

ORDINANCE NO. 1412

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DALY CITY AMENDING  
TITLE 17. RE: ZONING ORDINANCE AND AMENDING CHAPTER 10.32 RE: PARKING

The City Council of the City of Daly City, DOES ORDAIN as follows:

SECTION 1. Section 17.04.010 of the Daly City Municipal Code is hereby amended to read as follows:

**17.040.010 Definitions**

5. "Building, accessory" means a detached subordinate building, the use of which is incidental to that of an existing principal building on the same lot or to the use of the land.
- 17.1 "Dwelling Unit Accessory" means an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. An accessory dwelling unit also includes the following: 1) An efficiency unit, as defined in Section 17958.1 of Health and Safety Code; and 2) a manufactured home, as defined in Section 18007 of the California Health and Safety Code.
18. "Dwelling group" means a group of two or more detached or semi-detached one-family or two-family dwellings occupying a lot under one ownership and having any yard or court area in common, but not including motels. The dwelling group is distinguished from an accessory dwelling unit in that owner occupancy of neither dwelling group unit allowed, nor are dwelling groups subject to any of the other regulations of accessory dwelling units (parking, maximum size, etc.)
- 26.5 "Habitable space" means a space in a building for living, sleeping, eating, or cooking, including, but not limited to exercise, entertainment, computer, music, sewing, and rumpus, and social rooms; studies; breezeways; finished attic space; hallways, full- and half-bathrooms; and closets. The area occupied by an interior stairwell or any other open area, visible between floors, shall be excluded.

SECTION 2: Section 17.34.010(I) of the Daly City Municipal Code is hereby amended to read as follows:

**17.34.010 - Regulations generally.**

- I. A mandated building setback area may be used to fulfill an off-street parking requirement, subject to the following requirements:
  1. The property has an existing legal curb cut accommodating the required parking;
  2. An automatic garage door opener is installed and maintained in working condition; and

3. The garage and driveway are maintained in a usable condition and are not used for storage of material, equipment or inoperable vehicles if such storage necessitates parking a resident's vehicle on the street. Whenever the garage or driveway is available, residents are required to use them.
4. A parking space in a side-by-side or double-wide configuration has not or is not being eliminated.

SECTION 3: Section 17.34.020 (A) and Section 17.34.020(D) of the Daly City Municipal Code are hereby amended to read as follows:

**17.34.020 - Schedule of parking requirements.**

- A. Single-Dwelling Residential— New dwellings and additions to existing dwellings resulting in 1,500 square feet or less of habitable space in the dwelling shall require the provision of two parking spaces; new dwellings and additions to existing dwellings resulting between 1,501 square feet and 2,000 square feet of habitable space in the dwelling shall require the provision of three parking spaces; new dwellings and additions to existing dwellings resulting between 2,001 square feet and 2,500 square feet of habitable space in the dwelling shall require the provision of four parking spaces; and new dwellings and additions to existing dwellings resulting in over 2,500 square feet of habitable space in the dwelling shall require the provision of six parking spaces. Driveway areas in front of the dwelling's garage may be counted toward meeting the parking requirement if the measurement between the back of the sidewalk and face of the dwelling's garage door is not less than 19 feet long, unless a garage door recess is provided pursuant to subsection (H). Up to three of the required parking spaces required by this section may be provided in tandem.

Irrespective of the number of resulting square feet, the conversion of non-habitable space into habitable space in existing dwellings which does not expand the existing building envelope of the dwelling shall be required to provide at least two parking spaces meeting the parking dimensions specified in Section 17.34.030, unless the dwelling has no garage or existing structural obstructions prevent the provision of the two fully-dimensioned parking spaces, in which case no parking spaces shall be required for the interior improvements. In no instance shall an existing side-by-side parking configuration be eliminated.

- D. Multiple-Dwelling Residential, including condominiums—one space for each studio unit. One and one-half spaces for each one-bedroom unit. Two spaces for each two-bedroom or larger unit. Apartment complexes and condominiums designed and intended for the exclusive occupancy of low income elderly persons, shall provide at least one-fourth the normally required amount of off-street parking. Apartment complexes and condominiums designed and intended for the exclusive occupancy of low income persons or families other than the elderly shall provide at least three-fourths the normally required number of spaces;

SECTION 4: Section 17.34.030 (D) of the Daly City Municipal Code is hereby amended to read as follows, and Section 17.34.030(H) of the Daly City Municipal Code is hereby added to read as follows:

**17.34.030 - Off-street parking design standards.**

- D. The number of curb cuts for access shall be kept to a minimum and shall be located as far as is reasonably possible away from street intersections. In no event shall a curb cut extend into a curb return area a distance greater than ten percent of the total curb return length. The following curb cut and driveway standards shall apply:
1. Residential Parking — single-family homes, duplex and two-family homes shall have a maximum curb cut width of eight feet for single car wide driveways. A curb cut leading to garages arranged in a side-by-side configuration shall have a maximum width of fourteen feet. The width of the driveway shall not exceed the width of the garage entrance by more than six inches on either side of said entrance. All other residential uses shall have a minimum eight feet for each traffic lane, maximum width of twelve feet for each traffic lane. Contiguous paving may not be placed next to the driveway so that it could be used for parking, unless constructed in conformity with Section 17.34.050 below.
- H. Required garage parking spaces in single dwellings and duplexes shall comply with the following dimension requirements:
1. For new construction, single-car-width garage doors shall provide a minimum eight-foot opening and double-car-width garage doors shall provide a minimum 14-foot opening.
  2. Where walls are proposed on both sides of a garage parking space, the interior dimension for each parking space shall be 10 feet wide and 19 feet deep, centered on the back of the garage door. The interior space dimension for side-by-side parking shall be 17 feet wide and 19 feet deep, centered on the back of the garage door, except in duplexes where the garage shall be 20 feet wide and 19 feet deep.
  3. The interior dimension for a garage providing two required parking spaces in tandem may be reduced to 38 feet;
  4. In instances where an existing garage measure less than 38 feet, the garage dimension may be reduced to 19 feet if either the existing distance from the face of the garage door to the back of sidewalk measures 19 feet or the garage door is recessed so as to provide a driveway space not less than 19 feet in length, measured from the back of the sidewalk. The 19-foot dimension may be reduced to 16 feet if achieving the 19-foot dimension would require a garage door recess of more than six feet. In no case shall a permit be issued that results in a parking space dimension that is less than 16 feet from the back of the sidewalk to the face of the garage door. All parking spaces created pursuant to this section by shall be considered toward meeting required parking.

5. All required garage parking spaces shall be accessed by an overhead garage door with automatic garage door opener, installed and maintained in working condition. Garage doors which swing out, roll, and cannot otherwise be accessed in an automated fashion shall not be permitted.

Parking spaces shall be approved clear of all permanent and appliance obstructions, including in-swinging doors and required trash/recyclable bin storage areas. Appliances such as water heaters, furnaces, and washer and dryers shall be assumed to have a 36-inch dimension from the face of adjacent sheetrock. Parking spaces provided in excess of the mandated minimum number of spaces (optional parking space) may be reduced to 16 feet in length and may not be subsequently eliminated.

**SECTION 5:** Section 17.34.050 of the Daly City Municipal Code is hereby added to read as follows:

**17.34.050 – Contiguous Front Yard Paving**

- A. Replacement of existing front yard lawn or landscaping with hardscape (e.g., concrete, pavers, etc.) shall be allowed on any property with a single dwelling or duplex, subject to the following requirements:
  1. On parcels wider than 25 feet, at least 25 percent of the front yard shall be retained as landscape or xeriscape. For the purpose of compliance with this section, the front yard shall be defined as the area between in front of the dwelling and the back of sidewalk, including the public right-of-way.
  2. Paving of any portion of the public right-of-way shall require the issuance of an encroachment permit by the Engineering Division. The application for encroachment permit shall demonstrate compliance with the above landscape/xeriscape requirement. The Engineering Division shall have the ability require the replacement of the utility box serving the dwelling with a box rated for vehicular traffic, if one does not already exist.
  3. All hardscape not subject to the one-time exemption provided in this section shall incorporate pavers, integral colored concrete, or any combination thereof. Integral concrete shall colored be brown or a color complementary to the dwelling situated upon the lot;
  4. Paving on properties not served by an existing, legal vehicular curb-cut shall incorporate a permanent vertical barrier or other concrete cut-out pattern preventing the hardscape area from being used to park a vehicle. The permanent vertical barrier shall consist of a poured concrete curb not less than six inches in height and bricks and/or pavers set in poured concrete with an exposed surface not less than six inches.
- B. Any single dwelling or duplex property with contiguous front yard paving which has been installed as of July 1, 2017, shall be considered legal and non-conforming, and shall

be exempt from the requirements of this section provided the dwelling owner has secured a non-conformity finding from the Planning Division by a date set by City Council resolution. Any front yard pavement not granted a non-conformity finding shall be brought into conformance with these regulations upon issuance of any building permit for work exceeding a valuation set by City Council resolution.

- C. Paving, terracing, and/or filling of any yard shall not be counted toward lot coverage. Placing removable rock material in any front yard area shall be exempt from this section.

**SECTION 6:** Section 17.34.060 of the Daly City Municipal Code is hereby added to read as follows:

**17.34.060 – Minimum parking lot and parking garage driveway dimensions.**

The following dimensions shall be required for driveways accessing parking lots and garages:

- A. For driveways providing access to 20 or fewer parking spaces, one-way travel may be allowed. The minimum one-way driveway dimension will be 12 feet, clear of all obstructions (e.g., building support columns).
- B. For driveways providing access to 21 or more parking spaces, two-way travel shall be required. For driveways providing access to between 21 and 50 spaces, the minimum two-way driveway dimension shall be at least 18 feet, clear of all obstructions. For driveways providing access to more than 50 spaces, the driveway dimension shall be at least 24 feet, clear of all obstructions.

All required driveway dimensions shall be subject to final determination by the City's traffic engineer. In determining the driveway minimum dimensions for a specific development proposal, the traffic engineer's final determination may consider the driveway length, adjacent street traffic conditions, inside/outside vehicle visibility, inside/outside turning radii, the quantity of non-residential floor area served by the driveway, or any other factor(s) useful in determining the safety of an acceptable driveway dimension

**SECTION 7:** Section 17.35.040(A)(4) of the Daly City Municipal Code is hereby amended to read as follows:

**17.35.040 General property development requirements.**

- 4. Trash Receptacle and Recycling Container Storage. All new buildings or buildings where the occupancy is changed or in buildings where an expansion of business area or living space is applied for, including expansion of internal habitable areas, shall provide adequate space to accommodate a trash bin and recycling containers. The storage areas shall be weather-proof, vermin-proof and easily accessible to facilitate solid waste collection. Existing or new dwellings without side yards shall provide an area devoted to such storage that measures three feet by eight feet adjacent and

connected to the dwelling's garage. Accessory dwelling units shall utilize the trash and recycling receptacles of the primary dwelling unit on the parcel.

**SECTION 8:** Section 17.40.020 of the Daly City Municipal Code is hereby amended to read as follows:

**17.40.020 - Fences.**

- A. No fence shall hereinafter be constructed that exceeds six feet in height on any parcel where the sole use of the parcel is residential, unless required by law or Condition of Approval. No fence shall hereinafter be constructed that exceeds eight feet in height on any parcel that contains a non-residential use, including mixed-use buildings. Fencing up to ten feet in height on such parcels may be allowed subject to Administrative Design Review and shall incorporate a decorative material such as tubular metal, vinyl cladding, or similar material. Irrespective of the parcel use, no fence shall exceed three feet in height in any required front yard or within thirty-five feet of the street corner on any corner lot in any residential zone.
- B. The allowed fence height specified in Section (A) above shall be measured from the ground level at property line of the highest abutting property immediately adjacent to either side of the fence. The height measurement of fences constructed on sloping parcels shall be at the shortest fence post along any fence panel not exceeding eight feet in length.
- C. This section shall not apply to trellises, which shall instead be regulated as accessory structures.

**SECTION 9:** Section 17.40.085 of the Daly City Municipal Code is hereby added to read as follows:

**17.40.085 - Accessory structures.**

Accessory structures, including trellises, gazebos, and pergolas, shall be permitted on any parcel with a residential use in conformance with the following regulations:

1. No structure, in combination with other accessory structures, shall occupy more than 120 square feet of floor area;
2. No structure shall be located closer than six feet to any dwelling unit on the same property or three feet to any dwelling unit on an adjacent property;
3. No structure shall be greater than 10 feet in total height;
4. No structure, other than a trellis, shall be constructed on the front or side yards of the residential use;
5. No structure shall be plumbed with water or sewage fixtures;

6. No structure shall be used as a dwelling or accessory dwelling unit, the latter which shall instead be regulated by Section 17.40.100; and
7. Electrical work within the structure shall be limited to one 110-volt wall receptacle and overhead lighting, subject to the property owner obtaining an electrical permit.

Structures conforming to the above shall be allowed without setbacks, shall not be subject to any lot coverage regulation, and shall not be subject to design review. Any structure otherwise conforming to the above, but exceeding 120 square feet, shall conform to the lot coverage and setback limitations imposed by the respective zone in which it is situated shall not be greater than 15 feet at its highest point, and shall be subject to Administrative Design Review. The planner shall have discretion in allowing electrical work beyond the maximum amount specified for structures less than 120 square feet. Trellises, defined as a framework of light wooden or metal bars that is chiefly used to support fruit trees or climbing plants, may be constructed in the front half of the lot up to ten feet in height and combined twenty feet in length.

SECTION 10: Section 17.40.090 of the Daly City Municipal Code is hereby added to read as follows:

**17.40.090 – Review of modifications to residential floorplans**

Downstairs room construction is permissible in single dwelling units and duplexes in compliance with the following regulations:

- A. No such construction shall displace or negatively impact any required parking space and all parking spaces shall continue to meet dimension requirement provided in Chapter 17.34.030 - Off-street parking design standards.
- B. Internal integration between all habitable rooms in a dwelling unit shall be required. Internal integration shall be defined as construction which allows pedestrian movement between all habitable rooms without the need to travel through non-habitable rooms, exterior breezeways, or outside the home. In dwellings with three floors, integration must be provided at different locations between the first and second floors, and between second and third floors, unless the staircase rail is open between floors to an adjacent area equal to the floor area occupied by the staircase. There shall be no requirement for integration of one ½ bathroom, or one or more non-habitable rooms (e.g., storage rooms) collectively not exceeding 75 square feet, at the garage level. Pedestrian connections between non-habitable rooms, hallways, and any room other than the garage shall be prohibited.
- C. Unless associated with an approved accessory dwelling unit, pedestrian entrances other than the primary entrance to the home or to the garage shall be provided at the rear elevation only. Where there is an existing pedestrian entrance to any habitable room from the dwelling exterior and construction increasing habitable floor area is proposed on the same floor, the existing pedestrian entrance shall be moved to the rear elevation, unless the construction proposed is part of an accessory dwelling unit. Proposals not involving

the construction of full baths or a wet bar shall be exempt from the requirements of this subsection.

- D. Pedestrian entrances leading to garage areas shall be allowed on either side of the home or on either side of the garage door exterior for homes with no side yard. All such entrances, including those installed in homes with no side yard, shall be installed perpendicular to the adjacent street.
- E. Garage doors modified to allow for secondary pedestrian entrances shall not be allowed. Existing garage doors that have been modified to allow for secondary pedestrian entrances shall be replaced by an unmodified garage upon the issuance of any building permit for work exceeding \$50,000 valuation.
- F.. All new homes and home proposed for interior modification shall provide a kitchen not less than 50 square feet in area and a living room, family room, or dining room not less than 100 square feet in area located on the same floor as the kitchen. Patio covers, roof decks, and balconies shall not be counted toward meeting this requirement.
- G. One wet bar improvement shall be allowed in each home consisting of any or all of the following permanent elements:
  - 1. A single-basin sink not larger than 15 inches interior dimension;
  - 2. An under-counter refrigerator which is no greater than five (5) cubic feet in size and utilizes a standard 110-volt electrical outlet;
  - 3. Countertop area which does not exceed five (5) feet in length; and/or
  - 4. Base and wall cabinets which do not exceed countertop length.

Wet bars shall be unrestricted as to size and appliance limitations, subject to accessory dwelling unit permit approval. Wet bars shall not be permitted on any floor in any home with an approved accessory dwelling unit.

SECTION 11: Section 17.40.100 of the Daly City Municipal Code is hereby amended to read as follows:

**17.40.100 - Accessory dwelling units.**

- A. An accessory dwelling unit that conforms to this section shall be deemed to be an accessory use or an accessory building and shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use that is consistent with the general plan and zoning designations for the lot. The accessory dwelling unit shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.



B. Any proposed accessory dwelling unit, or any existing accessory dwelling unit proposed for legalization, shall meet or exceed the following development standards:

1. There shall be no more than one accessory dwelling unit per parcel;
2. The principal and accessory dwelling unit shall meet all development standards for the residential zoning district in which it is located;
3. Occupancy of one of the two units shall be the owner(s) of record. The applicant for an accessory dwelling unit shall provide evidence of occupancy in the form of a government issued photo identification card that includes the address of the property where the accessory dwelling unit is proposed and the current owner of record. Prior to permit issuance for an accessory dwelling unit, the applicant shall record a deed restriction for the property as prescribed in Section 17.40.110 below. Any rental agreement for the main or accessory dwelling unit shall provide a disclosure to the renter of the requirement of owner occupancy of the subject property;
4. The accessory dwelling unit shall meet the standards of the building, fire, and other applicable health and safety codes;
5. The floor area of an attached accessory dwelling unit shall not exceed 50 percent of the size of the primary dwelling unit, with a maximum increase in floor area of 1,200 square feet. The total area of floor area for a detached accessory dwelling unit shall not exceed 1,200 square feet.
6. Accessory dwelling units shall provide one parking space per unit or per bedroom (studio units shall provide one parking space). These spaces may be provided as tandem parking on an existing driveway in the front setback. No parking spaces shall be required for an accessory dwelling unit in any of the following instances:
  - a) The accessory dwelling unit is located within one-half mile of public transit.
  - b) The accessory dwelling unit is located within an architecturally and historically significant historic district.
  - c) The accessory dwelling unit is part of the existing primary residence or an existing accessory structure.
  - d) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
  - e) When there is a car share vehicle located within one block of the accessory dwelling unit.

Parking spaces shall comply with the parking space dimension regulations provided in Section 17.34.020 (H).

7. Only one exterior pedestrian entrance (not including slide glass door) shall be provided for each accessory dwelling unit. The entrance shall be provided at the dwelling unit's rear elevation or at the side elevation providing the main entrance to the dwelling, unless such a requirement would result in trespass onto adjacent property. A paved walkway shall be provided leading from the sidewalk or driveway to the pedestrian entrance.

SECTION 12: Section 17.40.110 of the Daly City Municipal Code is hereby amended to read as follows:

**17.40.110 – Certificate of registration requirements.**

Prior to final building inspection, the applicant for an accessory dwelling unit shall file a Certificate of Registration for the property which indicates that the property owner shall live in either the main or accessory dwelling unit.

- A. The Certificate of Registration shall contain the following:
1. The name and address of the current owner or owners;
  2. The address of the property for which an accessory dwelling unit is proposed to be permitted;
  3. A photocopy of the deed for the property as recorded with the county recorder, county of San Mateo;
  4. A scale drawing showing the lot dimensions, the location of the building, building setbacks, and proposed additions to the building and all vehicular parking spaces;
  5. Floor plans of the principal and accessory dwelling units drawn to the scale showing all existing and proposed improvements;
  6. Consent of the owner to the physical inspection of the premises prior to the issuance of any building permit or certificate of registration;
  7. Signature of the owner(s) under penalty of perjury;
  8. A nonrefundable filing fee, to be established by resolution of the city council;
  9. Any other information or data deemed necessary by the city planner to determine compliance of the proposed accessory dwelling unit with the terms of this section.
- B. Application for a certificate of registration shall be made when applying for a building permit. Issuance of a certificate of registration will take place upon final building inspection and the issuance of a certificate of occupancy. The city planner shall also certify, date and cause to be recorded the certificate of registration at the time of issuance.
- C. The following shall appear on the certificate of registration:
- This Certificate of Registration has been issued in accordance with the provisions of Section 17.40.100 of the Daly City Municipal Code (Zoning Ordinance) and is subject to certain restrictions and conditions so long as an accessory dwelling unit exists on the premises; these include, but are not necessarily limited to the following:
1. That the accessory dwelling is allowed only so long as one of the two dwelling units is occupied by the owner(s) of record;
  2. That all off-street parking spaces, as identified in plans submitted in application for this Certificate of Registration shall be maintained in usable condition. Said spaces shall not be used for storage of materials, inoperable vehicles or equipment, if such storage necessitates the parking of the property owner's or tenant's vehicles outside the specified parking area.

3. That no improvement or modification of the building shall be made without issuance of a building permit by the City of Daly City.

The City Council of the City of Daly City has the right to terminate the continued use of the accessory dwelling unit if, after a Public Hearing on the matter, it determines that a violation of any zoning, building, fire or other health and safety code of the City exists; the Council may cause to be recorded with the County Recorder of San Mateo a revocation of this Certificate of Registration.

The use of said property contrary to these special restrictions shall constitute a violation of the Daly City Zoning Ordinance and shall constitute a misdemeanor and upon conviction thereof the person violating the Ordinance shall be subject to all remedies under Section 1.12.010 of the Daly City Municipal Code, including a fine of not more than five hundred (\$500.00) dollars, or imprisonment in the County Jail for a term not exceeding six (6) months, or both. A separate offense shall have been committed for each and every day during which a violation persists. In addition, the City may take any and all civil action necessary to abate said use.

The Certificate of Registration shall be signed and acknowledged by the owner(s) of record.

4. The Certificate of Registration may be conveyed with title to the property, however, this in no way relieves any property owner or successor from compliance with all the terms of the ordinance and all other applicable regulations.
5. Failure to comply with the requirements of this or any other section of the zoning ordinance will comprise a violation that, in addition to penalties cited in Section 1.12.010 of the Municipal Code, can result in the revocation of the Certificate of Registration by the City Council after Public Hearing on the matter.

SECTION 13: Section 17.40.120 of the Daly City Municipal Code is hereby deleted in its entirety.

SECTION 14: Section 17.40.140 of the Daly City Municipal Code is hereby deleted in its entirety.

SECTION 15: Section 17.45.120(A), (B) of the Daly City Municipal Code is hereby amended to read as follows, and Section 17.45.120(E) is hereby added to the Daly City Municipal Code to read as follows:

**17.45.120 - Applicability.**

- A. Major design review applications shall be reviewed by the design review committee, subject to the provisions in Section 17.45.020(A). Major design review approval shall be required for the following projects:

1. Residential projects consisting of four or more dwelling units;

2. New commercial buildings which exceed two thousand square feet in area or which are located on sites that are 2,500 feet in area or greater;
  3. All new industrial projects where the improvements are visible from off-site.
- B. Minor design review applications consist of projects associated with concurrent entitlements that involve physical modification of structures or site improvements. Minor design review applications shall be reviewed in conjunction with the additional entitlements by the City Council, subject to the provisions of Section 17.45.020(C).
- C. **[Text Remains Unchanged]**
- D. **[Text Remains Unchanged]**
- E. New homes not subject to major design review and additions to existing homes shall be exempt from design review if the proposed home or addition complies with the following requirements, as determined by the Planning Division:
1. Three-story homes shall provide structural articulation at the front elevation. This may be accomplished by a minimum ten-foot recess to the third floor or by recessing one-third of front elevation vertically.
  2. Structural additions onto any existing home, other than pre-fabricated sunrooms, shall match the design style of the home, including siding material, roof pitch and material, paint color, trim, and window design.
  3. The side yard setback for any proposed addition shall match the existing setback of the wall adjacent to the addition.
  4. Each floor of any new home shall, on all four elevations, receive horizontal trim as a visual separation between floors, a variety of exterior materials, and color variation, so as to reduce the bulk and mass appearance of the home. New homes providing a parapet wall at the front elevation shall provide the wall in a design quality complementary to those of existing homes, if such walls exist.
  5. All new pedestrian entrances and garage doors shall be inset at least 24 inches unless matching an existing garage door at the front of the home.
  6. Any proposed exterior elevation shall incorporate two-inch nominal dimension trim at all window, door, and other openings. All homes with siding shall incorporate corner trim.
  7. All new windows at the front elevation shall provide window grilles, unless determined by the Planning Division to be in contradiction to the proposed architectural style of the home.
  8. Garage doors shall be controlled by automatic garage door opener. The garage door shall complement the door style found in the adjacent neighborhood, including the provision of window grilles, unless determined by the Planning Division to be in contradiction to the proposed architectural style of the home.
  9. The entire driveway of any new home shall receive pavers with a decorative band.
  10. Plywood and vinyl siding shall not be permitted unless proposed on a dwelling which incorporates these materials.

SECTION 16: Section 10.32.165 of the Daly City Municipal Code is hereby amended to read as follows:

**10.32.165 - Parking on front yard prohibited.**

- A. No person shall park or store a vehicle, as defined in the Vehicle Code, or a boat of any type, or any boat trailer or trailer, or camper shell(s), in the front yard of a lot, whether improved or unimproved, including the lawn area thereof, in a residential zone, except upon that improved area which shall comprise the driveway to a garage. The width of the driveway shall not exceed the width of the garage entrance by more than six inches on either side of the garage entrance.

Exceptions to this section shall be made for parking any vehicle, excluding boats, trailers, or camper shells, in paved areas of front yards installed in compliance with Chapter 17.34.050 – Contiguous Front Yard Paving.

- B. Violation—Penalty. Violation of any provision or section of this section shall be deemed to be an infraction. Each person convicted of a violation determined to be an infraction shall pay the following:
- 1 A fine not exceeding fifty dollars for a first violation;
  - 2 A fine not exceeding one hundred dollars for a second violation of the same section within one year;
  3. A fine not exceeding two hundred fifty dollars for each additional violation of the same section within one year.

SECTION 17: Environmental Determination. The City Council of the City of Daly City finds and determines that the implementation of measures described in this Chapter is in furtherance police powers of the City of Daly City, and that these purposes are exempt from the provisions of the California Environmental Quality Act (CEQA); Chapter 3 (commencing with Section 21100) of Division 13 of the Public Resources Code, as provided in categorical exemption within CEQA’s categorical exemption for activities involving regulation of activities.

SECTION 18: Severability: If any section, subsection or sentence of this Ordinance is found by a court of competent jurisdiction to be invalid or unlawful, the City Council finds and declares that the remainder of this ordinance would be and is enforceable and would have been adopted notwithstanding the finding of invalidity as to any section, subsection or sentence.

SECTION 19: Publication/Summary Pursuant to the provisions of Government Code Section 36933, a summary of this ordinance shall be prepared by the City Attorney. At least five (5) days prior to the Council meeting at which this ordinance is scheduled to be adopted, the City Clerk shall (1) publish the summary, and (2) post it in the City Clerk’s office a certified copy of this ordinance. Within fifteen (15) days after the adoption of this ordinance, the City Clerk shall

(1) publish the summary and (2) post in the City Clerk's office a certified copy of the full text of this ordinance along with the names of those City Council members voting for and against this ordinance or otherwise voting. This ordinance shall become effective thirty (30) days from and after its adoption.

Introduced this 23<sup>rd</sup> day of January 2017.

Passed and adopted as an Ordinance of the City of Daly City at a regular meeting of the City Council of the City of Daly City held on the 13<sup>th</sup> day of February 2017, by the following vote:

AYES, Councilmembers Buenaventura, Christensen, Guingona,

Manalo, Sylvester

NOES, Councilmembers None

Absent, Councilmembers: None

K. Annette Hipona

CITY CLERK OF THE CITY OF DALY CITY

APPROVED:

GLENN R. SYLVESTER

MAYOR OF THE CITY OF DALY CITY