer, with conditions specified in Municipal Code Section 9.12.060 (Graffiti abatement-A condition to issuance of city permits and approval), if applicable, shall be required for any type of projection into a public right-of-way.

- c. **Alleys.** No projections at the ground level are allowed within the required setback area of a parcel abutting an alley.
- d. **Traffic visibility area.** See Section 17.305.120 (Traffic Visibility Area) for restrictions on projections into traffic visibility areas.

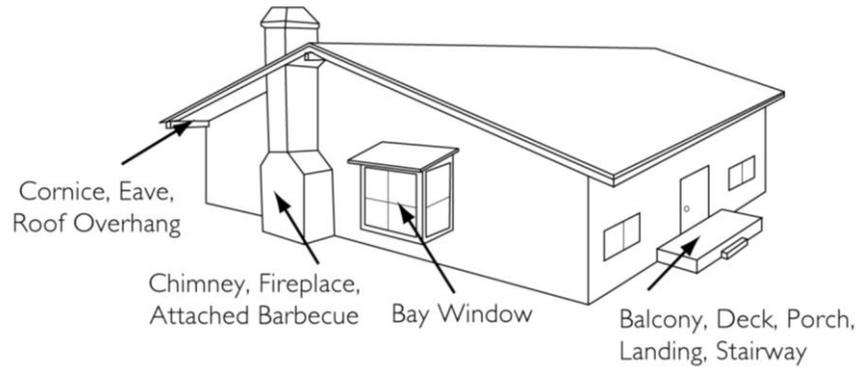


Figure 3-7
Allowed Projections into Setback Area

17.305.130 – Solid Waste/Recyclable Materials Storage

This Section provides standards that support the City's compliance with the California Solid Waste Reuse and Recycling Access Act (*Public Resources Code Sections 42900 through 42911*). Related standards are in Municipal Code Chapter 8.32 (Garbage Collection and Disposal) and Municipal Code Chapter 8.34 (Construction and Demolition Waste Management).

- A. **Applicability.** These requirements apply to new multi-family residential development, nonresidential development, and changes to existing multi-family or nonresidential development that increase gross floor area by 25 percent or more.
- B. **Extent of storage area required.** Solid waste and recyclable materials storage areas shall be provided in the number, dimensions, and types required by the Director or review authority. Additional storage areas may be required, as deemed necessary by the Director or review authority.
- C. **Location requirements.** Refuse and recyclable materials storage areas shall be located in the following manner:
 - 1. Refuse and recyclable material storage areas shall be side-by-side or combined together.

- a. They shall only be located:
 - 1) Inside a specially-designated structure;
 - 2) On the outside of a structure in an approved fence/wall enclosure;
or
 - 3) A designated interior court or yard area with appropriate access
or in rear yards and interior side yards.
- b. Exterior storage area(s) shall not be located in a required:
 - 1) Front setback area;
 - 2) Street side setback area;
 - 3) Parking space; or
 - 4) Landscaped or open space area.
2. Storage area(s) shall be accessible to residents and employees at all times. Storage areas within multi-family residential developments shall be located within 250 feet of an access doorway to the dwellings that they are intended to serve;
3. Driveways or aisles shall provide unobstructed access for collection vehicles and personnel and provide at least the minimum clearance required by the collection methods and vehicles utilized by the designated collector; and
4. Storage areas shall not be placed closer than 20 feet from doors or operable windows of adjacent structures.

D. Design and construction. The design and construction of the storage area(s) shall:

1. Be architecturally compatible with adjacent structures;
2. Prevent removal of bins by unauthorized persons, while allowing ungated pedestrian access for disposal of materials;
3. Provide a concrete pad within the fenced or walled area(s) and a concrete apron in order to facilitate the handling of the individual bins or containers;

4. Minimize potential adverse environmental impacts (e.g., odors, stormwater runoff, etc.); and
5. Be fully screened from view by solid masonry walls, gates, overhead roofs, and landscaping in compliance with Section 17.305.070 (Screening and Buffering). See Figure 3-8 (Solid Waste Enclosure).

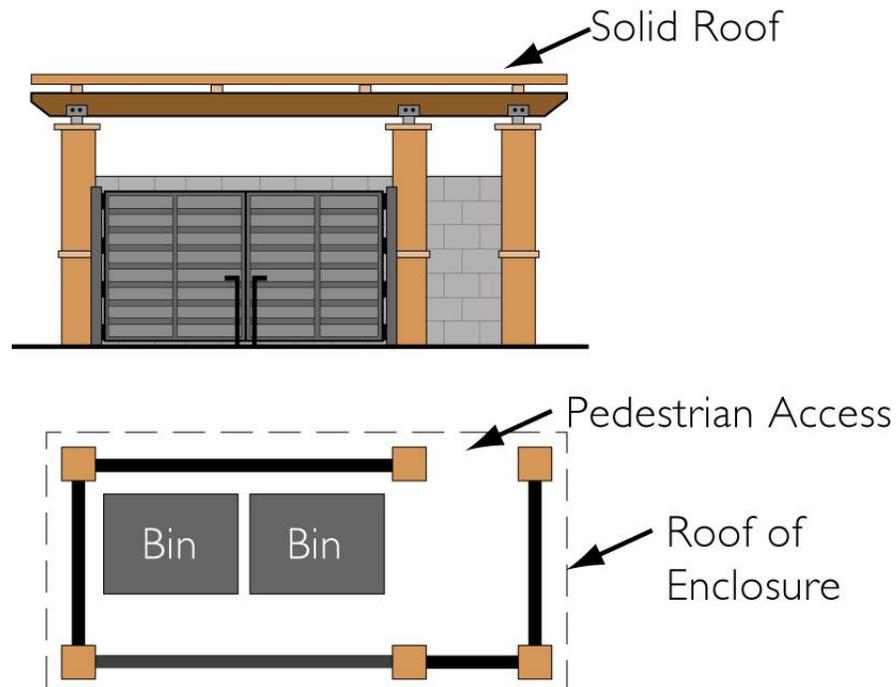


Figure 3-8
Solid Waste Enclosure

17.305.140 — Surface Mining and Reclamation

Refer to Municipal Code Chapter 8.56 (Surface Mining and Reclamation).

17.305.150 — Traffic Visibility Area

- A. **Traffic visibility area required.** Development proposed adjacent to a public or private street or alley intersection, or the intersection of a driveway with a street, shall be designed to provide an area of unobstructed vision, known as a traffic visibility area, to provide for pedestrian and traffic safety.

- B. Measurement of visibility area.** A traffic visibility area may include private property and public right-of-way and is formed by a triangle measured as follows:
- 1. Street intersections.** At the intersection of two streets, the visibility area shall be bounded by measuring from the intersection of the street property lines or the projections thereof to points 25 feet along each of the street property lines and connecting the points with a diagonal line across the parcel. See Figure 3-9 (Traffic Visibility Area for Street-to-Street Intersections).
 - 2. Driveways.** At the intersection of a street and a driveway, the visibility area shall be bounded by measuring from the intersection of the driveway with the street right-of-way line to a point 15 feet along the driveway and to a point 15 feet along the street line, away from the driveway, and connecting the points with a diagonal line across the parcel. See Figure 3-10 (Traffic Visibility Area for Street-to-Driveway Intersections).
 - 3. Reverse corner lots.** For a reverse corner lot on local streets only, adequate sight distance shall be provided that is satisfactory to the City Engineer and shall be maintained in both directions from the centerline of the driveway, as measured 15 feet back from the right-of-way line. Local streets shall be as defined in the Circulation Element in the General Plan.
- C. Height limit.** No structure (e.g., fence, wall, etc.), sign, or landscape element shall exceed 30 inches in height within the traffic visibility area, unless approved by the City Engineer. This limitation shall not apply to existing public utility boxes, traffic signs and signals, trees with their canopy trimmed to a minimum of seven feet above grade, or corners where the contour of the land itself prevents visibility. See example of fence step-down in Figure 3-9 and Figure 3-10.

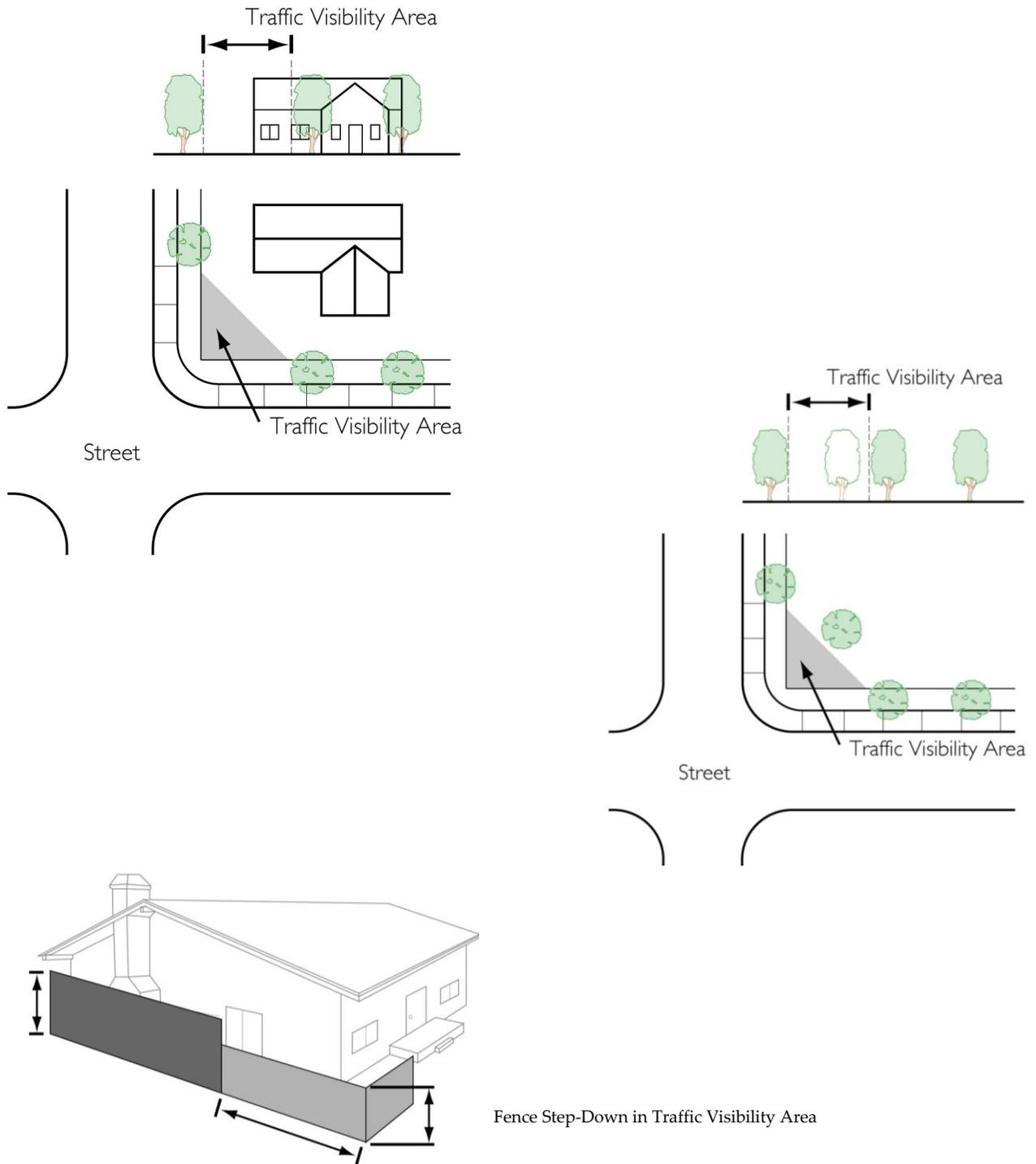


Figure 3-9
Traffic Visibility Area for Street-to-Street Intersections

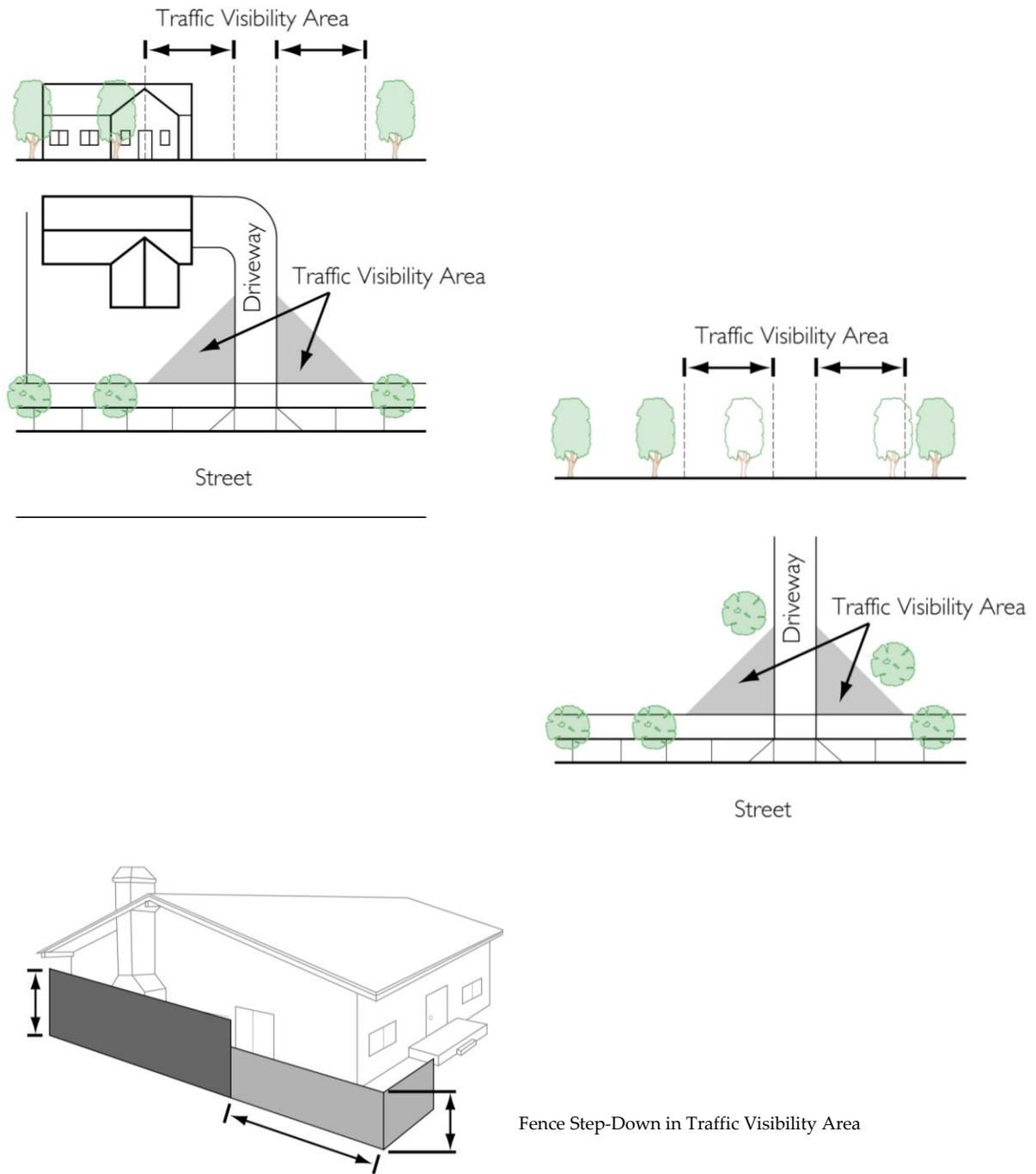


Figure 3-10
Traffic Visibility Area for Street-to-Driveway Intersections

17.305.160 – Undergrounding of Utilities

- A. When undergrounding required.** Except as provided in Subsection C (Exceptions), below, all of the following electrical distribution lines of less than 66,000 volts, communications, video, and similar service wires or cables shall be installed underground:
1. Existing and located within the boundaries of the parcel being developed;
 2. Existing between the lot line and the centerline of the peripheral streets of the parcel being developed; or
 3. Located along or within six feet of the lot lines of the parcel to be developed and that do not provide service to immediate adjacent properties.
- B. Responsibility for undergrounding.** The developer shall be responsible for complying with this Section and the California Public Utilities Commission rules and regulations. Facilities fronting public streets shall be installed underground to the next available pole, or to a location minimizing impacts on adjacent properties and approved by the City Engineer. The developer shall make all necessary arrangements with the utility company for the installation of the facility.
- C. Exceptions to undergrounding requirement.** The following exceptions shall apply:
1. Utility service poles may be placed in the area within six feet of the rear lot line of the property to be developed for the sole purpose of terminating underground facilities.
 2. Temporary aerial relocation of existing facilities may be allowed to accommodate construction for an agreed-upon time period based on the developer/owner obtaining valid Building Permits, Temporary Use Permits in compliance with Chapter 17.640 (Temporary Use Permits), and other permits required by the Municipal Code.
 3. Equipment (e.g., surface-mounted transformers; pedestal-mounted terminal boxes and meter cabinets; concealed ducts in an underground system, etc.) may be placed aboveground when installation underground is not technologically feasible, as determined by the City Engineer. Equipment installed aboveground shall be screened from public view in compliance with Section 17.305.070 (Screening and Buffering).
 4. Residential development containing three or fewer residential units shall be exempt from Subsection A (when undergrounding required), above.

D. Temporary waivers.

1. The City Manager may temporarily waive the requirement to underground existing aerial facilities when a project applicant files a formal request in the following circumstances:
 - a. Developments consisting of more than three residential units but having less than 600 feet of street frontage;
 - b. Nonresidential uses having less than 600 feet of street frontage; or
 - c. When electrical distribution lines of less than 66,000 volts, communications, video, or similar service wires or cables are located on developed property on the other side of a public right-of-way from the proposed development.
2. In the event of a waiver in connection with Subparagraphs 1.a. or 1.b. above, an estimated cost for undergrounding utilities shall be determined and cash in this amount shall be deposited with the City in compliance with Section 17.660.070 (Performance Guarantees). This cash amount shall be held in trust by the City until an area sufficient in size to warrant the formation of an underground utility district or until costs for undergrounding a minimum distance of 600 feet, or a greater distance as determined by the City Engineer, have been collected.
3. In the event of a waiver in connection with Subparagraph 1.c. above, an estimated cost for undergrounding utilities shall be determined and cash in an amount equal to 50 percent of the estimated cost shall be deposited with the City in compliance with Section 17.660.070 (Performance Guarantees). The fee shall be held in trust by the City until an area sufficient in size to warrant the formation of an underground utility district or other similar undergrounding program has been collected.

E. Nonconforming structures.

1. A structure that is nonconforming, due to above-ground on-site utility lines, may continue to be used, altered, or enlarged as if the nonconforming utility lines did not exist. However, the utility lines shall be installed underground when any of the following occurs:
 - a. The structure(s) is enlarged to over 2,500 square feet in area;
 - b. Alteration or enlargement requires the installation of utility lines at new locations on the structure(s);

- c. Existing electrical capacity to the structure(s) is increased 100 percent or more; or
 - d. The structure(s) is improved in an amount of more than \$35,000, as may be adjusted from time to time by the City Council.
2. Notwithstanding Subparagraph 1, above, nonconforming structures located in an area eligible for use of Rule 20 funds (i.e., funds from the local electric utility to relocate overhead electric facilities and install them underground), the developer/owner shall pay the fee required by the City and the local electric utility.

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Chapter 17.310 – Affordable Housing – Density Bonuses

Sections:

- 17.310.010 – Purpose
- 17.310.020 – Applicability
- 17.310.030 – Eligible Projects for Density Bonus
- 17.310.040 – Concessions or Incentives
- 17.310.050 – Waivers or Reductions
- 17.310.060 – Application Filing, Processing, and Approval
- 17.310.070 – Findings for Approval of Density Bonus

17.310.010 – Purpose

This Chapter offers density bonuses and incentives or concessions for the development of housing that is affordable to very-low income, lower- income, and moderate-income or senior households. This Chapter is intended to implement the requirements of *Government Code Section 65915 et seq.* and the Housing Element of the General Plan.

17.310.020 – Applicability

The regulations in this Chapter apply to proposed residential development consisting of five or more dwelling units, where allowed by Article 2 (Zones, Allowed Uses, and Zone-Specific Standards). An applicant may request a density bonus and may also request concessions, incentives, reductions, or waivers consistent with the requirements of this Chapter and *Government Code Section 65915 et seq.*

17.310.030 – Eligible Projects for Density Bonus

A. Eligible projects.

1. The type of development that is eligible for a density bonus, the number of density bonuses, and the number of concessions or incentives is identified in Table 3-3 (Summary of State-Mandated Density Bonus Requirements).

**Table 3-3
Summary of State-Mandated Density Bonus Requirements**

Residential development projects of five or more dwelling units			
<i>Target Household Or Project</i>	<i>Eligibility Threshold Minimum % Restricted Affordable Units</i>	<i>Density Bonus (1)</i>	<i>Maximum # Concessions/Incentives (2)</i>
Lower Income Household Health & Safety §50079.5	10%	20%	1
	1.5% increase in density bonus for every 1% of dedicated units over 10% threshold (maximum 35% density bonus)		
	20%	35%	2
	30% or above	35%	3
Very-Low Income Household Health and Safety §50105	5%	20%	1
	2.5% increase in density bonus for every 1% of dedicated units over 5% threshold (maximum 35% density bonus)		
	10%	32.5%	2
	11%	35%	2
	15% or above	35%	3
Moderate Income Household Health and Safety §50093 (only common interest development (3) where all of the units are offered for sale)	10%	5%	1
	1% increase in density bonus for every 1% of dedicated units over 10% threshold (maximum 35% density bonus)		
	20%	15%	2
	30%	25%	3
Senior housing project or mobile home park that limits residency based on age per Civil Code §798.76 or §799.5 No household income limitations	100% age-restricted	20%	None
Other Development			
<i>Target Project</i>	<i>Eligibility Threshold</i>	<i>Density Bonus (1)</i>	<i>Maximum # Concessions/Incentives (2)</i>
Land Donation	Application for a tentative map, parcel map, or other residential development approval	See Government Code §65915(g)	None
Child care facility	Residential development	1 concession/incentive or a density bonus, at the City's option, but not both Government Code §65915(h)	
	Commercial and industrial development	Government Code §65917.5	

Notes:

- (1) See Government Code §65915(f) (Density bonus defined).
 (2) See 17.310.040 (Incentives or Concessions).
 (3) See Civil Code §1351 (Common interest development defined).

- B. Calculations.** The applicant may request a lesser density bonus than that which is available to the project; however, the City shall not be required to similarly reduce the number or type of units required to be provided in compliance with Government Code Sections 65915(b), 65915(c), and 65915(f). In calculating the density bonus for a project, each project shall be entitled to only one density bonus as provided in Section 65915(b)(2), and density bonuses from more than one category may not be combined. When calculating the number of required affordable units to qualify a project for a density bonus, the affordable units themselves shall not be included when calculating the number of housing units that make a project eligible for a density bonus. Any calculations resulting in fractional units shall be rounded up to the next larger integer. The density bonuses that are awarded to a density bonus housing development in a commercial zone are provided in the form of an increase in the allowable floor area over the otherwise allowable floor area.

17.310.040 – Concessions or Incentives

- A. Concessions or incentives defined.** For purposes of this Section, a concession or incentive shall mean a regulatory concession or incentive as defined in Government Code Section 65915(k) and as permitted by Government Code Section 65915(d).
- B. Number.** The number of eligible concessions or incentives for an eligible project is provided in Table 3-3 (Summary of State-Mandated Density Bonus Requirements).
- C. Type of incentive or concession.** The following types of concessions or incentives are available for an eligible project:
- 1. By-right parking incentives.** Parking incentives are available for an eligible project by-right and are not included when calculating the number of concessions and incentives that are allowed in Table 3-3 (Summary of State-Mandated Density Bonus Requirements).
 - a. Density bonus developments shall be granted the following maximum parking standards, inclusive of handicapped and guest parking, which shall apply to the entire development, not just the restricted affordable units, when requested by a project applicant:
 - (1) Zero to one bedrooms: One on-site parking space.
 - (2) Two to three bedrooms: Two on-site parking spaces.
 - (3) Four and more bedrooms: Two and one-half on-site parking spaces.

- b. 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. For purposes of this Subsection, a development may provide on-site parking through uncovered parking, but not through on-street parking.
2. **Discretionary incentives.** A housing developer may request the following specific incentives or may submit a proposal for other incentives or concessions that results in identifiable, financially sufficient, and actual cost reductions:
 - a. **Menu of concessions/incentives in residential zones.** Eligible housing developments in residential zones may request one or more of the following incentives, as applicable:
 - (1) Up to a 15 percent deviation from one side setback requirement.
 - (2) Up to a 10 percent deviation from parcel coverage requirement.
 - (3) Up to a 15 percent deviation from front or rear setback requirements so long as rear setback is at least five feet.
 - (4) Up to a 10 percent reduction in required parking spaces
 - b. **Menu of concessions/incentives in commercial zones.** Eligible housing developments in commercial zones may request one or more of the following incentives, as applicable:
 - (1) Elimination of any restriction on the number of stories that can be constructed within the allowable height limit of the commercial zone in which the development is constructed.
 - (2) Reduction of the private open space requirement.
- D. **Financial incentives.** Nothing in this Section requires the City to provide direct financial incentives for the residential development project, including but not limited to financial subsidies, publicly owned land, fee waivers, or waiver of dedication requirements. The City at its sole and absolute discretion may choose to provide direct financial incentives.
- E. **Approval.** The granting of an incentive or concession shall not be interpreted, in and of itself, to require a General Plan amendment, Zoning Map amendment, or other discretionary approval.

17.310.050 – Waivers or Reductions

A. Waiver request.

1. An applicant may submit to the City a proposal for the waiver or modification of development and zoning standards that would otherwise inhibit the utilization of a density bonus on a specific site.
2. For the purposes of this Section, a development standard is as defined in Government Code Section 65915(o)(1).
3. The granting of a waiver shall be allocated to the entire development and not on a per parcel basis. For example, a side setback reduction could be applied to each and every parcel in a development and still count as only one concession or incentive.

B. Response to waiver request. As required by Government Code Section 65915(e), the City shall not apply a development standard that will have the effect of precluding development at the densities or with the incentives or concessions allowed by this Chapter, unless the City can make the findings specified in Section 17.310.070 (Findings for Approval of Density Bonus).

C. Effect of request for waiver. A proposal for the waiver or reduction of development standards shall neither reduce nor increase the number of incentives or concessions to which the applicant is entitled under this Chapter.

17.310.060 – Application Filing, Processing, and Approval

A. Permit requirement. Except as provided by Government Code 65589.4, a request for a density bonus and other incentives or concessions shall be evaluated and decided through Conditional Use Permit approval in compliance with Chapter 17.605 (Conditional Use Permits and Minor Use Permits).

B. Applicable review authority. For the purposes of approving a density bonus request and concessions or incentives, the Commission shall make a recommendation to the Council on whether to approve or disapprove the application for a Conditional Use Permit and the Council shall make the final decision as described in Chapter 17.605 (Conditional Use Permits and Minor Conditional Use Permits).

C. Contents of application. An application for a density bonus, incentive, concession, waiver, modification, or revised parking standard shall be submitted in conjunction with the first application for the development project and shall be processed

concurrently with all other applications required for the project. The cost of reviewing any required data submitted as part of the application in support of a request for a concession or incentive, including but not limited to the cost to the City of hiring a consultant to review the data, shall be borne by the applicant. The application shall be submitted on a form provided by the City and shall include, at a minimum, the following information:

1. A site plan showing the total number of units, the number and location of the affordable or senior units qualifying the project for a density bonus, and the number and location of the proposed density bonus units;
 2. The level of affordability of any proposed affordable units and their conformance with Government Code Section 65915(c);
 3. A description of any requested incentives, concessions, waivers, or reductions of development standards, or modified parking standards. An application for an incentive or concession shall also include a pro-forma demonstrating to the City that the requested concession or incentive results in an identifiable, financially sufficient, and actual cost reduction. Where the applicant is requesting the reduction or waiver of a development standard, the applicant shall submit evidence demonstrating that the application of the development standard would physically preclude construction of the project at the densities or with the concessions or incentives to which the project is entitled under this Chapter.
 4. If a density bonus is requested for a land donation in compliance with Government Code Section 65915(g), the application shall show the location of the land to be dedicated and shall provide evidence that the requirements of Section 65915(g) have been met.
 5. If a density bonus is requested for construction of a child care facility in compliance with Government Code Section 65915(h), the application shall show the location and square footage of the proposed facility and shall provide evidence that the requirements of Section 65915(h) have been met.
- D. Density bonus agreement.** The project developer and the City shall enter into a density bonus agreement with the City in the City's standard form of agreement. The agreement shall include provisions to maintain the availability of for-sale and rental affordable housing units; shall be in recordable form; and shall be binding on all future owners, developers, and successors-in-interest.

17.310.070 – Findings for Approval of Density Bonus

- A. Findings for CUP approval.** In addition to the findings required by Section 17.605.060 (Findings and Decisions) for the approval of a Conditional Use Permit, the review authority shall make the following findings, as applicable, before approving a request for a density bonus, incentive, concession, parking reduction, or waiver:
1. The residential development project is eligible for a density bonus and for any concessions, incentives, waivers, or parking reductions requested; conforms to standards for affordability in Government Code Section 65915(c); and includes a financing mechanism for implementation and monitoring costs;
 2. Any requested incentive or concession will result in identifiable, financially sufficient, and actual cost reductions based upon appropriate financial analysis and documentation required by this Chapter;
 3. If the density bonus is based all or in part on dedication of land, all of the requirements in Government Code Section 65915(g) have been met;
 4. If the density bonus, incentive, or concession is based all or in part on the inclusion of a child care facility, all of the requirements in Government Code Section 65915(h) have been met;
 5. If the incentive or concession includes mixed uses, all of the findings included in Government Code Section 65915(k)(2) can be made; and
 6. If a waiver or reduction of a development standard is requested, the development standard would have the effect of physically precluding the construction of the development project at the density or with the incentives or concessions permitted by Government Code Section 65915.
- B. Denial of incentive or concession.** The review authority may deny a request for an incentive or concession only if it can make a written finding, based upon substantial evidence, of one of the following:
1. The incentive or concession is not required to provide for affordable rents or affordable ownership costs, as provided in Government Code Section 65915(d)(1)(A);
 2. The incentive concession would have a specific adverse impact upon public health and safety, or the physical environment, or on any real property listed in the California Register of Historical Resources, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the

development unaffordable to low-income, very-low income, and moderate-income households. For the purpose of this Subparagraph, "specific adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, written public health or safety standards, policies, or conditions, as they existed on the date that the application was deemed complete; or

3. The concession or incentive would be contrary to State or Federal law.

C. Denial of waiver or reduction. The review authority may deny a request for a waiver or reduction only if it can make a written finding, based upon substantial evidence, of one of the following:

1. The waiver or modification would have a specific adverse impact upon public health and safety, or the physical environment, or on any real property listed in the California Register of Historical Resources, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low-income, very-low income, and moderate-income households. For the purpose of this Subparagraph, "specific adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, written public health or safety standards, policies, or conditions as they existed on the date that the application was deemed complete; or
2. The waiver or reduction would be contrary to State or Federal law.

D. Denial based on provision of child care facilities. The review authority may deny a density bonus, incentive, or concession that is based on the provision of child care facilities only if it can make a written finding, based on substantial evidence, that the City already has adequate child day care facilities.

Chapter 17.315 – Fences, Walls, and Hedges

Sections:

- 17.315.010 – Applicability
- 17.315.020 – Location, Height, and Type Standards
- 17.315.030 – Modifications to Location and Height Standards
- 17.315.040 – Measurement of Height
- 17.315.050 – Retaining Walls
- 17.315.060 – Standards for Specific Types of Fences and Walls
- 17.315.070 – Materials and Construction
- 17.315.080 – Permit and Review Procedures

17.315.010 – Applicability

The regulations for fences, walls, and hedges apply to the RE, RR, RL, RM, RH, RVH, CD, CG, CN, CR, OP, BP, IL, IH, OSG, OSR, and PI zones. For development in an SP (Specific Plan) zone or subject to a Planned Development Permit issued in compliance with Chapter 17.620 (Planned Development Permits), the height, location, and design of fences, walls, and hedges shall be determined by the specific plan development standards or the conditions of the planned development permit.

17.315.020 – Location, Height, and Type Standards

The location and height of fences, walls, and hedges shall be determined by the setback area for the zone in which the property is located as indicated in Tables 2-3, 2-4, 2-7, 2-10, and 2-13 in Article 2 (Zones, Allowable Land Uses, and Zone-Specific Standards). Table 3-4 (Standards for Fences, Walls, and Hedges) indicates the allowed location and height of fences, walls, and hedges subject to the required setback area(s) of the applicable zone. See Figure 3-11 (Types of Fencing) and Figure 3-12 (Fence, Wall, and Hedge Location and Height).

**Table 3-4
Standards for Fences, Walls, and Hedges**

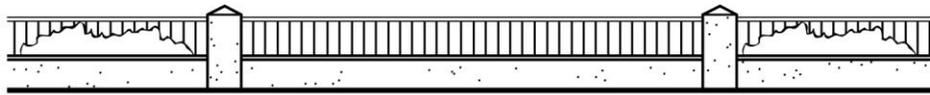
Residential Zones		
<i>Location of Fence or Wall</i>		<i>Height – Maximum unless otherwise noted</i>
<i>A = Allowed but not required. R = Required. MUP – Minor Use Permit (17.605) --- = Not allowed.</i>		
Fencing = fence or solid wall, solid wall is preferred		
Within front setback area or on the front lot line	A	4 ft solid or open fencing Minor decorative entry treatments (e.g. arbor, trellis, etc.)
Within street side setback area (1) or on the street side lot line	R	6 ft maximum solid fencing
Within interior side setback area or on interior side lot line (3)	R	6 ft solid or open fencing
	MUP	2 ft of additional screening at least 50% open (2)
Within rear setback area or on rear lot line	R	6 ft solid or open fencing
	MUP	2 ft of additional screening at least 50% open (2)
Outside of a required setback area	A	6 ft solid or open fencing
At intersections of alleys, streets, and driveways	A	30 inches See Section 17.305.150 (Traffic Visibility Area)
Between front lot line and sidewalk	---	---
Between street side lot line and sidewalk if distance is less than 4 ft	A (4)	6 ft solid fencing
Between rear lot line and sidewalk if distance is less than 4 ft	A (4)	6 ft solid fencing
<i>Location of Hedge</i>		<i>Height – Maximum unless otherwise noted</i>
All portions of parcel, except	A	8 ft
Between front lot line and sidewalk	---	---
Between street side lot line and sidewalk edge if distance is less than 4 ft	A (4)	4 ft
Between rear lot line and sidewalk edge if distance is less than 4 ft	A (4)	4 ft
At intersections of alleys, streets, and driveways	A	30 inches –See Section 17.305.150 (Traffic Visibility Area)

**Table 3-4
Standards for Fences, Walls, and Hedges**

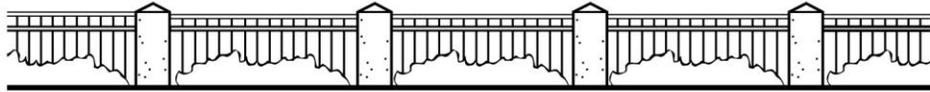
Commercial Zones – CD, CG, CN, and CR		
<i>Location of Fence or Wall</i>		<i>Height – Maximum unless otherwise noted</i>
<i>A = Allowed but not required. R = Required. MUP – Minor Use Permit (17.605), --- = Not allowed.</i>		
Fencing = fence or solid wall, solid wall is preferred		
On front lot line, street side lot line	---	---
On interior side lot line	A	8 ft solid or open fencing, but only 4 ft for the 20 feet closest to and perpendicular to a right-of-way
On rear lot line	R	8 ft solid or open fencing
Within or behind all setback areas	A	4 ft
At intersections of alleys, streets, and driveways	A	30 inches - See Section 17.305.150 (Traffic Visibility Area)
<i>Location of Hedge</i>		<i>Height</i>
Within or behind all setback areas	A	4 ft
At intersections of alleys, streets, and driveways	A	30 inches - See Section 17.305.150 (Traffic Visibility Area)
Business, Industrial, and Other Special Zones – BP, OP, IL, IG, OSG, OSR, and PI		
<i>Location of Fence or Wall</i>		<i>Height – Maximum unless otherwise noted</i>
<i>A = Allowed but not required. R = Required. --- = Not allowed.</i>		
Behind required front or street side setback area	A	6 ft solid or open fencing
	MUP	2 ft of additional screening at least 50% open (2)
Within required front or street side setback area	---	---
At intersections of alleys, streets, and driveways	A	30 inches - See Section 17.305.150 (Traffic Visibility Area)
<i>Location of Hedge</i>		<i>Height – Maximum unless otherwise noted</i>
All portions of parcel	A	4 ft

Notes:

- (1) If a fence or wall is located in a required street side setback area, the fence or wall shall not extend any closer than 20 feet to the front lot line or as allowed by Section 17.305.150 (Traffic Visibility Area), whichever is most restrictive.
- (2) An additional two feet of fence height may be added to any allowed six-foot high fence located on the rear lot line or interior side lot line of a residential use or zone abutting any nonresidential use or zone subject to a Minor Use Permit approved in compliance with Chapter 17.605 (Conditional Use Permits and Minor Use Permits).
- (3) The side yard fence shall be set back a minimum of five feet from the front of the structure. Where the five-foot setback conflicts with a door or window opening, the Director shall determine the appropriate setback.
- (4) Allowed against rear of sidewalk only with Encroachment Permit approved by City Engineer. For street side lot lines and rear lot lines abutting streets, "street" shall include public and private streets, publicly maintained alleys, and driveways serving flag lots; provided the driveway serves at least two parcels and is at least 20 feet wide.



Elevation of Wall / Wrought Iron Combination

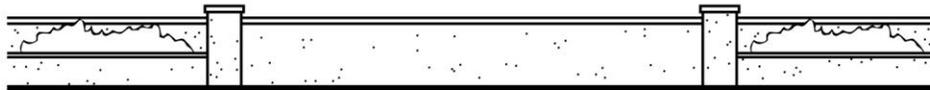


Elevation of Wrought Iron with Pilasters

Examples of Open Fencing



Elevation of Staggered Wall



Elevation of Planters / Wall



Elevation of Wall with Breaks

Examples of Solid Fencing

Figure 3-11
Types of Fencing

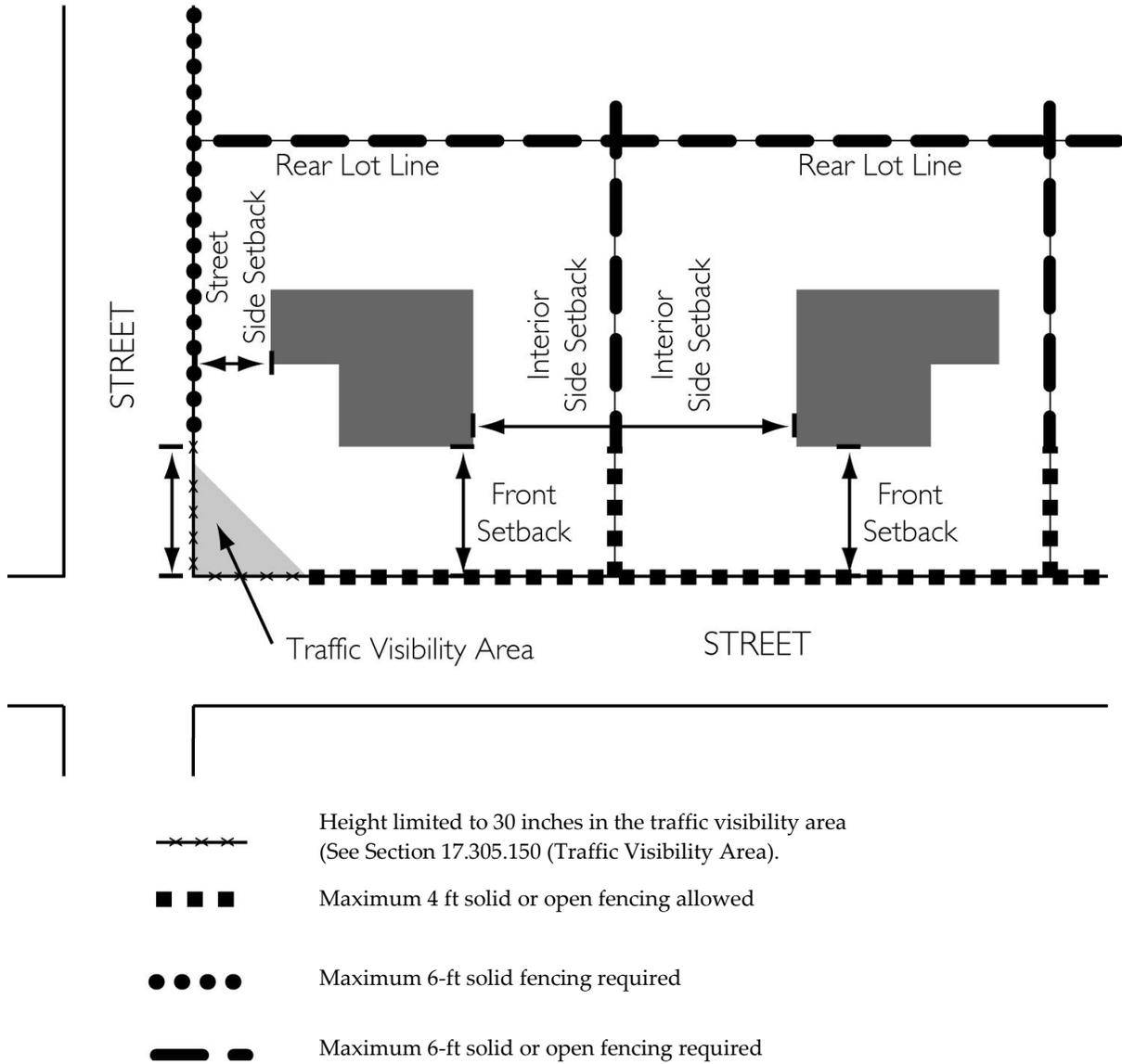


Figure 3-12
Fence, Wall, and Hedge Location and Height

17.315.030 – Modifications to Location and Height Standards

- A. **Irregularly shaped lots.** For flag lots and other irregularly shaped parcels where the required fence location is not consistent with the required setback area for the zone in which the property is located, the Director may allow a modification to the required fence location at the Director's discretion.
- B. **Screening.** The height of fences and walls that are intended to screen loading areas in nonresidential zones from the view from residential zones shall be determined by a line-of-sight study prepared in compliance with Section 17.330.120 (Off-Street Loading Design and Development Standards).
- C. **Retaining walls.** See Section 17.315.050 (Retaining Walls).

17.315.040 – Measurement of Height

- A. **Flat elevation.** Fence height shall be measured as the vertical distance between the highest finished grade of the ground abutting the fence and the top edge of the fence material. Adjacent grades shall not be artificially elevated in order to allow for a fence or wall that is higher than the allowable maximum height.
- B. **Sloping elevation or with retaining walls.** For fences on sloping ground or on retaining walls, solid fence height of six feet may be allowed as measured from the up-slope property so long as a total height, inclusive of any retaining wall, does not exceed 10 feet as measured from the down-slope property. See Figure 3-13 (Maximum Height of Combined Fence and Retaining Wall).

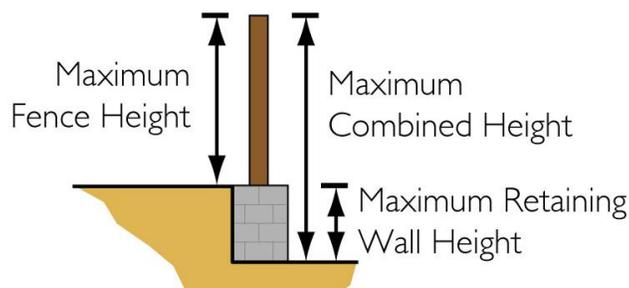


Figure 3-13
Maximum Height of Combined Fence and Retaining Wall

17.315.050 – Retaining Walls

- A. Stepped retaining walls.** Slopes are discouraged. An embankment to be retained that is over 36 inches in height shall be stepped so that no individual exposed retaining wall exceeds 36 inches in height, and each intervening step is a minimum width of 36 inches. See Figure 3-14 (Stepped Retaining Walls).
- B. Retaining walls in required front setback area.** Retaining walls not exceeding 36 inches in total height may be allowed in a required front setback area, provided that the coverage does not exceed five percent of the required front setback area. On corner lots, retaining walls shall not be located within the traffic visibility area identified in Section 17.305.150 (Traffic Visibility Area).

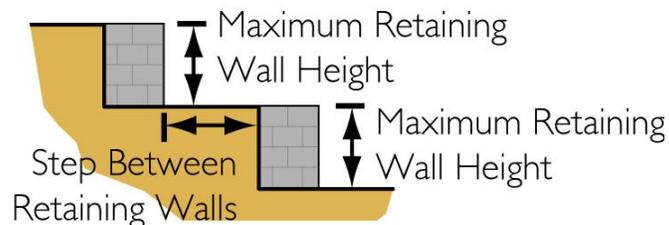


Figure 3-14
Stepped Retaining Walls

- C. Retaining walls on hillsides.** For parcels that are located on hillsides, the location and height standards for retaining walls may be modified in compliance with Section 17.305.070 (Hillside Development Standards).

17.315.060 – Standards for Specific Types of Fences and Walls

- A. Temporary security fences.** Temporary security fences may be erected around construction sites during the time a valid Building Permit is in effect for construction. A Temporary Use Permit is not required and the fences do not have to comply with the location requirements of Table 3-4, except that a traffic safety visibility area shall be maintained in compliance with Section 17.305.150 (Traffic Visibility Area). Temporary security fences shall be immediately removed upon completion of the construction authorized by the Building Permit.
- B. Fencing for tennis courts.** When located in a rear or side yard, up to 12 feet of fence height may be allowed for tennis courts with the approval of a Minor Use Permit in compliance with Chapter 17.605 (Conditional Use Permits and Minor Use Permits).

- C. **Swimming pools.** A swimming pool, hot tub, spa, or the entire property on which any of these are located shall be walled or fenced to prevent uncontrolled access in compliance with the California Building Code.
- D. **Separation of uses required.** Fences and walls shall be required to separate residential from nonresidential uses.

17.315.070 – Materials and Construction

A. **Materials in all zones.**

1. **When in areas where not normally allowed.** Fences and walls that are authorized in an area where they are normally prohibited shall be constructed of brick, concrete, decorative masonry, wrought -iron, or any other similar materials acceptable to the Director.
2. **When for purpose of separating land uses or zones.** Fences and walls that separate different land uses or zones shall be constructed only of decorative masonry.
3. **Gates.** Gates in fences and walls shall be chain link, wrought iron, vinyl, or any other similar materials acceptable to the Director.
4. **Prohibited materials.** Barbed wire, razor wire, or any other similar materials that contain an electrical charge that can be touched from outside the fence and wall shall be prohibited.
5. **Compatibility with existing theme.** Where a fence and wall type or theme exists in a development, fences and walls that are replaced or repaired shall be consistent with the existing fence and wall type or theme.
6. **Alternative materials.** The Director may approve alternative fence and wall materials, if the Director finds a need for the alternative fence and wall materials due to special security or inventory display considerations.
7. **Wood.** Wood fences, where allowed, shall comply with the following specifications:
 - a. **Materials.**
 - (1) All wood shall be pressure treated Douglas Fir or equivalent.
 - (2) Minimum size vertical fence board shall be 1 inch by 6 inches.

- (3) Exposed wood surfaces shall be painted with two coats of exterior grade paint or oil base stain, color to be neutral to match that of stucco or the structure's exterior.

b. Construction.

- (1) Wood fences shall be supported by a 2-½ inch diameter tubular steel post (adjacent to gate post shall be 3 inches) set eight feet on centers in an 18-inch by 10-inch concrete post footing. The steel posts shall not be visible from any public right(s)-of-way.
- (2) Top and bottom rails shall be provided on both sides of the fence to attach the 1-inch by 6-inch vertical fence boards.
- (3) A 2-inch by six-inch base bolted to the support post shall be provided.
- (4) A 2-inch by six-inch cap extending the length of the fence shall be affixed to the top support rails.
- (5) Hinges, brackets, and bolts (3/8 inch minimum) shall be galvanized and where exposed shall be painted to match the color of the fence.

B. Materials in RE, RR, RL, RM, RH, and RVH zones. In addition to the standards in Subsection A (Materials in all zones), the following standards shall apply:

1. **Visible from public right-of-way.** Fences and walls that are visible from a public right-of-way and are located:
 - a. On the street side shall be constructed of solid decorative materials (e.g., brick, concrete, masonry, stucco, etc.) acceptable to the Director. Wood is prohibited.
 - b. Parallel to the right-of-way at the front building setback line (i.e., running from house to house) shall be constructed of vinyl, wrought iron, or any other similar materials acceptable to the Director. Wood is prohibited.
 - c. Within the front setback area shall be constructed of block, wrought iron, combination block and wrought iron, "picket," or "split rail" materials acceptable to the Director. Any "picket" and "split rail" shall be continuously maintained so as to appear in a "new" condition. Walls shall have decorative capping.

2. **Not visible from public right-of-way.** Fences and walls that are not visible from a public right-of-way may be constructed of wood, chain link, or other approved material.
- C. **Materials in CD, CG, CN, and CR zones.** In addition to the standards in Subsection A (Materials applicable in all zones), a minimum of the first six feet in height of fences and walls that face a right-of-way or a residential use or zone shall be constructed of solid decorative masonry, concrete, or similar material. All other fences and walls may be constructed of vinyl, masonry, wrought iron, or an equivalent material(s). Wood fences are prohibited.
- D. **Materials in BP, IL, IG, OSG, OSR, and PI zones.** In addition to the standards in Subsection A (Materials applicable in all zones), fences and walls shall be constructed of chain link, masonry, wrought iron, or an equivalent material. Wood fences are prohibited.

17.315.080 – Permit and Review Procedures

- A. **Department review and approval required.**
1. Any person proposing to install a new wall or fence or replace or repair an existing wall or fence shall submit copies of the plans and details to the Director for review and approval. The submittal package shall include a plot plan drawn to scale, reflecting lot lines, adjacent public rights-of-way, driveways and existing buildings and structures. A dimensional detail of the proposed fence or wall shall also be provided reflecting the proposed materials and proposed height from existing and finished grade.
 2. The Director shall approve the proposed fence or wall only if it is found to be in compliance with the applicable provisions of this Chapter. Replacement walls and fences shall meet current standards.
- B. **Building Permit required.** A fence or wall shall be installed or constructed only following the issuance of a Building Permit.

Chapter 17.325 – Landscaping Standards

Sections:

- 17.325.010 – Purpose
- 17.325.020 – Applicability
- 17.325.030 – Exemptions from Landscaping Requirements
- 17.325.040 – Waiver or Modification of Landscaping Requirements
- 17.325.050 – Landscape Plans
- 17.325.060 – Landscape Standards
- 17.325.070 – Water Waste Prohibited
- 17.325.080 – Maintenance Required
- 17.325.090 – Protection of Solar Access

17.325.010 – Purpose

The purpose of this Chapter is to:

- A. Enhance the aesthetic appearance of the City by providing standards related to the quality and functional aspects of landscaping;
- B. Increase the compatibility between abutting land uses and public rights-of-way by providing appropriate and suitable landscape screening and buffers;
- C. Provide for the conservation and protection of water resources through the efficient use of water, as required by Government Code Section 65595 and Municipal Code Chapter 15.44 (Landscape Water Use Efficiency), and the appropriate use of plant materials suitable for climate and location, and regular maintenance of landscaped areas; and
- D. Protect public health, safety, and welfare by preserving property values and enhancing pedestrian and vehicular traffic and safety.

17.325.020 – Applicability

- A. **New uses, structures, and subdivisions.** All projects that require the issuance of a Zoning Clearance in compliance with Chapter 17.655 shall provide and maintain landscaping in compliance with the provisions of this Chapter, except as may be exempted by Section 17.325.030 (Exemptions from Landscaping Requirements), below.
- B. **Existing structures and uses.** When there is an addition to an existing structure greater than 25 percent of the existing floor area, landscaping shall be provided in compliance with the landscape area requirements of this Chapter to the greatest extent feasible. If existing physical constraints on the site, (e.g., structures, parking, circulation, etc.) limit the amount of landscaping that can be provided, the applicant shall provide the maximum additional landscaping the site can accommodate to fulfill the landscape area requirements of this Chapter.

17.325.030 – Exemptions from Landscaping Requirements

The following areas or projects shall be exempt from the landscaping requirements in this Section:

- A. **Undeveloped areas.** Undeveloped portions of residential and nonresidential project sites that are intended for future development, provided that the developer installs adequate dust, erosion, and weed control features satisfactory to the Director (e.g., hydroseed, hydromulch, tackifying agents, etc.) and provides a statement of security in compliance with Subsection 17.325.050.F. (Landscape Plans - Statement of Surety), below. The dust, erosion, and weed control features shall be installed before completion of construction of the approved development.
- B. **Agricultural production.** Property that is in agricultural production;
- C. **Remainder parcels.** Parcels for which there are no final or parcel maps or which are identified as remainder parcels on a final or parcel map;
- D. **Historical sites.** Historical sites specifically listed on local, State, or Federal registers.
- E. **Building Permits.** Parcels for which a Building Permit is obtained for:
 - 1. Tenant improvements.
 - 2. Maintenance, repair, and replacement of building elements;

3. Electronic security systems;
 4. Fire and life safety devices and systems; or
 5. Emergency or hazardous conditions which must be corrected in the interest of public health, safety, and welfare.
- F. **Other.** Other conditions that the Director determines to be immaterial.

17.325.040 — Waiver or Modification of Landscaping Requirements

- A. **Director approval.** The Director may approve waivers from, or modifications to, the requirements of this Chapter. The waivers or modifications shall be limited to the following:
1. Minor modifications to approved landscaping or irrigation plans that comply with the spirit and intent of these regulations, including, but not limited to, revising or substituting plant varieties, container sizes, plant locations, irrigation specifications, hardscape components, berm heights, berm locations, slope features, and similar changes.
 2. Modifications of planting, installation, and soil preparation details.
 3. Occupancy of structures before installation of landscaping due to exceptional and unforeseen circumstances when a bond or other security is provided in compliance with Section 17.325.050.F. (Statement of surety), below.
 4. Other modifications approved in compliance with Chapter 17.650 (Variances and Minor Variances).
- B. **Fire protection zones.** The standards in this Chapter may be modified by the Fire Chief to comply with the provisions in the City's Landscape Design Guidelines applicable to fire protection and fuel modification zones.
- C. **Conditions imposed in connection with waivers.** In granting a waiver, the Director may impose conditions as deemed necessary to comply with the spirit and intent of these regulations.

17.325.050 — Landscape Plans

- A. **Landscape plans required.** Landscape plans shall be submitted to the Department for projects specified in Section 17.325.020 (Applicability), above.
- B. **Content.** Landscape plans, including fuel modification plans, shall be prepared in compliance with the City's Landscape Design Guidelines.
- C. **Review.** After initial application, the Director shall review the plans for compliance with the requirements of this Chapter. In addition, plans for projects in wildland fire hazard areas or hillside locations shall be submitted to the Fire Chief for approval before issuance of any Grading Permits.
- D. **Installation.** Landscaping shall be installed:
 - 1. Only after the applicant receives approval of the landscape plans; and
 - 2. Before issuance of the final Certificate of Occupancy or final Building Permit, except for extensions granted by the Director due to exceptional and unforeseen circumstances (e.g., seasonal conditions).
- E. **Changes to approved landscape plans.** Changes to the approved landscape plans that affect the character or quantity of the plant material or irrigation system design are required to be resubmitted for approval before installation.
- F. **Statement of surety.** When required by the Director, a statement of surety in the form of cash, performance bond, letter of credit, or certificate of deposit in an amount equal to 120 percent of the total value of all plant materials, irrigation, installation, water, 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 (i.e., adverse weather conditions) and similar circumstances where it may not be advisable or desirable to install all of a project's landscaping before occupancy of a site.

17.325.060 — Landscape Standards

- A. **Area requirements.** Unless exempt in compliance with Section 17.325.030 (Exemptions from Landscaping Requirements) or modified in compliance with Chapter 17.650 (Variances and Minor Variances), the following landscaping shall be provided:
 - 1. **Minimum percentage area.** Each residential and nonresidential land use shall provide and maintain minimum landscaped areas based on impervious surface

coverage standards in Article 2 (Zones, Allowable Land Uses, and Zone-Specific Standards). For example, an RM zone maximum impervious surface coverage standard of 60 percent in Table 2-4 (Development Standards for RM, RMH, RH, and RVH Zones) requires landscaping of the remaining 40 percent. Residential zones shall be subject to landscaping and paving standards in Section 17.305.090 (Paving within Residential Front Yard Area).

2. **Parking areas.** Parking areas shall be landscaped in compliance with Section 17.330.090 (Landscaping Standards for Parking Areas). Parking lot area shall be counted as part of the total lot area when computing the minimum landscaped area.
3. **Minimum dimensions.** Landscaped areas shall measure at least five feet in any direction in order to be counted as meeting the minimum requirements.

B. General design standards. The following features shall be incorporated into the design of landscaped areas and shall comply with the specifications in the City's Landscape Design Guidelines.

1. Landscaping shall be planned as an integral part of the overall project design and not simply located in excess space after parking areas and structures have been planned.
2. Landscaped areas shall be provided with an automatic irrigation system(s).
3. Landscaping may include lawn, ground cover, trees, shrubs, and other live plant materials. Landscaping may also include small amounts of accessory decorative outdoor landscape elements (e.g., ponds, fountains, sculpture, and paved or decorated surfaces) excluding driveways, parking, and storage areas.
4. Front setbacks and side setbacks abutting a street shall be landscaped and maintained. A minimum of 50 percent of the area required to be landscaped shall consist of live plants and turf grass. As provided in the Landscape Design Guidelines, up to 30 percent of the total required landscape area may be planted in a turf grass.
5. Sidewalks providing pedestrian access shall be considered in the design of all landscaped areas, including the need to locate plants so as not to interfere with the ability of pedestrians to have an adequate view of paths and surrounding areas to ensure their safety.
6. Landscape planting shall be provided within adjacent public street rights-of-way, in compliance with the City's Landscape Design Guidelines.

7. Landscaping over 30 inches in height shall not be allowed within a traffic visibility area formed by the intersection of public rights-of-way, parking lot entrances and exits, pedestrian rights-of-way, driveways, or alleys as determined by the Director in compliance with Section 17.305.150 (Traffic Visibility Area).
8. Landscaping shall be required to screen storage areas, trash enclosures, and parking areas in compliance with Section 17.305.110 (Screening and Buffering).
9. Graded areas proposed for development in a later phase shall be planted with native vegetation specified in an approved revegetation plan and shall be maintained in a weed-free condition until development occurs, if the later phase will not begin construction within six months of completion of the previous phase.

C. Plant materials.

1. Only plant materials listed on the City's approved plant list shall be accepted, unless otherwise approved in writing by the Director. The approved plant list is contained in the City's Landscape Design Guidelines.
2. An appropriate mix of plant materials shall be provided.
3. Trees and shrubs shall be planted so that at maturity they do not interfere with service lines and traffic visibility areas.
4. Trees and shrubs shall be planted and maintained in a manner that protects the basic rights of adjacent property owners, particularly the right to solar access.
5. Trees planted near public sidewalks or curbs shall be of a species and installed in a manner that prevents physical damage to the sidewalks, curbs, gutters and other public improvements.

17.325.070 – Water Waste Prohibited

- A. Irrigation design.** Landscape areas shall be designed and maintained to ensure water efficiency, avoid runoff, and promote conservation in compliance with the City's Landscape Design Guidelines and Municipal Code Chapter 15.44 (Landscape Water Use Efficiency). Suggested methods include checking, adjusting, and repairing irrigation equipment; resetting automatic controllers; installing precipitation sensors; aerating and detaching turf areas; adding or replenishing mulch, fertilizer, and soil amendments; and pruning and weeding all landscaped areas.

- B. Waste water runoff prohibited.** Water waste 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, sidewalks, roadways, or structures is prohibited. An estimated annual water use budget shall be prepared for the entire landscape area in compliance with the City's Landscape Design Guidelines and landscape water use efficiency requirements in Municipal Code Chapter 15.44 (Landscape Water Use Efficiency).
- C. Recycled/reclaimed water.** Recycled / reclaimed water shall be utilized whenever available, and reclaimed irrigation equipment shall be specified on the landscape plans.

17.325.080 – Maintenance Required

All installed landscaping and irrigation systems shall be continually maintained. Maintenance shall consist of regular watering, mowing, pruning, fertilizing, clearing of debris and weeds, monitoring for pests and disease, the removal and timely replacement of dead plants, and the repair and timely replacement of irrigation systems, and integrated architectural features.

17.325.090 – Protection of Solar Access

In compliance with Public Resources Code Section 25982, a structure, fence, or wall shall not be constructed or modified, and vegetation shall not be placed or allowed to grow after the effective date of this Chapter, so as to obstruct more than 10 percent of the absorption area of a solar energy system on a neighboring parcel at any one time between the hours of 10 a.m. and 2 p.m.

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Chapter 17.330 – Off-Street Parking and Loading Standards

Sections:

- 17.330.010 – Purpose
- 17.330.020 – Applicability
- 17.330.030 – General Parking Provisions
- 17.330.040 – Limitations on Parking/Storage of Vehicles
- 17.330.050 – Number of Parking Spaces Required
- 17.330.060 – Adjustments to Parking Requirements
- 17.330.070 – Disabled/Handicapped Parking Requirements
- 17.330.080 – Parking Design and Development Standards
- 17.330.090 – Landscaping Standards for Parking Areas
- 17.330.100 – Paving Limitations for Driveways in Residential Zones
- 17.330.110 – Bicycle Parking
- 17.330.130 – Off-Street Loading Design and Development Standards

17.330.010 – Purpose

The purpose of this Chapter is to provide off-street parking and loading standards to:

- A. Provide for the general welfare and convenience of persons within the City by ensuring sufficient off-street parking and loading facilities to meet the needs generated by specific uses;
- B. Provide accessible, attractive, secure, and well-maintained off-street parking and loading facilities;
- C. Increase public safety by reducing congestion on public streets;
- D. Buffer surrounding land uses from the visual impact of off-street parking and loading facilities; and
- E. Provide loading and delivery facilities in proportion to the needs of allowed uses.

17.330.020 – Applicability

- A. **Applicability.** Every use, including a change or expansion of a use or structure, except as otherwise provided in Chapter 17.705 (Nonconforming Parcels, Structures, and Uses), shall provide and maintain off-street parking and loading facilities in compliance with this Chapter.
- B. **Timing of installation.** A use shall not be commenced and a structure(s) shall not be occupied until improvements required by this Chapter are satisfactorily completed.
- C. **Projects in progress.** Notwithstanding the requirements in Section 17.100.090 (Effect of Development Code Amendments on Projects in Progress) or unless the conditions of an approved discretionary permit expressly provide a different time limit, previously approved parking facilities shall be given 12 months from the effective date of this Development Code to be under construction. In the event of hardship, one 12-month extension may be granted by the Director upon confirmation of the hardship.

17.330.030 – General Parking Provisions

- A. **Parking and loading spaces to be permanent.** Required parking and loading spaces shall be permanently available. Off-site parking shall require a permanent covenant or a secured lease agreement in compliance with Subsection 17.330.060.B (Adjustments to Parking Requirements – Shared Parking).
- B. **Parking and loading spaces to be unrestricted.** A lessee, owner, tenant, or other person having control of the premises for which parking or loading spaces are required by this Chapter shall not prevent, prohibit, or restrict authorized persons (including employees) from using the spaces without the prior written approval of the Director.
- C. **Maintenance.** The required parking and loading features (e.g., landscaping, parking surfaces, striping, signs, etc.) shall be continuously maintained in good condition by any person having control of the premises (e.g., lessee, owner, tenant, etc.).
 - 1. Landscaping shall be kept alive and continually maintained in compliance with Section 17.330.090 (Landscaping Standards for Parking Areas).
 - 2. Parking surfaces shall be kept free of holes and substantial deterioration.
 - 3. Striping shall be visible.
 - 4. Signs shall be kept in place, legible, and continually maintained.

5. Parked vehicles shall not extend over a property line or into a public right-of-way.

D. Usable and accessible. Required parking and loading spaces shall be usable and accessible.

17.330.040 — Limitations on Parking/Storage of Vehicles

A. Storage of trucks. The parking and storage of trucks exceeding eight feet in height or 20 feet in length shall be prohibited in any residential zone unless parked within an enclosed structure. This restriction shall not apply to trucks used during pickup and delivery or during construction or repair work while in service. Height shall be measured from level ground to the top of the cab or trailer, whichever is higher, but excludes camper shells.

B. Prohibited parking or storage. The parking or storage of the following types of vehicles in required parking areas or within the required front yard of any residentially zoned parcel shall be strictly prohibited, unless listed as exempt under Subsection C, below:

1. Recreational vehicles (RV) (e.g., boats, motor homes, travel trailers, campers, camper shells, etc.);
2. Commercial vehicles (i.e., trucks and vans exceeding eight feet in height or 20 feet in length);
3. Utility trailers;
4. Tractors; or
5. Wrecked, junked, non-registered, or inoperable motor vehicles.

C. Exceptions to vehicle type restrictions.

1. Recreational vehicle (RV).

- a. An RV may be temporarily parked in the driveway for up to a total of 72 hours within any consecutive 120-hour period for the purpose of loading and unloading the RV and for light maintenance and repair, provided that:

- (1) The RV shall not extend into the public right-of-way at any time; and

- (2) The RV shall not be used for living, sleeping, or housekeeping purposes.
 - b. Upon the expiration of 72 hours, the RV shall be moved to any of the following locations:
 - (1) A distance of at least 300 feet from the area where last parked;
 - (2) For any lot in a residential zone, in one side yard next to the garage and driveway, extending to the rear lot line, except that for corner lots, storage is only allowed in the interior side yard, extending to the rear lot line. See Figure 3-15 (Allowable Recreational Vehicle Storage Area). The Director may approve alternative storage in the rear yard of corner lots only in cases where interior side yard storage is not feasible, street side access is approved with an encroachment permit, traffic visibility standards are met (Section 17.305.150); paving limitations are met (Section 17.305.090); and the visual amenities and views of adjacent properties are not adversely impacted.
 - c. Motorized RV's shall be stored on an improved surface of concrete or other material as approved by the Director.
 2. **Inoperable vehicles.** Inoperable vehicles may be stored in an enclosed structure on any residential property; provided the structure is constructed to City standards, as determined by the Director. For purposes of this provision, an inoperable vehicle is defined in Article 8 (Definitions).
 3. **Tractors.** Agricultural or farming tractors may be temporarily parked in the front yard of parcels whose primary use is agricultural in nature.
- D. Violations.** Violations of this Section may be addressed through the Administrative Citation process, with an abatement period of not less than one and no more than three days permitted for correction. This remedy is in addition to any other remedies available to the City.
- E. Vehicles for sale.** The parking of vehicles, trailers, or other personal property for the primary purpose of displaying the vehicle, trailer, or other personal property for sale, hire, or rental shall be regulated as specified in Municipal Code Section 10.16.140 (Parking for certain purposes prohibited).

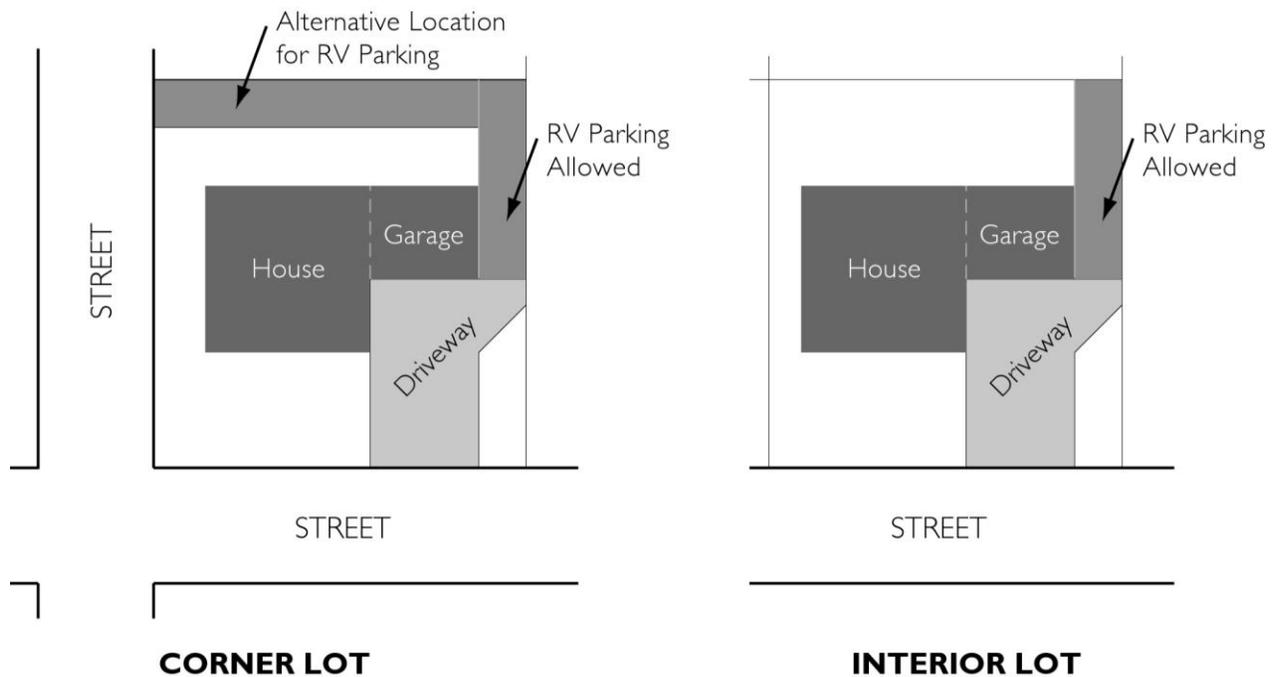


Figure 3-15
Allowable Recreational Vehicle Storage Area

17.330.050 — Number of Parking Spaces Required

Each land use shall be provided the number of off-street parking spaces required by this Section. See Sections 17.330.110 for off-street parking requirements for bicycles.

- A. Minimum AND maximum number of off-street parking spaces required.** Each land use shall provide the number of off-street parking spaces indicated in Table 3-5 (Parking Requirements by Land Use), spaces, including disabled access spaces required by Section 17.330.070 (Disabled/Handicapped Parking Requirements), except where an increase or decrease has been granted in compliance with Section 17.330.060 (Adjustments to Parking Requirements).
- B. Use not listed.** A land use not specifically listed in Table 3-5 (Parking Requirements by Land Use) shall provide parking as required by the Director based on the most similar use that is listed. The Director shall use the requirements specified in Table 3-5 as a guide in determining the appropriate number of off-street parking spaces required for the use.

- C. **Mixed uses or occupancies.** In the case of mixed-uses or occupancies, the total number of required off-street parking spaces shall be the sum of the requirements for the various uses computed separately. Off-street parking facilities for one use shall not be considered as providing required parking facilities for any other use, unless a shared use of parking facilities agreement has been approved in compliance with Section 17.330.060 (Adjustments to Parking Requirements).
- D. **Computation of required number of parking spaces.** Whenever the computation of the required number of off-street parking spaces results in a fractional parking space, one additional parking space shall be required for one-half or more fractional parking space and any fractional space less than one-half of a parking space shall not be counted.
- E. **Floor area.** Where Table 3-5 establishes a parking requirement based on floor area in square feet (e.g., 1 space for each 1,000 square feet of floor area), the floor area shall be construed to mean gross interior floor area unless otherwise specified, and shall include all locations of shared halls, lobby areas, and rest rooms, but shall not include areas for vertical circulation, elevators, or stairs.
- F. **Bench or bleacher seating.** Where fixed seating (e.g., benches, bleachers, pews, or similar seating) is provided, a seat shall be defined as 18 inches of bench space for the purpose of calculating the number of required parking spaces as provided in Table 3-5.
- G. **Nonconforming parking.** A structure with nonconforming off-street parking may be physically changed or undergo a change in use subject to the provisions in Section 17.705.110 (Nonconforming Parking).
- H. **Tandem parking.** Tandem parking spaces shall not count towards required parking unless specifically approved by the Director.
- I. **Compact car parking.** Compact spaces shall be prohibited. For the purposes of this Subsection, a compact space shall be any space that is smaller than the minimum size indicated in Section 17.330.080 (Parking Design and Development Standards).

**Table 3-5
Parking Requirements by Land Use**

Land Use Type	Minimum/Maximum Number of Spaces Required (See §17.330.050.A)
Agricultural and Resource-Related Uses	
Accessory Agricultural Structures and Uses (Noncommercial)	1 space per site
Agricultural Activities and Facilities (Commercial)	1 space per employee
Produce Stands	3 spaces per 1,000 sq ft GFA
Residential Uses	
Accessory Living Quarters	
Guest Houses	1 covered space per unit
Second Dwelling Units	1 space per each studio and 1-bedroom unit; 2 spaces per each 2-bedroom or greater unit
Agricultural Employee Housing	1 per unit
Caretaker Housing	1 covered per unit
Congregate Care Facility (15 or more)	1 space for each 3 beds
Condominiums -New	
Resident Parking	2 enclosed spaces for each unit
Guest Parking	0 - 30 units – .25 spaces per unit; with a minimum of 1 space 31 - 60 units - .20 spaces per unit 61 units and over - .166 spaces per unit
Condominiums - Conversions	2 covered spaces per unit
Emergency Shelters	Determined by Conditional Use Permit (Chapter 17.605)
Group Homes	Determined by Conditional Use Permit (Chapter 17.605)
Home Occupations	Same as primary residential use
Live-Work Units(residential portion only)	2 spaces for each unit
Mixed Use Projects (Residential over Retail/Office)	2 covered spaces per residential unit; Spaces for nonresidential uses per Minor Use Permit (Chapter 17.605)
Mobile Home Parks	2 covered spaces on each mobile home site - tandem parking allowed in attached carport; 1 guest space for each 5 mobile home spaces; Parking spaces for recreational vehicles and community buildings – Determined by Conditional Use Permit (Chapter 17.605)
Mobile Home Subdivisions	2 enclosed spaces for each parcel in the subdivision
Multi-Family Dwellings	
Studio Apartments	1.5 spaces per unit, 1.0 of which shall be enclosed
1 Bedroom Apartments	1.5 spaces per unit, 1.0 of which shall be enclosed
2 Bedroom Apartments	1.75 spaces per unit, 1.50 of which shall be enclosed
3 or more Bedroom Apartments	2 spaces per unit, 1.50 of which shall be enclosed
Guest Parking in multi-family projects	0 - 10 units – None required 11 - 30 units - .25 spaces per unit 31 - 60 units - .20 spaces per unit 61 units and over - .166 spaces per unit
Recreational Vehicles	1 space per every 10 units
Organizational Houses	Determined by Conditional Use Permit (Chapter 17.605)
Senior Residential Projects	1 covered space per unit, plus 1 guest space per 10 units

**Table 3-5
Parking Requirements by Land Use**

Land Use Type	Minimum/Maximum Number of Spaces Required (See §17.330.050.A)
Single-Family Dwellings (Detached)	2 enclosed spaces for up to 4 bedrooms, and 3 enclosed spaces for 5 or more bedrooms. <i>See Section 17.425.020 (Residential Development Design Guidelines) for garage design and layout.</i>
Single-Room Occupancy Units	Determined by Conditional Use Permit
Townhouses (Attached Single-Family)	
Resident Parking	2 covered spaces per unit
Guest Parking	0 - 30 units – .25 spaces per unit; with a minimum of 1 space 31 - 60 units - .20 spaces per unit 61 units and over - .166 spaces per unit
Triplexes	2 spaces per unit; at least 1 covered
Two-Family Dwellings (duplex)	2 enclosed spaces per unit
Care Uses	
Child Day Care	
Small (8 or fewer)	Same as primary residential use
Large (9 to 14)	In addition to spaces for primary residential use, 1 space per employee; and 1 drop-off space for every 7 care recipients
Day Care Centers (15+)	1 space per employee; and 1 drop-off space for every 7 care recipients
Accessory to on-site employer	1 space per employee; and 1 drop-off space for every 7 care recipients
Community Care Facility	
Small – up to 6	Same as primary residential use
Large – 7 or more	In addition to spaces for primary residential use, 1 space per employee; and 1 drop-off space for every 4 care recipients
Congregate Care Facility	
Small – up to 6	Same as primary residential use;
Large – 7 or more	In addition to spaces for primary residential use, 1 space per employee; and 1 space for every 7 care recipients
Residential Care Facility	
Small - up to 6	Same as primary residential use
Large – 7 or more	In addition to spaces for primary residential use, 1 drop-off space for every 7 care recipients
Residential Care Facility	
Small - up to 6	Same as primary residential use
Large – 7 or more	In addition to spaces for primary residential use, 1 drop-off space for every 7 care recipients
Residential Care Facility for the Elderly	
Small - up to 6	Same as primary residential use
Large – 7 or more	In addition to spaces for primary residential use, 1 drop-off space for every 7 care recipients

**Table 3-5
Parking Requirements by Land Use**

Land Use Type	Minimum/Maximum Number of Spaces Required (See §17.330.050.A)
Supportive Housing	Same as for single-family dwelling if 6 or fewer persons Same as for multi-family housing if 7 or more persons
Transitional Housing	Same as for single-family dwelling if 6 or fewer persons Same as for multi-family housing if 7 or more persons
Education, Recreation, and Public Assembly Uses	
All uses listed under "Education, Recreation, and Public Assembly Uses" in use tables in Article 2, except for the following:	1 space for each 50 sq ft GFA; or 1 space for each 4 fixed seats (18" lineal bench = 1 seat)
Adult-Oriented Businesses	1 space for every 2 occupants per allowable occupant load as established by Fire Chief; and 1 space for each employee or independent contractor on the maximum shift
Arcades	1 space per 200 sq ft of GFA
Assembly/Meeting Facilities	1 space for every 4 fixed seats; and 1 space for each 40 sq ft of additional assembly area (does not include foyers, corridors, restrooms, kitchens, storage and other areas not used for assembly of people.
Bingo Game Operations (nonprofit only)	1 space per every 3 occupants per allowable occupant load as established by Fire Chief
Commercial Recreation Facilities - Indoor, except for the following:	Determined by Conditional Use Permit (Chapter 17.605)
Bowling Alleys	5 spaces for each alley, plus 1 for each 5 seats in any gallery
Game Courts	5 spaces for each court
Skating Rinks	1 space for each 100 sq ft of rink area
Swimming Pools	1 space for every 500 sq ft of enclosed pool area
Commercial Recreation Facilities – Outdoor, except for the following:	Determined by Conditional Use Permit (Chapter 17.605)
Driving Ranges	1 space per tee
Golf Courses	5 spaces for each hole, plus the requirements for additional uses on the site
Miniature Golf Courses	3 spaces for each hole
Swimming Pools	1 space for every 500 sq ft of fenced pool area
Cultural Institutions	1 space for each 350 sq ft
Educational Facilities	
Academic – K-8	2 spaces for each classroom
Academic – 9-12	9 spaces for each classroom
Colleges and Universities	20 spaces for each classroom
Commercial Schools	1 space for every 1.5 students at maximum enrollment
Equestrian Facilities	1 space per every 5 stable stalls
Live Entertainment and Dancing	Determined by Minor Use Permit
Parks and Recreation Facilities	Public - Determined by Public Works Director Private - 1 space for each 8,000 sq ft of active recreational area within a park or playground, plus 3 spaces per acre of passive recreational area within a park or playground

**Table 3-5
Parking Requirements by Land Use**

Land Use Type	Minimum/Maximum Number of Spaces Required (See §17.330.050.A)
Pool halls	4 spaces per table
Recreational Vehicle Park	1 space per employee; 1 space for RV on each lot; 1 space on each RV lot not including parking space for RV; and 1 guest space for every 10 RV lots
Studios-Art, Dance, Martial Arts, Music, etc.	1 space for every 1.5 students at maximum enrollment
Theaters, Movies, or Performing Arts	1 space for every 4 fixed seats; 1 space for each 40 sq ft of assembly area (does not include foyers, corridors, restrooms, kitchens, storage and other areas not used for assembly of people)
Industry, Manufacturing & Processing, and Warehousing Uses	
All uses listed under "Industry, Manufacturing & Processing, and Warehousing Uses" in use tables in Article 2, except for the following:	Up to 50,000 sq ft GFA – 1 space / 500 sq ft GFA 50,001 to 100,000 sq ft GFA - 100 spaces plus 1 space / 1,000 sq ft GFA for area over 50,000 sq ft 100,001 to 500,000 sq ft GFA - 150 spaces plus 1 space / 2,000 sq ft GFA for area over 100,000 sq ft If offices/sales space exceeds 10% of GFA, then 1 space for each 250 sq ft GFA of office/sales space
Cottage Businesses	1 space per employee; 1 space for 1 primary business vehicle; and up to a maximum of 5 spaces for clients.
Recycling Scrap/ Dismantling Yards	1 space for each 3,000 sq ft of yard area
Recycling Facilities	
Reverse Vending Machine	No dedicated space required
Collection Facility – Small	Determined by Minor Use Permit
Collection Facility – Large	Determined by Minor Use Permit
Processing Facility	Determined by Conditional Use Permit
Research and Development (R&D)	1 space for each 500 sq ft GFA
Storage, Personal	1 space for every 100 rentable storage spaces; plus 2 spaces for the resident manager and office
Storage yards	2 spaces per facility; and 1 space per 250 sq ft of office space
Warehouses, Wholesaling and Distribution	1 space for each 1,500 sq ft GFA [up to 500,00 sq ft GFA; Portion over 500,000 – 1 space for each 4,000 sq ft GFA; 1 space for each company truck or motor vehicle; and If offices/sales space exceeds 10% of GFA, then 1 space for each 250 sq ft GFA of office/sales space
Retail Trade Uses	
All "Retail Trade" and general retail uses listed in use tables in Article 2, except for the following:	1 space for each 250 sq ft GFA, and 1 space for each 300 sq ft of outdoor sales area.
Alcohol Sales	1 space for every 225 sq ft GFA
Building/Landscape Materials	1 space for every 500 sq ft GFA; and 1 space for each 2,500 sq ft of outdoor display area

**Table 3-5
Parking Requirements by Land Use**

Land Use Type	Minimum/Maximum Number of Spaces Required (See §17.330.050.A)
Construction, Farm, and Heavy Equipment Sales	1 space for every 600 sq ft GFA
Convenience Stores	1 space for every 225 sq ft GFA
Drive-Through Retail	Up to 2,000 sq ft = 1 space for each 200 square feet of GFA; Over 2,000 sq ft = 1 space for each additional 60 sq ft of GFA, including outdoor seating; and Stacking for 7 vehicles at each bay, window, lane, ordering station, or machine
Farmers Market	1 space per every 100 sq ft
Food and Beverage Sales (not part of Shopping Center) Chain Grocery Neighborhood Specialty Food	1 space for every 225 sq ft GFA
Outdoor Display and Sales	1 space for each 2,500 sq ft of outdoor display area
Plant Nurseries	1 space for every 500 sq ft GFA and 1 space for each 2,500 sq ft of outdoor display area
Retail Sales	
Bulk Merchandise (over 50,000 sq. ft)	1 st 5,000 sq ft - 1 space for every 500 sq ft Over 5,000 sq ft – 1 space for every 1,000 sq ft
Shopping Centers	1 space per 250 sq ft GFA for centers of 25,000 to 400,000 sq ft. 1 space per 225 sq ft GFA for centers of 400,000 and over Parking requirements for restaurants and theaters within the center will be added to the shopping center minimum parking requirements.
Service Uses – Business and Professional	
All uses listed under “Service Uses – Business and Professional” in use tables in Article 2, except for the following	1 space per 250 square feet GFA
ATM’s	1 space for each exterior ATM
Banks and Financial Services	1 space for every 200 sq ft GFA
Medical Services – Clinic, Laboratory, Urgent Care	1 space for every 200 sq ft GFA
Medical Services Hospitals	1.5 spaces for each bed, and 1 space for every hospital vehicle
Offices - Medical Services	1 space for each 200 sq ft GFA
Offices - Government	1 space for every 200 sq ft GFA; and 1 space per government-owned vehicle
Service Uses – General	
All uses listed under “Service Uses - General” in use tables in Article 2, except for the following	1 st 50,000 sq ft – 1 space per each 250 sq ft GFA Over 50,000 sq ft – 1 space per each 500 sq ft GFA
Animal Services (All)	1 space per each 500 sq ft GFA; and 1 space per each 800 sq ft of boarding area
Bars, Lounges, and Nightclubs	1 space for every 35 sq ft GFA where the public is served; and # of spaces required for food service uses, if applicable

**Table 3-5
Parking Requirements by Land Use**

Land Use Type	Minimum/Maximum Number of Spaces Required (See §17.330.050.A)
Drive-Through Service	Stacking for 4 vehicles at each bay, window, lane, ordering station, or machine
Equipment Rental Indoor Only With Outdoor Storage	2 spaces per 1,000 sq ft GFA; and 1 space per 2,500 outdoor display area
Food Service Establishments	
Fast Food With or Without Drive-Through Service	Up to 2,000 sq ft = 1 space for each 200 sq ft GFA Over 2,000 sq ft = 1 space for each additional 60 sq ft GFA; and Stacking for 7 vehicles at each bay, window, lane, or ordering station for each No additional parking required if outdoor dining area comprises no more than 15 percent of the interior gross floor area of the primary food service use; If outdoor dining area is over 15%, 1 space for every 50 sq ft or 1 space for every 3 seats, whichever is greater
Table Service	1 space for each 50 sq ft GFA available to the public, or 1 space for every 3 seats, whichever provides the greater number of spaces No additional parking required if outdoor dining area comprises no more than 15 percent of the interior gross floor area of the primary food service use; If outdoor dining area is over 15%, 1 space for every 60 sq ft or 1 space for every 3 seats, whichever is greater
Health and Fitness Facilities Small – 2,000 sq ft or less Large – Over 2,000 sq ft	1 space for each 300 sq ft GFA
Lodging Bed and Breakfast Inn	1 space for each guest room; and 1 space per manager
Hotels and Motels	1.1 spaces for each guest room; and 75% of the spaces required for accessory uses (.e.g, banquet rooms, meeting rooms, restaurants, etc.), if any
Mortuary, Funeral Home	1 space for each 4 fixed seats; and 1 space for each 40 sq ft of remaining area; and 1 enclosed space for each vehicle owned by the establishment.
All Personal Service uses, except for the following:	1 space for each 250 sq ft GFA
Laundromats	1 space for every 3 machines
Public and Semi-Public Uses	
Government Facilities	Determined by government agency
Public Safety Facility	Determined by government agency
Transportation, Communication, and Infrastructure Uses	
Broadcasting Studio	1 space per 200 sq ft indoor space
Transportation Service Dispatch Facilities	1 space per 250 sq ft; and 1 space per each service vehicle
Truck and Freight Terminals	1 space per 250 sq ft indoor space
Utility Facilities	None
Utility Infrastructure	None
Wireless Telecommunication Facilities	Determined by Conditional Use Permit

**Table 3-5
Parking Requirements by Land Use**

Land Use Type	Minimum/Maximum Number of Spaces Required (See §17.330.050.A)
Vehicle Rentals, Sales, and Services	
Mobile Home, Boat, or RV Sales	1 space for each 500 sq ft GFA to be clearly delineated as public parking, and as required below for Vehicle Services
Vehicle Parts and Supply Sales	1 space for each 200 sq ft GFA, and 1 space for each 300 sq ft of outdoor sales area
Vehicle Rentals Office only General	1 space for each 200 sq ft of GFA 1 storage space for each vehicle stored on lot
Vehicle Sales	1 space for each 500 sq ft GFA to be clearly delineated as public parking, and as required below for Vehicle Services
Vehicle Services	
Car Washing, Self-Service	2 stacking spaces and 2 drying spaces per each washing stall
Car Washing, Automated	Stacking area for each automatic car wash lane - 4 times the capacity of the automatic car wash lane
Car Washing, Full Service	1 parking space per each employee of the largest shift; Stacking for 4 vehicles for each automatic car wash lane, and 3 spaces per lane for manual drying
Minor Maintenance	4 spaces for each service bay; and
Major Repair/Body Work	For service stations, 1 space for each employee on duty during heaviest traffic 8-hour shift
Service Station	
Towing and Storage	4 spaces minimum; and 1 space for each 300 sq ft GFA in excess of 4,000 sq ft
Other Uses	
Temporary Uses	Determined by Temporary Use Permit

17.330.060 – Adjustments to Parking Requirements

- A. Temporary reduction.** The Director may approve the temporary reduction of parking or loading spaces in conjunction with a seasonal or intermittent use for a period of not more than 30 days. Longer periods may be allowed with the approval of a Temporary Use Permit (Chapter 17.640).
- B. Shared parking.** In the case of uses that operate at hours not coincident with adjacent uses (i.e., a theater and a bank), the Director may approve parking credits for the use of those adjacent parking spaces if all of the following conditions are met:
- 1. Analysis of peak demand.** Sufficient evidence is presented in a form satisfactory to the Director that demonstrates the compatibility of the uses and the absence of substantial overlap in the principal hours or periods of peak demand of the uses for which the joint use is proposed. The analysis of peak demand shall be conducted by a licensed traffic engineer or other transportation professional satisfactory to the Director and shall be based upon methodologies in *Shared Parking* published by the Urban Land Use Institute or other similar appropriate source; and
 - 2. Location.** The location of the credited space(s) does exceed the distance authorized in Subsection 17.330.080.B (Parking Design and Development Standards - Location) from the subject use; and
 - 3. Evidence of how spaces attributed to user.** The spaces will be attributed to the user by a written agreement between the property owners involved in the shared use of parking facilities that designates the spaces and their hours of use to the subject use. The Director shall approve the form and substance of the agreement. This agreement shall be in the form of a covenant running with the land and shall be recorded with the County Recorder, and a recorded copy shall be filed with the Department.
- C. Downtown Area.** Nonresidential uses within the area bounded by Third Street, Sixth Street, Pico Avenue, and Alessandro Avenue as depicted in Figure 3-16 (Downtown Area Subject to Reduced Parking Requirements) shall provide one-third of the number of spaces required in Section 17.330.050 (Number of Parking Spaces Required). A nonresidential use unable to provide the required parking, as reduced, may make in-lieu payments in compliance with Subsection D (In-Lieu Payments), below.

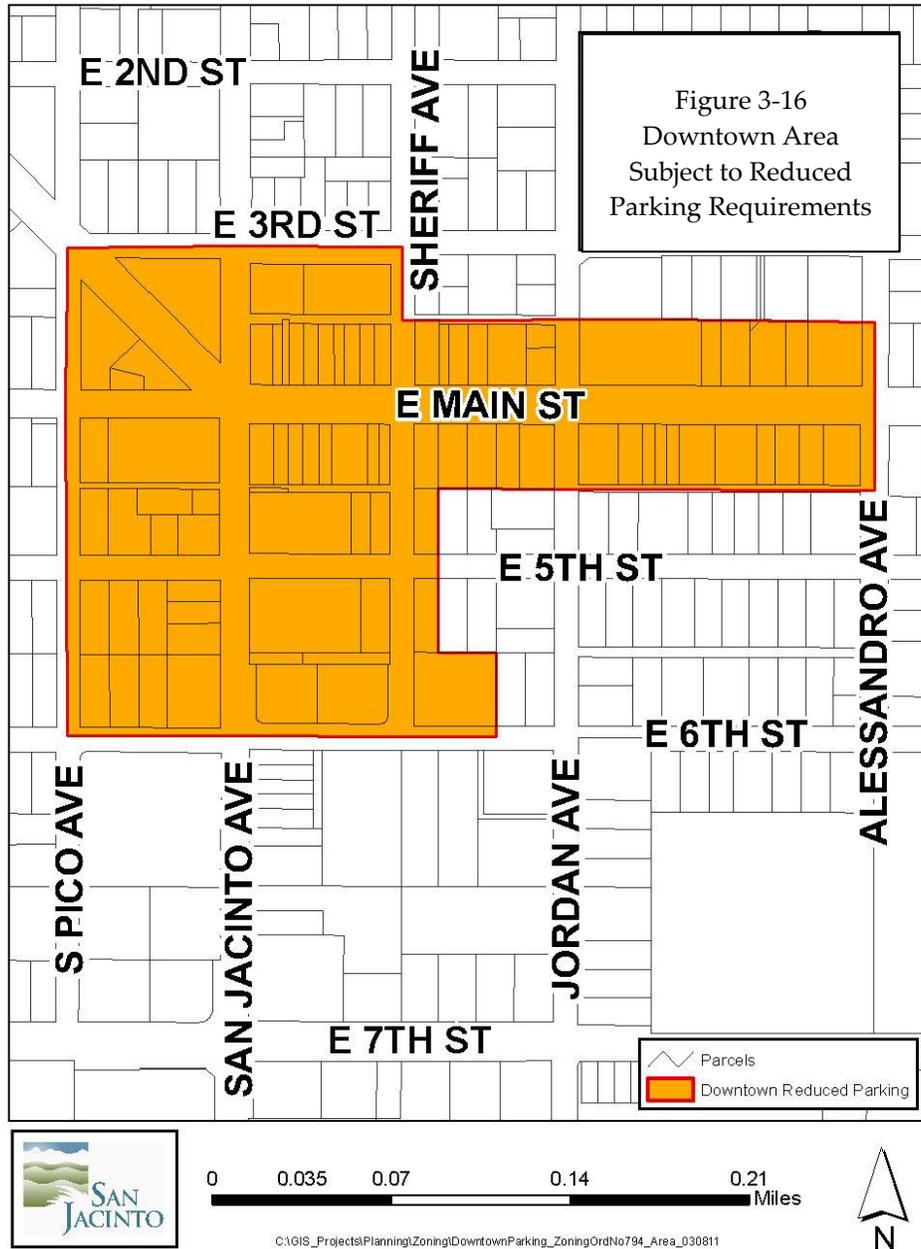


Figure 3-16
Downtown Area Subject to Reduced Parking Requirements

D. In-lieu payments.

1. **Cash in-lieu payment.** In commercial zones with public parking located within 600 feet of the proposed use, a parking requirement may be met by a cash in-lieu payment to the City before issuance of a Building Permit, or a Certificate of Occupancy, if no Building Permit is required.
2. **Fee to provide parking in vicinity.** The fee shall be collected and spent exclusively for the purpose of providing public off-street parking in the general vicinity of the use(s) for which the in-lieu payments were made.
3. **City may set limitations.** In establishing any parking districts, the City may set limitations on the number of spaces or the maximum percentage of parking spaces required for which an in-lieu fee may be collected.

E. Reduced parking. The Director may reduce the number of parking spaces required by Sections 17.330.050 (Number of Parking Spaces Required) and 17.330.120 (Off-Street Loading Design and Development Standards) through approval of a Minor Variance in compliance with Chapter 17.650 (Variances and Minor Variances).

F. Excess parking.

1. **Excess parking discouraged.** The City discourages a land use being provided more off-street parking spaces than required by this Chapter in order to avoid the inefficient use of land, unnecessary pavement, and excessive storm water runoff from paved surfaces.
2. **Up to five percent excess.** Off-street parking spaces up to a maximum of five percent in excess of the requirements in Table 3-5 may be allowed once during the lifetime of a project.
3. **Over five percent excess.** Any parking in excess of five percent over the requirements in Table 3-5 may be allowed only with Minor Use Permit approval in compliance with Chapter 17.605 (Conditional Use Permits and Minor Use Permits) and only when additional landscaping, pedestrian amenities and necessary storm drain improvements are provided to the satisfaction of the review authority.

17.330.070 — Disabled/Handicapped Parking Requirements

A. Accessibility requirements. Parking facilities and spaces shall be designed, located, constructed, and maintained to provide access for the physically disabled from public rights-of-way, across intervening parking spaces, and into structures. Standards for the

facilities shall be based on the standards of the American Standards Association and other applicable guidelines.

- B. Number, location of, and access to spaces required.** Parking spaces for the disabled shall be provided in compliance with the California Building Code, the Federal Accessibility Guidelines, the California Code of Regulations (Title 24, Part 2, Chapter 2-71), and with the sign requirements of the California Vehicle Code, Section 22507.8, as applicable. Parking spaces required for the disabled shall count toward compliance with the number of off-street parking spaces required by Section 17.330.050 (Number of Parking Spaces Required).

17.330.080 – Parking Design and Development Standards

Required off-street parking areas shall be designed, constructed, and maintained in compliance with this Section. In the event practical difficulties and hardships result from the strict enforcement of the standards due to existing permanent structures, or an irregular shaped parcel, the Director may approve a Minor Variance for standards, not to exceed 10 percent in compliance with Chapter 17.650 (Variances and Minor Variances).

- A. Site Plan.** In addition to the filing requirements in Section 17.630.040 (Application Filing, Processing, and Review), the site plan of a proposed project shall include a scaled drawing of the parking lot layout and shall indicate the following, when applicable:
1. Number of students at ultimate enrollment.
 2. Number of beds.
 3. Number of repair bays.
 4. Number of classrooms.
 5. Number of fixed seats.
 6. Total floor areas in each structure within a project.
 7. Total area of proposed outdoor uses.
- B. Location.**
1. **Residential uses.** Parking required to serve a residential use shall be located on the same parcel as each residential unit served. Shared driveways (i.e., driveways that provide access to several residences from a single egress point off of a local street) are encouraged.

2. Nonresidential uses.

- a.** Parking required to serve a nonresidential use may be located on the same or a different site under the same or different ownership as the use served; provided that the parking shall be located within the maximum distances of the uses served as shown in Table 3-6 (Maximum Distances for Off-Site Parking for Nonresidential uses). Where a distance is specified, the distance shall be measured from the nearest point of the parking facility to the nearest point of the structure or use served by the parking.

**Table 3-6
Maximum Distances For Off-Site Parking For Nonresidential Uses**

Uses	Maximum Distance Allowed
Convalescent homes	150 feet
Organizational Houses	150 feet
Hospitals	150 feet More than 150 feet if approved by Conditional Use Permit and if automatic gate or similar access control feature is installed
All other nonresidential uses	400 feet 600 feet for car sharing spaces

- b. IL and IH zones adjacent to agricultural or residential zones.** On an alley that is the boundary between an IL or IH zone and any residential or agricultural zone, the rear setback area may be used for parking and loading.

- 3. Bicycle spaces.** See Section 17.330.110 (Bicycle Parking Standards) for size and location requirements for bicycle spaces.

C. Curbs and parking improvements.

1. Six-inch Portland-Concrete cement curb and gutters shall be installed, except that six-inch Portland-Concrete cement vertical curbs may be installed in-lieu of curb and gutters if no drainage is carried along curb line. Where a six-inch Portland-Concrete cement vertical curb is used, a two foot wide concrete gutter section shall be installed along the drainage line.
2. Curbs shall be installed at a minimum of five feet from the faces of walls, fences, or other structures. This requirement shall not apply to driveways that are not a part of the maneuvering area for parking.
3. Curb radius shall be three-foot minimum.

4. Parking lots may be surfaced with Portland-Cement Concrete with a minimum four-inch thickness over native soil compact to 95 percent compaction or asphalt concrete with minimum 2 1/2 inch thickness over four inches of Class III aggregate base compacted to 95 percent relative compaction, or pervious concrete or other alternatives may be approved by the Director and City Engineer.
 5. Six-inch high concrete curbs with gaps for allowing drainage run-off into landscaped areas shall be installed to serve as wheel stops for motor vehicles, edging or planting areas, and protection for walls at entrances and exits, located no closer than five feet from any structure, hedge, fence, or wall.
- D. Drainage.** Parking areas shall be designed in compliance with the storm water quality and quantity standards in Chapter 17.520.050 (Water Quality).
- E. Striping and identification.** Parking stalls shall be clearly delineated with a four-to-six inch stripe - "hairpin" or elongated "U" design - or other approved striping or stall delineation.
- F. Lighting.**
1. Off-street parking for multi-family residential uses shall provide night lighting throughout the required parking area(s).
 2. Nonresidential uses shall provide night lighting throughout required parking areas at all hours of customer and employee use.
 3. Entries to parking areas for all multi-family residential uses and nonresidential uses shall provide safety lighting as approved by the Director.
 4. Lighting shall be indirect, hooded, and arranged to reflect lighting away from adjoining properties and streets in compliance with Section 17.300.080 (Outdoor Light and Glare). Light standards shall be a maximum of 25 feet in height overall, as measured from the usable parking or driving surface. Up-lighting in landscaping, low level walk lights, and lighting diffused off of wall surfaces is encouraged.
 5. Illumination of parking lots and adjacent pedestrian areas shall be required to provide a minimum of one foot-candle for all parking and pedestrian areas, and shall not exceed one-half foot-candle along lot lines of a project.
 6. In consideration of the City's proximity to Palomar Observatory, the installation of low pressure sodium vapor is encouraged.

G. Access. Off-street parking shall be accessible as follows:

1. **Controlled access to off-street parking areas.** Off-street parking areas designed to control public access [i.e., gate] shall require approval from the Fire and Police Departments and the City Engineer. Ingress and egress design should facilitate proper vehicle maneuvering and "stacking" space to avoid internal and external traffic conflict. Suitable drop-off and pick-up areas are encouraged.
2. **Local and collector streets in residential zones.** Along local and collector streets in residential zones, single-family and two-family uses may use the street for maneuvering (i.e., driveway design may allow for backing out of a driveway to gain access to a public right-of-way).
3. **Secondary highways.** Single-family or two-family uses taking access from secondary highways, parcels with three or more dwelling units, and nonresidential uses shall provide suitable on-site maneuvering (i.e., driveway design shall not allow for backing out of a driveway to gain access to a public right-of-way).
4. **Access to adjacent sites.** Applicants for nonresidential developments are encouraged to provide shared vehicle and pedestrian access to adjacent nonresidential properties for convenience, safety, and efficient circulation. A joint access agreement between the owners of the abutting properties that guarantees the continued availability of the shared access between the properties shall be recorded with the County Recorder and shall run with the land. The Director shall approve the form and substance of the agreement.

H. Circulation.

1. **Driveway widths.** Driveway widths shall be a minimum width of 25 feet. The distance from a wall to the closest curb at driveway entrances shall be a minimum of two feet. The Director may require a wider driveway to accommodate needs.
2. **Driveway location.** No driveway opening shall be installed closer than five feet to any side or rear lot line.
3. **On-site turnaround required.** Parking arranged in a manner that requires the backing of motor vehicles onto a major or secondary highway is prohibited in all zones.
4. **Parking lot layout.** Parking stalls, driveways, and landscape planters shall be arranged so that a free flow of vehicular traffic and adequate site clearances are allowed at all times. City standards and specifications relating to curve radii and similar maneuvering requirements shall apply.

5. Pedestrian movement.

- a. To the maximum extent feasible, a site plan for proposed development shall separate movement of pedestrians from movement of motor vehicles and bicycles. At least one pedestrian route shall be provided that is uninterrupted by surface parking and driveways. Concrete walks with a minimum width of two feet shall be installed adjacent to end parking spaces.
- b. Where complete separation of movement of pedestrians from movement of motor vehicles and bicycles is not possible, the site plan shall minimize potential hazards by using special paving, grade separations, pavement marking, directional signs, striping, bollards, median refuge areas, traffic calming features, landscaping, lighting, or other means to clearly delineate pedestrian areas for both day and night use. The material and layout of any walkway shall be continuous as the pedestrian access crosses the driveway or aisle, with a break in continuity of the driveway or aisle paving and not in the pedestrian access way.
- c. Where pedestrians and bicyclists share walkways, the pedestrian/bicycle system shall be designed to be wide enough to accommodate anticipated pedestrian and bicycle traffic volumes. The review authority shall be guided by the standards applicable to bicycle facilities (e.g., design of bicycle parking areas, directional pavement markings, signage, etc.) in the State Manual of Uniform Traffic Control Devices (MUTCD).]
- d. Curb cuts and ramps shall be located at convenient, safe locations for the physically disabled, bicyclists, and people pushing strollers or carts. The location and design of curb cuts and ramps shall meet the requirements of the California Building Code and ramp standards associated with the Americans with Disabilities Act, and shall avoid crossing or directing traffic through loading areas, drive-in/drive-through lanes, and solid waste storage and collection areas.
- e. Concrete walks with a minimum width of two feet shall be installed adjacent to end parking spaces, unless end spaces are at least 11 feet wide.

I. Parking space and lot dimensions.

1. Each parking space, drive aisle, and other parking lot feature shall comply with the minimum dimension requirements in Tables 3-7 and 3-8, below, and as illustrated in Figure 3-17 (Parking Area Layout).

**Table 3-7
Parking Space Dimensions**

Type of Space	Minimum Dimensions (1)	Notes
Single-Family Residential (1)		
Carports	9 ft wide by 20 ft deep by 7 ft high	(1)
1-Car Garage	10 ft wide by 20 ft deep	(1)
2-Car Garage	20 ft wide by 20 ft deep	(1)
3-Car Garage	30 ft wide by 20 ft deep	(1) (2) (3)
Other Residential		
Parking Structure	9 ft wide by 19 ft deep	(1)
Tandem Space	10 ft wide by 20 ft deep	(1) (4)
Non-Residential Uses		
Uncovered Space	9 ft wide* by 19 ft deep *10 ft wide for 1st parking space located closest to street for an angle parking layout	
Parking Structure	9 ft wide by 19 ft deep	(1) (3)
Parallel Space	8 ft wide by 22 ft long* *20 ft long if end space	
Handicap Space	See the California Building Code	
Bicycle Space	See Section 17.330.110 (Bicycle Parking)	

Notes:

- (1) No affixed obstructions (e.g., water heaters, washers and dryers, sinks, furnaces/air conditioning units, etc.) shall intrude on required parking space areas. The measurements shall be from the face of interior walls, not including structure supports.
- (2) Uncovered spaces not allowed for single-family residential uses.
- (3) Maximum "garage face" of 50 % of total front façade.
- (4) In approved mobile home parks.

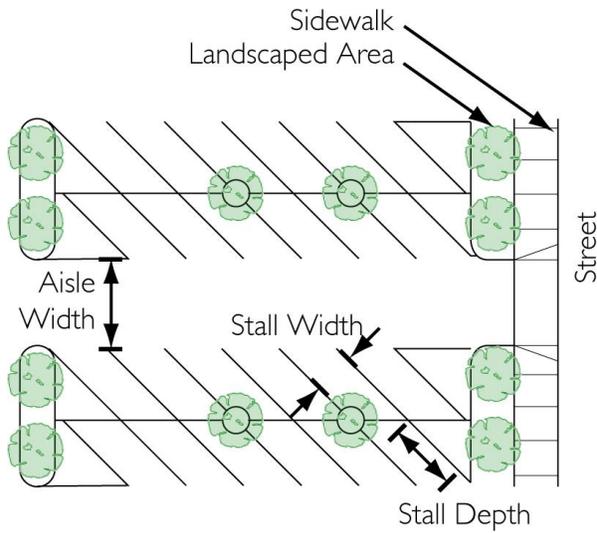
**Table 3-8
Parking Area Dimensions**

Angle (degrees)	Stall Width (1)	Stall Depth (2)	Aisle Width (3)	
			One-Way	Two-Way
Parallel	8 ft	N/A	14 ft	25 ft
45	9 ft	19 ft	18 ft	N/A
60	9 ft	19 ft	20 ft	N/A
90	9 ft	19 ft	25 ft	25 ft

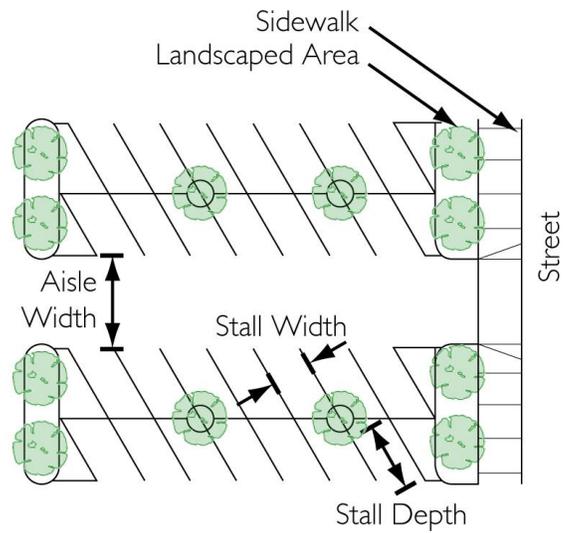
Notes:

- (1) Structural elements shall not encroach into the required stall, with the exception of a one-foot square area at the front corners.
- (2) A maximum of two feet of the parking stall depth may be landscaped with low-growing, hearty materials in lieu of paving or an adjacent walkway may be increased, allowing a two-foot bumper overhang while maintaining the required parking dimensions.
- (3) A minimum aisle width of 42 inches shall be provided between rows of bicycle spaces.

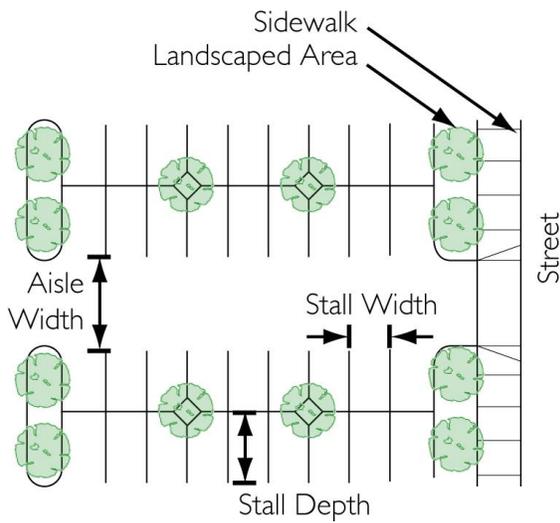
45 DEGREE ANGLE PARKING



60 DEGREE ANGLE PARKING



90 DEGREE ANGLE PARKING



PARALLEL PARKING

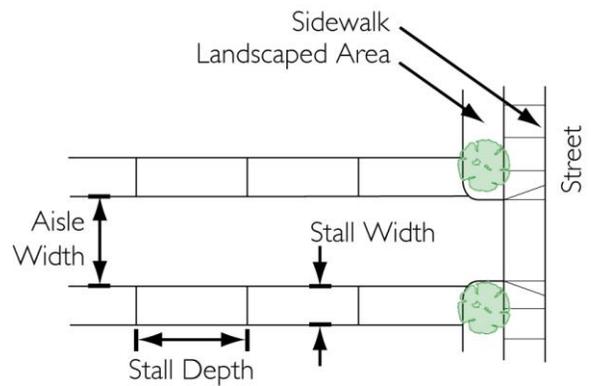


Figure 3-17
Parking Area Layout

17.330.090 – Landscaping Standards for Parking Areas

Landscaping shall be incorporated into the design of all off-street parking areas in compliance with this Section.

- A. **Minimum required area.** All parking areas shall contain a minimum landscape area equivalent to five percent of the total parking area.
- B. **Distribution.** Landscaping shall be distributed evenly throughout the parking area. The Director may approve the limited grouping of trees in order to achieve a desired theme or character of design.
- C. **Landscape plan.** A landscape plan that complies with all requirements in the City's Landscape Design Guidelines shall be submitted to the Department for review.
- D. **Landscape maintenance.** Planting areas shall be well-maintained in compliance with Subsection 17.330.030.C (General Parking Provisions - Maintenance).
- E. **Screening of parking areas in Downtown Area.** For off-street parking areas in the Downtown Area identified in Figure 3-16 (Downtown Area Subject to Reduced Parking Requirements), the sides of the parking areas that are adjacent to or abutting:
 - 1. A public right-of-way shall be screened from view from the public right-of-way by decorative fences and walls between three feet and four feet in height; or
 - 2. Any parcel shall be screened along the interior side lot lines and rear lot lines by a six-foot high fence or wall, unless a joint access agreement has been entered into in compliance with Section 17.330.060 (Adjustments to Parking Requirements).
- F. **IL and IH zones adjacent to agricultural or residential zones.** Where an IL or IH zone abuts or is adjacent to any residential or agricultural zone, a 15-foot wide strip that directly abuts any lot line shall be landscaped and continuously maintained. The next 35 feet (i.e., the strip from the interior edge of the 15-foot wide strip to the front setback line) may be used either for parking or landscaping but shall not be used for loading.
- G. **Perimeter parking lot landscaping – Adjacent to streets and residential zones.**
 - 1. Where the front, side, or rear of a parking area is located adjacent to a street, a landscaped border of not less than 10 feet in depth shall be installed adjacent to the property line.

2. Any parking area adjacent to a residential zone shall have a decorative solid masonry wall or landscaped berm that is a minimum of four feet in height. Any remaining area between the landscape border and the paved parking area shall also be landscaped. The wall or berm shall be reduced to 30 inches in overall height within any traffic safety visibility area in compliance with Section 17.305.150 (Traffic Visibility Area).
- H. Perimeter parking lot landscaping - Abutting residential zones.** Where the side or rear of a parking area located within a nonresidential zone directly abuts a residential zone, a decorative solid masonry wall six feet in height shall be installed on the boundary line. The wall shall be reduced to a maximum four feet in height within the front or side setback areas consistent with the requirements in Section 17.315.020 (Location, Height, and Type Standards), and a landscape border not less than five feet in width shall be installed on the nonresidential zone side between the wall and the paved parking area.
- I. Perimeter parking lot landscaping – Abutting nonresidential zones.** Where parking abuts a nonresidential zone, the adjacent property shall be protected from vehicles by landscaping, curbing, or wheel stops, unless a joint access agreement is in place in compliance with Subsection 17.330.080.G.4 (Access to adjacent sites).
- J. Islands and landscape planters.** Islands at the end of parking aisles shall be a minimum of eight feet in width. Landscape planters between parking islands shall be consistent with the City’s Landscape Design Guidelines and shall be a minimum four-foot square). One landscape planter shall be required for every six parking spaces. See Figure 3-18 (Interior Parking Lot Landscaping).

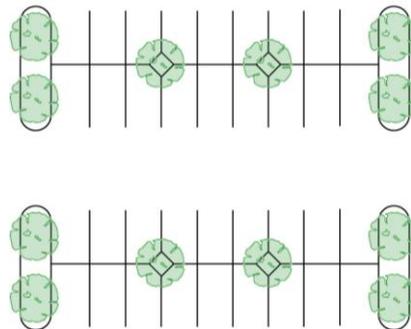


Figure 3-18
Interior Parking Lot Landscaping

- K. Loading/unloading areas – Abutting residential zones.** Where loading/unloading docks abut a residential zone, a 25-foot wide planting buffer area shall be provided, which shall be consistent with the City’s Landscape Design Guidelines.

17.330.100 – Paving Limitations for Driveways in Residential Zones

- A. Driveways.** In compliance with Section 17.305.090 (Paving Within Residential Front Yard Area), paving for driveways in residential zones shall not exceed 35 percent of the required total front yard area. See Figure 3-3 (Limits on Paving and Hardscaping for Residential Front Yards). The Director may approve deviations from this standard for parcels of 50 feet or less in width.
- B. Zoning Clearance.** New driveway paving shall require a Zoning Clearance issued in compliance with Chapter 17.655 (Zoning Clearances).

17.330.110 – Bicycle Parking

Each multi-family residential project of five or more units and each nonresidential land use shall provide bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, in compliance with this Section.

- A. Number of spaces required.**
- 1. Multi-family project.** A multi-family project of five or more units shall provide bicycle parking facilities equal to a minimum of 10 percent of the required motor vehicle spaces, unless separate secured garage space is provided for each unit. The bicycle facilities shall be distributed throughout the project.
 - 2. Nonresidential project.** A nonresidential project (e.g., retail, office, etc.) shall provide bicycle parking facilities equal to a minimum of 10 percent of the required motor vehicle spaces, distributed to serve customers and employees of the project.
- B. Types of bicycle parking facilities.** Bicycle parking facilities may consist of any of the following:
- 1. Parking racks.** Bicycle parking racks shall be designed to allow the bicycle to be securely locked in an upright position. The parking rack shall be of permanent construction (e.g., heavy gauge tubular steel) with angle bars permanently attached to the pavement. The design shall be approved by the Director.
 - 2. Lockers.** Bicycle storage lockers should be located close to building entrances, or on the first level of a parking garage and within range of security surveillance, and away from sidewalks and areas with high pedestrian traffic. Each bicycle storage locker shall be:

- a. Large enough to accommodate the user's bicycle and associated items.
- b. Fully enclosed and weather-tight.
- c. Made of durable materials that resist theft and vandalism.
- d. Accessible only to user and owner by a controlled access system that may use keys, swipe card (key fob) or an electronic key pad located on a locker door.
- e. Installed on a level surface with clearance for locker doors.
- f. Securely attached to the ground or floor by bolting them to a hard surface or fixing them in concrete with fasteners that cannot be removed by standard tools. Concrete is the preferred surface for maximum security although other surfaces may also be appropriate.

3. Site design standards and strategies.

- a. **Aisles.** Access aisles to bicycle parking facilities shall be at least five feet in width.
- b. **Accessibility.** Where possible, a site plan that includes stairways shall also include an alternative, level access route for bicycles. If it is not possible to provide an alternative access, a ramp or a small channel for bicycle wheels on the edge of a stairway shall be provided.
- c. **Space dimensions.** Each bicycle space shall be a minimum of two feet in width and six feet in length and have a minimum of seven feet of overhead clearance, with additional back-out or maneuvering space of at least five feet.
- d. **Location.** Bicycle spaces shall be located within 50 feet of building entrances and shall be highly visible from the uses they serve. They shall not be located to interfere with pedestrian or motor vehicle traffic flow or to cause damage to plant material from bicycle traffic.
- e. **Relationship to motor vehicle parking.** Bicycle spaces shall be separated from motor vehicle parking spaces or aisles by a fence, wall, or curb, or by at least five feet of open area, marked to prohibit motor vehicle parking.

4. **Surface.** A hard surfaced parking area shall be provided.
5. **Signs.** Where bicycle parking areas are not clearly visible to approaching cyclists, signs shall be provided to indicate the location of the facilities.
6. **Maintenance.** Damage to bicycle racks and lockers shall be repaired in a timely fashion and any derelict or abandoned bikes shall be removed so as not to prevent or discourage continued use of the racks and lockers.

17.330.120 – Off-Street Loading Design and Development Standards

- A. **Number of loading spaces required.** Nonresidential uses with less than 10,000 square feet of gross floor area shall provide one off-street loading space, which may be combined with an off-street parking space. Nonresidential uses with 10,000 square feet of gross floor area or more shall provide off-street loading space(s) in compliance with Table 3-9, below. Requirements for uses not specifically listed shall be determined by the Director based upon the requirements for comparable uses and upon the particular characteristics of the proposed use.

**Table 3-9
Required Loading Spaces**

Type of Land Use	Total Gross Floor Area	Loading Spaces Required
Manufacturing, research and development, institutional, and service uses	10,000 – 30,000 sq ft	One
	30,001 sq ft or more	One for each additional 20,000 sq ft, plus additional as required by Director.
Office uses	30,000 to 60,000 sq ft	One
	60,001 + sq ft	One for each additional 30,000 sq ft, plus additional as required by Director.
Commercial and other allowed uses	10,000 to 20,000 sq ft	One
	20,001 + sq ft	One for each additional 10,000 sq ft, plus additional as required by Director.

B. Design and development standards for off-street loading areas.

1. **Dimensions.** Loading spaces shall be at least 10 feet in width, 25 feet in length, with 14 feet of vertical clearance.
2. **Lighting.** Loading areas shall have lighting capable of providing adequate illumination for security and safety. Lighting sources shall be shielded to prevent light spill beyond the property line. Lighting standards shall be energy-efficient and in scale with the height and use of adjacent structure(s) in compliance with Section 17.300.080 (Outdoor Light and Glare).
3. **Location.** Loading spaces shall be located and designed as follows:
 - a. As near as possible to the primary structure and limited to the rear one-third of the parcel, if feasible;
 - b. Situated to ensure that the loading facility is not visible from adjacent public rights-of-way or is properly screened from view;
 - c. Situated to ensure that all loading and unloading takes place on-premises and in no case within an adjacent public right-of-way or other traffic circulation areas on-premises;
 - d. Situated to ensure that all vehicular maneuvers occur on-premises; and
 - e. Situated to avoid adverse impacts upon neighboring residential properties.
4. **Striping.** Loading areas shall be striped indicating the loading spaces and identifying the spaces for "loading only." The striping shall be permanently maintained by the property owner/tenant in a clear and visible manner at all times.
5. **Dock-high loading areas.**
 - a. Dock-high loading areas shall not face public rights-of-way unless adequately screened from view. Screening shall consist of a solid decorative masonry wall. The height of the screening shall be determined by a line-of-sight study that illustrates where the top of the wall will intercept a line-of-sight drawn from the eye level of the occupant of a passing motor vehicle, adjudged to be five feet above the ground level, located in the farthest travel lane of the adjacent public right-of-way to the top of the loading door opening. See Figure 3-19 (Line of Sight Study).

- b. A minimum 120-foot deep maneuvering area shall be provided in front of each dock-high loading door.
- c. Dock-high loading doors shall be closed when not in use.
- d. Dock-high doors that face sensitive receptors (e.g., residential uses, hospitals, schools, etc.) shall be fitted with a rubber boot or similar sound-muffling material.

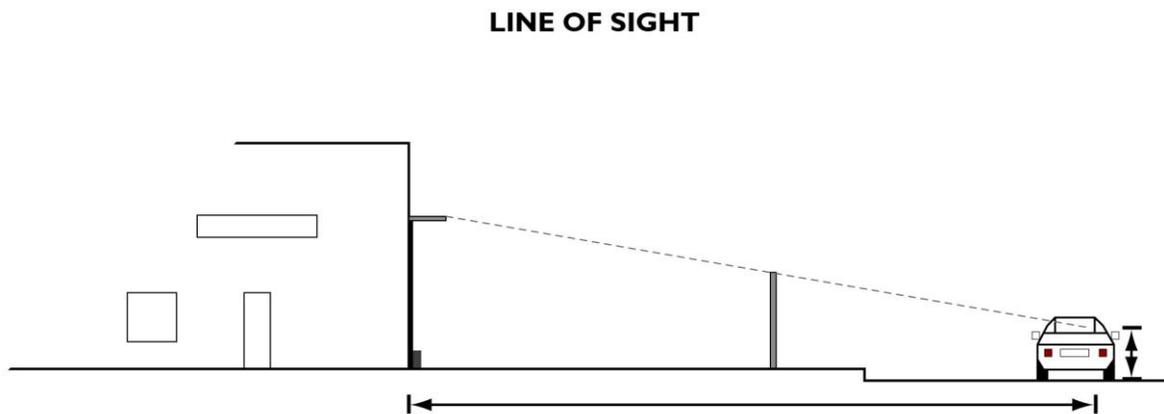


Figure 3-19
Line of Sight Study

Chapter 17.335 – Sign Regulations

Sections:

- 17.335.010 – Purpose
- 17.335.020 – Applicability
- 17.335.030 – General Provisions
- 17.335.040 – Definitions
- 17.335.050 – Prohibited Signs
- 17.335.060 – Standards for All Types of Signs
- 17.335.070 – Standards for Permanent Signs
- 17.335.080 – Standards for Specific Types of Permanent Signs
- 17.335.090 – Standards for Signs for Specific Uses
- 17.335.100 – Standards for Temporary Signs
- 17.335.110 – Guidelines for Signs in Downtown Area
- 17.335.120 – Procedures for Sign Permits, Exemptions, and Revocations
- 17.335.130 – Comprehensive Sign Program
- 17.335.140 – Maintenance
- 17.335.150 – Enforcement
- 17.335.160 – Nonconforming Signs
- 17.335.170 – Abandoned Signs
- 17.335.180 – Illegal Signs

17.335.010 – Purpose

Because of the need to protect and enhance the City’s unique character, to protect public safety and property values, and to promote economic development and tourism through enhanced aesthetic appeal, the Council finds that proper sign control is an important governmental interest. Therefore, the intent of the standards in this Chapter is as follows:

- A. Provide each sign user an opportunity for adequate identification while guarding against the excessive and confusing proliferation of signs by appropriately regulating the time, place, and manner under which signs may be displayed.
- B. Preserve and enhance the community’s appearance by regulating the type, size, location, quality, design, character, scale, color, illumination, and maintenance of signs.

- C. Encourage well-designed signs that attract and invite rather than demand the public's attention.
- D. Encourage the design of signs that are complementary to the structures and uses to which they relate and that are harmonious with their surroundings.
- E. Ensure freedom of expression for sign uses, including noncommercial speech, by maintaining a content-neutral approach to sign regulation.
- F. Enhance the safety of motorists and pedestrians by minimizing the distraction of intrusive signs, as well as to protect the life, health, property, and general welfare of City residents and visitors.
- G. Provide a review process for signs to ensure compliance with the requirements of this Chapter.

17.335.020 – Applicability

- A. **Regulatory Scope.** This Chapter regulates signs, as defined in this Chapter, that are placed on private property or on property owned by public agencies other than the City and over which the City has zoning authority.
- B. **Applicability.** The regulations in this Chapter shall apply to all signs in all zones that come within the regulatory scope as defined in Subsection A, above, unless specifically exempted. Sign Permits shall be required in compliance with Section 17.335.120 (Procedures for Sign Permits, Exemptions, and Revocations). In addition, the provisions of Municipal Code Title 15 (Buildings and Construction) relating to building and electrical codes, fees, penalties, and a method of enforcement shall also apply. Applications for Sign Permits that comply with all of the applicable requirements of this Chapter, and other applicable laws, shall be granted. Signs approved in conjunction with any other application shall be consistent with this Chapter, unless modified by a discretionary permit. Where approval of a Conditional Use Permit, Minor Use Permit, Minor Variance, Site Plan and Design Review, or Variance has been obtained, any applicable conditions of that approval shall supersede the requirements of this Chapter.
- C. **Sign Permit Required.** A Sign Permit shall be required for all signs, including change of copy allowed under the provisions of this Chapter. Only signs that comply with all of the applicable provisions of this Chapter shall be granted. Content of a noncommercial message shall not be considered when any required Sign Permit application is reviewed. Content of a commercial message shall be considered only to the extent required to determine whether the sign is an on-site sign. Refer to Section 17.335.120 (Procedures for Sign Permits, Exemptions, and Revocations).

- D. **Nonconforming signs.** An existing legally allowed sign that does not conform to the requirements of this Chapter shall be deemed a nonconforming sign and shall be subject to the requirements of Section 17.335.160 (Nonconforming Signs).
- E. **Planned developments.** Sign regulations contained in an approved Planned Development Permit shall not be less restrictive than the regulations in this Chapter. If the Planned Development Permit does not provide regulations for a particular sign type or situation, the requirements of this Chapter shall prevail.
- F. **Specific plans.** Sign regulations contained in an adopted specific plan document shall not be less restrictive than the regulations in this Chapter. If the adopted specific plan does not provide regulations for a particular sign type or situation, the requirements of this Chapter shall prevail.

17.335.030 – General Provisions

The policies, rules, and regulations stated in this Section apply to all signs subject to compliance with this Chapter.

- A. **Content neutral regulation.** It is the City’s policy to regulate signs in a constitutional manner that is content neutral with respect to both noncommercial and commercial messages. For the purposes of this Chapter, a content-neutral regulation is a so-called “time, place, or manner” regulation, which, as the name suggests, does no more than place limits on when, where, and how a message may be displayed or conveyed.
- B. **Regulatory interpretations.** Interpretations of the requirements of this Chapter shall be exercised in light of the City’s content neutrality policy. Where a particular type of sign is proposed in a permit application, and the type is neither expressly allowed nor prohibited by this Chapter, or whenever a sign does not qualify as a “structure” as defined in the California Building Code, then the Director shall approve, conditionally approve, or disapprove the application based on the most similar sign type that is expressly regulated by this Chapter.
- C. **Substitution of messages.** Signs authorized by this Chapter are allowed to carry noncommercial messages in lieu of any other commercial or noncommercial messages. Substitution of messages may be made without an additional permitting process. This provision prevails over any more specific provision to the contrary within this Chapter. The purpose of this provision is to prevent an inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial message over any other noncommercial message. This provision does not create a right to increase the total amount of signs on a parcel, nor does it affect the requirement that a sign structure or mounting device be properly constructed.

- D. Rules for non-communicative aspects of signs.** Rules and regulations concerning the non-communicative aspects of signs, (e.g., number, type, location, size, height, illumination, spacing orientation, etc.), stand enforceable independently of any permit or review process.
- E. Mixed-use projects and multiple use zones.** In a mixed-use structure or in a zone where both residential and nonresidential uses are allowed, the sign rights and responsibilities applicable to a particular use shall be determined as follows:
1. Residential uses shall be treated as if they were located in the residential area where that type of use would be allowed as a matter of right; and
 2. Nonresidential uses shall be treated as if they were located in a zone where that particular use would be allowed, either as a matter of right or subject to a Conditional Use Permit or similar discretionary process.
- F. Billboard policy.** The City completely prohibits the construction, erection, or use of billboards (i.e., off-site advertising signs), other than those that legally exist in the City, or for which a valid permit has been issued and has not expired, as of the date on which this provision was first adopted. The City adopts this policy in compliance with California Government Code section 65850, California Business and Professions Code Sections 5354(a) and 5408.3 (both effective January 1, 2003). Permits shall not be issued for billboards that violate this policy, and the City will take immediate abatement action against billboards constructed or maintained in violation of this policy. The Council affirmatively declares that it would have adopted this billboard policy even if it were the only provision in this Chapter. The Council intends for this billboard policy to be severable and separately enforceable even if other provisions of this Chapter may be declared, by a court of competent jurisdiction, to be unconstitutional, invalid, or unenforceable. This provision does not prohibit agreements to relocate existing, legal billboards, as encouraged by California Business and Professions Code Section 5412.
- G. Property owners' consent.** Signs shall not be displayed without the consent of the legal owner of the property on which the sign is mounted or displayed. For purposes of this regulation, "owner" means the holder of the legal title to the property and all parties and persons holding a present right to possession, control, or use of the property.
- H. Legal nature of sign rights and duties.** As to all signs attached to property, real or personal, the sign rights, duties, and obligations arising from this Chapter attach to and travel with the land or other property on which a sign is mounted or displayed. This provision does not modify or affect the law of fixtures, sign-related provisions in private leases, easements, mutual covenants or equitable servitudes regarding signs (so long as they are not in conflict with this Chapter), or the ownership of sign structures.

17.335.040 – Definitions

A-Frame Sign. A portable freestanding sign that is hinged, folded, or otherwise angled at the top and widens at the bottom to form a shape similar to the letter “A”.

Abandoned Nonconforming Sign. A nonconforming sign that is advertising a use that has ceased, or is located upon a structure that has been abandoned for more than 90 days. See “Abandoned Sign.” For the purposes of this definition, abandonment for the applicable 90-day period shall be deemed conclusive evidence of abandonment irrespective of the property, sign, or business owner’s intent.

Abandoned Sign. A sign that is advertising a use that has ceased; is located upon a structure that has been abandoned by its owner; does not identify or advertise a current bona fide business, lessor, service, owner, or product available upon the site; or that identifies or advertises an event or activity that has previously occurred. See Section 17.335.170 (Abandoned Signs) for timelines for determining abandonment.

Address Sign. The numeric reference of a structure or use to a street included as part of a sign.

Animated Sign. A sign that uses movement, lighting, or special materials to depict action or create a special effect or scene. This classification includes wind-actuated and other elements (e.g., balloons, bunting, pennants, streamers, whirligigs), or other similar devices.

Awning. A roof-like structure usually covered in fabric (e.g., canvas) that projects from the wall of a structure for the purpose of shielding a doorway or window from the elements.

Awning Sign. A sign painted on, printed on, or attached to the surface of an awning. See Figure 3-20 (Awning Sign).

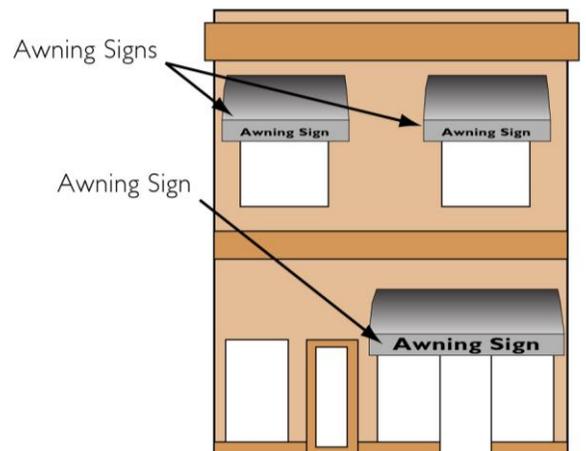


Figure 3-20
Awning Sign

Back-Lit Awning. An internally illuminated, fixed, space-frame structure with translucent, flexible, fabric reinforced covering designed in awning form and with graphics or copy applied to the visible surface of the awning.

Banner Sign. A sign made of fabric or any non-rigid material with no enclosing framework.

Billboard. A permanent structure used for the display of off-site commercial messages.

Blade/Bracket Sign. A small, pedestrian-oriented sign that projects perpendicular from a structure (blade sign) or is hung beneath a canopy (bracket sign).

Building Marker. A sign indicating the name of a building and date and incidental information about its construction, which is cut into a masonry surface or made of bronze or other permanent material.

Building Sign. A sign attached to or painted on a building.

Cabinet Sign. A sign that has one or more plastic, acrylic, or similar material faces (panels) that may or may not be internally illuminated. The sign panels may be either flat or shaped (“pan face”) and are attached to a metal frame (cabinet).

Canopy. A permanent roof-like structure of rigid or fabric materials extending from the main entrance of a structure and typically supported by posts at the corners furthest from where the canopy attaches to the structure. See also “Awning.”

Canopy Sign. A sign located on a permanent roof-like structure or canopy of rigid or fabric materials extending from the main entrance of a structure. See Figure 3-21 (Canopy Sign). See also “Blade/Bracket Sign.”

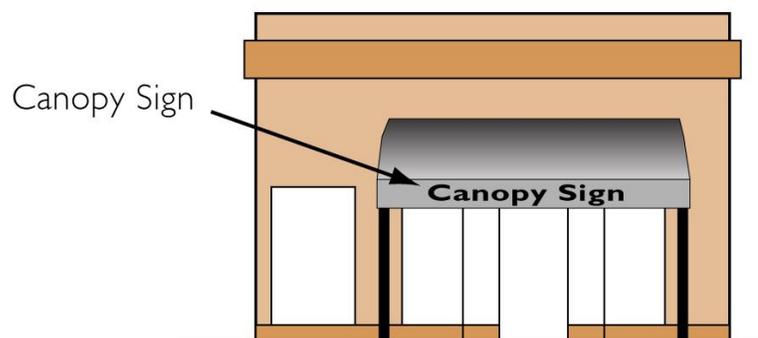


Figure 3-21
Canopy Sign

Changeable Copy Sign (electronic). A sign with changeable copy that is changed by incorporating video display, flip-disks, incandescent lamps, fluorescent lamps, fiber optics, light-emitting diodes, liquid crystal displays, plasma-displays, field emission displays, or any other mechanical or light-emitting matrix to convey changing copy or images. Also considered an animated sign. See Figure 3-22 (Changeable Copy Signs).

Changeable Copy Sign (manual). A sign with changeable copy that is manually changed, regardless of method of attachment or materials of construction. This classification includes bulletin boards and changeable copy signs on marquees. Does not include electronic message boards with lighted displays. See Figure 3-22 (Changeable Copy Signs).



Figure 3-22
Changeable Copy Signs

Commercial Mascot. Humans or animals used as advertising devices for commercial establishments, typically by the holding or wearing of signs, insignia, masks, or costumes associated with or advertising the commercial establishment. Includes sign twirlers, sign clowns, etc.

Commercial Message. A message displayed on a sign that relates primarily to economic interests (e.g., the exchange or sale of goods or services). This definition shall automatically incorporate court rulings defining the term “commercial speech.”

Construction Project Sign. A temporary sign erected on a parcel where construction is taking place.

Content Neutrality. See Section 17.335.030 (General Provisions).

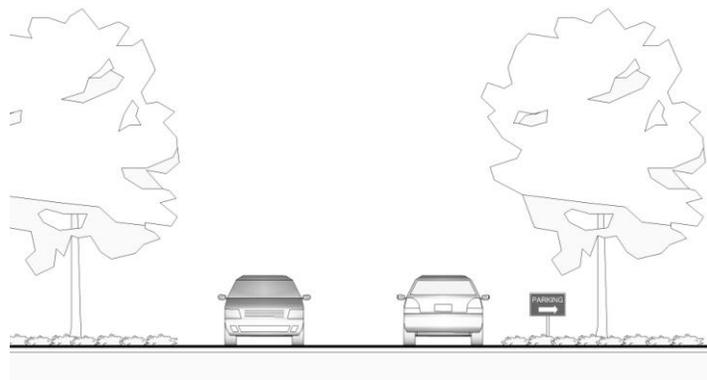
Copy. The graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic, or alphabetic form.

Department. The Planning Department of the City of San Jacinto.

Directional Sign.

On-Site Directional Sign. An on-site sign giving directions for traffic, instructions, or facility information of an establishment but with no advertising copy (e.g., stop signs, parking, or exit and entrance signs). See Figure 3-23 (Directional Sign).

Off-Site Directional Sign. An off-site sign giving directions to businesses, sales offices, model home complexes, or points of interest, etc., but with no advertising copy. See Figure 3-23 (Directional Sign). See Subsection 17.335.090.H (Standards for Signs for Specific Uses – Kiosk/off-site subdivision directional signs) and Subsection 17.335.090.I (Standards for Signs for Specific Uses – Off-Site Directional Signs).



On-Site Directional Sign



Off-Site Directional/Kiosk Sign

Figure 3-23
Directional Sign

Director. The Planning Director of the City’s Planning Department, or the Planning Director’s designee.

Directory Sign. A sign listing the tenants or occupants of a building or building complex.

Display Surface. The area made available by the sign structure for the purpose of displaying the advertising message.

Double-Faced Sign. A sign designed with the intent of providing copy on both sides. See Figure 3-24 (Double-Faced Sign).

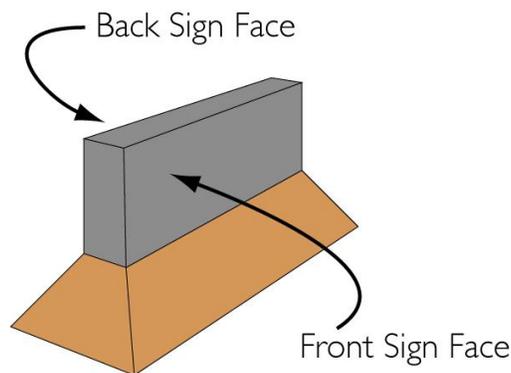


Figure 3-24
Double-Faced Sign

Establishment. A legal, nonresidential use of land to conduct a commercial or noncommercial activity. By way of example and not limitation, “establishment” includes stores, offices, places of worship, hospitals, manufacturing facilities, etc. Does not include home-based occupations or hobbies.

Façade. The entire building elevation, including the parapet.

Face of Sign. The area of a sign on which the copy is placed.

Fascia. Typically, the smooth wall surface between a window and the parapet.

Flag. A rectangular or cylindrical piece of fabric of distinctive design that is used as a symbol, as a sign device, or as a decoration.

Flashing Sign. A sign that displays an intermittent or sequential flashing light source.

Freestanding Sign. A sign supported permanently upon the ground by a structure and not attached to a building. This includes monument signs and pylon signs. See “Monument Sign” and “Pylon Sign.” See Figure 3-25 (Types of Freestanding Signs).

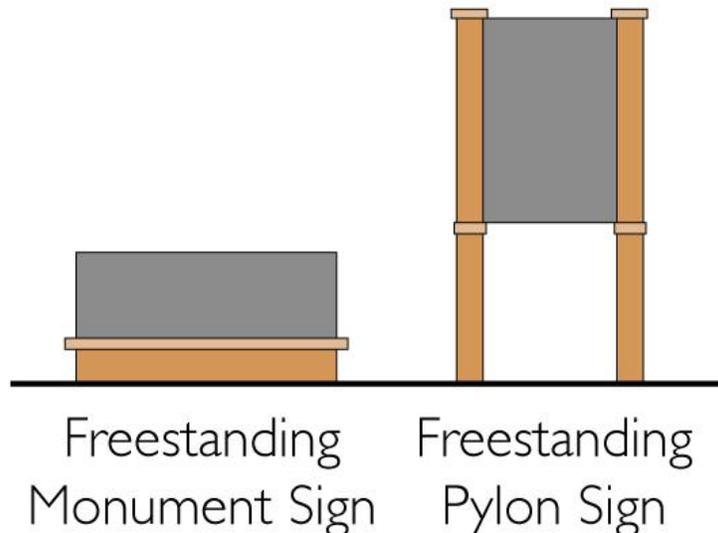


Figure 3-25
Types of Freestanding Signs

Frontage.

Building Frontage. The structure elevation that fronts on a street, alley, driveway, parking area, pedestrian plaza, walkway, courtyard, or arcade.

Building Frontage, Primary. The side or façade of a structure that abuts the front yard of the parcel on which the structure is located. See Figure 3-26 (Frontages).

Building Frontage, Secondary. The side or façade of a structure that abuts the street side yard of the parcel on which the structure is located. See Figure 3-267 (Frontages).

Street Frontage. The length of the property line of a parcel along a right-of-way on which it borders.

Tenant Frontage. That portion of a multi-tenant building facade that is devoted to a single tenant.

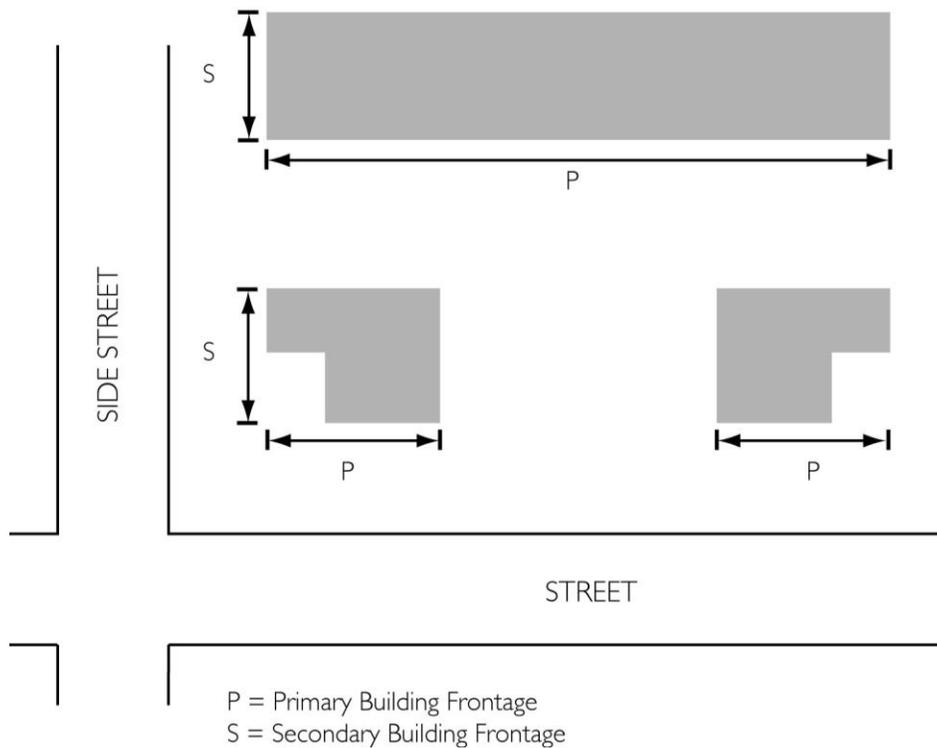


Figure 3-26
Frontages

Human Sign-Holder. Someone who applies an advertisement on his or her person. Most commonly, this means holding or wearing a sign of some sort. Sign holders are known as human directionals in the advertising industry, or colloquially as sign walkers, sign wavers, or sign twirlers. Frequently, they will spin or dance or wear costumes with the promotional sign in order to attract attention.

Illegal Sign. A sign installed without issuance of a Sign Permit; or that is not in compliance with this Chapter; or that is not a legal nonconforming sign.

Illuminated Sign. A sign lighted with an artificial light source for the purpose of decorating, outlining, accentuating, or brightening the sign area.

Externally Illuminated Sign. A sign illuminated from an exterior light source.

Indirectly Illuminated Sign. A sign whose illumination is derived entirely from an external artificial source that is arranged to illuminate the sign area only.

Internally Illuminated Sign. A sign illuminated from an interior light source contained within the sign cabinet.

Incidental Sign. A small sign, emblem, or decal informing the public of the facilities, trade affiliation, or services available on the premises (e.g., a credit card sign or a sign indicating hours of business or presence of parking).

Inflated Display Sign. A three-dimensional object filled or activated by moving or non-moving air or other gas, located, attached, or tethered to the ground, site, merchandise, structure, or roof and used as a sign or to attract attention. This definition does not include inflated gymnasium-type jumping or sliding devices used temporarily for a non-advertising activity (e.g., children's parties, etc.).

Kiosk. See "Directional Sign."

Logo. An established trademark or symbol associated with a business or corporation.

Luminous Tube Signs. A sign that consists of or is illuminated by exposed electrically-charged gas-filled tubing, (e.g., neon and argon signs), or by fiber optics.

Menu Board. A permanently mounted sign displaying the bill of fare for a drive-through restaurant.

Menu Sign. Menu displayed on the exterior premises of a restaurant, visible from the public right-of-way.

Monument Sign. A freestanding sign, the structure of which is supported from finished grade, giving the appearance of having a solid base. See "Freestanding Sign."

Mural. An artistic image or design painted or affixed to the exterior surface of a wall that does not contain any commercial or noncommercial text or message nor relates to the business upon whose premises it is painted.

Nonconforming Sign.

Legal Nonconforming Sign. A legal sign that lawfully existed before the effective date of this Development Code or amendment, and that does not comply with the minimum sign regulations of this Development Code. This also includes legal signs lawfully located on sites annexed into the City after the adoption of this Development Code.

Illegal Nonconforming Sign. See Subsection 17.335.180.C. (Illegal Signs).

Noncommercial Message. A sign message that is not commercial in nature. This definition shall automatically incorporate court rulings defining the term "noncommercial speech."

Off-Site Sign. A sign erected on a parcel that is not the location of the business or use that the sign is advertising. See also “Directional Sign.”

Off-Site Message. A message on a sign that advertises a business, accommodation, service, or activity not provided on the premises on which the sign is located. This classification includes billboards. The off-site/on-site distinction applies only to commercial messages.

On-Site Message. A message on a sign that advertises a business, accommodation, service, or activity provided on the premises on which the sign is located. The off-site/on-site distinction applies only to commercial messages.

Parapet. The extension of a false front or wall above a roofline.

Pedestrian-Oriented Sign. A sign that is designed for and directed toward pedestrians so that the pedestrians can easily and comfortably read the sign as they stand adjacent to it. A pedestrian-oriented sign is usually read from a distance of 15 to 20 feet.

Permanent Sign. A sign designed with durable materials and intended to be used in excess of 60 days per calendar year.

Pole Sign. A sign that is supported by a single pole or similar support structure so that the bottom edge of the sign is one foot or more above grade.

Political Sign. A temporary sign directly associated with national, state or local elections.

Portable Sign. Any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building.

Projecting Sign. A sign that projects from and is supported by a wall of a building. See Figure 3-27 (Projecting Sign).

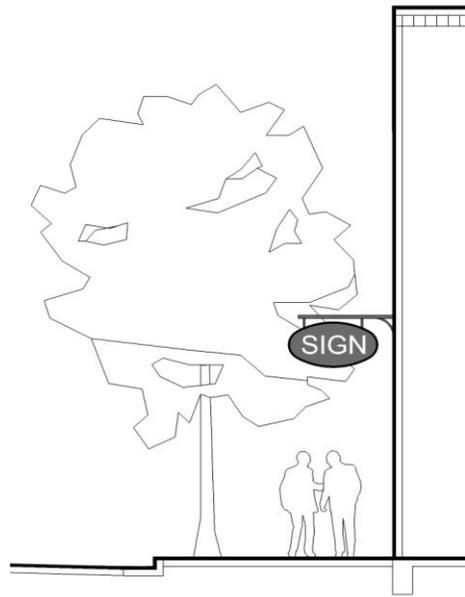


Figure 3-27
Projecting Sign

Projection. The distance by which a sign extends from the building it is supported by. See Figure 3-28 (Sign Projection).

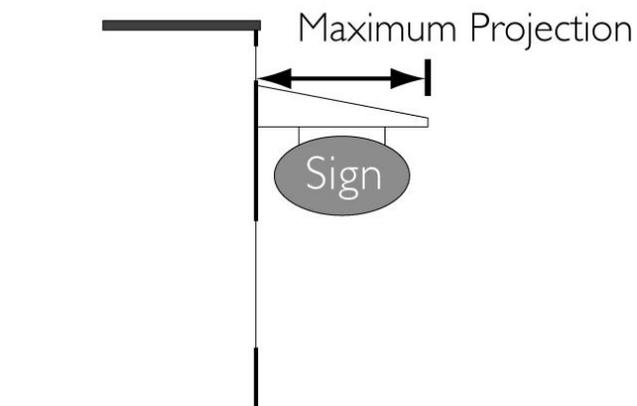


Figure 3-28
Sign Projection

Public Service Sign. Signs of utilities or other publicly regulated service providers indicating danger, and similar aids to service or safety, including official advisory and signal flags.

Pylon Sign. A sign that is supported by two or more uprights, poles, or braces in or upon the ground that are not a part of a building or enclosed within the exterior walls of a building and are separated from any other structures by a distance of at least six inches. This includes a sign that is supported by two or more poles that are surrounded by a decorative cover to form one solid sign support. See “Freestanding Sign.”

Raceway. A channel for protecting and holding electrical wires and cables, typically a rectangular metal box for the electrical components of an illuminated sign consisting of channel letters. Pre-wired channel letters are mounted to the raceway, which in turn is mounted to a building wall. One set of wiring is then connected to the main circuit. The rectangular box (raceway) sets behind the attached letters and is not designed as an architectural feature. Typically, the raceway is painted to match the building wall color so that it blends in with the wall. See Figure 3-29 (Electrical Raceway with Channel Letter).

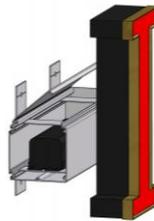


Figure 3-29
Electrical Raceway with Channel Letter

Real Estate Sign. An on-site sign advertising real property for sale, exchange, lease, or rent.

Roof Line. The top edge of a roof or building parapet, whichever is higher, excluding any mansards, cupolas, pylons, chimneys, or minor projections.

Roof Sign. A sign that is erected, constructed, or placed on or over the roof of a structure, to include a mansard roof, and that is partially or totally supported by the structure.

Service Station. For purposes of this Chapter, a commercial facility that sells gasoline, diesel, or alternative fuel for the on-site fueling of individual vehicles.

Sign. Any device, fixture, placard or structure, including its component parts, that draws attention to an object, product, place, activity, opinion, person, establishment, institution, organization, or place of business, or that identifies or promotes the interests of any person and that is to be viewed from any public street, road, highway, right-of-way or parking area. Does not include signs that are internal to a development (e.g., within a mall, office building, or multi-family building, etc.) and not visible from the public right-of-way.

The following are not within the definition of “sign” for regulatory purposes of this Chapter:

- a. Architectural features. Decorative or architectural features of buildings (not including lettering, logos, trademarks, or moving parts).
- b. Fireworks and other lights. The legal use of fireworks, spotlights, candles and artificial lighting not otherwise regulated by this Chapter.
- c. Interior signs. Signs or other visual communicative devices that are located entirely within a building or other enclosed structure and are not visible from the exterior thereof or located at least five feet inward from the interior face of the window, provided the building or enclosed structure is otherwise legal.
- d. Legally required information (e.g., public notices, registration or licensing information, etc.).
- e. Manufacturers’ marks. Marks on tangible products that identify the maker, seller, provider, or product, and that customarily remain attached to the product even after sale.
- f. Murals. A picture on an exterior surface of a structure. A mural is a sign only if it is related by language, logo, or pictorial depiction to the advertisement of any product or service or the identification of any business.
- g. Newsracks or newsstands.
- h. Symbols embedded in architecture. Symbols of noncommercial organizations or concepts including, but not limited to, religious or political symbols, when they are permanently integrated into the structure or a permanent building that is otherwise legal; also includes foundation stones, corner stones and similar devices.

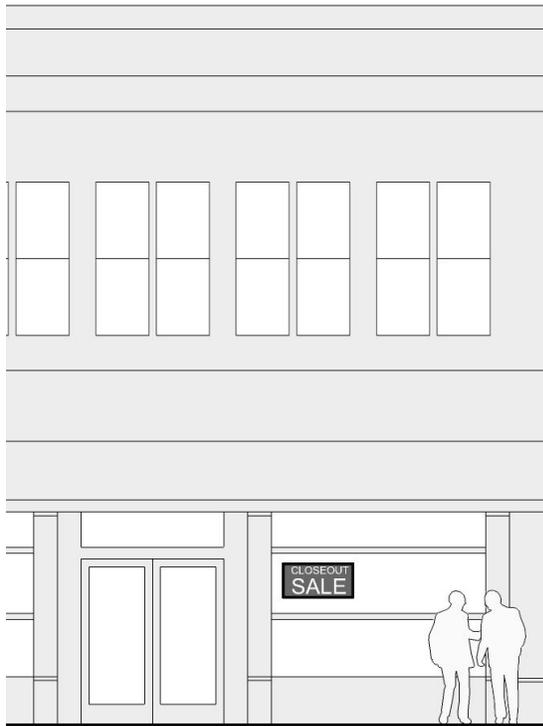
Sign Area. -See Section 17.335.060 (Standards for All Types of Signs).

Sign Height. See Section 17.335.060 (Standards for All Types of Signs).

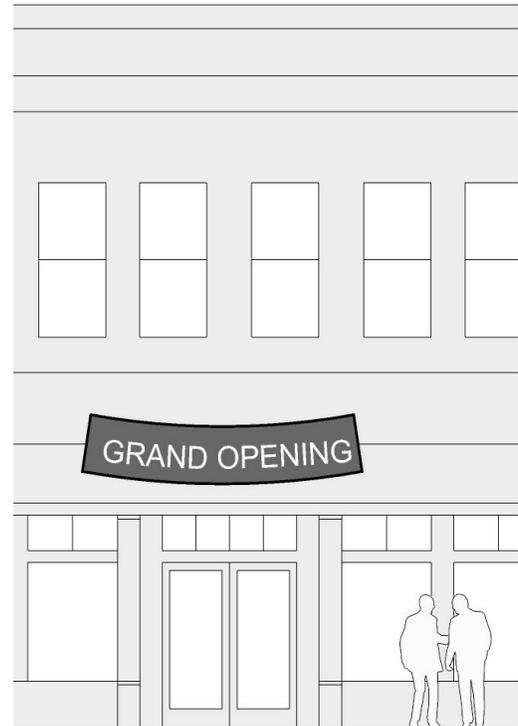
Sign Program. See Section 17.335.130 (Comprehensive Sign Program).

Sign Structure. The sign, and the supports, uprights, braces, and framework of the sign.

Temporary Sign. A sign, banner, pennant, valance, or advertising display constructed of cloth, canvas, fabric, cardboard, wall board, or other light nondurable materials, with or without frames, designed to be displayed for a limited period of time. Typically displayed by an establishment to promote a sale, new product line, management change, service, liquidation sales, going-out-of-business sales, person running for public office, and similar special activities or events. See Figure 3-30 (Temporary Signs).



Temporary Window Sign



Temporary Wall Sign

Figure 3-30
Temporary Signs

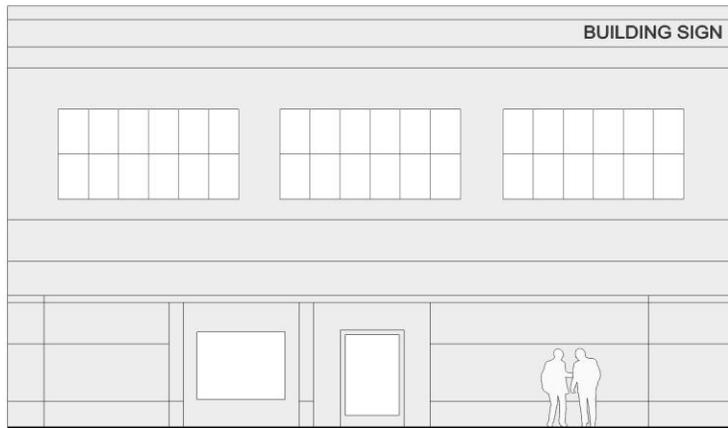
Time/Temperature Sign. An electronic or mechanical device that shows time or temperature but contains no business identification or advertising.

Trademark. A word, name or symbol which, with a distinctive type or letter style is associated with a business or business entity in the conduct of business.

Vehicle Sign. A sign painted, affixed, or placed upon a vehicle, or trailer that is designed to be towed behind a vehicle. On street legal vehicles, the following insignia are not considered to be “Vehicle Signs,” and are not regulated as Vehicle Signs:

- a. License plates.
- b. License plate frames.
- c. Registration insignia.
- d. Noncommercial messages painted on or otherwise attached in a manner so that the vehicle can be legally operated on public rights-of-way, or any noncommercial message that does not exceed a total of three square feet in size.
- e. Messages on a vehicle the primary purpose of which is to be used in the regular course of business to transport the personnel or products, or to provide the services (not including general advertising) that are advertised by the messages on the vehicle, provided that the messages are painted or otherwise attached in a manner so that the vehicle can be operated on public rights-of-way.
- f. Commercial messages that do not exceed a total of three square feet in size.
- g. Commercial messages on duly licensed mass transit vehicles that pass through the City.

Wall Sign. A sign attached to, erected against, painted on, or fastened to a wall of a building or structure, the face of which is in a single plane parallel to the plane of the wall and that does not project more than 12 inches from the building or structure. A wall sign shall be limited to channel or painted lettering, with a hidden raceway, or a cabinet (“Cabinet Sign”). See Figure 3-31 (Wall Sign.)



Building Identification Wall Sign



Business Identification Wall Sign

**Figure 3-31
Wall Sign**

Window Sign. Any sign, whether or not temporary in nature, which is applied or attached to a window, or located within five feet of the inside of a window in a manner that it is visible from the exterior of the structure.

17.335.050 – Prohibited Signs

The following signs and sign types shall be prohibited throughout all zones in the City.

- A. **Abandoned signs.** Abandoned signs, subject to Section 17.335.170 (Abandoned Signs).
- B. **Painted fence or roof signs.** Signs painted on or attached to a fence or roof, excluding addresses required by police or fire regulations.
- C. **Hazardous location.** Signs located so that the signs, or a portion of the sign or sign supports, interfere with the free use of a fire escape, exit or standpipe; or obstruct a required door, stairway, ventilator, or window; encroach into a public right-of-way; block the view of traffic control devices; or interfere with the traffic visibility area described in Section 17.305.150 or are otherwise hazardous.
- D. **Off-site commercial messages.** Off-site commercial signs (i.e., billboards). Existing off-site commercial signs are considered nonconforming signs and are regulated by Section 17.335.160 (Nonconforming Signs).
- E. **Beams of light.** No person shall erect or maintain any device that directs a beam of light, including klieg lights and searchlights, in a flashing sequence toward any street or highway, nor shall any person erect or maintain any illuminated sign or similar device that interferes with the visibility of any official traffic control device or warning signal.
- F. **Luminous tube lighting (e.g., neon, rope lighting).** Luminous tube lighting shall not be used to outline or frame doors and windows.
- G. **Confusing design.** Signs similar in color or design to traffic control signs, or signs that may mislead or confuse pedestrians or vehicle traffic.
- H. **Prohibited sign types.**
 - 1. A-frame signs or portable signs, except as provided by Subsection 17.335.120.B.2.m. (Exemptions to Sign Permit requirements – Portable parking lot and valet parking signs).
 - 2. Animated, moving, flashing, blinking, reflective, revolving or any other similar sign (excluding electronic message boards).
 - 3. Backlit awnings.

4. Banners, flags and pennants, except as allowed by Section 17.335.100 (Standards for Temporary Signs) or unless exempt as provided by Subsection 17.335.120.B. (Exemptions to Sign Permit requirement).
 5. Chalkboards/blackboards.
 6. Changeable copy signs, except as a component of another type sign allowed through the Comprehensive Sign Program (Section 17.335.130). Does not include fuel price signs at service stations.
 7. Off-site signs and billboards, except as provided by Subsection 17.335.090.H (Standards for Signs for Specific Uses – Kiosk/off-site subdivision directional signs) and Subsection 17.335.090.I (Standards for Signs for Specific Uses – Off-Site Directional Signs).
 8. Human sign-holders - commercial, as defined in Section 17.335.040 (Definitions).
 9. Inflated display signs, except as otherwise allowed by Section 17.335.100 (Standards for Temporary Signs).
 10. Roof signs.
 11. Signs in or over public right-of-way, unless with an approved Encroachment Permit or approved as part of the City banner installation program in Section 17.335.100.C (Standards for Temporary Signs – Banner Installation Program for Banners Over City Rights-Of-Way).
 12. Vehicle signs, as defined in Section 17.335.040 (Definitions).
 13. Window signs exceeding 25 percent of the window area, except as provided in Section 17.335.120.B.2.j. (Exemptions to Sign Permit Requirement – Holiday window signs).
- I. Repetitive sign copy.** Multiple or repetitive signs or sign copies on the same frontage of a building.

17.335.060 – Standards for All Types of Signs

- A. Compliance required.** No person shall erect, re-erect, construct, maintain, enlarge, alter, change copy, repair, move, improve, remove, convert, or equip any sign or sign structure, or paint a new wall sign, in the City, or cause or permit the same to be done, contrary to, or in violation of, any provision of this Chapter.

- B. Uncertainty of Chapter provisions.** The Director shall have the authority to interpret the provisions of this Chapter. The Director may instead refer the request for interpretation to the Commission in compliance with Chapter 17.105 (Interpretation of Regulations).
- C. Sign construction.** All signs that are not temporary signs shall be constructed of permanent materials, including but not limited to metal, wood, acrylic, or other comparable durable weatherproof materials. No material more combustible than treated wood shall be used in the construction of any permanent sign.
- D. Sign area computation.**
1. The maximum allowed sign area for a building sign is calculated by first determining if the sign is to be placed on a “primary” or “secondary” building/tenant frontage (as defined in this Chapter) and then referring to Tables 3-8 and 3-9 in Section 17.335.070 (Standards for Permanent Signs).
 2. In cases where a building has more than one street frontage, the longest of the street frontages shall be considered the primary building frontage. In cases where a business has no building frontage facing a street, the building frontage with the primary business entrance shall be considered the primary building frontage (e.g., an entrance facing a courtyard) (see Figure 3-27 (Frontages)). For multi-tenant buildings, ground floor tenants may have their primary frontage determined independently of the rest of the building based upon these rules.
 3. The surface area of a sign shall be calculated by enclosing the extreme limits of all framing, emblem, logo, representation, letters applied to the building without a distinctive background (e.g., channel letters), or other display within a single continuous perimeter composed of the smallest square, circle, rectangle, triangle or combination thereof with no more than eight lines. See Figure 3-32 (Sign Area Measurement).

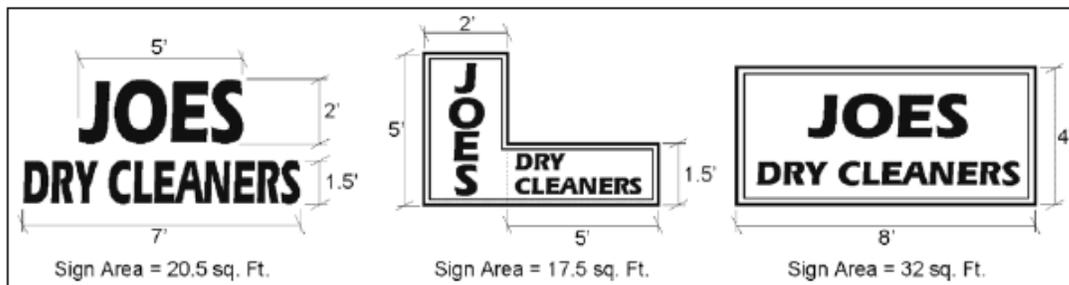
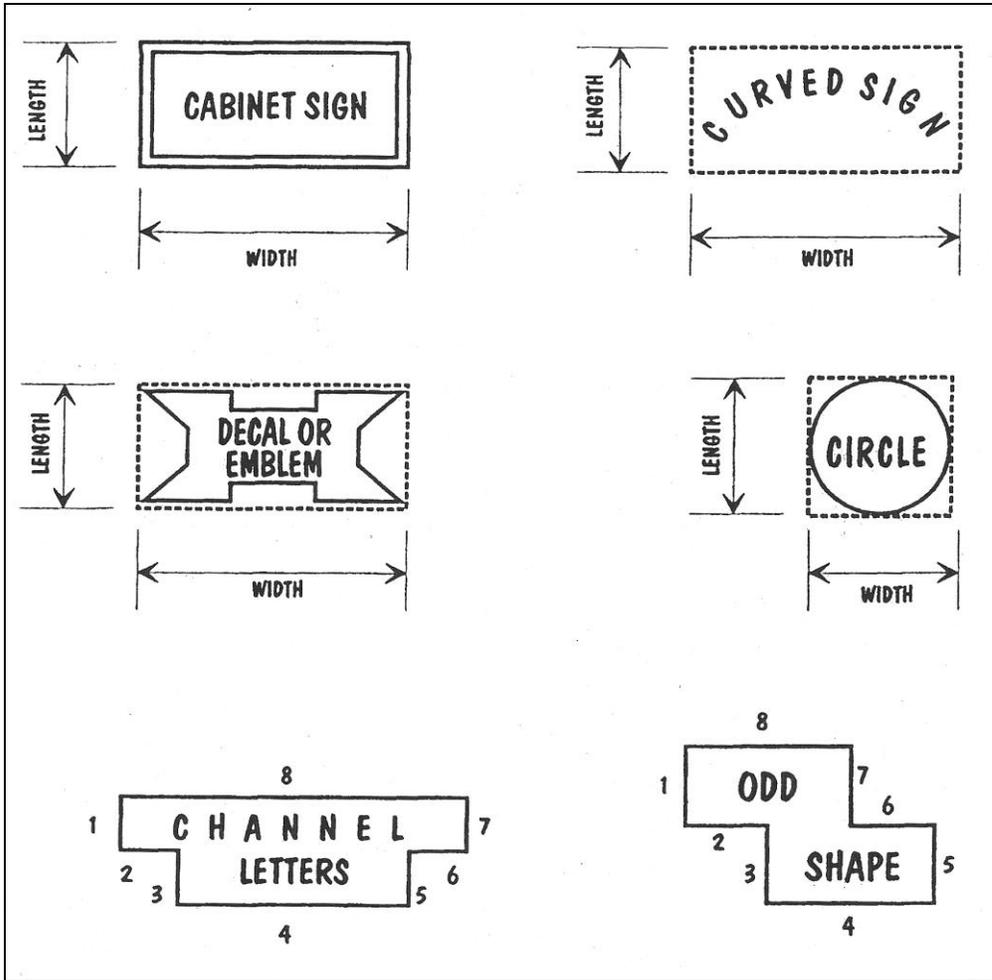


Figure 3-32
Sign Area Measurement

3. For an awning or canopy sign, sign copy that is applied to an awning or canopy shall be computed at 100 percent of the area within a single rectangle enveloping the sign copy.
4. For a freestanding sign, the sign area shall include the frame, if any, but shall not include:
 - a. A pole or other structural support unless the pole or structural support is illuminated or otherwise designed to constitute a display device, or a part of a display device. See Figure 3-33 (Calculation of Freestanding Sign Area).
 - b. Features that are not an integral part of the sign (i.e., landscaping). See Figure 3-33 (Calculation of Freestanding Sign Area).

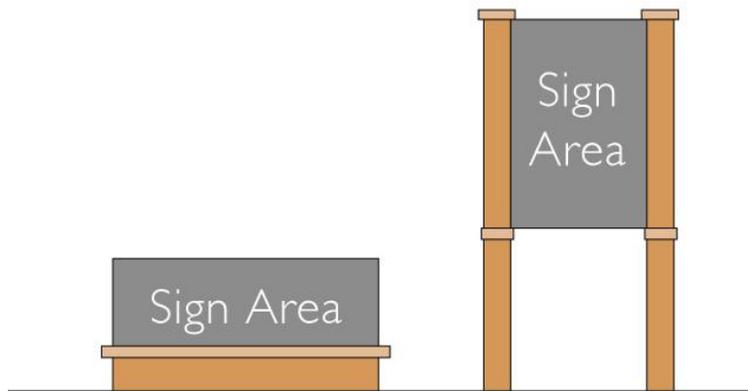


Figure 3-33
Calculation of Freestanding Sign Area

5. Only one face of a double-faced sign shall be counted in computing the allowed area of the sign. Double-faced (back-to-back) signs shall be regarded as a single sign when the sign is mounted on a single structure, and the distance between each sign face does not exceed two feet at any point. If the sign is multi-faced (e.g., more than two sides), then each face shall be counted in computing the allowed area of the sign.
6. Where a sign consists of one or more three-dimensional objects (i.e., balls, cubes, clusters of objects, sculpture, or statue-like trademarks), the sign area shall be measured as their maximum projection upon a vertical plane, as viewed from a position in the public right-of-way which produces the largest visual projection. See Figure 3-34 (Sign Area Measurement for Three-Dimensional Objects). Signs may not contain three-dimensional objects that exceed a projection of six inches from the sign face.

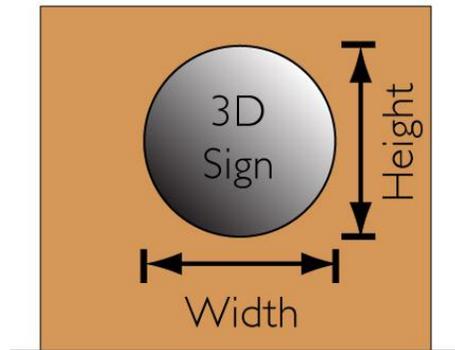


Figure 3-34
Sign Area Measurement for Three-Dimensional Objects

- E. Sign height measurement.** The height of a sign shall be measured from the highest part of the sign, including any decorative features, to the average grade of the adjacent street or the finished surface grade directly beneath the sign, whichever the Director determines is appropriate given the physical characteristics of the site.
- F. Maximum letter/logo height.** The maximum height of any letter, text, logo, or symbol shall be 36 inches.
- G. Sign removal or replacement.** When a sign is removed, all brackets, poles, and other structural elements that supported the sign shall also be removed. Affected building surfaces shall be restored to match the adjacent portion of the building.
- H. Illuminated signs and lights.** The following standards shall apply to all illuminated signs:
1. Sign illumination shall not interfere with the use and enjoyment of adjacent properties, create a public nuisance, or create public safety hazards. Exterior light sources shall be shielded from view and directed to illuminate only the sign face.
 2. Signs may be internally or externally illuminated. Internal illumination is allowed only if the sign background is opaque and the only portion of the sign that appears as illuminated is the actual lettering and registered trademark or logo.
 3. The light from an illuminated sign shall not be of an intensity or brightness or directed in a manner that will create a negative impact on residential properties in direct line of sight to the sign.
 4. Colored lights shall not be used at a location or in a manner so as to be confused or construed as traffic control devices.

5. Reflective-type bulbs and incandescent lamps that exceed 15 watts shall not be used on the exterior surface of signs so that the face of the bulb or lamp is exposed to a public right-of-way or adjacent property.
 6. Light sources shall utilize energy-efficient fixtures to the greatest extent possible.
 7. Each illuminated sign shall be subject to a 30-day review period, during which time the Director may determine that a reduction in illumination is necessary due to negative impacts on surrounding property or the community in general. In addition, and at any time, the Director may order the dimming of any illumination found to be excessively bright or found to cause a nuisance. The Director's determination will be made without regard to the message content of the sign.
- I. **Consistent design.** Where multiple signs are proposed, all signs shall be consistent in the type of construction material, letter size and style, and support method.
- J. **Fire Department or Police Department requirements.** Building-mounted addresses required by the Fire Chief or Police Department shall not be counted as signs in compliance with Subsection 17.335.120.B. (Exemptions from Sign Permit Requirements).

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17.335.070 — Standards for Permanent Signs

- A. **Residential zones.** Table 3-10 (Signs Allowed in Residential Zones) provides regulations for permanent signs in residential zones. References in the last column provide additional regulations for specific sign types located elsewhere in this Chapter. In the case of an inconsistency between regulations provided in the tables and regulations provided for specific sign types, the regulations for specific sign types shall take precedence.

Table 3-10
Signs Allowed in Residential Zones

Sign Class	Allowed Sign Types	Maximum Number	Maximum Sign Area	Maximum Sign Height	Location Requirements	Lighting Allowed
Name plate Single-family uses	Wall	1 per single-family use	2 sq ft	Below eave of roof or parapet	Near main entrance	Yes
Identification sign Agricultural uses	Freestanding	1 per agricultural use	12 sq ft	6 ft	Near main entrance	Yes Indirect only
Identification sign Multi-family uses	Wall ⁽¹⁾ or freestanding sign	1 per multi-family use	12 sq ft	Wall sign: Below eave of roof or parapet. Freestanding sign: 6 ft.	Near main entrance	Yes
Residential community identification signs	Wall ⁽¹⁾ or freestanding	2 per primary entrance	40 sq ft total	6 ft	At primary entrances to residential community	Indirect only

Notes:

(1) Cabinet signs are prohibited

B. Commercial, office, industrial, and institutional zones. Table 3-11 (Signs Allowed in Commercial, Office, Industrial, and Institutional Zones) provides regulations for permanent signs in commercial, office, industrial, and institutional zones. References in the last column provide additional regulations for specific sign types located elsewhere in this Chapter. In the case of an inconsistency between regulations provided in the tables and regulations provided for specific sign types, the regulations for specific sign types shall take precedence. Figure 3-35 (Examples of Sign Types) illustrates the typical mix of signs on a building in a commercial zone.

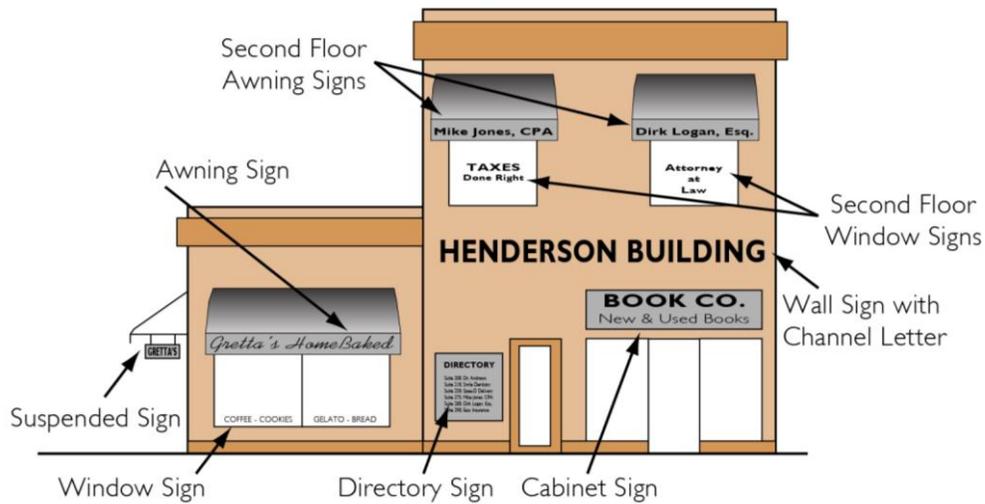


Figure 3-35
Example of Sign Types

**Table 3-11
Signs Allowed in Commercial, Office, Institutional, and Industrial Zones**

Allowed Sign Types	Maximum Number (1)	Maximum Sign Area	Maximum Sign Height	Notes
Freestanding Signs				
Sites with up to 300 lineal ft of street frontage	1 per primary street frontage	Primary sign = 1 sq ft for each linear foot of primary building frontage	Monument signs – 7 ft Pylon signs – 25 ft	May be used in combination with allowed building signs
	1 per secondary street frontage	Secondary sign = Max 50% of area of primary sign		Lighting allowed.
Sites with over 300 lineal ft of street frontage	Approval of Comprehensive Sign Program required. See Section 17.335.130.			
Building Signs				
Canopy	Two per canopy if both are not visible at the same time.		At least one foot below the top of a parapet; the sill of a second floor window; or the lowest point of any cornice or roof overhang, whichever is applicable	May be used in combination with allowed freestanding signs
Primary Frontage Awning/Canopy, Blade/Bracket, Projecting,, and Wall Signs	One primary wall sign per primary building or tenant frontage One accessory wall sign per establishment for building with gross leaseable area of 10,000 sq ft or more One per awning. Two per canopy if both are not visible at the same time.	Primary wall sign = 32 sq. ft; or one sq ft per lineal foot of building frontage, whichever is greater, up to a maximum sign area of 150 sq ft Accessory wall sign = Area of all accessory wall signs not to exceed area of primary wall sign. Total area of all primary and accessory wall signs not to exceed 150 sq ft	At least one foot below the top of a parapet; the sill of a second floor window; or the lowest point of any cornice or roof overhang, whichever is applicable	Accessory wall signs allowed on building frontage containing primary wall sign. Wall signs allowed on second floor for tenants located on the second floor of multi-tenant buildings with exterior entrances. May be used in combination with allowed freestanding signs Lighting allowed.
Secondary Frontage Awning, Canopy, Projecting, and Wall Signs	For building with gross leaseable area of 10,000 sq feet or greater with a side street classified secondary or higher = One additional wall sign per establishment All other buildings:= One sign per secondary building frontage	Primary wall sign = 32 sq. ft; or one sq ft per lineal foot of building frontage, whichever is greater, up to a maximum sign area of 150 sq ft 50% of sign area allowed for primary building frontage total for any combination of building signs.	At least one foot below the top of a parapet; the sill of a second floor window; or the lowest point of any cornice or roof overhang, whichever is applicable	

**Table 3-11
Signs Allowed in Commercial, Office, Institutional, and Industrial Zones**

Allowed Sign Types	Maximum Number (1)	Maximum Sign Area	Maximum Sign Height	Notes
Temporary	See Section 17.335.100 (Standards for Temporary Signs).			
Window	See Subsection 17.335.080.J (Standards for Permanent Signs – Window Signs).			
<i>Freestanding Signs</i>				
Sites with up to 300 lineal ft of street frontage	1 per primary street frontage	Primary sign = 1 sq ft for each linear foot of primary building frontage	Monument signs – 7 ft Pylon signs – 25 ft	May be used in combination with allowed building signs Lighting allowed.
	1 per secondary street frontage	Secondary sign = Max 50% of area of primary sign		
Sites with over 300 lineal ft of street frontage	Approval of Comprehensive Sign Program required. See Section 17.335.130.			
(1) Building signs include wall, projecting, window, and awning signs. All other signs (i.e., pedestrian oriented signs (blade/bracket), entry canopy signs, multi-tenant directory signs, and temporary signs are not included in the restriction on number of signs.				

C. Open space zones. Signs in open spaces zones shall be subject to approval through a comprehensive sign program in compliance with Section 17.335.130 (Comprehensive Sign Program).

17.335.080 – Standards for Specific Types of Permanent Signs

A. Awning signs.

1. Lettering, logos, symbols, and graphics are allowed on up to 50 percent of the area of a shed (slope) portion of the awning and valance portion of the awning. Signs shall be applied on the outer face of and flat against the awning surface. In the case of a barrel shaped (curved) awning, signs shall not occupy more than 60 percent of the bottom 12 inches of the awning.
2. Only permanent signs that are an integral part of the awning shall be allowed. Temporary signs shall not be placed on awnings.
3. Awning signs shall be allowed for first and second story nonresidential occupancies only. Awning signs shall not be allowed above the second story.

4. The design and construction of awning signs shall be compatible with the predominant architectural and visual elements of the structure. Awnings shall conform to the size and shape of the window or door they are above. Overly large awnings and awnings with unusual shapes designed for the purpose of providing additional sign area are not allowed. The uppermost part of an awning shall not be located more than two feet above a window or door.
5. Awnings shall not be lighted from under the awning (back-lit awning) so that the awning appears internally illuminated. Lighting directed downwards that does not illuminate the awning is allowed.
6. A minimum of eight feet of clearance shall be provided between the lowest part of an awning and the grade below. See Figure 3-36 (Height of Awning).
7. The maximum area for awning signs shall be calculated in conjunction with, and shall be subject to, the area requirements for wall signs in Table 3-11 (Signs Allowed in Commercial, Office, Industrial, and Institutional Zones) and in Subsection I, (Wall Signs), below.

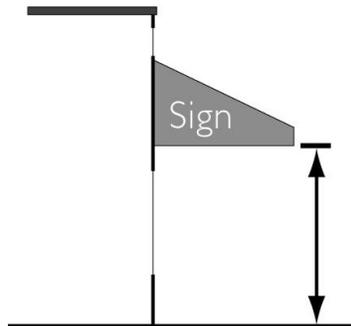


Figure 3-36
Height of Awning

B. Blade/bracket signs.

1. Signs may be placed perpendicular to the building façade (projecting) or mounted flat against the wall near the building entrance. Lower edge of the sign shall be at least eight feet above finished ground level.
2. Supporting arms or frames for projecting signs shall be of a decorative design compatible with the design of the sign.
3. Double-faced projecting signs shall be considered a single-face sign for the purpose of calculating sign area.

C. Canopy signs.

1. Signs shall be mounted only on the front or sides of a canopy, or suspended below.
2. Signs shall not project more than six inches from the face of a canopy.
3. Signs shall not extend above the top of a canopy.
4. A clear distance of eight feet shall be maintained from the lowest part of a suspended sign to the ground below.
5. The maximum area for canopy signs shall be calculated in conjunction with, and shall be subject to, the area requirements for wall signs in Table 3-11 (Signs Allowed in Commercial, Office, Industrial, and Institutional Zones) and in Subsection I, (Wall Signs), below.

D. Changeable copy signs. A sign that contains a changeable copy element may be allowed through the approval of a Comprehensive Sign Program in compliance with Section 17.335.130 (Comprehensive Sign Program). Approval shall not be based on message content.

E. Freestanding signs.

1. Freestanding signs include ground-mounted signs (monument) and pylon signs, which may either have a solid base or a base comprised of two legs. If legs are provided, the proportional dimensions of the sign shall comply with the requirements of subsection 3.c., below.
2. Freestanding signs shall be allowed only for parcels with at least 50 feet of frontage adjoining a public right-of-way. In addition, pylon signs are only allowed when a building is set back from the front property line a minimum of 40 feet.
3. Freestanding signs shall not exceed the following maximum height dimensions and shall not exceed the proportional dimensions provided below. See Figure 3-37 (Pylon Sign Proportions) and Figure 3-38 (Monument Sign Proportions).
 - a. Pylon sign: Maximum height = 25 feet
 - b. Monument sign: Maximum height = 7 feet
 - c. Proportional dimensions shall be as follows:

1) Pylon Sign

- Maximum $W = 30\% \times H$
- Maximum $LH = 33\% \times H$
- Maximum $O = 50\% \times W$
- Minimum $LW = 25\% \times W$

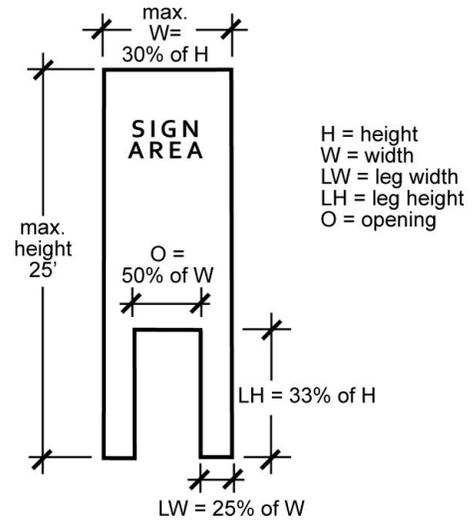


Figure 3-37
Pylon Sign Proportions

2) Monument Sign

- H= height inclusive of the base
- W= width exclusive of the base
- Maximum $W = 1.5 \times H$

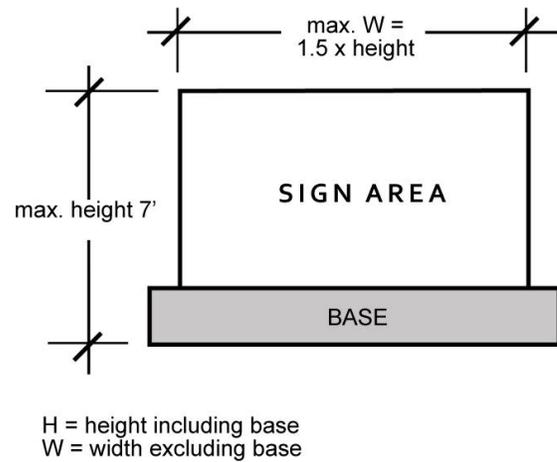


Figure 3-38
Monument Sign Proportions

4. Freestanding signs shall be set back a minimum of five feet from a lot line and a minimum of 10 feet from the edge of a driveway and shall comply with the location and height requirements in Section 17.305.150 (Traffic Visibility Area).
5. To ensure the readability of freestanding signs, the minimum letter size shall be 12 inches. Sign copy shall not be located closer than one half-letter height to the sign edge or other line of copy.
6. There shall be a minimum of 50 feet between freestanding signs on adjoining sites to ensure adequate visibility for all signs.
7. Freestanding signs shall be a minimum of 50 feet from a lot line of any residentially zoned property.
8. Freestanding signs shall not block visibility for motorists at intersections or driveways.
9. Freestanding signs shall not encroach into any public right-of-way, building, on-site driveway, or on-site vehicle circulation area.
10. The supporting structure of a pylon sign shall not include exposed metal pole(s), but shall be surrounded by a decorative cover that is architecturally compatible with the sign cabinet and the architectural character of buildings on the site.
11. Landscaping with automatic irrigation shall be provided at the base of the supporting structure equal to twice the area of one face of the sign or 75 square feet, whichever is greater. For example, 40 sq. ft. of sign area = 80 sq. ft. of landscaped area. The Director may modify this requirement on a case-by-case basis to take into account existing conditions.
12. Where there is a center name or identification that is separate from the primary tenant, the center name or identification shall be provided on the primary freestanding sign and shall be included in the allowable sign area.
13. Freestanding signs shall contain an address plate identifying the site address or range of addresses of the subject property. Numbers shall be a minimum of eight inches in height and shall be clearly visible from the public right-of-way. Address plates shall not be calculated against the allowed sign area.

- F. Off-site directional signs.** See Subsection 17.335.090.G (Standards for Signs for Specific Uses – Kiosk/off-site subdivision directional signs) and Subsection 17.335.090.H (Standards for Signs for Specific Uses – Off-Site Directional Signs).
- G. Luminous tube signs.** The use of luminous tubes for signs shall be allowed in commercial zones only subject to the following requirements.
1. Luminous tube lighting shall be listed with UL (Underwriters Laboratories) with a maximum 30 milliamps per circuit and shall have a dimmer to reduce the brightness.
 2. The manufacturer shall be registered with Underwriters Laboratories.
 3. Tubing shall not exceed one half inch in diameter.
 4. Luminous tube lighting adjacent to residential uses shall not exceed one-half footcandle measured at the residential lot line.
 5. Luminous tubes shall not be combined with any reflective materials (e.g., mirrors, polished metal, highly glazed tiles, or other similar materials).
 6. Luminous tubes shall be considered part of a sign for purposes of calculating the borders of the sign area.
 7. Luminous tube lighting that surrounds a window, door, or similar element or that is installed along roofs or that outlines buildings shall be prohibited.
- H. Projecting signs.**
1. Signs shall be located only on the wall frontage with the primary entrance to the structure.
 2. A clear distance of eight feet shall be maintained from the lowest point of the projecting sign to the ground below. Projecting signs shall not project over any public rights-of-way.
 3. The sign shall be attached to the wall so that there is no more than two feet from the nearest point of the sign to the wall.
 4. All mounting hardware shall be concealed.
 5. The maximum area of each sign face shall be 24 square feet.

I. Wall signs.

- Signs shall be located only on a designated building frontage and shall not extend above an eave or parapet, or above or below a fascia on which they are located. See Figure 3-39 (Appropriate Wall Sign Location).

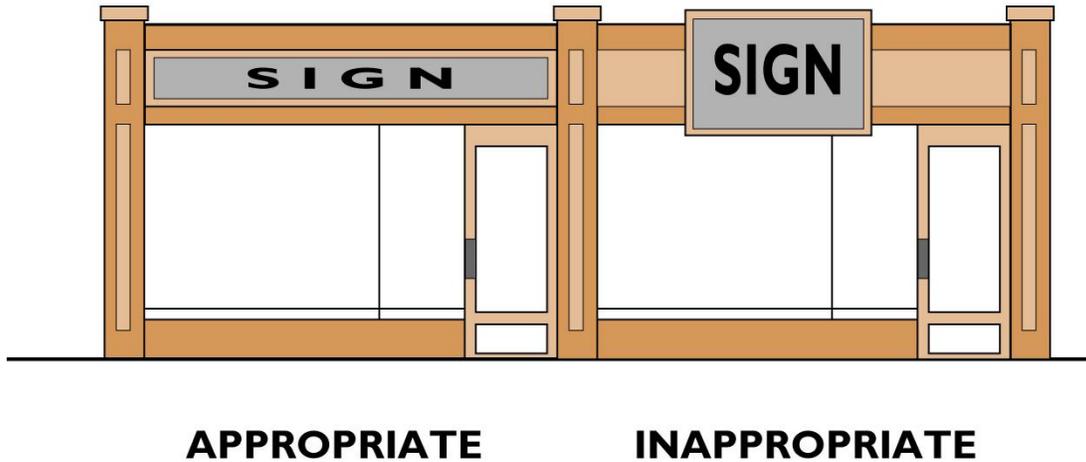


Figure 3-39
Appropriate Wall Sign Location

- Signs located on adjacent walls on the same building shall be separated by a minimum of 30 feet measured along the exterior walls of the building. See Figure 3-40 (Required Separation of Wall Signs).

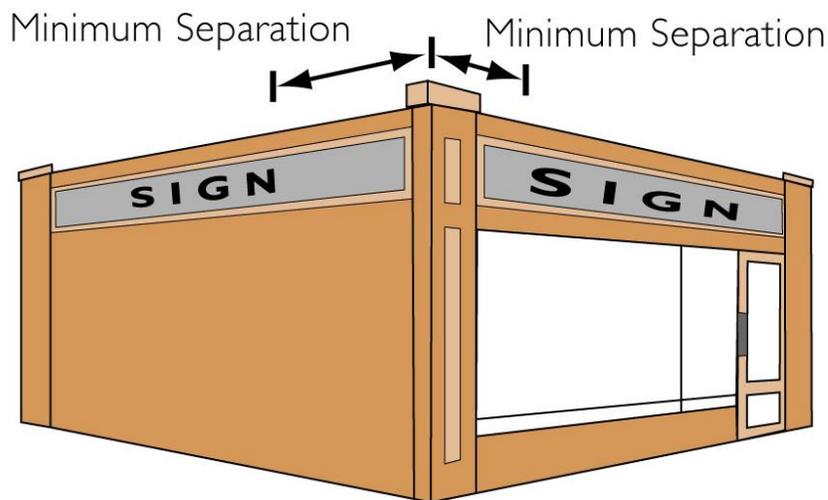


Figure 3-40
Required Separation of Wall Signs

3. Wall signs may be painted on a wall.
4. The letter height of accessory wall signs shall not to exceed 50 percent of the letter height of a primary wall sign (e.g., if letters on primary sign are 18 inches high, then letters on accessory wall sign cannot exceed nine inches in height).
5. Signs may be either internally or externally illuminated. Internally illuminated cabinet signs shall comply with the provisions of Subsection 17.335.060.H. (Standards for All Types of Signs – Illuminated Signs).
6. Electrical raceways shall be integrated with the overall design of the sign. Exposed raceways shall be prohibited.
7. Signs shall be placed flat against the wall and shall not project from the wall more than required for normal construction purposes and in no case more than 12 inches.
8. Signs shall be located within the middle 50 percent of the building or tenant frontage measured from lease line to lease line. The Director may modify this requirement where it can be clearly demonstrated that it severely limits proper sign placement. See Figure 3-41 (Wall Sign Location on Building Frontage).

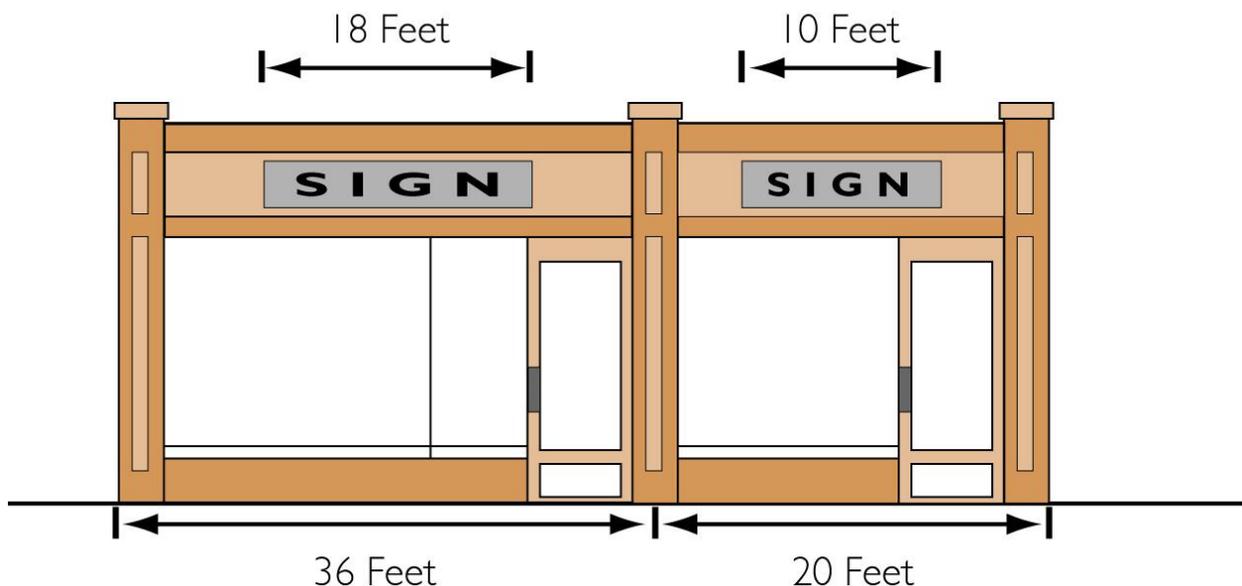


Figure 3-41
Wall Sign Location on Building Frontage

J. Window signs.

1. Window signs shall not occupy more than 25 percent of the total window area on either a designated primary or secondary building frontage. For the purpose of this requirement, a window is any glazed area, including glass curtain walls.
2. The placement of window signs shall allow for unobstructed observation by safety personnel (e.g., City police, private security, etc.)
3. Signs shall be allowed only on windows located on the ground floor and second story of either a designated primary or secondary building frontage. Window signs shall not be allowed above the second story.
4. Signs shall be permanently painted or mounted on the inside of windows and doors.
5. Interior signs within five feet of a storefront window shall be counted as window signs for the purpose of calculating total sign area and number of signs.
6. Temporary window signs shall be allowed subject to the requirements of Section 17.335.100 (Standards for Temporary Signs), below.

17.335.090 – Standards for Signs for Specific Uses

A. Drive-through food service establishments. . In addition to the signs allowed in Table 3-11 (Signs Allowed in Commercial, Office, Industrial, and Institutional Zones), drive-through food service establishments shall be allowed the following signs:

1. One freestanding menu board with copy on a single face not to exceed 50 square feet in sign area and seven feet in height, located immediately adjacent to the drive-through lane, and readable only on-site.
2. One wall-mounted menu board not to exceed 15 square feet, located in the immediate area of the drive-through lane only, and readable only on-site; and
3. Directional signs shall be the least number to provide adequate directional information and to ensure safe circulation. Signs shall not exceed five square feet and shall be limited in copy to the terms “enter”, “exit” and directional arrows.

B. Home occupations. See Chapter 17.615 (Home Occupation Permits).

- C. **Multi-tenant buildings.** Multi-tenant buildings are allowed tenant directory signs, each with a maximum area of eight square feet. No illumination is allowed. These business directory signs shall not count towards the maximum allowable sign area for a site.
- D. **Service stations.** In addition to the signs allowed in Table 3-11 (Signs Allowed in Commercial, Office, Industrial, and Institutional Zones), service stations shall be allowed the following signs:
1. Stations shall be allowed one sign for each street frontage, not to exceed 74 square feet per sign.
 2. Monument signs shall be located in a landscaped planter with a minimum area equal to the area of the sign.
 3. Additional signs are allowed up to a maximum of six for each site, provided that the signs are located at the site of the service provided (e.g., air/water, lube, brakes, etc.) and that each sign does not exceed two square feet.
 4. Instructional and warning signs and signs required or authorized by State or Federal law shall be exempt from the provisions of this Subsection.
- E. **Places of assembly.** In addition to signs allowed in Tables 3-9 (Signs Allowed in Commercial, Office, Industrial, and Institutional Zones), facilities whose activities and events change on a regular basis (e.g., places of worship, skate rinks, theatres, stadiums, etc.) shall be allowed the following additional signs:
1. Canopy sign, one for each street frontage, either wall-mounted or freestanding, in which the area shall not exceed 50 percent of the allowable sign area for each sign type.
 2. Theaters with three or more screens shall be allowed an additional 10 square feet of sign area for each screen.
 3. Glass encasements for special advertisements shall be allowed to be affixed to the primary building. Encasements shall not exceed a width of three feet or a height of four feet, the number of which shall be approved by the Director.
 4. Changeable copy signs.
- F. **Subdivision model home.** Each model home featuring a water-saving landscape may display one additional four square foot sign in the front yard so that it is clearly visible to potential buyers. The sign shall indicate that the model features a watersaving landscape and irrigation design.

G. Kiosk/Off-Site Subdivision and Business Directional Signs. Kiosk signs may be installed in any zone, if they are a part of the City-approved program for designating and locating kiosk structures, and shall comply with the following:

1. Panel and sign structure (kiosk) shall be of uniform design and approved by the Director.
2. A sign structure shall be located not less than 600 feet from an existing or previously approved sign site. Further, each sign shall only contain the name of the subdivision or business and one directional arrow for each name.
3. The placement of each sign structure shall be reviewed and approved by the Director.
4. Signs shall be installed on a public right-of-way with an approved Encroachment Permit obtained from the Public Works Department and filed with the Department before the issuance of a Sign Permit.
5. A sign location plan shall be prepared showing the site of each directional sign and shall be submitted to the Department before the issuance of a Sign Permit.
6. No additions, tag signs, streamers, devices, display boards, or appurtenances shall be added to the signs after installation in compliance with the Sign Permit. No other directional signs (e.g., human sign holder, posters, or trailer signs) shall be allowed.
7. Temporary off-site directional signs ("bootleg") shall only be allowed in compliance with a resolution adopted by the Council, which outlines a program for their placement, removal, and administration.

H. Off-Site Directional Signs

1. Off-site directional signs shall be permitted for uses or establishments located within the City.
2. An "off-site directional sign" shall mean a sign that directs attention to a lawfully permitted use or establishment within the City, which sign is erected at a location other than the property on which the use or establishment is located, but which, when considering factors such as the proximity to the use or establishment, the size and configuration of the parcel(s) on which the use or establishment is located, and the size and configuration properties surrounding such property, should be considered "on-site". For purposes of the foregoing definition, a sign that is proposed to be located 500 yards or more from the property at which the use or establishment is located shall be presumed to not

qualify as an “off-site directional sign”, as permitted by this Section. It is the intent of the Council, in allowing such signs, to provide for public safety by directing traffic off the streets of San Jacinto at appropriate locations to minimize traffic congestion, to maximize the orderly flow of traffic, to protect vehicular and pedestrian traffic, and to enhance the aesthetics of the City by reducing excessive numbers or heights of signs.

- a. Number permitted. One (1) such sign may be permitted for each use or establishment. Additional signs shall be permitted if additional entrances exist to the use or establishment, and such additional signage would aid in the identification of the use or establishment. The City may require multiple uses/establishments to erect and share space on one or more sign structures, to establish a sign program, or both.
- b. Sign design, location and size:
 - (1) Off-site directional signs shall be attached to an existing free-standing sign whenever possible. When an existing free-standing sign is not available, sign location and type shall be determined by the zone in which the sign is proposed to be located.
 - (2) Total cumulative sign area on the site displaying the off-site directional sign shall not exceed that which would otherwise be permitted by this Chapter for the type of sign, were the sign located on the property to which it provides direction.
 - (3) Each sign may only contain the identification of the use or establishment on the property for which it was approved, or any subsequent or additional use or establishment occupying that property.
 - (4) The design of each off-site directional sign shall be uniform and subject to the approval of the Director.
- c. There shall be no additions, tag signs, streamers, devices, display boards, or appurtenances added to the off-site directional sign as originally approved.
- d. Permission from the owner, and any lessee(s), of the property where the off-site directional sign(s) is located shall be submitted to the Director, along with a sign permit application.
- e. Notwithstanding the provisions of this Section, the Council may, by adoption of a resolution, authorize establishment of a thematic, uniform

off-site directional sign program in conjunction with efforts to beautify City streets and public rights-of-way. Size, location, and design of off-site directional signs permitted under a City beautification program shall be established in the resolution authorizing the program.”

17.335.100 – Standards for Temporary Signs

- A. Garage sales.** See Municipal Code Chapter 5.24 (Garage Sales) for regulations about garage sale signs.
- B. Special event signs.** Temporary signs for special events (e.g., carnivals, charitable events, grand openings, holiday sales, parades, promotional sales, etc.) sponsored by a governmental, 501(c), or for-profit organization may be allowed subject to approval of a Temporary Sign Permit and the following:
1. Special event signs shall be limited to the duration of the sale or event, but in no case shall a promotional sign be in place in excess of 45 consecutive days.
 2. There shall be a break of at least 45 days between the end of one 45 day posting or placement period and the beginning of another 45 day posting or placement period.
 3. Special event signs shall be limited to 180 total days per calendar year.
 4. Special event signs may only include balloons, inflated display signs, banners, flags, pennants, and streamers. Promotional signs shall at all times be maintained in good and attractive condition, and shall be secured so as not to cause any safety hazards or constitute a nuisance.
 5. Banners shall not exceed 15 feet in length or three feet in height, and may be displayed on wall or fence areas only. The number of banners per occupant shall not exceed one per street frontage.
 6. Use of search lights and beacons may be included in an application for a temporary sign permit for promotional purposes, but the use shall be limited to no more than three consecutive days, with a break of at least 90 days, no more than four times per calendar year.
- C. Banner Installation Program for Banners Over City Rights-Of-Way.**
1. Notwithstanding other provisions of this Zoning Code, the City of San Jacinto may install banners over City rights-of-way regarding community and special

events sponsored or co-sponsored by the City, or for displaying City messages or greetings.

2. The Director shall establish a written banner installation program, including banner application and approval guidelines, to regulate the installation of banners requested by a co-sponsoring organization over a City right-of-way.
3. Banners shall be installed in compliance with the banner program established by the Director.
4. The intent of this Section is to retain the character of the areas over City rights-of-way as a nonpublic forum, but non-profit or other organizations co-sponsoring an event with the City may apply for installation of banners advertising or promoting the co-sponsored event.
5. The City may open or close any or all of the City rights-of-way to the banner installation program at any time.

D. Window signs.

1. Temporary window signs shall not occupy more than 25 percent of the total window area on either a designated primary or secondary building frontage. For the purpose of this requirement, a window is any glazed area, including glass curtain walls.
2. The placement of window signs shall allow for unobstructed observation by safety personnel (e.g., City police, private security, etc.)
3. Signs shall be allowed only on windows located on the ground floor and second story of either a designated primary or secondary building frontage. Window signs shall not be allowed above the second story.
4. Signs shall be painted or mounted on the inside of windows and doors.
5. Interior signs within five feet of a storefront window shall be counted as window signs for the purpose of calculating area of window coverage.
6. Permanent window signs shall be allowed subject to the requirements of Section 17.335.080 (Standards for Specific Types of Permanent Signs).

17.335.110 – Guidelines for Signs in Downtown Area

This Section reserved for future use.

17.335.120 – Procedures for Sign Permits, Exemptions, and Revocations

A. Sign Permits.

1. Sign Permit required (including Temporary Signs).

- a. To ensure compliance with the regulations contained in this Chapter, a Sign Permit shall be required in order to erect, move, alter, change copy on, or reconstruct any permanent or temporary sign or sign structure except for signs exempt from permits in compliance with Subsection B, below. Sign Permits are also required for signs approved through a Comprehensive Sign Program as provided in Section 17.335.130.
- b. An application for a Sign Permit shall be made in writing on forms provided by the Department.

2. Approving authority. The Director shall review all Sign Permit applications for conformance with the provisions of this Chapter. For signs that comply with the provisions of this Chapter and do not require discretionary review:

- a. The Director shall approve or disapprove the permit application within 90 days from the receipt of a complete application and the applicable fees.
- b. Failure of the Director to approve or disapprove the permit application within the 90 days shall result in the permit being disapproved.
- c. If the application is disapproved, the Director shall notify the applicant with the reason(s) stated for disapproval. Notification shall be sent first class United States mail to the address provided on the application that shall be considered the correct address. Each applicant has the burden to furnish any change of address to the Director, by United States certified mail, return receipt requested.
- d. In the event an application is disapproved, the applicant may appeal the Director's decision in compliance with Section 17.600.020 (Authority for Land Use and Zoning Decisions).

B. Exemptions to Sign Permit requirement. Sign Permits shall not be required for the signs listed as exempt in this Subsection. Exempt signs shall not be included in the

determination of the total allowable number of signs or total allowable sign area for a site or project. However, exempt signs shall be required to adhere to the regulations established for each sign type. Signs erected without complying with the applicable regulations are considered illegal and shall be removed in compliance with Section 17.335.190 (Illegal Signs). An exempt sign may still require a Building Permit, subject to the provisions of Municipal Code Title 15 (Buildings and Construction).

1. **Routine Maintenance.** Painting, repainting, or cleaning of a sign shall not be considered erecting or altering a sign and therefore shall not require a Sign Permit, unless structural changes are made.
2. **On-Site, Non-Illuminated Signs.** The following on-site, non-illuminated signs shall not require issuance of a Sign Permit:
 - a. **Incidental Signs.** Signs or notices that are incidental to an establishment (e.g., hours of operation, menu, credit card information, emergency contact information, etc.) provided that the signs do not exceed four square feet in area for all of the signs combined. Incidental window signs shall not be included in permanent window sign area calculations, except if illuminated.
 - b. **Building and Civic Markers.** Memorial signs, plaques, and associated displays installed by civic organizations recognized by the City.
 - c. **Bulletin Boards.** Bulletin boards for any legal, noncommercial establishment, when located on the premises of the establishment and not over 12 square feet in area.
 - d. **Change of Copy.** Changing the copy in approved changeable copy signs in existence as of the date of adoption of this Chapter, or approved through the Comprehensive Sign Program (Section 17.335.130).
 - e. **Construction Project Signs.** Real estate and construction signs not in excess of one for each street frontage, 32 square feet or less in area and less than seven feet in height. The time period for the temporary sign begins with the issuance of a Building Permit, or its functional equivalent, and ends with the issuance of the earliest of the following: a Certificate of Completion, a Certificate of Occupancy, a final inspection sign-off, or the functional equivalent of any of them.
 - f. **Directional Signs.** Signs solely for the purpose of guiding pedestrian and motor vehicle traffic, parking, and loading on private property subject to approval by the Director. One safety or directional sign for each

vehicle entry to a site with a maximum area of three square feet for each sign. Maximum sign height shall be four feet. Additional signs may be allowed with approval of a Comprehensive Sign Program (Section 17.335.130).

g. Flags.

- (1) Flags that are 15 square feet or less when placed on a flagpole less than 25 feet in height and bearing noncommercial messages or graphic symbols (e.g., national state, or local government flags; national or international organizations; etc.). Flags bearing commercial messages shall not be displayed in residential zones.
- (2) A maximum of three flags with an aggregate area of 45 square feet may be displayed on any single parcel. However, one flag up to 45 square feet in area and bearing an on-site commercial message may be displayed on each parcel in nonresidential zones.

h. Garage sale signs. See Municipal Code Section 5.24 (Garage Sales).

i. Government Signs. A sign erected by a Federal, State, County, agency, or the City.

j. Holiday Window Painting. Signs and decorations painted on or applied to windows pertaining to holidays and seasonal events. All signs and decorations shall be removed within 10 days following the applicable holiday.

k. Interior signs. Interior signs, as defined in Section 17.335.040 (Definitions).

l. Official signs. Official and legal notices or signs issued or placed by a court or government agency.

m. Political Signs. Up to three political signs, with a maximum total sign area of six square feet and a maximum height of four feet, per parcel in any zone for a period not to exceed 14 days following the conclusion of the campaign.

n. Portable Parking Lot and Valet Parking Signs. One freestanding portable sign at each parking lot entrance limited to 10 square (2'x5') feet in area. A valet parking plan approved by the Director shall indicate the

location of the sign to ensure that the sign does not interfere with driver visibility or pedestrian movement.

- o. Public Service Signs.** Public service signs authorized by Federal, State, or municipal agencies.
- p. Real Estate Signs.**

 - (1) Residential zones.** In compliance with *Civil Code Section 713*, real estate signs are allowed, on a temporary basis, in residential zones, subject to the following:

 - (a) One sign per parcel, except as provided in Subparagraph (e), below;

 - (i) The sign shall not exceed four square feet;
 - (ii) The sign may have one rider not to exceed one square foot (See Figure 3-42 (Real Estate Sign));
 - (iii) The sign may include one brochure box not to exceed 154 square inches. For purposes of this section, a brochure box means a plastic or metal container designed to hold brochures or flyers describing or advertising the real property for sale, lease, rent, or exchange;
 - (iv) The overall height of the installed sign, rider, and brochure box shall not exceed four feet above ground unless the sign is mounted flush to a wall.
 - (b) The sign shall be placed on the parcel for sale, lease, rent, or exchange and shall not be installed in a manner that creates a hazard for traffic or pedestrians;
 - (c) No flags, pennants, balloons, or other attention-attracting devices shall be displayed;
 - (d) The sign shall be removed immediately after the sale, lease, or rental of the property has been consummated;
 - (e) Residential subdivisions shall be allowed one real estate sign not exceeding 20 square feet in area that advertises the first sale of structures and lots for a period of time not

to exceed one year following the recordation of the final subdivision map.

- (2) **Nonresidential zones.** Properties in nonresidential zones shall be allowed one temporary real estate sign not exceeding 20 square feet in area that advertises the sale, rental, or lease of the premises upon which the sign is located; the directions to the property; and the owner's or agent's name and contact information. Permanent installations of real estate signs shall be subject to the standards for permanent signs in this Chapter.



Figure 3-42
Real Estate Sign

- q. **Site Address.** Limited to one freestanding or wall sign, which only indicates the street address of the property on which the sign is located, for each street frontage, provided that the total aggregate sign area does not exceed four square feet. If a freestanding sign, the sign shall be setback at least five feet with a height no greater than 30 inches.
- r. **Time or temperature signs.** A time or temperature sign does not count towards the otherwise applicable limits as to number and size of signs for the property on which it is located, provided that the sign:
- (1) Shall have a maximum area of 36 square feet and shall comply with the height requirements established in Table 3-11 (Signs Allowed in Commercial, Office, Institutional, and Industrial Zones) for the type of sign (building/freestanding) to which it is attached.
 - (2) Shall be designed in a manner that is architecturally compatible with other signs and with the structure on which it is placed.

- s. **Vehicle signs.** Signs attached to vehicles that do not meet the criteria of “vehicle sign,” as defined in Section 17.335.040 (Definitions). Signs that do meet the criteria of vehicle sign are prohibited as provided in Section 17.335.050.
 - t. **Window signs.** Window signs limited to painted signs on glazing, poster paper signs, and place cards attached to the inside of glazing of store fronts, provided that no more than 25 percent of the window area is covered. In the case of convenience stores and other similar retail establishments, views from the public right-of-way to the cash register area shall not be impeded. The intent is to provide visibility of the sales counter for increased public safety.
 - u. **Other features.** Other features that do not fall within the meaning of sign, as defined in Section 17.335.040 (Definitions).
- C. **Findings for approval.** The approval of a Sign Permit for an individual sign or for a Comprehensive Sign Program 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.
 - 2. The height, size, location, and orientation of the proposed signs are appropriate for the site.
 - 3. The placement and size of the signs will not impair the visibility of existing signs on adjacent properties.
 - 4. The placement and size of the signs will not impair pedestrian or vehicular safety.
 - 5. The proposed signs are of a color, letter type, material, shape, and style that are compatible with the scale and architectural style of the primary structures on the site and complementary to the structures on adjacent properties on the same street. To the extent feasible, the design should emphasize simplicity of style.
 - 6. Sources of illumination shall be screened from public view and shall be designed to avoid glare onto a public right-of-way or adjacent property.
- D. **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.
- E. Revisions to Sign Permit.** The Director may approve minor changes to an approved Sign Permit if the intent of the original approval is not affected. Revisions that would substantially deviate from the original approval shall require the approval of a new/revised Sign Permit by the Director in compliance with Section 17.660.100 (Changes to An Approved Project).
- F. Revocation of Sign Permit.**
1. The Director may, in writing, suspend or revoke a Sign Permit if the permit was issued on the basis of a material omission or misstatement of fact, or in violation of any ordinance or any of the provisions of this Chapter, or if the permitted sign violates any applicable law.
 2. Within 15 days after issuance of the written notice, any sign authorized by the revoked Sign Permit shall be removed.
 3. Failure to remove the sign display within the 15-day period shall be a violation of this Development Code, and the sign shall be deemed a public nuisance.
- G. Appeal.** The applicant may appeal the denial of a Sign Permit application in compliance with Chapter 17.715 (Appeals).

17.335.130 – Comprehensive Sign Program

- A. Purpose.** The purpose of a Comprehensive Sign Program is to integrate all of a project's signs with the overall site design and the structures' design into a unified architectural statement. A Comprehensive Sign Program provides a means for the flexible application of sign regulations for projects that require multiple signs in order to provide latitude in the design and display of multiple signs and to achieve, not circumvent, the purpose of this Chapter.
- B. Applicability.** The approval of a Sign Permit for a Comprehensive Sign Program shall be required whenever any of the following circumstances exist.

1. Whenever four or more separate tenant spaces are present on the same parcel or on multiple parcels that are part of a unified shopping center or similar business center;
 2. Whenever four or more non-exempt signs are proposed for a single-tenant development;
 3. Whenever signs are proposed to be located on or above the second story on a multi-story structure;
 4. Whenever a project or parcel has more than 300 linear feet of frontage on a public street;
 5. Whenever an existing multi-tenant development of three or more tenants is being remodeled or rehabilitated to the extent that the value of the work will be greater than 20 percent of the replacement cost of the structure(s), as determined by the Director;
 6. A Comprehensive Sign Program for a theater or cinema use may authorize signs that deviate from the standards of this Chapter. The Comprehensive Sign Program may allow marquee signs, brighter lights, and design features not otherwise authorized by this Chapter if the sign(s) is/are generally consistent with the purposes of this Chapter. Approval shall not be based on message content;
 7. Whenever the Director determines that a Comprehensive Sign Program is needed because of special project characteristics (e.g., the size of proposed signs, limited site visibility, a business within a business, the location of the site relative to major transportation routes, etc.); and
 8. A Comprehensive Sign Program shall not be used to override the prohibition on new billboards in Subsection 17.335.030.F. (General Provisions - Billboard policy).
- C. Review authority.** The Director is the review authority for a Comprehensive Sign Program.
- D. Application requirements.** A Sign Permit application for a Comprehensive Sign Program shall include all of the information and materials required by the Director, and the filing fee set by the City's Planning Fee Schedule.

- E. Standards.** A Comprehensive Sign Program shall comply with the following standards:
1. The proposed sign program shall comply with the purpose and intent of this Chapter, any adopted sign design guidelines, and the overall purpose and intent of this Section.
 2. The proposed signs shall enhance the overall development, be in harmony with, and relate visually to other signs included in the Comprehensive Sign Program, to the structures and developments they identify, and to surrounding development when applicable.
 3. The sign program shall include all signs, including permanent, temporary, and exempt signs.
 4. The sign program shall accommodate future revisions that may be required because of changes in use or tenants.
 5. The sign program shall comply with the standards of this Chapter, except that deviations are allowed with regard to sign area, total number, location, and height of signs to the extent that the Comprehensive Sign Program will enhance the overall development and will more fully accomplish the purposes and intent of this Chapter.
 6. Approval of a Comprehensive Sign Program shall not authorize the use of signs listed as prohibited by this Chapter.
 7. Review and approval of a Comprehensive Sign Program shall not consider the signs' proposed message content.
 8. The Director may approve an increase in sign standards in compliance with Chapter 17.650 (Variances and Minor Variances).

17.335.140 – Maintenance

- A. Maintenance of signs required.** Signs shall be maintained in a safe, presentable, and structurally sound condition at all times, including the replacement of defective parts, painting, repainting, cleaning, and other maintenance activities. Failure to comply with these requirements may cause the sign to be declared a public nuisance, which shall be removed in compliance with this Section.
- B. Proper maintenance identified.** Display surfaces shall be kept clean and neatly painted and repaired at all times, and there shall be no missing or damaged messages, graphics,

or structural elements, or portions thereof. Signs shall be refinished to remove rust or other corrosion due to the elements as necessary. Faded, cracked, or broken faces or surfaces, and malfunctioning lamps shall be replaced immediately. Awnings that have signs shall be cleaned periodically and replaced if they become faded, tattered, or ripped.

- C. Administrative procedures applied to improperly maintained signs.** Improperly maintained signs shall be subject to the following administrative procedures:
1. Notice of violation shall be sent by first class United States mail to last known address of sign owner and property owner, informing the owner(s) of the time in which removal of sign or repair of condition shall be accomplished.
 2. If the owner(s) fail(s) to remove the sign or repair the condition, the City shall send final notice by certified United States mail, return receipt requested, and by first class United States mail, notifying the owner(s) that failure to remove or repair the sign within 30 days shall result in the issuance of a citation in compliance with the Municipal Code.
 3. If the owner(s) do(es) not remove the sign or repair the condition within the 30-day period, the City may apply the remedies identified in Municipal Code Sections 1.24 *et seq.*, 8.44.050(H), and 1.28 *et seq.*, in addition to any remedies otherwise available at law or in equity.
- D. Hazardous signs.** If a sign is damaged or not properly maintained to a degree that causes it to pose a physical danger to persons or property, the following provisions shall apply:
1. **Hazardous signs identified.** A hazardous sign is a sign that poses a danger to the public or that could create a potential hazard. Hazardous signs are declared to be a public nuisance in compliance with Municipal Code Chapter 8.44 (Nuisances). The determination that a sign has become hazardous or unsafe shall consider only the physical condition and characteristics of the sign, and shall not consider the sign's message.
 2. **Removal of hazardous signs.** Upon discovering a hazardous condition, the City may cause the immediate removal of a sign(s) that is a danger to the public due to unsafe conditions. No hearing shall be required before the removal of any hazardous sign. The City is not required to give notice of intent to remove the sign(s) prior to removal, but shall endeavor to do so and shall inform the property, business, and sign owner(s) that the hazardous sign has been removed within three days following removal, by certified United States mail, return receipt requested and by first class United States mail. Thereafter, the

Community Preservation Committee shall conduct a hearing within 10 days following the removal, unless a different time is agreed to by the Director and the property, business, and sign owner(s). See Municipal Code Chapter 8.44 (Nuisances).

E. Storage and costs.

1. **Storage.** The removed sign(s) shall be stored for a minimum of 30 days following written notice to the property, business, and sign owner, during which time the property, business, and sign owner may recover the sign(s) upon payment to the City for costs of removal and storage.
2. **Abandonment.** If the removed sign(s) is not recovered within the 30-day period, the sign and supporting structure shall be declared abandoned and title shall vest with the City. Any sign removed by the City shall become the property of the City, to be disposed of in any manner deemed appropriate.
3. **Recovery of costs.** The costs of removal and storage of a sign(s) shall be considered a debt owed the City by the property, business, and sign owner, recoverable by legal action or a lien against the property. The cost of removal shall include any and all expenses incurred by the City, including legal fees. If not paid, the applicable costs may be imposed as a tax lien against the property. Notice of the imposition of the tax lien shall be sent to the owner of the property by certified United States mail, return receipt requested, as well as by first class United States mail.

17.335.150 – Enforcement

The City may withhold the issuance of Business Licenses, Building Permits, Grading Permits, Certificates of Occupancy, other land use entitlements and may issue stop work orders for a development project failing to comply with the provisions of this Chapter. If any improvements or programs required by this Chapter are either rendered unusable or discontinued, the property owner, employer, and tenant may be subject to enforcement procedures in compliance with Chapter 17.725 (Enforcement Provisions).

17.335.160 – Nonconforming Signs

- A. Continuance of nonconforming signs.** Except as provided in Subsection D, below, a legal nonconforming sign may be continued and shall be maintained in good condition as required by Section 17.335.140 (Maintenance), but it shall not be:

1. Structurally changed to another nonconforming sign, although its copy and pictorial content may be changed.
 2. Structurally altered to prolong the life of the sign, except to meet safety requirements.
 3. Expanded or altered in any manner that increases the degree of nonconformity.
- B. Repairing and repainting.** Nonconforming signs shall only be painted and repaired in place and shall not be removed from their existing location unless removal of the sign for painting or repair is part of the sign's customary maintenance and repair.
- C. Change of business ownership.** Upon a change of ownership, the new owner of a nonconforming sign may change the name(s) on the sign so long as there is no change in the structure or configuration of the sign.
- D. Removal of nonconforming signs.** Nonconforming signs shall be removed if:
1. The nonconforming sign is more than 50 percent destroyed, and the destruction is other than facial copy replacement. A nonconforming sign shall be deemed to be more than 50 percent destroyed if the estimated cost of reconstruction and repair exceeds 50 percent of the replacement cost as determined by the Building Official.
 2. The nonconforming sign is remodeled, unless the sign is remodeled to comply with the provisions of this Chapter.
 3. Nonconforming signs shall be removed when a property is further developed in compliance with this Zoning Code.
 4. Nonconforming signs shall be removed before the installation of new signs advertising the same business or any new business on the site.
 5. Existing legal billboard signs shall be removed when the property on which the sign is located is further developed.
 6. The nonconforming sign is located on a structure that is to be enlarged or expanded, if the nonconforming sign is affected by the construction, enlargement, remodel, or expansion. An enlargement, remodel, or expansion of the portion of the structure upon which the nonconforming sign is located or that is more than 50 percent of the structure area shall be deemed to affect the nonconforming sign.
 7. The nonconforming sign is temporary.
- E. Deactivation of flashing features.** The owner of a sign that contains flashing features shall permanently deactivate the flashing features.

17.335.170 – Abandoned Signs

- A. When abandoned.** Conforming and nonconforming signs shall be presumed abandoned under any of the following circumstances:
1. The sign identifies or advertises a business that has ceased for more than 90 days;
 2. The sign is located upon a structure that has been abandoned by its owner for more than 90 days;
 3. The sign pertains to a bona fide business, lessor, service, owner, or product that has been unavailable upon the site for more than 90 days; or
 4. The sign has not been removed after the occurrence of a temporary event or activity with an approved Temporary Use Permit in compliance with Chapter 17.640 (Temporary Use Permits).
 5. The sign is a hazardous sign that has been removed by the City and has not been recovered by the owner within the time period specified in Subsection 17.335.140.E (Maintenance –Storage and costs).
- B. Removal of abandoned signs.**
1. An abandoned sign or an abandoned nonconforming sign shall be immediately removed by the owner or lessee of the premises upon which the sign is located or by a person, organization, or other entity that directly or indirectly receives a benefit from the information contained on the sign.
 2. A sign frame or structure that has been abandoned shall be immediately removed by the owner or lessee of the premises upon which the sign frame or structure is located.
- C. Notice that a sign is presumed abandoned.** The Director shall send a person responsible for a sign presumed to be abandoned an Abandoned Sign Notification. Failure of the person to respond within 30 days to the Abandoned Sign Notification shall serve as prima facie evidence of intentional permanent abandonment of the sign.

17.335.180 – Illegal Signs

- A. Strict liability.** Violations of this Chapter shall be treated as a strict liability offense regardless of intent.

B. Illegal signs identified. The following signs are illegal, declared to be a public nuisance, and shall be subject to the enforcement procedures identified in Chapter 17.725 (Enforcement) of this Development Code as well as the procedures and remedies in Municipal Code Sections 1.24 (General Penalties), 1.28 (Administrative Citations), and 8.44 (Nuisances).

1. A sign erected, placed, posted, constructed, reconstructed, altered, maintained, or moved after the effective date of this Chapter that does not comply with all applicable provisions of this Chapter.
2. A sign erected, placed, posted, constructed, reconstructed, altered, maintained, or moved before the effective date of this Chapter or before annexation to the City that failed to comply with all regulations in effect at the time the sign was erected, placed, posted, constructed, reconstructed, altered, maintained, or moved.
3. A nonconforming sign that is required to be removed or altered by Subsection 17.335.160.D (Removal of nonconforming signs) and that is not removed or altered in compliance with Subsection 17.335.170.B.
4. Signs with flashing elements that are not deactivated in compliance with Subsection 17.335.160.E (Deactivation of flashing features).
5. An abandoned nonconforming sign.
6. An abandoned sign

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Chapter 17.350 – Transportation Demand Management

Sections:

- 17.350.010 – Purpose
- 17.350.020 – Applicability
- 17.350.030 – Trip Reduction Standards and Plans
- 17.350.040 – Trip Reduction Facilities and Methods
- 17.350.050 – Enforcement
- 17.350.060 – Compliance with AQMD Regulation XV
- 17.350.070 – Voluntary Plans and Programs

17.350.010 – Purpose

The purpose of this Chapter is to provide regulations to reduce air pollution caused by vehicle trips and vehicle miles traveled.

17.350.020 – Applicability

- A. **Threshold number of employees.** This Chapter applies to a new development that generates 50 or more employees and an existing development with 50 or more employees.
- B. **Determination of number of employees.** Table 3-12 states the amount of gross building square footages in various land use categories that are considered to generate one employee. For mixed-use developments the project employment factor shall be based upon the proportion of the development devoted to each land use.

Table 3-12
Number of Employees Generated by Land Uses

Land Use Category	Gross Square Feet per Employee
Retail commercial	500 square feet = 1 employee
Office/professional	300 square feet = 1 employee
Industrial/manufacturing	500 square feet = 1 employee
Warehouse	1,000 square feet = 1 employee
Hotel/motel	1 guest room = .5 employees
Hospital	300 square feet = 1 employee

- C. **Exemptions.** In the event the developer reports fewer employees than anticipated by Table 3-12, the development may be exempt from the provisions of this Chapter, provided that:
1. A signed and notarized affidavit certifying the actual number of employees is submitted;
 2. Annually, on the anniversary of the signed affidavit, the developer or employer reports to the Department the actual number of employees including any increase in employees.

17.350.030 – Trip Reduction Standards and Plans

- A. **Trip reduction standard – Minimum of 12 percent.** All applicable development shall reduce work-related vehicle trips by a least 12 percent from the expected number of trips related to the project, as indicated in the latest edition of the *Trip Generation Handbook* published by the Institute of Traffic Engineers (ITE). Trip reductions shall be calculated in compliance with standards established by the Southern California Association of Governments (SCAG) and the South Coast Air Quality Management District (SCAQMD).
- B. **New development.** Each new development shall include in the development plans a Trip Reduction Plan or shall incorporate facilities as specified in Section 17.350.040 (Trip Reduction Facilities and Methods). The Director shall approve a Trip Reduction Plan before the issuance of any Certificate of Occupancy. Agreements to secure implementation of the Trip Reduction Plan shall become a condition of development and shall be recorded with the deed of trust for the property. The agreement shall include a monetary lien on the property in an amount sufficient to implement the program.
- C. **Existing development.** Existing development shall submit a Trip Reduction Plan or incorporate facilities as specified in Section 17.350.040 (Trip Reduction Methods and Facilities). The Trip Reduction Plan shall be submitted before the issuance and renewal of the Business License.
- D. **Annual review fee.** A Trip Reduction Plan review fee in an amount established by the City's Fee Schedule shall be payable at the time of annual review.

17.350.040 – Trip Reduction Facilities and Methods

- A. **Facilities.** Facilities to reduce work-related vehicle trips may include any of the following:

1. Preferential parking for carpool vehicles;
 2. Bicycle parking and shower facilities;
 3. Information center for transportation alternatives;
 4. Rideshare vehicle loading areas;
 5. Vanpool vehicle accessibility;
 6. Bus stop improvements;
 7. On-site child care facilities;
 8. Local transportation systems management methods and road improvements;
 9. Facilities or equipment (e.g., laptops, mobile phones, etc.) to encourage telecommuting;
 10. Contributions to support regional facilities designed to reduce vehicle trips and miles traveled; and
 11. On-site amenities (e.g., automated teller machines (ATM's), cafeterias, restaurants, etc.) or the provision of services (e.g., mobile dry cleaning services, mobile lunch delivery services, etc.) that would eliminate the need for additional trips.
- B. Trip reduction methods.** Any combination of the following methods may be utilized to achieve the required vehicle trip reduction:
1. **Alternate work schedules/Flex-time.**
 - a. **Office/professional, industrial, manufacturing, warehouse.** Incorporate alternate work schedules and flex-time programs (adoption of 9/80 work schedule for all employees would account for a 10 percent reduction in vehicle trips).
 - b. **Hospital.** Incorporate alternate work schedules and flex-time programs for employees who normally work between the hours of 8:00 a.m. and 5:00 p.m.

2. Telecommuting.

a. Office/professional.

- (1) Office facilities that are 25,000 square feet or larger may reserve five percent of the gross floor area for telecommuting purposes to allow tenants with multiple facilities to establish satellite work centers.
- (2) Establish telecommuting or work at home programs to allow employees to work at a home or a satellite work center either one day per week or one day every two weeks.
- (3) Through the telecommuting or work at home program provide incentives or offset employee costs in acquiring the needed equipment and supplies for telecommuting.

b. All other uses.

- (1) Establish telecommuting or work at home programs for selected employees (i.e., certain clerical or administrative employees).
- (2) Through the telecommuting or work at home program provide incentives or offset employee costs in acquiring the needed equipment and supplies for telecommuting.

3. Bicycle facilities. For all uses, provide:

- a. Bicycle parking facilities equivalent to 10 percent of the total required motor vehicle parking spaces. Thirty percent of the bicycle parking facilities shall be secure lockers.
- b. Shower and locker facilities equivalent to two showers for the each 100 employees or portion thereof.

4. Parking management. For all uses,

- a. Designate via permanent signs employee parking area(s) based upon the following ratios:
 - (1) Office/professional: 85 percent of required parking;
 - (2) Commercial retail: 30 percent of required parking;

- (3) Industrial/manufacturing/warehouse: 90 percent of required parking;
 - (4) Hospital: 70 percent of required parking; and
 - (5) Hotel: 30 percent of required parking.
 - b. Designate via permanent signs 25 percent of employee parking for carpools and vanpools.
 - c. Offer financial or other incentives to employees who participate in ridesharing or an alternative mode of transportation other than the single-occupant vehicle.
 - d. Establish a parking surcharge on the single-occupant vehicle.
5. **Mass transit facility usage.** For all uses, provide incentives (e.g., bus pass, additional pay, flex-time, etc.) to employees to use mass transit facilities instead of the single- occupant vehicle.
6. **Commuter Information Center.** For all uses, provide a commuter information area or bulletin board that is centrally located and accessible to all employees and includes:
 - a. Current maps, routes, schedules for public transit;
 - b. Rideshare match lists; and
 - c. Available employee incentives.
7. **Child care facilities.** For all uses, including multi-tenant developments, that cumulatively employ 150 or more persons, set aside at least 10 percent of the gross floor area for the operation of a child care facility. The floor area shall be exempt when calculating parking requirements for the entire development.
8. **Other measures.** Any other method or measure that will result in a reduction in vehicle trips shall be credited toward attaining the requirements of this Chapter.

17.350.050 – Enforcement

Upon approval of a Trip Reduction Plan, if there is future noncompliance with this Chapter or exhibited failure to implement the Trip Reduction Plan, the City may:

- A. **New development.** For new development, exercise the lien, based upon the terms of the agreement as required in compliance with Section 17.350.030.B., on the subject property;
or
- B. **Existing development.** For existing development, assess a monetary penalty, compounded on a monthly basis upon the length of time of noncompliance equal to the Business License renewal fee.

17.350.060 – Compliance with AQMD Regulation XV

Initial trip reduction plans approved by the City for new employers shall constitute compliance with Regulation XV, provided that the programs have been determined sufficient to meet average vehicle ridership (AVR) targets of 1.5. Monitoring and annual reporting requirements shall continue to be the responsibility of the South Coast Air Quality Management District (SCAQMD) and individual employers in compliance with rules and procedures established by SCAQMD.

17.350.070 – Voluntary Plans and Programs

- A. Employers that employ fewer than 50 people are encouraged to submit Trip Reduction Plans on a voluntary basis to achieve an overall trip reduction of 12 percent.
- B. The Director shall be responsible for developing effective incentive programs that promote voluntary programs to reduce vehicle trips and miles traveled.