

Issue #34: Determining Property Lines/Setbacks for Resubdivided Corner Lots

§113.0246 Determining Property Lines

The *property lines* define the perimeter of a *lot* or *premises* and separate one *lot* or *premises* from any other *lot* or *premises* or from the *public right-of-way*. These rules for determining *property lines* are for purposes of applying and interpreting development regulations only and are not intended to affect ownership rights or responsibilities. These rules apply regardless of ownership of property extending into the *public right-of-way*.

(a) through (d) [No change]

(e) *Property Lines* that Abut an *Alley*. A *property line* that abuts an *alley* shall be determined in accordance with Section ~~113.0237~~ 113.0246 (a) through (d). However, the *property line* that abuts an *alley* shall not be considered a *street property line* for the purpose of determining *setbacks* or *street yards* as indicated below:

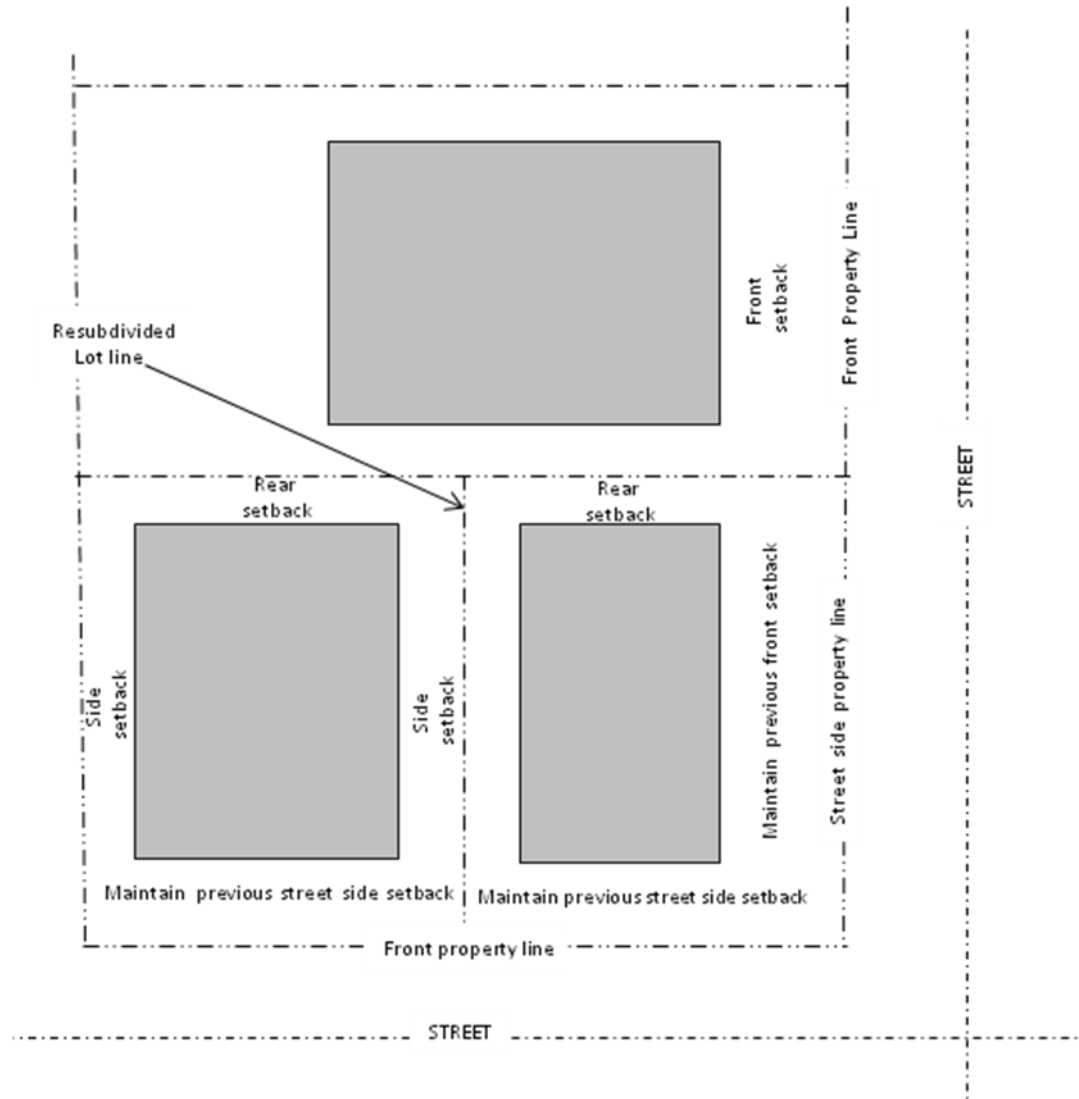
- (1) *Alley* adjacent to front *property line*. A *setback* equivalent to a rear yard shall be applied when a *lot* abuts an *alley* as a front *property line*.
- (2) *Alley* adjacent to side *property line*. A *setback* equivalent to an interior side yard shall be applied when a *lot* abuts an *alley* as a street side *property line*.
- (3) *Alley* adjacent to rear *property line*. A *setback* equivalent to a rear yard shall be applied when a *lot* abuts an *alley* as a rear *property line*.

Diagram 113-02CC Alley Setbacks [No change]

(f) Resubdivided Corner Lots in Residential Zones

In residential zones, *property lines* for resubdivided corner lots shall be determined in accordance with Section 113.0246 (a) through (d), however, the *setbacks* along the front *property line* and street side *property line* shall observe the *setback* requirements placed on the original *lot* configuration, as shown in Diagram 113-02DD.

Diagram 113-02DD
Setbacks for Resubdivided Corner Lots



§113.0249 Determining Setback Line

(a) The *setback line* is a line that runs parallel to the nearest *property line* at a distance inward from the *property line* equal to the *setback*. The area between the *setback line* and the parallel *property line* is the required *yard*. A continuous line connecting all *setback lines* defines the boundaries of the *building envelope* at ground level. See also Sections 113.0246 (Determining Property Lines) and 113.0252 (Measuring Setbacks).

(b) through (d) [No change]

§113.0252 Measuring Setbacks

- (a) The distance of the *setback* is measured inward from and perpendicular to the nearest *property line*, as follows, except as otherwise indicated in Section 113.0246(e) **and (f)**:
- (1) through (4) [No change]
- (b) through (c) [No change]

§131.0443 Setback Requirements in Residential Zones

- (a) through (h) [No change]
- ~~(i) — *Setbacks for Resubdivided Corner Lots in the RE, RS, and RM Zones*~~
~~Corner lots that have been resubdivided shall maintain the front *setback* and *street side setback* in compliance with the requirements placed on the original lot configuration, as shown in Diagram 131-04K. The rear yards of the resubdivided lots shall be adjacent to the *property line* located opposite the front *property line* of the resubdivided lots.~~

Diagram 131-04K
Setbacks for Resubdivided Corner Lots

Issue #35: Measurement of Height in Coastal Height Limit Overlay Zone

§113.0270 Measuring Structure Height

- (a) *Structure Height* of Buildings and *Structures* (Excluding *Fences, Retaining Walls, or Signs*)
- (1) through (3) [No Change]
- (4) Special Circumstances
- (A) through (C) [No Change]
- (D) *Structure Height* of Buildings subject to Coastal Height Limit in accordance with Section 132.0505

- (i) The height of a building is measured to the uppermost point of the *structure* or any appurtenance placed upon the roof thereof, including *signs*, penthouses, mechanical equipment, chimneys, vent stacks, spires, or steeples, or other projections.
- (ii) The base of the measurement shall be taken from finished grade in accordance with the 1970 Uniform Building Code. The height shall be measured from the highest adjoining sidewalk or ground surface within 5 feet of the *structure*, provided that the height measured from the lowest adjoining surface shall not exceed such maximum height by more than 10 feet.
- (iii) Structure height of buildings subject to the Coastal Height Limit shall also comply with the height measurement calculations for plumb line in Section 113.0207(a)(2)(A) and overall height in Section 113.0207(a)(2)(B).

Issue #36: Applicability of Chapter 14 Regulations

§131.0145 Applicability of Chapter 14 Regulations

The following regulations in Chapter 14 apply to *development* in all base zones:

- General Development Regulations (Chapter 14, Article 2)
- Supplemental Development Regulations (Chapter 14, Article 3)
- Subdivision Regulations (Chapter 14, Article 4)
- Building Regulations (Chapter 14, Article 5)
- Electrical Regulations (Chapter 14, Article 6)
- Plumbing and Mechanical Regulations (Chapter 14, Articles 7 and 8)

Issue #37: Minimum Street Side Yard for Variable Setbacks

§131.0431 Development Regulations Table of Residential Zones

Intro statement [No change]

- (a) [No change]
- (b) RS Zones

Table 131-04D Development Regulations of RS Zones [No change]

Footnotes for Table 131-04D

- 1 For *lots* where at least one-half of the front 50 feet of the *lot* depth has a minimum slope gradient of 25 percent, the *setback* closest to the *street frontage* may be reduced to a minimum 6 feet.
- 2 The required side *setbacks* may be reallocated where the combined dimension of each side *setback* would meet or exceed the combined total required in Table 131-04D. In no case shall a side *setback* be reduced to less than 4 feet, **or a street side setback be reduced to less than 10 feet**. Once a side *setback* is established, all additions to the primary *structure* thereafter shall maintain the established side *setback*.

Footnotes 3 through 7 [No change]

Issue #38: Non Habitable Accessory Buildings in Residential Zones

§131.0431 Development Regulations Table of Residential Zones

The following development regulations apply in the residential zones as shown in the Table 131-04C, 131-04D, 131-04E, and 131-04F.

- (a) RE Zones

**Table 131-04C
Development Regulations of RE Zones**

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone designator	Zones		
	1st & 2nd >>	RE-		
3rd >>	1-	1-	1-	
4th >>	1	2	3	
Accessory uses and structures [See Sections 131.0448 (a),(b) and 141.0306]	applies	applies	applies	

- (b) RS Zones

**Table 131-04D
Development Regulations of RS Zones**

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones		

	1st & 2nd >>	RS-						
	3rd >>	1-	1-	1-	1-	1-	1-	1-
	4th >>	1	2	3	4	5	6	7
Accessory uses and structures [See Sections 131.0448 (a),(b) and 141.0306]		applies	applies	applies	applies	applies	applies	applies

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones						
	1 st & 2nd >>	RS-						
	3rd >>	1-	1-	1-	1-	1-	1-	1-
	4th >>	8	9	10	11	12	13	14
Accessory uses and structures [See Sections 131.0448 (a),(b) and 141.0306]		applies	applies	applies	applies	applies	applies	applies

Footnotes for Table 131-04D [No change]

(c) RX Zones

Table 131-04E
Development Regulations of RX Zones

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone designator	Zones	
	1st & 2nd >>	RX-	
	3rd >>	1-	1-
	4th >>	1	2
Accessory uses and structures [See Sections 131.0448 (a),(b) and 141.0306]		applies	applies

Footnote for Table 131-04E [No change]

(d) RT Zones

Table 131-04F
Development Regulations of RT Zones

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones			
	1st & 2nd >>	RT-			
	3rd >>	1-	1-	1-	1-
	4th >>	1	2	3	4
Accessory uses and structures [See Section 131.0448(a)]		applies	applies	applies	applies

(e) RM Zones

Table 131-04G

Development Regulations of RM Zones

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones					
	1st & 2nd >>	RM-					
	3rd >>	1-	1-	1-	2-	2-	2-
	4th >>	1	2	3	4	5	6
Accessory uses and structures [See Section 131.0448(a)]		applies	applies	applies	applies	applies	applies

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones					
	1st & 2nd >>	RM					
	3rd >>	3-	3-	3-	4-	4-	5
	4th >>	7	8	9	10	11	12
Accessory uses and structures [See Section 131.0448(a)]		applies	applies	applies	applies	applies	applies

Footnotes for Table 131-04G [No change]

§131.0448 Accessory **Buildings** Structures in Residential Zones

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

- (a) Multiple *accessory buildings* are permitted on a *premises*. However the square footage of all **non habitable accessory buildings** **excluding garages** cannot exceed 25 percent of the allowable *gross floor area* of the *premises*.
- (b) ~~No~~ **Non habitable accessory buildings** may **not** be used for living or sleeping purposes. ~~A~~ **non habitable accessory building** may have electrical, gas, and water/sewer connections to provide the following activities:
 - (1) Lighting, washing machines, dryers, laundry tubs, and hot water heater;
 - (2) A one-half bathroom, limited to a water closet and a lavatory sink; and
 - (3) A shower, provided the property owner signs an agreement recorded with the County Recorder and processed through the City Manager stating that the building will not be used for living or sleeping purposes.
- (c) **Non habitable** ~~A~~ *accessory buildings* may encroach into required *yards* subject to the requirements in Section 131.0461.
- ~~(d) Structures containing uses regulated by Chapter 14, Article 1 (Separately Regulated Uses) are not subject to Section 131.0448.~~
- (d) **Habitable accessory buildings may be permitted as follows:**
 - (1) **Accessory to a single dwelling unit in accordance with Sections 141.0302 or 141.0306, or**
 - (2) **Accessory to a multiple dwelling unit development to provide common area facilities for the property owners, tenants, and their guests in accordance with the underlying base zone.**

Issue #39: Entry Way and Other Setback/Building Envelope Projections

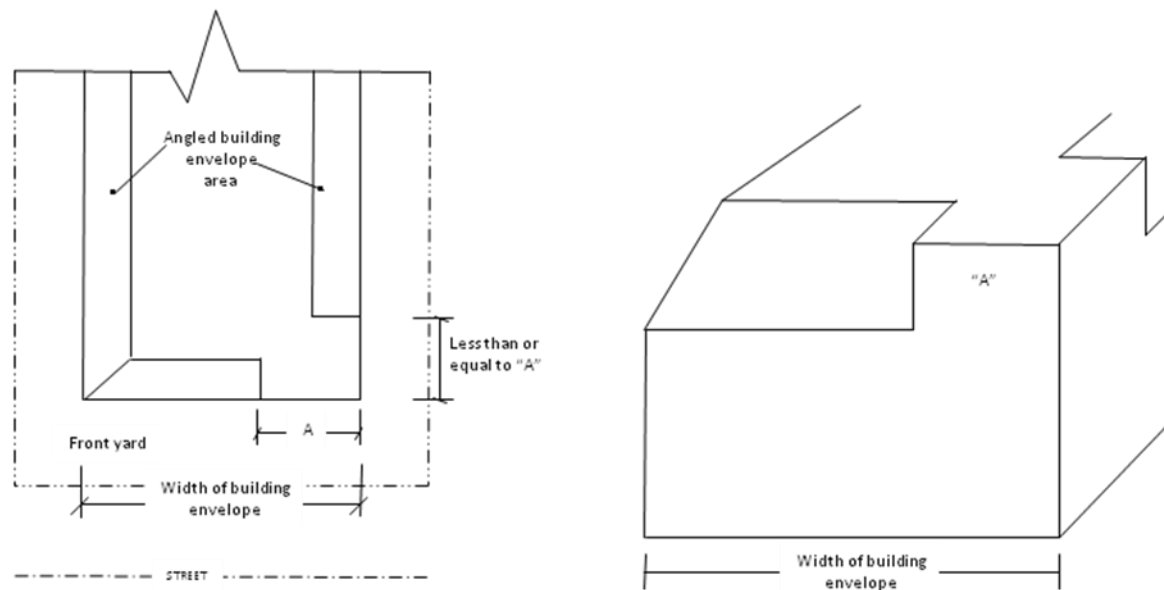
§131.0461 Architectural Projections and Encroachments in Residential Zones

- (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 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) The projection may extend a maximum of 6 feet into the required yard or 50 percent of the width of the required yard, whichever is less;
 - (B) The projection shall not be closer than 2 feet, 6 inches to the property line; and
 - (C) There shall be a minimum 6-foot, 8-inch clearance between proposed grade and the projection.
 - (D) **The projection into the space above the angled building envelope is 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



Note: "A" shall not exceed 33% of the width of the building envelope

(2) through (4) [No change]

(5) [See Issue #41]

- (6) Entry roofs and porches may encroach into the required front and street side yards subject to the following requirements:
 - (A) The *encroachment* shall not exceed 6 feet or 50 percent of the width of the required yard, whichever is less;
 - (B) The height of the entry roof shall not exceed 10 **15 feet above grade** for flat roofs, 12 feet for pitched roofs, or 12 feet at the apex of an arched roof with 10 feet at the springline;
 - (C) The width of the *encroachment* shall not exceed 10 feet or 50 percent of the width of the habitable portion of the building elevation, whichever is greater; and
 - (D) Porches shall be maintained with at least two elevations that are at least 40 percent open.

(7) through (12) [No change]

(a) Through (c) [No change]

RENUMBER DIAGRAMS THAT FOLLOW in Section 131.0461 (04S, 04T, 04U, 04V)

Issue #40: Air Conditioner Units Accessory to Residential Uses

§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 #40]
 - (2) through (4) [No change]
 - (5) Mechanical equipment such as air conditioner units, gas meters, electrical fuse boxes, or pool equipment and associated utility enclosures may encroach into required side and rear yards subject to the following requirements:
 - (A) At-grade equipment shall be located a minimum of 4 feet from the *property line*; and

(B) Equipment that is located completely below finished grade, with a permanent, durable, protective cover shall be permitted to encroach up to 2 feet, 6 inches from the *property line*;

(C) Except that no setback shall be required for air conditioner units within a side or rear *yard* where sound attenuation features are incorporated and demonstrated to comply with applicable sound level limits in accordance with Section 59.5.0401.

(6) [See Issue #40]

(7) through (12) [No change]

(b) Through (c) [No change]

Issue #41: Maximum Setback Requirements for Commercial Zones

§131.0543 Setback Requirements for Commercial Zones

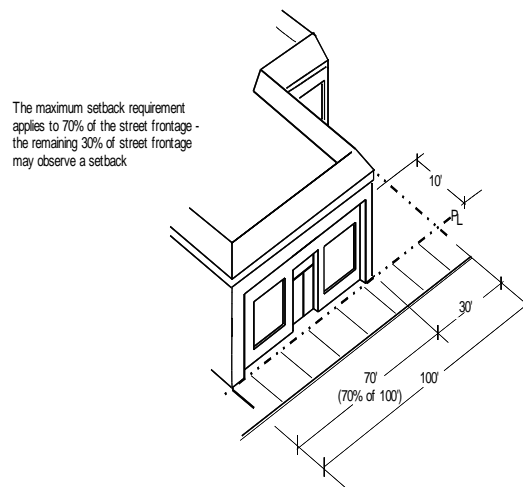
[No Change first paragraph.]

(a) [No Change.]

(1) [No Change.]

(2) In the CN, CO, CV, and CC zones with a maximum front or *street* side *setback* as shown in Tables 131-05C, 131-05D, and 131-05E, the maximum *setback* shall apply to only 70 percent of the *street frontage*. The remaining 30 percent is not required to observe the maximum *setback* and may be located farther from the *property line*. ~~There is no maximum *setback* for the remaining 30 percent.~~ See Diagram 131-05B.

**Diagram 131-05B
Maximum Setback Requirement**



(3) [No change.]

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

Issue #42: Loading Docks

Add Chapter 13 Tables to include a new row to link to Ch 14 loading area regulations

~~§131.0660 — Street Wall Requirements for Industrial Zones~~

~~In the IL and IH zones, a maximum of two loading docks or overhead doors may be located in the *street wall*. The total width of the loading docks or overhead doors shall not occupy more than 25 percent of the length of the *street wall*. See Diagram 131-06C.~~

**~~Diagram 131-06C
Street Wall Loading Docks in the IL and IH Zones~~**

§142.1030 Loading Dock and Overhead Door Screening Regulations

- (a) Loading docks and overhead doors shall be *screened* from the *public right-of-way* with *fences* or walls designed to reduce visual impacts.
- (b) In all industrial zones, loading docks and overhead doors that are adjacent to the *street yard* shall comply with Chapter 14, Article 2, Division 4 (Landscape Regulations) for loading docks that face the *street*.
- (c) In the IP zones, loading docks and overhead doors shall be *screened* from the *public right-of-way* with a wing wall that meets the following criteria:

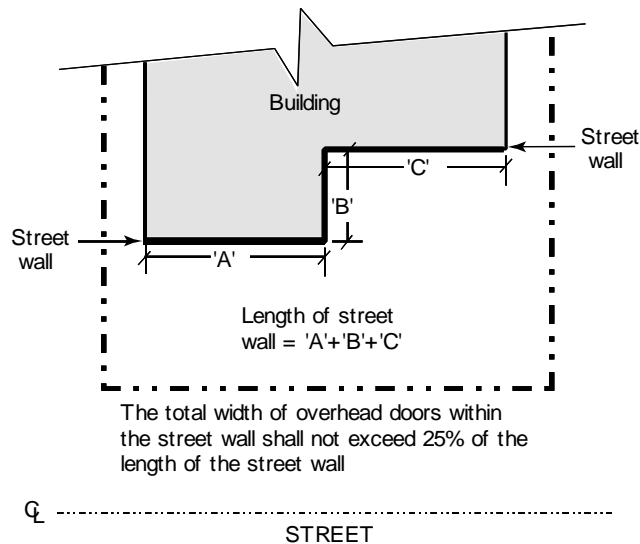
- (1) The wing wall may be either freestanding or attached to the building wall, as shown in Diagram 142-10A.
- (2) The wing wall shall be at least 12 feet high for half its length but may taper to a lesser height, as shown in Diagram 142-10A, provided that the wall still *screens* the loading dock and loading vehicles from the *public right-of-way*. The wall shall not be less than 4 feet high at any point.

Diagram 142-10A Wall Requirement in the IP Zone [No change]

- (3) The wing wall shall be architecturally similar to the associated building and shall be constructed of the same materials as the building to which it is attached.
- (4) The wing wall shall not encroach into a *visibility area*.
- (5) The length of the wing wall shall be sufficient to *screen* the loading dock and any vehicle parked in the area.

(d) In the IL and IH zones, a maximum of two loading docks or overhead doors may be visible when projected perpendicularly to a single plane that is most parallel to the closest abutting *public right-of-way*. The total width of the loading docks or overhead doors shall not occupy more than 25 percent of the length of the *street wall*. See Diagram 142-10B.

Insert new Diagram 142-10B (Modify old Diagram 131-06C)



Issue #43: Guest Quarters/Habitable Accessory Buildings

§141.0306 Guest Quarters/Habitable Accessory Buildings

Guest quarters/habitable accessory buildings are attached or detached accessory living quarters developed of habitable construction, and located on a *lot* with a *single dwelling unit* that do not provide complete, independent living facilities and do not have direct access to the primary dwelling unit. A guest Guest quarters/habitable accessory buildings is are solely for the use of the occupants of the primary dwelling unit or their guests or employees.

Guest quarters/habitable accessory buildings may be permitted accessory to a single dwelling unit as a limited use in accordance with Process One in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) A primary dwelling unit must exist on the *premises*. Concurrent construction of the primary dwelling unit and the guest quarters/habitable accessory building is permitted.
- (b) ~~No more than one guest quarters may be permitted on a *premises*.~~ Guest quarters/
habitable accessory buildings may occupy a maximum of 25 percent of the allowable
gross floor area of the premises.
- (c) Guest quarters/habitable accessory buildings may be attached to or detached from the primary dwelling unit on the *premises*.
- (d) ~~The gross floor area of the guest quarters shall not exceed 20 percent of the maximum
gross floor area for the premises that is permitted in the zone.~~
- (~~e~~)(d) The *gross floor area* of the guest quarters/habitable accessory buildings shall be included in the *floor area ratio* calculation for the *premises*.
- (~~f~~) (e) The guest quarters/habitable accessory buildings shall not contain a *kitchen* or facilities for the storage and preparation of food. A bar sink and miniature refrigerator may be permitted.
- (~~g~~) (f) For guest quarters/habitable accessory buildings located above a garage or other accessory building, the maximum *structure height* for flat-roofed *structures* is 21 feet. For sloped-roofed *structures* with a roof pitch of at least 3:12 (3 vertical feet to 12 horizontal feet), the maximum *structure height* is 30 feet.
- (~~h~~) (g) For detached guest quarters/habitable accessory buildings, the maximum *structure height* is 15 feet without a chimney or flue, or 17 feet with a chimney or flue.
- (~~i~~) (h) Decks and staircases of not more than 3 feet in height may encroach into required *yards*.

- (j) **(i)** *Roof decks*, including railings, shall not exceed the height limits in Section 141.0306(g) and (h).
- (k) ~~One 24 inch box tree shall be planted in the required front yard of the premises or in the abutting parkway. Existing trees may be used to satisfy this requirement.~~
- (l) ~~Off street parking and access for a premises containing a guest quarters shall be provided as follows:~~
 - (1) ~~Parking for the entire premises shall be brought into compliance with Chapter 14, Article 2, Division 5 (Parking Regulations).~~
 - (2) ~~Off street parking shall be provided at a rate of 1 space for each bedroom in the guest quarters.~~
 - (3) ~~Off street parking required for guest quarters shall not be located in the area between the street wall and the front property line.~~
 - (4) ~~Access to the off street parking from an unimproved alley is not permitted. [See Parking Issue #49]~~
- (m) **(j)** Occupancy of a *premises* containing guest quarters habitable accessory buildings shall be subject to the following:
 - (1) Guest quarters habitable accessory buildings shall not be rented, leased, or sold as a separate *dwelling unit*.
 - (2) Before a Building Permit is issued for guest quarters, the property owner shall submit a signed agreement with the City that specifies that the guest quarters habitable accessory building shall not be used as, or converted to, a companion unit or any other *dwelling unit*. The agreement shall include a stipulation that neither the primary *dwelling unit* nor the guest quarters habitable accessory building shall be sold or conveyed separately. The City will provide the agreement to the County Recorder for recordation.
 - (3) ~~The guest~~ **Guest** quarters habitable accessory buildings shall be used solely by the occupants of the primary *dwelling unit*, their guests, or their employees.