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## SUBCHAPTER 153.130 – SITE PLANNING AND GENERAL DEVELOPMENT STANDARDS



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### § 153.130.010 – Intent and Purpose

The site planning and general development standards in this subchapter regulate the use of all buildings, structures and land within the city and are established to encourage high-quality design, enhance the aesthetic character of the city’s neighborhood’s and business districts, ensure compatibility between adjacent land uses, minimize public hazards and prevent the creation of nuisances and other conditions that are potentially harmful.

### § 153.130.020 – Applicability

The standards in this subchapter shall apply to all new construction, and to the renovation and alteration of existing uses or structures in all zones.

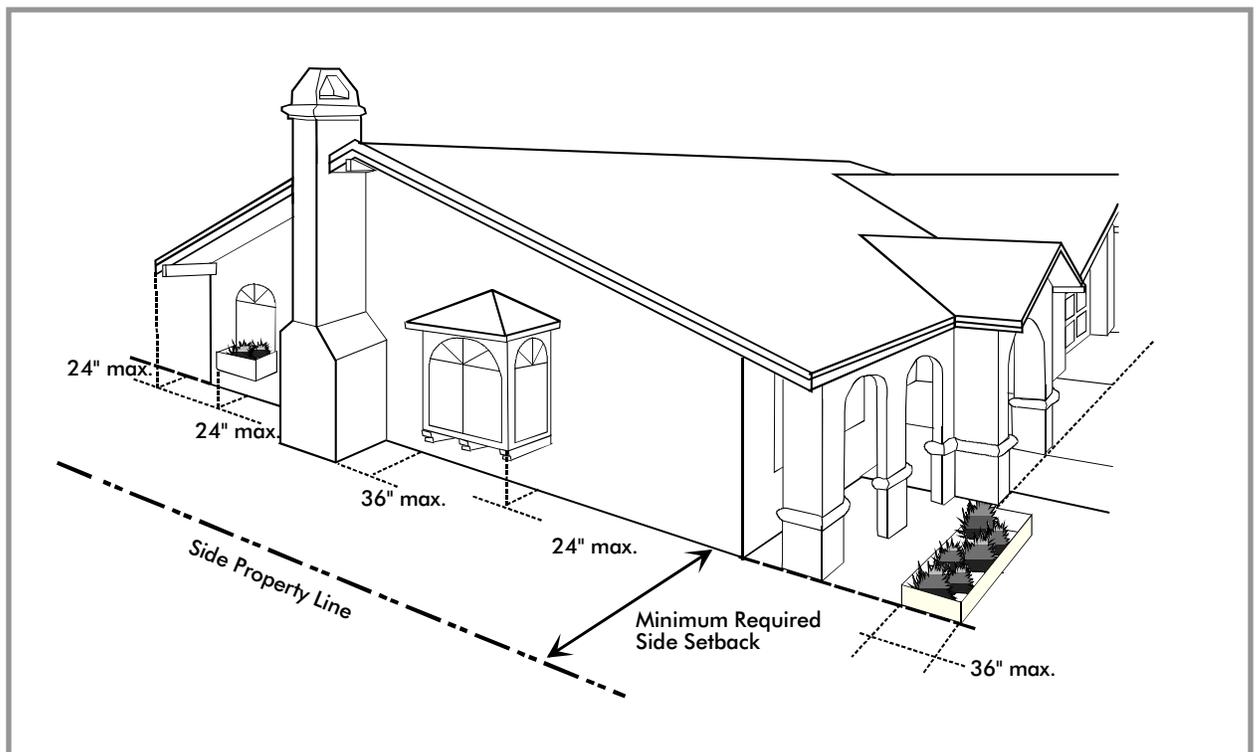
### § 153.130.030 – Permitted Projections into Required Yard Areas

With the exception of the following, every required yard area shall remain open and unobstructed from the ground upwards:

- A. **Maximum 2 foot projection.** The following architectural and structural features may project up to 2 feet into a required yard area:
  - 1. Cornices, eaves, belt courses, sills, bay windows, buttresses or other similar architectural features

2. Stairways, balconies and fire escapes
  3. Guard rails
- B. Maximum 3 foot projection.** The following architectural and structural features may project up to 3 feet into a required yard area:
1. Planting boxes and masonry planters
  2. Fireplace structures
- C. Projection and lot line minimum distance.** A minimum distance of 3 feet shall be maintained between any permitted projection and any lot line.

**Figure 153.130.030-1: Permitted Projections into Setbacks**



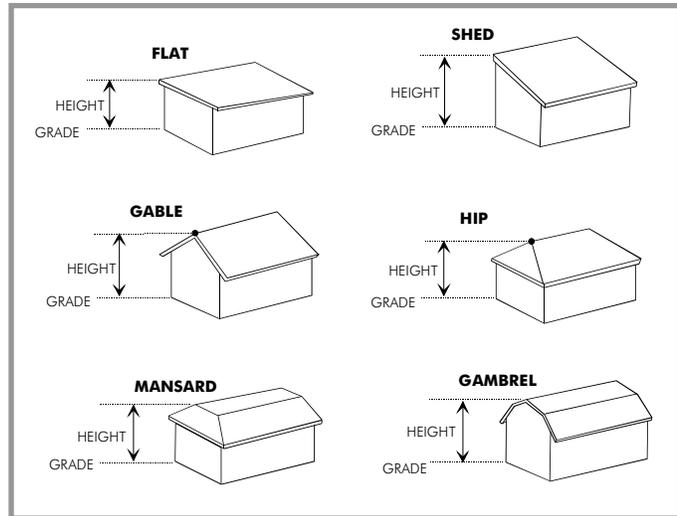
## § 153.130.040 – Building Height

- A. **Measurement of Building Height.** Building height shall be measured as the vertical distance from the average level of the finished grade of the lot to the highest roof point of the building being measured.

**Figure 153.130.030-2: Measurement of Building Height**

- B. **Exceptions to Building Height.**

Penthouses or roof structures that house elevators, stairways, tanks, ventilation fans or other equipment used to operate and maintain the building, skylights, flagpoles, chimneys, smokestacks, fire or parapet walls and other similar structures may exceed the building height standard by a maximum of 15 feet, provided any such projection above the maximum permitted building height shall be subject to Zoning Clearance review, pursuant to subchapter 153.210, Administrative Procedures.



## § 153.130.050 – Architectural Standards

All buildings and structures shall be built and maintained in accordance with the following architectural standards:

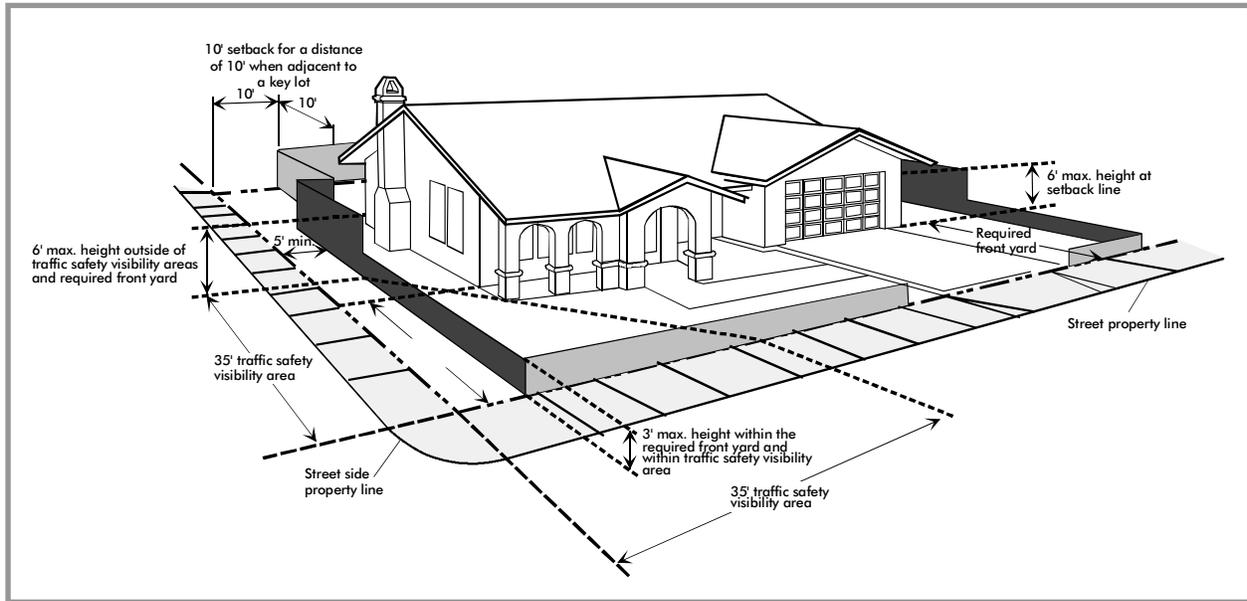
- A. **Exterior siding composition.** Each structure shall have and maintain exterior siding composed of brick, wood, stucco, concrete or other similar material as approved by the City Planner. Metal siding and corrugated plastic or metal are prohibited.
- B. **Roofing material.** Each structure shall have and maintain a roof constructed with wood shake, shingle, asphalt, composition, tile (slate, concrete or clay) or other similar roofing material as approved by the City Planner. Metal roofing is prohibited.
- C. **Eave projection.** Each dwelling shall have and maintain an eave projection between 18 inches and 24 inches on at least two opposing sides.
- D. **Security bars.** Security bars shall not be mounted on the outside of an exterior wall, window or door of any dwelling unit.

- E. **Design Guidelines Manual.** All development shall comply with the adopted Design Guidelines Manual applicable to the type of development proposed.

### § 153.130.060 – Fences and Walls

- A. **Height.** Fence and wall height shall be measured as the vertical distance from the lowest ground elevation or finished grade to the highest point of the fence or wall.
- B. **Height in residential zones.** The following additional standards shall apply to all residential zones:
1. Walls, fences and hedges shall not exceed 3 feet in height within or along any front yard area. However, any fence consisting of wrought iron or combination wrought iron and pilasters, whereby the solid pilasters do not comprise more than 30 percent of the lineal fence length, shall be permitted to a maximum height of 5 feet.
  2. Walls, fences and hedges shall not exceed 6 feet in height within or along any side or rear yard area.
  3. Barbed wire, including, but not limited to, razor wire, razor tape or razor ribbon, are prohibited on any residentially zoned lot.
  4. Corrugated metal and plastic as fencing materials are prohibited.
  5. Chain link as fencing material is prohibited within any front yard or street side yard area.
- C. **Height in commercial and industrial zones.** Walls, fences and hedges in commercial and industrial zones shall not exceed 8 feet in height within or along a side yard or rear yard area.
- D. **Retaining wall height.** A retaining wall containing fill shall comply with the above height requirements, except the height of the wall used to retain the fill shall not contribute to the height of the wall. However, the overall height of the wall, including the retaining portion of the wall, shall not exceed 10 feet.
- E. **Front yard fence or wall.** The construction, installation, or significant modification of any fence or wall in a front yard area shall require Zoning Clearance pursuant to subchapter 153.210, Administrative Procedures.

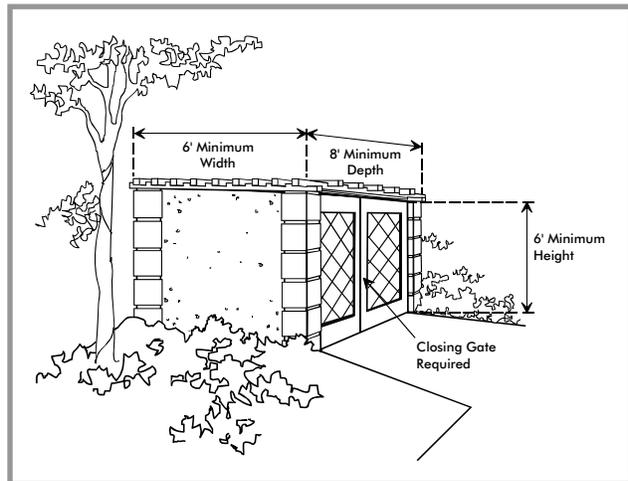
**Figure 153.130.030-3: Fence and Wall Regulations**



**§ 153.130.070 – Refuse Collection Facilities**

A. **Development standards.** All refuse collection areas shall comply with the following development standards:

1. The refuse collection area shall be enclosed by a 6-foot-tall masonry wall with an opaque and latchable gate.
2. The minimum dimensions of the refuse collection area shall measure 6 feet in width and 8 feet in length.
3. An area directly in front of the refuse collection area measuring at least 6 feet by 8 feet shall be maintained free of any obstacles to permit easy access. This area shall be paved with concrete no less than 5 inches thick.



**Figure 153.130.030-4: Refuse Collection Enclosures**

4. The refuse collection area shall be screened in a manner approved by the City Planner so that the contents are not visible from any public street or adjacent property.
5. The refuse collection area shall be conveniently located to the uses served to allow easy refuse disposal and collection by refuse vehicles.

**B. Maintenance.** All refuse collection areas shall be maintained in a clean, safe and sanitary manner.

**C. Common refuse facilities.** For those multi-family residential uses which have common refuse facilities, the following regulations shall apply:

1. Table 153.130.060 lists the minimum number of refuse bins that shall be provided and maintained.

<b>TABLE 153.130.060 Required Trash Bins for Multi-family Residential Zones</b>	
<b>Number of Dwelling Units</b>	<b>Minimum Number of Bins Required <sup>1</sup></b>
2-14	1
15-24	2
25-34	3
35-44	4
45+	5

Note

- (1) Each bin shall have a minimum capacity of 3 cubic yards.

2. In addition to the refuse collection area, a minimum 25-square-foot area shall be provided for the collection of recyclable materials.
3. The refuse collection area shall be located no more than 150 feet from the dwelling units served.

**D. Commercial and industrial refuse collection facilities.** All commercial and industrial uses shall comply with the following refuse collection facility regulations:

1. For any one business or combination of businesses in a building or related collection of buildings containing 1,000 to 20,000 square feet of gross leasable floor area, 1 refuse collection facility shall be provided.

2. For any one business or combination of businesses in a building or related collection of buildings containing 20,001 square feet or more of gross leasable floor area, 1 refuse collection facility for the first 20,001 square feet, plus 1 additional facility for each 15,000 square feet in excess of 20,001 shall be provided.

### § 153.130.080 – Property Maintenance

The following standards are established to regulate the maintenance of all properties, land uses and structures within the city:

- A. **Property maintenance.** All properties within the city shall be kept and maintained in a clean, neat, orderly, operable and usable condition that is safe both to occupants and passers-by. This requirement applies to buildings, portions of buildings, paving, fences, walls, landscaping, water, earth and any other structure or natural feature.
- B. **Building and structure maintenance.** All buildings and structures shall be kept and maintained as follows in a manner that does not detract from the appearance of the immediate neighborhood and that protects the health, safety and welfare of the use, occupants and the general public:
  1. Buildings and structures shall be maintained in such a manner to prohibit dry rot, warping, termite infestation, decay, cracking, peeling or chalking to ensure that the building is not unsafe, unsightly or in a state of disrepair.
  2. Building exteriors, driveways, chimneys, gutters, downspouts, sidewalks and walkways shall be maintained in such a manner to prohibit broken, deteriorated, substantially defaced, structurally unsound or other similar conditions to ensure that such structures are not dangerous, defective or unsightly.
  3. Structurally unsafe buildings, including, but not limited to, those with known fire hazards, faulty weather protective roofs, broken window and doors, partially constructed structures, unoccupied and open buildings, abandoned signs and damaged buildings shall be demolished, removed or fenced to prevent public access or harm.
  4. Maintenance of premises shall be in harmony or conformity with the maintenance standards of adjacent properties to prohibit substantial diminution of the enjoyment, use or property values of adjacent properties.
- C. **Fence and wall maintenance.** All fences and walls shall be kept and maintained as follows in a manner that does not detract from the appearance of the immediate

neighborhood, and that protects the health, safety and welfare of the user, occupant and general public:

1. Fences and walls shall not be sagging, broken, rotted or have defective, broken or missing support posts, fence boards or other structural members.
  2. Fences and walls shall be maintained in such a manner to prohibit dry rot, holes or warped or leaning areas, or other hazardous conditions harmful to property owners, occupants or passers-by.
  3. Fences and walls shall be maintained free of graffiti.
  4. Fences and walls shall not be used as clotheslines.
- D. Paved area maintenance.** All paved areas including sidewalks, driveways and private roadways shall be kept and maintained in a manner that does not detract from the appearance of the immediate neighborhood, and that protects the health, safety and welfare of the user, occupant and general public.
- E. Yard and landscaping maintenance.** All yards, landscaped areas and other open space areas of private property shall be kept free of trash, old building materials, junk, unlicensed or inoperative vehicles, broken or discarded furniture, appliance, building materials, toys, boxes, salvage materials, clotheslines, shopping carts and other such material and equipment which, by its appearance, location or use, makes it incompatible with the principal use or other predominate principal uses in the neighborhood.
- F. Ground and water maintenance.** Erosion, subsidence and surface water problems within a property shall be abated.
- G. Residential use and storage of solid waste containers.** The following provisions apply to residential use and storage of solid waste containers:
1. Trash receptacles shall not be permanently stored in the front yard of any residential property be may be placed no earlier than 6 P.M. on the day before collection and must be put away no later than 24 hours following collection.
  2. All items too large to fit into containers including, but not limited to, appliances, furniture and mattresses, shall be disposed of by self-transport of such items to end-disposal facilities.
  3. All loose materials which normally fit into containers but which are excess as a result of special circumstances such as holidays shall be bundled and tied

securely to prevent them from blowing or scattering and shall be placed beside the containers.

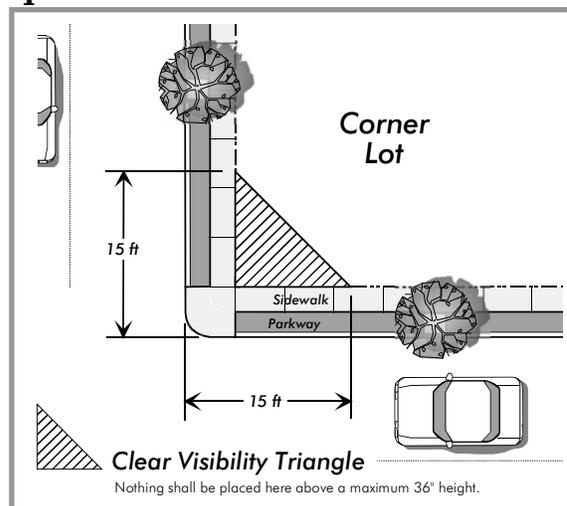
4. No resident shall deposit household solid waste in any receptacle maintained on a sidewalk or at any other location for disposal of litter by pedestrians.
5. Removal of trash or other scavenging from private residential solid waste containers is prohibited.

**H. Nonresidential use and storage of solid waste containers.** The following provisions apply to nonresidential use and storage of solid waste containers:

1. All establishments and institutions which generate solid waste for collection by the city or approved contractors shall provide appropriate containers for storage of solid waste, as proscribed by § 153.130.107.
2. Containers shall be kept covered at all times.
3. No owner, manager or employee of a commercial or industrial business or any institution shall deposit solid waste from that establishment or institution in any receptacle maintained on a sidewalk or at any other location for disposal of litter by pedestrians.

### § 153.130.090 – Clear Cross-Visibility Requirement

To safeguard against vehicle, bicycle and pedestrian collisions caused by visual obstructions at street intersections, a clear cross-visibility area shall be maintained at the intersection of public rights-of-way, unobstructed by any fence or wall taller than 36 inches above the street grade, as provided in the diagram to the right. At any corner formed by the intersection of 2 streets, the required clear cross-visibility area shall be a triangle having 2 sides, each 15 feet long extending along the curb line of each street.



**Figure 153.130.090-1: Clear-Cross Visibility Requirements**

### § 153.130.100 – Street Dedications

- A. Dedication as condition of approval.** To mitigate potential problems associated with project generated traffic and circulation, dedication of right-of-way and construction of street related improvements may be required as a condition of approval of permits.
- B. Dedication standards.** The following standards shall govern any street dedications or improvements:
1. No new construction or renovation shall be granted utility connections and a certificate of occupancy until one-half of the street along the lot frontage is dedicated and improved according to city standards. For development of a portion of a lot, dedication and improvement shall apply only to abutting streets of that portion of the lot.
  2. Additional street improvements shall not be required when the abutting street is already improved according to city standards.
  3. A deed granting an easement for a public street shall be submitted to the City Engineer before approval of any permit.
  4. All streets shall be dedicated to the width established in the General Plan Circulation Element.
  5. Street improvements shall include curb and gutter, pavement, sidewalks, storm drains and a landscaped parkway, or as otherwise denoted by the Director of Community Development and Director of Public Works.
  6. Street dedications shall include a clear cross-visibility area at intersections pursuant to § 153.130.090.
- C. Dedication interpretation authority.** Whenever uncertainty exists regarding the need for street dedication and improvement, the Director of Public Works shall determine the need for dedication or improvement based upon road standards studies and information contained in applicable plans.

### § 153.130.110 – Colors

The following standards are established to enhance and preserve the city's visual and aesthetic image through the placement and use of color on structures:

- A. Colors on new structures.** The following standards shall govern any new structures within all commercial, industrial, residential and open space zones.

1. The primary exterior color of the building shall be limited to an earthen hue background color, which is integral or applied consistently to the exterior material. Acceptable colors include off-whites, siennas, light grays, beiges, tans, browns, or other similarly subdued tones, shades or colors as determined by the Director of Community Development.
  2. Special architectural features may use brighter colors as an accent. Colors shall complement the main body color of the building, as well as highlight decorative details (such as ornaments, trims, fascias inlays, tile, ironwork, awnings and other architectural features), as determined by the Director of Community Development.
  3. Exterior structure colors shall be reviewed in conjunction with a request for any type of entitlement review as required by this code or as a result of any determination of non-conforming status.
  4. Exterior building elevation plans and color samples indicating proposed color schemes shall be provided as required by the Director of Community Development.
  5. Approval authority for colors on the exterior of all buildings shall be by the Director of Community Development or Design Review Committee, as applicable.
- C. **Colors on existing structures.** Existing structures which are a color that does not comply with the provisions of this section shall be required to comply within 5 years of written notice to the property owner. Structures which are painted after 2004 with a color(s) that does not comply with the provisions of this section shall be required to comply with this ordinance within 90 days of written notice to the property owner.

### § 153.130.120 – Temporary Canopies

- A. **Canopy structures within view of public right-of-way.** Canopy structures located within the view of a public right-of-way, which includes any front yard area, side yard and driveway areas, shall be prohibited in all residential zones, with the following exception:
1. Canopy structures with a projected canopy area of no greater than 200 square feet, a height no greater than 8 feet and a length of no greater than 20 feet may be permitted in a rear yard area that is fully screened by fencing or shrubs at least 6 feet in height.

- B. Canopy structure maintenance.** Canopy structures shall be maintained in good condition. Torn fabric and bent or broken support members shall be replaced or repaired as needed. Any structure considered to be in disrepair, as determined by the Director of Community Development, shall be repaired, replaced or removed from the site.
- C. Covering material.** Reflective, mirrored-type covering material is prohibited.
- D. Nonconformity and abatement.** Any existing canopy shall be deemed nonconforming and is subject to immediate abatement. In no event shall any such structure be permitted to remain. Should the city receive notice of a violation relating to any canopy structure, the property will be issued a notice to completely remove the canopy structure from the site within 72 hours of receiving the notice.
- E. Temporary canopy.** A temporary permit may be issued for the placement of a temporary canopy once a year per property, not to exceed a period of 5 days. Such permit issuance shall be subject to review and approval of the Planning Division.