



AGENDA

JOINT SPECIAL MEETING OF THE SANTA FE SPRINGS CITY COUNCIL AND PLANNING COMMISSION

February 21, 2023
5:00 P.M.

Annette Rodriguez, Councilmember
William K. Rounds, Councilmember
Joe Angel Zamora, Councilmember
Jay Sarno, Mayor Pro Tem
Juanita Martin, Mayor

Joseph Flores, Commissioner
Gabriel Jimenez, Commissioner
John Mora, Commissioner
David Ayala, Vice Chairperson
Francis Carbajal, Chairperson

Council Chambers
11710 Telegraph Road
Santa Fe Springs, CA 90670

You may attend the joint meeting telephonically or electronically using the following means:

Electronically using Zoom: Go to Zoom.us and click on "Join A Meeting" or use the following link:

<https://zoom.us/j/521620472?pwd=U3cyK1RuKzY1ekVGZFdKQXNZVzh4Zz09>

Zoom Meeting ID: 521620472

Password: 659847

Telephonically: Dial: 888-475-4499

Meeting ID: 521620472

Public Comment: The public is encouraged to address City Council on any matter listed on the agenda only. If you wish to address the City Council, please use the "Raise Hand" function via Zoom once the Mayor opens Public Comment during the meeting. You may also submit comments in writing by sending them to the City Clerk's Office at cityclerk@santafesprings.org. All written comments received by 12:00 p.m. the day of the Meeting will be distributed to the City Council and made a part of the official record of the meeting. Written comments will not be read at the meeting, only the name of the person submitting the comment will be announced.

Pursuant to provisions of the Brown Act, no action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist.

Americans with Disabilities Act: In compliance with the ADA, if you need special assistance to participate in a City meeting or other services offered by this City, please contact the City Clerk's Office. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

Please Note: Staff reports, and supplemental attachments, are available for inspection at the office of the City Clerk, City Hall, 11710 E. Telegraph Road during regular business hours 7:30 a.m.-5:30 p.m., Monday-Thursday and every other Friday. Telephone: (562) 868-0511.

City of Santa Fe Springs
Special Meeting

February 21, 2023

1. CALL TO ORDER

2. ROLL CALL

Annette Rodriguez, Councilmember
William K. Rounds, Councilmember
Joe Angel Zamora, Councilmember
Jay Sarno, Mayor Pro Tem
Juanita Martin, Mayor

Joseph Flores, Commissioner
Gabriel Jimenez, Commissioner
John Mora, Commissioner
David Ayala, Vice Chairperson
Francis Carbajal, Chairperson

3. PUBLIC COMMENTS *This is the time when comments may be made by members of the public on matters on the agenda only. The time limit for each speaker is three (3) minutes unless otherwise specified by the Mayor.*

CITY COUNCIL/PLANNING COMMISSION

4. STUDY SESSION

A Presentation by the City's consultant, MIG, to provide an update on the Targeted Zoning Amendments, including the draft non-conforming, mixed-use, and multi-family sections, and the certification of the 2021-2029 Housing Element (Planning)

Recommendation:

- Receive the presentation from MIG, and provide feedback as desired.

5. ADJOURNMENT

I, Janet Martinez, City Clerk for the City of Santa Fe Springs, do hereby certify under penalty of perjury under the laws of the State of California, that the foregoing agenda was posted at the following locations; City's website at www.santafesprings.org; Santa Fe Springs City Hall, 11710 Telegraph Road; Santa Fe Springs City Library, 11700 Telegraph Road; and the Town Center Plaza (Kiosk), 11740 Telegraph Road, not less than 24 hours prior to the meeting.



Janet Martinez, CMC, City Clerk

February 16, 2023
Date Posted



City of Santa Fe Springs

Joint City Council & Planning Commission Study Session

February 21, 2023

STUDY SESSION

A presentation by the City's consultant, MIG, to provide an update on the Targeted Zoning Amendments, including the draft non-conforming, mixed-use, and multi-family sections, and the certification of the 2021-2029 Housing Element

RECOMMENDATION

- Receive the presentation from MIG and provide feedback as desired.

BACKGROUND

On February 8, 2022, the Santa Fe Springs City Council adopted the Santa Fe Springs 2040 General Plan, along with the Environmental Impact Report and Statement of Overriding Considerations. Over the past year, the project team has been working with MIG on Targeted Zoning Amendments to ensure consistency between the City's two primary planning documents: The General Plan and Zoning Ordinance. The Targeted Zoning Amendments effectively utilizes supplementary land use controls to implement the overall character and vision established within the 2040 General Plan.

The City Council and Planning Commission may recall the extensive engagement activities that occurred throughout the planning process for the 2040 General Plan. The collaboration between the General Plan team, various property owners, the business working group, and the direction from both the City Council and Planning Commission was instrumental in finalizing and the eventual adoption of the 2040 General Plan.

A similar engagement effort has been used for the Targeted Zoning Amendments. First, a Zoning Advisory Group (ZAG) comprised of local stakeholders was formed to advise the project team during the development of the various Zoning Amendments. A total of four ZAG meetings have been conducted to discuss the various draft provisions, including the draft non-conforming sections, the draft mixed-use sections, and the draft multi-family sections. The project team also conducted a public workshop and two focus group meetings with the affected property owners and the business working group, respectively.

In addition to the Targeted Zoning Amendments, the project team has been working with MIG to address the extensive comments received from the California Department of Housing and Community Development (HCD). The project team has been working diligently to address the latest comments from HCD. We anticipate completing the necessary revisions in the coming week and will immediately resubmit the City's 2021-2029, 6th cycle, Housing Element to HCD for a third and hopefully final review.

The purpose of this joint study session is to allow the project team an opportunity to provide the City Council and the Planning Commission with a brief update on the Target

Zoning Amendments, including a general overview of the various draft code provisions, various feedback received by the planning team, and the next steps towards finalizing the proposed amendments to City's Zoning Ordinance. The project team will also provide a brief update on the certification of the 2021-2029 Housing Element.

The City Council and the Planning Commission will have an opportunity to ask questions and provide comments at the end of the presentation; however, MIG will be asking several questions throughout the presentation to solicit specific feedback and to make the presentation more interactive.



Tom Hatch
Interim City Manager

Attachments:

1. Draft Non-Conforming Sections
2. Draft Mixed Use Sections
3. Draft Multi-Family Sections

(DRAFT REVISIONS)

NONCONFORMING SITUATIONS

§ 155.385 PURPOSE OF CHAPTER.

This chapter establishes uniform provisions for the regulation of nonconforming land uses, development (including structures and improvements), and lots that were lawfully established but do not comply with the current requirements of this Zoning Ordinance (“nonconforming situations”). The overall intent of this chapter is to protect public health, safety, and general welfare while allowing reasonable use of private property by:

- (A) Limiting the number and extent of specific nonconforming uses and development that conflict with the provisions of this Zoning Ordinance by prohibiting their reestablishment after discontinuation;
- (B) Limiting the extent to which nonconforming uses and development that are involuntarily damaged or destroyed can be restored;
- (C) Allowing for the continuation and maintenance of nonconforming uses and development until they are redeveloped;
- (D) Establishing procedures and criteria for evaluating the allowable enlargement of specific nonconforming uses and development; and
- (E) Limiting the alteration, enlargement, or relocation of nonconforming uses and development in a manner that would further increase the difference between existing nonconforming conditions and the current provisions of this Zoning Ordinance.

§ 155.386 NONCONFORMING SITUATIONS, APPLICABLE PROVISIONS.

So long as a nonconforming situation exists upon a lot, no new use or structure may be constructed, established, or installed on the lot, except as allowed by this chapter. In addition to the general requirements in §§ 155.387 through 155.390, properties with nonconforming situations are subject to the standards and procedures for ~~the each~~ type ~~(or types)~~ of nonconforming situations that is applicable to that property. For example, a nonconforming development housing a nonconforming use is subject to § 155.392 and §§ 155.393 through 155.397.

- (A) Nonconforming lots are subject to § 155.391.
- (B) Nonconforming developments (except nonconforming signs) are subject to § 155.392.
- (C) Nonconforming uses are subject to §§ 155.393 through 155.397.
- (D) Nonconforming signs are subject to § 155.398.

§ 155.387 EXCEPTIONS TO THIS CHAPTER.

(A) Public Utilities. The Planning Director or designee, by written finding, may determine that a particular public utility facility or installation, nonconforming to the requirements of this chapter, is necessary to serve the areas in which it is located. Said public utility facility may then be expanded or altered, provided:

(1) The facility does not extend beyond the boundaries of the existing site or of the site approved by the city for such use; and

(2) The addition, extension, or alteration complies with all other performance standards provisions of §§ 155.415 through 155.433.

(B) Uses Requiring Conditional Use Permits. Notwithstanding the other provisions of this chapter, no use identified in this Zoning Ordinance as a "conditional use" that was lawfully in existence as of the effective date of these regulations shall be deemed nonconforming solely by reason of the application of the conditional use permit procedural requirements, in compliance with §§ 155.710 through 155.724; provided that:

(1) Use allowed with Conditional Use Permit approval. A land use that was legally established without a conditional use permit, but which would be required by current Zoning Ordinance provisions to have conditional use permit approval, must not be ~~altered or enlarged in any way~~ unless a conditional use permit is first obtained.

(2) Use no longer allowed with Conditional Use Permit approval. A land use that was established with conditional use permit approval, but which is no longer allowed with conditional use permit approval by the current Zoning Ordinance, may continue ~~only~~ in compliance with the original conditional use permit. Such use may be expanded or altered only in conformance with this chapter.

§ 155.388 NONCONFORMING SITUATIONS, DEFINED.

(A) Uses or developments that were not lawfully established do not have a legal right to continue as nonconforming situations as defined by this Zoning Ordinance and must be removed immediately.

(B) When submitting a development application to alter or expand a nonconforming situation or otherwise establishing that a lot, use or development is a legal nonconforming situation, the property owner or applicant must document that a nonconforming situation was legally established on its present site. Evidence that the situation was ~~allowed-legally established~~ depends upon the type of nonconforming situation.

(1) For nonconforming lots, the property owner or applicant must document when the lot was lawfully created in accordance with § 155.391.

~~(2B)~~ For nonconforming development or nonconforming uses, the property owner or applicant must provide building, land use, or development permits. For development or uses which did not require a permit when lawfully established, the property owner or applicant must provide other evidence which clearly shows the date the development or use was established such as dated aerial photographs.

~~(3C)~~ In addition, for nonconforming uses, the property owner or applicant must document that the use has been maintained over time. Evidence that a use has been

maintained over time could consist of building permits, functioning utility hookups, tax records, business licenses, lease agreements, business receipts, and/or similar documentation.

§ 155.389 INTENTIONAL DEMOLITION OR DESTRUCTION.

Any nonconforming use or development dependent upon a building or structure that has been declared a “public nuisance” and ordered demolished pursuant to Santa Fe Springs Municipal Code § 95.07 will be considered terminated upon that notice unless the nuisance is abated in accordance with that section. Nonconforming uses or nonconforming developments that have been intentionally destroyed by the owner shall lose their legal nonconforming status.

§ 155.390 PROVISIONS APPLICABLE TO ALL NONCONFORMING SITUATIONS.

The following provisions shall apply to all nonconforming uses, structures, and lots existing as of the effective date of this chapter:

(A) The nonconforming status of a lot, development, or use shall not be affected by changes in ownership or tenancy.

(B) Except as specified herein, a nonconforming situation must maintain compliance with any and all ~~previously~~ conditions of approval previously established through prior land use reviews.

§ 155.391 NONCONFORMING LOTS.

(A) Determination of nonconforming status. A nonconforming lot of record that does not comply with the current access, area, or dimensional requirements of this ordinance for the zoning district in which it is located shall be considered to be a legal building site if it meets one of the criteria specified by this section. The applicant shall be responsible for providing sufficient evidence to establish the applicability of one or more of the following to the satisfaction of the city.

(1) Approved subdivision. The lot was created through a subdivision approved by the city or the County, before incorporation.

(2) Variance, modification permit, or lot line adjustment. The lot was approved through the variance procedure (§§ 155.670 through 155.682), the modification procedure (§§ 155.690 through 155.702) or its current configuration resulted from a lot line adjustment.

(3) Partial government acquisition. The lot was created in conformity with the provisions of this Zoning Ordinance but was made nonconforming when a portion of the lot was acquired by a governmental entity.

(4) Individual lot otherwise legally created. The lot was legally created before the effective date of the Zoning Ordinance amendment that made the lot nonconforming.

(B) Further subdivision prohibited. Where structures have been erected on a nonconforming lot, the lot may not be later subdivided, nor can lot lines be altered through a lot line adjustment so as to reduce the building site area or frontage below the requirements of the applicable

zoning district or other applicable provisions of this Zoning Ordinance, or in any way that makes the use of the lot more nonconforming.

§ 155.392 NONCONFORMING DEVELOPMENT.

(A) Nonconforming Development, Generally. A nonconforming development may be maintained and continued, provided there is no physical change ~~other than necessary maintenance and repair to the structure~~, except as allowed by this chapter. A nonconforming development which houses one or more nonconforming uses ~~is shall~~ also be subject to the provision of this chapter applicable to nonconforming uses.

(B) Alterations of a Nonconforming Development.

(1) Except as specified in §§ 155.392(B)(2) through (B)(5)), a nonconforming development or portion thereof may be enlarged or altered if the proposed addition or alteration:

(a) Satisfies all of the current requirements of this Zoning Ordinance; ~~or~~

(b) Causes the development to better comply with the applicable standards of the Zoning Ordinance for which it is nonconforming (i.e., to move in the direction of conformity) and ~~in no way does not materially~~ increases its nonconformity with the applicable standards of the Zoning Ordinance.

(2) Developments which are nonconforming only in regard to required distances between buildings, may be added to or enlarged in accordance with the following:

(a) Any additions or enlargements must not encroach into the required distances between buildings to a greater extent than the existing structure; and

(b) The encroachment of said additions or enlargements must not exceed one-half of the width of said distances.

(3) Structures which ~~on the effective date of this chapter, or any subsequent amendments thereto~~, are nonconforming only in regard to height may be added to or enlarged; provided, that any additions or enlargements must conform to the height regulations and to all other provisions of the Zoning Ordinance.

(4) Developments which are nonconforming only as to the regulations relating to off-street parking and loading facilities may be continued in the same manner as if the parking and loading facilities were conforming. However, such parking and loading facilities as do exist may not be further reduced. No increase in the intensity of use of any building, structure or premises through the addition of dwelling units, floor area, seating capacity or other units of measurement specified in this Zoning Ordinance shall be permitted except in accordance with the following requirements:

(a) The intensity of use may be increased up to 60%; provided, that the required parking and loading facilities for such increase are installed and that such parking and loading facilities as presently exist may not be reduced unless suitable substitutions are made which would meet the requirements of the Zoning Ordinance.

(b) The intensity of use may be increased by more than 60%; provided that parking and loading facilities for the entire developed portion of the property are provided in conformance with all requirements of this chapter.

(5) Sheet-metal buildings that are nonconforming only in regard to sheet-metal siding or Quonset-type construction may be altered, added to or enlarged; provided, that any alterations, additions or enlargements must conform to all of the provisions and regulations of the Zoning Ordinance.

(C) Damage or Partial Destruction of a Nonconforming Development. When a nonconforming development is damaged or partially destroyed by fire or other causes ~~beyond the control of the owner not caused by an act or deliberate omission of a property owner or person acting on their behalf~~, it may be rebuilt in-kind within the footprint of the damaged or destroyed improvement, provided:

(1) ~~The cost of repair or reconstruction does not exceed 75% of the appraised value of the building or structure. The determination of the appraised value shall be made by a professional appraiser selected by the City, whose fee shall be paid by the building owner. The damage does not exceed 75% of the improvement's value as determined by the assessed value of the improvements as shown on the current County property assessment roll in effect at the time of the occurrence of the casualty. If the damage cost of repair or reconstruction exceeds 75% of the improvements value appraised value, the development may not be rebuilt, except in full conformance with the current provisions of this Zoning Ordinance;~~

(2) ~~Any reconstruction, restoration, or rebuilding undertaken pursuant to this section shall conform to all applicable Building Code requirements, a building permit is obtained within two years after the date of the damage or destruction, The reconstruction or repair is issued within 24 months after the date of destruction, and the construction is diligently pursued to completion; and~~

~~(3) The reconstruction or repair is not otherwise precluded by the regulations of the Santa Fe Springs Municipal Code; and~~

~~(34)~~ The replacement improvements do not increase the degree of nonconformity beyond that of the previously existing improvements, as determined by the Building Official.

(D) Roadway Access. The owner of a nonconforming driveway approach or access to a public street or highway, upon receiving land use or development plan approval, may be required as a condition of approval to bring the nonconforming access into conformance with city standards.

(E) Required Improvements. A development application submitted for a site with nonconforming development that proposes alterations over the threshold in Subsection (1) must provide the required improvements listed in Subsection (2) for the area specified in Subsection (3).

(1) Threshold. The cumulative value of one or more building improvements or expansions exceeds \$500,000. The value of a proposed building or site improvement or expansion will

be the value stated on the application for building permits or calculated by the Building Official, whichever is higher. The cumulative value of the alterations is based on the value of improvements on the entire project site over the preceding three-year period (from date of application submittal), not individual building permits. The applicant may exclude the costs associated with the following alterations and improvements:

- (a) Alterations required by fire/life safety standards;
- (b) Alterations required to remove existing architectural barriers, as required by the Americans with Disabilities Act;
- (c) Seismic improvements required by building codes;
- (d) Energy efficiency or renewable energy improvements;
- (e) Required landscaping; and
- (f) Removal or remediation of hazardous substances conducted in accordance with State law.

(2) Required improvements. 5% percent of the cost of all improvements proposed in excess of the threshold in Subsection (1) must be allocated toward improvements that bring the site into compliance with standards listed below unless all of the standards listed below can be met at lesser cost. Category 1 improvements must be brought into compliance first unless doing so would exceed the costs established in this Subsection (2). Improvements within category 2 can be made in any order.

(a) Category 1

- i. Pedestrian facilities connecting the development to a public sidewalk (if a public sidewalk is abutting the property);
- ii. Buffering and screening standards in accordance with §§ 155.136, 155.166, 155.196, 155.226, 155.256, 155.286, §155.309, 155.141(B), 155.171(B), 155.201 (B), 155.231 (A), 155.261 (A), 155.291 (A), 155.381 (D), 155.201 (D)(1), 155.231 (C), 155.261 (C), and 155.291 (C). (unless there is not enough physical room);
- iii. Access to public streets in accordance with §§ 155.451, 155.489, and 155.490.

(b) Category 2

- i. Landscaping standards in accordance with §§ 155.545 through 155.559 and 155.079, 155.110, 155.140, 155.170, 155.200, 155.230, 155.260, 155.290, 155.313, and 155.380(C), (E) and (F). (unless there is not enough physical room);
- ii. Parking space and lot improvement standards in accordance with §§ 155.475 through 155.502;

iii. Screening or removal of nonconforming metal buildings;

iv. Screening of refuse storage areas in accordance with §§ 155.141 (E), 155.171 (E), 155.201 (E), 155.231 (D), and 155.261(D).

(3) Area of required improvements. Except as specified herein, required improvements must be made for the entire site. Required improvements may be limited to a smaller area if there is a ground lease for the portion of the site where the alterations are proposed. The area of the ground lease will be considered as a separate site for purposes of required improvements, provided the applicant submits a signed ground lease or excerpts from the lease document showing that there is at least one year remaining on the ground lease, and submits a legal description of the boundaries of the lease.

§ 155.393 NONCONFORMING USES, GENERALLY.

(A) Except as specified in § 155.393(B), a nonconforming use may be maintained and continued, provided there is no increase or enlargement of the area, space, or volume occupied by or devoted to the nonconforming use, except as allowed by this chapter.

(B) Whenever any of the following facts are found to exist with reference to a nonconforming use, the nonconforming protection/benefits provided by this chapter shall cease except as otherwise allowed by this chapter:

(1) The license or permit that is required to operate the nonconforming use has been revoked or terminated; or

(2) There has been a violation of the provisions of this chapter with regard to change of use, alteration, or expansion of the nonconforming use.

(C) A nonconforming use may be changed to a conforming use, provided that any part of a structure or land occupied by a nonconforming use which is changed to or replaced by a conforming use shall not again be used or occupied by a nonconforming use.

(D) The area, space, or volume occupied by or devoted to a nonconforming use may be increased with the approval of a conditional use permit in accordance with § 155.395.

§ 155.394 DISCONTINUATION OF NONCONFORMING USE.

(A) Discontinuation. Except as provided in §§ 155.394(C) through (E), a nonconforming use that is discontinued for a period of more than 365 consecutive days shall be deemed abandoned and shall no longer be allowed as a legal nonconforming use. For purposes of calculating the 365-day time period, a use is discontinued on a site when any one of the following conditions occur:

(1) The use no longer physically occupies the site;

(2) The use ceases operation. For example, the site is no longer actively in use for the sale of merchandise, the manufacture or warehousing of products, or the provision of services, as evidenced by the removal of signs, goods, stock, or office equipment, or the disconnection of telephone or utility service or similar indications;

~~(3) Any lease or contract under which the nonconforming use has occupied the site is terminated;~~

(34) A request for final reading of water and power meters is made to the applicable utility or the utility bill account indicates inactivity;

~~(45)~~ The non-payment of a required business license;

~~(56)~~ The use ceases operation as a result of damage or destruction by fire or other causes; and/or

~~(67)~~ An event occurs similar to those listed in § 155.394(A)(1) – ~~(56)~~, above, as determined by the city.

(B) Application of Criteria and Standards to Nonconforming Use. Once the city deems a nonconforming use discontinued pursuant to § 155.394(A), any subsequent use of the subject lot must conform to the current standards and criteria of this Zoning Ordinance applicable to the use. After the city has deemed a nonconforming use discontinued, the use shall not be allowed to resume, in whole or in part, under the same or different ownership or management; any such activity is a violation of this Zoning Ordinance and subject to enforcement proceedings.

(C) Appeals. In an appeal of the city's determination that the use has lost its nonconforming status by discontinuance, the appellant must present evidence satisfactory to the city showing that the use is in continual operation and/or that the discontinuation date used by the city was not accurate. Appeals shall be made to the City Council pursuant to § 155.394(F).

(D) Adult Businesses. Nonconforming adult businesses are subject to the provisions in § 155.603.

(E) Oil and gas wells. Idle wells as defined by the California Geologic Energy Management Division (CalGEM) are subject to the provisions of the State of California's idle well regulations.

(F) Appeal. Any party who has been administratively ordered by the city to terminate a nonconforming use shall have the right of appeal to the City Council if he feels that such order is unreasonable or would cause undue hardship. The City Council may approve the termination order or may extend the date upon which said nonconforming use must be terminated.

§ 155.395 NONCONFORMING USE REVIEW - PROCEDURES FOR EXPANDING OR CHANGING A NONCONFORMING USE ON A SITE.

Except for adult businesses, which are subject to § 155.396, an expansion or change of nonconforming use to another nonconforming use will be processed as a conditional use as established in §§ 155.710 through 155.724 and subject to the applicable review criteria in this section. The Planning Commission shall be governed by the following considerations in studying a request for such a conditional use permit:

(A) The nonconforming use was not created unlawfully.

(B) If the request involves a change of use, the proposed nonconforming use is within the same use category as the existing use, such as a change from one type of manufacturing use to another type of manufacturing use. Other changes from one nonconforming use to a different nonconforming use are prohibited, unless the Planning Commission finds that the proposed use, while still nonconforming, better meets the criteria in § 155.395(A)(3) than the existing nonconforming use.

(C) With mitigation measures through conditions of approval, the new use or expansion will comply with the performance standards in §§ 155.415 through 155.433 and will not result in a net increase in overall adverse impacts (over the impacts of the existing use) on the surrounding area taking into account factors such as:

- (1) Noise, vibration, dust, odor, fumes, glare, and smoke;
- (2) Potential for increased litter;
- (3) The amount, location, and nature of any outside displays, storage, or activities;
- (4) The appearance of the new or expanded use will not detract from the desired function and character of the zoning district;
- (5) The operating characteristics of the new or expanded use are compatible with the existing and anticipated uses in the immediate vicinity. The hours of operation of nonresidential uses in residential zoning districts cannot be extended into the period of 10 p.m. to 7 a.m.;
- (6) If the proposed change to the nonconforming use will result in an increase in vehicular trips, the street system has adequate capacity to accommodate the use, as determined by the City Engineer following a traffic study by the applicant;
- (7) If the proposed change to the nonconforming use will result in an increase in vehicle parking demand, the site has adequate on-site parking to accommodate the development or adequate parking will be provided in accordance with § 155.480;
- (8) Parking areas and entrance-exit points are designed to facilitate traffic and pedestrian safety and avoid congestion;
- (9) Public services for water, sanitary sewer, stormwater, water management, and for fire and police protection, can serve the proposed use; and
- (10) Any applicable criteria in § 155.395(A)(4) and (5), below.

(D) Expansions in floor area to provide space for nonconforming uses do not exceed the following thresholds:

Existing Gross Floor Area	% of Expansion of Floor Area
Buildings under 3,999 sq. ft.	25%
Buildings between 4,000 sq. ft. and 9,999 sq. ft	20%

Buildings between 10,000 sq. ft. and 24,999 sq. ft.	15%
Buildings between 25,000 sq. ft. and 49,999 sq. ft.	10%
Buildings over 50,000 sq. ft.	5%

(1) Expansions in floor area for nonconforming uses may occur one time only, and the expansion must comply with current development standards for the zoning district in which the use is located.

(2) Expansion of a nonconforming use onto another site, except for an adjacent parcel under the same ownership, is prohibited.

(3) Addition of new residential units to a nonconforming residential use is prohibited unless such an addition would move the site toward conformance (e.g., adding units to a single detached dwelling in a multifamily zone) or would otherwise be permitted under state law

(E) Nonconforming Use Expansions in Residential Areas. If the nonconforming use is in a residential zoning district or in a mixed-use zoning district with residential uses adjacent to the site, the appearance of the proposed expansion will not lessen the residential character of the area, as determined by the Director of Planning. This is based on taking into account factors such as:

- (1) Building scale, placement, and facade;
- (2) Parking area placement;
- (3) Buffering and the potential loss of privacy to abutting residential uses; and
- (4) Lighting and signs.

§ 155.397 NONCONFORMING ADULT BUSINESSES.

Nonconforming adult businesses may not be enlarged or reconstructed and are subject to the amortization and termination provisions in § 155.603. Timeframes shall be calculated in accordance with § 155.399.

§ 155.398 NONCONFORMING SIGNS.

(A) Nonconforming signs may not be enlarged or reconstructed and are subject to the termination provisions of State law.

(B) In accordance with § 155.535, a sign permit may be required to maintain a nonconforming sign.

§ 155.399 MEASUREMENT OF TERMINATION DATE AND REMOVAL OF STRUCTURES OR USES.

(A) Where a use or structure is required to be terminated in accordance with §§ 155.397 or 155.398, the time periods shall be measured as follows:

(1) For nonconforming structures or uses which were conforming immediately prior to the effective date of this chapter, the time period shall be measured from the effective date of this chapter.

(2) For structures or uses which become nonconforming subsequent to the effective date of this chapter due to any zone change or other amendment to this chapter, the time period shall be measured from the effective date of whichever zone change or amendment first causes the structure or use to become nonconforming.

(3) For structures or uses which first became nonconforming by the provisions of any prior city or county ordinance, the time period shall be measured from the date such structures or uses first became nonconforming.

(B) Prior to the date determined in this subchapter for termination of nonconforming structures, the owner of the premises upon which such structure is located shall be notified in writing of the date of termination. Prior to such date, the nonconforming structure must be completely removed or brought into compliance with the requirements of this chapter. The city shall not be liable for the cost of altering or removing any nonconforming structure. If the nonconforming structure is not brought into compliance with the requirements of this chapter or removed within a reasonable time after the termination of the nonconforming status of said structure, the city shall have the authority to remove said structure. The cost of such removal may be charged to the owner of the premises and collected in the same manner as provided for special assessments on the land.

PUBLIC REVIEW DRAFT (AUGUST 31, 2022)
PART X. MIXED USE ZONE DISTRICTS (MU-DT, MU AND MU-TOD)

§ 155.XXX PURPOSE.

Commentary:

The text below is based on the descriptions of the zones in Chapter 2 of the Land Use Element of the General Plan.

The following zone districts are referred to collectively in this Chapter as the “mixed use zones.”

- (A) The Mixed Use Downtown (MU-DT) zone district implements the City’s goal to establish a new downtown – one which is envisioned as a mixed-use district surrounding Heritage Park, with a newly created main street setting and vertical/horizontal mixed-use development featuring ground-floor commercial uses and residences above. The district provides opportunities for multi-family residential (up to 40 units per acre), retail and service commercial, office, dining, entertainment, hospitality, lodging restaurants, entertainment venues and public gathering spaces for community events within highly walkable areas with broad pedestrian-friendly sidewalks, trees, landscaping, signage, and art.
- (B) The Mixed Use (MU) zone district provides opportunities to create mixed use corridors, such as Telegraph Road. The zone encourages mixed-use development along key frontages, with landscaped street edges designed to protect pedestrians and buildings from automobile and truck traffic. A mix of uses are permitted including multi-family residential (up to 40 units per acre), retail and service commercial, office, dining, and small-scale entertainment.
- (C) The Mixed Use Transit-Oriented Development (MU-TOD) zone district is intended for use around the planned Metro L Line station at Washington and Norwalk Boulevards) and the existing Metrolink Norwalk/Santa Fe Springs Station. Transit-oriented communities consist of residential and commercial activity. The standards are intended to help ensure that the physical environment around each station considers the pedestrian scale, with easy walking connections to the station platforms. A mix of uses are permitted including multi-family residential (up to 60 units per acre), retail and service commercial, office, dining, and entertainment.

§ 155.XXX USES.

Principal permitted uses and conditional uses are shown in Table XX. Where a “P” is indicated, the use is a principal permitted use in the zone. Where a “CUP” is indicated, the use is permitted in the zone only after a valid conditional use permit has first been issued.

Table XX: Mixed Use Allowed Uses and Permit Requirements				
P: Permitted Use Blank: Use Not Allowed		CUP: Conditional Use Permit		
Use	Land Use Regulation			Specific Use Regulations
	MU-DT	MU	MU- TOD	
RESIDENTIAL USES				
Single Unit Dwelling	--	--	--	
Multi-Unit Dwelling	P	P	P	
Accessory Dwelling Unit. / Junior Accessory Dwelling Unit	P	P	P	Subject to the regulations in § 155.XXX
Boarding House	CUP	CUP	CUP	

Use	Land Use Regulation			Specific Use Regulations
	MU-DT	MU	MU- TOD	
Caretaker Quarters	P	P	P	
Employee Housing, Large	P	P	P	
Employee Housing, Small	P	P	P	
Live/Work Unit	P	P	P	Subject to the regulations in § 155.XXX
Supportive Housing	P	P	P	Subject to the regulations in § 155.XXX
Transitional Housing	P	P	P	Subject to the regulations in § 155.XXX
CARE SERVICES AND FACILITIES				
Community Care Facilities, Large	CUP	CUP	CUP	
Community Care Facilities, Small	P	P	P	
Emergency Shelter, Permanent	---	CUP	---	Emergency shelter facilities are subject to § 155.629.1
Emergency Shelter, Low Barrier Navigation Centers	P	P	P	Low Barrier Navigation Centers are subject to § 155.XXX
Family Day Care Home, Large	CUP	CUP	CUP	See Section 155.625; Child Care Nurseries subject to § 155.619
Family Day Care Home, Small	P	P	P	Child Care Nurseries subject to § 155.619
Hospitals and Clinic/Urgent Care • Clinic/Urgent Care • Hospital	P / CUP ---	P / CUP CUP	P / CUP ---	CUP required for: blood/plasma donation centers; new clinic/urgent care establishments with more than 10,000 SF of floor area; and, hospitals.
RECREATION, EDUCATION, AND PUBLIC ASSEMBLY USES				
Commercial Recreation Facilities (Indoor facilities only)	CUP	CUP	CUP	Amusement arcades are subject to § 155.614; Bingo parlors and game rooms are subject to § 155.617; Clubs, lodges and similar organizations are subject to § 155.622.
Community Gardens	P	P	P	
Cultural Institutions	P	P	P	
Entertainment Venue (Indoor facilities only)	P / CUP	P / CUP	P / CUP	CUP required for new establishments with more than 10,000 SF of floor area or establishments with Live Entertainment (Incidental or Standalone). Adult uses are subject to § 155.602.
Gymnasium and Fitness Centers (Large)	P / CUP	P / CUP	P / CUP	CUP required for new establishments with more than 10,000 SF of floor area.
Gymnasium and Fitness Centers (Small)	P	P	P	
Parks and Public Plazas	P	P	P	

Use	Land Use Regulation			Specific Use Regulations
	MU-DT	MU	MU- TOD	
Religious Assembly Facilities	P	P	P	
Schools, K-12 – Private	CUP	CUP	CUP	
Schools, K-12 – Public	P	P	P	
Technical Trade, Business or Professional Schools	CUP	CUP	CUP	
Colleges and Universities – Public and Private	CUP	CUP	CUP	
EATING ESTABLISHMENTS				
Breweries, Wineries, or Distilleries,	CUP	CUP	CUP	Subject to § 155.628 Sale or service of alcoholic beverages.
Cigar Lounges and Bars	P / CUP	P / CUP	P / CUP	Lounges serving alcoholic beverages are subject to § 155.723 Conditional use permits for entertainment and other uses and § 155.628 Sale or service of alcoholic beverages.
Cocktail Lounges and Bars	CUP	CUP	CUP	Subject to § 155.723 Conditional use permits for entertainment and other uses and § 155.628 Sale or service of alcoholic beverages.
Restaurants				
Where the Outdoor Dining area is more than 50% of the overall seating area	CUP	CUP	CUP	
Serving Alcoholic Beverages	CUP	CUP	CUP	Restaurants serving alcoholic beverages are subject to § 155.628 Sale or service of alcoholic beverages.
With Drive-in or Drive-through Facilities	--	CUP	--	
All Other Restaurants	P	P	P	
RETAIL, COMMERCIAL SERVICE, AND OFFICE				
Automated Teller Machines (ATMs) – Drive-through	CUP	CUP	CUP	
Automated Teller Machines (ATMs) – Standalone	P	P	P	
Business Support Services	P	P	P	
Check Cashing Business and/or Pawn Shop	--	CUP	--	
Financial Institutions and Related Services	P	P	P	
Hotel and/or Motel	CUP	CUP	CUP	
Office, Business, and Professional (non-medical and Dental Offices)	P	P	P	

Use	Land Use Regulation			Specific Use Regulations
	MU-DT	MU	MU- TOD	
Office, Medical or Dental	P/ CUP	P	P/CUP	CUP required for medical or dental office developments with more than 10,000 SF of floor area
Personal Services, General	P	P	P	
Personal Services, Restricted	CUP	CUP	CUP	
Retail, General	P/CUP	P/CUP	P/CUP	CUP required for new retail establishments with more than 20,000 SF of floor area or more than 2,000 SF of outdoor sales
Retail, Restricted	CUP	CUP	CUP	
Veterinary Clinic and/or Animal Grooming (Indoor Only)	P	P	P	Outdoor kennels or dog runs are not permitted.
AUTOMOBILE-ORIENTED USES				
Automobile Sales and Rental	--	--	--	
Automobile Washing/Detailing	--	--	--	
Automobile Service, Major	--	--	--	
Automobile Service, Minor	--	--	--	
Drive-in/Drive-through Establishments	--	CUP	--	
Service/Fueling Station, Automobile	--	--	--	
LIGHT INDUSTRIAL				
Laboratory – Medical, Analytical, Research, Testing (Existing uses only)	CUP	CUP	--	Expansion of existing uses is subject to CUP; new uses are prohibited
Manufacturing – Light (Existing uses only)	CUP	CUP	--	Expansion of existing uses is subject to CUP; new uses are prohibited
Research and Development (Existing uses only)	CUP	CUP	--	Expansion of existing uses is subject to CUP; new uses are prohibited
OTHER USES				
Temporary Uses/Activities	Temporary Use Permit required			See Chapter (Temporary Use Permits)
Transit Stations	CUP	CUP	P	
Utility Facilities				
• Facilities with On-site Staff	CUP	CUP	CUP	
• Facilities with No On-site Staff	P	P	P	
Wireless Telecommunication	Subject to Chapter 157 (Wireless Telecommunications Facilities) and as otherwise			

Use	Land Use Regulation			Specific Use Regulations
	MU-DT	MU	MU- TOD	
Facilities, Satellite Dish Antenna	regulated by this Section			

§ 155.XXX ACCESSORY USES.

The following accessory uses are permitted in the mixed use zones: those accessory uses and structures customarily appurtenant to a permitted use, such as incidental storage facilities.

§ 155.XXX DEVELOPMENT STANDARDS.

Commentary:

The table below outlines the development standards that apply to all properties within the mixed use zones. In addition, there are pedestrian-oriented standards that vary by street type.

Table XX: Mixed Use Zones Development Standards			
Standards	Land Use Regulation		
	MU-DT	MU	MU- TOD
Minimum lot area	20,000 sf	20,000 sf	20,000 sf
Minimum lot width	None	None	None
Minimum lot depth	None	None	None
Maximum FAR	3.0	3.0	4.0
Minimum landscape area	25 SF per linear foot of frontage plus 6% of the total parking areas		
Open Space (residential only)	200 sf/unit	200 sf/unit	150 sf/unit
Storage (residential only)	240 cu ft/unit	240 cu ft/unit	240 cu ft/unit
Minimum setback	10 ft, except as specified in § 155.XXX		
Maximum building height (base)	6 stories; 80 ft	4 stories; 60 ft	6 stories; 80 ft
Maximum building height within 25 feet of a lot line abutting a residential zone (required step-down)	35 ft	35 ft	35 ft
Maximum density	40 du/ac	40 du/ac	60 du/ac
	See also residential density bonus in §155.625.1		

§ 155.XXX PERMITTED FENCES, HEDGES AND WALLS.

Fences, hedges and walls shall be permitted; except, that in a required front yard or required side or rear yard, where adjoining a dedicated street, the height shall not exceed three and one-half feet.

§ 155.XXX SCREENING OF MECHANICAL EQUIPMENT

- (A) Building walls. Where mechanical equipment is permitted on a building wall that abuts a public street or civic space, it shall be screened from view from the right-of-way or civic space. Standpipes, meters, vaults, and similar equipment need not be screened but shall not be placed on a front elevation when other feasible alternatives exist; such equipment shall be placed on a side or rear elevation or on a secondary street of a corner lot, where feasible.
- (B) Rooftops. Rooftop mechanical units shall be setback or screened behind a parapet wall so that they are not visible from any public street, civic space or abutting property.
- (C) Ground-mounted mechanical equipment. Ground-mounted equipment, such as generators, air compressors, trash compactors, and similar equipment, shall be limited to side or rear yards and screened with fences or walls constructed of materials similar to those on adjacent buildings. Hedges, trellises, and similar plantings may also be used as screens where there is adequate air circulation and sunlight, and irrigation is provided. The city may require additional setbacks and noise dampening equipment for compatibility with adjacent uses.

§ 155.XXX REQUIRED OFF-STREET PARKING AND LOADING AND BICYCLE PARKING

Commentary:

Sections A and B provide some additional flexibility and parking reduction in recognition of the trip reduction benefits of a compact, pedestrian-friendly environment as well as future transit improvements. The General Plan noted that bicycle parking was an important element of these new zones. Section C establishes bicycle parking standards.

Off-street parking and loading facilities shall be provided in accordance with §§ 155.475 through 155.502 of this chapter except as specified below.

- (A) Off-site parking. To allow flexibility in the location of required parking and to encourage efficient utilization of land, required parking may be located up to 600 feet from the development (as measured along the most direct walking path). Such parking shall be designated and signage shall be installed indicating that it has been assigned to the remote development. Confirmation of the parking assignment shall be required prior to occupancy of the development.
- (B) Shared parking. Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature; weekday uses versus weekend uses) or that one of the sites has an excess supply of parking. The application shall include a parking study demonstrating that this standard has been met. The right of joint use must be evidenced by a recorded deed, lease, contract, or similar written instrument establishing the joint use. Shared parking requests shall be subject to review and approval through the Conditional Use Permit process.
- (C) Bicycle parking. The minimum amount of bicycle parking required for new development is as follows:

(D)

Development Type	Short-term Bicycle Parking Spaces	Long-term Bicycle Parking Spaces
Residential projects adding 4 or more new units (multi-unit, transitional housing, supportive housing), including the residential portion of a mixed use project.	None required	1 bicycle parking space per four units
Non-residential projects adding 10 or more vehicular parking spaces, including the nonresidential portion of a mixed use project.	1 bicycle parking space per 20 vehicle parking spaces, minimum of 1 bicycle parking space	1 bicycle parking space per 20 vehicle parking spaces, minimum of 1 bicycle parking space

- (1) Required short-term bicycle parking must meet the following standards:
 - (a) Required spaces must be within 200 feet of, and visible from, the pedestrian visitors' entrance to the building.
 - (b) Each required bicycle parking space must have a parking rack securely fastened to the ground. Parking racks must support each bicycle at a minimum of two points, including at least one point on the frame, and must allow the frame and at least one wheel to be locked with a U-type lock.
 - (c) Bicycle parking areas must provide at least three feet of clearance around all three sides of a fully-loaded bicycle rack and have an overhead clearance of at least seven feet.
- (2) Required long-term bicycle parking must meet the following standards:
 - (a) Required bicycle parking spaces shall be accessible from the street without requiring the use of stairs.
 - (b) Long-term bicycle parking shall be provided in covered, lockable enclosures with permanently anchored racks for bicycles; lockable bicycle rooms with permanently anchored racks; or lockable, permanently anchored bicycle lockers. In addition, for residential developments, long-term bicycle storage can be provided in a storage closet that is either within the unit or onsite, secure and assigned to the unit.
- (3) Exemptions -- the Planning Commission may allow exemptions to or reductions in required bicycle spaces in connection with temporary uses or uses that are not likely to need the required amount of bicycle parking.

§ 155.XXX REQUIRED ACCESS.

Access to off-street parking facilities shall be provided in accordance with the provisions of §§ 155.488 through 155.490 of this chapter.

§ 155.XXX SIGNS.

Commentary:

Signs in the mixed use zones will be subject to the same sign standards as the C-4 zones (in § 155.16).

Signs in the mixed use zones are subject to the sign standards of the C-4 zone in § 155.169. The provisions of §§ 155.515 through 155.536 regarding signs shall also apply.

§ 155.XXX LANDSCAPING, OUTDOOR OPEN SPACE AND STORAGE.

The following landscaping provisions shall apply in the mixed use zones. In addition, the landscaping provisions of §§ 155.545 through 155.559 shall also apply:

- (A) Minimum landscaped area. Where a mixed use adjoins a dedicated street, a minimum area equivalent to 25 square feet for each foot of frontage on said street shall be landscaped and maintained. Landscape areas in required setbacks (see § 155.XXX) or in common outdoor open space (see § 155.XXX.D.3) may be applied towards meeting the minimum amount of required landscaped area.
- (B) Parking lot landscaping. All areas shall have landscaping installed equivalent to 6% of the total parking areas. This landscaping shall be distributed so that 50% of the landscaping is located around the perimeter of the parking area, and the balance located within the parking area.
- (C) Curbs. Concrete curbs shall be installed along the borders of all on-site landscaped areas where said landscaped areas interface with driveways, off-street parking and loading areas and other similar facilities.
- (D) Open Space. All residential projects and the residential component of a mixed use project shall provide shared and private open space. The minimum amount of open space area required for each dwelling unit on the site is stated in Table XXX. Required area may be provided as individual, private outdoor areas, such as patios or balconies, or as common shared areas. There also may be a combination of individual and common areas. Where a combination of individual unit and common areas is provided, each individual area must meet § 155.XXX.E.1 and each common area must meet § 155.XXX.E.2 below, and together must provide a total amount of space equivalent to the combined amount of outdoor area required for each dwelling unit.
 - (1) Where a separate outdoor area is provided for an individual unit, it must be designed so that a 4-foot by 6-foot dimension will fit entirely within it. The outdoor area must be directly accessible to the unit. Areas used for pedestrian circulation to more than one dwelling unit do not count towards meeting the required outdoor area.
 - (2) Common areas may be indoors or outdoors.
 - (a) Where outdoor areas are common, shared areas, each area must be designed so that it is at least 500 square feet in area and must measure at least 20 feet in all directions. A portion of the outdoor common area must be located within 20 feet of a building entrance providing access to residential units. Required outdoor areas must be surfaced with lawn, pavers, decking, or sport court paving which allows the area to be used for active or passive recreational use. User amenities, such as tables, benches, trees, shrubs, planter boxes, garden plots, drinking fountains, barbecues, spas, or pools, may be placed in the outdoor area. Common, shared outdoor areas may also be developed with amenities such as play areas, plazas, roof-top patios, picnic areas, and open recreational facilities.
 - (b) Where an indoor common area is provided, it must be an indoor recreational facility or an indoor tenant community room (e.g., exercise rooms, club rooms, etc.). Indoor common areas that are not recreational facilities or community rooms, such as lobbies, hallways, laundry facilities, mail rooms, storage rooms, and vehicle or bicycle facilities, cannot be used to meet this requirement.

§ XXX PEDESTRIAN-ORIENTED STANDARDS - PURPOSE AND APPLICABILITY.

Commentary:

Some standards work best when applied to the entire lot or parcel (e.g., maximum floor area or lot coverage); however, pedestrian-friendly design standards, such as those outlined below, tend to work better when applied to street frontages (rather than to the entire lot). This approach allows the jurisdiction to focus energy on important pedestrian corridors while recognizing that businesses often need design flexibility on the rest of the site.

There are two types of streets (described below): "Storefront Streets" and "Pedestrian-Friendly Streets."

- (A) Purpose. The purpose of the design standards is to create pedestrian-oriented mixed use areas that will serve as the center of commercial and civic activity in the community and as a destination for residents and visitors. Pedestrian-oriented places provide visual interest at eye-level, feel safe and comfortable for people walking, contain a variety of activities and services, are easy to navigate on foot, and provide open areas and amenities for gathering and resting.
- (B) Street Design Types. Within the mixed use zones, streets have been designated as either "Storefront Streets" or "Pedestrian-Friendly Streets."
 - (1) Storefront streets. Storefront streets prioritize the pedestrian experience. These streets provide places to walk that are not only safe and comfortable, but that also provide visually interesting and engaging experiences. This is achieved through placing buildings closer to the street, designing buildings with architectural detail, and encouraging storefront shopping.
 - (2) Pedestrian-friendly streets. Pedestrian-friendly streets balance the pedestrian experience with the need to accommodate a range of development types. These streets are safe and comfortable for pedestrians. Buildings are encouraged to be placed close to the street, but not required. Other standards are relaxed slightly to provide flexibility in design while maintaining a pedestrian-friendly environment.

The design standards in this section apply to development and redevelopment on properties within the mixed use zones abutting streets designated as *storefront streets* and *pedestrian friendly streets*, as shown on Figure XXX. Table XXX provides an overview of the design standards that apply within the mixed use zones by street frontage type. See the referenced section of this chapter for specific regulations.

Figure XXX: Mixed Use Street Design Types

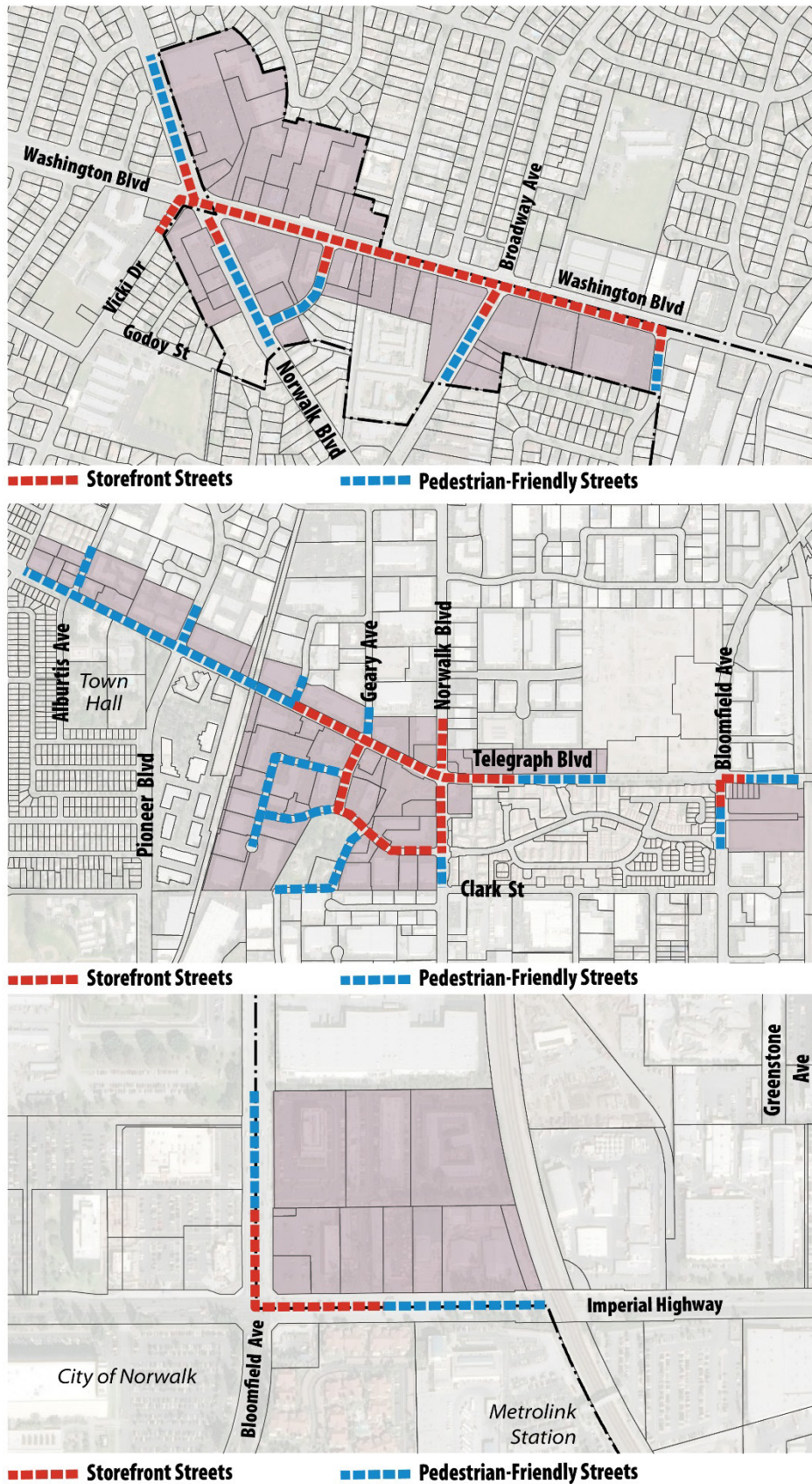


Table XXX: Summary of Design Standard Applicability by Street Frontage Type			
Standard	Storefront Streets	Ped.-Friendly Streets	Code Section
Setbacks and Location of Vehicle Areas			
Minimum setbacks	0 ft	0 ft	See § 155.XXX
No parking between building and the street	Required		See § 155.XXX
Building Entries			
Walkway connection	Required	Required	See § 155.XXX
Entry orientation	Required	Required	See § 155.XXX
Entry design	Required	Required	See § 155.XXX
Windows Requirements			
Minimum window requirements (as % of the ground level wall area) - Nonresidential	60%	40%	See § 155.XXX
Minimum window requirement (as % of façade) - Residential	15%	15%	See § 155.XXX
Uses			
Residential Use Limitation	Required		See § 155.XXX
Architectural Design Standards			
Façade articulation - Residential	Required	Required	See § 155.XXX
Architectural elements - Nonresidential	Required	Required	See § 155.XXX
Streetscape			
Sidewalk and pedestrian improvements	Required	Required	See § 155.XXX
Street trees	Required	Required	See § 155.XXX

Commentary:

Subsection C, below, establishes thresholds for new buildings and expansions and alterations. The thresholds should reflect the expected scale of development in the mixed use zones. The City could set the threshold as low as any development that triggers a building permit; however, that may be too small when considering the larger scale of development in these zones. The draft includes a threshold of 2000SF. Because the threshold for expansions and alterations of existing development is not objective, we recommend applying it to nonresidential development only.

(C) Development Types Subject to the Regulations.

- (1) New buildings. The design standards of this chapter apply to all new residential and nonresidential development proposals that include over 2,000 square feet in floor area.
- (2) Expansions to and alterations of existing nonresidential buildings. The standards of this chapter apply to expansions and alterations as follows:
 - (a) Building expansions or additions over 2,000 square feet that are visible from a public street or public space are required to be in conformance with the standards of this chapter. The standards only apply to the expansion or addition itself, not the existing building(s).
 - (b) Expansions or additions to nonresidential buildings that front a store-front street must, to the extent feasible, reduce the area dedicated to parking and vehicular circulation between the building and the right-of-way.

- (c) Exterior alterations or remodels of existing nonresidential buildings that do not conform to the standards for ground floor windows, weather protection, and architectural design must increase compliance with these standards where possible, and at a minimum must not increase nonconformance.
- (3) Expansions and alterations to parking and vehicle circulation areas. Expansions or alterations to existing parking and vehicle circulation areas must not increase non-conformity with the standard for the location of parking areas (see § 155.XXX).

§ 155.XXX DESIGN EXCEPTIONS.

Commentary:

The draft includes a process to allow exceptions or adjustments to the pedestrian-friendly standards through the Development Plan Approval process. Although this draft identifies no minimum setbacks to store front and pedestrian street frontages, the City is looking to identify standards that create pedestrian-friendly frontages and areas along these streets.

- (A) The planning commission may allow exceptions to the design standards in § 155.XXX through 155.XXX without the need to obtain a variance pursuant to § 155.XXX. For each standard for which a design exception is sought, the applicant must demonstrate that at least one of the following circumstances is met:
 - (1) The physical characteristics of the site or existing structure (e.g., existing buildings or other existing development, utility lines and easements, etc.) make compliance with the standard impractical; or
 - (2) The alternative design better complies with the following:
 - (a) The purpose of the mixed use zones and pedestrian friendly design standards as described in § 155.XXX and 155.XXX are met; and
 - (b) The intent of the standard for which the exception is being sought.
- (B) Requests for a design exception are subject to Development Plan Approval in accordance with the procedures in § 155.735 et sec. The request may be considered as part of the development application.

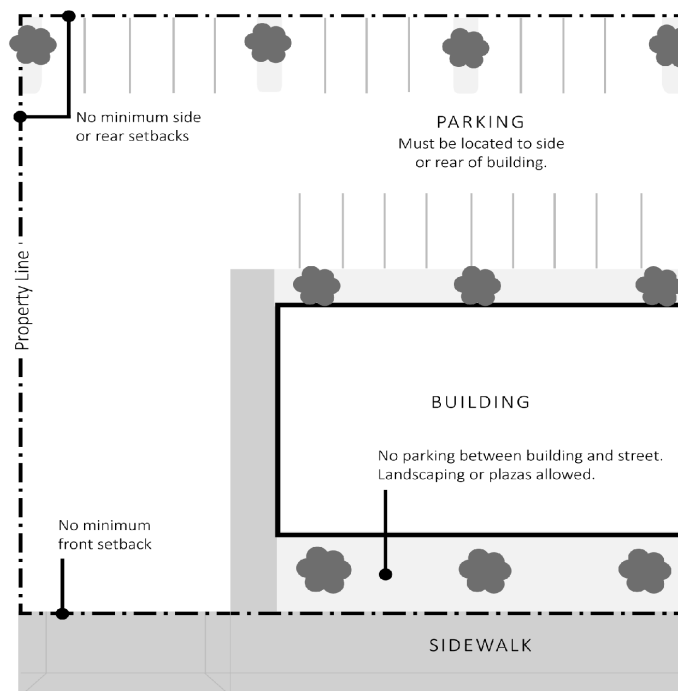
§ 155.XXX SETBACKS AND LOCATION OF VEHICLE AREAS.

The intent of the setback standards is to help ensure that buildings are placed close to the sidewalk to create both visual interest and a sense of enclosure or "an outdoor room." Buildings set back from the street with parking next to the sidewalk are less interesting and less comfortable for pedestrians.

- (A) Minimum setbacks.
 - (1) Lot lines abutting storefront and pedestrian-friendly streets. No minimum setback is required from a lot line that abuts a storefront street or pedestrian-friendly street.
 - (2) All other lot lines. A landscaped setback with a minimum width of 10 feet is required from all other lot lines except for lot lines which are internal to a development site.
- (B) Location of vehicle areas.
 - (1) Storefront streets. No vehicle areas (including surface parking, driveways, and queuing lanes) are permitted between a building and a lot line that abuts a storefront street (see Figure XXX). Any area between the building and a lot line that abuts a storefront street shall be developed as a pedestrian plaza or extension of the sidewalk or shall be landscaped.

- (2) Pedestrian-friendly streets. Vehicle areas are discouraged between buildings and pedestrian-friendly streets. If vehicle areas are located between a building and a lot line that abuts a pedestrian-friendly street, the following landscaping standards shall be met.
 - (a) A minimum 15-foot-wide landscaped strip shall be provided between the on-site parking areas and the property line adjoining the pedestrian-friendly street, excepting locations for driveways. The landscaped area shall be located on private property behind the planned street width line.
 - (b) The landscaped area shall include minimum 24-inch box trees.
 - (c) Concrete curbs shall be installed along the borders of all on-site landscaped areas where said landscaped areas interface with driveways, off-street parking and loading areas and other similar facilities.

Figure XXX: No Vehicle Areas between a Building and a Storefront Street

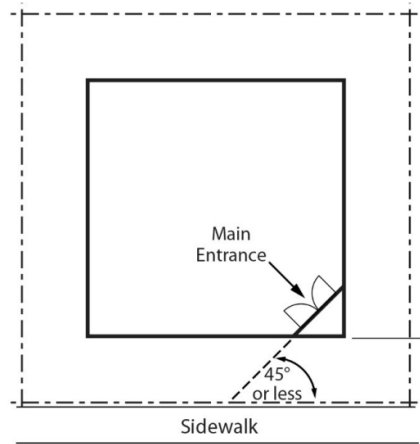


§ 155.XXX BUILDING ENTRIES.

These provisions ensure that all entrances to a primary building are visible and connected to the sidewalk by a pedestrian walkway. These features are important when the building is accessed by a pedestrian from the street (rather than from the parking lot). These standards apply to the primary building(s) on a site (e.g., not to accessory structures).

- (A) Required walkway. All primary entrances to a building (e.g., tenant entrance, lobby entrance, breezeway entrance, or courtyard entrance) must be connected to the sidewalk abutting a storefront or pedestrian-friendly street by a direct and continuous walkway.
- (B) Entry orientation. All buildings must have at least one primary entrance facing a storefront or pedestrian-friendly street (i.e., within 45 degrees of the street property line). For multi-tenanted nonresidential buildings, buildings with multiple entrances, or buildings with multiple frontages, only one primary entrance must comply with this standard. See Figure XX: Entry Orientation.

Figure XXX: Entry Orientation



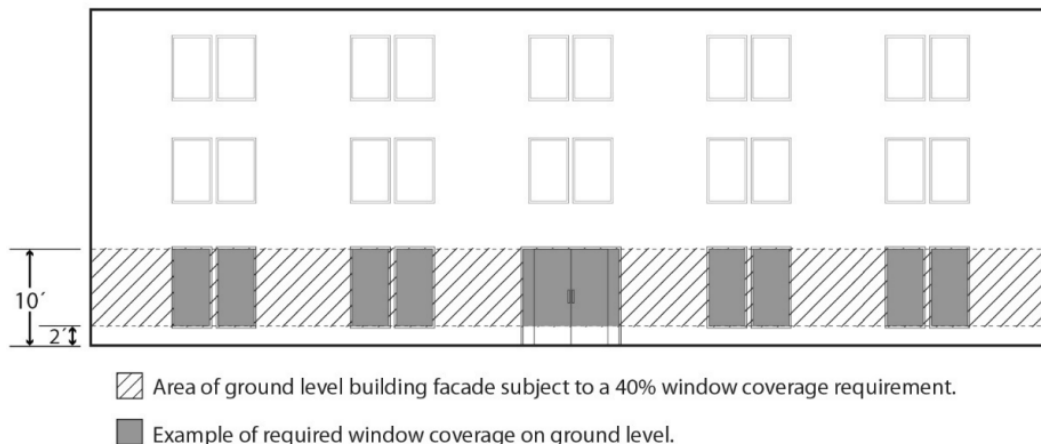
- (C) Entry design. The primary building entrance(s) facing the storefront or pedestrian-friendly street must be architecturally emphasized through the use of one or more of the following features: recessed doorway(s); overhangs or canopies; transom windows; ornamental light fixtures; larger, transparent or more prominent doors; or pilasters or columns that frame the principal doorway.

§ 155.XXX WINDOW REQUIREMENTS.

Window area or "glazing" requirements ensure that building facades will be composed of windows that provide views of activity, people, and merchandise, creating an interesting pedestrian experience.

- (A) Minimum window area required for nonresidential buildings.
1. Building facades facing a pedestrian-friendly street must have windows, display areas, or glass doorways for at least 40 percent of the area of the ground level wall area.
 2. Building facades facing a storefront street must have windows, display areas, or glass doorways for at least 60 percent of the area of the ground level wall area
 3. The ground level wall area is the wall area above 2 feet and below 10 feet, as measured from the finished grade (see Figure XXX).
 4. The window and door openings counting toward meeting this transparency requirement shall consist of glass that is relatively clear and non-reflective, with a minimum visible light transmittance of 0.65 and maximum visible light reflectance of 0.20.

Figure XXX: Ground Level Wall Area Measured for Window Standards



- (B) Minimum window area required for residential buildings. Building facades that face a storefront or pedestrian-friendly street must have windows or glass doorways for at least 15 percent of the area of the entire façade (all floors). Ground floor dwelling units within 50 feet of a Storefront street are subject to the window requirements in § 155.XXX.

§ 155.XXX RESIDENTIAL USES ON STOREFRONT STREETS.

Commentary:

Standalone residential project would be allowed in all three mixed use zones. To help preserve the character of storefront streets, the draft includes some limitations on the design of ground floor units.

The intent of these use restrictions is to support the desired character of storefront streets, while providing flexibility for residential development.

- (A) Ground floor residential dwelling units are prohibited within 50 feet of a lot line that abuts a storefront street, unless the residential dwelling units are either part of a mixed use development and located behind a commercial use or the ground level dwelling units meet the standards in § 155.XXX.B, below.
- (B) The ground floor wall area of street-facing facades of dwelling units that are 50 feet or closer to a lot line that abuts a storefront street must be designed and constructed in compliance with the following standards.
- (1) The distance from the finished floor to the bottom of the ceiling structure above must be at least 12 feet. The bottom of the structure above includes supporting beams. The area meeting this standard must be at least 25 feet deep, measured from the street-facing façade.
 - (2) Each unit must include a front entrance that is oriented to the storefront street.
 - (3) If dwelling units are setback from the storefront street, the setback area must be landscaped and/or hard-surfaced for use by pedestrians.
 - (4) Windows must cover at least 25 percent of the ground level wall area of the portion of the building with residential dwelling units on the ground-floor.
- (C) Lobbies and shared building entries and common open space (e.g., fitness centers or community rooms) are permitted within 50 feet of a lot line that abuts a storefront street.

§ 155.XXX ARCHITECTURAL DESIGN STANDARDS.

Commentary:

For residential developments the draft includes clear and objective standards to help ensure some variation of building facades facing storefront and pedestrian-friendly streets. For non-residential developments, the draft provides discretionary standards that address a wider range of design elements (e.g., materials, colors, etc.) which are similar to the Freeway Overlay Zone, but modified for the mixed use setting.

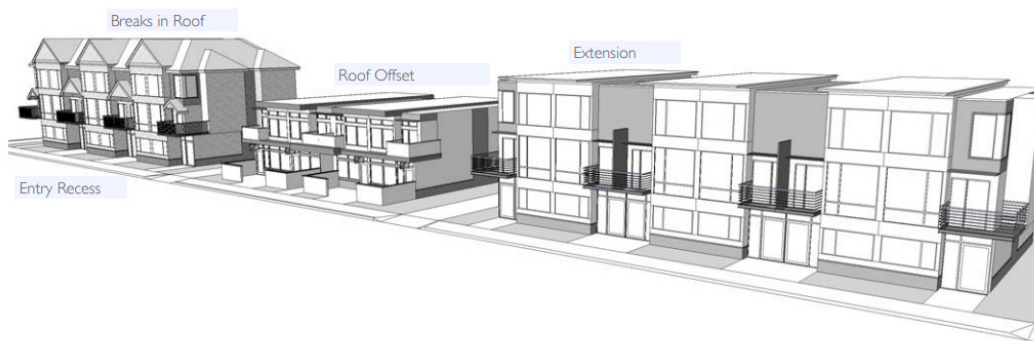
The facade articulation standards in subsection 155.XXX.A provide a clear and objective approach to ensure that residential building facades have variation and depth in the plane of the building in order to create a more interesting and welcoming environment to pedestrians. The additional discretionary standards in subsection 155.XXX.B apply to nonresidential buildings. The screening standard in subsection 155.XXX.C ensures that mechanical equipment is screened or otherwise minimized so that it does not detract from the pedestrian environment.

- (A) The facades of residential buildings or the residential component of mixed use buildings which are visible from a storefront street or a pedestrian-friendly street shall meet the following standards. The design shall incorporate design features such as varying rooflines, offsets, balconies, projections (e.g., overhangs, porches, or similar features), recessed or covered entrances, window reveals, or similar elements that break

up otherwise long, uninterrupted elevations. Such elements shall occur at a minimum interval of 20 feet, and each floor shall contain at least two elements from the following options:

- (1) Recess (e.g., porch, courtyard, entrance balcony, or similar feature) that has a minimum depth of four feet;
- (2) Extension (e.g., floor area, porch, entrance, balcony, overhang, or similar feature) that projects a minimum of two feet and runs horizontally for a minimum length of four feet; or
- (3) Offsets or breaks in roof elevation of two feet or greater in height.

Figure XX: Residential Building Articulation



(B) The facades of nonresidential buildings or the nonresidential component of mixed use buildings which are visible from a storefront street or a pedestrian-friendly street shall meet the following requirements.

- (1) All buildings must be constructed of durable, maintenance-free materials;
- (2) Various building materials and colors shall be used to create visual interest.
- (3) Architectural treatments shall include variations of mass, height, materials, colors, and textures to maintain a visually appealing appearance;
- (4) Various types of building cladding shall be used to produce different texture, shade, and shadow effects;
- (5) All buildings should feature a dominant (main) color on all elevations. Light colors in the white, cream and tan ranges are preferred;
- (6) Buildings may use up to three contrasting colors that complement the building's dominant color. Use of more than three contrasting colors is subject to approval by the Planning Director. Contrasting materials, textures, and colors shall be used to add emphasis to building entrances and to articulate long expanses of building walls;
- (7) Long, unarticulated facades are prohibited and walls shall not run for more than 25 feet in one continuous plane without significant enhancements. Enhancement features include: entry augmentations, horizontal offsets, change in roofline, unique corner treatment, reveal lines, building offsets, facade pop-outs, off-set bricks, window frames, glass treatments and changes in materials (tile or masonry materials), colors, texture and finishing. Public art, murals (which does not include signage and advertisements and which has been approved by the Heritage Arts Advisory Committee), and rich landscaping are also an acceptable option to enhance building facades. Windows and doors are key elements of any structure's form and shall relate to the scale of the elevation on which they appear. Recessed openings help to provide depth and contrast on elevation planes.

§ XXX STREETSCAPE REQUIREMENTS.

- (A) Sidewalks and other pedestrian improvements. All sidewalk construction shall be designed and constructed to meet standard city specifications as approved by the City. On storefront and pedestrian-friendly street frontages, the Planning Director may condition development approvals on construction of wider sidewalks, pedestrian streetscape furniture, pedestrian-scale lighting, safety enhancements (e.g., bollards) and textured paving surfaces.
- (B) Street trees. Street trees are required on storefront and pedestrian-friendly streets. Street trees shall be selected, planted and maintained in accordance with city specifications for street trees. On storefront and pedestrian-friendly street frontages, if street trees are planted within tree wells, the Planning Director may condition development approvals on such wells having city-approved metal grates.

PART X. MULTIPLE-FAMILY RESIDENTIAL ZONE DISTRICTS (R-3, R-4)

§ 155.XXX PURPOSE.

The following zone districts are referred to collectively in this Section as the “multiple-family residential zones.”

- (A) The Multiple-Family/Medium Density Residential (R-3) zone district provides a suitable environment for those wishing to live in detached housing on small lots, apartments, or multiple dwelling units. The intent is to promote pedestrian- and street-oriented design, allow for residential development on existing parking lots for religious institutions, retain desirable residential characteristics for medium density living, and stabilize and protect existing medium density areas. Detached and attached housing is permitted with a range of density (9.1 to 25 units per acre) with heights of two to four stories and high-quality design to ensure neighborhood quality.
- (B) The Multiple-Family/High Density Residential (R-4) zone district provides a suitable environment for those wishing to live in apartments or multiple dwelling units. The intent is to promote pedestrian- and street-oriented design, allow for residential development on existing parking lots for religious institutions, retain desirable residential characteristics for high density living, and stabilize and protect existing high density areas. Multiple dwelling unit developments is permitted with a range of density (25.1 to 40 units per acre) with heights of two to four stories and high-quality design to ensure neighborhood quality.

§ 155.XXX USES.

Principal permitted uses and conditional uses are shown in Table XX. Where a “P” is indicated, the use is a principal permitted use in the zone. Where a “CUP” is indicated, the use is permitted in the zone only after a valid conditional use permit has first been issued. Where an “AUP” is indicated, the use requires an administrative use permit from the Director of Planning and Development.

Table XX: Multiple-Family Residential Allowed Uses and Permit Requirements			
P: Permitted Use Blank: Use Not Allowed		CUP: Conditional Use Permit AUP: Administrative Use Permit	
Use	Land Use Regulation		Specific Use Regulations
	R-3	R-4	
RESIDENTIAL USES			
Single Unit Dwelling	P	P	
Multi-Unit Dwelling	P	P	
Accessory Dwelling Unit. / Junior Accessory Dwelling Unit	P	P	Permitted only as accessory use Subject to the regulations in § 155.64
Accessory Uses	P	P	See § 155.XXX
Boarding House and Single Room Occupancy (SRO)	CUP	CUP	
Employee Housing, Large	P	P	

Use	Land Use Regulation		Specific Use Regulations
	R-3	R-4	
Employee Housing, Small	P	P	Six or fewer occupants
Manufactured (Mobile) Home	P	P	Requires permanent foundation
Mobile Home Park	P	P	
Resident Manager's Unit	P	P	
Supportive Housing	P	P	Subject to only those restrictions and processing requirements that apply to other residential dwellings of the same type in this district
Transitional Housing	P	P	Subject to only those restrictions and processing requirements that apply to other residential dwellings of the same type in this district
CARE SERVICES AND FACILITIES			
Residential Care , Assisted Living	CUP	CUP	
Community Care Facilities, Large	CUP	CUP	
Community Care Facilities, Small	P	P	Six or fewer occupants
Emergency Shelter, Permanent	--	--	
Emergency Shelter, Low Barrier Navigation Centers	--	--	
Family Day Care Home, Large	AUP	AUP	Subject to Approval by Director of Planning and Development See Section 155.625; Day Care; Large Family
Family Day Care Home, Small	P	P	Child Care Nurseries subject to § 155.619
RECREATION, EDUCATION, AND PUBLIC ASSEMBLY USES			
Clubs, lodges and similar organizations, except those operated for profit	CUP	CUP	See § 155.622 Clubs, Lodges and Similar Organizations
Community Gardens	P	P	
Cultural Institutions	CUP	CUP	May not include storage yards, warehouses, or similar facilities
Parks and Public Plazas	CUP	CUP	
Public or Quasi-Public Facilities	CUP	CUP	May not include storage yards, warehouses, or similar facilities

Use	Land Use Regulation		Specific Use Regulations
	R-3	R-4	
Recreation, Public or Quasi-Public	CUP	CUP	May not include storage yards, warehouses, or similar facilities
Religious Assembly Facilities	CUP	CUP	
Schools, K-12 – Private	CUP	CUP	
Schools, K-12 – Public	P	P	
Business or Professional Schools	CUP	CUP	
Colleges and Universities – Public and Private	CUP	CUP	
RETAIL, COMMERCIAL SERVICE, AND OFFICE			
Office, Business, and Professional (non-medical and Dental Offices)	CUP	CUP	
OTHER USES			
Temporary Uses/Activities	Subject to the approval of the Director of Planning		See Section 155.643 Sales Promotion Uses; Temporary.
Electrical Distribution Substations	CUP	CUP	May not include storage yards, warehouses, or similar facilities
Utility Facilities			
Facilities with On-site Staff	CUP	CUP	
Facilities with No On-site Staff	CUP	CUP	
Wireless Telecommunication Facilities, Satellite Dish Antenna	Subject to Section 157 (Wireless Telecommunications Facilities) and as otherwise regulated by this Section		

§ 155.XXX ACCESSORY USES.

The following accessory uses are permitted in the multiple-family residential use zones:

- (A) Garages, gardening sheds, lath houses, recreation rooms and similar uses customarily incidental to principal permitted uses.
- (B) The provisions of room and board for not more than two persons per dwelling unit, other than members of the household or household servants.
- (C) Private swimming pools.
- (D) Keeping of not more than one adult dog and one adult cat and their litters up to the age of 10 weeks.
- (E) Home occupations in accordance with the provisions of § 155.635.
- (F) Vegetable or flower gardens.
- (G) Yard sales in accordance with the following:

- (1) A permit shall be required from the Department of Planning and Development to conduct a yard sale in the multiple-family residential zones. The said permit shall be posted conspicuously on the property during the course of the yard sales event.
 - (2) A resident shall be allowed a maximum of three yard sale events in any calendar year.
 - (3) Each yard sale shall not exceed three consecutive days.
 - (4) Each sale may begin no earlier than 8:00 a.m. and conclude no later than 6:00 p.m.
 - (5) One sign, with an area not greater than six feet, may be posted on the private property where the yard sale occurs; the sign must be removed at the conclusion of the sale each day. No other signs are permitted, including signs on public property.
 - (6) The merchandise offered for sale shall be limited to the resident's personal goods. The offering of merchandise acquired for the purpose of resale is prohibited.
- (H) Cottage food operations in accordance with the provisions of § 155.635.1.
- (I) Other uses not explicitly prohibited that, in the opinion of the Director of Planning, are incidental and accessory to multiple-family residential use and meet the intent of the respective zone and this Title.

§ 155.XXX DEVELOPMENT STANDARDS.

The property development standards that follow shall apply to all lots in the multiple-family residential zones. The property development standards in §§ 155.445 through 155.463 shall also apply.

Table XX: Multiple-Family Residential Zones Development Standards			
Standards	Land Use Regulation		
	R-3	R-4	Comments
Minimum lot area	7,500 sf	20,000 sf	Small-lot subdivisions in R-3 zones may use PD process to create smaller lots
Minimum lot width	60 ft	None	
Minimum lot depth	125 ft	None	
Minimum dwelling size	500 sf ¹	--	
Maximum lot coverage	60%	X	
Open Space	--	200 sf/unit	
Storage	--	240 cu ft/unit	
Minimum setback - Front - Rear - Interior Side ² - Corner/Street Side Minimum setbacks for structures abutting a Single-Family Residential (R-1) zone - Rear - Interior Side ²	15 ft 5 ft 5 ft ³ 10 ft ⁴ 20 ft ³ 15 ft	15 ft 5 ft 5 ft ³ 10 ft ⁴ 20 ft ³ 15 ft	Additional 5 ft setback required for each additional 10 ft of building height above height limitation
Maximum building height (base)	3 stories; 40 ft	4 stories; 55 ft	Increased height allowed with additional setbacks noted above
Maximum building height within 25 feet of a lot line abutting a residential zone (required step-down)	30 ft	30 ft	

¹ Excludes garages and porch areas.

² When used for driveway access to serve parking facilities, a side yard shall be not less than 10 feet.

³ Except as provided in §§ 155.385 through 155.958, no part of the area between the street property line and the wall of the building shall be used for parking or storage purposes, including the parking or storage of motor vehicles, trailers, boats or boat trailers, unless completely screened from view from the adjoining street.

⁴ On a reversed corner lot, the side yard adjoining the street shall be not less than the front yard required on interior lots on the street upon which the reversed corner lot sides. Except as provided in §§ 155.385 through 155.958, no part of the area between the street property line and the wall of the building shall be used for parking or storage purposes, including the parking or storage of motor vehicles, trailers, boats, or boat trailers, unless completely screened from view from the adjoining street.

Table XX: Multiple-Family Residential Zones Development Standards			
Standards	Land Use Regulation		
	R-3	R-4	Comments
Minimum distance between buildings containing dwelling units ⁵	20 ft	20 ft	
Maximum density	25 du/ac	40 du/ac	
	See also residential density bonus in §155.625.1		

§ 155.XXX PERMITTED FENCES, HEDGES AND WALLS.

Fences, hedges and walls shall be permitted; except, that in a required front yard or required side or rear yard, where adjoining a dedicated street, the height shall not exceed three and one-half feet.

§ 155.XXX SCREENING OF MECHANICAL EQUIPMENT

- (A) Building walls. Where mechanical equipment is permitted on a building wall that abuts a public street or civic space, it shall be screened from view from the right-of-way or civic space. Standpipes, meters, vaults, and similar equipment need not be screened but shall not be placed on a front elevation when other feasible alternatives exist; such equipment shall be placed on a side or rear elevation or on a secondary street of a corner lot, where feasible.
- (B) Rooftops. Rooftop mechanical units shall be setback or screened behind a parapet wall so that they are not visible from any public street, civic space or abutting property.
- (C) Ground-mounted mechanical equipment. Ground-mounted equipment, such as generators, air compressors, trash compactors, and similar equipment, shall be screened with fences or walls constructed of materials similar to those on adjacent buildings. Hedges, trellises, and similar plantings may also be used as screens where there is adequate air circulation and sunlight, and irrigation is provided. The city may require additional setbacks and noise dampening equipment for compatibility with adjacent uses.

§ 155.XXX REQUIRED OFF-STREET PARKING AND LOADING AND BICYCLE PARKING

Off-street parking and loading facilities shall be provided in accordance with §§ 155.475 through 155.502 of this Section.

§ 155.XXX REQUIRED ACCESS.

Access to off-street parking facilities shall be provided in accordance with the provisions of §§ 155.488 through 155.490 of this Section.

§ 155.XXX SIGNS.

No signs shall be permitted in the multiple-family residential zones except in accordance with the following provisions. The provisions of §§ 155.515 through 155.536 regarding signs shall also apply.

- (A) Signs or nameplates not exceeding one square foot in area and displaying only the name and address of the premises and the owner or lessee thereof shall be permitted.

⁵ The minimum distance between buildings set forth in this subchapter shall be increased by five feet for each 10 feet, or fraction thereof, above the building height limitation of 40 feet.

- (B) Each apartment building or development may have one permanent sign not exceeding 20 square feet in area identifying the premises. Such sign shall not extend above the roof of the building.
- (C) Temporary subdivision tract signs and architect's or builder's signs shall be permitted in accordance with the provisions of §§ 155.515 through 155.536.
- (D) "For rent," "for sale," or "for lease" signs, each lot exceeding six square feet in area and not more than two such signs on any one lot or parcel, shall be permitted.
- (E) Signs which move or which have moving parts or flashing lights shall not be permitted in this zone.

§ 155.XXX LANDSCAPING, OUTDOOR OPEN SPACE AND STORAGE.

The following landscaping provisions shall apply in the multiple-family residential zones. In addition, the landscaping provisions of §§ 155.545 through 155.559 shall also apply:

- (A) Street facing landscaping.
 - (1) Front and side yard areas that adjoin a dedicated street shall be suitably landscaped and maintained.
 - (2) The parkway portion of the adjoining dedicated street shall be improved with sidewalks and/or landscaping and street trees in accordance with the requirements of the Director of Public Works.
 - (3) Fences or walls, including building walls, constructed adjacent to a public street and within 20 feet of the front property line, or side property line in the case of a corner lot, the entire area between the fence or wall and the property line shall be landscaped.
- (B) Parking lot landscaping. All areas shall have landscaping installed equivalent to 6% of the total parking areas. This landscaping shall be distributed so that 50% of the landscaping is located around the perimeter of the parking area, and the balance located within the parking area.
- (C) Curbs. Concrete curbs shall be installed along the borders of all on-site landscaped areas where said landscaped areas interface with driveways, off-street parking and loading areas and other similar facilities.
- (D) The Planning Commission shall have the authority to grant a temporary waiver of required landscaping in accordance with the provisions of § 155.557.
- (E) Open Space. All R-4 residential projects shall provide common and/or private open space. The minimum amount of open space area required for each dwelling unit on the site is stated in Table XXX. Required area may be provided as individual, private outdoor areas, such as patios or balconies, or as common areas. There also may be a combination of individual and common areas. Where a combination of individual unit and common areas is provided, each individual area must meet § 155.XXX.E.1 and each common area must meet § 155.XXX.E.2 below, and together must provide a total amount of open space equivalent to the combined amount of outdoor area required for each dwelling unit.
 - (1) Where a separate outdoor area is provided for an individual unit, it must be designed so that a 4-foot by 6-foot dimension will fit entirely within it. The outdoor area must be directly accessible to the unit. Areas used for pedestrian circulation to more than one dwelling unit do not count towards meeting the required outdoor area.
 - (2) Common areas may be indoors or outdoors.
 - (a) Where outdoor areas are common, shared areas, each area must be designed so that it is at least 500 square feet in area and must measure at least 20 feet in all directions. A portion of the outdoor common area must be located within 20 feet of a building entrance providing access to residential units. Required outdoor areas must be surfaced with lawn, pavers, decking, or sport court paving which allows the area to be used for active or passive recreational use. User amenities, such as tables, benches, trees, shrubs, planter

boxes, garden plots, drinking fountains, barbeques, spas, or pools, may be placed in the outdoor area. Common, shared outdoor areas may also be developed with amenities such as play areas, plazas, roof-top patios, picnic areas, and open recreational facilities.

- (b) Where an indoor common area is provided, it must be an indoor recreational facility or an indoor tenant community room (e.g., exercise rooms, club rooms, etc.). Indoor common areas that are not recreational facilities or community rooms, such as lobbies, hallways, laundry facilities, mail rooms, storage rooms, and vehicle or bicycle facilities, cannot be used to meet this requirement.

§ XXX ACCESSORY BUILDINGS.

The standards in this section apply to development and redevelopment of accessory structures on properties within the multiple-family residential zones.

- A) Any accessory building located less than 70 feet from the front property line shall have the same minimum side yard as that required for the main building.
- B) An accessory building having a maximum height of 16 feet.
- C) An accessory building may be located on a side property line which does not border a street when said building complies with all of the following:
 - (1) Is 70 feet or more from the front property line.
 - (2) Has no openings on those sides of the building adjoining a property line and is of one hour fire-resistant construction on said sides.
 - (3) Has provision for all roof drainage to be taken care of on the subject lot.
- D) An accessory building which is 70 feet or more from the front property line, but which does not meet the requirements of subdivision (2) of this division, may not be located closer than three feet from the side property line.
- E) An accessory building having direct vehicular access from an alley shall be located not less than 25 feet from the opposite side of the alley.
- F) An accessory building may be permitted on the rear property line when said building:
 - (1) Has no openings on the sides adjoining any property line and is of one hour fire-resistant construction on said sides.
 - (2) Has provision for all roof drainage to be taken care of on the subject property.
- G) An accessory building which does not comply with the requirements of subdivision (5)(a) of this division shall not be located closer than three feet from the rear property line.
- H) An accessory building having direct vehicular access from an alley shall be located not less than 25 feet from the opposite side of the alley.
- I) On a reverse corner lot, an accessory building shall not be located closer than five feet from any rear property line which is also the side property line for the property to its rear.

§ 155.XXX PERMITTED ENCROACHMENTS INTO REQUIRED YARDS.

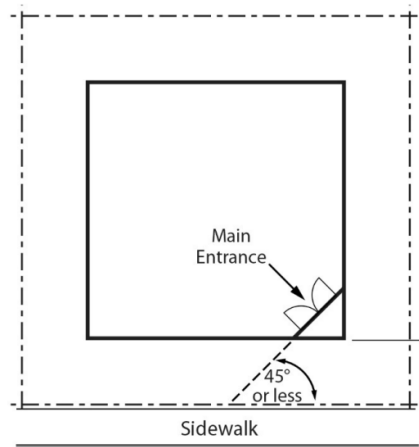
Certain encroachments shall be permitted in required yard areas. The type of encroachments and the distance they may extend into yard areas are set forth in §155.455 (D) and §155.457 (C).

§ 155.XXX BUILDING ENTRIES.

These provisions ensure that all entrances to a primary building are visible and connected to the sidewalk by a pedestrian walkway. These features are important when the building is accessed by a pedestrian from the street (rather than from the parking lot). These standards apply to the primary building(s) on a site (e.g., not to accessory structures).

- (A) Required walkway. All primary entrances to a building (e.g., tenant entrance, lobby entrance, breezeway entrance, or courtyard entrance) must be connected to the sidewalk abutting a street by a direct and continuous walkway.
- (B) Entry orientation. All buildings must have at least one primary entrance facing a major street (i.e., within 45 degrees of the street property line). See Figure XX: Entry Orientation.

Figure XXX: Entry Orientation



- (C) Entry design. The primary building entrance(s) must be architecturally emphasized through the use of one or more of the following features: recessed doorway(s); overhangs or canopies; transom windows; ornamental light fixtures; larger, transparent or more prominent doors; or pilasters or columns that frame the principal doorway.

§ XXX STREETSCAPE REQUIREMENTS.

- (A) Sidewalks and other pedestrian improvements. All sidewalk construction shall be designed and constructed to meet standard city specifications as approved by the City. On major street frontages, the Director of Planning may condition development approvals on construction of wider sidewalks, pedestrian streetscape furniture, pedestrian-scale lighting, safety enhancements (e.g., bollards) and textured paving surfaces.
- (B) Street trees. Street trees are required on all streets. Street trees shall be selected, planted and maintained in accordance with city specifications for street trees. On major street frontages, if street trees are planted within tree wells, the Director of Planning may condition development approvals on such wells having city-approved metal grates.