Title 19

ZONING

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Chapter 19.02

INTERPRETATION, PURPOSE AND APPLICABILITY

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19.02.010 Interpretation.

The Planning Commission shall interpret the phrases "other similar uses," "uses customarily incidental to," etc., as used in this title.

In interpreting and applying the provisions of this title, such provisions shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare. Where this title imposes a greater restriction upon the use of buildings or land or requires larger open spaces than are imposed or required by this code or other ordinances, rules, regulations or by easements, covenants or agreements, the provisions of this title shall control.

Whenever there is any question regarding the interpretation of the provisions of this title or their application to any specific case or situation, the Commission shall interpret the intent of this title. (Prior code § 36.2)

19.02.020 Purpose.

The purpose of this title is to encourage, classify, designate, regulate, restrict and segregate the highest and best location and use of buildings, structures and land for agriculture, residence, commerce, trade, industry, water conservation or other purposes in appropriate places; to regulate and limit the height, number of stories and size of buildings and other structures hereafter erected or altered; to regulate and determine the size of yards and other open spaces; and, to regulate and limit the density of population and for such purpose to divide the City into zones of such number, shape and area as may be deemed best suited to carry out these regulations and provide for their enforcement. Further, such regulations are deemed necessary in order to encourage the most appropriate use of land; to conserve and stabilize the value of property; to provide adequate open spaces for light and air and to prevent and fight fires; to prevent undue concentration of population; to lessen congestion on streets; to facilitate adequate provisions for community utilities such as transportation, water, sewerage, schools, parks and other public requirements; and, to promote the public health, safety and general welfare, all as part of the master plan of the City. (Prior code § 36.3)

19.02.030 Applicability to City.

The provisions of this title shall apply to all buildings, improvements, lots and premises, owned, leased, operated or controlled by the City or any department thereof or by any other municipal or quasi-municipal corporation or governmental agency. (Prior code § 36.20)

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Chapter 19.04

DEFINITIONS

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19.04.010 Definitions generally.

For the purposes of this title, the words and phrases defined in this chapter shall have the meanings respectively ascribed to them by this chapter. (Prior code § 36.1 (part))

19.04.015 Accessory building.

"Accessory building" means a building, part of a building or structure, or portable building including a cargo container which is subordinate to, and the use of which is incidental to, that of the main building, structure or use on the same lot. (Ord. 6367 § 1, 1997; Prior code § 36.1 (part))

19.04.020 Accessory living quarters.

"Accessory living quarters" means living quarters within an accessory building located on the same premises with the main building, such quarters having no kitchen facilities and not rented or otherwise used as a separate dwelling. (Prior code § 36.1 (part))

19.04.021 Adult entertainment businesses.

Refer to Chapter 19.61, Section 19. 61.020 of this title. (Ord. 6323 § 4, 1996)

19.04.022 Agricultural caretaker living quarters.

"Agricultural caretaker living quarters" means a dwelling unit located on a property zoned residential agricultural which is a subsidiary use to the primary dwelling unit situated on that property and which is established by conditional use permit pursuant to Section 19.64.030 of this title and pursuant to the criteria set forth in subsection Q of Section 19.08.020 of this title. The agricultural caretaker living quarters may be established within a permanent structure, attached to or detached from the primary dwelling unit, or within a mobile home. (Ord. 5216 § 1, 1984)

19.04.023 Agricultural field office.

"Agricultural field office" means a building or mobile coach used to perform administrative and support services associated with the conducting of commercial agricultural enterprises on- or off-site, said services including bookkeeping, telephone and mail contact, employee dispatching and meeting, security and similar activities, but excluding residential use. This definition does not include similar uses conducted in the residence or a permitted accessory building by the occupant of an agricultural property for the management of agriculture principally on that property. (Ord. 4890 § 1, 1981)

19.04.025 Alley.

"Alley" means a public way permanently reserved as a secondary means of access to abutting property. (Prior code § 36.1 (part))

19.04.026 Alcohol and drug free residential recovery home.

"Alcohol and drug free residential recovery home (sober living home)" means any residential structure or unit, which houses two or more persons, unrelated by blood, marriage, or legal adoption, in exchange for monetary or non-monetary consideration for persons who are recovering from problems related to alcohol, drug, or alcohol and drug misuse or abuse and the facility does not provide alcohol or drug recovery or treatment services on-site, thereby not requiring a license from the state. (Ord. 6733 § 1, 2004)

19.04.027 Alcohol and drug treatment facilities.

"Alcohol and drug treatment facilities" means any premises, place, or building that provides 24-hour residential non-medical services to two or more persons, unrelated by blood, marriage, or legal adoption, in exchange for monetary or non-monetary consideration, who are recovering from problems related to alcohol, drug, or alcohol and drug misuse or abuse, and who need alcohol, drug, or alcohol and drug recovery treatment or detoxification services. A license from the State of California is required. (Ord. 6733 § 2, 2004)

19.04.030 Apartment house.

"Apartment house" means a building or portion thereof designed for or occupied by three or more families as their abiding place and living independently of each other. (Prior code § 36.1 (part))

19.04.031 Arcade.

"Arcade" means an establishment containing four or more amusement devices, such as video games, pinball machines and the like. This definition shall not apply to restaurants or recreational premises, such as bowling alleys or skating rinks, where an arcade is clearly incidental to the primary use. (Ord. 6122 § 1 (part), 1994)

19.04.033 Automobile impound yard.

"Automobile impound yard" means an open area used exclusively for the storage of automobiles, motor vehicles and recreational vehicles impounded pursuant to order of a public law enforcement agency or insurance organization licensed to conduct business in the State, and stored solely for the purposes of law enforcement investigation, insurance investigation, title clearance and transfer and/or litigation. This definition does not include the dismantling or disassembly of vehicles except pursuant to litigation, the sale of vehicle parts nor the storage of nonimpounded vehicles or their parts. (Ord. 4873 § 1, 1981)

19.04.034 Automobile service center complex.

"Automobile service center complex" means a group of two or more automobile service businesses established by conditional use permit on the same or contiguous parcels sharing common ingress, egress and/or parking facilities. (Ord. 5504 § 1, 1987)

19.04.035 Automobile wrecking.

"Automobile wrecking" means the dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled or wrecked vehicles or their parts. (Prior code § 36.1 (part))

19.04.037 Auxiliary dwelling unit.

"Auxiliary dwelling unit" means a dwelling unit located on a property zoned for single-family residential use which is a subsidiary to the primary dwelling unit situated on that property and which is established by minor conditional use permit pursuant to Section 19.64.225 of this title and pursuant to the criteria set forth in paragraph (N) of Section 19.07.030 of this Title. The auxiliary dwelling unit may be established within a permanent structure, attached to or detached from the primary dwelling unit, except as may be permitted by Chapter 19.07. (Ord. 6327 § 1, 1996; Ord. 5117 § 1, 1983)

19.04.038 Average natural slope.

"Average natural slope" means the average natural inclination of the ground surface of a lot or parcel expressed as a percent and as measured by the following formula:

$$S = \frac{0.002296 \times I \times L}{A}$$

Where: S = average natural slope in percent

I = natural contour interval in feet

L = length of natural contours in feet

A = acres of property (parcel of record existing on November 13, 1979)

0.002296 = constant which converts

square feet into acres and expresses slope in percent

The average natural slope shall be computed from photogrametric maps, grading permit plans and other data or evidence approved by the Public Works Department. (Ord. 5585 § 1, 1987)

19.04.040 Basement.

"Basement" means a story partly or totally underground. For purposes of building height regulations contained in this title, a basement is not considered a story if the ceiling of the basement is four feet or less above the elevation of the lowest point of the surface of the land at the perimeter of the structure. (Ord. 4684 § 1, 1979; prior code § 36.1 (part))

19.04.041 Bed and Breakfast Inn.

"Bed and Breakfast Inn" means a building or buildings originally constructed for residential purposes, in which paying guests may be lodged, including meal service, for up to thirty days. (Ord. 6589 § 1, 2001)

19.04.043 Beverage container.

"Beverage container" means any individual bottle, can, jar, carton or similar receptacle which is redeemable pursuant to the California Beverage Container Recycling and Litter Reduction Act of 1986 and any other aluminum beverage container. (Ord. 5610 § 1, 1988)

19.04.044 Beverage container recycling facility.

"Beverage container recycling facility" means a site where beverage containers as defined in this chapter may be redeemed for cash or other compensation. Said facility may be a reverse vending machine(s), mobile recycling unit or indoor collection center. (Ord. 5610 § 1, 1988)

19.04.045 Block.

"Block" means a portion of any street lying between two intersecting streets. (Prior code § 36.1 (part))

19.04.050 Boardinghouse.

"Boardinghouse" means a building where housing is provided for compensation for more than six but not more than fifteen persons and meals may be provided, not including rest homes. (Ord. 6248 § 1, 1995: prior code § 36.1 (part))

19.04.052 Body piercing.

Body piercing means the creation of an opening in the body of a human being for the purpose of inserting jewelry or other decoration. This includes, but is not limited to, piercing of an ear, lip, tongue, nose, or eyebrow. Body piercing does not include piercing an ear with a disposable single-use stud or solid needle that is applied using a mechanical device to force the needle or stud through the ear--a method commonly used in jewelry and department stores to pierce ears. (Ord. 6413 § 1, 1997)

19.04.055 Building.

"Building" means a permanently located structure having a roof, all forms of vehicles, mobile homes and commercial coaches excluded. (Ord. 3994 § 2, 1973; prior code § 36.1 (part))

19.04.060 Building area.

"Building area" means the sum in square feet of the ground areas occupied by all buildings and structures on a lot. (Prior code § 36.1 (part))

19.04.065 Building height.

"Building height" means the vertical distance measured from the highest point of the roof or parapet wall of the uppermost story to the average elevation of the highest and lowest point of the ground covered by the foundation of the building. (Ord. 5513 § 1, 1987; Ord. 4208 § 2, 1975; prior code § 36.1 (part))

19.04.070 Building line.

"Building line" means a line parallel with the front lot line or planned street line and distance therefrom the depth of the required front yard. (Prior code § 36.1 (part))

19.04.075 Building pad.

"Building pad" means a relatively flat site, having a grade of five percent or less, which is designed to be occupied by buildings and is prepared by artificial means, including grading, excavating, filling or any combination thereof. (Prior code § 36.1 (part))

19.04.080 Building site.

"Building site" means the ground area of a building or group of buildings together with all open spaces as required by this title. (Prior code § 36.1 (part))

19.04.083 Bus terminal.

"Bus terminal" means a passenger station for publicly or privately operated bus lines. A bus terminal is generally a major destination point and characterized as a transfer point between local bus lines or other modes of transportation and intercity and interstate bus operations. A bus terminal may or may not include indoor operational facilities. A bus stop is not a bus terminal. A bus stop is generally characterized as a single point of access to and from a local bus line that stops to pick up or deposit passengers at regular and generally short time periods or headways. (Ord. 6320 § 1, 1996)

19.04.085 Business or commerce.

"Business or commerce" means the purchase, sale or other transaction involving the handling or disposition of any article, substance or commodity for profit or livelihood or the ownership or management of office buildings, office, recreational or amusement enterprises or the maintenance and use of offices by professions and trades rendering services. (Prior code § 36.1 (part))

19.04.087 Buy-back recycling center.

"Buy-back recycling center" means a facility which pays a fee for the delivery and transfer of ownership to the facility of source separated materials for the purpose of recycling or composting. (Ord. 5976 § 1, 1991)

19.04.088 California beverage container recycling center.

"California beverage container recycling center" means a facility designed to only recycle California beverage containers; e.g.: reverse vending machines. (Ord. 5976 § 2, 1991)

19.04.089 Cargo container.

"Cargo container" means a metal storage unit designed to be transported by ship, rail or truck and manufactured according to accepted "International Shipping Organization" standards including heavy duty fourteen gauge ribbed steel construction and standard dimensions of eight feet in width, ten to forty feet in length and an overall height of eight feet six inches. (Ord. 6367 § 2, 1997)

19.04.090 Carport.

"Carport" means an accessory building open on at least one side designed or used for shelter or storage of vehicles. (Prior code § 36.1 (part))

19.04.092 Certified farmers' market.

"Certified farmers' market" means a marketplace, either indoors or out-of-doors, which has been issued a direct marketing certificate by the County Agricultural Commissioner indicating that the marketplace is a certified farmers' market. (Ord. 6368 § 1, 1997; Ord. 5199 § 1, 1984)

19.04.095 Club.

"Club" means an association of persons for some common nonprofit purpose, operating under bylaws providing regular dues and procedures for election to membership, but not including "nightclub" groups organized primarily to render a service which is customarily carried on as a business. (Prior code § 36.1 (part))

19.04.096 Construction caretaker temporary living quarters.

"Construction caretaker living quarters" means temporary living quarters located on a property whereon a building permit has been lawfully issued to construct a permanent

building and authorized by a minor conditional use permit pursuant to Section 19.64.230 of this title. The temporary quarters may be used for construction office, residential or sleeping purposes during construction and may be situated in a trailer, motor home or mobile home. (Ord. 6324 § 1, 1996)

19.04.097 Crowing fowl.

"Crowing fowl" means any rooster, peacock, goose, duck, guinea fowl, or any other fowl which by their sound or cry unreasonably disturb the peace and quiet of the neighborhood. (Ord. 6176 § 1, 1994)

19.04.098 Convenience zone.

"Convenience zone" means any geographic area designated by the California Department of Conservation as requiring the presence of one or more recycling facilities, mobile recycling units or reverse vending machines pursuant to the California Beverage Container Recycling and Litter Reduction Act of 1986. (Ord. 5610 § 1, 1988)

19.04.099 Commercial coach.

"Commercial coach" means a vehicle with or without motive power designed and equipped for human occupancy for professional, commercial or industrial purposes and includes a mobile home. (Ord. 3994 § 1, 1973)

19.04.100 Combustible.

"Combustible" means any mixture, substance or compound which is susceptible of spontaneous combustion. (Prior code § 36.1 (part))

19.04.101 Design flood.

"Design flood" means the selected flood against which protection is provided, or eventually will be provided, by means of flood protective or control works. (Ord. 3876 § 1, 1971)

19.04.102 Common usable open space.

"Common usable open space" means open areas within a multiple-family or planned residential development project which are to be used for scenic, landscaping or recreational purposes by all the residents of the projects. Common usable open space does not include land occupied by streets, driveways, parking areas, service areas or required front and street side yards; provided, however, that land occupied by recreational structures and facilities may be counted as common usable open space. (Ord. 3972 § 6 (part), 1972)

19.04.103 Designated floodway.

"Designated floodway" means the channel of a stream and that portion of the adjoining floodplain required to reasonably provide for the construction of a project for passage of the design flood including the lands necessary for construction project levees. (Ord. 3876 § 2, 1971)

19.04.105 Dormitory.

"Dormitory" means a guest room designed for or occupied as sleeping quarters by more than two persons. (Prior code § 36.1 (part))

19.04.106 Downtown arts and entertainment district.

"Downtown arts and entertainment district" is an area intended to serve as a major, concentrated center of cultural and entertainment uses serving the City and surrounding communities. It consists of all commercially zoned land within an area bounded by properties south of Third Street, west of State Route 91 (the Riverside Freeway), north of properties fronting both sides of Fourteenth Street and east of properties fronting both sides of Market Street. (Ord. 6122 § 1 (part), 1994)

19.04.107 Driveway, residential.

"Residential driveway" means a paved area in the R-1 or R-2 zone which is situated between a public street and a private garage or carport and which is used as a means of access from the street to the property's garage or carport, including any paved area between such access route and the nearest interior side property line. (Ord. 4359 § 1, 1976)

19.04.108 Drop-in center.

"Drop-in center" means a facility which operates primarily to provide support services (excluding shelter) for homeless individuals and/or families. No overnight shelter shall be permitted. (Ord. 5777 § 1, 1989)

19.04.109 Drop-off recycling center.

"Drop-off recycling center" means a facility which accepts delivery or transfer of ownership of source separated materials for the purpose of recycling or composting without paying a fee. (Ord. 5976 § 3, 1991)

19.04.110 Dwelling.

"Dwelling" means a building or portion thereof designed for or occupied exclusively for residential purposes, including one-family, two-family and multiple dwellings, but not including hotels, boardinghouses and lodginghouses. (Prior code § 36.1 (part))

19.04.111 Day care center.

"Day Care Center" means a child day care facility other than a family day care home, including infant centers, preschools, extended day care facilities and school-age child care centers (see California Health and Code Section 1596.76). (Ord. 6771 §1, 2004; Ord. 6766 §1, 2004 (part) Ord. 6763 §1, 2004 (part))

19.04.112 Day care home - family.

'Day Care Home - Family' means a home that regularly provides care, protection and supervision for fourteen (14) or fewer children, in the provider's own home, for periods of less than 24 hours per day, while parents or guardians are away, and is either a large family day care home or a small family day care home (see California Health and Safety Code Section 1596.78 a). (Ord. 6771 §1, 2004; Ord. 6766 §1, 2004 (part) Ord. 6763 §1, 2004 (part))

19.04.113 Day care home - large family.

"Day Care Home - Large Family" means a home that provides family day care for seven (7) to twelve (12) children, inclusive, including children under the age of ten (10) years who reside at the home and can go up to fourteen (14) children if all of the following conditions are met:

(1) At least one (1) child is enrolled in and attending kindergarten or elementary school and a second child is at least six (6) years of age.

(2) No more than three (3) infants are cared for during any time when more than twelve (12) children are being cared for.

(3) The licensee notifies a parent that the facility is caring for two additional school-age children and that there may be up to thirteen (13) or fourteen (14) children in the home at one time.

(4) The licensee obtains the written consent of the property owner when the family day care home is operated on property that is leased or rented (see California Health and Safety Code Section 1596.78 b and Section 1597.465). (Ord. 6771 §1, 2004; Ord. 6766 §1, 2004 (part) Ord. 6763 §1, 2004 (part))

19.04.114 Day care home - small family.

"Day Care Home - Small Family" means a home that provides family day care for up to six (6) children, including children under the age of ten (10) years who reside at the home and can go up to eight (8) children if all of the following conditions are met:

(1) At least one (1) child is enrolled in and attending kindergarten or elementary school and a second child is at least six (6) years of age.

(2) No more than two (2) infants are cared for during any time when more than six (6) children are cared for.

(3) The licensee notifies each parent that the facility is caring for two (2) additional school-age children and that there may be up to seven (7) or eight (8) children in the home at one time.

(4) The licensees obtain the written consent of the property owner when the family day care home is operated on property that is leased or rented (see California Health and Safety Code Section 1596.78 c and Section 1597.44) (Ord. 6771 §1, 2004; Ord. 6766 §1, 2004 (part) Ord. 6763 §1, 2004 (part))

19.04.115 Dwelling unit.

"Dwelling unit" means two or more rooms in a dwelling or apartment hotel designed for or occupied by one family for living or sleeping purposes and having only one kitchen. (Prior code § 36.1 (part))

19.04.120 Dwelling, one-family.

"One-family dwelling" means a detached building designed for or occupied exclusively by one family, including guests and servants employed on the premises and having but one kitchen. (Prior code § 36.1 (part))

19.04.121 Second dwelling.

"Second dwelling" means a dwelling located on a property zoned for single-family residential use which is designed for exclusively residential purposes with a kitchen and sanitation facilities and located on the same lot as the primary dwelling. (Ord. 6672 § 1, 2003)

19.04.125 Dwelling, two-family.

"Two-family dwelling" means a building under one roof designed for or occupied exclusively for two families, living independently of each other. (Prior code § 36.1 (part))

19.04.126 Dwelling, manufactured.

"Manufactured dwelling" means a mobile home or manufactured house constructed in full compliance with the National Mobile Home Construction and Safety Standards Act of 1974 intended for occupancy by a single family installed on a permanent foundation and in conformance with the criteria adopted by the City Council and applicable zoning regulations. (Ord. 4917 § 1, 1981; Ord. 4916 § 1, 1981)

19.04.127 Drive thru business.

"Drive thru business" means any establishment, building or structure where service is provided to the customer from an automobile service window with access provided by a drive-thru lane incorporated into the site design. Should a question arise concerning this definition, a determination of the applicability of this section may be made by the Planning Director. The determination of the Planning Director shall be subject to the provisions of Section 19.02.010 of this code. (Ord. 6422 § 1, 1997; Ord. 4449 § 1, 1977; Ord. 3714 § 1, 1970)

19.04.130 Educational institutions.

"Educational institutions" means colleges or universities supported wholly or in part by public funds and other colleges, universities or other schools giving general academic instruction, as determined by the State Board of Education. (Prior code § 36.1 (part))

19.04.132 Efficiency dwelling unit.

"Efficiency dwelling unit" means any dwelling unit having no separate bedroom but having a separate bathroom. An efficiency dwelling unit may have a separate kitchen. (Ord. 3972 § 6 (part), 1972)

19.04.134 Entertainment.

Except as specifically exempted in this title, "entertainment" means any live entertainment, dancing, disc-jockey-hosted music, karaoke sing-alongs, night clubs, comedy clubs and entertainment clubs. (Ord. 6122 § 1 (part), 1994)

19.04.135 Explosive.

"Explosive" means any mixture, substance or compound having properties of such a character that, alone or in combination or contiguity with other substances or compounds, it may decompose suddenly and generate sufficient heat, gas or pressure to produce rapid flaming combustion or administer a destructive blow to surrounding objects. (Prior code § 36.1 (part))

19.04.138 Family.

"Family" means any individual or group of individuals living together based on personal relationships. Family does not include larger institutional group living situations, a boarding house or hotel or motel." (Ord. 6695 § 2, 2003; Ord. 3972 § 5, 1972; prior code § 36.1 (part))

19.04.141 Floodproofing.

"Floodproofing" means any combination of structure and nonstructure additions, changes or adjustments to properties and structures, primarily for the reduction or elimination of flood damage to lands, water and sanitary facilities, structures and contents of buildings.

(Ord. 3876 § 3, 1971)

19.04.142 Floor area.

A "floor area" of a building or buildings is the sum of the gross horizontal areas of the several floors of all buildings on the lot, measured from the exterior faces of exterior walls, or from the centerline of walls separating two buildings. "Floor area" includes the area of basements when used for residential, commercial or industrial purposes, but need not include a basement or portion of a basement used for storage or the housing of mechanical or central heating equipment. (Ord. 3801 § 6 (part), 1971)

19.04.143 Floor area ratio (FAR).

The "floor area ratio" of the building or buildings on any site or lot is the floor area of the building or buildings on a site or lot divided by the area of the site or lot. (Ord. 3801 § 6 (part), 1971)

19.04.144 Food service business.

Food Service Business means any business that sells meals, either for dine-in or take-out, as its primary source of income. This includes coffee shops, sandwich shops, full-service restaurants, and the like, but excludes grocery stores, quick service markets, service stations with fast food restaurants, and similar businesses.(Ord. 6527 § 1, 2000)

19.04.145 Fraternity house or sorority house.

"Fraternity house or sorority house" means a building rented, occupied or owned by a general or local chapter of some regularly organized college fraternity or sorority or by or on its behalf by a building corporation or association composed of members or alumni thereof, and occupied by members of the local chapter of such fraternity or sorority as a place of residence. (Prior code § 36.1 (part))

19.04.150 Garage, private.

"Private garage" means a completely enclosed accessory building or accessory portion of the main building used for shelter or storage of vehicles. (Prior code § 36.1 (part))

19.04.160 Group houses.

"Group houses" means two or more separate buildings each containing one or more dwelling units. (Prior code § 36.1 (part))

19.04.162 Group housing.

"Group housing" means any living situation including motels and hotel buildings that are not for temporary use, that accommodates more than six unrelated individuals, and may include but not be limited to the following types of facilities: (1) licensed alcohol and drug treatment facilities; (2) licensed board and care homes for the elderly including convalescent or rest homes and nursing homes; (3) licensed homes for minor children; (4) licensed homes for mental patients; (5) licensed homes for the developmentally disabled; and (6) single-room occupancy (SRO) projects. Group housing would typically involve a living arrangement where either support services are provided to the occupants, where cooking, living or support sanitary facilities are shared in common between the occupants or where there is a formal program establishing rules of conduct and purpose of the facility. (Ord. 6733 § 3, 2004; Ord. 6248 § 3, 1995)

19.04.165 Guest house.

"Guest house" means living quarters within an accessory building located on the same premises with the main building, for use by temporary guests of the occupants of the premises, having no kitchen, and not rented or otherwise used as a separate dwelling. (Prior code § 36.1 (part))

19.04.170 Guest room.

"Guest room" means a room designed for or occupied by no more than two guests. Every one hundred square feet of floor area in a dormitory is a guest room. (Prior code § 36.1 (part))

19.04.175 Hobby activity.

"Hobby activity" means a noncommercial avocation carried on by the occupant of a dwelling as a secondary use, in connection with which there is no stock in trade

nor commodities sold upon the premises, no person employed and no mechanical or business equipment used, except such as is customarily incidental to domestic uses. (Prior code § 36.1 (part))

19.04.177 Home occupation.

"Home occupation" means any use of a dwelling unit and related property for employment or occupational purposes which is incidental to the residential use of the dwelling unit and which conforms to the guidelines set forth in Section 19.68.080. (Ord. 6280 § 1, 1996)

19.04.180 Hospital.

"Hospital" means an institution for the diagnosis, care and treatment of human illness. (Prior code § 36.1 (part))

19.04.184 Hotel/Motel, Long Term Stay.

"Hotel/Motel, Long Term Stay" means a hotel or motel designed and operated to accommodate travelers whose guest stays may exceed 30 days, or 60 days within a 180 day consecutive period. Any hotel/motel that allows guests to stay more than 30 consecutive calendar days or 60 days within a 180 day consecutive period is considered a long term stay hotel/motel. No long term stay hotel/motel may be established in the City of Riverside after the effective date of this ordinance except as permitted under a conditional use permit and subject to the standards included in Section 19.30.020 TTT. (Ord. 6624 § 1, 2002)

19.04.185 Hotel, Transient.

"Hotel Transient" means a facility offering transient lodging accommodations to the general public with access to guest rooms provided by interior corridors. All of the accommodations in a hotel shall be for the use of transients. For the purpose of this title, transients shall be defined as any person who exercises occupancy or is entitled to occupancy or is entitled to occupancy by reason of concession, permit, right of access, renting accommodations or by other agreement of whatever nature, for a period of 30 consecutive calendar days period. Up to a maximum of 5 percent of the total number of units can be occupied by guests that exceed these occupancy limits at any given time. The limitations on occupancy shall not apply to hotels with National Historic Landmark status and during the existence of a public emergency or natural disaster requiring the provision of emergency public shelter. Hospitals, sanitariums or orphanages, asylums, detention homes, jails, prisons, transitional shelters/housing, bed and breakfast, group housing or similar buildings where human beings are housed or detained under legal restraint or part of a treatment or other regulated program are specifically not included. (Ord. 6624 § 2, 2002; Ord. 6248 § 4, 1995: prior code § 36.1 (part))

19.04.186 Household hazardous waste.

"Household hazardous waste" means a waste, or combination of wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may do either of the following: (1) cause, or significantly contribute to, an increase in serious irreversible, or incapacitating reversible illness; (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported, or otherwise managed. Household hazardous waste includes waste oil, antifreeze, paint, car/household batteries, herbicides, pesticides, solvents, and pool chemicals. (Ord. 5976 § 4, 1991)

19.04.188 Indoor collection center.

"Indoor collection center" means a beverage container recycling facility located within a completely enclosed building operating solely for the purpose of collecting, sorting, temporarily storing and redeeming beverage containers as defined by this chapter. Said center may be ancillary to an established business. There may be no outdoor storage of the containers. There may be no processing of beverage containers beyond simple mechanical compaction. (Ord. 5610 § 1, 1988)

19.04.190 Inflammable.

"Inflammable" means any mixture, substance or compound which will emit an inflammable vapor at a temperature of or below three hundred degrees Fahrenheit when tested in a Tagliabue open cup tester. (Prior code § 36.1 (part))

19.04.195 Kitchen.

"Kitchen" means any room used or intended or designed to be used for cooking or the preparation of food. (Prior code § 36.1 (part))

19.04.200 Loading space.

"Loading space" means an off-street space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise of materials and which abuts upon a street, alley or other appropriate means of access. (Prior code § 36.1 (part))

19.04.210 Lot.

"Lot" means (1) a parcel of land abutting on one or more public streets with a separate and distinct number or other designation shown on a plat or record of survey approved by the City and recorded in the Office of the County Recorder; or (2) a parcel of real property abutting at least one public street and shown on the records of the County Assessor as held under separate ownership from adjacent property prior to November 23, 1956, or prior to the date on which such parcel was annexed to the City. (Prior code § 36.1 (part))

19.04.215 Lot line, front.

"Front lot line" means in the case of an interior lot, a line separating the lot from the street, and in the case of a corner lot, a line separating the narrowest street frontage of the lot from the street, except in those cases where the latest tract deed restrictions specify another line as the front lot line. (Prior code § 36.1 (part))

19.04.220 Lot line, rear.

"Rear lot line" means a lot line which is opposite and most distant from the front lot line and, in the case of an irregular, triangular or gore-shaped lot, a line within the lot, parallel to and at a maximum distance from the front lot line, having a length of not less than ten feet. (Prior code § 36.1 (part))

19.04.225 Lot line, side.

"Side lot line" means any boundary line not a front lot line or a rear lot line. (Prior code § 36.1 (part))

19.04.230 Lot width.

"Lot width" means the horizontal distance between the side lot lines, measured at right angles to the lot depth at the building line. (Prior code § 36.1 (part))

19.04.235 Lot depth.

"Lot depth" means the horizontal distance between the front and rear lot lines, measured in the mean direction of the side lot lines. (Prior code § 36.1 (part))

19.04.240 Lot area.

"Lot area" means the total horizontal area within the lot lines of a lot except that in the RA-5 zone "lot area" includes that portion of the adjoining street or streets measured from the street centerline or centerlines. (Ord. 5585 § 2, 1987; prior code § 36.1 (part))

19.04.245 Lot, corner.

"Corner lot" means a lot situated at the intersection of two or more streets, having an angle of intersection of not more than one hundred thirty-five degrees and a width not greater than seventy-five feet. (Prior code § 36.1 (part))

19.04.250 Lot, reversed corner.

"Reversed corner lot" means a corner lot, the side street line of which is substantially a continuation of the front line of the lot upon which it rears. (Prior code § 36.1 (part))

19.04.255 Lot, interior.

"Interior lot" means a lot other than a corner lot. (Prior code § 36.1 (part))

19.04.260 Lot, key.

"Key lot" means the first lot to the rear of a reversed corner lot and not separated by an alley. (Prior code § 36.1 (part))

19.04.265 Lot, terraced.

"Terraced lot" means a residential lot having at least one building pad covering at least fifty percent but not more than ninety percent of the required lot area; provided, that fifty percent of the portion of the lot not contained within a building pad shall consist of natural, cut or fill slopes. Such slopes shall be steeper than five feet horizontal to one foot vertical but not steeper than one foot horizontal to one foot vertical, and at least three feet and not more than thirty feet in vertical height at the greatest height of the slope measured at right angles from a horizontal line, intercepting the lowest point of the slope or the base of an approved wall retaining the slope, to the highest point of the slope. (Prior code § 36.1 (part))

19.04.270 Lot, through.

"Through lot" means a lot having frontage on two parallel or approximately parallel streets. (Prior code § 36.1 (part))

19.04.271 Methadone treatment facility.

"Methadone treatment facility" means any facility rendering methadone treatment to twenty-five patients or more. Treatment includes both methadone detoxification and methadone maintenance. (Ord. 5132 § 1, 1983)

19.04.272 Miniwarehouse.

"Miniwarehouse" means a facility designed or operated exclusively for the storage of goods in individual compartments or rooms, none of which exceed five hundred square feet in area and which are available for use by the general public on a rental or lease basis. Except for administration of the facility, a miniwarehouse shall not include any manufacturing, retail or wholesale selling, compounding or office functions. (Ord. 4261 § 1, 1976)

19.04.274 Mobile recycling unit.

"Mobile recycling unit" means a properly licensed automobile, truck, trailer or van which is used for the collection of recyclable beverage containers. Also included in this definition are bins, boxes or containers transportable by said vehicles. (Ord. 5610 § 1, 1988)

19.04.275 Mobile home.

"Mobile home" means a moveable or transportable vehicle, other than a motor vehicle, designed as a permanent structure of not less than two hundred fifty square feet in area intended for occupancy by one family, and having no foundation other than jacks, piers, wheels, or skirtings. (Ord. 3392 § 1 (part), 1966: prior code § 36.1 (part))

19.04.280 Mobile home access drive.

"Mobile home access drive" means a private thoroughfare which affords internal circulation for a mobile home park. (Ord. 3392 § 1 (part), 1966: prior code § 36.1 (part))

19.04.285 Mobile home access drive, side.

"Side mobile home access drive" means that access drive bounding a corner mobile home space and which extends in the same general direction as the line determining the depth of the mobile home space. (Ord. 3392 § 1 (part), 1966: prior code § 36.1 (part))

19.04.290 Mobile home access drive line.

"Mobile home access drive line" means the boundary line between an access drive and the abutting mobile home space. (Ord. 3392 § 1 (part), 1966: prior code § 36.1 (part))

19.04.300 Mobile home area.

"Mobile home area" means the sum in square feet of the ground area occupied by a mobile home and all structures on a mobile home space. (Ord. 3392 § 1 (part), 1966; prior code § 36.1 (part))

19.04.305 Mobile home building line.

"Mobile home building line" means a line parallel with the front mobile home space

line or access drive and distance therefrom the depth of the required front yard. (Ord. 3392 § 1 (part), 1966; prior code § 36.1 (part))

19.04.310 Mobile home park.

"Mobile home park" means a lot or contiguous group of lots intended for residential use where residence is in mobile homes exclusively or where ownership is by condominium association, in lieu of mobile homes, said development is occupied exclusively by factory-built dwellings approved by the State of California and established on permanent foundations. (Ord. 5120 § 1, 1983; Ord. 3392 § 1 (part), 1966; prior code § 36.1 (part))

19.04.315 Mobile home park storage area.

"Mobile home park storage area" means an area within a mobile home park intended for the storage of items and the accommodation of uses commonly associated with and incidental to the uses permitted in a mobile home park and its operation and maintenance thereof. (Ord. 3392 § 1 (part), 1966; prior code § 36.1 (part)

19.04.320 Mobile home space.

"Mobile home space" means a plot of ground within a mobile home park abutting one or more access drives, designed for the accommodation of one mobile home. (Ord. 3392 § 1 (part), 1966; prior code § 36.1 (part))

19.04.325 Mobile home space line, front.

"Front mobile home space line" means in the case of an interior mobile home space, a line separating the mobile home space from the access drive, and in the case of a corner lot, a line separating the narrowest access drive frontage of the mobile home space from the access drive. (Ord. 3392 § 1 (part), 1966; prior code § 36.1 (part))

19.04.330 Mobile home space line, rear.

"Rear mobile home space line" means a mobile home space line which is opposite and most distant from the front mobile home space line and, in the case of an irregular, triangular or goreshaped mobile home space a line within the mobile home space parallel to and at a maximum distance from the front mobile home space line, having a length of not less than ten feet. (Ord. 3392 § 1 (part), 1966; prior code § 36.1 (part))

19.04.335 Mobile home space line, side.

"Side mobile home space line" means any mobile home space boundary line not a front mobile home space line or a rear mobile home space line. (Ord. 3392 § 1 (part), 1966; prior code § 36.1 (part))

19.04.340 Mobile home space width.

"Mobile home space width" means the horizontal distance between the side mobile home space lines, measured at right angles to the mobile home space depth at the mobile home line. (Ord. 3392 § 1 (part), 1966; prior code § 36.1 (part))

19.04.345 Mobile home space depth.

"Mobile home space depth" means the horizontal distance between the front and rear mobile home space line. (Ord. 3392 § 1 (part), 1966; prior code § 36.1 (part))

19.04.350 Mobile home space corner.

"Mobile home space corner" means a mobile home space situated at the intersection of two or more access drives. (Ord. 3392 § 1 (part), 1966; prior code § 36.1 (part))

19.04.355 Mobile home space interior.

"Mobile home space interior" means a mobile home space other than a corner mobile home space. (Ord. 3392 § 1 (part), 1966: prior code § 36.1 (part))

19.04.360 Mobile home space yard.

"Mobile home space yard" means an open area on a mobile home space unoccupied and unobstructed from the ground upward. (Ord. 3392 § 1 (part), 196:; prior code § 36.1 (part))

19.04.365 Mobile home space yard, front.

"Front mobile home space yard" means a mobile home space yard extending across the full width of the mobile home space, the depth

of which is the distance between the front mobile home space line and the building line. (Ord. 3392 § 1 (part), 1966: prior code § 36.1 (part))

19.04.370 Mobile home space yard, rear.

"Rear mobile home space yard" means a mobile home space yard contiguous to the rear line of a mobile home space and extending from side line to side line. (Ord. 3392 § 1 (part), 1966: prior code § 36.1 (part))

19.04.375 Mobile home space yard, side.

"Side mobile home space yard" means a mobile home space yard between the mobile home and the side line, extending from the front building line to the rear yard. (Ord. 3392 § 1 (part), 1966: prior code § 36.1 (part))

19.04.377 Mobile medical unit.

"Mobile medical unit" means medical equipment contained within a van, motorized coach or trailer capable of being transported from place to place. (Ord. 5734 § 1, 1989)

19.04.378 Material processing facility (MPF).

"Material Processing Facility" means a facility where source separated (presorted) recyclable materials are further sorted and separated, then bulked or converted for reprocessing, by hand or by use of machinery. (Ord. 5976 § 5, 1991)

19.04.379 Material recovery facility (MRF).

"Material Recovery Facility" means a solid waste facility where mixed municipal solid waste is sorted or separated, by hand or by use of machinery, for the purpose of recovering recyclable materials. (Ord. 5976 § 6, 1991)

19.04.380 Motel, Transient.

"Motel Transient" means a facility offering transient lodging accommodations to the general public with access to guest rooms provided by exterior walkways. All of the accommodations in a motel shall be for the use of transients. For the purposes of this title, transients shall be defined as any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, renting accommodations of by other agreement of whatever nature, for a period of 30 consecutive calendar days or less, or a total of no more than 60 calendar days within a 180 consecutive calendar day period. Up to a maximum of 5 percent of the total number of rooms can be occupied by guests that exceed these occupancy limits at any given time. The limitations on occupancy shall not apply during the existence of a public emergency or natural disaster requiring the provision of emergency public shelter. Hospitals, sanitariums or orphanages, asylums, detention homes, jails, prisons, transitional shelters/housing, group housing or similar buildings where human beings are housed or detained under legal restraint or part of a treatment or other regulated program are specifically not included. (Ord. 6624 § 3, 2002; Ord. 6248 § 5, 1995: prior code § 36.1 (part))

19.04.383 Multitenant indoor sales center.

"Multitenant indoor sales center" means any store where merchandise is offered or displayed for sale or exchange and in which the sales area has been subdivided to allow for individual sales booths which are available for lease to individual tenants. For purposes of this definition, areas bounded by permanent floor-to-ceiling walls or windows, in which all entryways are capable of being closed and locked, shall be considered separate stores and not subdivisions of one store. No store in which one vendor occupies at least eighty percent of the floor area used for sale of goods shall be considered a multitenant indoor sales center. For purposes of this section, a vendor is each person offering goods for sale in a store who is subject to a permit from the State Board of Equalization to engage in or conduct business as a seller at that store. Each such vendor shall be deemed a tenant in that store. The term multitenant indoor sales center is interchangeable with and applicable to flea markets, auctions, farmers markets, antique malls, swap meets or other similarly named or labeled activities; but the term does not include the usual grocery supermarket operations. (Ord. 6229 § 1, 1995)

19.04.385 Nonconforming structure.

Nonconforming structure means a structure lawfully occupying a site that does not conform with the standards of the zone in which it is located, including front setback, side setbacks, rear setback, height, coverage, distances between structures, and parking facilities,and may be used and maintained except a limited in Chapter 19.66. (Ord. 6511 § 1, 2000; Prior code § 36.1 (part))

19.04.390 Nonconforming use.

"Nonconforming use" means a use of a building or land, which use was lawfully established, but which does not conform to the regulations of this title. (Prior code § 36.1 (part))

19.04.391 Off-sale.

The sale of beer and wine (off-sale beer and wine) or of all types of alcoholic beverages, including beer and wine (off-sale general), in their original, sealed containers for consumption off the premises. (Ord. 6033 § 1, 1993)

19.04.392 On-sale.

The sale of beer and wine (on-sale beer and wine) or of all types of alcoholic beverages, including beer and wine (on-sale general), for consumption on the premises. (Ord. 6033 § 1, 1993)

19.04.393 One-hundred-year flood.

"One-hundred-year flood" means the highest level of flooding that, on the average, is likely to occur once every one hundred years. The term also means that level of flooding having a one percent chance of occurring each year. (Ord. 3876 § 4, 1971)

19.04.394 Outdoor dining.

"Outdoor dining" means dining facilities consisting of tables, chairs and similar furniture located out-of-doors adjacent to an indoor eating establishment, and may include the outdoor preparation of food subject to a minor conditional use permit as applicable. (Ord. 6122 § 2, 1994: Ord. 5319 § 1, 1985)

19.04.395 Parking area, public.

"Public parking area" means an open area, other than a street, alley or place, used for the temporary parking of more than four automobiles and available for public use whether free, for compensation, or as an accommodation for clients or customers. (Prior code § 36.1 (part))

19.04.397 Parolee/Probationer.

"Parolee/Probationer" means an individual as follows:

1. Convicted of a federal crime, sentenced to a United States federal prison, and received conditional and revocable release in the community under the supervision of a federal probation/parole officer;
2. Who is serving a period of supervised community custody as defined by California State Penal Code Section 3000, following a term of imprisonment in a State prison, and is under the jurisdiction of the California Department of Correction, Parole and Community Services Division; or
3. An adult or juvenile individual sentenced to a term in the California Youth Authority and received conditional and revocable release in the community under the supervision of a Youth Authority parole officer. (Ord. 6733 § 4, 2004)

19.04.398 Parolee/Probationer Home.

"Parolee/Probationer Home" means any residential structure or unit, whether owned and/or operated by an individual or for-profit or non-profit entity, which houses two or more parolees/probationers, unrelated by blood, marriage, or legal adoption, in exchange for monetary or non-monetary consideration given and/or paid by the parolee/probationer and/or any individual or public/private entity on behalf of the parolee/probationer, excluding parolees/probationers who reside in alcohol and/or drug free residential recovery homes as defined in 19.04.026. (Ord. 6733 § 5, 2004)

19.04.400 Parking garage.

"Parking garage" means a structure or building designed and maintained exclusively for the temporary parking or storage of more than four automobiles and available for public use, whether free, for compensation, or as an

accommodation for clients or customers. (Ord. 3369 § 1, 1966: prior code § 36.1 (part))

19.04.401 Parking space, automobile.

"Automobile parking space" means space within a building or public parking area for the temporary parking or storage of one automobile, consisting of a minimum area nine feet wide and eighteen feet long, exclusive of streets, alleys, driveways, aisles, and the area of egress or ingress, and having access at all times to a public street or alley. (Ord. 6556 § 1, 2001; Prior code § 36.1 (part))

19.04.402 Permanent emergency shelter.

"Permanent emergency shelter" means a facility operating year round to provide nightly shelter for homeless individuals and/or for families. The intent of this type of facility is to provide short duration emergency shelter. (Ord. 6556 § 2, 2001; Ord. 5777 § 2, 1989)

19.04.403 Planned residential development.

"Planned residential development" means two or more dwelling units together with related land, buildings and structures planned and developed as a whole in a single development operation or a programmed series of development operations in accordance with comprehensive and detailed plans which include the circulation system, parking facilities, open space, building sites, floor plans and elevations, together with a program for provision, operation and maintenance of such areas, improvements, facilities and services provided for common use of the residents thereof. (Ord. 6556 § 4, 2001; Ord. 3972 § 6 (part), 1972)

19.04.404 Planned street line.

"Planned street line" means the boundary of a proposed street or highway shown on the master plan of streets and highways or community design. (Ord. 6556 § 6, 2001; Prior code § 36.1 (part))

19.04.405 Plant nursery.

"Plant nursery" means any site or facility where nursery plants and related gardening materials and supplies are sold within a defined, approved, physically enclosed area. Such enclosure may include a combination of solid walls and open work fencing and must effectively screen the plants and nursery supplies from the surrounding area subject to approval of the Zoning Administrator or Planning Commission, pursuant to this Title. If incidental to a larger retail use, a plant nursery must be adjacent to the primary building or have a direct architectural relationship to the building. Plant nurseries are not permitted to sell materials and supplies within designated parking and walkway areas except with a valid temporary use permit, per Section 19.69.020, for the outdoor sale of merchandise.
(Ord. 6726 § 5, 2004; Ord. 6556 § 7, 2001; Ord. 6209 § 1, 1995)

19.04.406 Private usable open space.

"Private usable open space" means open areas devoted exclusively to the private recreation and leisure use of one dwelling unit. (Ord. 6556 § 8, 2001; Ord. 3972 § 6 (part), 1972)

19.04.407 Public entertainment venue.

"Public entertainment venue" means a publicly owned or operated facility or any privately operated amusement park having 24 acres or more, which regularly hosts entertainment events open to the general public. (Ord. 6563 § 1, 2001; Ord. 6556 § 5, 2001; Ord. 6350 § 1, 1997)

19.04.408 Public right of way.

"Public right-of-way" means any place which is dedicated to use by the public for pedestrian and vehicular travel, and includes, but is not limited to, a street, sidewalk, curb, gutter, crossing, intersection, parkway, median, highway, alley, lane, mall, court, way, avenue, boulevard, road, roadway, viaduct, subway, tunnel, bridge, thoroughfare, park square, and other similar public way. (Ord. 6556 § 3, 2001; Ord. 6350 § 1, 1997)

19.04.409 Public entertainment venue.

"Public entertainment venue" means a publicly owned or operated facility which regularly hosts entertainment events open to the

general public. (Ord. 6274 § 1, 1996)

19.04.410 Recreational vehicle.

"Recreational vehicle" means a vehicle for non-commercial, recreational use, including a motor home, travel trailer, camper, fifth wheel, horse trailer, or trailers mounted with recreational vehicles such as water craft or off-road vehicles.(Ord. 6556 § 9, 2001)

19.04.413 Recycle.

"Recycle" means the process of collecting, sorting, cleansing, treating and reconstituting materials that would otherwise become solid waste, and return them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace. (Ord. 5976 § 7, 1991)

19.04.414 Residential zones.

"Residential zones" means any zone established primarily for residential use, including the RA, RC, HR, RR, R-1, R-2 and all R-3 zones. (Ord. 5274 § 2, 1985; Ord. 4260 § 6, 1976)

19.04.415 Rest home.

"Rest home" means a building where lodging and meals, and nursing, dietary or other personal services are rendered to one or more convalescents, invalids or aged persons, for compensation, but excluding cases of contagious or communicable diseases, and excluding surgery or primary treatments such as are customarily provided in sanitariums and hospitals. (Prior code § 36.1 (part))

19.04.418 Reverse vending machine.

"Reverse vending machine" means an automated mechanical device which accepts one or more types of empty beverage container including but not limited to aluminum cans, glass and plastic bottles and issues a cash refund or redeemable credit voucher for not less than the redemption value of the container as determined by the state. A reverse vending machine may sort and process containers mechanically provided the entire process is enclosed within the machine. (Ord. 5610 § 1, 1988)

19.04.419 Reverse vending machine--Bulk type.

"Reverse vending machine--bulk type" means a reverse vending machine occupying more than fifty square feet or a group of two or more machines occupying an aggregate of one hundred square feet or more or a single machine or group of machines having an overall height of ten feet or more. (Ord. 5610 § 1, 1988)

19.04.420 Sanitarium.

"Sanitarium" means a health station or retreat or other place where patients, other than mental patients, are kept and where medical or surgical treatment is given. (Prior code § 36.1 (part))

19.04.425 Schools, elementary and high.

"Elementary and high schools" means an institution of learning which offers instruction in the several branches of learning and study required to be taught in the public schools by the Education Code of the State. (Prior code § 36.1 (part))

19.04.430 Scientific research and development laboratory.

"Scientific research and development laboratory" means a laboratory and accessories where the principal activity is that of conducting scientific research and theoretical studies and investigations, and effecting developments in the fields of electronics and radio, including the fabrication and testing of prototypes, and the performance of environmental tests, and related activities, by or under the supervision of professional scientists and highly trained specialists and technicians in the fields of electronics and radio. (Prior code § 36.1 (part))

19.04.433 Solid waste.

"Solid waste" means all putrescible and nonputrescible solid, semi-solid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and

construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, dewatered, treated, or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semi-solid wastes, and other discarded solid and semi-solid wastes. (Ord. 5976 § 8, 1991)

19.04.435 Stable, private.

"Private stable" means a detached accessory building for the keeping of horses owned by the occupants of the premises and not kept for remuneration, hire or sale. (Prior code § 36.1 (part))

19.04.440 Stable, public.

"Public stable" means a stable other than a private stable. (Prior code § 36.1 (part))

19.04.445 Story.

"Story" means that portion of a building included between the surface of any one floor and the next above it or if there is no floor above it, then the space between such floor and the roof above it. (Ord. 4684 § 2, 1979; prior code § 36.1 (part))

19.04.450 Street.

"Street" means a public thoroughfare which affords principal means of access to abutting property. (Prior code § 36.1 (part))

19.04.455 Street, side.

"Side street" means that street bounding a corner lot and which extends in the same general direction as the line determining the depth of the lot. (Prior code § 36.1 (part))

19.04.460 Street line.

"Street line" means the boundary line between street and abutting property. (Prior code § 36.1 (part))

19.04.465 Structure.

"Structure" means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner, but not including fences or walls used as fences three feet or less in height. (Prior code § 36.1 (part))

19.04.470 Structural alterations.

"Structural alterations" means any change in the supporting members of a building such as bearing walls, columns, beams or girders and floor joists or roof joists, girders or rafters or changes in roof or exterior lines. (Prior code § 36.1 (part))

19.04.471 Tattooing.

Tattooing means to insert a pigment under the surface of the skin of a human being, by pricking with a needle or otherwise, to produce an indelible mark resulting in a design, picture or words visible through the skin. Tattooing does not include those services performed by a physician licensed in the State of California to perform this type of work or beauty salons which perform incidental permanent cosmetic procedures, limited to the application of permanent eyeliner, eye shadow, eyebrows and lip color. (Ord. 6413 § 2, 1997)

19.04.472 Telecommuting.

"Telecommuting" means the act of an individual conducting any business activity from the individual's usual place of residence via computer, modem, facsimile machine and/or similar means of communication in the capacity of an employee where the employer's business is regularly conducted from a location other than the individual's place of residence. (Ord. 6280 § 1, 1996)

19.04.473 Tattoo/body piercing parlor.

Tattoo/body piercing parlor means a business establishment where tattooing or body piercing is performed. (Ord. 6413 § 3, 1997)

19.04.474 Transfer station.

"Transfer station" means a collection and transportation facility used by persons and route collection vehicles to deposit collected solid waste from off-site into a larger transfer vehicle for transport to a solid waste handling facility. Transfer stations may also include recycling facilities. (Ord. 5976 § 9, 1991)

19.04.475 Service station.

"Service station" means a filling station to supply motor fuel and oil to motor vehicles, and including grease racks, wash racks or pits, tire repairs, battery service and other customary services for automobiles, but excluding painting, body work, steam cleaning and major repairs. (Prior code § 36.1 (part))

19.04.476 Substantial improvement.

"Substantial improvement" means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent of the actual cash value of the structure either:

A. Before the improvement is started; or

B. If the structure has been damaged and is being restored, before the damage occurred.

Substantial improvement is started when the first alteration of any structural part of the building commences. (Ord. 3876 § 5, 1971)

19.04.477 Transitional shelter/housing.

"Transitional shelter/housing" means residential accommodations for two or more persons unrelated by blood, marriage, or legal adoption, including support/counseling services for homeless individuals and/or families. The intent of this type of facility is to provide a stable environment for the homeless and to facilitate self-sufficiency. This type of facility typically involves a situation wherein the resident is accountable to the owner/operator for his location and conduct among other factors. The use of United States Department of Housing and Urban Development repossessed single-family residences for shelter purposes shall not be defined as "transitional shelter." (Ord 6733 § 6, 2004; Ord. 6248 § 6, 1995: Ord. 5777 § 3, 1989)

19.04.478 Take-out food establishment.

"Take-out food establishment" means a facility which sells prepared food from inside a building for consumption primarily off the site. (Ord. 3714 § 2, 1970)

19.04.479 Temporary use.

"Temporary use" means a land use of short duration, either indoor or outdoor, for commercial or noncommercial purposes, which is not specifically permitted in the zone in which the property is located, but which by general community consensus is an acceptable activity due to its close relationship to a permitted use, its positive effect on public health, safety or welfare and/or its close relationship with the social or cultural fabric of the City. (Ord. 5058 § 1, 1983)

19.04.480 Use.

"Use" means the purpose for which land or building is arranged, designed or intended or for which either is or may be occupied or maintained. (Prior code § 36.1 (part))

19.04.481 Variance, administrative minor.

"Administrative variance" means a variance from the development standards in: any residential zone; the MP Zone; any non-residential zone, excluding the MP Zone, where the variance does not exceed twenty-five percent of the required standard; or any fence or wall variance in any zone. (Ord. 6565 § 1, 2001; Ord. 6389 § 1, 1997; Ord. 6154 § 1, 1994)

19.04.483 Variance, major.

"Variance" means a variance from the development standards in any non-residential zone which exceeds twenty-five percent of the required standard, excluding fence or wall variances, and variances in the MP Zone. (Ord. 6565 § 2, 2001; Ord. 6389 § 2, 1997; Ord. 6154 § 3, 1994)

19.04.484 Vocational schools.

"Vocational schools" means a technical, trade or self-improvement school providing highly specialized technical courses or a limited range of technical courses not recognized by accrediting organizations. (Ord. 6044 § 1, 1993)

19.04.485 Veterinary clinic (small animal hospital).

"Veterinary clinic" or "small animal

hospital" means a place for the medical treatment of common household pets with no provisions made for boarding, outside runs or kennels, except that overnight care incidental to medical treatment and short-term boarding is permitted. (Ord. 4107 § 1, 1974; prior code § 36.1 (part))

19.04.486 Worm farm.

"Worm farm" means the growing of earthworms for commercial or noncommercial purposes in worm beds or other delineated areas or structures, and the use of certain appurtenant structures such as sunshades and packing shades which are utilized in the operation of a worm farm. (Ord. 4301 § 1, 1976)

19.04.487 Wireless communications.

A broad range of telecommunications services that enable people and devices to communicate independent of location. This includes the current technologies of cellular communications and personal communications services. This excludes noncommercial antennas, radio and television signals, and noncommercial satellite dishes. Also see Section 19.68.040 of this title. (Ord. 6261 § 1, 1996)

19.04.488 Vehicle Repair Facility (Major).

Vehicle Repair Facility (Major) means any facility offering any of the vehicle repair and improvement services as defined in Vehicle Repair Facility (Minor) and also including engine and transmission overhauls, vehicle restorations, upholstering, convertible top repairs and installations, paint and body work, and other similar services as determined by the Zoning Administrator. (Ord. 6509 § 3, 2000)

19.04.489 Vehicle Repair Facility (Minor).

Vehicle Repair Facility (Minor) means any facility that offers minor vehicle repairs and improvements, including lubrication, battery service, brake and wheel service, accessory and tire installation and service, engine adjustments, tune-ups, electrical work, front-end alignment, exhaust system repair, brake servicing, stereo installation, vehicle detailing, window tinting, the repair and servicing of transmissions, but only when such transmission service and repair facility is located within an automobile service center complex as defined in Section 19.04.034 of this title, and other similar services as determined by the Zoning Administrator. (Ord. 6509 § 4, 2000)

19.04.490 Yard.

"Yard" means an open space other than a court, on a lot, unoccupied and unobstructed from the ground upward, except as otherwise provided in this title. (Prior code § 36.1 (part))

19.04.495 Yard, front.

"Front yard" means a yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line or planned street line and a line parallel thereto on the lot. (Prior code § 36.1 (part))

19.04.497 Yard, level.

"Level yard" means a yard with a slope of no more than three percent. (Ord. 4550 § 11, 1978)

19.04.500 Yard, rear.

"Rear yard" means a yard contiguous to the rear line of a lot and extending from side lot line to side lot line. (Prior code § 36.1 (part))

19.04.505 Yard, side.

"Side yard" means a yard between the main building and the side lot line, extending from the front yard, or front lot line where no front yard is required, to the rear yard. The width of the required side yard shall be measured horizontally from the nearest part of the side lot line towards the main building. (Prior code § 36.1 (part))

19.04.510 Words not specifically defined.

All other words, terms and phrases used in this title shall have the meanings usually ascribed to them or as defined or used in the State Planning and Conservation Law. (Prior code § 36.1 (part))

19.04.515 Zoning Administrator.

"Zoning Administrator" means the Planning Director or his or her designee who is authorized to act as the Zoning Administrator according to procedures set forth in the California Government Code. The Zoning Administrator is authorized to act on and grant approvals of the exceptions to the Zoning Code specified in this Title." (Ord. 6695 § 1, 2003)

Chapter 19.05

FAIR HOUSING REASONABLE ACCOMMODATION

Sections:

19.05.010 Purpose.
19.05.020 Definitions.
19.05.030 Application.
19.05.035 Filing Fee.
19.05.040 Notice.
19.05.045 Approval; Referral.
19.05.050 Findings.
19.05.060 Notice of Decision.
19.05.065 Appeal.

19.05.010 Purpose.

It is the purpose of this chapter, in compliance with the Fair Housing Laws, to provide a procedure to evaluate requests for reasonable accommodation related to specific applications of the zoning law in order to assure that no person is discriminated against because of race, color, religion, sex, sexual orientation, familial status, marital status, disability, national origin, source of income, or ancestry by being denied an equal opportunity to use and enjoy a dwelling and to authorize the application of exceptions to the zoning law if warranted. (Ord. 6695 § 3, 2003)

19.05.020 Definitions.

The following words and phrases, whenever used in this chapter, shall have the following meanings, unless from the context an alternative meaning is clearly intended.

1. "Applicant" means the person, business, or organization which has applied to the City for a permit for a project on the subject property and which is making a request for an exceptions.

2. "Disability or Handicap" means physical or mental impairment which substantially limits one or more of a person's major life activities or a record of having such an impairment, but such term does not include current, illegal use of or an addiction to a controlled substance.

3. "Dwelling Occupant" means the person who will occupy the subject property and who is protected under the Fair Housing Laws.

4. "Fair Housing Laws" means Section 42 United States Code Section 3604(f)(3)(B) and California Government Code Sections 12927c(1) and 12955(1) as those provisions now exist and as they shall be amended from time to time. (Ord. 6695 § 3, 2003)

19.05.030 Application.

Application shall be made pursuant to the provisions listed for Administrative Minor Variances in Section 19.64.060. In addition, the applicant shall provide (1) a description of how the property will be used by the Dwelling Occupant; (2) the basis for the claim that the individual is considered protected by the Fair Housing Laws (applicant should submit a letter from a medical doctor, handicapped license, or other similar supportive evidence); and (3) the reason the accommodation is necessary to make the specific housing available to the Dwelling Occupant. (Ord. 6695 § 3, 2003)

19.05.035 Filing Fee.

A filing fee, in the amount established by City Council resolution, shall be paid at the time of the filing of an application

under this Chapter. (Ord. 6695 § 3, 2003)

19.05.040 Notice.

Public notice requirements shall be pursuant to the provisions listed for Administrative Minor Variances in Section 19.64.100(B). (Ord. 6695 § 3, 2003)

19.05.045 Approval; Referral.

The request for reasonable accommodation will be considered by the Zoning Administrator who may deny, approve, or conditionally approve the request. The Zoning Administrator may also refer the request, if it is determined to be significantly controversial, to the Planning Commission. The request shall be placed on the next regularly scheduled meeting agenda. The Planning Commission shall act in the capacity of the Zoning Administrator in such cases. (Ord. 6695 § 3, 2003)

19.05.050 Findings.

Findings required for an Administrative Minor Variance pursuant to Section 19.64.130 B. shall be made in conjunction with the following findings, therefore the Zoning Administrator must determine all the following factors for consideration with the Administrative Variance Findings.

1. The persons who will use the subject property are protected under the Fair Housing Laws;

2. The requested exception to the zoning law is necessary to make specific housing available to a Dwelling Occupant;

3. The requested exception will not impose an undo financial or administrative burden on the City; and

4. The requested exception will be in compliance with all applicable Building and Fire Codes and will not require a fundamental alteration of the zoning laws and procedures. (Ord. 6695 § 3, 2003)

19.05.060 Notice of Decision.

Within forty-five (45) days after acceptance of a complete application by the Planning Department for administrative review by the Zoning Administrator or, if referred to the Planning Commission, within 10 days after the Planning Commission's decision, the Planning Department shall provide the applicant with written notification of the decision regarding the request, including any reasonable conditions. (Ord. 6695 § 3, 2003)

19.05.065 Appeal.

Any person aggrieved or affected by a decision of the Planning Commission or Zoning Administrator in granting or denying a request for reasonable accommodations may appeal the decision to the City Council at any time within ten days after the date upon which the Commission or Zoning Administrator announces a decision or loses jurisdiction. An appeal to the City Council shall be taken by filing a letter of appeal with the Planning Department and by concurrently paying to such department a fee in the amount established by City Council resolution for requests for reasonable accommodation. Such letter of appeal shall set forth the grounds upon which the appeal is based. Within ten days

after the receipt of the letter of appeal and the filing fee, the Planning Department shall transmit to the City Council the letter of appeal, the application and other papers constituting the record upon which the action of the Commission or Zoning Administrator was taken, together with a written report stating in what respects it was determined by the Commission or Zoning Administrator that the application failed to meet the requirements of this Chapter. (Ord. 6695 § 3, 2003)

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Chapter 19.06

ZONES AND BOUNDARIES DESIGNATED

Sections:

19.06.010 Zones established.
19.06.020 Map on file.
19.06.030 Uncertainty of boundaries.

19.06.010 Zones established.

In order to carry out the purposes and provisions of this title, the City is divided into zones, known as follows:

HR Horse ranch zone (thirty-five thousand square feet)

RA Residential agricultural zone (forty-three thousand five hundred sixty square feet or one acre)

RA-2 Residential agricultural two-acre zone (eighty-seven thousand one hundred twenty square feet or two acres)

RA-5 Residential agricultural five-acre zone (two hundred seventeen thousand eight hundred square feet or five acres)

RC Residential conservation zone

R-1-130 Single-family residential zone (twenty-one thousand seven hundred eighty square feet)

R-1-125 Single-family residential zone (thirteen thousand square feet)

R-1-100 Single-family residential zone (ten thousand five hundred square feet)

R-1-80 Single-family residential zone (eight thousand five hundred square feet)

R-1-65 Single-family residential zone (seven thousand square feet)

RL Residential livestock combining zone

R-2 Two-family residential zone

R-3-40 Multiple-family residential zone (1 unit/4,000 square-foot lot area)

R-3-30 Multiple-family residential zone (1 unit/3,000 square-foot lot area)

R-3-R Multiple-family residential zone (1 unit/2,500 square-foot lot area)

R-3-20 Multiple-family residential zone (1 unit/2,000 square-foot lot area)

R-3 Multiple-family residential zone (1 unit/1,500 square-foot lot area)

R-3-H Mutiple-family residential zone (1 unit/800 square-foot lot area)

RR Rural residential zone (twenty thousand square feet)

RO Restricted office zone

P Parking zone

C-O Commercial office zone

C-1 Neighborhood shopping center zone

C-1-A Community shopping center zone

CL Commercial limited zone

C-2 Restricted commercial zone

C-3 General commercial zone

BP Business Park Combing zone

MP Manufacturing park zone

M-1 Light manufacturing zone

M-2 General manufacturing zone

WC Water course zone

FP Floodplain combining zone
X Building setback combining zone
RWY Railway zone
SP Specific Plan Combining zone
AI Air Industrial zone
AIR Airport zone
O Official zone
S Height of buildings combining zone
DSP Downtown Specific Plan zone
(Ord. 6638 § 1, 2002; Ord. 6115 § 1, 1994; Ord. 5585 § 3, 1987; Ord. 5274 § 3, 1985; Ord. 4550 § 2, 1978; Ord. 4399 § 2, 1977; Ord. 4260 § 7, 1976; Ord. 4232 § 2, 1975;Ord. 4208 § 3, 1975; Ord. 3850 § 1, 1971; prior code § 36.4 (part))

19.06.020 Map on file.

The zones and the boundaries of such zones are shown upon a map, a copy of which is on file in the office of the City Clerk, being designated as the "official zoning map." Such map and all the notations, references and other information shown thereon shall be as much a part of this title as if the matters and information set forth by such map were all described herein. (Prior code § 36.4 (part))

19.06.030 Uncertainty of boundaries.

Where uncertainty exists as to the boundary of any zone shown on the Official Zoning Map, the following rules shall apply:

A. Street, Alley or Lot Lines. Where the indicated zone boundaries are approximately street, alley or lot lines, such lines shall be construed to be the boundaries, otherwise such boundaries shall be determined by use of the scale appearing on the Official Zoning Map unless specifically indicated by dimensions.

B. Determination by Commission. Where uncertainty exists, the Commission shall, by written decision, determine the location of the zone boundary.

C. Vacated Street or Alley. Where a street or alley is officially vacated or abandoned, the zone boundary shall be changed so as to include such vacated or abandoned street or alley in the same zone as the adjoining property to which it reverts. (Prior code § 36.4 (part))

Chapter 19.07

HORSE RANCH (HR) ZONE

Sections:

19.07.010 Generally.
19.07.020 Location criteria.
19.07.030 Uses permitted.
19.07.040 Building height limit.
19.07.050 Area requirements generally.
19.07.060 Lot area.
19.07.070 Building area.
19.07.080 Yards.
19.07.090 Parking requirements.
19.07.130 Subdivision design and improvement standards.

19.07.010 Generally.

Horse ranch (HR) zones are intended as residential districts of new single-family homes on large lots specifically designed for the keeping of certain livestock with not more than one dwelling unit and customary accessory buildings upon one lot, or planned residential developments designed for the keeping of certain livestock as a prime consideration. It is intended that the HR zone meet the demand for those whose lifestyle includes the raising and keeping of animals, such as horses, ponies, mules, cows, sheep and goats, in a rural atmosphere, in areas where the impact of such activities on those who do not share this lifestyle is negligible. No new HR zones shall be established except in accordance with the regulations set forth in this title. Any and every new building and premises or land in the HR zone shall be used or occupied, and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within such HR zone exclusively and only in accordance with the regulations stated in this chapter. (Ord. 4260 § 1 (part), 1976)

19.07.020 Location criteria.

The horse ranch zone should be applied only to properties which meet the following criteria:

A. The site, together with any existing and adjoining HR-zoned land, should contain not less than twenty acres of land exclusive of existing streets and alleys;

B. The site should be located within an area which is separated from other residentially zoned land by natural or artificial barriers so as to prevent a detrimental impact from odors, flies, and noise on those preferring an urban lifestyle;

C. The site should contain safe and convenient equestrian access to a public equestrian trail system or to a private equestrian trail system located within a permanent right-of-way dedicated to equestrian use by residents and guests of the proposed development. (Ord. 4260 § 1 (part), 1976)

19.07.030 Uses permitted.

The following uses shall be permitted in horse ranch zones:

A. One-family dwellings of a permanent character placed in a permanent location and of not less than seven hundred fifty square feet of ground floor area, exclusive of open porches and garage;

B. Planned residential developments subject to the granting of a planned residential development permit as set forth in Chapter 19.65;

C. The keeping of not more than five poultry, exclusive of crowing fowl as defined by Section 19.04.097, and eighteen rabbits are permitted on any lot for noncommercial purposes, provided that such animals are housed, kept or penned at least fifty feet from any residence excluding the residence on the lot where the animals are kept, on an adjoining lot or parcel; the keeping of not more than fifty poultry and forty-five rabbits on any lot for noncommercial purposes, provided that such animals are housed, kept or penned at least one hundred feet from any residence, excluding the residence on the lot where the animals are kept, on an adjoining lot or parcel. The maximum number of rabbits allowed shall be the aggregate of both adult and immature rabbits of any age. Additional poultry and rabbits for noncommercial or commercial purposes may be permitted subject to the granting of a minor conditional use permit. The keeping of crowing fowl which exists on December 1, 1994, or

which exists on property at the time the site is annexed to the City or is rezoned to HR after December 1, 1994, shall be abated within the amortization period of two years; if said keeping of crowing fowl is not abated within such two-year period, it will be a violation of this section;

D. The keeping of not more than two pure-bred pot-bellied pigs per single-family residential dwelling, provided that such animal is kept in compliance with all other conditions of this title, Title 8 of this code, and any other City ordinance;

E. The keeping and maintaining of horses, ponies, mules, cattle, sheep and goats, provided that the lot has a minimum area of twenty-five thousand square feet; and where such animals are housed, penned or pastured within one hundred fifty feet of the front property line, they shall not be kept closer than seventy-five feet to any residence on an adjoining lot or parcel; and further provided that:

1. Not more than two such animals shall be permitted for the first twenty-five thousand square feet contained in the lot and not more than one additional of such animals shall be permitted for each ten thousand square feet over twenty-five thousand square feet contained in the lot, except that offspring of permitted animals shall not be counted in determining the permitted number of animals, if such offspring do not exceed the following age limitations:

Horses	1 year
Ponies	1 year
Mules	1 year
Cattle	6 months
Sheep	60 days
Goats	60 days,

2. Additional animals, riding stables or academies may be permitted under a conditional use permit or as part of a planned residential development permit;

F. The keeping of bees, provided that all other conditions of this code or other City ordinances are complied with;

G. Public schools, parks, playgrounds or community centers owned and operated by a governmental agency;

H. Golf courses and driving ranges, subject to the granting of a conditional use permit;

I. Rented rooms in any one-family dwelling for occupancy of not more than four persons in addition to members of the family occupying such dwelling;

J. Special uses, as provided in Section 19.64.040, may be permitted after a public hearing in each case under a conditional use permit;

K. Accessory buildings and uses, including a private garage, accessory living quarters, recreation room, tack room, private stable, barn, greenhouse, lathhouse, corral, pen, coop or other similar structures;

L. Uses customarily incidental to any of the above uses, including hobby activities of a noncommercial nature;

M. Nameplates and signs as provided in Chapter 19.76;

N. Auxiliary dwelling units as defined by Section 19.04.037 of this title subject to the granting of a minor conditional use permit provided all of the following criteria apply:

1. The use shall be conducted on a property zoned HR, RA, RC, R-1 or RR and shall be limited to only one auxiliary dwelling unit,

2. The use shall be established within a stick-built or manufactured dwelling, attached to or detached from the primary dwelling, attached to or detached from the primary dwelling unit on the property, except that a mobile home, a travel trailer or a motor home may be permitted in any residential zone on any lot of twenty thousand square feet or greater. Such auxiliary unit shall have no separate address or house number,

3. As part of its review of a minor conditional use permit application for the use of a mobile home, travel trailer or motor home as an auxiliary dwelling unit, where permitted by subsection (B) above, the Planning Commission shall include the following conditions of approval: (a) the unit must be located on a paved surface; (b) the unit must comply with all applicable State Vehicle Code requirements at all times; (c) the unit must be connected to permanent utilities; (d) the unit must be in compliance with all conditions of approval at all times until such use is discontinued and the permit expires; and (e) the use shall be reviewed annually by the Planning Director for compliance with all conditions of approval. Such review shall include notification of all

adjoining property owners. Review fees shall be in the amount established by City Council resolution which shall be paid at the time of filing of the review,

4. The number of occupants shall be limited to no more than two persons, each of whom are sixty years of age or older,

5. The primary or the auxiliary dwelling unit on the property shall be occupied by the legal owner of the property,

6. The auxiliary dwelling unit shall be established in such a way as to minimize its visibility from adjacent streets and properties,

7. The gross square footage of the auxiliary dwelling unit, excluding attached covered parking and unenclosed patio covers, shall not exceed one-half the gross square footage of the primary dwelling or one thousand square feet, whichever number is less,

8. The auxiliary dwelling unit shall be provided with one covered parking space in addition to any parking requirement for the primary dwelling unit. Any parking provided for the auxiliary dwelling unit shall be served from the same driveway system that serves the parking for the primary dwelling unit,

9. Any detached auxiliary dwelling unit (stick-built, prefabricated, mobile home, travel trailer or motor home) shall be screened from adjacent property by opaque fencing or landscaping. Such detached unit shall maintain a minimum five-foot setback from any building on the site but shall be located within fifty feet of the primary dwelling unit. The auxiliary dwelling unit shall not cause the lot coverage requirement of the zone to be exceeded,

10. Any auxiliary dwelling unit attached to the primary dwelling unit shall meet the setback requirements of the primary dwelling unit and shall not cause the lot coverage requirement of the zone to be exceeded,

11. A mobile home, travel trailer or motor home auxiliary dwelling unit shall have full utility and sanitary hookups in conjunction with the primary dwelling unit. Separate utility meters and laterals shall not be permitted,

12. The lot containing the auxiliary dwelling unit shall have direct access to an improved public street and the parking area for the auxiliary unit shall have paved access,

13. Permit fees and assessments:

a. For all stick-built, prefabricated or other units attached to a permanent foundation, permit fees shall be paid on the basis of a room addition, rather than on a separate dwelling unit basis, provided that the applicant shall submit an agreement and plan to revert the property to single-family residential use after the expiration of the auxiliary dwelling unit conditional use permit,

b. For any mobile home, travel trailer or motor home units, permit fees shall be based on the State of California requirements for establishing the space and the set-up for such units in a mobile home or recreational vehicle park,

14. A recreational vehicle used as an auxiliary dwelling unit shall be regulated pursuant to the State of California Administrative Code, Title 25 (Travel Trailers), including the annual inspection fee,

15. The auxiliary dwelling unit shall not be considered a dwelling for purposes of maintaining required separation of animals from dwellings,

16. Any auxiliary dwelling unit established in a permanent structure shall not contain more than one bathroom, one kitchen (with or without eating area), one utility room, two bedrooms, and one living or combination living and dining room,

17. Any auxiliary dwelling unit permanently built on a property shall be architecturally compatible with and complimentary to the primary dwelling. All related aesthetic matters including architecture, landscaping and irrigation shall be subject to review and approval by the design review staff with right of appeal to the City Council;

O. Home occupations and telecommuting as defined by Sections 19.04.177 and 19.04.472 of this title in accordance with the provisions contained in Section 19.68.080 of this title.

P. Second dwelling, as defined by Section 19.04.121 of this Title, in accordance with the provisions contained in Section 19.10.020 O.

Q. Parolee/Probationer Home, as defined by Section 19.04.398, transitional shelter

housing, as defined by Section 19.04.402, permanent emergency shelter, as defined by Section 19.04.402 and drop-in center, as defined by Section 19.04.108 of this Title, are permitted

with a minor conditional use permit for six or fewer parolees/probationers or occupants and with a conditional use permit for more than six parolees/probationers or occupants subject to the following standards:

1. Filing Requirements. The application for a minor conditional permit or a conditional use permit for a parolee/probationer home, transitional shelter housing, permanent emergency shelter and drop-in center shall include the following information:

a. Client profile (the subgroup of the population the facility is intended to serve such as single men, families, elderly, minor children, developmentally disabled, etc.);

b. Maximum number of occupants including support staff;

c. Proposed maximum stay for each parolee/probationer resident or occupant;

d. Support services to be provided on-site and projected staffing level, if any;

e. Site plan and floor plans; and

f. Rules of conduct and business management plan.

2. Site Location Criteria. In evaluating a proposed parolee/probationer home, transitional shelter housing, permanent emergency shelter and drop-in center the following criteria shall be considered:

a. Use is compatible with neighboring uses;

b. Establishment of the facility will not result in harm to the health, safety or general welfare of the surrounding neighborhood and substantial adverse impacts on adjoining properties or land uses will not result;

c. The facility shall be located along or near a major arterial with ready access to public transportation;

d. The facility shall be accessible to necessary support services;

e. In the case of homeless housing, establishment of the facility shall conform with the adopted County-wide comprehensive homeless plan and the City comprehensive homeless assistance plan;

f. To avoid over-concentration of parolee/probationer, transitional shelter housing, permanent emergency shelter and drop-in center facilities, there shall be a five-thousand-foot separation requirement as measured from the nearest outside building walls between the subject use and any other parolee/probationer housing, transitional shelter housing, permanent emergency shelter and drop-in center;

g. To avoid over-concentration of housing facilities, there shall be a one-thousand-foot separation requirement as measured from the nearest outside building walls between the subject use and any other group housing as defined in 19.04.162; and

h. In the case of the parolee/probationer home, it shall not be located within one-thousand-feet of a public or private school (pre-school through twelfth grade), universities, colleges, student housing, senior housing, child care facilities, public parks, or businesses licensed for on- or off-site sales of alcoholic beverages, as measured from any point on the outside walls of the parolee/probationer home to the nearest property line of the noted use.

3. Development Standards:

a. The facility should be compatible with the character of the surrounding neighborhood;

b. Sufficient on-site parking shall be provided. The precise number of parking spaces required will be determined based on the operating characteristics of the specific proposal;

c. Both indoor and outdoor open areas should be provided on site;

d. All setback standards of the underlying zone shall be met;

e. Signs as permitted in Chapter 19.76;

f. On-site staff supervision shall be required during all hours of facility operation;

g. Individual client stays shall not exceed one hundred eighty days; and

h. The facility's management shall participate in any formal residential crime prevention program (i.e., Crime Free Multi-Housing Program) provided by the City and as required under the conditional use permit. If the program offers certification then that certification shall be obtained and maintained in current status.

4. Variances. The Planning Commission or City Council may grant variance requests from the standards outlined in subdivisions 2 and 3 of this subsection.

5. Notification. All property owners within one-thousand-feet of the proposed facility, as measured from the subject property lines, shall be notified of the proposed minor conditional use permit or the conditional use permit

6. Any existing parolee/probationer

housing, transitional shelter housing, permanent emergency shelter and drop-in center must comply with these requirements, submitting for the required minor conditional use permit or the conditional use permit within sixty (60) days of the effective date of this ordinance and completing the minor conditional use permit or the conditional use permit within one hundred-and-eighty (180) days of the effective date of this ordinance.

a. An existing parolee/probationer home, transitional shelter housing, permanent emergency shelter and drop-in center in good standing may file a written request for an extension of time of up to one year in which to file for the required minor conditional use permit or conditional use permit. Said written request shall include the reason for the request, including budgeting and/or securing filing fees, subject to confirmation and approval by the Planning Department. A filing extension may be granted by the Planning Department when it is verified that good faith efforts to budget and/or secure funds are made, financial hardship exists, and a favorable recommendation is obtained from the Police Department. The Police Department recommendation is based upon a review of calls for service and criminal history at the parolee/probationer home for the previous twelve (12) months. This subsection shall sunset and no longer be effective on the date that is two years after the effective date of this ordinance.

7. Any change in operating conditions from what was originally approved and imposed by the City, including, but not limited to, number of occupants or parolees/probationers or any modifications to the conditions of approval pursuant to the required minor conditional use permit or the conditional use permit shall require the immediate submittal of a request for revision of the required minor conditional use permit or conditional use permit.

8. An existing parolee/probationer home, transitional shelter housing, permanent emergency shelter and drop-in center established pursuant to any minor conditional use permit or conditional use permit discontinued for any period of time, excluding a maximum thirty day closure required to perform necessary repairs or restoration which does not increase the square footage of the residence, is deemed abandoned and any subsequent establishment of a parolee/probationer home, transitional shelter housing, permanent emergency shelter or drop-in center shall be required to first obtain a new minor conditional use permit or conditional use permit.

R. Small family day care homes as defined by Section 19.04.114 of this Title;

S. Large family day care homes as defined by Section 19.04.113 of this Title, subject to the granting of a Day Care Permit and meeting the criteria contained in Section 19.10.020(Y). (Ord. 6771 § 1, 2004; Ord. 6766 § 2, 2004; Ord. 6763 § 2, 2004; Ord. 6733 § 7, 2004; Ord.6672 § 3, 2003; 6357 §§ 1, 2, 1997; Ord. 6327 §§ 2, 3, 4, 1996; Ord. 6280 § 3, 1996; Ord. 6212 § 1, 1995; Ord. 6176 § 2, 1994; Ord. 6119 § 1, 1994; Ord. 5587 §§ 1, 2, 3, 4, 5, 6, 7, 1987; Ord. 5586 § 1, 1987; Ord. 5117 § 2, 1983; Ord. 4260 § 1 (part), 1976)

19.07.040 Building height limit.

The building height limit in the horse ranch zone shall be two stories and not to exceed thirty-five feet, except as otherwise provided in Section 19.68.030. (Ord. 4684 § 3, 1979; Ord. 4260 § 1 (part), 1976)

19.07.050 Area requirements generally.

Lot width, depth and area, building area and yard requirements shall be as set forth in this chapter; provided, however, that where the topography, nature of terrain, the character of the development of the neighborhood or the area or dimensions of one or more lots shown on any parcel map or subdivision map, as approved by the Planning Commission, is such that compliance with any or all of such requirements would prevent the reasonable development and use of any such lot as a building site and that compliance with a requirement would not be necessary to accomplish the purposes of this title, the Planning Commission may waive compliance with such requirements in conjunction with the approval of the subdivision or parcel map by the Planning Commission. (Ord. 4790 § 1, 1980; Ord. 4260 § 1 (part), 1976)

19.07.060 Lot area.

From and after the effective date of the

ordinance codified in this section, every lot created in the horse ranch zone shall have a minimum width at the building line of one hundred ten feet, a minimum depth of two hundred fifty feet, and a minimum area of thirty-five thousand square feet; provided, however, that if an application was made to rezone specific property to the horse ranch zone and to divide the same property into lots pursuant to Title 18 of this code prior to July 20, 1978, the Planning Commission and the City Council may approve such lots on tentative and final maps conditioned upon the property being in the horse ranch zone without granting variances thereon; provided, further, that each such lot shall have a minimum width at the building line of one hundred feet, a minimum depth of two hundred fifty feet, and a minimum area of twenty-five thousand square feet. Lots of record and in the horse ranch zone prior to July 20, 1978, and lots approved without variances pursuant to this section may be occupied by uses permitted in the horse ranch zone. (Ord. 4550 § 3, 1978; Ord. 4260 § 1 (part), 1976)

19.07.070 Building area.

The building area shall not exceed thirty-five percent of the total area of any lot. (Ord. 4260 § 1 (part), 1976)

19.07.080 Yards.

Except as setbacks along major streets may require additional dimensions (see Chapter 19.72), there shall be established and maintained in the horse ranch zone:

A. A front yard of not less than thirty feet;

B. Side yards having widths of not less than fifteen feet each;

C. A rear yard having a depth of not less than one hundred fifty feet. (Ord. 4706 § 1, 1979; Ord. 4550 § 4, 1978; Ord. 4260 § 1 (part), 1976)

19.07.090 Parking requirements.

Parking area shall be provided as required in the provisions of Chapter 19.74. (Ord. 4260 § 1 (part), 1976)

19.07.130 Subdivision design and improvement standards.

Notwithstanding the provisions of Title 18 of this code, the following standards shall apply in the HR zone:

A. Unless specifically determined to be necessary for pedestrian safety, sidewalks shall not be required;

B. Streets shall be permitted to have sixty-foot-wide rights-of-way with twelve-foot-wide parkways and thirty-two-foot curb separations;

C. Bridle paths ten feet wide or greater located along the front, rear or side of every lot in the subdivision shall be provided in easements as prescribed by the City Legal Department, and shall be graded and improved with decomposed granite or similar material acceptable to the Public Works Department except that the driveway approach may be concrete with rough-broom brushed finish. Said paths shall be designed to adequately drain and permit passage of emergency and maintenance vehicles and staff;

D. Street lights shall be provided at intersections only unless specifically determined to be necessary for public safety or convenience at additional locations;

E. Concrete curb and gutter shall be required; provided, however, rolled curb may be permitted upon certification from a registered civil engineer that such rolled curb can carry the anticipated water runoff;

F. Concrete driveway approaches shall be required from the curbline back seven feet toward the property line; provided, however, such driveway approaches may be deleted if rolled curbs are utilized. (Ord. 4614 § 1, 1978; Ord. 4260 § 1 (part), 1976)

Chapter 19.08

RESIDENTIAL AGRICULTURAL (RA) ZONE

Sections:

19.08.010 Generally.
19.08.020 Uses permitted.
19.08.030 Building height limit.
19.08.040 Area and yards generally.
19.08.050 Lot area.
19.08.060 Building area.
19.08.070 Yards.
19.08.080 Parking requirements.

19.08.010 Generally.

The residential agricultural zones are intended as districts for general agricultural purposes with homes of grove owners and farmers on their groves or farms, and for occasional other single-family residences which preserve the agricultural character of the district. Except as specifically provided elsewhere in this title, any and every new use and any and every new building shall be used, occupied, erected, constructed, established, altered, enlarged, maintained, moved into or within the residential agricultural zones exclusively and only in accordance with the regulations set out in this chapter. (Ord. 5585 § 4, 1987; Ord. 4550 § 5, 1978; prior code § 36.39)

19.08.020 Uses permitted.

The following uses shall be permitted in the residential agricultural zones:

A. A one-family dwelling or manufactured dwelling of a permanent character placed in a permanent location and of not less than seven hundred fifty square feet ground floor area exclusive of open porches and garage;

B. Farms or ranches for orchards, tree crops, field crops, truck gardening, berry and bush crops, flower gardening, growing of nursery plants, similar enterprises carried on in the general field of agriculture, aviaries, and raising of chinchillas, guinea pigs and parakeets;

C. The keeping of not more than five poultry, including crowing fowl as defined by Section 19.04.097, and eighteen rabbits are permitted on any lot for noncommercial purposes, provided that such animals are housed, kept or penned at least fifty feet from any residence excluding the residence on the lot where the animals are kept, on an adjoining lot or parcel; the keeping of not more than fifty poultry and forty-five rabbits on any lot for noncommercial purposes, provided that such animals are housed, kept or penned at least one hundred feet from any residence, excluding the residence on the lot where the animals are kept, on an adjoining lot or parcel. The maximum number of rabbits allowed shall be the aggregate of both adult and immature rabbits of any age. Additional poultry and rabbits for noncommercial or commercial purposes may be permitted subject to the granting of a conditional use permit in the RA and RA-2 zones and a conditional use permit in the RA-5 zone;

D. In the RA and RA-2 zones only, the keeping of not more than two, pure-bred pot-bellied pigs per single-family residential dwelling, provided that such animal is kept in compliance with all other conditions of this title, Title 8 of this code, and any other City ordinance. Pot-bellied pigs shall not be allowed in the RA-5 zone unless mandated by State law;

E. The grazing, raising or training of equine, riding stables or academies, sheep and cattle, provided that the lot has a minimum area of one acre and animals are not housed or pastured within one hundred feet of a residence, excluding the residence of the lot where the animals are kept in the RA and RA-2 zones only, provided that the property is maintained in accordance with Section 6.16.010 of this Code, and further that:

1. Not more than a total of two of any of the following or a total of two of any combination of horses, colts, mules, ponies, goats, sheep, cows, calves or animals of general like character shall be kept on any lot with an area of one acre and that one additional animal may be kept for each half acre over one acre in any such premises,

2. Dairies, feeding lots and similar uses may be permitted after public hearing under a conditional use permit,

3. Additional animals may be permitted subject to the granting of a minor conditional

use permit in the RA and RA-2 zones and a conditional use permit in the RA-5 zone;

F. The keeping of bees, provided that all other conditions of this code and other City ordinances are complied with;

G. In the RA and the RA-2 zones only, public schools, day care centers, nursery schools, homes for the aged and for children (excluding large family day care homes), convalescent or rest homes, nursing homes, homes for mental patients, nonprofit libraries and museums, subject to the granting of a conditional use permit; except that homes for the aged or homes for children, providing care for six or less individuals shall be permitted as a matter of right. Such uses shall not be allowed in the RA-5 zone unless mandated by State law;

H. Parks, playgrounds or community centers owned and operated by a governmental agency, subject to the granting of a conditional use permit;

I. Golf courses, including miniature courses and driving ranges, subject to the granting of a conditional use permit;

J. Uses customarily incidental to any of the above uses, including hobby activities of a noncommercial nature;

K. Rented rooms in any one-family dwelling for occupancy of not more than four persons in addition to members of the family occupying such dwelling;

L. Accessory buildings and uses, including a private garage, accessory living quarters, recreation room, private stable, barn, greenhouse, lathhouse, corral, pen, coop or other similar structure, a building or room for packing products produced or raised on the same premises, and one stand for the sale of such products;

M. In the RA and the RA-2 zones only, special uses, as provided in Section 19.64.040, may be permitted after a public hearing in each case under a conditional use permit. Such uses shall not be allowed in the RA-5 zone unless mandated by State law;

N. Nameplates and signs as provided in Chapter 19.76;

O. The growing and wholesale disposal of earthworms in worm farms, provided that the area devoted to the cultivation of worms does not exceed sixty-four square feet, and further provided that:

1. All worm farms shall be kept at least fifty feet away from all adjacent dwellings,

2. The maximum height of any worm bed shall be two feet and all other structures shall conform to the requirements for accessory structures,

3. Worm farms in excess of sixty-four square feet shall only be permitted subject to the granting of a conditional use permit;

P. Agricultural field office as defined in Section 19.04.023 subject to the granting of a conditional use permit in the RA-5 zone. In the RA and RA-2 zones, an agricultural field office permitted subject to the granting of a minor conditional use permit subject to the following operation and development standards:

1. The use shall be conducted on a property zoned R-A, RA-2 or RA-5 having five acres or more gross area which is zoned for agricultural uses and which is predominately occupied by a commercial agricultural business;

2. The use shall be in conjunction with any permitted agricultural use, provided that such office shall be occupied by an agricultural business, which business is either located on-site or off-site the property;

3. The use shall be established within a stickbuilt, mobile coach or prefabricated structure, attached to or detached from any other building on the property;

4. Adequate parking and vehicular access shall be available in accordance with Chapter 19.74 of the Zoning Code;

5. The building shall comply with the setback standards established for accessory structures in Chapter 19.70 of the Zoning Code;

Q. Auxiliary dwelling units as defined by Section 19.04.037 of this title subject to the granting of a minor conditional use permit and meeting the criteria contained in subsection N of Section 19.07.030 of this title;

R. Agricultural caretaker living quarters as defined by Section 19.04.022 of this title subject to the granting of a conditional use permit provided all of the following criteria apply:

1. The use shall be conducted on a property having five acres or more gross area which is zoned residential agricultural and which is predominantly occupied by a bona fide agricultural business,

2. The use shall be established within a stickbuilt or prefabricated structure, attached to or detached from the primary dwelling unit on the property or within a mobile home. The square footage of the agricultural caretaker living quarters shall not exceed fifty percent of the square footage of the primary dwelling unit,

3. Occupancy shall be limited to the agricultural caretaker and his or her family. The agricultural caretaker shall be a full-time employee of the on-site agricultural business,

4. The primary dwelling unit on the property shall be occupied by the legal owner of the property,

5. The agricultural caretaker living quarters shall be established in such a way as to minimize its view from adjacent streets and properties,

6. The use shall not be conducted longer than two years except that subsequent time extensions may be granted by the City Planning Commission. Each time extension shall not exceed two years. Written notice shall be given to adjacent property owners as prescribed by Section 19.64.194 of this title for minor variances. The standard time extension application fee for conditional use permits shall be required,

7. The property owners shall execute and record a covenant and agreement with the City to revert the property to single-family residential use, including the removal of the kitchen facilities of any permanent addition, and the removal of any mobile home which does not meet the requirements of the residential agricultural zone, after the expiration of the conditional use permit or the termination of the agricultural business;

S. Home occupations and telecommuting as defined by Sections 19.04.177 and 19.04.472 of this title in accordance with the provisions contained in Section 19.68.080 of this title. Such uses shall not be allowed in the RA-5 zone unless mandated by State law.

T. Second dwelling, as defined by Section 19.04.121 of this Title, in accordance with the provisions contained in Section 19.10.020 O.

U. In the RA and the RA-2 zones only, parolee/probationer home, as defined by Section 19.04.398, transitional shelter housing, as defined by Section 19.04.477, permanent emergency shelter, as defined by Section 19.04.402 and drop-in center, as defined by Section 19.04.108 of this Title, are permitted in accordance with the provisions contained in Section 19.07.030 Q.

V. Small family day care homes as defined by Section 19.04.114 of this Title;

W. Large family day care homes as defined by Section 19.04.113 of this Title, subject to the granting of a Day Care Permit and meeting the criteria contained in Section 19.10.020(Y). (Ord. 6771 § 1, 2004; Ord. 6766 § 3, 2004; Ord. 6763 § 3, 2004; Ord. 6673 § 8, 2004; Ord. 6672 § 4, 2003; Ord. 6357 §§ 3, 4, 1997; Ord. 6356 § 1, 1997; Ord. 6280 § 4, 1996; Ord. 6212 § 2, 1995; Ord. 6176 § 3, 1994; Ord. 6145 § 1, 1994; Ord. 6119 § 2, 1994; Ord. 5586 § 2, 1987; Ord. 5585 §§ 5, 6, 7, 8, 9, 10, 11, 1987; Ord. 5216 § 2, 1984; Ord. 5117 § 3, 1983; Ord. 4917 § 2, 1981; Ord. 4916 § 2, 1981; Ord. 4890 § 2, 1981; Ord. 4301 § 2, 1976; prior code § 36.40)

19.08.030 Building height limit.

The building height limit in the residential agricultural zones shall be two stories and not to exceed thirty-five feet, except as otherwise provided in Section 19.68.030. (Ord. 4684 § 4, 1979; prior code § 36.41)

19.08.040 Area and yards generally.

Lot width, depth and area, building area and yard requirements shall be as required in Sections 19.08.050, 19.08.060 and 19.08.070 provided, however, that the zoning standards and requirements of the RA-5 zone shall not apply to any buildings existing prior to or under construction on November 13, 1979, or to the restoration or rehabilitation of or to any additions to such buildings provided that the use, restoration, rehabilitation or addition shall conform to the current standards and requirements of the zoning in existence immediately prior to November 13, 1979. (Ord. 5585 § 12, 1987; Ord. 4024 § 2, 1973; prior code § 36.42 (part))

19.08.050 Lot area.

A. From and after July 20, 1978, every lot created in the residential agricultural (RA) zone

shall have a minimum width at the building line of one hundred fifty feet, a minimum depth of two hundred fifty feet, and a minimum area of forty-three thousand five hundred sixty square feet (one acre); provided, however, that if an application was made to divide specific property in the residential agricultural zone into lots pursuant to Title 18 of this code prior to July 20, 1978, and the application was not associated with an application for a change to a different zone, the Planning Commission and the City Council may approve such lots on tentative and final maps without granting variances thereon; provided, further, that each such lot shall have a minimum width at the building line of one hundred twenty-five feet, a minimum depth of one hundred feet, and a minimum area of twelve thousand five hundred square feet.

B. Every lot created in the residential agricultural two-acre (RA-2) zone shall have a minimum width at the building line of one hundred fifty feet, a minimum depth of two hundred fifty feet, and a minimum area of eighty- seven thousand one hundred twenty square feet (two acres).

C. Every lot created in the residential agricultural five-acre (RA-5) zone shall have a minimum width at the building line of three hundred feet, a minimum depth of five hundred feet, and a minimum area of two hundred seventeen thousand eight hundred square feet (five acres) as measured to the center line of the adjoining street or streets; provided, however, individuals may construct one single-family dwelling on a lot of less than five acres existing as of May 15, 1979, in the RA-5 zone if such individuals occupy the residence after construction. (Ord. 5585 § 13, 1987; Ord. 4550 § 6, 1978; prior code § 36.42 (part))

19.08.060 Building area.

The building area shall not exceed thirty percent of the total area of any lot. (Prior code § 36.42 (part))

19.08.070 Yards.

Except as setbacks along major streets may require additional dimensions (see Chapter 19.72), there shall be established and maintained in the residential agricultural zones:

A. A front yard having a depth of not less than forty feet;

B. Side yards having widths of not less than twenty feet each; and

C. A rear yard having a depth of not less than twenty-five feet. (Ord. 5585 § 14, 1987; Ord. 4706 § 2, 1979; Ord. 4550 § 7, 1978; prior code § 36.42 (part))

19.08.080 Parking requirements.

Parking area shall be provided as required in the provisions of Chapter 19.74. (Prior code § 36.43)

Chapter 19.09

RESIDENTIAL CONSERVATION (RC) ZONE

Sections:

19.09.010 Generally.
19.09.020 Uses permitted.
19.09.030 Building height limit.
19.09.040 Area and yards generally.
19.09.050 Lot area.
19.09.060 Yards.
19.09.070 Parking requirements.
19.09.080 Grading.
19.09.090 Design review.
19.09.100 Subdivisions and parcel maps.

19.09.010 Generally.

Residential conservation zones are intended as single-family residential districts to be located on prominent ridges, hilltops and hillsides, slopes, arroyos, ravines and canyons, and other areas with high visibility or topographic features that warrant sensitive development to implement the objectives of the general plan and to achieve the following objectives:

A To preserve and enhance the beauty of the City's landscape;

B To maximize the retention of the City's natural topographic features, including but not limited to skyline profiles, ridgelines, ridgecrests, hilltops, hillsides, slopes, arroyos, ravines, canyons, prominent trees and rock outcrops, view corridors, and scenic vistas through the careful selection and construction of building sites and building pads on said topographic features;

C To assure that residential use of said topographic features will relate to the surrounding topography and will not be conspicuous and obtrusive because of the design and location of said residential use;

D To reduce the scarring effects of excessive grading for building pads and cut and fill slopes;

E To prevent the construction of slopes inadequately protected from erosion, deterioration or slippage; and

F To conserve the City's natural topographic features.

Except as specifically provided elsewhere in this title, any and every new use and any and every new building and premises or land in the RC zone shall be used for or occupied and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within such RC zone exclusively and only in accordance with the regulations set forth in this chapter. (Ord. 5585 § 16, 1987; Ord. 4399 § 1 (part), 1977)

19.09.020 Uses permitted.

The following uses shall be permitted in the residential conservation zone:

A One-family dwellings of a permanent character placed in a permanent location and of not less than seven hundred fifty square feet ground floor area, exclusive of open porches and garage;

B Planned residential developments subject to the granting of a planned residential development permit as set forth in Chapter 19.65;

C Orchards, tree crops, field crops, truck gardening, berry and bush crops, flower gardening, growing of nursery plants, similar enterprises carried on in the general field of agriculture, aviaries and raising of chinchillas, guinea pigs and parakeets;

D The keeping of not more than five poultry, including crowing fowl as defined by Section 19.04.097, and eighteen rabbits are permitted on any lot for noncommercial purposes, provided that such animals are housed, kept or penned at least fifty feet from any residence, excluding the residence on the lot where the animals are kept, on an adjoining lot or parcel; the keeping of not more than fifty poultry and forty-five rabbits on any lot for noncommercial purposes, provided that such animals are housed, kept or penned at least one hundred feet from any residence, excluding the residence on the lot where the animals are kept, on an adjoining lot or parcel. The maximum number of rabbits allowed shall be the aggregate of both adult and immature rabbits of any age. Additional poultry and rabbits for noncommercial or commercial purposes may be permitted subject to the granting of a conditional

use permit.

E The grazing, raising or training of horses; provided, that the lot has a minimum area of one acre and animals are not housed or pastured within one hundred feet of a residence; and further, that not more than a total of two horses, colts or ponies or a total of two of any combination of horses, colts or ponies shall be kept on any lot with an area of one acre and that one additional animal may be kept for each half acre over one acre in any such premises;

F The keeping of bees; provided, that all other conditions of this code or other City ordinances are complied with;

G Parks and playgrounds of a noncommercial nature, subject to the granting of a conditional use permit;

H Golf courses, subject to the granting of a conditional use permit;

I Uses customarily incidental to any of the above uses, including hobby activities of a noncommercial nature;

J Rented rooms in any one-family dwelling for occupancy of not more than four persons in addition to members of the family occupying such dwelling;

K Accessory buildings and uses, including a private garage, accessory living quarters, recreation room, private stable, barn, greenhouse, lathhouse, corral, pen, coop or other similar structure, a building or room for packing products produced or raised on the same premises;

L Nameplates and signs as provided in Chapter 19.76;

M Agricultural field office as defined in Section 19.04.023 subject to the granting of a conditional use permit;

N Auxiliary dwelling units as defined by Section 19.04.037 of this title subject to the granting of a minor conditional use permit and meeting the criteria contained in subsection N of Section 19.07.030 of this title.

O. Small family day care homes as defined by Section 19.04.114 of this Title;

P. Large family day care homes as defined by Section 19.04.113 of this Title, subject to the granting of a Day Care Permit and meeting the criteria contained in Section 19.10.020 (Y). (Ord. 6771 § 1, 2004; Ord. 6766 § 4, 2004; Ord. 6763 § 4, 2004; Ord. 6176 § 4, 1994; Ord. 6119 § 3, 1994; Ord. 5586 § 3, 1987; Ord. 5585 §§ 17, 18, 1987; Ord. 5117 § 4, 1983; Ord. 4890 § 3, 1981; Ord. 4399 § 1 (part), 1977)

19.09.030 Building height limit.

The building height limit in the residential conservation zone shall be one story and not exceeding twenty feet. (Ord. 4684 § 5, 1979; Ord. 4399 § 1 (part), 1977)

19.09.040 Area and yards generally.

Lot width, depth and area, building area and yard requirements shall be as required in Sections 19.09.050 and 19.09.060; provided, however, that the zoning standards and requirements of the RC zone shall not apply to any buildings existing prior to or under construction on November 13, 1979, or to the restoration or rehabilitation of or to any additions to such buildings provided that the use, restoration, rehabilitation or addition shall conform to the current standards and requirements of the zoning in existence immediately prior to November 13, 1979. (Ord. 5585 § 19, 1987; Ord. 4399 § 1 (part), 1977)

19.09.050 Lot area.

A The lot area requirements for land zoned RC prior to May 15, 1979, shall be as follows:

1 Every lot shall have a minimum width at the building line of one hundred thirty feet and a minimum area of one-half acre; provided, however, that the average lot size of the lots shown on any subdivision or parcel map shall be not less than two acres.

2 Notwithstanding the provisions of subdivision 1 of this subsection, every lot or parcel located within the Hawarden Drive special design area shall have a minimum width at the building line of one hundred thirty feet and a minimum area of two acres; provided, however, that where a lot or parcel located within said area has less width or less area than herein required and was a legally created lot of record prior to June 16, 1977, such lot may be occupied by a single-family residential use if the lot has a minimum area of one-half acre.

B The lot area requirements for land zoned RC on or after May 15, 1979, shall be as follows:

1 Every lot with an average natural slope of less than fifteen percent shall have a minimum width at the building line of one hundred thirty feet and a minimum area of one-half acre; every lot with an average natural slope from fifteen percent to thirty percent shall have a minimum width at the building line of one hundred thirty feet and a minimum area of two acres; every lot with an average natural slope over thirty percent shall have a minimum width at the building line of two hundred feet and a minimum area of five acres; provided, however, that the average lot size of the lots shown on any subdivision or parcel map shall be not less than two acres.

2 Notwithstanding the provisions of subdivision 1 of this subsection, individuals may construct one single-family dwelling on a lot existing as of May 15, 1979, of less than the minimum lot size required by this subsection if such individuals occupy the residence after construction.

3 "Average natural slope" means the average natural inclination of the ground surface of a lot or parcel expressed as a percent and as measured by the following formula:

$$S = \frac{0.002296 \times I \times L}{A}$$

here: S =average natural slope in percent
I =natural contour interval in feet
L =length of natural contours in feet
A =acres of property (parcel of record existing on November 13, 1979)
0.002296 = constant which converts square feet into acres and expresses slope in percent.

The average natural slope shall be computed from photogrametric maps, grading permit plans and other data or evidence approved by the Public Works Department. (Ord. 5585 § 20, 1987; Ord. 4564 §§ 1, 2, 1978; Ord. 4399 § 1 (part), 1977)

19.09.060 Yards.

Except as the Zoning Administrator or Planning Commission, pursuant to this Title, may require additional dimensions to achieve the objectives of this chapter or Chapter 19.62, or except as may be modified under a planned residential development (PRD) permit, there shall be established and maintained the following minimum yards:

A A front yard having a depth of not less than thirty feet;

B Side yards having widths of not less than twenty- five feet each;

C A rear yard having a depth of not less than twenty-five feet;

D Notwithstanding subsection A of this section, no lot which fronts onto Hawarden Drive within the Hawarden Drive special design area shall have a front yard depth of less than fifty feet. (Ord. 6726 §6, 2004; Ord. 5585 § 21, 1987; Ord. 4399 § 1 (part), 1977)

19.09.070 Parking requirements.

Each dwelling unit shall be provided with a minimum of two parking spaces within a private garage or carport on the same lot in accordance with the provisions of Chapter 19.74. (Ord. 4399 § 1 (part), 1977)

19.09.080 Grading.

No grading permit shall be issued for any grading in the RC zone until grading plans and, if required, special drawings showing grading and topography as viewed from critical locations within the neighborhood or community, have been submitted to and approved by the appropriate decisionmaker as set forth in the City's adopted rules for implementing the California Environmental Quality Act.

The decisionmaker shall consider the following items of particular concern in its review of grading proposals in the RC zone. Conditions may be applied in the approval of grading plans so as to achieve these objectives pursuant to adopted standards:

A The maximum retention of vistas, natural plant communities and natural topographic features including ridgelines, hilltops, slopes, rock outcroppings, arroyos, ravines and canyons;

B The avoidance of excessive building padding or terracing and cut and fill slopes to reduce the scarring effects of grading;

C The encouragement of sensitive grading to ensure optimum treatment of natural hillside and arroyo features; and

D The encouragement of imaginative grading plans to soften the impact of grading on

hillsides including rolled, sloping or split pads; rounded cut and fill slopes and post and beam construction techniques. (Ord. 6352 § 1, 1997; Ord. 5585 § 22, 1987; Ord. 4399 § 1 (part), 1977)

19.09.090 Design review.

No building permit shall be issued for any building or structure in the RC Zone until slope planting and irrigation plans and the drawings required by Chapter 19.62 for design review have been submitted to and approved by the Zoning Administrator, Planning Commission or City Council in accordance with the provisions of Chapter 19.62.

In addition to the standards established in this title and in Chapter 19.62, the Zoning Administrator or Planning Commission, pursuant to this Title, shall consider the following items of particular concern in the RC zone and shall approve the plans and drawings if all applicable standards are met:

A The encouragement of unique site design to ensure optimum treatment of natural hillside and arroyo features and avoid inharmonious, incongruent, conspicuous and obtrusive development;

B The reduction of the scarring effects of grading and the protection of slopes subject to erosion, deterioration or slippage, and fire by the use of appropriate slope planting, irrigation and maintenance; and

C The encouragement of structures which will relate spatially and architecturally with the environment and complement the natural land forms.

Conditions may be applied when the proposed development does not comply with applicable standards and shall be such as to bring such development into conformity or the plans and drawings may be disapproved and the Zoning Administrator or Planning Commission, pursuant to this Title, shall specify the standard or standards that are not met.

All cut and fill slopes exceeding five feet in height shall be suitably landscaped with plant materials and adequately irrigated in accordance with approved plans and maintained on completion of the grading operations. The applicant or developer shall be responsible for the maintenance of all slope planting and irrigation systems until such time as the properties are occupied or until a homeowner's association accepts the responsibility to maintain the landscaping in common areas. (Ord. 6726 § 7, 2004; Ord. 5585 § 23, 1987; Ord. 4399 § 1 (part), 1977)

19.09.100 Subdivisions and parcel maps.

In order to assure compliance with the provisions of this chapter and title where a planned residential development permit is not required, there shall be submitted along with every tentative subdivision map and parcel map filed for approval in accordance with the provision of title 18 in this zone a preliminary grading plan showing at least one practical usable building site which can be developed in accordance with the provisions of this chapter and title for each lot or parcel. (Ord. 4399 § 1 (part), 1977)

Chapter 19.10

RESIDENTIAL-1 (R-1) ZONE

Sections:

19.10.010	**Generally.**
19.10.020	**Uses permitted.**
19.10.030	**Building height limit.**
19.10.040	**Area requirements generally.**
19.10.050	**Lot area.**
19.10.060	**Lot area per dwelling unit.**
19.10.070	**Building area.**
19.10.080	**Yards.**
19.10.100	**Parking requirements.**
19.10.110	**Construction of new dwellings and disposal of existing dwellings.**

19.10.010 Generally.

Single-family residential zones are intended as districts of single-family homes with not more than one dwelling and customary accessory buildings upon one lot. Except as specifically provided elsewhere in this title, any and every new building and premises or land in an R-1 zone shall be used for or occupied and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within such R-1 zone exclusively and only in accordance with the regulations set out in this chapter. (Prior code § 36.45)

19.10.020 Uses permitted.

The following uses shall be permitted in single-family residential zones:

A. A one-family dwelling, or in the R-1-65 zone only a manufactured dwelling, of a permanent character placed in a permanent location and of not less than seven hundred fifty square feet ground floor area exclusive of open porches and garage;

B. Farms or ranches for orchards, tree crops, field crops, truck gardening, berry and bush crops, flower gardening, growing of nursery plants, other similar enterprises carried on in the general field of agriculture, aviaries and raising of chinchillas, guinea pigs and parakeets;

C. The keeping of not more than five poultry, exclusive of crowing fowl as defined by Section 19.04.097, and eighteen rabbits are permitted on any lot for noncommercial purposes, provided that such animals are housed, kept or penned at least fifty feet from any residence excluding the residence on the lot where the animals are kept, on an adjoining lot or parcel; the keeping of not more than fifty poultry and forty-five rabbits on any lot for noncommercial purposes, provided that such animals are housed, kept or penned at least one hundred feet from any residence. The maximum number of rabbits allowed shall be the aggregate of both adult and immature rabbits of any age. Additional poultry and rabbits for noncommercial or commercial purposes may be permitted subject to the granting of a minor conditional use permit. The keeping of crowing fowl which exists on December 1, 1994, or which exists on property at the time the site is annexed to the City or is rezoned to R-1 after December 1, 1994, shall be abated within the amortization period of two years; if said keeping of crowing fowl is not abated within such two-year period, it will be a violation of this section;

D. The keeping of not more than two, pure-bred pot-bellied pigs per single-family residential dwelling, provided that such animal is kept in compliance with all other conditions of this title, Title 8 of this code, and any other City ordinance;

E. The grazing, raising or training of equine, riding stables or academies, sheep and cattle; provided that the lot has a minimum area of one acre and animals are not housed or pastured within one hundred feet of any residence; and further provided:

1. That not more than a total of two of any of the following or a total of two of any combination of horses, colts, mules, ponies, goats, sheep, cows, calves or animals of general like character shall be kept on any lot with an area of one acre and that one additional animal may be kept for each half-acre over one acre in any such premises,

2. That dairies, feeding lots and similar uses may be permitted after public hearing under a conditional use permit,

3. That additional animals may be permitted subject to the granting of a minor conditional use permit;

F. The keeping of bees; provided, that all other conditions of this code or other City ordinances are complied with and that no hive or box where bees are kept shall be nearer than three hundred feet to any dwelling other than the dwelling of the owner of such bees;

G. Public schools, day care centers, nursery schools, homes for the aged or for children, (excluding large family day care homes), convalescent or rest homes, nursing homes, homes for mental patients, non-profit libraries and museums, subject to the granting of a conditional use permit, except that homes for the aged or homes for children, providing care for six or less individuals shall be permitted as a matter of right.

H. Parks, playgrounds or community centers owned and operated by a governmental agency;

I. Golf courses, including miniature courses and driving ranges, and model experimental dwellings, subject to the granting of a conditional use permit;

J. Uses customarily incidental to any of the above uses, including hobby activities of a noncommercial nature;

K. Rented rooms in any one-family dwelling for occupancy of not more than four persons in addition to members of the family occupying such dwellings;

L. Accessory buildings and uses, including a private garage, accessory living quarters, recreation room, private stable, barn, greenhouse, lath house, corral, pen, coop or other similar structure and a building or room for packing products produced or raised on the same premises;

M. "Special" uses, as provided in Section 19.64.040, may be permitted after a public hearing in each case under a conditional use permit;

N. Nameplates and signs as provided in Chapter 19.76;

O. A Second Dwelling is permitted subject to the following standards:

1. Development Standards:

a. Lot Size: Minimum lot area of 10,000 square feet or the minimum lot area required by the underlying zone, whichever is greater.

b. Lot Coverage: Same as the underlying zone.

c. Rear Yard Coverage: Second Dwellings are not allowed in the rear yard setback.

d. Number of Dwellings: The number of Dwellings permitted on a single lot in any single family residential zone, except the RC and RA-5 Zones, shall be limited to no more than two, which may include the primary dwelling and either a second dwelling, auxiliary dwelling unit, a guest house or accessory living quarters. The second dwelling may be established within or connected to the primary dwelling.

e. Second Dwelling: The minimum floor area requirement for a second dwelling shall be 400-square-feet, excluding attached-covered parking and unenclosed patio covers. (Note: this reflects basic Building Code requirements.) There is no maximum size for the second dwelling, except that size shall be limited by meeting all of the lot development standards for the underlying zone.

f. Building Height: For a detached second dwelling the height shall be limited to a single-story, twenty-foot high building. An existing second story constructed as part of the original building permit for the primary dwelling may be converted to a second dwelling; however, any second story addition to a dwelling constructed in conjunction with a building permit issued separately from the original permit may not be converted to a second dwelling.

g. Setbacks: Detached and attached second dwellings shall be required to meet the minimum lot line building setback requirements of the underlying zone.

h. Building Separation: A second dwelling shall have a minimum building wall separation from the primary dwelling of 15 feet.

i. Street Improvement Requirements: A second dwelling shall be permitted only on property fronting on City streets where 40% or more of the properties within a block are fully improved with a minimum 36 feet of paving between curbs, and including curb and gutter, as measured from curb to curb.

j. Parking and Access Requirements:

i. The second dwelling shall have a separate, minimum one car, covered parking space.

ii. This parking space shall be separate from and in addition to parking provided for the primary dwelling.

iii. This parking space shall not be permitted within the front building setback.

iv. Additional driveways and driveway openings are permitted only where allowed by this Title.

k. Design Guidelines: The second dwelling shall be designed to match the primary dwelling in architectural style, colors, and materials. If a property is located within the boundaries of a designated historic district, a second dwelling shall comply with the recently adopted Citywide Residential Historic District Design Guidelines. No exterior stairways may be visible from the public right-of-way, excepting from alleys.

2. Home Ownership Use Standard

a. One of the two dwellings, either the primary or second dwelling, is required to be occupied by the owner of the property.

b. If one of the dwellings is not owner occupied for any period longer than 30 days, one of the two dwellings will be required to be converted to accessory living quarters or a guest house and kitchen facilities shall be removed in accordance with this Title.

c. A covenant shall be recorded with the Riverside County Recorder on the property, subject to approval of the Planning Department and City Attorney's Office, to restrict the property with the requirements of this section, prior to issuance of a building permit for the second dwelling. This use restriction shall be binding upon any successor in ownership of the property.

3. Minor Conditional Use Permit is required for a Second Dwelling which is not in compliance with Development Standards in Section 19.10.020. O 1. a. through k., inclusive.

a. Any second dwelling not in compliance with the specified development standards of this section shall be subject to the requirements for a minor conditional use permit and variance from the standards in accordance with Chapter 19.64 of this Title.

P . Mobile home parks in the "R-1-65" Zone having a gross area of not less than ten acres, with a minimum of two hundred fifty feet of frontage on a dedicated street and not exceeding ten mobile home spaces per net acre, subject to the granting of a conditional use permit and in accordance with the following provisions:

1. Mobile Home Area Requirements. The mobile home park shall meet the

following requirements as well as those of California Administrative Code, Title 25, Chapter 2:

a. Space Area. Every mobile home space shall have a minimum width of fifty feet, a minimum depth of eighty feet and a minimum area of four thousand square feet or as required by California Administrative Code, Title 25, Chapter 2;

b. Mobile Home Area. The area of the mobile home and related structures in relation to the size of the mobile home space shall not exceed the requirements of California Administrative Code Title 25, Chapter 2;

c. Park Yards. Except as setbacks along major streets may require additional dimensions (see Chapter 19.72), there shall be established and maintained:

i. In all zones which allow mobile home parks, a front yard suitably landscaped with plant material, adequately maintained and equipped with sprinklers, having a depth of not less than fifteen feet; however, where the average setback of existing dwellings on the same block face exceeds fifteen feet, the setback of the mobile home park shall conform to that average depth;

ii. A side yard not less than ten feet, suitably landscaped with

plant materials, adequately maintained and equipped with sprinklers. However, if the circulation system and/or recreation vehicle storage area within the park is adjacent to the side or rear property lines and adjoins the perimeter park walls, such landscaped setback shall not be required. The park side yard setback may be included in adjacent mobile home spaces, but shall not be a substitute for the required mobile home space yard;

iii. A rear yard having a depth of at least ten feet, suitably

landscaped with plant materials, adequately maintained and equipped with sprinklers. However, if the circulation system and/or recreation vehicle storage area within the park is adjacent to the side or rear property lines and adjoins the perimeter wall, such landscaped setback shall not be required. The park rear yard setback may be included in adjacent mobile

home spaces, but shall not be a substitute for the required mobile home space yard.

d. Space Yards. There shall be established and maintained a front, side and rearspace yard having a depth as specified in the California Code of Regulations, Title 25, Chapter 2.

e. Space between mobile homes and buildings. The minimum distance between mobile homes and buildings shall be as specified in the California Code of Regulations, Title 25, Chapter 2.

f. Separation between a mobile home and accessory building. The minimum separation between a mobile home and an accessory building shall be as specified in the California Code of Regulations, Title 25, Chapter 2.

2. Mobile Home Park Improvements. On-site improvements shall be established and maintained in conformance with the following minimum standards:

a. Access drives:

i. Shall be paved with a minimum of two and one-half inches of asphaltic concrete to a minimum width as specified in the California Code of Regulations, Title 25, Chapter 2;

ii. Shall have curb and gutter meeting all approved City standards;

iii. Shall have lights to the specifications of the Public Utilities Department.

b. Parking. Parking shall be provided and improved in accordance with Chapter 19.74 of this Title; however, where two parking spaces are provided on a mobile home space, one may be located behind the other (in tandem) and need not have independent vehicular access;

c. Trees. A minimum of one tree shall be provided on each mobile home space;

d. Walls. Walls shall comply to the following:

i. Six-foot-high masonry walls shall enclose the mobile home park at its front and street side setback lines and shall be located along other property lines;

ii. All outdoor storage areas shall be enclosed by a six-foot-high masonry wall;

e. Drainage and Sanitary Sewer facilities. Drainage and sanitary sewer facilities shall be installed meeting all approved City standards and to the specifications of the Public Works Department;

f. Electrical Service. All electrical and telephone services shall be underground. Service shall comply with the rules and regulations and electric service requirements of the Public Utilities Department. Master metering shall be required, with sub-metering at the option of the park owner;

g. Water and Fire Facilities. Facilities for water and fire protection shall be installed to the specifications of the Public Utilities and Fire Departments;

h. Recreation Area. At least two hundred seventy square feet of recreation area, exclusive of any mobile home space, shall be provided for each mobile home space. Such area shall be provided within the mobile home park and may consist of community indoor and outdoor facilities.

Q. Planned residential developments having a minimum area of one acre exclusive of abutting public streets or alleys, subject to the granting of a planned residential development permit as set forth in Chapter 19.65;

R. The growing and wholesale disposal of earthworms in worm farms, provided that the area devoted to the cultivation of worms does not exceed sixty-four square feet in area, and further provided that:

1. All worm farms shall be kept at least fifty feet away from all adjacent dwellings,

2. The maximum height of any worm bed shall be two feet and all other structures shall conform to the requirements for accessory structures,

3. Worm farms in excess of sixty-four square feet shall only be permitted subject to the granting of a conditional use permit;

S. Agricultural field office as defined in Section 19.04.023 subject to the granting of a minor conditional use permit subject to the following operation and development standards:

1. The use shall be conducted on a property zoned R-1 and having five acres or more gross area which is predominately occupied by a commercial agricultural business;

2. The use shall be in conjunction with any permitted agricultural use, provided that such office shall be occupied by an agricultural business, which business is either located on-site or off-site the property;

3. The use shall be established within a stickbuilt, mobile coach or prefabricated structure, attached or detached from any other building on the property;

4. Adequate parking and vehicular access shall be available in accordance with Chapter 19.74 of the Zoning Code;

5. The building shall comply with the setback standards established for accessory structures in Chapter 19.70 of the Zoning Code;

T. Auxiliary dwelling units as defined by Section 19.04.037 of this title subject to the granting of a minor conditional use permit and meeting the criteria contained in subsection N of Section 19.07.030 of this title;

U. The retail sale of plant nursery stock and closely related garden supplies subject to the granting of a conditional use permit and compliance with the following criteria:

1. The use shall be established on a parcel at least one acre net in size,

2. The property shall have direct frontage on a major or secondary street so identified on the circulation and transportation element of the Riverside general plan,

3. No building shall have an overall height of more than twenty feet nor be located closer than twenty feet to any property line,

4. All parking, lighting and signing shall be oriented away or screened from adjacent residentially zoned property,

5. All storage of nonplant material shall be in a completely enclosed building or within a masonry wall enclosure at least six feet in height,

6. No outdoor telephone bell or paging system will be permitted,

7. Signing shall be limited to one single- or double- faced monument identification sign not to exceed twenty-four square feet per display face or six feet in overall height which may be lighted only during business hours;

V. Home occupations and telecommuting as defined by Sections 19.04.177 and 19.04.472 of this title in accordance with the provisions contained in Section 19.68.080 of this title.

W. Parolee/Probationer Home, as defined by Section 19.04.398, transitional shelter housing, as defined by Section 19.04.477, permanent emergency shelter, as defined by Section 19.04.402 and drop-in center, as defined by Section 19.04.108 of this Title, are permitted in accordance with the provisions contained in Section 19.07.030 Q.

X. Small family day care homes as defined by Section 19.04.114 of this Title;

Y. Large family day care homes as defined by Section 19.04.113 of this Title, subject to the granting of a Day Care Permit and all of the following criteria:

Operational & Locational

1. The large family day care home must be the residence of the provider.

2. The large family day care use must be clearly incidental and secondary to the use of the property for residential purposes.

3. Properties used for large family day care homes shall not be located closer than three-hundred (300) feet from any other large family day care home as measured from any point upon the outside walls of the residence containing the business and the nearest property line of the residential property operating another large family day care home.

4. Hours of operation shall be less than 24 hours per day.

5. The large family day care home shall comply with all municipal and State laws and regulations regarding single family residences and large family day care homes.

6. Noise will be maintained in compliance with Title 7 (Noise Control) of the Municipal Code.

7. The provider shall comply with all applicable regulations of the City's Fire Department regarding health and safety requirements as they relate to family day care homes and shall contain a fire extinguisher and smoke detector device that meet standards established by the State Fire Marshall (California Health and Safety Code Section 1597.45 d and Section 1597.46 d).

8. All Departments of Social Services Community Care licensing standards shall be met. The provider shall keep all State license or permits valid and current.

9. The applicant for a large family day care home permit shall provide evidence of payment of the City Business Tax.

10. Variances to No. 3 above only may be granted pursuant to Chapter 19.64.

Developmental

11. The large family day care home shall be

maintained to retain the appearance of a home consistent with the general character of the neighborhood.

12. Residences fronting on, or taking access from a 4-lane street (as shown on the General Plan Circulation Map), shall provide at least one paved drop-off/pick-up area designed with on-site parking and maneuvering area to allow vehicles to drop-off/pick-up children and exit the site without backing out onto a 4-lane street per Planning and Public Works Departments' approval.

13. For residences not fronting on, or taking access from a 4-lane street, drop-off/pick-up of children from vehicles shall only be permitted on the driveway, approved parking area or directly in front of the residence. The drop-off/pick-up area shall be conveniently located in an area providing safe access to the home and not in conflict with adjoining residences.

14. The large family day care home shall provide, at least, one off-street parking space per employee of driving age not living in the home. The residential driveway approach is acceptable for this parking requirement if the parking space will not conflict with any required child drop-off/pick-up area, and does not block the public sidewalk or right-of-way.

15. An outdoor play area which satisfies the requirements of the State Community Care Licensing Division shall be provided in compliance with the City's Zoning regulations.

16. No variances to items 11 through 16 may be granted.

The City shall provide notification to the neighbors within 100-feet no less than ten (10) days prior to the date of permit issuance. A large family day care permit cannot be denied administratively by the Zoning Administrator if all restrictions and requirements are met. Prior to permit issuance an applicant or other affected person(s) could request a hearing. The hearing will be before the City Planning Commission (CPC). Based on the evidence and testimony at the hearing, the CPC may approve, conditionally approve or deny the permit. The decision of the Planning Commission may be appealed to the City Council pursuant to 19.64.160. (Ord. 6771 § 1, 2004; Ord. 6766 § 5 2004; Ord. 6763 § 5, 2004; Ord. 6733 § 9, 2004; Ord. 6713 § 1, 2003; Ord. 6672 § 2, 2003; Ord. 6357 §§ 5, 6, 1997; Ord. 6356 § 2, 1997; Ord. 6280 § 5, 1996; Ord. 6212 § 3, 1995; Ord. 6176 § 5, 1994; Ord. 6145 § 2, 1994; Ord. 6119 § 4, 1994; Ord. 5627 § 1, 1988; Ord. 5586 § 4, 1987; Ord. 5117 § 5, 1983; Ord. 5110 §§ 1, 2, 3, 4, 5, 1983; Ord. 5030 § 1, 1982; Ord. 4967 § 1, 1981; Ord. 4917 § 3, 1981; Ord. 4916 § 3, 1981; Ord. 4890 § 4, 1981; Ord. 4301 § 3, 1976; Ord. 3972 §§ 7, 8, 1972; Ord. 3674 § 1, 1970; prior code § 36.47)

19.10.030 Building height limit.

The building height limit in the single-family residential zones shall be two stories and not to exceed thirty-five feet, except as otherwise provided in Section 19.68.030. (Ord. 4684 § 6, 1979; prior code § 36.47)

19.10.040 Area requirements generally.

Lot width, depth and area, building area and yard requirements shall be as follows; provided, however, that where the topography, nature of terrain, the character of the development of the neighborhood or the area or dimensions of one or more lots shown on any parcel map or subdivision map, as approved by the Planning Commission, is such that compliance with any or all of such requirements would prevent the reasonable development and use of any such lot as a building site and that compliance with a requirement would not be necessary to accomplish the purposes of this title, the Planning Commission may waive compliance with such requirements; and such action may be by minute order without variance proceedings, if taken concurrently with or subsequent to the approval of the subdivision map or parcel map by the Planning Commission. (Ord. 4024 § 3, 1973; prior code § 36.48 (part))

19.10.050 Lot area.

Lot area requirements shall be as follows:

A. From and after the effective date of the ordinance codified in this section, every lot created in the R-1-130 zone shall have a minimum width at the building line of one hundred twenty-five feet, a minimum depth of one hundred fifty feet, and a minimum area of twenty-one thousand seven hundred eighty square feet (one-half acre); provided, however, that if an application was made to divide specific

property in the R-1-130 zone into lots pursuant to Title 18 of this code prior to July 20, 1978, and the land division application was made for property existing in the R-1-130 zone or was associated with an application for a change to the R-1-130 zone, the Planning Commission and the City Council may approve such lots on tentative and final maps conditioned upon the property being in the R-1-130 zone, without granting variances thereon; provided, further, that each lot shall have a minimum width at the building line of one hundred thirty feet, a minimum depth of one hundred thirty feet, and a minimum area of twenty-one thousand seven hundred eighty square feet;

B. From and after the effective date of the ordinance codified in this section, every lot created in the R-1-125 zone shall have a minimum width at the building line of one hundred feet, a minimum depth of one hundred ten feet, and a minimum area of thirteen thousand square feet; provided, however, that if an application was made to divide specific property in the R-1-125 zone into lots pursuant to Title 18 of this code prior to July 20, 1978, and the land division application was made for property existing in the R-1-125 zone or was associated with an application for a change to the R-1-125 zone, the Planning Commission and the City Council may approve such lots on tentative and final maps conditioned upon the property being in the R-1-125 zone, without granting variances thereon; provided, further, that each such lot shall have a minimum width at the building line of one hundred twenty-five feet, a minimum depth of one hundred feet, and a minimum area of twelve thousand five hundred square feet.

C. From and after the effective date of the ordinance codified in this section, every lot created in the R-1-100 zone shall have a minimum width at the building line of ninety feet, a minimum depth of one hundred ten feet, and a minimum area of ten thousand five hundred square feet; provided, however, that if an application was made to divide specific property in the R-1-100 zone into lots pursuant to Title 18 of the code prior to July 20, 1978, and the land division application was made for property existing in the R-1-100 zone or was associated with an application for a change to the R-1-100 zone, the Planning Commission and the City Council may approve such lots on tentative and final maps conditioned upon the property being in the R-1-100 zone, without granting variances thereon; provided, further, that each such lot shall have a minimum width at the building line of one hundred feet, a minimum depth of one hundred feet, and a minimum area of ten thousand square feet.

D. From and after the effective date of the ordinance codified in this section, every lot created in the R-1-80 zone shall have a minimum width at the building line of eighty feet, a minimum depth of one hundred feet, and a minimum area of eight thousand five hundred square feet; provided, however, that if an application was made to divide specific property in the R-1-80 zone into lots pursuant to Title 18 of this code prior to July 20, 1978, and the land division application was made for property existing in the R-1-80 zone or was associated with an application for a change to the R-1-80 zone, the Planning Commission and the City Council may approve such lots on tentative and final maps conditioned upon the property being in the R-1-80 zone without granting variances thereon; provided, further, that each such lot shall have a minimum width at the building line of eighty feet, a minimum depth of one hundred feet, and a minimum area of eight thousand square feet.

E. From and after the effective date of the ordinance codified in this section, every lot created in the R-1-65 zone shall have a minimum width at the building line of sixty feet, a minimum depth of one hundred feet, and a minimum area of seven thousand square feet; provided, however, that if an application was made to divide specific property in the R-1-65 zone into lots pursuant to Title 18 of this code prior to July 20, 1978, and the land division application was made for property existing in the R-1-65 zone or was associated with an application for a change to the R-1-65 zone, the Planning Commission and the City Council may approve such lots on tentative and final maps conditioned upon the property being in the R-1-65 zone without granting variances thereon; provided further, that each such lot shall have a minimum width at the building line of sixty-five feet, a minimum depth of one hundred feet, and

a minimum area of six thousand five hundred square feet. (Ord. 4550 § 8, 1978: Ord. 3850 § 1, 1971: prior code § 36.48 (part))

19.10.060 Lot area per dwelling unit.

The minimum lot area per dwelling unit shall be twenty-one thousand seven hundred eighty square feet in an R-1-130 zone, thirteen thousand square feet in an R-1-125 zone, ten thousand five hundred square feet in an R-1-100 zone, eight thousand five hundred square feet in an R-1-80 zone, and seven thousand square feet in an R-1-65 zone; except that where a lot has less width, less depth or less area than required in this section and was a legally created lot of record prior to July 20, 1978, or was approved without variances pursuant to the provisions of Section 19.10.050, or was of record prior to the date on which such lot was annexed to the City, such lot may be occupied by a single-family residential use if the lot is not less than forty-five feet in width and has not less than five thousand square feet of lot area. (Ord. 4550 § 9, 1978: Ord. 3850 § 3, 1971: prior code § 36.48 (part))

19.10.070 Building area.

The building area shall not exceed forty percent of the total area of any lot in the R-1-65 zone, thirty-five percent in the R-1-80 and R-1-100 zones, and thirty percent in the R-1-125 and R-1-130 zones. (Ord. 4198 § 1 (part), 1975: prior code § 36.48 (part))

19.10.080 Yards.

Except as setbacks along major streets may require additional dimensions (see Chapter 19.72), there shall be established and maintained:

A. A front yard having a depth of not less than thirty feet in the R-1-130 zone, twenty-five feet in the R-1-125, R-1-100 and R-1-80 zones and twenty feet in the R-1-65 zone; provided, however, that where lots comprising fifty percent or more of the frontage on one side of a street between intersecting streets are developed with front yards of a greater depth, the average of such front yards shall establish the front yard depth for the entire frontage on that side of the street and within that block;

B. Side yards having widths of not less than twenty feet each in the R-1-130 zone, fifteen feet each in the R-1-125 zone, ten feet on one side and fifteen feet on the other side in the R-1-100 zone, twelve and one-half feet on one side and seven and one-half feet on the other side in the R-1-80 zone, and ten feet on one side and seven and one-half feet on the other side in the R-1-65 zones provided, that where a lot is less than sixty-five feet in width and was of record prior to November 23, 1956, or was of record prior to the date on which such lot was annexed to the City, the required side yards adjacent to interior side lot lines shall be reduced to five feet;

C. A rear yard having a depth of not less than thirty-five feet in the R-1-130 zone, thirty feet in the R-1-125 zone and twenty-five feet in the R-1-100, R-1-80 and R-1-65 zones. (Ord. 4706 § 3, 1979; Ord. 4550 § 10, 1978: Ord. 3850 §§ 4, 5, 1971: prior code § 36.48 (part))

19.10.100 Parking requirements.

Parking area shall be provided as required in the provisions of Chapter 19.74. (Prior code § 36.49)

19.10.110 Construction of new dwellings and disposal of existing dwellings.

One entirely new single-family dwelling may be constructed upon a lot where there is not more than one existing single-family dwelling, provided that:

A. A building permit to make such alterations in the existing dwelling, as are required by the City to reduce the character of use of the existing dwelling to a lawful accessory building, or a building moving permit to remove the existing dwelling from the lot is obtained at the time of issuance of the building permit for the new dwelling;

B. The owner of the lot executes and delivers to the City a written agreement in form approved by the City to make the required alterations or to remove the existing dwelling concurrently with or immediately after the construction and completion of the new dwelling, together with a faithful performance surety bond or other security, in the form approved by the City and in the amount of one hundred percent of the amount of the cost of such alterations or removal, as estimated by the

City;

C. It is determined by the Building Official that the requirements of Sections 19.10.030 through 19.10.100 and of the Building Code and Fire Prevention Code will be complied with. (Prior code § 36.50)

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Chapter 19.11

RESIDENTIAL LIVESTOCK COMBINING (RL) ZONE

Sections:

19.11.010 Generally.
19.11.020 Applicability.
19.11.030 Uses permitted.

19.11.010 Generally.

Residential livestock combining zones are intended to be combined with single-family residential zones to permit greater flexibility in certain requirements pertaining to the keeping of farm animals such as horses, ponies, mules, cows, goats and sheep, and pigs and swine under Future Farmers of America-supervised and 4-H-supervised projects, in those areas of the City where the keeping of such animals is already prevalent. It is also the intent of the RL zones to provide opportunities for those whose lifestyle includes the keeping of such animals to locate in such neighborhoods in order to separate such activities from areas occupied by those who do not share such a lifestyle. (Ord. 4232 § 1 (part), 1975)

19.11.020 Applicability.

Residential livestock combining zones may be combined with any single-family residential zone for both existing and new residences, but only for areas which are generally developed. (Ord. 4232 § 1 (part), 1975)

19.11.030 Uses permitted.

Permitted uses in the residential livestock combining zone shall be any use permitted in the single-family residential zone with which said zone is combined; provided, however, that the following regulations shall prevail notwithstanding any contrary requirements in the underlying single-family residential zone:

A. Not more than a total of two horses, ponies, mules, cows, goats and sheep, and swine and pigs subject to the provisions of subsection B of this section, or a total of two of any combination thereof shall be kept on any lot; provided that said lot has a minimum area of twenty thousand square feet; and further provided that one additional such animal may be kept for each additional ten thousand square feet over the minimum area requirement;

B. Swine or pigs shall be permitted in the residential livestock combining zone only upon the condition that said animals are kept and maintained as a duly authorized Future Farmers of America or 4-H project;

C. Offspring of permitted animals shall not be counted in determining the permitted number of animals if such offspring do not exceed the following age limitations:

1. Cattle, twenty-four months;
2. Horses, eighteen months;
3. Ponies, eighteen months;
4. Mules, eighteen months;
5. Sheep, twelve months;
6. Goats, twelve months;
7. Pigs, sixty days;
8. Swine, sixty days;

D. All animals permitted pursuant to this section shall be housed, penned or pastured at least sixty feet from any residence, excluding the residence on the lot where the animals are kept;

E. The premises where such animals are kept shall be maintained in a clean, neat and sanitary condition at all times in order to insure the public health, safety, comfort, convenience and general welfare. Unless all animal manure on the

premises is removed from the premises daily, said manure accumulated each day shall be placed in boxes or receptacles of a design and construction acceptable to the Riverside County Health Officer, and the boxes or containers maintained to prevent access to the contents thereof by flies and to prevent offensive odors. All watering troughs shall be maintained so as to prevent the breeding of mosquitoes. Said premises shall be maintained in accordance with all applicable ordinances, laws, rules and regulations pertaining to the care of animal habitation, manure removal, fly-producing conditions, and mosquitoes. (Ord. 6145 § 3, 1994; Ord. 4232 § 1 (part), 1975)

Chapter 19.12

RESIDENTIAL-2 (R-2) ZONE

Sections:

19.12.010	**Generally.**
19.12.020	**Uses permitted.**
19.12.030	**Building height limit.**
19.12.040	**Lot area.**
19.12.046	**Area requirements generally.**
19.12.050	**Building area.**
19.12.060	**Lot area per family.**
19.12.070	**Yards.**
19.12.080	**Parking requirements.**
19.12.090	**Keeping animals and fowl prohibited.**

19.12.010 Generally.

Two-family residential zones are intended as districts of two-family or duplex homes with customary accessory buildings upon one lot. Except as specifically provided elsewhere in this title, any and every new use and any and every new building and premises or land in an R-2 zone shall be used for or occupied and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within such R-2 zone exclusively and only in accordance with the regulations set out in this chapter. (Prior code § 36.51)

19.12.020 Uses permitted.

The following uses shall be permitted in a two-family residential zone:

A A one-family dwelling or manufactured dwelling, of a permanent character placed in a permanent location and of not less than seven hundred fifty square feet ground floor area exclusive of open porches and garage, provided that such one-family dwelling or manufactured dwelling in the R-2 zone shall comply with all of the requirements for structures and use in the R-2 zone;

B A two-family dwelling or duplex dwelling of a permanent character placed in a permanent location and of not less than five hundred square feet ground floor area per dwelling unit exclusive of open porches and garage;

C Farms or ranches for orchards, tree crops, field crops, truck gardening, berry and bush crops, flower gardening, growing of nursery plants and other similar agricultural enterprises;

D. Public schools, day care centers nursery schools, homes for the aged or for children (excluding large family day care homes), convalescent, or rest homes, nursing homes, homes for mental patients, nonprofit libraries and museums, subject to the granting of a conditional use permit; except that homes for the aged or homes for children, providing care for six or less individuals shall be permitted as a matter of right;

E Parks, playgrounds or community centers owned and operated by a governmental agency;

F Golf courses, including miniature golf courses and driving ranges, and model experimental dwellings, subject to the granting of a conditional use permit;

G Uses customarily incidental to any of the above uses, including hobby activities of a noncommercial nature;

H Rented rooms for occupancy of not more than four persons for each dwelling unit in addition to members of the family occupying such dwelling unit;

I Accessory buildings and uses, including a private garage and recreation room;

J Special uses, as provided in Section 19.64.040, may be permitted after a public hearing in each case under a conditional use permit;

K Nameplates and signs, as provided in Chapter 19.76;

L Mobile home parks having a gross area of not less than ten acres, with a minimum of two hundred fifty feet of frontage on a dedicated public street and not exceeding ten mobile home spaces per net acre, subject to the granting of a conditional use permit and in accordance with Section 19.10.020(P);

M Planned residential developments having a minimum area of one acre exclusive of public streets or alleys, subject to the granting of a planned residential development permit as set forth in Chapter 19.65;

N Home occupations and telecommuting

as defined by Sections 19.04.177 and 19.04.472 of this title in accordance with the provisions contained in Section 19.68.080 of this title.

O Parolee/Probationer Home, as defined by Section 19.04.398, transitional shelter housing, as defined by Section 19.04.477, permanent emergency shelter, as defined by Section 19.04.402 and drop-in center, as defined by Section 19.04.108 of this Title, are permitted in accordance with the provisions contained in Section 19.07.030 Q.

P. Small family day care homes as defined by Section 19.04.114 of this Title;

Q. Large family day care homes as defined by Section 19.04.113 of this Title, subject to the granting of a Day Care Permit and meeting the criteria contained in Section 19.10.020(Y). (Ord. 6771 § 1, 2004; Ord. 6766 § 6, 2004; Ord. 6763 § 6, 2004; Ord. 6733 §10, 2004; Ord. 6280 § 6, 1996; Ord. 4917 § 4, 1981; Ord. 4916 § 4, 1981; Ord. 3972 §§ 10, 11, 1972; Ord. 3674 § 3, 1970; prior code § 36.52)

19.12.030 Building height limit.

The building height limit in the two-family residential zone shall be two stories and not to exceed thirty-five feet, except as otherwise provided in Section 19.68.030. (Ord. 4684 § 7, 1979: prior code § 36.53)

19.12.040 Lot area.

Every lot shall have a minimum width of sixty-five feet at the building line, a minimum depth of one hundred feet and a minimum area of six thousand five hundred square feet; except, that where a lot has less width or less area than herein required and was of record prior to November 23, 1956, or was of record prior to the date on which such lot was annexed to the City, such lot may be occupied by any use permitted in this chapter if the lot is not less than forty-five feet in width and has not less than five thousand square feet of lot area. (Prior code § 36.54 (part))

19.12.046 Area requirements generally.

Lot width, depth and area, building area and yard requirements shall be as follows; provided, however, that where the topography, nature of terrain, the character of the development of the neighborhood or the area or dimensions of one or more lots shown on any parcel map or subdivision map, as approved by the Planning Commission, is such that compliance with any or all of such requirements would prevent the reasonable development and use of any such lot as a building site and that compliance with a requirement would not be necessary to accomplish the purposes of this title, then the Planning Commission may waive compliance with such requirements; and such action may be by minute order without variance proceedings if taken concurrently with or subsequent to the approval of the subdivision map or parcel map by the Planning Commission. (Ord. 4024 § 4, 1973)

19.12.050 Building area.

The building area shall not exceed thirty percent of the total area of any lot. (Prior code § 36.54 (part))

19.12.060 Lot area per family.

For each dwelling unit there shall be not less than three thousand square feet of lot area. (Prior code § 36.54 (part))

19.12.070 Yards.

Except as setbacks along major streets may require additional dimensions (see Chapter 19.72), there shall be established and maintained:

A A front yard having a depth of not less than twenty-five feet; provided, however, that where lots comprising fifty percent or more of the frontage on one side of a street between intersecting streets are developed with front yards of a greater depth, the average of such front yards shall establish the front yard depth for the entire frontage on that side of the street and within that block;

B Side yards having widths of not less than ten feet each; except, that where a lot is less than sixty-five feet in width and was of record prior to November 23, 1956, or was of record prior to the date on which such lot was annexed to the City, the required side yards adjacent to interior lot lines shall be reduced to five feet;

C A rear yard having a depth of not less than twenty feet. (Prior code § 36.54 (part))

19.12.080 Parking requirements.

Parking area shall be provided as required in the provisions of Chapter 19.74. (Prior code § 36.55)

19.12.090 Keeping animals and fowl prohibited.

No poultry, pigeons, rabbits, horses, mules, ponies, goats, sheep, cows or similar animals shall be kept on property in the R-2 zone after July 1, 1960. (Prior code § 36.7-1)

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Chapter 19.16

RESIDENTIAL-3 (R-3) ZONE*

Sections:

19.16.00E	**Editor's note to Chapter 19.16.**
19.16.010	**Generally.**
19.16.020	**Uses permitted.**
19.16.026	**Area requirements generally.**
19.16.030	**Site development standards.**
19.16.040	**Site plan approval for projects in the R-3-H zone.**
19.16.050	**Design review.**
19.16.060	**Floor area per dwelling unit.**
19.16.070	**Distance between buildings.**
19.16.080	**Usable open space.**
19.16.100	**Off-street parking requirements.**
19.16.110	**Trash areas.**
19.16.120	**Signs.**
19.16.130	**Keeping animals and fowl prohibited.**
19.16.140	**Severability.**

19.16.00E Editor's note to Chapter 19.16.

*Prior code history: Prior code §§ 36.56 -- 36.60 and § 36.7-1 as amended by Ord. 3392.

19.16.010 Generally.

Multiple-family residential zones are intended for single, duplex, two-family and multiple-family residences. Except as specifically provided elsewhere in this title, any and every new building and premises or land in the R-3 zone shall be used for or occupied and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within such R-3 zone exclusively and only in accordance with the regulations set out in this chapter. (Ord. 3972 § 4 (part), 1972)

19.16.020 Uses permitted.

The following uses shall be permitted in a multiple-family residential zone:

A. Any use permitted in the R-2 zone but subject to the development standards of the R-3 zone;

B. Apartment houses and group houses having a site area of less than three acres;

C. Apartment houses and group houses having a site area of three acres, or more, subject to the granting of a planned residential development permit as set forth in Chapter 19.65;

D. Boardinghouses;

E. Student housing, including fraternity and sorority houses, subject to the granting of a conditional use permit;

F. Home occupations and telecommuting as defined by Sections 19.04.177 and 19.04.472 of this title in accordance with the provisions contained in Section 19.68.080 of this title."

G. Small family day care homes as defined by Section 19.04.114 of this Title;

H. Large family day care homes as defined by Section 19.04.113 of this Title, subject to the granting of a Day Care Permit and meeting the criteria contained in Section 19.10.020 (Y). (Ord. 6771 § 1, 2004; Ord. 6766 § 7, 2004; Ord. 6763 § 7, 2004; Ord. 6696 § 3, 2003; Ord. 6280 § 7, 1996; Ord. 6248 § 7, 1995; Ord. 4917 § 5, 1981; Ord. 4916 § 5, 1981; Ord. 3972 § 4 (part), 1972)

19.16.026 Area requirements generally.

Lot width, depth and area, building area and yard requirements shall be as follows; provided, however, that where the topography, nature of terrain, the character of the development of the neighborhood or the area or dimensions of one or more lots shown on any parcel map or subdivision map, as approved by the Planning Commission, is such that compliance with any or all of such requirements would prevent the reasonable development and use of any such lot as a building site and that compliance with a requirement would not be necessary to accomplish the purposes of this title, then the Planning Commission may waive compliance with such requirements; and such action may be by minute order without variance proceedings if taken concurrently with or subsequent to the approval of the subdivision map or parcel map by the Planning Commission. (Ord. 4024 § 5, 1973)

19.16.030 Site development standards.

A. The following regulations shall

apply to the site of a permitted or conditional use or planned residential development in the R-3 zones except where modified by the City Council or City Planning Commission in the case of conditional use permits or planned residential developments:

Multiple Family Development Standards						
	R-3-40	**R-3-30**	**R-3-R**	**R-3-20**	**R-3**	**R-3-H**
Minimum site area	8,000 s.f.	6,500 s.f.	8,000 s.f.[d]	8,000 s.f.[d]	8,000 s.f.[d]	8,000 s.f.
Minimum site area per dwelling unit	4,000 s.f.[a]	3,000 s.f.[a]	2,500 s.f.[a]	2,000 s.f.[a]	1,500 s.f.[a]	800 s.f.[a]
Minimum width	65 ft.	65 ft.	65 ft.[d]	65 ft.[d]	65 ft.[d]	65 ft.
Minimum depth	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.
Minimum front yard	25 ft.[bef]	25 ft.[bef]	20 ft.[bef]	15 ft.[bef]	15 ft.[bef]	15 ft.[bef]
Minimum side yards Interior side Adjoining street	 10 ft.[b] 10 ft.[b]	 10 ft.[b] 10 ft.[b]	 10 ft.[b] 10 ft.[b]	 7 1/2 ft.[b] 10 ft.[b]	 7 1/2 ft.[b] 10 ft.[b]	 7 1/2 ft.[b] 10 ft.[b]
Minimum rear yard	20 ft.[b]	20 ft.[b]	20 ft.[b]	15 ft.[b]	15 ft.[b]	10 ft.[b]
Maximum height	2 stories[c] (30 feet)	2 stories[c] (30 feet)	1 story[c] (20 feet)	2 stories[c] (30 feet)	2 stories[c] (30 feet)	16 stories[c] (170 feet)
Maximum coverage	30%	30%	40%	45%	50%	25% (16 stories) 30% (13C15 stories) 35% (10C12 stories) 40% (7C9 stories) 45% (4C6 stories) 50% (1C3 stories)

a One additional dwelling unit may be located on a site if, after dividing the area of a site by a minimum site area required per dwelling unit, a remainder equal to or greater than ninety percent of the area required for an additional dwelling unit is obtained, provided that all other applicable regulations are met.

b. Front, side and rear yards shall be increased by two and one-half feet per story in excess of two stories except as otherwise stated in this footnote. No building or building portion of two stories or higher may be located within fifty feet of any side or rear property line which abuts property in an HR, RA, RC, R-1, RR or R-2 zone; in such instance for each story in excess of two the fifty-foot setback shall increase by ten feet.

c Except where S (Stories) C Height of buildings combining zone has been applied; in such cases the number of stories applied to the

property shall prevail and supersedes that provided by the underlying zone as stipulated under Chapter 19.63.

d Where a lot has less width or less area than herein required and was of record prior to November 23, 1956 or was of record prior to the date on which the lot was annexed to the City, such lot may be occupied by any use permitted by this chapter if the lot is not less than forty-five feet in width and has not less than five thousand square feet of lot area.

e Thirty-five-foot fully landscaped front yards are required along all arterial streets (eighty-eight feet plus planned width) shown on the circulation element of the City's general plan provided, however, on streets where special setbacks are required pursuant to Chapter 19.72, whichever is the greater setback shall apply. This setback is reduced to twenty-five feet for single-story multiple-family development along major streets.

f Except where X (Setback) C Building setback combining zone has been applied in such cases the X setback applied to the property shall prevail and supersedes that provided by Chapter 19.72 or the underlying zoning as set forth under Chapter 19.53.

B. Housing projects in the R-3-H zone utilizing buildings of three stories or less shall conform to the standards of the R-3 zone. (Ord. 6120 § 1, 1994; Ord. 5513 § 2, 1987; Ord. 4684 § 8, 1979; Ord. 4039 § 1, 1973; Ord. 3972 § 4 (part), 1972)

19.16.040 Site plan approval for projects in the R-3-H zone.

All rezoning to the R-3-H zone shall be contingent upon approval of a site plan submitted at the time the rezoning application is submitted and development of the site shall substantially conform to the site plan. R-3-H zoning shall not be adopted on a site until final building plans in connection with an application for a building permit have been approved by all appropriate City departments and all conditions of approval have been satisfied. (Ord. 3972 § 4 (part), 1972)

19.16.050 Design review.

No new building, structure or sign or exterior alteration or enlargement of an existing building, structure or sign shall be commenced in any R-3 zone until design review approval has been granted pursuant to Chapter 19.62. (Ord. 4571 § 11, 1978; Ord. 3972 § 4 (part), 1972)

19.16.060 Floor area per dwelling unit.

The minimum floor area per dwelling unit in any multiple-family residential zone shall be as follows:

A. Four hundred square feet for each efficiency unit;

B. Five hundred square feet for each unit having one bedroom;

C. Six hundred fifty square feet for each unit having two bedrooms;

D. Seven hundred fifty square feet for each unit having three bedrooms;

E. An additional one hundred square feet shall be required for each bedroom exceeding three. (Ord. 3972 § 4 (part), 1972)

19.16.070 Distance between buildings.

The minimum distance between buildings containing dwelling units shall not be less than seventy-five percent of their combined height when buildings are placed front to front and shall average not less than fifty percent of their combined height in all other cases. The height of a building is defined as the vertical distance measured from the average level of the highest and lowest point of that portion of the site covered by the building to the ceiling of the uppermost story. The minimum distance between an accessory building and any other building shall be not less than:

A. Five feet when neither one of the buildings has an opening upon the intervening space except that whenever accessory buildings exceed one story in height an additional setback of two and one-half feet shall be required for each additional story; and

B. Not less than fifteen feet in all other cases. (Ord. 3972 § 4 (part), 1972)

19.16.080 Usable open space.

A. Common Usable Open Space. Common usable open space as defined in Chapter 19.04 shall be provided in all multiple-family zones and improved as required in Section 19.65.060

except that in the R-3-H zone, a maximum of twenty-five percent of the required common open space may be located on the roof of a garage or building.

B. Private Usable Open Space. Each dwelling unit having two or more bedrooms shall be provided with private usable open space as defined in Chapter 19.04 and as required in Section 19.65.070. Wherever private usable open space is provided but not required by this title, such open space shall also comply with the development standards stipulated in Section 19.65.070. (Ord. 4039 § 2, 1973; Ord. 3972 § 4 (part), 1972)

19.16.100 Off-street parking requirements.

Parking areas shall be provided as required in the provisions of Chapter 19.74. (Ord. 3972 § 4 (part), 1972)

19.16.110 Trash areas.

Enclosed trash areas shall be provided as required in Section 19.65.170. (Ord. 3972 § 4 (part), 1972)

19.16.120 Signs.

Signs shall be permitted in accordance with Chapter 19.76. (Ord. 3972 § 4 (part), 1972)

19.16.130 Keeping animals and fowl prohibited.

No poultry, pigeons, rabbits, horses, mules, ponies, goats, swine, sheep, cows or similar animals generally considered to be nonhousehold pets shall be kept in any R-3 zone. (Ord. 3972 § 4 (part), 1972)

19.16.140 Severability.

If any section, subsection, sentence, clause or phrase of this chapter is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the validity or constitutionality of the remaining portions of this chapter.

The City Council declares that it would have passed this chapter, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more of the sections, subsections, sentences, clauses or phrases thereof are declared unconstitutional or invalid. (Ord. 3972 § 4 (part), 1972)

Chapter 19.18

RURAL RESIDENTIAL (RR) ZONE

Sections:

19.18.010 Generally.
19.18.020 Applicability.
19.18.030 Uses permitted.
19.18.040 Building height limit.
19.18.050 Lot area.
19.18.060 Building area.
19.18.070 Yards.
19.18.080 Parking requirements.

19.18.010 Generally.

Rural residential (RR) zones are intended as single-family residential districts of larger lots where there is a greater flexibility in certain requirements pertaining to the keeping of farm animals such as horses, ponies, mules, cows, goats, sheep and pigs and swine under Future Farmers of America-supervised and 4-H-supervised projects, in those areas of the City where the keeping of such animals is already prevalent. It is also the intent of the RR zones to provide opportunities for those whose lifestyles include the keeping of such animals to locate in such neighborhoods in order to separate such activities from areas occupied by those who do not share such a lifestyle. No new RR zones shall be established except in accordance with the regulations set forth in this title. Except as specifically provided elsewhere in this title, any and every new use and any and every new building and premises or land in the RR zone shall be used, occupied, and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within such RR zone exclusively and only in accordance with the regulations set forth in this chapter. (Ord. 5274 § 1, 1985)

19.18.020 Applicability.

The rural residential zone shall only be applied to properties shown on the land use element of the City of Riverside general plan designated for semi-rural lifestyle uses. (Ord. 5274 § 1, 1985)

19.18.030 Uses permitted.

The following uses shall be permitted in rural residential zones:

A. A one-family dwelling or manufactured dwelling of a permanent character placed in a permanent location and of not less than seven hundred fifty square feet of ground floor area, exclusive of open porches and garage;

B. Planned residential developments subject to the granting of a planned residential development permit as set forth in Chapter 19.65; provided that such planned residential developments shall have the general appearance and character of a single-family lower density residential development with architectural and landscaping characteristics appropriate for a semi-rural environment and an emphasis on facilities for livestock keeping and/ or agricultural activities;

C. Farms or ranches for orchards, tree crops, field crops, truck gardening, berry and bush crops, flower gardening, growing of nursery plants, other similar enterprises carried on in the general field of agriculture, aviaries and raising of chinchillas, guinea pigs and parakeets;

D. The keeping of not more than five poultry and four adult rabbits on any lot for noncommercial purposes, including crowing fowl as defined by Section 19.04.097, exclusively on lots of twenty thousand square feet or greater in area; provided, that such animals are housed, kept or penned at least fifty feet from any residence, excluding the residence on the lot where the animals are kept, on an adjoining lot or parcel. The keeping of not more than fifty poultry and ten adult rabbits on any lot for noncommercial purposes, provided that such animals are housed, kept or penned at least one hundred feet from any residence, excluding the residence on the lot where the animals are kept, on an adjoining lot or parcel. Additional poultry, crowing fowl and rabbits for noncommercial or commercial purposes may be permitted subject to the granting of a minor conditional use permit. The keeping of crowing fowl on lots of less than twenty thousand square feet which exists on December 1, 1994, or which exists on property at the time the site is annexed to the City or is rezoned to RR after

December 1, 1994, shall be abated within the amortization period of two years; if said keeping of crowing fowl is not abated within such two-year period, it will be a violation of this section;

E. The keeping of bees; provided, that all other conditions of this code or other City ordinances are complied with and that no hive or box where bees are kept shall be nearer than three hundred feet to any dwelling other than the dwelling of the owner of such bees;

F. The keeping of not more than two, pure-bred pot-bellied pigs per single-family residential dwelling, provided that such animal is kept in compliance with all other conditions of this title, Title 8 of this code, and any other City ordinance. The distance requirements set forth in subsection J of this section shall not apply to the keeping of a pot-bellied pig;

G. Not more than a total of two horses, ponies, mules, cows, goats and sheep, and swine and pigs subject to the provisions of subsection H of this section, or a total of two of any combination thereof shall be kept on any lot; provided, that said lot has a minimum area of twenty thousand square feet; and further provided that one additional such animal may be kept for each additional ten thousand square feet over the minimum area requirement;

H. Swine or pigs shall be permitted in the rural residential zone only upon the condition that said animals are kept and maintained as a duly-authorized Future Farmers of America or 4-H project;

I. Offspring of permitted animals shall not be counted in determining the permitted number of animals if such offspring do not exceed the following age limitations:

1. Cattle, twenty-four months,
2. Horses, eighteen months,
3. Ponies, eighteen months,
4. Mules, eighteen months,
5. Sheep, twelve months,
6. Goats, twelve months,
7. Pigs, sixty days,
8. Swine, sixty days;

J. All animals permitted pursuant to subsections G, H and I of this section shall be housed, penned or pastured at least sixty feet from any residence, excluding the residence on the lot where the animals are kept;

K. The premises where such animals are kept shall be maintained in a clean, neat and sanitary condition at all times in order to insure the public health, safety, comfort, convenience and general welfare. Unless all animal manure on the premises is removed from the premises daily, said manure accumulated each day shall be placed in boxes or receptacles of a design and construction acceptable to the Riverside County Health Officer, and the boxes or containers maintained to prevent access to the contents thereof by flies and to prevent offensive odors. All watering troughs shall be maintained so as to prevent the breeding of mosquitoes. Said premises shall be maintained in accordance with all applicable ordinances, laws, rules and regulations pertaining to the care of animal habitation, manure removal, fly-producing conditions, and mosquitoes;

L. Public schools, day care centers, nursery schools, homes for the aged and for children (excluding large family day care homes), convalescent or rest homes, nursing homes, homes for mental patients, nonprofit libraries and museums, subject to the granting of a conditional use permit, except that homes for the aged or homes for children, providing care for six or less individuals shall be permitted as a matter of right;

M. Parks, playgrounds or community centers owned and operated by a governmental agency;

N. Golf courses, including miniature courses and driving ranges, and model experimental dwellings, subject to the granting of a conditional use permit;

O. Uses customarily incidental to any of the above uses, including hobby activities of a noncommercial nature;

P. Rented rooms in any one-family dwelling for occupancy of not more than four persons in addition to members of the family occupying such dwellings;

Q. Accessory buildings and uses, including a private garage, accessory living quarters, recreation room, private stable, barn, greenhouse, lath house, corral, pen, coop or other similar structure and a building or room for packing products produced or raised on the same premises;

R. "Special" uses, as provided in Section 19.64.040, may be permitted after a

public hearing in each case under a conditional use permit;

S. Nameplates and signs as provided in Chapter 19.76;

T. Auxiliary dwelling units as defined by Section 19.04.037 of this title subject to the granting of a minor conditional use permit and meeting the criteria contained in subsection N of Section 19.07.030 of this title;

U. Home occupations and telecommuting as defined by Sections 19.04.177 and 19.04.472 of this title in accordance with the provisions contained in Section 19.68.080 of this title.

V. Second dwelling, as defined by Section 19.04.121 of this Title, in accordance with the provisions contained in Section 19.10.020 O.

W. Parolee/Probationer Home, as defined by Section 19.04.398, transitional shelter housing, as defined by Section 19.04.477, permanent emergency shelter, as defined by Section 19.04.402 and drop-in center, as defined by Section 19.04.108 of this Title, are permitted in accordance with the provisions contained in Section 19.07.030 Q.

X. Small family day care homes as defined by Section 19.04.114 of this Title;

Y. Large family day care homes as defined by Section 19.04.113 of this Title, subject to the granting of a Day Care Permit and meeting the criteria contained in Section 19.10.020 (Y).(Ord. 6771 § 1, 2004; Ord. 6766 § 8, 2004; Ord. 6763 § 8, 2004; Ord. 6733 § 11, 2004; Ord. 6672 § 5, 2003; Ord. 6357 § 7, 1997; Ord. 6280 § 8, 1996; Ord. 6212 § 4, 1995; Ord. 6176 § 6, 1994; Ord. 6145 §§ 4, 5, 1994; Ord. 6119 § 5, 1994; Ord. 5653 § 1, 1988; Ord. 5587 § 8, 1987; Ord. 5274 § 1, 1985)

19.18.040 Building height limit.

The building height limit in the rural residential zone shall be two stories and not to exceed thirty-five feet, except as otherwise provided in Section 19.68.030. (Ord. 5274 § 1, 1985)

19.18.050 Lot area.

Every lot created in the rural residential zone shall have a minimum width at the building line of one hundred feet, a minimum depth of one hundred fifty feet, and a minimum area of twenty thousand square feet; however, one single-family dwelling may be constructed on a legally established lot of less than twenty thousand square feet existing prior to the date it is placed in the RR zone. (Ord. 5274 § 1, 1985)

19.18.060 Building area.

The building area shall not exceed thirty percent of the total area of any lot. (Ord. 5274 § 1, 1985)

19.18.070 Yards.

Except as setbacks along major streets may require additional dimensions (see Chapter 19.72), there shall be established and maintained in the rural residential zone:

A. A front yard of no less than thirty feet;

B. Side yards having not less than twenty feet each;

C. A rear yard having a depth of not less than one hundred feet.

For a legally established lot of less than twenty thousand square feet existing prior to the date it is placed in the rural residential zone, yard dimensions shall be those as set forth in the R-1-65 zone. (Ord. 5274 § 1, 1985)

19.18.080 Parking requirements.

Parking areas shall be provided as required in the provisions of Chapter 19.74. (Ord. 5274 § 1, 1985)

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Chapter 19.20

RESTRICTED OFFICE (RO) ZONE

Sections:

19.20.010	**Generally.**
19.20.020	**Uses permitted.**
19.20.036	**Area requirements generally.**
19.20.040	**Site development standards.**
19.20.045	**Design review.**
19.20.050	**Parking requirements.**
19.20.060	**Keeping animals and fowl prohibited.**

19.20.010 Generally.

Restricted office zones are intended for residential uses, for professional offices and for off-street parking of automobiles. Except as specifically provided elsewhere in this title, any and every use and every new building and premises or land in an RO zone shall be used for or occupied and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within such RO zone exclusively and only in accordance with the regulations set out in this chapter. (Prior code § 36.61)

19.20.020 Uses permitted.

The following uses shall be permitted in a restricted office zone:

A. (Repealed by Ord. 5446 § 1, 1986.)

B. Offices for the following occupations and uses; provided that such uses except for off-street parking shall be conducted wholly within a building except that commercial coaches may be used as temporary offices during the construction of a permanent building, subject to the approval of a conditional use permit and in accordance with the provisions enumerated in Section 19.34.020(A):

1. Addressing service,
2. Advertising agency,
3. Administrative and executive offices only for business or industrial establishments,
4. Appraisers,
5. Architects,
6. Attorneys at law,
7. Barbershop,
8. Beauty shop,
9. Business and management consultants,
10. Chiropodists,
11. Chiropractors,
12. City planners,
13. Collection agency,
14. Credit reporting agency,
15. Dental laboratories rendering services only; provided, that manufacture, fabricating or selling of any article or commodity other than that incidental to dental offices shall not be permitted,
16. Dentist,
17. Detective agency,
18. Economists,
19. Employment agency,
20. Engineers and surveyors,
21. Financial institutions, including banks, savings and loan associations and credit unions,
22. Insurance brokers,
23. Land title companies,
24. Landscape architects,
25. Manufacturer's representative,
26. Mimeographing service,
27. Opticians,
28. Oculists,
29. Optometrists,
30. Osteopaths,
31. Public relations consultants,
32. Public accountants,
33. Physical therapist,
34. Physicians,
35. Psychiatrist,
36. Psychologist,
37. Public notaries,
38. Publishing companies, not including printing operations,
39. Property management consultants,
40. Public utility consumer service office,
41. Public stenographers,
42. Real estate brokers,
43. Research offices for the conduct of scientific research, theoretical studies and investigations by or under the supervision of professional scientists and highly trained specialists in the fields of physical, economic or social research. Such research shall not involve

the manufacture, fabrication, processing or sale of products on the premises and shall not be obnoxious or offensive by reason of emission of dust, gas, smoke, noise, fumes, odors, vibrations or other similar causes,

44. Stockbrokers,

45. Surgeons,

46. Trade associations, labor organizations, fraternal and social service organizations (administrative or executive office only),

47. Transportation ticket agencies,

48. Tabulating and computing service,

49. Telegraph consumer service office,

50. Telephone answering service,

51. Travel bureaus,

52. Any other similar activities as may be approved by the Planning Commission in accordance with the provisions of Section 19.68.010; provided, that except as permitted elsewhere in this chapter, no stores, shops or other establishments shall be permitted where foods, wares or merchandise are produced, processed, stored, sold or serviced; and further provided, that there shall be no outdoor display or advertising except as specified in Chapter 19.76,

53. Photographer's studio, including incidental film processing; provided that commercial sales of equipment or supplies shall not be permitted on the premises;

C. Prescription pharmacies in the personal charge of a registered pharmacist and occupying four hundred square feet or less floor space, excluding separate office and storage areas and toilet facilities, within a building containing medical offices of four or more physicians, surgeons or medical practitioners. Such prescription pharmacy may stock and sell drugs, medicines and medicinal and surgical supplies, but the compounding and dispensing of medical prescriptions must be the principal business and activity conducted on the premises. Such prescription pharmacy may be kept open only during the hours that the offices of one or more of the physicians, surgeons or medical practitioners within the building are open;

D. Special uses, as provided in Section 19.64.040, may be permitted after public hearing in each case under a conditional use permit;

E. Off-street, open-air, temporary parking of transient automobiles for tenants and their visitors, but not including service, repair, sales or signs and with the development of the property under the conditions specified in Chapter 19.74;

F. Signs and nameplates, as provided in Chapter 19.76;

G. Restaurants, including the sale of alcoholic beverages, but excluding drive-thru restaurants and take-out food establishments, subject to the granting of a minor conditional use permit and the site location criteria, operation and development standards of Section 19.26.020, subsection (J) of this title;

H. Commercial activities clearly related and subordinated to permitted office uses, including the receipt and processing of orders for goods, wares or merchandise, to be shipped or delivered from a warehouse, factory or retail or wholesale establishment located off the premises, BBB. Watch and clock repair shops, excluding the sale of any merchandise or product except necessary parts sold in connection with the repair of watches and clocks;

I. Florist shop, including incidental sales of cards and gift items, subject to the granting of a minor conditional use permit and in accordance with the following site location and operational standards:

1. Site Location Standards

a. The florist shop shall be located on the ground floor of any multi-story building,

b. Adequate parking shall be available to serve the florist shop in accordance with Chapter 19.76,

2. Operational Standards

a. The hours of operation of the florist shop shall be determined by the Zoning Administrator in consideration of the prevailing hours of businesses in the area and the type of surrounding uses,

b. The primary purpose of the business shall be the sale of floral products (i.e., flowers and ornamental plants). No more than twenty percent of the gross floor area of the business may be devoted to sale of gifts and greeting cards,

c. No substantial adverse impacts on adjoining uses will result;

J. Methadone treatment facility as

defined in Section 19.04.271 of this title subject to the granting of a conditional use permit meeting the standards set forth below. A conditional use permit meeting the standards set forth below shall also be required for any increase in the size of, or the number of patients to be treated at, any existing nonconforming methadone treatment facility;

1. The owners and operators of a proposed facility or an existing facility shall invite the people of the neighborhood to a meeting to discuss the proposal prior to filing an application for a conditional use permit. Notice of the meeting shall be sent to the owners and to the occupants of all property situated within three hundred feet of the exterior boundaries of the property which will be the subject of the application. The latest available assessment roll of the County Assessor may be used to notify the properties' owners. The properties' occupants may be notified by mailing a notice to occupant at each address or by hand delivery to each address,

2. The facility shall be licensed by the State of California to dispense methadone,

3. Parking shall be provided as required by Section 19.74.010 of this title for methadone treatment facilities,

4. Hours of operation shall be restricted to no earlier that six a.m. and no later than seven p.m. daily. The Planning Commission may require more restrictive hours of operation,

5. The owners and operators of the facility shall be required to take positive ongoing measures to preclude loitering in the vicinity of the facility,

6. Identification signing shall not indicate that drug abuse therapy or methadone treatment is provided,

7. A community liaison committee shall be established to monitor the operation of the facility and to resolve any conflicts with the neighborhood on an ongoing basis,

8. The facility shall obtain the approval of the Riverside County Drug Program Administrator;

K. Tailoring and dressmaking, including monogramming services, but excluding the sale of any merchandise or product except necessary material sold in connection with the permitted use;

L. Catering establishment subject to the granting of a conditional use permit;

M. Alternative birthing centers and natural childbirth centers subject to the granting of a conditional use permit;

N. Vocational schools, subject to the granting of a conditional use permit and meeting the standards set forth below:

1. Parking shall be provided in accordance with Section 19.74.010(CC) of this title. Parking shall be distributed throughout the site,

2. The curriculum and coursework of a vocational school which includes laboratory work or any form of "hands on" requirement at the school site may include only those uses permitted in the underlying zone,

3. The hours of operation and other operating characteristics of the school shall be designed to be compatible with surrounding land uses,

4. Schools involving the use and storage of goods, articles or substances which are combustible, inflammable, explosive or likely to create fire, radiation or explosive hazards and schools using equipment or processes not permitted in the underlying zone shall be prohibited;

O. Outdoor dining and food preparation as defined in Section 19.04.394, subject to the requirements, as applicable, of Section 19.26.020, subsections G and I of this title.

P. Transitional shelter housing, as defined by Section 19.04.477, permanent emergency shelter, as defined by Section 19.04.402 and drop-in center, as defined by Section 19.04.108 of this Title, are permitted in accordance with the provisions contained in Section 19.07.030 Q. (Ord. 6733 Ord. § 12, 2004; 6422 § 2, 1997; Ord. 6358 § 1, 1997; Ord. 6122 § 4, 1994; Ord. 6044 § 2, 1993; Ord. 5790 § 1, 1990; Ord. 5637 § 1, 1988; Ord. 5566 § 1, 1987; Ord. 5446 § 1, 1986; Ord. 5319 § 8, 1985; Ord. 5132 § 2, 1983; Ord. 5077 § 1, 1983; Ord. 4852 § 1, 1980; Ord. 4197 § 1, 1975; Ord. 3994 § 3, 1973; Ord. 3964 § 1, 1972; Ord. 3937 § 1, 1972; Ord. 3890 § 1, 1971; Ord. 3392 § 11, 1966; prior code § 36.62)

19.20.036 Area requirements generally.

Where the topography, nature of terrain, the character of the development of the neighborhood or the area or dimensions of one or more lots shown on any parcel map or subdivision map, as approved by the Planning Commission, is such that compliance with any or all of such requirements would prevent the reasonable development and use of any such lot as a building site and that compliance with a requirement would not be necessary to accomplish the purposes of this title, then the Planning Commission may waive compliance with such requirements, and such action may be by minute order without variance proceedings if taken concurrently with or subsequent to the approval of the subdivision map or parcel map by the Planning Commission. (Ord. 4198 § 1 (part), 1975; Ord. 4024 § 6, 1973)

19.20.040 Site development standards.

The following regulations shall apply to permitted uses in the RO zone except where modified by the City Council or the City Planning Commission in case of a conditional use permit:

Restricted Office Zone Development Standards				
	Professional and Business Office Uses	**Multiple-family Uses**	**Duplex Residential Uses**	**Single-family Residential Uses**
Minimum site area****	8,000 s.f.	8,000 s.f.	6,500 s.f.	6,500 s.f.
Minimum site area per dwelling unit*	N/A	1,500 s.f.	N/A	N/A
Minimum lot width	65 ft.	65 ft.	65 ft.	65 ft.
Minimum lot depth	100 ft.	100 ft.	100 ft.	100 ft.
Minimum front yard**	15 ft.	15 ft.	25 ft.	25 ft.
Minimum side yard** Interior side Adjoining street	 5 ft. 10 ft.	 7 1/2 ft. 15 ft.	 10 ft. 10 ft.	 10 ft. 10 ft.
Minimum rear yard**	10 ft.	15 ft.	20 ft.	20 ft.
Maximum height***	40 ft.	40 ft.	40 ft.	40 ft.
Maximum lot coverage	60%	50%	40%	40%

N/A = Not applicable

* One additional dwelling may be located on a site if, after dividing the area of a site by a minimum site area required per dwelling unit, a remainder equal to or greater than ninety percent of the area required for an additional dwelling unit is obtained, provided that all other applicable regulations are met.

** Front, side and rear yards shall be increased by two and one-half feet per story in excess of two stories.

*** Except where S (Stories) height of

buildings combining zone has been applied; in such cases the number of stories applied to the property shall prevail and supersedes that provided by the underlying zone as stipulated under Chapter 19.63. (See also Section 19.68.030.)

**** Where a lot has less width or less area than herein required and was of record prior to November 23, 1956, or was of record prior to the date on which such lot was annexed to the City, such lot may be occupied by any use permitted by this chapter if the lot is not less than forty-five feet in width and has not less than five thousand square feet of lot area.

(Ord. 4684 § 9, 1979: Ord. 4198 § 1 (part), 1975; Ord. 4008 § 1, 1973; prior code § 36.64)

19.20.045 Design review.

No new building, structure or sign exterior alteration or enlargement of an existing building, structure or sign shall be commenced in the RO zone until design review approval has been granted pursuant to Chapter 19.62. (Ord. 4571 § 1, 1978)

19.20.050 Parking requirements.

Parking area shall be provided as required in the provisions of Chapter 19.74. (Prior code § 36.65)

19.20.060 Keeping animals and fowl prohibited.

No poultry, pigeons, rabbits, horses, mules, ponies, goats, sheep, cows or similar animals shall be kept on property in the RO zone after July 1, 1960. (Prior code § 36.74)

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Chapter 19.24

PARKING (P) ZONE

Sections:

19.24.010	**Occupancy prohibited and exceptions.**
19.24.020	**Uses permitted.**
19.24.030	**Parking areas and garages.**
19.24.036	**Area requirements generally.**
19.24.040	**Area requirements.**
19.24.045	**Design review.**
19.24.050	**Landscaping.**
19.24.060	**Building height limit.**

19.24.010 Occupancy prohibited and exceptions.

Except in approved mobilehome parks where the provisions of this section shall not apply, no house car, mobilehome, motor home or trailer which is occupied or used or designed or intended to be occupied or used for dwelling, residential or sleeping purposes shall be erected, moved, placed, maintained or used for dwelling, residential or sleeping purposes anywhere within the City, and no person shall occupy or use any house car, mobilehome, motor home or trailer for dwelling, residential or sleeping purposes in the city; provided, that a house car, mobilehome, motor home or trailer may be temporarily placed, maintained, occupied and used for dwelling, residential and sleeping purposes for a period of not to exceed fifteen consecutive days in any one calendar year.

The provisions of this section shall not apply to any house car, mobilehome, motor home or trailer approved for residential occupancy by conditional use permit as prescribed by Chapter 19.64 of this code. (Ord. 4682 § 1, 1979: Ord. 3369 § 2 (part), 1966: prior code § 36.66)

19.24.020 Uses permitted.

The following uses shall be permitted in a P zone:

A. Parking areas;

B. Parking garage;

C. Signs in a parking zone shall be permitted as specified in Chapter 19.76.

D. Construction Caretaker Temporary Living Quarters shall be permitted subject to approval of a Minor Conditional Use Permit in accordance with the standards specified in Section 19.64.230(B). (Ord. 6324 § 3, 1996; Ord. 3369 § 2 (part), 1966: prior code § 36.67)

19.24.030 Parking areas and garages.

Parking areas and garages shall be improved to the standards as specified in Chapter 19.74. (Ord. 3369 § 2 (part), 1966: prior code § 36.68)

19.24.036 Area requirements generally.

Lot width, depth and area, building area and yard requirements shall be as follows; provided, however, that where the topography, nature of terrain, the character of the development of the neighborhood or the area or dimensions of one or more lots shown on any parcel map or subdivision map, as approved by the Planning Commission, is such that compliance with any or all of such requirements would prevent the reasonable development and use of any such lot as a building site and that compliance with a requirement would not be necessary to accomplish the purposes of this title, then the Planning Commission may waive compliance with such requirements; and such action may be by

minute order without variance proceedings if taken concurrently with or subsequent to the approval of the subdivision map or parcel map by the Planning Commission. (Ord. 4024 § 7, 1973)

19.24.040 Area requirements.

Area requirements in the P zone shall be as follows:

Yards -- Except as otherwise specified in this title, all parking areas and parking garages shall provide the following yards: A. A front yard having a depth not less than ten feet; except where a parking zone is situated between zones requiring a greater depth, the yard area shall be the average of the required adjacent front yards;

B. A street side yard having a depth not less than ten feet;

C. Interior Side Yard. None required, except that a minimum side yard of ten feet shall be required wherever a parking garage abuts a lot or parcel of land in any residential zone;

D. Rear Yard. None required, except that a minimum yard of twenty feet shall be required for a parking garage wherever a lot or parcel of land in the P zone abuts a lot or parcel in any residential zone. (Ord. 3369 § 2 (part), 1966: prior code § 36.68-1 (part))

19.24.045 Design review.

No new building, structure or sign or exterior alteration or enlargement of an existing building, structure or sign shall be commenced in the P zone until design review approval has been granted pursuant to Chapter 19.62. (Ord. 4571 § 2, 1978)

19.24.050 Landscaping.

Front yard areas and street side yard areas, as required in this chapter, shall be suitably landscaped with plant materials and properly maintained. (Ord. 3369 § 2 (part), 1966: prior code § 36.68-1 (part))

19.24.060 Building height limit.

Building heights in a parking zone shall not exceed thirty-five feet except as otherwise provided in Section 19.68.030. (Ord. 3369 § 2 (part), 1966: prior code § 36.68-2)

Chapter 19.26

COMMERCIAL OFFICE (C-O) ZONE

Sections:

19.26.010	**Generally.**
19.26.020	**Uses permitted.**
19.26.030	**Building height limit.**
19.26.040	**Floor area ratio.**
19.26.050	**Floor area--Exceptions.**
19.26.060	**Lot area.**
19.26.070	**Yards.**
19.26.080	**Parking and loading requirements.**
19.26.090	**Signs.**
19.26.100	**Design review.**

19.26.010 Generally.

Commercial office zones are intended to provide for the development and protection of administrative facilities, business office centers and accessory commercial uses in strategic parts of the City. Except as specifically provided elsewhere in this title, every new use and every new building and premises or land in a C-O zone shall be used for or occupied and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within such C-O zone exclusively and only in accordance with the regulations set forth in this chapter. (Ord. 3801 § 1 (part), 1971)

19.26.020 Uses permitted.

All uses permitted in the commercial office zone except for off-street parking shall be conducted wholly within a building. Storage shall be limited to accessory storage of commodities consumed and sold at retail on the premises.

The following uses shall be permitted:

A. Offices for the following occupations and professions:

1. Accounting, bookkeeping;
2. Administrative and executive offices only for business or industrial establishments;
3. Advertising agency;
4. Architect, drafting;
5. Bail bondsmen;
6. Bank;
7. Consultant (any field);
8. Engineering;
9. Governmental offices and facilities;
10. Insurance;
11. Investments;
12. Law;
13. Market research;
14. Medical, dental;
15. Public utility payment or business office;
16. Publishing;
17. Real estate;
18. Savings and loan;
19. Stockbroker;
20. Title insurance;
21. Travel agency;
22. Other similar administrative, professional and sales offices which, in the judgment of the Planning Commission, are similar to, compatible with and no more objectionable than any of those enumerated herein.

B. Related Commercial Uses. In recognition of the needs and requirements of office center complexes and to include services for the convenience of the employees and clients of the offices, the following related commercial uses may be permitted in an office building when they are located on the ground floor, including:

1. Art shop or art supply store;
2. Bakery, retail only, the products of which are sold only upon the premises;
3. Barbershop;
4. Beauty shop;
5. Book or stationery store;
6. Cleaning and laundry agency (pick up and delivery);
7. Clothes and wearing apparel shop;
8. Confectionery store;
9. Department store;
10. Drugstore;
11. Florist shop, except that incidental off-site sale of wine may be permitted subject to the granting of a minor conditional use permit according to the following operating standards:

a. Operation Standards.

i. The sale of wine shall be clearly incidental to a florist shop business, and shall not exceed five percent of the annual gross sales

revenue of the florist business.

ii. The sale of wine shall be limited to gift or floral arrangements. Individual containers of wine not packaged as part of such arrangements may not be sold.

iii. No beer or distilled spirits may be sold.

b. Variances. No variances from these standards are permitted;

12. Gift shop;

13. Hotel--commercial, except that there is no limitation as to ground floor;

14. Jewelry store;

15. (Repealed by Ord. 6122 § 5, 1994)

16. Millinery shop;

17. Motel;

18. Music store, record shop;

19. Newsstand;

20. Photographer's shop or studio, camera shop;

21. Post office;

22. Restaurant, cafe (excluding alcohol sales and drive-thru or take-out), except that restaurants and cafes shall not be limited solely to a ground floor location;

23. Soda fountain;

24. Tailor shop--custom making;

26. Toy shop.

C. Uses customarily incidental to the permitted uses, including the repair of goods of the type sold in stores in the center; provided, that such repair may not be carried on as a separate business, except as specifically permitted in these use regulations; and provided further, that there shall be no manufacturing, assembling, compounding, processing or treatment of products, other than that which is clearly incidental and essential to the permitted uses.

D. Other uses, as provided in Section 19.68.010, which, in the judgment of the Planning Commission, are similar to, compatible with and no more objectionable than any of those enumerated herein.

E. Special uses, as provided in Section 19.64.020, may be permitted under a conditional use permit.

F. Methadone treatment facility as provided in Section 19.04.271 of this title subject to the granting of a conditional use permit meeting the standards contained in subsection J of Section 19.20.020 of this title.

G. Outdoor dining subject to review and approval of the Zoning Administrator , using the site location criteria, operation standards and development standards listed below:

1. Site Location Criteria.

a. The outdoor dining area shall be located in a designated area approved by the City.

b. All outdoor facilities shall be located so as not to pose a hazard or nuisance to pedestrians.

2. Operation and Development Standards.

a. The design of all outdoor facilities shall be consistent with the adopted guidelines of the City Planning Commission or Cultural Heritage Board, whichever body has jurisdiction over the area of the outdoor facilities. Any guidelines previously approved by the former Design Review Board or City Council shall be deemed to be approved by the Planning Commission until such time as the Planning Commission and City Council adopt revised design guidelines.

b. Facilities for food shall be in compliance with all requirements of the Riverside County Health Department, Police Department, Fire Department and the South Coast Air Quality Management District.

c. Any use of public rights of way shall be subject to the granting of an encroachment permit by the Public Works Department and verification and maintenance of liability insurance by the City's Risk Manager.

H. Off-sale of all alcoholic beverages subject to a conditional use permit and the site location criteria and development standards listed below. However, the requirement for a conditional use permit shall not apply to establishments containing fifteen thousand square feet or more of the gross floor area which do not sell alcoholic beverages as their principal business. Additionally, florist shops which propose the incidental sale of wine with gift or floral baskets shall obtain a minor conditional use permit subject to operational standards set out in Section 19.26.020 (B)(11).

1. Site Location Criteria.

a. The business shall not be located

within six hundred feet of a public or private school (pre-school through twelfth grade), church or public park, as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the school, church or park site.

b. The business shall not be located within one hundred feet of any existing residential dwelling or property zoned for residential uses as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the residential zoned property.

c. The business shall be located a minimum distance of one thousand feet from any existing business licensed by the State of California for off-sale general alcoholic beverage sales with less than fifteen thousand square feet of gross floor area or which sells alcoholic beverages as its principal business as measured from any point upon the outside walls of the building or building lease space of the business applying for the conditional use permit to the nearest property line of the site containing the existing off-site alcoholic beverage sales business.

2. Development Standards.

a. No sale of alcoholic beverages shall be made from a drive-thru lane or drive-thru window.

b. The business shall be in a location which is fully visible from a public street with an unobstructed view from the public street for public safety.

c. The business shall have lighting to provide illumination for security and safety of parking and access areas. On-site lighting plans shall be submitted for review and approval.

d. The premises on which the business is located shall be posted to indicate that it is unlawful for any person to drink or consume any alcoholic beverage in any public place or posted premises in accordance with Section 9.04.020 of this code.

e. Signs shall be permitted in accordance with Chapter 19.76 of this title. In addition, all proposed signing shall be submitted for Zoning Administrator or Planning Commission approval, pursuant to this Title, to ensure compliance with the Sign Code and minimize any potential visual impacts related to signing.

f. The management at each location of off-sale of alcoholic beverages pursuant to this section shall be responsible for educating the public regarding drunk driving laws and the related penalties for breaking those laws. (This includes minimum age law, open container law and driving while intoxicated law.) This can be accomplished by posting prominent signs, decals or brochures at the point of purchase and providing adequate training for employees.

3. Variance. The Planning Commission or City Council may grant variance requests from the standards outlined in subdivisions 1 and 2 of this subsection. However, such request shall increase the property notification requirement from a three hundred-foot radius to a one thousand-foot radius from the subject property.

I. Outdoor preparation of food, in conjunction with outdoor dining, subject to a minor conditional use permit and the site location, operation and development standards applicable to outdoor dining, Section 19.26.020(G), except that occasional outdoor preparation of food, not exceeding six occurrences per year, three days maximum per occurrence, may be permitted with a temporary use permit in accordance with Chapter 19.69. This requirement for a minor conditional use permit pertains to outdoor food preparation related to a permanent indoor restaurant and does not pertain to the outdoor preparation of food in association with legally established school or church events, street fairs, carnivals or push carts which are separately regulated.

J. On-sale of all alcoholic beverages subject to a minor conditional use permit, except as exempted below, including the listed site location criteria, operation and development standards.

1. Exemptions. The Zoning Administrator shall exempt from the minor conditional use permit requirement, a business providing on-site sales of alcoholic beverages if all of the following conditions apply:

a. The premises contains a kitchen or food-servicing area in which a variety of food is prepared and cooked;

b. The primary use of the premises is for sit-down food service to patrons;

c. The premises serves food to patrons during all hours the establishment is open for customers;

d. If there is a separate area primarily intended for the consumption of alcoholic beverages, it does not constitute more than thirty percent of the public access floor area, not to exceed one thousand square feet;

e. No alcoholic beverages, including beer or wine are sold or dispensed for consumption beyond the premises;

f. The use is not subject to a minor conditional use permit as an entertainment use;

g. The premises is defined as a "bona fide public eating place" by the State of California Department of Alcoholic Beverage Control;

h. The business is not located within one hundred feet of any existing residential dwelling or property zoned for residential uses as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the residential property. This provision shall not be mandatory with regard to residential uses that are a part of a mixed use zone or mixed use project approved under a conditional use permit.

Uses which do not meet all of the above criteria shall be subject to a minor conditional use permit including the site location, operation and development standards listed below.

2. Site Location Criteria.

a. The business shall not be located within six hundred feet of a hospital, public or private school (pre-school through twelfth grade), church or public park, as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the hospital, school, church or park site, except in the downtown arts and entertainment district, as defined in Section 19.04.106, where the six hundred-foot distance restriction does not apply. However, in said downtown arts and entertainment district, the Zoning Administrator shall consider distances from the above listed uses for the purpose of achieving compatibility of the business with neighboring uses as part of the review process.

b. The business shall not be located within one hundred feet of any existing residential dwelling or property zoned for residential uses as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the residential property. This provision shall not be mandatory with regard to residential uses that are a part of a mixed use zone or mixed use project approved under a conditional use permit.

3. Operation and Development Standards.

a. Lighting, as certified by a qualified lighting engineer, shall be provided at a level no less than one foot candle of lighting throughout private parking lots and access areas serving the business.

b. The premises on which the business is located shall be posted to indicate that it is unlawful for any person to drink or consume any alcoholic beverage in any public place or posted premises in accordance with Section 9.05.020 of this code.

c. Soundproofing shall be provided sufficient to prevent noise and vibrations from penetrating into surrounding properties or building lease space.

4. Variances. The Zoning Administrator, Planning Commission or City Council may grant variance requests from the standards outlined in subdivisions 2 and 3 of this subsection. However, any such request shall increase the property notification requirement from a three hundred foot radius to a one thousand-foot radius from the subject property.

K. Entertainment establishments, as defined in Section 19.04.134, subject to the granting of a minor conditional use permit and the site location criteria, operation standards, development standards and exemptions listed below.

1. Exemptions. The Zoning Administrator shall exempt from the minor conditional use permit requirement an entertainment use which meets any of the following criteria:

a. The entertainment is clearly incidental to a sit-down restaurant business, book store, art gallery or other nonentertainment

oriented use and there is no stage or dance floor.

b. The entertainment is clearly incidental to a full service hotel, which includes convention facilities, meeting rooms and restaurant services.

All other entertainment uses shall be subject to a minor conditional use permit and the requirements below.

2. Site Location Criteria.

a. The business shall not be located within six hundred feet of a hospital, public or private school (pre-school through twelfth grade), church or public park, as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the hospital, school, church or park site, except in the downtown arts and entertainment district, as defined in Section 19.04.106, where the six hundred foot distance restriction does not apply. However, in said downtown arts and entertainment district, the Zoning Administrator shall consider distances from the above listed uses for the purpose of achieving compatibility of the business with neighboring uses as part of the review process.

b. The business shall not be located within one hundred feet of any existing residential dwelling or property zoned for residential uses as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the residential property. This provision shall not be mandatory with regard to residential uses that are a part of a mixed use zone or mixed use project approved under a conditional use permit.

c. The site shall not be in such proximity to other uses designed for human habitation, including extended care facilities, motels and hotels, that disturbances are likely to be caused by traffic, parking, noise or lighting.

d. Adequate provisions shall be made for vehicular and pedestrian access to the facility at peak business hours.

3. Operation and Development Standards.

a. Lighting, as certified by a qualified lighting engineer, shall be provided at a level no less than one foot candle of lighting throughout private parking lots and access areas serving the business.

b. Soundproofing shall be provided sufficient to prevent noise and vibrations from penetrating into surrounding properties or building lease spaces.

c. The submitted site plan shall demonstrate adequate accommodations for the queuing of patrons so as not to obstruct walkways, driveways or parking areas and so as not to create noise related disturbances to adjacent properties.

d. A security plan shall be provided to the approval of the Police Department, demonstrating and committing to the provision of adequate on-site security.

e. The submitted site plan shall demonstrate the availability of adequate parking, maneuvering, ingress and egress to accommodate patrons during peak business hours.

4. Variances. The Zoning Administrator, Planning Commission or City Council may grant variance requests from the standards outlined in subdivisions 2 and 3 of this subsection. However, any such request shall increase the property notification requirement from a three hundred-foot radius to a one thousand-foot radius from the subject property.

L. Indoor theater, subject to the granting of a conditional use permit and the site location criteria, development and operational standards of Section 19.30.020 TTT. (Ord. 6726 § 8, 2004; Ord. 6679 § 1, 4 2003; Ord. 6422 §§ 3, 4, 1997; Ord. 6351 §§ 1, 2, 1997; Ord. 6122 §§ 5, 6, 7, 1994; Ord. 6033 § 2, 1993; Ord. 5319 § 2, 1985; Ord. 5132 § 3, 1983; Ord. 3801 § 1 (part), 1971)

19.26.030 Building height limit.

The building height limit shall not be fixed by absolute number but shall be regulated by the sum of the floor area ratio and the bonus system described elsewhere in this chapter. (Ord. 3801 § 1 (part), 1971)

19.26.040 Floor area ratio.

The floor area ratio shall not exceed 4.0 except that additional floor area ratio may be permitted for certain site amenity features set forth in the following table:

Amenity--Bonus Provision

Amenity	Bonus
Landscaped Setback. A minimum building setback of ten feet extending the full width of the site adjacent to the street line and fully landscaped with turf, ground cover and trees.	Floor area increased four times the square footage contained within the setback area.
Landscaped Courtyard. A continuous area with direct access to a public street or mall, which is open and unobstructed from the ground level to the sky, is accessible to the public, has a minimum area of six hundred square feet with a minimum dimension of twenty feet and not more than three feet above the level of the street it adjoins. Such courtyard shall be landscaped with greenery, statuary, or water.	Floor area increased four times the square footage contained within the courtyard.
Arcade. A pedestrian passageway that connects: (1) two public streets, or (2) a public street and a parking area or mall, or (3) a public street and another arcade. The arcade shall be unobstructed, have a minimum width of fifteen feet and a minimum vertical distance of twelve feet, shall be situated at street grade.	Floor area increased three times the square footage contained within the arcade.

All amenities shall be cumulative except that in no case shall the floor area be increased to more than four times the area of the largest floor contained in the building. (Ord. 3801 § 1 (part), 1971)

19.26.050 Floor area--Exceptions.

In calculating floor area for purposes of this chapter, the following need not be included: (a) uncovered steps; (b) terraces, breezeways and open porches; and (c) automobile parking space in a basement. (Ord. 3801 § 1 (part), 1971)

19.26.060 Lot area.

Lot area requirements shall be as follows: none required. (Ord. 3801 § 1 (part), 1971)

19.26.070 Yards.

Yard requirements shall be as follows: none, except as required as setbacks along major streets as indicated in Chapter 19.72. (Ord. 3801 § 1 (part), 1971)

19.26.080 Parking and loading requirements.

Parking and loading areas shall be provided as required in the provisions of Chapter 19.74 (Ord. 3801 § 1 (part), 1971)

19.26.090 Signs.

Signs shall be erected only in accordance with the provisions of Chapter 19.76. (Ord. 3801 § 1 (part), 1971)

19.26.100 Design review.

No new building, structure or sign or exterior alteration or enlargement of an existing

building, structure or sign shall be commenced in the G-O Zone until design review approval has been granted pursuant to Chapter 19.62. (Ord. 6726 § 9, 2004; Ord. 4571 § 12, 1978; Ord. 3813 § 5, 1971; Ord. 3801 § 1 (part), 1971)

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Chapter 19.28

NEIGHBORHOOD SHOPPING CENTER (C-1) ZONE

Sections:

19.28.010	**Generally.**
19.28.020	**Uses permitted.**
19.28.030	**Establishment of new C-1 zone.**
19.28.040	**Nonconforming uses.**
19.28.050	**Traffic circulation plan.**
19.28.060	**Preliminary development plan.**
19.28.070	**Market analysis.**
19.28.080	**Cost of improvements.**
19.28.090	**Design review.**
19.28.100	**Extension of time limit--Review by Planning Commission.**
19.28.110	**Building height limit.**
19.28.120	**Lot area--Gross floor area.**
19.28.130	**Setbacks.**
19.28.140	**Exceptions.**
19.28.150	**Walls.**
19.28.160	**Parking requirements.**
19.28.170	**Loading area.**
19.28.180	**Signs.**
19.28.190	**Additional requirements.**
19.28.200	**Variances.**

19.28.010 Generally.

Neighborhood shopping center zones are intended for neighborhood shopping centers which provide limited retail business, service and office facilities for the convenience of residents of the neighborhood. A neighborhood shopping center is designed and located so as to minimize traffic congestion on public highways and streets in its vicinity and to best fit the general land use pattern of the area to be served by the center. The protective standards contained in this chapter are intended to minimize any adverse effect of the shopping center on nearby property values and to provide for safe and efficient use of the shopping center itself. Submission of a market analysis is intended in order to establish evidence of a need for a change in the comprehensive zoning plan for the City and to substantiate a finding that such change will promote the general welfare of the City. No new C-1 zones shall be established, except in accordance with the regulations stated in this title. Except as specifically provided elsewhere in this title, any and every new building and premises or land in the C-1 zone shall be used or occupied and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within such C-1 zone exclusively and only in accordance with the regulations stated in this chapter. (Prior code § 36.69)

19.28.020 Uses permitted.

All uses in a neighborhood shopping center zone shall be conducted wholly within a building, except such uses as plant nurseries, newsstands, off-street parking and similar enterprises customarily conducted in the open. Storage shall be limited to accessory storage of commodities sold at retail on the premises. The following uses shall be permitted:

A. Bakery, retail only, the products of which are sold only upon the premises (limited to five employees);

B. Bank or similar financial institution;

C. Barbershop;

D. Beauty shop;

E. Bicycle shop;

F. Book or stationery store;

G. Cafe or restaurant, excluding entertainment, as defined in Section 19.04.134, but including the incidental sale for on premises consumption of beer and wine, subject to the granting of a minor conditional use permit and the site location, operation and development standards of Section 19.26.020(J);

H. Clothes and wearing apparel shop;

I. Confectionery store;

J. Delicatessen;

K. Drugstore;

L. Dry goods or notions store;

M. Florist shop, except that incidental off-site sale of wine may be permitted subject to the granting of a minor conditional use permit, including the operation standards set forth in Section 19.26.020(B)(11);

N. Grocery, fruit or vegetable store, meat market and supermarket;

O. Hardware store;

P. Hobby shop;

Q. Laundry, with machines limited to forty-pound capacity and no steam equipment, except handirons, permitted;

R. (Repealed by Ord. 6122 § 9, 1994)

S. Music store and record shop;

T. Newsstand;

U. Nursery plant sales, provided all incidental equipment and supplies, including fertilizer and empty cans, are stored within a completely enclosed building;

V. Offices (business or professional);

W. Photographer's shop or studio, camera shop;

X. Post office;

Y. Shoe repair shop;

Z. Soda fountain;

AA. Tailor shop, custom making;

BB. Television and radio repair shop;

CC. Variety store;

DD. Watch repair store;

EE. Retail dry cleaning establishment (limited to six employees and the use of noninflammable solvents);

FF. Uses customarily incidental to the permitted uses, including the repair of goods of the type sold in stores in the center; provided that such repair may not be carried on as a separate business, except as specifically permitted in these use regulations; and provided further, that there shall be no manufacturing, assembling, compounding, processing or treatment of products, other than that which is clearly incidental and essential to the permitted uses;

GG. Other uses, as provided in Section 19.68.010, which, in the judgment of the Commission, are similar to, compatible with and no more objectionable than any of those enumerated therein;

HH. Special uses, as provided in Section 19.64.020, may be permitted under a conditional use permit in accordance with the procedures stated in Sections 19.64.060 through 19.64.180;

II. Automobile service stations, including indoor facilities for lubrication, battery and brake service, tire repair, minor adjustments and repair, and the sale of food, non-alcoholic beverages, beer, wine and sundry items of convenience to the motorist, but excluding painting, body work, steam cleaning, major repairs, mechanical washing facilities, utility truck or trailer rental, and packaged ice sales, subject to the granting of a conditional use permit in accordance with the following provisions:

1. Site Location Criteria. The service station site shall meet the following site location criteria:

a. The service station will not substantially increase vehicular traffic on streets in a residentially-zoned district.

b. The service station will not substantially lessen the usability of adjacent or nearby commercially-zoned property for commercial use by interfering with pedestrian traffic.

c. The service station will not create increased traffic hazards to pedestrians when located near a school, church, auditorium, theater or other place of assembly.

d. The service station site is served by streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by such service station use.

e. The service station site is adequate in size and shape to accommodate said use, and to accommodate all yards, walls, parking, landscaping and other required improvements.

f. The service station will not substantially lessen the usability and suitability of adjacent or nearby residentially-zoned property for residential use.

2. Site Development Standards. Notwithstanding other provisions to the contrary, the following site development standards shall apply to automobile service stations:

a. Lot area and width. The gross land area shall be not less than fifteen thousand square feet with a minimum street frontage of one hundred feet.

b. Setbacks. Except as setbacks along major streets may require additional dimensions, all buildings, structures or improvements shall meet the following setbacks:

i. Automobile service station buildings shall be located not closer than thirty feet from all property lines.

ii. Gasoline pumps or dispensers,

canopies, marquees, and signs shall be located not closer than twenty feet from any property line; except that service station canopies and marquees may project fifteen feet into the required twenty-foot setback. The setback specified in this paragraph may be used only for the following purposes:

(A) Passage or temporary standing of automobiles;

(B) Landscaped areas;

(C) Floodlight poles and standards; and

(D) One freestanding sign as provided in Chapter 19.76.

c. Building height limit. Buildings shall not exceed a height of thirty-five feet, except as otherwise provided in Section 19.68.030.

d. Accessory buildings. Accessory buildings or structures, except pump islands, pump island canopies, and trash enclosures, shall not be permitted.

e. Paving. All open areas, other than landscaped planter beds shall be paved with not less than two and one-half inches of asphaltic concrete or an equivalent surfacing meeting the established standards and specifications of the Public Works Department, shall be graded and drained so as to adequately dispose of all surface water and shall be maintained in good repair.

f. Lighting. All lighting on the exterior of the building shall be of an indirect nature, emanating only from fixtures located under canopies or hoods, under eaves of buildings and at ground level in the landscaping. Freestanding pole lights shall not exceed a maximum height of fourteen feet and shall be so arranged and shielded that there shall be no glare or reflection onto adjacent properties or public rights-of-way.

g. Walls. When an automobile service station zone adjoins any lot in an RA, R-1, R-2, R-3 or RO zone, there shall be a six-foot-high masonry wall erected and maintained along such property line; provided, however, that such wall shall be only three feet high from the setback line of the adjoining property to the front property line.

h. Trash areas. A trash enclosure, six feet in height, constructed of masonry shall be provided (except that a trash enclosure attached to the service station building may be constructed of the same or similar materials as the service station building). The trash enclosure shall be enclosed on all sides, with a solid gate six feet in height providing access to the trash area. Trash enclosed within the enclosure shall not exceed the height of the enclosure. No trash, including discarded oil cans, batteries, signs, tires, etc., shall be stored on any section of the site, except within an enclosed structure.

i. Landscaping.

i. Quantity and distribution. A minimum of five percent of the net service station site shall be landscaped, which landscaping shall be distributed as follows:

(A) A minimum of four-foot-wide planters shall be provided along all street property lines except for driveway openings.

(B) A minimum of one hundred fifty square feet of planting area shall be provided at the intersection of two property lines at each street corner.

(C) The remainder of the required landscaping shall be distributed within the interior of the service station site.

ii. Planting beds.

(A) All landscaping shall be contained in planting beds.

(B) Each planting bed shall be enclosed by concrete or masonry curbing at least six inches thick and six inches in height above the paving surface.

iii. Plant materials.

(A) Each planting bed shall contain appropriate ground cover consisting of plants and nonplant material as hereinafter provided and/or shrubbery.

(B) Nonplant materials such as statuary or fountains may be used in landscaped areas provided it does not dominate the planting beds.

(C) Other nonplant materials such as crushed rock, redwood bark chips, and pebbles shall not be used exclusively in lieu of growing ground covers.

iv. Maintenance.

(A) All plant material shall be regularly maintained in conformity with accepted practices for landscaped maintenance.

(B) Each planting bed shall be served by at least one permanent water irrigation line utilizing bubblers, sprinklers, or hose bibs.

j. Parking. Parking areas shall be provided as required in Section 19.74.010(V).

k. Signs. Signs are permitted in

accordance with Chapter 19.76.

l. Service bays and pump islands. Consideration shall be given to the uses on adjacent and confronting properties in determining the most appropriate location of pump islands and of doors opening to lubrication and service bays so as not to unreasonably interfere with such uses. The location of such openings and pump islands opposite a street side of the building may be required in light of such consideration.

3. Site Operation Standards. Notwithstanding other provisions to the contrary, the following site operation standards shall apply to automobile service stations:

a. Outdoor operations. Operations outside the service station building shall be limited to the dispensing of gasoline, oil and water, and the changing of tires, minor items and parts.

b. Outdoor storage and display. All storage and display of merchandise and supplies must be conducted within the service station building except that:

i. Automotive petroleum products and additives and supplies incidental to pump island service may be displayed outdoors not closer than twenty feet from all property lines.

ii. Utility trucks and trailers for rent and packaged ice dispensers, when permitted by the zone, may be displayed outdoors not closer than thirty feet from all street property lines.

iii. Not more than two vending machines dispensing candy, gum, soft drinks, coffee, cigarettes, or other similar items may be displayed outdoors adjacent to the service station building.

c. Vehicles permitted. No vehicles shall be parked on the premises other than those of persons attending to business on the site, vehicles being serviced for customers, vehicles of employees, and other service vehicles used in the operation of the station. No vehicle may be parked on the premises and offered for sale.

4. Concurrent Sale of Motor Vehicle Fuel With Alcoholic Beverages. Any business established and authorized to sell motor vehicle fuel in conjunction with the sale of alcoholic beverages must comply with the following regulations:

a. Only beer and wine, not hard liquor, may be sold.

b. The minimum enclosed retail sales area for store products shall be one thousand five hundred square feet or such smaller area approved by variance granted pursuant to Chapter 19.64 of this title. However, any business lawfully established to conduct concurrent sales prior to April 17, 1987, shall not be required to meet this standard until April 17, 1990.

c. The minimum inventory level shall be fifteen thousand dollars retail value excluding beer, wine, fuel and automotive products.

d. The maximum percentage of beer and wine sales to total store sales shall be thirty percent on a retail basis during any consecutive twelve-month period.

e. The management at each location of common site sales shall be responsible for "educating the public" regarding drunk driving laws and the related penalties for breaking those laws. (This includes minimum age law, open container law and driving while intoxicated law.) This can be accomplished by posting prominent signs, decals or brochures at the point of purchase and providing adequate training for employees.

f. No displays of beer or wine shall be located within five feet of the store's entrance or checkout counter.

g. Cold beer or wine shall be sold from, or displayed in, the main, permanently affixed electrical coolers only.

h. No beer or wine advertising shall be located on gasoline islands; no lighted advertising for beer or wine shall be located on buildings or in windows.

i. Employees on duty between the hours of ten p.m.
and two a.m. shall be at least twenty-one years of age to sell beer and wine.

j. No sale of alcoholic beverages shall be made from a drive-thru window.

Items in paragraphs (f), (g), (h), (i) and (j) of this subdivision are minimum State of California standards from which no variance may be granted;

k. The business shall not be located within six hundred feet of a public or private

school (pre-school through 12th grade), church or public park, as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the school, church or park site.

l. The business shall not be located within one hundred feet of any existing residential dwelling or property zoned for residential uses as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the residential zoned property.

m. The business shall be located a minimum distance of three hundred feet from any other business with the concurrent sale of motor vehicle fuel with alcoholic beverages or one thousand feet from any other business licensed by the State of California for off-sale general alcoholic beverage sales with less than fifteen thousand square feet of gross floor area or which sells alcoholic beverages as its principal business as measured from any point upon the outside walls of the building or building lease space of the business applying for the conditional use permit to the nearest property line of the site containing the existing off-sale alcoholic beverage sales business.

n. The Planning Commission or City Council may grant variance requests from the standards outlined in paragraphs (k), (l) and (m) of this subdivision. However, such requests shall increase the property notification requirement from a three hundred-foot radius to a one thousand-foot radius from the subject property.

JJ. Pet shop, including grooming and retail sale of pets and pet supplies;

KK. Outdoor dining and food preparation as defined in Section 19.04.394, subject to the requirements, as applicable, of Section 19.26.020, subsections (G) and (I) of this title;

LL. Beverage container recycling facility only when located within a convenience zone as defined in Chapter 19.04 of this title and subject to the requirements of this subsection.

1. Indoor collection center if operated as an adjunct to business which sells beverages for off-site consumption. Exterior signing is limited to one unlighted identification sign and one hours-of-operation sign, each not to exceed sixteen square feet.

2. One or more reverse vending machines subject to the following criteria:

a. Such machine(s) shall not meet the definition of reverse vending machine--bulk type;

b. No more than three colors shall be used on each machine or group of machines subject to design review staff approval;

c. Signing shall be limited to the surface area of the machine(s) and no other signing shall be permitted;

d. The machine(s) location shall be within thirty feet of a building entry and shall abut such building;

e. The machine(s) shall be situated no closer than one hundred feet to any property zoned for or occupied by a residence(s);

f. The machine(s) shall not unreasonably interfere with pedestrian or vehicular circulation nor vehicular parking;

g. The machine(s) shall not exceed reasonable noise limits;

h. Only one machine or group of machines shall be allowed per commercial or industrial property.

3. Reverse vending machine--bulk type subject to the granting of an annual recycling center use permit which shall be valid for one year from the date of issue in accordance with the procedure set forth in Sections 19.69.030, 19.69.040, 19.69.050, 19.69.060 and 19.69.070 of this title, and criteria in paragraphs b, e, f, g and h of subdivision 2 of this subsection. In addition, the minimum setback from any street shall be fifty feet and signs shall be limited to one unlighted identification sign and one hours-of-operation sign, each not to exceed sixteen square feet per sign.

4. Mobile recycling unit subject to the granting of a recycling center use permit as set forth in subdivision 3 of this subsection and to the following criteria:

a. The unit shall be located on a site occupied by one or more commercial or industrial businesses;

b. All beverage containers shall be stored in opaque enclosures so as not to be readily visible;

c. Unless otherwise screened from off-site view, the unit shall be no closer than fifty

feet from any street and any property zoned for or occupied by a residence(s). Additional setback may be required to mitigate exposure of the unit to the street or adjacent property;

d. The total area occupied by the unit shall not exceed five hundred square feet;

e. No more than three colors shall be used on the unit;

f. Signing shall be limited to a maximum of twenty percent of the side of each mobile recycling unit until January 1, 1989, then signing shall be limited to one unlighted identification sign and one hours-of-operation sign, each not to exceed sixteen square feet per mobile recycling unit side;

g. The unit shall not unreasonably interfere with pedestrian or vehicular circulation nor vehicular parking and shall not consume any required parking space(s);

h. The unit shall be screened from adjacent properties and streets by landscaping or other screening as deemed appropriate by the Planning Department;

i. The unit shall be attended at all times during operating hours;

j. The unit shall operate a minimum of thirty hours per week but shall be limited to the hours between nine a.m. to seven p.m. unless otherwise approved by the Planning Department;

MM. Off-sale of alcoholic beverages subject to all the requirements of Section 19.26.020(H) of this title;

NN. Arcades, as defined in Section 19.04.031, subject to a minor conditional use permit and the site location criteria, development and operation standards listed below:

1. Site Location Criteria.

a. The business shall not be located within six hundred feet of a hospital, public or private school (pre-school through twelfth grade), church or public park, as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the hospital, school, church or park site, except in the downtown arts and entertainment district, as defined in Section 19.04.106, where the six hundred-foot distance restriction does not apply. However, in said downtown arts and entertainment district, the Zoning Administrator shall consider distances from the above listed uses for the purpose of achieving compatibility of the business with neighboring uses as part of the review process.

b. The business shall not be located within one hundred feet of any existing residential dwelling or property zoned for residential uses as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the residential property. This provision shall not be mandatory with regard to residential uses that are a part of a mixed use zone or mixed use project approved under a conditional use permit.

2. Operation and Development Standards.

a. Lighting, as certified by a qualified lighting engineer, shall be provided at a level no less than one foot candle of lighting throughout private parking lots and access areas serving the business.

b. Bicycle parking facilities shall be provided in an area convenient to the main entrance, but out of the path of vehicular, or pedestrian travel.

c. The number of arcade or game machines shall not exceed one machine per each thirty square feet of gross floor area.

d. Soundproofing shall be provided sufficient to prevent noise and vibrations from penetrating into surrounding properties or building lease spaces.

e. The hours of operation shall be limited to between eight a.m. and ten p.m. daily for patrons under the age of 18.

f. An adult supervisor shall be present at all times during the hours of operation and if the number of arcade and game machines exceeds forty, there shall be two or more adult supervisors present at all times during the hours of operation.

g. If the number of machines exceeds ten, an adult supervisor shall be located on a raised dais, positioned so as to readily observe all arcade and game machines and all areas of business.

3. Variances. The Zoning Administrator, Planning Commission or City Council may grant variance requests from the standards outlined in subdivisions 1 and 2 of this subsection. However, any such request shall

increase the property notification requirement from a three hundred-foot radius to a one thousand-foot radius from the subject property.

OO. Transitional shelter housing, as defined by Section 19.04.477, permanent emergency shelter, as defined by Section 19.04.402 and drop-in center, as defined by Section 19.04.108 of this Title, are permitted in accordance with the provisions contained in Section 19.07.030 Q. (Ord. 6733 Ord. § 13, 2004; 6422 § 5, 1997; Ord. 6351 § 3, 1997; Ord. 6122 §§ 8, 9, 10, 11, 1994; Ord. 6033 §§ 3, 4, 1993; Ord. 5695 §§ 1, 2, 1988; Ord. 5610 § 2, 1988; Ord. 5486 § 1, 1987; Ord. 5319 § 3, 1985; Ord. 5078 § 1, 1983; Ord. 4275 § 1, 1976; Ord. 3712 § 1, 1970; prior code § 36.72)

19.28.030 Establishment of new C-1 zone.

The procedures for establishing a new C-1 zone shall be as set forth in Sections 19.28.040 through 19.28.090. (Prior code § 36.70 (part))

19.28.040 Nonconforming uses.

A C-1 zone shall not be established upon a parcel of land which would contain a nonconforming use, building or structure after the passage of such amendment to this title unless the development plan for the shopping center includes the elimination of the nonconforming use, building or structure. (Prior code § 36.70 (part))

19.28.050 Traffic circulation plan.

The petitioner shall submit to the Planning Commission a traffic circulation plan showing the adequacy of the streets providing access to the shopping center to carry the traffic generated by the shopping center, proper methods of ingress and egress to and from the center, necessary acceleration and deceleration lanes, and necessary traffic devices, including channelization. (Prior code § 36.70 (part))

19.28.060 Preliminary development plan.

The petitioner shall submit to the Planning Commission a preliminary development plan for the shopping center showing a unified and organized arrangement of buildings, off-street parking, internal traffic circulation and service facilities which are feasible for the property on which the center is proposed and which planned development shall minimize any adverse effect of the center on the properties surrounding the proposed development. (Ord. 3679 § 1, 1970; Ord. 3606 § 1, 1969; prior code § 36.70 (part))

19.28.070 Market analysis.

The petitioner shall submit a market analysis suitable for the size center proposed, showing the need for a shopping center in the location requested and the inadequacy of the existing zoning to meet this need. For these purposes, the market analysis shall contain the following determinations:

A. Determination of the trade area of the proposed shopping center;

B. Determination of trade area population, present and future;

C. Determination of effective buying power in the trade area;

D. Determination of net potential customer buying power for stores in the proposed shopping center.

The location of the C-1 zones shall be determined by studies of the purchasing power available to support the uses permitted in the zone. Such zones shall not, however, be closer than one mile from any existing C-1 or C-1-A zones. (Prior code § 36.70 (part))

19.28.080 Cost of improvements.

The petitioner or developer shall be required to pay the cost of the construction and installation of improvements on streets abutting the shopping center, including any acceleration and deceleration lanes or traffic channelization devices deemed necessary to control traffic generated by the shopping center, and shall dedicate or deed lands abutting the shopping center for street widening purposes when so required by the City. In order to provide for such improvements or street widening, the City may require that the petitioner or developer:

A. Submit a subdivision or record of survey map for approval by the City prior to the issuance of building permits for structures to be erected within the shopping center; or,

B. Enter into a contractual agreement with the City whereby the developer shall be held responsible for such improvements or street widening. (Prior code § 36.70 (part))

19.28.090 Design review.

No new building, structure or sign or exterior alteration or enlargement of an existing building, structure or sign shall be commenced in the C-1 zone until design review approval has been granted pursuant to Chapter 19.62. (Ord. 4571 § 13, 1978; Ord. 3813 § 1, 1971; Ord. 3679 § 2, 1970; Ord. 3606 § 2, 1969; prior code § 36.70 (part))

19.28.100 Extension of time limit--Review by Planning Commission.

A building permit shall be secured and construction begun in accordance with the approved final site development plan for a C-1 zone within two years from the effective date of the ordinance establishing such zone. Application may be made to the Planning Commission for not more than a one-year extension of time limit for commencement of construction. In the event that construction is not started within the specified time limits, the Planning Commission shall review the zoning and the progress which has taken place and, if deemed necessary, initiate proceedings to reclassify the property in a manner consistent with the comprehensive zoning plan.

All construction authorized in the approved final site development plan for a C-1 zone must be completed within three years of the date construction is commenced. Application may be made to the Planning Commission for not more than a one-year extension of the time limit for completion of construction. A plan for staged development which will require more time than the limits contained herein may be approved by the Planning Commission at the time the C-1 zoning is recommended or may be approved by the Planning Commission prior to or during the course of construction of the shopping center. In the event that construction is not completed within the time limits specified by the Planning Commission or by this section, the Planning Commission shall review the zoning and the development which has taken place and, if deemed necessary, initiate proceedings to reclassify the property in a manner consistent with the comprehensive zoning plan. (Prior code § 36.71)

19.28.110 Building height limit.

Building heights in a neighborhood shopping center zone shall not exceed thirty-five feet, except as otherwise provided in Section 19.68.030. (Prior code § 36.73)

19.28.120 Lot area--Gross floor area.

The gross land area of any neighborhood shopping center, including the land zoned as C-1 and P, shall not be less than two acres nor more than ten acres. The gross area of floor space in any C-1 zone shall not exceed eighty thousand square feet. "Floor space," as used in this section, means the gross floor space of buildings, the gross areas of all platforms, floors, slabs and other areas or spaces outside of buildings which are directly or indirectly used in the rendering of services or performance of work or in the display, sale, use, consumption, receipt, storage or preparation for use or consumption of any goods, merchandise, food or other property. The dimensions of the area of land zoned for C-1 and P and other permitted uses shall approximate those of a square rather than a strip. (Prior code § 36.74 (part))

19.28.130 Setbacks.

Except as otherwise specified below, all buildings, structures or improvements shall provide the following setbacks:

A. There shall be a minimum setback of fifty feet from any public street right-of-way line adjoining the zone;

B. There shall be a minimum setback of twenty feet from any commercial or industrial zone;

C. There shall be a minimum setback of fifty feet from any C-1 zone property line adjoining a residential zone.

Buildings existing as of November 22, 1956, are exempt from the above setback requirements. (Prior code § 36.74 (part))

19.28.140 Exceptions.

The setback areas specified in Section 19.28.130 may be used for the following purposes:

A. Off-street parking, loading and traffic circulation, including lights for the illumination of such areas, except where landscaped areas may be required by the Commission;

B. Signs necessary to direct and control vehicular and pedestrian traffic within the shopping center;

C. The permitted signs identifying the shopping center. (Prior code § 36.74 (part))

19.28.150 Walls.

When adjoining any lot in any residential zone, there shall be a six-foot-high masonry wall erected and maintained along such property line; provided, however, that such wall shall be only three feet high from the setback line of the adjoining property to the front property line. (Prior code § 36.75)

19.28.160 Parking requirements.

Parking area in neighborhood shopping center zones shall be provided as required in the provisions of Chapter 19.74. (Prior code § 36.76)

19.28.170 Loading area.

Loading area in neighborhood shopping center zones shall be provided as required in the provisions of Section 19.74.160. (Prior code § 36.77)

19.28.180 Signs.

Signs may be erected in a neighborhood shopping center zone as provided in Chapter 19.76. (Prior code § 36.78)

19.28.190 Additional requirements.

The City may require compliance with any other conditions deemed necessary in a neighborhood shopping center zone. (Prior code § 36.79)

19.28.200 Variances.

When considering a development plan, the Planning Commission may hold a public hearing and grant variances from the requirements of this title as permitted by Section 19.64.050 pursuant to the procedures set forth in Chapter 19.64. (Ord. 5688 § 2, 1988)

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Chapter 19.30

COMMUNITY SHOPPING CENTER (C-1-A) ZONE

Sections:

19.30.010	**Generally.**
19.30.020	**Uses permitted.**
19.30.030	**Nonconforming uses.**
19.30.040	**Traffic circulation plan.**
19.30.050	**Preliminary development plan.**
19.30.060	**Market analysis.**
19.30.070	**Improvements.**
19.30.080	**Design review.**
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19.30.100	**When construction to be completed.**
19.30.110	**Building height limit.**
19.30.120	**Lot area.**
19.30.130	**Setbacks.**
19.30.140	**Exceptions.**
19.30.150	**Walls.**
19.30.160	**Parking requirements.**
19.30.170	**Loading area.**
19.30.180	**Signs.**
19.30.190	**Variances.**

19.30.010 Generally.

Community shopping center zones are intended for large shopping centers which provide a wide variety of goods and services to trade areas composed of several neighborhoods. A community shopping center provides not only for "convenience goods" such as food, drugs and personal services, but also for "shopping goods," such as apparel and furniture, as well as banking and professional services and recreation. The size of the center is intended to be directly related to the quantity of purchasing power available for the support of those uses permitted in this zone. A community shopping center is designed and located so as to minimize traffic congestion on public highways and streets in its vicinity and to best fit the general land use pattern of the area to be served by the center. The protective standards contained in this chapter are intended to minimize any adverse effect of the shopping center on nearby property values and to provide for safe and efficient use of the shopping center itself. Submission of a market analysis is intended in order to establish evidence of a need for a change in the comprehensive zoning plan for the City and to substantiate a finding that such change will promote the general welfare of the City. No new C-1-A zones shall be established except in accordance with the regulations stated in this title. Except as specifically provided elsewhere in this title, any and every new building and premises or land in the C-1-A zone shall be used or occupied, and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within such C-1-A zone exclusively and only in accordance with the regulations stated in this chapter. (Prior code § 36.80)

19.30.020 Uses permitted.

All uses shall be conducted wholly within a building except uses such as drive-in restaurants and similar enterprises customarily conducted in the open, automobile service stations, plant nurseries and off-street parking. Storage shall be limited to accessory storage of commodities sold at retail on the premises.

The following uses shall be permitted in a community shopping center zone:

A. Any use permitted in a C-1 zone;

B. Antique shop;

C. Art shop or art supply store;

D. Automobile accessory store;

E. Automobile sales agencies;

F. Automobile storage garage; provided, that no repairing is done in connection therewith;

G. Bakery, retail only, the products of which are sold only upon the premises;

H. Bank or similar financial institutions;

I. Bicycle shop;

J. (Repealed by Ord. 6122 § 12, 1994)

K. Book or stationery store;

L. Bowling alley;

M. Catering establishment;

N. Cleaning and dyeing establishment;

O. Clothes and wearing apparel shop;

P. Confectionery store;

Q. Decorating or drapery shop;

R. Delicatessen;

S. Department store;

T. Drugstore;

U. Dairy products store;

V. Dry goods or notions store;

W. Florist shop, except that incidental off-site sale of wine may be permitted subject to the granting of a minor conditional use permit, including the operation standards set forth in Section 19.26.020(B)(11);

X. Frozen foods locker;

Y. Furniture store;

Z. Grocery, fruit or vegetable store, meat market, supermarket;

AA. Hardware or appliance store;

BB. Hotel, Transient;

CC. Jewelry store;

DD. Laboratory;

EE. Laundry agency or self-service laundry;

FF. Leather goods or luggage store;

GG. (Repealed by Ord. 6122 § 12, 1994)

HH. Millinery shop;

II. Motel, Transient;

JJ. Music store, record shop;

KK. Newsstand;

LL. Nursery plant sales; provided, that all incidental equipment and supplies, including fertilizer and empty cans, are stored within a completely enclosed building;

MM. Offices (business or professional);

NN. Pet shop, not including veterinary hospital or keeping or boarding animals not for sale on the premises;

OO. Photographer's shop or studio, camera shop;

PP. Post office;

QQ. Radio and television store;

RR. Restaurant, take-out food establishment or cafe. (For outdoor dining and on-sale of alcoholic beverages, see subsections MMM and PPP.)

SS. Roller skating or ice skating rink;

TT. Shoe repair shop;

UU. Shoe store;

VV. Soda fountain;

WW. Studio or school--Art, music, voice, dance or modeling;

XX. Tailor shop--Custom making;

ZZ. Ticket office for railroad, steamship, bus or air lines;

AAA. Tire shop--Retail sales only;

BBB. Toy shop;

CCC. Travel agency;

DDD. Sporting goods store;

EEE. Variety store;

FFF. Uses customarily incidental to the permitted uses including the repair of goods of the type sold in stores in the center; provided, that such repair may not be carried on as a separate business except as specifically permitted in these use regulations; and provided further, that there shall be no manufacturing, assembling, compounding, processing or treatment of products, other than that which is clearly incidental and essential to the permitted uses;

GGG. Other uses, as provided in Section 19.68.010, which in the judgment of the Commission are similar to, compatible with and no more objectionable than any of those enumerated herein;

HHH. Special uses, as provided in Section 19.64.040, may be permitted under a conditional use permit;

III. Drive-thru businesses incorporating a drive-thru lane into the site design subject to the granting of a conditional use permit in accordance with the following provisions:

1. Site Location Criteria. The site shall meet the following criteria:

a. The use will not substantially increase vehicular traffic on streets in a residentially zoned district,

b. The use will not substantially lessen the usability of adjacent or nearby commercially zoned property or commercial use by interfering with pedestrian traffic,

c. The use will not create increased traffic hazards to pedestrians when located near a school, church, auditorium, theater, or other place of assembly,

d. The use which contains drive-thru facilities shall be located on a site having minimum frontage of one hundred feet on a major street as indicated on the Streets and Highways Diagram (Exhibit 52) of the City general plan,

e. The site will be adequate in size and

shape to accommodate said use and to accommodate all yards, walls, parking, landscaping and other required improvements,

f. The use will not substantially lessen the usability and suitability of adjacent or nearby residentially zoned property for residential use.

2. Site Development Standards. Notwithstanding other provisions to the contrary, the following site development standards shall apply to drive-thru businesses incorporating a drive-thru lane into the site design:

a. Setbacks. Except as setbacks along major streets may require additional dimensions, all buildings, structures or improvements shall meet the following setbacks:

i. Buildings shall be located not closer than twenty feet from all property lines,

ii. Canopies, marquees and signs shall be located not closer than twenty feet from any property line, except that canopies and marquees may project ten feet into the required twenty-foot setback. The setback specified in this subparagraph may be used only for the following purposes:

(A) Passage, temporary standing or parking of automobiles,

(B) Landscaped areas,

(C) Floodlight poles and standards, and

(D) Signs as herein provided,

b. Building height limit. Buildings shall not exceed a height of thirty-five feet, except as otherwise provided in Section 19.68.030,

c. Paving. All open areas other than landscaped planter beds shall be paved with not less than two and one-half inches of asphaltic concrete or an equivalent surfacing meeting the established standards and specifications of the Public Works Department, shall be graded and drained so as to adequately dispose of all surface water and shall be maintained in good repair,

d. Lighting. All lighting on the exterior of the building shall be of an indirect nature, emanating only from fixtures located under canopies or hoods, under eaves of buildings and at ground level in the landscaping. Freestanding pole lights shall not exceed a maximum height of fourteen feet and shall be so arranged and shielded that there shall be no glare or reflection onto adjacent properties or public rights-of-way,

e. Walls. When such a use adjoins any lot in an RA, R-1, R-2, R-3, or RO zone, there shall be a six-foot-high masonry wall erected and maintained along such property line; provided, however, that such wall shall be only three feet high from the setback line of the adjoining property to the front property line,

f. Trash areas. A trash enclosure, six feet in height, constructed of masonry, shall be provided, enclosed on all sides, with a solid gate six feet in height providing access to the trash area. Trash enclosed within the enclosure shall not exceed the height of the enclosure,

g. Landscaping.

i. Quantity and distribution:

(A) A minimum of ten-foot-wide planters shall be provided along all street property lines except for driveway openings.

(B) A minimum of one hundred fifty square feet of planting area shall be provided at the intersection of two property lines at each street corner.

(C) A minimum of four-foot-wide planters shall be provided along the interior property lines.

ii. Planting beds:

(A) All landscaping shall be contained in planting beds.

(B) Each planting bed shall be enclosed by concrete or masonry curbing at least six inches thick and six inches in height above the paving surface.

iii. Plant materials:

(A) Each planting bed shall contain appropriate groundcover consisting of plants and nonplant material as hereinafter provided and/or shrubbery.

(B) Nonplant materials such as statuary or fountains may be used in landscaped areas; provided, they do not dominate the planting beds.

(C) Other nonplant materials such as crushed rock, redwood bark chips, and pebbles shall not be used exclusively in lieu of growing groundcovers.

iv. Maintenance:

(A) All plant material shall be regularly maintained in conformity with accepted practices for landscape maintenance.

(B) Each planting bed shall be served by at least one permanent automatically controlled water irrigation line.

h. Parking. Parking areas shall be provided as required in Section 19.74.010(O).

i. Signs. Wall, canopy and freestanding signs shall be permitted in accordance with Chapter 19.76. In addition, up to two eight-foot-high menu ordering signs with a total combined square footage of up to thirty-two square feet, shall be permitted for drive-thru restaurants.

j. Servicing facilities and outdoor dining areas. Consideration shall be given to the uses on adjacent and confronting properties in determining the most appropriate location of walk-up service windows, drive-through service windows and outdoor dining areas so as not to unreasonably interfere with such uses. The location of such servicing facilities and outdoor dining areas may be required to be located on the side of a building not facing an adjoining street in light of such consideration.

k. Drive-thru Lane Standards. Drive-thru restaurants shall have a drive-thru lane one hundred eighty feet in length providing on-site storage for a minimum of ten automobiles. Any other use with drive-thru facilities shall have on-site automobile storage for a minimum of two automobiles at each drive-thru window in a stacking lane at least twelve feet in width and forty feet in length. The stacking lane shall be independent of any on-site parking, parking maneuvering areas, public streets, alley or traffic ways serving other on and/or off-site uses. The minimum required length may be increased if it is determined that additional stacking area will be required to adequately serve the use. A traffic study addressing both on-site and off-site traffic and circulation impacts may be required.

3. Site Operation Standards. Notwithstanding other provisions to the contrary, the following site operation standards shall apply to drive-in or fast-food restaurants:

a. Outdoor dining. On-site dining outside the restaurant shall be restricted to a separate and defined outdoor dining area and shall be limited to the consumption of items purchased on the site.

b. Storage and display. All storage and display of merchandise and supplies must be conducted within the restaurant building.

c. Vehicles permitted. No vehicles shall be permitted to be parked on the premises other than those of persons attending to business on the site, vehicles of employees, and service vehicles.

4. Playground Design Standards. Notwithstanding other provisions to the contrary, the following playground design standards shall apply to drive-in and fast food restaurants:

a. Applicants are strongly encouraged to design fast food restaurant playgrounds as an indoor facility and integral part of the main building structure. Indoor play equipment shall be no higher than a maximum height of eleven feet.

b. Where an outdoor playground is proposed, the following design criteria shall be applied:

i. The outdoor play area shall be designed to include a covered patio attached to the main building structure.

ii. The outdoor play area shall be enclosed with a seven-foot-high fence/wall consisting of four feet of masonry topped with three feet of open wrought iron.

iii. Substantial landscape screening shall be provided around the fence/wall.

iv. The design of the play area and any related outdoor dining area shall be architecturally consistent with the design of the main restaurant building and have the appearance of being an integral part of the structure.

v. The location of the play area shall be oriented to the extent possible away from street frontages and drive-through lanes.

vi. The play equipment shall be no higher than a maximum height of 9.5 feet.

vii. The color of any play equipment shall be in colors that are complementary to the main restaurant building color.

5. Variances. The Zoning Administrator, Planning Commission or City Council may grant variance requests from the standards set forth in this subsection in accordance with Chapter 19.64 of this title;

JJJ. Veterinary clinics and small animal hospitals subject to the granting of a conditional use permit and in accordance with the following provisions:

1. The use of the building space shall be restricted to the medical treatment and incidental care such as bathing, the trimming of common

household pets on an outpatient basis only, except that temporary boarding in connection with medical treatment shall be permitted, and except that short-term boarding may be permitted,

2. The entire use shall be conducted within a totally enclosed and air-conditioned building with no outside runs. The building space shall be adequately soundproofed to assure that no noise will carry beyond the confines of the building or space that the use would occupy;

KKK. Automobile mechanical wash facilities subject to the granting of a conditional use permit. The following minimum provisions shall be met and the Planning Commission or the City Council may, as warranted, impose additional more restrictive requirements:

1. All equipment, supplies and activities associated with this use shall be contained within an enclosed building with only sufficient openings for ingress and egress of automobiles. This includes the washing, machine drying and any other procedure incidental to automobile washing and cleaning; however, outside manual drying may be done if totally screened from view from off of the shopping center site by solid walls or fencing as prescribed by the Zoning Administrator or Planning Commission, pursuant to this Title.

2. The location of the facility and the traffic circulation pattern shall be designed so as to preclude traffic congestion on public streets in the vicinity and to provide safe ingress, egress and movement of traffic on the shopping center site.

3. The noise level generated by the facility shall not exceed forty-five decibels Ldn when measured at any point on the perimeter of the shopping center site. Evidence that the facility is designed to meet this standard shall be a written report prepared by an acoustical engineer licensed by the State of California submitted with the application for a building permit.

4. Any water flow resulting from the use of the washing facilities shall be confined to the car wash site and disposed of through an on-site drainage system;

LLL. Methadone treatment facility as defined in Section 19.04.271 of this title subject to the granting of a conditional use permit meeting the standards contained in subsection J of Section 19.20.020 of this title;

MMM. Outdoor dining and food preparation as defined in Section 19.04.394, subject to the requirements, as applicable, of Section 19.26.020, subsections G and I of this title;

NNN. Beverage container recycling facility subject to all the requirements of subsection 19.28.030(LL) of this title;

OOO. Off-sale of alcoholic beverages subject to all the requirements of Section 19.26.020 subsection (H) of this title;

PPP. On-sale of all alcoholic beverages subject to a minor conditional use permit and the site location criteria, operation standards, development standards and exemptions of Section 19.26.020, subsection J of this title;

QQQ. Billiard parlors or pool halls containing three or more playing tables, subject to a minor conditional use permit, and the site location, development and operation standards listed below,

1. Site Location Criteria:

a. The business shall not be located within six hundred feet of a hospital, public or private school (pre-school through twelfth grade), church or public park, as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the hospital, school, church or park site, except in the downtown arts and entertainment district, as defined in Section 19.04.106, where the six hundred-foot distance restriction does not apply. However, in said downtown arts and entertainment district, the Zoning Administrator shall consider distances from the above listed uses for the purpose of achieving compatibility of the business with neighboring uses as part of the review process.

b. The business shall not be located within one hundred feet of any existing residential dwelling or property zoned for residential uses as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the residential property. This provision shall not be mandatory with regard to residential uses that are a part of a

mixed use zone or mixed use project approved under a conditional use permit.

2. Operation and Development Standards:

a. Lighting, as certified by a qualified lighting engineer, shall be provided at a level no less than one foot candle of lighting throughout private parking lots and access areas serving the business.

b. A security plan shall be provided to the approval of the Police Department, demonstrating and committing to the provision of adequate on-site security.

c. Soundproofing shall be provided sufficient to prevent noise and vibrations from penetrating into surrounding properties or building lease spaces.

d. All provisions of Chapter 5.28, Poolrooms and Billiard Rooms, of this code shall be complied with.

3. Variances. The Zoning Administrator, Planning Commission or City Council may grant variance requests from the standards outlined in subdivisions 1 and 2 of this subsection. However, any such request shall increase the property notification requirement from a three hundred-foot radius to a one thousand-foot radius from the subject property;

RRR. Entertainment establishments, as defined in Section 19.04.134, subject to the granting of a minor conditional use permit and the site location criteria, operation standards, development standards and exemptions listed in Section 19.26.020(K).

SSS. Veterinary clinics incidental to a pet store subject to approval of a minor conditional use permit and in accordance with the following requirements:

1. The primary business shall involve the sale of pet supplies, small animals and other items typically available at pet stores. However, a maximum of twenty percent of the gross floor area of the store may be used as a veterinary clinic for purposes such as vaccinations and care of minor injuries and illnesses,

2. Except for pets offered for sale, no overnight stays shall be allowed,

3. The entire use shall be conducted within a totally enclosed and air-conditioned building with no outside runs or other outdoor uses,

4. The building space shall be adequately soundproofed to assure that no noise will carry beyond the confines of the building or space that the use would occupy,

5. No signage identifying the veterinary clinic is permitted,

6. No variances to the provisions of this subsection of the Code shall be permitted.

TTT. Long term stay hotels and motels, as defined in Section 19.04.184 subject to the granting of a conditional use permit in accordance with the following provisions:

1. Site Location Criteria. Submitted plans shall clearly demonstrate that each long term stay facility shall:

a. Take direct access from a major arterial with minimum of 100 feet of frontage.

b. Have access to public transportation.

c. Result in no harm to the health, safety, or general welfare of the neighborhood from light, glare or noise.

2. Development Standards. Submitted plans shall clearly demonstrate that each long term stay unit shall:

a. Contain a minimum of 220 square feet of gross floor area, with an additional 100 square feet of floor area for each occupant in excess of two.

b. Have a kitchen including a sink, a microwave, refrigerator, dry food and utensil storage, and a food preparation area having a clear working space not less than 30 inches wide.

c. Have light and ventilation conforming to the Uniform Building Code.

d. Have a separate closet area.

e. Have on-site access to an on-site laundry facility with at least one washer and one dryer for each 20 long term stay units.

f. Have telephone service.

g. Have direct access to a minimum of 400 square feet of common usable open space exclusive of required building and landscaped setbacks, with an additional 25 square feet of common usable open space for each long term stay or transient unit above 20 units. Up to one half the common usable open space area may be located indoors.

h. Have access to indoor or outdoor amenities in the common open space area, which may include a recreation room, children's play

area, patio, spa, pool, barbecue pit and benches.

3. Operational Standards.

a. The maximum number of units occupied by long term stay guests can not exceed 25% of the total number of units within the hotel or motel.

b. An on-site manager on duty within an office that is open on a 24 hour basis.

c. A maximum period of occupancy may be applied to the hotel or motel as determined by the facilities location, design and the amenities provided for guests.

d. The owner and/or management shall become an active member of the Riverside Police Department's Crime Free Multi-Housing Program.

4. Variances. The Planning Commission or City Council may grant variance requests from the standards set forth in this subsection in accordance with Chapter 19.64 of this title.

UUU. Indoor theater, subject to the granting of a conditional use permit in accordance with the following provisions:

1. Site Location Criteria.

a. The site shall have adequate direct access from a major arterial with a minimum of 100 feet of frontage as indicated on the Streets and Highways Diagram (Exhibit 52) of the City General Plan.

b. The site shall be adequate in size and shape to accommodate the use and all yards, walls, parking, landscaping and other required improvements.

c. The use shall not substantially increase vehicular traffic on streets in a residentially zoned district.

d. The use shall not substantially lessen the usability or suitability of adjacent or nearby properties for planned or zoned uses.

e. The use shall not substantially increase traffic hazards to pedestrians.

f. The use shall not cause a substantial adverse affect to the health, safety, or general welfare of the neighborhood from light, glare or noise.

2. Development and Operational Standards.

a. Parking shall be provided in accordance with Section 19.74.010 of this Title.

b. Sign(s) shall be permitted in accordance with Chapter 19.76 of this Title.

c. Soundproofing shall be provided sufficient to prevent noise and vibrations from penetrating into surrounding properties or buildings as determined by an acoustical analysis prepared by a qualified design professional.

d. Lighting, as certified by a qualified lighting engineer, shall be provided at a level no less than one foot candle of lighting throughout the parking area and access areas serving the business.

e. A security plan shall be provided to the approval of the Police Department, demonstrating and committing to the provision of adequate on-site security.

UUU. Transitional shelter housing, as defined by Section 19.04.477, permanent emergency shelter, as defined by Section 19.04.402 and drop-in center, as defined by Section 19.04.108 of this Title, are permitted in accordance with the provisions contained in Section 19.07.030 Q. (Ord. 6733 § 14, 2004; Ord 6726 § 10, 2004; Ord 6679 §§ 3, 5, 2003; 6624 §§ 4, 5, 6, 2002; Ord. 6610 § 1, 2002; Ord. 6422 § 6, 1997; Ord. 6359 § 1, 1997; Ord. 6351 § 4, 1997; Ord. 6283 §§ 1, 2, 1996; Ord. 6122 §§ 12, 13, 14, 15, 1994; Ord. 6033 § 5, 1993; Ord. 5610 § 3, 1988; Ord. 5319 § 4, 1985; Ord. 5132 § 4, 1983; Ord. 5052 § 1, 1982; Ord. 4449 § 2, 1977; Ord. 4107 § 2, 1974; Ord. 3714 §§ 3, 4, 1970; Ord. 3712 § 2, 1970; prior code § 36.89)

19.30.030 Nonconforming uses.

A C-1-A zone shall not be established upon a parcel of land which would contain a nonconforming use, building or structure after the passage of such amendment to this title, unless the development plan for the shopping center includes the elimination of the nonconforming use, building or structure. (Prior code § 36.81)

19.30.040 Traffic circulation plan.

The petitioner shall submit to the Planning Commission a traffic circulation plan, showing the adequacy of the streets providing access to the shopping center, proper methods of ingress and egress to and from the center, necessary acceleration and deceleration lanes

and necessary traffic devices, including channelization. (Prior code § 36.82)

19.30.050 Preliminary development plan.

The petitioner shall submit to the Planning Commission a preliminary development plan for the shopping center showing a unified and organized arrangement of buildings, off-street parking, internal traffic circulation and service facilities which are feasible for the property on which the center is proposed and which planned development shall minimize any adverse effect of the center on the properties surrounding the proposed development. (Ord. 3679 § 3, 1970; prior code § 36.83)

19.30.060 Market analysis.

The petitioner shall submit a market analysis suitable for the size center proposed, showing the need for a shopping center in the location requested and the inadequacy of the existing zoning to meet this need. For these purposes, the market analysis shall contain the following determinations:

A. Determination of the trade area of the proposed shopping center;

B. Determination of trade area population, present and future;

C. Determination of effective buying power in the trade area;

D. Determination of net potential customer buying power for stores in the proposed shopping center.

The location of C-1-A zones shall be determined by studies of the purchasing power available to support the uses permitted in the zone. Such zones should not, however, be closer than two miles from any existing C-1-A zone or closer than one mile from any existing C-1 zone. A C-1-A zone, may, however, be established abutting or as an extension of any commercial zone other than a C-1 zone or C-1-A zone. (Prior code § 36.84)

19.30.070 Improvements.

The petitioner or developer shall be required to pay the cost of the construction and installation of improvements on streets abutting the shopping center including any acceleration and deceleration lanes or traffic channelization devices deemed necessary to control traffic generated by the shopping center and shall dedicate or deed lands abutting the shopping center for street widening purposes when so required by the City. In order to provide for such improvements or street widening, the City may require that the petitioner or developer:

A. Submit a subdivision or record of survey map for approval by the City prior to the issuance of building permits for structures to be erected within the shopping center; or

B. Enter into a contractual agreement with the City whereby the developer shall be held responsible for such improvements or street widening. (Prior code § 36.85)

19.30.080 Design review.

No new building, structure or sign or exterior alteration or enlargement of an existing building, structure or sign shall be commenced in the C-1-A zone until design review approval has been granted pursuant to Chapter 19.62. (Ord. 4571 § 14, 1978: Ord. 3813 § 2, 1971: Ord. 3679 § 4, 1970: prior code § 36.86)

19.30.090 Extension of time limit--Review by Planning Commission.

A building permit shall be secured and construction begun in accordance with the approved final site development plan for a C-1-A zone within two years from the effective date of the ordinance establishing such zone. Application may be made to the Planning Commission for not more than one year extension of the time limit for commencement of construction. In the event that construction is not started within the specified time limits, the Planning Commission shall review the zoning and the progress which has taken place and, if deemed necessary, initiate proceedings to reclassify the property in a manner consistent with the comprehensive zoning plan. (Prior code § 36.87)

19.30.100 When construction to be completed.

All construction authorized in the approved final site development plan for a C-1-A zone shall be completed within three years of

the date construction is commenced. Application may be made to the Planning Commission for not more than a one year extension of the time limit for completion of construction. A plan for staged development which will require more time than the limits contained herein may be approved by the Planning Commission at the time the C-1-A zoning is recommended or may be approved by the Planning Commission prior to or during the course of construction of the shopping center. In the event that construction is not completed with the time limits specified by the Planning Commission or by this chapter, the Planning Commission shall review the zoning and the development which has taken place and, if deemed necessary, initiate proceedings to reclassify the property in a manner consistent with the comprehensive zoning plan. (Prior code § 36.88)

19.30.110 Building height limit.

The height of buildings in a community shopping center zone shall not exceed fifty-five feet, except as otherwise provided in Section 19.68.030. (Prior code § 36.90)

19.30.120 Lot area.

The minimum gross land area shall be ten acres. (Prior code § 36.91 (part))

19.30.130 Setbacks.

Except as otherwise specified below, all buildings, structures or improvements shall provide the following setbacks:

A. There shall be a minimum setback of fifty feet from any public street right-of-way line adjoining the zone;

B. There shall be a minimum setback of twenty feet from any C-1-A zone, commercial or industrial zone:

C. There shall be a minimum setback of fifty feet from any C-1-A zone property line adjoining a residential zone. (Ord. 3712 § 3, 1970; prior code § 36.91)

19.30.140 Exceptions.

The setback areas specified in Section 19.30.130 may be used for the following purposes:

A. Off-street parking and loading and traffic circulation, including lights for the illumination of such areas, except where landscaped areas may be required by the Commission;

B. Signs necessary to direct and control vehicular and pedestrian traffic within the shopping center;

C. The permitted signs identifying the shopping center. (Ord. 3712 § 4, 1970; prior code § 36.91 (part))

19.30.150 Walls.

When adjoining any lot in any residential zone, there shall be a six-foot-high masonry wall erected and maintained along such property line; provided, that such wall shall be only three feet high from the setback line of the adjoining property to the front property line. (Prior code § 36.92)

19.30.160 Parking requirements.

Parking area shall be provided in community shopping center zones as required in the provisions of Chapter 19.74. (Prior code § 36.93)

19.30.170 Loading area.

Loading area shall be provided in community shopping center zones as required in the provisions of Section 19.74.160. (Prior code § 36.94)

19.30.180 Signs.

Signs may be erected in a community shopping center zone as provided in Chapter 19.76. (Prior code § 36.95)

19.30.190 Variances.

When considering a development plan, the Planning Commission may hold a public hearing and grant variances from the requirements of this title as permitted by Section 19.64.050 pursuant to the procedures set forth in Chapter 19.64. (Ord. 5688 § 3, 1988)

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Chapter 19.32

COMMERCIAL LIMITED (CL) ZONE

Sections:

19.32.010	**Generally.**
19.32.020	**Uses permitted.**
19.32.025	**Design review.**
19.32.030	**Building height limit.**
19.32.040	**Lot area, minimum lot area per dwelling unit and building area.**
19.32.050	**Yards.**
19.32.060	**Parking requirements.**
19.32.070	**Loading area.**
19.32.080	**Keeping of animals and fowl prohibited.**

19.32.010 Generally.

Commercial limited zones are intended for offices, limited indoor retail commercial uses and nonhighway-oriented indoor commercial uses. This zone is intended to be located in pedestrian mall and drive-through mall areas or other areas where a restrictive nonhighway commercial zoning or limited commercial zoning would be appropriate. Except as specifically provided elsewhere in this title, every new use and every new building and premises or land in a CL zone shall be used for or occupied and every building shall be erected, constructed, established, altered, maintained, moved into or within such CL zone exclusively and only in accordance with the regulations set out in this chapter. (Ord. 3680 § 1 (part), 1970)

19.32.020 Uses permitted.

All uses in a commercial limited zone shall be conducted completely within a building (except for sidewalk cafes and restaurants). Storage shall be limited to accessory storage of commodities sold at retail on the premises. The following uses shall be permitted:

A. Administrative, professional and sales offices;

B. Antique shop;

C. Art shop or art supply store;

D. Bakery, retail only, the products of which are sold only upon the premises;

E. Bank or similar financial institution;

F. Barber shop;

G. Beauty shop;

H. Bicycle shop;

I. (Repealed by Ord. 6122 § 16, 1994)

J. Book or stationery store;

K. Catering establishment;

L. Cleaning and laundry agency;

M. Clothing store;

N. Confectionery store;

O. Decorating or drapery shop;

P. Delicatessen;

Q. Department store;

R. Drugstore;

S. Dairy products store (excluding drive-thru);

T. Dry goods or notions store;

U. Florist shop, except that incidental off-site sale of wine may be permitted subject to the granting of a minor conditional use permit, including the operation standards set forth in Section 19.26.020(B)(11);

V. Furniture store;

W. Grocery, fruit or vegetable store, meat market;

X. Hardware or appliance store;

Y. Hotel, Transient;

Z. Jewelry store;

AA. Leather goods or luggage store;

BB. (Repealed by Ord. 6122 § 16, 1994)

CC. Medical or dental laboratory;

DD. Millinery shop;

EE. Music store, record shop;

FF. Newsstand;

GG. Offices (business and professional);

HH. Pet shop, excluding veterinary services and boarding of animals not for sale on the premises but including pet grooming services;

II. Photographer's shop or studio, camera shop;

JJ. Post offices;

KK. Radio and television store;

LL. Restaurant (excluding drive-thru restaurants);

MM. Shoe repair shop;

NN. Shoe store;

OO. Soda fountain;

PP. Studio or school--art, music, voice, dance, or modeling;

QQ. Tailor shop--custom making;

SS. Ticket office for railroad, steamship, bus, airline, theatrical and sporting events;

TT. Toy shop;

UU. Travel agency;

VV. Sporting goods store;

WW. Variety store;

XX. Watch and clock repair shop;

YY. Use customarily incidental to the permitted uses including the repair of goods of the type sold by permitted businesses; provided, that such repair is not conducted as a separate business except as specifically permitted in these use regulations; and, provided further, that there shall be no manufacturing, assembling, compounding, processing or treatment of products, other than that which is clearly incidental and essential to the permitted uses;

ZZ. Other uses, as provided in Section 19.68.010 which in the judgment of the Commission are similar to, compatible with, and no more objectionable than any of those enumerated herein;

AAA. Signs as provided in Chapter 19.76;

BBB. Methadone treatment facility as defined in Section 19.04.271 of this title subject to the granting of a conditional use permit meeting the standards contained in subsection J of Section 19.20.020 of this title;

CCC. Outdoor dining and food preparation as defined in Section 19.04.394, subject to the requirements, as applicable, of Section 19.26.020, subsections G and I of this title;

DDD. Off-sale of alcoholic beverages subject to all the requirements of Section 19.26.020 subsection H of this title;

EEE. On-sale of all alcoholic beverages subject to a minor conditional use permit and the site location criteria, operation standards, development standards and exemptions of Section 19.26.020, subsection J of this title.

FFF. Billiard or pool hall, subject to a minor conditional use permit and the site location criteria, operation and development standards of Section 19.30.020(QQQ) of this title;

GGG. Arcade as defined in Section 19.04.031, subject to a minor conditional use permit and the site location criteria, operation and development standards of Section 19.28.020(NN) of this title;

HHH. Entertainment establishments, as defined in Section 19.04.134, subject to the granting of a minor conditional use permit and the site location criteria, operation standards, development standards and exemptions listed in Section 19.26.020(K).

III. Construction Caretaker Temporary Living Quarters shall be permitted subject to approval of a Minor Conditional Use Permit in accordance with the standards specified in Section 19.64.230(B).

JJJ. Indoor theater, subject to the granting of a conditional use permit and the site location criteria, development and operational standards of Section 19.30.020 TTT. (Ord. 6679 § 2, 6, 2003; Ord. 6624 § 7, 2002; Ord. 6422 §§ 7, 8, 1997; Ord. 6351 § 5, 1997; Ord. 6324 § 4, 1996; Ord. 6122 §§ 16, 17, 18, 19, 1994; Ord. 6033 § 6, 1993; Ord. 5319 § 5, 1985; Ord. 5132 § 5, 1983; Ord. 3680 § 1 (part), 1970)

19.32.025 Design review.

No new building, structure or sign or exterior alteration or enlargement of an existing building, structure or sign shall be commenced in the CL zone until design review approval has been granted pursuant to Chapter 19.62. (Ord. 4571 § 3, 1978)

19.32.030 Building height limit.

The building height limit in a commercial mall zone shall be forty-five feet except as otherwise provided in Section 19.68.030. (Ord. 3680 § 1 (part), 1970)

19.32.040 Lot area, minimum lot area per dwelling unit and building area.

Lot area, minimum lot area per dwelling unit and building area shall be as follows: no limitation. (Ord. 3680 § 2 (part), 1970)

19.32.050 Yards.

Except as setbacks along major streets

may require additional dimensions (see Chapter 19.72): no limitation. (Ord. 3680 § 1 (part), 1970)

19.32.060 Parking requirements.

Parking area shall be provided in the commercial mall zone as required in the provisions of Chapter 19.74. (Ord. 3680 § 1 (part), 1970)

19.32.070 Loading area.

Loading area shall be provided in a commercial mall zone as required in the provisions of Section 19.74.160. (Ord. 3680 § 1 (part), 1970)

19.32.080 Keeping of animals and fowl prohibited.

No poultry, pigeons, rabbits, horses, mules, ponies, goats, sheep, cows or similar animals shall be kept on property in the CL zone. (Ord. 3680 § 1 (part), 1970)

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Chapter 19.34

RESTRICTED COMMERCIAL (C-2) ZONE

Sections:

19.34.010	**Generally.**
19.34.020	**Uses permitted.**
19.34.025	**Design review.**
19.34.030	**Building height limit.**
19.34.040	**Lot area, minimum lot area per dwelling unit and building area.**
19.34.050	**Yards.**
19.34.060	**Parking requirements.**
19.34.070	**Loading area.**
19.34.090	**Keeping animals and fowl prohibited.**

19.34.010 Generally.

Restricted commercial zones are intended for retail business. Except as specifically provided elsewhere in this title, any and every new use and any and every new building and premises or land in a C-2 zone shall be used for or occupied and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within such C-2 zone exclusively and only in accordance with the regulations set out in this chapter. (Prior code § 36.96)

19.34.020 Uses permitted.

The following uses shall be permitted in a restricted commercial zone:

A. Any use permitted in the RO, P and C-1-A zones; provided that all uses shall be conducted wholly within a completely enclosed building except drive-thru restaurants, plant nurseries, automobile service stations, parking areas, loading areas and newsstands; and provided further that commercial coaches may be used for sales offices and storage facilities for plant nurseries and for temporary offices during the construction of a permanent building, subject to the approval of a conditional use permit. In determining the appropriateness of utilizing a commercial coach in lieu of a permanent building, the Planning Commission shall take into consideration such factors as the location of the site in relation to residential areas and proximity to areas bearing the design review combining zone and the general developmental pattern of the neighboring area; further, the Commission may establish such development standards for the site and time limitations on the use of a commercial coach as deemed appropriate;

B. The following uses, if conducted within a completely enclosed building:

1. Blueprinting and photocopying,
2. Health studio, reducing salon or gymnasium,
3. Newspaper publishing and printing,
4. (Repealed by Ord. 6044 § 3, 1993),
5. Furniture reupholstery shop,
6. Rental of automobiles and vans provided that only the parking of said vehicles is permitted outside of a building; however, incidental fueling, cleaning, and/or repairing may occur on the property subject to the granting of a conditional use permit or in conjunction with a service station or automobile service center established by conditional use permit;

C. Uses customarily incidental to the permitted uses; provided, that there shall be no manufacturing, assembling, compounding, processing or treatment of products, other than which is clearly incidental and essential to the permitted uses;

D. Other uses, as provided in Section 19.68.010, which in the judgment of the Commission are similar to, compatible with and no more objectionable than any of those enumerated herein;

E. Special uses, as provided in Section 19.64.040, may be permitted under a conditional use permit;

F. Signs, as provided in Chapter 19.76;

G. The following uses, subject to the granting of a conditional use permit:

1. Museum (commercial),
2. Wedding chapel or parlor,
3. Automobile wash facility having no mechanical apparatus for automobile washing, drying or conveying, but which may have vacuuming devices,

4. Vehicle Repair Facility (Minor) as defined in Section 19.04.489 subject to the following location and development criteria:

a. Site Location Criteria. The vehicle repair facility site shall meet the following site location criteria:

i. The repair facility shall be located on not less than .5 net acre with access to an existing or planned arterial or secondary street as shown on the City's General Plan.

b. Site Development Standards. Notwithstanding other provisions to the contrary, the following site development standards shall apply to vehicle repair facilities:

i. All repair work shall be conducted within an enclosed building.

ii. Building, parking and vehicle maneuvering areas shall provide adequate provisions for safe circulation within the site and into and out of the site.

iii. Service bays shall be designed or oriented so as to not to be readily visible from public rights-of-ways.

iv. All outdoor lighting shall be hooded and directed downward to minimize light spillage onto adjacent properties and public rights-of-way.

v. Outdoor storage shall not be permitted in the C-2 Zone. Where permitted elsewhere, any proposed outdoor storage shall be subject to approval by the Planning Commission and, if approved, shall be completely screened from public view.

vi. The outdoor display of merchandise is not permitted.

vii. A six foot high masonry screen wall shall be erected along all property line(s) adjacent to RO zoned and/or planned properties (three feet adjacent to residential front yard setbacks).

viii. There shall be a minimum 15 foot landscaped setback adjacent to public streets, unless the prevailing setback in the area is greater, in which case the setback shall be that typical of the block in which the use is proposed.

ix. Buildings located at property lines adjacent to residentially developed or zoned property shall be constructed to meet exterior sound level limits (45-55 decibels) as required by Section 7.25.020 of the Muncipal Code.

x. A trash enclosure shall be provided in accordance with Planning and Public Works Department requirements and standard designs.

xi. No paint and body work shall be permitted on property adjacent to a scenic boulevard as shown on the General Plan.

c. Parking as required per Chapter 19.74.

d. Signs as permitted per Chapter 19.74.

e. The Planning Commission or City Council may grant variances from all standards, except B.11 (paint and body), upon determination that the variances are justified per the findings required by Section 19.64.130 B.

f. Additional conditions can be applied through the CUP process as necessary to further improve the site design, operational characteristics, and land use compatibiulity of individual projects.

H. Multi-tenant indoor sales center as defined in Section 19.04.383 of this Title with a gross floor area in excess of 25,000 square feet meeting the following standards:

1. No advertising or signage shall include the words such as, but not limited to, "swap", "flea market", "farmer's market" and/or "vendor";

2. Exterior building signage shall be limited to that provided for in Chapter 19.76 of the Zoning Code. Exterior building signs may identify the name of the complex only. No identification of multiple tenants shall be permitted.

3. Adequate security shall be provided on-site on a 24-hour basis as determined by the City. The level of security shall be determined by a security plan approved by the Planning and Police Departments.

4. The owner/business operator or lessee shall be responsible for adequately maintaining exterior landscaping and irrigation systems and the paving within the parking lot and surrounding the building.

5. No stolen merchandise shall be sold at the multi-tenant indoor sales center.

6. On demand by a Code Enforcement or Police Officer or the Zoning Administrator or his authorized representative, each vendor shall be required to provide proof of lawful purchase of any goods offered for sale. Failure to maintain such proof shall in and of itself be grounds for setting a public hearing to consider

revocation of the conditional use permit;

7. The owner/business operator or lessee shall maintain on-site at all times a copy of the conditions of approval of the conditional use permit, which shall be available for inspection on demand at any time by a Code Enforcement or Police Officer or the Zoning Administrator or his authorized representative. Failure to be able to provide such copy of the conditions shall in and of itself be grounds for setting a public hearing to consider revocation of the conditional use permit;

8. No auto repair shall be permitted in the parking lot or anywhere else on-site.

9. All of the tenants shall properly maintain and display a business license.

10. A regular anti-graffiti program shall beimplemented;

11. No scissor gates shall be visible during operating hours;

12. The applicant shall provide a lighting plan certified by a registered lighting engineer or other engineer approved by the Building Division for all outdoor areas. A minimum of one foot candle of lighting shall be provided;

13. The applicant shall submit plans for interior improvements demonstrating consistent fixtures and improvements.

I. Beverage container recycling facility subject to all the requirements of Section 19.28.020(LL) of this title.

J. Off-sale of alcoholic beverages subject to all the requirements of Section 19.26.020 subsection (H) of this title;

K. Multitenant indoor sales center as defined in Section 19.04.383 of this title with a gross floor area of twenty-five thousand square feet or less subject to the granting of a minor conditional use permit meeting the standards contained in Section 19.34.020(G)(8) of this title.

L. Tattoo/body piercing parlors subject to the granting of a minor conditional use permit and in accordance with the following provisions:

1. The business shall not be located within one thousand feet of any other tattoo and/or body piercing parlor as measured from any point from the outer boundaries of the building lease space containing the business.

2. The business shall not be located within five hundred feet of any adult-oriented business as measured from any point from the outer boundaries of the building lease space containing the business.

3. The business shall not be located within five hundred feet of any business selling alcoholic beverages, as measured from any point from the outer boundaries of the building lease space containing the business.

4. The business shall not be located within one hundred feet of any existing residential zone as measured from any point between the outer boundaries of the building lease space containing the business and the nearest property line of a residentially zoned property.

5. The business shall not be located within six hundred feet of a school, park or day care center as measured from any point between the outer boundaries of the lease space containing the business to the nearest property line of the school, park or day care center.

6. The hours of operation shall be no earlier than 7:00 a.m. and no later than 10:00 p.m.

M. The display of live plant materials outside of a permitted permanent plant nursery enclosure which is located within a business with a year round nursery function, subject to the following standards:

1. Outdoor display of items shall be limited to live plants only and shall not be for the purpose of any other form of merchandise display.

2. The outdoor display shall be confined to a maximum of twenty feet immediately adjacent to the main public entrance or parking lot frontage of the permanent plant nursery enclosure.

3. Plant displays shall not obstruct walkways, driveways, parking areas, pathways or any surface designed to accommodate disabled persons, including but not limited to, designated handicapped parking spaces. Plant displays shall also not extend into any public rights-of-way.

4. All cashiering shall occur within the retail building or permanent nursery enclosure.

5. There shall be no more than a single one square foot (12"x12") price sign for each variety of live plant product displayed. Each

permitted sign shall be placed immediately adjacent to the plant product referenced on the permitted price sign.

6. Activities such as potting, arranging, packaging, or propagation are prohibited.

7. Display racks or other structures utilized to display live plants shall not exceed six feet in overall height.

8. Outdoor display of live plant material shall only occur during the hours that the business is open to the public.

N. Transitional shelter housing, as defined by Section 19.04.477, permanent emergency shelter, as defined by Section 19.04.402 and drop-in center, as defined by Section 19.04.108 of this Title, are permitted in accordance with the provisions contained in Section 19.07.030 Q. (Ord. 6733 § 15, 2004; Ord. 6509 § 5, 2000; Ord. 6461 § 1, 1999; Ord. 6422 § 9, 1997; Ord. 6413 § 4, 1997; Ord. 6367 § 3, 1997; Ord. 6229 §§ 2, 3, 1995; Ord. 6122 § 20, 1994; Ord. 6044 § 3, 1993; Ord. 6033 § 7, 1993; Ord. 5610 § 4, 1988; Ord. 5570 § 1, 1987; Ord. 5504 § 2, 1987; Ord. 5319 § 6, 1985; Ord. 5054 § 1, 1982; Ord. 4821 § 1, 1980; Ord. 4107 § 3, 1974; Ord. 4040 § 1, 1973; Ord. 3999 § 4, 1973; Ord. 3956 § 1, 1972; Ord. 3953 § 2, 1972; Ord. 3803 § 1, 1971; Ord. 3712 § 5, 1970; prior code § 36.97)

19.34.025 Design review.

No new building, structure or sign or exterior alteration or enlargement of an existing building, structure or sign shall be commenced in the C-2 zone until design review approval has been granted pursuant to Chapter 19.62. (Ord. 4571 § 4, 1978)

19.34.030 Building height limit.

The building height limit in a restricted commercial zone shall be seventy-five feet, except as otherwise provided in Section 19.68.030. (Prior code § 36.98)

19.34.040 Lot area, minimum lot area per dwelling unit and building area.

A. Area for residential uses--same as in respective zone.

B. Area for business or professional or parking--no limitation. (Prior code § 36.99 (part))

19.34.050 Yards.

Except as setbacks along major streets may require additional dimensions (see Chapter 19.72):

A. For residential uses--same as in respective zone;

B. For other uses--no limitation. (Ord. 3712 § 6, 1970; prior code § 36.99 (part))

19.34.060 Parking requirements.

Parking area shall be provided in a restricted commercial zone as required in the provisions of Chapter 19.74. (Prior code § 36.100)

19.34.070 Loading area.

Loading area shall be provided in a restricted commercial zone as required in the provisions of Section 19.74.160. (Prior code § 36.101)

19.34.090 Keeping animals and fowl prohibited.

No poultry, pigeons, rabbits, horses, mules, ponies, goats, sheep, cows or similar animals shall be kept on property in the C-2 zone after July 1, 1960. (Prior code § 36.7-1)

Chapter 19.36

GENERAL COMMERCIAL (C-3) ZONE

Sections:

19.36.010	**Generally.**
19.36.020	**Uses permitted.**
19.36.025	**Design review.**
19.36.030	**Lot area, minimum lot area per dwelling unit and building area.**
19.36.040	**Yards.**
19.36.050	**Building height limit.**
19.36.060	**Parking requirements.**
19.36.070	**Loading areas.**
19.36.080	**Walls.**
19.36.090	**Keeping animals and fowl prohibited.**

19.36.010 Generally.

General commercial zones are intended for retail and wholesale commercial activities. Except as specifically provided elsewhere in this title, any and every new use and every new building and premises or land in C-3 zone shall be used for or occupied and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within such C-3 zone exclusively and only in accordance with the regulations set out in this chapter. (Prior code § 36.102)

19.36.020 Uses permitted.

The following uses shall be permitted in a general commercial zone:

A. Any use permitted in the C-2 zone shall be permitted in a general commercial zone; provided that all uses shall be conducted wholly within a completely enclosed building, except drive-thru restaurants, dairy products stores, plant nurseries, automobile service stations, parking areas, loading areas and newsstands; provided further, that commercial coaches may be used for sales offices and storage facilities for those uses enumerated in subsection C of this section and for temporary offices during the construction of a permanent building, subject to the approval of a conditional use permit and in accordance with the provisions enumerated in Section 19.34.020(A);

B. The following uses shall be permitted in a general commercial zone if conducted within a completely enclosed building:

1. Retail and wholesale business and the rental of articles or commodities customarily sold at retail; provided, however, that automobile wrecking shall be prohibited;

2. Furniture reupholstering shop;

3. Deleted.

4. Moving and storage of household goods, furniture, furnishings, equipment and personal effects;

5. Taxidermist;

6. Tire recapping, when in connection with and incidental to the retail sale of new tires; provided that electric molds only are used;

7. (Repealed by Ord. 6044 § 4, 1993)

8. Veterinary clinics, subject to the granting of a conditional use permit;

9. Commercial laundry;

10. Deleted.

11. Miniwarehouses for the storage of goods, materials, personal effects and recreational vehicles, subject to a conditional use permit and subject to compliance with the following criteria:

a. Prohibited Materials. The following is prohibited in miniwarehouses:

i. Bulk storage of inflammable or explosive matter or material;

ii. Storage of matter or materials which creates obnoxious dust, odor or fumes.

b. Site Parameters.

i. The site shall have at least one hundred feet of frontage on a major or secondary street designated on the transportation and circulation element of the general plan.

ii. The site shall have a minimum net lot area of one acre.

c. Site Development Standards.

i. Setbacks. Except as setbacks along major streets may require larger setbacks, all buildings, structures or improvements shall be located not closer than twenty feet to any street or residentially zoned property.

ii. Building Height. Structures shall not exceed twenty feet in overall height, except as

otherwise provided in Section 19.68.030.

iii. Walls. When adjoining any lot in any residential or restricted office zone, six-foot-high masonry walls shall be erected and maintained along such property lines.

iv. Screening of Outdoor Storage. When permissible, if outdoor storage is utilized, such storage shall be screened from all adjacent properties and streets by a solid masonry wall eight feet in height.

v. Use of Open Area. Notwithstanding any other provision of this section, open areas, including required setbacks from interior property lines, may be used for driveways, parking, outdoor storage, or landscaping. All street setbacks must be fully landscaped.

vi. Other side development requirements may be established by special conditions of approval.

d. Building, landscaping, irrigation, wall and sign plans shall be subject to the approval of the Zoning Administrator or Planning Commission, pursuant to this Title.

C. The following uses shall be permitted in a general commercial zone; provided that all incidental repairs, servicing and offices shall be conducted within a completely enclosed building, except that offices and storage for outdoor sales uses (2, 4, 6, 7, 8, 9, 10, 11) may be in commercial coaches subject to the approval of a conditional use permit and in accordance with the provisions enumerated in Section 19.34.020(A):

1. Ambulance service;
2. Automobile and truck sales or rentals;
3. Automobile laundry;
4. Boat sales or rentals;
5. Contractor's storage yard, when in connection with and incidental to a permitted retail or wholesale business; provided that such yard is enclosed with solid masonry walls or buildings not less than six feet in height, above which no materials shall be stored;
6. Farm and garden implement sales or rentals;
7. Patio furniture sales;
8. Nursery plant sales;
9. Tractor sales or rentals;
10. Trailer sales or rentals;
11. Mobile home sales.

D. Automobile service station, including indoor facilities for lubrication, battery and brake service, repair, steam cleaning and mechanical washing facilities and including outdoor utility truck and trailer rental, packaged ice dispensers and the sale of food, nonalcoholic beverages, beer, wine and sundry items of convenience to the motorist, but excluding painting and body and fender work, subject to the granting of a conditional use permit and in accordance with the provisions of Section 19.28.020(II).

E. Dairy products store, including creameries and other dairy processing facilities, shall be permitted in a general commercial zone when such facilities are clearly incidental to the retail sale of dairy products on the premises.

F. Package ice sales facility, limited to five-ton capacity, shall be permitted in a general commercial zone.

G. Automobile dismantling, indoors or outdoors, shall be permitted in a general commercial zone subject to the granting of a conditional use permit, and further provided, that the following criteria are met:

1. The property on which the use is conducted shall contain at least ten acres of land;
2. The use shall only be conducted as an adjunct to an established new or used car sales agency having a full-service automobile repair facility;
3. The site shall be developed in substantial conformance with the following development standards:

a. The building height limit shall be one story not to exceed twenty feet to the top of the roof of the structure, except as otherwise provided in Sections 19.68.030 and 19.64.050.

b. A minimum area of forty thousand square feet, with a minimum width of sixty-five feet, shall be provided for the auto dismantling portion of the use.

c. Except as setbacks along major streets may require additional dimensions, there shall be established and maintained:

i. Front Yard. A front yard having a depth of twenty-five feet; however, where lots comprising fifty percent or more of the frontage on one side of a street between intersecting streets are developed with front yards of lesser depth, the average of such front yards shall

establish the front yard depth for the entire frontage on that side of the street within that block but in no case shall the front yard be less than fifteen feet deep;

ii. Side Yards. None required, except a minimum side yard of ten feet shall be required whenever abutting any property in any R zone and a minimum street side yard of ten feet whenever abutting any street;

iii. Rear Yard. None required, except a minimum rear yard of twenty feet shall be required whenever abutting any property in any R zone and minimum rear yard of ten feet whenever abutting any street.

d. Required interior rear yards and required interior side yards may be used for off-street parking, loading and outdoor storage and may be occupied by accessory buildings used for storage only, provided that no materials stored nor accessory building shall exceed eight feet in overall height.

e. Parking areas shall be provided as required in Chapter 19.74.

f. The dismantling area shall be completely enclosed by solid masonry walls eight feet high measured from the finished grade of the storage yard; provided, however, that walls shall not be located in any required street yard setback area.

g. All setback areas adjacent to streets shall be fully landscaped with suitable trees, shrubs and ground cover. Only growing plant material shall be used and no rock or synthetic materials of any kind shall be permitted. All landscaped areas shall have a permanent automated irrigation system and shall be maintained in good condition at all times.

h. Lighting, including spotlights, floodlights, electrical reflectors and other means of illumination for signs, structures, landscaping, parking areas and the like, shall be focused, directed and so arranged as to prevent glare or direct illumination on streets or adjoining property.

i. Signs may be erected as provided in Chapter 19.76.

j. A maximum of sixty percent of the net site area may be covered by buildings;

4. The dismantling operation shall conform to the following operating standards:

a. Noise. Sound shall be muffled so as not to become objectionable due to intermittence, beat frequency or shrillness. The measurement of sound shall be measured at the lot lines and shall be measured to decibels with a sound level meter and associated octave band filter, manufactured according to standards prescribed by the American Standards Association. Maximum permissible sound pressure levels shall comply with the following standards: maximum sound pressure level in decibels 0.002 dynes per square centimeter.

Octave Band in Cycles/Second	**Adjacent Residential District Boundaries**	**Lot Line of Use in the MP zone**
0C75	72	79
75C150	59	74
150C300	52	66
300C600	46	59
600C1,200	42	53
1,200C2,400	39	47
2,400C4,800	34	41
Above 4,800	32	39

b. Smoke. Smoke shall not be emitted from any source in a greater density of gray than that described as No. I on the Ringlemann Chart, except that visible gray smoke of a shade not darker than that described as No. 2 on the Ringlemann Chart may be emitted for not more than four minutes in any thirty minutes. These provisions applicable to a visible gray smoke shall also apply to visible smoke of a different color but with an equivalent apparent opacity.

c. Dust, Dirt, Etc. Dust, dirt, fly ash or airborne solids from any sources shall not be in a density greater than that described as No. I on the Ringlemann Chart.

d. Odors. Odors from gases or other odorous matter shall not be in such quantities as to be offensive beyond the lot line of the use.

e. Toxic Gases, Etc. Toxic gases or matter shall not be emitted which can cause any damage to health, to animals or vegetation, or other forms of property, or which can cause any excessive soiling beyond the lot lines of the use.

f. Vibration. Vibration from any machine, operation or process which can cause a displacement of three-thousandths of one inch as measured at the lot lines of the use shall be prohibited. Shock absorbers or similar mounting shall be allowed which will reduce vibration below three-thousandths of one inch as measured at the lot lines.

g. Glare and Heat. Glare and heat from any source shall not be produced beyond the lot lines of the use.

h. Radioactivity and Electrical Disturbances.

i. Except with the prior approval of the Public Works Department as to specific additional uses, the use of radioactive materials shall be limited to measuring, gauging and calibration devices, such as tracer elements, in X-ray and like apparatus, and in connection with the processing and preservation of foods. In no event shall radioactivity, when measured at each lot line, be in excess of 2.7 x 10.11 microcuries per milliliter of air at any moment of time.

ii. Radio and television transmitters shall be operated at the regularly assigned wavelengths (or within the authorized tolerance therefor) as assigned thereto by the appropriate governmental agency. Subject to such exception and the operation of domestic household equipment, all electrical and electronic devices and equipment shall be suitably wired, shielded and controlled so that in operation they shall not, beyond the lot lines, emit any electrical impulses or waves which will adversely affect the operation and control of any other electrical or electronic devices and equipment.

5. The plot plan shall be reviewed by the Planning Commission as follows:

a. Prior to the application for a building permit, a plot plan of a lot to be used showing all property lines, existing and proposed building locations, parking areas, loading areas, vehicular access facilities, outdoor storage areas, signs, walls, landscaped areas and planting screens, all adequately dimensioned, shall be submitted to the Planning Commission to determine compliance with the provisions of this chapter. The plot plan shall show the topography of the lot; abutting streets, highways and freeways; topographic features located within two hundred feet of all lot lines; and any additional data which may be required by the Commission to determine compliance with the provisions of this chapter.

b. Building elevations, building materials, landscape planting, screening planting, irrigation plans and sign plans shall be submitted to the Design Review Board to determine compliance with the provisions of Chapter 19.62.

c. The approval of the plot plan by the Planning Commission shall include a determination and consideration of the work and improvements necessary for the protection of the public peace, health, safety and general welfare. In considering and determining necessary works and improvements, the Planning Commission shall be guided by the provisions of Section 18.36.050 of this code.

d. Prior to consideration of the plot plan by the Planning Commission, the applicant for the permit shall be notified of the time, date and place of the Planning Commission meeting. The notice may be served personally, or by mail addressed to the applicant's address at least seven days prior to the meeting date.

e. The Planning Commission shall consider evidence of the size, type, location and character of the proposed use and, based thereon, make a determination as to the required

work and improvements, if necessary. Each specific work and improvement required shall be based upon a finding by the Planning Commission that, due to the size, type, location and character of the use, the public peace, health, safety and general welfare require the work or improvement.

f. The permit applicant may appeal the decisions of the Planning Commission and the Design Review Board. The appeal shall be in writing directed to the City Council and filed with the City Clerk within ten days from the date of action by the Planning Commission or Design Review Board. Upon failure to appeal within the stated time, the decisions of the Planning Commission and Design Review Board shall be final. The City Clerk shall notify any appellant as to the time, date and place of hearing on appeal. The City Council may reverse, amend or modify the decisions of the Planning Commission and Design Review Board, provided that a written finding of fact is made setting forth wherein the Commission's or Board's findings were in error. The City Council may affirm any part or all of the improvements or works required by the Planning Commission upon a written finding that the determination of the Planning Commission was reasonable and based upon substantial evidence.

6. A certificate of occupancy shall be required in the same manner as:

a. A certificate of occupancy shall be applied for and issued by the Planning and Building Department before any use of land or buildings permitted in Section 19.46.020(B);

b. An application for a certificate of occupancy for a use of land shall be accompanied by:

i. A description of the proposed storage yard operation in sufficient detail to fully describe the nature and extent of the proposed use,

ii. Plans or reports describing proposed treatment of noise, glare, air pollution and treatment and handling of hazardous gases, liquids or other material,

iii. Plans or reports showing proposed treatment and disposal of sewage and wastes,

iv. Description of any fuel proposed to be used, including engineering plans for the control of any smoke which may be generated,

v. Additional data which may be required by the Planning and Building Department to ascertain conformance with the requirements of this chapter;

c. Whenever appropriate and reasonable, the Planning and Building Department may require the installation, maintenance and operation by the applicant of continuous recording instruments to demonstrate the operation or effect of the operation of any machines, devices or instruments used to control noise, glare, air pollution, smoke, hazardous gases, liquids or other material;

d. A change or changes in the use permitted by a certificate of occupancy shall occur only after the holder of such certificate has obtained an amendment thereto allowing such change or changes. An amendment to a certificate of occupancy may be applied for and granted in the same manner as herein provided for a certificate of occupancy;

e. A certificate of occupancy for a use may be revoked by the City Council after public hearings, if the City Council finds that the holder of the certificate has failed to comply with the approved plans.

7. The site on which the use is conducted shall be completely enclosed by solid masonry walls eight feet high measured from the finished grade of the site.

8. No vehicle or vehicle body shall be stored or stacked on the site on top of another vehicle or vehicle body.

9. The use shall be subject to such other special conditions of approval as deemed appropriate by the Planning Commission.

H. Uses customarily incidental to the permitted uses shall be permitted in a General Commercial zone; provided that there shall be no manufacturing, assembling, compounding, processing or treatment of products, other than that which is clearly incidental and essential to the permitted uses.

I. Other uses as provided in Section 19.68.010, which in the judgment of the Commission, are similar to, compatible with and no more objectionable than any of those enumerated in this section shall be permitted in a general commercial zone.

J. Special uses, as provided in Section 19.64.040, may be permitted under a conditional

use permit.

K. Signs shall be permitted in a general commercial zone, as provided in Chapter 19.76.

L. Outdoor dining and food preparation as defined in Section 19.04.394, subject to the requirements, as applicable, of Section 19.26.020, subsections G and I of this title.

M. Beverage container recycling facility subject to all the requirements of Section 19.28.020(LL) of this title.

N. Off-sale of alcoholic beverages subject to all the requirements of Section 19.26.020 subsection H of this title.

O. Vocational schools, subject to the granting of a conditional use permit and meeting the standards set forth in Section 19.20.020(N) of this title.

P. Multitenant indoor sales centers as defined in Section 19.04.383 of this title, subject to the granting of a conditional use permit where the gross floor area of the building is in excess of twenty-five thousand square feet, or a minor conditional use permit where the gross floor area is twenty-five thousand square feet or less, and in both cases meeting the standards contained in Section 19.34.020(G)(8) of this title.

Q. Bus terminal, as defined in Section 19.04.083 of this title, subject to the granting of a conditional use permit and meeting the following standards:

1. Site Location Criteria.

a. The bus terminal will not substantially increase vehicular traffic on streets in a residentially-zoned district.

b. The bus terminal will not substantially lessen the usability of adjacent or nearby commercially-zoned property for commercial use by interfering with pedestrian traffic.

c. The bus terminal will not create increased traffic hazards to pedestrians.

d. Direct access to bus terminals shall be from at least one and preferably two, four-lane arterial streets. Bus terminal sites shall not be permitted to have direct access from local or residential streets.

e. The bus terminal site is adequate in size and shape to accommodate said use, and to accommodate all carrier lines, walls, parking, landscaping and other required improvements.

f. A bus terminal shall not be located within six hundred feet of a hospital, public or private school (pre-school through 12th grade), church, public park, theater or other place of major assembly as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the hospital, school, church or park site.

g. A bus terminal shall not be located within one hundred feet of any existing residential dwelling or property zoned for residential uses as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the residential property. This provision shall not be mandatory with regard to residential uses that are a part of a mixed use zone or mixed use project approved under a conditional use permit.

h. The bus terminal site shall not be in such proximity to extended care facilities, motels and hotels, where disturbances are likely to be caused by traffic, parking, noise or lighting.

2. Site Development Standards. The site shall be developed in substantial conformance with the following development standards:

a. Setbacks. Except as setbacks along major streets may require additional dimensions, setbacks for terminal buildings shall conform to the requirements of the underlying zone. Parking, temporary bus waiting areas and passenger waiting and loading areas shall be set back at least twenty feet from all property lines.

b. Lighting. All lighting on the exterior of the building shall be of an indirect nature, emanating only from fixtures located under canopies or hoods, under eaves of buildings and at ground level in the landscaping. Freestanding pole lights shall not exceed a maximum height of fourteen feet and shall be so arranged and shielded that there shall be no glare or reflection onto adjacent properties or public rights-of-way. A minimum of one foot candle of exterior lighting shall be provided.

c. Walls. There shall be a six-foot-high masonry wall erected and maintained along all common interior side and rear property lines; provided, however, that such wall shall be only three feet high from the setback line of the

adjoining property to the front property line.

d. Parking. At a minimum, parking areas shall be provided in accordance with Chapter 19.74.010(L); however, additional parking may be required on a case by case basis related to property specific considerations.

e. Passenger Waiting Areas. A bus terminal site shall have a designated passenger waiting area. The area may either be indoors or outdoors; however, at least fifty percent of any designated outdoor waiting area shall include shade structures or other method of cover.

f. Signs. Signs are permitted in accordance with Chapter 19.76.

3. Site Operation Standards. Notwithstanding other provisions to the contrary, the following site operation standards shall apply to bus terminals:

a. Indoor operations. All operations except passenger/cargo loading and unloading shall be conducted inside the bus terminal building. Unmanned ticketing facilities may be permitted outdoors.

b. Security. As part of the project application, the applicant shall provide a security plan subject to Planning Commission approval in conjunction with review and approval of the conditional use permit. The security plan shall include, but not be limited to, measures such as security cameras, lighting and security personnel.

c. Vehicles permitted. No vehicles shall be parked on the premises other than those of persons attending to business on the site, vehicles in service for customers, vehicles of employees and other service vehicles used in the operation of the bus terminal.

d. No maintenance or fueling operations shall be permitted at a bus terminal site.

R. Tattoo and/or body piercing parlors in accordance with the provisions in Section 19.34.020 Subsection (L) of this title.

S. Vehicle repair facility (major or minor) as defined in Sections 19.04.488 and 19.04.489 subject to the approval of a conditional use permit and the site location and development criteria listed in Section 19.34.020(G)(4).

T. Transitional shelter housing, as defined by Section 19.04.477, permanent emergency Shelter, as defined by Section 19.04.402 and drop-in center, as defined by Section 19.04.108 of this Title, are permitted in accordance with the provisions contained in Section 19.07.030 Q. (Ord 6733 § 16, 2004; Ord. 6726 § 11, 2004: Ord. 6509 § 8, 2000; Ord. 6422 § 10, 1997; Ord. 6413 § 5, 1997; Ord. 6367 § 4, 1997; Ord. 6320 §§ 2, 3, 1996; Ord. 6229 § 4, 1995; Ord. 6228 § 1, 1995; Ord. 6122 § 21, 1994; Ord. 6044 § 4, 1993; Ord. 6033 § 8, 1993; Ord. 5695 § 3, 1988; Ord. 5610 § 5, 1988; Ord. 5486 § 2, 1987; Ord. 5319 § 7, 1985; Ord. 4273 § 1, 1976; Ord. 4261 § 2, 1976; Ord. 4034 § 1, 1973; Ord. 3994 §§ 5, 6, 1973; Ord. 3712 § 8, 1970; prior code § 36.103)

19.36.025 Design review.

No new building, structure or sign or exterior alteration or enlargement of an existing building, structure or sign shall be commenced in the C-3 zone until design review approval has been granted pursuant to Chapter 19.62. (Ord. 4571 § 5, 1978)

19.36.030 Lot area, minimum lot area per dwelling unit and building area.

A. Area for residential uses shall be the same as in the respective zone.

B. There shall be no area limitations for other uses. (Prior code § 36.104 (part))

19.36.040 Yards.

Except as setbacks along major streets may require additional dimensions (see Chapter 19.72):

A. For residential uses, yards shall be the same as in the respective zone.

B. There shall be no yard limitations for other uses. (Ord. 3712 § 9, 1970; prior code § 36.104 (part))

19.36.050 Building height limit.

The building height limit in a general commercial zone shall be seventy-five feet, except as otherwise provided in Section 19.68.030. (Prior code § 36.105)

19.36.060 Parking requirements.

Parking areas shall be provided as required in Chapter 19.74. (Prior code § 36.106

(part))

19.36.070 Loading areas.

Loading areas shall be provided as required in Section 19.74.160. (Prior code § 36.106 (part))

19.36.080 Walls.

Permitted outdoor sales or rental lots, when adjoining or across an alley from any lot in a residential zone, shall have a six-foot-high masonry wall erected and maintained to physically separate such uses from such residential zone or alley; provided, however, that such wall shall be only three feet high from the setback line of the adjoining property to the front property line. (Ord. 3712 § 10, 1970; prior code § 36.106 (part))

19.36.090 Keeping animals and fowl prohibited.

No poultry, pigeons, rabbits, horses, mules, ponies, goats, sheep, cows or similar animals shall be kept on property in the C-3 zone after July 1, 1960. (Prior code § 36.7-1)

Chapter 19.44

BUSINESS PARK COMBINING (BP) ZONE

Sections:

19.44.010 Generally.
19.44.020 Applicability.
19.44.030 Uses permitted.
19.44.040 Standards.
19.44.050 Signs.

19.44.010 Generally.

The business park combining zone is intended to be combined with MP, M-1 and AIR zones to permit a limited range of retail commercial uses having a close association with, providing convenience to or which are compatible with the office, wholesale, warehousing and manufacturing uses permitted in those zones. The business park combining zone is also intended to be combined with C-2 and C-3 zones to permit a limited range of high quality manufacturing uses which are compatible with commercial development. (Ord. 5095 § 1, 1983; Ord. 5020 § 1, 1982)

19.44.020 Applicability.

The business park combining zone may be combined with any MP, M-1, AIR, C-2 or C-3 zone which in the judgment of the City Council possesses the desired locational and/or developmental standards as stated in Section 19.44.040 of this chapter. (Ord. 5095 § 2, 1983; Ord. 5020 § 1, 1982)

19.44.030 Uses permitted.

The uses permitted by the application of the business park combining zone shall be in addition to those allowed by the zone with which it is combined. Except as otherwise stated in Section 19.44.050 (Signs) of this chapter, the development standards of the underlying zone shall not be affected by the application of the business park combining zone. The following uses shall be permitted in the business park combining zone:

A. When combined with the MP, M-1 or AIR zone:

1. Retail sales of any product manufactured on-site in accordance with the regulations of the underlying zone, but excluding sale of products not otherwise permitted which require only minimal assembly on the site;

2. Art shop or art, drafting or engineering supply store;

3. Book or stationery store;

4. Business supply sales and rental store;

5. Convenience store, subject to the following criteria:

a. The convenience store shall be located within a tenant or owner space within a multitenant industrial park and shall not exceed one thousand square feet in gross floor area.

b. Items sold within the convenience store shall be limited to sundries and personal items for the convenience of employees within the industrial park.

c. The hours of operation shall be limited to between six a.m. and six p.m., Monday through Friday.

d. Parking shall be established and maintained in accordance with subsection L of Section 19.74.010 of this title.

e. Alcoholic beverage sale shall be prohibited.

6. Catering establishment;

7. Cleaning and dyeing establishment;

8. Computer store;

9. Decorating or drapery shop;

10. Electronic/television repair shop;

11. Floral supply and floral sales shop;

12. Gymnasium or health club, subject to the following criteria:

a. The gymnasium shall be located within a tenant or owner space within a multitenant industrial park and shall not exceed ten thousand square feet in gross floor area.

b. Parking shall be established and maintained in accordance with subsection L of Section 19.74.010 of this title.

c. The use of the gymnasium or health club shall be limited to workout area/equipment and shower facilities only. Running tracks, swimming pools, saunas and organized group classes shall be prohibited.

d. If all of these criterion cannot be met, a conditional use permit will be required. Additional parking and other appropriate development standards will be considered as part of the conditional use permit process.

13. Medical supply sales and service;

14. Newsstand;

15. Office furniture;

16. Photographers shop or studio;

17. Showroom, in conjunction with a permitted wholesale, distribution or contractor's business and limited to appliance, paint, interior decorating and home improvement items with incidental retail sales of up to a maximum of ten percent of the gross receipts;

18. Studio or school for art, music, voice, dance or modeling;

19. Tailor shop;

20. Incidental retail sales of parts and accessories relevant to businesses permitted by the underlying zone or the business park combining zone;

21. Uses customary and incidental to the permitted uses, including the repair of goods of the type sold in permitted businesses provided that such repair is not carried on as a separate business, except as specifically permitted by the underlying zone or the business park combining zone.

B. When combined with the C-2 or C-3 zone:

1. Assembly of electrical appliances, electronic instruments or devices, precision instruments, audio and video equipment;

2. Manufacturing, compounding, assembly, packaging or treatment of candy, cosmetics, drugs, pharmaceuticals, toiletries, jewelry and time pieces;

3. Research or medical laboratory;

4. Photographic laboratory;

5. Publishing and printing;

6. Uses customary and incidental to the permitted uses;

7. Warehousing and distribution. (Ord. 6043 § 1, 1993; Ord. 5095 § 3, 1983; Ord. 5020 § 1, 1982)

19.44.040 Standards.

Properties to which the business park combining zone is applied should have the following locational and existing or proposed site design characteristics:

A. Substantial direct frontage on and access to one or more major streets as designated by the circulation and transportation element of the Riverside general plan;

B. On- and off-site improvements in substantial conformance with the development standards of the underlying zone;

C. Substantial amenities such as landscaped setbacks, high quality appearance and the like;

D. Parking facilities in substantial excess of the minimum anticipated requirement;

E. Gross site area of three acres or larger;

F. Compatible physical relationship with the surrounding neighborhood. (Ord. 5020 § 1, 1982)

19.44.050 Signs.

The sign regulations of subsection 19.76.100(C) shall apply to all properties to which the business park combining zone is applied and these regulations shall supersede the sign requirements of the underlying zone. (Ord. 5020 § 1, 1982)

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Chapter 19.46

MANUFACTURING PARK (MP) ZONE

Sections:

19.46.010	**Generally.**
19.46.020	**Uses permitted.**
19.46.030	**Building height limit.**
19.46.040	**Lot area and width.**
19.46.050	**Yards generally.**
19.46.060	**Use of interior rear and side yards for off-street loading and outdoor storage.**
19.46.070	**Parking requirements.**
19.46.080	**Loading area.**
19.46.090	**Walls.**
19.46.100	**Screening of outdoor storage.**
19.46.110	**Lights.**
19.46.120	**Standards of performance.**
19.46.130	**Plot plan.**
19.46.140	**Variances.**
19.46.150	**Certificate of occupancy.**

19.46.010 Generally.

Manufacturing park zones are intended as restricted industrial districts for manufacturing, assembling, fabricating, warehousing, wholesale distribution uses, administrative or executive offices of business or industrial concerns, scientific research offices and laboratories and certain uses appurtenant to and compatible with restricted industrial development. The requirements and standards contained in this chapter are intended to encourage the establishment of industries which are compatible with one another; to minimize traffic congestion, noise, glare, air pollution, water pollution, and fire and safety hazards; to prohibelsewhere it industrial uses which, because of potential emanation of dust, ash, smoke, noise, fumes, gas, odors or vibrations, are or may be inconsistent with the intent and purposes of this Chapter; and to establish standards for environmental development including landscaping and requirement of open areas that will tend to result in healthful and productive working conditions. Except as specifically provided in this Title, every new use and every new building and premises or land in an MP zone shall be used for or occupied and every building shall be erected, constructed, established, owned, enlarged, maintained, moved into or within such MP zone exclusively and only in accordance with the regulations set out in this Chapter. (Ord. 6565 § 3, 2001; Ord. 4187 § 3 (part), 1975)

19.46.020 Uses permitted.

The following uses shall be permitted in a Manufacturing Park Zone, if conducted within a completely enclosed building and if conducted within the limits of the standards of performance set forth in this Chapter:

1. Administrative or executive offices of a business or industrial establishment;

2. Manufacture, assembly, fabrication, warehousing, and wholesale distribution of goods, wares, merchandise, articles or substances; provided, that goods, wares, merchandise, articles or substances which are combustible, inflammable, explosive or likely to create fire, radiation or explosive hazards to surrounding property may be stored and used in reasonable quantities as an incident to any permitted use only if such storage and use are allowed in the certificate of occupancy under such reasonable conditions as may be deemed necessary in the interests of public safety; and further provided that any use prohibited in the M-1 and M-2 zones shall also be prohibited in the MP zone;

3. Publishing and printing;

4. Research offices and laboratories for the conduct of scientific research and theoretical studies and investigations, including the fabrication and testing of prototypes, and the performance of environmental tests, and related activities, by or under the supervision of professional scientists and highly trained specialists in the fields of physical, economic or social research;

5. Restaurants, cafes and cafeterias, including those with outdoor dining as defined in Section 19.04.394 of this Title, operated in conjunction with and incidental to a single permitted use for the convenience of persons employed upon the premises or operated within a multitenant industrial park for the convenience of persons employed within the same industrial

park, each established and operated in accordance with the following criteria:

A. A permitted restaurant, cafe or cafeteria shall be located within the building of a single permitted use to serve the employees of that use only, or shall be located in a tenant or owner space in a multitenant industrial park developed with attached tenant or owner spaces to primarily serve the employees of that multitenant industrial park. This use shall not be permitted as the sole or primary use in a separate freestanding building,

B. A permitted restaurant, cafe or cafeteria located in a tenant or owner space in a multitenant industrial park shall not exceed one thousand five hundred square feet in total area including kitchen, storage, restroom and outdoor dining areas. A permitted restaurant, cafe or cafeteria located within the building of a single permitted use is not restricted to a maximum size,

C. The menu shall be limited to breakfast, lunch and snack items only. Alcoholic beverage sales shall be limited to the incidental sale of beer and wine only, subject to the granting of a minor conditional use permit and the site location criteria, operation standards, development standards and exemptions of Section 19.26.020, subsection J of this Title,

D. The hours of operation shall be limited to six a.m. to six p.m., Monday through Friday,

E. Parking shall be established and maintained in accordance with subsection O of Section 19.74.010 of this Title;

6. Signs may be erected in an MP zone as provided in Chapter 19.76;

7. Outdoor storage incidental to a permitted use shall be permitted in accordance with Section 19.46.100;

8. Uses customarily incidental to any permitted uses shall be permitted, provided that no accessory building shall be located within the yard areas required by thisTitle, except as otherwise specified in this Chapter;

9. The following uses shall be permitted in a manufacturing park zone with a conditional use permit:

A. Automotive service stations, including indoor facilities for lubrication, battery and brake service, tire repair, minor adjustments and repair and the sale of food, non-alcoholic beverages, beer, wine and sundry items of convenience to the motorist, but excluding painting, body work, steam cleaning, major repairs, mechanical washing facilities, utility truck or trailer rentals, and packaged ice sales, in accordance with the provisions of Section 19.28.020(II),

B. Restaurants, cafes and cafeteria, including those with outdoor dining and food preparation as defined in Section 19.04.394 which do not meet the criteria set forth in paragraph J of Section 19.46.020 of this Title. Outdoor dining and/or food preparation shall be subject to the requirements, as applicable, of Section 19.26.020, subsections (G) and (I) of this Title,

C. On-sale of all alcoholic beverages subject to a minor conditional use permit and the site location criteria, operation standards, development standards and exemptions of Section 19.26.020, subsection 10 of this title,

D. One dwelling unit designed to be used in connection with any permitted use, provided that such dwelling shall be occupied by the owner, lessee or an employee and his family,

E. Clubs and lodges (private, nonprofit),

F. Recreational facilities, privately operated (excluding bowling alleys, ice skating rinks and roller skating rinks),

G. Vocational schools meeting the standards set forth in Section 19.20.020(N) of this Title,

H. Child day care centers,

I. Churches, but excluding associated weekday schools for general education purposes. A church, within an existing industrial complex as defined in Section 19.76.010, is permitted subject to approval of a minor conditional use permit as set forth in Section 19.64.230(C),

J. The use of a mobile medical unit when such use is in conjunction with an established medical office and the mobile medical unit is to be located on the same property or on adjacent property. Mobile medical units shall meet the following site development standards:

1. The unit shall not be located within any required front or street side yard. An interior side or rear yard where off-street parking is allowed may be occupied by a mobile medical

unit,

2. Off-street parking as required by this Title shall be provided for both the permanent facility and the mobile medical unit,

3. Adequate screening in the form of landscaping and/or solid fences or walls shall be provided where the mobile medical unit would be visible from a street or abutting property,

4. The mobile medical unit may be placed only in the location approved by the Planning Commission or the City Council and may remain in such location for a maximum of two days per week,

K. Methadone treatment facility as defined in Section 19.04.271 of this title subject to the granting of a conditional use permit meeting the standards contained in paragraph J of Section 19.20.020 of this Title,

L. Recycling centers (drop-off or buy-back) and material processing facilities (MPF's) for paper, glass, plastic, household hazardous waste, aluminum and other metals subject to the following site location criteria and site development standards:

1. Site Location Criteria. The recycling center and/or MPF shall meet the following location criteria:

a. The facility will not substantially increase vehicular traffic on streets in a residentially zoned district,

b. The facility will not substantially lessen the usability and suitability of adjacent or nearby properties,

c. The site is served by streets and highways adequate in width and pavement type to carry the quantity and type of traffic generated by said use,

d. The site is adequate in size and shape to accommodate said use, and to accommodate all yards, walls, vehicular stacking, parking, landscaping and other required improvements,

e. No recycling center or MPF shall be closer than three hundred feet from any property in a residential or commercial zone or from any school, church, hospital or similar use involving a large assemblage of people,

2. Site Development Standards. Notwithstanding other provisions to the contrary, the following site development standards shall apply to recycling centers and MPF's:

a. Any portion of the site not within a completely enclosed building shall be surrounded by a solid masonry wall not less than six feet in height with appropriate landscaping and irrigation,

b. All materials stored out-of-doors shall be kept within storage bins or bales screened from view from adjacent properties and streets,

c. All dismantling of assembled materials shall be done within a completely enclosed building,

d. Baling, shearing and compacting equipment shall be located within a completely enclosed building,

e. The site shall be fully landscaped on the interior and additional perimeter landscape screening may be required by the Zoning Administrator to adequately screen the operation. A minimum of twenty feet of on-site landscaping shall be provided along each street frontage unless additional landscaping is required by the underlying zone. The plot plan, building elevations, landscaping, irrigation and sign plans are subject to the approval of the Zoning Administrator or Planning Commission, pursuant to this Title.

f. A covenant as approved by the Planning and Legal Departments restricting recyclable material to paper, cardboard, glass, plastic, household hazardous waste, aluminum and other metals shall be recorded against the property. The receiving or processing of scrap steel and junked cars shall be specifically prohibited,

g. Plans for household hazardous waste handling, containment and disposal shall be approved by the Fire Department,

h. Hours of operation shall be limited to six a.m. to six p.m. Monday through Saturday and eight a.m. to four p.m. on Sunday,

i. All recycling centers and MPF's shall be staffed during business hours,

j. Plans for an on-going cleaning and maintenance program as well as the control of noise, odor, dust, litter and the like shall be submitted for review and approval,

M. Solid waste transfer stations and material recovery facilities (MRF's) including conveyor belts, metallic separators, balers, etc., subject to the following environmental, site location and development criteria:

1. Environmental Review. An environmental impact report (EIR), prepared by a consultant selected under the terms of the City's California Environmental Quality Act guidelines, shall be required. Prior to commencement of the preparation of the EIR, a preliminary conference with the applicant and the Planning Department shall be held. Issues addressed by the EIR shall include, but not be limited to, the following: land use; traffic, noise, aesthetics, including screening and landscaping; odor; dust; litter control and ongoing maintenance; groundwater protection; prevailing wind direction; and release of hazardous substances,

2. Site Location Criteria. The transfer station and/or MRF shall meet the following location criteria:

a. The facility will not substantially increase vehicular traffic on streets in a residentially zoned district,

b. The facility will not substantially lessen the usability and suitability of adjacent or nearby properties,

c. The site is served by an improved arterial street adequate in width and pavement type to carry the quantity and type of traffic generated by said use,

d. The site is adequate in size and shape to accommodate said use, and to accommodate all yards, walls, vehicular stacking, parking, landscaping and other required improvements,

e. No transfer station or MRF shall be closer than six hundred feet from any property in a residential or commercial zone or from any school, church, hospital or similar use involving a large assemblage of people,

f. In siting new buildings for construction, consideration shall be given to prevailing wind direction and location of large vehicle doors in order to minimize odors,

3. Site Development Standards. Notwithstanding other provisions to the contrary, the following site development standards shall apply to transfer stations and MRF's:

a. Lot area and width. The gross land area shall not be less than five acres with a minimum street frontage of one hundred forty feet;

b. Setbacks. Except as setbacks along major streets may require additional dimensions, all buildings, structures or improvements shall meet the setbacks as required in Section 19.46.050 of this Title. The setbacks specified in this paragraph may be used only for the following purposes:

i. Passage or temporary standing of automobiles,

ii. Landscape areas,

iii. Light poles and standards,

c. All equipment and activities associated with this use shall be contained within an enclosed building with only sufficient openings for ingress/egress of vehicles,

d. Sufficient off-street parking shall be provided to accommodate all company, employee and visitor vehicles on site,

e. On-site truck stacking and maneuvering area shall be provided as necessary to accommodate the anticipated vehicular usage of the transfer station/MRF, depending on the size and nature of the facility, and shall be completely screened by solid masonry walls not less than six feet in height with appropriate landscaping and irrigation. No truck stacking and maneuvering area shall be permitted within the required front and street side yard setback,

f. Any water flow resulting from the use of wash facilities shall be contained on site and disposed of through an on-site drainage system,

g. The noise, dust and odor levels generated by the facility shall conform to Section 19.46.120 of this Title,

h. All materials stored outside shall be kept within storage bins or bales screened from view from adjacent properties and streets,

i. Material recovery facilities shall be permitted in conjunction with a transfer station. A covenant as approved by the Planning and Legal Departments restricting recyclable material to paper, cardboard, glass, plastic, household hazardous waste, aluminum and other metals shall be recorded against the property. The covenant may also restrict the nature and quantities of household hazardous waste. The receiving or processing of scrap steel and junked cars shall be specifically prohibited,

j. Lighting shall be focused, directed and so arranged as to prevent glare or direct illumination on streets or adjoining property,

k. Hours of operation shall be limited to

six a.m. to six p.m. Monday through Saturday and eight a.m. to four p.m. on Sundays,

l. All transfer stations and MRF's shall be staffed during business hours,

m. No trash shall be stored overnight. Recyclables may be stored overnight within appropriate storage containers or bales screened from view from adjacent properties and streets,

4. Paving. All open areas, other than landscaped planter beds shall be paved with not less than two and one-half inches of asphaltic concrete or an equivalent surfacing meeting the established standards and specifications of the Public Works Department, shall be graded and drained so as to adequately dispose of all surface water and shall be maintained in good repair,

5. Screening. Any portion of the site not entirely within a completely enclosed building shall be surrounded by a solid masonry wall not less than six feet in height with appropriate landscaping and irrigation,

6. Landscaping.

a. Quantity and Distribution.

i. A minimum of 20-foot-wide planters shall be provided along all street frontages except for driveway openings,

ii. A minimum of one hundred fifty square feet of planting area shall be provided at the intersection of two property lines at each street corner,

b. Planting Beds.

i. All landscaping materials shall be contained in planting beds,

ii. Each planting bed shall be enclosed by concrete or masonry curbing at least six inches thick and six inches in height above the paving surface,

c. Plant Materials.

i. Each planting bed shall contain appropriate groundcover consisting of plants and nonplant materials as hereinafter provided and/or shrubbery,

ii. Nonplant material such as statuary or fountains may be used in landscaped areas, provided they do not dominate the planting beds,

iii. Other nonplant materials such as crushed rock, redwood bark chips, and pebbles shall not be used exclusively in lieu of growing groundcovers,

d. Maintenance.

i. All plant materials shall be regularly maintained in conformity with accepted practices for landscape maintenance,

ii. Each planting bed shall be served by at least one permanent automatically controlled water irrigation line.

7. Other Requirements.

a. A daily cleaning and ongoing maintenance program as approved by the Planning Commission shall be established,

b. All incoming or outgoing trucks shall be completely enclosed or equipped with an impermeable cover.

10. Construction Caretaker Temporary Living Quarters shall be permitted subject to approval of a Minor Conditional Use Permit in accordance with the standards specified in Section 19.64.230(B). (Ord 6726 § 12, 2004; Ord. 6565 § 3, 2001; Ord. 6367 § 5, 1997; Ord. 6353 § 2, 1997; Ord. 6324 § 5, 1996; Ord. 6122 § 22, 1994; Ord. 6044 § 5, 1993; Ord. 5990 §§ 1, 2, 1992; Ord. 5976 §§ 10, 11, 1991; Ord. 5743 § 1, 1989; Ord. 5742 § 1, 1989; Ord. 5740 § 1, 1989; Ord. 5695, § 5, 1988; Ord. 5689 § 1, 1988; Ord. 5486 § 4, 1987; Ord. 5319 § 9, 1985; Ord. 5132 § 6, 1983; Ord. 4946 § 1, 1981; Ord. 4187 § 3 (part), 1975)

19.46.030 Building height limit.

The building height limit in an MP zone shall be forty-five feet to the top of the roof structure, except as otherwise provided in Sections 19.68.030 and 19.64.050. (Ord. 6565 § 3, 2001; Ord. 4187 § 3 (part), 1975)

19.46.040 Lot area and width.

1. Lot Area. There shall be a minimum lot area of forty thousand square feet, except that a lot having less area may be approved in connection with the uses permitted under a conditional use permit.

2. Lot Width. There shall be a minimum lot width of one hundred forty feet, except that a lot having less width may be approved in connection with uses permitted under a conditional use permit. (Ord. 6565 § 3, 2001; Ord. 4187 § 3 (part), 1975)

19.46.050 Yards generally.

1.Except as setbacks along major streets may require additional dimensions, there shall

be established and maintained:

A. For arterial streets and buildings over thirty-feet in height: A front yard having an average depth of fifty feet but in no case less than forty feet except as indicated below. The front twenty feet of such front yard shall be suitably landscaped with plant materials and adequately maintained. Notwithstanding any other provision of this Title to the contrary, pedestrian walks, vehicular access drives and railroad tracks which are perpendicular to the front property line in the front twenty feet, meter pits and utility manholes extending not more than six inches above finished grade, light fixtures and any recording instruments required by this Chapter shall be permitted in any front yard. Off-street parking, gate or guard houses, roofs or canopies covering unenclosed pedestrian walks and walls or fences not more than six feet in height shall be permitted in the rear thirty feet of any required front yard. A front yard having a minimum depth of forty feet shall be permitted when such yard is landscaped in its entirety, except that a driveway parallel to the front property line a maximum of twelve feet in width may be located within this landscaped front yard;

B. For all other streets where the building is less than thirty-feet in height: A front yard having a depth of twenty feet. The entirety of which shall be suitably landscaped with plant materials and adequately maintained. Notwithstanding any other provision of this Title to the contrary, pedestrian walks, vehicular access drives and railroad tracks which are perpendicular to the front property line in the front twenty feet, meter pits and utility manholes extending not more than six inches above finished grade, light fixtures and any recording instruments required by this Chapter shall be permitted in any front yard.

2. Side yards shall not be required, except that minimum side yards of fifty feet shall be required and maintained wherever a lot or parcel in the MP zone abuts a lot or parcel in any R zone. In the event a side yard abuts a street, such side yard shall meet all of the minimum requirements for a front yard and may be used in accordance with the front yard provisions pertaining to permitted uses;

3. A rear yard shall not be required, except that a minimum rear yard of fifty feet shall be required and maintained wherever a lot or parcel in the MP zone abuts a lot or parcel in any R zone. In the event a rear yard abuts a street, such rear yard shall meet all of the minimum requirements for a front yard and may be used in accordance with the front yard provisions pertaining to permitted uses. (Ord 6680 § 1, 2003; Ord. 6565 § 3, 2001; Ord. 4187 § 3 (part), 1975)

19.46.060 Use of interior rear and side yards for off-street loading and outdoor storage.

Required interior rear yards and required interior side yards may be used for off-street parking, off-street loading, outdoor storage incidental to a permitted use and any use permitted in a required front yard; provided, that no accessory building other than an accessory building permitted in a required front yard shall be located in such yards. (Ord. 6565 § 3, 2001; Ord. 4187 § 3 (part), 1975)

19.46.070 Parking requirements.

Parking areas shall be provided as required in Chapter 19.74. (Ord. 6565 § 3, 2001; Ord. 4187 § 3 (part), 1975)

19.46.080 Loading area.

Off-street loading shall be provided as required in Section 19.74.160. (Ord. 6565 § 3, 2001; Ord. 4187 § 3 (part), 1975)

19.46.090 Walls.

Wherever a lot or parcel in the MP zone sides on or backs to a lot or parcel in any R zone or to an alley which separates an MP zone from any R zone, a six-foot-high solid masonry wall shall be constructed along the property line separating the MP zone from the R zone or along the alley right-of-way line on the MP side of the alley, except that such wall shall be three feet in height in any front yard or street side yard area. Such wall shall not be required until the lot or parcel is occupied by a permitted use. (Ord. 6565 § 3, 2001; Ord. 4187 § 3 (part), 1975)

19.46.100 Screening of outdoor storage.

When permissible outdoor storage is

utilized, such storage shall be visually screened from all adjacent building sites and streets by a solid masonry wall not less than six feet nor more than eight feet in height, a building or a combination of open fencing and a planting screen not less than six feet nor more than eight feet in height, or any combination thereof. Where a planting screen is established to meet the requirements of this Chapter, such screen shall consist of not less than one row of evergreen shrubs or vines which, after one full growing season under accepted planting and irrigation practice, will grow to not less than six feet in height and will grow in a manner necessary to obscure the viewing of outdoor storage areas from all adjacent building sites and streets.

The screening herein required shall be established at or before the time any area is used for outdoor storage; provided, that where topographical conditions, existing structures or existing landscaping features are such that strict compliance with the requirements of this section would not be necessary to accomplish the purposes of this section, the Commission may waive compliance with all or part of such requirements. (Ord. 6565 § 3, 2001; Ord. 4187 § 3 (part), 1975)

19.46.110 Lights.

Lighting, including spotlights, floodlights, electrical reflectors and other means of illumination for signs, structures, landscaping, parking areas, loading areas and the like, shall be focused, directed and so arranged as to prevent glare or direct illumination on streets or adjoining property. (Ord. 6565 § 3, 2001; Ord. 4187 § 3 (part), 1974)

19.46.120 Standards of performance.

All businesses in the MP Zone shall continually comply with the following standards:

1. Noise. Sound shall be muffled so as not to become objectionable due to intermittence, beat frequency or shrillness. The measurement of sound shall be measured at the lot lines and shall be measured to decibels with a sound level meter and associated octave band filter manufactured according to standards prescribed by the American Standards Association. Maximum permissible sound pressure levels shall comply with the following standards:

Maximum sound pressure level in decibels 0.002 dynes per square centimeter.

Octave Band in Cycles/Second	Adjacent Residential District Boundaries	Lot Line of Use in the MP Zone
0--75	72	79
75--150	59	74
150--300	52	66
300--600	46	59
600--1200	42	53
1200--2400	39	47
2400--4800	34	41
Above 4800	32	39

2. Smoke. Smoke shall not be emitted from any source in a greater density of gray than that described as No. 1 on the Ringlemann Chart, except that visible gray smoke of a shade not darker than that described as No. 2 of the Ringlemann Chart may be emitted for not more than four minutes in any thirty minutes. These provisions applicable to a visible gray smoke shall also apply to visible smoke of a different color but with an equivalent apparent opacity.

3. Dust, Dirt, Etc. Dust, dirt, fly ash or airborne solids from any sources shall not be in a density greater than that described as No. 1 on the Ringlemann Chart.

4. Odors. Odors from gases or other odorous matter shall not be in such quantities as to be offensive beyond the lot line of the use.

5. Toxic Gases, Etc. Toxic gases or matter shall not be emitted which can cause any damage to health, to animals or vegetation, or other forms of property, or which can cause any excessive soiling beyond the lot lines of the use.

6. Vibration. Vibration from any machine, operation or process which can cause a displacement of three-thousandths of one inch as measured at the lot lines of the use shall be prohibited. Shock absorbers or similar mounting shall be allowed which will reduce vibration below three-thousandths of one inch as measured at the lot lines.

7. Glare and Heat. Glare and heat from any source shall not be produced beyond the lot lines of the use.

8. Radioactivity and Electrical Disturbances.

a. Except with the prior approval of the Public Works Department as to specific additional uses, the use of radioactive materials within the MP zone shall be limited to measuring, gauging and calibration devices, such as tracer elements, in X-ray and like apparatus, and in connection with the processing and preservation of foods. In no event shall radioactivity, when measured at each lot line, be in excess of 2.7 x 10.11 microcuries per milliliter of air at any moment of time.

b. Radio and television transmitters shall be operated at the regularly assigned wavelengths (or within the authorized tolerances therefor) as assigned thereto by the appropriate governmental agency. Subject to such exception and the operation of domestic household equipment, all electrical and electronic devices and equipment shall be suitably wired, shielded and controlled so that in operation they shall not, beyond the lot lines, emit any electrical impulses or waves which will adversely affect the operation and control of any other electrical or electronic devices and equipment. (Ord. 6565 § 3, 2001; Ord. 4187 § 3 (part), 1975)

19.46.130 Plot plan.

The Building Official of the City shall not issue a building permit prior to final approval by the Zoning Administrator in accordance with procedures outlined in Chapter 19.62 (Design Review). (Ord. 6726 § 13, 2004; Ord. 6565 § 3, 2001; Ord. 4187 § 3 (part), 1975)

19.46.140 Variances.

Variances may be granted from the requirements of this Title as permitted in Chapter 19.64. (Ord. 6565 § 3, 2001; Ord. 5688 § 5, 1988; Ord. 4187 § 3 (part), 1975)

19.46.150 Certificate of occupancy.

1. A Letter of Conditional Occupancy may be requested by the applicant and issued by the Planning Department prior to occupancy. If uncertainty exists as to whether a particular business or use can comply with the Standards of Performance set forth in Section 19.46.120, the Planning Director may also require that a Letter of Conditional Occupancy be prepared prior to permit issuance.

2. The request for a Letter of Conditional Occupancy shall be accompanied by:

a. A description of the proposed industrial operation in sufficient detail to fully describe the nature and extent of the proposed use;

b. Plans or reports describing proposed treatment of noise, glare, air pollution and treatment and handling of hazardous gases, liquids or other material;

c. Plans or reports showing proposed treatment and disposal of sewage and industrial wastes;

d. Description of any fuel proposed to be used, including engineering plans for the control of any smoke which may be generated;

e. Additional data which may be required by the Planning Department to ascertain conformance with the requirements of this Chapter;

3. Whenever appropriate and reasonable, the Planning Department may require the installation, maintenance and operation by the applicant of continuous recording instruments to demonstrate the operation or effect of the operation of any machines, devices or instruments used to control noise, glare, air pollution, smoke, hazardous gases, liquids or other material;

4. The Letter of Conditional Occupancy must be signed by the Planning Director or his/her authorized representative and a responsible officer of the business requesting the Letter of Conditional Occupancy.

5. A change or changes in the use permitted by a Letter of Conditional Occupancy

shall occur only after the holder of such Certificate has obtained an amendment thereto along with such change or changes. An amendment to a Letter of Conditional Occupancy may be applied for and granted in the same manner as herein provided for a Letter of Conditional Occupancy;

6. The Letter of Conditional Occupancy may be revoked by the City Council after public hearing, if the City Council finds that the holder of the Letter of Conditional Occupancy has failed to comply with the approved plans. (Ord. 6565 § 3, 2001; Ord. 4187 § 3 (part), 1975)

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Chapter 19.48

LIGHT MANUFACTURING (M-1) ZONE

Sections:

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19.48.020	**Uses permitted.**
19.48.025	**Design review.**
19.48.030	**Building height limit.**
19.48.036	**Area requirements generally.**
19.48.040	**Lot area.**
19.48.050	**Yards generally.**
19.48.060	**Landscaping.**
19.48.070	**Use of rear and side yards for off-street parking and storage.**
19.48.080	**Service stations, buildings and structures.**
19.48.090	**Parking requirements.**
19.48.100	**Loading area.**
19.48.110	**Walls.**
19.48.120	**Outdoor storage areas.**

19.48.010 Generally.

Light manufacturing zones are intended as industrial districts for light manufacturing. Except as specifically provided elsewhere in this title, any and every new use and any and every new building and premises or land in an M-1 zone shall be used for or occupied and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within such M-1 zone exclusively and only in accordance with the regulations set out in this chapter. (Prior code § 36.125)

19.48.020 Uses permitted.

The following uses shall be permitted in a light manufacturing zone:

A. Any use permitted in the P zone or the MP zone subject to the requirements of the P zone or the MP zone including the granting of a conditional use permit when required by the P zone or the MP zone;

B. One dwelling unit may be maintained for a caretaker or superintendent and his family employed on the premises of an industrial concern;

C. Light manufacturing not obnoxious by reason of sound, fumes, repulsive odors and the like whether the same constitutes an actual nuisance or not, and including such uses as:

1. Animal hospital or dog kennel,
2. Assembly and storage of goods, materials, liquids and equipment (except bulk storage of explosive matter or materials; or matter or materials which create dust, odor or fumes),
3. Automobile painting, rebuilding, reconditioning, body and fender works, truck or tractor repairing or overhauling, when enclosed within solid masonry walls not less than six feet in height,
4. Automotive service station, including indoor facilities for lubrication, battery and brake service, repair, steam cleaning and mechanical washing facilities and including outdoor utility truck and trailer rental, packaged ice dispensers and the sale of food, non-alcoholic beverages, beer, wine and sundry items of convenience to the motorist, but excluding painting, body and fender work, subject to the granting of a conditional use permit and in accordance with the provisions of Section 19.28.020(II),
5. Bakery, wholesale,
6. Bottling plant,
7. Cabinet shop or furniture manufacture,
8. Canning or packing,
9. Canvas products manufacture,
10. Cereal factory,
11. Cleaning and dyeing plant,
12. Creamery,
13. Electroplating,
14. Feed and fuel yard, when enclosed within solid masonry walls not less than six feet in height,
15. Storage warehouse,
16. Food products manufacture; excluding, however, fish and meat products, sauerkraut, vinegar, yeast, and the rendering or refining of fats or oils,
17. Fruit or vegetable packing plant,
18. Garment manufacturing,
19. Ice and cold storage plant,
20. Laboratory, experimental and the like,
21. Laundry,

22. Livery stable,

23. Lumber yard, building material storage yard, contractor's storage yard or plant when enclosed within solid masonry walls not less than six feet in height,

24. Machine, welding or blacksmith shop, excluding use of equipment producing undue noise or vibration,

25. Monumental manufacture may be permitted after a public hearing in each case under a conditional use permit,

26. Neon or electric sign manufacture,

27. Poultry or rabbit killing incidental to a retail business,

28. Public utility service yard when enclosed within solid masonry walls not less than six feet in height; electric receiving or transforming stations, when enclosed within a chain link fence not less than six feet in height,

29. Radio manufacture, and assembly of electrical appliances,

30. Rug or carpet cleaning plant,

31. Tire retreading or recapping, and battery manufacture,

32. Toy or novelty manufacture,

33. Trucking yard or terminal,

34. Warehouse or storage building,

35. Wholesale business,

36. Other uses, as provided in Section 19.68.010, which in the judgment of the Commission are similar to and no more objectionable than any of those enumerated herein,

37. Automobile impound yard as defined in Section 19.04.033 subject to the granting of a conditional use permit with the following site location and development criteria:

a. Location. No automobile impound yard shall be closer than three hundred feet to any property in a residential, commercial, air, official or manufacturing park zone,

b. Setbacks. Setbacks shall be provided as required in Section 19.48.050 of this title,

c. Screening. The impound storage yard shall be entirely enclosed by opaque screening not less than six nor more than eight feet high consisting of either masonry wall or chain link fencing with redwood or simulated redwood slats and landscaping which is mature at the time the use is established. The landscaping shall be provided with a permanent irrigation system acceptable to the City Planning Department,

d. Vehicular Storage. All impound yard vehicles shall have ground contact of all wheels,

e. Surfacing. The surface of the storage yard shall be covered with slate, slag or alternate dust-, weed- and mud-retardant material acceptable to the Planning Commission or City Council,

f. Additional Requirements. All other applicable requirements of the M-1 zone shall prevail and such other requirements as may be imposed by the Planning Commission or City Council pursuant to the conditional use permit process,

38. Special uses as provided in Section 19.64.040 subject to the granting of a conditional use permit,

39. Bulk storage of flammable materials in conjunction with a permitted use subject to the granting of a conditional use permit;

D. Uses customarily incidental to any permitted uses;

E. Signs, as provided in Chapter 19.76;

F. Methadone treatment facility as defined in Section 19.04.271 of this title subject to the granting of a conditional use permit meeting the standards contained in subsection J of Section 19.20.020 of this title;

G. Beverage container recycling facility subject to all the requirements of Section 19.28.020(LL) of this title;

H. Recycling centers for paper, glass, plastic, and aluminum and other nonferrous metals subject to the granting of a conditional use permit. The site design of each proposed recycling center shall include but not be limited to the following:

1. Any portion of the site not within a completely enclosed building shall be surrounded by a solid masonry wall not less than six feet in height,

2. All materials stored out-of-doors shall be kept within storage bins,

3. All dismantling of assembled materials shall be done within a completely enclosed building,

4. Baling, shearing and compacting equipment shall be located within a completely enclosed building,

5. The site shall be fully landscaped on the interior and additional perimeter landscape

screening may be required by the Zoning Administrator or Planning Commission, pursuant to this Title, to adequately screen the operation. The plot plan, building elevations, landscaping, irrigation and sign plans are subject to the approval of the Zoning Administrator or Planning Commission, pursuant to this Title;

I. Solid waste transfer stations and material recovery facilities (MRF's) including conveyor belts, metallic separators, balers, etc., subject to the granting of a conditional use permit and subject to the environmental, site location and development criteria set forth in Section 19.46.020(I)(13) of this title;

J. Outdoor sales of large, construction-related equipment such as earthmoving equipment, including, but not limited to, backhoes, tractors, graders, cranes and other similar equipment and incidental rental, repair and retail sale of parts and accessories subject to the granting of a minor conditional use permit provided all of the following criteria apply:

1. Site Location Criteria.

a. The business should be a freestanding use on a separate parcel and not a part of a multiple-use industrial complex.

b. The site shall be served by streets of adequate width and pavement type to accommodate the volume and type of traffic generated by the proposed use.

c. The use shall not be located adjacent to or across the street from a residentially zoned area.

d. The use shall have a compatible physical relationship with the surrounding neighborhood.

2. Operation and Development Standards.

a. The site shall be developed with permanent, related buildings. No trailers or temporary modular units are permitted.

b. All sales and repair work shall be done within a completely enclosed building. Any portion of the site, including vehicle and equipment storage, not within a completely enclosed building shall be enclosed by solid masonry wall not less than six feet in height.

c. The expandable features of any equipment on-site shall be in the lowest possible position.

d. On- and off-site improvements shall be in conformance with the development standards of this title, including landscaped setbacks, screening, parking and signage.

e. Retail sales shall be limited to large contractor's equipment, such as tractors, and other incidental parts and supplies as determined by the Zoning Administrator.

f. A minimum site area of one acre.

g. The site shall be fully landscaped on the interior and additional perimeter landscaped screening may be required by the Zoning Administrator or Planning Commission, pursuant to this Title, to adequately screen the operation. Plot plan, building elevations, landscaping, irrigation and sign plans are subject to the approval of the Zoning Administrator or Planning Commission, pursuant to this Title.

3. Variances. The Zoning Administrator, Planning Commission or City Council may grant variance requests from the standards outlined in subdivisions 1 and 2 of this subsection.

K. Transitional shelter housing, as defined by Section 19.04.477, permanent emergency shelter, as defined by Section 19.04.402 and drop-in center, as defined by Section 19.04.108 of this Title, are permitted in accordance with the provisions contained in Section 19.07.030 Q. (Ord. 6733 § 17, 2004; Ord. 6726 § 14, 2004; Ord. 6367 § 6, 1997; Ord. 6157 § 1, 1994; Ord. 5976 § 12, 1991; Ord. 5789 § 1, 1990; Ord. 5695 § 6, 1988; Ord. 5689 § 2, 1988; Ord. 5650 §§ 1, 2, 1988; Ord. 5610 § 6, 1988; Ord. 5486 § 5, 1987; Ord. 5132 § 7, 1983; Ord. 4910 § 1, 1981; Ord. 4873 § 2, 1981; Ord. 3712 § 13, 1970; prior code § 36.126)

19.48.025 Design review.

No new building, structure or sign or exterior alteration or enlargement of an existing building, structure or sign shall be commenced in the M-1 zone until design review approval has been granted pursuant to Chapter 19.62. (Ord. 4571 § 7, 1978)

19.48.030 Building height limit.

The building height limit in a light manufacturing zone shall be forty-five feet, except as otherwise provided in Section

19.68.030. (Prior code § 36.127)

19.48.036 Area requirements generally.

Lot width, depth and area, building area and yard requirements shall be as follows; provided, however, that where the topography, nature of terrain, the character of the development of the neighborhood or the area or dimensions of one or more lots shown on any parcel map or subdivision map, as approved by the Planning Commission, is such that compliance with any or all of such requirements would prevent the reasonable development and use of any such lot as a building site and that compliance with a requirement would not be necessary to accomplish the purposes of this title, then the Planning Commission may waive compliance with such requirements; and such action may be by minute order without variance proceedings if taken concurrently with or subsequent to the approval of the subdivision map or parcel map by the Planning Commission. (Ord. 4024 § 10, 1973)

19.48.040 Lot area.

There are no limitations on lot area. (Prior code § 36.128 (part))

19.48.050 Yards generally.

Except as setbacks are required along major streets by Chapter 19.72, there shall be established and maintained:

A. A front yard having a depth of not less than twenty feet; provided, however, that where lots comprising fifty percent or more of the frontage on one side of a street between intersecting streets are developed with front yards of a lesser depth, the average of such front yards shall establish the front yard depth for the entire frontage on that side of the street and within that block;

B. Side Yards. None required, except that a minimum side yard of fifty feet shall be required whenever a lot or parcel in the M-1 zone abuts a lot or parcel of land in any R zone and a minimum side yard of twenty feet shall be required whenever a lot or parcel in the M-1 zone abuts any alley which separates an M-1 zone from any R zone and a minimum street side yard of twenty feet shall be required whenever a lot or parcel in the M-1 zone abuts any street;

C. Rear Yard. None required, except that a minimum rear yard of fifty feet shall be required whenever a lot or parcel of land in the M-1 zone abuts a lot or parcel in any R zone and a minimum rear yard of twenty feet shall be required whenever a lot or parcel in the M-1 zone abuts any street or alley which separates an M-1 zone from any R zone. (Prior code § 36.128 (part))

19.48.060 Landscaping.

Front yard areas and street side yard areas, as required in Section 19.48.050 shall be suitably landscaped with plant materials, adequately maintained and in no instance shall be used for off-street parking, loading, storage or accessory buildings. (Prior code § 36.128 (part))

19.48.070 Use of rear and side yards for off-street parking and storage.

Rear yards and interior side yard areas, as required in Section 19.48.050, may be used for off-street parking, loading, outdoor storage of materials or equipment. (Ord. 6367 § 7, 1997; Prior code § 36.128 (part))

19.48.080 Service stations, buildings and structures.

Notwithstanding the above provisions, automobile service station buildings and structures shall be located not less than thirty feet from all property lines, except that gasoline pumps or dispensers, canopies and marquees may be located not closer than fifteen feet from any public street right-of-way line. Front yards and street side yards may be occupied by not more than one stationary unlighted or nonflashing lighted double-faced sign not exceeding forty square feet in area per display face identifying the service station. Flood light poles and standards may be located within the yard areas required by this chapter. (Prior code § 36.128 (part))

19.48.090 Parking requirements.

Parking area shall be provided in light manufacturing zones as required in the provisions of Chapter 19.74. (Prior code §

36.129)

19.48.100 Loading area.

Off-street loading facilities shall be provided in light manufacturing zones as required in the provisions of Section 19.74.160. (Prior code § 36.130)

19.48.110 Walls.

Whenever a lot or parcel in the M-1 zones sides on or backs to a lot or parcel in any R zone or to an alley which separates an M-1 zone from any R zone, a six-foot-high solid masonry wall shall be constructed along the property line separating the M-1 zone from the R zone or along the alley right-of-way line on the M-1 side of the alley, except that such wall shall be three feet in height in any front yard or street side yard area. (Prior code § 36.131)

19.48.120 Outdoor storage areas.

Outdoor areas for storage of materials and equipment must be enclosed within solid masonry walls not less than six feet in height. (Prior code § 36.132)

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Chapter 19.50

GENERAL MANUFACTURING (M-2) ZONE

Sections:

19.50.010	**Generally.**
19.50.020	**Uses permitted.**
19.50.025	**Design review.**
19.50.030	**Building height limit.**
19.50.036	**Area requirements generally.**
19.50.040	**Lot area and building area.**
19.50.050	**Yards generally.**
19.50.060	**Landscaping.**
19.50.070	**Use of rear and side yards for off-street parking and storage.**
19.50.080	**Parking requirements.**
19.50.090	**Loading area.**
19.50.100	**Walls.**

19.50.010 Generally.

General manufacturing zones are intended as industrial districts for general manufacturing and processing. Except as specifically provided elsewhere in this title, any and every new use and any and every new building and premises or land in M-2 zone shall be used for or occupied and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within such M-2 zone exclusively and only in accordance with the regulations set out in this chapter. (Prior code § 36.133)

19.50.020 Uses permitted.

The following uses shall be permitted in a general manufacturing zone:

A. All uses permitted in the MP and M-1 zones and any other use not prohibited by law or ordinance, except, however, that the following uses shall not be permitted:

1. Any residential use except that one dwelling unit may be maintained for a watchman or caretaker and his family, employed upon the premises of an industrial concern,

2. Ammonia, chlorine or bleaching powder manufacture,

3. Animal slaughtering, except that poultry or rabbit slaughtering shall be permitted,

4. Asphalt batching plant and rock, sand and gravel pit crushing and screening plant,

5. Automobile wrecking, junk, rag or scrap iron storage or bailing (except within a completely enclosed building),

6. Bone, coal or wood distillation,

7. Brick, tile or clay products manufacture,

8. Cement, lime, gypsum or plaster of Paris manufacture, except that the manufacture of cement products shall be permitted,

9. Explosive manufacture or storage,

10. Fat rendering, except as accessory to a permitted use,

11. Fertilizer manufacture,

12. Foundry or smelting of ferrous metals, steel mill or boiler works,

13. Garbage, offal, dead animal or refuse incineration, reduction or dumping,

14. Glue manufacture,

15. Hydrochloric, nitric or sulfuric acid manufacture,

16. Lampblack manufacture,

17. Oil drilling or production of oil, gas or hydrocarbons,

18. Petroleum refining or petroleum products manufacture,

19. Rock, sand or gravel excavating or distribution (except as an incidental use or except as permitted under the provisions of Chapter 19.64),

20. Rubber or gutta-percha manufacture,

21. Soap manufacture, except cold mix,

22. Stockyard, cattle-feeding yard or hog ranch,

23. Tallow, grease or lard manufacture or refining,

24. Tanning, curing or storing of raw hides or skins,

25. Other uses which by written decision are determined by the Commission to be detrimental to the public welfare by reason of the emission of odor, dust, smoke, gas, noise, vibration or other causes;

B. Uses customarily incidental to any permitted uses;

C. Signs, as provided in Chapter 19.76;

D. Automobile impound yards as defined by Section 19.04.033 of this title subject

to the granting of a conditional use permit and pursuant to the site location and development criteria contained in Section 19.48.020(C)(37) of this title;

E. Special uses as provided in Section 19.64.040 subject to the granting of a conditional use permit;

F. Pyrolytic waste disposal system or plant, subject to the granting of a conditional use permit;

G. A methadone treatment facility as defined in Section 19.04.271 of this title shall be permitted in the M-2 zone only subject to the granting of a conditional use permit meeting the standards contained in subsection J of Section 19.20.020 of this title;

H. Beverage container recycling facility subject to all the requirements of section 19.28.020(LL) of this title;

I. Recycling centers for paper, glass, plastic, and aluminum and other non-ferrous metals subject to the granting of a conditional use permit. The site design of each proposed recycling center shall include but not be limited to the following:

1. Any portion of the site not within a completely enclosed building shall be surrounded by a solid masonry wall not less than six feet in height,

2. All materials stored out-of-doors shall be kept within storage bins,

3. All dismantling of assembled materials shall be done within a completely enclosed building,

4. Baling, shearing and compacting equipment shall be located within a completely enclosed building,

5. The site shall be fully landscaped on the interior and additional perimeter landscape screening may be required by the Zoning Administrator or Planning Commission, pursuant to this Title, to adequately screen the operation. The plot plan, building elevations, landscaping, irrigation and sign plans are subject to the approval of the Zoning Administrator or Planning Commission, pursuant to this Title.

J. Solid waste transfer stations and material recovery Facilities (MRF's) including conveyor belts, metallic separators, balers, etc., subject to the granting of a conditional use permit and subject to the environmental, site location and development criteria set forth in Section 19.46.020(I)(13) of this title,

K. Off-sale of alcoholic beverages subject to all the requirements of Section 19.26.020 subsection H of this title,

L. Bus terminal, as defined in Section 19.04.083 of this title subject to the granting of a conditional use permit and in accordance with the provisions enumerated in Section 19.36.020(Q).

M. Adult entertainment businesses as defined in Chapter 19.61 of this title and subject to the locational requirements set forth in that chapter.

N. Tattoo and/or body piercing parlors in accordance with the provisions in Section 19.34.020 Subsection (L) of this title.

O. Transitional shelter housing, as defined by Section 19.04.477, permanent emergency shelter, as defined by Section 19.04.402 and drop-in center, as defined by Section 19.04.108 of this Title, are permitted in accordance with the provisions contained in Section 19.07.030 Q. (Ord 6733 § 18, 2004; Ord. 6726 § 15, 2004; Ord. 6413 § 6, 1997; Ord. 6367 § 8, 1997; Ord. 6323 § 3, 1996; Ord. 6320 § 4, 1996; Ord. 6228 § 2, 1995: Ord. 6228 § 2, 1995; Ord. 6033 § 9, 1993; Ord. 5976 § 13, 1991; Ord. 5789 § 2, 1990; Ord. 5610 § 7, 1988; Ord. 5132 § 8, 1983; Ord. 5079 § 1, 1983; Ord. 4910 § 2, 1981; Ord. 4873 § 3, 1981; prior code § 36.134)

19.50.025 Design review.

No new building, structure or sign or exterior alteration or enlargement of an existing building, structure or sign shall be commenced in the M-2 zone until design review approval has been granted pursuant to Chapter 19.62. (Ord. 4571 § 8, 1978)

19.50.030 Building height limit.

The building height limit in a general manufacturing zone shall be fifty-five feet, except as otherwise provided in Section 19.68.030. (Prior code § 36.135)

19.50.036 Area requirements generally.

Lot width, depth and area, building area

and yard requirements shall be as follows; provided, however, that where the topography, nature of terrain, the character of the development of the neighborhood or the area or dimensions of one or more lots shown on any parcel map or subdivision map, as approved by the Planning Commission, is such that compliance with any or all of such requirements would prevent the reasonable development and use of any such lot as a building site and that compliance with a requirement would not be necessary to accomplish the purposes of this title, then the Planning Commission may waive compliance with such requirements; and such action may be by minute order without variance proceedings if taken concurrently with or subsequent to the approval of the subdivision map or parcel map by the Planning Commission. (Ord. 4024 § 11, 1973)

19.50.040 Lot area and building area.

There is no limitation on lot and building area. (Prior code § 36.136 (part))

19.50.050 Yards generally.

Except as setbacks are required along major streets by Chapter 19.72, there shall be established and maintained:

A. Front Yard. None required, except that a minimum front yard of twenty feet shall be required whenever a lot or parcel in the M-2 zone abuts any street which separates an M-2 zone from any R zone;

B. Side Yards. None required, except that a minimum side yard of fifty feet shall be required whenever a lot or parcel in the M-2 zone abuts any lot or parcel in any R zone and a minimum side yard of twenty feet shall be required whenever a lot or parcel in the M-2 zone abuts any street or alley which separates an M-2 zone from any R zone;

C. Rear Yard. None required, except that a minimum rear yard of fifty feet shall be required whenever a lot or parcel of land in the M-2 zone abuts a lot or parcel in any R zone and a minimum rear yard of twenty feet shall be required whenever a lot or parcel in the M-2 zone abuts any street or alley which separates an M-2 zone from any R zone. (Prior code § 36.136 (part))

19.50.060 Landscaping.

Front yard areas and street side yard areas, as required in Section 19.50.050, shall be suitably landscaped with plant materials, adequately maintained, and in no in-stance shall be used for off-street parking, loading, storage or accessory buildings. (Prior code § 36.136 (part))

19.50.070 Use of rear and side yards for off-street parking and storage.

Rear yard and interior side yard areas, as required in Section 19.50.050, may be used for off-street parking, loading, outdoor storage of materials or equipment. (Ord. 6367 § 9, 1997; Prior code § 36.136 (part))

19.50.080 Parking requirements.

Parking areas shall be provided in general manufacturing zones as required in the provisions of Chapter 19.74. (Prior code § 36.137)

19.50.090 Loading area.

Off-street loading facilities shall be provided as required in the provisions of Section 19.74.160. (Prior code § 36.138)

19.50.100 Walls.

Whenever a lot or parcel in the M-2 zone sides on or backs to a lot or parcel in any R zone or to an alley which separates an M-2 zone from any R zone, a six foot high solid masonry wall shall be constructed along the property line separating the M-2 zone from the R zone or along the alley right-of-way line on the M-2 side of such alley, except, that such wall shall be three feet in height in any front yard or street side yard area. (Prior code § 36.139)

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Chapter 19.51

WATER COURSE (WC) ZONE

Sections:

19.51.010 Generally.
19.51.020 Uses permitted.
19.51.030 Nonconforming uses.

19.51.010 Generally.

Water course zones are intended for designated floodways, stream channels and those areas of the City which are subject to periodic flooding and accompanying hazards and which should be kept free from particular structures or improvements which may endanger life or property or significantly restrict the carrying capacity of the designated floodway or stream channel. (Ord. 3873 § 1 (part), 1971)

19.51.020 Uses permitted.

The following uses shall be permitted in a water course zone:

A. The following uses, provided no buildings or structures shall be allowed, no materials or equipment shall be stored, no earth fill or deposit of materials shall be made, and no rock, sand, gravel or other materials shall be excavated or removed:

1. Raising of field crops, row crops, berry and bush crops, truck gardening, flower gardening and growing of nursery plants;

2. Keeping of horses, sheep, goats or cattle, provided that no animals shall be kept on a site less than one acre and not more than one animal shall be kept for each half acre of site area. No animal shall be kept within one hundred feet of a dwelling;

3. Public utilities wire and pipelines for transmission or local distribution.

B. The following uses, provided no building or structures shall be allowed, no materials or equipment shall be stored, no earth or other materials shall be excavated or removed except as herein provided, which will endanger life or which may be carried away by flood waters or significantly restrict the carrying capacity of a stream channel or impair the ability of the designated floodway to carry and discharge the waters resulting from the design flood:

1. Flood control channels, spreading grounds and retaining basins, and related appurtenances which have been approved by the Riverside County flood control and water conservation district,

2. Private recreation areas, parks, playgrounds, fishing lakes, baseball and football fields, golf courses, golf driving ranges, parking lots, wildlife preserves and wilderness areas, all subject to the granting of a conditional use permit for which project plans showing all facilities, buildings, parking areas, walls, fences, open areas and landscaping are made a part of the permit;

3. Excavation and removal of rock, sand, gravel and other materials subject to the granting of a conditional use permit;

4. Accessory structures, subject to the granting of a conditional use permit;

5. Signs, as provided in Chapter 19.76. (Ord. 3873 § 1 (part), 1971)

19.51.030 Nonconforming uses.

Notwithstanding other provisions of this title to the contrary, a nonconforming use shall not be expanded but may be modified, altered or repaired to incorporate floodproofing measures, provided such measures do not raise the level of the design flood. (Ord. 3873 § 1 (part), 1971)

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Chapter 19.52

FLOODPLAIN COMBINING (FP) ZONE

Sections:

19.52.010 Generally.
19.52.020 Uses permitted.

19.52.010 Generally.

Floodplain combining zones are intended to be combined with any other zone in those areas of the City between the limits of the designated floodway and the limits of the floodplain where inundation may occur but where depths and velocities are generally low. Floodplain combining zones are intended to be applied to properties to encourage only that development of flood-prone areas which:

A. Is appropriate in light of the probability of flood damage and the need to reduce flood losses;

B. Represents an acceptable social and economic use of the land in relation to the hazards involved; and

C. Does not increase the damage to human life; and to discourage all other development. (Ord. 3874 § 1 (part), 1971)

19.52.020 Uses permitted.

Permitted uses in the FP zone shall be any use permitted in the zone with which the floodplain combining zone has been combined, provided that the following conditions are met:

A. New construction or substantial improvements of residential structures shall have the lowest floor (including basement) elevated eighteen inches above the level of the one-hundred-year flood.

B. New construction or substantial improvements of nonresidential structures shall have the lowest floor (including basement) elevated eighteen inches above the level of the one-hundred-year flood or, together with attendant utility and sanitary facilities, shall be floodproof up to eighteen inches above the level of the one-hundred-year flood.

C. No use, including landfill, shall be permitted unless the applicant for the land use has demonstrated that the proposed use, when combined with all other existing and anticipated uses, will not increase the water surface elevation of the one-hundred-year flood more than one foot at any point. (Ord. 3874 § 1 (part), 1971)

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Chapter 19.53

BUILDING SETBACK COMBINING (X) ZONE

Sections:

19.53.010	**Generally.**
19.53.020	**Building setback combining zones established.**
19.53.030	**Application of building setback combining zones.**
19.53.040	**Structures or improvements in special setbacks.**

19.53.010 Generally.

The City Council finds, determines and declares that the establishment of building setback combining zones is necessary to preserve and promote the health, safety and general welfare of the community by reducing the possible detrimental impact of building height or mass on neighboring properties or public rights-of-way. (Ord. 4242 § 3 (part), 1975)

19.53.020 Building setback combining zones established.

The City Council may, by ordinance, after report thereon by the Planning Commission, establish a building setback combining (X) zone designating special setback requirements for any property in any residential-3 (R-3) zone, the restricted office (RO) zone or any commercial (C) zone. (Ord. 6120 § 2, 1994; Ord. 4242 § 3 (part), 1975)

19.53.030 Application of building setback combining zones.

Whenever the building setback combining (X) zone is established on any R-3, RO or C zoned property, no building shall be constructed on the property closer to any property line than the number of feet specified by the City Council, and the number of feet so specified shall take precedence over the setback requirement established by the underlying zone. (Ord. 6120 § 3, 1994; Ord. 4242 § 3 (part), 1975)

19.53.040 Structures or improvements in special setbacks.

Notwithstanding any provisions of this chapter to the contrary, the following structures or improvements may be erected, constructed or established within the special setbacks established in this chapter:

A. Pedestrian access walkways;

B. Vehicular access driveways;

C. Fences or walls not exceeding three feet in height in yards adjacent to streets, or six feet in all other yards;

D. Off-street parking areas within the special rear or special interior side yard setbacks only, including parking spaces, drives, aisles, turning and maneuvering areas, bumper stops or wheel stops;

E. Lights to illuminate off-street parking areas, pedestrian walkways, vehicular access driveways, landscaped areas or buildings;

F. Structures or improvements permitted within yard areas by and in conformance with the provisions of Sections 19.70.090 through 19.70.130. For the purpose of this subsection, the special setback requirement shall be considered a yard;

G. Signs as permitted by Chapter 19.76;

H. Landscaped areas. (Ord. 4499 § 1, 1977; Ord. 4242 § 3 (part), 1975

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Chapter 19.54

RAILWAY (RWY) ZONE

Sections:

19.54.010 Generally.
19.54.020 Uses permitted.
19.54.030 Building height limit.
19.54.040 Lot area and building area.
19.54.050 Yards.

19.54.010 Generally.

Railway zones are intended for railway and transportation uses. Except as specifically provided elsewhere in this title, any and every new use and any and every new building and premises or land in RWY zone shall be used for or occupied and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within such RWY zone exclusively and only in accordance with the regulations set out in this chapter. (Prior code § 36.140)

19.54.020 Uses permitted.

The following uses shall be permitted in a railway zone:

A. Right-of-way for railroad and transportation of goods and persons;

B. Uses customarily incidental to railway and transportation purposes, including warehouses or other structures and accessory buildings used directly in the railway or transportation business, but not including manufacturing or business purposes or billboards not directly in connection with a railway or carrier itself;

C. Signs, as provided in Chapter 19.76;

D. Construction Caretaker Temporary Living Quarters shall be permitted subject to approval of a Minor Conditional Use Permit in accordance with the standards specified in Section 19.64.230(B). (Ord. 6324 § 6, 1996; Prior code § 36.141)

19.54.030 Building height limit.

The building height limit in a railway zone shall be thirty-five feet, except as otherwise provided in Section 19.68.030. (Prior code § 36.142)

19.54.040 Lot area and building area.

There is no limitation on lot or building area. (Prior code § 36.143 (part))

19.54.050 Yards.

Except as setbacks along major streets are required (see Chapter 19.72), no yards are required. (Prior code § 36.143 (part))

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Chapter 19.55

SPECIFIC PLAN COMBINING (SP) ZONE

Sections:

19.55.010 Generally.
19.55.020 Application of the specific plan combining zone.
19.55.30 Variances.

19.55.010 Generally.

The specific plan combining zone is intended to be applied to all properties within the City lying within the bounds of an adopted specific plan, except those properties within the Downtown Specific Plan. It is the intent of these regulations to specify that the standards for land use and development established by any adopted specific plan govern land use and development within the specific plan area over and above the requirements of the basic underlying zone. The area within the Downtown Specific Plan boundaries is within the Downtown Specific Plan Zone which established the zoning for that area and is not a combining zone. (Ord. 6638 §2, 2002; Ord. 5773 § 1, 1989)

19.55.020 Application of the specific plan combining zone.

For those properties where the specific plan combining zone is applied, all permitted use restrictions, development standards, and other applicable standards or regulations governing development as contained within the adopted specific plan shall apply. To the extent that the specific plan does not enumerate use restrictions, development standards, or other applicable regulations, the standards associated with the underlying zone shall apply. In the event that provisions of the adopted specific plan conflict with or do not correspond with the provisions of the underlying zone, the provisions as contained in the adopted specific plan shall apply and supersede the underlying zone requirements. (Ord. 5773 § 1, 1989)

19.55.030 Variances.

Variances may be granted by the Planning Commission pursuant to the procedures set forth in Chapter 19.64 from the development standards and other applicable standards contained in the adopted specific plan applied to the property by the specific plan combining zone; provided, that no variance shall be granted to allow a less restrictive use or other use not permitted by Section 19.55.020. (Ord. 6462 § 22, 1999; Ord. 5773 § 1, 1989)

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Chapter 19.56

DOWNTOWN SPECIFIC PLAN (DSP) ZONE

Sections:

19.56.010 General Purpose.
19.56.020 Applicability/Districts.
19.56.030 Uses permitted.
19.56.040 Site development standards.
19.56.050 Design guidelines.
19.56.060 Parking.
19.56.070 Signs.
19.56.080 Design review.
19.56.090 Variances.
19.56.100 Severability.

19.56.010 General Purpose.

The Downtown Specific Plan (DSP) Zone is intended to help protect the health, safety and general welfare of the City of Riverside downtown area and its environs including provisions for sensible growth and high quality development tailored to the varied development conditions for the downtown area. (Ord. 6638 § 3, 2002)

19.56.020 Applicability/Districts.

The Downtown Specific Plan Zone is intended primarily for residential, office, and commercial uses. The Downtown Specific Plan Zone includes nine districts with varying uses and development standards as set forth in the approved Downtown Specific Plan. The properties within the boundaries of the Downtown Specific Plan Zone are designated to be within a specific district. The following is a general description of these districts:

A. Raincross District: Intended to be the hub of the downtown area allowing a wide variety of uses including, cultural, arts, entertainment, retail, hospitality and urban residential uses. This area provides many opportunities for growth and development, using the area's historic buildings as a point of reference for scale and design.

B. Justice Center District: Intended to be downtown's center for courts, governmental, and large scale private office uses. The emphasis is on density, height, and contemporary buildings with historic references in detailing.

C. Almond Street District: Intended to maintain the residential scale and appearance of the existing neighborhood, while allowing for a mix of small scale office uses, live/work uses, and single family residential uses with an emphasis on adaptive re-use of existing historic residential structures.

D. Prospect Office District: Intended to provide for a variety of high quality office uses an be a transitional area between the open space of the Riverside Community College campus and the urban intensity of the Justice Center and Core Districts.

E. Health Care District: Intended to encourage the expansion of the existing hospital and medical related uses and the establishment of new medical and medical support uses and to create an attractive entry into downtown from the south.

F. North Main Street Specialty Services District: Intended to provide for small-scale manufacturing and specialty commercial services, as well as opportunities for live/work units and adaptive reuse of industrial buildings to maintain the historic character of the area.

G. Market Street Gateway District: Intended to create an attractive entry into the City and the downtown area by providing a "green parkway" character and high quality development adjacent to the 60 freeway. This district allows office and residential uses.

H. Residential District: Intended to maintain and protect the existing character of the single family residential neighborhoods downtown, as well as preserve the historic housing stock. This district includes three residential areas - Heritage Square, Mile Square, and Prospect Place.

I. Neighborhood Commercial District: Intended to provide local shopping for all downtown residents. Permitted uses include grocery store, restaurants, small offices and banks, laundromats, and pharmacies. (Ord. 6638 § 3, 2002)

19.56.030 Uses permitted.

All permitted and conditionally permitted uses for each district are listed in the adopted

Downtown Specific Plan. Any standard or regulation not specifically covered by the Downtown Specific Plan shall be subject to the provisions of the Zoning Code and the Riverside Municipal Code. Interpretations may be made by the Planning Director or referred to the Planning Commission if not specifically covered in the City's existing regulations pursuant to the procedures set forth in Chapter 19.02. (Ord. 6638 § 3, 2002)

19.56.040 Site development standards.

Site development standards required for each district are set forth in the adopted Downtown Specific Plan. Any standard or regulation not specifically covered by the Downtown Specific Plan shall be subject to the provisions of the Zoning Code and the Riverside Municipal Code. Interpretations may be made by the Planning Director or referred to the Planning Commission if not specifically covered in the City's existing regulations pursuant to the procedures set forth in Chapter 19.02. (Ord. 6638 § 3, 2002)

19.56.050 Design guidelines.

Design guidelines for each district and general design guidelines that apply to all districts are set forth in the adopted Downtown Specific Plan. Any standard or regulation not specifically covered by the Downtown Specific Plan shall be subject to the provisions of the Zoning Code and the Riverside Municipal Code. Interpretations may be made by the Planning Director or referred to the Planning Commission if not specifically covered in the City's existing regulations pursuant to the procedures set forth in Chapter 19.02. (Ord. 6638 § 3, 2002)

19.56.060 Parking.

Parking shall be provided as required in the adopted Downtown Specific Plan. Any standard or regulation not specifically covered by the Downtown Specific Plan shall be subject to the provisions of the Zoning Code and the Riverside Municipal Code. Interpretations may be made by the Planning Director or referred to the Planning Commission if not specifically covered in the City's existing regulations pursuant to the procedures set forth in Chapter 19.02 (Ord. 6638 § 3, 2002)

19.56.070 Signs.

Signs shall be permitted as provided for in the adopted Downtown Specific Plan. Any standard or regulation not specifically covered by the Downtown Specific Plan shall be subject to the provisions of the Zoning Code and the Riverside Municipal Code. Interpretations may be made by the Planning Director or referred to the Planning Commission if not specifically covered in the City's existing regulations pursuant to the procedures set forth in Chapter 19.02. (Ord. 6638 § 3, 2002)

19.56.080 Design review.

Any new building, structure, sign, or exterior alteration of an existing building, structure, or sign shall require design review approval as required by the adopted Downtown Specific Plan. Any standard or regulation not specifically covered by the Downtown Specific Plan shall be subject to the provisions of the Zoning Code and the Riverside Municipal Code. Interpretations may be made by the Planning Director, or referred to the Planning Commission if not specifically covered in the City's existing regulations pursuant to the procedures set forth in Chapter 19.02. (Ord. 6638 § 3, 2002)

19.56.090 Variances.

When considering a development plan, the Zoning Administrator may consider administrative variances or the Planning Commission may hold a public hearing to consider variances from the requirements of the adopted Downtown Specific Plan as set forth in Sections 19.64.050 and 19.64.054 and pursuant to the procedures set forth in Chapter 19.64. (Ord. 6638 § 3, 2002)

19.56.100 Severability.

If any section, subsection, sentence, clause or phrase of this chapter is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the validity or constitutionality of the remaining portions of this chapter. The City

Council declares that it would have passed this chapter, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more of the sections, subsections, sentences, clauses or phrases thereof, are declared invalid or unconstitutional. (Ord. 6638 § 3, 2002)

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Chapter 19.57

AIR INDUSTRIAL (AI) ZONE

Sections:

19.57.010 General purpose.
19.57.020 Applicability/Subzones.
19.57.030 Uses permitted.
19.57.040 Site development standards.
19.57.050 Permitted locations for off-street parking, loading and outdoor storage.
19.57.060 Screening of outdoor storage.
19.57.070 Loading area.
19.57.080 Walls.
19.57.090 Parking requirements.
19.57.100 Design review.
19.57.110 Performance standards.

19.57.010 General purpose.

The Air Industrial (AI) Zone is intended to help protect the health, safety and general welfare of the Riverside Municipal Airport and its environs including provisions for sensible growth and high quality development tailored to the varied development conditions of the Airport area. (Ord. 6378 § 2, 1997)

19.57.020 Applicability/ Subzones.

The Air Industrial Zone is intended primarily for light industrial and office uses. It includes four subzones with varying uses and development standards as detailed in this chapter. The following is a general description of these subzones:

AI-1: Intended primarily for large corporations needing large scale, high visibility locations.

AI-2: Intended primarily for airport, industrial, office and limited commercial uses, needing moderate scale sites at or adjacent to the Riverside Municipal Airport.

AI-3: Intended primarily for moderate size uses with varying locations and site size needs.

AI-4: Intended primarily for small size uses with limited visibility and site size needs. (Ord. 6378 § 2, 1997)

19.57.030 Uses permitted.

The following uses shall be permitted in the Air Industrial Zone, if conducted per the performance standards set forth in this chapter.

Table 19.57.030

SUMMARY OF INDUSTRIAL ZONE PERMITTED USES			
	Office	**Industrial**	**Commercial**
AI-1	X	X	
AI-2	X	X	X
AI-3	X	X	
AI-4	X	X	

A. Office Uses. Permitted office uses shall include administrative, executive, professional, medical and business offices.

B. Industrial Uses. Permitted industrial uses shall include all those uses permitted in the MP and M-1 Zones, however, the following uses shall be PROHIBITED:

1. Tire retreading or recapping, and battery manufacture
2. Automobile impound yard

3. Recycling centers
4. Solid waste transfer stations
5. Electroplating
6. Livery stable
7. Poultry or rabbit slaughtering
8. Lumber yard
9. Contractors' storage yard
10. Building material storage yard

C. Incidental Retail Sales. Incidental retail sales of any product manufactured on-site may be allowed subject to the granting of a minor conditional use permit and the site location criteria, development and operation standards listed below:

1. Site Location Criteria: The building containing the sales area shall have direct access to or be located in close proximity of one or more major streets as designated by the Transportation Element and the Streets and Highways Diagram of the Riverside General Plan;

2. Operation and Development Standards:

a. The sales area shall be located within a portion of a primary building and shall not exceed two thousand square feet in area;

b. Sales shall be limited to a maximum of ten percent of the gross receipts of the product manufactured on site;

c. Parking shall be established and maintained in accordance with paragraph twelve of Section 19.74.010 of this title;

d. On and off-site improvements in substantial conformance with the development standards of the underlying zone.

3. Variances. The Zoning Administrator, Planning Commission or City Council may grant variance requests from the standards outlined in subsections A and B.

D. Freestanding Commercial Uses. The following freestanding commercial uses shall be allowed in the AI-2 subzone.

1. Aircraft sales, rental, service, repair, storage, charter services, and flying schools.
2. Aircraft hangars, parts, supplies, merchandise, and equipment.
3. Public airports and heliports.
4. Car rentals.
5. Gift shop.
6. Restaurant or other food vendor.
7. Travel Agent.
8. Truck and heavy equipment sales, subject to the granting of a conditional use permit.

E. BP Overlay Zone: The BP (Business Park) overlay zone shall not apply to the Air Industrial zone. (Ord. 6378 § 2, 1997)

19.57.040 Site development standards.

The regulation in the following table shall apply to any development in the Air Industrial Zone.

AIR INDUSTRIAL ZONE MINIMUM SITE DEVELOPMENT STANDARDS						
Zone	Lot Area	Lot Width	**Setbacks[1]**			**Bldg Ht[2]**
			Front	Side	Rear	
AI-1	5 Acres	300 ft	50 ft (front 20 ft landscaped	20 ft	20 ft	45 ft
AI-2 AI-3	40,000 G major arterial frontage	140 ft	50 ft (front 20 ft landscaped)	20 ft	20 ft	45 ft
	20,000 G all other streets	100 ft	20 ft (all landscaped)	none	none	
AI-4	40,000 G major arterial frontage	140 ft	50 ft (front 20 ft landscaped)	20 ft	20 ft	45 ft
	14,000 G all other streets	100 ft	15 ft (all landscaped)	none	none	

1. Where lots comprising 50% or more of the frontage on one side of the street between intersecting streets are developed with front yards of a lesser depth, the average of such front yards shall establish the front yard depth for the entire frontage on that side of the street an within the block. The side or rear yard setback shall be the same as the front yard setback when any side or rear yard abuts any street. A minimum 50 foot side or rear yard setback shall be required whenever a side or rear yard abuts any "R" Zoned lot.
2. A maximum building height of 45 feet is permitted, except that no building, structure or tree may penetrate the flight zone per the "imaginary surfaces" for Riverside Airport established by Federal Aviation Regulations FAR 77.25. Any height variance will be subject to the approval of the Board of Administrative Appeal and Zoning Adjustment and the Airport Director.(Ord. 6378 § 2, 1997)

19.57.050 Permitted locations for off-street parking, loading and outdoor storage.

Off street parking shall be allowed in any area except landscaped setbacks. Outdoor loading and storage of materials incidental to the permitted use shall be allowed in any area except front setback and street side yard areas. (Ord. 6378 § 2, 1997)

19.57.060 Screening of outdoor storage.

All outdoor storage shall be visually screened from all adjacent building sites and streets by a solid masonry wall not less than six feet nor more than eight feet in height. Outdoor storage shall not extend above the height of the screening wall. (Ord. 6378 § 2, 1997)

19.57.070 Loading area.

Off-street loading shall be provided as required in Section 19.74.160. (Ord. 6378 § 2, 1997)

19.57.080 Walls.

Whenever a lot or parcel in the Air Industrial Zone sides on, or backs up to, a lot or parcel in any Residential "R" Zone or to an alley which separates the the Air Industrial Zone from any "R" Zone, a six foot high solid masonry wall shall be constructed along the property line separating the Air Industrial Zone from the "R" Zone or along the alley right-of-way line on the

Air Industrial Zone side of the alley, except that such wall shall not extend into any front yard or street side yard area. (Ord. 6378§ 2, 1997)

19.57.090 Parking requirements.

Parking shall be provided as required in the provisions of Chapter 19.74. (Ord. 6378 § 2, 1997)

19.57.100 Design review.

Any new building, structure, or sign, or exterior alteration of an existing building, structure, or sign shall require design review approval as required in Chapter 19.62 and in accordance with the Riverside Industrial Area Design Guidelines prior to the issuance of a building permit. The plot plan submitted for design review approval shall show the topography of the lot; abutting streets; topographic features located within two hundred feet of all lot lines; and any additional data which may be required to determine compliance with the provisions of this chapter. (Ord. 6378 § 2, 1997)

19.57.110 Performance standards.

All uses in the Air Industrial Zone shall comply with the following performance standards:

A. Glare and Heat. No glare or heat shall be produced that is readily perceptible beyond the boundaries of the lot on which the use is located. Glare from arc welding, acetylene torch cutting or similar processes shall be performed so as to be seen from any point beyond the outside of the property. No glare producing materials shall be used on the exterior of any structure, including any metal building which are hazardous to aviation. No lighting shall be permitted which projects upward in a manner that would interfere with airborne aircraft.

B. Fire and Explosion Hazards. All storage activities involving flammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate fire-fighting and fire suppression equipment and devices standard in industry.

C. Noise. Maximum permissible exterior sound levels shall comply with the standards of Municipal Code Title 7 "Noise Control Ordinance".

D. Atmospheric Effluence. No noxious gases or obnoxious odors of any kind shall be permitted. (Ord. 6378 § 2, 1997)

Chapter 19.58

AIRPORT (AIR) ZONE

Sections:

19.58.010	**Generally.**
19.58.020	**Uses permitted.**
19.58.025	**Design review.**
19.58.030	**Building height limit.**
19.58.036	**Area requirements generally.**
19.58.040	**Lot area and width.**
19.58.050	**Yards generally.**
19.58.060	**Landscaping.**
19.58.070	**Use of interior side and rear yards.**
19.58.080	**Walls.**
19.58.090	**Standards of performance.**
19.58.100	**Parking requirements.**
19.58.110	**Loading area.**

19.58.010 Generally.

Airport zones are intended for aviation, industrial, service, and commercial uses related to or compatible with or convenient for airport operations. Except as specifically provided elsewhere in this title, any and every new use and any and every new building and premises or land in an AIR zone shall be used for or occupied and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within such AIR zone exclusively and only in accordance with the regulations set out in this chapter. (Ord. 3748 § 1 (part), 1970)

19.58.020 Uses permitted.

The following uses shall be permitted in an airport zone (provided, however, that these regulations shall not be construed as granting access to the airport runways and airport property not otherwise available for public use without the consent of the City):

A. Public airports and heliports;

B. Private airports and heliports, subject to the granting of a conditional use permit;

C. Aircraft sales, rental, service, repair, storage, charter services, and flying schools;

D. Hangars and shops for furnishing parts, supplies, merchandise, and equipment for aircraft;

E. Manufacturing, assembling and sale of aircraft, air frames, aircraft engines, aircraft parts, and components such as radios, transmitters, and navigational equipment;

F. Any use, excepting residential, permitted in the RO and MP zones under Sections 19.20.020, 19.46.020 and 19.44.020; provided, however, the requirements of Sections 19.46.020 and 19.44.020 for a conditional use permit for the uses listed therein shall not be applicable under this chapter;

G. Automobile service stations, including indoor facilities for lubrication, battery and brake service, tire repair, minor adjustments and repair but excluding painting, body work, steam cleaning, major repairs, mechanical washing facilities, utility truck and trailer rental and packaged ice sales, subject to the granting of a conditional use permit and in accordance with the provisions of Section 19.28.020(II);

H. Bookstores and newsstands;

I. Cleaning and laundry agencies;

J. Clothing stores;

K. Confectionery stores;

L. Drug stores;

M. Florist shops;

N. Gift shops;

O. Motels and hotels;

P. Private recreational facilities, subject to the granting of a conditional use permit;

Q. Restaurant or cafe;

R. Tobacco shops;

S. Veterinary clinics, animal hospitals and animal boarding facilities;

T. Growing of orchards, tree crops, field crops, row crops, truck gardening, berry and bush crops, flower gardening, and growing of nursery plants, including one

stand for the sale of such products raised on the premises;

U. Keeping of horses, sheep, goats or cattle, provided that no animals shall be kept on a site of less than one acre and not more than one animal shall be kept for each half acre of site area. No animal shall be kept within one hundred feet of a dwelling. Additional animals and public stables may be permitted subject to the granting of a conditional use permit;

V. Signs, as provided in Chapter 19.76;

W. Outdoor storage subject to the screening requirements prescribed for the MP zone in Section 19.46.020(E);

X. Off-sale of alcoholic beverages subject to all the requirements of Section 19.26.020 subsection H of this title;

Y. Vocational schools, subject to the granting of a conditional use permit and meeting the standards set forth in Section 19.20.020(N) of this title;

Z. Outdoor dining and food preparation as defined in Section 19.04.394, subject to the requirements, as applicable, of Section 19.26.020, subsections G and I of this title;

AA. On-sale of all alcoholic beverages subject to a minor conditional use permit and the site location criteria, operation standards, development standards and exemptions of Section 19.26.020, subsection J of this title.

BB. Construction Caretaker Temporary Living Quarters shall be permitted subject to approval of a Minor Conditional Use Permit in accordance with the standards specified in Section 19.64.230(B). (Ord. 6324 § 7, 1996; Ord. 6228 § 3, 1995; Ord. 6122 §§ 24, 25, 1994; Ord. 6044 § 6, 1993; Ord. 6033 § 10, 1993; Ord. 3748 § 1 (part), 1970)

19.58.025 Design review.

No new building, structure or sign or exterior alteration or enlargement of an existing building, structure or sign shall be commenced in the AIR zone until design review approval has been granted pursuant to Chapter 19.62. (Ord. 4571 § 9, 1978)

19.58.030 Building height limit.

The building height limit in an airport zone shall be forty-five feet, except as otherwise provided in Section 19.68.030. (Ord. 3748 § 1 (part), 1970)

19.58.036 Area requirements generally.

Lot width, depth and area, building area and yard requirements shall be as follows; provided, however, that where the topography, nature of terrain, the character of the development of the neighborhood or the area or dimensions of one or more lots shown on any parcel map or subdivision map, as approved by the Planning Commission, is such that compliance with any or all of such requirements would prevent the reasonable development and use of any such lot as a building site and that compliance with a requirement would not be necessary to accomplish the purposes of this title, then the Planning Commission may waive compliance with such requirements; and such action may be by minute order without variance proceedings if taken concurrently with or subsequent to the approval of the subdivision map or parcel map by the Planning Commission. (Ord. 4024 § 12, 1973)

19.58.040 Lot area and width.

A. Lot Area. A minimum lot area of eight thousand square feet.

B. Lot Width. A minimum lot width of eighty feet. (Ord. 3748 § 1 (part), 1970)

19.58.050 Yards generally.

Except as setbacks are required along major streets by Chapter 19.72, there shall be established and maintained:

A. A front yard having a depth of not less than fifteen feet;

B. Side yards adjacent to streets of not less than fifteen feet; except that minimum side yards of fifty feet shall be

required wherever a lot or parcel abuts a lot or parcel in any R zone;

C. Rear yard of not less than fifteen feet; except that minimum rear yards of fifty feet shall be required wherever a lot or parcel abuts a lot or parcel in any R zone. (Ord. 3748 § 1 (part), 1970)

19.58.060 Landscaping.

Front yard areas, side yard areas adjacent to streets and rear yards adjacent to streets as required in Section 19.58.050, shall be suitably landscaped with plant materials, adequately maintained and in no instance shall be used for off-street parking, loading, storage or accessory buildings. (Ord. 3748 § 1 (part), 1970)

19.58.070 Use of interior side and rear yards.

Required interior side and rear yards may be used for off-street parking, loading and outdoor storage. (Ord. 6367 § 10, 1997; Ord. 5051 § 1, 1982; Ord. 3748 § 1 (part), 1970)

19.58.080 Walls.

Wherever a lot or parcel in the AIR zone sides on or backs to a lot or parcel in any R zone or to an alley which separates an AIR zone from any R zone, a six-foot-high solid masonry wall shall be constructed along the property line separating the AIR zone from the R zone or along the alley right-of-way line on the AIR side of the alley; except that such wall shall be three feet in height in any front yard or street side yard area. Such wall shall not be required until the lot or parcel is occupied by a permitted use. (Ord. 3748 § 1 (part), 1970)

19.58.090 Standards of performance.

All uses shall comply with the standards prescribed for the MP zone in Section 19.46.110, except that noise shall not be subject to the standards. (Ord. 3748 § 1 (part), 1970)

19.58.100 Parking requirements.

Parking areas shall be provided in airport zones as required in the provisions of Chapter 19.74. (Ord. 3748 § 1 (part), 1970)

19.58.110 Loading area.

Off-street loading facilities shall be provided in airport zones as required in the provisions of Chapter 19.74. (Ord. 3748 § 1 (part), 1970)

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Chapter 19.60

OFFICIAL (O) ZONE

Sections:

19.60.010 Generally.
19.60.020 Uses permitted.
19.60.025 Design review.

19.60.010 Generally.

Official zones are intended for official and public uses of property and related activities including civic center, public schools, public buildings, parks and recreation areas, waterworks and drainage facilities, highways and areas which, for the welfare of the City, should be kept clear of particular structures or improvements, and for watershed areas for conservation of flood or storm waters or for protection against flood or storm waters, and for certain private recreational, agricultural and other compatible uses. (Ord. 3687 § 1 (part), 1970; prior code § 36.150)

19.60.020 Uses permitted.

The following uses are permitted in the official O zone:

A. Official and public uses of property and related activities, agricultural uses and related activities and flood control facilities subject to plot plan review and approval for location, appropriateness and safety from flood or storm waters by the City Planning Commission. The plot plan review and approval shall be obtained before building permits are issued or construction started,

B. Private recreation uses, riding academies or stables, dairies, rifle, pistol and archery ranges, zoos, arboretums, wildlife preserves and other uses as provided in Section 19.68.010 which in the judgment of the Commission are similar to, compatible with and no more objectionable than any of those enumerated herein, all subject to the granting of a conditional use permit for which project plans showing all facilities, buildings, parking areas, walls, fences, open areas and landscaping are made a part of the permit.

C. Construction Caretaker Temporary Living Quarters shall be permitted subject to approval of a Minor Conditional Use Permit in accordance with the standards specified in Section 19.64.230(B). (Ord. 6324 § 8, 1996; Ord. 3687 § 1 (part), 1970)

19.60.025 Design review.

No new building, structure or sign or exterior alteration or enlargement of an existing building, structure or sign shall be commenced in the O zone until design review approval has been granted pursuant to Chapter 19.62. (Ord. 4571 § 10, 1978)

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Chapter 19.61

ADULT-ORIENTED BUSINESSES

Sections:

19.61.010 Purpose.
19.61.020 Definitions.
19.61.030 Minimum proximity requirements.
19.61.040 Severability.

19.61.010 Purpose.

It is the intent of this section to prevent community wide adverse economic impacts, increased crime, decreased property values, and the deterioration of neighborhoods which can be brought about by the concentration of Adult-Oriented Businesses in close proximity to each other or proximity to other incompatible uses such as schools for minors, churches, and residentially zoned districts or uses. The City Council finds that it has been demonstrated in various communities that the concentration of Adult-Oriented Businesses causes an increase in the number of transients in the area, and an increase in crime, and in addition to the effects described above can cause other businesses and residents to move elsewhere. It is, therefore, the purpose of this article to establish reasonable and uniform regulations to prevent the concentration of Adult-Oriented Businesses or their close proximity to incompatible uses, while permitting the location of Adult-Oriented Businesses in certain areas. (Ord. 6323 § 2, 1996; Ord. 4662 § 1 (part), 1979)

19.61.020 Definitions.

A. Establishment of an Adult-Oriented Business. As used herein, to "establish" an Adult-Oriented Business shall mean and include any of the following:

1. The opening or commencement of any Adult-Oriented Business as a new business;

2. The conversion of an existing business, whether or not an Adult-Oriented Business, to any Adult-Oriented Business defined herein;

3. The addition of any of the Adult-Oriented Businesses defined herein to any other existing Adult-Oriented Business; or

4. The relocation of any such Adult-Oriented Business.

B. As used herein, "specified anatomical areas" shall mean and include any of the following:

1. Less than completely and opaquely covered human (a) genitals or pubic region; (b) buttocks; and (c) female breast below a point immediately above the top of the areola;

2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered;

3. Any device, costume or covering that simulates any of the body parts included in subdivisions (1) or (2) above.

C. As used herein, "specified sexual activities" shall mean and include any of the following, whether performed directly or indirectly through clothing or other covering:

1. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breast;

2. Sex acts, actual or simulated, including intercourse, oral copulation, or sodomy;

3. Masturbation, actual or simulated;

4. Excretory functions as part of or in connection with any of the other activities described in subdivision (1) or (3) of this subsection.

D. "Adult-Oriented Businesses" means any of the following:

1. The term "adult arcade" as used in this chapter, is an establishment where, for any form of consideration, one or more still or motion picture projectors or similar machines, for viewing by five or fewer persons each, are used to show films, computer generated images, motion pictures, video cassettes, slides or other photographic reproductions thirty percent or more of the number of which are distinguished or characterized by an emphasis upon the

depiction or description of specified sexual activities or specified anatomical areas.

2. The term "adult bookstore" as used in this chapter, is an establishment that has thirty percent or more of its stock in books, magazines, periodicals or other printed matter, or of photographs, films, motion pictures, video cassettes, slides, tapes, records or other form of visual or audio representations which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities and or specified anatomical areas.

3. The term "adult cabaret" as used in this chapter, means a nightclub, restaurant, or similar business establishment which: (a) regularly features live performances which are distinguished or characterized by an emphasis upon the display of specified anatomical areas or specified sexual activities; and/or (b) which regularly features persons who appear semi-nude; and/or (c) shows films, computer generated images, motion pictures, video cassettes, slides, or other photographic reproductions thirty percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

4. The term "adult hotel/motel" as used in this chapter, means a hotel or motel or similar business establishment offering public accommodations for any form of consideration which, (a) provides patrons with closed-circuit television transmissions, films, computer generated images, motion pictures, video cassettes, slides, or other photographic reproductions thirty percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas; and (b) rents, leases, or lets any room for less than a six hour period, or rents, leases, or lets any single room more than twice in a twenty-four-hour period.

5. The term "adult motion picture theater" as used in this chapter, is a business establishment where, for any form of consideration, films, computer generated images, motion pictures, video cassettes, slides or similar photographic reproductions are shown, and thirty percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

6. The term "adult theater" as used in this chapter, means a theater, concert hall, auditorium, or similar establishment which, for any form of consideration, regularly features live performances which are distinguished or characterized by an emphasis on the display of specified anatomical areas or specified sexual activities.

7. The term "modeling studio" as used in this chapter, means a business which provides, for pecuniary compensation, monetary or other consideration, hire or reward, figure models who, for the purposes of sexual stimulation of patrons, display "specified anatomical areas" to be observed, sketched, photographed, painted, sculpted or otherwise depicted by persons paying such consideration. "Modeling studio" further does not include a studio or similar facility owned, operated, or maintained by an individual artist or group of artists, and which does not provide, permit, or make available "specified sexual activities."

E. The term "church" as used in this article, is a structure which is used primarily for religious worship and related religious activities.

F. As used in this ordinance, the term "distinguished or characterized by an emphasis upon" shall mean and refer to the dominant or essential theme of the object described by such phrase. For instance, when the phrase refers to films "which are distinguished or characterized by an emphasis upon" the depiction or description of specified sexual activities or specified anatomical areas, the films so described are those whose dominant or predominant character and theme are the depiction of the enumerated sexual activities or anatomical areas. See Pringle v. City of Covina, 115 Cal.App.3 151 (1981).

G. The term "regularly features" with respect to an adult theater or adult cabaret means a regular and substantial course of conduct. The fact that live performances which are distinguished or characterized by an emphasis upon the display of specified anatomical areas or specified sexual activities occurs on two or more occasions within a thirty day period; three or more occasions within a sixty day period; or four or more occasions within a one hundred eighty day period, shall to the extent permitted by law be deemed to be a regular and substantial course of conduct.

H. The term "school" as used in this ordinance, is any child or day care facility, or an institution of learning for minors, whether public or private, offering instruction in those courses of study required by the California Education Code and maintained pursuant to standards set by the State Board of Education. This definition includes a nursery school, kindergarten, elementary school, middle or junior high school, senior high school, or any special institution of education, but it does not include a vocational or professional institution of higher education, including a community or junior college, or university.

I. "Semi-nude" means a state of dress in which clothing covers no more than the genitals, pubic region, buttocks, areola of the female breast, as well as portions of the body covered by supporting straps or devices. (Ord. 6323 § 2, 1996; Ord. 4662 § 1 (part), 1979)

19.61.030 Minimum proximity requirements.

Adult-Oriented Business shall only be established or located in the M-2 General Manufacturing Zone subject to the following locational criteria:

A. The business shall not be located within five hundred feet of any other Adult-Oriented Business as measured from any point between the outside walls of the buildings or building lease spaces containing the business.

B. The business shall not be located within one thousand feet of a historic district as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of any property within a historic district.

C. The business shall not be located within five hundred feet of any existing residential zone as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the residentially zoned property.

D. The business shall not be located within one hundred feet of any school or day care center as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the school.

E. The business shall not be located within five hundred feet of any existing church or park as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the church or park site.

F. No variances shall be granted from these locational criteria. (Ord. 6323 § 2, 1996; Ord. 4662 § 1 (part), 1979)

19.61.040 Severability.

If any section, subsection, sentence, clause or phrase in this chapter is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter. The City Council hereby declares that it would have passed this chapter and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional. (Ord. 6323 § 2, 1996; Ord. 4662 § 1 (part), 1979)

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Chapter 19.62

DESIGN REVIEW

Sections:

19.62.010	**Generally.**
19.62.020	**Design review combining zones established.**
19.62.025	**Public projects.**
19.62.030	**Approval required.**
19.62.040	**Signs - Approval by the Planning Commission or Zoning Administrator.**
19.62.050	**Design review standards.**
19.62.055	**Design review guidelines.**
19.62.060	**Powers and membership of the Planning Commission or Zoning Administrator.**
19.62.070	**Drawings to be approved--Alterations to be approved.**
19.62.080	**Drawings to be submitted.**
19.62.090	**Review Responsibilities of Planning Commission or Zoning Administrator.**
19.62.120	**Lapse of design review approval.**
19.62.130	**Approval prior to establishment of design review combining zone.**

19.62.010 Generally.

The City Council finds, determines and declares that the establishment of the design review combining zone and the application of the design review procedures are necessary to preserve and promote the health, safety and general welfare of the community by achieving the following purposes:

A. To protect and preserve the value of properties and to encourage high quality development thereof in areas where adverse effects will result from excessive uniformity, dissimilarity, poor exterior quality and appearance of buildings and structures, and from inadequate and poorly planned landscaping, and from failure to preserve where feasible natural landscape features, open spaces and the like, and will result in the impairment of the benefits of occupancy and use of existing properties in such areas;

B. To recognize the interdependence of land values and aesthetics and to provide a method to implement this interdependence in order to maintain the values of surrounding properties and improvements, and to encourage excellence of development of property, compatible with the general plan for, and character of, the City, with due regard to the public and private interests involved;

C. To ensure that the public benefits derived from expenditures of public funds for improvement and beautification of streets and public facilities shall be protected by the exercise of reasonable controls over the character and design of private buildings, structures and open spaces;

D. To ensure the maintenance of high design standards in the vicinity of public buildings and grounds for the preservation of the architecture and general appearance in the areas of the City containing the buildings and grounds and to preserve the property values in the areas;

E. To promote the maintenance of high design standards adjoining thoroughfares of Citywide importance to ensure that the community benefits from the natural growth and vegetation as much as possible, and from the natural terrain, and to preserve and stabilize the architecture and general appearance of buildings and grounds adjoining the thoroughfares; and to preserve and protect the property values in the areas;

F. To ensure the maintenance of high design standards in the design review combining zones, for the reasons set forth in this section;

G. To ensure the maintenance of high design standards in the RC, any R-3, the RO, P, O, C-O, C-1, C-1-A, CL, C-2, C-3, MP, M-1, M-2 and AIR zones for the reasons set forth in this section;

H. To ensure the maintenance of high design standards in land divisions, conditional use permits, planned residential development permits, and variances where it is determined that the design review procedures established in this chapter are necessary to achieve the objectives as set forth in this section and in Section 19.02.020;

I. To ensure the design of landscaping and irrigation that shades paved areas, buffers or

screens undesirable views, compliments building architecture and which implements the purposes of Chapter 19.67, Water Efficient Landscaping and Irrigation. (Ord. 6726 § 17, 2004; Ord. 6291 § 2, 1996; Ord. 6032 § 2, 1993; Ord. 4571 § 15, 1978; Ord. 4381 § 2 (part), 1977; Ord. 4208 § 5, 1975; Ord. 4200 § 2, 1975; Ord. 4004 § 4, 1973; Ord. 3813 § 3 (part), 1971; Ord. 3679 § 5 (part), 1970)

19.62.020 Design review combining zones established.

A. The City Council may, by ordinance, after report thereon by the Planning Commission and subject to the procedure provided in Chapter 19.84, establish a design review combining zone for any property in any zone, and when so established, the design review procedures set forth in this chapter shall apply to said properties as well as the restrictions established by the existing zones. In determining whether to establish a design review combining zone as permitted by this section, the purposes set forth in Section 19.62.010 and as found in other sections of this chapter shall govern the decision by the City Council.

B. The design review procedures set forth in this chapter shall be applied to all new buildings, structures and signs, and to exterior alterations or enlargements of existing buildings, structures and signs in the Design Review Combining Zones, the RC Zone, excepting therefrom single-family residences which shall be subject to the provisions of Section 19.62.090(A)(2) of this chapter, any R-3, RO, P, O, C-O, C-1-A, CL, --2, --3, MP, C1, C2, and AIR Zones, to land divisions conditional use permits and planned residential development permits if required as a condition of approval by the Planning Commission.

C. The City Council may, by ordinance, after report thereon by the Planning Commission and subject to the procedure provided in Chapter 19.84, establish a design review combining zone for any property or portion thereof regardless of zone including those in R zones fronting on either side of Victoria Avenue to a depth not to exceed seven hundred twenty feet from the centerline of Victoria Avenue. In determining whether to establish a design review combining zone as permitted by this section, the purposes set forth in Section 19.62.010 and as found in other sections of this chapter shall govern the decision by the City Council.

D. The design review procedures set forth in this Chapter shall be applied to the establishment of any manufactured dwelling on a lot. The design review process shall apply only to the approval of foundation, roof material, roof pitch, roof overhang, siding material and any structural attachments to said dwelling. This design review approval shall be granted by the Zoning Administrator within 20 business days after the application is filed. (Ord. 6726 § 18, 2004; Ord 6705 § 1, 2003; Ord. 6462 § 23, 1999; Ord. 6291 § 3, 1996; Ord. 6184 § 1, 1994; Ord. 6115 § 4, 1994; Ord. 4917 § 6, 1981; Ord. 4916 § 6, 1981; Ord. 4571 § 16, 1978; Ord. 4381 § 2 (part), 1977; Ord. 4364 § 1, 1977; Ord. 4296 § 2, 1976; Ord. 4200 § 3, 1975; Ord. 4004 § 5, 1973; Ord. 3945 § 1, 1972; Ord. 3813 § 3 (part), 1971; Ord. 3801 § 4, 1971; Ord. 3700 § 1, 1970; Ord. 3679 § 5 (part), 1970)

19.62.025 Public projects.

The design review procedures set forth in this chapter shall be applied to all public projects, including public buildings, medians and reverse frontage areas, but excluding public parks. (Ord. 6032 § 3, 1993)

19.62.030 Approval required.

No new building structure or sign or exterior alteration or enlargement of an existing building, structure or sign shall be commenced in the design review combining zone or in any place where design review procedures are applied pursuant to Section 19.62.020, until it has been approved as required in this chapter. However, the requirement of design review shall not apply to any restoration, rehabilitation, alteration, development, construction, demolition, removal or appearance change of any landmark, landmark structure, landmark site or any structure or site within a preservation district which requires the granting of a permit by the Cultural Heritage Board or the City Council on appeal as provided in Chapter 20.30 of this code. (Ord. 4820 § 1, 1980; Ord. 4571 §

17, 1978; Ord. 3813 § 3 (part), 1971; Ord. 3679 § 5 (part), 1970)

19.62.040 Signs - Approval by the Planning Commission or Zoning Administrator.

A. Design review approval for individual signs or groups of signs shall be considered by the Planning Commission for the following signs:

1. All signs that have been referred to the Planning Commission by the Zoning Administrator.

B Design review approval for all other individual signs and for groups of signs or sign programs not subject to subsection A of this section may be granted by the Zoning Administrator in accordance with Section 19.62.090 A.2., if the following conditions have been satisfied:

1. The sign is a permitted sign under the sign regulations of this Title.

2. The sign is in conformance with the Design Review standards of this Chapter as generally outlined in Section 19.62.050.

3. The refacing of an existing sign, regardless of sign type or sign height, provided the existing sign has a valid sign permit, is in conformance with the Sign Code or is permitted by variance action, and the overall use of the site on which the sign is located does not change. No fewer than 2 design professionals one of whom must be an architect. (Ord. 6726 Ord. § 19, 2004; 6315 § 1, 1996; Ord. 6152 § 1, 1994; Ord. 4571 § 18, 1978; Ord. 3813 § 3 (part), 1971; Ord. 3679 § 5 (part), 1970)

19.62.050 Design review standards.

In addition to the general purposes set forth in Section 19.62.010, in order to carry out the purposes of this chapter as established by said section, the design review procedures established by this chapter shall be applied according to and in compliance with the following standards, when applicable:

A. To ensure that sites subject to design review under the provisions of this chapter are graded and developed with due regard for the aesthetic qualities of the natural terrain and landscape, and that the trees and shrubs are not indiscriminately destroyed;

B. To ensure that buildings, structures and signs are properly related to their sites and are in keeping with the character of the neighborhood and surrounding sites, and are not detrimental to the orderly and harmonious development of their surroundings and of the City;

C. To ensure that open spaces, parking areas, pedestrian walks, signs, illumination and landscaping (including water efficient irrigation facilities) are adequately related to the site and are arranged to achieve a safe, efficient and harmonious development, to accomplish the objectives set forth in this chapter and Chapter 19.67;

D. To ensure that sites are developed to achieve a harmonious relationship with existing and proposed adjoining developments, avoiding both excessive variety and monotonous repetition, but allowing, when feasible, similarity of style or originality of design;

E. To ensure, when feasible, effective concealment of electrical and similar mechanical equipment, and trash and storage areas, and to encourage the use of harmonious or related colors and materials;

F. The design review process shall endeavor to eliminate the ugly, the garish, the inharmonious, the monotonous, and the hazardous, and shall endeavor to ensure that proposed improvements will not impair the desirability of investment or occupancy nearby; but originality in site planning, architecture, landscaping and graphic design shall not be suppressed;

G. Review shall include exterior design, materials, textures, colors, means of illumination, signing, landscaping and irrigation, but shall not consider elements of the design that are not visible beyond the boundaries of the site. (Ord. 6726 § 20, 2004; Ord. 6032 §§ 4, 5, 1993; Ord. 3813 § 3 (part), 1971; Ord. 3679 § 5 (part), 1970)

19.62.055 Design review guidelines.

To accomplish the standards detailed in Section 19.62.050, the Planning Commission shall adopt specific design guidelines establishing basic criteria for reviewing applications for design review approval. The criteria shall cover guidelines for reviewing plot

plans, building elevations, sign plans, landscaping plans and irrigation plans. The guidelines shall be approved by the City Council. Any guidelines previously approved by the former Design Review Board or City Council shall be deemed to be approved by the Planning Commission until such time as the Planning Commission and City Council adopt revised design guidelines. (Ord. 6726 § 21, 2004; Ord. 6032 § 6, 1993)

19.62.060 Powers and membership of the Planning Commission or Zoning Administrator.

A. The Planning Commission or Zoning Administrator, pursuant to this Title, shall have the powers, duties and functions to review, approve, disapprove, attach conditions to and administer drawings described in and in accordance with the provisions contained in this chapter and in Chapter 19.67. (Ord. 6726 § 22, 2004; Ord. 6032 § 7, 1993; Ord. 4845 § 1, 1980; Ord. 4811 § 1, 1980; Ord. 3891 § 1, 1972; Ord. 3679 § 5 (part), 1970)

19.62.070 Drawings to be approved--Alterations to be approved.

No building permit for a new building, structure, or sign, and no building permit for an exterior alteration or enlargement of an existing building, structure, or sign, that is subject to design review as provided in this chapter shall be issued until the drawings required by Section 19.62.080 have been approved pursuant to this chapter, and no certificate of occupancy shall be issued unless the construction and property comply with said approved drawings. Said buildings, structures, or signs shall be maintained thereafter in substantial conformance with said approved drawings.

If alterations to approved drawings are desired by the applicant, said drawings shall be resubmitted and processed according to the procedures established in this chapter for approval of the original drawings. (Ord. 4571 § 19, 1978; Ord. 3813 § 3 (part), 1971; Ord. 3679 § 5 (part), 1970)

19.62.080 Drawings to be submitted.

The following drawings shall be submitted to Planning Commission or Zoning Administrator, pursuant to this Title for approval.

A. A plot plan, drawn to scale, showing a unified and organized arrangement of buildings, driveways, pedestrian ways, off-street parking and off-street loading areas, landscaped areas, fences and walks and including the locations, species and trunk calipers of all trees proposed to be retained and proposed to be removed. The plot plan shall show the location of entrances and exits, and the direction of traffic flow into and out of off-street parking and loading areas, the location of each parking space and loading berth, and the areas for turning and maneuvering vehicles. The plot plan shall indicate how utility services and drainage are to be provided;

B. A landscape and irrigation plan, drawn to scale, showing the required information as listed in the Water Efficient Landscape and Irrigation Ordinance Summary and Design Manual, with adequate provisions for water efficient irrigation in accordance with Chapter 19.67;

C. Grading plans when necessary to ensure development properly related to the site and to surrounding properties and structures;

D. Architectural drawings, renderings or sketches, drawn to scale, showing all elevations of the proposed buildings and structures as they will appear upon completion. All exterior surfacing materials and colors shall be specified;

E. Scale drawings of all signs as required in the adopted criteria for administrative sign approval;

F. Any other drawings or additional information necessary to adequately consider the drawings set forth hereinabove and to determine compliance with the purposes of this chapter. (Ord. 6726 § 24, 2004; Ord. 6234 § 1, 1995: Ord. 6152 § 2, 1994; Ord. 6032 §§ 9, 10, 1993; Ord. 3813 § 3 (part), 1971; Ord. 3679 § 5 (part), 1970)

19.62.090 Review Responsibilities of Planning Commission or Zoning Administrator.

A. Review by the Zoning Administrator: The Zoning Administrator may approve,

conditionally approve, or deny:

1. The plot plan and building elevations for all projects not listed in 2-5 below and in zones requiring design review by this chapter within 25 business days which are not in conjunction with a planning case subject to separate approval by the Planning Commission.

2. Sign plans in accordance with Section 19.62.040 of this Title within ten business days. Conditions may be applied when any proposed sign does not comply with applicable standards and shall be applied to bring said sign or signs into substantial conformity with the adopted criteria for administrative sign review.

3. The plot plan, building elevations, landscape plans and irrigation plans for single-family residences in the RC (Residential Conservation) Zone within twenty business days of submittal of a complete application in compliance with the provisions of this chapter. The review shall consist of determining conformity with the adopted criteria for administrative review of RC-zoned single-family residences. Conditions may be applied when the residence does not comply with applicable criteria to bring the residence into substantial conformity.

4. The landscape and irrigation plans for all projects which are subject to design review as provided in this Chapter within twenty business days of submittal of a complete application in compliance with the provisions of this Chapter. An application will not be considered complete unless required Parks Department fees are included with the submittal. Zoning Administrator review shall consist of determining conformity with the adopted criteria for administrative review of landscape and irrigation plans and with the provisions of the water efficient landscaping and irrigation ordinance (Chapter 19.67). Conditions may be applied when the proposal does not comply with applicable criteria to bring the proposal into substantial conformity.

5. The plot plan, building elevations, landscape plans and irrigation plans for accessory buildings in zones requiring design review by this chapter and for cargo container accessory buildings in any zone where they are permitted. The Zoning Administrator shall review such accessory buildings, including cargo container accessory buildings, within 20 business days to either assure the design, colors and materials, landscaping and irrigation are compatible with the primary building on the site or to assure a location and/or screening that minimizes visibility from adjacent properties and public rights-of-way.

B. Review by the Planning Commission. . The Planning Commission shall approve, conditionally approve or deny plot plan and building elevations for projects related to a planning case subject to their separate approval including conditional use permits, planned residential developments and plot plan review cases. This does not apply to cases involving only a legislative action, including a rezoning or general plan amendment. Conditions may be applied when the proposed building, structure or plot plan does not comply with applicable standards and shall be applied to bring said building, structure, or plot plan into conformity. If the drawings are disapproved, the Planning Commission shall specify the standard or standards that are not met.

C. Zoning Administrator Referral to the Planning Commission. The Zoning Administrator may refer any of the matters specified in Section 19.69.090 A. 1-5 to the Planning Commission.

D. Appeals.

1. Appeal of the Zoning Administrator's decision. Any person aggrieved or affected by a decision of the Zoning Administrator in granting or denying a design review application may appeal to the Planning Commission at any time within ten calendar days after the date upon which the Zoning Administrator makes a decision. An appeal to the Planning Commission shall be taken by filing a letter of appeal, in duplicate, and the appropriate fee with the Planning Department. Such letter shall set forth the grounds upon which the appeal is based. Upon such appeal the matter shall be placed on the next available agenda meeting of the Planning Commission. The Planning Commission decision is final unless appealed to the City Council.

2. Appeal of the Planning Commission Decision. Any person aggrieved or affected by a decision of the Planning Commission in granting or denying a design review application

may appeal to the City Council at any time within ten calendar days after the date upon which the Planning Commission makes a decision. An appeal to the Planning Commission shall be taken by filing a letter of appeal, in duplicate, with the Planning Department. Such letter shall set forth the grounds upon which the appeal is based. Upon such appeal the matter shall be placed on the next available agenda meeting of the Land Use Committee of the City Council. The Land Use Committee shall consider the appeal and make a recommendation to the City Council for consideration at the next regularly scheduled City Council meeting. Any items which, because of scheduling irregularities of the Land Use Committee, cannot be heard by the Land Use Committee within twenty business days of the appeal deadline, shall be referred directly to the City Council unless the applicant requests or consents to a continuance to allow Land Use Committee review. The City Council may affirm, reverse or modify the decision of the Land Use Committee or Planning Commission . Such action by the City Council shall be final. (Ord. 6726 § 25, 2004; Ord 6705 § 2, 2003; Ord. 6462 § 24, 1999; Ord. 6367 § 11, 1997; Ord. 6352 §§ 2, 3, 1997; Ord. 6234 § 2, 1995; Ord. 6184 § 2, 1994: Ord. 6152 § 3, 1994; Ord. 6032 § 11, 1993; Ord. 4381 § 2 (part), 1977; Ord. 3891 § 2, 1972; Ord. 3813 § 3 (part), 1971; Ord. 3679 § 5 (part), 1970)

19.62.120 Lapse of design review approval.

Design review approval shall lapse and shall be void one year following the date upon which the drawings were approved, as provided in this chapter, unless prior to the expiration of the one-year period a building permit is applied for and subsequently is diligently pursued until permit issuance and completion of construction, or unless an extension of time is granted by the Zoning Administrator. If design review approval is granted in conjunction with another planning case, the approval shall remain valid so long as the approval for the related planning case remains valid and no separate extension of time is necessary. (Ord. 6726 § 28, 2004; Ord. 6032 § 14, 1993; Ord. 3679 § 5 (part), 1970)

19.62.130 Approval prior to establishment of design review combining zone.

Where the establishment of a design review combining zone is pending, design review approval may be requested with the consent of the property owner. In such instances the design review procedures set forth in this chapter shall govern and any such approval or conditional approval shall be binding and shall become effective in accordance with the provisions of this chapter and upon the establishment of the design review combining zone. (Ord. 3813 § 3 (part), 1971)

Chapter 19.63

HEIGHT OF BUILDINGS --S (STORIES) COMBINING ZONE

Sections:

19.63.010	**Generally.**
19.63.020	**Height of buildings combining zones established.**
19.63.030	**Application of height of buildings combining zones.**
19.63.040	**Building height limit.**

19.63.010 Generally.

The City Council finds, determines and declares that the establishment of height of buildings combining zones is necessary to preserve and promote the health, safety and general welfare of the community by reducing the possible detrimental impact of tall buildings on neighboring properties or by permitting an increase in building height at sites where it will facilitate a more efficient and desirable use of the land. (Ord. 5513 § 3, 1987; Ord. 3972 § 1 (part), 1972)

19.63.020 Height of buildings combining zones established.

The City Council may, by ordinance, after report thereon by the Planning Commission, establish a height of buildings combining zone for any property situated in any zone established by this title. (Ord. 5513 § 3, 1987; Ord. 4242 § 1, 1975; Ord. 3998 § 1, 1973; Ord. 3972 § 1 (part), 1972)

19.63.030 Application of height of buildings combining zones.

Whenever the height of buildings --S (stories) combining zone is established on any property, no building shall be constructed on said property higher than the number of stories specified after the S on the zoning map of the City, and said number of stories shall take precedence over the height requirement permitted by the underlying zoning. (Ord. 5513 § 3, 1987; Ord. 4242 § 2, 1975; Ord. 3998 § 2, 1973; Ord. 3972 § 1 (part), 1972)

19.63.040 Building height limit.

The maximum overall building height limit in the height of buildings combining zone shall be twenty feet for the first story permitted and ten feet for each additional story permitted with overall building height measured between the average level of the highest and lowest elevations of the land covered by the structure and the highest point of the roof or parapet wall covering that structure. Additional overall building height may be approved subject to the granting of a variance in the manner prescribed by this title except no variance from the number of stories restriction is permitted. (Ord. 5513 § 3, 1987; Ord. 4684 § 10, 1979)

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Chapter 19.64

CONDITIONAL USE PERMITS AND VARIANCES

Sections:

19.64.010 Conditional use permits generally.
19.64.020 Public uses.
19.64.030 Permitted uses.
19.64.040 Special uses.
19.64.050 Variances generally.
19.64.054 Administrative variances generally.
19.64.060 Application.
19.64.070 Filing fees.
19.64.080 Hearing by Commission or Board - conditional use permits and variances.
19.64.090 Hearing date - conditional use permits and variances.
19.64.100 Public notices - conditional use permits, variances and administrative variances.
19.64.110 Hearing records.
19.64.120 Investigations.
19.64.130 Findings - conditional use permits, variances and administrative variances.
19.64.140 Decisions - conditional use permits, variances and administrative variances.
19.64.150 Effective date of conditional use permit, variance or administrative variance.
19.64.160 Appeals - conditional use permits, variances and administrative variances.
19.64.170 Voiding of conditional use permits, variances or administrative variances.
19.64.180 Revocation of conditional use permit, variance or administrative variance.
19.64.212 Referral by Planning Commission.
19.64.220 Minor conditional use permits generally.
19.64.225 Minor conditional use permits for specified uses.
19.64.230 Minor conditional use permits for special uses.
19.64.235 Minor conditional use permits for additions and expansion to previously approved conditional use permits.
19.64.240 Minor conditional use permit applications.
19.64.245 Minor conditional use permit filing fee.
19.64.250 Minor conditional use permit public notice.
19.64.255 Minor conditional use permit records.
19.64.260 Minor conditional use permit investigations.
19.64.265 Minor conditional use permit findings.
19.64.270 Minor conditional use permit decisions.
19.64.275 Review of minor conditional use permit by the City Council.
19.64.280 Appeals and effective date of minor conditional use permit.
19.64.285 Time limit for exercising a minor conditional use permit.
19.64.290 Voiding minor conditional use permits.
19.64.295 Revocation of minor conditional use permits.
19.64.300 Minor conditional use permit variances.
19.64.305 Reapplication after denial - minor conditional use permits.
19.64.310 Minor conditional use permit fees and charges.

19.64.010 Conditional use permits generally.

A conditional use permit may be granted by the Planning Commission under the procedures stated in this chapter for such uses as by this title are required to be reviewed and allowed only upon the granting of a conditional use permit. Such uses are deemed to possess location, use, building or traffic characteristics of such unique and special form as to make impractical or undesirable their automatic inclusion as permitted uses in certain zones.

In granting a conditional use permit, certain safeguards may be required and certain conditions established to protect the public health, safety, convenience and general welfare and to assure that the purposes of this title shall be maintained with respect to the particular use on the particular site and in consideration of the location, use, building and traffic characteristics and environmental impact of the proposed use and of existing and potential uses within the general area in which such use is proposed to be located. The conditions attached to conditional use permits may include such provisions concerning use, height, area, yards, open spaces, setbacks, parking, loading, signs, improvements, general character, appearance, environmental impact, time limits for commencing the construction or use authorized, revocation dates, and other conditions the Commission may deem appropriate and necessary to carry out the purposes of this title and chapter.

In granting a conditional use permit, the Commission may approve any variance authorized by Section 19.64.050 provided that the Commission shall make the findings required by Section 19.64.130. (Ord. 3896 § 5, 1972; Ord. 3813 § 4, 1971; prior code § 36.36 (part))

19.64.020 Public uses.

The Planning Commission may grant in any of the various zones established by this title a conditional use permit in accordance with the procedures stated in this chapter for any use on property owned or possessed and maintained by public agencies. (Prior code § 36.36 (part))

19.64.030 Permitted uses.

The Planning Commission may grant a conditional use permit in accordance with the procedures stated in this chapter for any of the uses specifically listed in this title as a permitted use subject to the granting of a conditional use permit. (Prior code § 36.36 (part))

19.64.040 Special uses.

The planning commission may grant a conditional use permit in accordance with the procedures stated in this chapter for any of the following uses, provided that such uses are to be located in zones which permit special uses subject to the granting of a conditional use permit:

A. Cemeteries, columbariums, crematories, mausoleums, offices and uses connected with and incidental to cemetery use;

B. Mortuaries and associate chapels, churches, church schools, parsonages, monasteries, convents and recreational or entertainment uses incidental to church purposes;

C. Clubs and lodges (private, nonprofit) including a private catering business as an ancillary function provided that the conditional use permit specifically includes the catering business;

D. Day child care centers and preschool or nursery schools;

E. Educational institutions and private elementary and high schools;

F. Establishments involving large assemblages of people or automobiles such as open-air theaters, stadiums, auditoriums, exhibition halls and sports arenas;

G. Hospitals and sanitariums;

H. Libraries and museums (nonprofit);

I. Mineral extraction, borrow pits and gravel or rock quarries. When applicable, the Provisions of the State Surface Mining and Reclamation Act of 1975 shall be followed;

J. Public utility installations;

K. Commercial radio and television transmitting and/or receiving stations, antennas and appurtenant support structures and facilities and any other antenna installation which constitutes the sole or principal use of a property;

L. Recreational facilities, privately operated (excluding bowling alleys, ice skating rinks and roller skating rinks);

M. Heliports and helistops, subject to the granting of a conditional use permit, except that temporary landing sites for helicopters shall be exempt from the conditional use permit requirement and instead shall be subject to the approval of the Airport Director, further excepting that temporary landing sites for helicopters for use in excess of forty-eight hours shall be subject to approval by the City Council; with the exception of temporary landing sites, heliports and helistops shall be prohibited from

all Residential, RO, C-1, and CL zones, except that helistops shall be permitted in conjunction with hospitals in any zone. Conditional use permits for heliports and helistops may be issued only in accordance with the following provisions:

1. Definitions.

a. "Approach-departure path" means a clear path selected for flight, extending upward and outward from the edge of the landing and take-off area.

b. "Helicopter" means a rotary wing aircraft which depends for its support and motion in the air principally upon the lift generated by one or more power-driven rotors rotating on substantially vertical axis.

c. "Heliport" means an area, either at ground level or elevated on a structure, which is used or intended to be used for the landing and take-off of helicopters, and includes some or all of the various facilities useful to helicopter operation such as helicopter parking, waiting room, fueling and maintenance equipment.

d. "Helistop" means a heliport, either at ground level or elevated on a structure, for the landing and take-off of helicopters, but without auxiliary facilities such as waiting room, hangar, parking, maintenance or fueling equipment.

e. "Take-off" and "landing area" means that area of the heliport where the helicopter actually lands and takes off.

f. "Temporary site" means a site for helicraft take-offs and landings to be used on a limited basis not to exceed forty-eight hours.

2. Site Location Criteria. A heliport or helistop site shall meet the following site location criteria:

a. Ground Level Sites.

i. The proposed use shall be located on a site which insures that such use will not adversely affect the adjoining land uses and the growth and development of the area in which it is proposed to be located.

ii. The site shall be so located to insure that, as much as possible, the approach-departure paths leading to and from the heliport are over terrain which affords emergency landing areas such as open parks, golf courses, industrial areas, highways, freeways and open land to provide adequate emergency landing spots in case of propulsion failure. Approach-departure paths over residential developments, schools, and playgrounds or highly populated areas shall be avoided.

iii. The size and shape of the site proposed for use should be adequate to allow full development of the proposed use in accordance with F.A.A. standards and in a manner not detrimental to the particular area nor to its peace, health, safety and general welfare.

iv. The site shall be served by streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by this use.

b. Elevated Sites.

i. The same standards as outlined in paragraphs (a)(i) through (a)(iv) of this subdivision.

ii. All provisions of the City Building Code pertaining to structural requirements of a building to support an elevated helistop shall be met.

c. Temporary Sites.

i. Location of temporary sites shall be subject to California Division of Aeronautics criteria.

ii. Locations shall be at ground level only.

3. Site Development Standards. A heliport or helistop site shall meet the following site development standards:

a. Ground Level Sites.

i. Take-off and landing area. The minimum take-off and landing area length and width shall measure one and five tenths times the overall length of the largest helicopter proposed to use the site.

ii. Obstruction clearance surfaces. Obstruction clearance surfaces shall be as recommended by the Federal Aviation Administration standards.

iii. Number of obstruction clearance surfaces. Each take-off and landing area shall have two obstruction clearance surfaces at least ninety degrees apart, one of which is into the prevailing wind.

iv. Lighting. The take-off and landing area shall be provided with adequate lighting if used for night or all-weather conditions. All lighting shall be directed away from adjacent properties or public rights-of-way.

v. Landing facility marking. The helicopter landing facilities shall be marked as

recommended by the Federal Aviation Administration.

vi. Surfacing. Surfacing of the landing facility shall be so as to minimize the blowing of any dust, dirt or other objectionable material onto neighboring property.

vii. Setbacks. Take-off and landing areas shall be no closer than fifty feet from any property line. Any administrative or operations building erected on a heliport site shall be located not closer than fifteen feet from any property line. Helicopter maintenance buildings and hangars shall be located not closer than twenty-five feet from any property lines. Location and setbacks for buildings storing combustibles shall be approved by the City Fire Marshall.

viii. Landscaping. A ten-foot landscaped setback shall be provided along the perimeter of the heliport with thick, fast-growing shrubs and ground cover to be planted along interior property lines.

ix. Peripheral Areas. A peripheral area surrounding the landing and take-off area with a minimum width of fifteen feet for use as an obstruction-free safety zone shall be provided.

x. Safety Barriers. The exterior edge of the peripheral area shall be fenced or otherwise protected to keep unauthorized persons out of these areas. Fences shall be a minimum of three feet in height.

b. Elevated Sites.

i. The dimensions of the take-off and landing areas for elevated helistops shall be the same as for ground level sites.

ii. The roof shall be provided with a parapet a minimum of thirty-six inches high; if no parapet is provided, a fence a minimum of thirty-six inches high shall surround the periphery of the building. Where openings pierce the roof, they shall be provided with a six inch high curb and fire protected as required for vertical shafts. No openings in the roof shall be permitted within twenty-five feet of the landing area boundaries.

iii. Building exits shall be located away from the take-off or landing pattern.

iv. No fueling or repairing of helicopters shall be permitted except of an emergency nature when approved by the City Fire Marshall.

v. Separator or clarifying tanks for collecting spilled fuel shall be installed under approval and supervision of the Fire Department.

vi. "No Smoking" signs shall be conspicuously located around the landing pad. Letters on the signs shall be not less than four inches high on a background of contrasting color.

vii. Mechanical, air handling and air conditioning equipment or penthouses shall be (1) a minimum of twenty-five feet from the landing pad, (2) located outside the landing and take-off pattern, and (3) protected by a substantial incombustible barrier on the side toward the landing pad.

viii. Two or more wet standpipes, each equipped with a one and one-half inch valve and one and one-half inch rubber lined fire hose not over one hundred feet in length, shall be provided to reach all parts of the roof. Each hose line shall be equipped with an approved variable fog nozzle and shall be supplied with sufficient pressure to provide a good fog pattern. Hose cabinets shall be located near the roof exits and elsewhere as necessary to comply.

ix. Emergency communications shall be available between the helistop and the Fire Department communication center. These facilities shall consist of a standard fire alarm box or a direct line to a telephone manned twenty-four hours per day.

x. Helistop landing facilities shall be marked as recommended by the F.A.A.

c. Temporary Sites. Development standards for temporary sites shall conform to California Division of Aeronautics requirements and other conditions deemed appropriate by the Airport Director or City Council.

4. Site Operation Standards. All new heliports and helistops established in the City shall meet the following site operation standards:

a. Hours of Operation. Hours of operation shall be limited to the periods between sunup and sundown daily unless properly lighted and specifically approved for night operation.

b. Fire Protection. Emergency fire-fighting equipment shall be provided as deemed necessary and adequate by the City Fire Marshall and the California Division of Aeronautics.

c. Emergency Communications. Emergency communications shall be available between the heliport or helistop and the Fire Department communication center. These facilities may consist of a standard fire alarm or a direct line to a telephone manned twenty-four hours per day.

d. Fueling and Maintenance Facilities. Fueling and maintenance facilities shall be subject to City Fire Marshall approval.

e. Trash Areas. All trash receptacle areas in the vicinity of heliports shall be enclosed by masonry walls six feet in height and a solid wooden gate of equal height. Trash bins and receptacles shall have lids to prevent blowing of litter and debris.

f. Wind Indicating Device. A wind indicating device shall be provided and maintained on site at all times in a workable condition.

g. Any helicopter take-offs or landings within three miles of the Riverside Municipal Airport shall maintain two-way radio contact with the airport's air traffic control tower.

h. The requirements of these regulations shall not apply to the operation of helicopters in emergency situations when a landing and take-off is necessary to protect life or property. Such operations shall be carried out in a prudent manner with due regard for safety.

5. Federal Aviation Administration and California Department of Aeronautics.

a. No heliport or helistop for which a conditional use permit has been approved shall operate prior to the subsequent approval of the plans by the California Department of Aeronautics, and an airspace review by the Federal Aviation Administration has determined that no air traffic hazard exists.

b. Revocation of a permit to operate a heliport or a helistop by the California Department of Aeronautics shall be a cause for the revocation of the conditional use permit by the City.

c. The rules and regulations duly enacted by an appropriate agency of the State and presently in effect and all duly enacted additions or amendments thereto, and which govern the establishment or operation of heliports or helistops, are hereby referred to, adopted and made a part of this section as fully in all respects as if particularly set forth herein;

N. Other special or unusual uses which provide an unusual combination of uses on a large scale or which the Commission may determine to be similar, not more detrimental and equally essential to serve the public convenience and welfare;

O. The occupancy of a single camper, mobile home, motor home or trailer for residential use on any given parcel one acre or larger occupied by a single family dwelling, for a period exceeding the fifteen days in any one calendar year prescribed by Section 19.68.050 of this code, but not exceeding one year;

P. (Repealed by Ord. 6589)

Q. (Repealed by Ord. 6368)

R. The use of a mobile medical unit when such use is in conjunction with an established medical office or hospital and the mobile medical unit is to be located on the same property or on adjacent non-residential property. Mobile medical units shall meet the following site development standards:

1. The unit shall not be located within any required front or street side yard. An interior side or rear yard where off-street parking is allowed may be occupied by a mobile medical unit.

2. Off-street parking as required by this title shall be provided for both the permanent facility and the mobile medical unit.

3. Adequate screening in the form of landscaping and/or solid fences or walls shall be provided where the mobile medical unit would be visible from a street or abutting property.

4. The mobile medical unit may be placed only in the location approved by the Planning Commission or the City Council and may remain in such location for a maximum of two days per week.

S Group housing as defined in Chapter 19.04. Conditional use permits for these facilities may be issued only in accordance with the following information:

1 Filing Requirements. The application for a conditional use permit for group housing shall include the following information:

a. Client profile (the subgroup of the population the facility is intended to serve such as
single men, families, elderly, minor children, developmentally disabled, etc.);

b Maximum number of occupants and hours

of facility operation;

c Term of client stay;

d. Support services to be provided on-site and projected staffing levels;

e. Rules of conduct and/or management plan.

2 Site Location Criteria. In evaluating a proposed group housing, the following criteria shall be considered:

a No substantial adverse impacts on adjoining properties or land uses will result;

b Adjacent development will not constitute a hazard to occupants;

c. Establishment of the facility will not result in harm to the health, safety or general welfare of the surrounding neighborhood;

d The facility shall be located along or near a major arterial with ready access to public transportation;

e The facility shall be accessible to necessary support services;

f To avoid over-concentration of facilities, there shall be a three hundred-foot separation requirement as measured from the nearest outside building walls between any two different or same types of group housing, transitional shelter, permanent emergency shelter or drop-in center except that the separation requirement shall be increased to one thousand feet as measured from the nearest outside building walls where the other use is a parolee/probationer home.

3 Development Standards.

a The facility should be compatible with the character of the surrounding neighborhood;

b Sufficient on-site parking shall be provided. The precise number of parking spaces required will be determined based on the operating characteristics of a specific proposal;

c. Both indoor and outdoor open areas should be provided on site;

d. All setback standards of the underlying zone shall be met; and

e A maximum twelve-square-foot sign shall be the only signing permitted**.** (Ord. 6771 § 1, 2004; Ord. 6766 § 9, 2004; Ord. 6763 § 9, 2004; Ord. 6733 § 19, 2004; Ord. 6589 § 2, 2001; Ord. 6459 § 2, 1999; Ord. 6368 § 2, 1997; Ord. 6291 § 4, 1996; Ord. 6248 §§ 8, 9, 1995; Ord. 5777 § 4, 1989; Ord. 5734 § 2, 1989; Ord. 5637 § 2, 1988; Ord. 5323 § 3, 1985; Ord. 5199 § 2, 1984; Ord. 4969 § 1, 1981; Ord. 4955 § 1, 1981; Ord. 4689 § 1, 1979; Ord. 4682 § 2, 1979; Ord. 4088 § 1, 1974; Ord. 3972 § 13, 1972; Ord. 3953 § 1, 1972; Ord. 3441 § 1, 1967; prior code § 36.36 (part))

19.64.050 Variances generally.

Where practical difficulties, unnecessary hardships or results inconsistent with the general purposes of this title would occur from its strict literal interpretation and enforcement, the Planning Commission, as authorized by Section 19.64.010, shall have authority to grant, upon such terms and conditions as it deems necessary, variances as defined by Section 19.04.483 and 19.04.481 from those specific restrictions as to height, area, yards, open spaces, setbacks, frontage on a public street, parking, loading, signs, general character, appearance and other accessory and incidental restrictions applicable to the appropriate zone; provided, that no variance shall be granted to allow a less restrictive use or other use not permitted in the applicable zone. Such variances must be in harmony with the general purpose and intent of this title and the General Plan upon which it is based, so that the spirit of this title and the General Plan shall be observed, public safety and welfare secured and substantial justice be done, not only to the applicant but to others who might be affected by such variance. (Ord. 6462 § 25, 1999; Ord. 6389 § 3, 1997; Ord. 3446 § 1, 1967; prior code § 36.37)

19.64.054 Administrative variances generally.

Where practical difficulties, unnecessary hardships or results inconsistent with the general purposes of this Title would occur from its strict interpretation and enforcement, or where situations occur involving individuals or groups protected under the Federal Fair Housing Amendments Act per Chapter 19.05, the Zoning Administrator as defined in Chapter 19.04 shall have authority to grant, upon such terms and conditions as deemed necessary, administrative variances as defined by Section 19.04.481 or pursuant to Chapter 19.05, if applicable, of this Title; provided that no administrative variances shall be granted to allow a less restrictive use or other use not permitted in the applicable zone.

Such administrative variances must be in harmony with the general purpose and intent of this Title and the General Plan upon which it is based, so that the spirit of this Title and General Plan shall be observed, public safety and welfare secured and substantial justice be done, not only to the applicant, but to others who might be affected by such administrative variances. (Ord. 6695 § 5, 2003; Ord. 6389 § 30, 1997)

19.64.060 Application.

Any owner or owner's authorized representative of any property affected desiring a conditional use permit, variance or administrative variance shall file an application, in duplicate, with the Planning Department. Applications shall be filed upon forms and accompanied by such data and information as may be prescribed for that purpose by the Planning Commission, Zoning Administrator so as to assure the fullest practical presentation of facts for proper consideration of the matter involved and for the permanent record. No application from an owner or owner's authorized representative of property for the same general purpose concerning the same property which has been denied by the Planning Commission, or City Council, whichever action is final, shall be received or processed within twelve months of such denial except by unanimous action of the members of the Commission or Board having original jurisdiction. If an administrative variance is denied by the Zoning Administrator, no reapplication for the same general purpose concerning the same property shall be received or processed within twelve months of such final denial. (Ord. 6462 § 26, 1999; Ord. 6389 §4, 1997; prior code § 36.38 (part))

19.64.070 Filing fees.

A. Conditional Use Permit. A filing fee, in the amount established by City Council resolution, shall be paid at the time of the filing of an application.

B. Variance and Administrative Variance. A filing fee, in the amount established by City Council resolution, shall be paid at the time of the filing of an application; provided, however, that the filing fee shall not be required for the following types of applications:

1. Applications for variances or administrative variances to erect, construct, alter or establish a building, structure or improvement within the planned street lines or special setbacks established by this chapter,

2. Applications for administrative variances to construct a new one-family dwelling or two-family dwelling on a residential lot which is less than forty-five feet wide when such dwelling is to replace an obsolete or dilapidated one-family dwelling or two-family dwelling which is demolished or removed from such lot. (Ord. 6389 § 5, 1997; Ord. 3974 § 2, 1972; Ord. 3530 § 5, 1968; prior code § 36.38 (part))

19.64.080 Hearing by Commission or Board - conditional use permits and variances.

At the time and place so fixed and noticed, a public hearing shall be conducted before the Planning Commission for conditional use permit applications or for variance applications, as authorized by Section 19.64.010, or Section 19.64.050. The Commission may continue such hearing to a time and place certain when such action is deemed necessary or desirable. The Commission may establish rules for the conducting of public hearings, and the member of the Commission presiding at such hearings is empowered to administer oaths to any person testifying. (Ord. 6462 § 27, 1999; Ord. 6389 § 6, 1997; Ord. 6352 § 4, 1997; Ord. 3896 § 6, 1972; prior code § 36.38 (part))

19.64.090 Hearing date - conditional use permits and variances.

Upon the filing of any application and the payment of the required fee, the Planning Department shall set a date for one public hearing thereon before the Commission for conditional use permit or variance applications in conjunction with a condition use permit as authorized by Section 19.64.010, or Section 19.64.050. as appropriate. The date such hearing shall be not less than ten days nor more than forty days from the date of filing of such application. (Ord. 6462 § 28, 1999; Ord. 6389 § 7, 1997; Prior code § 36.38 (part))

19.64.100 Public notices - conditional use permits, variances and administrative variances.

A. Notice of Hearing - Conditional Use Permits and Variances. Notice of the date, time, place and purpose of hearings before the Planning Commission shall be given by at least one publication in a newspaper having general circulation in the City not less than ten days prior to the date of such hearing. At the discretion of the Commission, additional notice may be given by mailing a notice to the owners of property within three hundred feet of the exterior boundaries of the property under consideration, using for this purpose the last known name and address of such owners as are shown on the latest available equalized assessment roll of the County Assessor. Such notices shall identify the property under consideration and indicate the nature of the proposed conditional use permit or variance.

B. Public Notice - Administrative Variances.

1. Public notice of the consideration of a proposed administrative variance in a non-residential zone, except for wall or fence related administrative variances, shall be provided by the Zoning Administrator by mailing such notice to the property owners within three hundred feet of the exterior boundaries of the property under consideration;

2. Public notice of the consideration of a proposed administrative variance in residential zones or for fences or walls in any zone shall be provided by the Zoning Administrator by mailing such notice to the property owners adjacent to the boundaries of the property under consideration. When the administrative variance request is for a corner lot and will pertain to a rear or side yard setback, such notice shall be given to the owners of property directly across each street from the proposed side or rear yard encroachment as well as to the owners of abutting property. For this purpose, the last known name and address of such owners as are shown on the latest available equalized assessment roll of the County Assessor shall be used. Such notices shall identify the property under consideration and indicate the nature of the proposed administrative variance;

3. The public notice shall:

a. Be sent no later than fourteen days after acceptance of a complete and accurate application;

b. Invite interested persons to notify the Planning Department of any concerns, comments and/or their request to be further notified of actions relating to the proposed administrative variance during a fifteen-day comment and review period commencing with the date of the notice;

c. Specify that only those specifically requesting to be further notified of actions relating to the application will be so notified of decisions, appeals or requests for City Council review;

d. Specify at the end of the fifteen day comment and review period, the Zoning Administrator's final report and recommendations will be issued, initiating a ten-day appeal period during which time any interested person may request that the Zoning Administrator's decision be reviewed by the City Council.

4. For administrative variances in residential zones or for fences or walls in any zone where the applicant has obtained the written approval of the adjacent property owners, no public notices, comment period or appeal period is required. The Zoning Administrator's decision is final, except that the applicant may appeal the Zoning Administrator's decision within ten days of the mailing of written notice of decision. (Ord. 6462 § 29, 1999; Ord. 6389 § 8, 1997; prior code § 36.38 (part))

19.64.110 Hearing records.

A summary of all pertinent testimony offered at the public hearing, the names and addresses of persons testifying, copies of all notices, affidavits of publication and records of action shall be a part of the permanent files of the case. (Prior code § 36.38 (part))

19.64.120 Investigations.

The Planning Commission shall cause to be made by any of its own members or by the Planning Department such investigation of facts bearing upon such application set for hearing as

in the opinion of the Commission will serve to provide the necessary information to assure Commission action consistent with the intent and purpose of this title. (Ord. 6462 § 30, 1999; Prior code § 36.38 (part))

19.64.130 Findings - conditional use permits, variances and administrative variances.

A. Conditional Use Permits. The Planning Commission may grant a conditional use permit in whole or in part, and including appropriate conditions of approval if, from the facts available in the application, at the public hearing and determined by investigation, the following written findings can be made:

1. The proposed use is substantially compatible with other existing and proposed uses in the area, including factors relating to the nature of its location, operation, building design, site design, traffic characteristics and environmental impacts;

2. The proposed use will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area;

3. The proposed use will be consistent with the purposes of this Title and the application of any required development standards is in the furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling government interest; and

4. The proposed use is generally consistent with the intent of the adopted airport land use plan(s) approved for the area, if any.

(Ord. 6679 § 7, 2003; Ord. 6462 § 31, 1999; Ord. 6389 § 9, 1997; Ord. 6119 § 8, 1994; Ord. 3896 § 7, 1972; prior code § 36.38 (part))

19.64.140 Decisions - conditional use permits, variances and administrative variances.

Section 19.64.140 Decisions - conditional use permits, variances and administrative variances.

A. Conditional Use Permits and Variances. Each decision by the Planning Commission to grant a conditional use permit or variance shall be by the affirmative votes of at least two-thirds of the membership of the Commission in the case of a conditional use permit and of at least a majority of the membership of the Commission in the case of a variance, both based upon membership present and voting; otherwise the application shall be considered denied. The Commission shall make its written findings based on substantial evidence in view of the whole record to justify the ultimate decision and shall forthwith mail a notice of its decision to the applicant.

B. Administrative Variances.

1. The Zoning Administrator may approve, conditionally approve or deny an administrative variance as defined by Section 19.04.481. An administrative variance may be approved upon the making of the findings required in Section 19.64.130(B), without further notice, public hearing or approval when the following applicable criteria are satisfied:

a. For administrative variances in residential zones or fences or walls in any zone. The applicant receives written approval, on a form acceptable to the Planning Department and the City Attorney, of the owners of all property to whom notice must be given pursuant to Section 19.64.194 or the required notice has been sent to these adjacent property owners;

b. For administrative variances on non-residentially zoned property. The required notice has been sent to those property owners within three hundred feet of the boundaries of the property;

c. The Zoning Administrator has determined that granting of the variance request would not significantly impact the surrounding neighborhood.

2. The Zoning Administrator may refer an administrative variance request to the Planning Commission, which, after public notice, is determined to be significantly controversial. The administrative variance shall be placed on the next regularly scheduled meeting agenda. The Planning Commission, shall act in the capacity of the Zoning Administrator in such cases.

3. Notice of the Zoning Administrator's final decision on an administrative variance shall be provided to the Mayor, each member of the City Council, any interested party requesting such notice. The Mayor or any member of the City Council may request review of the decision of the Zoning Administrator or Planning

Commission regarding an administrative variance within ten days of a final decision. The City Council may affirm, reverse, or modify the decision or recommended conditions of approval. Notwithstanding the above, administrative variances approved in compliance with Section 19.64.100(B)(4) shall not be subject to this notice procedure. (Ord. 6625 § 1, 2002; Ord. 6565 § 3, 2001; Ord. 6462 § 32, 1999; Ord. 6389 § 10, 1997; Ord. 5695 § 7, 1988; Ord. 3898 § 1, 1972; prior code § 36.38 (part))

19.64.150 Effective date of conditional use permit, variance or administrative variance.

A. All decisions of the Planning Commission granting or denying a variance shall be subject to review by the City Council either by appeal, or upon its own motion, or upon the request of the Planning Commission. The action of the Planning Commission on any such variance shall be final and effective thirty days following the Planning Commission action thereon unless, within the ten-day appeal period, an appeal in writing has been filed by the applicant or an opponent or, unless the Planning Commission has requested a review of its decision, or unless the City Council, not less than ten nor more than thirty days after the Planning Commission action, on its own motion, elects to review the action of the Planning Commission:

1. The Planning Commission shall promptly notify the City Clerk of all final actions taken in granting or denying a variance. The City Clerk shall notify the City Council of such action by placing the matter on the written agenda not less than ten nor more than thirty days after final action by the Planning Commission.

2. A review of the Planning Commission action by the City Council shall stay the effective date of the variance until final action by the City Council. The City Clerk shall give notice of the review by the City Council in the same manner and for the same period of time as is required in connection with an application before the Planning Commission. The City Council shall conduct a public hearing on the date set forth in such notice. The City Council may affirm, reverse or modify the decision of the Planning Commission. Such action by the City Council shall be final.

B. Conditional Use Permits. All decisions of the Planning Commission granting or denying a conditional use permit shall be subject to review by the City Council either by appeal, or upon its own motion, or upon request of the Planning Commission. The action of the Planning Commission on any such conditional use permit shall be final and effective thirty days following the Planning Commission action thereon unless, within the ten-day appeal period, an appeal in writing has been filed by the applicant or an opponent or, unless the Planning Commission has requested a review of its decision, or unless the City Council, not less than ten nor more than thirty days after the Planning Commission action, on its own motion, elects to review the action of the Planning Commission:

1. The Planning Commission shall promptly notify the City Clerk of all final actions taken in granting or denying a conditional use permit. The City Clerk shall notify the City Council of such action by placing the matter on the written agenda not less than ten nor more than thirty days after the final action by the Planning Commission.

2. A review of the Planning Commission action by the City Council shall stay the effective date of the conditional use permit until final action by the City Council. The City Clerk shall give notice of the review by the City Council in the same manner and for the same period of time as is required in connection with an application before the Planning Commission. The City Council shall conduct a public hearing on the date set forth in such notice, and may continue such hearing to a time and place certain. The City Council may affirm, reverse or modify the decision of the Planning Commission. Such action by the City Council shall be final.

C. Administrative Variances. All decisions of the Zoning Administrator on an administrative variance shall be transmitted by written notice of decision to the City Clerk for transmittal to the City Council. All decisions of the Zoning Administrator shall be final and effective ten days following transmittal of the written notice of decision to the City Clerk

unless a member of the City Council has requested the item be reviewed or a written appeal has been filed by the applicant or an interested person within this time. An appeal or request for review of a Zoning Administrator decision shall stay the effective date of the administrative variance until final action by the City Council. Notice of the request for City Council review or the filing of an appeal shall be provided to the applicant and all interested persons requesting such notice. Within thirty days of the receipt of an appeal and appeal fee, if applicable, the City Clerk shall set for consideration on the City Council's discussion calendar, any administrative variance appealed or referred to the City Council. The City Council's action shall be final. No building permit or authority to proceed shall be granted to a use subject to an administrative variance until the decision is final and all appeal periods have expired. Notwithstanding the above, administrative variances approved in compliance with Section 19.64.100(B)(4) shall not be subject to this notice procedure. (Ord. 6462 § 33, 1999; Ord. 6389 § 11, 1997; Ord. 6352 § 5, 1997; Ord. 3896 § 8, 1972; Ord. 3619 § 1, 1969; Ord. 3436 § 1, 1967; prior code § 36.38 (part))

19.64.160 Appeals - conditional use permits, variances and administrative variances.

Any person aggrieved or affected by a decision of the Planning Commission, or Zoning Administrator in granting or denying a conditional use permit, variance, or administrative variance may appeal to the City Council from such decision at any time within ten days after the date upon which the Commission, or Zoning Administrator announces a decision or loses jurisdiction. An appeal to the City Council shall be taken by filing a letter of appeal, in duplicate, with the Planning Department and by concurrently paying to such department a fee in the amount established by City Council resolution for conditional use permits and variances. Such letter of appeal shall set forth the grounds upon which the appeal is based. Within ten days after the receipt of the letter of appeal and the filing fee, the Planning Department shall transmit to the City Council the letter of appeal, the application and all other papers constituting the record upon which the action of the Commission, or Zoning Administrator was taken, together with a written report stating in what respects it was determined by the Commission, or Zoning Administrator that the application failed to meet the requirements of this chapter.

For conditional use permits and variances, City Clerk shall give notice of hearing upon the appeal in the same manner and for the same period of time as is required in connection with an application before the Commission. The City Council shall conduct a public hearing on such appeal upon the date set forth in such notice. For administrative variances, the City Clerk shall provide notice in accordance with Section 19.64.150(C). Upon such appeal, the Council shall consider all of the matters transmitted to it by the Planning Department, together with all evidence properly received at such hearing. The City Council may affirm, reverse or modify the decision of the Commission, or Zoning Administrator. In the event that the Council reverses the decision of the Commission, or Zoning Administrator, and grants the conditional use permit, variance or administrative variance such permit or variance shall be placed, for the purposes of administration under the jurisdiction of the Commission, or Zoning Administrator whichever originally considered the application for the proposed conditional use permit, variance or administrative variance. Notwithstanding the above, administrative variances approved in compliance with Section 19.64.100(B)(4) shall not be subject to this appeal procedure; instead, the Zoning Administrator's decision is final, except that the applicant may appeal the Zoning Administrator's decision with ten days of the mailing of written notice of decision. (Ord.6462 § 34, 1999; Ord. 6389 § 12, 1997; Ord. 3974 § 3, 1972: prior code § 36.38 (part))

19.64.170 Voiding of conditional use permits, variances or administrative variances.

A. Conditional User Permits and Variances. Any conditional use permit or variance granted by the Planning Commission or any conditional use permit or variance granted by the City Council on appeal shall become null and void if:

1. The construction or use authorized by such permit or variance is not commenced within the time limit specified in such permit or variance, and such construction is not pursued diligently to completion; provided, however, that the Commission may extend the time limit if a written application showing good cause for such time extension is submitted to the Planning Department prior to the expiration of the time limit; or

B. Administrative Variances. Any administrative variance not exercised within one year of its effective date shall become void, provided, however, that the Zoning Administrator may extend the time limit no more than twice and no more than one year per time extension, if a written application for such extension showing good cause and the fee for a time extension is submitted to the Planning Department prior to the expiration of the permit or variance.

C. Conditional Use Permits, Variances or Administrative Variances. Any conditional use permit, variance or administrative variance approved by the Commission, or Zoning Administrator, shall become null and void if:

1. The use for which the permit, variance or administrative variance was granted has ceased to exist or has been suspended for six months or more, except that permits for uses which involve the on or off-sale of alcoholic beverages shall be subject to the provisions of Section 19.66.045 - Discontinuance of the Operation of a Business which sells Alcoholic Beverages; or

2. The owner or owners authorized representative of the property for which the permit, variance, or administrative variance was granted requests in writing that the permit or variance be voided and the Commission having jurisdiction approved such request. (Ord. 6462 § 35, 1999; Ord. 6389 § 13, 1997; Ord. 6282 § 1, 1996: prior code § 36.38 (part))

19.64.180 Revocation of conditional use permit, variance or administrative variance.

The Planning Commission may upon the direction of the City Council shall hold a public hearing to consider the revocation of a conditional use permit, variance or administrative variance granted in accordance with the provisions of this chapter and over which such Commission has jurisdiction.

Written notice of the date, time, place and purpose of such public hearing shall be served on the owner of the property for which the permit or variance was granted by registered mail, postage prepaid, return receipt requested, not less than ten days prior to the date of such hearing. Additional notice shall be given in the manner prescribed in this chapter governing notices of conditional use permits, variances and administrative variances. The public hearing and investigations shall be conducted and hearing records maintained in the manner prescribed in this chapter.

A conditional use permit, variance or administrative variance may be revoked if, from the facts presented at the public hearing or by investigation, the Commission finds any one or more of the following grounds:

A. That the permit, variance or administrative variance approval was obtained by fraud;

B. That the permit, variance and administrative variance granted is being or has been exercised contrary to the conditions of such permit, variance or administrative variance or in violation of any applicable licenses, permits, regulations, laws or ordinances;

C. That the use for which the permit, variance or administrative variance approval was granted is being or has been exercised as to be detrimental to the public health or safety or so as to constitute a nuisance.

Each decision by the Commission to revoke a conditional use permit, variance or administrative variance shall be by a formal and numbered resolution adopted by the affirmative votes of at least two-thirds of the membership of the Commission in the case of a conditional use permit and of at least a majority of the membership of the Commission in the case of a variance or administrative variance, such membership in both cases being based upon membership present and voting. The Commission shall make its findings, announce its decision and mail a notice of its decision to the owner of the property involved in the manner prescribed in this chapter. Any person aggrieved or affected by a decision of the Commission in approving or disapproving a

revocation of a conditional use permit, variance or administrative variance may appeal to the City Council in the manner prescribed in this chapter. The City Council may, after a public hearing has been held in the manner prescribed in this section, affirm, reverse or modify the decision of the Commission. (Ord. 6462 § 36, 1999; Ord. 6389 § 14, 1997; Ord. 3898 §2, 1972; prior code § 36.38 (part))

19.64.212 Referral by Planning Commission.

In the event an application is referred to the City Council for action, it shall be processed in accordance with Section 19.64.160. (Ord. 6462 § 37, 1999; Ord. 6389 § 15, 1997; Ord. 4714 § 10, 1979; Ord. 4125 § 2 (part), 1974)

19.64.220 Minor conditional use permits generally.

Uses listed in this Title as requiring a minor conditional use permit shall be acted upon by the Zoning Administrator as defined in Chapter 19.04 or the Planning Commission if referred to the Planning Commission by the Zoning Administrator. Such uses are deemed to possess location, use, building or traffic characteristics of such unique and special form as to make impractical or undesirable, their automatic inclusion and permitted uses.

In granting a minor conditional use permit, the Zoning Administrator may establish certain conditions to protect the public health, safety, convenience, and general welfare and to assure that the purposes of this Title shall be maintained with respect to the location, use, building, traffic and environmental impacts of the proposed use and its relationship with other existing and proposed uses in the surrounding area. The conditions may relate to use, height, area, yards, open spaces, setbacks, parking, loading, signs, improvements, general character, appearance, environmental impact, time limits, revocation dates, and other conditions necessary to comply with the findings listed in Chapter 19.64.265 and all applicable site location, operation and development standards. (Ord. 6695 § 6, 2003; Ord. 6119 § 13, 1994)

9.64.225 Minor conditional use permits for specified uses.

The Zoning Administrator may grant a minor conditional use permit, in accordance with the procedures stated in this chapter, for any of the uses specifically listed in this title as permitted subject to the granting of a minor conditional use permit. (Ord. 6119 § 13, 1994)

19.64.230 Minor conditional use permits for special uses.

Section 19.64.230 Minor conditional use permits for special uses.

The Zoning Administrator may grant a minor conditional use permit, in accordance with the procedures stated in this chapter, for any of the following uses, provided that such uses are located in zones which permit "special" uses subject to the granting of a conditional use permit or a minor conditional use permit:

A. Vapor recovery operations for fuel-contaminated soil subject to the site location criteria, operation and development standards below:

1. Site Location Criteria.

a. All equipment shall be located as far as possible, but not closer than ten feet, to any property with a residential use or other uses designed for overnight human habitation, such as motels, hotels, hospitals or group homes.

b. The location on the site shall not disrupt the flow of traffic onto and off of the site.

c. Whenever possible, the facility shall not displace required parking. If this is not possible, the Zoning Administrator may grant a temporary displacement of required parking for the time the vapor recovery operation is in operation.

2. Operation and Development Standards.

a. All equipment shall be screened with landscaping, block walls or opaque fencing consistent with landscaping and/or physical improvements in the area.

b. Sound emanating from machinery shall be muffled so as not to exceed sixty dBA at the nearest property line of any nonresidential use and forty-five dBA at the nearest property line of a residential use or other uses designed for overnight human habitation, such as motels, hotels, hospitals or group homes.

c. The Zoning Administrator may limit the hours of operation to between eight a.m. and ten p.m. where vapor recovery operations are located near residential uses or other uses designed for overnight human habitation, such as motels, hotels, hospitals or group homes.

d. Approval from applicable governmental agencies shall be obtained.

e. At the conclusion of the vapor recovery operation, all machinery and improvements shall be completely removed from the site and the previously existing improvements shall be replaced in accordance with all local standards. The Zoning Administrator may require suitable documentation guaranteeing such removal and repairs.

B. The temporary occupancy of construction caretaker living quarters for residential and sleeping purposes during the construction of a permanent building subject to the following standards:

1. The temporary unit shall be located on-site and in the rear half of the lot, unless otherwise approved by the Zoning Administrator. In no instance shall the temporary unit be located within public right-of-way.

2. The temporary unit shall be located at least five feet from all property lines. For side and rear property lines adjoining an existing residential use, the setback of the underlying zone shall apply.

3. The number of occupants shall be limited to two persons.

4. The temporary unit shall be connected to water and electric utilities. Where required by the Public Works Department, the unit shall be connected to the sewer system.

5. The unit shall be allowed to remain on the site for an initial period of no more than six months, except that individual extensions of up to three months each with a maximum of one year from the date of the initial siting may be granted by the Zoning Administrator. There shall be no fee for these time extensions. In considering whether to grant a time extension, the Zoning Administrator may consider evidence of any land use compatibility related complaints from surrounding residents and property owners.

6. No later than seven days following the issuance of a certificate of occupancy for the permanent building, the temporary unit shall be removed from the site.

7. An active building permit shall be in effect prior to locating the temporary unit on-site and at all times that the unit remains on-site. The unit is to be removed within seven days of expiration of the building permit.

C. Churches located within an existing industrial, office or commercial complex subject to the site location, operation and development standards below:

1. Site location criteria:

a. The church shall be located within an existing building in a multitenant industrial, commercial or office complex as defined in Section 19.76.010;

b. The church shall not be located on a separate parcel or in a freestanding building independent of other tenants within the complex.

2. Operation and Development Standards:

a. Parking shall be provided in accordance with Section 19.74.010. In determining the adequacy of existing parking to serve the church, the Zoning Administrator shall take into account such factors as off peak hours of operation of the church relative to other uses within the complex. The Zoning Administrator may impose such conditions as necessary on the operating hours and characteristics of the church operations to provide for adequate parking at all times;

b. No associated school operating during weekday operations for general education purposes shall be permitted;

c. Signs shall be permitted only in accordance with the Sign Code (Chapter 19.76);

d. Facilities shall be limited to use for church related uses, including worship services, prayer meetings, church socials, sunday school and incidental office uses. No other activities are permitted including use as a residence, community social and recreational programs or activities;

e. Normal operations of the facilities shall be restricted to indoor uses;

f. No substantial adverse impacts on adjoining uses will result.

D. Certified Farmers' Market subject to the operation and development standards below:

1. The sales area shall be located in an area that will not disrupt the flow of traffic onto and

off the site or obstruct any handicap access or parking. Parking facilities will be evaluated to ensure that adequate parking is available during the approved operating hours of the event.

2. The market may not be permitted on vacant or unimproved land.

3. The market shall conform to State of California Department of Food and Agriculture and Department of Health Services administrative regulations and all other applicable rules and regulations governing certified farmers' markets.

4. The market shall be limited to the sale of products, which are the result of the practice of the agricultural arts by a producer upon land the producer controls, by the producer, the producer's employees or the producer's immediate family. In addition, a producer may sell products produced by not more than two other producers.

5. The market shall be limited in the days and/or hours of operation so as to not interfere with the surrounding land uses.

6. No variances from these standards are permitted.

E. Retail and office uses in a designated historic residence, including bed and breakfast inns, as defined in Chapter 19.04.41, subject to the following location, development, and operational requirements:

1. Location Standards:

a. Retail and office uses shall have frontage on a General Plan designated Arterial roadway. Bed and breakfast uses shall have access to any public street system sufficiently improved to allow adequate access and circulation

b. The site may be in any zone allowing special uses, however, the site and structures shall have been originally designed and occupied for residential purposes.

c. The site shall be of sufficient size and dimension to accommodate the use.

d. The site and appurtenant structures shall have one or a combination of the following designations:

i. A National Historic Landmark

ii. Listed in the National Register of Historic Places

iii. A State Historic Landmark

iv. A City Cultural Heritage Landmark

v. A City Structure of Merit

2. Development and Operational Standards:

a. The use shall be developed and maintained so as to substantially preserve the significant historic characteristics of the structure and its site and to be compatible with the surrounding neighborhood.

b. The use shall be conducted entirely within enclosed structures. Front yard areas shall be landscaped and have a residential appearance in keeping with the historic period of the residence.

c. Parking spaces shall be located within the rear and/or interior side yard.

d. Parking for retail and office uses shall be in accordance with Chapter 19.74 of the Municipal Code. Parking for bed and breakfast uses shall be provided at a ratio of one on-site parking space for each guest bedroom. All parking shall be improved in accordance with Chapter 19.74 of the Municipal Code.

e. Where strict adherence to any parking standards would significantly compromise the historic integrity of a property, the on going negative impacts, including consideration of tandem parking, allowances for on-street parking, alternatives to planter curbing, wheel stops, painted striping, and asphalt or concrete surfacing materials.

f. All exterior lighting shall be shielded so as to preclude glare onto adjacent properties.

g. Trash and recycling receptacles shall be screened from view in a fenced area.

h. Signs shall be in accordance with the standards for one and two family dwellings in Section 19.76.040 of the Municipal Code.

i. Detailed historic preservation and design review shall be by the Cultural Heritage Board.

j. A bed and breakfast inn shall be managed and occupied by an owner of record of the property.

k. Bed and breakfast in meals shall be served only to the inn's paying guests, employees, and the owner's family.

l. A bed and breakfast in shall have no more than six guest rooms.(Ord. 6589 § 3, 2001; Ord. 6368 § 3, 1997; Ord. 6353 § 1, 1997; Ord. 6324 § 2, 1996; Ord. 6119 § 13, 1994)

19.64.235 Minor conditional use permits for additions and expansion to previously approved conditional use permits.

The Zoning Administrator may grant an amendment to a previously approved conditional use permit for the following types of additions and expansions where no variance is required. The cumulative total of all additions and expansions grantable by the Zoning Administrator under this provision may not exceed the figures listed in this section over the life of the conditional use permit. Any cumulative addition or expansion which causes any of these figures to be exceeded must be filed as a revised conditional use permit, requiring a new public hearing:

A Any building expansion not exceeding twenty-five percent of the gross floor area of the building area occupied by the conditional use, up to a maximum of two thousand square feet;

B Any expansion of a day care center, club, lodge, educational institution, board and care facility or other similar use, not exceeding twenty-five percent of the approved occupancy, up to a maximum of twenty-five occupants. (Ord. 6119 § 13, 1994)

19.64.240 Minor conditional use permit applications.

Minor conditional use permit applications shall be submitted by the property owner or owner's authorized representative using forms supplied by the Planning Department. The application shall be accompanied by such information as the Zoning Administrator considers necessary to understand and act upon the application. (Ord. 6389 § 16, 1997; Ord. 6154 § 5, 1994: Ord. 6119 § 13, 1994)

19.64.245 Minor conditional use permit filing fee.

A filing fee for a minor conditional use permit in the amount established by City Council resolution shall be paid at the time of the filing of an application. (Ord. 6119 § 13, 1994)

19.64.250 Minor conditional use permit public notice.

A. Public notice of the consideration of a proposed minor conditional use permit shall be provided by the Zoning Administrator by mailing such notice to the property owners within three hundred feet of the exterior boundaries of the porperty under consideration;

B. The public notice for this purpose shall utilize the name and address of owners shown on the latest available County Assessor's equalized assessment roll. Where a greater notification area is specified, such greater area shall be in lieu of the three hundred foot notice. Such notice shall:

1. Be sent no later than fourteen days after acceptance of a complete and accurate application;

2. Invite interested persons to notify the Planning Department of any concerns, comments and/or their request to be further notified of actions relating to the proposed minor conditional use permit during a fifteen-day comment and review period commencing with the date of the notice;

3. Specify that only those specifically requesting to be further notified of actions relating to the application will be so notified of decisions, appeals or requests for City Council review;

4. Specify at the end of the fifteen-day comment and review period, the Zoning Administrator's report and recommendations will be issued, initiating a ten-day appeal period during which time any interested person may request that the Zoning Administrator's decision be reviewed by the City Council. (Ord. 6389 § 17, 1997; Ord. 6154 § 6, 1994: Ord. 6119 § 13, 1994)

19.64.255 Minor conditional use permit records.

Copies of all pertinent documents received, the names and addresses of persons notified, copies of all notices, affidavits of publication and records of action shall be a part of the permanent file of the case. (Ord. 6389 § 18, 1997; Ord. 6154 § 7, 1994: Ord. 6119 § 13, 1994)

19.64.260 Minor conditional use permit investigations.

The Zoning Administrator shall investigate the application as necessary to make an informed decision, consistent with the intent and purpose of this title. (Ord. 6389 § 19, 1997; Ord. 6154 § 8, 1994: Ord. 6119 § 13, 1994)

19.64.265 Minor conditional use permit findings.

The Zoning Administrator may grant a minor conditional use permit, in whole or in part, and including appropriate conditions of approval if, from the facts available in the application and determined by investigation, the following written findings can be made:

A The proposed use is substantially compatible with other uses in the area, including factors relating to the nature of its location, operation, building design, site design, traffic characteristics and environmental impacts.

B The proposed use will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area.

C The proposed use will be consistent with the purposes of this title.

D The proposed use is in conformance with specific site location, development and operation standards as may be established in this title for the particular use. (Ord. 6119 § 13, 1994)

19.64.270 Minor conditional use permit decisions.

As provided by the California Government Code, no public hearing shall be held by the Zoning Administrator.

For all minor conditional use permits, comments from the public shall be received during a fifteen-day public comment and review period commencing with the date of the public notice. At the conclusion of this fifteen-day public comment and review period, the Zoning Administrator shall issue a final report and recommendations. Notice of the Zoning Administrator's final report and recommendations shall be provided to the Mayor, each member of the City Council, and any interested party requesting such notice. The Zoning Administrator may approve, deny, conditionally approve or refer the minor conditional use permit to the Planning Commission which, after public notice, is determined to be significantly controversial. Minor conditional use permits referred to the Planning Commission shall be placed on the next available regularly scheduled meeting agenda. The Planning Commission shall act in the capacity of the Zoning Administrator in such cases. (Ord. 6625 § 2, 2002; Ord. 6389 § 20, 1997; Ord. 6154 § 9, 1994: Ord. 6119 § 13, 1994)

19.64.275 Review of minor conditional use permit by the City Council.

The Mayor or any member of the City Council may request review of the decision of the Zoning Administrator, or Planning Commission, regarding a minor conditional use permit within ten days of issuance of the Zoning Administrator's final report and recommendations. The City Council may affirm, reverse or modify the Zoning Administrator's, or Planning Commission's, decision or recommended conditions of approval. (Ord. 6389 § 21, 1997; Ord. 6154 § 10, 1994: Ord. 6119 § 13, 1994)

19.64.280 Appeals and effective date of minor conditional use permit.

All decisions of the Zoning Administrator, or Planning Commission, shall be final and effective ten days following the notice of decision unless a member of the City Council has requested the item be reviewed or a written appeal has been filed by the applicant or an interested person within this time. An appeal or request for review of a Zoning Administrator decision shall stay the effective date of the minor conditional use permit until final action by the City Council. Notice of the request for City Council review or the filing of an appeal shall be provided to the applicant and all interested persons requesting such notice. Within thirty days of the receipt of an appeal and appeal fee, the City Clerk shall set for consideration on the City Council's discussion calendar, any minor conditional use permit appealed or referred to the City Council. The

City Council's action shall be final. No building permit or authority to proceed shall be granted to a use subject to a minor conditional use permit all appeal periods have expired. (Ord. 6389 § 22, 1997; Ord. 6154 § 11, 1994: Ord. 6119 § 13, 1994)

19.64.285 Time limit for exercising a minor conditional use permit.

Any minor conditional use permit not exercised within one year of its effective date shall become void, provided, however, that the Zoning Administrator may extend the time limit no more than twice and no more than one year per time extension, if a written application for such extension showing good cause and the fee for a time extension is submitted to the Planning Department prior to the expiration of the permit or variance. (Ord. 6389 § 23, 1997; Ord. 6154 § 12, 1994: Ord. 6119 § 13, 1994)

19.64.290 Voiding minor conditional use permits.

A minor conditional use permit shall become void if any of the conditions listed below apply:

A. The construction or use authorized by the minor conditional use permit is not commenced and diligently pursued to completion within one year of the effective date of the conditional use permit or variance or within the time period granted in accordance with Section 19.64.285;

B. The use of which the minor conditional use permit was granted has ceased to exist or has been suspended for one year or more, except that permits for uses which involve the on or off-sale of alcoholic beverages shall be subject to the provisions of Section 19.66.045, Discontinuance of the operation of a business which sells alcoholic beverages; or

C. The owner or owner's authorized representative of the property for which the minor conditional use permit was granted requests, in writing, that the permit be voided and the Zoning Administrator approves the request. (Ord. 6389 § 24, 1997; Ord. 6282 § 2, 1996: Ord. 6154 § 13, 1994: Ord. 6119 § 13, 1994)

19.64.295 Revocation of minor conditional use permits.

A public hearing to consider the revocation of a minor conditional use permit may be conducted by the Planning Commission at its own initiation or at the direction of the City Council in accordance with the provisions of Section 19.64.180. (Ord. 6389 § 25, 1997; Ord. 6154 § 14, 1994: Ord. 6119 § 13, 1994)

19.64.300 Minor conditional use permit variances.

The Zoning Administrator shall have the authority to grant administrative variances for minor conditional use permits. Such requests for administrative variances shall be listed in all public notices associated with a minor conditional use permit. The Zoning Administrator may grant the requested variance in whole or in part and upon such terms and conditions as he deems necessary if, from the facts presented in the application, the Zoning Administrator is able to make the findings listed in Section 19.64.130(B). A variance request not qualifying as an administrative variance excess of these percentages shall be processed by the City Planning Commission in accordance with the provisions of this chapter. (Ord. 6389 § 26, 1997; Ord. 6119 § 13, 1994)

19.64.305 Reapplication after denial - minor conditional use permits.

If a minor conditional use permit is denied, no reapplication or the same type of use on the same property shall be allowed for at least one year following the date of final denial by either the Zoning Administrator or the City Council. The Zoning Administrator shall have the authority to determine what constitutes the "same type of use" in all instances of requested reapplication. (Ord. 6389 § 27, 1997; Ord. 6154 § 15, 1994: Ord. 6119 § 13, 1994)

19.64.310 Minor conditional use permit fees and charges.

Fees for minor conditional use permit applications, appeals and time extensions shall be per resolution of the City Council. (Ord. 6389 § 28, 1997; Ord. 6154 § 16, 1994: Ord. 6119 § 13, 1994)

Chapter 19.65

PLANNED RESIDENTIAL DEVELOPMENTS

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19.65.010 Generally.

"Planned residential development" means two or more dwelling units together with related land, buildings and structures planned and developed as a whole in a single development operation or a programmed series of development operations in accordance with comprehensive and detailed plans which include the circulation system, parking facilities, open space, building sites, floor plans and elevations, together with a program for provisions, operation and maintenance of such areas, improvements, facilities and services provided for common use of the residents thereof.

Planned residential developments are intended to provide a greater flexibility in the design of residential properties, to promote a more desirable living environment, and to encourage:

A. A more creative approach in land development;

B. A variety of housing types and environments;

C. A more efficient use of the land;

D. The provision of greater amounts of open space and amenities for recreational and visual enjoyment; and

E. The preservation and enhancement of valuable natural areas. (Ord. 3972 § 2 (part), 1972)

19.65.020 Applicability.

Planned residential developments may be permitted in any residential zone, except the RA zones and the R-3-H zone, subject to the granting of a planned residential development permit. (Ord. 5585 § 24, 1987; Ord. 3972 § 2 (part), 1972)

19.65.030 Uses permitted.

The following uses may be permitted in any planned residential development subject to the granting of a planned residential development permit:

A. One-family, two-family and multiple-family dwellings and combinations thereof, and including townhouse or rowhouse developments;

B. Related recreational and community facilities for the use of the residents of the development and their guests;

C. Group and private usable open spaces;

D. Hiking and riding trails;

E. Golf courses;

F. Other similar uses which, in the judgment of the Planning Commission, are similar to, compatible with and no more objectionable than any of those enumerated herein. (Ord. 3972 § 2 (part), 1972)

19.65.050 Density.

The following regulations shall determine the maximum number of dwelling units per acre allowable in a planned residential development:

A. The Planning Commission shall determine the maximum number of dwelling units per acre allowable in a planned residential development based on benchmark densities established for the underlying zone in which the project is located. The following benchmark

densities are based on the planned residential development being located in reasonably close proximity to schools, shopping areas and public and semipublic facilities, the site having good access and advantageous slope conditions, the project being well designed and exhibiting desirable amenities and other appropriate criteria with which a planned residential development is evaluated.

Zone	Density per Acre
RC	0.5
HR	1.2
RR	3.0
R-1-130	3.0
R-1-125	4.8
R-1-100	5.5
R-1-80	6.3
R-1-65	7.3
R-3-40	10.8
R-3-30	14.5
R-3-R	17.5
R-3-20	21.5
R-3	29.0

(The site area used as the basis for determining the number of dwelling units per acre shall not include abutting public streets or alleys, but may include property to be dedicated for new public streets within the development or for the widening of existing public streets which abut the property.);

B. The Planning Commission may determine that in the RC zone up to a twenty-five percent increase in dwelling unit density and in the remaining zones up to a ten percent increase in dwelling unit density beyond the established benchmark density may be permitted if the following conditions are applicable to the project:

1. The property is well located in close proximity to schools, shopping, and public and semipublic facilities. Proximity to schools is not to be considered when projects are designed to be occupied only by adults;

2. The property enjoys excellent access from the adjoining public street or streets;

3. The project is designed or otherwise intended for occupancy by adults demonstrated by a low bedroom- to-unit ratio for the project;

4. The design of the project exhibits superior utilization of the site as evidenced by the following:

a. Varied placement of buildings demonstrating sensitivity to the natural topographic features of the site,

b. Retention of unique natural features of the site and incorporation of such features into the project's overall design,

c. Except in the RC zone relatively level land set aside for active recreation pursuits,

d. Majority of dwelling units afforded direct access to common usable open areas well designed for their intended purposes,

e. An efficient internal circulation system consisting of private streets and driveways that follow natural courses in the case of hilly land;

4. The project reflects sensitivity to the impact of buildings on surrounding properties;

5. The project contains varied building elevations exhibiting excellence of design that complement each other and the surrounding area;

C. A unit density less than the benchmark density established for the underlying zone may be established by the Planning Commission if one or more of the following negative factors are applicable to the project:

1. The property is inadequately located in terms of easy access to schools, shopping or public and semipublic facilities;

2. The property has inadequate access from the adjoining public street or streets;

3. The property is characterized by steep slope necessitating extensive grading for project development. In cases where slopes average between five and ten percent, the Planning Commission may reduce unit density by up to twenty-five percent of the benchmark density, and in cases where slopes exceed ten percent, the Commission may reduce unit density by up to fifty percent of the benchmark density to minimize and discourage unnecessary and undesirable grading;

4. The project fails to adequately incorporate the following desirable design features:

a. Unique natural features of the site are not retained or are inadequately incorporated into the project's overall design,

b. Common usable open spaces are inadequately located in terms of accessibility of units served and are inadequately designed for their intended purposes,

c. An inefficient or poorly designed internal circulation system;

5. Certain facilities (freeways, railroads, airports and the like) are situated adjacent or in close proximity to the property creating a detrimental environmental impact for residential uses thereon;

6. The project unduly inhibits or interferes with the development of surrounding properties. (Ord. 5585 §§ 26, 27, 28, 1987; Ord. 5274 § 4, 1985; Ord. 4260 § 2, 1976; Ord. 4208 § 4, 1975; Ord. 3972 § 2 (part), 1972)

19.65.060 Common usable open space.

A. The minimum common usable open space, as defined in Chapter 19.04, required for each dwelling unit shall be as follows:

1. One hundred twenty-five square feet for each efficiency unit;

2. Two hundred fifty square feet per bedroom for each dwelling unit having two or less bedrooms;

3. Five hundred square feet per bedroom for each dwelling unit having three or more bedrooms;

B. At least fifty percent of the required common usable open space shall be contained in one or two common pooled areas and a rectangle inscribed within each common pooled area shall have no dimension less than one hundred feet. The remaining required common usable open space may be distributed throughout the project and need not be in one large area; provided that required common usable open space shall have a minimum area of six hundred twenty-five square feet and a rectangle inscribed within it shall have no dimension less than twenty-five feet.

C. All required common usable open space shall be suitably improved for its intended purposes and all lawn and landscaped areas shall be provided with a permanent watering system adequate to maintain such areas. Natural features of the site worthy of preservations, as determined by the Planning Commission, may be retained in their natural state and need not be formally improved but shall be maintained to the extent that certain improvement features such as irrigation lines and additional plant materials may be added to assure the lasting retention of the natural feature being preserved.

D. In recognition of the fact that greater densities authorized under the terms of this chapter can be approved for housing developments, it is essential that the open space provided in lieu of individual setbacks, yards and the like be in the form of flat, usable land rather than in steep nonusable slopes. Therefore, depending on the nature and concept of the project, not less than fifty percent nor more than one hundred percent of the required common usable open space should be provided on slopes not exceeding ten percent. The City Planning Commission shall make the determination based on the particulars of the project.

E. If individual dwelling units within the development are to be sold, the common usable open space shall remain in common ownership of all property owners provided for by recorded conditions, covenants and restrictions (CC&R's). Maintenance of the common usable open space and recreational facilities shall be provided by a homeowner's association. (Ord. 3972 § 2 (part), 1972)

19.65.070 Private usable open space.

A. Each ground floor dwelling unit shall have a minimum private usable open space of two hundred fifty square feet enclosed by a solid fence or wall six feet in height and a rectangle inscribed within it shall not have a dimension less than ten feet. Not more than fifty percent of ground level space may be covered by an overhang balcony or patio roof.

B. Each dwelling unit having no ground floor living area shall have a minimum above ground level private usable open space of fifty square feet and a rectangle inscribed within it shall have no dimension less than five feet. Above ground level space shall have at least one exterior side open above railing height.

C. Each square foot of private usable open space provided beyond the minimum requirements of this section shall be considered equivalent to one and one-half square feet of the required group usable open space provided in the project other than in the common pooled

area. In no case shall private usable open space constitute more than forty percent of the total required group usable open space for the project.

D. Private usable open space shall be adjacent to and not more than four feet above or below the floor level of the unit served. (Ord. 3972 § 2 (part), 1972)

19.65.090 Maximum number of dwelling units per building.

In no case should any one building in a single-family residential zone contain more than six dwelling units. (Ord. 3972 § 2 (part), 1972)

19.65.100 Building coverage.

Building coverage for any planned residential development shall not exceed that permitted by the zone in which the site is located. Recreational buildings and facilities shall be excluded from building coverage computations and considered as open and/or recreational space. (Ord. 3972 § 2 (part), 1972)

19.65.110 Building height.

Buildings shall comply with the height regulations of the zone in which the planned residential development is located except as otherwise provided in Section 19.68.30. Whenever the height of building -- S (stories) combining zone is established on any R-3 zone where planned residential developments are permitted, building heights shall conform to the number of stories specified after the S (Ord. 3972 § 2 (part), 1972)

19.65.120 Distance between buildings.

The minimum distance between adjoining buildings containing dwelling units shall be not less than seventy-five percent of their combined height when buildings are placed front to front and shall average not less than fifty percent of their combined height in all other cases. The height of a building is defined as the vertical distance measured from the average level of the highest and lowest point of that portion of the site covered by the building to the ceiling of the uppermost story. The minimum distance between an accessory building and any other building shall be not less than:

A. Five feet when neither one of the buildings has an opening upon the intervening space except that whenever accessory buildings exceed one story in height an additional setback of two and one-half feet shall be required for each additional story; and

B. Not less than fifteen feet in all other cases. (Ord. 3972 § 2 (part), 1972)

19.65.130 Yard setbacks.

Except as setbacks along major streets may require additional dimensions (see Chapter 19.72), building setbacks from public streets and a planned development's interior side and rear boundary lines shall be the same as those prescribed by the zone in which the development is located unless the Planning Commission determines that additional dimensions are justified. (Ord. 3972 § 2 (part), 1972)

19.65.140 Off-street parking.

Each dwelling unit in a single-family residential zone shall be provided with a minimum of two covered off-street parking spaces (carport or garage) and one uncovered guest off-street parking space shall be provided for each three dwelling units. Each dwelling unit in any R-3 zone shall be provided with off-street parking spaces in conformance with Section 19.74.010. All required covered off-street parking spaces shall be located in close proximity to the units they will serve and in no case shall such required covered spaces be located further than one hundred fifty feet from the unit served. All off-street parking areas shall be developed and improved in accordance with Chapter 19.74. (Ord. 3972 § 2 (part), 1972)

19.65.150 Private streets and driveways.

The standards and specifications for private streets and/or driveways provided within the project shall be set forth by resolution of the City Council, which resolution shall be filed in the office of the City Clerk and which resolution is adopted by reference, and the private streets and/or driveways shall be subject to the approval of the Planning Commission. The approved standards and specifications may be amended from time to time by resolution of the City Council, after public hearing. (Ord. 3972 § 2

(part), 1972)

19.65.160 Storage area.

Storage area(s) shall be provided on the basis of one parking space for every ten dwelling units to accommodate storage of campers, trailers, boats, etc. The storage area(s) shall be enclosed by a masonry wall not less than six feet in height. (Ord. 3972 § 2 (part), 1972)

19.65.170 Trash areas.

Five-foot high trash enclosures compatible in design with the residential buildings shall be provided for multiple-family units convenient to the residents which they are intended to serve. (Ord. 3972 § 2 (part), 1972)

19.65.180 Signs.

Signs shall be permitted in accordance with Chapter 19.76 of this code. (Ord. 3972 § 2 (part), 1972)

19.65.190 Design review.

Planned residential developments shall be subject to review under the terms and procedures as specified in Chapter 19.62, Design Review. In its review of buildings and landscape plans, the Planning Commission shall be particularly concerned with the relationship of dwelling units to required open space as well as with other items under design review. (Ord. 6726 § 29, 2004; Ord. 3972 § 2 (part), 1972)

19.65.200 Procedure.

A. Preliminary Review. Not less than fourteen days prior to the submission of an application for a planned residential development permit, the applicant(s) shall hold a preliminary conference with the Planning Department and shall submit for preliminary review the following materials and information:

1. A preliminary development plan of the entire property(ies) involved showing the general location and types of dwelling units, open areas, driveways, streets and off-street parking areas;

2. Calculations of the site area, number of dwelling units and approximate area devoted to open space;

3. Other information as may be reasonably required to aid and assist the Planning Department in its initial consideration of the planned residential development.

B. Planned Residential Development Application. After completion of a preliminary conference(s), the applicant may file a request for a planned residential development permit under the terms and procedures for filing and processing conditional use permits as specified in Chapter 19.64. Such application shall be accompanied by the following materials:

1. Copies of a plot plan, the number of which shall be determined by the Planning Commission, drawn to a scale of not greater than one hundred feet to the inch, showing the following:

a. The location and dimensions of the project's boundaries and adjoining streets, the location of all existing structures and improvements to remain, the location of all trees and natural features and contour lines at an interval not exceeding five feet, except instances of slopes in excess of ten percent where contour lines at an interval not exceeding ten feet shall be permitted,

b. The location of all proposed structures and uses, types of housing, location and width of streets, driveways, parking areas, pedestrian circulation, recreational facilities, group and private usable open space, extent of landscaping and proposed phasing, if any;

2. Computations of gross and net site area, number of dwelling units in various housing types, group usable open space and building coverage expressed as a percent of the net site area and number of covered and open off-street parking spaces. If the project is to be completed in phases above enumerated, computations shall also be provided for each phase;

3. Three copies of the elevations of the project's buildings indicating the type of exterior building materials and three copies of the floor plans showing interior and exterior dimensions for each type of dwelling unit;

4. Any such other data or plans as may reasonably be required for the proper and complete consideration of the proposed development.

C. Administrative Procedures. For the purpose of this title, filing fees, public hearings, investigations, findings referrals, decisions, effective date of permits, appeals and voiding of permits, shall be the same as is provided for conditional use permits as outlined in Sections 19.64.070, 19.64.080, 19.64.090, 19.64.100, 19.64.110, 19.64.120, 19.64.130, 19.64.140, 19.64.150, 19.64.160, 19.64.170 and 19.64.180 of this title. (Ord. 3972 § 2 (part), 1972)

19.65.210 Severability.

If any section, subsection, sentence, clause or phrase of this chapter is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the validity or constitutionality of the remaining portions of this chapter.

The City Council declares that it would have passed this chapter, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more of the sections, subsections, sentences, clauses or phrases thereof, are declared unconstitutional or invalid. (Ord. 3972 § 2 (part), 1972)

Chapter 19.66

NONCONFORMING USES

Sections:

19.66.010	**Purpose.**
19.66.020	**Discontinuance of nonconforming use.**
19.66.030	**Amortization of concurrent motor vehicle fuel and alcoholic beverage sales.**
19.66.040	**Discontinuance of the operation of a business selling alcoholic beverages.**
19.66.050	**Restoration of a damaged structure.**
19.66.060	**Alterations, additions, and expansions to nonconforming uses and structures.**
19.66.070	**Zoning administrator determination.**

19.66.010 Purpose.

A. This Chapter provides for the orderly termination of nonconforming rights for buildings and uses in order to promote the public health, safety, and general welfare, and to bring such buildings and uses into conformity with the goals, objectives, and policies of this zoning ordinance and the General Plan.

B. This Chapter limits the expansion of nonconforming uses and buildings, establishes the circumstances under which they may be continued, and provides for the correction, maintenance, and removal of such uses and buildings.

C. Nonconforming uses within the City are detrimental to the orderly development of the City and are detrimental to the health, safety, peace, comfort, and general welfare of persons and property within the City.

D. Nonconforming uses shall be eliminated as rapidly as possible as set forth in this ordinance and without infringing upon the constitutional rights of the owners of nonconforming properties. (Ord. 6511 § 2, 2000; Ord. 6282 § 3, 1996: Ord. 3541 § 1 (part), 1968; prior code § 36.7 (part))

19.66.020 Discontinuance of nonconforming use.

A. Except as otherwise provided for nonconforming single-family residential uses, whenever a nonconforming use has been discontinued for a continuous period of 180 days or more, or whenever a nonconforming use is changed to another use, the nonconforming use shall not be reestablished and the use of the structure or site thereafter shall be brought into conformity with the zone in which it is located. A nonconforming single-family residential uses which has been discontinued for a period of 180 days or more may be reestablished subject to the granting of a minor conditional use permit and affirmative determinations on the following findings:

1. The continuation of the nonconforming single-family residential use will not adversely affect or be detrimental to the health, safety, and general welfare of the public or property or improvements within the area.

2. The nonconforming single-family residential use is substantially compatible with existing and proposed uses in the general area, including factors relating to the nature of its location, operation, building design, and site design.

3. The continuation of the nonconforming single-family residential use will protect a valuable property investment.

B. Discontinuation shall include any termination of a use, regardless of intent to resume the use. (Ord. 6511 § 2, 2000; Ord. 3541 § 1 (part), 1968; prior code § 36.7 (part))

19.66.030 Amortization of concurrent motor vehicle fuel and alcoholic beverage sales.

A. Any business established and authorized to sell motor vehicle fuel in conjunction with the sale of alcoholic beverages prior to the effective date of this Section is deemed to be a nonconforming use and may continue to operate subject to the following regulations:

1. Only beer and wine, not hard liquor, may be sold;

2. The minimum enclosed retail sales area for store products shall be 1,500 square feet or such smaller area approved by variance

granted pursuant to Chapter 19.64 of the Title;

3. The minimum inventory level shall be $15,000 retail value excluding beer, wine, fuel and automotive products;

4. The maximum percentage of beer and wine sales to total store sales shall be 30 percent on a retail basis during any consecutive twelve-month period;

5. No displays of beer or wine shall be located within five feet of the store's entrance or checkout counter;

6. Cold beer or wine shall be sold from, or displayed in, the main permanently-affixed electrical coolers;

7. No beer or wine advertising shall be located on gasoline islands and no lighted advertising for beer or wine shall be located on buildings or in windows;

8. The management at each location of common site sales shall be responsible for "educating the public" regarding drunk driving laws and the related penalties for breaking those laws. (This includes minimum age law, open container law and driving while intoxicated law.) This can be accomplished by posting prominent signs, decals or brochures at the point of purchase and providing adequate training for employees.

B. Notwithstanding any other provision of this chapter to the contrary, any use, business or activity which was lawfully in existence on April 17, 1987 and which use, business or activity does not comply, in whole or in part, with the provisions of Section 19.66.030 A shall be discontinued or brought into full compliance with Subsections 5, 7 and 8 of Section 19.66.030 A within one year of the effective date of this Section; shall be discontinued or brought into full compliance with Subsections 1, 3, 4, and 6 of Section 19.66.040 A within one year of April 17, 1987 and shall be discontinued or brought into full compliance with Subsection 2 of Section 19.66.040 A within three years of the effective date of this Section; provided, however, that said periods of compliance may be extended for only one additional period of time, to be established by the City Council, as to any particular use, business or activity upon a hearing and determination by the City Council that such extension is reasonably necessary to permit the owner of such business to amortize or otherwise recover any out--of-pocket costs and expenses for any portion of such use, business or activity required to be abated to conform to the provisions of this Code.

Any such request for an extension of said period of compliance must be made in writing by the owner to the City Council by filing said request with the City Planning Department and paying a processing fee to be established by resolution of the City Council not later than 60 days following the close of the amortization period ending as set forth above. For purposes of this Section, a use, business or activity shall be deemed not to comply with Section 19.66.040 A if it fails to conform to all provisions of subsections 1 through 8, inclusive, of said Section regardless of whether such use, business or activity was being conducted pursuant to and in accordance with a conditional use permit issued by the City of Riverside prior to the effective date of this Section. (Ord. 6511§ 2, 2000; Ord. 3541 § 1 (part), 1968; prior code § 36.7 (part))

19.66.040 Discontinuance of the operation of a business selling alcoholic beverages.

Any business which sells on-sale or off-sale alcoholic beverages, including beer and wine, may not be continued or reestablished without a conditional use permit or a minor conditional yse permit in accordance with this title of any of the following occur:

A. The business establishment changes its type of retail liquor license within a license classification; or

B. The operation of the business establishment is abandoned or discontinued for any period of time, excluding a maximum thirty day closure required to perform necessary repairs or restoration which does not increase the square footage of the business used for the sale of alcoholic beverages; or

C. There is a substantial change in the mode or character in the operation of the business establishment. (Ord. 6511 § 2, 2000; Ord. 5486 § 6, 1987)

19.66.050 Restoration of a damaged structure.

A. Whenever a structure which does not

comply with the development standards of the underlying zone including setbacks, height of structures, distances between structures, or parking, or the use of which does not conform with the regulations of the underlying zone, is destroyed by fire or other calamity, by act of God, or by the public enemy to the extent of fifty percent or less, the structure may be restored and the nonconforming use may be resumed, provided that the restoration is started within 180 days, and diligently pursued to completion. When the destruction exceeds 50 percent or the structure is voluntarily razed or is required by law to be razed, the structure shall not be restored except in full conformity with the regulations of the zone in which it is located.

B. The extent of damage or partial destruction shall be based upon the ratio of the estimated cost of restoring the structure to its condition prior to such damage or partial destruction to the estimated cost of duplicating the entire structure as it existed prior thereto. Estimates for this purpose shall be made by or shall be reviewed and approved by the Building Official and the Zoning Administrator and shall be based on the minimum cost of construction in compliance with the Building Code. (Ord. 6511 § 2, 2000)

19.66.060 Alterations, additions, and expansions to nonconforming uses and structures.

A. Routine maintenance and repairs may be performed on a nonconforming use or structure provided such work does not involve structural alterations, reconstruction work, or any enlargement of the structure subject to the granting of building permits as required by the Building Official.

B. Except as otherwise provided for nonconforming residential uses, expansion of a nonconforming use to displace a conforming use or to occupy any part of any structure or site it did not occupy at the time it became nonconforming is prohibited unless a conditional use permit is first obtained. In granting a conditional use permit, the following findings shall be made:

1. Such expansion will protect a valuable property investment;

2. Such expansion and the proposed use will not adversely affect or be materially detrimental to the surrounding neighborhood;

3. There is a need for relief of overcrowding conditions or for modernization in order to properly operate the use and protect valuable property rights.

C. a nonconforming residential use may be expanded on the legally recognized parcel upon which it is established, subject to the granting of a minor conditional use permit and compliance with the following findings:

1. The expansion shall not be for the purpose of increasing the number of living units on the property;

2. The expansion shall benefit the health, safety, and welfare of the occupants;

3. The expansion shall be architecturally compatible with the existing building;

4. The expansion shall be compatible with the character of the surrounding area;

5. The expansion shall not displace on-site parking.

D. The provisions of paragraphs B and C of this Section do not apply to property zoned "RA" or "RC" and described in Sections 3 or 4 of Measure R, enacted November 13, 1979.

E. No nonconforming structure shall be altered or reconstructed so as to increase the discrepancy between existing conditions and the standards for the front setback, side setbacks, rear setback, height of structures, distances between structures and the parking facilities as prescribed in the regulations for the zone in which the structure is located. (Ord. 6511 § 2, 2000)

19.66.070 Zoning administrator determination.

All administrative decisions, including requests as to whether a use qualifies as a nonconforming use, whether a nonconforming use can be restored after partial destruction, or whether a building permit can be issued for work on a nonconforming use shall be reviewed by the Zoning Administrator to determine compliance with this chapter. The Zoning Administrator shall act within thirty days of the receipt of a complete application. The Zoning

Administrator may approve, deny, conditionally approve, or refer any determination request to the Planning Commission. Any approval, denial, or conditional approval of the Zoning Administrator may be appealed in accordance with Chapter 2.40.030 of the Municipal Code. (Ord. 6511 § 2, 2000)

Chapter 19.67

WATER EFFICIENT LANDSCAPING AND IRRIGATION

Sections:

19.67.010	**Purpose.**
19.67.020	**Definitions.**
19.67.030	**Provisions for the review and certification of landscaping and irrigation.**
19.67.040	**Reference evapotranspiration rates.**

19.67.010 Purpose.

A. The City finds that:

1. The limited supply of City and State of California waters are subject to ever increasing demands;

2. The economic prosperity of the City and the State of California depends on adequate supplies of water;

3. City and State policy promote the conservation and efficient use of water;

4. Landscapes provide recreation areas, clean the air and water, prevent erosion, offer fire protection, and replace ecosystems displaced by development; and

5. Landscape design, installation, and maintenance can and should be water efficient.

B. Consistent with these findings, the purpose of this chapter is to:

1. Promote the values and benefits of landscapes while recognizing the need to invest water and other resources as efficiently as possible; and

2. Establish a structure for designing, installing and maintaining water efficient landscapes. (Ord. 6032 § 1, 1993)

19.67.020 Definitions.

The words used in this chapter have the meanings as set forth below:

"Allowable percentage" means a factor of 0.8, that, when applied to reference evapotranspiration, determines the annual maximum allowable water budget for an individually metered landscape project.

"Annual water budget" or "AWB" means the upper limit of allowable water use for the entire landscaped area per water meter in accordance with the formula in Section 19.67.030(C)(2).

"Anti-drain valve" or "check valve" means a valve located under a sprinkler head to hold water in the system so it minimizes drainage from the lower elevation sprinkler heads.

"Application efficiency" or "AE" is a measure of the efficiency of an irrigation system based upon the characteristics of various types of irrigation system controls as follows:

0.85 for irrigation systems that have a centralized control system or controllers that measure or can be programmed to use evapotranspiration rates, or systems that use other irrigation efficiency controls such as moisture sensors;

0.65 for irrigation systems which do not have any of the above soil or weather driven types of irrigation efficiency controls.

"Application rate" means the depth of water applied to a given area, usually measured in inches per hour.

"Applied water" means the portion of water supplied by the irrigation systems to the landscape.

"Automatic controller" means a mechanical or solid state timer, capable of operating valve stations to set the days and length of time of a water application.

"Backflow prevention device" means a safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.

"Conversion factor (1200)" means the number used to produce formula total in billing units of one hundred cubic feet. (To convert the answer to gallons, multiply the formula by 748).

"Crop coefficient" or "KC" means a factor, expressed as a decimal, which when multiplied by reference evapotranspiration, estimates the amount of water used by a specific plant.

"Distribution efficiency" or "DE" is a measure of the efficiency of an irrigation system based upon the characteristics of the various types of sprinklers and emitters as follows:

0.70 for spray heads;

0.85 for gear-driven, impact or ball-driven rotors;

0.85 for bubbler heads;

0.90 for drip irrigation systems.

"Ecological restoration project" means a project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.

"Emitter" means a drip irrigation fitting that delivers water slowly from the system to the soil.

"Established landscape" means the point at which plants in the landscape have developed roots into the soil adjacent to the root ball.

"Establishment period" means the first four months after installation of the plants in the landscape.

"Estimated annual water use" or "EAWU" means the estimated annual water use for an established landscaped area as calculated pursuant to the formula in Section 19.67.030(C)(3).

"Evapotranspiration" means the quantity of water evaporated from adjacent soil surfaces and transpired by plants during a specific time.

"Flow rate" means the rate at which water flows through pipes and valves (gallons per minute or cubic feet per second).

"Hydrozone" means a portion of the landscaped area having plants with similar water needs that are served by a valve or set of valves with the same schedule. A hydrozone may be irrigated or nonirrigated. For example, a naturalized area planted with native vegetation that will not need supplemental irrigation once established is a nonirrigated hydrozone.

"Infiltration rate" means the rate of water entry into the soil expressed as a depth of water per unit of time (inches per hour).

"Irrigation efficiency" means the measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is the product of distribution efficiency (DE), based upon characteristics of the various types of sprinklers/emitters, and application efficiency (AE), based upon characteristics of the various types of irrigation system controls.

"Landscape irrigation audit" means a process to perform site inspections, evaluate irrigation systems, and develop efficient irrigation schedules.

"Landscaped area" means the entire parcel less the building footprint, driveways, non-irrigated portions of parking lots, hardscapes (such as decks and patios), and other non-porous areas. Water features are included in the calculation of the landscaped area. Areas dedicated to edible plants, such as orchards or vegetable gardens, are not included.

"Lateral line" means the water delivery pipeline that supplies water to the emitters or sprinklers from the valve.

"Main line" means the pressurized pipeline that delivers water from the water source to the valve or outlet.

"Mined-land reclamation projects" means any surface mining operation with a reclamation plan approved in accordance with the Surface Mining and Reclamation Act of 1975.

"Mulch" means any material such as leaves, bark, straw or other materials left loose and applied to the soil surface for the beneficial purpose of reducing evaporation.

"Operating pressure" means the pressure at which a system of sprinklers is designed to operate, usually indicated at the base of a sprinkler.

"Overhead sprinkler irrigation systems" means those which apply water by spraying it into the air through nozzles.

"Overspray" means the water which is delivered beyond the landscaped area, wetting pavements, walks, structures, or other non-landscaped areas.

"Record drawing" or "as-builts" means a set of reproducible drawings which show significant changes in the work made during construction and which are usually based on drawings marked up in the field and other data furnished by the contractor.

"Recreational area" means an area of active play or recreation such as a sports field, school yard, picnic ground, or other area with intense foot traffic.

"Recycled water," "reclaimed water," or "treated sewage effluent water" means treated or recycled waste water of a quality suitable for non-potable uses such as landscape irrigation, but not intended for human consumption.

"Reference evapotranspiration" or

"ETo" means a standard measurement of environmental parameters which affect the water use of plants. Reference evapo-transpiration is given as 56.65 inches of water per year, and represents the annual historic average evapotranspiration of a large field of four to seven inch tall cool season grass that is well watered and located in the area of Riverside County.

"Rehabilitated landscape" means any relandscaping project that requires a permit.

"Run-off" means water which is not absorbed by the soil or landscape to which it is applied and flows from the area. For example, run-off may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or when there is a severe slope.

"Soil moisture sensing device" means a device that measures the amount of water in the soil.

"Soil texture" means the classification of soil based on the percentage of sand, silt, and clay in the soil.

"Sprinkler head" means a device which sprays water through a nozzle.

"Static water pressure" means the pipeline or municipal water supply pressure when water is not flowing.

"Station" means an area served by one valve or by a set of valves that operate simultaneously.

"Turf" means a surface layer of earth containing mowed grass with its roots. Annual bluegrass, Kentucky bluegrass, perennial rye grass, red fescue, and tall fescue are cool-season grasses. Bermuda grass, kikuyu grass, seashore paspalum, St. Augustine grass, zoysia grass, and buffalo grass are warm-season grasses.

"Valve" means a device used to control the flow of water in the irrigation system.

"Water conservation concept statement" means a narrative summary of the means employed to conserve water in a project's design along with documentation as to the means by which the annual water budget and estimated annual water use figures were derived. (Ord. 6032 § 1, 1993)

19.67.030 Provisions for the review and certification of landscaping and irrigation.

A. Applicability.

1. Except as provided in subdivision 3 of this subsection, this section shall apply to:

a. All installations of new landscaping and irrigation for public projects and private development projects that require review and approval by the Zoning Administrator;

b. Developer-installed landscaping and irrigation in multifamily projects that require review and approval by the Zoning Administrator.

2. Projects subject to this chapter shall conform to the provisions of this section and shall be subject to the review and approval of the Zoning Administrator in accordance with Chapter 19.62.

3. This chapter shall not apply to:

a. Landscaping and irrigation of single-family dwellings and duplexes;

b. Cemeteries;

c. Designated historical sites which are subject to review and approval of the Cultural Heritage Board;

d. Ecological restoration projects that do not require a permanent irrigation system;

e. Mined-land reclamation projects that do not require a permanent irrigation system;

f. Public parks.

B. Landscape Documentation Package.

1. A copy of the landscape documentation package conforming to this chapter shall be submitted to the Planning Department as part of an application for review and approval of landscaping and irrigation by the Zoning Administrator. No certificate of occupancy or other final City approval shall be issued until the City reviews and approves the landscape documentation package and the landscaping and irrigation are installed in accordance with approved plans.

2. A copy of the approved landscape documentation package shall also be provided to the property owner or site manager along with the record drawings and any other information normally forwarded to the property owner or site manager.

3. Each landscape documentation package shall include the following elements, which are listed below and described in

subsection C:

a. Water conservation concept statement;

b. Calculation of the annual water budget;

c. Calculation of the estimated annual water use;

d. Landscape design plan;

e. Irrigation design plan;

f. Irrigation schedules;

g. Landscape irrigation audit schedules (optional);

h. Grading design plan;

i. Soil analysis (optional);

C. Elements of Landscape Documentation Package.

1. Water Conservation Concept Statement. Each landscape documentation package shall include a cover sheet (referred to as the water conservation concept statement). Forms for the water conservation concept statement shall be available at the City Planning Department. The water conservation concept statement shall serve as a checklist to verify that the elements of the landscape documentation package have been completed and as a narrative summary of the project.

2. Annual Water Budget. The annual water budget is determined by the following formula:

$$AWB = \frac{(56.65)\ (0.8)\ (TLA)}{1200}$$

where:

AWB = Annual water budget in billing units per year (one billing unit = 100 cubic feet = 748 gallons).

56.65 = reference evapotranspiration in inches of water per year.

0.8 = allowable percentage.

TLA = Total landscaped area per water meter in square feet.

1200 = Conversion factor to produce a formula total in billing units. (To convert the answer to gallons, multiply the formula by 748).

Portions of landscaped areas in public and private projects such as parks, playgrounds, sports fields, golf courses, driving ranges, or school yards where turf provides a playing surface or serves other recreational purposes are considered recreational areas and may require water in addition to the annual water budget. A statement shall be included with the landscape design plan, designating recreational areas to be used for such purposes and specifying any needed amount of additional water above the annual water budget.

3. Estimated Annual Water Use.

a. A calculation of the estimated annual water use shall be submitted with the landscape documentation package. The estimated annual water use shall be calculated using the following formula:

EAWU = (56.65) (KC) (HA) (DE) (AE) (1200)

where:

EAWU = Estimated annual water use in billing units per year (one billing unit = 100 cubic feet = 748 gallons).

56.65 = Reference evapotranspiration in inches of water per year.

KC = Crop coefficient (for a specific plant from the Water Needs of Plants list on file in the Planning Department).

HA = Hydrozone area in square feet.

DE = Distribution efficiency of the irrigation system expressed as a decimal as listed in Section 19.76.020 of this chapter.

AE = Application efficiency of the irrigation system expressed as a decimal as listed in the 19.76.020 of this chapter.

1200 = Conversion factor to produce a formula total in billing units. (To convert the answer to gallons, multiply the formula by 748).

b. If the estimated annual water use is greater than the annual water budget, the Zoning Administrator may require revisions to the landscaping or irrigation specifications or design to achieve greater water efficiency.

4. Landscape Design Plan. A landscape design plan meeting the following requirements shall be submitted as part of the landscape documentation package. With the exception of projects having a net size of one-half acre or less, all plans required to be submitted under the provisions of this chapter shall be wet stamped and signed by a landscape architect licensed to practice in the State of California.

a. Plant Selection and Grouping:

i. Any plants may be used in the landscape; however, if the estimated annual water use exceeds the annual water budget, the

Zoning Administrator may require revisions to the landscape and/or irrigation plans to achieve greater water efficiency.

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

iii. Plants shall be selected appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the site. Protection and preservation of native species and natural areas is encouraged. The planting of trees is encouraged wherever it is consistent with the other provisions of this chapter.

iv. Fire prevention needs shall be addressed in areas that are fire prone. Information about fire prone areas and appropriate landscaping for fire safety is available from the Riverside Fire Department or the California Department of Forestry.

v. A mulch of at least two inches shall be applied to all new planting areas except turf as appropriate. Slopes exceeding 4:1 shall receive jute netting or another appropriate means of slope stabilization and water retention.

b. Water Features:

i. Decorative water features shall be designed to recirculate the water and avoid unnecessary flows to waste.

ii. Pool and spa covers are encouraged.

c. Landscape Design Plan Specifications. The landscape design plan shall be drawn on project base sheets at a scale that accurately and clearly identifies:

i. Designation of hydrozones.

ii. Landscape materials, trees, shrubs, ground cover, turf, and other vegetation. Planting symbols shall be clearly drawn and plants labeled by botanical name, common name, container size, spacing, and quantities of each group of plants indicated.

iii. Property line, compass directions and street names.

iv. Streets, driveways, walkways, and other paved areas.

v. Pools, ponds, water features, fences, and retaining walls.

vi. Existing and proposed buildings and structures including elevations if applicable.

vii. Natural features including but not limited to rock outcroppings, existing trees, shrubs proposed to remain and those proposed to be removed.

viii. Tree staking, plant installation, soil preparation details, and any other applicable planting and installation details.

ix. Calculation of the total landscaped area in square feet.

x. Designation of recreational areas.

5. Irrigation Design Plan. An irrigation design plan meeting the following conditions shall be submitted as part of the landscape documentation package.

a. Irrigation Design Criteria:

i. Run-off and overspray. Soil types and infiltration rate shall be considered when designing irrigation systems. All irrigation systems shall be designed to minimize run-off, low-head drainage, overspray, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways or structures. Proper irrigation equipment and schedules, including features such as repeat cycles, shall be used to closely match application rates to infiltration rates, thereby minimizing run-off.

Special attention shall be given to minimize run-off on slopes and to minimize overspray in planting areas with a width less than ten feet, and in median strips.

No overhead sprinkler irrigation systems shall be installed in median strips less than ten feet wide.

ii. Equipment.

Water meters. Separate developer installed landscape water submeters are recommended for all projects except for single-family homes or any project with a landscaped area of less than five thousand square feet.

Controllers. Automatic control systems shall be required for all irrigation systems and must be able to accommodate all aspects of the design.

Valves. Plants which require different amounts of water shall be irrigated by separate valves. If one valve is used for a given area, only plants with similar water use shall be used in that area. Anti-drain (check) valves shall be installed in strategic points to minimize or prevent low-head drainage.

Sprinkler heads. Heads and emitters shall have consistent application rates within each control valve circuit. Sprinkler heads shall

be selected for proper area coverage, application rate, operating pressure, adjustment capability, and ease of maintenance.

Soil Moisture Sensing Devices. Soil moisture sensing devices shall be considered where appropriate.

b. Recycled Water:

i. The installation of recycled water irrigation systems (dual distribution systems) may be required by the Zoning Administrator to allow for the current and future use of recycled water.

ii. The recycled water irrigation systems shall be designed and operated in accordance with all local and State codes.

c. Irrigation Design Plan Specifications:

Irrigation systems shall be designed to be consistent with hydrozones. The irrigation design plan shall be drawn on project base sheets. It shall be separate from, but use the same format as, the landscape design plan. The scale shall be the same as that used for the landscape design plan described in subdivision 4 of this subsection.

The irrigation design plan shall accurately and clearly identify:

i. Location and size of water meters for the landscape.

ii. Location, type, and size of all components of the irrigation system, including automatic controllers, main and lateral lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers, backflow prevention devices and all other information required by the Zoning Administrator.

iii. Static water pressure at the point of connection to the public water supply.

iv. Flow rate (gallons per minute), application rate (inches per hour), and design operating pressure (psi) for each station.

v. Recycled water irrigation systems as specified in subsection (C)(5)(b).

6. Irrigation Schedules. Irrigation schedules satisfying the following conditions shall be submitted as part of the landscape documentation package.

a. An annual irrigation program with monthly irrigation schedules shall be required for the plant establishment period, for the established landscape, and for any temporarily irrigated areas.

b. The irrigation schedule shall:

i. Include run time (in minutes per cycle), suggested number of cycles per day, and frequency of irrigation for each station; and

ii. Provide the amount of applied water (in hundred cubic feet, gallons, or in whatever billing units the local water supplier uses) recommended on a monthly and annual basis.

c. The total amount of water for the project shall include water designated in the estimated annual water use calculation plus water needed for any water features, which shall be considered as a high water using hydrozone.

d. Recreational areas designated in the landscape design plan shall be highlighted and the irrigation schedule shall indicate the amount of water needed above the annual water budget because of high plant factors (but not due to irrigation inefficiency).

e. Whenever possible, irrigation scheduling shall incorporate the use of evapotranspiration data such as those from the California Irrigation Management Information System (CIMIS) weather stations to apply the appropriate levels of water for different climates.

f. Whenever possible, landscape irrigation shall be scheduled to avoid irrigating during times of high wind or high temperature.

7. Landscape Irrigation Audit Schedules.

a. Irrigation audits shall be in accordance with the State of California Landscape Water Management Program as described in the Landscape Irrigation Auditor Handbook (June 1990) version 5.5 (formerly Master Auditor Training).

b. A landscape irrigation audit shall be conducted by a certified landscape irrigation auditor at the completion of irrigation installation and prior to release of occupancy.

c. For all non-City-owned projects subject to this chapter, the Public Utilities Department shall make available information regarding the benefits of regularly scheduled water audits.

d. For all City-owned projects subject to this chapter, landscape irrigation audits shall be conducted every five years following completion of landscaping and irrigation. Deficiencies determined as a result of these audits shall be addressed through the budget and

capital improvement process.

8. Grading Design Plan:

Grading design plans satisfying the following conditions shall be submitted as part of the landscape documentation package:

a. A grading design plan shall be drawn on project base sheets. It should be separate from but use the same format as the landscape design plan. If the irrigation design is drawn on the grading plan, all irrigation components and information must be clearly legible.

b. The grading design plan shall indicate finished configurations and elevations of the landscaped area, including the height of graded slopes, drainage patterns, pad elevations, landscape mounding and finish grade.

9. Soils:

a. It is recommended that a soils analysis satisfying the following conditions be submitted as part of the landscape documentation package.

i. Determination of soil texture, indicating the percentage of organic matter.

ii. An approximate soil infiltration rate (either measured or derived from soil texture/infiltration rate tables.) A range of infiltration rates shall be noted where appropriate.

iii. Measure of pH, and total soluble salts.

b. A mulch of at least three inches shall be applied to all planting areas except turf.

10. Certification.

a. After completing the installation of the landscaping and the irrigation system, an irrigation audit shall be conducted by a certified landscape irrigation auditor prior to the final field observation. (See Landscape Irrigation Auditor Handbook as referenced above in subsection (C)(7)(a)).

b. The landscape architect, certified irrigation designer, American Association of Irrigation Designers member or other designer responsible for the landscape and/or irrigation design shall conduct a final field observation and shall provide a certificate of substantial completion to the Planning Department. The certificate shall specifically indicate that plants were installed as specified, that the irrigation system was installed as designed, and that an irrigation audit has been performed, along with a list of any observed deficiencies.

c. Certification shall be accomplished by completing a certificate of substantial completion, forms for which are available at the Planning Department, and delivering it to the City Planning Department and to the owner of record.

d. No occupancy permit shall be issued until the certificate of substantial completion is received and approved, and a final inspection is completed and approved by the Planning Department.

e. All landscaping shall be maintained in a healthy, growing condition, free of weeds and appropriately trimmed, and all irrigation shall be maintained in a fully operational condition as approved by the Zoning Administrator.

D. Public Education.

1. Publications.

a. The Public Utilities Department will make available to the public, information regarding the design, installation, and maintenance of water efficient landscapes.

b. Information about the efficient use of landscape water shall be provided to water users throughout the community by the Public Utilities Department.

2. Model Homes.

In each project consisting of eight or more homes, at least one model home that is landscaped shall demonstrate via installed landscaping and irrigation, the principles of water efficient landscaping and irrigation described in this chapter.

a. The water efficient landscaped and irrigated model home site shall be identified as such by signs posted which identify such water efficient elements as hydrozones, irrigation equipment and others which contribute to the overall water efficient theme.

b. The developer shall provide information at the model home site about designing, installing, and maintaining water efficient landscaping and irrigation. (Ord. 6726 § 30, 2004; Ord. 6234 § 3, 1995; Ord. 6032 § 1, 1993)

19.67.040 Reference evapotranspiration rates.

A. The monthly reference evapotranspiration rates for Riverside shall be as follows: January: 2.1, February: 2.9, March: 4.0, April: 4.1, May: 6.1, June: 7.1, July: 7.9, August: 7.6, September: 5.1, October: 4.2, November: 2.5, December: 2.0.

B. The annual evapotranspiration rate shall be: 56.65. (Ord. 6032 § 1, 1993)

Chapter 19.68

GENERAL USE REGULATIONS

Sections:

19.68.010	**Land and building uses generally.**
19.68.020	**New construction and new uses.**
19.68.030	**Building heights generally.**
19.68.035	**Construction of new dwellings and disposal of existing dwellings.**
19.68.040	**Antennae and appurtenant support structures.**
19.68.050	**Occupancy prohibited and exceptions.**
19.68.060	**Repair, maintenance and overhaul of motor vehicles, motorized and nonmotorized recreational vehicles, aircraft, boats and utility trailers.**
19.68.070	**Private fueling systems with above-ground tanks.**
19.68.080	**Home occupations.**

19.68.010 Land and building uses generally.

It is intended that all buildings hereafter erected, reconstructed, altered, enlarged, moved or maintained, and any existing building and the land upon which it sits shall be used only for the purpose permitted in the zone in which such building or land is located, and then only after applying for and securing all permits and licenses required. If any use is for any reason omitted from the list of those specified as permissible in each of the various zones designated in this title, or if ambiguity arises concerning the appropriate classification of a particular use within the meaning and intent of this title, it shall be the duty of the City Planning Commission to ascertain all pertinent facts concerning such use and by resolution of record set forth its findings and the reasons for designating a specific classification for such use. Such findings and resolution shall be referred to the City Council, and, if approved by the City Council, thereafter such designated classifications shall govern. (Prior code § 36.5)

19.68.020 New construction and new uses.

All new construction, building, improvement, alteration, enlargement or movement undertaken after November 22, 1956, and all new uses or occupancy of premises within the City shall conform with the requirements, character and conditions as to use, height and area laid down for each of these several zones or districts described in this title. It is unlawful for any person to erect, construct, establish, move into, alter, enlarge or use, or to cause or permit to be erected, constructed, established, moved into, altered, enlarged or used any building, structure, improvement or use of premises located in any zone described in this title contrary to the provisions of this title. (Prior code § 36.6)

19.68.030 Building heights generally.

All buildings hereafter erected and existing buildings which may be reconstructed, altered, moved or maintained or enlarged shall comply with the height regulations of the zone in which they may be located. Roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building and fire or parapet walls, skylights, church spires, flagpoles, chimneys, smokestacks, wireless masts or similar structures, but excluding wireless communications equipment, may be erected above the height limits prescribed in this title; provided, that the same may be safely erected and maintained at such height in view of the surrounding conditions and circumstances, but no roof structure or any space above the height limit shall be allowed for the purpose of providing additional floor space. (Ord. 6261 § 2, 1996: prior code § 36.8)

19.68.035 Construction of new dwellings and disposal of existing dwellings.

One entirely new single-family dwelling may be constructed upon a lot in the RA zones and the R-1 zones where there is not more than one existing single-family dwelling; provided, that:

A. A building permit to make such alterations in the existing dwelling, as are

required by the City to reduce the character of use of the existing dwelling to a lawful accessory building or a building moving permit to remove the existing dwelling from the lot, is obtained at the time of issuance of the building permit for a new dwelling;

B. The owner of the lot executes and delivers to the City a written agreement in a form approved by the City to make the required alterations or to remove the existing dwelling concurrently with or immediately after the construction and completion of the new dwelling, together with a faithful performance surety bond or other security, in the form approved by the City and in the amount of one hundred percent of the amount of the cost of such alterations or removal, as estimated by the City; and

C. It is determined by the Building Official that the requirements of this title and of the Building Code and Fire Prevention Code will be complied with. (Ord. 5585 § 15, 1987)

19.68.040 Antennae and appurtenant support structures.

A. Noncommercial antennas and appurtenant support structures for the purpose of transmitting and/or receiving electromagnetic waves, including radio and television signals, may be erected in all zones except the floodplain combining or the water course zones as a permitted accessory use and are not subject to the height limits of their respective zones. However, such antennas and support structures excluding guy wires may not be established in any required front or street side yard and their establishment may also be restricted or precluded if contrary to regulations of the federal government. Zoning Administrator approval shall not be required on noncommercial accessory antennas except where otherwise required by this chapter.

B. Antennas and support structures intended for commercial broadcasting and/or receiving or which are established as the principal or sole use on a given property shall be subject to the granting of a conditional use permit.

C. Noncommercial satellite dish antennas for the demonstration of products sold within a business establishment are permitted subject to the following criteria:

1. A maximum of two such antennas may be installed on the premises of each business which sells or operates equipment using a satellite dish. In complexes or shops, offices and industrial spaces, a single dish should be shared;

2. The satellite dishes installed must be the smallest units available in the business establishment for the intended use, not to exceed twelve feet in diameter;

3. The satellite dish must be ground mounted in a location not visible to adjoining streets. If it is established that ground mounting is not feasible, then the dish may be roof mounted provided that it is situated so as to be as visually obscured as practicable from adjacent streets and adjoining property;

4. Any dish must be painted to match the predominant building wall color or otherwise blend into the background and be adequately screened from adjoining properties and streets;

5. Zoning Administrator approval of all such installations is required;

6. All roof-mounted satellite dishes require a building permit. Decisions regarding permit requirements for other installations will be made on a case-by-case basis;

7. Variances from these criteria may be granted pursuant to the variance procedure contained in Chapter 19.64 of this title.

D. Wireless communications as defined in Section 19.04.487 are permitted subject to the following criteria:

1. Administrative Review. The Zoning Administrator may administratively approve any wireless communications facility which complies with the following criteria, provided that no variances are required and that the application is subject to administrative design review. The Zoning Administrator shall either approve the application within ten days, or within the ten-day period may refer the application to the Planning Commission for consideration at its next regularly scheduled meeting.

a. Building or roof mounted antennae not exceeding fifteen feet in height and screened from view;

b. Antennae which are architecturally

integrated with a building or structure so as to not be recognized as an antenna. Examples include antennae which are an integral part of a permitted church steeple, cupola, railing or sign;

c. Up to two additional whip antenna (fifteen foot maximum height), the reconfiguration or alteration of existing antenna on a single support structure, or a single dish under three feet in diameter to an existing monopole. The physical area of the reconfigured or altered antenna shall not exceed fifteen percent of the original approval;

d. Support equipment must be located within a completely enclosed building or otherwise screened from view.

2. Minor Conditional Use Permit. Wireless communications facilities which comply with the following criteria are permitted subject to a minor conditional use permit, (per Section 19.64.220 et. seq.), provided that the application is subject to the administrative design review. The Zoning Administrator may act on the application or may refer the application to the Planning Commission for its consideration at its next available scheduled meeting.

a. Additional antennas dishes up to four feet in diameter, or increasing the height of an existing, approved monopole or utility pole, provided that the additional antennae or dishes do not exceed twenty-five percent of the existing antennae or dishes in number, area or height;

b. Co-location of equipment to an existing approved support structure;

c. All other building rooftop mounted facilities;

d. Antennas mounted on other existing structures or similar replacement structures, such as water tanks, pump stations, utility poles, ball field lighting;

e. Antennas shall be seventy-five feet or less in height in any industrial or commercial zone and thirty-five feet or less in all other zones where permitted;

f. Any new wireless communication facilities shall not create an over-concentration of poles or equipment. In addition, any permitted antennae or dishes shall be galvanized steel or painted to match the existing building or poles, to staff approval;

g. Above-ground support equipment, irrespective of its location, may require landscaping or other measures to effectively mitigate visual and safety impacts. Underground vaults may be required in order to mitigate physical, aesthetic, or safety siting issues which cannot be mitigated otherwise. Above ground support equipment in residential areas shall be discouraged. Support radio equipment may be allowed in the right-of-way where appropriate as determined by the Zoning Administrator and subject to the granting of an encroachment permit by the Public Works Department.

3. Conditional Use Permit. All other wireless communications facilities, including new monopoles and lattice towers, shall be subject to the granting of a conditional use permit in accordance with the following criteria:

a. Locational Criteria.

i.. Facilities shall be sited to minimize views from the public right-of-way.

ii. The concentration of visible support structures (i.e., monopoles) will be limited in all geographic areas to avoid excessive visual impacts in those areas.

iii. Monopoles, lattice towers and other similar support structures are prohibited in all residential zones, except where a residentially zoned property is not less than ten acres in size and developed with a nonresidential use. Wireless communications facilities are specifically prohibited in the RA-5 and RC Zones.

iv. A support structure may be required to be adequately designed for co-location of other equipment, of no more than two companies. If required, the applicant shall provide documentation subject to review and approval of the planning and legal departments which provides that the pole shall be made available for co-location of facilities for the same or other companies in accordance with City regulations.

B. Development and design standards.

i. Support structures should be located as to be screened from view by siting them near taller buildings or placed near existing tall trees, where possible.

ii. Support structures shall be located a minimum of seventy-five from any residential structure.

iii. The height of the support structures

must be the minimum necessary to provide the required coverage. However, an antenna or its support structure shall not exceed seventy-five feet in height in any industrial or commercial zone or residential zone with a nonresidential use, greater than ten acres in size, and thirty-five in all other zones where permitted. A fifteen-foot height bonus may be permitted to provide for co-location.

iv. Safety lighting may be required for support structures. A blinking light is acceptable. Strobe lights are prohibited.

v. Support structures shall either be galvanized steel or painted an unobtrusive color to design review staff approval.

vi. Where an equipment building accompanies the support structure, it shall be designed, colored and textured to match adjacent architecture or screened from view.

vii. Landscaping may also be required to screen the building or support structures from the public right of way.

viii. Decorative materials may be required for surrounding fences.

ix. If the monopole is abandoned or if the conditional use permit becomes void as set forth in Section 19.64.170 then the monopole or support structure shall be removed.

x. All facilities shall be subject to administrative design review.

xi. Poles shall be designed to prevent unauthorized persons from climbing them.

4. When located within airport influence area I or II, as defined by the County Airport Land Use Commission (ALUC), the application shall be referred to the City's Airport Commission for its recommendation prior to accepting the conditional use permit for processing. Actions by both commissions shall be forwarded to the City Council.

5. Safety Standards. All new wireless communications facilities shall be designed within the applicable ANSI standards.

6. Variances. The Zoning Administrator, Planning Commission or City Council may grant variance requests from the standards outlined in subdivisions 2 and 3 of this subsection, in accordance with other related sections of this chapter. (Ord. 6726 § 31, 2004; Ord. 6261 § 3, 1996; Ord. 5609 § 1, 1988; Ord. 4969 § 2, 1981)

19.68.050 Occupancy prohibited and exceptions.

Except in approved mobile home parks where the provisions of this section shall not apply or as otherwise provided in this section, no camper, mobile home, motor home or trailer which is occupied or used or designed or intended to be occupied or used for dwelling, residential or sleeping purposes shall be erected, moved, placed, maintained or used for dwelling, residential or sleeping purposes anywhere within the City, and no person shall occupy or use any camper, mobile home, motor home or trailer for dwelling, residential or sleeping purposes in the City; provided, however, that a single camper, mobile home, motor home or trailer may be temporarily placed, maintained, occupied and used for dwelling, residential and sleeping purposes for a period of not to exceed fifteen total days in any one calendar year on any given parcel in a single family residential zone occupied by a single family dwelling.

The fifteen day limitation of this Section shall not apply to any camper, mobile home, motor home or trailer approved for residential occupancy by a conditional use permit or a minor conditional use permit as prescribed by Chapter 19.64 of this Code, nor to a mobile home lawfully established on a permanent foundation. (Ord. 6459 § 1, 1999; Ord. 6324 § 9, 1996; Ord. 5323 § 1, 1985)

19.68.060 Repair, maintenance and overhaul of motor vehicles, motorized and nonmotorized recreational vehicles, aircraft, boats and utility trailers.

Repair, maintenance and overhaul of motor vehicles, motorized and nonmotorized recreational vehicles, aircraft, boats and utility trailers in any residential zone shall be limited to the following:

A. Repair of any motor vehicle, motorized or non- motorized recreational vehicle, aircraft, boat, or utility trailer occurring in any front or street side yard, or in any area visible to a public street, shall occur only on a legal driveway area or parking space and shall be limited to the minor repair of no more than one vehicle, motorized or nonmotorized recreational vehicle, aircraft, boat, or utility

trailer at a time. Minor repairs to any one vehicle, motorized or nonmotorized recreational vehicle, aircraft, boat, or utility trailer shall not exceed two days in any thirty-day period. Minor repairs include a tuneup, brake repair, hose and fan belt replacement, electrical system repair, fuel system repair and similar work. Minor repair does not include any engine overhaul or dismantling, drive train repair, suspension repair, upholstering, bodywork, refinishing or frame work.

B. Major repair of any motor vehicle, motorized or nonmotorized recreational vehicle, aircraft, boat, or utility trailer shall be conducted in a completely enclosed garage or a rear yard area enclosed by six-foot-high fencing. To perform such major repair work on property with no completely enclosed garage and where access to the rear yard is not possible, a temporary use permit must be obtained pursuant to Chapter 19.69 permitting the repair work.

C. Major repair of motor vehicles, motorized and nonmotorized recreational vehicles, aircraft, boats and utility trailers outside of a completely enclosed garage shall be limited to one vehicle, motorized or nonmotorized recreational vehicle, aircraft, boat, or utility trailer under repair at a time.

D. Repair of motor vehicles, motorized and nonmotorized recreational vehicles, aircraft, boats and utility trailers shall be limited to those vehicles, motorized and nonmotorized recreational vehicles, aircraft, boats, and utility trailers registered at the address where the repair occurs.

E. All parts, tools and equipment shall be stored in a completely enclosed building. (Ord. 5940 § 1, 1991; Ord. 5717 § 1, 1989)

19.68.070 Private fueling systems with above-ground tanks.

A. The installation of private fueling systems with above-ground tanks (with or without integral dispensing units) shall be permitted in the MP, M-1, M-2, O and AIR zones subject to the criteria listed below. The installation of private fueling systems with aboveground tanks (with or without integral dispensing units) shall be allowed in all other zones subject to the granting of a minor conditional use permit and subject to the criteria listed below.

B. The criteria for private fueling systems with above-ground tanks are as follows:

1. All design and locational standards of the Uniform Fire Code shall be met.

2. The location of the fueling system (including the above-ground tanks and the dispensing system) shall comply with the setback requirements of the zone of the property on which the fueling system is to be located unless a greater setback is required by the Uniform Fire Code in which case such greater setback requirement shall be met.

3. The fueling system must be incidental to the permitted use or conditional use of the property on which it is located and it must only serve vehicles or equipment which belong to the operator of the business or use located on the property.

4. The tanks shall be fully screened from adjoining streets and neighboring properties. The location, color, and screening of the tanks shall be subject to design review and approval pursuant to the procedures set forth in Chapter 19.62 of this code.

5. The fueling system shall be limited to two tanks, with a maximum capacity of six thousand gallons each, contained in a single unit for a maximum capacity of twelve thousand gallons.

6. A building permit is required for the installation of each fueling system with above-ground tanks.

7. The fueling system shall not exceed ten feet in height.

8. Variances requested from any of the criterion listed above shall be subject to the minor conditional use permit process and may be granted as described in Section 19.64.300. (Ord. 6129 §§ 1, 2, 3, 1994; Ord. 6119 § 6, 1994; Ord. 6115 § 5, 1994; Ord. 5866 § 1, 1990)

19.68.080 Home occupations.

Home occupations as defined by this title and permitted in residential zones, except the Residential Agricultural Five-Acre (RA-5) Zone and Residential Conservation (RC) Zone, are restricted to the following activities and operational standards stated below.

A. Only the following business activities are permitted subject to the operational standards listed in subsection B:

1. Telecommuting;

2. Business, professional and sales offices, excluding medical, dental and similar uses that involve regular patient visits to the site, provided that no retail sales transactions are made on the premises and that no customers or clients visit the site except as specifically allowed by this section. Typical examples of such general business office activities include research; report writing; bookkeeping; telecommunication with clients and employees; the sending and receiving of mail, telephone calls, electronic facsimile communications and electronic communications by computer and modem;

3. Instruction in academia, music, voice, art, dance or similar activities with no more than one pupil receiving instruction at any given time;

4. Activities associated with the work of artists, sculptors, authors and composers;

5. Activities associated with the work of dressmakers, seamstresses and tailors;

6. Home crafts, such as model making, rug weaving, quilting and needlework, lapidary work and wood working, limited to the uses of tools and equipment commonly available for personal residential use, but specifically excluding cabinet making;

7. Home catering and food preparation businesses, subject to the approval of the Riverside County Health Department;

8. Small electronics repair, limited to items such as personal computers and VCR's with a maximum weight of forty pounds per item;

9. Home based direct sales distributions businesses in which sales, merchandise distribution and product demonstrations are primarily conducted either off-site or by telephone, mail or other electronic communication;

B. In addition to the requirements of the zone in which the home occupation is located, all home occupations shall conform to the following operational characteristics:

1. The home occupation use of the dwelling shall be clearly incidental and subordinate to its use for residential purposes by its inhabitant;

2. The site of the home occupation must be the principal residence of anyone engaged in the home occupation. In addition, no more than one non-resident employee or assistant is permitted to engage in home occupation activities at the site at any given time;

3. There shall be no change in the outward appearance of the building or premises, or other visible evidence of the home occupation activity;

4. A maximum of one room located within the dwelling, or a maximum of twenty-five percent of the total square footage of the dwelling, whichever is more, shall be used for home occupation purposes;

5. The home occupation shall not involve the use of any accessory building or outdoor area for any related activity, including storage or display. However, the use of an attached garage for a permitted home occupation is allowed in accordance with these regulations and provided that required covered parking is continually available and accessible for use;

6. There shall be no direct sale of products or merchandise on the premises from which the home occupation is conducted;

7. A maximum of one customer or client vehicle at any given time shall be allowed to visit the premises of the home occupation;

8. No home occupation use shall create or result in glare, smoke, dust, vibration, fumes, odor, electrical, radio or television interference, fire hazard, vehicular or pedestrian traffic, or any other hazard or nuisance disruptive to reasonable use of the surrounding properties. Home occupations shall also comply with the provisions of Title 7 of the Municipal Code (Noise Control);

9. The use or storage of any flammable, combustible or toxic material in conjunction with a permitted home occupation shall be limited to quantities in accordance with the current edition of the Uniform Fire Code as incorporated by the Riverside Municipal Code for a residential use;

10. There shall be no signing for the home occupation;

11. There shall be no commercial advertising which identifies the home

occupation by street address; except the street address may be used on business cards or stationary;

12. Only one vehicle owned by the operator of the home occupation and no larger than a ten thousand-pound gross vehicle rating weight may be used, in conjunction with a permitted home occupation. This does not preclude occasional deliveries by parcel post or similarly sized vehicles consistent with normal use of the property for residential purposes which do not impede the safe flow of traffic;

13. A current business tax certificate issued by the City of Riverside is required for any home occupation. This requirement does not pertain to telecommuting as defined by this title.;

14. The home occupation shall not increase the use of utilities or community facilities, including trash pick-up, beyond that normal to the use of the property for residential purposes;

15. The home occupation shall comply with all other municipal code requirements and any applicable County, State and Federal laws;

16. If more than one home based business is conducted at a given site, the aggregate of all the home based businesses shall comply with these standards. (Ord. 6390 § 1, 1997; Ord. 6280 § 9, 1996)

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Chapter 19.69

TEMPORARY USE REGULATIONS

Sections:

19.69.010	**Temporary uses generally.**
19.69.020	**Temporary uses permitted.**
19.69.025	**Development standards.**
19.69.030	**Application.**
19.69.040	**Filing fee.**
19.69.050	**Approval by the Planning Director.**
19.69.060	**Appeals.**
19.69.070	**Referral by the Planning Director.**
19.69.080	**Limitations.**
19.69.090	**Temporary outdoor storage and loading.**
19.69.100	**Exemptions.**

19.69.010 Temporary uses generally.

It is intended that certain temporary uses as defined in Section 19.04.479 of this title be allowed in certain zones in addition to those uses which are specifically permitted in each respective zone. The permitted temporary uses, their permissible zones, duration of frequency are listed in Section 19.69.020 and development standards are listed in Section 19.69.025 of this chapter. Temporary uses shall be established by temporary use permit granted by the Planning Director or the Planning Director's authorized representative pursuant to the procedures contained in this chapter. (Ord. 6086 § 1, 1993; Ord. 5058 § 2, 1983)

19.69.020 Temporary uses permitted.

Temporary uses shall be permitted with a temporary use permit as specified in Table 19.69.020 which indicates each temporary use permitted, the zones in which the use is allowed, the maximum number of days each use is allowed in each calendar year on each property, the maximum number of occurrences each use is allowed in each calendar year on each property or commercial complex. City departments which must approve the use prior to each occurrence will be determined by the Planning Department as part of the TUP review process with respect to each proposed temporary use. Temporary uses are not permitted in the public right-of-way. (Ord. 6216 § 1, 1995: Ord. 6122 § 3, 1994; Ord. 6086 § 2, 1993; Ord. 5977 § 1, 1992; Ord. 5940 § 2, 1991; Ord. 5717 § 2, 1989; Ord. 5264 § 1, 1985; Ord. 5229 § 1, 1984; Ord. 5058 § 2, 1983)

Table 19.69.020			
Permitted Temporary Uses (With a Temporary Use Permit)*	**Zones Permitted**	**Maximum Number of Days per Calendar Year**	**Maximum Number of Occurrences per Calendar Year**
Noncommercial tent meeting	All zones	10	1
Circus with tent	All C zones, MP, M-1, AIR, M-2, O	7	1
Fair, concert, exhibit, festival, or similar; outdoors or in temporary enclosures	All C zones, MP, M-1, M-2, O, AIR, all sites having active conditional use permits, public schools, public parks	7	2
Christmas tree and pumpkin sales and incidental sales of Christmas lights, tree stands and decorations, but excluding gift items	All zones	30	2
Commercial mobile clinic for humans	All C zones, M-2	7	2
Merchandise sale, outdoors or in mobile or temporary enclosures	All C zones, M-2	24 (maximum 10 days per sale)	4
Noncommercial car washes	All sites having active conditional use permits, public schools, public parks, all C zones, M-2	16	16
Hobby-related (nonbusiness) major repair of a motor vehicle, motorized or nonmotorized recreational vehicle, aircraft, boat, or utility trailer in residential zones only on property with no completely enclosed garage and where access to the rear yard is not possible	All residential zones	60	2
* Refer to Section 19.69.025 for applicable development standards.			

19.69.025 Development standards.

A. Christmas tree and pumpkin sales lots are subject to compliance with the following criteria as set forth below:

1. Christmas tree/pumpkin sales within an existing retail center or business may not occupy more than ten percent of the parking area and may not substantially alter the existing traffic circulation pattern of the site. The temporary sales area shall not obstruct any existing handicap accessible parking space. Sidewalks shall be maintained at a minimum width of four feet to provide for handicap access. A site plan shall be submitted for approval by the Planning Director;

2. Christmas tree and pumpkin sales lots located on vacant property shall provide adequate on-site parking spaces and access. A site plan shall be submitted for approval by the Planning Director. Upon approval, the sales lot shall be clearly marked in accordance with the approved site plan;

3. Hours of operation, including the use of generators and lot lighting, excluding security lighting, shall be limited to nine a.m. to ten p.m. unless other hours are specified by written approval issued by the Planning Director. Security lighting shall be shielded to prevent light spillage onto adjacent properties;

4. Incidental sales of Christmas tree lights, tree decorations and stands may be permitted in conjunction with a Christmas tree sales lot, but sales of gift items are excluded;

5. Other conditions to mitigate potential land use impacts and public safety can be required on a case-by-case basis as deemed necessary and appropriate by the Planning Director or his authorized representative.

B. Outdoor merchandise sales are subject to compliance with the following criteria as set forth below:

1. Parking lot or sidewalk sales must be in conjunction with, and clearly incidental to, an existing permanent use on site. Merchandise sales on vacant lots is not permitted, excluding Christmas tree and pumpkin lot sales which may be permitted on vacant lots;

2. Parking lot or sidewalk sales shall not occupy more than ten percent of the parking area and shall not substantially alter the existing circulation pattern of the site. The temporary sales area shall not obstruct any existing handicap accessible parking space. Sidewalks shall be maintained at a minimum width of four feet to provide for handicap access. A site plan shall be submitted for approval by the Planning Director;

3. Other conditions to mitigate potential land use impacts and public safety can be required on a case-by-case basis as deemed necessary and appropriate by the Planning Director or his authorized representative. (Ord. 6216 § 2, 1995: Ord. 6086 § 3, 1993)

19.69.030 Application.

The owner of the property proposed to be occupied by a temporary use or the owner's authorized representative, such as a property manager, leasing agent, or manager of the sole business on the site shall file an application for a temporary use permit with the Planning Department at least five working days prior to the proposed commencement of the use. One application may apply to more than one occurrence on the same site as otherwise permitted by this chapter. Applications shall be filed upon forms and accompanied by such data and information, including a site plan, necessary to properly evaluate and process the application as may be required for that purpose by the Planning Department. (Ord. 6216 § 3, 1995: Ord. 6086 § 4, 1993; Ord. 5058 § 2, 1983)

19.69.040 Filing fee.

A filing fee to process a temporary use permit application in the amount established by City Council resolution shall be paid at the time of filing an application. The fee shall be in addition to any other required fees, such as for business tax, temporary utility permits, building permits, etc. No fee will be charged for noncommercial carwashes, hobby-related (nonbusiness) major repair of a motor vehicle, motorized or nonmotorized recreational vehicle, aircraft, boat, or utility, trailer in a residential zone. (Ord. 6216 § 4, 1995: Ord. 5940 § 3, 1991; Ord. 5717 § 3, 1989; Ord. 5058 § 2, 1983)

19.69.050 Approval by the Planning Director.

The Planning Director or the Planning Director's authorized representative shall review the temporary use permit application for compliance with Sections 19.69.020 and 19.69.025 of this chapter and shall approve or deny the application within five working days. Approval of a temporary use permit does not constitute approval of any other required permits. Failure to comply with the limitations contained in Sections 19.69.020 and 19.69.025 shall be grounds for denial of a temporary use permit. Notice of approval or denial shall be in writing and shall be deemed given when deposited in the United States mail or conveyed personally to the applicant or the applicant's representative. (Ord. 6086 § 5, 1993; Ord. 5058 § 2, 1983)

19.69.060 Appeals.

Any person aggrieved or affected by a decision of the Planning Director in denying a temporary use permit may appeal to the City Council in writing within ten days after notice of the decision is given. The decision of the City Council shall be final. (Ord. 5058 § 2, 1983)

19.69.070 Referral by the Planning Director.

If in the judgment of the Planning Director or the Planning Director's authorized representative, a proposed temporary use, even if in compliance with Sections 19.69.020 and 19.69.025 of this chapter may have a substantial adverse impact on public health, safety or welfare, the Planning Director may elect not to approve a temporary use permit and may refer the application for disposition by the City Council at its next regularly scheduled meeting. (Ord. 6086 § 6, 1993; Ord. 5058 § 2, 1983)

19.69.080 Limitations.

Each permitted temporary use shall be limited to the maximum number of days and the maximum number of occurrences allowed per calendar year by Section 19.60.020 of this chapter. When either the maximum number of days or the maximum number of occurrences has been reached the temporary use shall not be permitted on the property for the duration of the calendar year. A commercial complex shall be considered as one property for purposes of determining the maximum number of occurrences allowed. A commercial complex is defined as a group of two or more commercial uses on a single parcel or contiguous parcels which utilize common off-street parking and access. (Ord. 6216 § 5, 1995: Ord. 6086 § 7, 1993; Ord. 5058 § 2, 1983)

19.69.090 Temporary outdoor storage and loading.

In all zones for those businesses or other authorized uses which ordinarily receive and/or send out merchandise, products and the like, articles to be loaded or unloaded may be temporarily stored outside for a period not to exceed two hours within specifically designated loading areas. No articles so stored shall be advertised or marked for sale at or from the loading area nor shall the loading area be used for merchandise display. (Ord. 5058 § 2, 1983)

19.69.100 Exemptions.

Any temporary uses allowed by this code proposed to be located within the boundaries of Raincross Square Plaza described as:

That portion of Block 4 Range 7, together with portion of Fourth Street vacated and Main Street vacated, all of map of the Town of Riverside, as shown by map on file in Book 7, page 17 of Maps, records of San Bernardino County, California and that portion of Map of V.S. Runnels Resubdivision of Block 4 Range 6, as shown by map on file in Book 6, page 1 of Maps, records of San Bernardino County, California, described as follows:

Commencing at the intersection of the centerline of Main Street vacated with the centerline of Fifth Street as shown by said map of the Town of Riverside;

THENCE North 29° 00' 00" East, along said centerline of Main Street vacated, 120.00 feet to the TRUE POINT OF BEGINNING;

Thence South 61° 00' 00" East, 65.00 feet;

THENCE North 29° 00' 00" East,

100.00 feet;

THENCE South 61° 00' 00" East, 50.00 feet;

THENCE North 29° 00' 00" East, 70.00 feet;

THENCE North 61° 00' 00" West, 50.00 feet;

THENCE North 29° 00' 00" East, 80.00 feet;

THENCE North 61° 00' 00" West, 130.00 feet;

THENCE South 29° 00' 00" West, 250.00 feet;

THENCE South 61° 00' 00" East, 65.00 feet to said TRUE POINT OF BEGINNING

is exempt from the filing of a temporary use permit. Although no TUP is required for Raincross Square Plaza, any use of tents or similar structures shall be located to maintain all handicap access to and within that area and shall require approvals of the Building Division and Fire Department. (Ord. 6216 § 6, 1995)

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Chapter 19.70

AREA REQUIREMENTS

Sections:

19.70.010	**Lot area.**
19.70.020	**Church, school and institution setbacks and yards.**
19.70.030	**Two-, three- and four-family dwellings and row house side yards.**
19.70.040	**Dwelling above store yard requirements.**
19.70.090	**Cornice, eave and sill projection regulations.**
19.70.100	**Fire escape projection regulations.**
19.70.110	**Stairway and balcony projection regulations.**
19.70.120	**Porch, platform or landing extending into front yard.**
19.70.125	**Encroachments into downtown parking garage setbacks.**
19.70.130	**Fences, walls and hedges.**
19.70.150	**Residential zone front yards.**
19.70.160	**Private swimming pool.**
19.70.170	**Garage in R-1-65 and R-2 zones.**
19.70.190	**Canopies or roofs attached to main buildings.**
19.70.210	**Retaining walls.**
19.70.220	**Additions to established dwellings.**
19.70.230	**Specifications for paving of outdoor sales, display and storage lots.**

19.70.010 Lot area.

All buildings hereafter erected and existing buildings which may be reconstructed, altered, moved or maintained or enlarged shall comply with the area regulations of the zone in which they may be located.

The lot area shall be that prescribed by this title, and such lot area shall not be reduced, diminished or maintained so that the yards or open spaces are smaller than that prescribed by this title. The density of population shall not be increased in any manner, except in conformity with the area regulations of the zone in which it is located. The open spaces provided around any building shall not be considered as providing the yard or open space for any other building; and the required yard or open space on an adjoining lot shall not be considered as providing a yard or open space on a lot whereon a building is to be erected.

Every building hereafter erected shall be located on a lot, as defined in this title.

Every individual parcel of land, at the time it was first zoned, shall be deemed to be one lot, and not more than one main building shall be permitted on such parcel of land unless all regulations established by this title are complied with or a subdivision tract map or record of survey map is recorded with the County Recorder and is filed with and approved by the Planning Commission and City Council. (Prior code § 36.9 (part))

19.70.020 Church, school and institution setbacks and yards.

Churches, schools, institutions, or other similar uses and appurtenant off-street parking, when permitted in a residential or RO zone, shall be set back at least twenty feet from every property line and shall not be located within any front yard required in such zone; provided, however, that any interior side or rear yard may be used for off-street parking purposes. (Ord. 4260 § 3(a), 1976; Ord. 4208 § 6(a), 1975; Ord. 3972 § 14 (part), 1972; prior code § 36.9 (part))

19.70.030 Two-, three- and four-family dwellings and row house side yards.

For the purpose of side yard regulations, two-family, three-family and four-family dwellings and row houses not more than two rooms deep with common party walls shall be considered as one building. (Prior code § 36.9 (part))

19.70.040 Dwelling above store yard requirements.

When dwellings or apartments are erected and used above stores, the front and side yard requirements shall be those for the stores. (Prior code § 36.9 (part))

19.70.090 Cornice, eave and sill projection regulations.

Cornices, eaves, belt courses, sills or other architectural features may extend or project into a required front yard not more than four feet and may extend into a required side yard or required rear yard not more than four inches for each one foot of the width of such required side or required rear yard. (Prior code § 36.9 (part))

19.70.100 Fire escape projection regulations.

Fire escapes may extend or project into any yard not more than four feet. (Prior code § 36.9 (part))

19.70.110 Stairway and balcony projection regulations.

Open, unenclosed stairways or balconies not covered by a roof or canopy may extend or project into a required front yard not more than thirty inches. (Prior code § 36.9 (part))

19.70.120 Porch, platform or landing extending into front yard.

Uncovered porches, platforms or landings which do not extend above the level of the first floor of the building may extend into any front yard a distance of not more than twenty percent of such front yard, and in no case more than five feet, and may extend into any side or rear yard not more than three feet; provided, however, that an openwork railing, not more than thirty inches in height, may be installed or constructed on any such porch, platform or landing place. (Prior code § 36.9 (part))

19.70.125 Encroachments into downtown parking garage setbacks.

Parking structures in the area bounded by First Street, Fourteenth Street, the Riverside Freeway and Locust Street may overhang the required landscaped setback by a maximum of five feet, provided at least sixteen feet vertical clearance exists within the overhang area. Raised planters may reduce the required sixteen feet of vertical clearance to fourteen feet. Supporting columns may also extend into the five-foot encroachment area, provided the Zoning Administrator determines that sufficient light and air are maintained for normal plant growth. (Ord. 6726 § 32, 2004; Ord. 5888 § 1, 1990)

19.70.130 Fences, walls and hedges.

Fences, walls (except building walls) and hedges shall be allowed in conformance with the following provisions:

A. A fence or wall along a side or rear property line may be up to six feet in height provided it does not extend into a front yard;

B. In the RR, RA, RA-2 and RA-5 zones, any fence or wall in the required front yard setback may be up to six feet in height, provided that the openwork portion of the fence or wall above a height of three feet shall be no more than one part solid to three parts open with no portion of the solid wall, excluding pilasters, extending above three feet;

C. In the HR and RC zones, any openwork fence or combination solid/openwork fence in the required front yard setback may be up to five feet in height, provided that the portion of the fence or wall above a height of two feet shall be no more than one part solid to three parts open with no portion of the solid wall, excluding pilasters, extending above two feet;

D. In all other zones, front yard fences or walls shall not exceed four feet in height provided that the openwork portion of the fence or wall above a height of three feet shall be no more than one part solid to three parts open with no portion of the solid wall, excluding pilasters, extending above three feet;

E. Fences or walls around a public utility building or structure may exceed the provisions of this section as needed for security or public safety;

F. The height of hedges or other plantings is not specifically regulated by this section, except that in no case shall fence, wall or hedge or other plant material pose a safety hazard to pedestrians or vehicle operations due to sight obstructions;

G. The height of fences or walls in front yard areas shall be measured inclusive of retaining wall portion, the height of fences or

walls in side and rear areas may be increased in height by up to a maximum of four feet by retaining wall portions. Notwithstanding the above, any minimum required height of walls established by this code for screening or safety purposes shall be measured from the highest grade, not including retaining wall portion. (Ord. 6166 § 1, 1994: Ord. 6109 § 1, 1994; Ord. 3764 § 1, 1970; prior code § 36.9 (part))

19.70.150 Residential zone front yards.

Where a lot or parcel of land at the junction of two intersecting streets in any residential zone has frontage on each street over one hundred thirty feet in length, front yards of the depth required in the appropriate zone shall be required on both frontages. (Ord. 4260 § 3(d), 1976; prior code § 36.9 (part))

19.70.160 Private swimming pool.

A private swimming pool may be located within side or rear yards when the substructure of the pool is located not less than three feet from any side or rear lot line; provided that the substructure of a private swimming pool shall in no case be located closer than five feet to the top of any cut and fill slope exceeding three feet in vertical height; and provided, further, that no swimming pool shall be located in any required front yard. (Prior code § 36.9 (part))

19.70.170 Garage in R-1-65 and R-2 zones.

In R-1-65 and R-2 zones, a garage which is an integral part of the main dwelling may be located not closer than five feet to any interior side lot line, provided that there is no opening in the side wall of the garage which is closer than ten feet to an interior side line of the lot. (Ord. 3972 § 14 (part), 1972; prior code § 36.9 (part))

19.70.190 Canopies or roofs attached to main buildings.

Canopies or roofs attached to the main building or canopies or roofs connecting the main building with an accessory building may extend into a required rear yard, provided:

A. That such structures are not more than one story in height and are erected not closer than five feet to any rear or interior side lot line;

B. That such structures are unenclosed on at least three sides and are entirely open, except for necessary supporting columns; provided, however, that a roof connecting the main building and the accessory building shall be unenclosed and open on only two sides;

C. That the horizontal area of any such structure alone shall not exceed twenty-five percent of the required rear yard area and the horizontal area of any two or more in combination, including accessory buildings, shall not exceed forty percent of the required rear yard area;

D. For the purposes of this section only, where an accessory building is attached to the main building in conformity with the above provisions, such accessory building shall not be counted as part of the main building. (Prior code § 36.9 (part))

19.70.210 Retaining walls.

No dwelling shall be located closer than five feet to any retaining wall exceeding two feet in height, unless such retaining wall is an integral part of an approved dwelling. (Prior code § 36.9 (part))

19.70.220 Additions to established dwellings.

Additions to lawfully established dwellings which do not conform to the side yards required in the RC, RR and R-1 zones may be constructed within such required side yards if such additions are located not closer to side lot lines than such dwellings; provided, that in no case shall such additions be located closer than five feet to interior side lot lines or ten feet to street side lot lines. (Ord. 5274 § 7, 1985; Ord. 4208 § 6(d), 1975; prior code § 36.9 (part))

19.70.230 Specifications for paving of outdoor sales, display and storage lots.

All lots used for outdoor sales, display and storage of vehicles, equipment and other items customarily displayed, sold and/or stored in outdoor areas:

A. Shall be paved with not less than two-and-one-half inches of asphaltic concrete or

an equivalent surfacing meeting the established standards and specifications of the Public Works Department for a minimum depth measured from all abutting existing or street rights-of-way as follows:

1. For all commercial zones which permit outdoor sales, display and storage, two hundred feet of combined paving and landscaping, a minimum of ten feet of landscaping and one hundred ninety feet of paving,

2. M-1 zone: One hundred feet of combined paving and landscaping, a minimum of ten feet of landscaping and ninety feet of paving,

3. M-2 zone: One hundred feet of paving, no required landscaping.

The remainder of the sales, display or storage area shall be paved as provided above or overlayed with a dust-free surface such as decomposed granite, oiled native soil or a suitable substitute approved by the Public Works Department;

B. Shall be graded and drained so as to dispose of all surface water;

C. Shall be maintained in good repair, in a clean, neat and orderly condition;

D. Shall be provided with internal circulation, safe entrances and exits meeting the established standards and specifications of the Planning Department and Public Works Department;

E. Shall have any lights arranged so as to be directed onto the display, storage or sales area and away from any adjacent property;

F. Shall have, when adjoining or across an alley from property in a residential zone, a masonry wall six feet in height erected and maintained so as to physically separate the display, storage or sales area from the residential property; provided that such wall shall be three feet high within the required front or street side yard area or where no front or street side yard area is required, such wall shall be three feet high within ten feet of the street property line;

G. Shall have a landscaped area not less than ten feet in depth or the depth of the required yard area, whichever is greater, maintained along the street side of the lot except in the M-2 zone where no setbacks are required. The landscaping standards and specifications shall be those set forth in Resolution No. 10904, which resolution is on file in the office of the City Clerk and which resolution is adopted by reference. The approved standards and specifications may be amended from time to time by resolution of the City Council provided that the minimum requirement of five percent is not altered. (Ord. 3984 § 1, 1973)

Chapter 19.71

CONDOMINIUM CONVERSION PERMIT

Sections:

19.71.010	**Purpose.**
19.71.020	**Definitions.**
19.71.030	**Condominium conversion permit required.**
19.71.040	**Application procedures.**
19.71.050	**Processing.**
19.71.060	**Guidelines and standards.**
19.71.070	**Rate of conversion.**
19.71.080	**Subdivision map and timing.**
19.71.090	**Implementation.**
19.71.100	**Appeals.**
19.71.110	**Evaluation of chapter.**

19.71.010 Purpose.

The purpose of these provisions is to promote greater individual choice in type, quality, price and location of housing; to provide for the housing needs of all segments of the population; to provide increased home ownership opportunities of all segments of the population; to mitigate the hardship caused by displacement of tenants, particularly those in low to moderate housing, those who are elderly, families with minor dependent children, the handicapped and the disabled; to promote the safety of condominium conversion projects and the correction of building code violations in such projects; to maximize the availability of pertinent information for intelligent decision-making by public officials and potential buyers; and to generally regulate projects in accordance with applicable general and specific plans and with the public health, safety and welfare. (Ord. 4799 § 1 (part), 1980)

19.71.020 Definitions.

For the purposes of this title the following terms shall apply:

"Community apartment" means an apartment project in which an undivided interest in the land is coupled with the right of exclusive occupancy of any apartment unit thereon.

"Condominium" means an estate in residential real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in a residential building, space in a residential building or a mobile home space. A condominium may include in addition a separate interest in other portions of such real property.

"Condominium conversion" means a change in the form of ownership of any existing multiple-family development or mobile home park whose dwelling units or mobile home spaces are presently or at any time in the past were rented individually; said ownership change intended to create a condominium, community apartment or stock cooperative as defined by this section.

"Condominium conversion permit (CCP)" means a permit granted pursuant to this chapter.

"Statistical area" means the geographical area contained in the aggregate of one or more statistical communities identified by the housing element of the general plan. The statistical areas are as follows:

A. Mountain View/Airport/Magnolia Center;

B. Arlanza/La Sierra;

C. Ramona/Greenbelt/Arlington/Casa Blanca;

D. Victoria/Canyon Crest;

E. Northside/Downtown;

F. Eastside/University/Box Springs.

"Stock cooperative" means a corporation which is formed or availed of primarily for the purpose of holding title to, either in fee simple or for a term of years, improved residential real property, if all or substantially all of the share holders of such corporation received a right of exclusive occupancy in a portion of the real property, title to which is held by the corporation, which right of occupancy is transferable only concurrently with the transfer of the share or shares of stock or membership certificate in the corporation held by the person having such right of occupancy. (Ord. 4913 § 1, 1981; Ord. 4799 § 1 (part), 1980)

19.71.030 Condominium conversion permit required.

No subdivision map shall be approved for the purpose of a condominium conversion unless a condominium conversion permit is granted prior to or concurrently with such approval. No dwelling unit or mobile home space shall be the subject of a condominium conversion unless a condominium conversion permit is granted prior to such conversion. (Ord. 4913 § 2, 1981: Ord. 4799 § 1 (part), 1980)

19.71.040 Application procedures.

The condominium conversion permit application shall be submitted to the Planning Department and scheduled for a public hearing at the next eligible Planning Commission meeting unless delayed by mutual agreement of the applicant and the planning staff or by inadequate completion of the application. The application shall include such information including environmental information as may be required to evaluate the application as set forth in this chapter. The form content and fee for the application shall be prescribed by resolution of the City Council. Said application shall include but not be limited to the following:

A. A list certified by the applicant of the names and addresses of all the tenants of the project at the time of the application;

B. A project analysis and inspection report, complete with an inter-unit acoustical report, certified by a competent expert or experts acceptable to the Planning Department, prepared pursuant to the requirements of the application resolution, describing in detail the physical characteristics and condition of the subject project, including all buildings, open spaces, parking facilities and appurtenances. Said certification shall be accompanied by a fully-detailed plot plan drawn to scale. The inter-unit acoustical report shall not be required for mobile home park conversions. (Ord. 4913 § 3, 1981: Ord. 4799 § 1 (part), 1980)

19.71.050 Processing.

Upon satisfactory submission of all required application forms and materials, notice of the date, time, place and purpose of the public hearing before the Planning Commission shall be given by at least one publication of a notice in a newspaper having general circulation in the City not less than ten days prior to the date of such hearing and by mailing a notice to the owners of property within three hundred feet of the exterior boundaries of the property under consideration, using for this purpose the last known name and address of such owners as are shown on the latest available assessment roll of the County Assessor and by mailing a notice to the names and addresses certified by the applicant as tenants of the project at the time of application.

At the public hearing, the Planning Commission shall consider and evaluate the application and all pertinent public testimony in regard thereto. In like manner, the Commission may simultaneously hear any related subdivision map. The Commission may approve or deny the application or with consent of the applicant continue consideration of the application to a time and place certain. The application shall be evaluated for compliance with the guidelines and standards contained in Section 19.71.060 of this chapter. The Planning Commission may grant variances from any of the mandatory standards pursuant to the procedures established in Chapter 19.64 of this title. Implementation of the conversion shall be contingent upon satisfying all conditions of approval.

All decisions of the Planning Commission granting or denying a condominium conversion permit shall be subject to review by the City Council either by appeal, or upon its motion, or upon the request of the Planning Commission. The action of the Planning Commission on any such condominium conversion permit shall be final and effective thirty days following the Planning Commission action thereon unless, within the ten- day appeal period, an appeal in writing has been filed by the applicant or an opponent, or unless the Planning Commission has requested a review of its decision, or unless the City Council, not less than ten nor more than thirty days after the Planning Commission action, on its own motion, elects to review the action of the Planning Commission.

The Planning Commission shall promptly notify the City Clerk of all final actions taken in granting or denying a

condominium conversion permit. The City Clerk shall notify the City Council of such action by placing the matter on the written agenda not less than ten nor more than thirty days after the final action by the Planning Commission.

A review of the Planning Commission action by the City Council shall stay the effective date of the condominium conversion permit until final action by the City Council. The City Clerk shall give notice of the review by the City Council in the same manner and for the same period of time as is required in connection with an application before the Planning Commission. The City Council shall conduct a public hearing on the date set forth in such notice and may continue such hearing to a time and place certain. The City Council may affirm, reverse or modify the decision of the Planning Commission. Such action by the City Council shall be final. (Ord. 4799 § 1 (part), 1980)

19.71.060 Guidelines and standards.

The following guidelines and standards prescribe minimum desirable characteristics of residential properties intended for condominium conversion; however, the approval of any conversion will not necessarily be contingent upon compliance or non-compliance with all of the prescribed guidelines. Mandatory standards are so designated. Only subsections D, H, I, J, M and N shall apply to mobile home park conversions.

A. Unit Size (Mandatory). Each dwelling unit shall contain the minimum square footage as set forth in Section 19.16.060.

B. Parking. A minimum of two parking spaces meeting established access, size and improvement standards should be provided for each dwelling unit in the project.

C. Private Open Space. A minimum of two hundred fifty square feet of private open space should be provided for each ground floor unit and at least fifty square feet of private balcony or deck area should be provided for each above ground level dwelling.

D. Landscaping. All open areas should be well landscaped with plant material suitable to climate and location. Said areas should be watered by a full-coverage, automated irrigation system in good working order.

E. Noise (Mandatory). Common walls and ceilings of all units shall be constructed or upgraded using techniques to limit noise transmission as specified by the current Building Code or equivalent.

F. Fire Suppression (Mandatory). Smoke detectors meeting the current Building Code shall be installed in all residential units and other enclosed common areas such as hallways, recreation rooms and utility rooms. Additional fire suppression equipment such as alarm systems, fire extinguishers and sprinklers shall also be provided as recommended by the Fire Department.

G. Energy Conservation. The project should include substantial energy and resource conservation measures such as high efficiency thermal insulation, high efficiency heating and cooling equipment, limited window area or double glazing, water flow restrictors, solar water heating and the like.

H. Structural Condition (Mandatory). All buildings shall be in sound structural condition, pest and vermin-free, watertight, and paint in adequate condition to not require repainting for at least five years. All amenities and mechanical appurtenances shall be in sound working order.

I. Domestic Facilities (Mandatory). Each dwelling shall be provided with its own laundry and garbage and trash disposal facilities or alternate group facilities convenient to all dwelling units.

J. Utilities (Mandatory). All utilities, plumbing and sewage disposal systems shall be in sound, safe and fully-operable condition. Each dwelling or mobile home space shall be provided with its own utility meters. A single water meter for the entire project is permitted.

K. Security. Each dwelling unit and all common facilities should be readily securable and should include such items as dead-bolt locks, locking windows, intruder alarms, "defensible" entries and common areas, and security lighting.

L. Handicapped Facilities. Three percent of the dwelling units should be equipped and improved to accommodate handicapped persons confined to wheelchairs.

M. Conversion Impact. The impact of condominium conversion on the existing single-

family and multiple-family relationships within each community as the community is defined in the City's housing element shall be considered at the time the condominium conversion is being requested.

N. The minimum desirable characteristics for mobile home parks shall be the standards established under subsection P of Section 19.10.020 and subsection B of 19.74.010 of this title. (Ord. 4913 §§ 4, 5, 6, 1981: Ord. 4799 § 1 (part), 1980)

19.71.070 Rate of conversion.

The number of multiple-family dwelling units approved for conversion to condominium in any given statistical area as defined in Section 19.71.020 shall be limited to no more than the total number of rental apartment dwelling units completed after July 1, 1980 in that same statistical area. The total number of mobile home spaces approved for conversion to condominium at any location in the City shall be limited to the total number of rental mobile home spaces created in the City after July 1, 1980. (Ord. 4913 § 7, 1981: Ord. 4799 § 1 (part), 1980)

19.71.080 Subdivision map and timing.

A tentative subdivision map to implement the conversion shall be filed and considered simultaneously with the application for a condominium conversion permit. The two applications shall be jointly approved, continued or denied by the Planning Commission. The expiration date of the map including any subsequent extensions of time shall apply to the condominium conversion permit as well. (Ord. 4799 § 1 (part), 1980)

19.71.090 Implementation.

Prior to recordation of the implementing subdivision map, the applicant shall provide a covenant acceptable to the City Legal Department, binding upon the applicant, and the applicant's heirs and assigns, guaranteeing the following will occur prior to sale of any condominium unit:

A. Provision of required notice of intent to convert to a condominium as required by State laws;

B. Provision of the right of first refusal for all existing tenants at the time of conversion to purchase their individual units at offered terms or better;

C. Creation of a condominium owners' association;

D. Provision of covenants, conditions and restrictions subject to approval by the City Legal Department;

E. Guarantee the establishment of a fund for the operation and maintenance of the condominium and its association; the amount of said fund shall equal or exceed three percent of the aggregate gross sales prices of all dwelling units and shall be collected at the close of escrow for each unit;

F. Establishment of and participation in a relocation program for existing tenants who do not choose to purchase units; said program shall be established and operated pursuant to the regulations and standards adopted by resolution of the City Council;

G. Provision of a covenant requiring the owner to give written notice of all variances granted from the guidelines and standards listed in Section 19.71.060 to each buyer;

H. Reinspection of the project in the same manner as required by subsection B of Section 19.71.040 immediately prior to sale of the dwelling units or mobile home spaces and correction of all unsatisfactory, unsafe or unlawful conditions prior to commencement of sale. (Ord. 4913 § 8, 1981; Ord. 4799 § 1 (part), 1980)

19.71.100 Appeals.

Any applicant, public official or other person aggrieved by the decision of the Planning Commission approving, denying or continuing consideration of any condominium conversion permit application may appeal said decision to the City Council in writing within ten days of the Planning Commission action subject to the payment of the appeal fee established by City Council resolution. The City Council shall consider the appeal at a public hearing within forty-five days of the filing of the appeal. The City Clerk shall give notice of hearing upon the appeal in the same manner as is required in connection with an application before the

Planning Commission. The City Council may reverse, sustain or modify the decision of the Planning Commission. The decision of the City Council shall be final. (Ord. 4799 § 1 (part), 1980)

19.71.110 Evaluation of chapter.

The City Council shall evaluate this chapter three years from its effective date. (Ord. 4799 § 1 (part), 1980)

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Chapter 19.72

STREET LINES AND SETBACK LINES

Sections:

19.72.020	**Planned street lines and special setback lines established.**
19.72.030	**Building permits.**
19.72.040	**Structures, improvements and uses in special setbacks.**
19.72.050	**Structures or improvements generally.**
19.72.060	**Refusal of building permit.**

19.72.020 Planned street lines and special setback lines established.

Except as otherwise provided in this chapter, the required setback of every building, structure or improvement erected, constructed, altered or established on any lot abutting an existing or future street as shown on the circulation element of the City of Riverside general plan shall be measured from the planned street lines as established by the circulation element if such planned street lines are located at a greater distance from the centerline of a street than the right-of-way of such street. Additional special setback lines are herein specified as follows:

A La Cadena Drive (West):

Fifty-five feet from the centerline, as such centerline existed on November 22, 1956, between Strong Street and the northerly City limits;

B Magnolia Avenue:

One hundred eight feet from the centerline between Harrison Street and the southerly City limits on the northwesterly side and between Mill Street and the southerly City limits on the southeasterly side;

C Mulberry Street:

Eighty-three feet from the centerline between Poplar Street and Russell Street on the easterly side;

D University Avenue:

Thirty feet from the property line between Comer Avenue and U.S. Highway 60-395 (Escondido Freeway). Twenty-one feet from the property line, as such property line existed on July 18, 1963, between U.S. Highway 60-395 (Escondido Freeway) and Canyon Crest Drive. (Ord. 5836 § 1, 1990; Ord. 5671 § 1, 1988; Ord. 4045 § 2, 1973; prior code § 36.10 (part))

19.72.030 Building permits.

Except as specifically provided elsewhere in the chapter, no building permit shall be issued for any building, structure or improvement to be located within the planned street lines as established in this chapter in conformance with the circulation element of the City of Riverside general plan or within the special setback lines established in this chapter. (Ord. 4045 § 3, 1973; prior code § 36.10 (part))

19.72.040 Structures, improvements and uses in special setbacks.

Notwithstanding any provisions of this chapter to the contrary, the following structures, improvements and uses may be erected, constructed or established within the special setback lines established in this chapter, as functionally necessary for the efficient and safe operation of the site; except, however, that structures, improvements and uses listed in subsections C, D, E, F and G of this section shall not be permitted within the special setback on University Avenue between U.S. Highway 60/Interstate 215 and Canyon Crest Drive:

A Pedestrian access walkways and plazas consisting of decorative paving not exceeding fifty percent of the net setback area;

B Vehicular access driveways;

C Fences or walls not exceeding three feet in height;

D Off-street parking areas, including parking spaces, drives, aisles, turning and maneuvering areas, bumper stops or wheel stops;

E Lights to illuminate off-street parking areas, pedestrian walkways, vehicular access driveways, landscaped areas or buildings;

F Structures or improvements permitted within yard areas by and in conformance with the provisions of Sections 19.70.090--19.70.130. For the purposes of this subsection only, the special setback area shall be considered a yard;

G Signs as permitted by Chapter 19.76;

and

H Landscaped areas. (Ord. 5671 § 2, 1988; Ord. 4045 § 4, 1973; Ord. 3993 § 1, 1973; prior code § 36.10 (part))

19.72.050 Structures or improvements generally.

Notwithstanding any provisions of this chapter to the contrary, the following structures or improvements may be erected, constructed or established within the planned street lines established by the City of Riverside general plan circulation element:

A Pedestrian access walkways;

B Vehicular access driveways;

C Trees, shrubs and plants;

D Lights to illuminate pedestrian access walkways, vehicular access driveways and landscaped areas;

E Unlighted or nonflashing lighted single- or double-faced directional signs not exceeding six square feet in area per display face located at public entrances to or exits from off-street parking areas. (Ord. 4045 § 5, 1973; prior code § 36.10 (part))

19.72.060 Refusal of building permit.

Any person aggrieved by refusal of a building permit for a building, structure or improvement to be erected, constructed, altered or established within the planned street lines as shown on the circulation element of the City general plan or special setback lines established by this chapter may file an application, without cost, for a variance, as provided in Chapter 19.64. (Ord. 4045 § 6, 1973; prior code § 36.10 (part))

Chapter 19.73

ACCESSORY BUILDINGS

Sections:

19.73.010	**Accessory buildings permitted.**
19.73.020	**Location of accessory buildings.**
19.73.030	**Size of accessory buildings.**
19.73.040	**Lot coverage.**
19.73.050	**Building permit requirement.**
19.73.060	**Cargo containers permitted.**
19.73.070	**Cargo container alterations.**
19.73.080	**Cargo container foundation.**
19.73.090	**Design review.**

19.73.010 Accessory buildings permitted.

Accessory buildings, except cargo containers, shall be permitted in all RA, RC, HR, RR, R-1, R-2, R-3, RO, C-0, C-1, C-1-A, CL, C-2, C-3, M-P, M-1, M-2, RWY, O, WC, and Air zones. Cargo containers shall be permitted in the zones specified in Section 19.73.060. (Ord. 6367 § 12, 1997)

19.73.020 Location of accessory buildings.

Accessory buildings shall be subject to the following location requirements:

A. Residential Zones:

1. Front Setback: An accessory building in any residential zone shall be no closer to the front lot line than the rear most wall of the dwelling nearest the front lot line, or fifty feet, whichever distance is greater. In no case shall an accessory building be located closer than fifty feet to any front lot line.

2. Side and Rear Setbacks: The interior side and rear setback for a single story accessory building in a residential zone shall be five feet. The interior side and rear-yard setbacks for a two or more story accessory building in a residential zone shall be the same as the side and rear yard setbacks respectively of the underlying zone. The street side yard setback for any accessory building in a residential zone shall be twenty feet, unless a greater setback is required by the underlying zone.

B. All Other Zones:

1. Front Setback: An accessory building in any non-residential zone shall be no closer to the front lot line than the front-most wall of the building nearest the front lot line, or fifty feet, whichever distance is greater. In no case shall an accessory building be located closer than fifty feet to any front lot line.

2. Side and Rear Setbacks: Side and rear setbacks shall be the same as those for the underlying zone.

C. All zones:

1. Alley Setback: Garage and carport accessory buildings taking direct access from an alley shall be located at least twenty-five feet from the opposite boundary line of the alley.

2. Separation From Primary Building. An accessory building shall be located a minimum of five feet from the primary building or a distance that complies with the provisions of the building code, whichever is greater. Eave line separation from the primary building shall conform to the provisions of the Uniform Building Code.

3. Connection to Primary Building. If an accessory building is located ten feet or less from the primary building and is connected by a solid roof at least ten feet wide which conforms to the roof design of the primary building it shall be considered a part of the primary building for determining required setbacks. (Ord. 6367 § 12, 1997)

19.73.030 Size of accessory buildings.

In the R-1-65, R-1-80, R-1-100, R-1-125, R-1-130, HR, RL, R-2, R-3, or any RR zone where R-1-65 zone development dimensions apply, all metal accessory buildings shall be limited to a maximum floor area of one hundred twenty square feet and all other accessory buildings shall be limited to a maximum floor area of seven hundred fifty square feet. (Ord. 6367 § 12, 1997)

19.73.040 Lot coverage.

Accessory buildings shall not occupy more than thirty-five percent of the required rear yard area. (Ord. 6367 § 12, 1997)

19.73.050 Building permit requirement.

A building permit shall be required for all accessory buildings, except one-story detached accessory buildings used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed one hundred twenty square feet. (Ord. 6367 § 12, 1997)

19.73.060 Cargo containers permitted.

Cargo containers shall be permitted in the RA, RR, C-1, C-1-A, C-2, C-3, M-P, M-1, M-2, and Air zones. A minimum of two acres shall be required to place a cargo container on property in the RA and RR zones. On such RA or RR zoned properties, no more than two cargo containers with a combined floor area of no more than six hundred forty square feet shall be allowed. Cargo containers shall also be allowed on properties in all zones developed with such institutional uses as parks, public and private schools, public and private recreational facilities, churches and other similar uses on properties containing at least two acres. On such institutional properties a maximum of one cargo container per acre up to a maximum of four cargo containers shall be permitted. (Ord. 6367 § 12, 1997)

19.73.070 Cargo container alterations.

Cargo containers are intended as storage units and shall not be modified by adding windows, electrical, plumbing or mechanical improvements and shall be considered as non-habitable structures. The addition of roof mounted ventilation turbines and the replacement or modification of the original doors shall be permitted, however, subject to the approval of the Building Official. (Ord. 6367 § 12, 1997)

19.73.080 Cargo container foundation.

In lieu of a standard foundation and subject to the approval of the Building Official and Zoning Administrator, a cargo container with a maximum width to height ratio of one to .75 may be placed on a minimum four-inch thick welded wire mesh reinforced concrete slab, an approved asphalt base, or an approved crushed rock base, subject to the approval of the Building Official. (Ord. 6367 § 12, 1997)

19.73.090 Design review.

All accessory buildings that require a building permit and which are located in zones requiring design review approval shall be subject to the provisions of Chapter 19.62.090 of the Municipal Code. Cargo containers in any zone shall be subject to the provisions of Chapter 19.62.090. (Ord. 6367 § 12, 1997)

Chapter 19.74

OFF-STREET PARKING AND LOADING

Sections:

19.74.010	**Minimum standards.**
19.74.015	**Garage/carport requirements for multiple-family dwelling units.**
19.74.020	**Existing spaces.**
19.74.030	**Mixed occupancies.**
19.74.040	**Maximum distance defined.**
19.74.050	**Gross floor area defined.**
19.74.052	**Off-street parking in front and street side yards.**
19.74.060	**Parking and maneuvering in front yard areas of single-family residential and R-2 zones.**
19.74.065	**Parking for recreational vehicles with a gross vehicle weight rating of 10,000 pounds or more.**
19.74.070	**Dimensions and space indications.**
19.74.080	**Standards established.**
19.74.090	**Standards for parking structures.**
19.74.100	**Surplus parking facilities to comply.**
19.74.110	**Exceptions.**
19.74.130	**Plans and specifications prerequisite to building permit.**
19.74.140	**Occupation and final inspection of building.**
19.74.150	**Maintenance and use of parking spaces.**
19.74.160	**Off-street loading space.**

19.74.010 Minimum standards.

Off-street parking shall be provided at the time of erection of any building or structure. At the time any building is enlarged or at the time there is an increase in the number of employees or any other unit of measurement defining the off-street parking requirements, there shall be provided off-street parking spaces only for such enlargement or increase. At the time there is a change in use of property which creates a need for additional parking facilities, as determined by the requirements of this chapter, there shall be provided such additional facilities. Off-street parking spaces or areas required by this chapter shall be provided in accordance with the following minimum standards:

A. For one-family, two-family and duplex dwellings, except as provided in Section 19.09.070, one parking space within a private garage or carport on the same lot for each dwelling unit;

B. For multiple-family dwellings, one-and-one-half parking spaces for each dwelling unit containing one bedroom, and two parking spaces for each dwelling unit containing two or more bedrooms. Such parking spaces shall be provided on the same lot or parcel for each dwelling unit. Any resulting fractional space shall be resolved to the next higher whole number. At least one of the parking spaces required for each multiple-family dwelling unit shall be in an enclosed garage and at least seventy-five percent of the total required spaces shall be in a garage or carport.

For mobile home parks, two parking spaces for each mobile home space. At least one parking space shall be on the mobile home space and the second shall be within one hundred fifty feet of the mobile home space. Additional parking in a separate designated storage area shall be provided at the ratio of one parking space for every four mobile home spaces;

C. For motels, one parking space on the same or adjoining lot for each individual sleeping or living unit. In cases where larger units may be subdivided into smaller units for individual use, there shall be a parking space for each of the smaller units;

D. For hotels, boardinghouses, lodginghouses, fraternity or sorority houses, student dormitories, student housing facilities, homes for the aged, charitable or welfare institutions used for dwelling purposes, one parking space on the same lot or within one hundred fifty feet for every two guest rooms, dwelling units or rental units;

E. For hospitals, one parking space on the same or adjoining lot for each bed. For sanitariums, convalescent or rest homes and

homes for mental patients, one parking space on the same or adjoining lot for each three beds;

F. For auditoriums, theaters, churches, stadiums, clubs and funeral chapels, one parking space for every four permanent seats in the principal assembly area or room. Where no permanent seats are provided, one parking space for every thirty square feet of floor area in the principal assembly room. Such spaces shall be located on the same lot or within three hundred feet;

G. For day nurseries and nursery schools, one parking space for every ten children and one space for each staff member. Such spaces shall be located on the same or adjoining lot;

H. For elementary and junior high schools, two parking spaces on the premises for every classroom. For the purposes of this subdivision only, additional parking for auditoriums and stadiums shall not be required;

I. For high schools, seven parking spaces on the premises for every classroom. For the purposes of this subdivision only, additional parking for auditoriums and stadiums shall not be required;

J. For colleges, junior colleges and universities, ten parking spaces on the premises for every classroom. For the purposes of this subdivision only, additional parking for auditoriums and stadiums shall not be required;

K. 1. For every neighborhood shopping center (C-1) zone, at least three square feet of parking area for every one square foot of gross floor space as that term is defined in the C-1 zone (Chapter 19.28). The parking area shall constitute an integral part of the shopping center and may be zoned parking (P);

2. For every community shopping center (C-1-A) zone, one parking space for each two hundred square feet or major fraction thereof of gross leasable floor area. The parking area shall constitute an integral part of the community shopping center and may be zoned parking (P). For the purpose of this subdivision, gross leasable floor area is defined as the total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines and upper floors, expressed in square feet and measured to the centerline of the joint partitions and outside walls. Gross leasable floor area includes sales areas and integral stock areas, but excludes corridors, enclosed malls, lobbies, stairwells, elevators, equipment rooms, and public toilets;

L. For offices, businesses and commercial buildings, except as otherwise provided, one parking space for each two hundred fifty square feet or major fraction thereof of gross floor area of the story containing the greatest square footage, and one parking space for every five hundred square feet of gross floor area of all remaining stories. Such spaces shall be located on the same lot or within three hundred feet;

M. For banks, public or private utility offices, medical and dental offices, one parking space on the same lot or within three hundred feet for each one hundred eighty square feet or major fraction thereof of gross floor area. For an automated teller facility situated as part of its associated financial institution, there is no additional parking requirement beyond that of the financial institution building itself. For an automated teller facility situated independent of its associated financial institution, two parking spaces for the first automated teller station and one parking space for each additional station. Parking must be on the same lot or within one hundred feet;

N. For furniture stores, household appliance stores, drapery shops, plumbing stores, floor covering stores, motor vehicle and machinery sales buildings, one parking space for every five hundred square feet or major fraction thereof of gross street floor area and one parking space for every seven hundred fifty square feet of gross floor area above or below the street floor. Such spaces shall be located on the same lot or within three hundred feet;

O. For restaurants, cafes, cafeterias, drive-thru or fast-food restaurants, take-out food establishments, bars, nightclubs, taverns and similar uses, one parking space on the same lot or within one hundred fifty feet for each one hundred square feet or major fraction thereof of gross floor area shall be provided. These parking requirements shall apply on the same basis to any outdoor dining area as defined by Section 19.04.394;

P. For bowling alleys, five parking spaces on the same lot or within one hundred

fifty feet for every one lane;

Q. For plant nurseries, five parking spaces plus one additional parking space on the same lot for each two hundred fifty square feet or major fraction thereof of building floor area, excluding lath and green houses;

R. For industrial and manufacturing establishments, one parking space on the same lot or within three hundred feet for every three hundred fifty square feet or major fraction thereof of gross floor area;

S. For warehouses and storage buildings, one parking space on the same lot or within three hundred feet for every one thousand square feet or major fraction thereof of gross floor area;

T. For outdoor sales, display or storage, five parking spaces plus one additional parking space on the same lot for each two hundred fifty square feet or major fraction thereof of gross sales office floor area;

U. For uses not specifically mentioned, the requirements for off-street parking spaces shall be the same as for similar mentioned uses;

V. For automobile service stations, six parking spaces on the same lot, plus two parking spaces for each service bay on the same lot or within one hundred feet;

W. For optometric offices and clinics, one parking space on the same lot or within three hundred feet for each two hundred fifty square feet or major fraction thereof of gross floor area; provided when there is no more than one optometrist, there shall be a minimum of five parking spaces;

X. For automobile service centers, six parking spaces on the same lot, plus three parking spaces for each service bay on the same lot or within one hundred feet;

Y. For heliports, ten spaces plus one space for each two seats on the largest helicopters to be accommodated on the site. Such spaces shall be located on the same lot or within three hundred feet;

Z. For helistops, five spaces on the same lot or within three hundred feet;

AA. For contractor's storage yards in any zone, one parking space on the same property for each four thousand square feet of net lot area or one parking space for each two hundred fifty square feet of office space or one parking space for each five hundred square feet of enclosed storage, whichever is greater;

BB. For methadone treatment facilities, one parking space on the same lot or within one hundred fifty feet for each one hundred square feet or major fraction thereof of gross floor area;

CC. For vocational, trade or technical schools, one parking space on the same lot or within three hundred feet for each 1.33 or major fraction thereof of faculty, administrative and support staff members and one parking space on the same lot or within three hundred feet for each 1.33 or major fraction thereof of students on site during the heaviest attendance period. (Ord. 6422 § 11, 1997; Ord. 6120 § 4, 1994; Ord. 5955 § 1, 1991; Ord. 5932 § 1, 1991; Ord. 5689 § 3, 1988; Ord. 5319 § 10, 1985; Ord. 5132 § 9, 1983; Ord. 5053 § 1, 1982; Ord. 4875 § 1, 1981; Ord. 4449 § 3, 1977; Ord. 4208 § 7, 1975; Ord. 4200 § 4, 1975; Ord. 4088 § 2, 1974; Ord. 4040 § 2, 1973; Ord. 3994 § 7, 1973; Ord. 3859 § 1, 1971; Ord. 3714 § 5, 1970; Ord. 3712 § 15, 1970; Ord. 3392 § 2, 1966; prior code § 36.11 (part))

19.74.015 Garage/carport requirements for multiple-family dwelling units.

Garages and carports required for multiple-family dwelling units are to be designed to reflect the architecture of the dwelling units by using similar materials and roof pitches. Flat roofs will be discouraged. Garages and carports are to be distributed evenly throughout the project in groupings of no greater than five covered spaces, with a minimum of two uncovered spaces. Landscaped planters shall be required between garage structures as determined by the Zoning Administrator. Required garages must be utilized for vehicle parking and not for household storage. (Ord. 6726 § 33, 2004; Ord. 6120 § 5, 1994)

19.74.020 Existing spaces.

Existing spaces maintained in connection with an existing and continuing building or structure or use shall be continued up to the number required by this chapter for a similar new building, new structure or new use, and such number shall not be counted as serving a new structure or addition. (Prior code § 36.11

(part))

19.74.030 Mixed occupancies.

In the case of mixed occupancies, the total requirement for off-street parking shall be the sum of the requirements for the various uses computed separately. (Prior code § 36.11 (part))

19.74.040 Maximum distance defined.

Where a maximum distance is specified, such distance shall be the walking distance measured from the nearest point of the parking facility to the nearest point of the building or area that such facility is required to serve. (Prior code § 36.11 (part))

19.74.050 Gross floor area defined.

For the purposes of this chapter, "gross floor area" shall not include areas used for off-street parking or loading spaces. (Prior code § 36.11 (part))

19.74.052 Off-street parking in front and street side yards.

Except as provided in this section and in Sections 19.74.060 and 19.74.065 of this code, landscaped front and street side yard setbacks shall not be used for the off-street parking of vehicles or for off-street parking spaces, turning or maneuvering aisles. However, entrance and exit drives, as a means of ingress and egress to off-street parking spaces, shall be permitted to cross landscaped front and street side yard setbacks. (Ord. 6556 § 10, 2001; Ord. 5717 § 5, 1989)

19.74.060 Parking and maneuvering in front yard areas of single-family residential and R-2 zones.

A. Permitted Locations of Parking and Maneuvering Areas. Parking and maneuvering areas in front yard areas of single-family residential and R-2 zones for all vehicles, including recreational vehicles, with a gross vehicle weight rating of 10,000 pounds or less, shall be limited to the space within a carport or garage plus a paved driveway between such garage or carport and the street from which it is served, not exceeding the width of the garage. In addition, the following front and side yard areas may also be paved for the parking and maneuvering of vehicles.

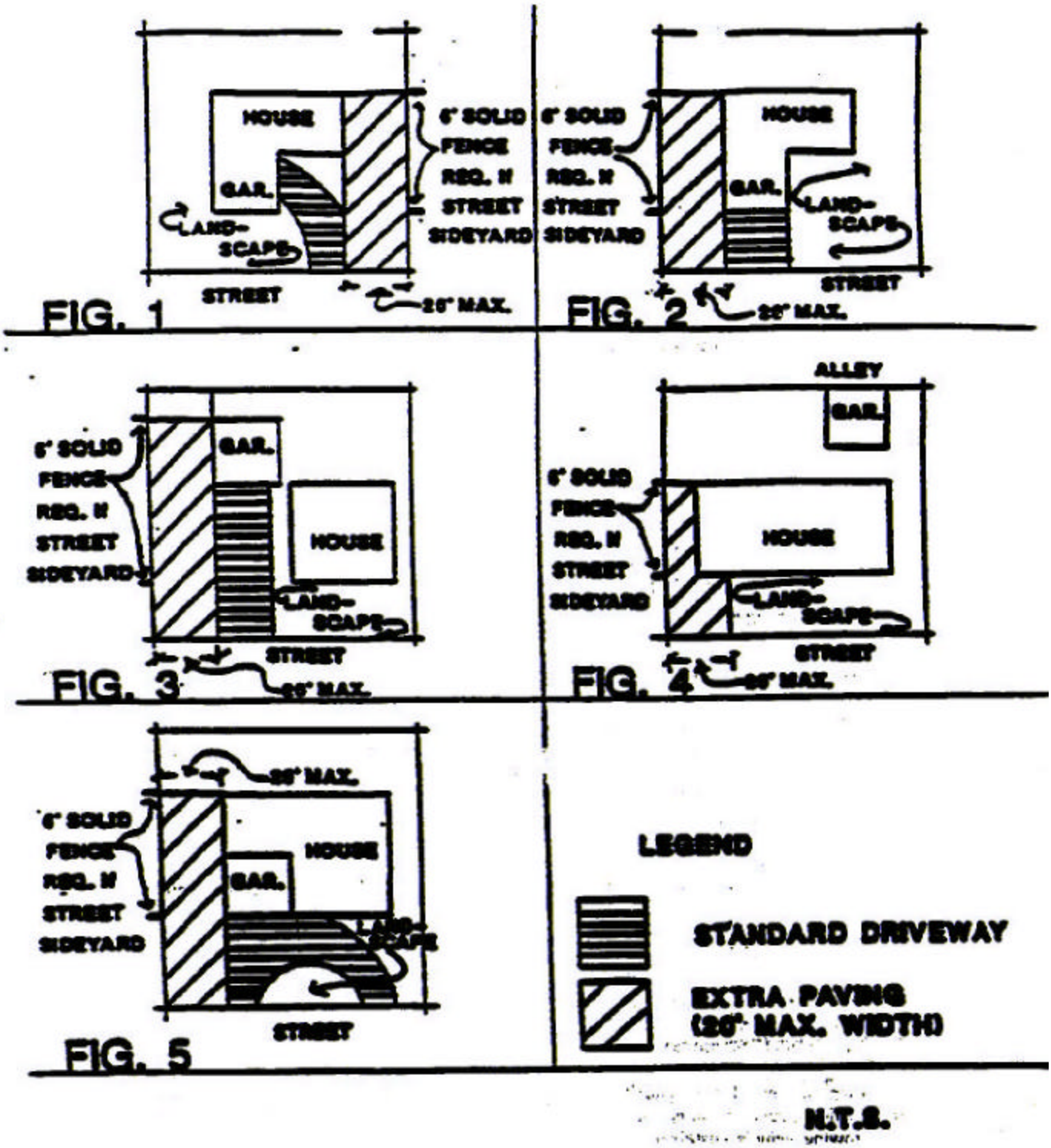
1. House With Attached Garage: The space between the driveway serving the garage and the nearest side property line, with such paving permitted to extend as far as the rear of the residential structure, such space not to exceed twenty feet in width beyond the driveway serving the garage. (See Figures 1 and 2.)

2. House With Detached Garage, Served by Adjacent Street: The space between the driveway and the nearest side property line, extending as far as the rear of the garage, such space not to exceed twenty feet in width beyond the driveway serving the garage. (See Figure 3.)

3. House With Detached Garage Served From an Alley: A space, not exceeding twenty feet in width, adjacent to a side property line. Such paved space may extend no further than the space between the street and the rear of the house. Installation of such a driveway is subject to approval of a driveway curb cut by the Public Works Department. (See Figure 4.)

4. Circular Drives: A house with one street frontage and at least one hundred feet of width, or any house with two street frontages may be served by a circular drive. In addition, the space between the circular drive and the nearest interior side property line may be paved, provided this additional paving does not exceed twenty feet in width beyond the point from the nearest point of the circular driveway and the interior side property line, nor extend further than the distance between the street and the rear of the residence. No circular drive will be approved without the approval of the Public Works Director for two driveway openings. (See Figure 5.)

Parking on Front Yards/Vehicle Repair in Residential Zones



N.T.S.

5. Special Requirements for Driveway Extensions in Street Side Yard Areas: Where the area proposed for driveway expansion is a street side yard, the portion of the driveway behind the front setback must be screened from the adjoining street by a six-foot-high solid fence or wall.

B. Exceptions to Paving Restrictions. The Planning Director shall have the authority to administratively grant exceptions to the paving location restrictions, consistent with the purposes of this section, where special circumstances relating to property configuration, terrain, landscaping or structure locations make adherence to the paving location restrictions of this section impractical. Any such decision by the Planning Director may be appealed to the Planning Commission by applying for a variance.

C. Nonconforming Rights. A non-paved driveway legally established prior to the adoption of this code section, including any expansion of the driveway to provide additional off-street parking subsequent to the adoption of this code section, is not subject to the paving requirements of this section unless the use and maintenance of such driveway and parking area lapses for a period of one year or more or unless the use served by the driveway is expanded. However, both the existing driveway and the additional parking area shall be surfaced with a weed- and dust-resistant material to the specifications of the Fire and Planning Departments.

D. Landscaping of Front Yards. All front yard areas other than those permitted to be paved by this section shall be landscaped.

E. Parking on Front Yard Landscaped Areas. Parking on any portion of a front yard, other than the paved parking areas permitted by subsections A and B, or nonconforming driveway permitted by subsection C, is prohibited.

F. Registration and Vehicle Condition. All vehicles, including recreaional vehicles, parked outside of a completely enclosed garage shall be currently and legally registered except as provided for by State law and shall be in an operable and movable condition within one hour. Motorized vehicles, including recreational vehicles, shall be movable under their own power. Boats and other nonmotorized vehicles, such as trailers, shall be movable by a towing vehicle customarily used for the type of vehicle being towed. (Ord. 6556 § 11, 2001; Ord. 6462 § 38, 1999; Ord. 6093 § 1, 1993; Ord. 5717 § 6, 1989; prior code § 36.11 (part))

19.74.065 Parking for recreational vehicles with a gross vehicle weight rating of 10,000 pounds or more.

A. In residential zones, the parking of recreational vehicles with a gross vehicle weight rating of 10,000 pounds or more shall only be allowed in the RR-Rural Residential and RA-Residential Agricultural zones. Parking and maneuvering areas for such vehicles shall be limited to:

1. A garage or carport.

2. A paved surface in the rear yard, outside of required setbacks, or an interior side yard area adjacent to the property's existing garage or carport, provided that:

a. A side yard area adjacent to a street shall not be used for recreational vehicle parking.

b. There shall be a minimum of 15 feet between the side property line and the nearest eave overhang.

c. The side yard area shall be accessible from the property's existing driveway. Only one driveway opening is permitted, except in the case of an existing circular driveway. However, a second driveway may be added if the property has 100 feet or more of street frontage or has frontage on two streets, subject to approval by the Planning and Public Works Departments.

d. A recreational vehicle parked in a side yard shall not extend forward of the front wall of the residence.

3. A recreational vehicle may not have any utility hookups or be used as living quarters except as permitted by 19.07.030(N).

4. The property may be fenced subject to current Zoning Code standards.

B. Variances. The Zoning Administrator shall have the authority to administratively grant variances to the parking standards per Chapter 19.64, consistent with the purpose of this section, where special circumstances relating to property configuration terrain, landscaping or

structure locations make adherence to the standards impractical. Any such decision by the Zoning Administrator may be appealed to the Planning Commission or City Council per Chapter 19.64.(Ord. 6556 § 12, 2001)

19.74.070 Dimensions and space indications.

A. Each off-street parking space shall consist of a minimum rectangular area nine (9) feet wide by eighteen (18) feet long, together with drives, aisles, turning and maneuvering areas meeting the standards and specifications established by resolution and having access at all times to a public street or alley. Parking spaces that are parallel and adjacent to a building, fence/wall, property line, or other door swing or pedestrian access obstruction, shall be nine and a half (9 1/2) feet wide.

B. All off-street parking spaces shall be indicated by white or yellow painted stripes not less than four inches wide or by other means acceptable to the Planning Department. Handicapped accessible spaces shall be indicated by blue painted stripes, signs, and markings in accordance with State of California requirements.

C. Except in the case of individual tree well planters, the minimum eighteen (18) feet paved depth of a parking space shall not be reduced by an overhang into a planter. (Ord. 6550 § 1, 2000; Ord. 5133 § 1, 1983; prior code § 36.11(part))

19.74.080 Standards established.

All off-street parking and loading areas and outdoor vehicle sales areas, including driveways, aisles, turning and maneuvering areas and parking spaces, except parking spaces provided within a completely enclosed building:

A. Shall be paved with not less than two and one- half inches of asphaltic concrete or an equivalent surfacing meeting the established standards and specifications of the Public Works Department, shall be graded and drained so as to dispose of all surface water, and shall be maintained in good repair; provided that those portions of single-family residential driveways extending beyond a point one hundred feet back from the street property line in the HR, RA and R-1 zones may be surfaced with an alternate material as determined by the Public Works Department; and further provided that in the HR zone, the driveways within the bridle paths or equestrian trails shall not be paved;

B. Shall have bumper stops not less than two feet in height or wheelstops not less than six inches in height erected adjacent to any building or structure, wall, fence, property line or walkway to protect other property;

C. Shall be provided with internal circulation, safe entrances and exits meeting the established standards and specifications of the Planning Department and Public Works Department;

D. Shall have any lights arranged so as to be directed onto the parking, loading or sales area and away from any adjacent property;

E. Shall have, when adjoining or across an alley from property in a residential zone, a masonry wall six feet in height erected and maintained so as to physically separate the parking, loading or sales area from the residential property; provided that such wall shall be three feet high within the required front or street side yard area, or, where no front or street side yard area is required, such wall shall be three feet high within ten feet of the street line;

F. Shall be maintained at all times in a clean, neat and orderly condition;

G. Where more than twenty parking spaces are required, shall be landscaped a minimum of five percent of the net off-street parking area in accordance with the approved standards and specifications of the Planning and Park and Recreation Departments, except in all manufacturing, air and railway zones where this landscaping requirement will not apply;

H. Shall have a minimum landscaped setback along all street frontages of ten feet for parking, loading and outdoor vehicle sales areas with twenty or fewer parking spaces and fifteen feet for parking, loading and outdoor vehicle sales areas with over twenty parking spaces. When a greater setback is required by the zone in which the parking, loading or outdoor vehicle sales area is located, such greater setback shall prevail;

I. Shall have, along all street frontages, a three-foot-high buffer to such off-street parking and loading areas and outdoor vehicle

sales areas consisting of a solid hedge or landscape berm or a combination thereof or an alternative buffer may be used subject to the prior written approval of the Planning Director. The buffer shall be measured from the grade of the parking, loading, outdoor vehicle sales area and in the case of hedges, shall be situated at the rear of the landscaped setback required by subsection H of this section. This paragraph shall not apply in those instances where subsection E of this section requires a masonry wall. This paragraph shall not apply to property in a single-family zone or in the R-2 zone when such property is used for a single-family residence or a duplex. (Ord. 6167 § 1, 1994; Ord. 5671 §§ 3, 4, 5, 1988; Ord. 4875 § 2, 1981; Ord. 4260 § 4, 1976; Ord. 3489 § 1, 1967; prior code § 36.11 (part))

19.74.090 Standards for parking structures.

A. Parking spaces located within a parking structure shall be provided with safe entrances and exits, turning and maneuvering areas and driveways meeting the established standards and specifications of the Planning Department and Public Works Department.

B. Driveways and turning and maneuvering areas in a parking structure shall be paved with not less than two and one-half inches of asphaltic concrete or an equivalent surfacing meeting the specifications of the Public Works Department and shall be maintained in good repair.

C. Parking structures shall have a minimum landscaped setback of fifteen feet along all street frontages, except in the area bounded by First Street, Fourteenth Street, the Riverside Freeway and Locust Street, where a ten-foot landscaped setback shall be provided along all street frontages. When a greater setback is required by the zone in which the parking structure is located, such greater setback shall prevail.

D. Parking structures shall have, along all street frontages, a three-foot-high buffer to such parking structure consisting of a decorative masonry wall, solid hedge or landscaped mound or any combination thereof. Masonry walls and hedges shall be situated at the rear of the landscaped setback required by subsection C of this section. (Ord. 5836 § 2, 1990; Ord. 5671 § 6, 1988; prior code § 36.11 (part))

19.74.100 Surplus parking facilities to comply.

Where off-street parking facilities are provided but not required by this title, such facilities shall comply with the development standards specified in this title. (Ord. 6550 § 2, 2000; Ord. 5133 § 2, 1983; prior code § 36.11 (part))

19.74.110 Exceptions.

The parking space requirements of this chapter shall not apply in the following cases:

A. To any new commercial or office uses to occupy space within the confines of an existing structure located within the downtown area bounded by Third Street, Orange Street, Fourth Street, Lemon Street, Fifth Street, the Riverside Freeway, Seventh Street, the Union Pacific Railroad tracks, University Avenue, the Riverside Freeway, Fourteenth Street, Almond Street, Hidalgo Place, Chestnut Street, Ninth Street, Brockton Avenue, the alley extending easterly of Brockton Avenue between Seventh Street and Sixth Street, Chestnut Street, Sixth Street and Fairmount Boulevard. (Ord. 5094 § 1, 1983; Ord. 3801 § 2, 1971; Ord. 3680 § 3, 1970; prior code § 36.11 (part))

19.74.130 Plans and specifications prerequisite to building permit.

No building permit or license shall be issued for any building or structure or use requiring parking spaces until plans and specifications clearly indicating the proposed development, including location, size, shape, design, curb cuts, lighting, landscaping and other features and appurtenances of the proposed parking area are approved by the Planning Department and the Public Works Department. (Prior code § 36.11 (part))

19.74.140 Occupation and final inspection of building.

No building shall be occupied and no final inspection shall be given by the Building Division of the Public Works Department until off-street parking spaces are provided in

accordance with the provisions of this chapter. (Prior code § 36.11 (part))

19.74.150 Maintenance and use of parking spaces.

All off-street parking spaces and areas required by this chapter shall be maintained for the duration of the improvement or use requiring such areas. Such spaces and areas must be used exclusively for the temporary parking of passenger automobiles, light trucks, or recreational vehicles, and may not be used for the sale, display or repair of motor vehicles, motorized or nonmotorized recreational vehicles, aircraft, boats or utility trailers, except as provided in Sections 19.68.060, 10.45.010 and 10.45.020. Pedestrian walkways, trash enclosures, landscaping, parking structures and permitted signs and lights, however, may be placed in such areas. (Ord. 6556 § 13, 2001; Ord. 5940 § 4,1991; Ord. 5717 § 7, 1989; prior code § 36.11 (part))

19.74.160 Off-street loading space.

At the time of erection, establishment or enlargement of any hospital, hotel, market, department store, laundry, dry cleaning plant or industrial or storage building, or other uses similarly involving the receipt and distribution by vehicles of materials and merchandise, there shall be provided and maintained for such new use or construction at least one loading space of not less than ten feet in width, twenty-two feet in length and fourteen feet in height, with adequate ingress and egress from a public street or alley for each four thousand square feet of gross floor area or fraction thereof; provided, that not more than two of such spaces shall be required unless the floor area exceeds twenty thousand square feet, in which case the site plan shall be submitted to the Planning Commission for the establishment of the required loading spaces. Such loading space, together with necessary driveways and turning and maneuvering areas, shall be developed and maintained in conformity with the requirements for off-street parking areas, and shall meet the established standards and specifications of the Planning Department. (Prior code § 36.12)

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Chapter 19.76

SIGNS

Sections:

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19.76.005 Purpose.

It is the purpose of this sign ordinance to preserve and enhance the aesthetic, traffic safety and environmental values of our communities and growing commercial/industrial districts, while at the same time providing channels of communication to the public. It also is the City's intent to regulate on the basis of characteristic and proportion of signage. The City finds that it is in the interest of both aesthetics and traffic safety that sign information be kept to a minimum, specifically with regard to signs adjacent to freeways and/or providing directional information. It is the intent of this sign ordinance to minimize visual clutter, and enhance traffic safety by ensuring that signage does not distract, obstruct or otherwise impede traffic circulation. Proper sign control also safeguards and preserves the health, property, and public welfare of Riverside residents through prohibiting, regulating, and controlling the design, location, and maintenance of signs.

This ordinance intends to promote a venue for non-commercial speech in that non-commercial signage is permitted wherever other signage is permitted within Chapter 19.76, also specifically in all zones subject to reasonable time, place, and manner regulations and is otherwise subject to the same standards and total maximum allowances for a site of each sign type specified in this Chapter. (Ord. 6504 §1, 2000)

19.76.010 Definitions.

For the purposes of this chapter, the following words and phrases shall have the meaning respectively ascribed to them by this section:

"Abandoned sign" means a sign which, for a period of ninety days or more, does not provide direction for, advertise or identify a legal business establishment on the premises where such a sign is displayed.

"Advertising statuary" means statue or other three dimensional structure in the form of an object that identifies, advertises, or otherwise directs attention to a product or business.

"Architectural element" means a design element incorporated into a freestanding sign for the purpose of making the sign directly reflect the architecture of the building(s) which house(s) the business(es) it identifies. Architectural elements, not including any advertising message, may increase the maximum allowable size of a sign by up to twenty-five percent, subject to Design Review staff or Cultural Heritage Board review and approval.

"Area of a sign" means the area within a maximum of four continuous straight lines enclosing the entire perimeter of the sign including all text, emblems, arrows, ornaments or other sign media. For monument or pole signs, when two identical sign faces are placed back to back on the same structure, the sign area shall be computed by the measurement of one sign face. For signs with more than two sign faces, the sign area shall be computed by including all sign faces.

"Banner" means a fabric or fabric-like material on which message is painted or otherwise affixed.

"Bench sign" means a sign located on a bench or similar structure in or near a public right-of-way.

"Billboard" means a sign that directs attention to anything other than a business, profession, product, commodity or service that is the primary business, profession, product, commodity or service sold, manufactured, conducted or offered on the site on which the sign is located.

"Building Frontage" for the purpose of calculating sign areas, "building frontage" means the linear measurement of exterior walls enclosing interior spaces that are oriented to and most nearly parallel to public streets, public alleys, parking lots or malls.

"Building sign" means a sign with a single face of copy, painted or otherwise marked on or attached to the face of a building wall, mansard roof or canopy facia. Signs placed on a mansard roof are considered building signs only if such signs do not extend above the top of the main building wall parapet to which the mansard roof is attached.

"Building wall" means the vertical face of a building.

"Canopy" means a fixed overhead shelter used as a roof, which may or may not be attached to a building.

"Commercial complex" means a group of three or more commercial uses on a single parcel or contiguous parcels which function as a common commercial area including those which utilize common off-street parking or access.

"Construction period sign" means a temporary sign erected and placed on the site of a building under construction providing information related to the activities occurring on the property.

"Curb line" means the line of the face of a curb nearest to the street or roadway.

"Directional sign" means a sign used to direct and control pedestrian or vehicular traffic and located on the same lot or premises as the use which it is intended to serve. For traffic safety reasons, a directional sign shall not display an advertising message, business name, business function or other business identity.

"Directory sign" means a sign composed of three or more changeable panels where the copy is a fixed element of the background on which it is placed and when viewed together, all panels form or appear to form a single sign entity.

"Electronic message center sign" means a sign having the capability of presenting variable message displays by projecting an electronically controlled pattern against a contrasting background and which can be programmed to change the message display periodically.

"Flag" means a device, generally made of flexible materials, usually cloth, paper or plastic, used as a symbol and it may or may not contain any copy.

"Fluorescent colors" means the range of colors created through a synthetic pigmentation process in which ultraviolet light is absorbed and emitted at a different range within the color spectrum of the individual colors. The prohibited colors are listed on the fluorescent color chart as adopted by the Planning Commission under Zoning Code Amendment Case AM-008-945 , are kept on file in the Planning Department, and are a representation of a wider range of fluorescent shades.

"For sale, rental or lease sign" means a temporary sign used in conjunction with the sale, rental, or lease of building or property.

"Freestanding sign" means any sign supported by structures or supports that are placed on, or anchored in, the ground with are independent from any building or other structure, such as pole and monument signs.

"Freeway" means a divided highway for through traffic with full control of access, with grade separations at all intersections and in respect to which the owners of abutting lands have no direct right or easement of access to or from their abutting land. A freeway is not a street for the purposes of this chapter.

"Freeway exit" means any location along a freeway where an exit ramp or exit ramps exist.

"Height of sign" means the distance from the average ground level immediately surrounding the base of the sign to the top of its highest element, including any structural or architectural element. Landscape mounding shall not be used to artificially increase the height of a sign.

"Industrial complex" means a group of three or more industrial uses on a single parcel or contiguous parcels, which function as a common industrial area including those which utilize common off-street parking or access.

"Installed" means erected, constructed, posted, painted, printed, tacked, glued, or otherwise fastened, fixed, or made visible in any manner whatsoever.

"Interpretive historic sign" means a sign located within a historic district or a designated historic street right-of-way as approved by the Cultural Heritage Board in accordance with design guidelines for this type of sign, as adopted by the Cultural Heritage Board. these signs may be located within or adjacent to the public right-of-way subject to the provisions of Sections 10.16.040 A. and B.

"Lighted sign" means a sign which is illuminated either directly or indirectly by artificial light.

"Major street frontage" means the street frontage from which the majority of the pedestrian or vehicular traffic is drawn or toward which the building or buildings are oriented for primary visual impact. Each commercial complex or shopping center shall be allowed to designate only one major street frontage. Where no single street frontage can be identified as the major street frontage, or in cases of dispute as to which street frontage is the major street frontage, the Zoning Administrator or the Cultural Heritage Board shall designate the major street frontage in conjunction with the review of proposed signs.

"Mansard roof" means a sloped, decorative roof element attached to the face of a building wall

"Monument sign" means a two-sided sign with an overall height of eight feet or less, standing directly on the ground or on a monument base or where supporting poles or structures, if any, are enclosed by decorative covers. A monument sign must be situated in a planter flanking all sides of the sign base.

"Office complex" means a group of two or more office uses on a single parcel or contiguous parcels, which function as a common office area including those which utilize common off-street parking or access.

"Off-premises sign" means a sign not identifying a business or product available, at, or an occupant of, the property where the sign is located.

"On-premises sign" means a commercial or non-commercial sign which is used to convey information about the occupant of a building, lot or premises or the merchandise or activity available or carried on at the building, lot or premises where the sign is located.

"Painted sign" means a sign which is painted directly on any wall, window, fence or structure of any kind.

"Pedestrian Mall Sidewalk Sign" means a sign permitted in Section 19.76.020(B)(23).

"Pennant" means a device generally made of flexible materials, usually cloth, paper or plastic. A pennant may or may not contain any copy and is primarily intended to draw attention.

"Pole sign" means a two-sided sign with an overall height exceeding eight feet and having one or more supports permanently attached directly into or upon the ground.

"Political sign" means a sign not otherwise permitted by this title advertising a candidate for political office, a political party or a measure scheduled for an election.

"Portable sign" means a sign which is capable of being carried or readily moved from one location to another.

"Projection" means the distance as established by this code by which a sign extends beyond the building wall or the street property line.

"Readerboard" means a sign having changeable copy used to announce a coming event or attraction or used to convey a commercial or non-commercial message related to the building or use of the property on which the readerboard sign is located.

"Roof sign" means any sign supported by or attached to or projecting through the roof of a building or structure, or projecting above the eave line or parapet wall of the building or structure. Roof sign shall not include a sign attached to a mansard roof pursuant to the definitions of building sign and mansard roof or a vertical sign as defined in this Section 19.76.010.

"Secondary street frontage" means a street frontage other than a major street frontage.

"Shopping Center" Same as commercial complex.

"Sign" means any structure, device, letter, figure, character, poster, picture, trademark or reading matter which is used or designed to announce, declare, demonstrate, display or otherwise identify or advertise, or attract the attention of the public.

"Sign structure" means the supports, uprights, bracing and framework of the sign.

"Special boulevard" means a boulevard so designated by the Riverside General Plan.

"Subdivision" means all lots under a parent subdivision number. In the case of a phased subdivision, all phases combined under the parent number are considered to be a single subdivision. For the purposes of this chapter, a condominium with individual lots or air space rights for sale is considered to be a subdivision.

"Subdivision sign" means a temporary nonilluminated sign erected and maintained within the boundaries of a recorded subdivision and used to convey information about said subdivision, including the name of the subdivision, the name of the contractor or subdivider, the name of the owner or agent, and/or giving information regarding directions, price or terms.

"Temporary sign" means a commercial or non-commercial sign displayed for a period of time not exceeding thirty days or as otherwise provided in this chapter.

"Two-sided sign" means a freestanding sign where two identical sign faces are placed back to back on the same structure. Any other configuration is considered to be a sign with more than two faces.

"Under canopy sign" means a sign with a single or double face copy hung below a canopy perpendicular to the adjacent building wall of the business being identified.

"Vertical Sign" means a sign whose message is oriented perpendicular to the ground, integrated into the building architecture and located below the top of the parapet wall.

"Window sign" means a sign with a single face of copy which is permanently marked on or adhered to a window or which is oriented toward a window and designed to read through a window. (Ord. 6726 § 34, 2004; Ord. 6725 § 1, 2004; Ord. 6605 § 1, 2002; Ord. 6527 § 2, 2000; Ord. 6504 § 2, 2000; Ord. 6487 § 2, 1999; Ord. 6315 § 2, 1996; Ord. 6301 §§ 1, 2, 3, 1996; Ord. 6246 § 2, 1995; Ord. 5961 § 1, 1991; Ord. 5607 § 1, 1987; Ord. 4848 § 1, 1980; Ord. 4451 § 2, 1977; Ord. 4198 § 3, 1975; Ord. 3993 §§ 2, 3, 1973; Ord. 3758 § 1 (part), 1970)

19.76.020 General requirements.

For each of the zones specified in this section, the following regulations shall apply:

A. Signs Prohibited in all Zones. The following signs are prohibited in all zones:

1. Blinking Signs and Moving Signs. Signs which blink, flash, shimmer, glitter, rotate, oscillate or move, or which give the appearance of blinking, flashing, shimmering, glittering, rotating, oscillating or moving.

2. Off-Premises Signs. Except non-commercial signs, billboards in the C-3 and M-2 Zones, and temporary signs as listed in 19.76.020B(10), and pedestrian mall sidewalk signs as permitted in 19.76.020(B)(23).

3. Portable Signs. Except pedestrian mall sidewalk signs as permitted by Section 19.76.020(B)(23).

4. Signs in the Public Right-of-Way. Subject to the provisions of Chapter 10.16 of this code, signs are prohibited from the public street right-of-way unless an encroachment permit has been secured pursuant to Chapter 13.08 of this code.

5. Signs Interfering With Traffic Safety. Signs that create a safety hazard by obstructing clear view of pedestrian and vehicular traffic.

6. Signs Resembling or Conflicting with Traffic Control Devices. Signs or sign structures which by color, wording, or location resemble or conflict with any traffic control sign or device.

7. Roof Signs. All roof signs as defined in Section 19.76.010, but not including signs on a mansard roof as defined in Section 19.76.010.

8. Advertising Statuary. All forms of advertising statuary.

9. Bench Signs. All forms of bench signs or bus stop commercial advertising.

10. Lewd Signs. Signs which display a message or graphic representation that is lewd, indecent or otherwise offensive to public morals.

B. Sign Regulations Applicable to More Than One Zone.

1. Service Station Signs. For service stations in all zones, the following regulations shall apply:

a. Freestanding Signs.

i. On-premises/Price Monument Sign. For each service station, one monument sign, maximum fifty square feet in size and maximum six feet in overall height shall be permitted. The price portion of the sign may not exceed thirty square feet and must include all price advertising

as required by State law.

ii. On-premises Pole Sign. For service stations located contiguous to a freeway where a freeway exit serves the street from which the service station takes direct access, in addition to the on-premises/price monument sign allowed by paragraph (a)(I) of this subdivision, one on-premise pole sign, maximum one hundred square feet in size and forty-five feet in overall height, situated so as to be directed toward and permanently viewable from the freeway, shall be permitted.

iii. Service stations, whether situated on an independent parcel, or incorporated as part of a commercial, industrial or office complex, shall have independent freestanding sign rights and are not restricted by the number of signs serving uses not related to the service station.

b. Building and Window Signs. Building and window signs shall be limited to two on-premises signs totaling no more than thirty-six square feet in combined display area.

c. Secondary Price Sign. In addition to the on-premises/price monument sign allowed by paragraph (a)(I) of this subdivision, each service station may display a maximum of one non-lighted, double-faced changeable copy price sign, maximum fifteen square feet in display area and six feet in overall height. No permit for such a price sign shall be issued, however, until the City receives a written communication from the State Department of Agriculture Division of Weights and Measures stating that a secondary price sign is necessary in order to meet the fuel identification requirements. Such a price sign shall also require the review and approval of the Design Review staff or the Cultural Heritage Board in accordance with established policies.

d. Pump Island Signs. Each service station may display two pump island signs per pump island to distinguish self-serve from full-serve pump islands. Such signs must be permanently affixed to the pump island they identify. Each sign may not exceed four square feet in overall size.

2. Billboards.

a. In the C-3 and M-2 zones, billboards shall be permitted provided:

i. Such signs shall not exceed three hundred square feet in display face area unless a conditional use permit is granted for a sign in excess of three hundred square feet in display area;

ii. Such signs, if freestanding, shall not exceed forty-five feet in overall height;

iii. Such signs shall not be placed within five hundred feet of any other billboard adjacent to the same street or an intersecting street;

iv. Such signs shall not be placed within one hundred fifty feet of any City of Riverside landmark or structure of merit;

v. Such signs shall not be placed within any City of Riverside preservation district;

vi. Such signs shall not be placed within two hundred fifty feet of any residential zone abutting the same street on which the sign is placed;

vii. Such signs shall not be placed within seven hundred fifty feet of any freeway if such sign structure is visible from any freeway;

viii. Such signs shall not be placed within the area bounded by First and Fourteenth Streets, the Riverside Freeway (State 91) and the Santa Ana River;

ix. Such signs shall not be placed within ten feet from any planned street line of a special boulevard.

b. In all zones other than C-3 and M-2 billboards are not permitted.

3. Directional Signs. On properties containing public parking areas in any zone, monument directional signs, not exceeding six square feet in area per display face and four feet in overall height, shall be permitted at each public entrance to or exit from the public parking area. Building mounted directional signs shall also be allowed as necessary to direct persons to specific functions of a business with separate exterior entrances. Such signs shall not exceed six square feet in area and shall be situated directly above or to the side of the entrance being identified. Directional signs shall indicate directional information only and shall not include advertising messages, business names or other identity of a business.

4. Readerboard Signs. Readerboard signs are allowed only for the following uses as specified below:

a. Service Stations. See Section 19.76.020(B)(1);

b. Theaters. Theaters offering live performances or motion pictures and having

permanent seating for at least one hundred persons may, in lieu of on-premises building sign, display one on-premises readerboard sign per public frontage, maximum one and one-half square feet of sign for each front foot of building frontage; not to exceed one hundred square feet of signage per frontage;

c. Elementary, Middle and High Schools. One freestanding or building mounted combination readerboard on-premises sign per use;

i. Freestanding Sign Option. For sites of less than fifteen acres, one maximum forty-square-foot, six-foot- high combination readerboard on-premises monument sign using manually changeable, non electronic readerboard copy. For sites of fifteen acres or more, one maximum sixty-five-square-foot, fifteen-foot-high combination readerboard on-premises pole sign using manually changeable, non electronic readerboard letters;

ii. Building Mounted Sign Option. One building mounted sign, located on the frontage occupied by the use, maximum one and one-half square feet of sign for each front foot of the occupancy frontage, not to exceed one hundred square feet;

iii. A readerboard sign shall be in lieu of a permitted freestanding or building mounted on-premises sign.

d. Public Entertainment Venue as defined by Section 19.04.407. One freestanding or building mounted combination readerboard on-premises sign per use;

i. Freestanding Sign Option. For sites of less than fifteen acres, one maximum forty-square-foot, six-foot- high combination readerboard on-premises monument sign using manually changeable, non electronic readerboard copy. For sites of fifteen acres or more, one maximum sixty-five-square-foot, fifteen-foot-high combination readerboard on-premises pole sign using manually changeable, non-electronic readerboard letters;

ii. Freestanding Sign Option for amusement parks having at least 24 acres and located within one hundred feet of a freeway. In lieu of the freestanding sign allowed above, one maximum seven-hundred-fifty-square-foot, sixty-six-foot-high combination readerboard-on-premises pole sign oriented toward the adjacent freeway. Readerboard copy may consist of manually changeable non-electric letters or automatically changeable electronic letters. All readerboard copy shall consist of letters no more than thirty inches high. Messages shall consists of static copy changed no more frequently than twice each twenty four hours. Animated, flashing, or traveling messages are prohibited. The readerboard portion of the sign shall not exceed the lessor of 218 square feet or 75% of the overall sign size. Illumination intensity of all lighted sign elements shall be limited to only that necessary for sign readability as determined by the Zoning Administrator . Lighted messages shall be limited to incandescent white bulbs. The sign shall comply with all applicable Caltrans standards for signs adjacent to freeways.

iii. Building Mounted Sign Option. One building mounted sign, located on the frontage occupied by the use, maximum one and one-half square feet of sign for each front foot of the occupancy frontage, not to exceed one hundred square feet;

iv. A readerboard sign shall be in lieu of a permitted freestanding or building mounted on-premises sign.

e. Exposed neon is prohibited on any portion of the sign.

5. Signs for Nonconforming Uses. Any commercial, industrial or office use which has been determined to be nonconforming as defined in Section 19.04.390 of this code may display one building sign for each building wall facing a parking lot, mall, street or alley not to exceed one square foot of sign per front foot of wall on which the sign is to be situated up to a maximum of twenty-five square feet per sign.

6. Construction Period Signs as defined in 19.76.010. In all zones, unlighted freestanding or wall signs are allowed. All such signs shall be displayed only on the lot or parcel on which the construction is occurring and only during the construction period. Such signs and support structures and fasteners shall be totally removed prior to release for occupancy.

7. For Sale, Rental or Lease Signs as defined in 19.76.010.

a. In all residential zones, for each property occupied by a dwelling or dwellings, one freestanding, unlighted, maximum four-square-foot for sale, rental or lease sign is

permitted for each street frontage and shall not exceed six feet in overall height. Such signs shall be removed within thirty days following close of escrow or other finalization of sale, rental or lease. These regulations notwithstanding, a for sale, rental or lease sign in any R-3 zone shall be subject to the same provisions as for nonresidential property, as set forth in subdivision (7)(b) of this subsection.

b. In all other zones:

i. One maximum twenty-four-square-foot, eight-foot-high, double-faced, freestanding for sale, rental or lease sign per street frontage is permitted. On sites having more than one frontage or on interior lots at least two-and-one-half acres in size, an option of placing the sign faces at a forty-five-degree angle to each other is permitted. Signs shall be located no closer than two feet from public sidewalks and twelve feet from the curbline or from the pavement where curbs are lacking. In no case shall signs be placed in the public right-of-way. In the event a building sign is installed as permitted in paragraph (b)(ii) of this subdivision, the freestanding sign herein described shall not be permitted.

ii. One for sale, rental or lease building sign per frontage, a maximum twenty-four square feet in area shall be permitted for buildings or occupancies within sixty-three feet from the curbline or from the pavement where curbs are lacking. One for sale, rental or lease building sign per frontage, a maximum of thirty-two square feet in area, shall be permitted for buildings or occupancies further than sixty-three feet from the curbline or from the pavement where curbs are lacking. In the event a freestanding sign or signs are installed as permitted in paragraph (b)(i) of this subdivision, the building sign herein described shall not be permitted.

iii. Such signs shall be removed within thirty days following close of escrow or finalization of sale, rental or lease.

8. Subdivision Signs as defined in 19.76.010. In all zones, a maximum of three unlighted double-faced temporary subdivision signs, not exceeding forty square feet in area per display face and fifteen feet in overall height, may be erected and maintained with a subdivision during the period of the eighteen successive months following the recording of the final subdivision map, or until the time when eighty percent of the lots within the subdivision have been sold, whichever period is shorter. Such signs shall be located within the subdivision and shall be a minimum distance of three hundred feet apart from each other.

9. Non-Commercial Signs.

a. In all zones non-commercial signs are permitted subject to the following limitations:

i. No sign shall exceed sixteen square feet in area.

ii. No freestanding sign shall exceed six feet in height.

iii. No lot or parcel shall contain signs having an aggregate area in excess of eighty square feet.

iv. No such sign shall be lighted directly or indirectly.

v. Signs relating to a political election shall be removed within ten days after the final election.

b. Illegal signs may be removed summarily by the City after reasonable notification to the appropriate candidates, sponsors and/or property owners requesting them to remove the signs.

c. Any sign erected on City property without a permit can be removed without notice pursuant to Chapter 10.16.040 of this Code.

10. Temporary Signs. All paper signs, banners, balloons, streamers, placards, pennants, or portable signs which direct, promote, attract, service, or which are otherwise designed to attract attention are prohibited, except that the following temporary signs shall be permitted in all non-residential zones:

a. One banner not exceeding sixty square feet shall be permitted for a period not exceeding thirty consecutive days for the opening of a new business at the site where the banner is to be displayed. The banner shall be stretched and secured flat against the building surface and shall not extend higher than the building eave or the building parapet wall.

b. Temporary event or activity signs not exceeding fifteen percent of the total window area, or forty square feet, whichever area is less, may be displayed in the window area, except for the area between four feet and eight feet above the floor level, which shall be kept free of any

signs as a clear zone for security. There shall be no time limit on the display of these signs. Such signs may be painted in water soluble paints or constructed of paper, wood, fabric, plastic or similar materials. All paper signs must be mechanically printed. Hand-lettered signs are not permitted. There is no limit on the number of colors that can be used in these signs, however, fluorescent colors as defined under Section 19.76.010 are prohibited.

11. Flags as defined in 19.76.010. Shall be allowed in all zones subject to the following limitations:

a. Complexes of Commercial, Office and Industrial Uses. Each complex of commercial, office or industrial uses, consisting of three or more uses on a single parcel or contiguous parcels with common off-street parking and access, may display not more than three maximum sixty-square-foot flags on not more than three maximum thirty-five-foot-high poles. If separate poles are used, the distance from one pole to another may not exceed twenty feet.

b. Residential Subdivisions and Condominiums. Each residential subdivision or condominium with new, previously unoccupied dwelling units for sale may display not more than three maximum twenty-five-square-foot flags on not more than three maximum twenty-foot-high poles. Such poles must be situated not closer than ten feet from the public right-of-way and within twenty feet of the model complex or sales office. If separate poles are used, the distance from one pole to another may not exceed ten feet. A residential subdivision or condominium is considered to be all lots under a parent tract number including all phases.

c. Apartments and Mobile Homes. Complexes of four or more apartments or mobile homes sharing common private access and/or parking may display not more than three maximum twenty-five-square-foot flags on not more than three maximum twenty-foot-high poles. If separate poles are used, the distance from one pole to another may not exceed ten feet.

d. All Other Nonresidential Uses. Each occupied parcel containing a nonresidential use, other than described in paragraph a of this subdivision, may display not more than three maximum sixty-square-foot flags on not more than three maximum thirty-five-foot-high poles. If separate poles are used, the distance from one pole to another may not exceed ten feet.

e. All Other Residential Uses. Each occupied parcel containing a residential use, other than described in paragraphs b and c of this subdivision, may display one maximum twenty-five-square-foot flag on one maximum twenty- foot-high pole.

f. Permits. No permit is required for the display of flags as provided herein, except that a building permit is required for the installation of a ground mounted flag pole greater than six feet tall or a building mounted flag pole when, in the opinion of the Building Official, a pole is of such structural significance as to require compliance with building safety regulations.

12. Abandoned Signs. The City may require any sign which has been abandoned for a period of ninety days or more to be removed upon written notification to the owner of the property on which the sign is located. Abandoned signs must be completely removed, including all poles, structures, cabinets, faces and electrical devices, within thirty days of the mailing of such a notice.

13 Lighted Versus Nonlighted Signs. Unless specifically restricted in this chapter, signs may be illuminated or nonilluminated.

14. Historic Area Perpendicular Signs. For buildings registered in the National Historic Register; designated a State Historical landmark, a City of Riverside landmark or structure of merit; or located in a City of Riverside preservation district or neighborhood conservation area and which contain a nonresidential use, when no canopy exists, a maximum four-square-foot, double-faced sign, oriented perpendicular to the building wall is permitted in lieu of an under canopy sign. Such perpendicular sign shall not project more than thirty inches from the face of the building wall on which it is placed, shall be attached with rigid metal supports in a manner acceptable to the Building Division and shall maintain a minimum clearance of seven feet between the grade level below the sign and the lowermost portion of the sign, except when the sign is projecting over a public right-of-way, in which case the minimum clearance shall be eight feet.

15. Permissible Sign Locations.

a. Building Signs. All building signs must be located on and directly parallel to a building wall, canopy facia or mansard roof directly abutting the use or occupancy being identified and directly facing a parking lot, mall, street or alley serving the business in question.

b. Window Signs. All window signs must be located on or adjacent to the inner surface of a window directly used by the use or occupancy being identified and be directly facing a parking lot, mall, street or alley serving the business in question.

c. Under Canopy Signs. All under canopy signs shall be suspended from the underside of a pedestrian canopy directly adjacent to the business identified on the sign. Under canopy signs shall be oriented perpendicular to the adjacent wall of the business being identified and shall be attached with rigid metal supports in a manner acceptable to the Building Division. A minimum clearance of seven feet shall be maintained between the grade level below the sign and the lowermost portion of the sign except when the sign is projecting over a public right-of-way, in which case the minimum clearance shall be eight feet.

d. Pole and Monument Signs. All pole and monument signs shall be located so as to be directed toward a street, parking lot, mall or alley. Such a sign shall be situated on the lot or parcel on which the use or occupancy identified is located, except in a commercial, office or industrial complex where such a sign may be located on any lot or parcel in the complex where the use or occupancy identified is located.

16. Sign Projection From a Building Face. Except as permitted in subdivision 14 of this subsection, in all zones, building signs shall not project more than twelve inches from the face of the building on which they are placed, except in the case of signs placed on a mansard roof which may project such a distance from the face of the roof as necessary for the sign face to be perpendicular to the floor of the building.

17. Projection of Permanent Signs over Public Rights-of-Way. No portion of a sign which has a projection over a public right-of-way shall be less than eight feet above the public right-of-way. No sign shall have a projection over a public alley or any portion of a street right-of-way traveled by vehicles.

18. Projection of Temporary Signs Over Public Rights-of-way. No temporary sign or banner shall extend over or into a street, alley, sidewalk or other public place except those signs placed by the City for the purpose of advertising civic events.

19. Signs Above the Third Floor. In the RO, CL, CO, C-2, C-3, M-1, M-2 and MP zones, building on-premises signing shall not be allowed above the third floor, except that, in lieu of signing on the second and third floors, one sign may be placed as near the top of the building as practical on each frontage, maximum one-square-foot of sign per front foot of building, up to fifty square feet per frontage for a building two to four stories high, up to one hundred square feet for a building five to six stories high, up to one hundred fifty square feet for a building seven to ten stories high and up to two hundred square feet for a building over ten stories high.

20. Signs Which Must Comply With This Code. In all zones, only such signs as are specifically permitted in this chapter may be placed, erected, maintained, displayed or used, and the placement, erection, maintenance, display or use of signs shall be subject to all restrictions, limitations and regulations contained in this chapter. The placement, erection, maintenance, display or use of all other signs is prohibited.

21. Zoning Administrator, Planning Commission or Cultural Heritage Board Approval. In reviewing signs for design review approval or a cultural heritage permit, the Zoning Administrator, Planning Commission and the Cultural Heritage Board may base their decisions upon the standards contained in Chapter 19.62 and Title 20 respectively and upon adopted policies and guidelines of each respective board.

22. Electronic Message Center Signs. Due to the proximity of these signs to a freeway, the following standards addressing aesthetic and public safety concerns shall apply. In the C-2, C-3 and C-1-A zones, electronic message center signs shall be allowed subject to the following:

a. Changeable Copy/Illumination. The sign shall have the capability of presenting

variable message displays automatically by means of two-color cubes which rotate to form patterns and/or words of one color against a background of another color or by white incandescent lamps, with each individual lamp intensity not to exceed 30 watts, and changeable copy/letter height shall consist of letter no more than thirty inches high. Lamp intensity shall be controlled by a photocell/automatic dimming device for automatic dimming of display at dusk.

b. Length of Display. Each display shall appear for a period of at least four seconds. Displays shall not be animated, appear in incremental stages or move across the changeable copy sign face. The sign shall remain blank (no message or display) for at least one second between displays. The software manufacturer and the software installer shall certify to the City that the software for the computer which controls the sign has been designed to and can only operate the sign at the approved on and off intervals.

c. Freeway Orientation. Electronic message center signs shall be oriented toward and located no farther than one hundred feet from a freeway right-of-way. No other freeway-oriented signs shall be permitted within the regional commercial district.

d. Maximum Size/Height. The maximum size for an electronic message center sign shall be seven hundred fifty square feet in area. The maximum size for the electronic message board portion of the sign shall be three hundred square feet or fifty percent of the overall sign area, whichever is smaller. The maximum height for an electronic message center sign shall be forty-five feet above the elevation of the freeway travel lane nearest to the sign location. However, the actual approved size and/or height of an electronic message center sign may be less than the maximum dimensions. The approved size and height shall be based upon a site specific study and a determination by the Design Review staff of the smallest size and the lowest height necessary to accomplish the criteria listed in Section 19.76.020(B)(22)(g).

e. Permanent Identification. The permanent identification on the sign shall be no more than two lines of copy.

f. Requirements of Site Specific Study. The applicant shall construct at least three sign mock-ups, using plywood or other suitable material painted to resemble the proposed sign. The required mock-ups shall be the requested size of the proposed sign, two-thirds the requested size and one-third the requested size. Using a crane or other suitable device, the mock-ups shall be hung from at least three alternative heights in minimum ten-foot increments, up to a maximum of forty-five feet in height measured from the elevation of the freeway travel lane nearest to the sign location. Each respective mock-up shall be recorded on VHS format video tape at each height under study. Video tape shall be recorded from an automobile traveling at fifty-five miles per hour in the slow lanes of the adjacent freeway approaching the sign from both directions. Video taping shall begin from the point when the sign is first visible. The video tape shall be documented to indicate the mock-up size, its height and the distance from the sign at the beginning of the video tape.

g. Design Review Staff Review and Approval. The Design Review staff shall review the site specific study in making its determination and may require the sign to be smaller and/or lower than the maximum dimensions listed above, as necessary to meet the following criteria:

i. The sign shall be designed to be aesthetically attractive in all respects. Accordingly, it shall be simple in form, uncluttered in copy and balanced in color.

ii. The sign shall be no taller than necessary to be seen by approaching motorists.

iii. The sign shall be no larger than necessary to be read and understood by motorists in enough time to safely exit the freeway to visit the site related to the information provided on the sign.

h. The action of the Zoning Administrator may be appealed to the Planning Commission, as provided in Chapter 19.62 of this title. The action of the Design Review Board may be appealed to the City Council as provided in Chapter 19.62 of this title.

i. Electronic message center signs shall be for the shared use of regional commercial districts under the following conditions:

i. A regional commercial district is a

combination of contiguous real property totaling at least 65 acres, excluding public rights-of-way. All parcels in the district shall be contiguous or separated only by public streets.

ii. The application for the sign shall identify all of the district parcels and list the names of the owners and/or lessees who are participating in the district.

iii. The parcel upon which the electronic message center sign is to be located shall be a part of the regional commercial district and shall be contiguous with the freeway toward which the sign is directed.

iv. An association shall be formed consisting of all of the property owners and/or lessees in the district, for the purposes of purchasing and maintaining the sign. Legal documents necessary to form the association shall be subject to the review and approval of the City Attorney. The association shall enter into an agreement with the City to install and maintain the sign in accordance with this subsection and all conditions of approval.

v. The sign may display information for only those occupants of the parcels which are part of the district or the merchandise or activities available on the parcels which are part of the district. The sign shall not be used as a billboard. The sign may also display noncommercial messages.

j. The electronic message center sign is an alternative to signs which are otherwise permitted on the property in the regional commercial district to be served by the electronic message center sign. Prior to issuance of a building permit for the electronic message center sign, all property owners and/or lessees in the district shall agree to remove all illegal signs, all legal nonconforming signs, all pole signs and all freeway-oriented signs as identified by a Planning Department survey. The form of the agreement shall be subject to review and approval by the City Attorney. Individual replacement signs shall conform to the standards for the zone and use and shall be subject to review and approval in accordance with Chapter 19.62 of this title. All illegal signs, all legal nonconforming signs, all pole signs and all freeway-oriented signs in the district shall be removed within two years from the operation of the electronic message center sign.

23.Pedestrian Mall Sidewalk Signs. One pedestrian mall sidewalk sign is allowed per ground floor lease space for food service businesses as defined in 19.04.144 and museums subject to issuance of a sign permit and approval of the Zoning Administrator, including conformance with the following location and design criteria:

a. Location Criteria.

i. A pedestrian mall sidewalk sign shall only be permitted as provided herein, within the limits of the downtown pedestrian mall as defined in Section 13.20.010 of the Municipal Code (Main Street between 6th and 10th) and on Main Street between 5th and 6th Streets.

ii. A pedestrian mall sidewalk sign shall be located in front of the business and extend no more than 10 feet into the public right-of-way, and not closer than 35 feet from the curb face of any cross-street open to vehicular traffic.

iii. A pedestrian mall sidewalk sign shall not be located in a landscape planter, permanent seating area, or any location which may create an impediment to pedestrian, disabled, or emergency access.

b. Design Criteria.

i. A pedestrian mall sidewalk sign may not exceed 12 square-feet in overall area, nor a maximum height or width of four feet. No more than 50% of the overall sign area may be used for changeable copy.

ii. A pedestrian mall sidewalk sign must be constructed of quality materials, such as smooth particle board or medium density plywood, which are sturdy and designed for paint.

iii. All visible surfaces of the sign shall be finished in a uniform or complimentary manner.

iv. Lettering and graphics shall be of a professional quality. Borders, artistic enhancements, and graphics reflecting the nature of the related business and encouraged.

v. Balloons, banners, flags, lights, pinwheels, umbrellas, or other similar items, shall not be attached to, or made a part of, a pedestrian mall sidewalk sign.

vi. The Zoning Administrator may refer the design of a pedestrian mall sidewalk sign to either the Cultural Heritage Board or the Planning Commission for resolution of design

related issues.

c. Other.

i. A pedestrian mall sidewalk sign must be weighted so as not to be easily knocked down or blown over. Maintenance of the sign and any damage or injury caused by the sign is the responsibility of the business owner.

ii. A pedestrian mall sidewalk sign must be removed and placed indoors each day at the close of business.

iii. A pedestrian mall sidewalk sign may not be displayed until the required sign permit (19.76.210), including proof of insurance, has been obtained. A pedestrian mall sidewalk sign permit is required to be renewed annually at the beginning of each calendar year.

d. Insurance. Every permittee, at his/her sole cost and expense, and during the term of his/her permit or any renewal thereof, shall obtain and maintain liability insurance. Prior to the issuance of any permit, the applicant shall file and maintain with the Zoning Administrator a valid current policy or sufficient certificate evidencing the policy of liability insurance, covering use of the pedestrian mall sidewalk sign. The policy shall contain an endorsement naming the City as additional insured, shall provide that the City will be given thirty days written notice prior to cancellation or material change, and shall be in such minimum limits as set by resolution of the City Council.

e. Variances. Variances from the size, height, or maximum changeable copy requirements, may be granted in accordance with Chapter 19.64.

f. Appeals. Any decision of the Zoning Administrator, Planning Commission, Cultural Heritage Board, may be appealed to the City Council within 10 days of such decision. (Ord. 6726 § 35, 2004; Ord. 6605 § 2, 2002; Ord. 6587 § 1, 2001; Ord. 6563 § 2, 2001; Ord 6527 § 5, 2000; Ord. 6504 § 3, 2000; Ord. 6487 § 3, 1999; Ord. 6350 § 2, 1997; Ord. 6315 §§ 3, 4, 5, 6, 7, 1996; Ord. 6274 §§ 2, 3, 1996; Ord. 6246 § 1, 1995; Ord. 5961 §§ 2, 3, 1991; Ord. 5607 § 2, 1987; Ord. 5447 §§ 1, 2, 1986; Ord. 5314 § 1, 1985; Ord. 4848 §§ 2, 3, 1980; Ord. 4451 § 1, 1977; Ord. 4260 § 5(a)- (e), 1976; Ord. 4208 § 8, 1975; Ord. 4056 §§ 1, 2, 1973; Ord. 3993 § 4, 1973; Ord. 3972 § 15, 1972; Ord. 3949 § 1, 1972; Ord. 3877 § 1, 1971; Ord. 3758 § 1 (part), 1970)

19.76.030 RA zones.

In the RA zones, one unlighted on-premises monument sign not exceeding twelve square feet in area and six feet in overall height, is permitted. (Ord. 6504 §4, 2000; Ord. 5607 § 3, 1987; Ord. 3758 § 1 (part), 1970)

19.76.040 Residential zones and RO zones.

In any residential zone and the RO zone, the following regulations shall apply, where applicable:

A. One- and Two-Family Dwellings. One building mounted on-premises sign for each separate address, not exceeding twelve square feet in area, is permitted. On parcels with more than one such dwelling, on-premise signs shall not be combined.

B. Multiple-Family Dwellings and Mobile Home Parks. For multiple-family dwellings and mobile home parks, one on-premises building or monument sign, not exceeding twelve square feet in area per display face, is permitted for each public street frontage. Monument signs may not exceed six feet in overall height.

C. Churches, Schools, Hospitals, Public Facilities, Clubs, Lodges and Institutional Uses. For churches, schools, hospitals, public facilities, clubs, lodges and institutional uses the following regulations shall apply:

1. For uses occupying less than one acre:

a. Monument Sign. One on-premises monument sign, maximum twelve square feet in area and six feet in overall height.

b. Building Signs. One on-premises building sign for each street frontage, maximum twelve square feet in area per sign.

c. Window Signs. One on-premises window sign for each public entrance, not exceeding nine square feet per sign.

d. Under Canopy Signs. One maximum four-square- foot on-premises under canopy sign, per frontage.

2. For uses occupying one acre or more:

a. Monument Sign. One on-premises monument sign for each street frontage, maximum twenty-four square feet in area and

six feet in overall height.

b. Building Signs. One on-premises building sign for each street frontage maximum twenty-four square feet in area per sign.

c. Window Signs. One on-premises window sign for each public entrance, not exceeding nine square feet per sign.

d. Under Canopy Signs. One maximum four-square- foot on-premises under canopy sign, per frontage.

D. Office Uses.

1. Office Complexes:

a. Monument Sign. One maximum fifteen-square-foot, six-foot-high on-premises monument sign with up to two lines of copy. A monument sign shall not be displayed in addition to a directory sign.

b. Directory Sign. In lieu of a monument sign, an office complex may display one maximum fifteen-square-foot, six-foot-high sign with one line of copy per office space. A directory sign may be a freestanding monument or it may be mounted on a building wall.

c. Building Signs. For each occupancy, one single-faced on-premises building sign is permitted for each building frontage, maximum one square foot of sign for each front foot of occupancy but not to exceed one hundred square feet per sign.

d. Window Signs. For each occupancy, one window sign for each public entrance, not exceeding nine square feet per sign.

e. Under Canopy Signs. For each occupancy, one maximum four-square-foot on-premises under canopy sign per frontage.

2. Office Uses Not Part of an Office Complex:

a. Monument Sign. Where only one use is to be identified, one maximum fifteen-square-foot, six-foot-high on-premises monument sign. Where two uses are to be identified, one on-premises monument sign, maximum twenty square feet in area and six feet high, evenly divided between the two uses.

b. Building Signs. For each occupancy, one single- faced on-premises building sign is permitted for each building frontage, maximum one square foot of sign for each front foot of occupancy, but not to exceed one hundred square feet per sign.

c. Window Signs. For each occupancy, one window sign for each public entrance, not exceeding nine square feet per sign.

d. Under Canopy Signs. For each occupancy, one maximum four-square-foot on-premises under canopy sign per frontage. (Ord. 6504 § 5, 2000; Ord. 5607 § 4, 1987; Ord. 4929 §§ 1, 2, 1981; Ord. 4260 § 5(f), 1976; Ord. 4208 § 9, 1975; Ord. 3972 § 16, 1972; Ord. 3758 § 1 (part), 1970)

19.76.050 P zone.

In a P zone, the following shall apply:

A. Where Rates are Charged. In P zones, the following signs are permitted for parking lots and parking garages where rates are charged:

On-premises building or monument signs including information identifying the lot/garage or operator and referring to the availability of and charges for parking spaces in the parking lot/garage, not exceeding twenty-five square feet in area per display face, are permitted; provided that there shall be not more than one such sign on each lot frontage on a public street or public alley. Monument signs shall not exceed six feet in overall height.

B. Where Rates are Not Charged. Directional signs are allowed in accordance with Section 19.76.020(B)(3). (Ord. 6504 §6, 2000; Ord. 5607 § 5, 1987; Ord. 3758 § 1 (part), 1970)

19.76.060 C-1 zone.

In a C-1 zone, the following shall apply:

A. Automobile Service Stations. See Section 19.76.020(B)(1).

B. Monument Signs.

1. Major Street Frontage. One on-premises monument sign, maximum thirty square feet in area and six feet in overall height with up to two lines of copy.

2. Secondary Street Frontages. For shopping centers of six or more net acres, for each secondary street frontage with at least three hundred feet of length, one maximum twenty-five-square-foot, six-foot-high on-premises monument sign with up to two lines of copy.

3. Sign Placement. Where signs are placed on both major and secondary street frontages, each such sign shall be placed as near to the middle of the street frontage as practical

or at a major driveway entrance to the shopping center from the street frontage.

C. Building Signs. For each use or occupancy, one on-premises building sign per frontage, maximum one square foot of sign per front foot of use or occupancy, but not to exceed one hundred square feet per sign.

D. Window Signs. For each use or occupancy, one window sign for each public entrance, not exceeding nine square feet per sign.

E. Under Canopy Signs. For each use or occupancy, one maximum four-square-foot on-premises under canopy sign per frontage. (Ord. 6504 § 7, 2000; Ord. 5607 § 6, 1987; Ord. 3758 § 1 (part), 1970)

19.76.080 C-1-A zone.

In a C-1-A zone, the following shall apply:

A. Automobile Service Stations. See Section 19.76.020(B)(1).

B. Pole and Monument Signs.

1. Major Street Frontage. One on-premises pole sign, maximum one hundred square feet in area and twenty-five feet in overall height, with up to two lines of copy.

2. Secondary Street Frontages. For shopping centers of six or more net acres, for each secondary street frontage with at least three hundred feet of length, one maximum twenty-five-square-foot, six-foot-high on-premises monument sign with up to two lines of copy.

3. Sign Placement. Where signs are placed on both major and secondary street frontages, each such sign shall be placed as near to the middle of the street frontage as practical or at a major driveway entrance to the shopping center from the street frontage.

C. Building Signs. For each use or occupancy, one on-premises building sign per frontage, maximum one square foot of sign per front foot of use or occupancy, but not to exceed one hundred fifty square feet per sign.

D. Window Signs. For each use or occupancy, one window sign for each public entrance, not exceeding nine square feet per sign.

E. Under Canopy Signs. For each use or occupancy, one maximum four-square-foot on-premises under canopy sign per frontage. (Ord. 6504 § 8, 2000; Ord. 5607 § 7, 1987; Ord. 3758 § 1 (part), 1970)

19.76.090 C-O and CL zones.

In a C-O or CL zone, the following shall apply:

A. Monument Signs.

1. Commercial Complexes.

a. Major Street Frontage. One on-premises monument sign, maximum twenty-five square feet in area and six feet in overall height, with up to two lines of copy.

b. Secondary Street Frontage. For commercial complexes of six or more net acres, for each secondary street frontage with at least three hundred feet of length, one maximum twenty-five-square-foot, six-foot- high on-premises monument sign with up to two lines of copy.

c. Sign Placement. Where signs are placed on both major and secondary street frontages, each such sign shall be placed as near to the middle of the street frontage as practical or at a major driveway entrance to the commercial complex from the street frontage.

2. Uses or Occupancies Not Part of a Commercial Complex. Where only one use is to be identified, one maximum twenty-five-square-foot, six-foot-high on-premises monument sign. Where two uses are to be identified, one on-premises monument sign, maximum thirty-two square feet in area and six feet in overall height, evenly divided between the two uses.

B. Building Signs. For each use or occupancy, one on-premises building sign per frontage, maximum one square foot of sign per front foot of use or occupancy, but not to exceed one hundred square feet per use or occupancy on each frontage.

C. Window Signs. For each use or occupancy, one window sign for each public entrance, not exceeding nine square feet per sign.

D. Under Canopy Signs. For each use or occupancy, one maximum four-square-foot on-premises under canopy sign per frontage. (Ord. 6504 § 9, 2000; Ord. 5607 § 8, 1987; Ord. 3812 § 1, 1971; Ord. 3801 § 5, 1971; Ord. 3758 § 1 (part), 1970

19.76.100 C-2 and C-3 zones.

In the C-2 and C-3 zones the following shall apply:

A. Automobile Service Stations. See Section 19.76.020(B)(1).

B. Monument and Pole Signs:

1. Commercial Complexes. One on-premises monument or pole sign for each commercial complex as follows:

a. For commercial complexes of less than two acres (net site area), one maximum thirty-square-foot, six-foot-high on-premises monument sign, with up to two lines of copy.

b. For commercial complexes of at least two acres, but less than six acres (net site area), one maximum forty-square-foot, eight-foot-high on-premises monument sign, with up to two lines of copy.

c. For commercial complexes of at least six acres, but less than ten acres (net site area):

i. Major Street Frontage: One maximum fifty-square-foot, eight-foot-high on-premises monument sign with a maximum of two lines of copy.

ii. Secondary Street Frontage: For each secondary street frontage with at least three hundred feet of length, one maximum twenty-five-square-foot, six-foot-high on-premises monument sign with two lines of copy.

iii. Sign Placement: Where signs are placed on both major and secondary street frontages, each such sign shall be placed as near to the middle of the street frontage as practical or at a major driveway entrance to the commercial complex from the street frontage.

d. For commercial complexes of ten acres or more (net site area):

i. Major Street Frontage: One maximum one-hundred-square-foot, twenty-five-foot-high on-premises pole sign with a maximum of three lines of copy.

ii. Secondary Street Frontage: For each secondary street frontage with at least three hundred feet of length, one maximum twenty-five-square-foot, six-foot- high on-premises monument sign with up to two lines of copy.

iii. Sign Placement: Where signs are placed on both major and secondary street frontages, each such sign shall be placed as near to the middle of the street frontage as practical or at a major driveway entrance to the commercial complex from the street frontage.

2. Uses or Occupancies Not a Part of a Commercial Complex. Where only one use is to be identified, one on-premises monument sign, maximum twenty-five square feet in area and six feet in overall height. Where two uses are to be identified, one on-premises monument sign, maximum thirty-two square feet in area and six feet in overall height evenly divided between the two uses.

C. Building Signs. For each use or occupancy, one on-premises building sign per frontage, maximum one square foot of sign per front foot of use or occupancy, but not to exceed one hundred fifty square feet per sign.

D. Window Signs. For each use or occupancy, one window sign for each public entrance, not exceeding nine square feet per sign.

E. Under Canopy Signs. For each use or occupancy, one maximum four-square-foot on-premises under canopy sign per frontage. (Ord. 6504 § 10, 2000; Ord. 5607 § 9, 1987; Ord. 3993 § 5, 1973; Ord. 3758 § 1 (part), 1970)

19.76.140 MP, M-1, M-2, AIR and AI zones.

In the MP, M-1, M-2, AIR and AI zones, the following shall apply:

A. Signs Within Riverside Municipal Airport. Signs within Riverside Municipal Airport and which serve leases of the Riverside Municipal Airport shall be governed by the document "Riverside Municipal Airport Sign Criteria" as adopted by resolution of the City Council and shall not be restricted by this title, other than requirements for permits, maintenance and safety. Exceptions are signs oriented so as to be primarily viewed from any public street other than Airport Drive.

B. Automobile Service Stations. See Section 19.76.020(B)(1).

C. Monument Signs.

1. Industrial Complexes. One maximum fifty-square- foot, eight-foot-high on-premises monument sign with up to two lines of copy.

2. Uses Not In an Industrial Complex. Where only one use is to be identified, one maximum fifty-square- foot, eight-foot-high on-premises monument sign. Where two uses are to

be identified, one on-premises monument sign, maximum fifty square feet in area and eight feet high, evenly divided between the two uses.

D. Building Signs. For each use or occupancy, one on-premises building sign per building frontage, maximum one square foot of sign per front foot of use or occupancy, but not to exceed one hundred square feet per sign.

E. Window Signs. For each use or occupancy, one window sign for each public entrance, not exceeding nine square feet per sign.

F. Under Canopy Signs. For each use or occupancy, one maximum four-square-foot on premises under canopy sign per frontage. (Ord. 6504 § 11, 2000; Ord. 6378 § 1, 1997; Ord. 5607 § 14, 1987; Ord. 3758 § 1 (part), 1970)

19.76.170 RWY zone.

In a RWY zone the following shall apply:

A. Monument Signs. For each use or occupancy, one maximum twenty-five-square-foot, eight-foot-high on-premises monument sign.

B. Building Signs. For each use or occupancy, one on-premises building sign per building frontage, not to exceed one square foot of sign per front foot of use or occupancy, and not to exceed one hundred square feet per sign.

C. Window Signs. For each use or occupancy, one window sign for each public entrance, not exceeding nine square feet per sign.

D. Under Canopy Signs. For each use or occupancy, one maximum four-square-foot on-premises under canopy sign per frontage. (Ord. 6504 § 12, 2000; Ord. 5607 § 17, 1987; Ord. 3758 § 1 (part), 1970)

19.76.190 O zone.

In the O zone, the same sign regulations as apply to churches, schools, hospitals, public facilities, clubs, lodges and institutional uses in Section 19.76.040(C) shall apply. (Ord. 5607 § 19, 1987; Ord. 3877 § 2, 1971; Ord. 3758 § 1 (part), 1970)

19.76.195 WC and FP zones.

Signs shall be allowed as necessary to warn of hazards pertaining to the property; provided, however, that such signs are placed at least seventy-five feet apart from each other and that such signs do not exceed one square foot each in size and six feet in overall height. (Ord. 5607 § 20, 1987)

19.76.200 Sign amortization--Nonconforming signs.

For sign amortization the following shall apply:

A. Amortization Schedule. The following signs which exist on May 1, 1971, or which exist at the time the site containing said signs is annexed to the City or rezoned after May 1, 1971, shall be abated or altered to comply with the following requirements (unless otherwise permitted by this chapter), and within the amortization periods hereinafter prescribed; if said signs are not so abated or so altered, they will be in violation of this chapter:

	TYPE OF SIGN		AMORTIZATION PERIOD
1.	Abandoned signs, paper signs, banners, balloons, streamers placards, pennants or similar portable signs		90 days
2.	Signs which blink, flash, shimmer, glitter or give the appearance of blinking, flashing, shimmering or glittering		1 year
3.	Signs which rotate, oscillate, result in movement or give the appearance of movement in any form		1 year
4.	Painted signs in excess of one hundred		1 year

	TYPE OF SIGN		AMORTIZATION PERIOD
	fifty square area feet in		
5.	Roof signs (excluding theater marquees and theater marquee signs)		5 years
a.	All roof signs in all zones except C-2 and C-3		
b.	Only those roof signs ex- ceeding the following limits in the C-2 and C-3 zones:		
	i. One roof sign per use		5 years
	ii. One hundred fifty square feet per display face		
6.	Signs exceeding the following limits in the CL, C-2, C-3 and C-4 zones only		
a.	One freestanding sign per use except for service stations in the C-4 zone		5 years
b.	Two canopy or wall signs per use for each side of a building		5 years
c.	Three hundred square feet in area per display face for free- standing signs		5 years
7.	General outdoor advertising signs in all zones except C-3 and M-2		5 years
8.	Freestanding signs exceeding forty-five feet in height in all zones (exclusive of general out- door advertising signs)		5 years

B. Time Extensions. Prior to the expiration of any amortization period contained in subsection A of this section, a written request may be made for an extension of the amortization period on such form or forms as are provided by the Planning Department, and the applicant shall substantiate in the forms and show cause why the extension is necessary by inserting sufficient information to enable the City Council to consider the factors hereinafter set forth in this subsection. The extension request shall be heard and considered by the City Council and the City Council shall base its decision upon the following factors:

1. The original cost of the sign;

2. The date the sign was constructed and located on the site;

3. The degree of deviation from the sign regulations of this chapter;

4. The fact that unusual circumstances concerning the sign's size, height, location or nature are present;

5. The fact that to remove or alter the sign within the prescribed amortization period would create an unnecessary hardship inconsistent with the intent of sign amortization;

6. The effect of the nonconforming sign on the use, value and enjoinment of surrounding and neighboring properties;

7. The least amount of additional time required, if any, for the applicant to amortize any unreasonable economic loss, over and above the amortization period already permitted under this section.

The Planning Department shall receive and process all time extension requests and a processing fee in the amount established by City Council resolution shall be required.

C. Altered Signs. Notwithstanding subsection A of this section, in all zones, if any sign which does not comply with the current standards of this chapter for the zone in which the sign is located, is altered in any way, it shall be made to comply fully with the current standards of the zone in which the sign is located. Prior to any such alteration, a sign permit and appropriate design review approval shall be secured. Any sign for which a valid

zoning variance has been granted after May 1, 1971, and which serves the same specific use as that occupying the property when the variance was first granted, shall be exempted from the requirements of this subsection.

D. Relocation or replacement of nonconforming time and temperature signs. If a legally nonconforming time and temperature sign is caused to be removed or relocated by the development or redevelopment of a site in accordance with City standards, such sign may be relocated as a wall sign on the existing or future building on the parcel on which the nonconforming time and temperature sign is located. This provision shall only be applicable to sites having the same use that occupied the site prior to or at the same time that the nonconforming sign is relocated. The size of any relocated time and temperature display area shall be no larger than that of the previous nonconforming sign, or ten square feet, whichever is smaller. The display area shall be limited to time and temperature. Any existing nonconforming time and temperature sign which has four faces shall be entitled to two sign faces, each no larger than any one face on the previous nonconforming sign, or ten square feet, whichever is smaller. (Ord. 6511 § 3, 2000; Ord. 6504 § 13, 2000; Ord. 4945 § 1, 1981; Ord. 3974 § 4, 1972; Ord. 3758 § 1 (part), 1970)

19.76.210 Permits, maintenance and code enforcement.

A. Permit Required. Except as otherwise provided in this title, no sign shall hereafter be erected, installed, painted, constructed or altered including, but not limited to, changes to sign colors, materials, lighting, size, height and copy except as provided by this title and until a permit for the same has been issued by the Building Official. No permit for a sign shall be issued until the provisions of Chapter 19.62 requiring design review approval or the provisions of Chapter 20.30 requiring a cultural heritage permit have been met.

B. Signs Allowed Without Permit. The provisions and regulations of this chapter shall not apply to the signs listed below. The following exceptions shall apply only to the requirement for a permit, however, and shall not be construed as relieving the owner of the sign from the responsibility for its erection and maintenance in accordance with the provisions of this title or any other provisions of this code or other ordinances regulating the same.

1. Memorial plaques, tablets or cornerstones giving the name of a building and/or date of erection, when cut into any masonry surface or when constructed of bronze or other noncombustible materials.

2. Traffic or other municipal signs, legal notices required to be posted by a court, public body or public officer or railroad crossing signs, as may be approved by the City, County, State or federal government.

3. Signs of public service companies indicating danger and aids to service and safety.

4. Changes to the copy of a billboard, unless a structural change is made or the billboard is enlarged.

5. Ornamental trim which is not part of or an extension of a sign or which is not painted or redesigned to reflect the sign colors, logo or name of a business.

6. Signs less than four square feet in area indicating hours of operation of a legally-established business and/or whether such a business is open or closed.

7. Changes to individual sign face panels of directory signs when the individual panel being changed is less than ten square feet in area, and where the new sign face panel to be inserted conforms with the existing panels on the sign in terms of colors, copy style and materials, to the extent that uniformity exists in these areas.

8. Changes to the copy of readerboard signs.

9. Signs within a building and not oriented so as to be visible from a public street, public alley, parking lot or mall.

10. On-premise, non-commercial signs less than four square feet in area.

C. Application for Permit. Application for a sign permit shall be made in writing upon forms furnished by the Building Official. Such application shall contain the location, by street and number, of the proposed sign as well as the name and address of the occupant and sign erector. The Building Official may require the filing of plans or other pertinent information when, in the opinion of the Building Official,

such information is necessary to ensure compliance with Title 16 of this code.

D. Fees for Permit. Before issuing any permit required by this title, the Building Official shall collect a fee which shall be determined on the basis of the valuation of the sign(s) and the cost of erecting the sign(s) in accordance with the schedule of fees for a building permit on file in the Building Division. In the case of a lighted sign, additional fees shall be collected pursuant to the Electrical Code.

E. Fees for Signs Constructed Without a Permit. Where work for which a permit is required by this title is started or proceeded with prior to obtaining such permit, the following permit fees shall apply. The permit fees shall be computed based upon the date on which application is made for a sign permit, design review approval or cultural heritage permit, or a variance, whichever process is first necessary to obtain a sign permit:

1. When application is made within thirty days after first notice has been given of the violation pursuant to subsection F of this section, the permit fee shall be two times the established permit fee.

2. When application is made between thirty-one and forty-five days after first notice has been given of the violation pursuant to subsection E of this section, the permit fee shall be four times the established permit fee.

3. When application is made over forty-five days after first notice has been given of the violation pursuant to subsection F of this section, the permit fee shall be ten times the established permit fee.

After a sign permit, design review approval or cultural heritage permit, or variance has been applied for, additional time limits may be established for the securing of permits and completion of any additional sign work that may be required. If such time limits are not adhered to, the amount of time by which the deadline(s) is(are) missed shall be added to the time periods noted above for the purpose of establishing the final permit fee.

In no case shall a permit penalty fee be assessed in excess of one thousand dollars.

F. Procedure for Notification of Violation. When a sign has been found to have been erected, installed, painted, constructed or altered without a permit having first been issued, notification of such violation shall be made by mail or by direct delivery of a notice to correct violation to the business where the sign violation exists with a copy mailed to the property owner of record (if different). Notice shall be given at the following time intervals:

1. The first notice shall be given immediately after confirmation that a violation exists, allowing up to thirty days from the date of the notice to apply for a permit or remove the sign(s) in question.

2. If the first deadline is missed, a second notice shall be given approximately thirty days after the first notice reminding the business proprietor and property owner that the first deadline has been missed and giving a final fifteen days in which to remove the sign(s) or apply for a permit.

3. If after forty-five days, the sign(s) have not been removed or a permit has not been applied for, legal action may be taken to correct the violation.

G. Removal of Illegal Signs. At the option of the Planning Director, any sign erected, constructed, maintained or relocated in violation of this chapter after the ordinance codified herein takes effect may be required to be removed within thirty days after a written notice by the Planning Director or the Planning Director's representative has been posted on the property containing said sign and a copy thereof sent by certified mail with postage prepaid to the owner thereof and to the person in possession of the real property upon which it is located, stating the particulars of such violation and requiring the removal thereof upon or before a date specified therein, but not less than thirty days after such posting and mailing. Written objections to such removal may be filed with the Planning Director by said date showing the name, address, and objections in detail of the person objecting to such removal.

Upon the filing of such objections, such sign may remain until ordered removed by the City Council at a hearing, notice of which has been mailed by certified mail with postage prepaid to the person filing such objections at the address shown thereon and to the holders of any recorded liens on said real property at least ten days prior to such hearing. Any sign ordered

removed by the City Council shall be removed within thirty days after notice of such order has been so mailed to such objector and to any holder of said recorded liens; and if not so removed, the Planning Director may cause the removal thereof at the expense of the owner of the real property upon which said sign is located.

If no such written objections are so filed with the Planning Director, then a written notice similar to the above-described original notice shall be given to the holders of any recorded liens on said real property before any signs can be so removed by the Planning Director at the expense of said owner, and said lienholders may file written objections, in the manner above described, and said signs may then remain until a similar hearing upon similar notices given is completed.

Said removal expense may be made a lien upon such real property by the Planning Director sending by certified mail, to the owner of and holders of any liens upon said real property, a notice of lien for the cost of such removal. The cost of all mailing and the cost of obtaining the name and address of the owners and lienholders shall be a part of the cost of each removal.

The amount of all said costs shall become a lien upon such real property as additional City taxes thereon with the same priority as City tax liens, and the same penalty and interest as on City taxes shall attach thereto, and a copy of such lien shall be mailed to the County Assessor, thirty days after the mailing of such notice of lien, unless the same has, within such time, been paid or written objections thereto have been filed with the Planning Director. Any such objections shall be determined by the City Council at a hearing after at least ten days' notice to the person filing such objections. Any sums not paid within thirty days after an order for the payment thereof by the City Council shall become a lien upon said property. The amount of all such liens shall be collected with the next City taxes which become a lien upon said property.

Notwithstanding the above provisions of this section, any sign erected, constructed, maintained or relocated in violation of this chapter is prohibited and any other appropriate criminal or civil action or abatement procedure may be maintained against said violation or against any person maintaining or permitting said violation.

H. Removal of Sign(s) to Correct Violation(s). If the option of removing a sign or signs in violation is exercised, said sign(s) shall be completely removed, including all poles, structures, electrical equipment, cabinets and sign faces. Building walls, grounds or other items on which such signs have been placed shall be restored to good repair and appearance.

I. Responsibility for Securing Permits. It shall be the duty of the contractor or person who erects, installs, paints, constructs or alters a sign to secure all necessary permits for such work. It shall be the responsibility of the property owner and/or lessee to assure that the contractor or sign installer secures said valid permits.

J. Procedure for Pursuing Sign Contractors Perpetrating Sign Violations. Wherever a sign violation has occurred, it shall be the duty of the zoning inspector to determine what sign contractor, if any, performed the sign work. A sign permit shall not be issued unless the sign contractor's name appears on the permit. The following procedure shall be followed in pursuing sign contractors installing signs for which a valid permit has not first been secured:

1. First Violation. A letter shall be sent by certified mail to the sign contractor setting forth the City's requirements for sign permits and indicating that future violations will result in a complaint being filed with the Contractors' State License Board and/or legal action being taken against said contractor.

2. Second Violation. A complaint shall be filed with the Contractors' State License Board and a copy of such complaint shall be sent to the sign contractor with a letter indicating that legal action may be taken if further violations occur. All correspondence shall be by certified mail.

3. Third and Subsequent Violations. Legal action may be taken against the contractor.

K. Safety Regulations Generally.

1. No sign or sign structure shall be erected in such a manner that any portion of its surface or supports will interfere in any way with the free use of any fire escape, exit or

standpipe. No sign shall obstruct any window to such an extent that any light, ventilation or access is reduced to a point below that required by any law or ordinance.

2. No sign or structure shall be erected in such a manner that any portion of its surface or supports shall be within six feet of overhead electric conductors which are energized in excess of seven hundred fifty volts, nor within three feet of conductors energized at zero to seven hundred fifty volts.

3. No sign shall be erected in such a manner as to interfere with, mislead or confuse traffic.

L. Maintenance. All signs, together with all their supports, braces, guys and anchors, shall be kept in repair and in a proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted. The Planning Director or the Planning Director's representative may order the removal of any sign that is not maintained in accordance with the provisions of this chapter and all signs not in use must be removed in accordance with Section 19.76.020(B)(12).

M. Inspections. It shall be the duty of every person who may erect any sign designated under this chapter to afford ample means and accommodation for the purpose of inspection whenever, in the judgment of the Planning Director or the Building Official, such inspection is necessary. The inspectors for the Public Utilities Department and the Fire Department of the City shall also have the right and authority to inspect any such signs during reasonable hours.

N. Liability of Owners--City. This chapter shall not be construed to relieve from or lessen the responsibility of any person owning, maintaining, operating, constructing or installing any sign or other device mentioned in this chapter for damages to life or property caused by any defect therein. Nor shall the City or any agent thereof be held as assuming any liability by reason of the inspection required by this chapter.

O. Identification. Identification of all signs must be stated on the sign as follows:

Installed by.....

City Permit #.....

Electrical Current .....

Month-Year Erected .....

Said label shall not exceed four square inches. Said label, and all other labels, shall be placed as directed by the Planning Director or the Planning Director's representative.

P. Engineering Design and Materials. Signs shall be designed and constructed as building elements or structures in accordance with the provisions of the Building Code.

Q. Electrical Signs. Electrical signs shall bear the label of an approved testing laboratory. Said label shall not exceed four square inches. Said label shall be placed as directed by the Planning Director or the Planning Director's representative. Electrical signs and appurtenant equipment shall be installed in accordance with the Electrical Code. (Ord. 6504 § 14, 2000; Ord. 5607 § 21, 1987; Ord. 3758 § 1 (part), 1970)

19.76.220 Validity of chapter.

If any section, subsection, sentence, clause, or phrase of this chapter is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the validity or constitutionality of the remaining portions of this chapter.

The City Council hereby declares that it would have passed this chapter, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more of the sections, subsections, sentences, clauses or phrases thereof, be declared unconstitutional or invalid. (Ord. 3758 § 1 (part), 1970)

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Chapter 19.78

PERMITS

Sections:

19.78.010 Permits required.
19.78.020 Compliance with title in issuance of permits and licenses.

19.78.010 Permits required.

Before commencing any work pertaining to the erection, construction, moving, conversion or alteration of any building or any addition to any building, a permit shall be secured from the building inspector by any owner or his agent for such work, and it is unlawful to commence any work until and unless such permit shall have been obtained. (Prior code § 36.18)

19.78.020 Compliance with title in issuance of permits and licenses.

All departments, officials or public employees vested with the duty or authority to issue permits or licenses, where required by law, shall conform to the provisions of this title. (Prior code § 36.19)

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Chapter 19.79

TRANSPORTATION DEMAND MANAGEMENT REGULATIONS

Sections:

19.79.010 Purpose.
19.79.020 Definitions.
19.79.030 Applicability to new employment.
19.79.040 Trip reduction plans.
19.79.050 Trip reduction plan submittal requirements.
19.79.060 Noncompliance.

19.79.010 Purpose.

The purpose of this chapter is to provide regulations to protect the public health, safety and welfare by reducing air pollution caused by vehicle trips and vehicle miles traveled. (Ord. 6073 § 1, 1993)

19.79.020 Definitions.

For the purposes of this chapter the following words and phrases shall have the following meanings respectively ascribed to them by this section:

"Alternative work schedule" means a variation from the traditional five-day/forty-hour work week to either a four-day/forty-hour or nine-day/eighty-hour work schedule.

"Applicable development" means any use which requires a building permit, a tenant improvement permit, a conditional use permit or MP plot plan approval.

"Flex-time" means allowing employees to alter regular hours of work by extending the work day in the morning or evening or both to accommodate vehicle trip mode shifts from single occupancy vehicles.

"Parking management" means an action taken to alter the supply, operation and/or demand of parking facilities to force a shift from the single occupant vehicle to carpool, vanpool or other transportation mode.

"Rideshare" means a transportation mode with multiple occupants per vehicle.

"Telecommuting" means the employee foregoes a trip to the normal work site and instead works from home or from a satellite office near home. (Ord. 6073 § 1, 1993)

19.79.030 Applicability to new employment.

Applicable development as defined in Section 19.79.020 shall be screened to determine if it will generate one hundred or more employees and be subject to the requirements of Section 19.79.040. For screening purposes, the table below states the amount of gross building square footage in the various land use categories needed to generate one employee.

LAND USE CATEGORY	GROSS SQUARE FEET/ EMPLOYEE
Retail Commercial	500 square feet/employee
Office/Professional	250 square feet/employee
Industrial/Manufacturing	500 square feet/employee
Warehouse	1,000 square feet/employee
Hotel/Motel	.5 employee/guest room
Hospital	300 square feet/employee

For mixed-use developments the project employment factor shall be based upon the proportion of the development devoted to each land use. (Ord. 6073 § 1, 1993)

19.79.040 Trip reduction plans.

The owner or representative of all new developments or businesses generating one hundred or more employees as determined by Section 19.79.030 shall prepare and submit to the City of Riverside Planning Department a trip reduction plan to reduce work-related vehicle trips by six and one-half percent from the number of trips related to the project as indicated in the most current edition of the Trip Generation Handbook published by the Institute of Traffic Engineers (ITE) (increasing to twenty percent by the year 2000 and to thirty percent by the year 2006). Quantification of applicable trip reduction measures shall be determined by utilizing the most current version of the AQMD's Implementation of Transportation Demand Management Actions document or other acceptable methodology.

A. Methods to Achieve Vehicle Reduction Targets. Any combination of the following methods may be incorporated into trip reduction plans to achieve the required vehicle reduction targets:

1. Alternative work schedules/flex-time;
2. Preferential parking for carpool vehicles;
3. Bicycle parking and shower facilities;
4. Information center for transportation alternatives;
5. Rideshare vehicle loading areas;
6. Vanpool vehicle accessibility;
7. Bus stop improvements;
8. On-site child care facilities;
9. Facilities and equipment to encourage tele-commuting;
10. Telecommuting programs;
11. Local transportation management and roadway improvements;
12. Contributions to funds for regional facilities such as park-and-ride lots, multi-modal transportation centers, satellite work centers, etc.;
13. On-site amenities such as cafeterias, restaurants, automated teller machines and other services that would eliminate the need for additional trips;
14. Transit incentives for employees such as subsidy of bus passes, additional pay for carpoolers, flexible work times, etc.;
15. Elimination of free parking for employees;
16. Video-conferencing facilities and equipment (additional credit will be given if policies are included to make facilities available to other businesses);
17. Purchase and use of low and/or ultra-low fleet vehicles for applicable companies;
18. Plans for delivery of goods at off-peak times for applicable businesses;
19. Plans and facilities for centralized deliveries of goods for multitenant facilities. (Ord. 6073 § 1, 1993)

19.79.050 Trip reduction plan submittal requirements.

For new developments, trip reduction plans shall be submitted to the City's Planning Department before the City will issue a certificate of occupancy for the development. Should the applicant and the City Planning Department fail to reach agreement on the trip reduction plan, the owner or representative of the development or business may file appeal to the City Council through the established procedure. (Ord. 6073 § 1, 1993)

19.79.060 Noncompliance.

Noncompliance with the provisions of this chapter shall result in the withholding by the City of the certificate of occupancy for such new development or business. (Ord. 6073 § 1, 1993)

Chapter 19.80

PERFORMANCE BOND

Sections:

19.80.010 When required.
19.80.020 Form of agreement.
19.80.030 Form of security.

19.80.010 When required.

Whenever the making of improvements or the performance of any work has been promised or required in connection with the approval of a subdivision map or plat of a record of survey, with the zoning or rezoning of land, with the granting of a variance or of a conditional use permit or with any other action or proceeding by the City Council or Planning Commission relating to the division or use of land in connection with which the making of improvements or performance of work is promised or required, and the time of making the improvements or performing the work is deferred, the person who is responsible for making the improvements or performing the work shall execute and file a written agreement and secure performance as provided in this chapter. (Prior code § 36.14 (part))

19.80.020 Form of agreement.

The agreement shall be in writing, signed by the one person responsible for making the improvements or performing the work, in a form approved by the City. The improvements and work shall be described with reasonable certainty. The estimated cost and the time of completion of performance shall be set forth. (Prior code § 36.14 (part))

19.80.030 Form of security.

The faithful performance of the agreement must be secured by a faithful performance bond or form of security approved by the City in the amount of one hundred percent of the estimated cost. The security may consist of, but is not limited to, the following:

A. A faithful performance bond in form and with a corporate surety approved by the City;

B. A letter of credit issued by a bank, in a form approved by the City;

C. The deposit with the City of cash or negotiable bonds approved by the City;

D. The certificate of the holder of an escrow that money is on deposit in escrow to secure payment of the cost of the work. (Prior code § 36.14 (part))

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Chapter 19.82

ADMINISTRATION AND ENFORCEMENT

Sections:

19.82.020 **Planning Commission powers and duties.**
19.82.030 **Building inspector duties.**
19.82.040 **Enforcement of title.**
19.82.050 **Public Works Department processing fee.**

19.82.020 Planning Commission powers and duties.

The City Planning Commission shall have the powers, duties and functions to make recommendations upon and administer the regulations of this title and amendments thereto, make recommendations upon changes of zone or changes of text, grant, deny, administer and revoke conditional use permits and variances in accordance with the provisions of this title, interpret and apply the provisions of this title, and perform such other duties as are requested by the City Council. (Ord. 6462 § 41, 1999; Prior code § 36.16)

19.82.030 Building inspector duties.

It shall be the duty of the building inspector to enforce the provisions of this title pertaining to the erecting, construction, reconstruction, moving, conversion, alteration of or addition to any building. (Prior code § 36.17)

19.82.040 Enforcement of title.

It shall be the duty of the Police Department of the City and all officers of the City otherwise charged with the enforcement of the law to enforce this title. Any condition imposed as part of an approved zoning case, including but not limited to conditional use permits, minor conditional use permits and temporary use permits, and any condition imposed by an appropriate decision-making body or authorized Planning Department official shall also be enforceable by the appropriate City officials. (Ord. 6211 § 1, 1995: prior code § 36.21)

19.82.050 Public Works Department processing fee.

Any rezoning, conditional use permit, planned residential development permit, or other application under this title which has received tentative or final approval of the Planning Commission or City Council, and which must be processed by the Public Works Department in order to finalize said matter, shall be subject to a processing fee as may be set by resolution of the City Council to be paid at the time such case is submitted to the Public Works Department for processing. (Ord. 4822 § 4, 1980)

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Chapter 19.84

CHANGES AND AMENDMENTS

Sections:

19.84.010	**Authorized.**
19.84.020	**Initiation.**
19.84.030	**Fees.**
19.84.040	**Hearing by Commission.**
19.84.050	**Date of hearing.**
19.84.060	**Notice of hearing.**
19.84.070	**Records of hearing.**
19.84.080	**Investigation by Commission.**
19.84.090	**Findings and recommendations of Commission--Action by Council.**
19.84.100	**Denial of application--Appeal.**

19.84.010 Authorized.

Whenever the public necessity, convenience, general welfare or good zoning practice requires, the Council may, by ordinance, after report thereon by the Planning Commission and subject to the procedure provided in this chapter, amend, supplement or change the regulations, zone boundaries or classifications of property established by this title. (Prior code § 36.22)

Section 19.84.020 Initiation.

An amendment, supplement, reclassification or change may be initiated by minute action by the Commission or the Council or by an application of one or more of the owners or owner's authorized representative of the property within the area proposed to be changed. Applications shall be filed with the Commission upon forms and accompanied by such data and information as may be prescribed for that purpose by the Commission so as to assure the fullest practicable presentation of facts for the permanent record. No application from an owner or lessee of property for the same general purpose concerning the same property which has been denied by the Planning Commission or City Council, whichever action is final, shall be received or processed by the Planning Commission within twelve months of such denial except by unanimous action of the members of the Commission present at a regular meeting of the Commission. (Prior code § 36.23)

19.84.030 Fees.

A filing fee in the amount established by City Council resolution and, if applicable, the plan-checking fee established by Section 13.16.130 of this code shall be paid at the time of the filing of an owner's or owner's authorized representative's application, but no fee will be required in the case of proceedings instituted by either the Council or the Planning Commission. (Ord. 4132 § 5, 1974: Ord. 3974 § 5, 1972: Ord. 3530 § 4, 1968: prior code § 36.23)

19.84.040 Hearing by Commission.

At the time and place so fixed and noticed, a public hearing shall be conducted before the Planning Commission. The Commission may establish its own rules for the conducting of public hearings and the member of the Commission presiding at such hearing is empowered to administer oaths to any person testifying.

The Commission may for any reason, when it deems such action necessary or desirable, continue such hearing to a time and place certain. The Planning Commission may refer the matter to another board or commission as deemed appropriate for its report and recommendation to be presented at the continued hearing on the matter. (Ord. 6352 § 6, 1997; Ord. 3896 § 9, 1972: prior code § 36.25)

Section 19.84.050 Date of hearing.

Upon the filing of any application and the payment of the required fee, the Planning Commission shall set a date for one such public hearing thereon before the Commission. The date of such hearing shall be not less than ten days nor more than forty-five days from the date of filing of such application. (Prior code § 36.26)

Section 19.84.060 Notice of hearing.

Notice of the date, time, place and purpose of hearings by the Planning

Commission shall be given by the use of the following methods:

A. Change of Zone. By at least one publication in a newspaper having general circulation in the City and not less than ten days prior to the date of hearing; and, at the discretion of the Commission, additional notice by postcard to owners as disclosed by the last available equalized assessment roll of the County Assessor of property within three hundred feet of the external boundaries of the property under consideration; or by posting public notice consisting of the words "Notice of Proposed Change of Zone Boundaries" printed in plain type with letters not less than one inch in height and a statement in small type setting forth a description of the property involved in the proposed change and the time and place at which the public hearing will be held, which notice shall be posted not less than ten days prior to the date of hearing and placed not more than one hundred fifty feet apart along both sides of the street in the block upon which the property fronts and on other streets within a distance of not less than three hundred feet from the exterior boundaries of the property involved in the proposed change;

B. Change of Text. In any case concerning a change of the text of this title, notice of the time, place and purpose of such hearing shall be published once in a newspaper of general circulation in the City not less than ten days prior to the date of hearing and the title of such notice shall consist of the words "Notice of Proposed Amendment to Title 19 of City Code (Zoning)" in larger type than that used for the balance of the notice. (Prior code § 36.27)

19.84.070 Records of hearing.

A summary of all pertinent testimony offered at the public hearing, the names and addresses of persons testifying, copies of all notices, affidavits of posting and publication and records of action taken shall be a part of the permanent files of the case. (Prior code § 36.28)

19.84.080 Investigation by Commission.

The Planning Commission shall cause to be made by any of its own members or by any of its staff or as it may request of another board or commission as deemed appropriate, such investigation of facts bearing upon such application or matter set for hearing, including any analysis of precedent cases, as in the opinion of the Commission will serve to provide the necessary information to enable the Commission to act. (Ord. 6352 § 7, 1997; Ord. 3896 § 10, 1972; prior code § 36.29)

19.84.090 Findings and recommendations of Commission--Action by Council.

If from the facts presented in the application, at the public hearing or by investigation the Commission, by an affirmative vote of a majority but not less than four of the members present and voting finds that public necessity, convenience, general welfare or good zoning practice requires a change or amendment, or any portion thereof, the Commission shall recommend such change or amendment to the Council; otherwise, the proposed change or amendment shall be disapproved. The Commission shall make its decision within thirty-five days from the date of the last hearing on any such application. Upon the failure of the Commission to make a decision within such thirty-five day period, it shall lose jurisdiction and an appeal may thereafter be taken to the Council in the manner and within the time provided in this title. If the Commission approves of a change or amendment, it shall, within ten days after its decision thereon, transmit to the Council its written report and recommendation, together with the application and copies of all other papers constituting the record upon which the action was taken. The City Council may refer the matter to another board or commission as deemed appropriate for its report and recommendation. After conducting a public hearing thereon pursuant to notice given in the same manner and for the same time as is required before the Planning Commission, the Council may, by ordinance, change or amend the ordinance or any portion thereof. (Ord. 6352 § 8, 1997; Ord. 3896 § 11, 1972: prior code § 36.30)

19.84.100 Denial of application--Appeal.

If an application for a change of zone or amendment to the text is denied by the Commission, within ten days after the date upon

which the Commission announces its decision or loses jurisdiction, written appeal therefrom may be taken to the Council. Such an appeal shall be made by filing a letter of appeal, in duplicate, with the Planning Department. Such letter of appeal shall set forth the grounds upon which the appeal is based. Within ten days after receipt of the letter of appeal, the Planning Department shall transmit to the City Council the letter of appeal, the application and all other papers constituting the record upon which the action of the Commission was taken, together with a written report stating in what respects it was determined by the Planning Commission that the public necessity, convenience, general welfare or good zoning practices do not require or justify a change or amendment.

The City Clerk shall give notice of hearing upon the appeal in the same manner and for the same period of time as is required in connection with an application before the Commission. The City Council shall conduct a public hearing on such appeal, upon the date set forth in such notice and, upon such appeal, the Council shall consider all of the matters transmitted to it by the Planning Department together with all evidence properly received at such hearing. The City Council may affirm, reverse or modify the decision of the Commission; provided, that a written finding of facts is made setting forth wherein the Commission's findings were in error, and may enact such ordinances as may be necessary to carry its determination into effect. The procedure for effecting a change or amendment initiated by the Council which has been disapproved by the Commission, shall be the same as that set forth in this section for the granting of an appealed application. (Prior code § 36.31)

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Chapter 19.86

ANNEXATION

Sections:

19.86.010 Procedure.
19.86.020 Temporary classification.

19.86.010 Procedure.

Prior to City Council adoption of a resolution of intention to annex uninhabited territory or a resolution of consent to commence inhabited proceedings, the City Council shall request a report from the Planning Commission. The Planning Commission shall consider the desirability of annexing the territory and the zoning to be placed thereon in the event of annexation to the City. Upon completion of such consideration, the Planning Commission shall, after holding a public hearing, make its report and recommendation to the City Council. Upon receipt of the Planning Commission report, the City Council may accept in whole or in part or reject, modify or amend any recommendation as to zoning classification and the resolution of intention or resolution of consent may specify such proposed zoning classification for the territory as the City Council may determine. The City Council shall include any such zone consideration within any notice of hearing concerning the annexation of the property involved and a hearing on the matter of zoning shall be held in conjunction with any public hearing required by law to be held by the City Council in connection with the annexation proceeding. Concurrently with final annexation of the territory, the City Council may, by ordinance, classify the property for zoning purposes in accordance with its determination. The above procedure shall not be governed by Sections 19.84.010 and 19.84.090. (Prior code § 36.4 (part))

19.86.020 Temporary classification.

In the event the City Council does not determine or adopt a zoning classification for the territory to be annexed as provided in Section 19.86.010, the territory shall be classified in the RA zone until a change is initiated and adopted in the manner provided for zone changes in Sections 19.84.010 and 19.84.090 (Prior code § 36.4 (part))

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Chapter 19.88

ZONING MAP

Sections:

19.88.010 Filing of map.
19.88.020 Recordation of amendments or changes.
19.88.030 General rules and regulations.

19.88.010 Filing of map.

The original of the official zoning map shall be kept on file with the City Clerk and shall constitute the original record. A copy of such map shall also be filed with the building inspector and the Planning Department. (Prior code § 36.4 (part))

9.88.020 Recordation of amendments or changes.

All amendments or changes to the official zoning map shall be recorded by the City Clerk with the building inspector and Planning Department not later than forty-eight hours after such change or amendment becomes effective. (Prior code § 36.4 (part))

19.88.030 General rules and regulations.

The official zoning map shall be kept up to date, and at the end of each fiscal year, the City Clerk shall file a copy of the then effective official zoning map with the building inspector and Planning Department. No change shall be made on the official zoning map that has not been made in regular form by the City Council. (Prior code § 36.4 (part))

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