

ORDINANCE NO. 2272

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCADIA, CALIFORNIA REPEALING AND REPLACING VARIOUS SECTIONS OF ARTICLE IX OF THE ARCADIA MUNICIPAL CODE TO ENACT THE 2010 GENERAL PLAN UPDATE PROJECT AND ESTABLISH NEW ZONING DESIGNATIONS FOR DOWNTOWN MIXED USE (DMU), MIXED USE (MU), AND RESTRICTED MULTI-FAMILY (R-3-R).

THE CITY COUNCIL OF THE CITY OF ARCADIA, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. The Heavy Manufacturing (M-2) Zone provisions and regulations set forth in Article IX, Chapter 2, Part 6, Division 7 of the Arcadia Municipal Code are hereby repealed and replaced with new Downtown Mixed Use (DMU) Zone provisions and regulations to read as follows:

“9267.1. PURPOSE. The purpose of this Section is to ensure compatibility between the different land uses (e.g., residential and commercial) operating within a mixed-use project that offer opportunities for people to live, work, shop, and recreate without having to use their vehicles.

The Downtown Mixed Use Zone is intended to promote a strong pedestrian orientation through its mix of permitted uses and specific development standards. Stand alone residential uses are not allowed.

9267.2. PARCEL CONSOLIDATION INCENTIVE PROGRAM. In order to encourage the assemblage of smaller existing parcels into large parcels that can be more efficiently developed into a mixed-use project, the following incentives are offered:

a. Fee waiver.

b. Priority in permit processing (lot consolidation projects become the next projects processed among staff once received).

9267.3. RESIDENTIAL DENSITY. Density shall not exceed 50 dwelling units per acre of lot area.

9267.4. FLOOR AREA RATIO. The Floor Area Ratio (FAR) for non-residential uses is 1.0.

9267.5. BUILDING HEIGHT. No building hereafter erected, constructed or established shall exceed four (4) stories or fifty (50) feet in height, not including roof-mounted equipment and accessory structural items as provided for in this Division.

9267.6. BUILDING SETBACKS. The structure shall be treated as a commercial type of structure and no setbacks shall be required. The maximum setback permitted for any street-side is ten (10) feet, which may be used for landscaping, pedestrian circulation, entry court, outdoor dining, and similar uses related to a downtown pedestrian environment.

9267.7. COMMERCIAL USES ALONG STREET FRONTAGES. In order to maintain an active pedestrian environment within the Downtown Mixed Use Zone, commercial uses shall be located along street frontages. Development on the ground floor is limited to commercial uses.

9267.8. PRIVATE OPEN SPACE FOR MIXED-USE RESIDENTIAL.

1. Private open space requirements:

a. A minimum of 100 square feet of private open space shall be provided for each unit. Open space can be in the form of private balconies, courtyards, at-grade patios to the rear and sides of the units, rooftop gardens or terraces.

b. Balconies that are 30” or less in width or depth shall not be counted as open space.

c. Balconies that project over a public right-of-way shall be subject to approval by the City Engineer.

9267.9 ROOF-MOUNTED EQUIPMENT AND ACCESSORY STRUCTURAL ITEMS. Towers, chimneys, mechanical equipment and other roof-top structures shall not exceed a height of ten (10) feet above the roof of any building. Appurtenances not incorporated as architectural features shall be adequately screened.

No roof-mounted equipment, vents, ducts, or dish antennas shall be visible from ground level from any adjacent parcel, or any City-owned public right-of-way. This shall be accomplished through setting the equipment or appurtenances back from the edges of the roof, extension of the main structure or roof, or screening that is architecturally integrated with the main structure.

9267.10. NON-RESIDENTIAL USES. Downtown mixed use requires the inclusion of a ground-floor, street frontage commercial component for all projects. No building or land shall be used and no building shall be hereafter erected, constructed or established, except for the following uses and in compliance with the regulations of this Division:

P – Permitted

C – Conditional Use Permit

| Communication and Transportation | Permit Requirement |
|---|---------------------------|
| Alternative fuels and recharging facilities as an accessory use | P |
| Automobile related uses except sale of new or used cars in connection with the sale of new cars. Refer to | C |

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| ARA No. 231 for a list of Inappropriate Uses. | |
| Motor Vehicle parking lot/structure facilities | P |
| Major wireless communication facilities | C |
| Educational Uses | |
| Studios: art, dance, martial arts and music. | C |
| Entertainment and Recreational Facilities | |
| Health/fitness Centers | C |
| Indoor movie and performing arts theatres and auditoriums | C |
| Retail | |
| Alcoholic beverage sales | C |
| Department Stores | P |
| Garden centers/nursery (indoor) | P |
| Garden centers (outdoor) | C |
| Grocery store | P |
| Grocery store (open for more than 16 hours and/or open between midnight and 6:00 a.m.) | C |
| Portable outdoor retail sales and activities (as a primary use) carts or kiosks | C |
| Pet Stores | C |
| Retail Uses | P |
| Services and Other Uses | |
| Automated Teller Machines (ATMs) | P |
| Banks and financial services | P |
| Day Care – Large Family Day Care Homes | C |
| Day Care – Small Family | P |
| Dry Cleaning service | P |
| Medical & Dental Offices | P |
| Mixed Use | C |
| Offices - General | P |
| Restaurants, fast food, with or without outdoor seating. No drive-thru facilities allowed. | <p>P – if it complies with minimum off-street parking requirement;</p> <p>C – if it does not comply with minimum off-street parking requirement</p> |
| Restaurants, sit-down | <p>P – if it complies with minimum off-street parking requirement;</p> <p>C – if it does not comply with minimum off-street parking requirement</p> |

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|---|---|
| Restaurants with alcoholic beverage lounge service | C |
| Veterinarian clinic/services and small animal hospitals with overnight kenneling service. | C |

9267.11. PARKING.

1. Number of parking spaces required. Parking shall be provided in compliance with Section 9269.5 (Off-street parking requirements). A 25% reduction will be applied to the project for all commercial uses due to the proximity to the light rail station.

2. Location. Parking shall be provided either at grade behind the ground floor uses that front the street, or in semi-subterranean or subterranean facilities, or within an above grade parking structure.

3. Off-site spaces. Off-site parking spaces may be relied upon to serve commercial uses provided a shared-parking study is completed by the applicant/developer and approved by the Modification Committee.

9267.12. LOADING REQUIREMENTS. Off-street loading. All loading spaces shall have adequate ingress and egress, and shall be designed and maintained so that the maneuvering, loading or unloading of vehicles does not interfere with vehicular and pedestrian traffic.

9267.13. LANDSCAPING. All areas of the subject site not devoted to driveways or walkways shall be properly landscaped and maintained.

9267.14. LIGHTING. Lighting shall be appropriately shielded to not impact the residential units, and reflect away from streets. Lights may be mounted at a height of up to twenty (20) feet above the adjacent pavement.

9267.15. OUTSIDE STORAGE, RECYCLABLES AND REFUSE. Trash, garbage, refuse, and recyclables may be temporarily stored outside the building; provided, that such storage shall be completely screened from public view by an enclosure of which three (3) sides shall consist of six (6)-foot high stucco or decorative masonry walls, or other approved screening devices with a solid metal gate painted a color compatible with the walls. Such storage areas shall have full roofs to reduce stormwater pollution and to screen unsightly views. The design of the roof and the materials used shall be compatible with the site's architecture, and adequate height clearance shall be provided to enable ready-access to any storage containers.

9267.16. FENCES AND WALLS

1. Fences and walls are not permitted along the street frontage(s), except to enclose a ground-floor landscaped courtyard or an outdoor dining area. Any gate placed across the courtyard opening or outdoor dining area shall have a minimum of 50 percent transparency.

2. Fences and walls located at rear and interior side yard areas are limited to six (6) feet in height, as measured from the lowest adjacent grade.

9267.17. URBAN NOISE LEVELS.

1. Residents of a mixed-use development project shall be notified that they are living in an urban area and that the noise levels may be higher than in a typical residential area.

2. The signature of the residents shall confirm receipt and understanding of this information.

9267.18. DESIGN REVIEW CRITERIA. In conducting a review of projects subject to the requirements of this Chapter, the reviewing body may utilize design

guidelines/criteria that have been adopted by the City and Redevelopment Agency in order to provide guidance to project proponents on how to best achieve the City's expectations for quality development; implementation of the applicable General Plan and Redevelopment Plan goals and policies; and maintenance of the public health, safety, general welfare and property throughout the DMU Zone.

9267.19. DOWNTOWN MIXED-USE DEVELOPMENT APPROVAL. Prior to commencing any work pertaining to the erection, construction, reconstruction, moving, conversion, alteration or addition to any building or structure within the DMU zone, all building and site plans shall be subject to design review by the Development Services Department, as well as review by Building Services. The Development Services Department will review project design and seek to ensure compatibility of the project with the scale and quality of development within the DMU zone. The Development Services Department will make recommendations regarding project design to the Planning Commission, for consideration in connection with the Planning Commission's decision on the final design review or conditional use permit. The Planning Commission's decision is subject to appeal to the City Council within five (5) business days from the date of such decision. The City Council's decision shall be final.

9267.20. SIGN REGULATIONS. The regulations set forth in Title 4 of Division 2 commencing with Section 9262.4 shall be the regulations for signs in the DMU Zone."

SECTION 2. The Community Commercial (C-C) Zone provisions and regulations set forth in Article IX, Chapter 2, Part 6, Division 8 of the Arcadia Municipal Code are hereby repealed and replaced with new Mixed Use (MU) Zone provisions and regulations to read as follows:

“9268.1. PURPOSE. The purpose of this Section is to ensure compatibility between the different land uses (e.g. residential and commercial) operating within a mixed use project that offer opportunities for people to live, work, shop, and recreate without having to use their vehicles.

The Mixed Use Zone is intended to promote a strong pedestrian orientation through its mix of permitted uses and specific development standards. Stand alone residential uses are not allowed.

9268.2. PARCEL CONSOLIDATION INCENTIVE PROGRAM. In order to encourage the assemblage of smaller existing parcels into large parcels that can be more efficiently developed into a mixed-use project, the following incentives are offered:

- a. Fee waiver.
- b. Priority in permit processing (lot consolidation projects become the next projects processed among staff once received).

9268.3. RESIDENTIAL DENSITY. Density shall not exceed 30 dwelling units per acre of lot area.

9268.4. FLOOR AREA RATIO. The Floor Area Ratio (FAR) for non-residential uses is 1.0.

9268.5. BUILDING HEIGHT. No building hereafter erected, constructed or established shall exceed three (3) stories or forty (40) feet in height, but not including roof-mounted equipment and accessory structural items as provided for in this Division.

9268.6. BUILDING SETBACKS.

A. Street Side Setbacks. No street side setbacks are required and the maximum setback permitted shall be ten (10) feet which may be used for landscaping, pedestrian

circulation, entry court, outdoor dining, and similar uses related to a downtown pedestrian environment.

B. Side Yard Setbacks. No side yard setbacks shall be required, except where the side property line abuts residentially zoned property or a dedicated alley; then the side yard setback shall have a minimum depth of ten (10) feet.

C. Rear Yard Setbacks. No rear yard setbacks shall be required except where the rear property line abuts residentially zoned property or a dedicated alley; then a minimum rear yard setback of fifteen (15) feet shall be maintained.

9268.7. COMMERCIAL USES ALONG STREET FRONTAGES. In order to maintain an active pedestrian environment near the downtown area, commercial uses shall be located along street frontages. Development on the ground floor is limited to commercial uses.

9268.8. PRIVATE OPEN SPACE FOR MIXED-USE RESIDENTIAL. Private open space requirements:

A. A minimum of 100 square feet of private open space shall be provided for each unit. Open space can be in the form of private balconies, courtyards, at-grade patios (rear and sides of the units), rooftop gardens or terraces.

B. Balconies that are 30" or less in width or depth shall not be counted as open space.

C. Balconies that project over a public right-of-way shall be subject to approval by the City Engineer.

9268.9. ROOF-MOUNTED EQUIPMENT AND ACCESSORY STRUCTURAL ITEMS. Towers, chimneys, mechanical equipment and other roof-top structures shall not exceed a height of ten (10) feet above the roof of any building. Appurtenances not

incorporated as architectural features shall be adequately screened. No roof-mounted equipment, vents, ducts, or dish antennas shall be visible from ground level from any adjacent parcel, or any City owned public right-of-way. This shall be accomplished through setting the equipment or appurtenance back from the edge of the roof, extension of the main structure or roof, or screening that is architecturally integrated with the main structure.

9268.10. NON-RESIDENTIAL USES. Mixed use requires the inclusion of a ground-floor, street frontage commercial component for all projects. No building or land shall be used and no building shall be hereafter erected, constructed or established, except for the following uses and in compliance with the regulations of this Division:

P – Permitted

C – Conditional Use Permit

| Communication and Transportation | Permit Requirement |
|--|---------------------------|
| Alternative fuels and recharging facilities as an accessory use | P |
| Motor Vehicle parking lot/structure facilities | P |
| Major wireless communication facilities | C |
| Educational Uses | |
| Studios: art, dance, martial arts and music | C |
| Tutoring Centers | C |
| Entertainment and Recreational Facilities | |
| Health/fitness Centers | C |
| Indoor movie and performing arts theatre and auditoriums | C |
| Retail | |
| Alcoholic beverage sales | C |
| Convenience Store | C |
| Department Stores | P |
| Garden centers/nursery (indoor and outdoor) | P |
| Grocery store | P |
| Grocery store (open for more than 16 hours and/or open between midnight and 6:00 a.m.) | C |
| Portable outdoor retail sales and activities (as a primary use) – carts or kiosks | C |

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| Pet Stores | C |
| Retail Uses | P |
| Services and Other Uses | |
| Automated Teller Machines (ATMs) | P |
| Banks and financial services | P |
| Day Care – Large Family Day Care Homes | C |
| Day Care – Small Family | P |
| Dry cleaning service | P |
| Medical & Dental Offices and Clinics | P |
| Mixed Use | C |
| Offices - General | P |
| Personal Services | C |
| Restaurants, fast food, with or without outdoor seating. No drive-thru facilities allowed. | <p>P – if it complies with the minimum Off-Street parking requirement;</p> <p>C – if it does not comply with the minimum Off-Street parking requirement</p> |
| Restaurants, sit-down | <p>P – if it complies with minimum Off-Street parking;</p> <p>C – does not complies with the minimum Off-Street parking requirement</p> |
| Restaurants with alcoholic beverage lounge service | C |
| Veterinarian clinic/services and small animal hospitals with overnight kenneling service | C |

9268.11. PARKING.

1. Number of parking spaces required. Parking shall be provided in compliance with Section 9269.5 (Off-street parking requirements). A 25% reduction will be applied to the project for all commercial uses if the parking area is located within 1,320 feet (1/4 mile) of a light rail station.

2. Location. Parking shall be provided either at grade behind the ground floor uses that front the street, or in semi-subterranean or subterranean facilities, or above grade within a parking structure.

3. Off-Site spaces. Off-site parking spaces may be relied upon to serve the commercial uses provided a shared-parking study is completed by the applicant/developer and approved by the Modification Committee.

9268.12. LOADING REQUIREMENTS. Off-Street loading. All loading spaces shall have adequate ingress and egress, and shall be designed and maintained so that the maneuvering, loading or unloading of vehicles does not interfere with vehicular and pedestrian traffic.

9268.13. LANDSCAPING. All areas of the subject site not devoted to driveways or walkways shall be properly landscaped and maintained.

9268.14. LIGHTING. Lighting shall be appropriately shielded to not impact the residential units, and reflect away from streets. Lights may be mounted at a height of up to twenty (20) feet above the adjacent pavement.

9268.15. OUTSIDE STORAGE, RECYCLABLES AND REFUSE. Trash, garbage, refuse, and recyclables may be temporarily stored outside the building; provided, that such storage shall be completely screened from public view by an enclosure of which three (3) sides shall consist of six (6)-foot high stucco or decorative masonry walls, or other approved screening devices with a solid metal gate painted a color compatible with the walls. Such storage areas shall have full roofs to reduce stormwater pollution and to screen unsightly views. The design of the roof and the materials used shall be compatible with the site's architecture, and adequate height

clearance shall be provided to enable ready access to any storage containers. Such storage shall not be in any required setback areas.

9268.16. FENCES AND WALLS.

1. Fences and walls are not permitted along the street frontage(s), except open-work fences to enclose landscaped courtyard or an outdoor dining area. Any gate placed across the courtyard opening or outdoor dining area shall have a minimum of 50 percent transparency.

2. Fences and walls located at rear and interior side yard areas are limited to six (6) feet in height, as measured from the lowest adjacent grade.

9268.17. DESIGN REVIEW CRITERIA. In conducting a review of projects subject to the requirements of this Chapter, the reviewing body may utilize design guidelines/criteria that have been adopted by the City and Redevelopment Agency in order to provide guidance to project proponents on how to best achieve the City's expectations for quality development; implementation of the applicable General Plan goals and policies; and maintenance of the public health, safety, general welfare and property throughout the MU Zone. Any applicable design guidelines/criteria shall be available at the City.

9268.18. MIXED-USE DEVELOPMENT APPROVAL. Prior to commencing any work pertaining to the erection, construction, reconstruction, moving, conversion, alteration or addition to any building or structure within the (MU) zone, all building and site plans shall be subject to design review by the Development Services Department, as well as review by the Building Services. The Development Services Department will review project design and seek to ensure compatibility of the project with the scale and quality of development within the MU zone. The Development Services Department will

make recommendations regarding project design to the Planning Commission, for consideration in connection with the Planning Commission's decision on the final design review or conditional use permit. The Planning Commission's decision is subject to appeal to the City Council within five (5) business days from the date of such decision. The City Council's decision shall be final.

9268.19. SIGN REGULATIONS. The regulations set forth in Title 4 of Division 2 commencing with Section 9262.4 shall be the regulations for signs in the MU Zone."

SECTION 3. New Restricted Multiple-Family (R-3-R) Zone provisions and regulations are hereby added to Article IX, Chapter 2, Part 5, Division 4 of the Arcadia Municipal Code to read as follows:

"9254.1. GENERAL. No building or land shall be used and no building shall be hereafter erected, constructed, established or converted into a cooperative multiple dwelling except for the uses specified in the following subsections, and in compliance with the regulations of this Division.

9254.1.1. DWELLING UNITS. Two or more dwelling units, multiple dwellings and/or cooperative dwellings constructed in accordance with the regulations of Article VIII of this Code relating to the Multiple-Family Construction Standards.

9254.1.3. ACCESSORY BUILDINGS AND USES. Accessory buildings and uses for and customarily incidental to any of the uses described in the preceding sections of this Title when located on the same building site and not involving the conduct of a business.

9254.1.3.1. TENTS AND CANOPIES. It shall be unlawful for any person, to erect, put in place or maintain in place, any tent, tent-house, canvas house or structure

constructed of canvas, cloth, or other fabric; any canopy or canopy structure constructed of canvas, cloth, or other fabric or material.

Exceptions: The provisions of this section shall not apply as follows:

1. Decorative canopies and awnings constructed as a component or feature of an overall architectural design.
2. Picnic umbrellas not in excess ten feet (10') in diameter.
3. Temporary tents and canopies. Temporary tents and canopies of any size may be erected in any location with the exception of the front yard and/or street side yard setback areas on a parcel or lot for a period that is not in excess of three (3) days.

9254.1.4. SIGNS. No signs, sign structures or sign devices of any character shall be permitted in any R-3-R, Restricted Multiple-Family Residential Zone, except unlighted signs as hereinafter specified in this Title.

9254.1.4.1. IDENTIFICATION SIGNS. On properties which are developed with multiple-family projects containing more than five (5) dwellings units one (1) single-faced monument structure not to exceed fifteen (15) square feet in area nor more than three (3) feet in height with a maximum sign area of eighteen (18) inches high by twenty-four (24) inches long for only the name and address of the development may be erected within the front yard area. The materials and colors of such sign shall be the same or compatible with the building architecture and color.

9254.1.4.1.1. SAME. Each dwelling unit shall have its street number posted so as to be easily seen from its access walkway. One (1) sign that does not to exceed one (1) square foot in area and containing only the address of the unit shall be allowed.

9254.1.4.2. TEMPORARY SIGNS. The following signs shall be permitted on a temporary basis only and shall be located at least ten (10) feet from adjoining premises and at least five (5) feet from a paved roadway, but provided that where any sidewalk exists, the sign shall be located at least three (3) feet from the sidewalk in the direction of the residence. If a wall or hedge prevents a sign from being located as provided in this Division, the sign may be placed immediately adjacent to the wall or hedge. No sign shall be placed in a location that interferes with the visibility of vehicular ingress or egress to the property or adjoining properties as per the standards on file with the Development Services Department or where such signs may interfere with or be confused with any traffic signal or device.

9254.1.4.2.1. SAME. One (1) sign not to exceed three (3) feet in height nor more than four (4) square feet in area per face for the purpose of advertising the property for sale, lease or rent, except a corner property may have two (2) such signs. In lieu of such sign, one (1) sign not exceeding four (4) square feet in area per face may be mounted on a decorative post and arm not exceeding six (6) feet in height and of a design approved by the Development Services Director or designee.

9254.1.4.2.2. SAME. Under each "For Sale" sign, three (3) smaller signs not to exceed six inches by twenty-four inches (6" x 24") each may be attached to the sign or sign support.

9254.1.4.2.3. SAME. One (1) directional arrow-type sign not to exceed one foot by two feet (1' x 2') pointing to the premises for sale, lease or rent. The sign may contain the words "Open House," on both sign faces. Such sign may be placed on private property located at a through street intersection pointing toward the "Open House" during daylight hours. This sign shall only be permitted if: (1) the owner of said property

consents to such use of said property, and (2) the house offered for sale is open and attended by the owner or an authorized representative of the owner during any time the sign is in place. Advertising copy may be placed on both sign faces.

9254.1.4.2.4. SAME. On properties which are developed with new multiple family residential projects containing more than one (1) dwelling unit but less than five (5) dwelling units, one (1) temporary sign of not to exceed sixteen (16) square feet in area, advertising the property for sale, lease or rent, erected and maintained during the period of active sales, lease or rental campaign is being conducted for such new multiple family residential projects but in no event for a period longer than six (6) months.

9254.1.4.2.5. SAME. On properties which are developed with new multiple family residential projects containing five (5) or more dwelling units, one (1) temporary sign of not to exceed thirty-two (32) square feet in area, advertising the property for sale, lease or rent, erected and maintained during the period an active sales, lease or rental campaign is being conducted for such new multiple family residential project but in no event for a period longer than six (6) months.

9254.1.4.2.6. SAME. One (1) temporary sign of not to exceed a total of sixteen (16) square feet in area giving the names of the contractors, engineer, architect and lending institution during the period of construction on the premises. The location of such sign shall be shown on the building plans and shall be removed prior to issuance of a certificate of occupancy for the premises.

9254.1.4.2.7. TEMPORARY ELECTION SIGNS. Temporary election signs shall be permitted in addition to other permitted signs subject to the following:

A. Any person who displays a temporary election sign or any person who owns or possesses the property on which a temporary election sign is located shall remove it within ten (10) days after the date of the scheduled election date to which it relates.

B. No person shall erect, maintain or display a temporary election sign in excess of thirty-two (32) square feet in total area, or sixteen (16) square feet in area per face whichever is less. No person shall erect, maintain or display temporary election signs with a total aggregate area on a given lot in excess of eighty (80) square feet.

C. No person shall erect, maintain or display a temporary election sign that interferes with the visibility of vehicular ingress and egress to any lot. All temporary election signs shall comply with the visibility standards for driveways and intersections on file with the Development Services Department. No person shall erect, maintain or display a temporary election sign that interferes with or can be confused with any traffic signal or device.

D. After twenty-four (24) hours written notice is personally served on a candidate, proponent or to a person who owns or possesses property to remove an illegally displayed, erected or maintained temporary election sign, the Development Services Director or designee may summarily remove said sign.

9254.1.5. BOARDING HOUSES PROHIBITED. No boarding house shall be permitted in the R-3-R Restricted Multiple-Family Residential Zone on properties developed with single family residences.

9254.2.1. GENERAL. The regulations set forth in this Part shall apply in the R-3-R Restricted Multiple-Family Zone, unless otherwise provided in this Chapter.

9254.2.2. BUILDING HEIGHT. The maximum building height for multiple-family projects shall not exceed one (1) story and eighteen (18') feet.

Exception: Porches facing a street shall not exceed fourteen (14) feet in height as measured from the adjacent finished grade. A "porch" is defined as any covered area at a building entrance, whether it is a projecting feature with a separate cover, or a recessed area behind the building wall. For projecting porches, the height shall be measured to the uppermost point of the projecting feature, including roof ridges, railings, cornices, and other decorative features. For recessed porches, the height shall be measured to the uppermost point of the opening.

9254.2.2.1. SAME. Building height for a multiple-family project shall be determined by the vertical distance from the first story line to the highest point of the coping of a flat roof or to the ridge line of a mansard roof or to the ridge of the highest gable of a pitch or hip roof. If the finished first story line is more than two feet (2') above the highest street curb elevation adjacent to the lot, then the story directly beneath it shall be considered as a first story for the purpose of determining building height. If there is no curb, the reference shall be to the highest elevation at the centerline of the adjacent street segment or segments.

9254.2.3. FRONT YARD. There shall be a front yard of not less than twenty-five feet (25') in depth and at least sixty percent (60%) of the required front yard shall be irrigated and landscaped with lawn, trees, shrubs or other plant materials. Said yard shall be permanently maintained in a neat and orderly manner.

9254.2.4. SIDE YARD. On interior lots there shall be a side yard on each side of every building of not less than ten feet (10') in width. On corner lots the required side yard adjoining the interior lot shall be the same as for interior lots. The required side

yard on the street side of a corner lot shall not be less than the required front yard setback. No parking shall be permitted within any required side yard on the street side of a corner lot.

EXCEPTION: On lots that are less than sixty-five feet (65') in width the enclosed single-story garage portion of a dwelling unit may encroach a maximum of five feet (5') into the required interior side yard setback, provided that there shall be no living space in said enclosed garage encroachment.

9254.2.5. REAR YARD. There shall be a rear yard of not less than ten feet (10').

9254.2.6. PROJECTIONS. The following regulations shall apply to projections:

- A. Cornices, eaves, belt courses, sills and buttresses or other architectural features may extend or project into the required distance between buildings on the same lot, and into a required front, rear or side yard, provided that such projection shall not exceed a maximum of twenty-four inches (24").
- B. No fire escapes or open stairways shall project into any required front, rear or side yard.
- C. Balconies may extend or project into a required front, rear or side yard, provided that such projection shall not exceed a maximum of sixty inches (60") nor shall such projection be closer than sixty inches (60") from any property line.
- D. Trellis structures, patio covers or awnings not exceeding eight feet (8') in height may extend or project into a required rear or side yard provided that such projection shall comply with the provisions of the Building Code.

9254.2.7. DWELLING UNIT DENSITY. Maximum density: one dwelling unit per one thousand four hundred fifty (1,450) square feet of lot area (30 dwelling units per acre).

9254.2.8. PARKING. The following regulations shall apply to parking:

- A. Two (2) parking spaces shall be provided and assigned to each dwelling unit.
- B. On lots containing Multiple Family Dwellings, guest parking shall be provided at the rate of one (1) parking space for every two (2) dwelling units.
- C. Structures used principally for parking shall not be higher than one (1) story and/or higher than the height of the residence.
- D. Each parking space shall have clear dimensions of at least nine feet (9') in width by nineteen feet (19') in depth.
- E. Safe ingress and egress shall be provided for each parking space by a twenty-five-foot (25') turning radius and/or a minimum of twenty-five feet (25') of back out space directly adjacent to said parking space.
- F. No portion of any required driveway may be used to fulfill any such parking space requirements other than providing for ingress or egress or temporary loading and unloading.
- G. Adequate bumper guards shall be provided to protect from damage the interior wall of garages from damage and supports of carports.
- H. A clear three-foot (3') wide planting area shall be landscaped and so maintained between any open parking space and adjoining property lines.
- I. No parking shall be permitted within the required front yard and/or street side yard.

J. Each required guest parking space shall have clear dimensions of at least nine feet (9') in width by nineteen feet (19') in depth.

K. "Guest Parking Only" signs with letters not less than two inches (2") in height shall be properly located to designate guest parking spaces.

9254.2.9. DRIVEWAY REQUIREMENTS. The following shall apply to driveways:

A. Each driveway to a parking space shall be at least ten feet (10') wide and shall be totally unobstructed from the pavement upward.

B. Every driveway serving as access to more than twelve (12) required parking spaces or which is more than one hundred twenty-five feet (125') long, shall be not less than eighteen feet (18') wide and shall be totally unobstructed from the pavement upward.

EXCEPTION: Two (2) ten-foot (10') wide driveways may be provided in lieu of one (1) eighteen-foot (18') wide driveway.

C. Each driveway adjacent to a garage or parking space shall be a minimum of twenty-five feet (25') wide with a width of fifteen feet (15') to be totally unobstructed from the pavement upward.

D. Every driveway shall be entirely paved.

E. Community driveways shall be permitted provided the owners of the lots show proof of a recorded easement or other legal instruments authorizing the use of such shared driveway arrangement and provided that a Covenant in recordable form by its terms to be for the benefit of, enforceable by, and to be released only by the City, is executed by the owners of all property affected thereby. The Covenant shall state that such community driveway shall be usable by the tenants and owners of the properties

proposed to be served by the driveway. Recordation of this instrument shall be completed prior to the issuance of a Building Permit.

F. A fence or wall located at the side and rear property lines may not occupy more than a six-inch (6") wide portion of the required setback and/or landscaped area.

G. Eaves, no portion which are less than thirteen feet (13') above the pavement, may overhang any such driveway a distance of not more than three feet (3').

H. Utility pole cross-arms and utility service wires may be located not less than thirteen feet (13') in height above the paved surface of any such driveway.

I. Whenever a driveway is located within a required side yard, a landscaped area at least a clear three feet (3') in width shall be maintained between the property line and the driveway, and a two foot (2') wide landscaped area shall be maintained between any driveway and building.

9254.2.10. OPEN SPACE. The following regulations shall apply:

A. At least one hundred (100) square feet of contiguous private open space shall be provided for each ground floor dwelling unit. Such open space shall be directly accessible from the unit that it serves, and shall have a minimum dimension of ten feet (10').

B. At least fifty percent (50%) of the cumulative required open space shall be landscaped and shall be maintained and provided with a permanent irrigation system.

C. One (1) thirty-six inch (36") box tree for each twenty-five feet (25') of street frontage shall be provided in the front and/or street side yards. The specific locations of these trees are subject to the review and approval of the Development Services Director or designee.

9254.2.11. SWIMMING POOLS AND SPAS. The minimum distance between swimming pools or spas and the first floor access openings shall be as follows:

A. When the diagonal dimension of a swimming pool or spa is less than nine (9) feet, said minimum distance shall be five (5) feet.

B. When the diagonal dimension of a swimming pool or spa is nine (9) feet, said minimum distance shall be fifteen (15) feet. All pools, spas, and similar water features of eighteen (18) inches or more in depth shall be enclosed by a structure and/or fence, as required by the City's Building and Safety Codes.

9254.2.12. DISTANCE BETWEEN BUILDINGS. Buildings on the same property shall be assumed to have a property line between them and shall have a minimum separation of ten feet (10').

9254.2.13. LAUNDRY ROOM. If a laundry area is not provided in every unit, a minimum of one (1) common laundry facility shall be provided with a minimum of one (1) washer and one (1) dryer for each ten (10) units and shall be centrally located to the unit to be served.

9254.2.14. TRASH AREAS. Each project shall be provided with a trash, garbage and refuse collection and loading area, which shall have a concrete approach and pad. Said area shall be completely screened from view by a covered enclosure of which three (3) sides shall consist of six-foot (6' high, fully grouted, decorative masonry walls, and fully enclosed with solid metal gates painted a color that is compatible with the enclosure walls. The interior dimensions of the enclosure shall provide for convenient access to the trash containers. The interior of the enclosure shall be equipped with minimum three (3) inch thick bumpers to prevent the containers from damaging the enclosure. The enclosures shall not be located in any required front, side or rear yard.

9254.2.14.1. RECYCLABLES COLLECTION AND LOADING AREAS. Lots developed with more than one (1) dwelling unit shall be provided with an area for the collection and loading of recyclables in accordance with the California Integrated Waste Management Act of 1989. That area shall have a concrete approach and pad, and completely screened from view by a covered enclosure of which three (3) sides shall consist of six-foot (6' high, fully grouted, decorative masonry walls, and fully enclosed with solid metal gates painted a color that is compatible with the enclosure walls. The interior dimensions of the enclosure shall provide for convenient access to the collection containers. The interior of the enclosure shall be equipped, if necessary, with minimum three (3) inch thick bumpers to prevent the containers from damaging the enclosure. The enclosures shall not be located in any required front, side or rear yard.

9254.2.15. MECHANICAL EQUIPMENT. Mechanical and plumbing equipment, including, but not limited to, ventilation fans, heating, cooling and air conditioning equipment, water heaters, spa and pool equipment and any other similar equipment, shall not exceed the height limit prescribed in this Chapter and shall be screened from the street or placed on the roof below the ridge line out of view from the street(s). Said equipment shall not be located within any required front, side or rear yard setback.

Exception: Tankless water heaters may encroach thirty inches (30") into any required interior side or rear yard provided that a minimum setback of four (4) feet is maintained.

9254.2.15.1. BACKFLOW PREVENTION DEVICES. Backflow prevention devices, if located within a front yard or a side yard on the street side of a corner lot, shall be screened as follows:

A. On backflow devices with piping sizes of three (3) inches or larger, screening is required by either a decorative masonry wall or planter box, as per the current standards on file in the Development Services Department.

B. Backflow devices with piping sizes of two and one-half (2 ½) inches and smaller must be screened by either planting or a decorative masonry wall, as per the current standards on file in the Development Services Department.

C. The required screening material shall be architecturally compatible with the on-site development, and subject to the review and approval of the Development Services Director or designee.

9254.2.16. UTILITIES. All utilities on the site for direct service to the area thereon shall be installed underground except as otherwise approved by the City Council by approval of a precise plan of design. The owner or developer is responsible for complying with the requirements of this Section and shall make the necessary arrangements as required by the serving utilities for the installation of such facilities. For the purpose of this Section, appurtenances and associated equipment such as, but not limited to, surface mounted transformers, pedestal mounted terminal boxes and meter cabinets, and concealed ducts in an underground system may be terminated above ground.

9254.2.17. EXTERIOR LIGHTING. Exterior lighting shall be hooded and arranged to reflect away from adjoining properties and streets. Light standards shall comply with the provisions for accessory buildings and exterior light fixtures may be mounted on any exterior wall or structure at a maximum of fifteen feet (15') above the adjacent finished grade level.

9254.2.18. FENCES, WALLS AND GATES. Fences, walls and/or gates are prohibited within front and street side yard areas, except for guard rails and hand rails required for safety protection up to the minimum height required by the Building Code. Such guard rails and hand rails shall be subject to Architectural Design Review. For the purposes of this Section, the front and street side yard areas shall be defined as the areas extending across the full width or length of the lot between any street frontage lot line and the front of any building nearest the street.

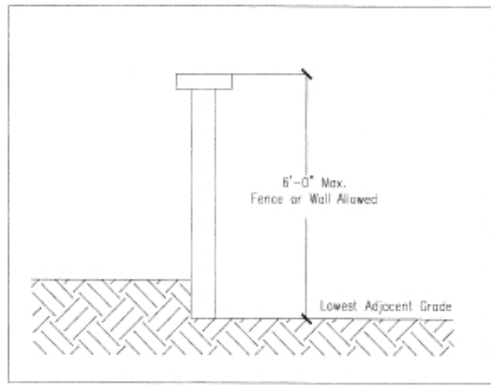
EXCEPTION: Temporary construction fencing that is of chain-link or wire type may be permitted within the front and street side yard areas, provided it does not exceed six (6) feet in height.

The need for any retaining walls and their height shall be determined by the City Engineer.

9254.2.18.1. FENCES AND WALLS. SIDE AND REAR YARD AREAS. Fences and walls located within the required side and rear yard areas are permitted up to six (6) feet in height.

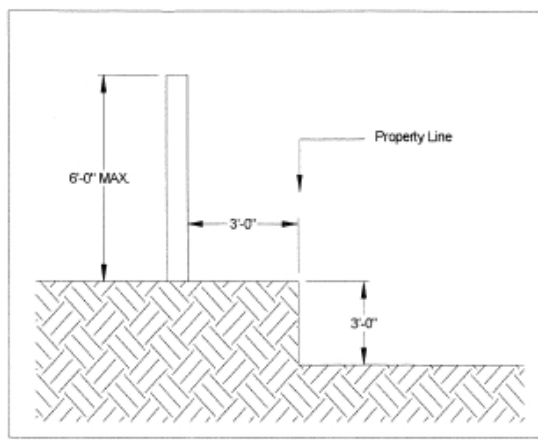
Measurement of a Fence or Wall Height. The fence or wall height shall be measured from the lowest adjacent grade at the base to the uppermost part of the fence or wall (see Figure 3).

Figure 3



When there is a difference in grade between properties, a fence or wall is permitted up to six (6) feet in height adjacent to the rear and side property lines if said fence or wall maintains a minimum setback that is equal to the difference in grade between the properties. When there is no difference in grade between properties, a wall or fence shall comply with the height limitations unless it complies with the setbacks required for an accessory building (see Figure 4).

Figure 4



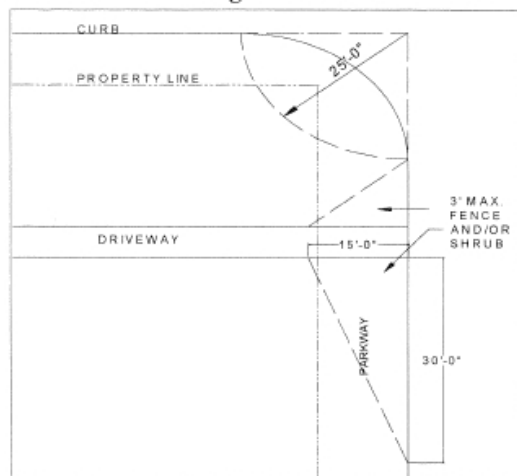
EXCEPTION: If the grade has been altered by previous grading, the finished grade shall be subject to review and approval by the Development Services Director or designee.

No spears (i.e. apache, aristocrat with crushed spears, or any spearlike features) shall be permitted on a fence, wall, or gate.

Chain link, corrugated fiberglass, bamboo fencing, and wire type fencing are not permitted.

9254.2.18.3. VEHICULAR VISIBILITY STANDARDS FOR DRIVEWAYS AND INTERSECTIONS. On corner lots located at the intersection of two or more streets, alleys, or common driveways no buildings, structures, fences, walls, gates, hedge shrubbery, landscape architectural features or dense landscaping shall exceed three (3) feet in height within twenty-five (25) feet of the intersection. At driveways, the minimum height shall be three (3) feet within fifteen (15) feet of the driveways intersection with the street and/or sidewalk (see Figure 5)."

Figure 5



SECTION 4. The City Clerk shall certify to the adoption of this Ordinance and shall cause a copy of same to be published in the official newspaper of said City within fifteen (15) days after its adoption. This Ordinance shall take effect on the thirty-first (31st) day after its adoption.

Passed, approved and adopted this day of , 2010.

Mayor of the City of Arcadia

ATTEST:

City Clerk

APPROVED AS TO FORM:

Stephen P. Deitsch
City Attorney