

# Planning Commission Study Session 2-24-26

## DRAFT CHAPTER 17.22 General Development Standards.

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### 17.22.010 Accessory Structures.

A. **Purpose and applicability.** This section establishes development standards for accessory structures on private properties, and shall be in addition to any other development standards contained elsewhere in the zoning code. In the event of a conflict between the provisions of this section and other provisions of this title, the stricter regulations shall control. Accessory Dwelling Units (ADUs) are not considered as accessory structures and are regulated under Chapter 17.XX.XXX.

B. **Definitions.**

“Accessory structures” means sheds, patio covers, arbors, gazebos, cabanas, greenhouses, pergolas, guesthouses, sunrooms, pool-houses, decks, tennis, pickleball, or basketball courts, porte cochere, garage, and similar structures that are related and subordinate to the primary dwelling use on the lot. Accessory structures may be attached to or detached from the main dwelling. Except for guesthouses, accessory structures shall be used solely for recreational and outdoor living purposes. Patio covers shall not be used as carports, garages, storage rooms, or habitable rooms.

“Decks or patios” means a detached porch, platform, or landing that is generally constructed with wood, concrete, or stone and is no more than 30 inches above the finished floor of the primary dwelling.

“Guesthouse” as defined under CMC Chapter 17.28.

“Greenhouse” means a building or structure constructed primarily of glass, glass-like or translucent material, cloth or lath, which is devoted to the protection or cultivation of flowers or other tender plants, and is included in the calculation of the lot coverage.

“Patio enclosures” means providing a closed cover for three sides of a patio with walls and windows. A patio enclosure is a habitable room addition to the primary dwelling.

“Porte cochere” means an accessory structure open on three sides and attached to the side or front of a building through which cars pass, and is established for the convenient loading and unloading of passengers from an automobile. A porte cochere is not a carport or garage, and it may not be used to satisfy off-street parking requirements.

“Sunroom” means a building or structure constructed primarily of glass, glass-like, or translucent material, used only for recreational and outdoor living purposes, and not as a habitable room (such as for living, sleeping, or cooking).

**C. Exempt structures.** The following accessory structures are exempt from a planning permit, provided they comply with the listed requirements. Exempt accessory structures may require building permits in keeping with the California Building Code adopted by the city. See Table 17.22.xxx for additional standards.

1. Water features. A detached structure used for decorative or landscape purposes, such as a fountain, water wall, bird bath, and similar features.
2. Play equipment for recreational purposes, including but not limited to children's play structures, tree houses, jungle gyms, etc.
3. Outdoor entertainment features, such as but not limited to built-in barbecues or fire pits.
4. Ground-mounted equipment. Pool equipment, generators, and air conditioning units must be screened with materials that provide noise reduction.
5. Portable storage sheds. The structure is freestanding, moveable, has no permanent foundation, and no plumbing or electrical installation. The structure is under 120 square feet in area and under 8 feet high. Each parcel/lot shall not contain more than 2 storage sheds.
6. Trellis-arch feature. Allow one decorative and landscape trellis-arch feature up to a maximum height of 8 feet within the required front yard. No limit on trellis-arches within the rear and side yards but must comply with the required setback.

**D. Permit requirements for accessory structures.** Accessory structures located in single-family residential zones require zoning clearance as described in CMC Chapter 17.04.XXX. Accessory structures located in multi-family, mixed-use, and non-residential zones require minor site plan review as described in CMC Chapter 17.04.XXX.

E. The following Table 17.22.XXX-E establishes the development standards for accessory structures in single-family residential zones.

<b>Table 17.22.XXX-E Development Standards for Accessory Structures</b>							
Accessory structures	Front yard setback (1)	Rear yard setback (1)	Interior side yard setback (1)	Street side yard setback (1)	Distance from main dwelling	Rear yard coverage (%)	Height
Detached accessory structures (2)	Not permitted	5 ft	Maintain setback per Residential zones	12.5 ft	6 ft	35% of required yard area	16 ft
Attached accessory structures (2)	Not permitted	Maintain setback per Residential zones	Maintain setback per Residential zones	Maintain setback per Residential zones	NA	35% of required yard area	16 ft
Water features	5 ft	5 ft	5 ft	12.5 ft	NA	Not included	6 ft
Pool and spas	Not permitted	5 ft	5 ft	12.5 ft	6 ft	Not included	NA
Pool accessories	Not permitted			12.5 ft	6 ft	Not included	8 ft
Pool equipment	Not permitted	5 ft	5 ft	12.5 ft	6 ft	Not included	NA
Play equipment	5 ft and no more than 6 ft high	5 ft	5 ft	12.5 ft	NA	Not included	NA
Deck/patio under 30 inches (3)	Project 6 feet into yard or setback 19 ft	5 ft	3 ft	12.5 ft	NA	Not included	30 inches
outdoor entertainment features	Not permitted	5 ft	5 ft	12.5 ft	NA	Not included	NA
Storage shed (less than 120 sq. ft.	Not permitted	3 ft	3 ft	12.5 ft	NA	Not included	8 ft

Storage shed 120 sq ft or more	Not permitted	5 ft	5 ft	12.5 ft	NA	30% of required yard area	16 ft
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Notes:

1. Setback is measured from the property line.
2. Accessory structures as defined in CMC Section 17.22.XXX
3. Decks and patios as defined in CMC Section 17.22.XXX

2. Building/Lot coverage. Accessory structures shall not occupy more than 35 percent of the required rear yard setback area. Covered patios, trellis structures and similar accessory structures are included in the calculation of the total lot coverage.
3. Guesthouses as defined in CMC Chapter 17.28. A guesthouse shall not exceed a gross floor area of 600 square feet and contain no more than 2 bedrooms.
4. Exterior stairs attach to the main dwelling. Exterior stairs may project a maximum of 48 inches, including railings, into the required yards. The exterior stairs must maintain a minimum distance of 3 feet from the interior side and rear property lines, and 12.5 feet from the street side property line.
5. Second-story decks and balconies may project into the required rear yard a maximum distance of 5 feet and a maximum length of 10 feet. Second-story decks and balconies must meet the interior and street side yards setback requirements of the underlying residential zones. Second story decks or balconies with roofs are included in the total lot coverage.

## 17.22.020 Conversion of Residential Building.

### A. Purpose.

This chapter sets development standards for converting residential buildings in commercial or industrial zones to nonresidential use. It ensures compatibility with the surrounding neighborhood, protects the welfare of property owners, residents, and Covina's citizens, and regulates building and site design, materials, landscaping, color, and maintenance.

### B. Applicability.

Any existing residential use or structure on a commercially or industrially zoned property must not be converted, altered, or remodeled to a commercial or industrial use without first obtaining the approval of the required site plan review application as described in CMC Chapter 17.04, and other planning applications as required by the commercial or industrial zones.

### C. Applications and Submittal Requirements

Submit applications, fees, and required materials to the Planning Division using the format or checklists provided by the director.

**D. Review Requirements.**

All developments regulated by this chapter shall be reviewed and approved by the review authority.

1. Proposed conversions must comply with all applicable provisions of this title.
2. Site and Design Standards. Arrange all site improvements, including building placement, setbacks, height, grading, landscaping, walls, and service areas, to prevent traffic congestion and ensure pedestrian and vehicular safety. Design vehicular access and circulation appropriately. Parking is not allowed in front yards or between buildings and the front property line.
3. Architectural Compatibility. Buildings must use roof elements and exterior materials compatible with adjacent development. Exterior walls must be constructed of wood, tile, or masonry; plaster or stucco is allowed only when combined with these materials. The structure's architectural character should reflect harmony, proportion, and quality materials, and use colors consistent with existing and planned neighborhood improvements.
4. Integrate landscaping to complement the design, soften architectural features, and enhance visual interest. Preserve existing landscaping or architectural features that contribute to neighborhood character whenever feasible.
5. Screening and Utilities. Screen roof-mounted equipment with materials consistent with the building's architectural style. Provide a trash enclosure that meets City design standards. Screen outdoor mechanical equipment from public view using a permanent structure.

**E. Review, Approval, and Appeal Procedures.**

The review and approval process and appeal procedures shall comply with the requirements described in CMC Chapter 17.02, General Provisions and Administration, and Chapter 17.04, Land Use Entitlements, Permits, and Planning Applications.

## **17.22.030 Congestion Demand Management and Transportation Demand Management.**

**A. Review of Development Impact on Transit Service.**

1. For any development project requiring an environmental impact report, or when locally determined, the City shall notify regional and municipal fixed-route transit operators serving the project.
2. Each operator will receive a notice of preparation (or project description) and a transit impact review worksheet from the Los Angeles County Congestion Management Program manual (or equivalent). Operators may return the worksheet with comments

on potential transit impacts, service or capital improvements, and recommended mitigation measures.

3. The City shall evaluate these comments in the draft environmental review, adopt feasible mitigation measures, and monitor implementation consistent with CEQA requirements.

**B. Traffic Impact Analyses.**

1. Applicants for projects requiring an environmental impact report shall submit a Congestion Management Program (CMP) network traffic impact analysis, unless exempt under the Los Angeles County CMP or subsection (G). The City may also require a local traffic impact analysis. Analyses must follow the methodology in the current CMP manual, identify project-generated impacts, and propose mitigation measures and costs. All analyses require City approval.
2. The City reserves the right to determine the definition of “significant impact” on intersections and roadway segments and may adopt stricter definitions of “significant impact” than those in the CMP manual.

**C. Transportation Demand Management Requirements for Nonresidential Development with a Floor Area of 25,000 Square Feet or More.**

The items listed in this section shall be provided to the satisfaction of the City. One or more bulletin boards, or a display case or kiosk displaying transportation information. Information displayed shall include the following:

1. Current maps, routes and schedules of public transit lines serving the site.
2. Telephone numbers for transportation information, including numbers for the regional ride sharing agency and local transit operators.
3. Ridesharing informational material supplied by commuter-oriented organizations.
4. Bicycle route and facility information, including regional and local bicycle maps and bicycle safety information.
5. A listing of facilities available for carpoolers, vanpoolers, bicyclists, transit riders, and pedestrians at the site.

**D. Transportation Demand Management Requirements for Nonresidential Developments With a Floor Area of 50,000 Square Feet or More.**

The items listed in subsection (C) of this section, together with those listed here in this section, shall be provided to the satisfaction of the City.

1. At least 10% of employee parking spaces shall be reserved for carpool and vanpool use, located near worksite entrances without displacing handicapped or customer parking. These spaces must be shown on the development site plan. A minimum of one space is required for projects with 50,000–100,000 square foot of floor area, and two spaces for projects over 100,000 square foot, with additional spaces added as demand

warrants. Procedures for reserving these spaces must be posted on the transportation information board.

2. Vanpool vans must be able to reach and park in the spaces reserved for them. Parking spaces and turning radii must be large enough to accommodate the vans. If the reserved parking is in a structure, passages and spaces to be used by the vans must have vertical clearances of at least 86 inches.
3. Bicycle racks or other bicycle parking shall be provided as stated in CMC 17.22.030(N).

**E. Transportation Demand Management Requirements for Nonresidential Developments With a Floor Area of 100,000 Square Feet or More.**

The items listed in **subsections (C) and (D)** of this section, together with those listed here in this section, shall be provided to the satisfaction of the City.

1. A safe and convenient zone in which vanpool and carpool vehicles may deliver or board their passengers.
2. Sidewalks or other designated pathways following direct and safe routes from the public sidewalk to each building in the development.
3. If determined necessary by the City to mitigate project impact, bus stop improvements shall be provided. The City will give local bus service providers an opportunity to recommend improvements. Entrances to project buildings must be located where they will offer the safest and most efficient access to nearby rail stations and bus and shuttle stops.
4. Safe and convenient access from the City street system to bicycle parking facilities on site.

**F. Monitoring.**

All required improvements must be completed, and all conditions satisfied, before issuance of occupancy permits, unless otherwise specified in project approvals or modified by the City. The approval authority may require a compliance monitoring program, and one is mandatory for projects subject to the Los Angeles County Congestion Management Program. Monitoring costs shall be borne by the property owner, site manager, or occupant. Monitoring may be combined with CEQA mitigation monitoring.

**G. Exemptions From Transportation Congestion Management and Transportation Demand Management Requirements.**

A development project may be exempt from transportation congestion management and transportation demand management requirements if it meets the following criteria:

1. Exemption From Development Impact for Transit Service Requirement.
  - a. Development impact for transit service requirements set forth in **subsection (A)** of this section shall not apply to projects for which a development application has been deemed complete by the City pursuant to California Government Code Section

[65943](#), or for which a notice of preparation for a draft environmental impact report has been circulated pursuant to the provisions of the California Environmental Quality Act, or for which an application for a building permit has been received, prior to the adoption of this ordinance.

- b. Phased projects, projects under a development agreement, or those needing later approvals are exempt from repeating transit consultation and evaluation, provided no significant changes occur. The lead agency retains discretion to determine if a project is substantially the same and covered by a prior EIR.

#### **H. Exemption From Traffic Impact Analysis Requirement.**

As specified in the Los Angeles County congestion management program manual, certain development projects are exempted from conducting a congestion management program traffic impact analysis required by **subsection (B)** of this section, as follows:

1. Traffic generated by low and very low income housing.
2. High density residential development located within one-fourth mile of a fixed rail passenger station.
3. Mixed-use development located within one-fourth mile of a fixed rail passenger station, if more than half of the land area, or floor area, of the mixed-use development is used for high density residential housing, as determined by the agency.
4. Phased development projects or development projects requiring subsequent approvals, which need not repeat the traffic impact analysis as long as no significant changes are made to the project.

#### **I. Exemption From Transportation Demand Management Measures Requirement.**

1. Transportation demand management measures listed under **subsections (C), (D) and (E)** of this section shall not apply to projects for which a development application has been deemed complete by the City pursuant to California Government Code Section [65943](#), or for which a notice of preparation for a draft environmental impact report has been circulated pursuant to the provisions of the California Environmental Quality Act, or for which an application for a building permit has been received, prior to the adoption of this ordinance.
2. Development projects with less than 25,000 square feet of floor area are exempt from **subsections (C), (D), and (E)**. For additions to existing structures, only the new floor area is subject to these sections, and only if the addition is 25,000 square feet or more.
3. The transportation demand management strategies required by **subsections (C) through (E)** of this section may be modified because of existing circumstances relating to the project. Requests for modifications shall be made by the developer in a form defined by the planning division. In determining whether a modification is acceptable, the following factors will be considered:
  - a. Problematic location or configuration of the project that would preclude use of required transportation demand management strategies;

- b. Lack of specific services or facilities that would permit use of required transportation demand management strategies; or
  - c. Other specific factors that would make required transportation demand management strategies infeasible or ineffective.
4. A request for modification must be accompanied by a proposed transportation demand management strategy that is commensurate with the nature and trip generation characteristics of the facility. A modification will be considered by the approval authority and approved only if the proposed transportation demand management strategy is superior to the requirements of this section, as determined by the City.
5. Enforcement. Any violation of this chapter shall be punishable as a misdemeanor. Violators shall be subject to punishment under Chapter [1.16](#), [1.20](#), [1.26](#) or [1.28](#) CMC. In addition, the City may pursue civil remedies for any violation of this chapter, including but not limited to the recovery of reasonable costs for enforcement and correction of the violation.

#### **17.22.040 Equipment and Trash Enclosure Screening.**

**A. Purpose and applicability.**

This section sets regulations for screening mechanical and utility equipment to maintain the visual quality of buildings and the surrounding area. These standards apply to all new roof-mounted and above-ground mechanical and utility equipment. Replacing existing roof or ground-mounted equipment with new larger, or additional units beyond current quantities or sizes is also subject to these requirements.

**B. Roof-Mounted Equipment.**

1. Roof-mounted equipment greater than 12 inches above the roof line, except for roof exhaust vents or plumbing vents, shall be screened from public view and adjacent properties.
2. The building parapet wall must screen roof-mounted equipment and projections from public view and adjacent properties. If a separate screen wall is used, it must be architecturally integrated with the building and match the main building's materials, colors, and style.
3. Parapet or other screen walls must be at least as tall as the highest point of the equipment, ensuring no equipment is visible from the public right-of-way or adjacent properties.

**C. Above-Ground-Mounted Equipment.**

1. Above-ground-mounted equipment, including transformers and other electrical or mechanical devices, must be located away from street-facing setbacks. Such equipment

must be placed within a landscape planter area that accommodates both the screening enclosure and landscaping.

2. Above-ground-mounted mechanical and utility equipment must be fully screened from public view and from adjacent properties at ground level.
3. Screening may include decorative solid walls, landscaping, or architectural enclosures that are compatible with the building's design and features.
4. Screening or architectural enclosures must use decorative and durable materials, such as split-face blocks, stucco over precision blocks, or other materials approved by the Director. If landscaping is used, it must consist of 15-gallon evergreen shrubs, planted 3 feet apart, that will reach the required height within two years.

**D. Roof-Mounted Solar Equipment.**

Rooftop solar photovoltaic panels and related equipment must have a low-profile, flush-mounted design and comply with all applicable building code requirements.

**E. Utility Equipment.**

1. Wall-mounted utility equipment, such as electrical meters, must be housed in an enclosure that is architecturally integrated with the building design.
2. Exhaust and venting plumbing, conduits, and flues must be concealed within the building walls.

**F. Trash Enclosures and Screening Standards.**

1. Purpose.  
To ensure trash, recycling, and waste storage areas on private property are fully contained and screened from public view, protecting the visual quality of the public realm and adjacent properties.
2. Trash (Refuse) Enclosures Required.  
All private properties that generate refuse requiring outdoor storage or collection must install trash enclosures. The size of the enclosures must accommodate required trash, recycling, and organic waste containers.
3. Trash Enclosure Design, Screening, and Materials
  - a. Trash enclosure design must match the building's architectural style, including materials, colors, and trims. At a minimum, enclosures must include a decorative roof covering, drainage facility, decorative walls such as split-face block, stucco over precision block, stacked stone veneer, or similar materials, and trash bins with counter-weighted lids.
  - b. In addition to meeting design requirements, construction details must comply with standards approved by the Public Works Director.
  - c. Trash enclosures must have solid, lockable metal gates that match the architectural style of the enclosure and site.

- d. All trash, recycling, and compactor equipment must be fully screened from public streets, walkways, and adjacent properties when not being accessed for collection.
4. Location. Trash enclosures shall be placed behind the primary building frontage where feasible and must not obstruct pedestrian or vehicle circulation. Enclosures must be accessible for waste collection and must not interfere with required parking, drive aisles, fire access, or emergency routes.
5. The property owner is responsible for maintaining trash enclosures in good condition, repairing them as needed, and keeping them free of graffiti, debris, and waste outside the enclosures. Gates must be operable and kept closed when not in use.

**G. Plans.**

Detailed plans required. Submit detailed plans and cross sections to the Director to demonstrate compliance with screening requirements.

## **17.22.050 Historic Preservation.**

**A. Purpose and intent.**

The purpose of this chapter is to preserve and maintain Covina's cultural, architectural, archaeological, and historical resources as integral parts of community life. By encouraging voluntary designation and protection of such properties, the chapter seeks to enrich residents and visitors, enhance neighborhood quality, and support complementary development. Its intent is to foster civic pride, safeguard historic attractions, strengthen the local economy and property values through adaptive reuse, and promote the educational, cultural, and public use of historic resources for the community's benefit.

**B. Definitions.**

For the purpose of this chapter, the following definitions shall apply:

“Alteration” means any exterior change or modification, through public or private action, to the character-defining or significant physical features of designated properties affected by this chapter. Such changes or modifications may be made to structures, fixtures, architectural details, or visual characteristics, grading or surface paving.

“Archaeological site” means any location containing physical evidence of past human activity, including artifacts, features, structures, or other material remains, which provide information about the history or prehistory of a people or culture.

“Certificate of economic hardship” is a certificate authorizing work described in the accompanying historic structure modification permit granted by the Planning Commission because of extreme financial impact or adversity and in accordance with the procedures and findings of this title.

“Demolition” is the act or process of dismantling, wrecking, or destroying all or part of a structure.

“Design guidelines” are principles contained in a document which illustrate appropriate and inappropriate methods of rehabilitation and construction. The purpose of using design guidelines is to establish standards and aid design and decision-making with regard to retaining the integrity of scale, design intent, materials, image, patterns of development, and historical character of a historic structure. These principles are provided in the “Covina Design Guidelines,” the “Downtown Design Plan and Implementation Guidelines,” and any similar guidelines which may be adopted by the Covina City Council.

“Designation statement” shall mean a document prepared by the Planning Commission and approved by the City Council which contains a specific description of the designated historic landmark or structure of merit, its assessor’s parcel number(s), its site address(es), and the prescriptive standards or design guidelines (the minimum being the Secretary of the Interior Standards) adopted for that resource.

“Economic hardship” shall mean a substantial burden placed by this chapter as it relates to some aspect of a historic property on the owner of the property and is unreasonable in comparison to the benefit conferred in the community.

“Fixture” is something attached as a permanent appendage, apparatus, or appliance to a structure.

“Historic landmark” shall mean any improvement, archaeological site, natural feature or property that has special historical, cultural, aesthetic, or architectural character, interest, or value as part of the development, heritage, or history of the City of Covina, the state of California, or the nation and that has been nominated and designated by the City Council with owner consent pursuant to **CMC 17.xx.xxx**. The designation statement shall specify the significant exterior and interior elements and natural features which are expressly found by the Planning Commission to contribute to the historic landmark’s significance. Unless otherwise stated in the designation statement, the protection afforded an historic landmark shall encompass the entire parcel and any adjoining parcels under the same ownership.

“Historic structure modification certificate” is a certificate issued by the Planning Commission or Director authorizing significant exterior alteration, restoration, rehabilitation, construction, removal, relocation, or demolition, in whole or in part, of or to a designated resource.

“Improvement” shall mean any building, structure, plan, fence, gate, landscaping, tree, wall, parking facility, work of art, or other object constituting a physical feature of real property or any part of such feature.

“Ordinary upkeep, maintenance and repair” shall mean the routine care of a structure and its grounds in a fashion that discourages neglect and encourages a quality appearance and does not significantly alter the architectural character of a structure.

“Owner” shall mean, in the case of nomination and designation, the majority representative’s owner or owners as established by deed or contract of the subject property or properties. The Planning Commission may rely on notarized affidavits to establish ownership; in the case of hearing notification, the person, persons or entity appearing as owner on the last equalized assessment roll of the county

“Preservation” shall include the identification, study, protection, restoration, rehabilitation and/or acquisition of cultural resources.

“Rehabilitation” shall mean the act or process of returning an improvement or site to a condition of utilization through repair, remodeling, or alteration that makes possible an efficient, contemporary use while preserving those portions or features of the improvement or site that are significant to its historical, architectural and cultural values.

“Relocation” shall mean change of the location of an improvement in its present setting, or to another setting.

“Restoration” shall mean the act or process of accurately recovering the form and details of an improvement or natural feature and its setting as it appeared at a particular period of time by means of the removal of later additions to, or by the replacement of missing, earlier portions of the feature.

“Secretary of the Interior Standards for Rehabilitation” shall mean the guidelines prepared by the National Park Service for rehabilitating historic buildings and the standards for historic preservation projects prepared by the National Park Service with guidelines for applying the standards.

“Structure of merit” is a building or structure which contributes to the broader understanding of the historical, archaeological, cultural, architectural, community, aesthetic, or artistic heritage of the City and which has been individually designated by the City Council pursuant to this chapter.

**C. Administration.**

Implementation of this chapter shall be the direct responsibility of the Planning Commission with support from the Department of Community Development, Planning Division, and any societies or organizations promoting historic preservation and any volunteer professionals with appropriate expertise selected by the Planning Commission. The Planning Commission shall establish rules of order and regular meeting requirements and procedures, which may be amended from time to time as needed.

**D. Power and duties.**

The Planning Commission shall carry out activities required by City ordinances relating to the administration of this chapter and shall have the following powers and duties:

1. To increase public awareness of the value of historic, architectural and cultural preservation by developing and participating in public information programs. The program format may include lectures, tours, walks, reports or publications, films, open houses, and special events.
2. Establish and/or recommend to the City Council specific design guidelines for the alteration, construction, removal, or demolition of historical landmarks and structures of merit.
3. To review applications for permits to rehabilitate, construct, change, alter, modify, remodel, demolish, remove or significantly affect any structure over which the Planning Commission has approval authority.
4. To compile or cause to be compiled and maintained a current inventory of all designated historic landmarks and structures of merit.
5. To review and make recommendations on applications for Conditional Use Permits, Zoning Amendments, or Zoning Variances for historic landmarks and structures of merit.
6. To seek means and sources for the protection, retention and preservation of historic resources through financial support from individuals and public and private entities.
7. To recommend grants, tax incentives, and benefits to encourage redevelopment of historically significant structures or neighborhoods.
8. To encourage public participation in the nomination, review and permitting processes for historic resources.
9. To adopt and make available nomination, application and review procedures to designate historic landmarks or structures of merit.
10. To implement the Secretary of the Interior's standards.

**E. Historic designation criteria.**

1. The following criteria shall be used by the Planning Commission and City Council in designating any property as a historic landmark or structure of merit:
  - a. It exemplifies or reflects special elements of the City's cultural, social, economic, political, aesthetic, engineering, architectural or natural history; or
  - b. It is identified with persons or events significant in local, state, or national history; or
  - c. It represents the work of a notable builder, designer, or architect; or

- d. It embodies distinctive characteristics of a style, type, period, or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship; or
  - e. It contributes to the significance of an historic area, being a geographically definable area possessing a concentration of historic or scenic properties or thematically related grouping of properties which contribute to each other and are unified aesthetically by plan or physical development; or
  - f. It is one of the few remaining examples in the City of Covina, region, state, or nation possessing distinguishing characteristics of an architectural or historic type or specimen.
2. Nomination for historic designation shall be considered in accordance with the following procedures:
    - a. Nominations may be filed by the City Council, Planning Commission, Director, any property owner, the Covina historic society, any community or ethnic association, or any Covina citizen.
    - b. With respect to nominations for individual historic landmarks or structures of merit, no application shall be accepted without the written consent of the owner of the property to which the nomination pertains. The owner may withdraw this consent prior to the City Council's final determination. Such withdrawal shall terminate the nomination proceedings for the subject property.
    - c. Nomination shall be made to the Planning Commission on a form provided by the Planning Division. The nomination shall provide sufficient documentation and information indicating how the proposal meets the designation criteria. The Director shall establish a nomination form and minimum information requirements.
    - d. Written notice shall be sent by mail to each property owner within 300 feet of the boundaries of the property upon which is located the proposed structure of merit or historic landmark that is the subject of the hearing, pursuant to the notification procedures established in Chapter 17.02.
    - e. The Planning Commission shall conduct a public hearing at which all evidence and testimony shall be considered. Recommendations may be for approval, or approval with conditions, or denial. The recommendation shall be forwarded to the City Council within 60 days for action in the form of a nomination statement.
    - f. Upon receipt of nomination, City Council shall set a hearing within 45 days for consideration and provide notice in the manner presented in this section. The City Council shall render its decision within a timely period of time.
    - g. The City shall notify the affected owners of designation by certified mail within 10 days.
    - h. Failure to send notice by certified mail to any affected owner where the address of such owner is not a matter of public record shall not invalidate any proceedings in connection with the proposed designation.
    - i. Upon designation by the City Council, the City Clerk shall record the City Council's decision in the office of the county recorder of the county of Los Angeles in the form of a designation statement, in fact or by reference.

- j. No deliberate action may be taken which is inconsistent with **CMC 17.xx.xxx** which would deface or destroy the proposed historic landmark or structure of merit and no permits shall be issued while the nomination process, including public hearing, is pending.
3. An application to repeal a historical designation may be considered under this chapter if the resource no longer meets designation criteria due to newly discovered information or destruction by a catastrophic event.

**F. Historic structure modification certificate.**

1. No alteration or demolition may be conducted on a designated historic landmark or structure of merit without first obtaining a historic structure modification certificate from the City.
2. An application for a historic structure modification certificate shall be filed with the City by the applicant. The Director shall be responsible for reviewing an application for compliance with the Secretary of the Interior's Standards as well as all local standards and criteria. Where practical, the historic structure modification certification may be combined with the existing permit process for construction and demolition of structures and buildings.
3. Minor projects. Minor projects shall be administratively reviewed by the Director who shall have approval authority. These include but are not limited to:
  - a. Replacement of an element of a historic landmark or structure of merit with similar elements or additional elements which do not significantly impact the character, history, or architectural style of the structure.
  - b. Room and patio additions to structures of merit where the architectural design is compatible with the original building and the surrounding area and the project does not otherwise require review by the Planning Commission.
  - c. The demolition or construction of accessory structures where the accessory structure proposed for demolition is not a landmark structure and any new structure is of a style, architecture and color that is compatible with the main building.
  - d. Room additions to a historic landmark that are less than 500 square feet in area and do not alter the architectural character of the building or structure.
  - e. Interior construction and/or remodeling where such work does not adversely impact a significant historical feature of the house.
4. Major projects. Major projects shall be reviewed by the Planning Commission who shall have approval authority and include but are not limited to:
  - a. Any changes which significantly alter the architectural character, height, proportion, the relationship of the building mass and space, roof shape, scale, or distinctive facades of a structure of merit or a historic landmark.
  - b. Demolition or relocation of an historic landmark or a structure of merit and/or the construction of new primary use buildings.
  - c. Room additions to a historic landmark which exceed 500 square feet in area.

5. Notice and Hearing. No notice is required for a minor project. The procedures and public notice to consider a major project shall be the same as **CMC 17.22.040-E**.
6. Findings. The consideration of a historic structure modification certificate shall be directed by the following criteria:
  - a. Height. Any proposed construction shall be compatible with the height and bulk of contemporary historical development in the vicinity and with maximum conformance for the applicable zoning district.
  - b. Proportions of Windows and Doors. Proportions and relationships between doors and windows shall be compatible with the architecture and character of the contemporary historical development in the vicinity, and be of an appropriate material.
  - c. Relationship of Building Masses and Open Spaces. The relationship between proposed structures and open spaces or between remodeled structures and created spaces shall be consistent with shapes and setbacks of contemporary historical development in the vicinity.
  - d. Roof Shape. Design shall be compatible with the architectural character and style of surrounding structures, gables, turrets, and other roof forms.
  - e. Scale. Structure shall be compatible with the architectural character and style of contemporary historical development in the vicinity. New architecture shall be sensitive through proper scale and materials.
  - f. Architectural Details. Architectural details, including materials and textures, shall be treated so as to make any new construction compatible with the architectural style and character of contemporary historical development in the vicinity.
  - g. Architectural Rhythm and Articulation. All proposed structure or facade remodeling shall show sufficient and rhythmic repetition of details to be compatible with facade articulation of contemporary historical development in the vicinity.
  - h. New additions and adjacent related new construction shall be undertaken so that it will not impair essential form and integrity of the historic property if the addition or construction is removed in the future.
  - i. All exterior mechanical equipment shall be screened from view with acceptable and appropriate screens, parapet walls, landscaping, or other screen forms. Design, style, color and texture shall be compatible with the existing or proposed building/facade design.
7. Findings to approve demolition of over 40 percent of a historic landmark or structure of merit:
  - a. That retention of the historic building or structure will constitute a significant economic hardship as defined in this chapter; and/or  
That demolition of the historic structure is necessary to allow development of a project which is of overriding community importance.
  - b. The applicant fully intends to construct a replacement structure, has obtained the necessary financial commitment, and has obtained site plan approval pursuant to this title; or

If the applicant does not intend to develop a replacement structure, that the existing historic structure constitutes a substantial threat to the public health, safety and welfare which cannot be reasonably mitigated by measures other than demolition.

8. Appeal Procedure. The decision on a historic structure modification certificate may be appealed pursuant to the appeals procedures established in Chapter 17.02.

**G. Certificate of Economic Hardship.**

The Planning Commission shall not deny a historic structure modification certificate if such action would result in a significant economic hardship that would deny the property owner reasonable use and economic return on the property. In such case the Planning Commission shall issue a certificate of economic hardship along with the historic structure modification certificate. The procedures and standards for considering economic hardships shall be as follows:

1. The owner of an historic landmark or structure of merit may request that an alteration, demolition or relocation be conducted even though it does not meet the findings for such certificate if the owner can substantiate the suffering of significant economic hardship that denies the owner reasonable use or economic return.
2. The applicant presents facts and clear evidence demonstrating immediate and substantial economic hardship if the Planning Commission fails to approve the historic structure modification certificate.
3. Economic hardship shall mean a substantial burden to the owner of the property and is unreasonable in comparison to the benefit conferred to the community. To approve a certificate of economic hardship, the Planning Commission must make the following findings:
  - a. Denial will significantly diminish the value of property.
  - b. Sale or rental is not practical when compared to the zoning or permitted uses. This pertains to commercial properties only.
  - c. Utilization of the property for adaptive reuse is impractical.
  - d. Rental at a reasonable rate is not feasible. This pertains to commercial properties only.
  - e. All means involving City-sponsored incentives, such as tax abatement, financial assistance, building code modifications, amendments to the zoning ordinance, loans, grants, and reimbursement have been explored to relieve possible economic hardship and have been found to be inadequate to reasonably mitigate the impact.
4. When requested by the Planning Commission, the applicant shall furnish adequate evidence supporting the claim of economic hardship. The Planning Commission may request any of the following information when reasonably necessary to render a decision:
  - a. Cost estimate of proposed work and additional costs that would be incurred by complying.
  - b. Report on structural soundness and rehabilitation feasibility from a licensed engineer or architect experienced in rehabilitation.

- c. A fair market appraisal from an appraiser of current and estimated value after completion of proposed construction, alteration, demolition, or removal.
  - d. Proposed demolition requires an estimate from an architect, appraiser, or other professional experienced in rehabilitation stating that it is economically unreasonable to rehabilitate, relocate, or reuse existing structure on the property.
  - e. For income-producing properties, information on annual gross income, operating and maintenance expenses, depreciations and annual cash flow after debt service, and real property.
  - f. Any other information that the Planning Commission finds is necessary to render a decision.
5. Staff shall prepare a report analyzing evidence and shall include, where possible, a hardship relief plan, with recommendations such as property tax relief, loans, or grants, acquisitions of property, use of the State Historic Building Code, changed zoning regulations, and redevelopment funds.
  6. Planning Commission shall review evidence and staff's relief plan and determine whether denial of historic structure modification certificate has or will deprive owner of reasonable use or reasonable economic return.
  7. If facts and clear evidence demonstrate the applicant's claim for economic hardship and that the proposed relief plan cannot provide sufficient mitigation, then the Planning Commission may recommend to the City Council to approve or conditionally approve such certificate. The final decision shall be made by the City Council.
  8. In the matter of the issuance of the historic structure modification permit, the above entitled procedure shall be implemented. If the Planning Commission recommends to the City Council denial of the request and the council concurs, then the applicant will be notified by certified mail of the historic structure modification certificate and certificate of economic hardship denials.
    - a. If a historic structure modification certificate and certificate of economic hardship would result in the demolition of a historic landmark or structure of merit the applicant shall provide the following documentation:
    - b. Photographs of exterior and interior of the structure;
    - c. Site plan(s), floor plan(s) and any significant exterior elevations;
    - d. Scale drawings;
      - i. Archaeological survey (where applicable); and
      - ii. Other reasonable documentation to preserve historical knowledge as required by the Planning Commission.

#### **H. Emergency demolition.**

Historic landmarks and structures of merit that have been severely damaged because of an emergency declared by the President of the United States, Governor of California or the mayor of Covina and present an imminent threat to public safety and cannot be secured against intrusion or entry shall be exempt from the provisions of this chapter. A determination for demolition shall be made by one of the following: building safety officer,

City Manager, or disaster chairman in conjunction with the Planning Division and, when practical, the Planning Commission.

**I. Maintenance and care.**

1. The owner or other person in charge of a historic landmark or structure of merit shall keep in good repair all of the exterior and interior portions specified in the designation statement and all interior portions necessary to prevent deterioration and decay of any/all architectural features.
2. Ordinary Upkeep, Maintenance and Repair. Nothing in this chapter shall be construed to prevent ordinary maintenance, upkeep and repair, nor does this chapter prevent construction, reconstruction, alteration, restoration, demolition, or removal when certified by the Planning Commission that action is required for the public safety due to unsafe conditions which cannot be rectified through the use of the California State Historical Building Code.

**J. Historic preservation participation incentives.**

In order to foster preservation of Covina's cultural heritage and built urban history environment, the following incentives for participation are only available to historic landmarks or structures of merit:

1. State Historic Building Code. Any alteration made for preservation, rehabilitation, restoration, or relocation of an historic landmark or structure of merit shall be allowed to comply with the requirements of the State Historical Building Code pursuant to the California Health and Safety Code Section 18950 et seq. rather than the otherwise applicable building and safety codes. This section does not apply to requirements for fire sprinkler systems as provided for elsewhere in the municipal code.
2. Mills Act Contracts. The City Council authorizes the use of contracts pursuant to California Government Code Section 50280 et seq. Such contracts, which shall be administered by the Community Development Department, Planning Division may be entered into at the sole discretion of the City Council based on the recommendations of the Planning Commission. The intent of such contracts shall be the continued preservation of historic properties. The subject property must be a historic landmark or structure of merit.
3. Fee Relief. The applicable building construction or planning review permit fees shall be 30 percent of the actual permit fee at time of issuance. This shall not apply to the historic structure modification certificate.
4. Setback Flexibility. Room additions may be constructed at a setback less than provided for under the zoning chapter of this code provided it is no closer than the existing structure and the addition complies with Uniform Building Code.
5. Relief from Nonconforming Parking Requirements. Additions to single-family residences with an additional floor area that does not exceed 50 percent of the existing floor area in any 12-month period shall not be required to provide additional parking

according to current standards. Multiple-family dwellings adding additional dwelling units within existing zoning standards shall not be required to bring the existing unit(s) into compliance with current parking standards.

6. Recognition. The Planning Commission shall establish a program to recognize historic properties with special plaques, signage and other appropriate forms of recognition.
7. Financial Benefits. Owners of such properties are eligible to apply for private, local, state and federal financial benefits as available.
8. Local or State Landmark structures within a residential district may have additional allow uses, subject to a Minor Site Plan Review in accordance with CMC Chapter 17.04.
  - a. The allow uses shall be limited to small-scale operation such as but not limited to bed and breakfast, minor offices, coffee shop/cafe, and neighborhood serving retail use such as boutiques, antique shops, bookstores, or florists.
  - b. The proposed use shall not cause intensification or disruption to any adjacent uses or neighborhood.
  - c. The site and structure shall be fully improved to include such things as, but not limited to, landscaping, parking, new exterior building materials, walls or fences, street improvements, drainage facilities, etc.

**K. Delay of demolition permit.**

A committee comprised of the City Manager, Community Development Director, Public Works Director and parks and recreation director may vote to delay for up to 30 days the approval of a permit to demolish a potential historic landmark when the following apply:

1. The structure is of exceptional historical significance and age and occupies a prominent site in the community.
2. The City Council has not previously declined to designate the structure as a historic landmark or structure of merit.

**L. Enforcement and penalties.**

Any person who violates this chapter or related approvals commits a misdemeanor under CMC Chapter 1.28. Unlawful construction, alteration, demolition, relocation, or removal of a historic landmark or structure of merit may require restoration, subject to enforcement by the City of Covina or its designee. Civil remedies are in addition to criminal penalties and other legal actions. Unlawful demolition may also result in denial of permits, with duration based on the resource's significance and the violation's severity.

## **17.22.060 Landscaping Requirements.**

**A. Purpose.**

This section establishes minimum landscape requirements to enhance development appearance, expand the City's green space, reduce heat and glare, control soil erosion, conserve water, ensure ongoing maintenance, reduce wildfire hazards, and prevent hazards for motorists and pedestrians.

**B. Applicability.**

These requirements apply to all new and existing developments and supplement other standards in CMC Title 17. All planting areas, species, and irrigation systems must comply with MWELo guidelines.

**C. Landscaping and Irrigation Plan Requirements and Review Process.**

1. Preliminary landscape and irrigation plan. Submit preliminary landscape and irrigation plans to the designated approving authority as part of the development review process, per CMC Section 17.02.XXX. Plans must include a water budget with estimated water use (gallons), irrigated area (square feet), precipitation rate, flow rate (gallons per minute), conceptual locations for trees, shrubs, and ground cover, and a list of planting materials by species, quantity, and size.
2. Final landscape and irrigation plan. Once the preliminary plans are approved, submit a final landscape and irrigation plan to the director for review and approval with site improvement and construction documents. A registered and licensed landscape architect must prepare the final plans, which must substantially comply with the approved preliminary plans. Final plans must show the exact locations and irrigation for all plantings, and include plant names, quantities, sizes, locations of impervious surfaces, utilities, lighting, irrigation systems, and tree retention or removal plans as applicable. The final plan must also include a water budget with estimated water use (gallons), irrigated area (square feet), precipitation rate, and flow rate (gallons per minute).
3. Approval required. Do not install landscaping or irrigation systems until the Director approves the final plans and all required permits are issued.
4. Changes to final plans. Resubmit any changes to approved final landscape or irrigation plans that affect plant material or irrigation design to the Director for approval before installation. If changes are substantial, the Director may require review and approval by the final approval authority before installation.
5. Inspection and certification. Before occupancy is granted, the applicant must contact the Planning Division to request an inspection and submit a MWELo certification of completion verifying compliance with installed landscape and irrigation.

**D. Single Family Residential Zones Landscape Standards.**

1. Front yard and street-side yard landscaping areas.
  - a. "Front yard landscaping areas" shall mean the area extending across the full width of the lot between the front property line and the building or structure on said lot.

- b. "Street-side yard landscaping areas" means the area extending the full depth of the lot between the street-side property line and any perimeter fence, wall, or structure, including any area visible from the right-of-way.
2. Front yard landscaping area ratios.
    - a. Hardscape, including paved access/driveway to garage or parking areas, shall not exceed a maximum of 50 percent of the front yard.
    - b. The total amount of landscape shall occupy a minimum of 40 percent of the front yard.
    - c. Decorative hardscape such as concrete, stamped concrete, interlocking pavers, gravel, or landscape rocks, shall not exceed a maximum of 10 percent of the front yard landscaping area.
  3. Front yard landscaping requirements:
    - a. Minimize turf (lawn) areas to active play areas where feasible. Warm-season turf is preferred when desired.
    - b. Synthetic turf (lawn) shall be counted as landscape for the purposes of calculating the front yard landscaping ratio and shall comply with the requirements of section 17.22.XXX
    - c. Decorative hardscape must not be fixed in place with materials that prevent water percolation or cause excess runoff.
    - d. At least 2 trees, one 15-gallon size and one 24-inch box size, shall be planted within the front yard.

**E. Multiple- Family Residential Zones Landscape Standards.**

The landscaping requirements shall comply with the provisions of CMC Chapter 17.08.

**F. Commercial Zones, Industrial Zones, and Non-Residential Development Landscape Standards.**

1. In landscaped areas between the right-of-way and buildings or parking areas, plant one tree for every 20 square feet of landscaped area. Place trees 4 to 10 feet from the back of the public sidewalk. Include shrubs, ground covers, and mulch in these areas.
2. Landscaping around the building perimeter is required at a rate of one tree per every 20 lineal feet. Minimum continuous planter width around the building perimeter shall be between 6 feet and 10 feet.
3. Within the interior side and rear yard areas, plant trees at a rate of one tree per every 20 lineal feet.
4. Provide shrubs and ground cover in all landscaped areas. Shrubs within the required front yard setback must not exceed 42 inches in height.
5. The landscaped area may include stormwater quality features and drainage treatments.

6. Parking lot landscaping. Install landscaping in parking lots to provide shade, climate control, and screen the visual impact of vehicles and pavement. Parking lot landscaping includes perimeter planters abutting parking lots and drive aisles, tree planting for parking lot shade, a combination of continuous planting strips and planting fingers or islands throughout the parking lot. Parking lot landscape requirements apply to parking lots with five or more spaces.
  - a. Provide one tree per 5 parking spaces. Parking lot trees must provide shade for over 50 percent of the parking area within 15 years (CAL Green Code).
  - b. Parking lot planter design. Provide landscape planters at least 6 feet wide with concrete curbing at the end of each parking row, planted with trees, shrubs, and ground cover. (need graphics)
  - c. Tree wells in parking lots must have concrete curbing, the inside dimensions must be at least 5 feet by 5 feet, include trees, shrubs, and ground cover, and must not contain free-standing light fixtures. (need graphics)
  - d. Unenclosed parking areas must provide a 5-foot-wide landscaped strip along interior side or rear property lines.
  - e. A minimum of 10 percent of the total parking lot area shall be landscaped with trees, shrubs and appropriate groundcover. The parking lot area shall be computed by adding the areas used for access drive aisles, parking spaces, vehicular maneuvering areas, landscaped planters strips, fingers or islands and landscaped tree wells.
  - f. Exception for solar collectors. The minimum requirements for trees and shrubs may be waived for the portion of the parking lot area over which photo-voltaic solar collectors are installed where they function as shade structures.
7. Planting and landscaping density.
  - a. The total number of required trees is the summation of tree planting within the following areas such as but not limited to streets, landscape areas, front, rear, street side and interior side yards areas, parking lots, building perimeters, and project entries and focal points. Minimum tree size is 15-gallon. At least 50% of required trees must be 24-inch box size, no more than 25% may be 15-gallon size, and at least 25% must be 36-inch box size or larger.
  - b. All shrubs must be at least 5-gallon size and planted 4 feet on center.
  - c. Plant ground cover 12 inches on center for flats and 18 inches on center for 1-gallon size.
  - d. Provide mulch at a minimum depth of 3 inches in landscaped areas.
8. Entries and focal points
  - a. Use enhanced landscape treatments to highlight project entries and pedestrian access points, main building entries, architectural features, and other visual focal points such as prominent corners and significant site amenities.
  - b. Enhanced landscape treatment for site entries and focal points shall mean the use of a combination of the following features, such as but not limited to:
    - i. increase the size of the landscape areas (square feet);
    - ii. use specimen size, ornamental or accent trees;
    - iii. increase the number of trees;

- iv. use landscape lighting (up light and downlight);
  - v. decorative paving such as interlocking pavers, integral color concrete, etc., for hardscape; and
  - vi. other landscape features as approved by the Director or the Planning Commission.
- c. Incorporate prominent monumentation at project entries and major corners, coordinating design and placement with enhanced landscape treatments.
9. Common open space
- a. Enhance common open spaces and outdoor gathering areas with attractive plantings, water features, art, or sculptures.
  - b. Provide a vocabulary and uniformity of hardscape elements, such as but not limited to decorative paving, overhead trellises, outdoor furniture, pedestrian-scale lighting, trash receptacles, etc.
  - c. Outdoor seating areas must include shade from canopy trees or structures such as trellises, pergolas, or gazebos.
10. The use of Synthetic turf is prohibited in commercial and industrial developments.
11. Comply with the general landscape requirements of CMC Section 17.XX.XX G

**G. General Landscape Requirements for all new developments and redevelopments.**

1. Parkway landscaping. The owner of private property adjoining the area between the curb and the sidewalks known as the parkway shall be responsible to plant, install, and maintain landscaping in the parkway for the entire frontage of the property. This requirement applies to all commercial, industrial, mixed-use, single-family, multifamily, other non-residential developments, mobile home parks, and homeowner associations with landscaped areas. The following are parkway landscaping requirements:
- a. Landscape materials. Select low water use plants, excluding cactus, roses, and all other plants that contain sharp, pointed, and thorn-type plant structures. Plants shall not exceed a height of 18 inches at maturity.
  - b. Plant street trees at the rate of 1 tree per 20 lineal feet of street frontage. Street trees shall have a minimum size of a 24-inch box at the time of planting, or as required by the Public Works Director.
  - c. Provide automatic irrigation for street trees and parkway landscaping.
  - d. Street Tree Maintenance & Guarantee
    - i. For new developments, the life and health of the street trees shall be guaranteed by the applicant for a period of 365 days from the date of installation, and until such time the Public Works Director accepts the tree if it is in a healthy condition. The project applicant shall replace unhealthy trees.
    - ii. Watering and fertilizing the street tree shall be the responsibility of the adjacent property owner.
2. General landscaping design, layout, and diversity.

- a. Vary plant selection and planting patterns. Use a mix of evergreen and deciduous flowering trees. Group shrubs with multiple plant types, heights, and blooming seasons for year-round interest.
  - b. Shrubs used for screening must be 15-gallon size and planted 4 feet on center.
  - c. Provide a mix of 40% evergreen trees, 30% deciduous trees, and 30% flowering accent trees.
  - d. Plant evergreen trees for shade on the south and west sides, and deciduous trees on the north and east sides.
  - e. Use evergreen and canopy-shaped trees in parking areas.
  - f. Planting requirements. Tree staking shall follow the director's approved details. Trees 36-inch box size or larger require tree guying. Trees in turf areas require arbor guards. (will create standard details)
  - g. Ground cover. Use mulch, bark, or gravel as ground cover only within landscaped areas containing shrubs or trees. Do not use these materials alone. Gravel must be three-quarter-inch crushed stone, not smooth. Place materials just below the curb to prevent them from migrating onto sidewalks or streets.
3. Slopes.
- a. All graded and compacted slopes must not exceed a 2:1 ratio.
  - b. All natural, graded, and compacted slopes with a 4:1 ratio or greater must be planted, irrigated, and mulched. Use low-precipitation irrigation systems to ensure visible growth at final inspection. Spray head irrigation is prohibited.
  - c. For slopes with a 4:1 ratio or greater, plant one 15-gallon tree per 20 square feet and one 5-gallon shrub per 10 square feet. For slopes with 2:1 ratio, plant two 15-gallon trees per 20 square feet and two 5-gallon shrubs per 10 square feet.
  - d. In addition to trees and shrubs, all slope areas must have appropriate ground cover for erosion control. Slopes with 3:1 and 2:1 ratios must include jute netting or equivalent material as approved by the Director for preventing soil erosion.
  - e. The property owner shall maintain all slopes, retaining walls, cribbing, drainage structures, and other protective devices on such property.

**H. Removal and Replacement of Required Landscaping.**

Except for single-family residential zones, the removal and replacement of any required landscaping areas are subject to an amendment to the site plan review in accordance with CMC Section 17.04.XXX, before any removal of trees, shrubs, and ground cover or other landscape features..

**I. Landscape and Irrigation Maintenance**

The property owner is responsible for maintaining all landscaped areas, including all irrigation systems, in working order, pursuant to CMC Section 17.22.XXX.

**J. Compliance, Violations and Penalties**

The provisions of CMC Section 17.02.XXX and CMC Chapter 1.16 through 1.28 shall apply.

## 17.22.070 Measurements.

### A. Measuring Distances.

1. Measurements Are Shortest Distance. When measuring a required distance, such as the minimum distance between a structure and a lot line, the measurement is made at the closest or shortest distance between the two objects.
2. Distances Are Measured Horizontally. When determining distances for setbacks and structure dimensions, all distances are measured along a horizontal plane from the appropriate line, edge of building, structure, storage area, parking area, or other object. These distances are not measured by following the topography or slope of the land.
3. Measurements Involving a Structure. Measurements involving a structure are made to the closest support element of the structure. Structures or portions of structures that are entirely underground are not included in measuring required distances.

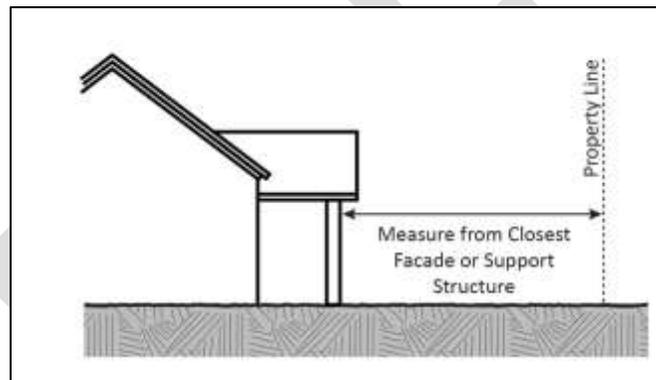
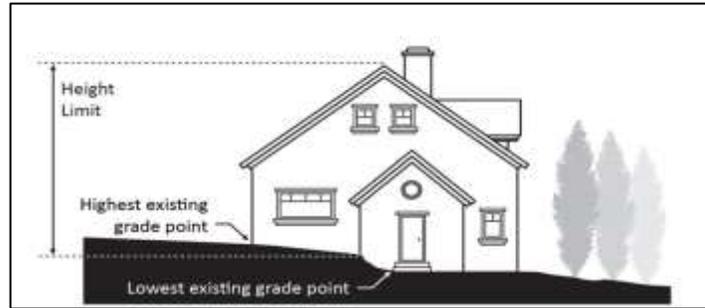


Figure 17.22-G Measuring Distances

### B. Measuring Building Height.

Building height is measured from the adjoining curb level to the highest point of the building, exclusive of chimneys and ventilators and other exceptions to building height permitted in the zones; provided. However, where buildings are set back from the street line, the height shall be measured from the average elevation of the finished grade at the front of the building.



**Figure 17.22-J Measuring Building Height**

**C. Measuring the Height of Fences or Walls.**

The height of a fence or wall shall be measured from the midpoint between the highest and lowest finished grade immediately adjacent to both sides of the fence or wall, to the top of the fence or wall.

**(Graphic here)**

**Figure 17.22-K Measuring Height of Fences/Walls**

**D. Measuring the Height of Decks.**

Deck height is determined by measuring from the ground to the top of the floor of the deck directly above the ground below.

**(Graphic here)**

**Figure 17.22-L Measuring Height of Decks**

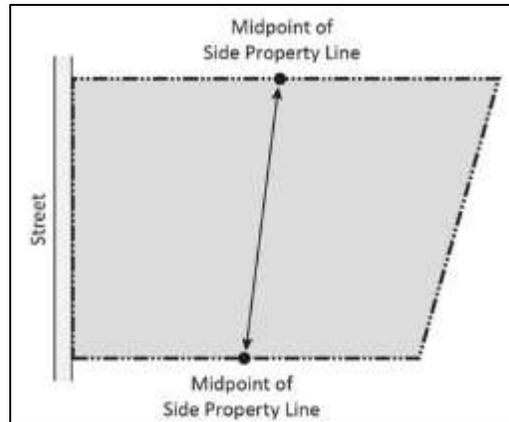
**E. Measuring the Number of Stories.**

In measuring the number of stories in a building, the following rules shall apply:

1. An interior balcony or mezzanine shall be counted as a full story if its floor area exceeds one-third of the total area of the nearest full floor directly below it or if it is enclosed on more than two sides.
2. A basement shall be counted as a full story if the vertical distance between finished grade and the finished surface of the floor above the basement is more than six feet at any point.

**F. Measuring Lot Width.**

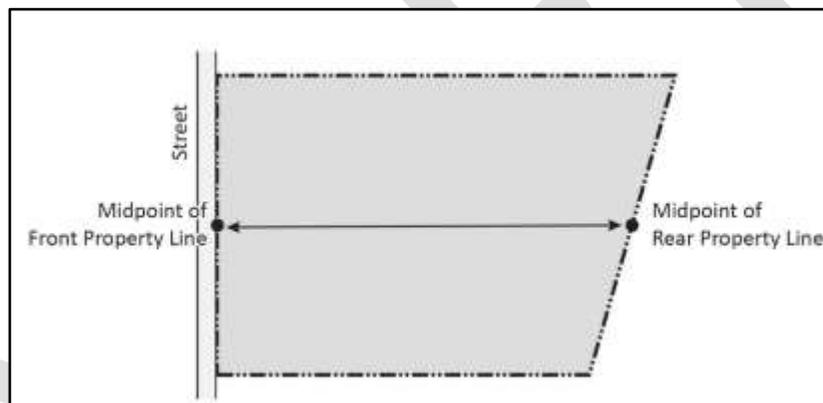
Lot width is the horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines. **(need to adjust graphic to show right angle)**



**Figure 17.22-M Measuring Lot Width**

**G. Measuring Lot Depth.**

Lot depth is measured along a straight line down from the midpoint of the front property line of the lot to the midpoint of the rear property line.



**Figure 17.22-N Measuring Lot Depth**

**H. Calculating Gross Floor Area of Structures.**

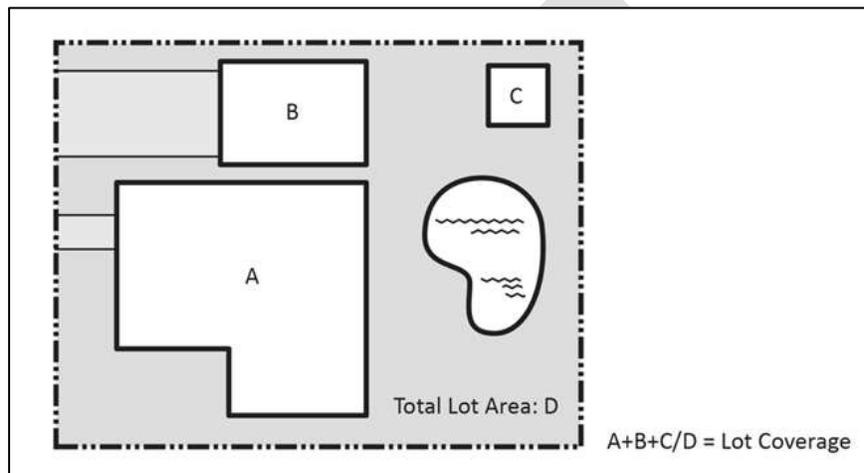
The floor area of a building is the sum of the gross horizontal areas of all floors of a building or other enclosed structure, measured from the outside perimeter of the exterior walls.

1. Floor Area in Residential Zones. The floor area for buildings residential zones shall be measured from the outside walls. The total horizontal floor area shall include: any building(s) located on the lot, detached accessory structures, and attached and detached garages, and covered structures such as covered patio and porches, decks, and balconies.
2. Floor Area in Non-Residential Zones. The gross floor area shall include the total floor area of all the floors of a building measured from the outside walls, including vents; shafts; covered courts; elevators; stairways; mechanical, electrical, communications equipment, parking structures, and similar facilities.

**I. Calculating Lot Coverage.**

Lot coverage is the ratio of the total gross floor area, except for excluded structures, to the total lot area, typically expressed as a percentage. The footprints of all principal and accessory structures, including garages, carports, covered patios, and roofed porches, shall be summed to calculate lot coverage. The following structures shall be excluded from the calculation:

1. Unenclosed and unroofed decks, uncovered patio slab, porches open on three sides, landings, balconies and stairways less than four feet in height;
2. Eaves and roof overhangs projecting up to 18 inches from a wall;
3. Swimming pools and hot tubs that are not enclosed in roofed structures or decks.



**Figure 17.22.xxx- Calculating Lot Coverage**

- J. Determining Lot Lines.** The following shall be used to determine the locations of front, side, and rear lot lines:
1. **Front Lot Line.** The narrowest boundary line separating a lot from a public or private street; in the case of a lot having no street frontage, the same will mean the narrowest boundary line parallel and closest to the nearest street or highway, as determined by the Community Development Director.
  2. **Rear Lot Line.** A lot line which is most distant from the front lot line.
  3. **Side Lot Line.** Any lot boundary line which is not a front or rear lot line.
  4. **Access.** If access to a public roadway is provided via an easement, the front lot line shall be the line to which the easement is connected.
- K. Determining Setbacks.** A setback line defining a required yard is parallel to and at the specified distance from the corresponding front, side, or rear property line. Required setbacks shall be unobstructed from the ground to the sky.

(Maybe a graphic here?)

## Figure 17.28-17 Determining Setbacks

### 17.22.080 Outdoor Storage

**A. Purpose and Applicability.**

This section regulates outdoor storage to support operational needs while minimizing visual impacts on public streets and adjacent properties. These standards apply to commercial and industrial properties proposing outdoor storage. The display or sale of merchandise outdoors is not considered outdoor storage and is regulated separately under CMC Section 17.XX.XXX

**B. Permanent outdoor storage.**

1. Permanent outdoor storage is allowed with the primary use if approved as part of the original planning entitlement. New permanent outdoor storage for an existing use or development requires a Minor Site Plan Review as described in CMC Chapter 17.04.
2. Permanent outdoor storage areas must be located outside required front setbacks and must not interfere with required parking, drive aisles, fire access, or emergency routes. Required parking spaces may not be used for permanent outdoor storage.
3. All outdoor storage areas must be fully screened by a decorative screen wall, landscaping, or a combination of both. Screen wall materials must be concrete, split-face block, stucco over masonry block, or similar materials approved by the Director. The screen wall height may not exceed 8 feet, and stored materials may not exceed that height.

**C. Temporary outdoor storage.**

Temporary outdoor storage shall require an Administrative Use Permit pursuant to CMC section 17.XX.XXX.

### 17.22.090 Parking and Loading Requirements.

**A. Purpose and applicability.**

This section sets parking, loading, and bicycle regulations to ensure safe, convenient, and attractive parking for residents, employees, customers, and visitors. These regulations apply to new developments, building expansions, or changes in use, and must be permanently provided and maintained. They are in addition to other development regulations in the Zoning Code, such as landscaping standards.

**B. Off-Street Parking Space Requirements.**

Table 17.22.030-B establishes the minimum number of parking spaces by land use category. Mixed use project must provide the sum of the requirements for each individual use. When the calculation of the required number of parking spaces results in a fraction of a space, the total number of spaces shall be rounded up to the nearest whole number. Where the parking requirements for a use is not specifically defined in this section, the parking requirements for such use shall be determined by the director in the manner set forth in CMC 17.04.XXX Use Determination). Such determination shall be based upon the requirements for the most comparable use specified in this section.

<b>Table 17.22.030-B Off-Street Parking Space Requirements</b>		
<b>LAND USE CATEGORY</b> sf- square feet GLA – gross floor area	<b>REQUIRED OFF STREET PARKING BY GLA</b>	<b>NOTES AND ADDITIONAL REQUIREMENTS</b>
<b>Residential Uses</b>		
Single-family detached, up to 4 bedrooms	2-car garage	
Single-family detached, 5 bedrooms or more	3-car garage	
Duplex, single-family attached, zero lot line, patio homes	2-car garage per unit	
ADU, detached	See ADU standards in CMC 17.XX.XXX	
Multi-family (apartments, condominiums, townhouses)		
- Studio and 1-bedroom	1 covered space	Plus guest parking
- 2-bedrooms and over	2 covered spaces	Plus guest parking
- 3-bedrooms or more	2.5 covered spaces	Plus guest parking
Single room occupancy (SRO)	1 per room	Plus 2 for management
Senior housing and independent living	1 space per unit,	Plus guest parking
Live-work units		
- 2 bedrooms or less	1 covered space	Plus guest parking
-3 or more bedrooms	2 covered spaces	Plus guest parking
Guest or visitor parking (multi-family developments, live-work units, senior housing and independent living)	1 for each 5 units	
Nursing homes, memory care and skilled nursing facilities and assisted -living facilities	1 per 3 beds	Plus: - 1 per employee, - 1 guest parking per 5 beds - 1 loading and unloading space

Supportive and transitional housing, emergency shelter, low barrier navigation centers	1 per 4 beds	Plus 1 per staff member
<b>Alcohol Service and Sales</b>		
Bars or cocktail Lounges with or without restaurant, nightclub and/or Entertainment	1 per 100 sf for first 3,000 sf plus 1 per 50 sf above 3,000 sf	Plus additional parking with a sit-down restaurant
Alcohol sales for off-site consumption such as liquor stores	1 per 200 sf	Plus 1 per employee
<b>Automotive Sales and Services</b>		
Automobile, RV, ATV, and boat, new or used sales and services; Automobile rental service, except trucks and trailers	1 per 300 sf, plus 1 per 2,000 sf exterior/outdoor sales area	
Automobile services repair (major or minor), automobile parts, tires and accessories Sales	Summation of: -3 per service bay, -1 per employee, -1 per tow truck, -1 per 200 sf of retail, office and customer areas	
Auto car wash, self-service (coin-operated) or mechanical (automated drive-through) stand alone or with gas/service station	Summation of: -1 per employee -2 stacking spaces - 2 per wash bay	
Auto car wash, full service and details (stand-alone)	Summation of: -1 per employee, -5 stacking spaces for each wash lane, -1 each wash bay	Additional requirements under Section 17.24.xxx-
Auto gas/service stations	1 per 200 sf retail space, <del>requirements for fueling stations are in 17.24</del>	Additional requirements under Section 17.24.xxx-
Towing services w/ indoor or outdoor vehicle storage	Summation of: -1 per employee, -1 per tow truck -1 per 200 sf of office areas	
<b>Educational Services and Day Care Facilities</b>		
Commercial nurseries, pre-school and day care centers (children and adult)	1 per 6 individuals	Plus 1 per employee
K-12 Schools and tutoring services	1 per 5 students	Plus 1 per employee

Vocational, trade, technical, colleges, universities and instructional Schools	1 per 5 students	Plus 1 per employee
Private tutoring and educational enrichment (primary through high school)	1 per 5 students	Plus 1 per employee
<b>Food and Beverage Sales</b>		
Catering establishments	1 per employee	
Convenience markets	1 per 200 sf	Plus 1 per employee
Sit Down Restaurants	1 per 100 sf	Plus additional parking for bars
Restaurants – w/ Drive-Thru	1 per 100 sf,	Additional requirements under Section 17.24.xxx
Quick Service or take out Restaurants (limited to 4 customer seats)	1 per 250 sf	
Food Courts/Halls	1 per 200 sf	
<b>General Merchandise and Retail Trade</b>		
Appliance and Furniture Sales and Repair, electronic sales	1 per 500 sf	
Building Materials, Nursery, or Garden Center	Summation of: - 1 per 200 sf - 1 per employee - 1 per 8,000 sf of outdoor storage	
Retail Stores such as clothing, jewelry, sporting goods, books, office supplies, maker spaces, and similar uses	1 per 250 sf	
Shopping centers 50,000 sf or less	1 per 250 sf	
Grocery store or supermarkets	1 per 250 sf	
Shopping centers with anchors such as but not limited to department stores, warehouse clubs, and supercenters, etc.	1 per 250 sf	The total required parking spaces may be established by a parking study subject to planning commission approval
<b>Industrial</b>		
Industrial/manufacturing	1 per 500 sf	On-site ancillary retail sales require additional parking at 1 per 300 sf
Traditional warehousing and distribution	1 per 1,000 sf for first 20,000 sf plus 1 per 2000 sf for the remaining sf	Plus additional parking for office area at 1 per 250 sf

Distribution centers		The total required parking spaces, van spaces, and loading spaces shall be established by a parking study subject to planning commission approval
Research and development, multi-tenant industrial	1 per 300 sf	
Outdoor storage	Summation of : -1 per 200 sf of office area, -1 per employee, -1 per 800 sf of outdoor storage area	
Public storage, self-storage, mini-warehouse and similar uses	4 plus 2 for management staff and 1 loading space	Additional requirements under CMC section 17.24.XXX
<b>Lodging</b>		
Hotels and motels	1 per room or unit and 2 for manager	Additional requirements under CMC 17.24.220
Trailer parks	1 per trailer space plus 1 per 10 trailer spaces	
<b>Medical/Health Care</b>		
Animal hospital/veterinaries	1 per 300 sf	
Hospitals	1 per 2 beds	Plus 1 per 5 employees
Medical and surgical centers – outpatients only	1 per 250 sf	
Medical and dental offices/clinics,	1 per 200 sf	
Medical and diagnostic laboratories including biotech research and development facilities and pharmaceuticals	1 per 400 sf	
Pharmacies	1 per 250 sf	Additional drive-through requirements under CMC 17.24.070
<b>Office</b>		
Administrative and professional offices	1 per 250 sf	
Business support services	1 per 250 sf	

Banking, credit unions, financial services, and check cashing services	1 per 250 sf	
<b>Personal Services</b>		
Barber shops, salons, massage services, body art facilities, other personal care services	1 per 200 sf	
Funeral and mortuary Services	1 per 4 seats or 1 per 35 sf in assembly area plus 1 per employee	
<b>Public and Quasi-Public Uses</b>		
Library and museums	1 per 300 sf	
Government offices and public safety facilities	1 per 250 sf	The total required parking spaces may be established by a parking study subject to planning commission approval
<b>Recreation and Entertainment</b>		
Billiard and pool halls	2 per billiards table	
Bowling alleys	4 per bowling lane	
Health clubs, fitness centers, dance studios, gymnasiums, and similar uses	1 per 200 sf	
Indoor shooting range (guns or arrows)	3 per lane, alley or target	Plus 1 per employee
Computer/video arcades	1 per 100 sf	
<b>Recycling</b>		
Collection and/or processing facilities	1 per 1,000 sf	CMC section 17.24.XXX
Reverse vending machines	2 plus required parking for primary use	CMC section 17.24.XXX
Small collection	2 plus 1 per employee, and required parking for primary use	CMC section 17.24.XXX
<b>Places of Assembly</b>		
Public assembly such as but not limited to places of worship, meeting halls, banquet facilities, dancing halls, sport arena, stadiums, etc.	1 per 4 seats or 1 per 35 sf of seating area or main auditorium	1.5 lineal feet on a bench is equivalent to 1 seat. The total required parking spaces may be established by a parking study subject to planning

		commission approval
Single screen or multi-screen theatres and cinemas	1 per 4 seats plus 1 per employee	The total required parking spaces may be established by a parking study subject to planning commission approval
<b>Transportation Related Facilities</b>		
Ambulance services, transit and passenger Transportation (including limousine, taxi or autonomous vehicle services)	1 per vehicle	Plus 1 per employee
Express delivery services	1 per vehicle	Plus 1 per employee
<b>Utilities</b>		
Public utility/service structures	1 per service or fleet vehicle	
Public utility/service company offices	1 per 300 sf	Plus 1 per service or fleet vehicle
Wireless communication facilities	1 per service vehicle	

**C. General Parking Requirements.**

The layout of parking spaces, loading berths, and parking aisles must comply with the following requirements. These apply to both on-street and off-street parking unless stated otherwise.

1. Required parking spaces, loading berths, and parking aisles must not be located within any street right-of-way. All required off-street parking must be on the same site as the main buildings or structures.
2. Parking areas or spaces required by this title may not be eliminated, reduced, or converted below the required standards unless equivalent facilities are provided elsewhere in compliance with this title.
3. Parking spaces must be at least 9 feet wide by 19 feet long, unless larger dimensions are required elsewhere in this code. Parallel parking spaces must be at least 9 feet wide by 22 feet long. Drive aisles must provide at least 25 feet of unobstructed width for vehicle access and maneuvering.
4. Parking aisles shall meet the dimensional requirements of Table 17.22.XXX-C4.

<b>Table 17.22.XXX C- Parking Aisle Width</b>		
Angle of Parking	Width (feet)	
	One-Way	Two-Way

Parallel	12	25
30 Degrees	12	25
45 Degrees	14	25
60 Degrees	18	25
90 Degrees	25	25

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5. Tandem Parking. No more than 35 percent of the total units in a development may use tandem parking spaces. This applies to duplexes, patio homes, zero lot lines, apartment, condominiums and townhouses.
6. Parking requirements for the disabled.
  - a. Parking spaces for the disabled shall comply with the building code and state and federal law.
  - b. The required accessible parking spaces must be reserved by the property owner or tenant for use by people with disabilities for the duration of the approved land use.
  - c. Accessible parking spaces may count toward the overall parking requirement for a development or use.
  - d. If state or federal law changes the standards for marking, striping, or signing accessible parking spaces, upgrades must be made as required by law.

**D. Parking and Driveway Design Improvements.**

All public, semipublic, and private parking areas used for vehicle parking shall be improved as follows:

1. All parking areas, drive aisles, and driveways must be paved with all-weather surfaces such as asphalt, concrete, or brick pavers and constructed to city standards.
2. Garages serving residential uses must have clear interior dimensions to park two cars: 18 feet by 19 feet for side-by-side parking or 9 feet by 38 feet for tandem parking. These dimensions must not be reduced by utilities or storage, including water heaters, meters, washers, dryers, storage areas, or refuse bins (3).
3. Where a parking area adjoins a residential zone at the rear or interior side property lines, a 6-foot-high masonry wall must be installed and maintained between the parking area and the residential property.
4. Parking area lights. Free-standing lights must provide between 1 and 5 lumens for ground-level illumination. Lighting must be shielded to prevent glare on adjacent residential properties. In multi-family and mixed-use zones, lighting fixtures shall not exceed 15 feet in height, measured from finished grade to the top of the fixture. In commercial and industrial zones, fixtures shall not exceed 25 feet in height, measured from finished grade to the top of the fixture.

5. All parking spaces must be permanently marked with double lines, each nine inches from the space sidelines. Access lanes must be clearly defined. Install bumpers and wheel stops as needed.

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6. All parking area drainage is subject to approval by the city's public works director.
7. Parking spaces and aisles must not exceed a five percent grade.
8. For surface parking spaces next to a landscape planter at least 6 feet wide, a 1-foot overhang is allowed, including the 6-inch curb.

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**E. Parking Reductions for Mixed Occupancies.**

The following reductions may be applied to reduce the otherwise applicable parking spaces required by CMC 17.72.010 for developments with mixed occupancies (multi-tenants and different types of uses, such as retail, dining, and services) to account for common usage of parking spaces.

1. Developments of four or more tenant spaces, and at least 5,000 square feet of gross floor area, may qualify for a 15 percent reduction, subject to approval by the director.
2. Developments with two or three buildings, where at least two buildings exceed 10,000 square feet of gross floor area, may qualify for a 15 percent reduction, subject to approval by the planning commission.

**F. Shared Parking Requirements.**

This section establishes alternative to required on-site parking subject to specific requirements.

1. Shared parking qualifying criteria. Shared parking serving more than four land uses (multi-tenants, mixed occupancies such as retail, dining and services) on a site or serving more than one parcel may be used if it meets all of the following qualifying criteria, as determined by the reviewing authority:
  - a. The peak hours of parking demand from all uses (multi-tenants, mixed occupancies) do not coincide, so that peak demand will not be greater than the parking provided.
  - b. There is no substantial conflict in operating hours between the various uses.
  - c. The number of parking spaces provided as determined by the parking study, meets or exceeds the minimum (parking spaces) required.
2. Parking Study required. A parking study is required to demonstrate how proposed land uses meet the parking requirements in Section 17.72.010 and comply with the shared parking qualifying criteria in paragraph 1 of this section. The parking study must be prepared by city staff, city's consultant or by the applicant's qualified traffic or parking

consultant. A parking study submitted by the applicant may require an independent peer review at the applicant's expense. The parking study must be reviewed and approved by the reviewing authority, and may require a shared parking reciprocal easement, or similar device, as a condition of approval to ensure projects comply with these requirements.

3. Shared parking. The shared parking for land uses (mixed occupancies or multi-tenants) with more than one parcel require a shared parking in the form of recorded reciprocal access and parking easement that runs with the land, to the satisfaction of the director and city attorney and include the following:
  - a. A guarantee that no substantial change in use will increase parking demand without approval of an amended land use entitlement such as a site plan review or a conditional use permit.
  - b. A reciprocal grant or nonexclusive license or easement among the business operator(s) and the property owner(s) for access to and use of the shared parking facilities.
  - c. Evidence that the reciprocal easement has been recorded in the county recorder's office, prior to occupancy for tenants.

**G. Off-Site Parking.** If on-site parking is not feasible for new or existing sites, off-site parking may be provided, subject to the regulations established in this section. All specified distances are measured from the nearest property line of such parking facilities to the nearest property line of the site or uses being served.

1. Required parking may be provided by off-site parking facility on another property within 150 feet of the site proposed for the development or use.
2. The applicant must provide a recorded shared parking agreement that describes the intended users and details the arrangement with the owner of the off-site parking facility, in accordance with section 17.22.030F. The content of the shared parking agreement must be to the satisfaction of the city attorney.
3. The applicant must provide a pedestrian access plan between the site of the development or use and the off-site parking facility.

**H. "Shoppers Lane" Parking District.**

1. The city council finds that the "Shopper's Lane" district is a unique commercial area within the city whose businesses, due to the limited space and orientation of their lots, face unique challenges that often prevent them from satisfying the parking requirements required by this chapter on site. This can result in lost opportunities to bring business into the district. On the other hand, there is a large public parking facility located within the district which, absent this amendment, businesses cannot legally use to satisfy parking requirements. Therefore, the city council hereby adopts the following regulations.
2. In addition to any other available exception or credit provided in this chapter, commercial uses located within the territorial limits of the "Shopper's Lane" district

may qualify for a one- for-one credit to satisfy the off-street parking requirements otherwise imposed by this chapter by utilizing either of the following:

- a. On-street parking spaces which are located adjacent to the front or rear property line of the commercial use. This reduction shall not apply to the number of handicapped accessible spaces required.
  - b. Spaces available in off-site public parking facilities; provided, that:
  - c. There is a public parking facility owned or operated by the city, or any other public agency of which the city is a part, within 300 feet of the use it is to serve, measured in walking distance along the way open to public pedestrian passage;
    - i. The vehicle parking spaces located at said facility are made available to the general public and their use is not restricted to private owners, lessees, licensees or other parties.
    - ii. The planning commission finds that there exist sufficient public parking spaces at said facility to satisfy the off-street parking requirements imposed by this chapter upon the use under consideration. As a condition to planning commission consideration, the chief planning official may require an applicant to provide a parking analysis demonstrating that sufficient public parking spaces exist at the facility to accommodate the use.
    - iii. The planning commission shall have continuing authority to review the status of vehicle parking at public parking facilities within the “Shopper’s Lane” district. If, at a future date, the planning commission determines that a public parking facility is no longer available or no longer provides sufficient parking spaces to satisfy the off- street parking requirements for a particular use, the planning commission may require the use to provide an alternative means of satisfying off-street parking requirements, which may include the one or a combination of the following: providing off-street parking on the same lot or parcel of land; providing off-street parking at a substitute location allowed under this chapter; or, providing off-street parking at another public parking facility, as set forth in this subsection.
3. This section shall not be construed to prohibit or limit the city’s authority to take any of the following actions:
- a. To lawfully close or otherwise restrict access to a public street, alley or public parking facility within the “Shopper’s Lane” district; or
  - b. To lawfully charge for the use of public parking spaces within the “Shopper’s Lane” district; or
  - c. To lawfully establish and maintain a parking and/or business improvement district to pay for the expenses of constructing, operating and maintaining public parking within the “Shopper’s Lane” district.

## **I. Loading Area Requirements.**

1. Required loading spaces for various uses.

Table 17.22.030-X Required Loading Spaces by Uses	
Total Square Feet of Building Space (Gross Floor Area)	Loading Spaces Required:
<b>Commercial and Industrial Buildings</b>	
3,000-20,000	1
20,001-50,000	2
50,001 and over	3
<b>Hospitals, Institutions, Hotels, Office Buildings</b>	
10,000-50,000	1
50,001-100,000	2
100,001 and over	3

2. Standards for off-street loading spaces.
  - a. Minimum size for loading docks. Each loading space must be at least 12 feet wide, 40 feet long, and have 15 feet of vertical clearance
  - b. Minimum size of loading spaces businesses delivery and distribution use. Each off-street loading space must be at least 12 feet wide, 30 feet long, and 15 feet high, exclusive of driveways for ingress and egress and maneuvering areas.
  - c. Loading spaces for customers. Each loading space may be 12 feet wide, 26 feet long, and 12 feet high.
3. Provide driveways for ingress and egress and adequate maneuvering areas for each required off-street loading space, in accordance with city standards.
4. Location of loading areas. The off-street loading spaces (except those for customers) must setback 30 feet from the adjoining property lines of any residential zone. The off-street loading spaces must locate behind or beside buildings and screened from public view with an 8-foot high decorative masonry or sound-absorbing wall, and with landscaping.
5. Trailer parking required. One trailer parking space is required for each loading dock door. Each trailer space must be at least 50 feet long, 14 feet wide, and have 14 feet of vertical clearance. Trailer parking must be in a designated area away from loading bays and travel paths, and must be screened as required by Section 17.xx.xxx for industrial areas.
6. Any loading space shall not encroach into the adjoining alley or use the alley for access.
7. If loading is permitted in a yard, the yard may count toward the required loading area, provided there is no more than one entry or exit per 60 feet of lot frontage or fraction thereof.
8. Loading space being maintained in connection with any existing main building on the effective date of the ordinance codified in this title shall thereafter be maintained so long as the building remains, unless an equivalent number of such spaces are provided on a contiguous lot in conformity with the requirements of this section and CMC 17.xx.xxx; provided, however, that this regulation shall not require the maintenance of

more loading space than is hereby required for a new building, nor the maintenance of such space for any type of main building other than those specified above.

9. Loading spaces required by this title may not be eliminated, reduced, or converted below the required standards unless equivalent facilities are provided elsewhere in compliance with this title.
10. Loading spaces required by this title may occupy a required yard as allowed in the districts, but no part of an alley or street may be used for loading.

## **J. Bike Parking**

1. Short-term bike parking.
  - a. Short-term bike parking is for visitors who stay for a short time. All new developments must provide short-term bike parking equal to 5% of required vehicle spaces for all public and semi-public uses, commercial uses, except vehicle sales and services.
  - b. Location and Accessibility. Short-term bike parking must be within 100 feet of a building entrance, outside pedestrian walkways, and the public right-of-way. Spaces must be at least 2 feet by 6 feet, with 2 feet of clearance from landscaping, walls, poles, and drive aisles.
  - c. Security. Each bike parking space must have a secured object anchored so the bicycle can be locked at two points of contact.
2. Long-term bike parking.
  - a. Long-term bike parking serves employees, students, residents, commuters, and customers. The following spaces are required for all new developments:
    - i. Multi-Family Residential. Provide one long-term bike space for every five dwelling units. All long-term bike parking for residential uses must be covered.
    - ii. Parking Structure. Provide one long-term bike space for every 25 vehicle spaces.
    - iii. Other Uses. Establishments with 25 or more full-time employees must provide one long-term bike space for every 25 required vehicle spaces.
  - b. Location and Accessibility. Long-term bike parking must be on the same lot as the use it serves and near the facility entrance. Parking may be inside buildings, garages, bike lockers, or under roof overhangs. Spaces must be at least two feet by six feet and must not obstruct pedestrian walkways. Provide 5 feet of clearance between the bike and vehicle parking and 2 feet from landscaping, walls, poles, and drive aisles.
  - c. Security. All long-term bike parking must be in one of the following:
    - i. An enclosed bike locker
    - ii. A fenced, covered, or locked bike storage area
    - iii. A rack or stand inside a building that is visible from an employee's work area, a parking attendant, or security guard, or within a restricted area,
    - iv. Another secured area approved by the Director.

## **K. Electric Vehicle Charging.**

1. Electric Vehicle charging stations are allowed in any area designated for parking of vehicles.
2. In new or renovated commercial and industrial parking areas with five or more parking spaces, a minimum of one electric charging station shall be provided for every five parking spaces.
3. The California Green Building Standards Code requires that new construction and significant alterations include “EV Capable” parking spaces to comply with Title 24, Part 11 of the California Green Building Standards Code (CALGreen).

**L. Parking or Storage of Commercial Vehicles.**

1. It is unlawful to park or store any commercial vehicle on property which is zoned for commercial purposes except in a space which is reserved for a commercial vehicle parking purpose in the parking area required to be maintained in connection with such commercial use.
2. “Commercial vehicle,” as used in this section, means a vehicle of a type required to be registered under the Vehicle Code used or maintained for the transportation of persons for hire, compensation or profit, or designed, used or maintained primarily for the transportation of property.
3. The provisions of this section shall not apply to commercial automobiles, pickups, panel delivery trucks and station wagons or the parking of a vehicle temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

## **17.22.100 Performance Standards.**

**A. Purpose and Intent.**

The performance standards in this chapter ensure that uses and activities protect public health and safety and do not adversely impact surrounding properties or the community. These standards apply to all zones. If needed, the city may retain a professional expert or regulatory agency to assess potential impacts, with costs paid by the applicant or business owner.

**B. Applicability.**

The following performance standards requirements apply to all zones.

1. Location. All uses shall be conducted wholly within an enclosed building unless otherwise permitted or conditionally permitted by other sections of the code.
2. Light and glare. Uses, activities, and processes must not produce significant or direct glare beyond property boundaries. Unless exempt, all outdoor lighting must be recessed or fully shielded downward to minimize light and glare on adjoining properties and

public rights-of-way. Each fixture must be directed downward and away from adjoining properties and public rights-of-way, so that no light fixture illuminates areas outside the intended project site.

3. Noise. All land uses and their associated activities shall comply with Chapter 9.40 CMC, Noise.
4. Odor, Particulate Matter, and Air Containment Standards. Sources of odorous emissions, particulate matter, and air containment standards shall comply with the rules and regulations of the South Coast Air Quality Management District and the State Health and Safety Code.
5. Vibration. All uses shall be so operated as not to generate vibration discernible without instruments by the average person while on or beyond the lot upon which the source is located or within an adjoining enclosed space if more than one establishment occupies a structure. Vibration caused by motor vehicles, trains, and temporary construction or demolition work is exempted from this standard.
6. Heat and Humidity. All uses must be operated to prevent heat and humidity that is perceptible without instruments by the average person on or beyond the lot.

### **17.22.110 Property Maintenance.**

#### **A. Purpose.**

All buildings, structures, yards, and improvements must be maintained to preserve the appearance of the immediate neighborhood. Enforcement provisions are provided in CMC Chapter \_\_\_\_\_.

#### **B. Applicability.**

The following maintenance requirements apply to all zones, in addition to other general maintenance provisions of this code:

1. All required fences and walls must be kept in good condition and properly repaired at all times.
2. Plants or materials in the required corner cutback area must be maintained to prevent visual obstructions.
3. Off-street parking areas, drive approaches, and driveway access must be kept in good condition. Striping must remain visible.
4. All safety devices and signs must be maintained in working condition.
5. The property owner must maintain all trash, garbage, and refuse enclosures. Trash storage must not create nuisance conditions, such as attracting rodents or insects.

6. The property owner must maintain all on-site landscaping and contiguous planted areas within the public right-of-way, except street trees, and replace any damaged, dead, diseased, or decaying plant materials within 30 days of damage.
7. Changes to landscaping, architectural features, buildings, or structural elements require an amendment to the site plan review in accordance with **Chapter 17.62 CMC**.

### **17.22.120 Public Improvement Regulations.**

#### **A. Maintenance of Improvements and Requirements**

All facilities, improvements, and landscaping must be maintained in accordance with the approved site plan. All conditions and requirements from the site plan review must be met throughout the life of the facilities and improvements. Facilities and improvements must remain fully functional and in good repair. Landscape improvements must be kept healthy. Any changes to the approved final landscape or irrigation plans that alter the character, quantity of plant material, or irrigation system design must be resubmitted to the original approving authority for approval before installation.

#### **B. Dedications, public improvements, and underground utility services in accordance with CMC Title 11, Streets and Sidewalks.**

1. Street Improvements. If street improvements do not exist adjacent to a parcel being developed under this chapter, or if existing improvements are not standard in location, design, or condition, new street improvements must be constructed at the ultimate alignment and grade, in accordance with current city standards and specifications.
2. Street improvements include curbs, gutters, cross-gutters, sidewalks, drive approaches, street and alley pavement and base materials, street trees, street signs, streetlights, drainage facilities, fire hydrants, utility relocations, and related facilities.
3. All required street improvements must be constructed in accordance with city conditions, standards, plans, and specifications before any building permits are issued for parcel development. Alternatively, the developer may satisfy these requirements by one of the following methods, as determined by the city engineer:
  - a. The developer may post a cash or performance bond, in an amount set by the city engineer, to guarantee construction of the required improvements. All improvements must be completed before occupancy of the developed parcel.
  - b. The developer may enter into a written contract with the city, approved by the city engineer and city attorney, agreeing to pay the costs of required street improvements when they are constructed. The contract must be recorded, run with the land, and bind the developer and all successors in interest to the parcel.
4. A state-licensed civil engineer must prepare and submit public improvement drawings for city approval.

5. Parcel developments subject to the requirements of this chapter are also subject to the requirements of CMC Title 11, Streets and Sidewalks.
6. **Underground Utility Services.** All new utility service lines installed to serve new or existing buildings or structures as part of the development must be placed underground. Utility service lines include electricity, telephone, and cable television. Appurtenant equipment such as transformers, metal cabinets, and terminal boxes may be installed aboveground with approval from the appropriate authority.

### **17.22.130 Street Naming.**

#### **A. Purpose**

These provisions establish procedures for naming new public and private streets in the city to promote uniformity and prevent public confusion.

#### **B. Naming criteria.**

Streets shall be named as follows:

1. Street names should be pleasant, appropriate, easy to read, and contribute to community pride. Names should be easily understood by the public, including children, in emergencies.
2. The following street names are not acceptable: numerical names (1st, 2nd, etc.); alphabetical letters (A, B, C, etc.); frivolous, complicated, or undesirable names; unconventional spelling; compound names; or names of living or deceased persons, except for pioneer family names or historic persons.
3. Continuous streets should retain their existing names wherever possible and feasible.
4. Duplication of existing or proposed street names is prohibited. Similar-sounding names are considered duplicates, regardless of spelling.

#### **C. New Public or Private Streets.**

1. The applicant for a development that includes new streets must submit proposed street names and any required fee to the city for approval.
2. The director or designee, after consulting with public safety staff, will approve all street names in the city.

### **17.22.140 Synthetic (Artificial) Turf**

Reserved section for future.

## **17.20.050 Tree Preservation.**

### **A. Purpose and intent.**

1. The purpose of this chapter is to preserve and protect mature trees that represent a significant resource to the community. Large mature trees, particularly those of native species, provide habitat for birds and wildlife, moderate climatic extremes, add beauty to the community, increase property values, improve air quality, and represent a historic resource.

The intent of this chapter is to ensure that new development addresses the preservation of significant healthy and mature trees to the greatest extent which is reasonable and that activities on properties with existing development are conducted in a manner that minimizes harm and destruction of such trees.

2. This chapter does not create any liability for damages or impose any duty of care or maintenance on the City or its officers and employees. Responsibility for maintaining trees in a safe and healthy condition rests with the person in possession of public property or the owner of private property where the tree is located or under their control.

### **B. Definitions.**

For purpose of this chapter, the following definitions shall apply:

“Damage” means any action that harms, destroys, removes, or relocates a tree, including injury to its roots or other parts. This includes, but is not limited to, burning, applying toxic substances, operating equipment or paving within the dripline, altering grade, trenching or excavating, excessive watering, or similar activities.

“Diameter at standard height” is the diameter of a tree trunk as measured four and one-half feet above the mean natural grade of the ground in which it is growing.

“Dripline” shall mean an imaginary line on the ground at the furthest extension of the canopy around the circumference of the tree.

“Heritage trees” are protected trees that meet one or more of the following criteria:

1. Trees of the following species with a trunk diameter, as measured at standard height, of at least 10 inches for a single-trunk tree or with a combined diameter of at least 22 inches for multiple-trunk trees:
  - a. Quercus, all species (oaks).
2. Individual trees or groups of trees designated as heritage tree(s) by the city council pursuant to **CMC 17.83.150**.

“Tree preservation permit” means a permit to damage one or more heritage trees.

### **C. Prohibition and permit required.**

Except as otherwise provided in this chapter, no person shall damage any heritage tree located on any lot or parcel of land within the city unless a tree preservation permit is first obtained as provided herein.

**D. Exemptions.**

The provisions of this chapter shall not apply to:

1. Street trees maintained by the city and located within any public right-of-way as described in **Chapter 11.36 CMC.**
2. Routine maintenance designed to assure the continued health of the tree. Routine maintenance does not include removal in any one year of branches that would bear over 10 percent of the tree's live foliage or any reduction in more than 25 percent of the tree's height. All such maintenance shall be undertaken in a manner that conforms with the standards of the Western Chapter of the International Society of Arboriculture.
3. An emergency caused by the tree's dead, deceased, or hazardous conditions as determined by visual inspection by a licensed forester, certified arborist, the chief planning official, or his/her designee.
4. Emergency or routine maintenance by a public utility necessary to protect or maintain an electrical power or communication line and structures appurtenant thereto.
5. Trees planted, grown and/or held for sale by a licensed nursery.
6. Repair and maintenance of existing parkways, highways and streets and/or other public facilities.

**E. Notification.**

1. No public notice is required for consideration of a tree preservation permit for which the chief planning official has approval authority.
2. For applications for a tree preservation permit that are presented to the planning commission, notice shall be given pursuant to the noticing requirements in Chapter 17.02.
3. When an application for a conditional use permit, variance, planned community development (PCD), zone change or tentative map for a subdivision is concurrently filed, notice that a tree preservation permit application will also be considered shall be included in the required legal notices for such conditional use permit, variance, planned community development (PCD), zone change or tentative map.

**F. Findings.**

1. Prior to approving a tree preservation permit, the Director must determine that at least one of the following provisions apply:
  - a. The subject tree(s) are naturally damaged and diseased to a degree that cannot be reasonably corrected or restored to health.

- b. The action is necessary to maintain the health and viability of the subject tree(s) or other nearby trees.
  - c. The subject tree(s) represent a substantial threat to existing structures and significant improvements on the property.
  - d. There is no reasonable development alternative and retention of the subject tree(s) would constitute a substantial economic hardship.
2. In the case of tree preservation permits the planning commission, in addition to the above at least one of the following applies:
    - a. The proposed damage is necessary because alternative plans cannot achieve the intended improvement, would be prohibitively costly, or the tree's location prevents the reasonable and efficient use of the property for an authorized purpose.
    - b. The proposed damage interfere(s) with utility services or streets and highways either within or outside of the subject property and no reasonable alternative to such interference exists other than damaging the subject tree(s).
    - c. The tree's condition, due to disease or risk of falling, cannot be remedied by preservation methods other than damaging the tree.
  3. In rendering a decision, the approval authority shall consider shade, scenic beauty, forest cover diminishment, wildlife preservation, historic value, aesthetics and general community welfare.

**G. Conditions of approval.**

In rendering a decision on a tree preservation permit application, the approval authority may impose conditions of approval including but not limited to:

1. Replanting of a replacement tree of equivalent value and species.
2. Relocation of the subject tree(s) to an alternative location.
3. Payment of in-lieu mitigation fees to plant and/or preserve the subject tree(s) on property or sites where the city can assure the long-term viability of the subject tree(s).
4. Preparation of a monitoring and/or mitigation program by a city-approved certified arborist or licensed forester and provision of adequate financial security to assure implementation of the program.
5. Such other conditions as may be necessary to assure the tree preservation permit is consistent with the findings and purpose of this chapter.

**H. Tree preservation and propagation fund.**

The city shall establish a tree preservation and propagation fund using moneys collected as civil penalties, in-lieu mitigation fees, and other penalties or fees related to this chapter. These funds shall be used exclusively to cover the costs of planting replacement trees or preserving native trees on property or sites where the city has reasonable assurance of the long-term viability of the trees.

**I. General requirements.**

The following standards shall apply citywide:

1. At the time of planting, any heritage tree provided pursuant to this chapter shall be of a health, size, height and trunk caliper that conforms with the current edition of ANSI Z60.1: American Standards for Nursery Stock.
2. Utility companies shall practice good arboricultural practice.
3. Heritage trees shall only be trimmed in a manner consistent with the standards of the Western Chapter of the International Society of Arboriculture.
4. It is the responsibility of the property owner to maintain all heritage trees in a sound, healthy and attractive manner. This shall include but is not limited to the provision of adequate water, trimming to prevent excessive overgrowth and entanglement, removal of dead or dangerous branches, and the avoidance of practices which endanger the tree(s).
5. Trenching and excavation under the dripline of a heritage tree shall only be undertaken using hand tools.
6. Protective fencing shall be provided around the dripline of all heritage trees during construction.
7. Utility trenches and footings shall not be placed under the dripline of a heritage tree without prior city approval.
8. Irrigation systems shall be designed to suit the needs of the tree(s) located on the property.
9. Prior to issuance of building, grading, demolition, and construction permits, the applicant shall:
  - a. Obtain a tree preservation permit if subject to this chapter.
  - b. Submit final tree report to the Director, unless waived by the chief planning official, pursuant to **CMC 17.83.060(B)(8)**.
  - c. Submit all required security deposits and agreements.
  - d. A copy of the city-approved final tree report shall be kept on the site at all times and the developer shall follow all recommendations therein.

**J. Exemption from the Solar Shade Control Act.**

This city is exempt from the provisions of Chapter 12 (commencing with Public Resources Code Section 25980), Division 15 of the Public Resources Code which chapter is known as the Solar Shade Control Act.

**K. Designation of heritage trees.**

1. The city council, planning commission or any property owner or concerned citizen of Covina may nominate a tree or cluster of trees for heritage status that are not otherwise defined as heritage tree(s) by this chapter.
2. Before the planning commission considers a heritage tree nomination, the planning department must have a signed statement from the tree owner consenting to the designation and acknowledging the restrictions and covenants of this chapter.
3. Within 60 days of receiving a complete heritage tree nomination, the planning commission shall hold a public hearing. Notice must be mailed at least 10 days before the hearing to the property owner and any other parties the planning official deems appropriate. The commission shall forward its recommendation to the city council within 60 days of the hearing. The city council shall then hold a public hearing within 45 days of receiving the recommendation, with comparable notice, and render a decision to approve or deny the designation. Hearings by either the planning commission or city council may be continued from time to time as necessary.
4. In evaluating a nomination for heritage status, the approval authority shall consider:
  - a. The age, history, species and location of the tree(s) along with its relative importance to the community.
  - b. Whether the tree(s) occupies a location of significant aesthetic importance to the image of the community or a neighborhood thereof.
  - c. Unique or special characteristics and the image created by the planting and spacing of a group of trees.
  - d. The environmental value of the tree(s) as wildlife and biotic habitat and for erosion prevention.
  - e. The economic and social impact on the owner of the property or properties on which the tree(s) are located.

**L. Penalties.**

1. Each separate violation of this chapter shall constitute a misdemeanor offense. Inflicting damage to or removing multiple trees in violation of this chapter shall constitute a separate offense for each tree.
2. In addition to or in lieu of criminal penalties, the city may pursue civil or private remedies including but not limited to:
  - a. Development moratoria of up to 10 years for any deliberate and egregious violation involving heritage trees.
  - b. Recovery of all reasonable costs and overhead expenses associated with enforcement and correction to the standards of this chapter.
  - c. Payment into tree preservation and propagation fund in an amount equivalent to the value of the tree(s) illegally damaged.
  - d. The ability to enter property and correct violations at owner's expense.
  - e. Require planting of alternative trees in locations on or off of the subject site.
3. The city shall have the authority to assess liens on property to recover costs and penalties associated with violations of this chapter.

## 17.22.160 Walls, Fences, Hedges, and Screening.

### A. Purpose.

This chapter regulates the height and location of walls and fences to ensure adequate light, air, and privacy, while maintaining views and connectivity. It also establishes buffers between different land uses and prevents visual obstructions at street and driveway intersections.

### B. Permit requirements for all walls and fences.

1. Application, fees, review, approval process, and permit requirements.
  - a. A wall and fence permit is required for all new or replacement walls and fences, including retaining walls, regardless of height or location. The director issues these permits.
  - b. A building permit is required for all new construction and replacement of existing walls and fences, regardless of height or location. The building official issues these permits.
  - c. All walls and fences require a minor site plan review as described in CMC Chapter 17.04.XXX, unless submitted with land use entitlements or other planning applications.
  - d. Applications, fees, and submittal materials must be filed with the Planning Division using the format or checklists prescribed by the director.
  - e. The approval, conditional approval, or denial of the wall and fence permit by the director shall be effective and final 10 days from the date of the decision, unless an appeal is filed pursuant to CMC 17.02.XXX within such period.

### C. Walls, fences, and hedges in Residential Zones.

1. Walls and fences height, Table 17.22.XXX-C.

<b>Table 17.22.XXX-C</b>		
<b>Locations of Walls, Fences, and Screening</b>	<b>Location or Minimum Setback of Wall/Fence (1)</b>	<b>Maximum Height (2)</b>
Required front yard area	0 ft (at front property lines)	4 ft solid, up to 5 ft if 50% of fence/wall is visually open <b>(5)</b>
Required rear and interior side yard area (along rear and interior property lines)	0 ft	6 ft up to 8 ft
Required street side yard area (corner side property lines)	5 ft <b>(3)</b>	6 ft up to 8 ft. Must comply with height at the required front yard setback

Reverse corners side yard area	0 ft (4)	6 ft up to 8 ft. Must comply with visibility/corner cutoff area requirements of 90% visually open (5)
At intersections of streets, alleys, and driveways and within the visibility/corner cut off areas	10 ft (4)	4 ft solid; may increase to 5 ft if 90% of wall/fence is visually open (5)

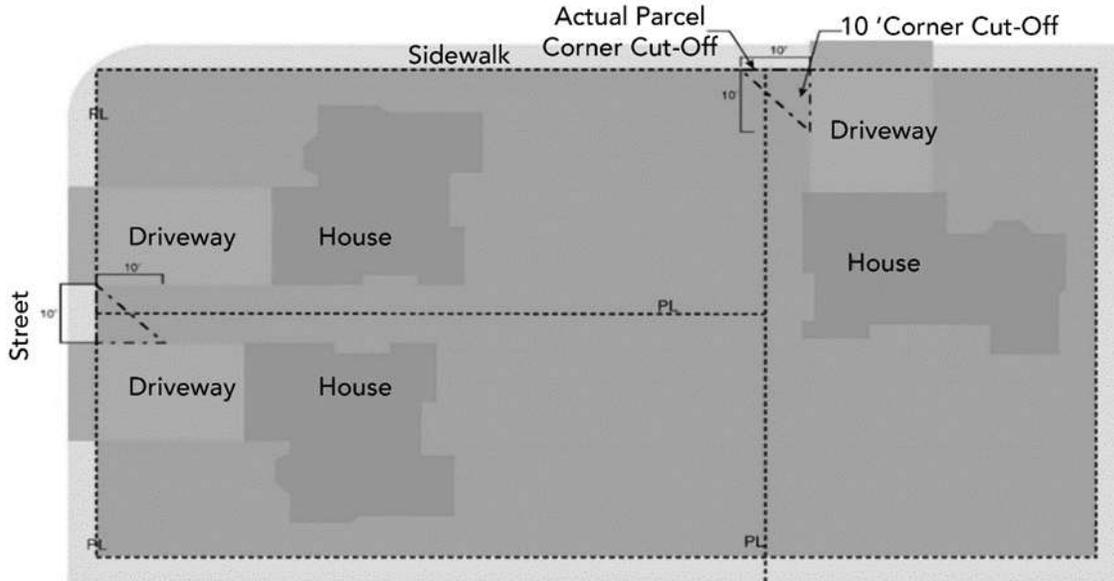
**Table Notes:**

- (1) All walls and fences subject to planning permits and building permits under CMC Section 17.22.XXX-B.
- (2) Any walls and fences above 6 feet high must submit additional information and plans as required by the building official prior to the approval and building permit issuance.
- (3) The total replacement of an existing wall or fence along the street side property line without the 5-foot setback may be allowed on a case by case basis, subject to the director review and approval.
- (4) Must comply the requirements of the visibility/corner cutoff areas under CMC Section 17.22.XXX-D, unless otherwise allow by other provisions of this section.
- (5) A wall or fence visually open means the materials are wrought iron, tubular steel or similar materials and the fence pickets are between 2 to 4 inches apart.

2. Height measurement for walls and fences with grade differences. Measure height from the finished grade at the base to the top of the fence or wall. If ground levels differ between adjoining parcels, measure from the midpoint between the lowest grades of each property.

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3. Fences, walls, and hedges within visibility/corner cutoff areas. The following regulations apply to all intersections of streets, alleys, and private driveways to ensure adequate visibility for vehicles, unless otherwise specified in this section. No visual obstructions are allowed within visibility/cutoff areas. In hillside areas, grading must be included in corner cutoff treatments to provide reasonable intersection visibility.
  - a. A corner cutoff area is required at all street and alley intersections. The cutoff line shall form a 45-degree angle with the property line and pass through the intersection of yard setback lines at the lot corner to ensure visibility.
  - b. A corner cutoff area is required on each side of a private driveway intersecting a street or alley. The cutoff lines shall form a 45-degree angle with the property line and pass through a point at least 10 feet from the driveway's edge at the street or alley right-of-way.
  - c. For irregular lots where a 45-degree line cannot ensure visibility, the cutoff shall be defined by a line from a point on the front (or rear) property line more than 17 feet from its intersection with the side property line to a point on the side property line more than 17 feet from the same intersection.



**Figure 17.22.020-D Corner Cutback Area**

- d. In visibility/corner cutoff areas, walls and fences may be up to 8 feet high but must remain at least 90% visually open, using pilasters and wrought iron or similar materials. Landscape hedges are not permitted.
4. Design Standards for residential walls and fences.
    - a. Acceptable materials for walls and fences include, but are not limited to, precision block with stucco, split face block, slump block, tubular steel, wrought iron, wood, vinyl, and vinyl pickets. Chain link fences are prohibited.
    - b. Fencing must be professionally constructed and installed using treated, durable, and low-maintenance materials.
    - c. All walls and fences adjacent to the public right-of-way must have a graffiti-resistant, aesthetically treated surface.
    - d. Pilasters must not exceed the maximum allowed wall or fence height in any yard area. A projection of up to 9 inches above the maximum height is permitted for decorative caps and architectural features such as lights or finials. Pilasters' width may be up to 18 inches square and must not be spaced closer than 15 feet apart.

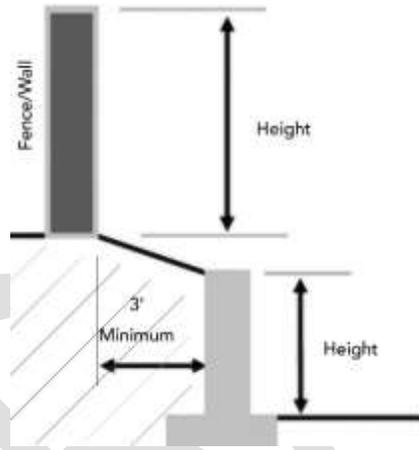
**D. Walls and fences abutting rail lines.**

1. Block or sound attenuation walls up to 10 feet high may be constructed along properties abutting the commuter rail line or other locations as determined by the director.
2. Anyone constructing such a wall must plant, irrigate, and maintain fast-growing, drought-tolerant vines along the wall facing the rail line to reduce the potential for graffiti.

**E. Walls and fences for lots with slopes.**

A fence or wall between five and six feet high may be constructed at the top of a slope on each lot if all of the following conditions are met:

1. Where the top of the slope is a property line between adjoining lots held under separate ownership.
2. Where the difference in vertical elevation between the top and the toe of the slope is six feet or more.
3. Where the slope between the property line and the toe of the slope is two feet horizontal to one foot vertical or greater.
4. Walls and fences that are higher than eight feet in height shall be terraced and separated by a minimum distance of three feet. Refer to [Figure 17.20.020\(E\)—example of Walls for Terraced Lots](#).



**Figure 17.22.020-F Example of Walls for Terraced Lots**

**F. Walls and fences for pools, spas, and similar features**

Walls and fences for pools, spas, and similar features shall be enclosed in compliance with building code requirements.

**G. Walls and fences for tennis courts or other sports court areas.**

Fences over six feet high are permitted to enclose tennis courts or other sports court areas located in the rear half of the lot. Any portion above six feet must be made of wire mesh or similar material with no more than 10 percent solid surface. Fire safety access is required per [CMC 17.26.250](#).

**H. Temporary fencing.** Nothing in this section shall be deemed to prohibit the installation of a temporary fence around construction projects in compliance with the building code and other applicable requirements of this zoning code.

- I. Walls and fences screening between different land uses.** Install a solid perimeter wall at least 6 feet high along property lines between commercial, industrial, or mixed-use zones and residential zones. A landscape strip at least 5 feet wide is required adjacent to the wall.
- J. Walls, fences, screening, and storage for commercial and industrial zones, and non-residential uses.**
1. Required walls and fences.
    - a. Install a wall or fence between 6 and 8 feet high along the interior side and rear property lines.
    - b. In visibility/corner cutoff areas, reduce wall and fence height to no more than 3 feet in any required front yard landscaped area abutting a street, as required by CMC Section 17.22.xxx-J3.
    - c. Property perimeter walls shall have decorative materials such as concrete panels or split-face blocks with a cap or similar features that are architecturally integrated with the design of the buildings.
    - d. Walls and fences along property lines that are not used for screening, loading, or outdoor storage areas may use wrought iron, tubular steel, or similar materials. Chain link, barbed wire, and razor wire are prohibited.
  2. Walls and fences for screening, loading, and outdoor storage areas.
    - a. All loading areas, loading doors, and storage areas must be screened from public view by a decorative screen wall combined with dense landscaping, including trees, shrubs, and berms.
    - b. The minimum screen wall height for loading and storage areas is 10 feet; however, the maximum height visible from a public street must not exceed 8 feet. A landscaped berm or planter may be used to reduce the perceived height.
    - c. Items stored in screened outdoor storage areas must not be stacked higher than the screen wall. A six-foot unobstructed distance must be maintained from the screened wall along any side or rear property line.
  3. Visibility/corner cutback area. The following regulations shall apply to all intersections of streets, alleys, and/or private driveways to ensure adequate visibility for vehicular traffic. There shall be no visual obstruction within the visibility/cutback area.
    - a. A corner cutback area is required at all intersections and intersecting streets. The cutback area shall be defined by a horizontal line drawn from a point on the front, side, or rear property line, the point being not less than 25 feet measured from the intersection of the front, side, or rear property lines, or the prolongation of such property lines, to a point similarly located on the intersecting property lines;
    - b. A corner cutback area is required on each side of any private driveway and/or alleys intersecting a street or alley. The cutback line shall be in a horizontal plane, making an angle of 45 degrees with the side, front, or rear property line, as the case may be. They shall pass through a point not less than 10 feet from the edges of the driveway or the alley where it intersects the street or alley right-of-way.

## **17.22.170 Water-Efficient Landscape Regulations**

### **A. Purpose and intent.**

This section ensures that landscape design, installation, and maintenance in the city comply with the State of California’s Model Water Efficient Landscape Ordinance (MWELo).

### **B. State Model Water Efficient Landscape Ordinance.**

1. The city adopts the State of California’s MWELo, which is found in sections 490 through 495 of Chapter 2.7, Division 2, Title 23 of the California Code of Regulations.
2. A registered and licensed landscape architect must prepare the “landscape documentation package” for all new developments or redevelopment projects. Re-landscaping of yards in single-family zones is exempt from this requirement.

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