9th Update Code Language—Measurement, Parking, and Signs

Measurement Changes

ISSUE #34: Bay Windows

§113.0234 Calculating Gross Floor Area

*Gross floor area* is calculated in relationship to the *structure* and *grade* adjacent to the exterior walls of a building. The elements included in the *gross floor area* calculation differ according to the type of development proposed and are listed in Section 113.0234(a)-(c). *Gross floor area* does not include the elements listed in Section 113.0234(d). The total *gross floor area* for a *premises* is regulated by the *floor area ratio* development standard.

(a) through (c) [No change.]

(d) Elements Not Included in *Gross Floor Area*

(1) through (3) [No change.]

(4) Bay windows designed to meet the following:

(A) The window height is 5 feet or less;

(B) The interior space created by the bay window does not project outward more than 4 feet;

(C) At least a 3 foot clear space is provided between the bottom of the bay window projection and the grade below; and

(D) No structural support is needed to support the bay window projection.

ISSUE #35: Garages and Accessory Structures

§131.0448 Accessory Buildings in Residential Zones

This section is intended to clarify the regulations applicable to non-habitable *accessory buildings* in residential zones.

(a) through (b) [No change.]

(c) Non-habitable *accessory buildings* or detached garages may encroach into required *yards* subject to the requirements in Section 131.0461.

(d) [No changes.]
§131.0461 Architectural Projections and Encroachments in Residential Zones

(a) The following are permitted architectural projections and encroachments into required yards and the angled building envelope plane for RS and RX zones and the RM-1-1, RM-1-2, and RM-1-3 zones. These projections and encroachments are not permitted in the required yards within view corridors that are designated by land use plans in the Coastal Overlay Zone and may not be located in a required visibility area or a required turning radius or vehicle back-up area except where development regulations may allow.

(1) [See Issue #36.]

(2) through (11) [No change.]

(12) Garages or non-habitable accessory buildings may encroach into a required side or rear yard as follows:

(A) The lot size shall not exceed 10,000 square feet of area; and

(B) The encroaching accessory building shall be limited to a maximum structure height of 15 feet within the setback;

(C) The encroaching accessory building shall not share a common wall with the primary dwelling unit, but can be attached via a non-structural design element. Any development attached to the accessory building above one story shall comply with the setback; and

(D) The accessory building shall not exceed a maximum length of 30 feet within any given setback; and

(E) An encroaching accessory building shall not exceed 525 square feet in gross floor area.

(b) [No change.]

ISSUE #36: Roof Projection into the Angled Building Envelope Plane

§131.0461 Architectural Projections and Encroachments in Residential Zones

(a) The following are permitted architectural projections and encroachments into required yards and the angled building envelope plane for RS and RX zones and the RM-1-1, RM-1-2, and RM-1-3 zones. These projections and encroachments are not permitted in the required yards within view corridors that are designated by land use plans in the Coastal Overlay Zone and may not be located in a required visibility area or a required turning radius or vehicle back-up area except where development regulations may allow.
(1) Roof projections such as eave, cornice, and eyebrow projections may extend into the required yard or into the space above the angled building envelope subject to the following:

(A) through (C) [No change.]

(D) A roof design element may project into the space above the required angled building envelope plane, as depicted in Diagram 131-04S, subject to the following:

(i) The roof design element must face the front yard;

(ii) The roof design element shall not encroach into any required yard;

(iii) The roof design element shall comply with all applicable structure height limits in accordance with Section 113.0270; and

(iv) The roof design element shall be limited to a maximum of 33 percent of the width of the building envelope facing the front yard, and a maximum depth equal to or less than its width. See Diagram 131-04S.

Diagram 131-04S
Exception for Angled Building Envelope Area
(2) through (11) [No change.]

(12) [See Issue #35]

(b) through (c) [No change.]

**ISSUE #37: Retaining Walls**

§142.0305 When Fence Regulations Apply

(a) through (b) [No change in text.]

### Table 142-03A
Fence Regulations Applicability

<table>
<thead>
<tr>
<th>TYPE OF DEVELOPMENT PROPOSAL</th>
<th>APPLICABLE REGULATIONS</th>
<th>REQUIRED PERMIT TYPE/DECISION PROCESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any fence with a height less than 6 feet</td>
<td>Sections 129.0203, 142.0310-142.0330, 142.0360-142.0380</td>
<td>No permit required by this division</td>
</tr>
<tr>
<td>Any fence with a height of 6 feet or greater</td>
<td>Sections 142.0310-142.0330, 142.0360-142.0380</td>
<td>Building Permit/Process One</td>
</tr>
<tr>
<td>Any retaining wall with a height greater than 6 feet</td>
<td>Sections 129.0203, 142.0340, 142.0370, 142.0380</td>
<td>No permit required by this division</td>
</tr>
</tbody>
</table>

Note: "A" shall not exceed 33% of the width of the building envelope
<table>
<thead>
<tr>
<th>TYPE OF DEVELOPMENT PROPOSAL</th>
<th>APPLICABLE REGULATIONS</th>
<th>REQUIRED PERMIT TYPE/ DECISION PROCESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>height less than 3 feet</td>
<td></td>
<td>division</td>
</tr>
<tr>
<td>Any retaining wall with a height of 3 feet or greater</td>
<td>Sections 142.0340, 142.0370, 142.0380</td>
<td>Building Permit/ Process One</td>
</tr>
<tr>
<td>Any fence or retaining wall exceeding the height permitted in Section 142.0310, 142.0320, 142.0330, and 142.0340.</td>
<td>Section 142.0350</td>
<td>Neighborhood Development Permit/Process Two</td>
</tr>
<tr>
<td>Any fence or retaining wall located on premises that lies between the shoreline and the first public roadway, as designated on Map Drawing No. C-731.</td>
<td>Section 142.0310-142.0380</td>
<td>Coastal Development Permit/Process Three - Appealable</td>
</tr>
</tbody>
</table>

§142.0340    Retaining Wall Regulations in All Zones

(a) through (b) [No change.]

(c)  Retaining Wall Height in Required Front Yards and Required Street Side Yards

   (1) through (2) [No change.]

   (3)  Retaining walls of 3 feet in height or greater shall have at least one horizontal or vertical offset for each 120 square feet of wall area, except where otherwise provided in accordance with Section 142.0340(f). The horizontal or vertical offset shall be at least 12 inches wide with a minimum reveal of 4 inches. See Diagram 142-03B.

(d) through (e) [No change.]

(f)     Exceptions to Retaining Wall Height

   (1) through (3) [No change.]

   (4) When the elevation of the adjacent street grade is higher than the building pad, the following shall apply:

   (A) The portion of the retaining wall located at or below the adjacent street grade is not subject to Section 142.0340(c)(3).
(B) Measurement of any portion of the wall or attached fence above grade shall be taken from the adjacent grade on the higher side of the retaining wall.

ISSUE #38: Mechanical Equipment Used in the Manufacturing Process

§142.0910 Mechanical and Utility Equipment Screening Regulations

(a) through (c) [No change.]

(d) Mechanical and utility equipment screening associated with industrial development that involves light manufacturing or heavy manufacturing is exempt from the requirements in Section 142.0910(a) and (b) if the location is not adjacent to residentially zoned property.

Parking

ISSUE #39: Parking Requirement for Capital Intensive Manufacturing

§142.0530 Nonresidential Uses — Parking Ratios

<table>
<thead>
<tr>
<th>Use</th>
<th>Parking Spaces Required per 1,000 Square Feet of Floor Area Unless Otherwise Noted (Floor Area Includes Gross Floor Area plus below Grade Floor Area, and Excludes Floor Area Devoted to Parking)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Required Automobile Parking Spaces</td>
<td></td>
</tr>
<tr>
<td>Minimum Required Outside a Transit Area</td>
<td>Minimum Required Within a Transit Area</td>
</tr>
</tbody>
</table>

Table 142-05G
Parking Ratios for Specified Non-Residential Uses
### Footnotes For Table 142-05G [No change]

#### ISSUE #40: Driveway Design to Meet Engineering Standards

**§142.0560 Development and Design Regulations for Parking Facilities**

(a) through (i) [No change.]

(j) Driveway and Access Regulations

(1) through (8) [No change.]

(9) Driveway Gradient Regulations

(A) Driveways may be up to 5 percent gradient with no transitions.

(B) Between the driveway apron and any driveway gradient greater than 5 percent, there shall be a 20-foot-long flat transition not exceeding a 5 percent gradient. A shorter transition may be approved by the City Manager according to accepted engineering practices.

(C) For driveways **driveway ramps** with a gradient greater than 14 percent up to the maximum permitted gradient of 20 percent, there shall be transitions
for the first and last 8 feet of the ramp. The transitions shall not exceed one-half of the abutting slope of the driveway ramp, as illustrated in Diagram 142-05D.

Diagram 142-05D
Maximum Driveway Ramp Slope

(10) [No change.]  
(k) [No change.]

Signs

ISSUE #41: Signage in Planned Commercial and Industrial Developments

§126.0113 Amendments to a Development Permit

(a) through (e) [No change.]

(f) An amendment to a development permit shall not be required for approval of a sign application in accordance with Section 142.1208.

§142.1208 Signs in Planned Commercial and Industrial Developments

(a) Where a development permit for a commercial or industrial development specifies a sign requirement, new signs may nevertheless be approved without an amendment to that development permit in accordance with the Land Development Code regulations for signs, except as follows:

(1) Any sign that is subject to a development permit in accordance with the following separately regulated use regulations (Chapter 14, Article 1):

(A) Comprehensive sign plans (Section 141.1103) adopted January 1, 2000 or later
(B) Revolving projecting signs (Section 141.1104)

(C) Signs with automatic changing copy (Section 141.1105)

(D) Theater marquee (Section 141.1106)

(2) A sign that involves an alteration to the building where the building alteration is not in substantial conformance to the applicable development permit.

(3) Any proposal that involves an advertising display sign.

(b) New signs for commercial or industrial development with a comprehensive sign plan adopted prior to January 1, 2000, may be approved through Process One if the proposed signs comply with the current Land Development Code regulations for signs.

ISSUE #42: Utilization of Sign Permits, Sign Stickers and Inspections

§121.0203 Authority to Inspect Private Property

(a) [No change.]

(b) In addition to the powers set forth in Section 121.0203(a), the City Manager or designated Code Enforcement Official has the authority to enter any structure, during reasonable hours or at any time that extreme danger exists, in the discharge of official duties to do the following:

(1) through (4) [No change.]

(5) Inspect any sign that is required to have a Sign Permit Sticker for compliance with Chapter 14, Article 2, Division 12 (Sign Regulations).

§121.0504 Inspection and Abatement

(a) All signs that are required to have a Sign Permit Sticker are subject to inspection. The City Manager or designated code enforcement official is authorized to enter any property to inspect the any sign for placement of the sticker in accordance with Section 121.0203 compliance with Chapter 14, Article 2, Division 12 (Sign Regulations).

(b) through (d) [No change.]

§121.0505 Sign Permit Violations

(a) It is unlawful to erect or maintain a sign contrary to any provision of Chapter 14, Article 2, Division 12 (Sign Regulations).

(b) It is unlawful to erect or maintain a sign subject to Chapter 14, Article 2, Division 12 (Sign Regulations) without a Sign Permit Sticker as required by the Sign Regulations.
§129.0802 When a Sign Permit Is Required

A Sign Permit is required for the installation or alteration of any sign, except for those signs specifically exempted in Section 129.0803. Sign Permit Stickers are required for each sign. The sticker is applicable to one sign at one location only, and is transferable to a new owner or lessee.

§129.0804 General Rules for Sign Permits

(a) through (d) [No change.]

(e) A Sign Permit Sticker will be issued for each sign for which a Sign Permit is issued. Each sticker is applicable to only one sign and for only the location specified in the permit. The sticker is not transferable from one sign to another; however, the sticker is transferable to a new owner or lessee. Stickers must be maintained in a legible state.

§129.0806 Sign Permit Fees

(a) A fee for each Sign Permit application shall be paid at the time of application. Fees for Sign Permits shall be paid in accordance with the schedule of fees established by resolution of the City Council and filed in the office of the City Clerk.

(b) The City Manager is authorized to issue refunds for all of a portion of the fees, in the event that the work authorized by the Sign Permit has not been performed and no inspections have been made. The refund will be issued within 90 calendar days from the date of permit issuance. Before a refund is issued, the applicant shall return the permittee’s copy of the issued permit and the Sign Permit Sticker.

§129.0811 Initial Utilization of a Sign Permit

A Sign Permit shall become void if the work authorized by the permit has not begun within 180 calendar days of the date of permit issuance. If a Sign Permit becomes void before the authorized work has begun, the applicant shall apply for a new permit and shall pay the full permit fee.

§129.0812 Maintaining Utilization of a Sign Permit

A Sign Permit shall become void if the work that is authorized by the permit has begun, but is suspended or abandoned for a period of 180 calendar days. If the work is suspended or abandoned for 180 calendar days, a new permit application is required. The permit fee shall be one-half the standard permit fee, provided that no change has been made to the original plans and that the work has not been abandoned or suspended for more than one year.

§129.0813 Expiration of a Sign Permit

A Sign Permit shall expire by limitation and become void 24 months after the date of permit issuance. If the work authorized by the Sign Permit has not been completed and has not received final inspection approval by the permit expiration date, all work shall stop until a new permit is issued. If a Sign Permit expires, a new permit application, with the full permit fee, is required.
§129.0815 Sign Permit Inspections
All work authorized by a Sign Permit shall be inspected in accordance with Section 129.0111 and the inspection requirements of the Land Development Manual.

§142.1206 Violations of Sign Regulations

(a) It is unlawful to do the following:

(1) [No change.]

(2) Place any lettering, card, poster, or notice of any kind on any curb, sidewalk, street, pole, post, utility box, hydrant, bridge, tree, building, or other surface that is located on public property or in the public right-of-way unless otherwise provided in the Municipal Code or specific state statute; or

(3) Display any sign without the required Sign Permit Sticker; or

(4) Erect any sign on any premises contrary to the provisions of this division.

(b) [No change.]

§142.1210 General Sign Regulations

This section is divided into subsections for copy regulations, locational regulations, structural regulations, and sign maintenance regulations.

(a) [See Issue #43]

(b) through (c) [No change.]

(d) Sign Maintenance Regulations

All signs shall comply with the following maintenance regulations whether or not a Sign Permit is required.

(1) through (4) [No change.]

(5) A Sign Permit Sticker shall be provided for each sign that is required to receive a Sign Permit. The sticker shall bear an assigned number that is used to identify the sign. No sign may be displayed without the required Sign Permit Sticker.

(6) The Sign Permit Sticker shall be installed on the lower right corner of the sign or other location as directed by the City Manager so that it is visible from the public right-of-way or some equally accessible place.
(7) Owners of newly annexed property shall obtain Sign Permit Stickers for existing signs located on the property within 3 months after the effective date of the annexation.

ISSUE #43: Gas Station Electronic Pricing Signage

§141.1105 Signs with Automatic Changing Copy

Signs with automatic changing copy may be permitted with a Neighborhood Use Permit in the zones indicated with an “N” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations. Section 141.1105 does not apply to automobile service station gasoline pricing signage designed in accordance with state law.

(a) through (e) [No change.]

§142.1210 General Sign Regulations

This section is divided into subsections for copy regulations, locational regulations, structural regulations, and sign maintenance regulations.

(a) Copy Regulations

(1) [No change.]

(2) Signs may have changeable copy, such as letters, numbers, symbols, pictorial panels, and other similar characters. Changeable copy shall be manually or mechanically changeable only in the field and not remotely or electronically changeable, except for the following signs:

(A) Public service messages in compliance with Section 142.1220(f); and

(B) Signs with automatic changing copy may be permitted with a Neighborhood Use Permit in compliance with Section 141.1105; and

(C) Automobile service station gasoline pricing signage designed in accordance with state law.

(b) through (d) [No change.]

§142.1260 Signs Permitted by Higher Process

The following signs may be permitted with a Neighborhood Use Permit in accordance with Chapter 12, Article 6, Division 2 and Chapter 14, Article 1, Division 11:

(a) [No change.]
(b)  Signs with automatic changing copy, (except that automobile station gasoline pricing signage may be approved through Process One).

(c) through (e) [No change.]

**ISSUE #44: Wall Signs and Ground Signs**

§142.1220  Primary Sign Regulations

(a) through (c) [No change.]

**Table 142-12B**

**Permitted Primary Signs**

<table>
<thead>
<tr>
<th>Sign Types</th>
<th>Category A General Citywide Commercial and Industrial Zones</th>
<th>Category B CO and IP Zones</th>
<th>Category C CN and Commercial and Industrial Zones in the Coastal Overlay Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wall Signs (See regulations in Section 142.1225)</td>
<td>Minimum of One Sign per Establishment Number and square footage of wall signs is limited only by the area calculation which is based on establishment’s street wall, public right-of-way width, and street speed limit. The permitted sign copy area is reduced by the addition of roof, projecting, or ground signs roof signs or projecting signs.</td>
<td>Minimum of One Sign per Establishment Number and square footage of wall signs is limited only by the area calculation which is based on establishment’s street wall, public right-of-way width, and street speed limit. The permitted sign copy area is reduced by the choice of projecting or ground signs, projecting signs with a maximum display area limitation.</td>
<td>Minimum of One Sign per Establishment Number and square footage of wall signs limited only by the area calculation which is based on establishment’s street wall, public right-of-way width, and street speed limit. The permitted sign copy area is reduced by the choice of projecting or ground signs, projecting signs with a maximum display area limitation.</td>
</tr>
<tr>
<td>Ground Signs (See regulations in Section 142.1240)</td>
<td>One Sign Sign per Frontage street frontage for Each Premises Having Street Frontage each premises having street frontage. The number increases as Frontage increases Street Frontage street frontage increases. Ground signs Ground signs</td>
<td>One Sign Sign per Premises premises per Frontage street frontage with a Minimum minimum of 100 Feet feet in Street Frontage Ground signs Ground signs are permitted in lieu of projecting signs, projecting signs. The area is based on street wall street wall.</td>
<td>One Sign Sign per premises premises per Street Frontage street frontage Ground signs Ground signs are permitted in lieu of projecting signs, projecting signs. The area is based on street wall street wall.</td>
</tr>
</tbody>
</table>

**Projecting Signs through Roof Signs** [No change.]
Sign Types

<table>
<thead>
<tr>
<th>Sign Types</th>
<th>Category A General Citywide Commercial and Industrial Zones</th>
<th>Category B CO and IP Zones</th>
<th>Category C CN and Commercial and Industrial Zones in the Coastal Overlay Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>are permitted in lieu of roof signs, roof signs, and projecting signs; however, one projecting sign may replace one ground sign when more than one ground sign is allowed on the premises. In addition, one of the ground signs may revolve when more than one ground sign is allowed. The permitted sign area for ground signs is based on street wall, public right-of-way width, and street speed limit.</td>
<td>public right-of-way width, and street speed limit, with a maximum display area limitation.</td>
<td>public right-of-way width, and street speed limit, with a maximum display area limitation.</td>
<td></td>
</tr>
</tbody>
</table>

§142.1225 Wall Signs in Commercial and Industrial Zones

The following regulations apply to wall signs in all commercial and industrial zone sign categories, unless otherwise indicated.

(a) A minimum of one wall sign per establishment is permitted. Wall signs are permitted alone or in combinations with other primary signs; however, the maximum permitted wall sign area is decreased by the use of other primary signs.

(b) Table 142-12C provides the basis for calculating the wall sign copy area for establishments along a single street frontage. The permitted sign copy area is based on the length of the establishment’s street wall, and the width of the adjacent public right-of-way, and the other types of signs located on the premises.
Table 142-12C  
Calculation of Wall Sign Copy Area 
on a Single Street Frontage

<table>
<thead>
<tr>
<th>Public Right-of-way Width</th>
<th>Sign Category</th>
<th>Sign Category</th>
<th>Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>A</td>
<td>B</td>
<td>C</td>
</tr>
<tr>
<td><strong>Wall Signs Only. No Roof, ground, or Roof Signs or Projecting Signs</strong></td>
<td>Wall Signs and One Ground Sign. No Roof or Projecting Signs</td>
<td>1) Wall Signs and Roof Signs or Projecting Signs. No Ground Sign; or 2) Wall Signs on a Building with One High-rise Wall Sign</td>
<td>Wall Signs and Projecting Sign or Wall Signs and Ground Sign</td>
</tr>
<tr>
<td><strong>Public right-of-way width 60 feet or less</strong>&lt;sup&gt;(1)&lt;/sup&gt;</td>
<td>For wall sign copy area, multiply the establishment’s street wall by 3 feet</td>
<td>For wall sign copy area, multiply the establishment’s street wall by 1-1/4 feet</td>
<td>For wall sign copy area, multiply the establishment’s street wall by 3/4 feet</td>
</tr>
<tr>
<td><strong>Public right-of-way width 60 feet or greater</strong></td>
<td>For wall sign copy area, multiply the establishment’s street wall by 3-3/4 feet</td>
<td>For wall sign copy area, multiply the establishment’s street wall by 1-1/2 feet</td>
<td>For wall sign copy area, multiply the establishment’s street wall by 1 foot</td>
</tr>
<tr>
<td><strong>Maximum wall sign copy area</strong></td>
<td>350 square feet</td>
<td>250 square feet</td>
<td>200 square feet</td>
</tr>
<tr>
<td><strong>Minimum wall sign copy area for each establishment</strong></td>
<td>75 square feet or 25 percent of the total area of establishment’s street wall, whichever is less</td>
<td>30 square feet or 25 percent of the total area of establishment’s street wall, whichever is less</td>
<td>20 square feet or 25 percent of the total area of establishment’s street wall, whichever is less</td>
</tr>
</tbody>
</table>

Footnote to Table 142-12C [No change.]
(c) [No change.]

(d) Locational Regulations for all Wall Signs

(1) through (4)

(5) Wall Signs on Architectural Appendages

Wall signs may be placed on an architectural appendage that is an integral part of the building, projects over the roof line, and is perpendicular to the public right-of-way subject to the following regulations.

(A) [No change.]

(B) The sign must be in lieu of any ground, roof, roof signs or projecting signs on the premises.

(C) through (F) [No change.]

(6) through (9) [No change.]

(e) [No change.]