

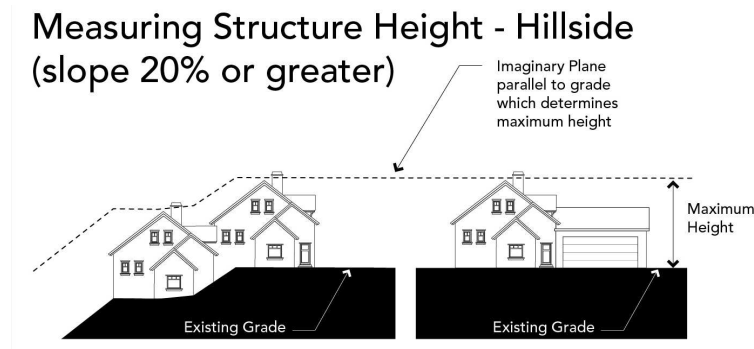
ORDINANCE NO. 2335

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCADIA, CALIFORNIA, AMENDING PORTIONS OF ARTICLE IX, CHAPTER 2, PART 5, DIVISIONS 0 THROUGH 2 OF THE ARCADIA MUNICIPAL CODE TO UPDATE THE CITY'S SINGLE-FAMILY RESIDENTIAL DEVELOPMENT STANDARDS IN THE R-M, R-0, AND R-1 ZONES AND ARTICLE IX, CHAPTER 2, PART 4 REGARDING RESTORATION OF LEGAL-NONCONFORMING BUILDINGS

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

SECTION 1. Subsection 9250.3.1.2 of Article IX, Chapter 2, Part 5, Division 0 is hereby added to the Arcadia Municipal Code to read as follows:

“9250.3.1.2. HILLSIDE DEVELOPMENT STANDARDS. The maximum allowable height shall be measured as the vertical distance from the existing grade of the site to an imaginary plane located the allowed number of feet above and parallel to the grade (refer to the illustration below). “Existing grade” shall be established by the Development Services Director or designee, consistent with parcels in the immediate vicinity. No dwelling shall exceed more than two (2) stories or the maximum building height in Sec.9250.3.1. This includes an exposed basement.

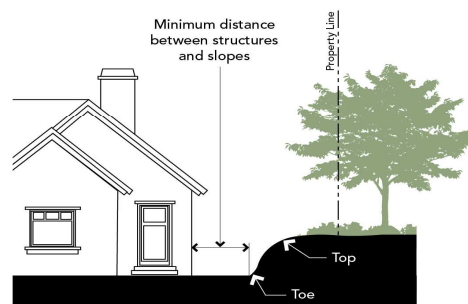


A. Minimum Distance between Structures and Slopes. In addition to the setback requirements that apply to the underlying zone, no building or structure shall be permitted

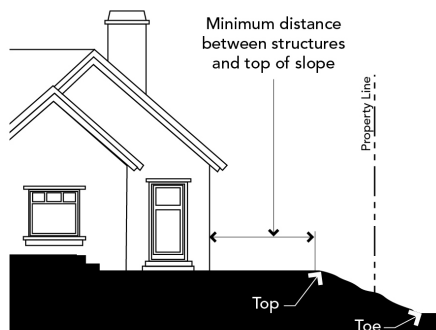
to be erected closer to the toe or top of slopes than the following distance. For the purposes of this Section, swimming pools, spas, fish ponds, and other water features constructed on the lot shall be considered as structures.

1. Between a structure and the toe of slope where the slope is between the structure and front, side, and/or rear property line(s): 5 feet.

Minimum Distance Between Structures and Slopes



2. Between a structure and the top of slope where the slope is between the structure and front, side and/or rear property line(s): 5 feet.

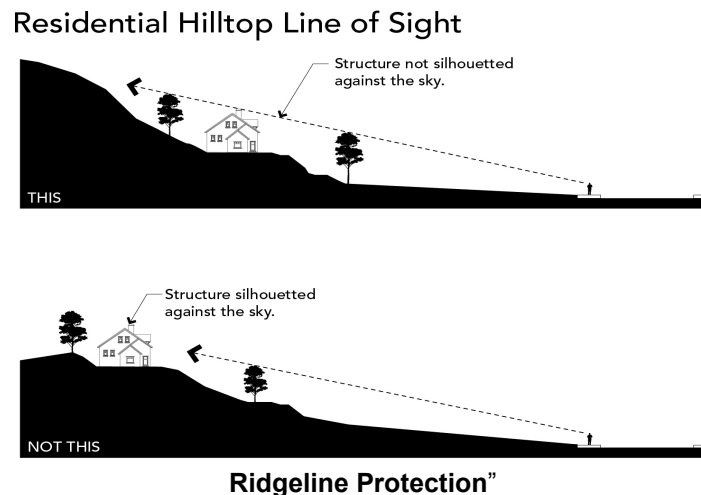


B. Ridgeline Protection

1. Placement below ridgeline - Structures shall be located so that a vertical separation of at least 30 feet is provided between the top of the structure and the top of the ridge or knoll to maintain the natural appearance of the ridge. Grading shall also be avoided within 30 vertical feet of the top of a ridge or knoll. Placement of structures shall

also take advantage of existing vegetation for screening, and shall include the installation of additional native plant materials to augment existing vegetation, where appropriate.

2. Structures shall not be placed so that they appear silhouetted against the sky when viewed from a public street.



SECTION 2. Subsection 9250.3.1.3 is hereby added to Section 9250.3.1 of Article IX, Chapter 2, Part 5, Division 0 of the Arcadia Municipal Code, to read as follows:

"9250.3.1.3. FLOOR AREA RATIO. The Floor Area Ratio (FAR) shall be the numerical value shown in the following table as obtained by dividing the following by the lot size: the residential floor area of any building(s) located on the lot, including the main dwelling, detached accessory structures, accessory dwelling units, all garage areas except the parking required by the Municipal Code and City regulations, enclosed patios, and high volume ceilings (all interior areas above 14 feet in height). The following shall be excluded from FAR: required parking spaces (450 square feet for a two-car garage and 650 square feet for a three car garage), a fourth parking space (200 square feet maximum) for a home over 5,000 square feet in size, basements, and non-enclosed covered structures such as covered patios or porches, and balconies.

Lot Size	Floor Area Ratio
Less than 7,500 sf	45% of lot area
7,501 – 10,000	3,375 sq ft plus 40% of lot area over 7,500 sq ft
10,001 – 15,000	4,375 sq ft plus 35% of lot area over 10,000 sq ft
15,001 – 20,000	6,125 sq ft plus 25% of lot area over 15,000 sq ft
20,001 – 30,000	7,375 sq ft plus 20% of lot area over 20,000 sq ft
30,001 +	9,375 sq ft plus 15% of lot area over 30,000 sq ft
Incentive for One-Story Homes	3% of the lot area in additional floor area”

SECTION 3. Section 9250.3.3 of Article IX, Chapter 2, Part 5, Division 0 of the Arcadia Municipal Code is hereby amended to read as follows:

“9250.3.3. SIDE YARD. There shall be a side yard on each side of a building not less than ten (10) feet or ten percent (10%) of the width of the lot, whichever is greater. The lot width for determining the interior side yard setback shall be taken at the front lot line or at the required front yard setback line, whichever is greater. Any portion of a single-story in excess of twelve (12) feet high and/or any portion of a second story including second story architectural features and walls shall be set back not less than fifteen (15) feet or twenty percent (20%) of the width of the lot, whichever is greater. The maximum setback requirement for a single story portion of a main dwelling shall be fifteen (15) feet and the maximum setback requirement for a second story shall be twenty (20) feet.

Exceptions:

1. A portion of a gable roof and walls thereunder which do not exceed a maximum height of twenty (20) feet and which enclose a portion of the first floor living area and/or interior stairwells which have no window(s) facing the side yard, may encroach into the above-required setback but in no event shall such encroachment cause less than the required first floor setback except as may be approved pursuant to the City’s modification regulations.

2. Fireplaces not exceeding eight (8) feet in width which do not project from the building wall more than two (2) inches for each one (1) foot of the width of such side yard.

3. Architectural features (not including eaves) on the first floor which do not project more than two (2) inches for each one (1) foot of the width of such side yard.

4. Eaves may extend or project a maximum of two (2) feet beyond the required setback on both the first and second floor.”

SECTION 4. Section 9250.3.4 of Article IX, Chapter 2, Part 5, Division 0 of the Arcadia Municipal Code is hereby amended to read as follows:

“9250.3.4. REAR YARD. There shall be a rear yard of not less than twenty-five (25) feet. Any two-story portion of a dwelling shall have a rear yard setback of not less than thirty-five (35) feet. For lots over 150 feet in depth, an additional one foot of rear yard setback is required on each story for each ten (10) feet of lot depth beyond 150 feet.”

SECTION 5. Section 9250.3.6 of Article IX, Chapter 2, Part 5, Division 0 of the Arcadia Municipal Code is hereby amended to read as follows:

“9250.3.6. PARKING. All required parking spaces shall be provided on the same site as the main dwelling unit. For each main dwelling unit that is less than 5,000 square feet and has less than five bedrooms, there shall be not less than two (2) parking spaces in an enclosed garage. For new dwellings, additions, or rebuilds that have a main dwelling unit that is, or will cause 5,000 square feet or more and/or that have or will have five (5) or more bedrooms in that dwelling unit, one (1) additional parking space shall be provided within an enclosed garage.

Exceptions:

A. A tandem parking space may be allowed to satisfy an additional (third) required parking space, subject to the City’s Design Review process.

B. At least two (2) covered off-street parking spaces measuring not less than ten (10) feet by twenty (20) feet each with adequate individual access shall be provided for each dwelling unit.

C. A garage or carport opening directly upon a side street shall be located not less than twenty (20) feet from the street side lot line.

D. The required off-street parking area shall be paved.”

SECTION 6. Section 9250.3.10 of Article IX, Chapter 2, Part 5, Division 0 of the Arcadia Municipal Code, Motor Vehicle Limitations – Purpose and Legislative Findings, is hereby deleted in its entirety.

SECTION 7. Section 9250.3.11 of Article IX, Chapter 2, Part 5, Division 0 of the Arcadia Municipal Code, Motor Vehicle Limitations – Requirements, is hereby deleted in its entirety.

SECTION 8. Section 9250.3.13 of Article IX, Chapter 2, Part 5, Division 0 is hereby added to the Arcadia Municipal Code to read as follows:

“9250.3.13. BASEMENTS.

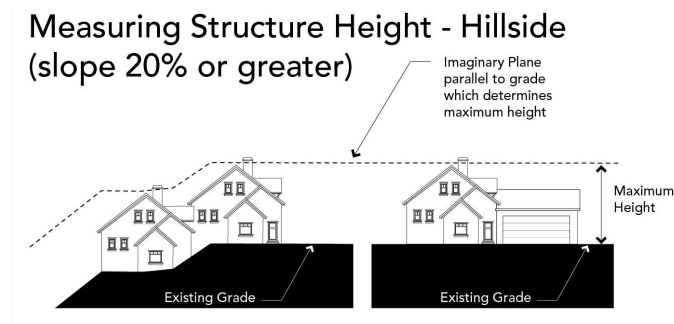
1. Basements shall not extend beyond the external walls of the first floor of the structure above the basement.

2. On any lot, the minimum setback to the basement wall is 10 feet from any property line.

3. Light wells for basements and exterior stairways to basements are permitted to the extent necessary to comply with Building and Fire Codes, and shall maintain a minimum of 5'-0” clearances from the light wells and/or exterior stairways to any property lines.”

SECTION 9. Section 9251.2.1.2 of Article IX, Chapter 2, Part 5, Division 1 is hereby added to the Arcadia Municipal Code to read as follows:

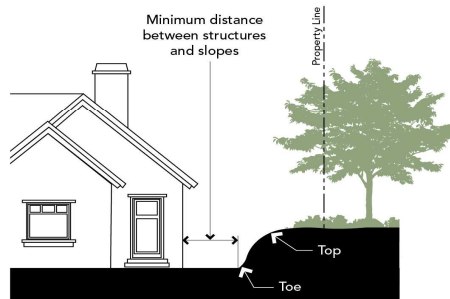
“9251.2.1.2. HILLSIDE DEVELOPMENT STANDARDS. For sloped lots with an average slope of 20 percent or greater, the maximum allowable height shall be measured as the vertical distance from the existing grade of the site to an imaginary plane located the allowed number of feet above and parallel to the grade (refer to the illustration below). “Existing grade” shall be established by the Development Services Director or designee, consistent with parcels in the immediate vicinity. No dwelling shall exceed more than two (2) stories or the maximum building height in Sec.9251.2.1. This includes an exposed basement.



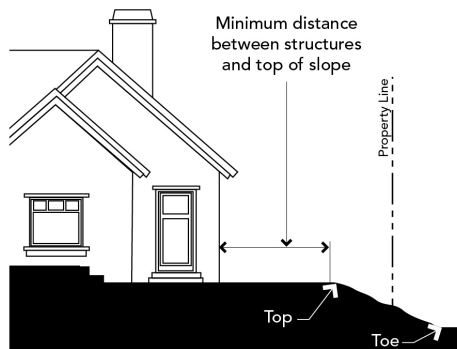
A. Minimum Distance between Structures and Slopes. In addition to the setback requirements that apply to the underlying zone, no building or structure shall be permitted to be erected closer to the toe or top of slopes than the following distance. For the purposes of this Section, swimming pools, spas, fish ponds, and other water features constructed on the lot shall be considered as structures.

1. Between a structure and the toe of slope where the slope is between the structure and front, side, and/or rear property line(s): 5 feet

Minimum Distance Between Structures and Slopes



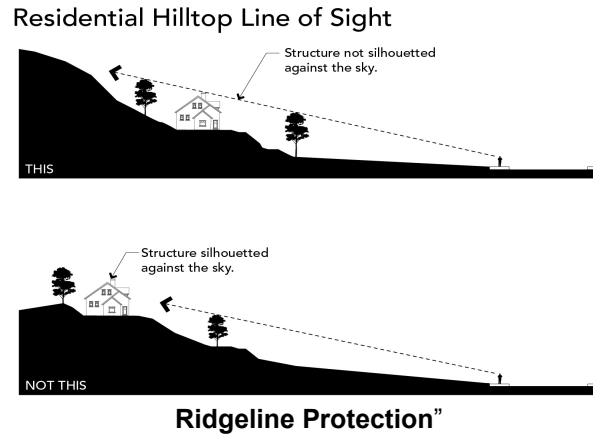
2. Between a structure and the top of slope where the slope is between the structure and front, side and/or rear property line(s): 5 feet



B. Ridgeline Protection

1. Placement below ridgeline - Structures shall be located so that a vertical separation of at least 30 feet is provided between the top of the structure and the top of the ridge or knoll to maintain the natural appearance of the ridge. Grading shall also be avoided within 30 vertical feet of the top of a ridge or knoll. Placement of structures shall also take advantage of existing vegetation for screening, and shall include the installation of additional native plant materials to augment existing vegetation, where appropriate.

2. Structures shall not be placed so that they appear silhouetted against the sky when viewed from a public street.



SECTION 10. Section 9251.2.2.1 of Article IX, Chapter 2, Part 5, Division 1 is hereby added to the Arcadia Municipal Code to read as follows:

“9251.2.2.1. FLOOR AREA RATIO. The Floor Area Ratio (FAR) shall be the numerical value shown in the following tables as obtained by dividing the following by the lot size: the residential floor area of any building(s) located on the lot, including the main dwelling, detached accessory structures, accessory dwelling units, all garage areas except the parking required by the Municipal Code and City regulations, enclosed patios, and high volume ceilings (all interior areas above 14 feet in height). The following shall be excluded from FAR: required parking spaces (450 square feet for a two-car garage and 650 square feet for a three-car garage), a fourth parking space (200 square feet maximum) for a home over 5,000 square feet in size, basements, and non-enclosed covered structures such as covered patios or porches, and balconies.

Lot Size	Floor Area Ratio
Non-HOA Areas north of Huntington Drive	
Less than 7,500 sf	45% of lot area
7,501 – 10,000	3,375 sq ft plus 40% of lot area over 7,500 sq ft
10,001 – 15,000	4,375 sq ft plus 35% of lot area over 10,000 sq ft
15,001 – 20,000	6,125 sq ft plus 25% of lot area over 15,000 sq ft
20,001 – 30,000	7,375 sq ft plus 20% of lot area over 20,000 sq ft
30,001 +	9,375 sq ft plus 15% of lot area over 30,000 sq ft
Lower Rancho and Santa Anita Oaks HOAs	

Less than 10,000 sf	37% of lot area	For additional development standards and map of the Homeowners' Association (HOA) areas refer to City Council Resolution No. 6770.
10,001 – 15,000	3,700 sq ft plus 37% of lot area over 10,000 sq ft	
15,001 – 20,000	5,550 sq ft plus 20% of lot area over 15,000 sq ft	
20,001 – 30,000	6,550 sq ft plus 20% of lot area over 20,000 sq ft	
30,001 +	8,550 sq ft plus 15% of lot area over 30,000 sq ft	
Upper Rancho HOA and Non-HOA Areas south of Huntington Drive		
Less than 10,000 sf	45% of lot area	
10,001 – 15,000	4,500 sq ft plus 40% of lot area over 10,000 sq ft	
15,001 – 20,000	6,500 sq ft plus 30% of lot area over 15,000 sq ft	
20,001 – 40,000	8,000 sq ft plus 25% of lot area over 20,000 sq ft	
40,001 +	13,000 sq ft plus 32% of lot area over 40,000	
Incentive for One-Story Homes	3% of the lot area in additional floor area"	

SECTION 11. Section 9251.2.3 of Article IX, Chapter 2, Part 5, Division 1 of the Arcadia Municipal Code is hereby amended to read as follows:

“9251.2.3. SIDE YARDS. There shall be a side yard on each side of every building of not less than ten (10) feet or ten percent (10%) of the lot width, whichever is greater. The lot width for determining the interior side yard setback shall be taken at the front lot line or at the required front yard setback line, whichever is greater. Any portion of a single story in excess of twelve (12) feet high measured from the adjacent finished grade to the top plate and/or any portion of a second story including second story architectural features and wall shall be set back not less than fifteen (15) feet or twenty percent (20%) of the lot width, whichever is greater.

Exceptions:

1. On lots having a width of seventy-five (75) feet or greater as measured at the front property line, any portion of a gable roof and wall thereunder which does not exceed a maximum height of twenty (20) feet and which encloses a portion of the first floor living area and/or interior stairwells which has no window(s) facing the side yard shall be permitted to encroach into the above-required setback.

In no event shall such encroachment cause less than the required first floor setback except as may be approved pursuant to the City's modification regulations.

2. Fireplaces not exceeding eight (8) feet in width which do not project from the building wall more than two (2) feet, provided that there is maintained a minimum distance of five (5) feet between said fireplace and the side property line."

SECTION 12. Section 9251.2.4 of Article IX, Chapter 2, Part 5, Division 1 of the Arcadia Municipal Code is hereby amended to read as follows:

"9251.2.4. REAR YARD. There shall be a rear yard of not less than thirty-five (35) feet. For lots over 150 feet in depth an additional one foot of rear yard setback is required on each story for each ten (10) feet of lot depth beyond 150 feet."

SECTION 13. Section 9251.2.6 of Article IX, Chapter 2, Part 5, Division 1 of the Arcadia Municipal Code is hereby amended to read as follows:

"9251.2.6. PARKING. All required parking spaces shall be provided on the same site as the main dwelling unit. For each main dwelling unit that is less than 5,000 square feet and has less than five bedrooms, there shall be not less than two (2) parking spaces in an enclosed garage. For new dwellings, additions, or rebuilds that have a main dwelling unit that is or will cause 5,000 square feet or more and/or that have or will have five (5) or more bedrooms in that dwelling unit, one (1) additional parking space shall be provided within an enclosed garage.

Each such required parking space shall be not less than ten (10) feet wide, nor less than twenty (20) feet long. All required parking spaces shall have adequate individual access, and safe ingress and egress shall be provided for all parking spaces by a twenty-five (25) foot turning radius and/or a minimum of twenty-five (25) feet of clear back out space directly adjacent to said parking space. No portion of any building or structure shall

encroach through a plane projected from an angle of seventy-five (75) degrees as measured from the garage door or carport opening. Each such required parking space shall be in a garage located in back of the required front yard and shall be served by a driveway not less than nine (9) feet in width. All areas intended for vehicular use shall be paved with asphalt cement or concrete.

Exception: A tandem parking space may be allowed to satisfy an additional (third) required parking space, subject to the City's Design Review process.

On lots less than one hundred (100) feet in width there shall be no more than sixteen (16) linear feet of garage openings facing the front and/or street side yard areas.

On lots one hundred (100) feet or greater in width there shall be no more than sixteen (16) linear feet of garage openings facing the front and/or street side yard areas.

On lots one hundred (100) feet or greater in width there shall be no more than twenty-four (24) linear feet of garage openings facing the front and/or street side yard areas.

Below grade or subterranean parking spaces shall not be permitted.

Exception: The Planning Commission or the City Council (upon appeal) pursuant to the modification regulations may grant a modification to allow below grade or subterranean parking space(s). This exception is subject to the condition that not more than one (1) story shall be permitted directly above said parking with its height not exceeding the applicable regulation when measured from the finished floor level of the garage."

SECTION 14. Section 9251.2.9 of Article IX, Chapter 2, Part 5, Division 0 of the Arcadia Municipal Code is hereby amended to read as follows:

"9251.2.9. BASEMENTS.

1. Basements shall not extend beyond the external walls of the first floor of the structure above the basement.

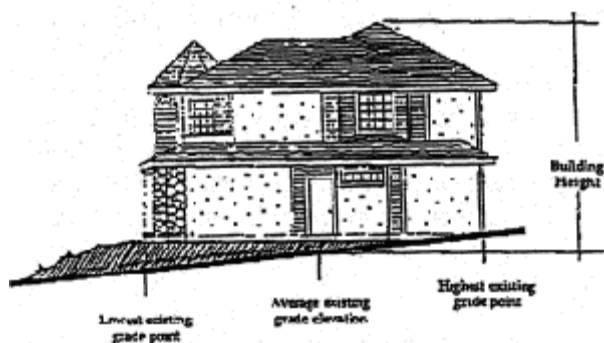
2. On any lot, the minimum setback to the basement wall is 10 feet from any property line.

3. Light wells for basements and exterior stairways to basements are permitted to the extent necessary to comply with Building and Fire Codes, and shall maintain a minimum of 5'-0" clearances from the light wells and/or exterior stairways to any property lines."

SECTION 15. Section 9251.2.14.1 of Article IX, Chapter 2, Part 5, Division 1 of the Arcadia Municipal Code, Motor Vehicle Limitations – Requirements, is hereby deleted in its entirety.

SECTION 16. Section 9252.2.1 of Article IX, Chapter 2, Part 5, Division 1 of the Arcadia Municipal Code is hereby amended to read as follows:

"9252.2.1. BUILDING HEIGHT. Building height for a single-family dwelling or an accessory structure is measured from the average of the lowest and highest existing grade elevation points of that portion of the site to be covered by a building, to the highest portion of the roof (excluding chimneys) – see illustration below:



The above mentioned points of the existing grade are to be clearly shown on the grading and drainage plan that is required to be submitted with the structural plans for new single-family developments or substantial additions or alterations.

No dwelling shall contain more than two (2) stories, nor shall any dwelling, including flagpoles, chimneys, smokestacks, architectural features and similar structures which are attached to and an integral part of the main dwelling, exceed the limit as set forth in the following table, except as may be approved by the Planning Commission or City Council (upon appeal) pursuant to the City's modification regulations:

City-wide:

<u>Lot Width</u>	<u>Maximum Building Height</u>
Less than 75 feet	25 feet
75 feet or greater	30 feet

Village Homeowners Association Area:

<u>Lot Width</u>	<u>Maximum Building Height</u>
Any lot width	25 feet

Highlands Homeowners Association Area:

<u>Lot Width</u>	<u>Maximum Building Height</u>
Less than 75 feet	25 feet
75.01 feet to 94 feet	27 feet
94.01 feet to 114 feet	29 feet
114.01 feet or greater	30 feet

Exceptions:

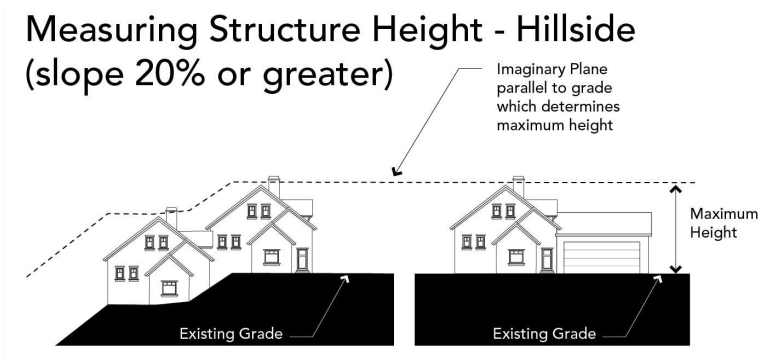
1. Porches facing a street shall not exceed fourteen (14) feet in height as measured from the adjacent finished grade. A "porch" is defined as any covered area at a building entrance, whether it is a projecting feature with a separate cover, or a recessed area behind the building wall. For projecting 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.

2. On any one (1) lot, only one (1) wireless radio antenna and its mast or tower may have an overall maximum height of thirty-five (35) feet when attached to and an integral part of the main dwelling.

3. Chimneys, including the required spark arrestor and any decorative caps may be allowed to extend a maximum of three (3) feet above the roofline if necessary for compliance with Building Code requirements, but in no case shall a chimney be less than the minimum height required by the Building Code.”

SECTION 17. Section 9252.2.1.2 of Article IX, Chapter 2, Part 5, Division 2 is hereby added to the Arcadia Municipal Code to read as follows:

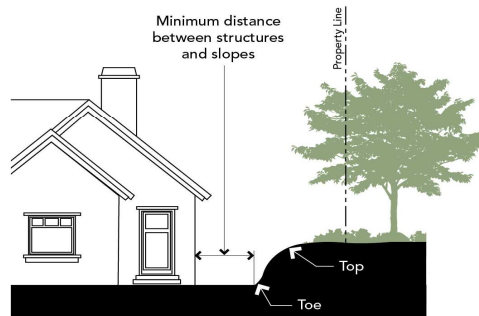
“9252.2.1.2. HILLSIDE DEVELOPMENT STANDARDS. For sloped lots with an average slope of 20 percent or greater, the maximum allowable height shall be measured as the vertical distance from the existing grade of the site to an imaginary plane located the allowed number of feet above and parallel to the grade (refer to the illustration below). “Existing grade” shall be established by the Development Services Director or designee, consistent with parcels in the immediate vicinity. No dwelling shall exceed more than two (2) stories or the maximum building height in Sec.9252.2.1. This includes an exposed basement.



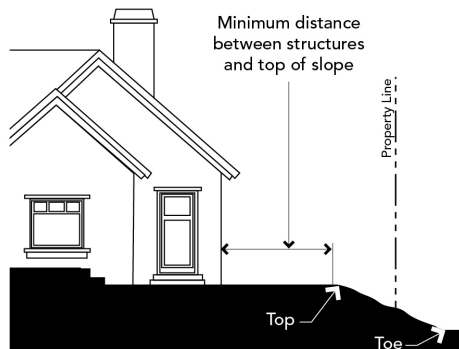
A. Minimum Distance between Structures and Slopes. In addition to the setback requirements that apply to the underlying zone, no building or structure shall be permitted to be erected closer to the toe or top of slopes than the following distance. For the purposes of this Section, swimming pools, spas, fish ponds, and other water features constructed on the lot shall be considered as structures.

1. Between a structure and the toe of slope where the slope is between the structure and front, side, and/or rear property line(s): 5 feet.

Minimum Distance Between Structures and Slopes



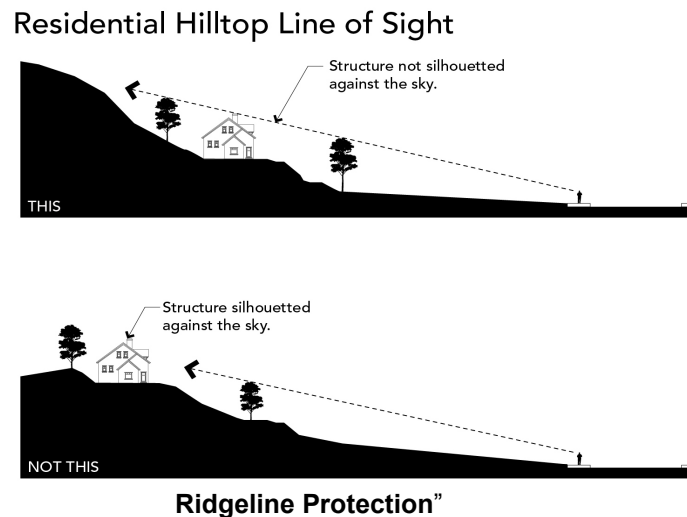
2. Between a structure and the top of slope where the slope is between the structure and front, side and/or rear property line(s): 5 feet.



B. Ridgeline Protection

1. Placement below ridgeline - Structures shall be located so that a vertical separation of at least 30 feet is provided between the top of the structure and the top of the ridge or knoll to maintain the natural appearance of the ridge. Grading shall also be avoided within 30 vertical feet of the top of a ridge or knoll. Placement of structures shall also take advantage of existing vegetation for screening, and shall include the installation of additional native plant materials to augment existing vegetation, where appropriate.

2. Structures shall not be placed so that they appear silhouetted against the sky when viewed from a public street.



SECTION 18. Section 9252.2.1.3 of Article IX, Chapter 2, Part 5, Division 2 is hereby added to the Arcadia Municipal Code to read as follows:

“9252.2.1.3. **FLOOR AREA RATIO.** The Floor Area Ratio (FAR) shall be the numerical value shown in the following tables as obtained by dividing the following by the lot size: the residential floor area of any building(s) located on the lot, including the main dwelling, detached accessory structures, accessory dwelling units, all garage areas except the parking required by the Municipal Code and City regulations, enclosed patios, and high volume ceilings (all interior areas above 14 feet in height). The following shall be excluded from FAR: required parking spaces (450 square feet for a two-car garage and 650 square feet for a three-car garage), a fourth parking space (200 square feet maximum) for a home over 5,000 square feet in size, basements, and non-enclosed covered structures such as covered patios or porches, and balconies.

Lot Size	Floor Area Ratio
Non-HOA Areas north of Huntington Drive	
Less than 7,500 sf	45% of lot area

7,501 – 10,000	3,375 sq ft plus 40% of lot area over 7,500 sq ft
10,001 – 15,000	4,375 sq ft plus 35% of lot area over 10,000 sq ft
15,001 – 20,000	6,125 sq ft plus 25% of lot area over 15,000 sq ft
20,001 – 30,000	7,375 sq ft plus 20% of lot area over 20,000 sq ft
30,001 +	9,375 sq ft plus 15% of lot area over 30,000 sq ft
Santa Anita Village and Highlands HOAs	For additional development standards and map of the Homeowners' Association (HOA) areas refer to City Council Resolution No. 6770.
Less than 10,000 sf	35% of lot area
10,001 – 15,000	3,500 sq ft plus 25% of lot area over 10,000 sq ft
15,001 – 20,000	4,750 sq ft plus 10% of lot area over 15,000 sq ft
20,001 – 30,000	5,250 sq ft plus 10% of lot area over 20,000 sq ft
30,001 +	6,250 sq ft plus 10% of lot area over 30,000 sq ft
Non-HOA Areas south of Huntington Drive	
Less than 10,000 sf	45% of lot area
10,001 – 15,000	4,500 sq ft plus 40% of lot area over 10,000 sq ft
15,001 – 20,000	6,500 sq ft plus 30% of lot area over 15,000 sq ft
20,001 – 40,000	8,000 sq ft plus 25% of lot area over 20,000 sq ft
40,001 +	13,000 sq ft plus 32% of lot area over 40,000
Incentive for One-Story Homes	3% of the lot area in additional floor area"

SECTION 19. Section 9252.2.3 of Article IX, Chapter 2, Part 5, Division 2 of the Arcadia Municipal Code is hereby amended to read as follows:

“9252.2.3. SIDE YARDS. There shall be a side yard on each side of every building of not less than five (5) feet or ten percent (10%) of the lot width, whichever is greater. The lot width for determining the interior side yard setback shall be taken at the front lot line or at the required front yard setback line, whichever is greater. Any portion of a single story in excess of twelve (12) feet high measured from the adjacent finished grade to the top plate and/or any portion of a second story including second story architectural features and wall shall be set back not less than ten (10) feet or twenty percent (20%) of the lot width, whichever is greater.

Exceptions:

1. On lots having a width of seventy-five (75) feet or greater as measured at the front property line, any portion of a gable roof and wall thereunder which does not exceed a maximum height of twenty (20) feet and which encloses a portion of the first floor living

area and/or interior stairwells which has no window(s) facing the side yard shall be permitted to encroach into the above-required setback. In no event shall such encroachment be less than the required first floor setback except as may be approved pursuant to the City's modification regulations.

2. Fireplaces not exceeding eight (8) feet in width which do not project from the building wall more than two (2) feet and providing that there is maintained a minimum distance of five (5) feet between said fireplace and the side property line.”

SECTION 20. Section 9252.2.4 of Article IX, Chapter 2, Part 5, Division 2 of the Arcadia Municipal Code is hereby amended to read as follows:

“9252.2.4. REAR YARD. There shall be a rear yard of not less than twenty-five (25) feet. Any two (2) story portion of a dwelling shall have a rear yard setback of not less than thirty-five (35) feet. For lots over 150 feet in depth an additional one foot of rear yard setback is required on each story for each ten (10) feet of lot depth beyond 150 feet.”

SECTION 21. Section 9252.2.6 of Article IX, Chapter 2, Part 5, Division 2 of the Arcadia Municipal Code is hereby amended to read as follows:

“9252.2.6. PARKING. All required parking spaces shall be provided on the same site as the main dwelling unit. For each main dwelling unit that is less than 5,000 square feet and has less than five bedrooms, there shall be not less than two (2) parking spaces on the same site as the main building in an enclosed garage. For new dwellings, additions, or rebuilds that have a main dwelling unit that is, or will cause 5,000 square feet or more and/or that have or will have five (5) or more bedrooms in that dwelling unit, one (1) additional parking space shall be provided within an enclosed garage.

Each such required parking space shall be not less than ten (10) feet wide, nor less than twenty (20) feet long. All required parking spaces shall have adequate individual

access, and safe ingress and egress shall be provided for all parking spaces by a twenty-five (25) foot turning radius and/or a minimum of twenty-five (25) feet of clear back out space directly adjacent to said parking space. No portion of any building or structure shall encroach through a plane projected from an angle of seventy-five (75) degrees as measured from the garage door or carport opening. Each such required parking space shall be in a garage located in back of the required front yard and shall be served by a driveway not less than nine (9) feet in width. All areas intended for vehicular use shall be paved with asphalt cement or concrete.

Exception: A tandem parking space may be allowed to satisfy an additional (third) required parking space, subject to the City's Design Review process.

On lots less than one hundred (100) feet in width there shall be no more than sixteen (16) linear feet of garage openings facing the front and/or street side yard areas. On lots one hundred (100) feet or greater in width there shall be no more than twenty-four (24) linear feet of garage openings facing the front and/or street side yard areas.

Below grade or subterranean parking spaces shall not be permitted.

Exception: The Planning Commission or the City Council (upon appeal) pursuant to the City's modification regulations may grant a modification to allow below grade or subterranean parking space(s). This exception is subject to the condition that not more than one (1) story shall be permitted directly above said parking with its height not exceeding the applicable regulation when measured from the finished floor level of the garage."

SECTION 22. Section 9252.2.9 of Article IX, Chapter 2, Part 5, Division 2 is hereby added to the Arcadia Municipal Code to read as follows:

“9252.2.9. BASEMENTS.

1. Basements shall not extend beyond the external walls of the first floor of the structure above the basement.

2. On any lot, the minimum setback to the basement wall is 10 feet from any property line.

3. Light wells for basements and exterior stairways to basements are permitted to the extent necessary to comply with Building and Fire Codes, and shall maintain a minimum of 5'-0" clearances from the light wells and/or exterior stairways to any property lines.”

SECTION 23. Section 9252.2.13.1 of Article IX, Chapter 2, Part 5, Division 2 of the Arcadia Municipal Code, Motor Vehicle Limitation – Requirements, is hereby deleted in its entirety.

SECTION 24. Section 9244.3 of Article IX, Chapter 2, Part 4 of the Arcadia Municipal Code is hereby amended to read as follows:

“9244.3. RESTORATION OF LEGAL NONCONFORMING BUILDINGS. Subject to all other regulations of this Chapter, a building destroyed to the extent of not more than seventy-five percent (75%) of its reasonable value by fire, explosion or other casualty or Act of God or the public enemy, may be restored and the occupancy of use of such building or part thereof which existed at the time of such partial destruction may be continued.

Exception: Single-family residential zones. When the site is legal-nonconforming based upon floor area ratio requirements in the R-M, R-0 and R-1 zones, the following applies if the main dwelling unit is damaged or destroyed in excess of seventy-five percent

(75%) by fire or other causes stated in this Section beyond the maintenance or control of the owner:

1. If a building permit is issued within 3 years following damage or destruction, legal-nonconforming rights are maintained for floor area ratio and the main dwelling unit may be rebuilt to its original floor area; and

2. If a building permit is not issued within 3 years following damage or destruction, the legal-nonconforming rights shall be deemed to have terminated.

SECTION 25. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council of the City of Arcadia hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

SECTION 26. Effective Date. This Ordinance shall become effective upon the thirty-first (31st) day following its adoption by a majority vote of the City Council.

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 the City of Arcadia within fifteen (15) days after its adoption.

[SIGNATURES ON THE NEXT PAGE]

Passed, approved and adopted this 19th day of April, 2016.

/s/ Gary A. Kovacic
Mayor of the City of Arcadia

ATTEST:

/s/ Gene Glasco
City Clerk

APPROVED AS TO FORM:

/s/ Stephen P. Deitsch
Stephen P. Deitsch
City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF ARCADIA)

I, GENE GLASCO, City Clerk of the City of Arcadia, hereby certifies that the foregoing Ordinance No. 2335 was passed and adopted by the City Council of the City of Arcadia, signed by the Mayor and attested to by the City Clerk at a regular meeting of said Council held on the 19th day of April, 2016 and that said Ordinance was adopted by the following vote, to wit:

AYES: Council Members Beck, Chandler, Segal, Tay, Kovacic

NOES: None

ABSENT: None

/s/ Gene Glasco
City Clerk of the City of Arcadia