**Generic Zoning Ordinance—California**

Chapter 1

Zoning Plan; Definitions

Section

10-01-1 Plan Adopted

10-01-2 Purpose

10-01-3 Definitions

10-01-1 Plan Adopted

There is hereby adopted a zoning plan for the City of \_\_\_\_\_\_\_\_\_, County of \_\_\_\_\_\_\_\_, State of California, said zoning plan being a districting plan as provided by law.

10-01-2 Purpose

Zoning regulations for the city are hereby adopted and established to serve the public health, safety and general welfare and to provide the economic and social advantages resulting from an orderly, planned use of land resources.

10-01-3 Definitions

All words used in the present tense shall include the future tense; all words in the plural number shall include the singular number, and all words in the singular number shall include the plural number, unless the natural construction of the wording indicates otherwise. The word "lot" includes the word "plot"; the word "building" includes the word "structure"; and the word "shall" is mandatory and not directory. The word "city" as used herein shall mean the City of \_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_ County, California; the words "city council" shall mean the City Council of the City of \_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_ County, California; the words "planning commission" shall mean the City Planning Commission of the City of \_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_\_ County, California; and the word "planning director" shall mean the Planning Director of the City of \_\_\_\_\_\_\_\_.

ACCESSORY: A building, part of a building or structure or use which is subordinate to, and the use of which is incidental to that of the main building, structure or use on the same lot. Where an accessory building has a wall or a portion of a wall not less than four feet (4') in length in common with a main building, such accessory building shall be considered a part of the main building.

ALLEY: Any public thoroughfare, not exceeding thirty (30) feet in width, for the use of pedestrians and/or vehicles which affords only a secondary means of access to abutting property.

APARTMENT: A room or suite of two or more rooms which is designed for, intended for, and/or occupied by one family doing its own cooking therein.

BOARDING HOUSE: A dwelling other than a hotel or a residential care home, wherein lodging and meals are provided for compensation for more than five but not more than ten persons other than the immediate members of the proprietor's family.

BUILDING: Any structure having a roof supported by columns and/or walls and intended for the shelter, housing and/or enclosure of any persons, animal or chattel. When any portion thereof is completely separated from every other portion thereof by a masonry division or fire wall without any window, door or any other opening therein, which wall extends from the ground to the upper surface of the roof at every point, then such portion shall be deemed to be a separate building.

BUILDING, ACCESSORY: A subordinate building, the use of which is incidental to that of a main building on the same lot. Signs and fences are not to be considered as accessory buildings. Where an accessory building does not have a common wall of at least four feet in length with the main building on the same lot, it shall be considered detached.

BUILDING, MAIN: A building in which is conducted the principal use of the lot upon which it is situated. In any "R" district, any dwelling shall be deemed to be a main building upon the lot upon which the same is situated.

BUILDING HEIGHT: The vertical distance measured from the average level of the highest and lowest point of that building site covered by the building to the ridge or peak of the roof.

BUILDING LINE: A line parallel to the front lot line and at a distance therefrom equal to the required depth of the front yard and extending across the full width of the lot.

BUSINESS OR COMMERCE: The purchase, sale or other transaction involving the handling or disposition (other than as included in the term "industry" as defined herein) of any article, substance or commodity for profit or livelihood, including office buildings, offices, shops for the sale of personal services, garages, outdoor advertising signs, automobile parts, automobile courts and recreational and amusement enterprises conducted for profit, but not including junk yards.

CARNIVAL: A traveling or itinerant commercial amusement enterprise consisting of sideshows, vaudeville, games, merry go rounds or other mechanical amusement devices temporarily located within the city. A "carnival" shall not be construed to include or mean a festival or amusement.

CIRCUS: A traveling or itinerant commercial amusement enterprise utilizing an enclosure of any kind, but usually circular or rectangular, partially surrounded by seats, used for exhibition or horsemanship, acrobatic performances, acts of clowns, feats of animal training or the like, temporarily located in the city.

COMMUNICATIONS EQUIPMENT BUILDING: A building housing electrical and mechanical equipment necessary for the conduct of a public utility communications business, with or without personnel.

CLUB: An association of persons for some common, nonprofit purpose but not including groups organized primarily to render a service which is customarily carried on as a business.

DAY CARE CENTER: Day care center means a dwelling or building or structure in which persons not of the immediate family are provided with care for compensation for a portion of the day not exceeding 12 hours in any 24 hour period. A day care shall not include 24 hour care and shelter.

DWELLING: A building or portion of a building designed for residential purposes, including one-family, two-family and multiple family dwellings but not including hotels, motels, boarding houses and lodging houses.

DWELLING GROUP: A group of two or more detached or semi-detached single-family, two-family or multiple dwellings occupying a parcel of land in one ownership.

DWELLING, MULTIPLE: A building or portion thereof used or designed as a residence for three or more families living independently of each other, and doing their own cooking in said building.

DWELLING, SINGLE FAMILY: A detached building designed for and/or occupied exclusively by one family. A single family dwelling shall not include mobile homes, but shall include modular homes.

DWELLING, TWO FAMILY (DUPLEX): A detached building designed for and/or occupied exclusively by two families living independently of each other, but under one roof.

DWELLING UNIT: One or more rooms in a dwelling designed for occupancy by one family for living or sleeping purposes, and having only one kitchen.

FAMILY: An individual, or two or more persons related by blood or marriage, or a group of not more than five persons who are not related by blood or marriage, excluding servants, living together as a single housekeeping unit in a dwelling unit as distinguished from a group occupying a hotel, club, fraternity or sorority house.

FAMILY DAY CARE CENTER - A day care center which also serves as the residence of the licensee.

FLOOR AREA: The sum of the gross horizontal areas of several floors of the building, excluding areas used for accessory garage purposes, and such basement and cellar areas as are devoted exclusively to uses accessory to the operations of the building. All horizontal dimensions shall be taken from the exterior faces of walls including walls or other enclosures or enclosed porches. Whenever the term "floor area" is used in this title as a basis of requiring off-street parking for any structure, it shall be assumed that, unless otherwise stated, floor area applies not only to the ground floor area but also to any additional stories or basement of the structure.

FLOOR AREA RATIO: The ratio of gross building floor area to total lot area expressed as such. Example: two (2) square feet of gross floor area for each three (3) square feet of total lot area would result in a floor area ratio or 0.66:1.

GARAGE: An accessory building or an accessory portion of the main building, enclosed on all sides, and with a clear vertical opening not to exceed nine (9) feet and designed or used for the shelter or storage of passenger vehicles and located on the same lot as the dwelling to which it is accessory.

GARAGE, PARKING: A building used for the parking of more than three automobiles or trucks, whether free, for compensation, or as an accommodation.

GARAGE, PUBLIC: A building other than a private garage, enclosed on all sides and used for the care, repair or equipping of automobiles, or where such vehicles are kept for hire, sale or equipping.

GARAGE SALES, YARD SALES, MOVING SALES, PATIO SALES, AND SIMILAR USES: The retail sale of used or second hand goods or merchandise in connection with a lawfully existing dwelling unit on property within any zoning district provided that:

(1) No such sale shall be conducted upon the same premises for more than three (3) consecutive days nor on more than four (4) separate occasions within any one calendar year.

(2) No such sale shall result in the use of more than two (2) unlighted signs not exceeding three square feet each in area. Said signs to be displayed only during such times as the sale is actually being conducted.

GUEST HOUSE: Living quarters within an accessory building for temporary use by guests of the occupants of the premises. Such quarters shall have not kitchen facilities and shall not be rented or otherwise used as a separate dwelling.

HOME OCCUPATION: Any occupation conducted primarily within a dwelling unit and carried on by persons residing in the dwelling unit, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the residential character thereof

and in connection with which there is no display nor stock in trade or commodities sold except those which are produced on the premises. The home occupation must meet the requirements of Chapter 18 of this title.

HOSPITAL, MENTAL: An institution licensed by the State of California to care for or treat persons having mental or nervous disorders.

HOTEL: Any building or portion thereof, containing six (6) or more quest rooms used, designed or intended to be used by paying guests. A motel shall be considered a hotel.

HOUSEHOLD PETS: Animals or fowl ordinarily permitted in the home and kept for company or pleasure and not for profit, such as dogs, cats and canaries, but not including a sufficient number of dogs or cats to constitute a kennel. Household pets may also include not more than a total of twelve (12) chinchillas, hamsters, white mice or similar animals.

JUNK YARD: The use of more than two-hundred (200) square feet of the area of any parcel, lot, or contiguous lots or parcels for the storage or keeping of junk, including but not limited to scrap materials, surplus material, second hand material or for the dismantling or "wrecking" of automobiles or other vehicles or machinery.

KENNEL: A place where four (4) or more dogs or cats (or any combination of 4 or more dogs and cats) of four (4) months of age or older are kept.

KITCHEN: Any room or space used, intended or designed to be used for cooking or for the preparation of food for one family.

LABOR CAMP: Any living quarters, dwelling, boarding house, tent, bunk house, camper, mobile home or other housing accommodation, maintained for five (5) or more persons employed in connection with any agricultural work.

LOT: Land occupied or to be occupied by a building and its accessory buildings or by a dwelling group and its accessory buildings, together with such open spaces as are required under the provisions of this title, having not less than the minimum area required by this title for a building site in the district in which such lot is situated, and having its principal frontage on a street.

LOT, AREA: The total horizontal area included within the lot lines.

LOT, CORNER: A lot situated at the intersection of two or more streets, or bounded on two or more adjacent sides by street lines.

LOT, DEPTH: The average distance from the street line of the lot to its rear line measured in the general direction of the side lines of the lot.

LOT, FRONTAGE: That portion of a lot abutting a public street.

LOT LINES: The lines bounding a lot.

LOT, WIDTH: The distance between the side lines of a lot measured at the building setback line.

MOBILE HOME PARK: A lot or parcel of land which is used exclusively for the parking thereon of ten (10) or more mobile homes for a rental charge or for rent or lease of mobile

homes, and for appurtenant facilities for the exclusive use of the occupants such as; laundry, rest rooms, recreation and storage facilities, and mobile home, dwelling or office facility for the owner or manager.

MOBILE HOME: A vehicle designed and equipped for human habitation as defined by the California Health and Safety Code.

MOTEL: Any building or group of buildings containing sleeping rooms, with or without cooking facilities, designed for temporary use by tourists or transients, with garage attached or parking space conveniently located to each unit, including auto parks, motor lodges, and tourist courts.

NONCONFORMING USE: A building or land occupied by a use that does not conform to the regulations for the district in which it is situated.

OUTDOOR ADVERTISING SIGN: Any card, cloth, paper, metal, painted glass, wooden, plaster, stone or other sign of any kind or character whatsoever placed for advertising purposes on the ground or on any tree, wall, bush, post, fence, building, structure or thing whatsoever.

OUTDOOR ADVERTISING STRUCTURE: Any structure of any kind or character erected or maintained for outdoor advertising purposes, upon which any outdoor advertising sign may be placed, including outdoor advertising statuary.

PARKING SPACE: An accessible and usable space on a building site of at least nine by nineteen (9' x 19') feet with access for the parking of automobiles. The length of the space may be reduced by two (2) feet if landscaped planters of sufficient width are used as curb stops.

RECREATION VEHICLE: Any motor home, travel trailer, fifth wheel trailer and van, or pickup with camper having sleeping or kitchen facilities.

RESIDENTIAL CARE HOME - A home operated as a boarding home and in which nursing, dietary and other personal services are furnished to convalescent, invalid or aged parsons in return for compensation; but in which are performed no surgical or other primary treatments such as are customarily provided in sanitariums or hospitals and in which no persons are kept or served who normally would be admittable to a mental hospital.

ROOMING HOUSE: A dwelling, building or structure occupied by five (5) or more persons who have agreed to pay a specific rent for a specific space as distinguished from guests subject to innkeeper's liability.

SERVICE STATION: A structure or area which is provided for the servicing, washing and fueling of motor vehicles, including minor repairs, and the storage and sale of merchandise and supplies, incidental thereto; provided, however, that the washing of automobiles shall be permitted only when no chain conveyor, blower or steam cleaning device is involved.

SAWMILL: Any structure or land used for the manufacture or remanufacturing of lumber or lumber products by the use of power equipment.

STORY: That portion of a building included between the surface of any floor and the surface of the floor next above it. If there be no floor above it, then the space between such floor and the ceiling next above it shall be considered a story. A basement shall not be considered a story when computing the height of a building.

STREET: A thoroughfare which has been dedicated or abandoned to the public and accepted by proper public authority for a thoroughfare, not less than thirty (30) feet wide, which has been made public by right of use and which affords the principal means of access to abutting property.

STRUCTURE: Anything constructed or erected which requires location on the ground or attached to something having a location on the ground but not including fences or walls used as fences not more than six (6) feet in height or free-standing signs.

STRUCTURAL ALTERATIONS: Any changes in the supporting member of a building, such as bearing walls, columns, beams or girders.

TRUCK TERMINAL: The storage of one or more commercial trucks which have a body exceeding twelve (12) feet in length in rear of the cab, or the storage of more than one truck of any type. A truck shall not be normally construed as a means of transportation in lieu of an automobile and not normally an accessory use to a dwelling.

USE: The purpose for which land or a building is designed, arranged, or intended or for which it is or may be occupied or maintained.

USE, ACCESSORY: A use incidental and secondary to the principal use of a lot or building located on the same lot as the accessory use.

USED CAR: Any automobile, pickup truck of no more than a one-ton load rating or any van of no more than a one-ton load rating.

VETERINARY HOSPITAL: An establishment for the care and treatment of animals, including household pets, livestock and commercial poultry, all facilities to be within a completely enclosed building except for exercising runs and parking of automobiles.

WRECKING YARD: The use of more than two-hundred (200) square feet of the area of any lot for the storage of immobile vehicles or the dismantling or "wrecking" of automobiles or other vehicles or machinery.

YARD: An open space other than a court on the same lot with a building, which open space is unoccupied and unobstructed from the ground upward except as otherwise provided in this title.

YARD, FRONT: A yard extending across the front of the lot and lying between the front line and a line parallel thereto, and having a distance between such parallel lines equal to the required front yard depth as prescribed in each district.

YARD, SIDE: An area extending from the front lot line to the rear lot line, and lying parallel thereto, within the lot, and having a distance between such parallel lines equal to the side yard width as prescribed in each district.

YARD, REAR: A yard extending across the full width of the lot and lying between the rear line of the lot and the nearest line of the buildings as prescribed for the district.

Chapter 2

Districts, Boundaries

Section

10-02-1 Districts Established

10-02-2 Degree of Restrictiveness

10-02-3 Establishment of Districts by Map

10-02-4 Division of Zoning Map

10-02-5 Changes in Boundaries

10-02-6 Location of Boundaries

10-02-7 Land use Restriction

10-02-1 Districts Established

In order to classify, regulate and segregate the uses of land and buildings, to regulate the heights and bulk of buildings, and to regulate the area of yards and other open spaces about buildings and to regulate the density of population, eleven (11) classes of districts are by this title established to be known as follows:

R-1 Single Family Residential District

R-2 Duplex Residential District

R-3 Multiple Family Residential District

R-4 Multiple Family Institutional District

C-1 Neighborhood Commercial District

C-2 General Commercial District

C-M Commercial Industrial District

M-1 Light Industrial District

M-2 Heavy Industrial District

F Flood Plain District

P-D Planned Development District

10-02-2 Degree of Restrictiveness

"More restrictive uses" as employed in this title means the following:

(A) Those uses first permitted in the R-1 District are the most restrictive.

(B) All other uses are less restrictive districts in the sequence shown P-D, R-2, R-3, R-4, C-1, C-2, C-M, M-1, and M-2.

10-02-3 Establishment of Districts by Map

The location and boundaries of the various districts are shown on the "Zoning Map of the City of \_\_\_\_\_\_\_\_\_\_\_\_\_", attached hereto. Said map and all notations, references and other information shown thereon are hereby made a part of this title.

10-02-4 Division of Zoning Map

The zoning map may, for convenience, be divided into parts and each such part may, for purposes of more readily identifying areas within such zoning map, be subdivided into units and each of such parts and units may be separately employed for purposes of amending the zoning map or for any official reference to the zoning map.

10-02-5 Changes in Boundaries

Changes in the boundaries of the zones shall be made by ordinance adopting an amended zoning map, or part of said map, which said amended map or part or units of parts, when so adopted, shall be published in the manner prescribed by law and become a part of this title.

10-02-6 Location of Boundaries

Where uncertainty exists as to the boundary of any district, the following rules shall apply:

(A) Whenever the district boundary is indicated as being approximately upon the centerline of a street, ally or block, or along a property line, then, unless otherwise definitely indicated on the map, the centerline of such street, alley or block or such property line, shall be construed to be the boundary of such district.

(B) When the application of the above rules does not clarify the zone boundary location, the planning commission shall interpret the map.

10-02-7 Land Use Restriction

No building shall hereafter be erected, nor shall any use of land be conducted except the use of land for agricultural purposes so that the same will be closer to the right-of-way line of any street than any official plan line or any building line, which has been established for such street.

Chapter 3

Single family Residential District "R-1" Zone

Section

10-03-1 Regulations

10-03-2 Uses Permitted

10-03-3 Uses Permitted With a Use Permit

10-03-4 Building Requirements

10-03-1 Regulations

The following regulations shall apply in all "R-1" Districts and shall be subject to the provisions of this title.

10-03-2 Uses Permitted

(A) One single family dwelling or one mobile home provided that the mobile home meets the following restrictions:

1. Mobile homes must have been constructed after October, 1976.

2. Mobile homes must be on a foundation system approved by resolution of the city council.

3. All mobile homes shall be subject to review and approval by the planning director with respect to siding material, roofing materials and roof overhang to ensure, to the greatest extent feasible, compatibility with surrounding structures. A pictorial representation of the proposed mobile home shall be submitted with the application.

(B) Accessory buildings normally incidental to a single family dwelling provided that such buildings are constructed concurrent with, or subsequent to the construction of the single family dwelling. "Normally incidental" shall be deemed to mean that, in addition to a two car garage (either attached or detached), the size of the accessory building does not exceed 20 percent of the living area of the dwelling.

(C) Family day care centers limited to six (6) paying guests

(D) Family day care centers for 7-12 paying guests when the following criteria are met:

1. At least one off-street parking space shall be provided for each employee.

2. There are no other day care centers for more than six paying guests within 300 feet of the exterior boundaries of the subject site.

3. In addition to the required employee parking, there shall be provided at least two off-street parking spaces for loading and unloading of guests. These spaces shall be so located that vehicles head in and head out without using the public street for maneuvering, loading, or unloading.

(E) Home occupations as defined in Section 10-1-3 and regulated in Chapter 10-18.

(F) Public parks and public buildings.

(G) Temporary real estate office and sign (not to exceed 100 square feet in area) may be located on any new subdivision for a period of not more than two years from the date of recording of the map of the subdivision upon which said office and sign are located.

(H) Temporary construction buildings to house tools and equipment or containing supervisory office in connection with construction projects during active construction on the same property.

(I) Residential care homes in which less than seven persons not of the immediate family are provided with food, shelter and care for compensation, but not including hospitals, clinics or similar institutions devoted primarily to diagnosis and treatment of disease or injury.

(J) Signs as allowed in the City Code.

(K) Garage sales, as defined in the City Code.

(L) Temporary uses such as a circus, carnival, fair or festival provided they meet the following requirements:

1. The use shall be temporary in nature and shall not last more than four days.

2. The organizers of the event shall notify the police department of their intentions at least 30 days prior to the scheduled beginning of the event.

3. A business license shall be obtained as required by the City Code.

4. Licenses will only be issued to local businesses or shopping centers when conducted on the same property as the business/shopping center or to local non-profit organizations.

(M) Temporary mobile home for ill or aged family members as regulated by the City Code.

10-03-3 Uses Permitted With a Use Permit

(A) Churches and other religious institutions (excluding open-air or tent).

(B) Schools, public utility, quasi-public buildings.

(C) Public or private automobile parking lots when adjacent to a "C" or "M" district or to a "PD" district when used for commercial or industrial purposes.

(D) Mobile home park which meets the "Mobile Home Park Standards" as adopted by resolution of the city council.

(E) One duplex on a corner lot provided that the front door and garage of each unit faces a different street.

(F) A second dwelling unit on a lot provided the following criteria are met:

1. Any construction shall conform to all requirements of the City Code including but not limited to building codes, setbacks, height and lot coverage except that only one additional off-street parking space shall be required.

2. One of the dwellings shall be occupied by the owner of the property.

3. If the second unit is either attached to the existing residence or is located within the living area of the existing residence the following additional restrictions apply:

a. The floor area shall not be increased by more than l5 percent of the existing living area.

b. Existing living area is defined as that enclosed area used for living (not including a garage) and which has been in existence on the property for one year prior to the application.

4. If the second unit is detached from the existing dwelling (existing is defined as having existed for at least one year), the total area of floor space shall not exceed 640 square feet.

5. If the second unit is to be constructed at the same time as the primary dwelling unit, the second unit shall be attached to the primary unit and shall not exceed 35 percent of the living area of the primary unit or 640 square feet, whichever is less.

(G) Family day care centers for 7-12 paying guests when the requirements of Section 10-03-2(D) are not met.

(H) Accessory buildings that do not meet the requirements of Section l0-03-2 (B).

(I) Model homes located in any new subdivision for the purpose of selling homes within the subdivision. Said model homes shall be converted to conventional dwellings similar to other in

the subdivision no more than two (2) years from the date of recording of the map of the subdivision upon which said model home is located.

10-03-4 Building Requirements

(A) Height Limit:

1. For dwellings and other main buildings - 35 feet.

2. For accessory buildings - 15 feet.

3. No fence (excluding wire fences, and non-solid fences which do not limit visibility as determined by the planning director) shall be constructed in excess of eight feet in height within any side or rear yard, except fences within the side or rear yard which enclose electrical substations which may be constructed to the heights required by law.

4. No fence, hedge, or screen planting (excluding wire fences, and non-solid fences which do not limit visibility as determined by the planning director) shall be constructed or permitted to grow in excess of three feet in height within any front yard or side yard of a corner lot.

(B) Building Site Area Required:

1. Minimum area - 6,000 square feet.

2. Minimum width, interior lot - 55 feet.

3. Minimum width, corner lot - 65 feet.

4. Minimum depth - 100 feet unless otherwise approved by the planning commission or city council, whichever is the final decision making body. Plot plans of lots for which less than the minimum depth is requested may be required to ensure that the lot is usable for residential purposes.

(C) Yards and Open Spaces Required:

1. Front yard and side yard of a corner lot - Not less than 15 feet from the planned right-of-way line provided that no vehicle opening of any building be closer than 20 feet to the property line or planned right-of-way line toward which the opening faces.

2. Side or rear yard when lot abuts an arterial - ten (10) feet.

3. Side or rear yard, interior lots all other cases - five (5) feet.

4. Detached accessory buildings - ten (10) feet from any other buildings.

(D) Lot Coverage: No more than 50 percent of the lot may be covered by buildings.

(E) Off-street parking as required in Section 10-13-5.

(F) Minimum Building Size:

1. Single family dwellings and mobile homes - 900 square feet.

2. All other uses - no minimum size.

(G) Density: Maximum permissible density is eight (8) dwelling units per net acre.

Chapter 4

Duplex Residential District "R-2" Zone

Section

10-04-1 Regulations

10-04-2 Uses Permitted

10-04-3 Uses Permitted With a Use Permit

10-04-4 Building Requirements

10-04-1 Regulations

The following regulations shall apply in the R-2 districts and shall be subject to the provisions of Chapter 13 of this title.

10-04-2 Uses Permitted

(A) A single family dwelling or one duplex, or two dwelling units, except that on parcels with no direct frontage on a city maintained street, only one single family dwelling is permitted.

(B) In lieu of all the residential uses listed in Section 10-04-2(A), one mobile home per lot provided that the mobile home meets the following restrictions:

1. Mobile homes must have been constructed after October, 1976.

2. Mobile homes must be on a foundation system approved by resolution of the city council.

3. All mobile homes shall be subject to review and approval by the planning director with respect to siding material, roofing materials and roof overhang to ensure, to the greatest extent feasible, compatibility with surrounding structures. A pictorial representation of the proposed mobile home shall be submitted with the application.

4. No other dwelling units (i.e. single family or duplex) shall be allowed on the same lot.

(C) Accessory buildings normally incidental to dwellings provided that such buildings are constructed concurrent with, or subsequent to the construction of the dwellings. "Normally incidental" shall be deemed to mean that, in addition to a garage(s) (either attached or detached) as required by this title, the size of the accessory building does not exceed 20 percent of the living area of the dwellings

(D) Family day care centers limited to six (6) paying guests.

(E) Family day care centers for 7-12 paying guests when the following criteria are met:

1. At least one off-street parking space shall be provided for each employee.

2. There are no other day care centers for more than six paying guests within 300 feet of the exterior boundaries of the subject site.

3. In addition to the required employee parking, there shall be provided at least two off-street parking spaces for loading and unloading of guests. These spaces shall be located so that vehicles head in and head out without using the public street for maneuvering, loading, or unloading

(F) Home occupations as defined in Section 10-1-3 and regulated in Chapter 10-18.

(G) Public parks and public buildings.

(H) Temporary real estate office and sign (not to exceed 100 square feet in area) may be located on any new subdivision for a period of not more than two years from the date of recording of the map of the subdivision upon which said office and sign are located. This time limit shall automatically be extended under the conditions described in Section 10-19-6(A)7.

(I) Temporary construction building to house tools and equipment or containing supervisory offices in connection with construction projects during active construction on the same property.

(J) Residential care homes in which less than seven persons not of the immediate family are provided with food, shelter and care for compensation, but not including hospitals, clinics, or similar institutions devoted primarily to diagnosis and treatment of disease or injury.

(K) Signs as allowed in Title 10, Chapter 19 of the City Code.

(L) Temporary uses such as a circus, carnival, fair or festival provided they meet the following requirements:

1. The use shall be temporary in nature and shall not last more than four days.

2. The organizers of the event shall notify the police department of their intentions at least 30 days prior to the scheduled beginning of the event.

3. A business license shall be obtained as required by Section 6-1-18 of the City Code.

4. Licenses will only be issued to local businesses or shopping centers when conducted on the same property as the business/shopping center or to local non-profit organizations.

(M) Temporary mobile home for ill or aged family members as required by Section 10-15-5 of the City Code.

(N) Garage sales as defined in Section 10-1-3 of the City Code.

10-04-3 Uses Permitted With a Use Permit

(A) Churches and other religious institutions (excluding open-air or tent).

(B) Schools, public utilities, and quasi-public buildings.

(C) Public or private automobile parking lots when adjacent to any "C" or "M" district or to any "PD" district which is used for commercial or industrial purposes.

(D) Mobile home park which meets the "Mobile Home Park Standards" as adopted by resolution of the city council.

(E) Family day care centers for 7-12 paying guests when the requirements of Section 10-04-2(E) are not met.

(F) Duplex parcels with no direct frontage on a city maintained street.

(G) Accessory buildings that do not meet the requirements of Section l0-04-2 (C).

(H) Model homes located in any new subdivision for the purpose of selling homes within the subdivision. Said model homes shall be converted to conventional dwellings similar to other in the subdivision no more than two (2) years from the date of recording of the map of the subdivision upon which said model home is located.

10-04-4 Building Requirements

(A) Height Limit:

1. For dwellings and other main buildings - 35 feet.

2. For accessory buildings - 15 feet.

3. No fence (excluding wire fences, and non-solid fences which do not limit visibility as determined by the Planning Director) shall be constructed in excess of eight (8) feet in height within any side or rear yard, except fences within the side or rear yard which encloses electrical substations, which may be constructed to the height required by law.

4. No fence, hedge, or screen planting (excluding wire fences, and non-solid fences which do not limit visibility as determined by the planning director) shall be constructed or permitted to grow in excess of three (3) feet in height within any front yard or side yard of a corner lot.

(B) Building Site Area Required:

1. Minimum area - 6000 square feet.

2. Minimum width, interior lot - 55 feet.

3. Minimum width, corner lot - 65 feet.

4. Minimum depth - 100 feet unless otherwise approved by the planning commission or city council, whichever is the final decision making body. Plot plans of lots for which less than the minimum depth is requested may be required to ensure that the lot is usable for residential purposes.

(C) Yards and Open Spaces Required

1. Front yard and side yard of a corner lot - Not less than fifteen (15) feet from the planned right-of-way line provided that no vehicle opening of any building is closer than twenty (20) feet to the property line or planned right-of-way line toward which the opening faces.

2. Side or rear yard when lot abuts an arterial - 10 feet.

3. Side or rear yard, interior lot, all other cases - 5 feet.

4. Detached accessory buildings - 10 feet from any other buildings on the lot.

(D) Lot Coverage: No more than 50 percent of the lot may be covered by buildings.

(E) Off-street parking as required in Section 10-13-5

(F) Minimum Building Size:

1. Single family dwellings and mobile homes - 900 square feet.

2. All other uses - No minimum size.

(G) Density: Maximum permissible density of 12 dwelling units per net acre.

(H) Open Space Requirements: All multiple residential uses of two (2) or more dwelling units on one lot shall provide a fenced playground (or other open space in the case of an adult only facility) of at least fifty (50) square feet provided regardless of the number of units. This area

shall not be a lineal open space but should have a width to depth ratio not exceeding 1:2. Except in very large complexes (more than 50 units) this required open space shall be in one location.

Chapter 5

Multiple Family Residential District "R-3" Zone

Section

10-05-1 Regulations

10-05-2 Uses Permitted

10-05-3 Uses Permitted With a Use Permit

10-05-4 Building Requirements

10-05-5 Development Standards

10-05-1 Regulations

The following regulations shall apply in all R-3 districts and shall be subject to the provisions of Chapter 13 of this title.

10-05-2 Uses Permitted

(A) Single family, duplex and multiple family dwellings, apartment houses, dwelling groups, except that on parcels with no direct frontage on a city maintained street, only one single family dwelling is permitted.

(B) In lieu of all the residential uses listed in Section 10-05-2(A), one mobile home per lot provided that the mobile home meets the following restrictions:

1. Mobile homes must have been constructed after October, 1976.

2. Mobile homes must be on a foundation system approved by resolution of the city council.

3. All mobile homes shall be subject to review and approval by the planning director with respect to siding material, roofing materials and roof overhang to ensure, to the greatest extent feasible, compatibility with surrounding structures. A pictorial representation of the proposed mobile home shall be submitted with the application.

4. No other dwelling units (i.e. single family, duplex, multiple family, apartments or dwelling groups) shall be allowed on the same lot.

(C) Accessory buildings normally incidental to permitted uses provided that such buildings are constructed concurrent with, or subsequent to the construction of the permitted use. "Normally incidental" shall be deemed to mean that in addition to a garage(s) (either attached or detached) as required by this title, the size of the accessory building does not exceed 20 percent of the area of the main building.

(D) Family day care centers limited to six (6) paying guests.

(E) Family day care centers for 7-12 paying guests when the following criteria are met:

1. At least one off-street parking space shall be provided for each employee.

2. There are no other day care centers for more than six paying guests within 300 feet of the exterior boundaries of the subject site.

3. In addition to the required employee parking, there shall be provided at least two off-street parking spaces for loading and unloading of guests. These spaces shall be located so that vehicles head in and head out without using the public street for maneuvering, loading, or unloading.

(F) Home occupations as defined in Section 10-1-3 and regulated in Chapter 10-18.

(G) Public parks and public buildings.

(H) Temporary real estate office and sign (not to exceed 100 square feet in area) may be located on any new subdivision for a period of not more than two years from the date of recording of the map of the subdivision upon which said office and sign are located. This time limit shall automatically be extended under the conditions described in Section 10-19-6(A)7.

(I) Temporary construction building to house tools and equipment or containing supervisory offices in connection with construction projects during active construction on the same property.

(J) Residential care homes in which less than seven persons not of the immediate family are provided with food, shelter and care for compensation, but not including hospitals, clinics, or similar institutions devoted primarily to diagnosis and treatment of disease or injury.

(K) Signs as allowed in Title 10, Chapter 19 of the City Code.

(L) Temporary uses such as a circus, carnival, fair or festival provided they meet the following requirements:

1. The use shall be temporary in nature and shall not last more than four days.

2. The organizers of the event shall notify the police department of their intentions at least 30 days prior to the scheduled beginning of the event.

3. A business license shall be obtained as required by Section 6-1-18 of the City Code.

4. Licenses will only be issued to local businesses or shopping centers when conducted on the same property as the business/shopping center or to local non-profit organizations.

(M) Temporary mobile home for ill or aged family members as required by Section 10-15-5 of the City Code.

(N) Garage sales as defined in Section 10-1-3 of the City Code.

10-05-3 Uses Permitted With a Use Permit

(A) Churches and other religious institutions (excluding open-air or tent).

(B) Schools, public utilities, and quasi-public buildings.

(C) Public or private automobile parking lots when adjacent to any "C" or "M" district or to any "PD" district which is used for commercial or industrial purposes.

(D) Hotels, rooming or boarding houses.

(E) Professional offices.

(F) Labor camp.

(G) Institutions for treatment of alcoholics.

(H) Mobile home park which meets the "mobile home park standards" as adopted by resolution of the city council.

(I) Family day care centers for 7-12 paying guests when the requirements of Section 10-05-2(E) are not met.

(J) Duplex and multiple family dwellings, apartment houses and dwelling groups on parcels with no direct frontage on a city maintained street.

(K) Accessory buildings that do not meeting the requirements of Section l0-05-2 (C).

(L) Residential care homes for more than seven persons.

(M) Model homes located in any new subdivision for the purpose of selling homes within the subdivision. Said model homes shall be converted to conventional dwellings similar to other in the subdivision no more than two (2) years from the date of recording of the map of the subdivision upon which said model home is located.

10-05-4 Building Requirements

(A) Height Limit:

1. For dwellings and other main buildings - Three (3) stories but in no case to exceed 45 feet.

2. For accessory buildings - 15 feet.

3. No fence (excluding wire fences, and non-solid fences which do not limit visibility as determined by the planning director) hall be constructed in excess of eight (8) feet in height within any side or rear yard, except fences within the side or rear yard which encloses electrical substations, which may be constructed to the height required by law.

4. No fence, hedge, or screen planting (excluding wire fences, and non-solid fences which do not limit visibility as determined by the planning director) shall be constructed or permitted to grow in excess of three (3) feet in height within any front yard or side yard of a corner lot.

(B) Building Site Area Required:

1. Minimum area:

a. For one and two family dwellings or non-dwelling main buildings - 6000 square feet.

b. For each unit in excess of two dwelling units - 2000 square feet, not to exceed 20 units per net acre.

2. Minimum width, interior lot - 55 feet.

3. Minimum width, corner lot - 65 feet.

4. Minimum depth - 100 feet unless otherwise approved by the planning commission or city council, whichever is the final decision making body. Plot plans of lots for which less than the minimum depth is requested may be required to ensure that the lot is usable for residential purposes.

(C) Yards and Open Spaces Required:

1. Front yard and side yard of a corner lot - Not less than fifteen (15) feet from the planned right-of-way line provided that no vehicle opening of any building is closer than twenty (20) feet to the property line or planned right-of-way line toward which the opening faces.

2. Side or rear yard when lot abuts an arterial - 10 feet.

3. Side or rear yard, interior lot, all other cases - 5 feet.

4. Detached accessory buildings - 10 feet from any other buildings on the lot.

(D) Yards and Open Space Required: Uses other than single-family dwellings, duplexes, and triplexes - the minimum setback shall be as required by Section 10-13-4 (D).

(E) Lot Coverage: No more than 60 percent of the lot may be covered by buildings.

(F) Floor Area Ratio Requirements:

1. For single story buildings - 0.60:1.0

2. For two story buildings - 0.80:1.0

3. For three story buildings - 1.20:1.0

(G) Minimum Building Size:

1. Single family dwellings and mobile homes - 900 square feet.

2. All other uses - No minimum size.

10-05-5 Development Standards

(A) Trash bins (except single family dwellings, duplexes, or dwelling groups) shall be provided in a fully enclosed trash storage area. This area or areas shall be provided at locations that are readily accessible to residents and sanitation collectors.

(B) Landscaping plan for all uses (except single family dwellings, duplexes and triplexes) including plant species, initial size, location, growth characteristics and method of irrigation shall be approved by the Planning Director prior to issuance of any permit. Such required landscaping shall be installed prior to final inspection and shall be maintained by the property owner. Approval shall be based on the degree of compliance with landscape standards as adopted from time to time by the city council.

(C) Off-street parking as required in Section 10-13-5

(D) A six foot high solid fence shall be constructed alongside and rear property lines, except as otherwise prohibited in this chapter, for all apartments, dwelling groups and multiple family dwellings.

(E) Open Space Requirements: All multiple residential uses of two (2) or more dwelling units on one lot shall provide a fenced playground (or other open space in the case of an adult only facility) of at least fifty (50) square feet provided regardless of the number of units. This area shall not be a lineal open space but should have a width to depth ratio not exceeding 1:2. Except in very large complexes (more than 50 units) this required open space shall be in one location.

(F) Site Plan Review: Proposals to construct anything other than a single-family dwelling, a duplex, a triplex or a four-plex on a parcel shall be subject to site plan review by the planning commission prior to issuance of a building permit. This review shall include, but not be limited to, comparison of the project with the architectural and subdivision design standards as adopted by the city council.

Chapter 6

Neighborhood Commercial District "C-1" Zone

Section

10-06-1 Regulations

10-06-2 Uses Permitted

10-06-3 Uses Permitted With a Use Permit

10-06-4 Building Requirements

10-06-5 Development Standards

10-06-1 Regulations

The following regulations shall apply in all C-1 districts and shall be subject to the provisions of Chapter 13 of this title.

10-06-2 Uses Permitted

The following uses shall be allowed providing that (a) the use is conducted wholly within an enclosed building or within a six (6) foot high solid uniformly painted fence, and; (b) no operation shall cause an unreasonable amount of noise, odor, dust, mud, smoke, vibration or electrical interference detectable off the site.

(A) Churches (excluding open-air or tent), day care centers, private or vocational schools, and public swimming pool.

(B) Offices, professional and other.

(C) Parking lots

(D) Public or quasi-public utilities and buildings except those listed in Section 10-07-3(I).

(E) Retail sales only when conducted entirely within an enclosed building including: appliance (sales and service), bakery (no baking permitted on-site), camera, candy (no candy-making on-site), china, clothing, confections, drapery (sewing and sales), drugs, dry goods, florists, food, groceries, ice dealer (less than 5 tons, sales only), jewelry (excluding wholesale manufacture), liquor store, news dealer, radio (sales and service), shoes, stationery, television (sales and service), variety, and other uses which are similar but excluding those stores devoted to the sale of used and second hand goods, wares and merchandise.

(F) Service establishments only when conducted entirely within an enclosed building, including bank, barber shop, beauty shop, café, clinic (except veterinary), delicatessen, dressmaking, ice cream parlor, launderette, restaurant, tailor and upholstery.

(G) Garage sales as defined in Section 10-1-3 of the City Code.

(H) Signs as allowed in Title 10, Chapter 19 of the City Code.

(I) Temporary construction building to house tools and equipment or containing supervisory offices in connection with construction projects during active construction on the same property.

(J) Temporary uses such as a circus, carnival, fair or festival provided they meet the following requirements:

1. The use shall be temporary in nature and shall not last more than four days.

2. The organizers of the event shall notify the police department of their intentions at least 30 days prior to the scheduled beginning of the event.

3. A business license shall be obtained as required by Section 6-1-18 of the City Code.

4. Licenses will only be issued to local businesses or shopping centers when conducted on the same property as the business/shopping center or to local non-profit organizations.

5. The use need not be in an enclosed building or fenced.

(K) Home occupations as defined in Section 10-1-3 and regulated in Chapter 10-18 when conducted within an existing home.

(L) Accessory buildings normally incidental to permitted uses provided that such buildings are constructed concurrent with, or subsequent to the construction of the permitted use.

10-06-3 Uses Permitted With a Use Permit

(A) Alcohol treatment center, hospital (including mental and sanitarium).

(B) Bakery or candy store where baked goods or candy are made on the premises.

(C) Borrow pit to a depth of more than 3 feet.

(D) Church (including open-air), fairgrounds, and race track other than as allowed in Section 10-07-2(J).

(E) Duplex, dwelling group, labor camp, single family dwelling or mobile home park which meets the "Mobile Home Park Standards" as adopted by resolution of the city council.

(F) Hobby kennels that meet the following requirements:

1. No more than 10 dogs over 4 months old.

2. All dogs must be owned by the property owner.

3. Kennel must be accessory to existing single family dwelling.

(G) Natural mineral resources, the development of, or exploration for, together with the necessary buildings, apparatus, or appurtenances incidental thereto.

(H) Second hand stores or used merchandise offered for sale but excluding automobile wrecking yards, provided that all materials displayed or offered for sale be within an enclosed building and that the use comply with Chapter 6 of Title 6 of the City Code.

(I) Utility facilities including communication equipment buildings and electrical substations, together with the necessary buildings, apparatus or appurtenances thereto.

(J) One mobile home if the following requirements are met:

1. The mobile home shall be clearly secondary to the commercial use of the property.

2. There are no other residences on the property.

3. The mobile home shall not be rented or leased independent of the principal use to which it is necessary.

4. The exterior of the mobile home shall be compatible with the commercial building(s) on the property.

5. The permit shall be reviewed annually to ensure continued compliance with the provisions of this title.

A finding shall be made that other feasible security measures have been tried and that there is a demonstrated need for additional security.

(K) Apartments, boarding houses, multiple dwelling, dwelling groups and rooming houses provided it is determined that the use will not adversely affect commercial uses in the area and that commercial uses will not adversely affect the proposed use.

(L) Service stations (excluding major repair).

(M) Residential care homes for more than seven (7) persons, provided it is determined that the care home will not adversely affect commercial uses in the area and that commercial uses will not adversely affect the proposed care home.

10-06-4 Building Requirements

(A) Height Limit:

1. No structure (excepting conventional television aerials) shall exceed two stories or 35 feet.

2. No fence, hedge, or screen planting (excluding wire fences, and non-solid fences which do not limit visibility as determined by the planning director) shall be constructed or permitted to grow in excess of three (3) feet in height within any front yard or side yard of a corner lot.

(B) Building Site Area Required:

1. Minimum area, dwellings:

a. For one and two family dwellings - 6000 square feet.

b. For each unit in excess of two dwelling units - 2000 square feet, not to exceed 20 units per net acre.

2. Minimum area, commercial uses - Sufficient to provide the minimum yard and parking requirements.

3. Minimum width, interior lot - 55 feet.

4. Minimum width, corner lot - 65 feet.

5. Minimum depth - 100 feet.

(C) Yards and Open Spaces Required:

1. Front yard and side yard of a corner lot - None except no commercial or industrial building shall be closer to an "R" district than 10 feet or closer than 10 feet to any street less than 70 feet in width.

2. Side yard, interior lot - None except if the C-1 district abuts an "R" district the side yard shall be 5 feet.

3. Rear yard - None.

4. Detached accessory buildings or additional dwelling - 10 feet from any other buildings on the lot.

5. No vehicle opening of a building shall be closer than 20 feet to the property line or planned right-of-way line towards which the opening faces.

6. Loading docks shall be so located that trucks will head in and head out and not use the public street for maneuvering, loading and unloading.

(D) Floor Area Ratio Requirements - Residential Uses:

1. For single story buildings - 0.60:1.0

2. For two story buildings - 0.80:1.0

10-06-5 Development Standards

(A) Nuisances: No operation shall be conducted on any premises in such a manner as to cause an unreasonable amount of noise, odor, dust, smoke vibration or electrical interference detectable off the site.

(B) Screening: A six (6) foot high masonry wall shall be constructed along the property line adjacent to any residential zone or any "PD" zoning for residential use except that no such wall shall be required if said property line abuts an alley.

(C) Landscaping: A landscaping plan for all uses (except single family dwellings, duplexes and triplexes) including plant species, initial size, location, growth characteristics and method of irrigation shall be approved by the planning director prior to issuance of any permit. Such required landscaping shall be installed prior to final inspection and shall be maintained by the property owner. Approval shall be based on the degree of compliance with landscape standards as adopted from time to time by the city council.

(D) Trash bins (except single family dwellings, duplexes, or dwelling groups) shall be provided in a fully enclosed trash storage area. This area or areas shall be provided at locations that are readily accessible to residents and sanitation collectors.

(E) Off-street parking shall be provided as required in Section 10-13-5. A circulation plan for all non-residential uses shall be required for all new development and shall include truck loading and unloading facilities.

(F) Open Space Requirement: All multiple residential uses of two (2) or more dwelling units on one lot shall provide a fenced playground (or other open space in the case of an adult only

facility) of at least fifty (50) square feet per unit with a minimum area of 300 square feet provided regardless of the number of units. This area shall not be lineal open space but should have a width to depth ratio not exceeding 1:2. Except in very large complexes (more than 50 units) this required open space shall be in one location.

(G) Site Plan Review: Proposals to construct anything other than a single-family dwelling, a duplex, a triplex or a four-plea on a parcel shall be subject to site plan review by the planning commission prior to issuance of a building permit. This review shall include, but not be limited to, comparison of the project with the architectural and subdivision design standards as adopted by the city council.

Chapter 7

General Commercial District "C-2" Zone

section

10-07-1 Regulations

10-07-2 Uses Permitted, Planned Development Commercial

10-07-3 Uses Permitted, Commercial

10-07-4 Uses Permitted With a Use Permit

10-07-5 Building Requirements

10-07-6 Development Standards

10-07-1 Regulations

The following regulations shall apply in all C-2 districts and shall be subject to the provisions of Chapter 13 of this title.

10-07-2 Uses Permitted, Planned Development Commercial

For properties designated "Planned Development Commercial" on the Land Use Element of the General Plan, any change in existing use of the property shall require an application for, and approval of, a Planned Development zone to conform with the requirements of Chapter 12 herein.

10-07-3 Uses Permitted, Commercial

For those properties designated "Commercial" on the Land Use Element of the General Plan the following are permitted uses providing that (a) the use is conducted wholly within an enclosed building or within a six (6) foot high solid, uniformly painted fence, and; (b) no operation shall cause an unreasonable amount of noise, odor, dust, mud, smoke, vibration or electrical interference detectable off the site.

(A) Hotels and motels.

(B) Churches (excluding open-air or tent), day care centers, vocational schools, and public swimming pool.

(C) Clubhouse, community center, lodge, social hall.

(D) Offices, professional and other.

(E) Parking lots

(F) Public or quasi-public utilities and buildings except those listed in Section 10-08-4(M).

(G) Retail stores except those devoted to the sale of used and second hand goods, wares or other merchandise unless otherwise regulated by this chapter.

(H) Second hand stores, excluding automobile wrecking yards, that meet the following criteria:

1. Are conducted entirely within an enclosed building with no outside storage of sales, or

2. Use car lots in which all of the cars are in operable condition without major body damage which exceeds 20 percent of the fair market value of the vehicle. Such lots shall be paved and shall include an office and rest room facilities. Used car lots need not be within an enclosed building or fence.

(I) Service establishments including automobile steam cleaning, bank, bar, barber shop, bath, beauty shop, café, car wash, clinic, dance studio, delicatessen, delivery service, drapery cleaning, dressmaking, drive-in restaurant, equipment rental, ice cream parlor, laboratory experimental, motion picture, testing), launderette, laundry, meat locker, mini warehouses when enclosed by a solid masonry wall at least six (6) feet in height, museum, parking garage, photography, printing establishment, radio station, repair shops (appliance, radio, television), recreation center (when not otherwise regulated by this chapter), restaurant, sign painting, tailor, taxi stand, television studio, theater, upholstery and veterinary.

(J) Stamps, rubber or metal (manufacture or assembly).

(K) Temporary construction building to house tools and equipment or containing supervisory offices in connection with construction projects during active construction on the same property.

(L) Temporary uses such as a circus, carnival, fair or festival provided they meet the following requirements:

1. The use shall be temporary in nature and shall not last more than four days.

2. The organizers of the event shall notify the police department of their intentions at least 30 days prior to the scheduled beginning of the event.

3. A business license shall be obtained as required by Section 6-1-18 of the City Code.

4. Licenses will only be issued to local businesses or shopping centers when conducted on the same property as the business/shopping center or to local non-profit organizations.

5. The use need not be in an enclosed building or fence.

(M) Signs as allowed in Title 10, Chapter 19 of the City Code.

(N) Garage sales as defined in Section 10-1-3 of the City Code.

(O) Home occupations as defined in Section 10-1-3 and regulated in Chapter 10-18 when conducted within an existing home.

(P) Accessory buildings normally incidental to permitted uses provided that such buildings are constructed concurrent with, or subsequent to the construction of the permitted use.

(Q) Body and fender shops subject to the following restrictions:

1. There shall be no painting of any kind (including spot painting) on the premises.

2. All work shall be conducted within the building.

3. The area required to meet the off-street parking requirements of Section l0-l3-5 (C) shall not be used to store cars for more than 24 hours.

4. All cars to be stored for more than 24 hours shall be stored within the building or in a storage area that is surrounded by a six foot high solid fence.

10-07-4 Uses Permitted With a Use Permit, Commercial

For properties designated "Commercial" on the Land Use Element of the General Plan the following uses are permitted subject to securing a Use Permit:

(A) Alcohol treatment center, hospital (including mental and sanitarium).

(B) Bakery or candy store where baked goods or candy are made on the premises.

(C) Body and fender shops if any painting is to be done subject to the following restrictions:

1. All work shall be conducted within the building.

2. The area required to meet the off-street parking requirements of Section l0-l3-5 (C) shall not be used to store cars for more than 24 hours.

3. All cars to be stored for more than 24 hours shall be stored within the building or in a storage area that is surrounded by a six foot high solid fence.

(D) Borrow pit to a depth of more than 3 feet.

(E) Church (including open-air), fairgrounds, race track and open-air theater other than as allowed in Section 10-08-3(L).

(F) Contractor's yard, when enclosed within a six (6) foot high fence or screen planting.

(G) Hobby kennels that meet the following requirements:

1. No more than 10 dogs over 4 months old.

2. All dogs must be owned by the property owner.

3. Kennel must be accessory to existing single family dwelling.

(H) Labor camp, mobile home park.

(I) Natural mineral resources, the development of, or exploration for, together with the necessary buildings, apparatus, or appurtenances incidental thereto.

(J) Retail sales limited to boats, building materials, or lumber yards (must be enclosed by a 6 foot fence), mobile homes, trucks and similar uses.

(K) Second hand stores excluding automobile wrecking yards, provided that all materials be screened from view by a six (6) foot high solid fence or be within an enclosed building and that the use comply with Chapter 6 of Title 6 of the City Code except as allowed by Section 10-08-3(H).

(L) Service establishments limited to bus terminals, carpet cleaning service, cemetery, draying/freighting/ storage (when provided with a lock box system so emergency personnel have access to information regarding materials currently stored on the property), massage parlor, mausoleum, and service station.

(M) Utility facilities including communication equipment buildings and electrical substations, together with the necessary buildings, apparatus or appurtenances thereto.

(N) One mobile home if the following requirements are met:

1. The mobile home shall be clearly secondary to the commercial use of the property.

2. There are no other residences on the property.

3. The mobile home shall not be rented or leased independent of the principal use to which it is necessary.

4. The exterior of the mobile home shall be compatible with the commercial building(s) on the property.

5. The permit shall be reviewed annually to ensure continued compliance with the provisions of this title.

A finding shall be made that other feasible security measures have been tried and that there is a demonstrated need for additional security.

(O) Apartments, boarding houses, multiple dwelling, dwelling groups and rooming houses provided it is determined that the use will not adversely affect commercial uses in the area and that commercial uses will not adversely affect the proposed use.

(P) Residential care homes for more than seven (7) persons, provided it is determined that the care home will not adversely affect commercial uses in the area and that commercial uses will not adversely affect the proposed care home.

10-07-5 Building Requirements Commercial

For properties designated "Commercial" on the Land Use Element of the General Plan the following requirements apply:

(A) Height Limit:

1. No building or structure shall exceed six (6) stories or 70 feet, whichever is the lesser.

2. No fence, hedge, or screen planting (excluding wire fences, and non-solid fences which do not limit visibility as determined by the planning director) shall be constructed or permitted to grow in excess of three (3) feet in height within any front yard or side yard of a corner lot.

(B) Building Site Area Required:

1. Minimum area, residential:

a. First two units - 6000 square feet.

b. For each unit in excess of two dwelling units - 2000 square feet, not to exceed 20 units per net acre.

2. Minimum area, commercial uses - Sufficient to provide the minimum yard and parking requirements.

3. Minimum width, interior lot - 55 feet.

4. Minimum width, corner lot - 65 feet.

5. Minimum depth - 100 feet.

(C) Yards and Open Spaces Required

1. Front yard and side yard of a corner lot - None except no commercial or industrial building shall be closer to an "R" district than 10 feet or closer than 10 feet to any street less than 70 feet in width.

2. Side yard, interior lot - None except if the C-2 district abuts an "R" district the side yard shall be 5 feet.

3. Rear yard - None.

4. Detached accessory buildings or additional dwelling - 10 feet from any other buildings on the lot.

5. No vehicle opening of a building shall be closer than 20 feet to the property line or planned right-of-way line towards which the opening faces.

6. Loading docks shall be so located that trucks will head in and head out and not use the public street for maneuvering, loading and unloading.

(D) Floor Area Ratio Requirements - Residential Uses:

1. For single story buildings - 0.60:1.0

2. For two story buildings - 0.80:1.0

3. For three story buildings - 1.20:1.0

10-07-6 Development Standards, Commercial

For properties designated "Commercial" on the Land Use element of the General Plan the following requirements apply:

(A) Nuisances: No operation shall be conducted on any premises in such a manner as to cause an unreasonable amount of noise, odor, dust, smoke vibration or electrical interference detectable off the site.

(B) Screening: An eight (8) foot high, solid, decorative masonry wall shall be constructed along the property line adjacent to any residential zone or any "PD" zoning for residential use except that no such wall shall be required if said property line abuts an alley.

(C) Landscaping: A landscaping plan for all uses (except single family dwellings, duplexes and triplexes) including plant species, initial size, location, growth characteristics and method of irrigation shall be approved by the planning director prior to issuance of any permit. Such

required landscaping shall be installed prior to final inspection and shall be maintained by the property owner. Approval shall be based on the degree of compliance with landscape standards as adopted from time to time by the city council.

(D) Trash bins (except single family dwellings, duplexes, or dwelling groups) shall be provided in a fully enclosed trash storage area. This area or areas shall be provided at locations that are readily accessible to residents and sanitation collectors.

(E) Off-street parking shall be provided as required in Section 10-13-5. A circulation plan for all non-residential uses shall be required for all new development and shall include truck loading and unloading facilities.

(F) Open Space Requirements: All multiple residential uses of two (2) or more dwelling units on one lot shall provide a fenced playground (or other open space in the case of an adult only facility) of at least fifty (50) square feet provided regardless of the number of units. This area shall not be a lineal open space but should have a width to depth ratio not exceeding 1:2. Except in very large complexes (more than 50 units) this required open space shall be in one location.

(G) Site Plan Review: Proposals to construct anything other than a single-family dwelling, a duplex, a triplex or a four-plex on a parcel shall be subject to site plan review by the planning commission prior to issuance of a building permit. This review shall include, but not be limited to, comparison of the project with the architectural and subdivision design standards as adopted by the city council.

Chapter 8

Commercial-Industrial "C-M" Zone

Section

10-08-1 Regulations

10-08-2 Uses Permitted

10-08-3 Uses Permitted With a Use Permit

10-08-4 Building Requirements

10-08-5 Development Standards

10-08-1 regulations

The following regulations shall apply in all C-M districts and shall be subject to the provisions of Chapter 13 of this Title.

10-08-2 Uses Permitted

The following uses shall be allowed providing that (a) the use is conducted wholly within an enclosed building or within a six (6) foot high solid uniformly painted fence, and; (b) no operation shall cause an unreasonable amount of noise, odor, dust, mud, smoke, vibration or electrical interference detectable off the site.

(A) Appliance, assembly of electrical appliance (i.e. radios, phonographs, etc.).

(B) Armature winding.

(C) Auction house or store.

(D) Automobile and truck service including the following:

1. Automobile dismantling within a building.

2. Automobile repair, body work, and steam cleaning subject to the following restrictions:

a. There shall be no painting of any kind (including spot painting) on the premises.

b. All work shall be conducted within the building.

c. The area required to meet the off-street parking requirements of Section l0-l3-5 (C) shall not be used to store cars for more than 24 hours.

d. All cars to be stored for more than 24 hours shall be stored within the building or in a storage area that is surrounded by a six foot high solid fence.

3. Truck repair and steam cleaning.

(E) Bakery, retail or wholesale.

(F) Bar.

(G) Bottling plant, soft drinks.

(H) Building materials or lumber yard when screened by a six (6) foot high solid fence or hedge.

(I) Candy, sales and manufacture of.

(J) Car wash.

(K) Cemetery, columbarium, crematory, mausoleum.

(L) Community center, social hall, lodge, clubhouse, dance studio.

(M) Electronic instruments and equipment, assembly of.

(N) Farm machinery, sales, storage, repair and rental.

(O) Frozen food lockers.

(P) Garage sales as defined in Section 10-1-3 of the City Code.

(Q) Glass studio, stained, etc., including edging, beveling and silvering in connection with sale of mirror and glass for decorating purposes.

(R) Home occupations as defined in Section 10-1-3 and regulated in Chapter 10-18 when conducted within an existing home.

(S) Hospitals, hotels, motels.

(T) Ice dealer (less than 5 tons), sales only.

(U) Milk dealer, creamery and dairy products manufacture.

(V) Mini-warehouses when enclosed by a solid masonry wall at least six (6)feet in height.

(W) Offices, professional and others.

(X) Parcel delivery service.

(Y) Public buildings and utilities of all types.

(Z) Parking lots.

(AA) Recreation centers.

(BB) Retail sales including but not limited to those listed in Section 10-8-3 and 10-8-4(J) of the City Code.

(CC) Schools, vocational

(DD) Second hand or used merchandise sales that comply with Section 6-6-1 of the City Code. Used car lots shall only be permitted when all of the cars are in operable condition without major body damage which exceeds 20 percent of the fair market value of the vehicle, when the lot is paved and when an office and rest room facilities are provided. Used car lots need not be in an enclosed building or fence.

(EE) Seed processing and packaging, treatment, storage and sales.

(FF) Service establishments including but not limited to those listed in Section 10-8-3 and 10-8-4(L) of the City Code unless otherwise further restricted under Section 10-8A-3.

(GG) Sheet metal shop.

(HH) Signs as allowed in Title 10, Chapter 19 of the City Code.

(II) Storage of boats, trailers, and RV's.

(JJ) Swimming pool, public.

(KK) Television or radio transmitter.

(LL) Temporary uses such as a circus, carnival, fair or festival provided they meet the following requirements:

1. The use shall be temporary in nature and shall not last more than four days.

2. The organizers of the event shall notify the police department of their intentions at least 30 days prior to the scheduled beginning of the event.

3. A business license shall be obtained as required by Section 6-1-18 of the City Code.

4. Licenses will only be issued to local businesses or shopping centers when conducted on the same property as the business/shopping center or to local non-profit organizations.

5. The use need not be in an enclosed building or fence.

(MM) Temporary construction building to house tools and equipment or containing supervisory offices in connection with construction projects during active construction on the same property.

(NN) Theater, indoor.

(OO) Tin smith.

(PP) Utilities.

(QQ) Veterinary hospital.

10-08-3 Uses Permitted With a Use Permit

(A) Automobile and truck painting.

(B) Amusement park, carnival, circus, fairgrounds, open-air church, open-air theater, and race track other than as allowed in Section 10-8A-2(LL).

(C) Apartments, boarding houses, multiple dwelling, dwelling groups and rooming houses provided it is determined that the use will not adversely affect commercial uses in the area and that commercial uses will not adversely affect the proposed use.

(D) Borrow pit to a depth of more than three feet.

(E) Bus terminal.

(F) Ceramic products, manufacture of, using previously pulverized clay and kilns fired only by electricity or low pressure gas.

(G) Cleaning (including carpet) and dyeing plant.

(H) Contractor's yard, when enclosed within a six (6) foot high fence or screen planting.

(I) Draying, freighting and storage when provided with a lock box system so emergency personnel have access to information regarding materials currently stored on the property.

(J) Dump, refuse disposal, and sewage disposal plant.

(K) Feed and fuel (solid) yard.

(L) Massage parlor.

(M) Natural mineral resources, the development of, or exploration for, together with the necessary buildings, apparatus, or appurtenances incidental thereto.

(N) One dwelling unit if the following requirements are met:

1. The dwelling unit shall be clearly secondary to the commercial use of the property.

2. There are no other residences on the property.

3. The dwelling unit shall not be rented or leased independent of the principal use to which it is necessary.

4. The exterior of any residential unit shall be compatible with the commercial building(s) on the property.

5. The permit shall be reviewed annually to ensure continued compliance with the provisions of this Title.

A finding shall be made that other feasible security measures have been tried and that there is a demonstrated need for additional security.

(O) Service stations.

(P) Tire recapping, rebuilding, retreading.

(Q) Warehouse, wholesale building.

(R) Automobile repair, body work, and steam cleaning subject to the following restrictions:

1. All work shall be conducted within the building.

2. The area required to meet the off-street parking requirements of Section l0-l3-5 (C) shall not be used to store cars for more than 24 hours.

3. All cars to be stored for more than 24 hours shall be stored within the building or in a storage area that is surrounded by a six (6) foot high solid fence.

10-08-4 Building Requirements

(A) Height Limit:

1. No building or structure shall exceed six (6) stories or 70 feet, whichever is the lesser.

2. No fence, hedge, or screen planting (excluding wire fences, and non-solid fences which do not limit visibility as determined by the planning director) shall be constructed or permitted to grow in excess of three (3) feet in height within any front yard or side yard of a corner lot.

(B) Building Site Area Required:

1. Minimum area, residential:

a. First two units - 6000 square feet.

b. For each unit in excess of two dwelling units - 2000 square feet, not to exceed 20 units per net acre.

2. Minimum area, commercial uses - Sufficient to provide the minimum yard and parking requirements.

3. Minimum width, interior lot - 55 feet.

4. Minimum width, corner lot - 65 feet.

5. Minimum depth - 100 feet.

(C) Yards and Open Spaces Required

1. Front yard and side yard of a corner lot - None except no commercial or industrial building shall be closer to an "R" district than 10 feet or closer than 10 feet to any street less than 70 feet in width.

2. Side yard, interior lot - None except if the C-M district abuts an "R" district the side yard shall be 5 feet.

3. Rear yard - None.

4. Detached accessory buildings or additional dwelling - 10 feet from any other buildings on the lot.

5. No vehicle opening of a building shall be closer than 20 feet to the property line or planned right-of-way line towards which the opening faces.

6. Loading docks shall be so located that trucks will head in and head out and not use the public street for maneuvering, loading and unloading.

(D) Floor Area Ratio Requirements - Residential Uses:

1. For single story buildings - 0.60:1.0

2. For two story buildings - 0.80:1.0

3. For three story buildings - 1.20:1.0

10-08-5 Development Standards

(A) Nuisances: No operation shall be conducted on any premises in such a manner as to cause an unreasonable amount of noise, odor, dust, smoke vibration or electrical interference detectable off the site.

(B) Screening: An eight (8) foot high solid, decorative masonry wall shall be constructed along the property line adjacent to any residential zone or any "PD" zoning for residential use except that no such wall shall be required if said property line abuts an alley.

(C) Landscaping: A landscaping plan for all uses (except single family dwellings, duplexes and triplexes) including plant species, initial size, location, growth characteristics and method of irrigation shall be approved by the planning director prior to issuance of any permit. Such required landscaping shall be installed prior to final inspection and shall be maintained by the property owner. Approval shall be based on the degree of compliance with landscape standards as adopted from time to time by the city council.

(D) Trash bins (except single family dwellings, duplexes, or dwelling groups) shall be provided in a fully enclosed trash storage area. This area or areas shall be provided at locations that are readily accessible to residents and sanitation collectors.

(E) Off-street parking shall be provided as required in Section 10-13-5. A circulation plan for all non-residential uses shall be required for all new development and shall include truck loading and unloading facilities.

(F) Open Space Requirements: All multiple residential uses of two (2) or more dwelling units on one lot shall provide a fenced playground (or other open space in the case of an adult only facility) of at least fifty (50) square feet provided regardless of the number of units. This area shall not be a lineal open space but should have a width to depth ratio not exceeding 1:2. Except in very large complexes (more than 50 units) this required open space shall be in one location.

(G) Site Plan Review: Proposals to construct anything other than a single-family dwelling, a duplex, a triplex or a four-plex on a parcel shall be subject to site plan review by the planning commission prior to issuance of a building permit. This review shall include, but not be limited to, comparison of the project with the architectural and subdivision design standards as adopted by the city council.

Chapter 9

Light Industrial District "M-1" Zone

Section

10-09-1 Regulations

10-09-2 Uses Permitted

10-09-3 Uses Permitted With a Use Permit

10-09-4 Building Requirements

10-09-5 Development Standards

10-09-1 Regulations

The following regulations shall apply in all "M-1" districts and shall be subject to the provisions of Chapter 13 of this title.

10-09-2 Uses Permitted

(A) Any use permitted in Section 10-8A-2 (Commercial-Industrial Zone) shall be permitted in the M-1 zone except dwellings unless otherwise specifically permitted in this district, hospitals, labor camps, schools, and recreation centers.

(B) Armature winding, brewery, communications equipment building, pumping plant, stone monument sales and cutting, stone processing, transfer, utility service yard and substations.

(C) Manufacture of advertising structures and billboards, business machines, candy, clothing, household equipment, musical instruments, novelties, printing establishments, shoes, soap (cold mix only), stamps (rubber and metal) textiles, and tiles (small wall and floor).

(D) Manufacture of assembly of previously prepared materials of bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, metals (precious or semi-precious), paper, plastics, rubber, shell, stone (precious or semi-precious), straw, textiles, or tobacco.

(E) Vocational schools or hospitals when incidental to and located upon the same property as a commercial or industrial use otherwise permitted in this district.

(F) Boat building (limited to those craft which may be transported over a State highway without permit) and boat sales.

(G) Contractor's yards when enclosed within a six foot high solid fence.

(H) Signs as allowed in Title 10, Chapter 19 of the City Code.

(I) Garage sales as defined in Section 10-1-3 of the City Code.

(J) Fortune-telling as defined and regulated by Chapter 10 of Title 6 of the City Code and provided that such establishments are located at least 1000 feet apart.

10-09-3 Uses Permitted With a Use Permit

(A) Airport landing field.

(B) Battery rebuilding, plastic processing, poultry and rabbit processing, rubber processing, and slaughtering.

(C) Amusement park, carnival, circus, fairgrounds, open-air church, open-air theater, and race track and recreation centers.

(D) Borrow pit to a depth of more than three feet.

(E) Ceramic products, manufacture of, using previously pulverized clay and kilns fired only by electricity or low pressure gas.

(F) Cleaning (including carpet) and dyeing plant.

(G) Draying, freighting and storage when provided with a lock box system so emergency personnel have access to information regarding materials currently stored on the property.

(H) Dump, refuse disposal, and sewage disposal plant.

(I) Feed and fuel (solid) yard.

(J) Manufacture of cameras and photographic equipment, drugs, ice, perfumes, pharmaceuticals, toilet soap and toiletries.

(K) Natural mineral resources, the development of, or exploration for, together with the necessary buildings, apparatus, or appurtenances incidental thereto.

(L) One dwelling unit if the following requirements are met:

1. The dwelling unit shall be clearly secondary to the commercial use of the property.

2. There are no other residences on the property.

3. The dwelling unit shall not be rented or leased independent of the principal use to which it is necessary.

4. The exterior of any residential unit shall be compatible with the commercial building(s) on the property.

5. The permit shall be reviewed annually to ensure continued compliance with the provisions of this title.

A finding shall be made that other feasible security measures have been tried and that there is a demonstrated need for additional security.

(M) Service stations.

(N) Tire recapping, rebuilding, retreading.

(O) Warehouse, wholesale building.

(P) Automobile repair, body work, and steam cleaning subject to the following restrictions:

1. All work shall be conducted within the building.

2. The area required to meet the off-street parking requirements of Section 10-13-5 (C) shall not be used to store cars for more than 24 hours.

3. All cars to be stored for more than 24 hours shall be stored within the building or in a storage area that is surrounded by a six foot high solid fence.

(Q) Food processing not otherwise listed.

10-09-4 Building Requirements

(A) Height Limit:

1. No building or structure shall exceed six (6) stories or 70 feet, whichever is the lesser.

2. No fence, hedge, or screen planting (excluding wire fences, and non-solid fences which do not limit visibility as determined by the planning director) shall be constructed or permitted to grow in excess of three (3) feet in height within any front yard or side yard of a corner lot.

(B) Building Site Area Required:

1. Minimum area - Sufficient to provide the minimum yard and parking requirements.

2. Minimum width, interior lot - 55 feet.

3. Minimum width, corner lot - 65 feet.

4. Minimum depth - 100 feet.

(C) Yards and Open Spaces Required

1. Front yard and side yard of a corner lot - None except no building shall be closer than 10 feet to any street less than 70 feet in width.

2. Side yard, interior lots and rear yard - None except no building shall be erected closer than 15 feet to any "R" district.

3. No vehicle opening of a building shall be closer than 20 feet to the property line or planned right-of-way line towards which the opening faces.

4. Loading docks shall be so located that trucks will head in and head out and not use the public street for maneuvering, loading and unloading.

10-09-5 Development Standards

(A) Nuisances: No operation shall be conducted on any premises in such a manner as to cause an unreasonable amount of noise, odor, dust, smoke vibration or electrical interference detectable off the site.

(B) Screening: An eight (8) foot high solid, decorative masonry wall shall be constructed along the property line adjacent to any residential zone or any "PD" zoning for residential use except that no such wall shall be required if said property line abuts an alley.

(C) Landscaping: A landscaping plan for all uses (except single family dwellings, duplexes and triplexes) including plant species, initial size, location, growth characteristics and method of irrigation shall be approved by the planning director prior to issuance of any permit. Such required landscaping shall be installed prior to final inspection and shall be maintained by the property owner. Approval shall be based on the degree of compliance with landscape standards as adopted from time to time by the city council.

(D) Trash bins: Fully enclosed trash storage areas shall be provided at locations that are readily accessible to residents and sanitation collectors.

(E) Off-street parking shall be provided as required in Section 10-13-5. A circulation plan for all non-residential uses shall be required for all new development and shall include truck loading and unloading facilities.

(F) Site Plan Review: Proposals to construct anything other than a single-family dwelling, a duplex, a triplex or a four-plex on a parcel shall be subject to site plan review by the planning commission prior to issuance of a building permit. This review shall include, but not be limited to, comparison of the project with the architectural and subdivision design standards as adopted by the city council.

Chapter 10

Heavy Industrial District "M-2" Zone

Section

10-10-1 Regulations

10-10-2 Uses Permitted

10-10-3 Uses Permitted With a Use Permit

10-10-4 Building Requirements

10-10-5 Development Standards

10-10-1 Regulations

The following regulations shall apply in all "M-2" districts and shall be subject to the provisions of Chapter 13 of this title.

10-10-2 Uses Permitted

(A) Any use permitted in Section 10-9-2 (Light Industrial District) shall be permitted in the "M-2" zone.

(B) Manufacture of alcohol, brick, concrete block, concrete products, linoleum, oil cloth, terra-cotta, and tile.

(C) Aircraft factory, blacksmith, boiler works, cotton gin, freight classification yard, railroad repair shop, and stone mill.

10-10-3 Uses Permitted With a Use Permit

(A) Airport landing field.

(B) Automobile dismantling, battery rebuilding, blast furnace, coke oven, distillation of bones, fat rendering, garbage or dead animal disposal, plastic processing, poultry and rabbit processing, rock and gravel plant, rubber processing, slaughtering, smelting, stock yard, tannery, winery, wrecking yard, unless otherwise specifically allowed.

(C) Amusement park, carnival, circus, fairgrounds, open-air church, open-air theater, and race track and recreation centers.

(D) Acetylene gas (manufacture and storage), acid (manufacture and reclaiming), asphalt (manufacture and refining), foundry and fabricating plant, gas (manufacture and processing), natural gas processing, oil extracting, dehydration or reduction facilities, oil mill, petroleum (refining and storage), potash works, rolling mill, tar distillation, wood processing.

(D) Borrow pit to a depth of more than three feet.

(E) Ceramic products, manufacture of, using previously pulverized clay and kilns fired only by electricity or low pressure gas.

(F) Cleaning (including carpet) and dyeing plant.

(G) Draying, freighting and storage when provided with a lock box system so emergency personnel have access to information regarding materials currently stored on the property.

(H) Dump, refuse disposal, and sewage disposal plant.

(I) Feed and fuel (solid) yard.

(J) Manufacturing and industrial uses not expressly permitted in Section 10-10-2.

(K) Manufacture of ammonia, bleaching powder, cameras and photographic equipment, cement, drugs, explosives (including storage), fertilizer, glue, gypsum, ice, lamp black, lime, oil shellac, paint, paper, perfumes, petroleum products, pharmaceuticals, plaster of paris, plastic, roofing, soap (including toilet soap and toiletries), soda and compound, tar products, turpentine, and varnish.

(L) Natural mineral resources, the development of, or exploration for, together with the necessary buildings, apparatus, or appurtenances incidental thereto.

(M) One dwelling unit if the following requirements are met:

1. The dwelling unit shall be clearly secondary to the commercial use of the property.

2. There are no other residences on the property.

3. The dwelling unit shall not be rented or leased independent of the principal use to which it is necessary.

4. The exterior of any residential unit shall be compatible with the commercial building(s) on the property.

5. The permit shall be reviewed annually to ensure continued compliance with the provisions of this title.

A finding shall be made that other feasible security measures have been tried and that there is a demonstrated need for additional security.

(N) Service stations.

(O) Storage of copper, junk, ore paper, rags, scrap, tin, or zinc when such storage is the primary business.

(P) Tire recapping, rebuilding, retreading.

(Q) Vocational schools or hospitals when incidental to and located upon the same property as a commercial or industrial use otherwise permitted in this district.

(R) Warehouse, wholesale building.

(S) Automobile repair, body work, and steam cleaning subject to the following restrictions:

1. All work shall be conducted within the building.

2. The area required to meet the off-street parking requirements of Section l0-l3-5 (C) shall not be used to store cars for more than 24 hours.

3. All cars to be stored for more than 24 hours shall be stored within the building or in a storage area that is surrounded by a six foot high solid fence.

10-10-4 Building requirements

(A) Height Limit:

1. No building or structure shall exceed six (6) stories or 70 feet, whichever is the lesser.

2. No fence, hedge, or screen planting (excluding wire fences, and non-solid fences which do not limit visibility as determined by the planning director) shall be constructed or permitted to grow in excess of three (3) feet in height within any front yard or side yard of a corner lot.

(B) Building Site Area Required:

1. Minimum area - Sufficient to provide the minimum yard and parking requirements.

2. Minimum width, interior lot - 55 feet.

3. Minimum width, corner lot - 65 feet.

4. Minimum depth - 100 feet.

(C) Yards and Open Spaces Required

1. Front yard and side yard of a corner lot - None except no building shall be closer than 10 feet to any street less than 70 feet in width.

2. Side yard, interior lots and rear yard - None except no building shall be erected closer than 15 feet to any "R" district.

3. No vehicle opening of a building shall be closer than 20 feet to the property line or planned right-of-way line towards which the opening faces.

4. Loading docks shall be so located that trucks will head in and head out and not use the public street for maneuvering, loading and unloading.

10-10-5 Development Standards

(A) Nuisances: No operation shall be conducted on any premises in such a manner as to cause an unreasonable amount of noise, odor, dust, smoke vibration or electrical interference detectable off the site.

(B) Screening: An eight (8) foot high masonry wall shall be constructed along the property line adjacent to any residential zone or any "PD" zoning for residential use except that no such wall shall be required if said property line abuts an alley.

(C) Landscaping: A landscaping plan indicating plant species, initial size, location, growth characteristics and method of irrigation shall be approved by the planning director prior to issuance of any permit. Such required landscaping shall be installed prior to final inspection and shall be maintained by the property owner.

(D) Trash bins: Fully enclosed trash storage areas shall be provided at locations that are readily accessible to residents and sanitation collectors.

(E) Off-street parking shall be provided as required in Section 10-13-5. A circulation plan for all non-residential uses shall be required for all new development and shall include truck loading and unloading facilities.

(F) Site Plan Review: Proposals to construct anything other than a single-family dwelling, a duplex, a triplex or a four-plex on a parcel shall be subject to site plan review by the planning commission prior to issuance of a building permit. This review shall include, but not be limited

to, comparison of the project with the architectural and subdivision design standards as adopted by the city council.

Chapter 11

Flood Plain District "F" Zone

Section

l0-11-1 Regulations

l0-11-2 Uses Permitted

l0-11-1 regulations

The following regulations shall apply in all regulations herein before specified therefore, and shall be subject to the provisions of Chapter l3 of this title; for any district with which is combined and "F" district, then in such case the provisions of that Chapter shall govern.

l0-11-2 Uses Permitted

A) all uses permitted in the respective districts with which the "F" district is combined, subject to approval of design and location of building provided however, as follows:

1. Foundation, walls, footing, and type of construction shall be of a type to withstand flood conditions.

2. The main floor levels of all dwelling units shall not be lower than an elevation established by the city council as the flood plain.

Chapter 12

Planned development "PD" Zone

Section

10-12-1 Purpose

10-12-2 Procedure

10-12-3 Permitted Uses

10-12-4 Height and Space Requirements

10-12-5 Area Requirements

10-12-6 Development Plan

10-12-7 Development Schedule

10-12-8 Changes in Development Plan or Schedule

10-12-9 Designation of "PD" Zoning Map

10-12-1 Purpose

The Planned Development zone is designed to accommodate various types of development such as neighborhood and district shopping centers, professional and administrative areas, multiple housing developments, single family residential developments (such as condominiums, townhouses, zero-lot line developments) and other uses or combinations of uses.

10-12-2 Procedure

"PD" district zoning shall be adopted or changed in the same manner as prescribed by this title concerning zoning district amendments. No "PD" district zoning shall be adopted unless a development plan and development schedule has been approved for the area.

10-12-3 Permitted Uses

All uses, when consistent with the general plan, shall be allowed in "PD" districts, subject to the approval of the development plan and development schedule by the city council.

10-12-4 Height and Space Requirements

Minimum lot size, setback, parking requirements, yard requirements, maximum height, density, and percentage of coverage shall be established for each "PD" zone by the development plan approved by the city council. In no instance shall the density of a residential development exceed the density permitted by the general plan designation.

10-12-5 Area Requirements

No parcel shall be created in an area zoned planned development unless the planning commission finds that the parcel size, location, and configuration is consistent with the approved development plan.

10-12-6 Development Plan

An application for a "PD" zone shall include and be accompanied by a development plan. The "PD" zone, when adopted, shall become part of the zoning map of the city as provided for in Section 10-02-3 and the development plan for such "PD" zone shall be adopted by resolution of the city council.

(A) The development plan shall include:

1. A map showing any street system and lot design proposed within the zone. Any area proposed to be dedicated or reserved for parks, parkways, playground, school sites, public buildings, and other such uses must be shown. Compliance with this requirement shall not be construed to relieve the applicant from compliance with the subdivision regulations or any other applicable regulations of the city.

2. A plot plan for each building site or sites in the proposed "PD" zone or any portion thereof as required by the planning commission. A plot plan shall show the approximate location of all proposed buildings, indicating maximum and minimum distances between buildings and between buildings and property or building site lines.

3. Elevations (perspective drawings may also be submitted) of all proposed structures except single-family residences and their accessory buildings. Such drawings need not be the result of final architectural decisions and need only be in sufficient detail to meet the following purpose. The purpose of such drawings is to indicate, within stated limits, the height of proposed buildings and the general appearance of the proposed structures to the end the entire

development will have architectural unity, be in harmony with surrounding developments, and comply with any design criteria in effect at the time of application.

4. A parking and circulation plan for all non-residential developments. This plan shall include off-street parking, truck loading and unloading access, proposed circulation patterns of vehicles within the "PD" zone and to and from adjacent public thoroughfares. Any special engineering features and traffic regulation devices needed to facilitate or insure the safety of this circulation pattern shall be shown.

5. Any or all of the following plans and diagrams may also be required by the planning commission or similar information may be required to be included on the plot plan or appended thereto:

a. A parking and circulation plan as described in 4 above for residential developments.

b. Landscaping and tree planting plan.

c. A map showing the existing and proposed topography of the area at one (1) foot contour intervals and trees over 6 inches in diameter measures four (4) feet above the ground.

d. An economic feasibility report or market analysis.

e. Noise evaluation of the proposed development.

10-12-7 development Schedule

(A) An application for a "PD" zone shall be accompanied by a development schedule indicating to the best of the applicant's knowledge the approximate date when construction of the project can be expected to begin, the anticipated rate of development, and the completion date. The development schedule for an application to prezone a "PD" zone shall indicate the approximate time period, after the property is annexed to the city and the "PD" zone becomes effective, when construction of the project can be expected to begin, the anticipated rate of development, and the anticipated time to completion. The development schedule approved by the city council shall become part of the development plan and shall be adhered to by the owner of property in the "PD" zone and his successors in interest. The city shall require posting of cash, a savings and loan certificate, or a performance bond issued by a corporate surety company in an amount to be determined by the city engineer to cover the cost of public improvements adjacent to the proposed development prior to the issuances of the building permit for first phase of construction.

(B) From time to time, the planning commission shall compare the actual development accomplished in the various "PD" zones with the approved development schedules.

(C) If the owner or owners of property in "PD" zones have failed to meet the approved development schedule, the planning commission shall initiate proceedings under Chapter 16 of this title to repeal the "PD" zone and rezone the property to the zone classification it held immediately prior to being zoned "PD" or other appropriate zone classification.

(D) Upon request by the property owner and for good cause shown, the planning commission may recommend that the city council extent the time limits of the development schedule provided that any request for an extension of these limits be on file in the office of the planning director at least thirty (30) days prior to the expiration of any time limit required by the development schedule. The city council may amend the development schedule by resolution.

10-12-8 Changes in Development Plan or Schedule

Any subsequent changes proposed in the development plan or schedule shall be submitted to the planning director and shall be treated as follows:

(A) If changes to the development plan are proposed that do not involve any new uses and if the proposed changes conform in principal to the approved plan, the planning director shall have authority to approve such changes.

(B) If the proposed changes do not, in the opinion of the planning director, conform to the development plan, the proposed changes shall be processed according to the procedures set forth in Chapter 16 of this title except that the fee charged shall be that of a regular rezone application.

10-12-9 Designation of "PD" Zoning Map

Each "PD" zone shall be numbered, the first adopted being shown on the zoning map as "PD 1" and each zone subsequently adopted being numbered successively.

Chapter 13

General Provisions

Section

10-13-1 Uses

10-13-2 Height Limits

10-13-3 Building Site Area

10-13-4 Yards

10-13-5 Off-Street Parking Requirements

10-13-6 Density Bonus Requirements

10-13-1 Uses

(A) CLARIFICATION OF AMBIGUITY: If ambiguity arises concerning the appropriate classification of a particular use with the meaning and intent of this title, or with respect to matters of height, yard requirements, area requirements or zone boundaries, as set forth herein and as they pertain to unforeseen circumstances, including technological changes in processing of materials, it shall be the duty of the planning commission to ascertain all pertinent facts and by Resolution set forth its findings and its interpretations, and therefore such interpretations shall govern.

(B) PUBLIC UTILITIES: The provisions of this chapter shall not apply to poles, lines, or other structures or facilities used or usable by any irrigation district or public utilities company, solely

for the purpose of producing, transmitting and/or distribution of electricity, signal or communication circuits and shall not be construed to limit or interfere with the installation, maintenance and operation of public utility pipelines, and electric or telephone transmission lines or railroads when located in accordance with the applicable rules and regulations of the Public Utilities Commission of the State of California within rights-of-way, easements, franchise, or ownership of such public utilities.

(C) Accessory buildings appurtenant to a permitted use shall be allowed only when constructed concurrent with or subsequent to the main buildings.

10-13-2 Height Limits

Chimneys, communication towers, mechanical appurtenances, monuments, spires, campaniles, public and quasi-public buildings may be permitted in excess of height limits for the various districts, provided a use permit shall first be obtained in each case. Flag poles are permitted without height limitations and conventional television antennas, not over sixty (60) feet in height, are permitted in all districts. Trees in excess of three (3) feet in height are permitted in any required front yard or side yard of a corner lot provided the branches, at maturity, are not closer than eight (8) feet to the ground.

10-13-3 Building Site Area

Lots of less than the minimum required area, width, or depth in any district which are of record at the time of adoption of the City Code, such lot shall be deemed to have complied with the minimum required lot area, width and depth as set forth in any such district or precise plan. On any substandard lot the minimum yard requirements of the district in which it is located still apply.

10-13-4 Yards

(A) For the purpose of computing front yard dimensions the measurement shall be taken from the nearest point of the front wall of the building to the street line; provided, however, that if an official plan line has been established for the street, the measurement shall be taken from said point of building to such official plan line, except that certain architectural features hereinafter shall not be considered in making such measurements, to wit:

1. Cornices, canopies, coves, or other architectural features may extend into any required yard a distance not to exceed three (3) feet.

2. Fire escapes, landing places and uncovered porches may extend into the required yard a distance not to exceed six (6) feet but in no case may they be so located that access to the rear of the property is impaired.

3. Solid fences, hedges and screen planting not to exceed three (3) feet in height may extend to the property line in the front yard.

4. Solid fences, hedges, and screen planting may be established or permitted to grow in any side or rear yard to the height allowed in the zoning district in which the property is located.

5. Fireplaces may extend into any required yard a distance not to exceed two (2) feet.

(B) No mechanical equipment, including pool equipment, that is permanently fixed shall be permitted to occupy any of the required setback areas. In ground swimming pools shall be a minimum distance of five (5) feet from any property line from any structure on the same lot.

10-13-5 Off Street Parking Requirements

(A) Churches, lodges and places of public assembly: one (1) space for every three (3) fixed seats, or for every three (3) persons allowed under the maximum capacity established by the fire warden where there are no fixed seats, in the main place of assembly.

(B) Dwellings:

1. Single family and mobile homes, financed by FmHA - One, one car garage of the maximum size permitted by FmHA and one additional off-street parking space that meets the following requirements:

a. May be uncovered but must be paved.

b. Must be outside any required setback area on the property.

c. May not be in the driveway area of the garage.

d. Preferred location is next to the garage.

2. Single family and mobile homes, not financed by FmHA - One, two-car garage.

3. Two family dwelling, duplex, or multiple dwelling - Two spaces per unit, may be covered or uncovered.

4. Rooming or boarding house - One space for every 300 square feet of gross floor area. Spaces inside a garage may be counted toward meeting the requirement.

(C) Garage and Repair Shops: One space for every 300 square feet of gross floor area.

(D) Hospital: One and one-half spaces for each bed.

(E) Manufacturing or assembly plants and wholesale warehouses: One space for each employee on a maximum shift plus three additional spaces or, when the number of employees cannot be determined, one space for every 300 square feet of gross floor area.

(F) Mobile home Parks: Two spaces for each mobile home space plus one visitor parking space for every 5 mobile home spaces. Excluding visitor parking, the spaces may be constructed in tandem.

(G) Mortuaries: One space for every 5 seats, or one space for every 35 square feet in assembly rooms where seating is not fixed.

(H) Motels and Hotels: One space for each sleeping room or dwelling unit.

(I) Office Buildings:

1. Banks and Financial Institutions: One space for every 300 square feet of gross floor area.

2. General Business and Professional Offices: One space for every 300 square feet of gross floor area.

3. Medical-dental Offices and Clinics: One space per doctor and each employee, plus one space per individual examining room or one space for every 100 square feet of gross floor area where the number of examining rooms is unknown.

(J) Recreational Uses:

1. Bowling alleys: Five spaces per lane.

2. Dance hall and amusement centers: 25 spaces per 1000 square feet of gross floor area.

3. Stadiums and Theaters: One space for every three seats.

(K) Restaurants and Bars: One space for every four seats or four persons allowed under the maximum capacity established by the fire warden where the seating capacity is not fixed.

(L) Rest Home or Nursing Home: One space for each employee on a maximum shift plus one space for every eight beds.

(M) Retail Stores and Service Establishments:

1. Community and Regional Shopping Center: Eight spaces per 1000 square feet of gross floor area and one off-street truck unloading space for each 7500 square feet of gross floor area.

2. Flea Markets: Eight spaces per 1000 square feet of indoor or outdoor sales area.

3. Vehicles Sales Establishment: One space for each employee on a maximum shift plus one customer parking space per every 20 vehicles for sale.

4. All other retail store and service establishments: One space for every 300 square feet of gross floor area and one off-street truck unloading space for each 7500 square feet of gross floor area.

(N) Schools:

1. Elementary: Two spaces for each classroom.

2. High School and Trade School: One space for every five seats.

3. Colleges: One space for every three seats.

(O) Combined Uses: The number of required spaces shall be determined by combining individual requirements for each use.

(P) All other uses not set forth above shall be determined by the planning commission based on the intensity of use by motor vehicles.

(Q) No required off-street parking spaces shall be located within the building setback area or any required yard space, nor shall the spaces be allowed in tandem.

(R) All commercial and other parking spaces shall be located within 300 feet of the use which they are to serve.

(S) None of the off-street parking requirements shall apply to any building in existence at the time of the effective date of this chapter provided that changes in use of the building do not increase demand for spaces and provided that any portion of the premises being used for

off-street parking in connection with any such building shall not be reduced below the requirements of this section.

(T) All required parking spaces shall be paved and, with the exception of spaces provided in a garage, all spaces shall be marked.

(U) Recreational vehicles, as described in this chapter, may be parked on private property within any zoning district within the city so long as they do not create safety or sight clearance hazard for traffic on abutting streets, sidewalks or alleys.

Residents may apply and be issued (no fee) permits, by officers of the Police Department, for quests to stay in Recreation vehicles parked on their property for a period not to exceed fourteen (14) consecutive days.

Recreation vehicles, parked on private property, are prohibited from being used as living quarters except as provided above or when parked in approved licensed recreation vehicle parks.

(V) All parking spaces shall be accessible by paved driveways, alleys, or streets. If parking spaces are to be entered or exited by means of an alley, the alley shall be paved the entire width of the lot and from the lot to the nearest paved, public right-of-way.

10-13-6 Density Bonus Requirements

When the developer of a housing project with five or more units agrees to construct at least (a) 25 percent of the total units of a housing development of persons and families of low or moderate income, as defined in Section 50093 of the California Health and Safety Code, or (b) l0 percent of the total units of a housing development for lower-income households, as defined in Section 50079.5 of the California Health and Safety Code, or (C) 50 percent of the total dwelling units of a housing development for qualifying residents, as defined in Section 5l.2 of the California Civil Code, the city will grant a density bonus of at least 25 percent more units than normally allowed by the existing zoning of the property.

Specifically, "density bonus" means a density increase of at least 25 percent over the otherwise allowable residential density under the applicable zoning district.

Requests for a density bonus must be in writing and must be accompanied by written information to support the applicant's determination that the units will be available within the income limits described in this section.

Chapter 14

Nonconforming Uses

Section

10-14-1 Use of Land

10-14-2 Use Not Conforming

10-14-3 Use Permit

10-14-4 Use of Restricted Nature

10-14-5 Abandonment

10-14-6 Damaged Building

10-14-7 Repairs, Alterations

10-14-8 Interpretation

10-14-9 Minor Expansions, Residential Buildings

10-14-1 Use of Land

The lawful use of land existing at the time of the adoption of this chapter, although such use does not conform to the regulations herein specified for the district in which such land is located, may be continued, provided that no such use shall be enlarged or increased, nor be extended to occupy a greater area than that occupied by such use at the time of the adoption of this title, and shall be in conformity to the regulations specified for the district in which such land is located; provided however, a building or structure occupied by a nonconforming use or building or structure nonconforming as to height area, or yard regulations may be added to or enlarged, remodeled or moved to a new location on the lot only upon a permit authorized by the planning commission which may issue such permit provided that the planning commission, after a public hearing, shall find:

(A) The proposed change does not impose any unreasonable burden upon the lands located in the vicinity of the nonconforming use or structure.

(B) Will not under the circumstances of the particular case be detrimental to the health, safety, and general welfare of people in the area or the city in general.

(C) Is logically and reasonably related to the existing use and that the size and/or intensity of the enlargement, expansion, restoration or change is not such that it would more appropriately be moved to a zone district in which it is permitted.

10-14-2 Use Not Conforming

The lawful use of a building existing at the time of the adoption of this title may be continued although such use does not conform to the regulations specified for the district in which such building is located.

10-14-3 Use Permit

The nonconforming use of a property may be extended as described in 10-14-1 provided a use permit is approved.

10-14-4 Use of Restricted Nature

The nonconforming use of a building may be changed to a use of the same or more restricted nature provided that in each case a use permit is first obtained.

10-14-5 Abandonment

If the nonconforming use of a building or land ceases for a continuous period of six (6) months, it shall be considered abandoned and shall therefore be used only in accordance with the regulations for the district in which it is located.

10-14-6 Damaged Buildings

A nonconforming building damaged or destroyed by fire, explosion, earthquake or other act to an extent of more than 75 percent of the appraised value thereof, according to either the assessor's records or an appraisal performed by a qualified real estate appraiser may be restored only if made to conform to all the regulations of the district in which it is located, provided that such building may be restored to a floor area not exceeding that of the former building if a use permit first shall be secured.

10-14-7 Repairs, Alterations

Ordinary maintenance and repairs may be made to any nonconforming building provided no structural alterations are made and providing that such work does not exceed fifteen (15) percent of the appraised value in any one year period. Other repairs or alterations may be permitted provided that a use permit shall first be secured in each case.

10-14-8 Interpretation

Nothing contained in this chapter shall be deemed to require any change in the plans, construction or designated use of a building for which a building permit has been properly issued, in accordance with the provisions of this chapter then effective, and of this chapter, provided that in all such cases actual construction shall be diligently carried on until completion of the building.

10-14-9 Minor Expansion, Residential Buildings

Expansion of a legal nonconforming single family dwelling or duplex by not more than 25 percent of the floor area of the existing dwelling(s) shall be permitted with the approval of the planning director. Such expansion shall meet all other requirements of the City Code and shall not result in the creation of more dwelling units than currently occupies the property.

Chapter 15

Permits Variances, Appeals

Section

l0-l5-1 Zoning Permit

l0-l5-2 Use Permit

l0-l5-3 Variance

l0-l5-4 Appeals

l0-l5-1 Zoning Permit

Zoning permits shall be required for all buildings and structures hereinafter erected, constructed, altered; repaired or moved within or into any district established by this title, and for the use of vacant land or for a change in the character of the use of land, within any established district. There shall be no fee for a zoning permit.

l0-l5-2 Use Permits

Use permits may be issued for any of the uses or purposes for which such permits are required and are subject to the provisions of the section.

A) Form: applications for a use permit shall be made to the planning commission in writing or a form prescribed by the planning commission and shall be accompanied by sufficient information in writing, drawings, or pictures to show the detail of the proposed use or building. A filing fee, in such amount as may be fixed by the city council shall be paid at the time the application is filed.

B) Public Hearing: whenever an application for a use permit is submitted to the planning commission, the planning commission shall give notice of hearing not less than l0 days before the date of hearing in either of the following ways:

l. By publication in a newspaper of general circulation in the city and posting said notice in conspicuous places close to the property affected.

2. By mailing said notice to the owners of adjacent properties as shown on the last equalized assessment role. Adjacent properties shall mean all properties whose boundaries touch, or would touch if not for alleys and public streets, the property for which the use permit has been requested.

C) Action by the planning commission: in order to grant any use permit, the applicant must introduce evidence in support of his application sufficient to enable the planning commission to find that the establishment, maintenance or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.

l. The planning commission may designate such conditions in connection with the use permit as it deems necessary to secure the purpose of this title and may require such guarantees and evidence that such conditions are being or will be complied with.

2. In cases where any use permit is refused, the planning commission shall state its reasons for such refusal.

D) Appeal to city council: in case the applicant or any other person is not satisfied with the action of the planning commission, he may within l0 days, appeal in writing to the city council.

l. Decisions appealed to the city council shall be set for specific time and place of public hearing at the next regular meeting.

2. Notice of hearing shall be given as provided in Section l0-l5-2-B.

3. The city council shall render its decision within 60 days after the filing of such appeal.

E) Effect: use permits shall not become effective for l0 days after being granted and in the event an appeal is filed shall not become effective until a decision is made by the city council on such appeal.

l. No building or zoning permit shall be issued in any case where a use permit is required by the provisions of this title unless and until such permit has been granted by the planning commission or city council and then only in accordance with the terms and conditions of the use permit granted.

2. No application for a use permit which has been denied shall be resubmitted for a period of one year from the date said order of denial became final, except on grounds of new evidence or proof of change of conditions found to be valid by the planning commission or city council, whichever issued said order of denial.

3. Any use permit granted shall be null and void l2 months from the date of final approval thereof unless prior to such expiration date, the property is being used for the purpose for which the use permit was granted or unless a valid building permit is in effect for the construction of necessary buildings or appurtenances to such use. The planning commission may defer expiration of the permit for a period not exceeding one year upon application, in writing, by the owner of the property prior to expiration provided such use is still permitted in the district in which it is proposed to be located.

l0-l5-3 Variance

When practical difficulties, unnecessary hardship and results inconsistent with the general purpose of this title may result from the strict application of certain provisions thereof, a variance may be granted as provided in this section except for uses not permitted by zoning district regulations.

A) Form: application for variance shall be made in writing on a form prescribed by the planning commission and shall be accompanied by a fee, to be set from time to time by the city council, and statement, plans and evidence showing:

1. Because of special circumstances applicable to the property including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives the subject property of the privileges enjoyed by other properties in the vicinity and under identical zone classifications.

2. The granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner and will not constitute a grant of special privileges.

3. The granting of such application will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not, under the circumstances of the particular case be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.

B) Public Hearing: whenever an application for a variance is submitted to the planning commission, the planning commission shall give notice of hearing thereof in the same manner and for the same period of time as required for use permits under Subsection B of Section 2 of this chapter.

C) Action by the planning commission: after the conclusion of the public hearing, the planning commission shall make a finding of facts indicating whether the circumstances enumerated in Subsection A of Section 3 of this chapter apply to the land, buildings or use for which a variance is sought.

l. The planning commission may impose such conditions in connection with the variance as it deems necessary to secure the purposes of this chapter and may require a bond guarantee or other assurances that such conditions are being or will be complied with.

2. If the planning commission, after receiving and considering the evidence, and any proposed conditions, is unable to make the foregoing findings of facts, it shall recommend to the city council that the variance be denied.

D) Action by the city council: the city council shall consider the application for variance at a public hearing held within 60 days after receipt of the planning commission's recommendation.

l. If the city council finds that the qualifications under this Section apply to the land, building or use for which a variance is sought and that such variance is in the harmony with the general purpose of this title, the city council shall, by resolution grant such variance.

2. The city council may designate such conditions in connection with the variance as it deems necessary to secure the purposes of this title and may require a bond, guarantee or other evidence that such conditions are being or will be complied with.

E) Effect

l. No application for a variance which has been denied shall be resubmitted for a period of one (1) year from the date of said order of denial became final, except on grounds of new evidence or proof of change of conditions found to be valid by the city council.

2. Any variance granted shall be null and void l2 months from the date of final approval thereof unless prior to such expiration date, the property is being used as stated in the variance, or unless a valid building permit is in effect for the construction of buildings or appurtenances to such variance. The planning commission may defer expiration of the variance for a period not exceeding one year upon application, in writing, by the owner of the property prior to expiration provided the conditions for granting the variance have not changed.

l0-l5-4 Appeals

A) The planning commission shall have the power to hear and decide appeals at a public hearing on the enforcement or interpretation of the provisions of this title.

B) In case an applicant is not satisfied with the action of the planning commission on his appeal, he may within 10 days, appeal the decision to the city council. The city council shall hold a public hearing to consider the appeal within 60 days after the filing of such appeal.

l0-l5-5 Mobile Home Permits

Mobile home permits may be issued for any parcel or lot in at R-1, R-2 or R-3 zoning district which contains one and only one single family dwelling to allow placement of a temporary mobile home pursuant to the provisions of this Section.

A) Form: application for a mobile home permit shall be made to the city council and shall be accompanied by the following information:

1. Plot plan of property showing existing buildings and proposed location of the mobile home.

2. A statement from a doctor on a form provided by the planning department which details this disability requiring care or proof of age.

3. A filing fee in such amount as may be fixed by the city council.

B) Public Hearing: whenever an application for a mobile home permit is submitted to the city council, the city council shall give notice of hearing not less than l0 days before the date of hearing in either of the following ways:

l. By publication in a newspaper of general circulation in the city and posting said notice in a conspicuous place close to the property affected.

2. By mailing said notice to the owners of property within 300 feet of the property as shown on the last equalized assessment role.

C) Action by the city council: in order to grant a mobile home permit the city council must determine that the following criteria are met:

l. The purpose of the mobile home shall be to provide care for ill or aged (at least 70 years old) members of the immediate family. The person(s) requiring care may live in either dwelling unit.

2. The mobile home shall have been built since October 7, l973, shall be at least 8 feet wide and 40 feet long, bearing the California Department of Housing and Community Development decal and shall constitute a "mobile home" as defined in the California Administrative Code, Title 25, Chapter 2, Subchapter l, Article l, Section l008.

3. The mobile home shall be located on the rear half of the lot so it is screened from public view, shall be completely skirted within 90 days of final inspection, and shall be at least l0 feet from any other structure and 5 feet from any property line.

4. The mobile home must use existing connections to public water and sewer, however, a separate temporary gas and/or electric service shall be installed in accordance with the California Administrative Code, Title 25, Chapter 2 Subchapter l, Articles 3 and 4.

5. Neither dwelling shall be rented.

6. The existing dwelling shall be occupied by the property owner.

7. In order to grant a temporary mobile home permit, the city council must find that the establishment of the mobile home will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.

D) Renewal: a mobile home permit shall be valid for one year from the date of approval. The mobile home must be re-inspected and the permit renewed annually prior to its anniversary date. In order to renew the permit, the following information must be submitted and city council approval obtained.

l. Completed mobile home permit renewal form.

2. A statement dated no earlier than 30 days prior to the expiration of the permit, from a doctor verifying that the applicant still needs care because of illness or age.

3. A copy of the current vehicle registration or tax clearance certificate.

4. A renewal fee in such amount as may be fixed by the city council.

E) Removal: the mobile home and its electrical and/or gas service shall be removed within 90 days from the date that the conditions of which the permit was granted ceases to exists or either unit is vacated.

Chapter 16

Amendments

Section

l0-l6-l Provisions Changed

l0-l6-2 Initiation

l0-l6-3 Planning Commission Actions

l0-l6-4 City Council Actions

l0-l6-5 Prezoning

l0-l6-6 Effect

l0-l6-1 Provisions Changed

This title may be amended by changing the boundaries of districts or by changing any other provisions thereof whenever the public necessity and convenience and the general welfare require such amendment by the following procedure of this chapter.

l0-l6-2 Initiation

A) An amendment may be initiated by the verified petition of any one or more owners of property affected by the proposed amendment, which petition shall be filed with the planning

commission, and shall be accompanied by a fee as set by the city council, no part of which shall be returnable to the petitioner; or

B) By resolution of intention of the city council; or

C) By resolution of intention of the planning commission.

l0-l6-3 Planning Commission Action

A) Public Hearings: the planning commission shall hold at least one public hearing on any amendment. Notice of the time and place of said hearing shall be given at least ten (10) calendar days before the hearing in the following manner:

l. By the publication at least once in a newspaper of general circulation.

2. By causing notices to be mailed to all property owners within the district of which the boundaries are proposed to be changed or whose property is proposed to be reclassified from one district to another, as shown on the preceding assessment roll of the county, and to all owners of properties bordering or within 300 feet of the exterior boundaries of said district.

3. Failure to receive notice required by the subsection shall not invalidate the amendment.

4. The notice required by the subsection shall specify the type and magnitude of the changes proposed, the place where copies of the proposed changes may be obtained, the time, date and place of the hearing, and the right to appear and be heard.

B) Action: following the public hearing(s) prescribed above, the planning commission shall made a written recommendation to the city council. The favorable recommendation to any amendment shall be carried by the affirmative vote of a majority of the voting members of the planning commission present.

l0-l6-4 City Council Action

A) Public Hearings: upon receipt of the planning commission recommendation, the city council shall set the matter for public hearing after giving notice thereof in the same manner as provided for in Section l0-l6-3-A.

B) After conclusion of such hearing, the city council may adopt the amendment of any part thereof in such form as the city council may deem advisable, provided that the proposed change is carried by a majority of the voting members of the city council.

C) The decision of the city council shall be rendered within 60 days after the receipt of a report and recommendation from the planning commission.

l0-l6-5 Prezoning

Prezoning applications shall be handled pursuant to the requirements of the chapter.

l0-l6-6 Effect

No application for a zoning change which has been denied wholly or in part by the city council shall be resubmitted for a period of one year from the date of said order of denial became final, except on grounds of new evidence or proof of changed conditions found to be valid by the city council

Chapter 17

Enforcement, Interpretation

Section

10-17-1 Applicability To Public Agencies

10-17-2 Interpretation

l0-l7-3 Revocation; Expiration of Permits

10-17-4 Enforcement

10-17-5 Nuisance

10-17-6 Filing Fees

10-17-7 Appeal

10-17-1 Applicability to Public Agencies

The provisions of this chapter to the extent permitted by law, shall apply to all public bodies, districts and agencies, federal, state, county and municipal, (other than the city ); provided however, that variance permit and amendments to such governmental units may be applied for and granted without payment of the application fee.

10-17-2 Interpretation

When interpreting and applying the provisions of this title, they shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare. Except as specifically herein provided, it is not intended by the adoption of this title to repeal, abrogate, annul, or in any way to impair or interfere with any existing provision of law, ordinance, or any rules, regulations, or permits previously adopted or issued, or which shall be adopted or issued pursuant to law relating to the erection, construction, establishment, moving, alteration or enlargement of any building or improvements; nor is it intended by this title to interfere with or abrogate or annul any easement, covenant or other agreement between parties, provided, however, that in cases in which this City Code imposes a greater restriction upon the erection, construction, establishment, moving, alteration or enlargement of building or the use of any such building or premises in said several districts or any of them, than is imposed or required by such existing provisions of law or ordinance or by such rules, regulations or permits or by such easements, covenants or agreements, then in such by such easements, covenants or agreements, then in such cases the provisions of this title shall control.

10-17-3 revocation, Expiration of Permits

The planning commission after a public hearing held in the manner prescribed in Chapter 15 of the title governing variance and conditions use permits, may revoke or modify any permit or variance issued on any or more of the following grounds:

A) That the approval was obtained by fraud.

B) That the use for which such approval was granted is not being exercised.

C) That the use for which such approval was granted has ceased to exist or has been suspended for one year or more.

D) That the permit or variance granted is being, or has been exercised contrary to the terms of conditions of any statute, ordinance, law or regulation.

E) The use for which the approval was granted was so exercised as to be detrimental to the public welfare or safety, or so as to constitute a nuisance.

F) That the continued exercise of the use for which approval was granted appears to be inimical to the public welfare.

10-17-4 Enforcement

All departments, official and public employees of the city vested with the duty or authority to issue permits or licenses shall conform to the provisions of this title, and shall issue no permit of license for uses, buildings or purposes in conflict with the provisions of this title and any permit or license issued in conflict shall be null and void. It shall be the duty of the building inspector of the city to enforce said provisions pertaining to the erections, construction, reconstruction, moving, conversion, alteration or addition to any building or structure.

10-17-5 Nuisance

Any building or structure set up, erected, constructed, altered, enlarged, converted, moved, or maintained contrary to the provisions of this City Code, and any use of any land, building or premises established, conducted, operated or maintained contrary to the provisions of this City Code shall be and the same hereby declared to be unlawful and a public nuisance; and the attorney shall upon order of the city council, immediately commence action or proceedings for the abatement and removal and enjoyment thereof in the manner provided by law, and shall take such other steps and shall apply to such courts as may have jurisdiction to grant such relief as will abate and remove such building or structure and restrain and enjoin any person from setting up, erecting, building, maintaining or using any such building.

10-17-6 Filing Fees

Fees for the processing of various applications under this title may be set from time to time by resolution of the city council.

10-17-7 Appeals

Any applicant or other persons, firm or corporation which is dissatisfied with a decision resulting from the application, interpretation, or enforcement of the provisions of this title may appeal that decision provided that the appeal is in writing and clearly sets forth the reasons why the appeal ought to be granted.

A) Interpretations of this title by staff can be appealed to the planning commission.

B) Decisions of the planning commission may be appealed to the city council.

Chapter 18

Home Occupations

Section

10-18-1 Application

10-18-2 Criteria

10-18-3 Prohibited Uses

10-18-1 Application

Applications for home occupations are administered by the planning department and may exist in any residential district.

10-18-2 Criteria

It is the intent of the following criteria to reduce the impact of the home occupation to the degree that its effects on the neighborhood are undetectable from normal and usual residential activity.

A) Only occupants of the dwelling shall be engaged in home occupation on the subject property. In the event of a partnership or corporation, at least one of the members must be a resident of the subject property.

B) Off-site employees or partners are permitted so long as they do not work or report for work at subject property.

C) The use of the dwelling for the home occupation shall be clearly incidental and subordinate to its use for residential purposes. The home occupation may be conducted in the principal dwelling or accessory structure on the subject property provided that the area does not exceed 20 percent of the habitable floor area of the principal dwelling.

D) There shall be no mechanical equipment or operation used which creates or makes noise, dust, odor, vibration, or other effects detectable at the property line. Noise level at the property line shall not exceed 65 dBA.

E) There shall be no display of products produced by the home occupation visible in any manner from the outside of the dwelling unit.

F) The use shall not generate pedestrian or vehicular traffic beyond that which is normal in a residential district nor in any case require the parking of more than two additional vehicles at any one time.

G) There shall be no storage of material or supplies out-of-doors.

H) There shall be no change in the outside appearances of the building premises, or any visible evidence of the conduct of such home occupation other than one sign not to exceed two square feet.

I) There shall be no advertising of the home occupation which uses the address of location.

J) The following specific home occupation uses shall be permitted subject to further limitations as follows:

1. Beauty/barber shops limited to one customer.

2. Contractors and subcontractors offices are permitted as home occupations. However, the storage of materials, equipment, commercial vehicles of more than one ton, nor more than one vehicle of less than one ton not normally association with residential uses shall be prohibited.

3. Swimming lessons, music lessons, and other similar lessons, when given to no more than three students at one time.

10-18-3 Prohibited Uses

The following uses are expressing prohibited as home occupations:

A) Repair or reconditioning or motorized vehicles or equipment, on site.

B) Manufacturing, including cabinet shops and similar uses.

C) Repair or reconditioning of major household appliances, including refrigerators, freezers, clothes washers/dryers, dish washers, stoves, heating and air conditioning equipment, and lawn mowers.

D) Repair or reconditioning of boats or recreation vehicles.

E) Medical, dental and chiropractic clinics and offices.

F) There shall be no delivery of merchandise to customers at the premises other than that incidental to a service conducted on the premises.

Chapter 19

Signs

Section

10-19-1 Purpose

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10-19-7 Sign Type, Area and Height Requirements: C-1, C-2, CM, M-1, M-2 and "PD" Zones

10-19-1 Purpose

The purpose of these sign regulations is to provide minimum standards to safeguard life, health, property and public welfare in keeping with the character of the city by regulating and controlling the size, eighth, structural design, quality of materials, construction, location, electrification and maintenance of all signs and sign structures and to accomplish the following results:

A. To protect and enhance the character of residential neighborhoods and property values by prohibiting obtrusive and incompatible signs; and

B. To promote and maintain healthy commercial centers and property values to effectively communicate the nature of goods and services, and to avoid wasteful, ugly and unsightly competition in signs; and

C. To provide and reasonable and comprehensive system of controls of signs; and

D. To encourage signs which are well designed and pleasing in appearance, and to provide incentive and latitude for variety, good design relationship, spacing and location; and

E. To encourage a desirable urban character which has a minimum of overhead clutter; and

F. To attract and direct persons to various activities and enterprises in order to provide for the maximum public convenience; and

G. To enhance the economic value of the community and each area of it through the regulation of size, location, design and illumination of signs.

10-19-2 Definitions

BENCH SIGNS: the term "bench sign" shall mean a bus bench located outdoors with advertising matter thereon.

BULLETIN BOARD: the term "bulletin board" shall mean a sign used to announce a coming event or attraction or used to convey a specific message related to the building or use of the property on which the bulletin board is located. In all zones, bulletin boards which are displayed so as to be viewed from a public street, parking lot, walkway or mall shall be subject to the sign regulation or the zone in which the building or property is located.

CANOPY: the term "canopy" shall mean a roof of a building or a fixed overhead shelter used as a roof, which may or may not be attached to a building and which does not encroach into nor overhang a public street or alley right of way.

IDENTIFICATION SIGN: the term "identification sign" shall mean any sign which is used to identify or advertise the occupancy of a building, lot or premises or the merchandise or activity available at the building, lot or premises where the sign is located.

LIGHTED SIGN: the term "lighted sign" shall mean any sign which is illuminated either directly or indirectly by artificial light.

MARQUEE: the term "marquee" shall mean a fixed overhead shelter used as a roof, which may or may not be attached to a building, and which project into or overhangs a public street or alley right of way.

OPEN HOUSE DIRECTIONAL SIGN: the term "open house directional sign" shall mean a sign with the words "open house" and may include an arrow or other directional symbol and real estate office name.

OUTDOOR ADVERTISING SIGN: the term "outdoor advertising sign" shall mean a sign, excepting a bench sign, that directs attention to a business, profession, product, commodity or service that is not the primary business, profession, product, commodity or service sold, manufactured, conducted or offered on the site on which the sign is located.

CANOPY SIGN: the term "canopy sign" shall mean a sign attached to or hung from a canopy but not projecting from the face of the canopy.

CONSTRUCTION SIGN: the term "construction sign" shall mean a sign with the names or architects, engineers, contractors, subcontractors and financing agencies of buildings and structures being constructed upon the premises or which the sign is located.

CORPORATE FLAG: the term "corporate flag" shall mean a flag identifying a business or firm.

DIRECTIONAL SIGN: the term "directional sign" shall mean one of two types of signs. An exterior directional sign shall mean a sign oriented to a street and 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. An interior directional sign shall mean a directional, warning or information sign not bearing any advertising message readable from any street right of way. It shall be located on the same lot or premises as the use which it is intended to serve.

ERECT: the term "erect" shall mean to build, construct, attach, hang, place, suspend, paint or affix.

FREESTANDING SIGN: the term "freestanding sign" shall mean a sign detached from any building or structure, and the supports of which are permanently affixed on the ground.

HEIGHT: the term "height" shall mean the vertical distance from the highest point used in measuring the area of a sign to the top of the curb of the street at a point which is closest to the highest point of the sign.

PERMANENT SIGN: the term "permanent sign" shall mean and include every sign except "temporary signs" as defined herein.

POLE SIGN: the term "pole sign" shall mean sign which is not attached to a building but which has its own, separate support system and shall include a freestanding sign.

POLITICAL SIGN: the term "political sign" shall mean any impermanent sign or advertising device or display, with or without letters, words, numbers of figures thereon, which is designed to advertise a candidate for political office, a political party or a measure scheduled for an election.

PRINCIPAL FRONTAGE: the term "principal frontage" shall mean that wall of a building or structure which has frontage on a public street, highway, parking lot, walkway or mall and which is designed as the principal frontage of said building or structure.

PROJECTING SIGN: the term "projecting sign" shall mean any of the following:

1. Any sign attached to and projecting from the face of a wall, canopy or marquee.

2. Any sign mounted on a canopy roof or building roof that has a slope flatter than a 45 degree angle.

RIDGE LINE: the term "ridge line" shall mean the peak of the roof, the top of a parapet, or the top of the wall of a building.

SIGN: the term "sign" shall mean 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. However, a sign shall not include the following:

1. Official notices authorized by a court, public body or public officer.

2. Directional, warning or informational signs authorized by federal, state or municipal authority or public utility.

3. A properly displayed official flag of a government, school, religious group, or nonprofit organization.

4. A memorial plaque, tablet or cornerstone indicating the name of a building and date of construction, when cut or carved into any masonry surface or when made of bronze or other incombustible material and made an integral part of the building or structure, not to exceed four square feet in area.

5. Signs within a building which cannot be seen from outside the building.

SIGN AREA: the term "sign area" is the area of the sign surface computed by calculating the area of the circle, square, triangle, rectangle or combination of such geometric designs necessary to enclose such sign surface. Where a sign has two or more faces (sign surfaces) the area of all faces shall be included in determining the sign area, except where two such faces are placed back to back and are at no point more than one foot from one another, the sign area shall be taken as the area of one face if the two faces are of equal area, or as the area of the larger face if the two faces are of unequal area. Necessary supports or uprights on which a sign is placed shall not be included in the sign area provided they are not used to attract attention to the subject matter included in the sign area.

SIGN SURFACE: the term "sign surface" shall mean the which the message is displayed or illustrated.

SUBDIVISION SIGN: the term "subdivision sign" shall mean a sign indicating the name of recorded subdivision, the name of the contractor or subdivider, the name of the owner or agent, and/or giving information regarding directions, price and/or terms.

SUBDIVISION DIRECTIONAL SIGN: the term "subdivision directional sign" shall means a sign indicating the name of a recorded subdivision and information regarding location. The name of the contractor or subdivider, the name of the owner or agent and/or information regarding price and/or terms may also be noted.

TEMPORARY SIGN: the term "temporary sign" shall mean and include any sign, banner, pennant, valance, balloon, streamer, placard, "A" frame, sandwich board or similar impermanent sign or advertising device or display, with or without letters, words, numbers, or figures thereon, with or without frames, which directs, promotes service or price, or which is otherwise designed to attract attention for a short period of time only unless specifically mentioned in this chapter.

WALL: the term "wall" shall mean any wall or element of a wall or element of a wall or any number of group of members which defines the exterior boundaries or courts of a building or structure and which has a slope steeper than one horizontal to two vertical, with the horizontal plane.

WALL SIGN: the term "wall sign" shall mean any sign painted on, attached to or erected against the wall of a building or structure with the exposed face of the sign in a place approximately parallel to the place of the wall and which does not project beyond the top or ends of the wall. "Wall sign" shall also mean any sign permanently displayed on the inside or outside of a window.

WINDOW SIGN: the term "window sign" shall mean any sign temporarily displayed on the inside of a window or temporarily painted on a window and facing a street, highway, parking lot, walkway or mall.

ZONE: the term "zone" shall mean one of the various classes of area into which the City has been divided by this Title.

10-19-3 Administration

A. PERMIT REQUIRED: It shall be unlawful for any person to erect, alter, change, copy or relocate within the city any sign as defined herein without first obtaining a permit from the city manager (or his designated representative) and making payment of the required fee therefore, except that the following listed signs are not required to have permits or pay permit fees, but shall meet all other requirements of this Chapter:

1. Construction sign

2. For sale or rent sign not exceeding 8 square feet in area.

3. Garage sale sign

4. Unlighted interior directional, warning or information system when less than l2 square feet in area.

5. Nameplate, 2 square feet maximum size

6. Open house directional sign

7. Political signs permitted by Section 10-19-7 of this City Code.

8. Signs for fireworks stands, pumpkin sales, Christmas tree sale lots.

9. Subdivision directional signs

10. Corporate flag when its height does not exceed the roof line.

11. Bench signs.

12. Signs which identify the architects, engineers, contractors, or builders associated with construction work on the premises during the time period such work is being conducted.

13. Advertising signs on the perimeter fencing of athletic fields. Such signs shall be on the interior of the fence only, shall have the advertising facing the interior of the field, shall not exceed the height of the fence and shall not be subject to any other restrictions of this Chapter.

B. APPLICATION FOR PERMIT: Application for sign permits shall be made upon forms provided by the city manager (or his designated representative) and shall contain or have attached thereto such information as may be required by the city manager (or his designated representative) to ensure compliance with the provisions of the City Code. The application shall be accompanied by a fee in an amount set from time to time the resolution of the city council.

C. PERMIT ISSUED IF APPLICATION IS IN ORDER: It shall be the duty of the city manager (or his designated representative) to issue the sign permits if the application is complete, the sign complies with the provisions of the City Code and the fee has been paid.

D. SIGNS FALLING WITHIN DEFINITION OF ONE OR MORE TYPE SIGNS: Whenever any sign, as defined in this article, falls entirely within the definitions of one or more type signs, it shall be subject to the provisions of the most restrictive category.

E. PERMIT ISSUE IN ERROR: If a sign permit is issued in error by the city manager (or his designated representative) and the sign does not comply with all of the requirements of this article and all other laws and ordinance of the city, the sign permit shall be null and void, and no rights or privileges shall be conferred upon the permittee by said permit.

F. COMPLIANCE WITH CHAPTER, NUISANCE, ABATEMENT: The city council hereby determines that the public peace, safety, morals, health and welfare require that all signs which shall hereafter be constructed, erected or painted in violation of the provisions of this article shall be and they are hereby declared public nuisances to be removed and abated in the manner provided herein.

G. IDENTIFICATION: Every sign hereafter erected, altered or relocated shall have thereon in a conspicuous place in order to be readily visible, the date of erection, alteration or relocation, the permit number, voltage of any electrical apparatus used in connection therewith and the name of the person, firm or company doing said work. Said information shall not exceed l6 square inches in area.

H. MAINTENANCE OF SIGNS: The owner of any sign as defined and regulated by this article, including supporting structures, shall keep the same in a presentable condition at all times. All painted signs and all supporting structures of any sign shall be repainted to keep them in good condition whenever such action is requested in writing by the city manager (or his designated representative).

I. UNLAWFUL SIGNS: If the city manager (or his designated representative) shall find that any sign which has been constructed or erected or is being maintained in violation of the provisions hereof, written notice shall be given of such conditions to the permittee or in the event no valid permit exists, to the owner thereof. If the permittee or the owner thereof, as the case may be, fails to remove or alter the sign so as to comply with the standards herein set forth, within 30 days after such notice, such signs may be removed or altered to comply when so directed by the city manager and such cost shall be at the expense of the permittee or the owner of the property upon which the sign is located.

Any sign found to be unsafe and an immediate peril to persons or property may be removed summarily and without notice when so directed by the city manager. The cost of such removal shall be assessed against the owner of the sign removed.

Any sign erected upon public property in violation of the provisions hereof may be removed or destroyed when so directed by the city manager.

The cost of removal of alteration of any sign and any expense incident thereto which by the terms of this section shall be paid by a permittee, sign owner, property or any other person, shall become a debt owing the city. The city may initiate civil action in its own name for collection of the debt.

10-19-4 Nonconforming Signs: Definitions: Removal, Alteration, Replacement:

A. For the purpose of this article a "nonconforming sign" shall be any sign which does to conform with the provisions of this article but was lawfully erected and which was lawfully in existence and in use on May 1, l986.

B. A nonconforming sign shall not be replace, altered, reconstructed, relocated or expanded in any manner unless it is made to conform with all the provisions of this article except as follows:

1. Other nonconforming signs on the same property need not be made to conform as a result.

2. Change in copy shall be permitted if no structural changes in the sign are necessary except that no change in copy shall be permitted for nonconforming painted wall signs.

3. Ordinary maintenance and minor repairs which will not increase the normal life of the sign and which are required for safety purposes shall be permitted. Structural alterations to a nonconforming sign are prohibited unless they are made to conform to all requirements of the City Code.

C. If the use identified by a nonconforming sign is abandoned for a period of 90 days, the sign shall be removed unless it is made to conform to the provisions of this article. If such sign is not made to conform or if it is not removed within l20 days from the time the use is abandoned, it shall thereafter be unlawful.

"Abandoned", as used in this subsection, shall mean cessation of operation or change of use. "Abandoned", shall not mean an ownership change or a name change as long as there is not cessation of the operation for longer than 90 days and the use is not changed.

10-19-5 General Requirements

A. HEIGHT LIMITATION: the maximum height of any sign shall be as stated herein, but in no case shall a sign exceed 40 feet in height.

B. ROTATING, MOVING, FLASHING, CHANGING OR BLINKING SIGNS: no sign shall have or consist of any moving, rotating, or otherwise animated part or any flashing, blinking, fluctuating or otherwise animated light. The provisions of this subsection shall not be applied so as to prohibit the following types of signs:

1. A sign showing time separately and which changes no more often than one every l0 second or a conventional clock face.

2. A sign showing temperature separately and which changes only when the temperature rises or falls one degree or more.

3. A sign showing time and temperature alternately and which changes no more often than once every 10 seconds.

4. An on-premises barber pole of a length not to exceed 30 inches of traditional design which shall be permitted to revolve during the time that a barbershop is open for business. Said sign shall not exceed 10 feet in height.

C. PROJECTIONS: all signs, if otherwise authorized, are permitted to project into required front, side and rear yard. The permitted projecting of an authorized sign into any street or alley right of way is as follows:

1. Freestanding sign: no projection

2. Wall sign: up to 14 inches in thickness

3. Marquee sign: no closer than 2 feet from the face of the curb.

4. Projecting sign: up to 6 feet into any street right of way and up to 4 feet into any alley right of way, but not closer than 2 feet from the face of the curb.

5. Bus bench sign: entirely within street right of way.

D. VERTICAL AND HORIZONTAL CLEARANCE: No sign shall be less than 8 feet above a public or private sidewalk or 16 feet above ground level in areas open to vehicular except wall signs not exceeding 3 inches in thickness.

Signs shall not be erected within the triangle created by the lines connecting:

1. The point of intersection of front and side property lines extended into the intersection of two streets or other public right of way abutting the said property lines; and

2. The points on such front and side property lines 40 feet distant from said point of intersection, when the erection of other privately owned buildings and structures is prohibited therein.

No permit for any sign shall be issued and no sign shall be constructed or maintained which has less horizontal or vertical clearance from communication lines and energized electrical power lines than that prescribed by the laws of the State of California or rules and regulations duly promulgated by agencies thereof.

E. OBSTRUCTIONS TO DOORS, WINDOWS OR FIRE ESCAPES: No sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window, fire escape or exit way.

F. CONSTRUCTION STANDARDS: All signs, including all parts, portions, units, and material comprising the same together with the frames, backgrounds, supports and anchorage therefore shall be manufactured, fabricated, assembled, constructed and erected in accordance with applicable Building, Electrical, and Fire Prevention and Sign Codes of the city.

G. ILLUMINATED SIGN: Any illuminated sign or lighting device shall employ only lights emitting a light of constant intensity, and no sign shall be illuminated by or contain flashing, intermittent, rotating or moving light or lights. In no event shall an illuminated sign or lighting device be so placed or directed so as to permit the beams and illumination therefrom to be directed or beamed upon a public street, highway, sidewalk, or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance.

H. SIGNS NOT TO CONSTITUTE VEHICULAR TRAFFIC HAZARD: No sign as regulated in this article shall be erected at the intersection of any street or at any railroad grade crossing, or at any driveway in such a manner as to obstruct free and clear vision of operations of motor vehicles or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or devise; or which makes use of the works "STOP", "DANGER", or any other word, phrase, symbol, or character in such manner as to interfere with, mislead or confuse traffic.

I. TEMPORARY SIGNS FOR SPECIAL EVENTS: Temporary signs, in excess of the maximum permissible sign area, may be erected as participation in a public parade, public event or public celebration for a period not to exceed 30 days; provided however, that the erection of such signs shall be approved by the city manager as to location, safety and period of display. Temporary cloth signs and rigid signs shall be allowed as regulated in this subsection and as described in Chapter l4 of the Uniform Sign Code except that rigid signs shall be limited to a sign area of 32 square feet and may be displayed for no longer than 30 days.

J. BENCH SIGNS: It shall be unlawful for any person to erect, install or maintain any bench sign, except on public property in a location approved by the city manager. Such benches shall only be placed as necessary to serve existing public transit needs and shall require an encroachment permit.

K. WALL SIGNS, ADDITIONAL STANDARDS: No wall sign shall exceed l4 inches in thickness; no display or messages shall be permitted on the edges of wall signs except the sign company's identification as required by Section 10-19-3-G.

L. RIDGE LINE LIMITATION: A wall, canopy, marquee, or projecting sign shall not project more than 10 feet above the ridge line of the building on which the sign is mounted.

M. BUILDING OUTLINING: Outlining of a building or its roof by means of permanent lighting by exposed neon tubing, exposed incandescent lighting or other artificial lighting, or an equivalent effect, is prohibited. Outlining means delineation, with a row or band of lights, of the edges or a roof or wall surface. This provision does not prohibit floodlighting or generally illuminating buildings and their roofs for temporary Christmas displays.

N. NO SIGNS OR STREET TREES, UTILITY POLES OR STRUCTURE IN STREET RIGHT OF WAY: No signs shall be attached to any street tree, or any poles such as utility poles, street signals, street lights, street name signs or traffic warning signs, or on any bus shelter.

10-19-6 Sign Type, Area and Height Requirements: R-1, R-2, R-3 AND R-4 Zones

It shall be unlawful for any person to erect, construct or maintain on any lot or parcel any sign of a type having an area and/or height in violation of the following specific requirements:

A. In the R-1 and R-2 zones, the following on-site signs are permitted except as otherwise stated:

1. One unlighted for sale or rent sign per street frontage, not exceeding 8 square feet in area and 6 feet in height.

2. Three unlighted open house directional signs, each not exceeding 3 square feet in area and 3 feet in height, which shall be permitted during daylight hours only, for each house or group of houses offered for sale by the same realtor at the same general location, provided they do not bear any advertising message other than the real estate office name, and that such signs are located wholly on private property with permission of the property owner on whose property they are located.

3. One wall-mounted name plate not exceeding 2 square feet in area.

4. For non-residential uses permitted by conditional use permit additional signing as follows:

a. One bulletin board or identification sign not exceeding 25 square feet in area and 6 feet in height.

b. Canopy and wall identification signs limited to one-half square foot in combined sign area for each lineal foot of any wall and not exceeding 40 feet in height. Canopy and wall identification signs may have external illumination only; no internal illumination shall be permitted.

5. For mobile home parks permitted by conditional use permit there may be in addition one identification sign limited to l2 square feet in area and not exceeding 6 feet in height located at the main entrance to the park.

6. One construction sign not exceeding 20 square feet in area and 6 feet in height; provided that such sign shall be removed not later than 30 days after construction is completed.

7. One on-site subdivision sign not exceeding 100 square feet in area and ten (10) feet in height for each recorded subdivision; provided that such sign shall be removed not later than two (2) years from the recording date of the subdivision, except as follows:

a. Where building permits have been taken out for more than one-half but less than seventy-five (75) percent of the lots in such subdivision at the end of said two (2) year period, such sign may remain for an additional one (1) year period or until building permits have been issued on all the lots, whichever occurs first.

b. Where building permits have been taken out for one-half or less of the lots in such subdivision at the end of said two (2) year period, such sign may remain for an additional two (2) year period or until building permits have been issued on all the lots, whichever occurs first.

8. Unlighted subdivision directional signs not exceeding sixteen (16) square feet in area and six (6) feet in height for each recorded subdivision as follows:

a. When the boundaries of any recorded subdivision or any part thereof abut an arterial, as identified in the General Plan, one subdivision directional sign shall be permitted which may be located on any vacant lot or parcel which is owned by the subdivision owner.

b. When the boundaries of any recorded subdivision, or any part thereof, do not abut an arterial identified in the General Plan, two (2) subdivision directional signs shall be permitted, which signs may be located as follows:

o One such sign may be located on property not owned by the subdivision owner with the permission of the property owner or whose property it is to be located.

o One or both signs may be located only on property owned by the subdivision owner.

c. Such signs shall be removed not later than two years from the recording date of the subdivision, except as follows:

o Where building permits have been taken out for more than one-half (2) but less than seventy-five (75) percent of the lots in such subdivision at the end of said two year period or until building permits have been issued on all of the lots, whichever occurs first.

o Where building permits have been taken out for one-half (1/2) or less of the lots in such subdivision at the end of said two (2) year period, such signs may remain for an additional two year period or until building permits have been issued on all of the lots, whichever occurs first.

9. Political signs, which may be erected, maintained and displayed as follows:

a. On lots or parcels upon which there is located a residential structure when the area of such sign does not exceed six (6) square feet, the height of the sign does not exceed six (6) feet and the combined area of all such signs on a single parcel or lot does not exceed thirty (30) square feet.

b. On lots or parcels upon which there is not located a residential structure when the area of the sign does not exceed thirty-six (36) square feet, the height of the sign does not exceed ten (10) feet, and the combined area of all such signs on a single parcel or lot does not exceed thirty (30) square feet.

c. On lots or parcels of one acre or more upon which is not located a residential structure when the area of the sign does not exceed thirty-two (32) square feet, the height of the sign does not exceed l0 feet, and the combined area of all such signs on a single parcel or lot does not exceed 30 square feet.

d. Political signs shall not be lighted either directly or indirectly.

e. Political signs shall be erected no more than sixty (60) days prior to the date of election and shall be removed within l0 days after the date of the election.

10. Window signs are not permitted unless they meet all other requirements listed in this section including the limitation on sign area.

11. Outdoor advertising signs are not permitted.

l2. Two unlighted garage sale signs not exceeding 3 square feet each in area may be displayed as follows:

a. Said signs may be displayed only during such times as the garage sale being advertised is actually being held or conducted.

b. Said signs may only be erected and displayed on private property with the consent of the owner thereof. They may not be erected or displayed on street, trees, utility poles or elsewhere in public right-of-ways.

l3. Interior directional, warning and information signs not exceeding six (6) square feet in area and six (6) feet in height.

l4. For sale or rent signs between eight (8) and thirty-two (32) square feet in area, subject to securing a use permit. Approval of the permit shall be based on the relationship between the size of the sign and the size of the property.

B. In the R-3 zone, the following on-site signs are permitted:

1. Any signs permitted in the R-1 and R-2 zones.

2. One multiple-family housing project sign per street frontage, each sign not exceeding twelve (12) square feet in area and six (6) feet in height.

C. In the R-2 zone, the following on-site signs are permitted:

1. For any uses permitted in the R-2 zone, except those permitted by conditional use permit, any signs permitted in the R-2 zone except in Section 10-19-6(A)4.

2. For all other uses in the R-4 zones the following signs area permitted:

a. Any signs permitted in the R-2 zone except Section 10-19-6(A)4.

b. For each site one identification sign per street frontage not exceeding 16 square feet and 8 feet in height.

c. Canopy and wall identification signs limited to one-half (1/2) square foot in combined sign area for each lineal foot of any wall, and not exceeding thirty-five (35) feet in height. Canopy and wall identification signs may have external illumination only; no internal illumination shall be permitted.

d. One corporate flag per use of occupancy, not exceeding twenty four (24) square feet in area, dimensions relative to each other shall not exceed a ratio of 2:1. Such flag shall be flown only from a flagstaff or flagpole.

10-19-7 Sign Type, Area and Height Requirements: C-1, C-2, CM, M-1, M-2 and "PD" Zones

It shall be unlawful for any person to erect, construct or maintain on any lot or parcel any sign of a type having an area and/or height in violation of the following specific requirements.

A. In the C-1 zone, C-2 zone and CM zone the following on-site signs are permitted except as otherwise stated:

l. Subject to approval by the city manager (or his designated representative), a shopping center, as herein defined shall be entitled to erect one freestanding shopping center identification sign, hereinafter referred to as a "shopping center sign" for each street upon which the shopping center fronts subject to the following provisions.

a. Each shopping center sign shall not exceed 100 square feet in area.

b. The identification on each shopping center sign shall be limited to the shopping center name with a listing of uses or businesses within the center optional. The lettering for the listing of such uses shall be of a size not greater than one-half (1/2) the size of the lettering of the shopping center name on such sign.

c. After erection of a shopping center sign or signs authorized herein, at a shopping center, no additional freestanding or projection identification sign shall be erected at such shopping center for any use or occupancy therein.

d. In granting an application for a shopping center sign, the city manager (or his designated representative) shall determine whether the applicant is within such shopping center, after consideration of the following factors:

âi4 A shopping center is usually comprised of a cluster of retail uses at one location held out to the public as a distinct shopping area and having at least one retail use with a minimum area for that use of 20,000 square feet, and having a minimum of five (5) other retail uses on the same or adjacent sites.

âi4 A shopping center is not normally traversed by any public street.

The existence of any common advertising program for such center, or any uses or occupancies conducted therein, and the number of uses or occupancies conducted therein which participate in such program.

2. Canopy, marquee and wall identification signs, provided:

a. That said signs shall be limited to the portion of a building wherein the use or occupancy is conducted.

b. That the maximum total area for all said signs shall be limited as follows:

âi4 For the principal frontage of the building as designated by the applicant:

MAXIMUM TOTAL AREA FOR

ALL CANOPY MARQUEE/WALL

BUILDING FRONTAGE IDENTIFICATION SIGNS

First 50 feet 4 square feet per lineal

foot of building frontage;

plus

Next 50 feet 2 square feet per lineal

foot of building frontage;

Over 100 feet 1 square foot for lineal

foot of building frontage.

o For each other frontage of the building:

MAXIMUM TOTAL AREA FOR

ALL CANOPY MARQUEE/WALL

BUILDING FRONTAGE IDENTIFICATION SIGNS

First 50 feet 4 square feet per lineal

feet of building frontage;

plus

Next 50 feet 2 square feet per lineal

foot of building frontage;

plus

Over l00 feet 0.5 square feet per lineal

foot of building frontage

c. That said signs shall not exceed forty (40) feet in height nor project above a ridge line more than ten (10) feet.

d. That signs hung from a canopy shall not be less than eight (8) feet above a private sidewalk of sixteen (16) feet above ground level in areas open to vehicular traffic.

e. That marquee signs shall be parallel with the building upon which they are mounted and parallel with the public street or alley into which they project or overhang.

3. For any freestanding use or occupancy one freestanding identification sign not to exceed 100 square feet in area may be approved subject to securing approval of the city manager (or his designated representative). Said approval will be dependent upon the following two findings being shown:

a. That the use or occupancy is a freestanding use. For the purpose of this section, a freestanding use is defined as a use or occupancy that does not attract customers by its proximity to another business or businesses and is not part of a shopping center or any group of businesses that jointly attract customers through their proximity to each other or through common advertising.

b. The total sign area of the free-standing sign as well as all canopy, marquee and wall signs shall not exceed the sign area allowed in Section 10-19-7(A)2 of the City Code.

4. Directional signs located wholly on private property on the premises to which they pertain as follows:

a. One exterior directional sign per use per street frontage of the site not exceeding six (6) square feet in area and three (3) feet in height, and provided business identification shall not exceed one-half (1/2) of the area on a given face sign.

b. Any number of interior direction signs, each not exceeding 6 square feet in area and six (6) feet in height.

c. Two maximum interior directional signs for a drive-in restaurant or other eating place with drive-through facilities, each sign not to exceed thirty (30) square feet in area and eight (8) feet in height.

5. One for sale or rent sign, not exceeding sixty-four (64) square feet in area and ten (10) feet in height.

6. One construction sign, not exceeding sixty-five (65) square feet in area and 10 feet in height, provided such sign is removed not later than thirty (30) days after construction is completed.

7. One marquee sign, not exceeding six (6) square feet in area or any one side or twelve (12) square feet maximum total area. Said sign may be hung from a marquee providing such sign shall not be less than eight (8) feet above a public sidewalk.

8. Political signs may be erected, maintained and displayed provided each such sign does not exceed thirty-two (32) square feet in area, does not exceed ten (10) feet in height and the combined area of all such signs shall not exceed sixty-four (64) square feet. Such signs shall be erected no more than sixty (60) days prior to the date of the election, and shall be removed within ten (10) days after the election.

9. Outdoor advertising signs are not permitted.

10. Window signs are permitted provided the total sign area of the window signs as well as any other canopy, marquee, wall or free-standing signs shall not exceed the sign area allowed in Section 10-19-7(A)2 of the City Code. A "no fee" permit will be required to ensure compliance with the sign area requirements. For businesses which continually utilize window signs, (i.e. for weekly specials) only one (1) permit needs to be issued which will allow for signs to change providing the approved sign area is not exceeded.

11. One freestanding identification sign, not exceeding 100 square feet in area which shall be permitted to identify a use without any structure, such as a parking lot. For uses such as Christmas tree sale lots, pumpkin sale lots, and fireworks stands, one freestanding identification sign shall be permitted, not exceeding thirty-two (32) square feet in area and (12) feet in height.

12. Signs on service station pump islands, canopy uprights and non-movable structures on the pump islands, which shall be permitted if the combined area of said signs and all other wall and canopy signs does not exceed the total sign area permitted under Subsection 2 above for the building on the site and do not project beyond the canopy roof or raised pump island. Said signs shall not exceed ten (10) feet in height if there is no canopy. For self-service stations with small attendant booths less than ten (10) feet on any side, a maximum total wall and canopy area of 160 square feet is permitted.

13. One (1) corporate flag per use or occupancy, not exceeding twenty-four (24) square feet in area; dimensions relative to each other shall not exceed a ratio of 2:1. Such flags shall be flown from a flagstaff or flagpole.

14. For sale or rent signs between eight (8) and thirty-two (32) square feet in area subject to securing a use permit. Approval of the permit shall be based on the relationship between the size of the sign and the size of the property.

15. Pennants shall not be displayed for more than sixty (60) days.

B. In the M-1 zone and M-2 zones the following on-site signs are permitted except as otherwise stated:

1. Any sign allowed in the C-1 and CM zones subject to the same restrictions as in those zones.

2. One of the following signs for each use or occupancy:

a. Projecting identification sign not exceeding seventy-two (72) square feet in area and forty (40) feet in height; if any portion projects into or overhangs a public street or alley right-of-way, said sign shall not exceed square feet in area; or

b. Marquee identification sign at right angles to a street not exceeding forty-eight (48) square feet in area and forty (40) feet in height. A second such marquee identification sign is permitted if the two signs are single faced, are parallel, and are on opposite ends of a marquee.

C. For "PD" (Planned Development) zones the following on-site signs are permitted:

1. Sign limitation shall be made a condition of each "PD" zone and approval shall be based on the provisions of the zoning classification most closely approximating the uses proposed in the "PD" zone.

Chapter 20

Landscape Standards

Section

l0-20-1 Regulations

l0-20-2 Definitions

l0-20-3 Screening

l0-20-4 Parking Areas

l0-20-5 Sidewalks, Street Frontage

l0-20-6 Plant Materials

l0-20-7 Street Trees

l0-20-8 Safety Standards

l0-20-9 Development Standards

l0-20-1 Regulations

The following standards shall be applied when reviewing required landscaping plans and subdivision maps. These are intended for use as guidelines.

l0-20-2 Definitions

Landscaping refers to planting and related improvements, etc. provided for the purpose of beautifying and enhancing a property, for the control of erosion and reduction of noise and glare.

l0-20-3 Screening

Screening refers to a wall, fence, hedge, informal planting, or berm, provided for the purpose of buffering a building or activity from neighboring areas or from the street.

All walls and fences shall be landscaped with plant materials. The plants should be of varied heights in order to soften the appearance and to provide an aesthetically pleasing effect.

The use of ground level and raised planters is encouraged.

l0-20-4 Parking Areas

Along all portions of parking areas that abut a street, there shall be a minimum five foot wide planter with landscaping which provides an average screen a minimum of two feet and a maximum of three feet in height.

In the interior of a parking area, there shall be landscaped planters with one tree planted for every ten parking spaces. These planters shall be distributed throughout the area to shade spaces on as uniform a basis as practical during summer months. For a parking area with only one aisle, the trees may be planted along the periphery at the ratio of one tree for every five spaces.

All planting areas within or abutting a parking lot shall be protected with concrete curbs.

l0-20-5 Sidewalks, Street Frontage

A landscaped strip at least five feet wide shall be installed and maintained adjacent to the street frontage on parking lots except as allowed by the, safety standards. When this landscaped strip is located between the sidewalk and the curb, no street trees shall be planted.

l0-20-6 Plant Materials

Plant materials shall be selected from among those species and varieties known to thrive in the area climate. The Planning Commission may require the substitution of any plant material which they have reason to believe will not survive successfully under the particular conditions of the site in question.

All planting shall be maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning, fertilizing, and regular watering. Whenever necessary, planting shall be replaced with other plant materials to insure continued compliance with landscaping requirements. All landscaped areas shall be provided with an appropriate automatic irrigation system.

l0-20-7 Street Trees

Whenever street trees are required to be installed, such street trees shall be selected from a list of approved street trees, list attached. Use of more than one type of tree is recommended in order to minimize the chance of being destroyed by disease. Spacing of street trees in relation to obstructions shall be no close than:

1. Street lights - 25 feet

2. Rock wells - 10 feet

3. Fire plugs - 8 feet

4. Driveways - 10 feet

5. Utility lines - 5 feet

6. Intersections - 25 feet

l0-20-8 Safety Standards

All required fences, walls, other screening and landscaping shall not exceed three (3) feet in height within the following locations and as shown on the attached drawings:

1. Within ten (10) feet of the point of intersection of:

a. A vehicular access way, alley or driveway and the curb line of a street where no sidewalk exists; or

b. A vehicular access way, alley or driveway and a sidewalk.

2. Within twenty (20) feet of the point of intersection of the curb line of two streets.

l0-20-9 Development Standards

Trees and shrubs in reasonable numbers shall be used in the landscape design; ground covers alone are not acceptable. At least two street trees are required for each 100 feet of street frontage or fraction thereof.

|  |  |
| --- | --- |
| Approved Street Trees | |
| Latin Name | Comments |
| Prunus blireana | Deciduous |
| Prunus atropurpurce | Deciduous |
| Prunus cistene | Deciduous |
| Crataegus lavallei | Deciduous |
| Crataegus phaenopyrum | Deciduous |
| Crataegus oxyacantha Paula | Deciduous |
| Zelkova serrata | Deciduous |
| Aesculus carnea | Deciduous |
| Quercus agrifolia | Evergreen |
| Quercus lobata | Deciduous |
| Quercus kelloggii | Deciduous |
| Ginkgo biloba | Deciduous |
| Pistacia chinensis | Deciduous |
| Liquidamber styraciflua | Deciduous |
| Koelreuteria paniculata | Deciduous |
| Fraxinus | Deciduous |
| Pyrus | Deciduous |

Chapter 21

Mobile Home Parks

Section

l0-21-1 Regulations

l0-21-2 Uses Permitted

l0-21-3 Minimum Mobile Home Park Site Area

l0-21-4 Maximum Density for the Mobile Home Park

l0-21-5 Sanitary Sewer and Water

l0-21-6 Drainage Facilities and utility Services

l0-21-7 Walls and Screens

l0-21-8 Park and Recreation Space

l0-21-9 Parking Requirements

l0-21-10 Interior Access Drives

l0-21-11 Setbacks

l0-21-12 RV Storage Areas

l0-21-13 Mail Facilities

l0-21-1 Regulations

The following standards have been adopted by the city council to aid in evaluating use permit requests for mobile home parks. Failure to comply with these standards may be grounds for denial of the use permit.

l0-21-2 Mobile Home Park Definition

A mobile home park is a lot or parcel of land which is used exclusively for the parking thereon of ten (10) or more mobile homes for a rental charge or for rent or lease of mobile homes, and for appurtenant facilities for the exclusive use of the occupants such as laundry, rest rooms, recreation and storage facilities, and mobile home, dwelling or office facility for the owner or manager. A mobile home park does not include the parking of campers, motor homes, RVs or travel trailers for use as either temporary or permanent residences.

l0-21-3 Minimum Mobile Home Park Site Area

The minimum mobile home park site area shall be sufficient to provide at least 10 mobile home spaces without exceeding the density of the zoning district in which it is located.

l0-21-4 Maximum Density for the Mobile Home Park

The maximum density for the mobile home park shall be the same as for the zoning district in which it is proposed provided that all of the other requirements of this policy are met.

l0-21-5 Sanitary Sewer and Water

Each mobile home space shall be provided with connections to the city sewer and water services.

l0-21-6 Drainage Facilities and Utility Services

All storm drainage facilities shall be placed underground in conformance with city standards. All utility distribution facilities, including but not limited to electric, communication and cable television lines, installed in and for the purpose of supplying service to any mobile home park shall be placed underground, except as follows:

Equipment appurtenant to underground facilities, such as surface-mounted transformers, pedestal mounted terminal boxes, and meter cabinets and concealed ducts when located so as not to obscure clear sight distance.

The developer is responsible for complying with the requirements of this Section, and shall make the necessary arrangements with the utility companies involved for the installation of said facilities.

l0-21-7 Walls and Screening

Appropriate decorative screening of not less than six (6) feet in height shall be constructed along all boundaries adjoining other properties. This screening shall be constructed at least 10 feet behind the sidewalk on adjoining streets and the area between the screening and the street shall be landscaped and maintained by the mobile home park. The required screening shall be designed so as to effectively screen the property, and may be constructed of solid or other material such as, but not necessarily limited to, block masonry, Pilaster wooden fencing and wooden fencing.

l0-21-8 Park and Recreational Space

A minimum of two hundred and fifty (250) square feet of net usable area per unit shall be provided for a combination of both indoor and outdoor community recreation facilities. Indoor facilities shall be provided on the basis of ten (10) square feet per unit, however, if the mobile home park is less than 100 spaces, the indoor facilities shall be at least 1000 square feet. If the development of the park is to be done in phased construction, then the community recreation facilities must be developed during the construction of the first phase. In addition to the private open space so provided, the park in lieu fee required by City Code shall also be paid, although credit shall be given as provided in the City Code, for the private open space.

l0-21-9 Parking Requirements

There shall be two (2) paved parking spaces provided within the boundaries of each mobile home space to comply with the off-street parking requirements of the City Code. In addition, there shall be provided at least one additional guest parking space for each two mobile home spaces, These spaces may be provided on the street.

l0-21-10 Interior Access Drives

Access drives shall be paved to a width of not less than twenty-six (26) feet from shoulder to shoulder if no on-street parking is permitted. Access drives shall be thirty-four (34) feet in width if car parking is permitted on one side and forty-two (42) feet in width if car parking is permitted on both sides.

(a) All drives shall be paved with asphaltic concrete on adequate subbase material with concrete curbs and gutters. All such construction and improvements shall be in accordance with standards established by the Department of Public Works.

(b) No access drive shall intersect a public street closer than one hundred (100) feet to any public street intersection.

(c) All dead end drives shall have a minimum outside turning radius of thirty-eight (38) feet.

(d) All corners shall have a minimum twenty (20) foot radius.

(e) Curbs and gutters shall be installed on both sides of all access drives and sidewalks shall be installed on at least one side.

(f) All access drives shall be adequately lighted.

(g) Each mobile home space shall front on an access drive.

(h) Stop signs shall be provided at all intersections with public streets.

l0-21-11 Setbacks

Mobile homes (including any awnings, porches, etc.) shall be setback at least ten (10) feet from the property line of any adjoining property.

l0-21-12 RV Storage Areas

No RVs, travel trailers, boats and boat trailers shall be stored in individual spaces.

l0-21-13 Mail Facilities

Suitable facilities for mail distribution shall be provided as approved by the United States Postal Service.

Chapter 22

Residential Design Review

Section

l0-22-1 Purpose

l0-22-2 Site Design Standards

l0-22-3 Building Design Standards

l0-22-4 Buffering Design Standards

l0-22-5 Discouraged Design Elements

l0-22-6 River Viewscape

l0-22-7 Canal Open Space

l0-22-1 Purpose

These guidelines are established to enhance and maintain the quality of the man-made environment, the scenic River and the pleasant small town setting. These guidelines place great importance on the exterior appearance of buildings and signs. The belief that excessive uniformity, similarity, inappropriateness, or poor quality of design in the exterior of structures and signs hinders the harmonious development of the community.

These architectural and site design guidelines are established to promote orderly and harmonious growth of the community. These guidelines are based on the following goals:

1. To aid developers, architects, contractors and designers in preparing projects and plans for review by the city.

2. To promote the visual and physical environment of the scenic River in relationship to the orderly growth of the community.

3. To promote and maintain the strong small town feeling.

4. To enhance the desirability of residence in the city.

5. To enhance residential desirability of the site and the neighborhood.

6. To reduce the amount of time needed to process plans.

7. To ensure that new development is compatible with existing development.

8. To ensure that landscape plans provide visually pleasing setting on the site and in the neighborhood, blend with the natural landscape, and are appropriate to the design and function of the structures.

These standards are intended for use when evaluating site plans under site plan review and in evaluating planned development applications.

l0-22-2 Site design Standards

Sensitive site design blends the development into the existing community by adhering to the following principles:

1. Incorporate existing natural features such as trees, other vegetation, natural ground forms, rocks, water, and view as feasible.

2. Insure that all on-site drainage patterns will occur on or through areas designed to serve this function.

3. Create a development which is pleasant in character, and facilitates easy circulation, keeping in mind that the northern boundary of the city follows the meandering of the river. The aesthetics of curving streets are more pleasing than grid block developments.

4. The use of cul-de-sacs is encouraged. Excessively long, straight streets, conducive to high speed traffic shall not be permitted.

5. The site plan should illustrate a design compatible with the desired developing character of the surrounding area. The use of stubbed out streets is sometimes necessary to enable the development of adjoining property.

6. Open space and recreation areas are important factors of any project design. These areas should be designed with the following considerations:

a. Functional relationship to the other elements of the projects, potential uses and the surroundings.

b. All residential units shall have direct access to ample private open space.

c. Large residential subdivision (50 or more lots) are encouraged to provide sufficient common open space concentrated in a single area to provide room for reasonable activity for residents. (Homeowners associations are held responsible for maintenance cost of common areas.)

d. The use of open-ended cul-de-sacs is encouraged adjacent to collector streets and is permitted adjacent to arterial streets.

7. Streets designed for greater traffic volumes and speeds generally shall have relatively limited pedestrian and vehicular access points and building setbacks that are twice what is normally required. In most circumstances, dwellings shall not front on arterial or major collector streets.

8. It is encouraged to incorporate the designing of separate pedestrian and/or bike routes, other than along public streets, into the site design (i.e. along river boundaries).

9. All new utility lines on and serving a project site shall be underground.

l0-22-3 Building Design Standards

Sensitive building design blends the development into the existing community by adhering to the following principles:

1. All dwellings shall have pitched roofs and comply with the following requirements:

a. Rooftop heating and cooling equipment shall be on the rear roof of the house. It shall be screened when it stands above the ridge line of the roof.

b. Roof shape, color and texture shall be coordinated with the treatment of the exterior walls.

2. Mixing one and two story house elevations is encouraged to avoid a monotonous skyline and streetscape.

3. Generally there shall be three or more different floor plans, reflecting varied styles to be disbursed throughout the development. Each plan shall have alternate elevation designs.

4. The use of varied front building setback lines in excess of minimum required front yard setbacks is encouraged.

5. Exterior doors shall be made of lumber core, metal or other comparable material. Doors shall contain varied design panels.

6. Garage doors shall be the roll-up type, made of wood, metal or other suitable material.

7. Materials used on the front elevation shall be consistent on other elevations of the structure. An alternate trim may be incorporated into the street view elevations.

8. Design features shall be consistent on all sides of the house.

9. No more than 25 percent of the front elevation of a house shall be composed of a stucco material that is not compatible with the architectural design of the house.

10. Varied window treatment such as multi-pane look, octagonal, circular, green house, or bay windows shall be encouraged.

11. Light, neutral colors in warm tones are recommended for the body of the building. Only a small amount of bright color may be used as trim.

l0-22-4 Buffering Design Standards

Sensitive buffering design blends the development into the existing community by adhering to the following principles:

1. Sufficient side yard space should be reserved to allow entry by the large machine-handled garbage cans now supplied by the garbage company.

a. A paved machine-handled garbage can access route should extend from the storage area to curb-side.

b. Some form of screening should be provided to shield the machine-handled garbage can storage area from public view.

2. Where incompatible land uses adjoin, or where a rear yard abuts a street right-of-way, a solid masonry wall should be installed to reduce noise and protect privacy.

a. A rear yard wall abutting a street shall be designed to allow for landscaping on the public side of the wall.

b. An open-ended cul-de-sac is encouraged adjacent to collector streets and is permitted adjacent to an arterial street.

3. Landscaping should separate different land uses. Landscaping should be placed along major streets. Wherever possible earth mounds should be installed to serve as buffering.

4. Ground mounted equipment (excluding equipment belonging to a public utility) shall be screened from public view.

Specific design considerations for multi-family projects are as follows:

A. A variety of roof materials, color schemes, and exterior wall finishes should be used to avoid monotonous appearance.

B. The introduction of design features, particularly on building walls, should be used to soften the massive appearance of structures.

C. The use of substantial landscaping should be used to create a comfortable living environment and soften the visual impact of structures to minimize adverse off-site views.

D. Carport, garage and accessory building design should be integrated with the main building design.

l0-22-5 Discouraged Design Elements

The following design features detract from the quality of the existing community and are strongly discouraged:

1. Mill finished windows.

2. Solid wooden and metal flip-up garage doors.

3. T 1/11 plywood siding.

4. Presswood core exterior doors.

5. roofs not meeting Class "A" fire code requirements.

6. Excessively long, straight streets.

7. Monotonous repetition of floor plans and roofs.

l0-22-6 River Viewscape

The city shall not neglect its responsibility to the scenic river. Development should be kept back from the river, with future considerations for a green belt, sporting access, trails (bike, jogging, walking, etc.) and picnic facilities. The river shall be a source of beauty, pride and availability to all residents.

l0-22-7 Canal Open Space

The canal that bisects the southwestern side of the city should be considered for a green belt (bike trails, jogging, walking, etc.). Areas for walking, talking, observing nature and enjoying life in general shall be encouraged.

Chapter 23

Commercial and Industrial Design Review

Section

l0-22-1 Purpose

l0-22-2 Site Design Standards

l0-22-3 Building Design Standards

l0-22-4 Buffering Design Standards

l0-22-5 Discouraged Design Elements

l0-22-6 Parking Design Standards

l0-22-7 Sign Design Standards

10-22-8 Sphere of Influence

l0-22-1 Purpose

These guidelines are established to enhance and maintain the quality of the man-made environment, the scenic river and the pleasant small town setting. These guidelines place great importance on the exterior appearance of buildings and signs. The belief that excessive uniformity, similarity, inappropriateness, or poor quality of design in the exterior of structures and signs hinders the harmonious development of the community.

These architectural and site design guidelines are established to promote orderly and harmonious growth of the community. These guidelines are based on the following goals:

1. To aid developers, architects, contractors and designers in preparing projects and plans for review by the city.

2. To promote the visual and physical environment of the scenic river in relationship to the orderly growth of the community.

3. To promote and maintain the strong small town feeling.

4. To enhance the desirability of investment in the city.

5. To enhance commercial and industrial desirability of the site and the neighborhood.

6. To reduce the amount of time needed to process plans.

7. To ensure that new development is compatible with existing development.

8. To ensure that landscape plans provide visually pleasing setting on the site and in the neighborhood, blend with the natural landscape, and are appropriate to the design and function of the structures.

These standards are intended for use when evaluating site plans under site plan review and in evaluating planned development applications.

l0-23-2 Site design Standards

Sensitive site design blends the development into the existing community by adhering to the following principles:

1. Incorporate existing natural features such as trees, other vegetation, natural ground forms, rocks, water, and view as feasible.

2. Insure that all on-site drainage patterns will occur on or through areas designed to serve this function.

3. Create a development which is pleasant in character, and facilitates easy circulation, keeping in mind that the northern boundary of the city follows the meandering of the river. The aesthetics of curing streets are more pleasing than grid block developments.

4. The site plan should illustrate a design compatible with the desired developing character of the surrounding area. The use of stubbed out streets is sometimes necessary to enable the development of adjoining property.

5. Access to major street traffic flows should be kept to a minimum

6. Landscaping design elements should provide a handsome work environment, reduce massiveness, soften the building elevations and shade parking areas.

7. All new utility lines on and serving a project site shall be underground.

8. The siting and orientation of buildings should be sensitive to the pedestrian or vehicular nature of the abutting street(s) wherever possible, considering the nature of the proposed use.

9. Driveways which provide vehicular access to more than one site are encouraged.

l0. Loading spaces shall be located immediately adjacent to the exterior wall of the building they serve or within the building.

a. Loading spaces shall not be located in any required front or side yard setback.

b. The location of loading spaces should consider potential impacts on adjacent uses.

c. Loading spaces should be located and designed so that trucks are not required to back into a public street for ingress or egress. Truck maneuvering areas should be provided on-site where necessary to comply with this requirement.

d. Loading spaces should be concealed from public view.

11. Particular attention should be given to commercial or industrial projects that adjoin residential districts. Measures should be taken to encourage that the finish grade of the proposed development is at or below the residential district, so as not to make the new building loom over into the residential property. The purpose is to preserve the privacy of residential units by minimizing viewing access.

l0-23-3 Building Design Standards

Sensitive building design blends the development into the existing community by adhering to the following principles:

1. New development is not necessary required to match surrounding, existing development. However, in areas with a distinct character, compatibility with such design elements as setbacks, massing, materials, colors, roof pitch and wall opening is encouraged.

2. A project containing many buildings should consider the size and massing of all buildings in relationship to each other.

3. Multi-tenant projects should have a united design theme, including the consistent use of architectural elements, materials, colors and textures. Additions and alternations should be consistent with and enhance the design theme.

4. Public entrances to buildings should be clearly defined and integrated with building and landscape design. They should be architecturally detailed to serve as focal pints to pleasant invitations to visitors.

5. The placement and tailing of windows and doors should be considered an integral part of the architectural composition. The location of opening should not be determined solely by interior requirements.

6. Garage doors shall be the roll up type, made of wood, metal or other suitable material.

7. Materials used on the front elevation shall be consistent on other elevations of the structure. An alternate trim may be incorporated into the street view elevations.

8. All design features shall be consistent throughout the structure.

9. Exterior lighting shall be designed with features compatible with the architectural style. All lights shall be shielded to avoid glare and spill-over onto adjacent properties.

l0 Freestanding walls shall receive treatment to effectively break up a monotonous appearance and, where appropriate, shall be integrated with the architectural style of the project.

11. Light, neutral colors in warm tones are recommended for the base color of the building. A small amount of bright color may be used on the trim.

l0-23-4 Buffering Design Standards

Sensitive buffering design blends the development into the existing community by adhering to the following principles:

1. Mechanical equipment and accessory utility facilities, including roof-top equipment, shall be screened from view or integrated into the design of the building. This requirements shall apply to the construction of new buildings, and to any alteration of mechanical equipment that results in significant changes to roof-top equipment.

2. Fences shall be installed along arterial streets, hazardous areas and between land uses.

a. Fence composition should consist of decorative masonry block of equivalent.

b. All fencing along arterial streets shall be designed to allow for combination of landscaping with the fencing.

c. Fencing abutting a residential zoning district should be eight feet tall.

3. Landscaping should be encouraged to separate different land uses. Landscaping can assume large open areas or island strips between or along major streets. Wherever possible earthen mounds should be installed to serve as buffering.

l0-23-5 Discouraged Design Elements

The following design features detract from the quality of the existing community and are strongly discouraged:

1. Company colors that do not harmonize with the neighborhood and the design theme.

2. Oversized company logos incorporated in the architecture.

3. Highway-oriented signs.

4. Nondescript or boxy building without any recognizable architectural character, style or detail. Any building that is dominated or intended to be dominated by advertising.

l0-23-6 Parking Design Standards

Sensitive parking design blends parking into the existing community by adhering to the following principles:

1. Public parking areas should be designed to facilitate ease of traffic flow and pedestrian safety.

2. The use of planters for parking bumpers is encouraged. A reduction in the length of the required parking spaces shall be allowed.

3. Lighting should be cable of providing sufficient illumination to every part of the parking area.

l0-23-7 Sign Design Standards

Sensitive sign design blends the sign into the existing community by adhering to the following principles:

1. Signs should do no more than identify the business, activity conduced on the premises, or the product of service offered. A sign should not be a dominant feature of the site or building. Nor should it compete for the public's attention. Sign materials, colors, textures, size, shape, placement and design should harmonize with the building, site and neighborhood.

2. A wall sign should be part of the architectural theme and not dominate the building facade.

3. A design plan is required for free-standing signs. Freestanding signs should be low enough to facilitate eye contact of motorists approaching the site, rather than to attract attention from a block or so away.

4. Sign illumination should be kept as low as possible, consistent with readability. External illumination should be focused at the sign without spill-over. External illumination should be shielded to prevent blinding passersby.

5. A sign plan should include exhibits showing location, size, color, materials, illumination, orientation of new signs, and location of existing signs that are to remain.

l0-23-10 Sphere of Influence

Land to be added to the spheres of influence shall be planned with respect to zoning, density, parks and commercial developments, taking into consideration streets, city goals, and other community needs.