



CITY OF ATASCADERO PLANNING COMMISSION AGENDA

HYBRID MEETING INFORMATION:

The Planning Commission meeting will be available via teleconference for those who wish to participate remotely. The meeting will also be held in the City Council Chambers and in-person attendance will be available at that location.

HOW TO OBSERVE THE MEETING REMOTELY:

To participate remotely, residents can livestream the meeting on [Zoom](#). The video recording of the meeting will repeat daily on Channel 20 at 1:00 am, 9:00 am, and 6:00 pm and will be available through the City's website and on the City's YouTube Channel. To participate remotely using the Zoom platform please visit:

<https://us02web.zoom.us/j/83250238111>

Planning Commission – Meeting ID: 832 5023 8111 (No Passcode Required)

HOW TO SUBMIT PUBLIC COMMENT:

Public comment may be provided in-person or remotely. Call **(669) 900-6833** (Meeting ID: 832 5023 8111) to listen and provide public comment via phone or via the [Zoom](#) platform using the link above.

Written public comments are accepted at pc-comments@atascadero.org. **Comments should identify the Agenda Item Number in the subject line of the email.** Such comments will be forwarded to the Planning Commission and made a part of the administrative record. ***To ensure distribution to the Planning Commission before consideration of an item, please submit comments not later than 12:00 p.m. the day of the meeting.*** All correspondence will be distributed to the Planning Commission, posted on the City's website, and be made part of the official public record of the meeting. ***Please note, comments will not be read into the record.*** Please be aware that communications sent to the Planning Commission are public records and are subject to disclosure pursuant to the California Public Records Act and Brown Act unless exempt from disclosure under applicable law. Communications will not be edited for redactions and will be printed/posted as submitted.

AMERICAN DISABILITY ACT ACCOMMODATIONS:

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Copies of the staff reports or other documentation relating to each item of business referred to on the Agenda are on file in the Community Development Department and are available for public inspection on our website, www.atascadero.org. Contracts, Resolutions and Ordinances will be allocated a number once they are approved by the Planning Commission. The Minutes of this meeting will reflect these numbers. All documents submitted by the public during Planning Commission meetings that are either read into the record or referred to in their statement will be noted in the Minutes and available for review by contacting the Community Development Department. All documents are available for public inspection during City Hall business hours by appointment.



CITY OF ATASCADERO PLANNING COMMISSION AGENDA

**REGULAR MEETING
Tuesday, May 7, 2024
6:00 P.M.**

**City Hall Council Chambers
6500 Palma Avenue, 4th Floor
Atascadero, California 93422**

CALL TO ORDER

Pledge of Allegiance

ROLL CALL: Chairperson Tori Keen
Vice Chairperson Jeff van den Eikhof
Commissioner Jason Anderson
Commissioner Victoria Carranza
Commissioner Greg Heath
Commissioner Randy Hughes
Commissioner Dennis Schmidt

APPROVAL OF AGENDA

PUBLIC COMMENT (This portion of the meeting is reserved for persons wishing to address the Commission on any matter not on this agenda and over which the Commission has jurisdiction. Speakers are limited to three minutes. Please state your name for the record before making your presentation. The Commission may take action to direct the staff to place a matter of business on a future agenda.)

CONSENT CALENDAR (All items on the consent calendar are considered to be routine and non-controversial by City staff and will be approved by one motion if no member of the Commission or public wishes to comment or ask questions.)

1. APPROVAL OF THE DRAFT MINUTES OF APRIL 16, 2024

- **Recommendation:** Commission approve the April 16, 2024 Minutes.

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PLANNING COMMISSION BUSINESS

COMMUNITY DEVELOPMENT STAFF REPORTS

None

PUBLIC HEARINGS

(For each of the following items, the public will be given an opportunity to speak. After a staff report, the Chair will open the public hearing and invite the applicant or applicant's representative to make any comments. Members of the public will be invited to provide testimony to the Commission following the applicant. Speakers should state their name for the record and can address the Commission for three minutes. After all public comments have been received, the public hearing will be closed, and the Commission will discuss the item and take appropriate action(s).

DISCLOSURE OF EX PARTE COMMUNICATIONS:

Prior to a project hearing, Planning Commission Members must disclose any communications they have had on any quasi-judicial agenda items. This includes, but is not limited to, Tentative Subdivision Maps, Parcel Maps, Variances, Conditional Use Permits and Planned Development Permits. This does not disqualify the Planning Commission Member from participating and voting on the matter, but gives the public and applicant an opportunity to comment on the ex parte communication.

2. OBJECTIVE DESIGN STANDARDS

The project includes amendments to Title 9 to establish objective design standards and property development standards. (CPP21-0053).

- **CEQA:** The proposed Ordinance is exempt from the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., because it can be seen with certainty that there is no possibility that the enactment of this Ordinance would have a significant effect on the environment (Pub. Resources Code § 21065; CEQA Guidelines §§ 15378(b)(4), 15061(b)(3).
- **Recommendation:** Staff's recommendation is for the Planning Commission to adopt the Draft Resolution recommending that the City Council introduce an Ordinance for first reading, by title only, to establish Objective Design Standards for multi-family and mixed-use developments and update existing development standards in Title 9 for consistency.

COMMISSIONER COMMENTS AND REPORTS

DIRECTOR'S REPORT

ADJOURNMENT

The next regular meeting will be on May 21, 2024 at City Hall, Council Chambers, 6500 Palma Ave., Atascadero, CA.

Please note: Should anyone challenge in court any proposed development entitlement listed on this Agenda, that person may be limited to raising those issues addressed at the public hearing described in this notice or in written correspondence delivered to the Planning Commission at, or prior to, this public hearing.

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City of Atascadero
WELCOME TO THE ATASCADERO PLANNING COMMISSION MEETING

The Planning Commission meets in regular session on the first and third Tuesday of each month at 6:00 p.m. at City Hall, Council Chambers, 6500 Palma Avenue, Atascadero. Matters are considered by the Commission in the order of the printed Agenda. Copies of the staff reports or other documentation relating to each item of business referred to on the Agenda are on file in the office of the Community Development Department and are available for public inspection during City Hall business hours at the Front Counter of City Hall, 6500 Palma Avenue, Atascadero, and on our website, www.atascadero.org. All documents submitted by the public during Commission meetings that are either read into the record or referred to in their statement will be noted in the minutes and available for review in the Community Development Department. Commission meetings are audio recorded, and may be reviewed by the public. Copies of meeting recordings are available for a fee. Contact the City Clerk for more information at (805) 470-3400.

TO SPEAK ON SUBJECTS NOT LISTED ON THE AGENDA

Under Agenda item, "PUBLIC COMMENT", the Chairperson will call for anyone from the audience having business with the Commission to approach the lectern and be recognized.

1. Give your name for the record (not required).
2. State the nature of your business.
3. All comments are limited to 3 minutes.
4. All comments should be made to the Chairperson and Commission.
5. No person shall be permitted to make slanderous, profane or negative personal remarks concerning any other individual, absent or present.

This is when items not on the Agenda may be brought to the Commission's attention. A maximum of 30 minutes will be allowed for Public Comment Portion (unless changed by the Commission).

TO SPEAK ON AGENDA ITEMS (from Title 2, Chapter 1 of the Atascadero Municipal Code)

Members of the audience may speak on any item on the agenda. The Chairperson will identify the subject, staff will give their report, and the Commission will ask questions of staff. The Chairperson will announce when the public comment period is open and will request anyone interested to address the Commission regarding the matter being considered to step up to the lectern. If you wish to speak for, against or comment in any way:

1. You must approach the lectern and be recognized by the Chairperson.
2. Give your name (not required).
3. Make your statement.
4. All comments should be made to the Chairperson and Commission.
5. No person shall be permitted to make slanderous, profane or negative personal remarks concerning any other individual, absent or present.
6. All comments limited to 3 minutes.

If you wish to use a computer presentation to support your comments, you must notify the Community Development Department at (805) 461-5035 at least 24 hours prior to the meeting. Digital presentations brought to the meeting should be on a USB drive or CD. You are required to submit to the Recording Secretary a printed copy of your presentation for the record. Please check in with the Recording Secretary before the meeting begins to announce your presence and turn in the printed copy.

The Chairperson will announce when the public comment period is closed, and thereafter, no further public comments will be heard by the Commission.

HOW TO SUBMIT PUBLIC COMMENT:

If you wish to comment, please email public comments to: pc-comments@atascadero.org by 12:00 pm on the day of the meeting. Such email **comments must identify the Agenda Item Number in the subject line of the email**. The comments will be forwarded to the Planning Commission and made a part of the administrative record. If a comment is received after the deadline for submission but before the close of the meeting, the comment will still be included as a part of the administrative record of the meeting but will be forwarded to the Planning Commission the next business day. **Please note, email comments will not be read into the record.**

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**CITY OF ATASCADERO
PLANNING COMMISSION**

DRAFT MINUTES

Regular Meeting – Tuesday, April 16, 2024 – 6:00 P.M.

City Hall

6500 Palma Avenue, Atascadero, California

CALL TO ORDER - 6:00 p.m.

Chairperson Keen called the meeting to order at 6:01 p.m. and Commissioner Hughes led the Pledge of Allegiance.

ROLL CALL

Present: Commissioners Anderson, Carranza, Heath, Hughes, Schmidt, Vice Chairperson van den Eikhof and Chairperson Keen

Absent: None

Vacant: None

Others Present: Annette Manier, Recording Secretary
Roxanne Diaz, Assistant City Attorney (via Teleconference)

Staff Present: Kelly Gleason, Planning Manager
Erick Gomez, Associate Planner

APPROVAL OF AGENDA

MOTION: By Commissioner Schmidt and seconded by Commissioner Anderson to approve the Agenda.

Motion passed 7:0 by a roll-call vote.

PUBLIC COMMENT

None.

Chairperson Keen closed the Public Comment period.

CONSENT CALENDAR

1. APPROVAL OF THE DRAFT MINUTES OF MARCH 19, 2024

- Recommendation: Commission approve the March 19, 2024 Minutes.

MOTION: By Vice Chairperson van den Eikhof and seconded by Commissioner Carranza to approve the Consent Calendar.

Motion passed 7:0 by a roll-call vote.

PLANNING COMMISSION BUSINESS

None

PUBLIC HEARINGS

2. 7685 SANTA YNEZ AVE.

The project is a request for a 3-lot subdivision on APN 031-152-021. (SBDV24-0015).

- CEQA: The proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., “CEQA”) and CEQA Guidelines (Title 14 California Code of Regulations §§ 15000, et seq.) pursuant to CEQA Guidelines Section 15315 (Minor Land Divisions).
- Recommendation: Staff’s recommendation is for the Planning Commission to adopt the Draft Resolution conditionally approving Tentative Parcel Map AT24-001 to allow a small home lot development and a flag lot subdivision of a 0.32-acre multi-family zoned parcel into a total of three parcels; and take such additional, related, action that may be desirable.

DISCLOSURE OF EX PARTE COMMUNICATIONS:

Commissioner Carranza drove by the site today and took a picture. All other commissioners had no ex parte.

Planner Gomez presented the staff report and requested the Commission approve some minor edits for typos to change AT24-0015 to AT24-0092, and APN 131-152-021 to 031-152-021 on the Resolution on Page 8. Planner Gomez and Planning Manager Gleason answered questions from the Commission.

PUBLIC COMMENT

The following members of the public spoke: Eric Winslow (on behalf of the applicant) and Verla Wood. Mr. Winslow answered questions from the Commission.

Chairperson Keen closed the Public Comment period.

MOTION: By Commissioner Carranza and seconded by Commissioner Hughes to adopt PC Resolution 2024-0007 conditionally approving SBDV24-0015, Tentative Parcel Map AT24-0002 at 7685 Santa Ynez Ave. on APN 031-152-021 to allow a small home lot development and a flag lot subdivision of a 0.32-acre multi-family zoned parcel into a total of three parcels based on findings and subject to conditions of approval, with the edits on page 8 of the Resolution to change AT24-0015 to AT24-0092, and to change APN 131-152-021 to 031-152-021.

Motion passed 7:0 by a roll-call vote.

Planner Gomez presented the staff report and requested the Commission approve some minor edits for typos to change AT24-0015 to AT24-0092, and APN 131-152-021 to 031-152-021 on the Resolution on Page 8.

3. OBJECTIVE DESIGN STANDARDS

The project is a request to consider Objective Design Standards, which includes amendments to Title 9 to establish objective design and property development standards and related proposed environmental determination. (CPP21-0053).

- CEQA: The project is exempt from the California Environmental Quality Act (CEQA) under public resources Code Section 21000 et. Seq., because it can be seen with certainty that there is no possibility that the enactment of this Ordinance would have a significant effect on the environment (Pub. Resources Code §21065; CEQA Guidelines §15061(b)(3)).
- Recommendation: Staff's recommendation is for the Planning Commission to continue to a date certain of May 7, 2024 to allow additional time for public outreach.

PUBLIC COMMENT

None

Chairperson Keen closed the Public Comment period.

MOTION: By Chairperson Keen and seconded by Vice Chairperson van den Eikhof to continue Objective Design Standards to a date certain of May 7, 2024 at 6pm.

Motion passed 7:0 by a roll-call vote.

COMMISSIONER COMMENTS AND REPORTS

None

DIRECTOR'S REPORT

Planning Manager Gleason stated that the next meeting will be held on May 7, 2024 and the Commission will hear Objective Design Standards.

ADJOURNMENT – 6:31 p.m.

The next regular meeting will be on May 7, 2024 at City Hall, 6500 Palma Avenue, Atascadero, CA.

MINUTES PREPARED BY:

Annette Manier, Recording Secretary
Administrative Assistant



CITY OF ATASCADERO

PLANNING COMMISSION STAFF REPORT

Item 2

Department: Community Development
Date: 5/7/24

TO: PHIL DUNSMORE, COMMUNITY DEVELOPMENT DIRECTOR
FROM: KELLY GLEASON, PLANNING MANAGER
PREPARED BY: KELLY GLEASON, PLANNING MANAGER

SUBJECT: Objective Design Standards (CPP21-0053)

RECOMMENDATION:

Planning Commission adopt Draft Resolution A, recommending that the City Council introduce an ordinance for first reading, by title only, to establish objective design standards for multi-family and mixed-use developments and update existing development standards in Title 9 for consistency.

DISCUSSION:

BACKGROUND

The Objective Design Standards (ODS) project establishes a set of quantifiable design criteria for multi-family residential projects, including mixed-use developments within commercial districts. These standards are intended to make the requirements that apply to residential projects predictable and clearly defined to streamline the process for decision-makers, City staff, applicants, and members of the public. Qualifying projects that can follow the standards will be processed with a construction permit without discretionary review, such as a use permit or DRC review. Projects that are not consistent with the design standards would be subject to a conditional use permit instead of the streamlined review offered by these standards. These standards are being established in response to several recent State laws that require streamlined review for certain residential projects as well as to provide community consistency for these types of projects.

Any multi-family or mixed-use development project with 2 or more residential units would be subject to ODS. Existing development standards are also being updated for consistency with the proposed objective design requirements. The adoption of ODS aims to:

- **Develop objective standards:** Transform *subjective* context-based design criteria into *objective* design standards to help create clearer expectations for both developers and City decision-makers.
- **Streamline review processes:** Eliminating the discretionary process for qualifying projects.

- **Impress local influence:** Allow Atascadero to create tailored standards to ensure quality projects that reflect our community.

In an introductory hearing on September 27, 2022, the Council provided initial direction to the ODS project. The draft standards were subsequently reviewed by the DRC and Planning Commission. Standards have since been refined and are being brought before the Planning Commission for final recommendation to the City Council. The standards are designed to be tiered design standards with a menu of options for various types of projects.

ODS will become a new, separate section of the Zoning Ordinance. However, since property development standards are integrated throughout the Municipal Code, there are many other amendments that are triggered within Title 9 (Planning and Zoning) to help integrate ODS and provide consistency. These changes will include new regulations such as fractional density calculations, cottage cluster (small lot) development standards, landscape requirements, provisions for solid waste, and other related changes to property development standards.

The staff report references proposed amendments with a brief description. Full changes can be found in the attachment to the draft resolution. To aid in the review process, a checklist for the standards is being proposed (Attachment 2). Checklists are intended to summarize standards for applicants and designers for ease of implementation, especially those standards that can have an impact on early site planning.

ANALYSIS:

Key outcomes of the proposed code amendments include:

- Objective standards that are designed to provide a ministerial (construction permit only) path forward for housing projects.
- Under the current code, only residential projects with less than 12 units qualify as ministerial projects, allowing them to proceed without a use permit. With the implementation of ODS, projects with less than 50 units may qualify as ministerial projects. This change implements Housing Element program 3.C.
- All mixed-use developments outside of Downtown, regardless of size, require conditional use permit approval. This would remain unchanged with ODS unless different standards are incorporated following the General Plan Update.
- Objective standards are designed to be a flexible menu of options to accommodate multiple design themes and building types.

Recently adopted state laws are designed to streamline the approval of housing developments and generally limit a city's ability to deny projects or reduce project density if they comply with adopted standards. With the adoption of objective design standards consistent with this State direction, code amendments are proposed to change the discretionary trigger for multi-family developments from 12 units up to 50 units for projects that can meet the objective standards. This would provide most multi-family projects in Atascadero a ministerial path but would maintain use permit review of larger projects and for projects of any size that cannot or do not want to, meet objective standards. It is important to note that, while the city can require a discretionary process for housing projects, the city may not deny or reduce the density of these developments if they are consistent with objective local development standards. If compliant

with objective standards, the use permit review would be limited to the implementation of design goals that do not affect the feasibility of the project and address potential environmental and neighborhood impacts. Some housing projects may still trigger a discretionary review, however, if they decide to subdivide, create condominiums, or rezone the property.

OBJECTIVE STANDARDS

Objective design standards provide building form, massing, and material standards in addition to site design and landscaping requirements. The proposed standards provide a *menu* of options to allow *flexibility* while maintaining quality design. Elements and topic areas of focus were selected based on City Council direction given at their September 27, 2022, meeting. At that meeting, the following key elements of design were identified:

- *Transitions (between different land uses such as high-density and low-density)*
- *Tradition*
- *Outdoor gathering spaces*
- *Pedestrian vitality in downtown*
- *Eclectic design*
- *Streamlined review*

Based on this direction, MIG and staff identified design criteria that are reflected in the following design standards:

1. *Multi-Family and Mixed-Use Building Design Standards*
2. *Cottage Cluster Standards*
3. *Unit size/fractional density*
4. *Property Development Standards*

These new standards would be applied to all multi-family residential projects, whether those projects are within a residential zone or a commercial zone as a mixed-use development. If a development plan cannot meet the objective standards or an applicant wants to propose an alternative design, they can do so through a use permit process.

1. Multi-Family and Mixed-Use Building Design Standards

The objective standards recognize that larger-scale buildings require a greater level of articulation and detail to achieve a pedestrian scale. The standards propose a menu of design options with a greater number of options required for larger-scale buildings.

The menu of options is broken into the following 4 tiers:

1. Required Components
2. Wall Plane Variation
3. Fenestration and Materials
4. Roofs

Each tier contains several design elements that applicants can choose from to create unique and quality building designs, while maintaining flexibility in design theme. The minimum number of

required design strategies is based on **building type** (mixed-use, multi-plex, or smaller multi-family structure) coupled with **building length** to ensure that larger buildings incorporate a greater number of variations across the elongated wall plane (**Table 1**).

Table 1: Number of Design Strategies per building type.

Building Type	Minimum Number of Required Design Strategies Incorporated			
	Tier 1	Tier 2 Wall Plane	Tier 3 Fenestration	Tier 4 Roofs
Mixed-use in Commercial Zones:				
Buildings 25 ft or less in length	All	0	3	1
Buildings between 25 ft - 50 ft in length	All	1	3	1
Buildings more than 50 ft in length	All	2	3	2
Mixed Use in DC or DO Zones:				
Buildings 25 ft or less in length	All	0	3	1
Buildings between 25 ft - 50 ft in length	All	1	3	1
Buildings more than 50 ft in length	All	2	3	1
Multiplex (5+ units):				
Buildings 50 ft or less in length	All	1	3	2
Buildings more than 50 ft in length	All	2	3	2
Duplex, Triplex, Fourplex, or Cottage Cluster	All	0	2	1

Tier 1 - Required Components, Section 9-4.130(f)(2):

All multi-family and mixed-use buildings that contain two or more units are required to incorporate Tier 1 components. This tier includes a focus on ground floor height in mixed-use buildings to maintain viable commercial spaces, minimum transparency (windows and doors) for buildings, and limitations on blank walls.

Tier 2 - Wall Plane Variation, Section 9-4.130(f)(3):

The wall plane variation section is designed to ensure that buildings provide variety along the primary façade to create visual interest and break up larger masses. A greater number of design components is required for longer buildings, as listed in the chart above, recognizing that longer buildings have a greater visual impact, and more design features are needed to break up the larger mass. Options for accomplishing the required articulation include building setbacks, the addition of balconies, massing breaks, the use of material to break up masses, and the incorporation of plazas.

Tier 3 - Fenestration and Materials, Section 9-4.130(f)(4):

This section includes additive features to the wall plane to provide visual interest and to create greater areas of shade and shadow across the facade. Awnings, enhanced window material and trim detailing, and secondary cladding are included as options from which applicants may choose to comply with this section.

Tier 4 - Roofs, Section 9-4.130(f)(5):

This tier focuses on roof forms and variation. This section recognizes differing roof styles to provide flexibility in design style. The feature menu includes options for flat and sloped roofs and focuses on variations of roof heights and profiles, overhangs and projections, and cornice treatments.

Additional Definitions and Standards, Section 9-4.130

The objective standards include definitions and refinements related to certain design features. These include standards for awnings and balconies (when part of the design concept), roofs, mechanical equipment, and detached accessory structures in addition to appropriate entry features based on building typology, and color and material standards. Within this section is a list of allowed and prohibited materials aimed at ensuring quality and lasting exterior building treatments.

Transitions to Single-family zones, Section 9-4.130(j)

A key factor in the implementation of objective design standards is the treatment of transitions between higher-intensity land uses and single-family residential properties. Design standards have been incorporated into the code language to address adjacencies to single-family properties aimed at minimizing visual impacts to the extent feasible while retaining viable development opportunities. Standards include a required building stepback for portions of any building greater than 25-feet, limitations on balcony orientation to minimize overlook, and landscape buffering.

Cottage Cluster and Small Lot Subdivisions, Section 9-4.130(l)

A new “cottage cluster” development type is introduced with the proposed ODS which allows for community-oriented design and small lot subdivisions that may consist of detached cottages or duplexes oriented around shared outdoor amenity space. Using these standards, the pedestrian and community spaces would be emphasized and the space devoted to vehicular access and private yards would be minimized. The proposed code would not only set *design* standards for cottage cluster developments but would also allow subdivision of these projects outside of the Planned Development process, supporting future small lot subdivisions and increasing homeownership opportunities.

2. Title 9 Site Design and Development Standards

Several property development and site planning standards go hand-in-hand with objective design standards. These include standards for the use and enjoyment of a property as well as technical aspects such as parking allocations and building setbacks. Sections with substantive changes are outlined and referenced below.

Fractional Density and Building Size Limits (Sections 9-3.252(b)(2) and 9-3.331(b)(2)

Fractional Density is a method of utilizing unit size to determine the allowed number of units (density) on a property. In theory, it allows for a greater number of units if the units are smaller, therefore incentivizing affordability by design, while retaining a consistent massing standard for the property. Current zoning does not factor in the unit size to determine density; therefore a

450 square-foot studio apartment is treated as the same density as a four-bedroom 2,800 square-foot residence.

Under the current code, the practical buildable area of a site is constrained by parking, open space, and lot coverage standards. As unit density does not consider unit size, developers will often construct larger units on each site to maximize return on the investment per structure. In a fractional density scenario, multiple units may be built before reaching a single unit of density. This type of zoning or objective standard can be designed to incentivize smaller, thus encouraging greater density and, in some cases, helping to promote affordability (by design) within the multi-family districts and/or within commercial districts that allow for mixed-use. Fractional density may also encourage the redevelopment or infill of older multi-family sites by allowing additional smaller units to offset demolition or remodel costs. The Council's direction was to consider ways to incentivize affordability by design, such as fractional units.

The objective design standards code amendments include amendments to the existing zoning regulations to incorporate fractional density. Under the current proposed amendments, fractional density would be applied as follows:

- **Units up to 600 square feet = 0.50 units**
- **Units of 601 square feet up to 1,000 square feet = 0.66 units**
- **Units over 1,000 square feet = 1 unit**

Any combination of dwelling types and numbers may be developed, so long as their combined density unit values do not exceed the maximum potential. This standard incentivizes smaller units while providing additional opportunities for density and, thus, creating greater financial feasibility for development.

As initially proposed, fractional density would be applied only to the high-density multi-family zoning designation and all mixed-use projects. In the multi-family zones, there are two levels of allowed density:

- RMF-10 (Medium Density) allows for a density of up to 10 units per acre.
- RMF-24 (High Density) allows for up to 24 units per acre and requires a minimum density of 20 units per acre.

Staff recommends that fractional density apply to all multi-family and mixed-use districts. In the future, there will likely be 3 levels of multi-family density, following adoption of the new General Plan. These designations may have density ranges from 5 to 36 units per acre.

Maximum Average Unit Size, Section 9-3.331(g)

As part of the Council's direction to consider ways to incentivize affordability by design, maximum unit size was discussed. The Council directed that a maximum average unit size should not be considered in multi-family zones but would be appropriate in the Downtown Districts (DO and DC). As such, the aggregated maximum average size of all dwelling units within a new mixed-use project in the Downtown Districts (DO or DC) is proposed to be 1,200 square feet. This will encourage affordable-by-design units and higher densities with smaller units while still allowing for some larger units to be constructed.

Height, Section 9-4.113

The current code sets a maximum building height which can preclude good roof design. The proposed objective design standards provide options for architectural features that may rise above the maximum height to allow for varied roof forms and items such as towers. In addition, in the Downtown Commercial zoning district, the existing height limit is 45 feet and not to exceed three stories. The Code update would retain the 45-foot height limit but would eliminate reference to the maximum number of stories to allow for design flexibility. Additional height will be a topic of discussion for the General Plan update later this year and may be incorporated into a future zoning update.

Open space, Sections 9-3.262(c) and 9-3.331(h)

The current code requires that open space for multi-family projects be provided at a ratio of 300 square feet per unit. Smaller projects can use private open space areas to meet this standard while larger projects must provide communal open spaces. The current code does not include specific standards for the design or the provision of amenities nor does it include standards for mixed-use projects.

Providing recreational or private outdoor spaces in a project can work in opposition to maximizing density on a particular site. To continue to meet State housing goals and reduce barriers to achieving housing density, the Council provided direction to reduce the ratio of open space required per unit while incorporating standards to ensure that the resulting spaces provided quality and usable amenities.

Proposed standards for open space in multi-family developments are organized into a tiered menu option similar to the objective building design standards. This allows for spaces tailored to a specific site or project design while ensuring that basic amenities and features are provided. Consistent with objective design standards, larger projects are required to provide more open-space features.

Project Size	Tier 1	Tier 2	Tier 3
2-4 units	1	1	1
5-9 units	1	2	1
10+ units	1	2	2

Tier 1

Tier 1 amenity standards include the below-listed options. All projects must incorporate a minimum of one tier 1 option.

- a. Shared courtyard
- b. Shaded patio or amenity space
- c. Provision of public art
- d. Preservation of mature trees on-site

Tier 2

Smaller projects must incorporate a minimum of one tier 2 option while larger projects must incorporate at least two. Options include:

- a. Outdoor seating
- b. Dog run area with appropriate provisions for dog waste and dog washing
- c. Children’s play area
- d. Sports court
- e. Pool or spa
- f. Outdoor kitchen
- g. Fire pit area
- h. Paved patio space
- i. Preservation of existing native trees

Tier 3

Tier 3 includes options focused on landscaping and greenery. Projects with less than 10 units must incorporate at least 1 tier 3 option while larger projects must incorporate at least 2 tier 3 options. Options include:

- a. Incorporation of vertical landscaping, such as a green wall
- b. Community garden with gardening amenities
- c. Incorporation of flowering or edible plants
- d. 100% drought-tolerant landscaping (exceptions made for incorporation of some edible plants)
- e. Incorporation of interpretative or educational information
- f. Provision of a nature trail (minimum 1/4 mile)

The modified standards also allow for the use of indoor recreation space to count toward the required open space for projects of 50 units or more. Indoor recreation amenity space can count for up to 25% of the total open space requirement.

Open space standards are proposed for mixed-use developments in commercial districts, but at a much lower ratio and with reduced amenity requirements to ensure that these projects can provide a higher intensity of development along commercial corridors. Projects with 4 or fewer units within commercial zones, or developments of 10 or fewer units within the Downtown Zoning districts, are exempt from open space requirements. Standards include open space to be provided at a cumulative ratio of 30 square feet per unit. For larger projects (50+ units), 50% of the open space must be provided as a common amenity. This can be spaces dedicated to residential use only or can be a shared commercial plaza or courtyard.

Landscape Standards, Section 9-4.125, 9-3.262, and 9-4.119(f)

Landscaping and lot coverage percentage standards have been eliminated in favor of quality-focused requirements that have been incorporated in the open space and landscape requirements. This allows for maximum use of a property with maximum flexibility while retaining high-quality design features on site. In addition, to streamline development approvals landscaping requirements in parking lots were simplified to focus on adequate shade tree spacing in flexible locations rather than design with landscape “fingers”.

Driveway Standards, Section 9-4.117(a)(3)

Driveway standards are proposed to be updated to comply with current engineering and traffic standards. Specifically, the minimum distance between two driveways for a single development project is being increased for safety. Shared access between multiple sites will continue to be encouraged with exemptions for certain landscape setback requirements if shared access is provided.

Garage Standards, Section 9-4.116(d)

Standards for multi-family development were updated last year to eliminate the requirements for covered parking. With new State law allowances for ADU conversions and a shift toward more pedestrian-based neighborhoods with quality open space, code language is proposed to limit the number of units that can have individual private attached garages and to limit the size of attached garages to reduce the visual impact of larger garage doors and to reduce the amount of site pavement dedicated to vehicular traffic.

Solid Waste Standards, Section 9-4.129

The current code does not have specific requirements related to accommodations for solid waste collection. While the State has enacted requirements related to food waste and compostables, cities must develop standards for trash enclosure and design. The proposed code amendments specify that individual waste bins are only permitted for projects of 1 or 2 units. For projects of 3 units or greater, consolidated shared facilities will be required. This will allow for centralized enclosures and will reduce conflicts with neighborhood parking and access. Standards are also proposed to require trash enclosures to be designed consistent with the primary building architecture and include a roof or cover. To allow flexibility, trash enclosures may also be allowed to encroach into a front setback if heightened design standards can be met.

Setbacks, Section 9-4.106, 9-4.107, 9-4.108

Setbacks around the perimeter of the site determine the developable area of a property. Setbacks can also be used to create a more unified streetscape, provide areas for street tree plantings and play a key role in buffering between adjacent uses.

In general, commercial properties tend to have less restrictive setbacks than residential developments. Commercial areas that are pedestrian-oriented (i.e. Downtown) also tend to encourage or require that buildings be constructed directly at the back of the sidewalk with no setback.

A zero setback is maintained for commercial properties, but street tree standards are clarified to ensure that street trees are installed at the back of the sidewalk where in-sidewalk trees are not preferred or allowed. (See Section 9-4.125(a)(5).)

Side and Rear Setbacks (Sections 9-4.107 and 9-4.108): The setback section has also been updated to reference objective design standards intended to provide greater setbacks and landscape buffers when higher-density projects are adjacent to single-family residential zones.

Storage, Section 9-3.262(b) and 9-3.331(e)

The storage requirement for residential units is proposed to be increased from 100 cubic feet to 130 cubic feet to accommodate bicycles and other types of similar-sized items. Storage standards

also require that the storage area must be accessible from the outside to increase usability for outdoor items. If community bike storage is provided, this requirement can be reduced or eliminated.

Lighting, Section 9-4.137

Proposed lighting standards would require full shielding of all parking lot lights. The standards would allow for an exception for decorative low-level lighting within outdoor use areas. Standards reference requirements for dark sky-compliant fixtures and motion sensors with dimmers for parking lot lighting to reduce light intensity at night. Exceptions may be granted by the Community Development Director for areas where security concerns require higher-level lighting, such as ATMs.

CONCLUSION:

- Implementation of Objective Design Standards and associated modifications is intended to help streamline the design and review of multi-family and mixed-use residential projects.
- The proposed building design standards are organized into a menu-style list, where projects are required to select a certain number of objective features based on the size, scale, or zoning of the project.
- The menu style list of design standards allows for flexibility while allowing for design standards that are scaled to the project scope. Standards have been reviewed by a local architect and past projects have been compared against the objective standards to ensure feasibility.

NEXT STEPS:

Adoption of objective design standards requires additions and amendments to the Municipal Code which will require approval by the City Council. It would include the creation of a new code section (Multi-Family and Mixed-Use Building Standards, Section 9-4.130) as well as multiple amendments to existing code sections related to site design. The Planning Commission's action on these proposed code amendments will be a recommendation to the City Council. It is anticipated that these standards will be reviewed by the City Council in June and take effect in the summer of 2024.

ALTERNATIVES:

1. The Planning Commission may recommend modifications to the City Council regarding the proposed text amendments. Any proposed modifications should be clearly restated in any vote on any of the attached resolutions.
2. The Planning Commission may determine that more information is needed on some aspect of the project and may refer the item back to the applicant and staff to develop the additional information. The Commission should clearly state the type of information that is required. A motion, and approval of that motion, is required to continue the item to a future date.
3. The Planning Commission may recommend that City Council deny all or a portion of the proposed amendments. The Commission must specify what findings cannot be made, and

provide a brief oral statement, based on the Staff Report, oral testimony, correspondence, or any other rational introduced and deliberated by the Planning Commission.

REVIEWED BY OTHERS:

This item has been reviewed by the City Attorney, as well as the Community Development Director, Phil Dunsmore.

REVIEWED AND APPROVED FOR PLANNING COMMISSION AGENDA



Phil Dunsmore, Community Development Director

ATTACHMENTS:

1. Planning Commission Resolution
 - 1A. Objective Design Standards
 - 1B. Title 9 Amendments
2. Draft ODS implementation checklists

DRAFT PC RESOLUTION

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ATASCADERO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL AMEND TITLE 9: PLANNING & ZONING, TO ADOPT OBJECTIVE DESIGN STANDARDS AND OTHER RELATED AMENDMENTS FOR CONSISTENCY

OBJECTIVE DESIGN STANDARDS (CPP21-0053)

WHEREAS, the 2021-2028 6th Cycle Housing Element was adopted by the City Council on November 10, 2020, and found by the California Department of Housing and Community Development to be in substantial compliance with State housing element law; and

WHEREAS, on November 10, 2020, the City Council authorized application for and entering into agreement for the Regional Early Action Planning (REAP) Grant Program funds with the San Luis Obispo Council of Governments (SLOCOG) and Association of Monterey Bay Area Governments (AMBAG); and

WHEREAS, the REAP Grant Program is focused on helping jurisdiction implement programs to the accelerate housing production and meet 6th Cycle Housing Element Regional Housing Needs Allocation (RHNA) requirements; and

WHEREAS, the City of Atascadero was awarded REAP Grant Program funds to implement activities identified in the 6th Cycle Housing Element, including Objective Design Standards; and

WHEREAS, State law defines objective design and development standards as those that involve no personal or subjective judgement by a public official, and are uniformly verifiable by reference to an external and uniform benchmark and criterion available and knowable by both the development applicant or proponent and public official; and

WHEREAS, the Housing Accountability Act (HAA), Government Code section 65589.5, limits a municipality's ability to deny, reduce the density of, or make infeasible a housing development project (2 or more units), emergency shelter, or transitional/Supportive housing that are consistent objective design and development standards; and

WHEREAS, California Senate Bill 35, Government Code section 65913.4, and Assembly Bill 2011, Government Code section 65912.110-140 require that qualifying multi-unit residential or mixed-use projects be ministerially approved if in compliance with objective design and development standards; and

WHEREAS, the City of Atascadero (6500 Palma Avenue, Atascadero, CA 93422), is considering Zone Change Text Amendments to Title 9 to adopted Objective Design Standards; and

WHEREAS, the Planning Commission has determined that it is in the best interest of the City to enact amendments to Title 9 Planning and Zoning of the Atascadero Municipal Code for consistency with the General Plan and to maintain a clear and legible set of Zoning Regulations that is easily interpreted by the public and staff; and

WHEREAS, a timely and properly noticed Public Hearing upon the subject Planning and Zoning Text Change application was held by the Planning Commission of the City of Atascadero at which hearing evidence, oral and documentary, was admitted on behalf of said Planning and Zoning Text Amendments; and

WHEREAS, the laws and regulations relating to the preparation and public notice of environmental documents, as set forth in the State and local guidelines for implementation of the California Environmental Quality Act (CEQA) have been adhered to; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Atascadero, California makes the following findings, determinations and recommendations with respect to the proposed Zoning Code Text Amendment:

SECTION 1. Findings for Approval. The Planning Commission finds as follows:

A. Findings for Zone Text Amendment:

1. **FINDING:** The Planning and Zoning Text Change is consistent with General Plan policies and all other applicable ordinances and policies of the City.

FACT: The proposed zoning code text updates are consistent with the General Plan.

2. **FINDING:** This Amendment of the Zoning Ordinance will provide for the orderly and efficient use of lands where such development standards are applicable.

FACT: The proposed text establishes objective design standards for multi-family and mixed-use developments, consistent with State law, and makes other minor modifications to Title 9 for consistency.

3. **FINDING:** The Text Change will not, in itself, result in significant environmental impacts.

FACT: The proposed text amendment establishes design standards consistent with State law and will not result in an environment impact.

SECTION 2. CEQA. This Ordinance is exempt from the California Environmental Quality Act (CEQA), Public resources Code Section 21000 et seq., because it can be seen with certainty that there is no possibility that the enactment of this Ordinance would have a significant

effect on the environment (Pub. Resources Code § 21065; CEQA Guidelines §§ 15378(b)(4), 15061(b)(3).

SECTION 3. Recommendation of Approval. The Planning Commission of the City of Atascadero, in a regular session assembled on May 7, 2024, resolved to recommend that the City Council introduce for first reading by title only, an Ordinance that would amend the Title 9 of the Atascadero Municipal Code consistent with the following:

- Exhibit A: Objective Design Standards (Establishment of AMC section 9-4.130)
- Exhibit B: Title 9 Amendments

BE IT FURTHER RESOLVED that a copy of this Resolution be delivered forthwith by the Planning Commission Secretary to the City Council of the City of Atascadero.

On motion by Commissioner _____, and seconded by Commissioner _____, the foregoing resolution is hereby adopted in its entirety by the following roll call vote:

- AYES: ()
- NOES: ()
- ABSTAIN: ()
- ABSENT: ()
- ADOPTED:

CITY OF ATASCADERO, CA

Tori Keen
Planning Commission Chairperson

Attest:

Phil Dunsmore
Planning Commission Secretary

EXHIBIT A: Objective Design Standards (establishment of AMC 9-4.130)

Title 9 Planning and Zoning

Section 9-4.130 Multifamily and Mixed-use Building Design Standards

- (a) **Purpose.** This Section establishes objective design standards (ODS) intended to facilitate high-quality site planning and building design and to accelerate housing production through the clear communication of design objectives and efficient permitting process for qualifying residential and mixed-use development projects.
- (b) **Applicability.** This Section applies to:
 - (1) New multifamily residential development consisting of two or more units and mixed-use development pursuant to any provision of state law which references objective design standards, including but not limited to Government Code Section 65589.5 (Housing Accountability Act) and Section 65913.4, as may be amended from time to time; and
 - (2) The following remodels and additions to multifamily residential or mixed-use development:
 - (i) Any upper story addition;
 - (ii) An addition of more than forty percent (40%) of the existing floor area or greater than five thousand (5,000) square-feet, whichever is less;
 - (iii) Remodels where alterations remove more than fifty percent (50%) of the exterior walls or remove more than fifty percent (50%) of the roof framing; and
 - (iv) Conversion of existing nonresidential space to a residential use.
- (c) **Alternative Review Process.** Projects that elect to deviate from the objective design standards in this Section shall be subject to the approval of a Conditional Use Permit.
- (d) **Relationship to Other Standards and Requirements.** Development projects subject to this Section shall also comply with all other applicable standards and requirements of Title 9 (Planning and Zoning) for the zoning district in which a proposed project is located. Where a conflict exists between the objective design standards set forth in this Section and other Title 9 requirements, these provisions shall apply.
- (e) **Building Types.** The objective design standards establish regulations for the following general building types within a multifamily or mixed-use development: Mixed-use, Duplex, Triplex, Fourplex, Multiplex (5+ units), and Cottage Cluster. Where these regulations do not state which standards apply to a particular building type, the standards shall apply to all building types.

Table 9.4.130-1: Allowable Building Type by Zoning District

Zoning Districts that Allow Multifamily Residential	Allowable Building Types
Downtown Commercial (DC)	Mixed-use
Downtown Office (DO)	
Commercial Neighborhood (CN)	
Commercial Professional (CP)	
Commercial Retail (CR)	
Commercial Service (CS)	

Table 9.4.130-1: Allowable Building Type by Zoning District

Zoning Districts that Allow Multifamily Residential	Allowable Building Types
RMF-24 – High-Density Residential Multifamily	Duplex / Triplex / Fourplex Multiplex (5+ units)
RMF-10 – Medium Density Residential Multifamily	Duplex / Triplex / Fourplex Multiplex (5+ units) / Cottage Cluster

(f) **Building Design and Articulation.**

- (1) **Number of Strategies Required by Building Type.** All buildings shall incorporate the number of design strategies indicated in Table 9-4.130-2. Where “all” is indicated, all design strategies in that Subsection must be incorporated. Where a number is indicated, projects must include that number of design strategies, choosing from the design strategy options listed in respective Subsections (3), (4), and (5) below.

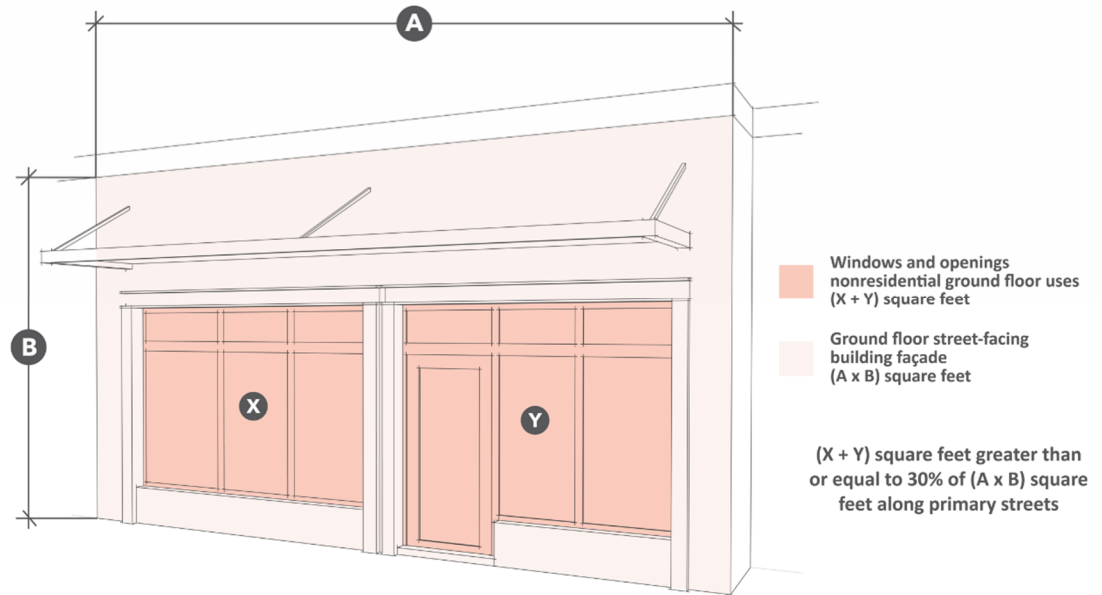
Table 9-4.130-2: Minimum Required Number of Design Strategies by Building Type

Building Type	Minimum Number of Required Design Strategies Incorporated			
	Tier 1	Tier 2	Tier 3	Tier 4
Mixed-use in Commercial Zones:				
Buildings 25 ft or less in length	All	0	3	1
Buildings between 25 ft - 50 ft in length	All	1	3	1
Buildings more than 50 ft in length	All	2	3	2
Mixed Use in DC or DO Zones				
Buildings 25 ft or less in length	All	0	3	1
Buildings between 25 ft - 50 ft in length	All	1	3	1
Buildings more than 50 ft in length	All	2	3	1
Multiplex (5+ units):				
Buildings 50 ft or less in length	All	1	3	2
Buildings more than 50 ft in length	All	2	3	2
Duplex, Triplex, Fourplex, or Cottage Cluster	All	0	2	1

- (2) **Tier 1 Design Strategies: Required Components.** Projects shall comply with all standards listed in this Subsection, as required by Table 9.4.130-2.
- (i) **Minimum Ground Floor Height in Nonresidential Zoning Districts.**
 - a. **Ground Floor Height.** The minimum floor-to-unfinished ceiling height of ground floor spaces shall be ten (10) feet.
 - b. **Measured.** Floor-to-ceiling height shall be measured from the top of the finished floor to the bottom of the ceiling joists.
 - (ii) **Transparencies.** All façades that face streets or pedestrian plazas shall incorporate windows and openings providing light to adjacent spaces, rooms, and uses as follows:
 - a. **Nonresidential Ground-Floor Uses.**

1. Windows and openings of nonresidential uses on the ground floor facing primary streets shall constitute a minimum of thirty percent (30%) of the ground floor street-facing building façade.
2. Windows and openings of nonresidential uses on the ground floor facing a street other than a primary street shall constitute a minimum of twenty percent (20%) of the ground floor street-facing building façade.

Figure 4-a: Transparencies



3. Windows shall provide a clear and transparent view into ground-floor nonresidential uses, or shall display merchandise to reinforce a pedestrian scale. See Section 9-4.130(i)(2)(ii) regarding allowed tinting.
 4. The ground floor street-facing building façades shall be measured from the ground floor of the first story to the finished floor of the second story.
 - b. Nonresidential Upper-Floor Uses. Windows and openings of nonresidential uses on upper floors that face streets shall constitute a minimum of fifteen percent (15%) of upper floor street-facing building façades. Upper-floor street-facing building façades shall be measured from the finished floor of the second story to the finished ceiling of the uppermost story.
 - c. Residential Uses. Windows and openings of residential uses shall constitute a minimum of fifteen percent (15%) of all street-facing and common area facing building façades.
- (iii) Windows. A minimum of eighty percent (80%) of windows (based on window square footage) shall be inset by at least two (2) inches from face of glass to face of trim (or to face of exterior wall if there is no trim).
- (iv) Blank Walls. The maximum length of any blank wall that is visible to adjacent properties or rights of way, (meaning without a window, opening, or other massing

break), shall be limited to twenty (20) feet in length, applicable to each story of any development.

- (v) Corner Treatments. For mixed-use projects, the corner(s) of a building located at the intersection of two streets (or a street and a public plaza) shall incorporate at least two (2) of the features listed below within twenty-five (25) feet of the corner of the building:
 - a. An entry to ground floor retail or primary building entrance.
 - b. Change in material from the rest of the façade, applied to a minimum of eighty (80) percent of the building height. See Section 9-4.130(i)(1).
 - c. Change in color from the rest of the façade, applied to a minimum of eight (80) percent of the building height. Colors shall be returned at least four (4) feet from exterior corners or dead end into a projecting or recessed massing break on the perpendicular wall, whichever is less. (This option may not be chosen as one of the two required features if a change in material is chosen as the other required feature.)
 - d. Change in fenestration pattern from the rest of the façade, applied to a minimum of eight (80) percent of the building height.
 - e. A three-dimensional tower element, which extends between three (3) and six (6) feet in height above the top of the adjacent building façades or a change in height of at least four (4) feet above or below the height of the abutting adjacent façade; and/or
 - f. A different roof type from the roof type associated with the abutting adjacent façade. (see section **9-4.130(g)(3)**)

(3) **Tier 2 Articulation/Design Strategies: Wall Plane Variation.** All façades facing the public right-of-way shall include variation that cumulatively equals at least twenty-five percent (25%) of the total façade plane area that faces the public right-of-way. To achieve the twenty-five percent (25%) wall plane variation, projects shall incorporate, at a minimum, the number of design strategies identified in Table 9.4.130-2 for Tier 2, choosing from the list of design strategies in Subsection (f)(3)(i).

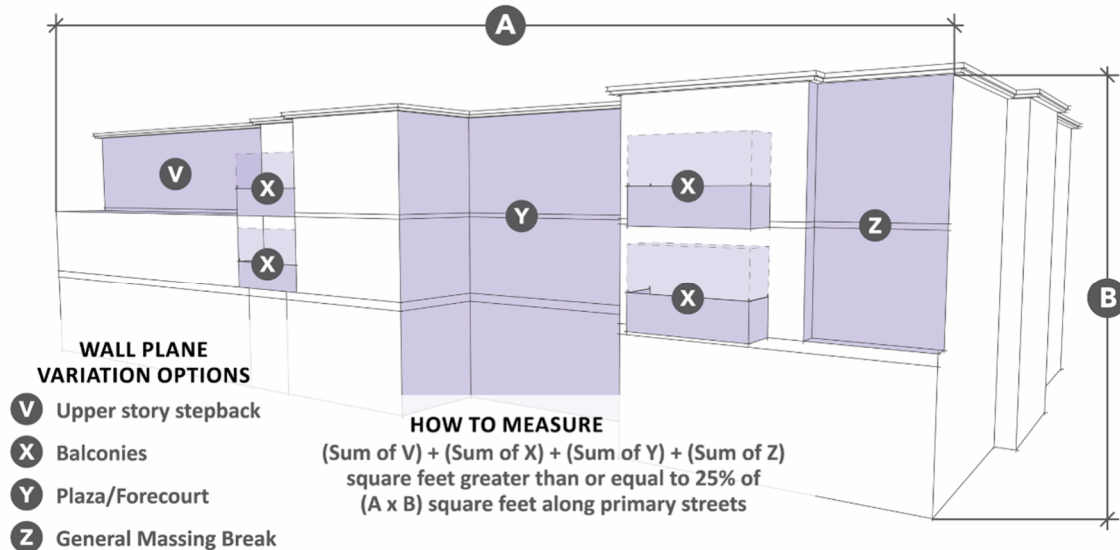
- (i) Menu of Wall Plane Variation Design Strategy Options.
 - a. Plaza or forecourt. Provide a plaza or forecourt framing the entrance. The minimum dimensions of a plaza or forecourt shall be a minimum of twelve (12) feet in depth by twenty percent (20%) in length, measured as a percentage of the building façade's length.
 - b. Upper story stepback. Provide an upper story (top-most or all stories above ground floor) front stepback, a minimum of eight (8) feet in depth by at least fifteen percent (15%) in length of the primary street-facing building façade.
 - c. Balconies. Provide balconies in compliance with Section 9-4.130[g][2]), which may be recessed or projected.
 - d. General Massing Break. Provide a general massing break (recessed or projected) with minimum dimensions of one (1) foot in depth by three (3) feet in length by eight (8) feet in height.

- e. Full Brick Façade. Brick or brick veneer shall cover at least ninety percent (90%) of the total nontransparent façade, allowing ten percent (10%) for trim and accents. For building facades less than fifty (50) feet in length, if all façades fronting the public right-of-way are finished with brick or brick veneer, the project is exempt from the twenty-five percent (25%) wall plane variation requirement indicated in Subsection 9-4.130(f)(3). See also Subsection 9-4.130(i)(1)(ii) regarding returning materials at corners.

Figure 4-b: Wall Plane Variation Options

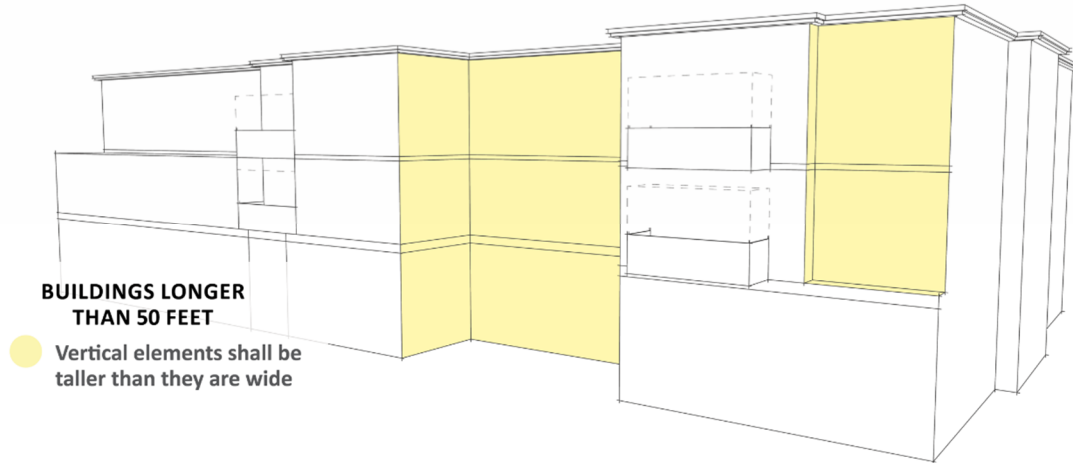


Figure 4-c: How to Measure Wall Plane Variation



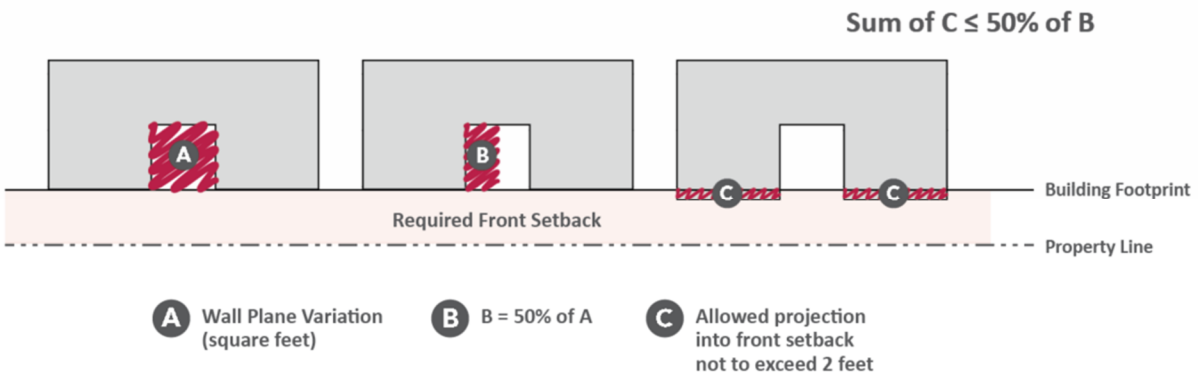
- (ii) Vertical Elements on Horizontal Buildings. Buildings longer than fifty (50) feet shall include at least one (1) Tier 2 design strategy that adds a vertical element to offset the horizontal length of the building. The vertical element shall be taller than it is wide.

Figure 4-d: Vertical Elements



- (iii) Wall Plane Variation Projections into Front Setbacks. Up to fifty percent (50%) of the wall plane variation requirement shall be allowed to encroach into a required front setback two (2) feet or more beyond the required front setback. However, in no case shall a building encroach into the public right-of-way.

Figure 4-e: Projections into Front Setbacks



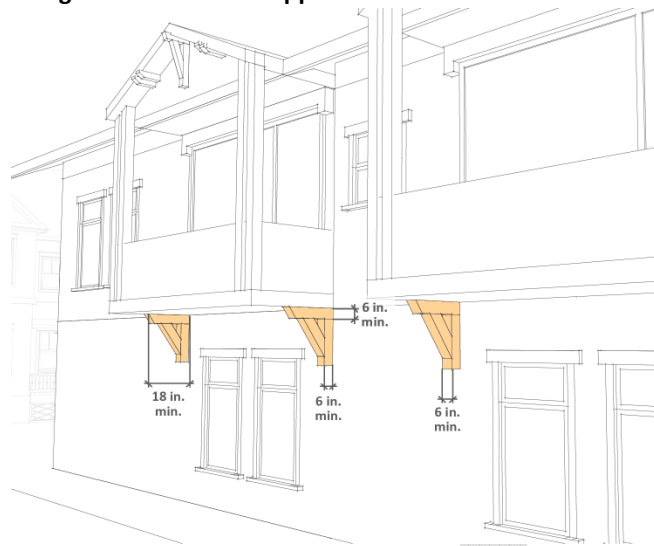
- (iv) Measurement. Wall plane variations shall be measured from the building’s ground-floor footprint, regardless of the setback.
- (4) **Tier 3 Articulation/Design Strategies: Fenestration and Materials.** Projects shall incorporate, at a minimum, the number of design strategies identified in Table 9.4.130-2 for Tier 3, choosing from the following list of design strategies:
- (i) For nonresidential uses, provide awnings with a minimum three-foot (3) depth, covering at least seventy-five percent (75%) of windows and doors on the ground floor (see Section 9-4.130[g][1]) on street facing façades.

- (ii) Exceed all applicable minimum transparency requirements (per Section 9-4.130[f][2][ii]) by an additional five (5) percentage points on façades facing streets and common open space areas.
- (iii) Window trim, with a minimum width of three and a half (3½) inches and depth of three-quarters (¾) of an inch, applied to one hundred percent (100%) of all windows on façades facing streets and common open space areas.
- (iv) Window frame material that is not white vinyl (all windows).
- (v) Lintels applied over at least fifty percent (50%) of all window and door openings on façades facing streets and common open space areas.
- (vi) Windowsills projecting a minimum of two (2) inches beyond the building façade, applied to at least fifty percent (50%) of all window openings on façades facing streets and common open space areas.
- (vii) Decorative trim materials applied to define a façade plane change between stories (not at the roof level) such as molding, cornice, corbeled end beams, and/or rafter tails, projecting a minimum of 18 inches beyond the building façade and running the length of the façade plane change, which shall be applied to no less than 50 percent of the street-facing façade length.

Figure 4-f: Decorative Trim



- (viii) Post and beam supports, with a minimum dimension of six inches, applied under all balconies.

Figure 4-g: Post and Beam Supports

- (ix) Use of a secondary cladding material that is different from the primary cladding material as follows (see Section 9-4.130[i][1] for materials requirements):
 - a. Duplex, Triplex, Fourplex, or Cottage Cluster. Secondary cladding material applied for a minimum of ten percent (10%) of any street-facing façade area (excluding windows and doors), or four (4) feet of cladding along the base for the full length of the street-facing façade.
 - b. Multiplex and Mixed Use. Secondary cladding material applied for a minimum of twenty-five percent (25%) of any street-facing façade area (excluding windows and doors), or the first story of the street-facing façade (measured from the finished floor of the first story to the finished floor of the second story).
- (5) **Tier 4 Articulation/Design Strategies: Roofs.** Development projects subject to this Section shall implement the number of components listed in Table 9.4.130-2 (Minimum Required Number of Articulation/Design Strategies by Building Type) for Tier 4 (Roofs), choosing from the following list of strategies:
 - (i) Eaves and rakes, with an eighteen-inch (18) minimum projection, on all roof sections.
 - (ii) Corbeled end beams or rafter tails at eaves, projecting a minimum of sixteen (16) inches beyond the building façade and placed at a distance of between two (2) and three (3) feet between each corbeled end beam/rafter tail, for the length of each roof eave.
 - (iii) A cornice either:
 - a. Projecting a minimum of one (1) inch and a maximum of eight (8) inches, extending the length of the building except for areas with a continuous vertical feature; or
 - b. On an all brick building, a soldier row.
 - (iv) Variation in the roof profile, by either:

- a. Varying the height of the same roof type by at least eighteen (18) inches in height for one (1) to three (3) unit exposed on that elevation;
- b. Varying the pitch of the same roof type by fifteen percent (15%);
- c. Adding gables, equal to at least forty percent (40%) of the façade length.

Figure 4-h: Gables



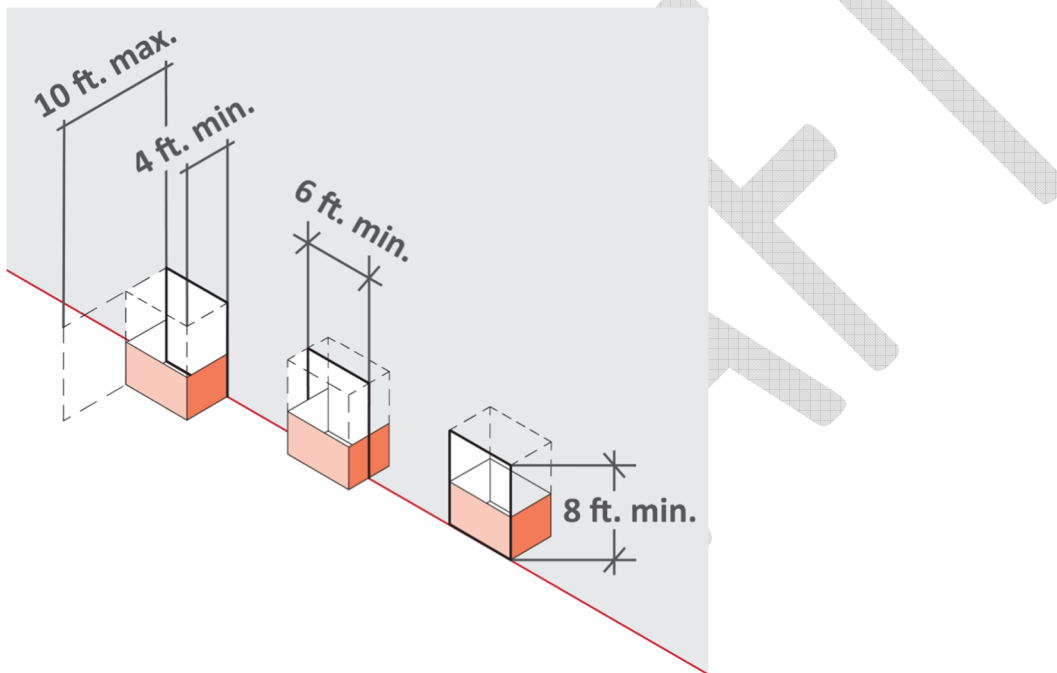
- (v) Combining more than one roof type; the secondary roof type shall represent at least fifteen percent (15%) of the total roof line. See Section 9.4-130[g][3] for roof standards. Implementation of this option may also be used to comply with Section 9-4.130(f)(2)(v)(f) if applied at a corner.
 - (vi) Dormers applied to at least fifty percent (50%) of the windows of a street-facing upper floor, but no less than two (2) windows.
- (g) **Requirements for All Awnings, Balconies, Roofs, Mechanical Equipment, and Detached Accessory Structures.** The following standards shall apply to all awnings, balconies, roofs, mechanical equipment, and detached accessory structures:
- (1) **Awnings.**
 - (i) Awnings shall be a minimum of five percent (5%) larger than the width of the opening to emphasize building proportions.
 - (ii) Awnings shall be aligned with awnings on adjacent buildings within plus or minus one (1) foot in height unless the ground-floor elevation is more than plus or minus one (1) foot from other buildings due to topography changes.
 - (iii) Awnings shall be constructed of canvas, wood, or metal.
 - (iv) Awnings or canopies may encroach into the public right-of-way over the sidewalk, extending to a distance within two (2) feet from the face of a curb. Any awning that

encroaches into the public right-of-way shall maintain a minimum vertical clearance above the sidewalk of eight (8) feet as measured from grade.

(2) Balconies.

- (i) When private balconies project from a building façade, the maximum depth shall be ten (10) feet, measured from the building’s ground-floor footprint.
- (ii) To count toward required open space, balconies shall be a minimum of six (6) feet in width and four (4) feet in depth, and eight (8) feet in height. Balconies that do not meet these minimum dimensions may still be used as a design strategy to meet Tier 2 minimum requirements per Table 9-4.130.2.
- (iii) When balconies project into the public right-of-way, such balconies shall maintain a minimum vertical clearance above the sidewalk of sixteen (16) feet.

Figure 4-i: Balcony Project/Recess



(3) Roofs.

- (i) Allowed Roof Types. Roofs shall be one of the following types:
 - a. Gable;
 - b. Flat;
 - c. Shed; or
 - d. Hipped.
- (ii) Regulations for Flat Roofs. Flat roofs, applied as either a primary or secondary roof type, are allowed provided they incorporate at least one of the following:
 - a. A cornice, projecting a minimum of four (4) inches and a maximum of eight (8) inches, extending the length of the flat roof.

- b. Eaves with an eighteen (18) inch minimum projection, extending the length of the flat roof.
- c. For buildings with a full brick façade in compliance with Section 9.4-130(f)(3)(i)(e), use of a soldier course on the topmost row (perpendicular to the rest of the field), as a border treatment.
- (iii) Regulations for Gable Roofs. Where the nonvertical side of a gable roof faces the street or a common area, additional gables equal to at least twenty-five percent (25%) of the façade length are required along the street-facing or common area facing side. If no additional gables are provided, the vertical side of a gable shall be oriented toward the street.
- (iv) Regulations for Shed Roofs. Shed roof types, applied as either a primary or secondary roof type, shall be subject to the following standards:
 - a. A pitch of at least two (2) in twelve (12); and
 - b. Eaves with a two (2) foot minimum projection, extending the length of the shed roof.
- (v) Prohibited Roof Types. Mansard roof types are prohibited.
- (4) **Mechanical Equipment.** Mechanical equipment shall be screened pursuant to Section 9-4.128 (Fencing and screening).
- (5) **Detached Accessory Structures.** Detached accessory structures shall be designed to be consistent with the architecture of the main building, using the same materials and colors.
- (h) **Entryway Standards.**
 - (1) **Allowable Entryway Types by Building Type.**
 - (i) All building designs shall incorporate at least one (1) of the entryway types allowed for that building type, as identified in Table 9.4.130-3 and described in Subsections (2) and (3) below.

Table 9.4.130-3: Allowed Entryway Types by Building Type

Building Type	Entryway Type		
	Shopfront	Arcade	Stoop/Porch
Mixed-use	Allowed	Allowed	--
Multiplex (5+ units)	--	Allowed	Allowed
Duplex, Triplex, Fourplex, or Cottage Cluster	--	--	Allowed

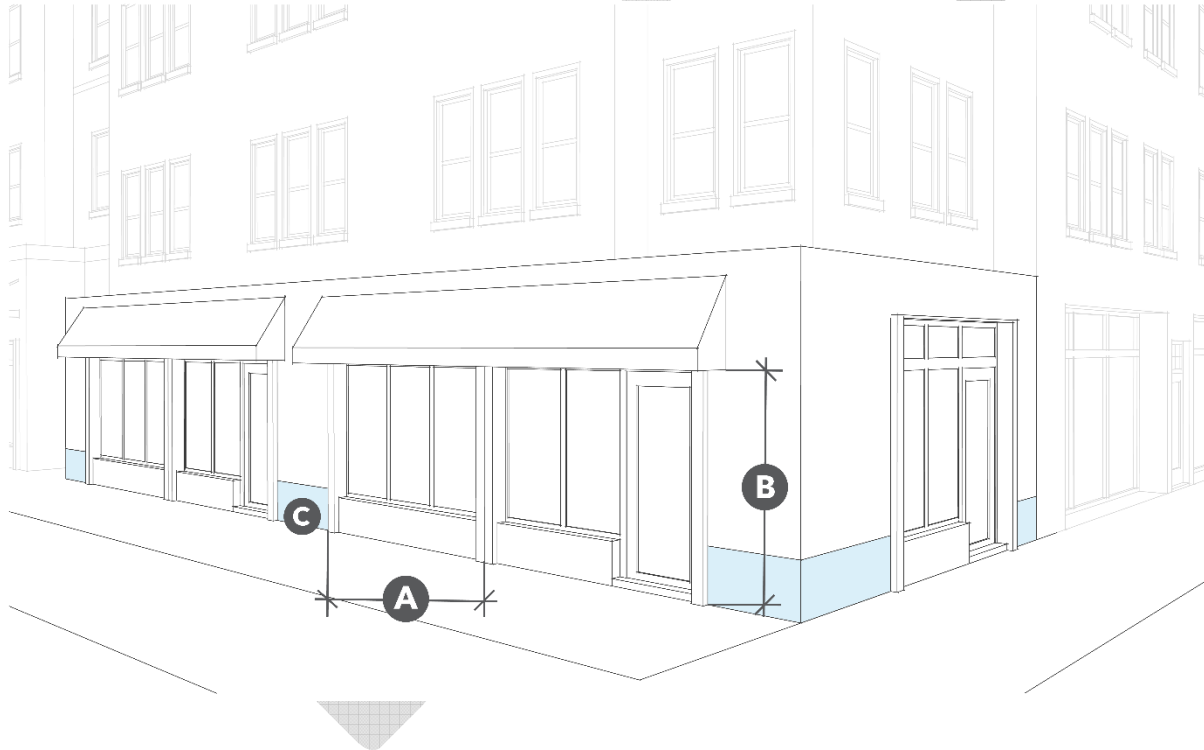
- (2) **Requirements for All Entryway Types.**
 - (i) Entries associated with individual ground-floor dwelling units or a lobby entrance serving several units shall be oriented toward a street or internal pathway/courtyard.
 - (ii) Within vertical mixed-use buildings, pedestrian access to the residential uses shall be separate from access points to commercial uses, such as via a lobby.
- (3) **Standards for Individual Entryway Types.**
 - (i) Shopfront Entryway Requirements.

Table 9.4.130-4: Shopfront Entryway Elements

Shopfront Element	Minimum
A Width of storefront bay(s)	6 feet
B Height to bottom of awning/canopy (clear)	8 feet
C Height of bulkhead	2 feet

- a. A shopfront entry may be recessed or in line with building footprint.
- b. Storefront glass must be clear without reflective coating and must comply with Section 9-4.130(i)(2)(ii).
- c. Glass in transom and clerestory windows may be clear, stained glass, or frosted glass.
- d. Doors shall use the same materials and design as display windows and framing.
- e. Bulkheads, where used, may include any of the following materials: ceramic tile, wood panels, polished stone, or glass tile.
- f. Awnings shall comply with Section 9-4.130(g)(1).

Figure 4-j: Shopfront Entry



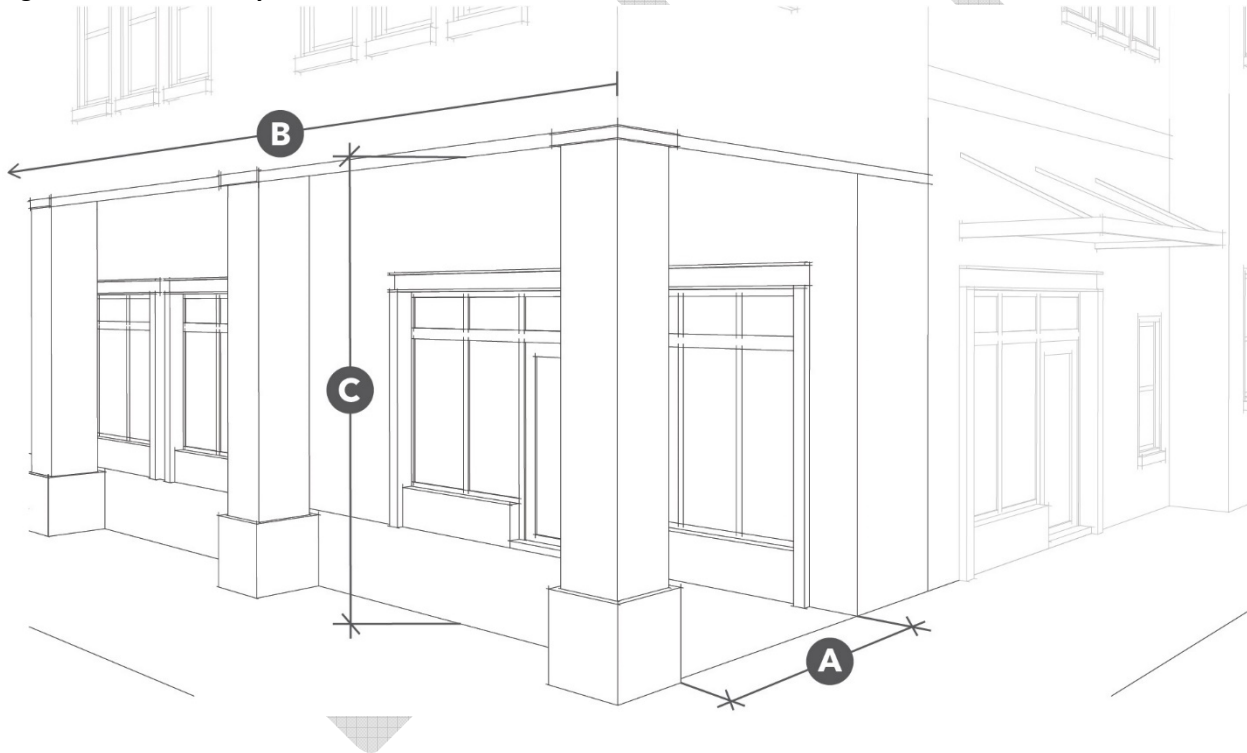
(ii) Arcade Entryway Requirements.

Table 9.4.130-5: Arcade Entryway Elements

Arcade Element	Minimum
A Depth - façade to interior column face	8 feet
B Length along frontage - percent of building façade width	75%
C Height - sidewalk to ceiling	12 feet

- a. Along primary frontages, arcade column spacing shall correspond to building entries.
- b. Column height shall be between four (4) to six (6) times the column width. Column spacing and colonnade detailing, including lighting, shall be consistent with the style of the building to which it is attached.
- c. If applied to a stand-alone residential building, an arcade’s elevated walkway shall not count as a design strategy to meet the wall plane variation requirements of Section 9-4.130(f)(3).

Figure 4-k: Arcade Entry



(iii) Porch Entryway Requirements.

Table 9.4.130-6: Porch Frontage Elements

Frontage Element	Cottage Cluster, Duplex/Triplex/Fourplex		Multiplex	
	Minimum	Maximum	Minimum	Maximum
A Depth (not including stairs)	4 feet	--	7 feet	--
B Width	6 feet	--	12 feet	--

Table 9.4.130-6: Porch Frontage Elements

Frontage Element	Cottage Cluster, Duplex/Triplex/Fourplex		Multiplex	
	Minimum	Maximum	Minimum	Maximum
C Floor Height (measured from adjacent finished grade)	--	5 feet	--	4 feet
D Height (measured from porch floor to ceiling)	8 feet	12 feet	9 feet	12 feet

- a. Porches shall correspond directly with the building entry(s) to which the porch provides access. Porches may include a gabled entry, distinct change in roof line or columns, or have some other significant architectural distinction to define the entryway.
- b. Exterior stairs leading to the porch may be perpendicular or parallel to the adjacent sidewalk.
- c. Landscaping shall be planted to the sides of the landing, either at grade or in raised planters. For porches greater than six (6) feet in width, landscaping may be provided next to the porch or on the porch landing, either at grade or in raised planters.
- d. For projecting porches, porch depth shall be measured between the wall and the outside column face. Porch width shall be measured from the outside of corner columns. Where no columns exist (in the case of a cantilever or half wall), porch width and depth shall be measured from the edge of any stoop and the inside edge of any half wall.
- e. For recessed porches, porch depth shall be measured between the recessed portion of the wall and the ultimate building façade. Porch width shall be measured between the walls, with no point being less than the required minimum width.

Figure 4-I: Projecting Porch Entry



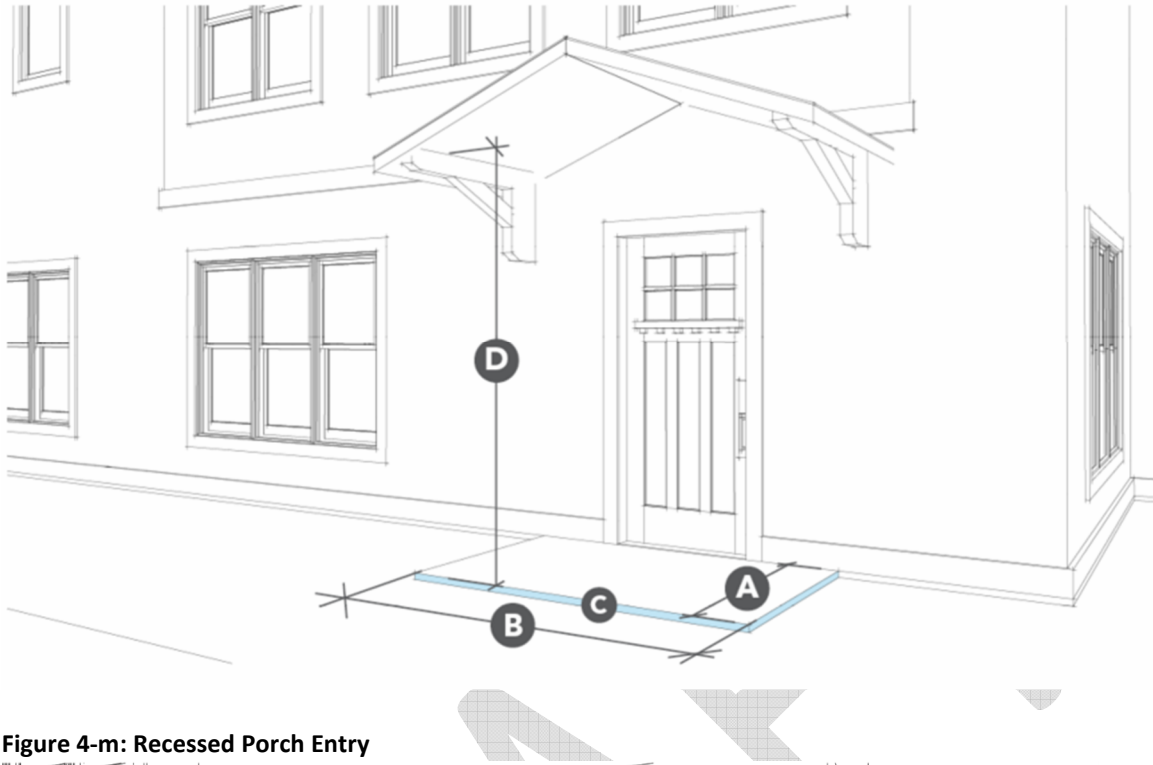
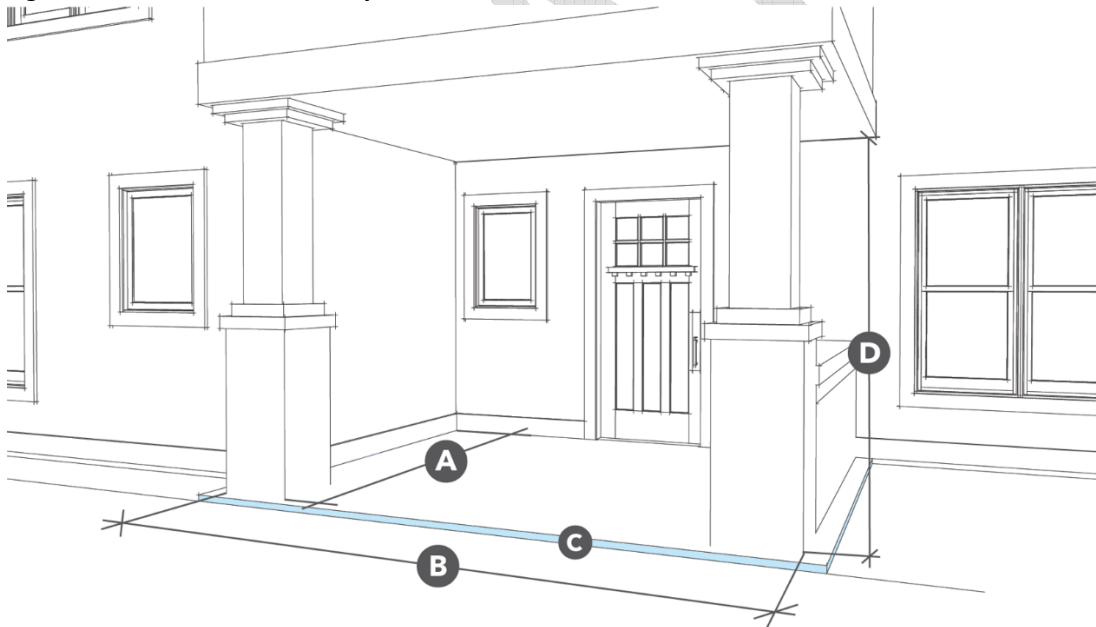


Figure 4-m: Recessed Porch Entry



(i) **Building Materials and Colors.**

(1) **Exterior Wall Building Materials.**

- (i) Allowed and Prohibited Exterior Wall Materials. Table 9-4.130-7 identifies allowed and prohibited exterior building wall materials.

Table 9-4.130-7: Exterior Wall Building Materials

Wall Materials	Standard	Additional Regulations
Brick (including brick veneer)	P	
Stone (unpainted)	P	Veneer (not panels)
Stucco	P	Fine sand or hand troweled only
Finished wood, wood veneer, engineered wood, wood siding	P	
Fiber cement siding and panels	P	
Plaster (rated for outdoor use)	P	
Metal (standing seam, coreten, or corrugated)	P	If colored, must be factory powder coated and not applied after market.
Exterior Insulation Finishing System (EIFS)	P	
Concrete (poured in place or precast)	S	
Ceramic tile	S	
Glass (transparent spandrel)	A	
Glass (block)	A	
Vinyl	N	
Plastic	N	
Gloss tiles	N	
T-111 Plywood	N	
Rough stucco	N	

- P: Primary or secondary material
- S: Secondary or accent material only
- A: Accent material only
- N: Not allowed/prohibited

- (ii) Veneers and Secondary Cladding Materials. Veneers and secondary cladding materials shall be returned at least four (4) feet from exterior corners or dead end into a projecting or recessed massing break on the perpendicular wall, whichever is less.
- (iii) Application Requirement. Detailed drawings shall indicate how sheet or panelized materials will be joined, and how lines formed by control joints related to other architectural details shall be provided.

(2) Windows and Doors.

- (i) Mirrored glass is prohibited.
- (ii) Dark tinted glazing is prohibited; lightly tinted glazing that is less than fifteen percent (15%) and low emissivity is acceptable.
- (iii) Simulated divided lites are prohibited.

(3) Cornices. Exterior decorative molding and cornices constructed with polyurethane foam are prohibited.

(4) Color Variety.

- (i) The number of colors appearing on the entire building wall exterior shall be at least two (2) and not more than four (4) (or four (4) tones of the same color), including trim and accent colors. A different color roof shall not count as a different color for the purposes of this subsection.

- (ii) Certain materials (such as brick or stone) have distinct coloring in their natural state and shall count as an element of color, to be incorporated into the overall design.
- (j) **Transition to Abutting Rural and Single Family Uses.** Where the side or rear property line abuts a property in the RR, RS, RSF, or LSF zoning districts, the following standards shall apply.
 - (1) **Minimum Setback.** Multiplex (5+ units) and Mixed-Use with five units or more shall be setback at least ten (10) feet from the abutting RR, RS, RSF, or LSF zoning district property line.
 - (2) **Upper Story Stepback/Building Setback.** Multiplex (5+ units) and Mixed-Use with five units or more shall comply with one of the following:
 - (i) **Upper Story Stepback.** For buildings within fifteen (15) feet of an abutting RR, RS, RSF, or LSF zoning district, a minimum six-foot (6) stepback shall be provided on any of the portions of the building above 25 feet, applied to the façade of the building that faces the abutting RR, RS, RSF, or LSF zoning district; or
 - (ii) **Building Setback.** Alternatively, the entire building may be set back at least fifteen (15) feet from the abutting RR, RS, RSF, or LSF zoning district property line.

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Figure 4-n: Upper Story Stepback

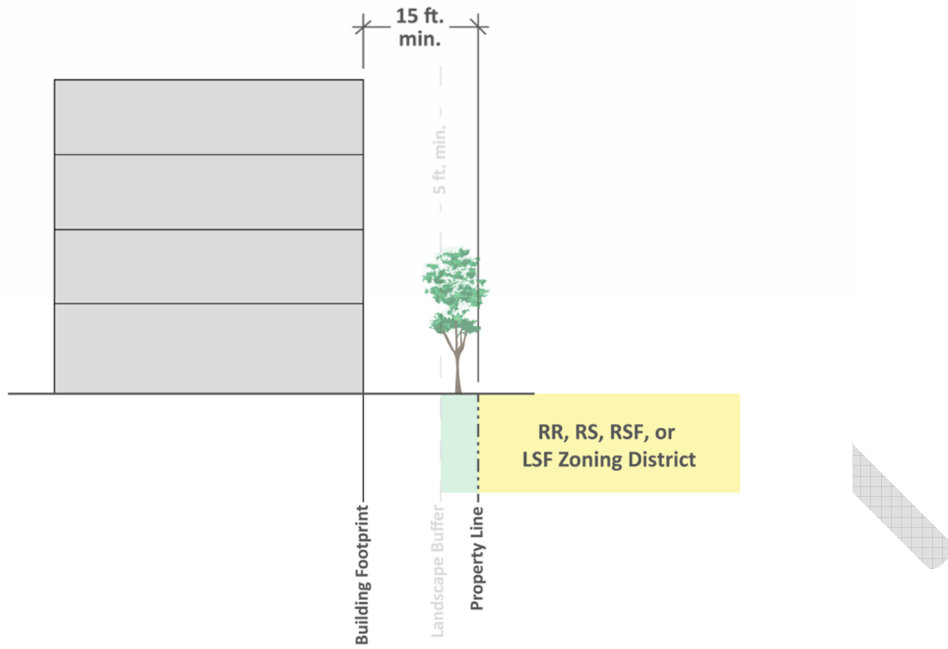
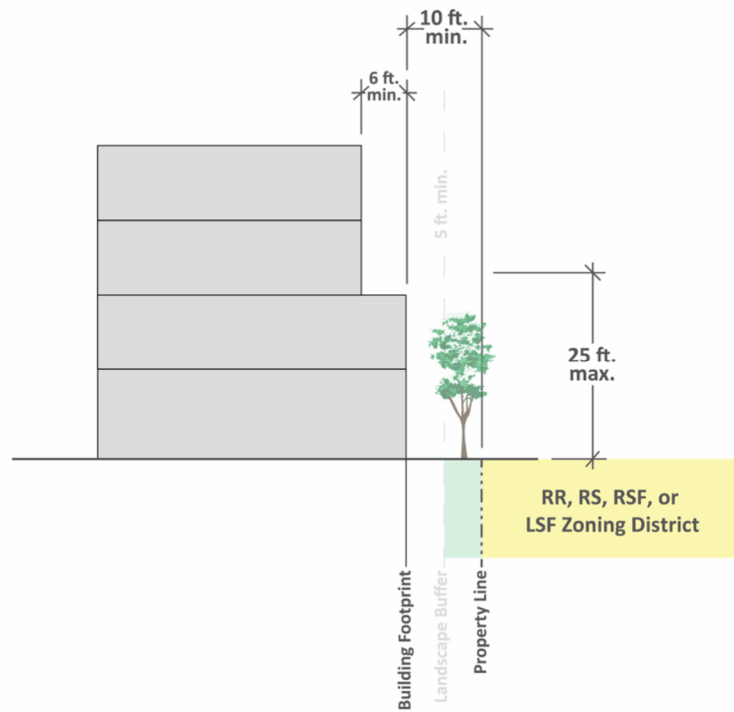


Figure 4-o: Building Setback



- (3) **Balcony Orientation.** Balconies on buildings visible from and within 30 feet of the adjacent RR, RS, RSF, or LSF zoning district shall not be oriented toward the adjacent RR, RS, RSF, or LSF zoning district property line.
- (4) **Landscape Buffer.** A minimum five-foot-wide (5) landscape buffer (clear of any wall footings) shall be provided adjacent to a RR, RS, RSF, or LSF zoning district. Evergreen screening trees shall be:
- (i) Planted at a minimum interval of fifteen feet (15) along interior property lines abutting an RS, RSF, or LSF zoning district;
 - (ii) Consist of species that attain a twenty-foot (20) minimum height at maturity; and
 - (iii) Minimum fifteen-gallon (15) size at time of planting.
- (5) **Screening Wall.** A solid wall or fence not less than six (6) feet in height shall be placed and maintained on interior lot lines abutting property zoned for single-family residential use.

(k) **Additional Standards for Mixed-use**

- (1) **Ground Floor Space.** Ground floor residential-serving spaces shall be limited to essential residential amenities including lobbies, mail areas, access to units, bicycle storage, and mechanical equipment, and shall not include gyms or other common interior gathering or recreation areas.
- (2) **Mailboxes.** In mixed-use developments, separate mailboxes and package delivery/pick-up areas shall be provided for the residential and commercial components of a project.

(l) **Additional Standards for Cottage Clusters**

- (1) **Applicability.** All detached dwelling units, including attached single-family duplex units, constructed in multifamily zoning districts shall comply with this Section. Any housing project seeking a small lot subdivision must meet all of the following standards:
- (2) **Site Planning.**
 - (i) A single cottage cluster must contain a minimum of three (3) and a maximum of twelve (12) cottages. A cottage cluster project may include more than one (1) cluster with more than one (1) associated common courtyard. There is no limit to how many cottage clusters are permitted on a single lot.
 - (ii) All cottages within a single cottage cluster, with five (5) or more units, must share a common courtyard. Four (4) or fewer cottages within a cottage cluster are not required to provide a common courtyard.
 - (iii) Garages and carports (whether shared or individual) shall not abut more than twenty-five percent (25%) of a common courtyard's perimeter.
 - (iv) Allowed building types include single units and duplexes.
 - (v) Where the parent parcel frontage is less than 100-feet, access shall be consolidated with one driveway serving all units, with the exception of existing access to an existing unit proposed to remain where that access cannot be designed to become the shared accessway.
- (3) **Setbacks.**
 - (i) The setbacks from adjacent property lines along the perimeter of the cottage cluster development shall be the same as required by the underlying zoning district.

- (ii) Cottage structures (comprised of either individual units or duplexes) shall be separated by a minimum distance of six (6) feet between walls.
- (4) **Maximum Footprint.** The footprint of each cottage shall not exceed eight hundred (800) square feet for a single detached unit and one thousand (1,000) square feet for a duplex. A communal garage or parking structure is permitted and is not subject to the maximum footprint requirements for cottages. The building footprint shall be measured by calculating the total square foot area of a building, when viewed directly from above, that covers a portion of a lot, except that the following structures or parts of structures shall themselves not be included in calculating building footprint:
- (i) Any part of a structure without a roof.
 - (ii) Roof eaves.
 - (iii) Carports, porches, and balconies that are open at least 50 percent of their respective sides.
 - (iv) Detached garages or accessory buildings.
- (5) **Open Space.** All cottage cluster developments shall comply with Section 9-3.262(c) requirements for outdoor recreation or gathering areas, except cottage cluster developments with five (5) or more units shall have a common open space area (courtyard) to be shared by residents, subject to the following standards:
- (i) The common courtyard shall be at least fifteen (15) feet wide at its narrowest point and no less than four hundred (400) square feet.
 - (ii) Each cottage within a cluster must either:
 - f. Abut the common courtyard;
 - g. Have a main entrance facing the common courtyard; or
 - h. Be within ten (10) feet from a pedestrian path connecting to the common courtyard, measured from the façade of the cottage, to the nearest edge of the pedestrian path. A pedestrian path may include a common driveway crossing with alternative paving.
 - (iii) The common courtyard shall be developed with a mix of landscaping, passive recreation area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed seventy-five percent (75%) of the total common courtyard area.
 - (iv) Construction and installation of common area amenities shall be completed prior to approval of the final building permit for any unit abutting the courtyard.
- (6) **Fences.**
- (i) Exterior Fences Delineating the Original Project Boundary. Fences located along the original project boundary's front, side, and rear property lines shall comply with Section 9-4.128(c)(1)(ii).
 - (ii) Interior Fences Delineating Private Yards and Common Open Spaces.
 - a. Fencing located within the interior of the original project site perimeter used to delineate private yards and common open space areas:
 - 1. Shall not exceed forty-two (42) inches in height;

2. Shall be at least fifty percent (50%) transparent; and
 3. Shall not consist of solid (e.g., board, cinder block), chicken wire, or white vinyl fencing (examples of allowed fencing material include split rail and framed welded wire fencing).
- b. Exception: Fencing used to delineate private yards within 10 feet of the original project boundary's side and rear property lines may choose to instead comply with Section 9-4.128(c)(1)(ii).

(7) Pedestrian Access.

- (i) A pedestrian path shall be provided that connects the main entrance of each cottage to the following:
 - a. The common courtyard (for clusters of five or more units)
 - b. Shared parking areas;
 - c. Sidewalks; and
 - d. Public rights-of-way abutting the site.
- (ii) The pedestrian path must be hard-surfaced (concrete, asphalt, or pavers) and a minimum of three (3) feet wide.

(8) Existing Structures. An existing single-family dwelling and accessory uses and buildings on a lot to be used for a cottage cluster project may remain within the cottage cluster project area provided the structures comply with the standards in Subsections i – iii below.

- (i) The existing dwelling may remain and be nonconforming with respect to the requirements of Section 9-4.130(l) (Additional Standards for Cottage Clusters).
- (ii) The existing dwelling may be altered or expanded up to the allowed maximum height and maximum building footprint per Section 9-4.130(l)(4) (Maximum Footprint). Existing dwellings that exceed the maximum height and/or footprint standards may not be expanded.
- (iii) The existing dwelling shall be excluded from the calculation of maximum average dwelling size of a cottage cluster, per Section 9-3.331(g).

(9) Small Lot Subdivisions. For housing developments pursuing subdivision under the provisions of this Section, the following shall also be required:

- (i) All small-lot subdivisions within a multifamily zoning district must meet the cottage cluster standards (Section 9-4.103(l)) in addition to all applicable objective design standards for multi-family development (Section 9-4.130).
- (ii) A Master Plan of Development (approved in the form of a Conditional Use Permit) of the site shall be approved in accordance with applicable objective design standards set forth in Section 9-4.130. All construction and development shall be completed in conformance with the approved Master Plan of Development.
- (iii) No subsequent tentative parcel or tract map shall be approved unless found to be consistent with the approved Master Plan of Development.
- (iv) Deed covenants and easements for shared amenities shall be recorded prior to recordation of the final map.

(iv) Alternative Compliance. For projects that meet the definition of a “small home lot development” pursuant to Government Code Section 66499.40, where a conflict exists between this Section and Government Code Section 66499.40, Government Code Section 66499.40 shall prevail.

(m) **Definitions**

1. **Abut.** Contiguous to having district boundaries or lot lines in common (i.e., not separated by an alley, public or private right-of-way, or street).
2. **Arcade.** An Entryway Type where the facade is a colonnade on the ground floor that overlaps a walkway parallel to the front elevation of a building.
3. **Articulation.** The breaking up of a flat and uniform building façade by using recessed wall areas, indents, projections, changes in building materials, and detailed projecting features such as stoops, bay windows, awnings, canopies, and/or balconies.
4. **Bay Window.** A window or series of windows projecting from the outer wall of a building and forming a recess within.
5. **Building Footprint.** The area of the ground surface occupied by an existing or proposed structure, measured from exterior wall to exterior wall at the base of the structure.
6. **Cornice.** A molded and projecting horizontal feature that crowns a façade.
7. **Cottage Cluster.** A grouping of no fewer than three detached dwellings.
8. **Duplex.** A residential building with two units.
9. **Dormer.** A vertical window that projects from a sloping roof, which may be gabled or hipped.
10. **Façade.** Any exterior face or wall of a building.
11. **Flat Roof.** A roof without any sloped sides, with a pitch of ten (10) degrees or less.
12. **Forecourt.** Open area in front of a building’s entrance surrounded by walls on at least three sides.
13. **Fourplex.** A residential building with four units.
14. **Gable Roof.** A roof with two slopes joining at a single ridge line and a gable at each end.
15. **General Massing Break.** See “Massing Break.”
16. **Hipped Roof.** A roof with four sloped sides. The sides meet at a ridge at the center of the roof. Two of the sides are trapezoidal in shape, while the remaining two sides are triangular, and thus meet the ridge at its endpoints.
17. **Lintel.** A horizontal element over an opening, often found spanning doors or windows. Lintels can be structural/load bearing or ornamental.
18. **Mansard Roof.** A roof with two slopes on each of four sides, the lower steeper than the upper, or culminating in a flat roof at the ridge line.
19. **Massing.** The three-dimensional bulk of a structure: height, width, and depth.
20. **Massing Break.** Recess/projection measured from the building footprint with minimum dimensions of one (1) foot in depth by three (3) feet in length by eight (8) feet in height.
21. **Mixed-use.** A development that has a vertical separation of commercial and residential land uses in a building. Residential units within a commercial district are subject to compliance with allowed density and shall not be located on the ground floor.

22. Multiplex (5+ units). A residential building with five or more units.
23. Occupied Space. An enclosed space in a building intended for human activities, including bathrooms and circulation, but not including vehicle parking or space for other building functions such as storage, solid waste storage, building equipment, or computer servers.
24. Plaza. A public square or open space accessible to the public.
25. Porch. An Entryway Type, usually with outdoor steps, stairs, and/or a raised platform, where an entry door and corresponding landing area (entrance) are provided on the front elevation of a building on the ground floor, for the purpose of providing pedestrian access from the outdoor ground elevation to a building interior. A porch can be recessed or projected, but must be covered.
26. Public Realm. The area outside a building accessible or visible to the public, including public right-of-way, sidewalk easement, and publicly accessible open space.
27. Shed Roof. A roof shape having only one (1) sloping plane.
28. Stepback. The required or actual placement of a building a specified distance away from a road, property line, or other structure at a level above the first floor.
29. Street. A public or private right-of-way.
30. Transparency. The ability of a building or structure to visually transmit light, allowing for a clear view of the interior or exterior spaces via doors and windows.
31. Triplex. A residential building with three (3) units.
32. Unoccupied Space. An enclosed space in a building not intended for human activities but only for building services, such as storage, trash, equipment, building utilities.
33. Wall Plane Variation. Change in condition, character, or form of a continuous exterior wall implemented through one or more options outlined Section 9-4.130(f)(3)(ii).

EXHIBIT B: Proposed Municipal Code Text Amendment – Title 9

9-2.107 Design Review Committee.

- (a) Purpose. The Design Review Committee is established to implement the goals and policies of the General Plan. The intent is to ensure that the physical design of new development meets the following objectives:
- (1) Maintaining the rural character and identity of Atascadero;
 - (2) Enhancing the appearance and character of the City, by reviewing the architecture and site plans for commercial, office, industrial, single-family residential subject to CEQA, and multifamily or mixed-use residential projects that are requesting a discretionary approval or exception;
 - (3) Ensuring that development is compatible with surrounding uses and improvements by requiring building designs that provide appropriate visual appearance and site plans to mitigate neighborhood impacts.
- (b) Design Review Committee—Composition. The City Council shall appoint the Design Review Committee. The Design Review Committee shall consist of the following:
- (1) Two (2) members of the City Council;
 - (2) Two (2) members of the Planning Commission;
 - (3) One (1) at large member resident of the City. This at large member shall be a resident of the City. The Council shall choose an at large member that best fits the intent of the Design Review Committee.
- (c) Terms of Service. The Design Review Committee members from the City Council and Planning Commission shall serve a two (2) year term. This service term shall commence at the date of appointment. The at large member resident shall have a service term of two (2) years. This term shall begin at the date of appointment by the City Council.
- (d) Authority. The Design Review Committee has the authority to approve and make recommendations to the review authority (Director, Planning Commission, or City Council, depending on the project) in regards to the architectural appearance, signage, site plan, and landscape plan of the following projects:
- (1) All multifamily residential projects that do not comply with Section 9-4.130 (Multifamily and Mixed-use Building Design Standards) or that require discretionary action;
 - (2) All nonresidential projects, including commercial, office, industrial, and mixed-use developments that do not comply with Section 9-4.130 (Multifamily and Mixed-use Building Design Standards) or that require discretionary action, and industrial developments;
 - (3) ~~All~~ public facility projects and buildings located in a highly visible area;
 - (4) Development in an open space zoning district;
 - ~~(5) Any residential single family residential development requesting a planned development permit;~~
~~(65)~~ Development projects requiring a conditional use permit, zone change (including requests for a planned development overlay zone), or general plan amendment.
- (e) Meeting. The Design Review Committee shall convene ~~once a week~~, as needed. This meeting shall be open to the public and consist of a quorum of the Committee, the Community Development Director or their designee, and pertinent City staff members ~~and the applicant~~.

- (f) Appearance Review Approval. The Design Review Committee shall take into consideration the following criteria in either approving or endorsing the design of a project, or making recommendations for projects that require Planning Commission and/or City Council approval. The Design Review Committee may require or recommend additional conditions of approval. The following is a list of criteria that the Design Review Committee shall take into consideration:
- (1) Project design consistency with ~~T~~the goals and policies established by the General Plan;
 - (2) Project design consistency with the ~~G~~guidelines and standards for development set forth in the Atascadero Municipal Code and by the Appearance Review Manual;
 - (3) ~~The Finding that the~~ proposed development plan is compatible with, and is not detrimental to, surrounding land uses, and improvements provide appropriate visual appearance.
- (g) Determination.
- (1) The Community Development Director shall provide the applicant with correspondence regarding the outcome of the meeting, including any additional recommendations or conditions of approvals that ~~is~~ are required or recommended by the Committee.
- (h) Compliance. All requirements imposed by the Design Review Committee shall be incorporated into a building permit and completed prior to permit final, unless altered by the decision-making body. Failure to comply with the requirements of the Design Review Committee for projects over which they have approval authority constitutes a violation of this code.
- (i) Appeals. Appeals of final decisions from the Design Review Committee, where the committee acts as the decision-making body, shall be made to the Planning Commission and filed within fourteen days (14) days of the Design Review Committee's decision. Any additional appeals shall be consistent with Section 9-1.111 of this chapter. If the Design Review Committee cannot reach a decision on a design review issue, the Committee may refer this issue to the Planning Commission.

9-2.109 Precise plan.

- (a) Precise plan approval is required when a development or use of land is listed in a particular zoning district as an allowable use and when it is determined by the Planning-Community Development Director that the development project, or the establishment of a use of land which is not a development project, is not eligible for a categorical exemption pursuant to Public Resources Code Section 21084 and the State EIR Guidelines. Precise plans consider the greater effects such uses may have upon their surroundings, and the characteristics of adjacent uses which could have detrimental effects upon a proposed use. ~~Large-scale projects (multiple family developments containing twelve (12) or more units, or nonresidential projects containing ten thousand (10,000) square feet or more of building or outdoor storage area) will require conditional use permit approval even if such uses are listed as allowable uses in a particular zoning district.~~ The preparation and processing of a precise plan shall be as follows:
- (ba) Precise Plan Content. Precise plan applications shall include ~~an application prepared as specified in Section 9-2.109, as well as the following;~~ as may be necessary, site plans, written descriptions of activities to be conducted, technical studies of site characteristics, and any other materials set forth on the application form or otherwise prescribed by City policy.
- ~~(1) Preliminary Floor Plan. For all structural uses except single family residences and agricultural accessory buildings; and~~
 - ~~(2) Architectural Elevations. For all structural uses except single family residences and agricultural accessory buildings. Elevations, renderings or perspectives of each proposed structure shall be provided, identifying all exterior finish and roofing materials; and~~

- ~~— (3) Drainage Plan. When required by Section 9 4.148 or overlay district requirements; and~~
- ~~— (4) Landscaping Plan. To be prepared as required by Section 9 4.124, for all uses, except single-family residences and agricultural accessory buildings; and~~
- ~~— (5) Contour Map. To be prepared as follows, except when a grading plan is required by Section 9 4.138:~~
 - ~~— (i) Inside Urban Services Line. Site contour information shall be provided at five (5) foot intervals for undeveloped areas and two (2) foot intervals for building sites and paved or graded areas.~~
 - ~~— (ii) Outside Urban Services Line. Site contour information shall be provided at ten (10) foot intervals, which may be interpolated from USGS Topographic Quadrangel Maps, for undeveloped areas, and at two (2) foot intervals for building sites and paved or graded areas.~~
 - ~~— (iii) Areas in excess of thirty percent (30%) slope may be designated as such and contours omitted, unless proposed for grading, construction or other alteration.~~
- ~~— (6) Supplementary Development Statement. Shall include a phasing schedule for project construction if one is proposed and identification of any areas proposed to be reserved and maintained as common open space. Applications for special uses (Chapter 9 6) shall include explanation of how the applicable provisions of Chapter 9 6 will be met.~~
- ~~— (b) Precise Plan Processing. Precise plan applications shall be submitted to the Planning Department and shall be processed as follows:~~
 - ~~— (1) Environmental Determination. A precise plan application accepted for processing as set forth in Section 9 2.102 shall receive an environmental determination as required by the California Environmental Quality Act (CEQA). The Planning Department shall process the application concurrently with the environmental determination.~~
 - ~~— (2) Staff Report. The Planning Department shall prepare a staff report which:~~
 - ~~— (i) Describes the characteristics of the proposed land use or development project, as well as the project site and its surroundings; and~~
 - ~~— (ii) References applicable policies and regulations; and~~
 - ~~— (iii) Determines whether the proposed use or project complies with the provisions of this title; and~~
 - ~~— (iv) Sets forth any findings required to support the decision. Approval or conditional approval requires findings as set forth in Section 9 2.110(b)(3)(iv) for conditional use permits; and~~
 - ~~— (v) Specifies any conditions necessary to assure compliance with this title or the mitigated adverse environmental effects.~~
 - ~~— (3) Public Notice. After the staff report has been prepared, a notice shall be sent by first class mail with postage prepaid to all persons whose names and addresses appear on the last equalized assessment roll as owning property adjacent to the exterior boundaries of the project site. Additional notice may be provided when appropriate by the Planning Director. The notice shall describe the proposed use and explain how interested people may obtain additional information about the project. The notice shall inform the property owners in the vicinity of a precise plan proposal of their opportunities to review, comment upon, and appeal the approval of the project, if desired.~~
- ~~— (4) (c) Review and Approval. The Planning-Community Development Director shall approve a precise plan application at the end of the public notice period when the proposed project or use satisfies all applicable provisions of this title. The approval shall become effective for the purpose of issuance of a building or grading permit, or establishment of a use not involving construction, fourteen (14) days after ~~the notice has been sent~~approval, unless an appeal is filed with the Planning Department as set forth in subsection (bd)(5) of this section.~~

- (5d) Appeal of Precise Plan Decision. Any ~~aggrieved~~ person may appeal a decision on a precise plan application as set forth in Section 9-1.111; ~~provided, that the only basis for an appeal or action on an appeal by the Planning Commission or City Council shall be whether the proposed use satisfies all applicable provisions of this title.~~

9-2.110 Conditional use permit.

- (a) The conditional use permit is the process used to review land use proposals of a nature or magnitude which could significantly affect their surroundings. Such land use proposals include:
- (1) Uses that are shown as conditional uses in a particular zoning district; or
 - (2) ~~Multiple-family and mixed-use residential developments consisting of twelve (12) or more units,~~ even if such a development is listed as an allowed use in a particular zoning district, if the proposed development is not compliant with Section 9-4.130 (Multifamily and Mixed-use Building Design Standards), and/or if the project includes fifty (50) or more dwelling units.
 - (3) Nonresidential development containing fifty thousand (50,000) square feet or more of building footprint area, even if such a development is listed as an allowable use in a particular zoning district; or
 - (4) Outdoor commercial and industrial sales and storage developments as defined by Section 9-9.102 of ten thousand (10,000) square feet or more, even if such a development is listed as an allowable use in a particular zoning district.
- (b) Because of the intensity or specific characteristics of such uses, public review and input into decisions on whether to approve such proposals is needed. That input is given in a public hearing before the Planning Commission. The conditional use permit is a discretionary approval and the Planning Commission may approve or disapprove a conditional use permit or may adopt additional conditions of approval. Conditional use permit applications may be denied by the Planning Commission because of specific findings identified through public hearing testimony or because of provisions of this title. When conditional use permit approval is required, preparation and processing of the application shall be as follows:
- (1) Conditional Use Permit Content. Applications shall be made to the Community Development Department in the form prescribed by the Community Development Director or their designee, including, as may be necessary, site plans, written descriptions of activities to be conducted, technical studies of site characteristics, and any other materials set forth on the application form or otherwise prescribed by City policy. The content of a conditional use permit application is to be the same as required for the precise plan use by Section 9-2.109(a).
 - ~~(2) Conditional Use Permit Processing. Conditional use permit applications shall be submitted to the Planning Department and shall be processed as follows:~~
 - ~~(i) Environmental Determination. A conditional use permit application accepted for processing as set forth in Section 9-2.102 shall receive an environmental determination as required by the California Environmental Quality Act (CEQA). The Planning Department shall process the application concurrently with the environmental determination.~~
 - ~~(ii) Staff Report. The Planning Department shall prepare a staff report which:~~
 - ~~a. Describes the characteristics of the proposed land use or development project, as well as the project site and its surroundings; and~~
 - ~~b. References applicable policies and regulations; and~~
 - ~~c. Determines whether the proposed use or project satisfies at minimum the provisions of this title; and~~

~~d. Recommends whether, and on what basis the proposal should be approved, conditionally approved or disapproved.~~

~~(ii) Public Hearing. The Planning Director shall schedule the conditional use permit for public hearing before the Planning Commission as set forth in Section 9-1.110.~~

(32) Approval. The authority to take final action on a conditional use permit as set forth in this subsection is assigned to the Planning Commission, provided that such decisions may be appealed to the City Council (Section 9-1.111, Appeal), and unless combined with other applications requiring City Council approval.

(i) Conditions of Approval. After the conclusion of a public hearing, the Planning Commission may approve, conditionally approve, or disapprove the conditional use permit. In conditionally approving a conditional use permit, the Planning Commission shall designate such conditions to satisfy any requirements of CEQA, and to:

- a. Secure compliance with the objectives and requirements of this title and the General Plan; and
- b. Designate time limits or phasing schedules other than those specified in Section 9-2.112 for the completion of projects when deemed appropriate.

(ii) Additional Conditions. In addition to the conditions of Section 9-2.110(b)(3)(i), the Planning Commission may adopt other conditions, including, but not limited to:

- a. Requiring that security be provided to guarantee performance and/or compliance with conditions of approval, as set forth in Section 9-2.121;
- b. Requiring installation of specific on-site or off-site improvements;
- c. Requiring periodic review or limiting the permit to a specified period of time;
- d. Requiring that the permit be personal to the applicant or be applicable to the property;
- e. Any other conditions as are judged by the Planning Commission to be necessary to achieve compatibility between the proposed use and its site, its immediate surroundings, and the community -

~~(iii) Effect of Conditions. Whenever a conditional use permit approval is granted or amended subject to conditions, use or enjoyment of the conditional use permit approval in violation, or without observance of any conditions shall constitute a violation of this title. In the event of such a violation, the approval may be revoked or modified as provided in Section 9-8.105. The duration of conditions is established in Section 9-2.118. Any change in the conditions of approval of a conditional use permit shall only be allowed after following all procedures undertaken for the original approval.~~

~~(iv) Required Findings. If the Planning Commission approves or conditionally approves a conditional use permit, it shall first find thatThe following findings must be made to approve a Conditional Use Permit:~~

- a. The proposed project or use is consistent with the General Plan; and
- b. The proposed project or use satisfies all applicable provisions of this title; and
- c. The establishment, and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use; and

- d. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development; and
- e. The proposed use or project will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved in conjunction with the project, or beyond the normal traffic volume of the surrounding neighborhood that would result from full development in accordance with the land use element; and
- f. The proposed project is in compliance with any pertinent city policy or criteria adopted by ordinance or resolution of the city council; and
- g. Any additional findings deemed necessary or listed within specific code sections.
- h. For a project that is defined as a “Housing Development Project” by the Housing Accountability Act (California Government Code Section 65589.5(h)(2)), the reviewing body must approve or conditionally approve the project unless it makes one of the following findings supported by a preponderance of the evidence in the record:
 - 1. The project does not comply with all applicable objective General Plan, Zoning Regulations, Subdivision, and development standards including objective design review standards.
 - 2. The project would result in a specific adverse impact to public health and safety that cannot be feasibly mitigated without denying the project or reducing its density. As used in this Section, a “specific, adverse impact” is defined by California Government Code Section 65589.5(j) and means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.
 - 3. (4)–Effective Date. The approval of a conditional use permit shall become final and effective for the purposes of issuing a construction permit or establishing a nonstructural use fourteen (14) days following the Planning Commission approval unless prior to that time an appeal to the decision is filed as set forth in Section 9-1.111(b).
 - 4. Types of Conditional Use Permits. The City has established three levels of use permit review related to project scale: Minor, Standard, and Major, with fees established for each by resolution of the City Council. Each type of conditional use permit shall follow the review process outlined in this Subsection 9-2.110(b).

9-2.122 Housing Accountability Act Streamlined Review

(a) Projects defined as “housing development projects” by Government Code Section 65589.5(h)(2) are subject to unique regulations, including review timeframes, a limit on the number of public meetings, and specific findings in case of denial or a reduction in density. If conflicts occur between other procedures in Title 9 and the procedures of Government Code Section 65589.5(h)(2), Government Code Section 65589.5(h)(2), as it may be amended from time to time, control.

9-3.245 Minimum lot size—RMF Zone.

The minimum lot size in the Residential Multiple-Family Zone shall be one-half (1/2) acre. Smaller lot sizes may be allowed for planned residential developments, including condominiums and mobilehome developments, provided that the overall density within the project conforms with Section 9-3.252. There

shall be no minimum lot size for lots designed consistent with the small lot subdivision standards as set forth in Subsection 9-4.130(1)(9) (Small Lot Subdivisions).

9-3.252 Density—RMF Zone.

The ~~maximum~~-allowable base density in the Residential Multiple-Family Zone shall be designated on the official zoning maps as provided by Section 9-3.104(c) and be consistent with the General Plan for new residential subdivisions as follows, provided that no minimum density is required for parcels of one-half acre or less:

- (a) Areas Designated Low Density Multiple-Family Residential. The minimum number of dwelling units per net acre is two (2). The maximum number of dwelling units per net acre is ten (10).
- (b) Areas Designated High Density Multiple-Family Residential.
 - (1) Base Density. The minimum number of dwelling units per net acre is twenty (20). The maximum number of dwelling units per net acre is twenty-four (24).
 - (2) To encourage smaller units that are affordable by design, maximum density may be calculated based on unit size.
- (c) Fractional Density. To encourage smaller units that are affordable by design, maximum density may be calculated based on unit size. Fractional density shall not be used to determine minimum density.
 - (1) Calculation. The following density unit value attributed to unit sizes may be used for the purpose of calculating multi-unit maximum development density allowed on a high-density multi-family zoned parcel:
 - (i) Units up to six hundred (600) square feet = one half (0.50) unit
 - (ii) Units of six hundred one (601) square feet up to one thousand (1,000) square feet = two thirds (0.66) unit
 - (iii) Units over one thousand (1,000) square feet = one (1) unit
 - (2) Rounding. Maximum residential development potential shall be the net lot area (in whole and fractional acres), multiplied by the maximum density allowed. The resulting number (in density units, carried out to the nearest one hundredth [0.01] unit) shall be the maximum residential development potential. For example, when a calculation results in a density of 4.74 units, up to nine (9) units that are less than six hundred (600) square feet in size would be permitted; when a calculation results in a density of 4.75 units, up to ten (10) units less than six hundred (600) square feet in size would be permitted). Any combination of dwelling types and numbers may be developed, so long as their combined density unit values do not exceed the maximum potential. The rules of rounding stated in this section for fractional density shall supersede the rules of rounding stated in Section 9-1.109(b)(4).
 - (3) For all regulations other than maximum density, (e.g., parking requirements, minimum density etc.), regulations shall be based on the number of units, not based on the number of fractional density units.
- (ed) Hillside Density Standards. The densities permitted by subsections (a), ~~and~~ (b), and (c) of this section shall be modified to the following base densities (prior to any fractional density calculation) based on site topography, as follows:

Average Slope	Low Density Multiple-Family (units/acre)	High Density Multiple-Family (units/acre)	
		Minimum	Maximum
0—10.99%	10	20	24
11—15.99%	7	14	17

16—20.99%	5	10	12
21—25.99%	3	6	7
26—30.0%	2	4	5
> 30%	1	2	2

(~~ed~~) For medical extended care services, where residents are primarily non-ambulatory, the following maximum bed/net acre densities may be permitted, ~~where subject to Planning Commission conditional-use permit approval:~~

RMF-10 District	34 beds/net acre
RMF-24 District	55 beds/net acre

Such approval shall require a finding that the average daily traffic generated by the project would not exceed that of a multifamily project. The project ~~would be further subject to~~ must also meet the “percentage coverage” all property development standards and objective design standards of this code pertaining to multi-family developments and all pertinent code sections. constraints of subsection (a) of the district. Off-street parking requirements would be as established by the Planning Commission.

(~~fe~~) Sewer Service. Sewer service and the inclusion of property within the urban services line (USL) shall be a prerequisite to developing multiple-family projects to the density standards of the RMF zone.

(~~fg~~) Density Bonus. A density bonus and/or development concessions or waivers may be granted, ~~subject to approval by the City Council through a master plan of development (CUP),~~ consistent with Sections 9-3.801 through 9-3.806.

~~(hg) In lieu of granting a density bonus, the Planning Commission shall consider other bonus incentives allowable under Government Code Section 65915.~~

9-3.262 Property development standards—RMF.

In addition to the standards specified in Chapter 4 of this title, General Site Design and Development Standards, the following development standards shall apply to all residential projects of two or more units, including but not limited to those projects that utilize modular units, mobile homes, or stock plans and multiple family residential projects:

(a) ~~Reserved. Percent Coverage. The maximum percent of a lot that may be covered by structures (excluding decks less than thirty (30) inches from the ground) shall be forty percent (40%) for low density multiple family projects and fifty percent (50%) for high density multiple family projects.~~

(b) Enclosed Storage ~~– Accessible from Exterior.~~ Each dwelling unit shall must be provided a minimum of one hundred thirty (1300) cubic feet of enclosed storage space, exclusive of closets located within units. Enclosed storage must provide an exterior entrance and , which may be located in either a principal or accessory building. Storage space for each unit or a portion thereof may be combined for the provision of bicycle parking and storage. All bicycle parking/storage must meet the following standards:

(1) Bicycle parking/storage must be enclosed, lockable, and located within the residential or accessory building on the ground floor unless the building includes elevator access to upper floors.

- (2) Bicycle parking/storage must provide a minimum of one 110-volt electrical outlet and an additional outlet per ten bicycle parking spaces for charging electric bicycles.
- (3) Bicycle parking/storage racks must be designed to allow the user to lock the bicycle to the rack and keep at least one bicycle wheel on the ground or provide a means for the user to roll the bicycle onto a rack and lift it up to a second level.
- (c) Outdoor Recreation or Gathering Areas. For developments of four (4) to seven (7) dwelling units, o
 - (1) Size and Type of Open Space. Outdoor recreational or gathering open space shall must be provided at a ratio of ~~three hundred two (300200)~~ square feet per unit.
 - (i) Two-, ~~or three-~~, or four-unit projects. This open space may must be provide outdoor spaced either as: (1) a private amenity designed for exclusive use of a dwelling unit; or (2) as common open space provided that no individual common open space area is less than ~~one thousand (1,000)~~ four hundred (400) square feet; or (3) a combination of private and common open space provided no individual common open space is less than four hundred (400) square feet.
 - (ii) For developments of five (5) to nine (9) dwelling units, outdoor space must be provided as common open space or a combination of private and common areas, provided no more than 50 percent of the open space is private and no common open space is less than eight hundred (800) square feet.
 - (iii) For developments of ten ~~eight (810)~~ or more dwelling units, outdoor ~~recreational~~ open space shall be provided as common open space or a combination of private and common areas, provided no more than 50 percent of the open space is private and no common open space is less than one thousand (1,000) square feet. Open space may include upper floor private or common gathering spaces. ~~provided at a ratio of three hundred (300) square feet per unit. This common open space may be provided in more than one (1) location provided that no individual open space area is less than one thousand (1,000) square feet.~~
 - (2) Private Open Space Standards. Any private outdoor open space used to satisfy Section 9-3.262(c)(1) must meet the following standards:
 - (i) Minimum dimensions must be six (6) feet (width and depth) in any direction.
 - (ii) The private open space must be adjacent to, and directly accessible from, the residential unit being served.
 - (3) Common Open Space Standards. ~~Any common open space areas used to satisfy Section 9-3.262(c)(1) must meet are subject to the following location requirements standards:~~
 - (i) Minimum dimensions must be ten (10) feet (width and depth) in any direction.
 - (ii) May be located at grade, on an upper floor terrace or courtyard, or a building rooftop, in the form of a roof deck.
 - (iii) May not be located in drainage basins with a depth of two (2) feet or greater, areas without a flat bottom, and/or areas not accessible via pedestrian paths or trails to the units being served.
 - (4) Common Open Space – Required Amenities. All projects shall incorporate the number of common open space amenities indicated in Table 9-3.262-1, choosing from the options listed in respective Subsections (i), (ii), and (iii) below.

Table 9-3.262-1: Minimum Number of Required Common Open Space Amenities by Project Size			
Project Size	Tier 1	Tier 2	Tier 3

<u>2-4 units</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>5-9 units</u>	<u>1</u>	<u>2</u>	<u>1</u>
<u>10+ units</u>	<u>1</u>	<u>2</u>	<u>2</u>

(i) Tier 1 Amenities. Projects must incorporate, at a minimum, the number of open space amenities identified in Table 9-3.262-1 for Tier 1, choosing from the following list of amenities:

- a. —Open space that is designed as a courtyard entry for three (3) or more units that is physically separated from the parking area and directly accessible from, and oriented towards, a public street with a pedestrian pathway. For flag lots, the courtyard and pedestrian connection must be oriented to a shared parking lot.
- b. Shade covering a minimum of fifty percent (50%) of the outdoor common open space, which must include at least one canopy tree and may also be supplemented with shade covers.
- c. —Public art or interactive art, such as sculpture, murals, or water features. A mural must measure at least one-hundred twenty (120) square feet; sculptures (including any decorative base) and water features must have a minimum cumulative footprint of twenty-five (25) square-feet.
- d.— Preservation of an on-site native tree, heritage tree, as defined in Chapter 11 (Native Tree Regulations), or other healthy, mature tree, defined as a non-protected tree with a diameter-at-breast-height (DBH) of 12 inches or greater.

(ii) Tier 2 Amenities. Projects must incorporate, at a minimum, the number of open space amenities identified in Table 9-3.262-1 for Tier 2, choosing from the following list of amenities:

- a. Fixed or movable seating or outdoor dining areas such as picnic-style tables, at a ratio of no less than one seat per unit with a maximum of 15 seats per project.
- b. An enclosed, off-leash dog run/relief/wash area that includes signage, pet waste bag, and disposal receptacle(s), and potable water connection for dog bowl refilling and dog wash capabilities.
- c. Children’s play area, subject to the following:
 - (1) Projects of less than three (3) units: at least one (1) piece of permanent play equipment designed for children of all abilities and ages.
 - (2) Projects of four (4) to nine (9) units: at least two (2) pieces of permanent play equipment designed for children of all abilities and ages, or the equivalent in size, scale, and recreation diversity.
 - (3) Projects of ten (10) or more units: ~~with~~ at least four (4) pieces of permanent play equipment designed for children of all abilities and ages, or the equivalent in size, scale, and recreation diversity.
- d. Sports court or other outdoor activity stations (ping pong, etc.).
- e. Pool or spa.
- f. Outdoor kitchen, subject to the following:
 - (1) -Equipment must be located at least twenty (20) feet from adjacent existing or proposed residential units.
 - (2) Barbeque with a permanent natural gas line installed

- (3) A sink with waste line must be provided
- (4) An electrical outlet must be provided within the gathering space
- g. Fire pit with permanent natural gas line installed located at least twenty (20) feet from adjacent existing or proposed residential units surrounded by hardscape that allows for seating.
- h. Patio area with a minimum one hundred fifty (150) square- feet and minimum dimension of ten (10) feet in any direction, constructed with decorative pavers or stamped/colored concrete without steps or grade changes more than five percent (5%). Up to fifty (50) square feet of the required area may be occupied by plantings and landscaping either in ground or potted.
- hi. Preservation of twenty-five percent (25%) of existing mature tree canopy over the entirety of the project site based on recommendations of a qualified arborist.
 - (iii) Tier 3 Amenities. Projects must incorporate, at a minimum, the number of open space amenities identified in Table 9-3.262-1 for Tier 3, choosing from the following list of amenities:
 - a. Vertical landscaping, either climbing or cascading vines or plants.
 - b. Community garden, which must include the following:
 - (1) At least one (1) potable water connection and irrigation to all gardening areas;
 - (2) One (1) potting station, including a table no less than two (2) feet by four (4) feet;
 - (3) One (1) compost bin; and
 - (4) One (1) tool storage structure that is either designed to match the main structure's appearance or is placed behind a principal building and designed and constructed with agrarian appearance, and sized adequately to contain gardening tools.;
 - c. Flowering plants or edible landscape.
 - d. One hundred percent (100%) native, drought-tolerant plants and habitat, unless combined with edible landscape, in which case at least seventy-five percent (75%) must be native, drought-tolerant plants, with the remainder edible landscape.
 - e. Interpretive or educational information about geography, history, ecology, or indigenous history.
 - f. Nature trail measuring no less than one quarter (1/4) mile in length, defined as a path through undeveloped (no buildings, pavement, or utilities), vegetated areas, used for walking and seeing plants and wildlife.
- (5) Open Space Area – Additional Standards and Restrictions. Private and common open space areas intended to comply with Section 9-3.262(c)(1) must meet the following standards:
 - (i) Except for trails, required open space areas must be located in a flat or terraced area of six percent slope (6%) or less;
 - (ii) Required open space areas must not be met with areas designed primarily as walkways to doors, or other areas that cannot accommodate people gathering and/or are meant for a different purpose (such as a passageway); and
 - (iii) If located in a primary, secondary, or corner street setback, open space use areas must be set back at least five (5) feet from the property line/edge of right-of-way.

- (d) Open Space Reductions. Open space requirements may be reduced as follows:
- (1) Up to twenty-five percent (25%) of the required open space (Section 9-3.262(c)(1)) may be reduced if the project site is located within one thousand (1,000) feet of a publicly- accessible park, or up to fifty percent (50%) if located within five hundred (500) feet of a publicly accessible park.
 - (2) For developments of fifty (50) units or more, up to twenty-five percent (25%) of the open space area may be satisfied with an indoor recreation area measuring at least two thousand (2,000) square feet and directly accessible to an outdoor common area.
- ~~(ed) Screening Wall—Transition Zones Adjacent to Single Family. A solid wall or fence not less than six (6) feet in height shall be placed and maintained on interior lot lines abutting property zoned for single family residential use. See 9-4.130(j) (Transition to Abutting Rural and Single Family Uses).~~
- ~~(fe) Laundry Facilities. Laundry facilities shall~~must be provided in the form of either: (1) laundry hook-ups within each individual dwelling unit; or (2) a shared laundry facility equipped with washers and dryers at a ratio of one (1) washer and dryer for every six (6) units.
- ~~(gf) Appearance Review. All projects shall be consistent with the multifamily design and landscape requirements of the Appearance Review Manual. —~~
- ~~(gg) Maintenance Requirement. The site must be maintained and kept clear of any debris or storage including construction debris, unless part of an active, approved construction permit. All finishes, structures, paved areas, and landscaping must be repaired or replaced as needed. Any dead or non-thriving landscaping must be immediately replaced. All landscaping required for screening of any use, structure, or utility-/mechanical equipment must be maintained at a height and density to achieve maximum screening while appearing groomed and orderly. Irrigation systems must be maintained to ensure long--term viability of the planted areas. All site lighting must remain in good working order. Movable furniture or amenities must be replaced by the owner when damaged. All frontage or on-site trees must be maintained in a manner that allows the tree to grow to its full natural height and natural canopy. No growth suppressants are permitted that result in stunting or modifying the natural growth pattern of the tree. Should such trees be maintained contrary to this condition, the owner will be responsible for replacement. A maintenance agreement for all landscaping, building exteriors, accessory structures, parking areas and other common facilities shall be approved by the Community Development Director and City Attorney prior to final occupancy.~~
- ~~(lh) RMF-24 properties identified in Appendix 1, Table V 45 (Vacant Residential Parcels RMF-20); the Housing Site Inventory of the General Plan Housing Element shall be permitted “by right” and will not be subject to conditional use permit or specific plan. Proposed planned development projects or other relief from property development standards on these parcels shall be subject to discretionary review per the requirements of the municipal code.~~

9-3.330 Nonresidential district allowable land uses.

Table 3-2 identifies the uses of land allowed by this Zoning Code in each nonresidential district, and the planning permit entitlement required to establish each use, in compliance with Chapters 9-1 and 9-2 of this code. Where the last column in the tables (“Specific Use Regulations”) includes a section number, the regulations in the referenced section apply to the use. Provisions in other sections of this article may also apply.

**Table 3-2 – Nonresidential Use Table
Allowed Land Uses and Permit Requirements**

Nonresidential Zones	A Allowed Use, Zoning Clearance Required CUP Conditional Use Permit Required AUP Administrative Use Permit Required <input type="checkbox"/> Not Permitted										Special Regulation(s)
	Permitted Uses By Zones										
	CN	CP	CR	CS	CT	CPK	DC	DO	IP	I	
Mixed-Use	CUP ¹	CUP ¹	CUP ¹	CUP ¹			A ¹	A ¹			<u>9-3.331</u>
Multifamily Dwelling	CUP ²	CUP ²	CUP ²	CUP ²							<u>9-3.262</u>

9-3.331 Mixed-use residential density requirements.

- (a) Mixed-Use Development. Mixed-Use developments are defined as developments that have a vertical separation of commercial and residential land uses in a building, with commercial uses on the ground floor and residential uses above.
- (b) Density and Fractional Density.
 - (1) Mixed-use developments ~~within commercial zoning districts that allow for multifamily uses~~ shall have a maximum base density of twenty-four (24) dwelling units per acre.
 - (2) To encourage smaller units that are affordable by design, the City authorizes fractional density units wherein maximum density may be calculated based on unit size in mixed-use developments.
 - (i) The following density unit value attributed to unit sizes may be used for the purpose of calculating multi-unit maximum development density allowed on a parcel:
 - (A) Units up to six hundred (600) square feet = one half (0.50) units
 - (B) Units of six hundred one (601) square feet up to one thousand (1,000) square feet = two thirds (0.66) unit
 - (C) Units over one thousand (1,000) square feet = one (1) unit
 - (ii) Maximum residential development potential is the gross lot area (in whole and fractional acres), multiplied by the maximum density allowed. The resulting number (in density units, carried out to the nearest one hundredth unit) will be the maximum residential development potential. For example, when a calculation results in a density of 4.74 units, up to nine units that are less than 600 square feet in size would be permitted; when a calculation results in a density of 4.75 units, up to 10 units less than 600 square feet in size would be permitted). Any combination of dwelling types and numbers may be developed, so long as their combined density unit values do not exceed the maximum potential. The rules of rounding stated in this section for fractional density supersede the rules of rounding stated in Section 9-1.109(b)(4).
 - (iii) For all regulations other than maximum density, (e.g., parking requirements, minimum density etc.), regulations shall be based on the number of units, not based on the number of fractional density units.
 - (c) Building Design Standards. See Section 9-4.130 (Multifamily and Mixed-use Building Design Standards).
 - (d) Mechanical equipment. Mechanical equipment must be set back no less than five feet from property lines, may not be visible from a public right-of-way, and must comply with Section 9-4.128 (Fencing and screening).

- (e) Storage. Each dwelling unit shall must be provided a minimum of one hundred thirty (130) cubic feet of enclosed storage space, which do not include closets accessed from the interior of units. Storage space for each unit or a portion thereof may be combined for the provision of bicycle parking and storage. All bicycle parking/storage must meet the following standards:
- (1) Long-term bicycle parking spaces must be enclosed, lockable, and located within the residential building on the ground floor unless the building includes elevator access to upper floors
 - (2) Long-term bicycle parking spaces must provide a minimum of one 110-volt electrical outlet and an additional outlet per ten bicycle parking spaces for charging electric bicycles.
 - (3) Long-term bicycle parking racks must be designed to allow the user to lock the bicycle to the rack and keep at least one bicycle wheel on the ground or provide a means for the user to roll the bicycle onto a rack and lift it up to a second level.
- (f) Transitions Zones Adjacent to Single Family. See 9-4.130(j) (Transition to Abutting Rural and Single Family Uses).
- (g) Downtown Maximum Average Unit Size. The maximum average size of all dwelling units within a new mixed-use project in the Downtown districts (DO or DC) must be no greater than 1,200 square feet. Any existing units that comply with zoning use standards (are located on upper floors with commercial space below) may be excluded from this calculation.
- (h) Common and Private Open Space Requirements.
- (1) Size and Type of Open Space. Recreational or gathering open -space- (that is separate from the living space of a unit) must be provided at a ratio of thirty (30) square feet per unit.
 - (i) Exemption. Projects with four or fewer units within commercial zones, or developments of 10 or fewer units within the Downtown Zoning districts (DO or DC) are exempt from open space requirements.
 - (ii) For non-exempt developments with forty-nine (49) dwelling units or less, recreational or gathering open space may be provided as private open space, common open space, or a combination of private and common space.
 - (iii) For developments of fifty (50) or more dwelling units, recreational or gathering outdoor open space must be provided as common open space or a combination of private and common areas, provided no more than fifty (50) percent of the open space is private. ~~and~~
 - (2) Private Open Space Standards. Any private outdoor open space used to satisfy Section 9-3.331(h)(1) must meet the following standards:
 - (i) Minimum dimensions must be five (5) feet (width and depth) in any direction.
 - (ii) The private open space must be adjacent to, and directly accessible from, the residential unit being served.
 - (3) Common Open Space Standards. Any common outdoor open space used to satisfy Section 9-3.331(h)(1) must meet the following standards:
 - (i) Minimum dimensions shall be ten (10) feet (width and depth) in any direction.
 - (ii) Common open space areas must be at least seven hundred fifty (750) square feet.
 - (iv) May be located at grade, on an upper floor terrace or courtyard, or a building rooftop, in the form of a roof deck, except it may not be located at grade within the Downtown Districts nor adjacent to a public street unless in the form of a publicly accessible plaza.
 - (v) May not be located in drainage basins with a depth of two (2) feet or greater and/or areas not accessible via pedestrian paths or trails to the units being served.

(vi) Required open space areas must not be met with areas designed primarily as walkways to doors, or other areas that cannot accommodate people gathering and/or are meant for a different purpose (such as a passageway).

9-3.340 Property development standards.

New subdivisions, land uses, structures, and alterations to existing land uses and structures shall be designed, constructed and established in compliance with the Sections 9-3.62 and 9-3.341 through 9-3.444, in addition to applicable standards (e.g., landscaping, parking, fencing, etc.) in Chapter 9-4, and Special Land Use Regulation in Chapter 9-6 of this title.

9-3.341 CN Zone.

The following are property development standards for the CN in addition to those found in Chapters 9-3, 9-4, 9-6, and other special use regulations found in this title:

- (a) Lot Size. The minimum lot size in the Commercial Neighborhood Zone shall be one-half (1/2) acres. Smaller lot sizes may be allowed for planned commercial and industrial developments, including condominiums, where the Planning Commission determines that such smaller lot sizes will not be detrimental to the purpose and intent of the Commercial Neighborhood Zone.
- (b) Multifamily Dwellings. Multifamily dwellings are permitted with a minor conditional use permit when located on the second floor or above.
- (c) Fire Backflow Devices. Fire backflow devices are required to be integrated into the site or building design, are prohibited in any public right-of-way, and must also be accessible to Fire Department and Water Company personnel at all times.
- (d) Fire Connection Devices. Fire department connections shall be installed in accordance with the NFPA standard applicable to the system design and shall comply with Sections 912.2 through 912.7 of the California Fire Code.

9-3.342 CP Zone.

The following are property development standards for the CP in addition to those found in Chapters 9-3, 9-4, 9-6, and other special use regulations found in this title:

- (a) Lot Size. The minimum lot size in the Commercial Professional Zone shall be one-half (1/2) acre. Smaller lot sizes may be allowed for planned commercial and industrial developments, including condominiums, where the Planning Commission determines that such smaller lot sizes will not be detrimental to the purpose and intent of the Commercial Professional Zone.
- (b) Fire Backflow Devices. Fire backflow devices are required to be integrated into the site or building design, are prohibited in any public right-of-way, and must also be accessible to Fire Department and Water Company personnel at all times.
- (c) Fire Connection Devices. Fire department connections shall be installed in accordance with the NFPA standard applicable to the system design and shall comply with Sections 912.2 through 912.7 of the California Fire Code.

9-3.343 CR Zone.

The following are property development standards for the CR in addition to those found in Chapters 9-3, 9-4, 9-6, and other special use regulations found in this title:

- (a) Lot Size. The minimum lot size in the Commercial Retail Zone shall be one-half (1/2) acre. Smaller lot sizes may be allowed for planned commercial and industrial developments, including

condominiums, where the Planning Commission determines that such smaller lot sizes will not be detrimental to the purpose and intent of the Commercial Retail Zone.

- (b) Parking. Parking areas designated to have vehicles facing El Camino Real or the freeway shall be screened with a landscaped berm a minimum of thirty (30) inches in height.
- (c) Setback. A minimum freeway setback of ten (10) feet shall be provided. Said setback area shall be landscaped.
- (d) Utilities. All new and existing utilities shall be installed underground.
- (e) Fire Backflow Devices. Fire backflow devices are required to be integrated into the site or building design, are prohibited in any public right-of-way, and must also be accessible to Fire Department and Water Company personnel at all times.
- (f) Fire Connection Devices. Fire department connections shall be installed in accordance with the NFPA standard applicable to the system design and shall comply with Sections 912.2 through 912.7 of the California Fire Code.

9-3.344 CS Zone.

The following are property development standards for the CS in addition to those found in Chapters [9-3](#), [9-4](#), [9-6](#), and other special use regulations found in this title:

- (a) Lot Size. The minimum lot size in the Commercial Service Zone shall be one (1) acre. Smaller lot sizes may be allowed for planned commercial and industrial developments, including condominiums, where the Planning Commission determines that such smaller lot sizes will not be detrimental to the purpose and intent of the Commercial Service Zone.
- (b) Fire Backflow Devices. Fire backflow devices are required to be integrated into the site or building design, are prohibited in any public right-of-way, and must also be accessible to Fire Department and Water Company personnel at all times.
- (c) Fire Connection Devices. Fire department connections shall be installed in accordance with the NFPA standard applicable to the system design and shall comply with Sections 912.2 through 912.7 of the California Fire Code.

9-3.347 DC/DO Zone.

The following are property development standards for both the DC and DO zoning districts, in addition to those found in Chapters [9-4](#), [9-6](#), and other special use regulations found in this title.

Development Feature	Requirement by Zoning District	
	DC	DO
	Downtown Commercial	Downtown Office
Minimum lot size	No minimum	
Setbacks	<i>Minimum and maximum setbacks required. See Section 9-4.103 for setback requirement, allowed projections into setbacks, and exceptions to setbacks.</i>	
Front Primary Street	None allowed, except for building insets designed to accommodate outdoor eating and seating areas, and except for East Mall between El Camino Real and Palma Avenue, where a minimum of 20 feet is required.	As required by Section 9-4.106 when adjacent to a residential zone, none required otherwise.
Sides (each)	None required	
Rear	None required	
Creek	To be determined through Design Review	
Height limit	45 feet not to exceed 3 stories ; 18 feet on the west side of El Camino Real between Atascadero Creek and the lot line common to Lots 19 and 20, Block H-B, Atascadero Colony Map.	35 feet
Landscaping	As required by Section 9-4.124 et seq. (Landscaping, screening and fencing)	
Off-street parking	None required, except as required by Section 9-4.114 for hotels, motels, residential uses, offices, government offices and facilities, and health care services, and for all development east of Atascadero Creek.	As required by Section 9-4.114 et seq.
Signs	See Chapter 9-15	
Density	24 dwelling units/acre maximum <u>See also Section 9-3.331(b) (Density and Fractional Density).</u>	24 dwelling units/acre maximum <u>See also Section 9-3.331(b) (Density and Fractional Density).</u>
Fire backflow devices	(a) Fire Backflow Devices. Fire backflow devices are required to be integrated into the site or building design, are prohibited in any public right-of-way, and must also be accessible to Fire Department and Water Company personnel at all times. (b) Fire Connection Devices. Fire department connections shall be installed in accordance with the NFPA standard applicable to the system design and shall comply with Sections 912.2 through 912.7 of the California Fire Code.	

Article 30. Density Bonus

9-3.801 Purpose.

The purpose of this ~~section~~ Article is to establish a program in accordance ~~comply~~ with California Government Code Section 65915 through 65918 (State Density Bonus Law ~~(California Government Code (GC) Sections 65915 through 65918)~~ to provide both density increases and other incentives to encourage the creation of housing affordable to moderate-, low-, and very low-income households, seniors, and other qualifying households under State law, by providing increased residential densities for projects that guarantee that a portion of the housing units will be affordable to very low-, low-, or moderate-income households, senior citizens, or include child care facilities.

(a) ~~Projects that utilize the density bonus are not required to implement the City's Inclusionary Housing Policy or other inclusionary housing ordinance in effect at the time of issuance of building permit. (Ord. 570 § 1, 2013)~~ 9-3.801

9-3.802 Applicability.

~~The provisions of this section apply to the construction of five (5) or more housing units as a part of any tentative subdivision map, master plan of development (conditional use permit) or other development application that satisfy one (1) or more of the following criteria:~~

- ~~— (a) At least ten (10) percent of the units are designated for low income households.~~
- ~~— (b) At least five (5) percent of the units are designated for very low income households.~~
- ~~— (c) One hundred (100) percent of the units are designated for senior citizens as defined in Sections 51.3 and 51.12 of the Civil Code or mobile home park that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the Civil Code.~~
- ~~— (d) At least ten (10) percent of the units in a common interest development are designated for moderate-income households, provided that all units in the development are offered to the public for purchase. (Ord. 570 § 1, 2013)~~

- (a) **General.** All proposed housing developments that qualify under California Government Code Section 65915 for a density increase and other incentives, and any qualified land transfer under California Government Code Section 65915 shall be eligible to apply for a density bonus (including incentives and/or concessions) consistent with the requirements, provisions and obligations set forth in California Government Code Section 65915, as it may be amended from time to time.
- (b) **Compliance.** The applicant shall comply with all requirements stated in California Government Code Sections 65915 through 65918. The requirements of California Government Code Section 65915 through 65918, and any amendments thereto, shall prevail over any conflicting provision of this Code.
- (c) **Excluded development.** An applicant shall not receive a density bonus or any other incentive or concession if the housing development would be excluded under California Government Code Section 65915.
- (d) **Interpretation.** The provisions of this subdivision shall be interpreted to implement and be consistent with the requirements of California Government Code Section 65915. Any changes to California Government Code Section 65915 shall be deemed to supersede and govern over any conflicting provisions contained herein. If any portion of this Article conflicts with State Density Bonus Law or other applicable State law, State law shall supersede this Section. Any ambiguities in this Section shall be interpreted to be consistent with State Density Bonus Law.
- (e) **Replacement Housing Requirement.** Pursuant to subdivision (c)(3) of California Government Code Section 65915, an applicant will be ineligible for a density bonus or other incentives unless the applicant complies with the replacement housing requirements therein, including in the following circumstances:
 - (1) The housing development is proposed on any parcel(s) on which rental dwelling units are subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income;
 - (2) The housing development is proposed on any parcel(s) on which rental dwelling units that were subject to a recorded covenant, ordinance, or law that restricted rents to levels affordable to persons and families of lower or very low income have been vacated or demolished in the five-year period preceding the application;
 - (3) The housing development is proposed on any parcel(s) on which the dwelling units are occupied by lower- or very low-income households; or
 - (4) The housing development is proposed on any parcel(s) on which the dwelling units that were occupied by lower- or very low-income households have been vacated or demolished in the five-year period preceding the application.

~~9-3.803 — Calculating the density bonus.~~

~~— The density bonus shall be calculated as shown in the table below for very low, low, and moderate-income households. For housing developments meeting the criteria of Section 9-3.802(c), the density bonus shall be twenty (20) percent of the total number of senior housing units. All density calculations resulting in fractional units shall be rounded consistent with the City's Municipal Code Section 9-1.109.~~

Percentage of Affordable Units and Corresponding Density Bonus

Very Low Income Households Earning < 50% AMI		Low Income Households Earning < 80% AMI		Moderate Income 120% AMI Persons/Families in Common Interest Development[†]	
Very Low Income Units	Percentage of Density Bonus[†]	Low Income Units	Percentage of Density Bonus[†]	Moderate Income Units	Percentage of Density Bonus[†]
5%	20.0%	10%	20.0%	10%	5.0%
6%	22.5%	11%	21.5%	11%	6.0%
7%	25.0%	12%	23.0%	12%	7.0%
8%	27.5%	13%	24.5%	13%	8.0%
9%	30.0%	14%	26.0%	14%	9.0%
10%	32.5%	15%	27.5%	15%	10.0%
11%	35.0%	16%	29.0%	16%	11.0%
		17%	30.5%	17%	12.0%
		18%	32.0%	18%	13.0%
		19%	33.5%	19%	14.0%
		20%	35.0%	20%	15.0%
				21%	16.0%
				22%	17.0%
				23%	18.0%
				24%	19.0%
				25%	20.0%
				26%	21.0%
				27%	22.0%
				28%	23.0%
				29%	24.0%
				30%	25.0%
				31%	26.0%
				32%	27.0%
				33%	28.0%
				34%	29.0%
				35%	30.0%
				36%	31.0%
				37%	32.0%
				38%	33.0%
				39%	34.0%
				40%	35.0%

† Density bonus is above the highest range of base density.

(Ord. 570 § 1, 2013)

9-3.803 Density Increase and Other Incentives.

—(a)

General. If a qualifying affordable housing project or land transfer/cash payment meets the criteria of California Government Code Section 65915 et seq., the project shall be granted a density bonus, the amount of which shall be as specified in California Government Code Section 65915 et seq., and incentives or concessions also as described in California Government Code Section 65915 et seq.

(b) **Density Bonus Units.** Except as otherwise required by California Government Code Section 65915, the density bonus units shall not be included when calculating the total number of housing units that qualifies the housing development for a density bonus.

(c) **Market-rate senior citizen housing developments.** Market-rate senior citizen housing developments that qualify for a density bonus shall not receive any other incentives or concessions, unless California Government Code Section 65915 is amended to specifically require that local agencies grant incentives or concessions for senior citizen housing developments.

9-3.804 Developer incentives:

—(a) ~~Restrictions. When an applicant seeks a density bonus as prescribed by GC Section 65915, the City will grant developer incentives as required, unless it makes any of the following findings:~~

—(1) ~~The developer incentives are not required in order to provide affordable housing, as defined in Section 50052.3 of the Health and Safety Code, or for rents for the targeted units to be set as specified in GC Section 65915(e).~~

—(i) ~~The developer incentives would have a specific adverse impact, as defined in paragraph (2) of Subdivision (d) of Section 65589.5, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate income households.~~

—(ii) ~~The developer incentives would be contrary to State or Federal law.~~

—(b) ~~Number of Developer Incentives. The number of developer incentives shall be in compliance with the table as shown below:~~

Number of Developer Incentives

Number of Developer Incentives	Set Aside Units		
	Very Low-Income Units	Low-Income Units	Moderate-Income Units in Common Interest Developments ¹
1	5%	10%	10%
2	10%	20%	20%
3	15%	30%	30%

¹ Common interest development includes common interest developments of, or in a planned development as defined in Subdivision (k) of Section 1351 of the Civil Code that are offered to the public for purchase.

—(c) ~~Developer Incentives Defined. For the purposes of this section, concession or incentive means any of the following that results in identifiable, financially sufficient, and actual cost reductions:~~

- ~~—(1) Reduced site development standards;~~
- ~~—(2) Modified zoning code;~~
- ~~—(3) Architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code;~~
- ~~—(4) A reduction in setback requirements;~~
- ~~—(5) Reduction of vehicular parking standards;~~
- ~~—(6) Approval of mixed use zoning if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area;~~
- ~~—(7) Other regulatory developer incentives proposed by the developer;~~
- ~~—(8) Other regulatory developer incentives proposed by the City. (Ord. 570 § 1, 2013)~~

9-3.804 Physical Constraints and Parking Waivers.

- (a) **Physical Constraints.** Except as restricted by California Government Code Section 65915, the applicant for a density bonus may submit a proposal for the waiver or reduction of development standards that have the effect of physically precluding the construction of a housing development incorporating the density bonus and any incentives or concessions granted to the applicant. A request for a waiver or reduction of development standards shall be accompanied by documentation demonstrating that the waiver or reduction is physically necessary to construct the housing development with the additional density allowed pursuant to the density bonus and incorporating any incentives or concessions required to be granted. The City shall approve a waiver or reduction of a development standard, unless it finds that:
 - (1) The application of the development standard does not have the effect of physically precluding the construction of a housing development at the density allowed by the density bonus and with the incentives or concessions granted to the applicant;
 - (2) The waiver or reduction of the development standard would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon health, safety, or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact;
 - (3) The waiver or reduction of the development standard would have an adverse impact on any real property that is listed in the California Register of Historical Resources; or
 - (4) The waiver or reduction of the development standard would be contrary to state or federal law.
- (b) **Parking.** The applicant may request, and the City may grant, a reduction in parking requirements in accordance with California Government Code Section 65915(p), as that section may be amended from time to time.
- (c) **Order of Election of Development Standard Waivers/Reductions.** Applications for waivers and reductions to development standards shall be approved for all other development standards prior to the waiver or reduction in required open space or additional parking reductions beyond 9-3.804(b).

9-3.805 — Waivers and modifications of development standards.

- ~~—(a) Proposal. In accordance with Government Code Section 65915(e), an applicant may propose a waiver or modification of development standards if it would physically preclude the construction of a~~

~~development project under the criteria Section 9-3.802 at the densities or with the developer incentives permitted by this section. A waiver or modification of standards shall be reviewed by the City's Design Review Committee and approved by the Planning Commission and/or City Council.~~

~~—(b) A proposal for the waiver or reduction of development standards pursuant to this subsection shall neither reduce nor increase the number of developer incentives to which the applicant is entitled pursuant to Section 9-3.804(b).~~

~~—(c) Grounds for Denial. In accordance with Government Code Section 65915(e), the City may deny an applicant's request to waive or modify the City's development standards in any of the following circumstances:~~

~~—(1) The application does not conform with the requirements of this section or Government Code Sections 65915 through 65918.~~

~~—(2) The applicant fails to demonstrate that the City's development standards physically preclude the utilization of a density bonus on a specific site. The City's Design Review Committee or Planning Commission shall make the appropriate finding.~~

~~—(3) The waiver or reduction would have a specific, adverse impact, as defined in Government Code Section 65589.5(d)(2), upon health, safety, or the physical environment, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.~~

~~—(4) The waiver or reduction would have an adverse impact on any real property that is listed in the California Register of Historical Resources.~~

~~—(5) The waiver or reduction would be contrary to State or Federal law. (Ord. 570 § 1, 2013)~~

9-3.805 Retention of Density Bonus Units.

Consistent with the provisions of California Government Code Section 65915 et seq., prior to a density increase or other incentives being approved for a project, the City of Atascadero and the applicant shall agree to an appropriate method of ensuring the continued availability of the density bonus units.

9-3.806 Application procedure for Density Increase or Other Incentives.

~~An application for a density bonus, developer incentive, or waiver or modification of development standards shall include the following information:~~

- ~~—(a) Site plan;~~
- ~~—(b) Preliminary architectural elevations;~~
- ~~—(c) Preliminary floor plans;~~
- ~~—(d) Preliminary landscaping plan;~~
- ~~—(e) The total number of base units;~~
- ~~—(f) The number and location of proposed affordable housing units;~~
- ~~—(g) The specific developer incentive(s) sought, if any;~~
- ~~—(h) The specific waiver or modification to development standards sought, if any;~~
- ~~—(i) If seeking a developer incentive, documentation regarding the necessity of the developer incentive in order to provide affordable housing costs or rents;~~
- ~~—(j) If seeking a waiver or modification of development standards, documentation regarding the necessity of the waiver or modification, including documentation demonstrating that the City's development standards physically preclude the utilization of a density bonus;~~
- ~~—(k) If requesting a density bonus based on land donation in accordance with Government Code Section 65915(g), information sufficient to permit the City to determine that the proposed donation conforms with the requirements of Section 65915 and this code; and~~

- ~~(1) If requesting a density bonus based on the provision of a child day care facility in accordance with Government Code Section 65915(h), the application must:~~
 - ~~(1) Provide the location of the proposed child day care facility and the proposed operator;~~
 - ~~(2) Agree to operate the child day care facility for a period of time that is as long as or longer than the period of time during which the density bonus units are required to remain affordable;~~
 - ~~(3) Agree to have contracted with a child day care facility operator for operation of the child day care facility before the first building permit is issued, and~~
 - ~~(4) Agree that the child day care facility will be in operation when the first certificate of occupancy is issued.~~
- (a) **Application Requirements.** An application for a density increase or other incentives under this Article for a housing development shall be submitted in writing to the Planning Division to be processed concurrently with all other entitlements of the proposed housing development. The application for a housing development shall contain information sufficient to fully evaluate the request under the requirements of this Article, and in connection with the project for which the request is made, including, but not limited to, the following:
- (1) A brief description of the proposed housing development;
 - (2) The total number of housing units and/or shared housing units (as defined in California Government Code Section 65915(o)(6)) proposed in the development project, including unit sizes and number of bedrooms;
 - (3) The total number of units proposed to be granted through the density increase and incentive program over and above the otherwise maximum density for the project site;
 - (4) The total number of units to be made affordable to or reserved for sale, or rental to, very low-, low- or moderate-income households, or senior citizens, or other qualifying residents;
 - (5) The zoning, general plan designations, and assessor's parcel number(s) of the project site;
 - (6) A vicinity map and preliminary site plan, drawn to scale, including building footprints, driveway(s) and parking layout;
 - (7) The proposed method of ensuring the continued availability of the density bonus units; and
 - (8) Within zones that rely on a form-based code, a base density study that identifies the density feasible on the site without incentives, concessions or density bonuses;
 - (9) A list of any concession(s) or incentive(s) being requested to facilitate the development of the project, and a description of why the concession(s) or incentive(s) is needed.
- (b) **Application Processing.** The application shall be considered by the Planning Commission and/or the City Council at the same time each considers the project for which the request is being made. If the project is not to be otherwise considered by the Planning Commission or the City Council, the request being made under this Article shall be considered by the Community Development Director or designee, separately. The request shall be approved if the applicant complies with the provisions of California Government Code Section 65915 et seq.

9-4.102 Applicability of the standards.

The standards of this chapter apply to all new land uses which are required to have a zoning approval pursuant to this title, except where the standards of Chapter 9-6 or Chapter 9-3 conflict with the provisions of this chapter, the more restrictive provisions ~~of Chapters 9-6 and 9-3~~ prevail.

9-4.106 Street setbacks.

A street setback is measured at right angles from the nearest point on the property line to the building line. Setback landscaping and fencing standards are in Sections 9-4.125(a) and 9-4.128 of this chapter, respectively.

- (a) A, RS, RSF, and LSF Zones. All residential uses shall have a minimum ~~front~~primary street setback of twenty-five (25) feet, except as follows:
- (1) Shallow Lots. The ~~front~~primary street setback shall be a minimum of twenty (20) feet for any lot less than ninety (90) feet deep.
 - (2) Flag Lots and Lots without Street Frontage. Determination of that portion of the site to constitute the required front yard within the flag shall be at the discretion of the applicant. The front setback of the flag of the lot shall be a minimum of ten (10) feet. The front setback within the accessway shall be as in subsection (a) of this section.
 - (3) Sloping Lot Adjustment. Where the elevation of the natural grade on a lot at a point fifty (50) feet from the centerline of the adjacent street right-of-way is seven (7) feet above or below the elevation of the centerline, a private garage may be located, at the discretion of the applicant, as close as five (5) feet to the street property line, subject to the approval of an administrative use permit (Section 9-1.112 of this title), provided that portions of the dwelling other than the garage shall be established at the setback otherwise required.
 - (4) Variable Setback Block. Where a residential block is partially developed with single-family dwellings having less than the required ~~front~~primary street setbacks and no uniform ~~front~~ setback is established, the ~~front~~primary street setback may be adjusted by approval of an administrative use permit (Section 9-1.112 of this title) at the option of the applicant, as follows:
 - (i) Prerequisites for Adjustment. Adjustment may be granted only when twenty-five percent (25%) of the lots on the block with the same frontage are developed and the entire block is within a single zone.
 - (ii) Allowed Adjustment. The normally required minimum ~~front~~primary street setback is to be reduced to the average of the ~~primary street~~front setbacks of the existing dwellings, which include attached garages but not detached garages, to a minimum of ten (10) feet.
 - (5) The Design Review Committee (DRC) may grant an exemption to the ~~front~~primary street setback requirement based on neighborhood compatibility for structures that meet the following criteria:
 - (i) Structures are no greater than ten (10) feet in height;
 - (ii) Structures do not exceed ~~front yard~~primary street setback area coverage of more than fifty percent (50%);
 - (iii) Structures do not impair sight distances for vehicular traffic as reviewed by the City Engineer.
- (b) RMF Zones and Residential Uses in Commercial and Industrial Zones (excluding DC and DO Zones).
- (1) All residential units shall must have a minimum setback of fifteen (15) feet.
 - (i) All garages shall have a minimum front setback of twenty (20) feet.
 - (2) All garages or covered parking areas oriented toward the street must have a minimum setback of twenty (20) feet from the street to which it is oriented.
 - (3) All other accessory structures associated with the residential use must comply with 9-4.106(b)(1).

- (c) CN, CP, CR, CS, CT, CPK, IP and I Zones. No primary or secondary street front setbacks are required. Ground floor residential uses are subject to the setback requirements of subsection (a) of this section.

~~(1iii) Adjacent to Residential Zone. Where a commercial or industrial zone has a front setback, including a double frontage setback, on a street where more than fifty percent (50%) of the lots in the same block are zoned for residential use, the front setback shall be twenty five (25) feet, except that a one-story building or parking may encroach into one-half (1/2) the required front setback depth.~~

- (d) L, LS and P Zone. A minimum ten (10) foot primary street front setback is required, provided that residential uses are subject to the setback requirements of subsection (a) of this section.

(ed) Flag Lots. Any accessway adjacent to a public street shall be subject to the front setback requirements of subsections (a), (b), (c), and (d) of this section. Determination of that portion of the site to constitute the required front yard within the flag shall be at the discretion of the applicant. The front setback of the flag of the lot shall be subject to the side setback requirements of Section 9-4.107 of this chapter.

(fe) Double Frontage Lots.

- (1) Selecting the Setback Location. Where double frontage setback locations are not specified by subdivision requirements or other applicable regulations, the applicant may select the front setback street unless fifty percent (50%) of the lots on a double frontage block are developed with the same front yard orientation. In that case, all remaining lots are to orient their front setbacks with the majority.
- (2) Double Frontage Setback Requirements. A full-front setback is to be provided adjacent to one frontage, and a setback of one-half (1/2) the required front setback depth adjacent to the other frontage.

(gf) Establishment of Front Setback on Zoning Map. The Planning Commission may establish greater front setbacks than those required in this section by delineating the setback on the zoning map. Procedures specified by Section 9-1.115 of this title shall be followed in establishing such setbacks.

9-4.107 Side setbacks.

The side setback is measured at right angles to the side property line to form a setback line parallel to the side property line, which extends between the front and rear setback areas. The minimum side setback is to be as follows:

- (a) A, RS, RSF, LSF and RMF Zones and Residential Uses in Commercial and Industrial Zones. All residential uses ~~except for second-story dwellings over commercial and industrial uses shall must~~ have a minimum side setback of five (5) feet, unless built as a common wall or zero lot line development, except as follows: Exceptions:

- (1) ~~Common Wall Development. Any two (2) dwelling units, and/or their accessory garages, may be constructed on adjoining lots without setbacks between them provided that:~~
 - ~~(i) The setback has been eliminated through subdivision map or conditional use permit approval;~~
 - ~~(ii) A common wall or party wall agreement, deed restriction, or other enforceable restriction has been recorded;~~

- ~~— (iii) The side setbacks opposite the common wall property line are not less than two (2) times the minimum width required by this section; and~~
- ~~— (iv) Common wall construction is in compliance with the Uniform Building Code.~~
- ~~— (2) Zero Lot Line Development. A group of dwelling units on adjoining lots may be established so that all units abut one (1) side property line, provided that:~~
 - ~~— (i) The setback has been eliminated for an entire block through subdivision map or conditional use permit approval;~~
 - ~~— (ii) The modified setback requirements for the block are recorded as part of a land division map, deed restriction, or other enforceable restriction;~~
 - ~~— (iii) The side setback shall not be eliminated or reduced on the street side of a corner lot; and~~
 - ~~— (iv) Side setbacks opposite the zero setback property line are not less than twice the minimum required by this section.~~
- (31) Access Easements. All access easements shall have a minimum setback of five (5) feet, measured from the edge of the easement.
- (2) Transition to Adjacent Rural and Single Family Uses. Where the side property line abuts a property in a RR, RS, RSF, or LSF zoning district, Section 9-4.130 (Transition to Adjacent Rural and Single Family Uses) applies.
- ~~— (4) Additional height for buildings in RMF. Multifamily dwellings exceeding twenty five (25) feet in height shall have a ten (10) foot setback for all portions of the building over twenty five (25) feet in height.~~
- (b) CN, CP, CR, CS, CT, CPK, IP, I and P Zones. No side setbacks are required, unless adjacent to property in the RR, RS, RSF, LSF zoning districts, in which case Section 9-4.130 (Transition to Adjacent Rural and Single Family Uses) applies. Ground floor residential uses are subject to the setback requirements of subsection (a) of this section.
- (c) L and LS Zones. A minimum five (5) foot side setback is required.

9-4.108 Rear setbacks.

The rear setback is measured at right angles to the rear property line to form a setback line parallel to the rear property line.

- (a) A, RS, RSF, LSF, and RMF Zones and Permitted Ground Floor Residential Uses in Commercial and Industrial Zones. All residential uses except for second story dwellings over commercial and industrial uses shall have a minimum rear setback of ten (10) feet, except as follows:
- (b) CN, CP, CR, CS, CT, CPK, IP and I Zones. No rear setback is required in commercial or industrial zones, except as follows:
 - (1) Adjacent to an Alley. The rear setback shall be a minimum of five (5) feet, except where the alley provides vehicular access to the interior of the building, in which case the setback shall be ten (10) feet.
 - (2) Adjacent to Residential Use Zone. Where the rear property line abuts a residential zone ~~or use~~, no rear setback is required for buildings or portions of buildings which do not exceed twelve (12) feet in height within ten (10) feet of the rear property line, except for the landscape buffer required by Section 9-4.130(j)(4). The rear setback ~~must shall~~ be a minimum of ten (10) feet for buildings or portions of buildings ~~which that~~ exceed twelve (12) feet in height, unless adjacent to property in the RR, RS, RSF, LSF zoning districts, in which case Section 9-4.130 (Transition to Adjacent Rural and Single Family Uses) applies.
- (c) L, LS and P Zones. A minimum of ten (10) foot rear setback is required.

9-4.109 Interior setbacks and open areas.

Detached buildings located on the same site are to be separated as follows:

- (a) Non-Habitable Structures. Minimum (5) foot setback required for enclosed structures. No minimum setback for open-sided structures.
- (b) Habitable Structures. Minimum ~~six (56)~~ foot setback required.
- (c) Exemptions. The following structures are exempt from the provisions outlined in this section:
 - (1) Decks;
 - (2) Patio covers and landscape structures;
 - (3) Structures under one hundred twenty (120) square feet when exempt from a building permit based on the adopted Building Code and consistent with the standards set forth in Section 9-6.106(b)(3);
 - (4) Similar accessory structures as determined by the Community Development Director.

9-4.110 Projections into required setbacks.

- (a) Uncovered Decks. When constructed with a height more than thirty (30) inches above the surrounding finish grade, a wood deck may extend into required setbacks as follows (decks less than thirty (30) inches high are exempt from these requirements). See Section 9-4.104(a):
 - (1) Front Setback. A deck is not to be located therein.
 - (2) Side Setback. As determined by the Uniform Building Code.
 - (3) Rear Setback. A deck may occupy up to thirty percent (30%) of a required rear setback, but is to extend no closer than three (3) feet to the rear property line.
- (b) Fire Escapes. A ladder or stairs designed to be used exclusively as an upper floor fire escape may project into a required setback only as provided by the Uniform Building Code.
- (c) Roof and Wall Features. Cantilevered and projecting architectural features including chimneys, bay windows, balconies, cornices, eaves, rain gutter, signs (where allowed), display windows, and solar collectors may project into a required setback only as allowed by the Uniform Building Code.
- (d) Porches.
 - (1) Front Porch. A covered front porch may project up to six (6) feet into a required ~~front-primary street~~ setback (Section 9-4.106), provided that the floor level of the porch is to be no higher than the ground level of the building. An unenclosed front porch is not limited on its projection, provided it is one hundred (100) square feet or less in area.
 - (2) Side Porch. A porch and/or outside stairway may be located in a required side setback provided the porch is not roofed or enclosed below the steps and does not extend into the side setback more than allowed by the Uniform Building Code.
 - (3) Rear Porch. A porch in the required rear setback is subject to the same limitations as a deck, pursuant to subsection (a)(3) of this section.
- (e) Flag Lots. Six (6) foot fences shall be allowed within the front yard setback area, but in no case shall a six (6) foot fence be allowed within an area connecting the required front yard setback areas for any adjoining lots. Trash enclosures may encroach into the front yard setback area but shall maintain a five (5) foot setback from adjoining property lines and shall not be located within the access strip.

9-4.112 Measurement of height.

- (a) Buildings and Structures. The height of a building or structure is to be measured as the vertical distance from the highest point of the structure to the average of the highest and lowest points where the exterior walls touch the finish grade.
- (b) Fences, Walls, and Hedges. The measurement of heights for fencing, walls, arbors or hedges shall be subject to Section 9-4.128.

9-4.113 Height limitations.

The maximum height for new structures is as follows:

- (a) Limitation by Zone.

Zone	Maximum Height
A, RS, RSF, LSF	30 feet
CN, CP, CR, CS, CT	35 feet
CPK, IP, I	45 feet
LS, L, P	35 feet
RMF	35 feet (portions of buildings exceeding 25' shall require additional setbacks in accordance with Section 9-4.107)

- (b) Exceptions to Height Limitations.

- (1) Planning Commission Waiver. The height limitations of this section may be modified through conditional use permit approval, provided the Planning Commission first finds the project will not result in substantial detrimental effects on the enjoyment and use of adjoining properties and that the modified height will not exceed the lifesaving equipment capabilities of the Fire Department.
- (2) Height Adjustment. The height limitations specified by subsection (a) of this section may be adjusted ~~by approval of an administrative use permit (Section 9-1.112)~~ for a single-family residential building in a single family residential zoning district to allow additional height, to a maximum of ~~forty-three-five (4035)~~ feet, provided that the required side and rear setbacks are increased one (1) foot in width for each foot of height over thirty (30) feet. Additional height up to forty (40) feet may be granted by the approval of an administrative use permit (Section 9.1-112), provided that the required side and rear setbacks are increased one (1) foot in width for each foot of height over thirty (30) feet.
- (3) Downhill Lot. Where the average front-to-back slope of a lot is greater than one (1) foot of fall in seven (7) feet of distance from the centerline of the street to the rear face of the proposed building, up to ten (10) feet may be added to the rear building face, which is to be excluded from the height measurement (Section 9-4.112).
- (4) Uninhabited Structures. The height limits specified in subsection (a) of this section do not apply to the following structures (measurement of height is to be from the ground, as set forth in Section 9-4.112):
 - (i) Radio and television receiving antennas of the type customarily used for home radio and television receivers, when fifty (50) feet or less in height.
 - (ii) Transmitting antennas used by licensed amateur (ham) radio operators when fifty (50) feet or less in height.
 - (iii) Flagpoles fifty (50) feet or less in height.

- (iv) Grain elevators, silos, water tanks, windmills, wind generators, and all other similar structures not containing residential uses and located in the A, RS, CR, CS, CPK, IP and I Zones.
 - (v) Chimneys no more than one hundred (100) feet in height located in the CPK, IP and I Zones and all other chimneys and roof vents extending no more than two (2) feet above the height limit specified in subsection (a) of this section.
 - (vi) Industrial towers, nonportable equipment and other uninhabited structures no more than sixty (60) feet in height located in the CPK, IP and I Zones.
 - (vii) All portable construction equipment.
 - (viii) Public utility poles and structures for providing electrical and communications services.
 - (ix) Solar collectors not more than five (5) feet above the height limit specified in subsection (a) of this section.
 - (x) Satellite receiving and similar communication dishes and devices in commercial and industrial zones, when no more than ten (10) feet above the maximum height in the zone.
- (5) Architectural Projections/Features and Mechanical Equipment. The following structures and structural features for multifamily residential and mixed-use structures may exceed the height limits of this section provided the added features do not block solar access to adjacent properties, as follows:
- (i) Nonhabitable architectural features. The height limitations of this section may be increased up to forty (40) feet through administrative use permit approval, to allow for nonhabitable architectural features may be allowed to exceed maximum heights by ten (10) feet including, but not limited to, varied roof forms, tower elements, and cupolas with the intent of encouraging creative building design, provided the feature is an integral part of the structure's architecture, materials, and style.
 - (ii) Rooftop Mechanical Equipment. Rooftop mechanical equipment and related associated architectural screening may exceed maximum height limits by up to five (5) feet provided the screening uses the same architectural style and materials as the primary structure, the screening does not use temporary materials, such as lattice, and the enclosure and equipment is set back a minimum of ten (10) feet from the building's edge or integrated into the building roof form.
 - (iii) Elevator Shafts and Stairways. An elevator or stairway to a rooftop deck/upper story open space may exceed the maximum height limits by up to ten (10) feet.
 - ~~(iv) To approve an administrative use permit to increase height, the following findings shall be made:~~
 - ~~a. The additional height provides architectural interest and adds to a varied roofline.~~
 - ~~b. The added features will not block solar access to adjacent properties.~~

9-4.115 Off-street parking required.

All uses requiring an entitlement shall be provided off-street parking as set forth in this section, except parking lots in the following situations:

- (a) Compact Car Spaces. Lots with twenty (20) or more spaces may substitute compact car spaces for up to twenty percent (20%) of the total number of spaces. Compact car spaces shall be a minimum of eight (8) by fourteen (14) feet in size. Compact spaces shall be designated by painting the word "compact" or similar, on the surface of the space.
- (b) Motorcycle Parking. Lots with twenty (20) or more spaces may replace regular spaces with motorcycle spaces at a ratio of one (1) motorcycle space for each twenty (20) spaces. Motorcycle

spaces shall be a minimum size of three (3) by six (6) feet. Motorcycle spaces shall be designated by painting the word “motorcycle,” or similar, on the surface of the space.

- (c) **Bicycle Spaces.** Lots with twenty (20) or more spaces may substitute a bicycle rack providing space for at least five (5) bicycles at a ratio of one (1) bicycle rack for each twenty (20) spaces. It is recommended that all shopping centers provide some bicycle spaces in the project.
- (d) **Parking District.** Parking requirements may be modified within a parking district where the district provides adequate parking within the limits of the district and the parking requirements of a new use are accommodated by the parking district.
- (e) **Shared On-Site Parking Adjustment.** Where two (2) or more nonresidential uses are on a single site, the number of parking spaces may be reduced through administrative use permit approval (Section 9-1.112) at a rate of five percent (5%) for each separate use, up to a maximum of twenty percent (20%); as long as the total number of spaces is not less than required for the use requiring the largest number of spaces.
- (f) **Shared Peak-Hour Parking.** In addition to the reduction of required parking allowed by subsection (e) of this section, where two (2) or more uses have distinct and differing peak traffic usage periods (for example, a theater and a bank), the required number of parking spaces may be reduced through conditional use permit approval, provided that the parking lots of each use are located within three hundred (300) feet of each other (as measured along the most direct pedestrian path). The amount of reduction may be up to seventy-five percent (75%) of the amount of spaces required for the most intensive of the two (2) or more uses sharing the parking.
- (g) **On-Street Parking Adjustment.**
 - (1) Subject to approval of an administrative use permit, multifamily residential and mixed-use developments may meet a portion of required guest parking with on-street parking along the site frontage. Where on-street parking is not marked, twenty-two (22) lineal feet of curb space constitutes an on-street parking space. Where an on-street parking space is adjacent to multiple lots, the credit is given to the development on the lot whose frontage contains more than fifty percent (50%) of the parking space length.
 - (2) Where a proposed driveway from a street to a new parking area would eliminate on-street parking spaces equal to or greater in number than the off-street spaces required, the requirement for off-street spaces may be eliminated through administrative use permit approval (Section 9-1.112 of this title) where the access or proposed building cannot reasonably be redesigned to avoid a net loss of parking.
- (h) **Planning Commission Modification.** The parking standards of this title may be modified through conditional use permit approval based upon specific findings of fact that the characteristics of a use or its immediate vicinity do not necessitate the number of parking spaces, type of design, or improvements required by this title and that reduced parking will be adequate to accommodate on the site all parking needs generated by the use.

9-4.116 Location of parking on a site.

Required parking spaces may be located as needed on a proposed site, subject to the design and construction standards of Sections 9-4.117 and 9-4.119 of this chapter and the following:

- (a) Use of Primary Street-Front Setback. Required parking spaces are not to be located within the required ~~front~~ primary street setback (Section 9-4.106).
- (b) Parking Between Front Property Line and Residential Buildings. For residential-only and mixed-use residential projects, parking spaces must not be located between the residential structures and the

front property line. However, this configuration may be allowed with administrative use permit approval, provided the parking is constructed of pavers or integral color stamped concrete and based on a finding that superior outdoor common open space results from the parking configuration.

(bc) Use of Side and Rear Setbacks. Side and rear setbacks may be used for vehicle parking. A minimum of five (5) feet of landscaping is required except on the street side of a corner lot and except where landscaping is required by Section 9-4.125 of this chapter between the property line and the parking area. This can be reduced to three (3) feet when decorative concrete (integral color and stamped) or pavers are utilized, consistent with Section 9-4.125(b)(6).

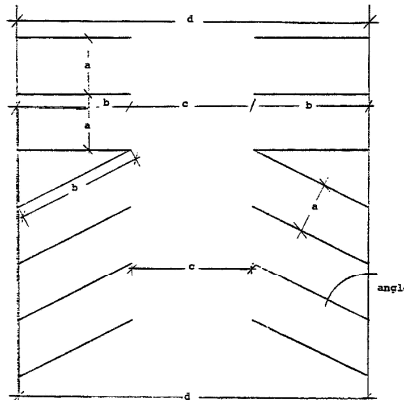
(d) Garages for Multifamily Uses. Individual garages attached to and serving a single residential unit are allowed, provided each garage is no more than fourteen (14) feet wide and the garage door is recessed five (5) feet from the adjacent façade. Other required parking spaces, including required parking for the unit and guest parking, must be provided in a shared parking area.

9-4.117 Parking design standards.

All off-street parking areas shall be designed and improved as set forth in this section.

(a) Parking Space and Aisle Dimensions. All off-street automobile parking spaces are to be a minimum of nine (9) by eighteen (18) feet in size, except for compact car spaces, handicapped spaces, motorcycle spaces, and bicycle spaces (Section 9-4.115). Parking lot aisles shall be as follows:

(1) Angle Parking. The aisle dimensions for angle parking are to be based upon the angle and width of the parking space as set forth in the following chart. The use of a wider parking space enables reducing the aisle width, as shown.



Angle	Space Width (a)	Space to Curb (b)	Aisle ¹ (c)	Tier ² Width (d)
90 degree	8' — 0" ³	14' — 0"	20' — 0"	52' — 0"
	9' — 0"	18' — 0"	24' — 0"	60' — 0"
	10' — 0"	18' — 0"	22' — 0"	58' — 0"
60 degree	8' — 0" ³	16' — 0"	14' — 0"	48' — 0"
	9' — 0"	20' — 0"	18' — 0"	58' — 0"
	10' — 0"	20' — 8"	16' — 0"	57' — 4"
45 degree	8' — 0" ³	15' — 6"	12' — 0"	43' — 0"
	9' — 0"	19' — 0"	16' — 0"	54' — 0"
	10' — 0"	20' — 0"	14' — 0"	54' — 0"

Notes:

- 1 Aisle widths for 45 degree and 60 degree spaces are one-way only.
- 2 Tier means 2 rows of parking spaces, plus an aisle.
- 3 Compact car spaces only, see Section 9-4.115(a) of this chapter.

- (2) Parallel Parking. Space dimensions are to be nine (9) by twenty-two (22) feet. Aisle dimensions for parallel parking are to be twelve (12) feet for one-way aisles, and twenty-four (24) feet for two-way aisles.
- (3) Access Drive Location. A driveway from a street to a parking area with ~~four-two~~ (24) or more spaces is to be located and designed as follows:
 - (i) Distance from Street Corner. Parking area driveways are to be located a minimum of fifty (50) feet from the nearest street intersection, as measured from the centerline of the driveway to the nearest travel lane of the intersecting street.
 - (ii) Number of Driveways. Entrance and exit driveways crossing the street property line of a single site are to be limited to two (2) along the frontage of any single street except properties in excess of five hundred (500) feet of frontage may have one additional drive for each two hundred fifty (250) feet. One-way Driveways on the same non-single-family property are to be separated by a minimum of sixty fifteen (15) 60 feet. Two-way driveways on the same non-single-family property must be separated by a minimum of one hundred forty--five (145) feet if located on an arterial street and ninety-five (95) feet if on a non-arterial street. Distance is measured from the centerline of the driveway(s).
 - (iii) Driveway Design. Driveways shall be designed to provide for entrance and exit in a forward direction and to avoid backing directly into public streets.
 - (iv) Reciprocal Access Driveways. Driveways that provide access to more than one (1) residential or mixed-use residential project must provide a reciprocal access easement and may waive the landscaping required by Section 9-4.125(a)(6).
- (4) Drop-Off Points Required. Parking areas for public assembly facilities shall include a designated on-site location for dropping off passengers at an entrance to the facility in advance of parking the vehicle. Drop-off points are to be provided for: hotels and motels; schools with fifty (50) or more students; churches with a capacity of one hundred (100) or more; restaurants with a capacity of fifty (50) or more customers; public transportation terminals; places of public assembly; public buildings; and offices larger than five thousand (5,000) square feet.
- (5) Tandem Parking. Each space in a parking lot, area or garage is to be individually accessible, except that automobiles may be parked in tandem in the following situations:
 - (i) In a parking area serving a single-family dwelling or individual mobilehome where the tandem parking is not more than two (2) cars in depth; provided that both spaces are for the same dwelling, and are not located in a required front setback.
 - (ii) In a public garage or public parking area where all parking is performed by attendants at all times, or for public assembly facilities and temporary events where user arrivals and departures are simultaneous and where parking is attendant-directed.
 - (iii) For all-day employee parking lots restricted to employee use, provided that required aisle widths are maintained, and no more than fifty (50) percent of the employee spaces are designed for tandem use.

(b) Residential Garage and Carport Standards.

(1) Interior Dimensions.

- a. Single Car Garages and Carports. Parking spaces in a single-car garage or carport must have a minimum width of twelve (12) feet and a minimum length of twenty (20) feet.
- b. Multi Car Garages and Carports. All parking spaces in a garage or carport intended for more than one (1) vehicle must have a minimum width of ten (10) feet and a

minimum length of twenty (20) feet for each parking space. If the garage or carport sides are enclosed, one (1) additional foot is required on each enclosed side.

c. Measurement. The minimum width and length must be measured from within the interior dimensions of the garage or carport.

(2) Single-car garage doors must have a minimum clearance width of nine (9) feet, and double-car garage doors must have a minimum clearance width of sixteen (16) feet. No chain link doors or walls will be permitted.

(3) Garages for Multifamily uses. See Section 9-4.116(d).

Amend 9-4.118 section (a) to read as follows:

- (a) Use of Charts. The charts in subsection (c) of this section determine the number of parking spaces required for each use of land, as follows:
- (1) Uses Not Listed. For uses not specifically listed in this subsection that do not have parking requirements set by Chapter 9-6, the same parking and loading space is required as for the most similar use of equivalent intensity; except where a use not listed requires conditional use permit approval, in which case the amount of parking and loading space required shall be as determined by the Planning Commission.
 - (2) Parking and Loading Intensity. Parking lot and loading bay intensity describes the rate of vehicle turnover in parking and loading areas. Turnover factors are assigned to each use by the charts in subsection (c) of this section. High intensity areas have rapid turnover; medium intensity areas are those where vehicles are parked from two (2) to four (4) hours; low intensity areas have minimum turnover and few repeat users, such as long-term and employee parking lots. Loading bay intensity is used in Section 9-4.121.
 - (3) Mixed Use Sites. Where a site contains more than one principal land use (such as a shopping center), the amount of parking required shall be the total of that required for each individual use, except as otherwise provided by Section 9-4.115.
 - (4) Mixed Function Buildings. Where a building occupied by a single use contains several functions, such as sales, office and storage areas, parking shall be as required for the principal use for the gross floor area (total area of all internal functions); except that when storage areas are larger than two thousand (2,000) square feet, the parking requirement is to be determined separately for those areas, as specified for warehousing.
 - (5) Assigned parking. For projects where a parking reduction is granted, assigned parking spaces are prohibited unless approved by the Community Development Director in conjunction with a parking management plan.
 - (6) Terms Used in Charts.
 - (i) Active Use Area. All developed areas of a site and buildings except storage, parking and landscaping.
 - (ii) Floor Area. Gross floor area within buildings.
 - (iii) Site Area. Gross site area.
 - (iv) Use Area. All developed areas of a site and buildings, except parking and landscaping.
 - (v) Number of Spaces. Where subsection (c) sets parking requirements based on building area (square footage), site or use area, the number of spaces is to be as set forth for each footage increment specified or fraction thereof.

9-4.119 Parking lot construction standards.

All parking areas containing three (3) or more off-street parking spaces are to be improved as follows, except as otherwise provided by this section.

- (a) Surfacing. All parking areas are to be surfaced with an asphalt, concrete, chip seal, or crushed rock surface, or similar, as specified in the following chart or as required by property development standards listed in this Code. Where concrete or asphalt is required, brick or other masonry paving units may be substituted, including turf block. Where surfacing is intended to function as both emergency vehicle access and open space with appropriate amenities, surface must include pavers, integral color stamped concrete, masonry, brick, or permeable paving units.

**Minimum Required Surface
Parking Lot Turnover**

Location	High	Medium	Low
Inside urban services line	Asphalt or concrete	Asphalt or concrete	Asphalt or concrete
Outside urban services line	Asphalt or concrete	Asphalt or concrete	Crushed rock or chip seal

- (b) Lining and Marking. Parking spaces in paved parking areas shall be marked with paint striping, a minimum of two (2) inches in width. Parking spaces in other types of lots may be identified by wheel stop barriers.
- (c) Wheel Stops. Wheel stops or continuous concrete or asphalt curbing are required in all parking lots to define the perimeter of the parking area and to protect landscaping from vehicle encroachment. In addition, wheel stops are required for each parking space in a high turnover parking lot. Wheel stops shall be provided as follows:
 - (1) Materials and Installation. Wheel stops shall be constructed of concrete, continuous concrete curbing, asphalt, timber, or other durable material not less than six (6) inches in height, or an approved functional equivalent. Wheel stops are to be securely installed and maintained as a safeguard against damage to adjoining vehicles, machinery or abutting property.
 - (2) Setback. Wheel stops or other vehicle barriers shall be located approximately three (3) feet from the front of the parking space.
 - (3) Functional Equivalent. Wherever possible, functional equivalents in the form of raised sidewalks or curbs surrounding planters or similar may be used in lieu of wheel stops.
- (d) Vertical Clearance. Covered parking spaces are to have a vertical clearance of at least seven (7) feet six (6) inches above the parking lot surface for all uses, except residential.
- (e) Slope. The finished grade of a parking lot is not to exceed five percent (5%) slope, unless approved by an administrative use permit (Section 9-1.112 of this title).
- (f) Landscaping. ~~A minimum of ten percent (10%) of the interior of all parking lots shall be landscaped, in addition to any perimeter landscaping required by subsection (g) of this section.~~ Shade trees are to be provided ~~at approximately at a maximum spacing of thirty-five (30) to thirty-five (35) foot-foot intervals~~ along parking rows, ~~except shade trees are not required where solar panel covered carports are located.~~ ~~Landscape fingers shall be a minimum of six (6) feet wide and shall be provided every eight (8) parking spaces.~~ These landscaping requirements do not apply to parking lots that are underground or within buildings.
- (g) Screening.

- (1) From Residential Areas. Parking lots that abut a residential zone shall be separated from such property by a landscaping strip with a minimum width of five (5) feet and a six (6) foot high solid fence or wall.
- (2) From Streets. Parking lots abutting a public street shall be separated from the street right-of-way by a landscaping strip with a minimum width of ten (10) feet; and, where parking spaces are arranged to head toward the street, by a minimum three (3) foot high solid fence decorative wall or landscape equivalent located on the parking lot side of the landscaping strip.

9-4.124 Landscaping, screening and fencing.

The purposes of landscaping, screening, and fencing standards are to: provide areas on sites which can absorb rainfall to assist in reducing storm water runoff; control erosion; reduce glare and noise; enhance the appearance of structures and property; ~~and to provide visual privacy;~~ consider the native flora and fauna; provide shade and reduce heat island effect; and screen buildings and associated non-structural site elements to the extent practicable. Landscaping, screening and fencing standards are organized in the following sections:

- 9-4.125 Landscape standards.
- 9-4.126 Standards for landscaping materials.
- 9-4.127 Landscaping plans.
- 9-4.128 Fencing and screening.
- 9-4.129 Solid waste collection and disposal.

9-4.125 Landscape standards.

- (a) Where Required. —The sites of all projects requiring approval, except for single family dwellings, are to be landscaped as follows:
- ~~—(a) Minimum Landscaped Area.~~
 - ~~—(1) In the following zoning districts, minimum landscape coverage based on the net site area are as follows:~~
 - ~~—(i) Single family zoning districts: none (see Chapter 5 of this Code for second unit landscaping requirements);~~
 - ~~—(ii) Multifamily zoning districts: twenty five percent (25%);~~
 - ~~—(iii) Commercial zoning districts (excluding downtown commercial): ten percent (10%);~~
 - ~~—(iv) Industrial zoning districts: five percent (5%);~~
 - ~~—(v) Planned Development overlay zoning districts: as required by the master plan of development and conditions of approval.~~
 - ~~—(2) Determination of Landscape Coverage Area. Landscape coverage area shall include all areas not covered by pavement or buildings, including, but not limited to, open space areas, planters, and setback areas. Decorative pavement used within a common open space area for recreational purposes may be included in the landscape coverage calculation.~~
 - ~~—(3) Criteria for Reduced Landscaping. To encourage design excellence, the Community Development Director, Planning Commission, or City Council (depending on approval process) may decrease the minimum landscaped area, upon the following criteria:~~
 - ~~—(i) Professionally designed landscaping, designs of special merit, decorative site elements, and preserving existing mature native trees are highly encouraged and considered in an applicant’s request to reduce required landscaping.~~

- ~~— (ii) The Community Development Director, Planning Commission, or City Council (depending on approval process) may grant a reduction of an applicant’s landscape requirement by a total of up to fifty percent (50%) upon an applicant’s demonstration of the criteria listed below:~~
- ~~— a. Retention of existing on-site native trees with a minimum of twenty five percent (25%) canopy cover retained over the project site;~~
- ~~— b. Use of decorative pavement material such as pavers or colored stamped concrete over a minimum of twenty five percent (25%) of the paved area of the site;~~
- ~~— c. Installation of a variety of tree and plant materials, including ornamental species and native trees;~~
- ~~— d. Use of box sized trees throughout the project site.~~
- ~~— (b) Where Required. The sites of all projects requiring approval, except for single family dwellings, are to be landscaped as follows:~~
- (1) Setbacks. All setback areas required by Section 9-4.103 or Chapter 9-6 of this title, except where enclosed ~~and screened from the view of public streets and adjoining properties by solid fencing in accordance with Section 9-4.128 of this chapter~~ as a private yard and except where a required setback is traversed by a driveway or sidewalk;
- (2) Unused Areas. All areas of a building site not identified on a site plan intended for a specific use or purpose, except ~~where enclosed and blocked from the view of public streets by solid fencing and/or buildings enclosed private yards;~~
- (3) Parking Areas. As required by subsections (f) and (g) of Section 9-4.119 of this chapter;
- (4) Trash Enclosures. All trash enclosures shall be screened with landscaping unless built into the building or built in compliance with Section 9-4.129 (Solid waste collection and disposal);
- (5) Street Trees. Minimum fifteen (15)-gallon Street-street trees shall be provided along all public and private street frontages at a maximum spacing of ~~minimum of~~ thirty (30) feet on center; and comply with Section 9-4.126.
 - (i) Downtown street trees shall be planted in accordance with adopted downtown streetscape standards.
 - (ii) Street trees outside of the downtown shall be planted outside of the public right of way unless an encroachment permit is approved by the Public Works Department.
 - a. Naturalized tree groupings may be allowed at the same ratio, subject to the approval of the City Engineer and Community Development Director.
 - b. Trees shall be planted within an unpaved planting area at least six (6) feet in width and six (6) feet depth.
 - c. Trees shall be planted with a twelve (12)-foot minimum distance to buildings on all sides: _____
- (6) Special Use Sites. As required by Chapter 9-6 of this title for specific land uses, for the purposes of screening, buffering or general landscaping;
- (7) Where Required by Conditions of Approval. As set forth in conditions of approval adopted pursuant to Section 9-2.110(b)(3)(ii);
- (8) A minimum five (5) foot landscape strip must be provided within the side yard setback of all commercial and multifamily project sites, except in locations where a reciprocal access easement exists with the adjacent lot or commercial building is located (see Section 9-

4.117[a][3][iv]). This side yard width may be reduced to three (3) feet if decorative concrete pavement is utilized.

(eb) Exceptions to Required Landscaping.

- (1) **Agricultural Use Zone.** Except where required for a special use by Chapter 9-6 of this title, setback and unused area landscaping, ~~in accordance with subsections (a)(1) and (a)(2) of this section,~~ is not required where such areas are cultivated or maintained in native vegetation in association with agricultural uses.
- (2) **Planning Commission Modification.** Where conditional use permit approval is required, the Planning Commission may ~~waive, modify or increase~~ the landscaping requirements of this section. If landscaping is decreased from the requirements listed above, if a findings can must be made as follows:
 - (i) that Existing vegetation, topography, or structural arrangement preclude the need for landscaping.
 - (ii) Use of decorative pavement material such as pavers or colored stamped concrete has been incorporated over a minimum of twenty-five percent (25%) of the paved area of the site;
 - (iii) The project includes installation of a variety of tree and plant materials, including ornamental species and native trees;
 - (iv) Minimum 15-gallon trees and shrubs are used throughout the project site.
 - (v) For multi-family developments, the project meets the minimum open space requirements of Section 9-3.262

9-4.126 Standards for landscaping materials.

Materials used and their installation and maintenance is subject to the following provisions, except single-family residences within a single-family residential zone:

- (a) **Allowable Materials.** Landscaping shall include some combination of the following materials, where appropriate to achieve the intended or required purpose of the landscaping (e.g., screening, etc.) and must meet all Wildland Urban Interface (WUI) standards, as applicable but in no case shall contain only nonliving landscape materials:
 - (1) Trees (minimum fifteen (15)-gallon size), shrubs (minimum one (1)-gallon size), groundcover, non-invasive vines, flowers or lawns (drought-resistant plantings are preferred in order to minimize water use for landscaping).
 - (2) Nonliving landscaping materials, including but not limited to ~~D~~decorative pavement, mulch, decorative boulders, or other decorative materials in accordance with landscape coverage standards listed in Section 9-4.125 of this chapter;
 - (3) Natural features such as rock outcrops;
 - (4) Structural features, including fountains, ponds, walls, and fences.
 - (5) For multifamily residential projects, a pedestrian entry feature may be installed that exceeds the fence height standards but shall not exceed a maximum height of nine feet, width of eight feet, and depth of four feet.
- (b) **Excluded Materials.** Landscaping proposed to satisfy the requirements of this title shall not include any plant materials which:
 - (1) Have root structures that in their mature state may damage or interfere with the normal use of existing public or private underground electrical lines, cables, or conduits, pipes or other underground structures; or public or private sidewalks, curbs, gutters or paved parking and turnaround areas, drainage improvements, or adjacent structures, foundations or landscape

materials. For residential projects of two units or more, landscaping and planting plan must demonstrate landscaped area can accommodate proposed plant palette at full maturity;

- (2) Will have diminished potential for survival because of proposed locations or grouping that does not satisfy the needs of the plant material necessary for healthy growth;
- (3) Because of proposed location and type, will create a potential hazard of ~~brush or forest~~wild-fire;
- (4) Will obstruct the vision of vehicle operators or pedestrians at points of intersection between pedestrian and vehicular traffic- (refer to engineering standard: Minimum Sight Distance for Driveways and Intersecting Roads with Stop Control);

(5) Are identified on California Department of Food and Agriculture list as noxious or invasive;

~~(d) Concrete Curbing. Where landscaping is required to be installed by Section 9-4.125 of this chapter, such landscaping shall be enclosed by raised concrete curbing or an approved functional equivalent, prior to final unless a bond is approved by the Community Development Director.~~

~~(ec) Proper Maintenance Required. All required plantings shall be maintained in good growing condition, and in any case where a required planting has not survived, shall be replaced with new plant materials. All landscaping on-site or planted along street frontage shall be maintained in a manner that allows trees to grow to their full natural height and natural canopy. No growth suppressants shall be permitted that result in stunting or modifying the natural growth pattern of the tree. A maintenance agreement may be recorded against the property in a form approved by the Community Development Director.~~

9-4.127 Landscaping plans.

The purpose of a landscaping plan is to identify the placement and type of plant materials as features of project design. By detailing the plantings and method of irrigation proposed, a landscaping plan provides an effective means for evaluating whether chosen plant materials will: survive in the climate and soils of a given site; satisfy the functional objectives of landscaping (such as erosion control, screening, recreational opportunities, and shade) within a reasonable time; and whether a proposed irrigation system will adequately support landscaping while conserving water. Landscaping plans shall be prepared, processed, and used as follows:

(a) Where Required. Landscaping plans are required for all commercial, mixed-use, and multi-family projects~~approved precise plan and conditional use permit applications prior to issuance of a building permit~~, except for:

~~(1) Residential projects of two (2) units or less;~~

~~(2) Agricultural uses not involving buildings and agricultural accessory buildings.~~

(b) Landscaping Plan Content. Landscaping plans are to be neatly and accurately drawn, at an appropriate scale, that will enable ready identification and recognition of information submitted. Where a project covers only a portion of a site, the landscaping plan need show only the areas where existing soil contours and vegetation will be disturbed by construction or use, or other areas where landscaping is required. Landscaping plans shall show the following details, in accordance with the applicable design standards:

(1) The location of all trees existing in or within fifty (50) feet of areas proposed for grading or other construction ~~that are eight (8) inches or larger in diameter at four (4) feet above natural grade~~. Trees proposed to be removed are to be identified (refer to Section 9-11.105 for tree removal standards);

(2) Any shrubs or plants identified as rare, endangered or critical by the San Luis Obispo County Native Plant Society;

- (3) Proposed landscaping details, including the location, species, container size, and number of trees, shrubs and groundcover, and provisions for irrigation;
- (4) Details and location of proposed fencing, entries, trash collection areas and freestanding signs;
- (5) Walkways, plazas and sitting areas, play areas, including related street furniture and permanent outdoor equipment;
- (6) Outdoor light fixtures, including their location, height and wattage;
- (7) Irrigation system details, where an automatic irrigation system is proposed or required. Irrigation plan details shall include:
 - (i) A plan and schedule of equipment, including gate valve, backflow preventer, control valves, piping, sprinkler heads, meter size and location,
 - (ii) Water source, including type, size of service connection, flow in gallons per minute (GPM), static water pressure in pounds per square inch (PSI), and maximum pressure in PSI required to operate the irrigation circuit with the greatest pressure loss in the system.

9-4.128 Fencing and screening.

Standards for fencing and screening are established by this section to protect certain uses from intrusion, to protect the public from uses that may be hazardous, and to increase compatibility between different land uses by visual screening. Fencing is the enclosure of an area by the materials identified in subsection (c) of this section. Screening is the enclosure of an area by a visual barrier, which may include solid fencing or other materials, as specified in subsection (c) of this section.

- (a) Fencing and Screening—Where Required. Within the urban services line, the uses and areas listed in this subsection shall be fenced and/or screened, as indicated. Unless otherwise specified, fencing and screening are to be a minimum height of six (6) feet. Fencing and screening materials of a height greater than three (3) feet shall not be located within a required primary, secondary, or corner front setback or side street setback adjacent to a street. All fencing must meet Wildland Urban Interface (WUI) standards, as applicable.

- (1) Utility and Mechanical Equipment. When located outside of a building, support equipment, including all roof mounted equipment, air conditioners, heaters, utility meters, cable equipment, telephone entry boxes, backflow preventions, irrigation control valves, electrical transformers, pull boxes, and all ducting for air conditioning, heating, and blower systems but not including plumbing or exhaust vents, or chimneys, shall not exceed noise levels of 50dB at the property line and shall be screened to the height of the particular piece of equipment, as follows:
 - (i) Roof-Mounted Equipment. Mechanical equipment may be mounted on roofs, provided the equipment is concealed from the view of abutting streets with To be screened by solid architectural features that are integrated into the overall architectural design, such as a parapet wall. Temporary and lattice materials must not be used. from the view of abutting streets.
 - (ii) Equipment at Grade. When located on the ground adjacent to a building, mechanical equipment shall be screened by landscaping, a solid wall or fencing from the view of the street or surrounding properties. All exterior support equipment shall be screened or incorporated into the design of buildings so as to minimize visual impact from the public right-of-way or adjacent residential zones. Screening materials shall be consistent with the exterior colors and materials of the building or shall include evergreen landscaping that will grow to fully screen the equipment within six (6) months of installation. This subsection does not apply to single-family residential uses.

- (a). Mechanical equipment located within three (3) feet of a structure shall be fully screened with structural/architectural screening that matches the architectural style and materials of the adjacent structure.
 - (b). Mechanical equipment that is set back more than three (3) feet from a structure shall be fully screened with landscaping, except sides where access for maintenance is required. Proposed plant materials shall have the capability of achieving sixty percent (60%) of total view blockage within eighteen (18) months of planting, and one hundred percent (100%) of total view blockage within thirty-six (36) months of planting. Maintenance access sides shall be oriented away from the public way or any common open space area(s).
 - (c.) The Design Review Committee (DRC) may grant an exception to these requirements. In granting a request for an exception, the Design Review Committee (DRC) shall find that screening is infeasible due to health and safety or utility requirements.
- (2) Outdoor Storage. To be screened on all sides by a wall or fencing.
 - (3) Public Utility Substations. To be screened on all sides in a manner that will provide an effective visual barrier as well as the necessary safety clearances required by order of the California Public Utilities Commission.
 - (4) Side and Rear Lot Lines. The side and rear property lines of all nonresidential uses are to be screened as follows:
 - (i) Adjacent to a Residential Use or Zone. A solid wall or fencing shall be located on side and rear property lines of any nonresidential or nonagricultural use abutting a residential use or zone.
 - (5) Swimming Pools. Yard areas with private swimming pools must be constructed per building code requirements.
- (b) Exceptions to Fencing and Screening Requirements.
- (1) Buildings Abutting Property Lines. Required screening or fencing may be omitted along any lot line where a building wall exists immediately abutting the lot line.
 - (2) Location Adjustment. Where property fencing or screening is required, the location may be adjusted by approval of an administrative use permit (refer to Section 9-1.112 of this title), so the fencing may be constructed at or within the setback line, provided the areas between the fence and the property lines are landscaped, or in rural areas, retained in their natural vegetative state.
 - (3) Planning Commission Modification. Any of the requirements of this section may be waived or modified through conditional use permit approval, provided the Planning Commission first finds that specifically identified characteristics of the site or site vicinity would make required fencing or screening unnecessary or ineffective.
- (c) Standards for Fencing and Screening Materials. All fencing and screening shall be allowed as follows:
- (1) Height. Fence and screen height shall be permitted as follows:
 - (i) RS/RR/RSF-Z/RSF-Y (with one (1) acre net or larger) Zones.
 - a. Fencing within a required ~~front or corner yard-street~~ setback may be up to five (5) feet in height, provided that the top two (2) feet remain a minimum of eighty percent (80%) visibility. The fence shall not impair safe sight distance for vehicular traffic nor result in any other potential adverse impact on human health and safety (refer to engineering

standard: Minimum Sight Distance for Driveways and Intersecting Roads with Stop Control).

- b. Fencing associated with agriculture type activities including, but not limited to, “deer fencing” and other fencing that is a minimum of eighty percent (80%) visible may be up to seven (7) feet in height. Chain link fencing, wrought iron fencing, and any other decorative type of fencing is not considered “agriculture” type fencing for the purposes of this subsection.
 - c. Fencing within a required side or rear setback may be a maximum of six (6) feet in height.
- (ii) RSF-Y (less than one (1) acre net) /RSF-X/LSF-Z/LSF-Y/LSF-X/RMF-10/RMF-20.
- a. Fencing within a required ~~front or corner yard~~primary or secondary street frontage setback ~~can~~may be a maximum of four (4) feet in height.
 - b. Fencing within a required side or rear yard setback shall be a maximum of six (6) feet in height.
 - c. Interior fences or landscape delineation between private yards and common open spaces within multifamily developments, including cottage clusters, shall comply with Section 9-4.130(k)(5).
 - d. Exterior fencing (along the original project site perimeter for cottage clusters and along the property lines for other multifamily projects) for multifamily residential projects shall be consistent in style, design, and materials throughout the project site and subject to any applicable additional standards of this section.
- (iii) Residential Gates:
- a. Gates are permitted in single-family residential zoning districts for private driveways.
 - b. Gates shall be setback a minimum of twenty (20) feet from the right of way in accordance with engineering standards.
 - c. Gates shall be a maximum of twelve (12) feet in height and shall remain residential in nature.
 - d. Gateposts and other superstructures over site entrances and exits may be up to twelve (12) feet in height.
 - e. Gates shall comply with emergency access standards.
 - f. Gates shall not swing open toward the street unless the maximum swing is not closer than sixteen (16) feet from the edge of the right-of-way.
 - g. Gates or associated structures shall comply with minimum sight-distance standards.
 - h. A construction permit shall be required for all gates that exceed six (6) feet in height or contain electrical components.
- (iv) Height Measurement. Fence height shall be measured from the adjacent grade of the downhill side of the wall, fence, or hedge.
- a. Where fences or walls are located on retaining walls or berms, the height of the retaining wall or berm shall be considered as part of the overall height of the fence or wall if the retaining wall or berm exceeds two (2) feet in height.
 - b. If a retaining wall is terraced and separated by five (5) feet of horizontal space or greater, they shall be considered individual walls for the purposes of measuring height.

~~(v) CN/CP/CR/CS/CT/CPK/DC/DO.~~

~~a. Barbed wire/ razor wire/ concertina wire shall not be located in commercial zones. This does not apply to agricultural fencing utilized in a low height four (4) feet in height or less within a rural setting to enclose livestock.~~

~~—(vi) IP/I zones.~~

~~Barbed, razor, or concertina wire is subject to approval of the Design Review Committee (section 9-2.107) if findings can be made that it will not negatively impact the health and welfare of the surrounding area and its appearance is consistent with surrounding properties and land uses.~~

~~—(2v) The Design Review Committee (DRC) may grant an exemption to the front setback fence height requirement in setbacks adjacent to streets, to a maximum of six (6) feet in height if proposed fence would be consistent with the neighborhood character and does not impair site distance for vehicular traffic, as reviewed by the City Engineer.~~

~~(3vi) Permit to Exceed Height. A minor conditional use permit approval is required where fencing is proposed to be greater than six (6) feet in height within or outside any required setback, with the exception of fencing described in subsection (c)(1)(i)(b) or subsection (c)(1)(a).~~

(2) Additional Fencing Requirements. All fencing shall also comply with the following standards:

(i) Transparency. Fencing within a required primary or secondary street setback shall have at least fifty percent (50%) transparency. The following designs and/or materials may be used: hog panel with wood frame, split rail, decorative iron, metal picket, wood picket, welded pipe rail with wire, or similar as approved by the Community Development Director.

(ii) Fence Materials.

a. The following designs and/or materials must not be used in any zoning district except as specified below for Industrial and Industrial Park Zoning designations: chain-link that does not comply with sSection- 9-4.128(c)(4)(ii), barbed wire, razor wire, plywood, particle board, paper, visqueen plastic, plastic tarp, cloth, or similar material,; except that barbed, razor, or concertina wire fencing may be allowed as follows:

i. For agricultural fencing utilized in a low height four (4) feet or less within a rural setting to enclose livestock

ii. In the industrial and Industrial Park zoning districts, barbed, razor, or concertina wire is subject to approval of the Design Review Committee (section 9-2.107) if findings can be made that it will not negatively impact the health and welfare of the surrounding area and its appearance is consistent with surrounding properties and land uses.

b. Dog-eared fencing and electric fences for animal control must not be used in any zoning district except in single-family and agriculture zoning districts.

c. Wood fencing in any multi-family or non-residential development shall include a top and bottom rail.

d. Fence posts shall be metal or pressure treated wood.

(iii) Fencing around storm drainage basins:

a. Shall not exceed four (4) feet;

b. Shall be at least seventy-five percent (75%) transparent; and

c. May be constructed of split rail or other natural materials that have horizontal material application.

- (43) Screening Materials Substitution. Where screening is required to be a solid wall or fence, the following materials may be substituted ~~through adjustment (see Section 9-1.112 of this title)~~ subject to the approval of the Community Development Director, except where screening is required adjacent to a residential use or zone:
- (i) Landscape Screen. Screening plant materials may be substituted for a wall or fence, where:
 - a. Proposed plant materials are certified in writing by a registered landscape architect as having the capability of achieving sixty percent (60%) of total view blockage within eighteen (18) months of planting, and one hundred percent (100%) of total view blockage within thirty-six (36) months of planting; and
 - b. The applicant agrees in writing to install solid fencing after the expiration of thirty-six (36) months, in the event that the landscaping has not totally blocked the view of areas required to be screened.
 - ~~(ii) Berms. A landscaped berm may be substituted for a wall or fence, provided that the combination of berm and landscaping is no less than the required height of the fence or wall, and that the berm is constructed with a maximum slope of three to one (3:1), with side slopes designed and planted to prevent erosion, and with a rounded surface a minimum of two (2) feet in width at the highest point of the berm, extending the length of the berm. The berm shall be planted with shrubs, lawn or groundcover.~~
 - (iii) Chain-Link Fencing. Vinyl-coated, chain-link fencing with evergreen landscape screen planting within a planting area at least three (3) feet in width may be substituted for a solid wall or fence in commercial and industrial zones, ~~except where screening fencing is required adjacent to residential uses and zones.~~

9-4.129 Solid waste, recycling, and organics collection and disposal.

Within the urban services line, all land uses ~~requiring a zoning approval~~, except ~~single family dwellings, temporary uses, agricultural uses, and other~~ uses that do not create a need for solid waste pickup and disposal shall provide an enclosed area for the temporary storage of solid waste before disposal truck pickup, as required by this section.

- (a) Application Content. ~~Applications Permit and entitlement applications for plot plan, precise plan and conditional use permit approval~~ shall include the location of solid waste collection areas, collection containers, and maneuvering areas for disposal trucks, including access driveways where necessary.
- (b) Collection Area Standards.
 - (1) Required Facilities. The following facilities shall be required for each project type.
 - (i) Multi-family. Multi-family developments of two (2) units or less may be served by a consolidated shared waste collection area or may be served by individual trash receptacles for each unit if the property frontage is greater than fifty (50) linear feet. Multiple-family developments with more than two (2) units shall be served by consolidated common waste collection area(s).
 - (ii) Mixed-use. All mixed-use developments shall be served by consolidated common waste collection area(s) regardless of the number of units.
 - (iii) Commercial. All commercial developments shall provide a consolidated area(s) for solid waste collection.

- (12) Location of Collection Facilities. The solid waste collection area(s) shall be located within one hundred (100) feet of the dwellings or buildings served, but is not to be located in any ~~front primary or secondary street yard~~ setback (Section 9-4.106).
- (i) Exception: For multifamily residential projects of two or more units, subject to an administrative use permit and compliance with the following standards, solid waste collection areas may be placed within a primary, secondary, or corner street setback:
- a. Solid waste collection area shall be placed at least five feet from the primary street property line;
 - b. The project shall provide an additional Tier 1 amenity for open space (described in Section 9-3.262(c)(4)(i));
 - c. The solid waste collection enclosure shall be designed to include all of the following:
 1. Shed, gabled, or trellis-style roof;
 2. A walled in area utilizing the same solid primary or secondary siding materials as the multifamily structure; and
 3. Installation of a minimum of five (5) feet of landscaping surrounding non-entry portions of the structure; and
 - d. Tree spacing along property frontage in accordance with Section 9-4.125(a)(3).
- (2) Enclosure Required. Solid waste collection areas ~~that use dumpsters or other containers with a total capacity greater than two (2) thirty three (33) gallon containers~~ shall be designed to accommodate dumpsters, cans, compost, and/or recycling containers adequate to serve the project and consistent with State law, and shall be screened from the view of public streets and adjoining properties by a solid fence or wall as high as the collection container, but not less than ~~three (3) feet nor more than~~ six (6) feet in height.
- (3) Enclosure Construction Standards.
- (i) The floor or bottom surface of a solid waste collection area shall be of concrete or other impervious materials.
 - (ii) The collection shall have adequate unobstructed vertical clearance, consistent with the solid waste removal service standards, for a minimum height of twenty five (25) feet.
- (4) Enclosure Construction Standards – Multifamily Residential and Mixed-Use Development. In addition to the above, the following standards apply to residential projects of two or more units:
- ~~(i)~~ Enclosures shall be constructed of the same architectural design and materials of the primary structures on site, or shall be constructed of a darker earthtone textured block. ;
 - (ii) If located between a primary building and a street, enclosures shall be compliant with Section 9-4.129(b)(i).
 - ~~(vi)~~ Every trash enclosure for multi-family residential development shall have a non-combustible, overhanging trellis or roof cover designed to prevent precipitation from entering trash bins.
 - (vii) Enclosures shall have solid steel vehicular entry doors and one pedestrian door.
 - (ix) Wheel stops or curbs shall be provided to prevent dumpsters from hitting walls of enclosure.

9-4.137 Exterior lighting.

The standards of this section are applicable to all outdoor night-lighting sources installed after the effective date of this title, except for streetlights located within public rights-of-way ~~and all uses established in the Agriculture Zone. An electrical permit may be required by Title 8.~~

- (a) Illumination Only. Outdoor lighting shall be used for the purpose of illumination only and shall not be designed for or used as an advertising display, except as provided by ~~Sections Title 9, Chapter 15 (Sign Code). 9-4.130 et seq.~~
- (b) ~~Nondecorative~~ Exterior Lighting Shielded. All ~~nondecorative~~ exterior lighting shall be dark-sky compliant or equivalent and shall be recessed at least two inches or shall be shielded with two-inch shielding as measured from the lens or light source to direct light toward buildings or the ground and reduce glare. Light sources shall be designed and adjusted to direct light away from any road or street and away from any property or buildings outside the ownership of the applicant.
- (c) Minimization of Light Intensity. ~~No light or glare shall be transmitted or reflected off-site in such concentration or intensity as to be detrimental or harmful to persons or to interfere with the use of surrounding properties or streets, and must not exceed four thousand (4,000) Kelvin.~~
- (d) Decorative Exterior Lighting Shielded. The light source for all ~~Where~~ lights, including those are used for the purpose of illuminating or accenting building walls, signs, flags, architectural features, or landscaping, the light source is to ~~shall~~ be shielded so as not to be ~~directly~~ visible from off-site, and must not exceed four thousand (4,000) Kelvin. String lights may be allowed in occupied dining and entertainment areas only and must not exceed three thousand (3,000) Kelvin. String lights shall not be used as landscape lights. This does not apply to seasonal lighting.
- (e) Ground Illuminating Lights. Any light source used for ground area illumination except incandescent lamps of one hundred fifty (150) watts or less ~~and light produced directly by the combustion of natural gas or other fuels,~~ shall be shielded from above in such a manner that the edge of the shield is level with or below the lowest edge of the light source. ~~Where any light source intended for ground illumination is located at a height greater than eight (8) feet, the required shielding is to extend below the lowest edge of the light source a distance sufficient to block the light source from the view of any residential use within one thousand (1,000) feet of the light fixture.~~
- (f) Height of Light Fixtures. Freestanding outdoor lighting fixtures shall not exceed ~~the allowed height of the tallest building on the site, pursuant to Section 9-4.111~~ 12-feet in height.
- (g) Parking Lot Lighting. Parking lot lighting may not exceed the levels needed to provide low level safety lighting for parking lot areas, as demonstrated by photometric plans.
- (h) Motion Sensors. Lighting must be on motion sensors to minimize lighting when not in use.
- (i) Pedestrian Lighting. All lighting near residential units and along pedestrian pathways must be a pedestrian scale, which may include bollard lighting.
- (j) Exceptions: Lighting required for security at ATMs (and similar types of areas) may be exempt from shielding requirements if it can be shown that shielding will conflict with lighting levels required for safety.

Amend AMC 9-4.159(b) as follows:

- (b) Where Required. Within the urban services line, concrete curb, gutter, and sidewalk is required with any project in the following areas:
 - (1) In all commercial zones, except in commercial areas oriented to highway travel unless pedestrian, vehicular and use characteristics of the project and surrounding area indicate a need for the improvements.

- (2) In the RMF Zones, except ~~that area with a permitted density of ten (10) units or less where the right-of-way is not of sufficient width to accommodate sidewalks on both sides, the City Engineer may allow alternative improvements to accommodate pedestrian walking surface on one side of the street and parking on the other side of the street~~not be required to provide the improvements unless pedestrian, vehicular and use characteristics of the project and surrounding area indicate a need for the improvements. In RMF Zones with a permitted density of ten (10) units or less per acre, asphalt or similar shoulder improvements shall be provided to accommodate pedestrian.
- (3) In all industrial zones, except that sidewalks may not be required unless pedestrian, vehicular and use characteristics of the project and surrounding area indicate a need for the improvements.
- (4) In areas designated by any Curb, Gutter and Sidewalk Plan adopted by the City Council.
- (5) In Planned Developments except where an alternative pedestrian path system is proposed and accepted by the City Engineer.
- (6) Along El Camino Real.
- (7) Along Morro Road (Capistrano Avenue to San Gabriel Road).

Amend AMC 9-9.102 to add the following definitions:

Abutting/Adjoining. Contiguous to; having district boundaries or lot lines in common (i.e., not separated by an alley, public or private right-of-way, or street).

Adjacent. The condition of being near to or close to but not necessarily having a common dividing line. Two properties that are separated by an alley, public or private right-of-way, street, (other than a principal arterial), public access easement, or creek, river, stream, or other natural or artificial waterway shall be considered as adjoining one another. See also “Abutting/Adjoining.”

Open Space, Common. Open space that is accessible to all dwelling units on the site in the form of courtyards, landscaping, pedestrian paths, and recreational facilities.

Open Space, Private. Open space that is accessible directly from the living area of a dwelling unit in the form of a fenced yard or patio, a deck, or balcony.

Open space, usable. Areas designed and intended to support residents’ passive or active use and located on the same parcel as the dwelling units for which it is required, or development where shared access and use is provided. Usable open space shall not include any portion of parking areas-, streets, driveways, sidewalks, or turnaround areas.

Applicants are advised to consult the Planning and Zoning Code https://library.gcode.us/lib/atascadero_ca/pub/municipal_code/item/title_9 and Planning Division staff prior to applying. This checklist is a summary but is not all inclusive of requirements.

CITY OF ATASCADERO
 Community Development Department, **Planning Division**
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Mixed-use Project Checklist

Project Complies	Description	Section
9-3.331 MIXED-USE RESIDENTIAL REQUIREMENTS		
<input type="checkbox"/>	Maximum Density. Maximum 24 du/acre	9-3.331; 9-3.347
<input type="checkbox"/>	Fractional Density. <i>Check one</i> <input type="checkbox"/> Fractional Density Applied. The following may be used to calculate multi-unit development density allowed on a parcel: <ul style="list-style-type: none"> - Units up to 600 square feet = 0.50 units - Units of 601 square feet up to 1,000 square feet = 0.66 unit - Units over 1,000 square feet = 1 unit <input type="checkbox"/> Fractional Density Not Applied	9-3.331(b)
9-4.106 - 9-4.128, 9-3.347 SETBACKS, HEIGHT, PARKING, LANDSCAPING, AND FENCING		
<input type="checkbox"/>	Maximum Height. <i>Check one</i> <input type="checkbox"/> CN, CP, CR, CS, DO Zoning Districts. 35 feet <input type="checkbox"/> DC Zoning District. 45 feet	9-4.113; 9-3.347
<input type="checkbox"/>	Street Setback for Residential Uses. <i>Check one</i> <input type="checkbox"/> Frontage on El Camino Real or Highway 41. Minimum 15 feet <input type="checkbox"/> Frontage on other streets. Minimum 12 feet <input type="checkbox"/> DC or DO Zone. No minimum	9-4.106
<input type="checkbox"/>	Landscaping. <i>Check all</i> <input type="checkbox"/> Street Trees. Planted 30 feet on center; set back minimum 12 feet from buildings in an unpaved planting area at least 6 feet by 6 feet <input type="checkbox"/> Parking Lot Landscaping. Shade trees at 35-foot intervals	9-4.125(a)(3) 9-4.119(f) and (g)
<input type="checkbox"/>	Parking. Complies with required number of spaces, parking design, parking location	9-4.115 to 9-4.119
<input type="checkbox"/>	Mechanical Equipment. Minimum 5-foot setback from property line, not visible from public right-of-way, and screened	9-3.331(d), 9-4.128
<input type="checkbox"/>	Fencing. Fence height, materials, and screening	9-4.128
<input type="checkbox"/>	Storage Space. Minimum 130 cubic feet of enclosed storage per unit, not located within the unit. May be combined for units, such as long-term bicycle storage.	9-3.331(e)
<input type="checkbox"/>	Downtown Maximum Average Unit Size. <i>Check one</i> <input type="checkbox"/> Maximum average unit size is 1,200 square feet or less (within a new mixed-use project in the Downtown districts (DO or DC). <input type="checkbox"/> Does not apply.	9-3.331(g)
9-3.331(h) OUTDOOR RECREATION OR GATHERING AREAS		
<i>Only applies to projects with 5 or more units in Commercial zoning districts and 11 or more units in Downtown zoning districts.</i>		
<input type="checkbox"/>	Open Space Size <input type="checkbox"/> Minimum 30 square feet per unit <input type="checkbox"/> Does not apply	9-3.331(h)(1)
<input type="checkbox"/>	Open Space Type. <i>Check one</i> < 50 units <input type="checkbox"/> Private amenity <input type="checkbox"/> Common open space, minimum 750 square feet	9-3.331(h)(1)

Project Complies	Description	Section						
	<input type="checkbox"/> Combination private/common 50+ units <input type="checkbox"/> Common open space, minimum 750 square feet <input type="checkbox"/> Combination private/common, no more than 50% is private							
<input type="checkbox"/>	Private Open Space Minimum Dimensions. <i>Check one</i> <input type="checkbox"/> Minimum 5 feet (width and depth) in any direction <input type="checkbox"/> Does not apply	9-3.331(h)(2)						
<input type="checkbox"/>	Common Open Space Minimum Dimensions. <i>Check one</i> <input type="checkbox"/> Minimum 10 feet (width and depth) and at least 750 square feet <input type="checkbox"/> Does not apply	9-3.331(h)(3)						
9-4.129 SOLID WASTE, RECYCLING, AND ORGANICS COLLECTION AND DISPOSAL								
<input type="checkbox"/>	Design. <i>Check all</i> <input type="checkbox"/> Matches architectural design and materials of primary structure <input type="checkbox"/> Trellis or roof cover <input type="checkbox"/> Solid steel door <input type="checkbox"/> Wheel stops or curbs	9-4.129(b)(4)						
9-4.130 MULTIFAMILY AND MIXED-USE BUILDING DESIGN STANDARDS								
9-4.130(f)(2) Tier 1: Required Components		Table 9-4.130-2						
<input type="checkbox"/>	Ground Floor Height. Minimum 10 feet	9-4.130(f)(2)(i)						
<input type="checkbox"/>	Transparencies. Nonresidential Ground-Floor Uses. - Minimum 30% of building façades facing primary streets. - Minimum 20% of building façades facing non-primary streets. Nonresidential Upper-Floor Uses and Residential Uses. Minimum 15%	9-4.130(f)(2)(ii)						
<input type="checkbox"/>	Windows. Minimum 2 inch inset	9-4.130(f)(2)(iii)						
<input type="checkbox"/>	Blank Walls. Maximum 20 feet in length	9-4.130(f)(2)(iv)						
<input type="checkbox"/>	Corner Treatments. <i>Check one</i> <input type="checkbox"/> Project located at intersection, provide the following within 25 feet of street intersection. <i>Check a minimum of two</i> <input type="checkbox"/> Ground Floor Entry. <input type="checkbox"/> Material Variation. (80% façade height, cannot be combined with color variation) <input type="checkbox"/> Color Variation. (80% façade height, cannot be combined with material variation) <input type="checkbox"/> Fenestration Variation. (80% façade height) <input type="checkbox"/> Tower Element. <input type="checkbox"/> Roof Style Variation. <input type="checkbox"/> Does not apply.	9-4.130(f)(2)(v)						
9-4.130(f)(3) Tier 2: Wall Plane Variation								
<input type="checkbox"/> All façades facing the public right-of-way include variation that cumulatively equals at least 25% of the total façade plane area that faces the public right-of-way. <i>(Only applies to buildings 25 feet in length or more.)</i> <input type="checkbox"/> Does not apply.								
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:33%; text-align: center;"><i>Buildings 25 feet or less (length)</i></td> <td style="width:33%; text-align: center;"><i>Between 25 feet and 50 feet (length)</i></td> <td style="width:33%; text-align: center;"><i>More than 50 feet (length)</i></td> </tr> <tr> <td style="text-align: center;">No requirement.</td> <td style="text-align: center;">Check a minimum of one.</td> <td style="text-align: center;">Check a minimum of two.</td> </tr> </table>			<i>Buildings 25 feet or less (length)</i>	<i>Between 25 feet and 50 feet (length)</i>	<i>More than 50 feet (length)</i>	No requirement.	Check a minimum of one.	Check a minimum of two.
<i>Buildings 25 feet or less (length)</i>	<i>Between 25 feet and 50 feet (length)</i>	<i>More than 50 feet (length)</i>						
No requirement.	Check a minimum of one.	Check a minimum of two.						
<input type="checkbox"/>	Plaza or Forecourt. Minimum 12 feet (depth) by minimum 20% of the primary street-facing building façade (length)	9-4.130(f)(3)(i)(a)						
<input type="checkbox"/>	Upper Story Stepback. Minimum 8 feet (depth) by minimum 15% of the primary street-facing building façade (length)	9-4.130(f)(3)(i)(b)						

Project Complies	Description	Section						
<input type="checkbox"/>	Balconies. Projected or recessed balconies - See Section 9-4.130[g][2] for balcony requirements	9-4.130(f)(3)(i)(c)						
<input type="checkbox"/>	General Massing Break. Minimum 1 foot (depth) by 3 feet (length) by 8 feet (height)	9-4.130(f)(3)(i)(d)						
<input type="checkbox"/>	Full Brick Façade. Minimum 90% of total nontransparent façade. See also Subsection 9-4.130[i][1][ii] for returning materials at corners.	9-4.130(f)(3)(i)(e)						
4.130(f)(3)(ii) and (iii) Tier 2: Wall Plane Variation Additional Regulations								
<input type="checkbox"/>	Vertical Elements on Horizontal Buildings. Check one. <input type="checkbox"/> At least 1 (of the required Tier 2 design strategy options) shall be a vertical element - Only applies to buildings more than 50 feet (length) <input type="checkbox"/> Does not apply	9-4.130(f)(3)(ii)						
<input type="checkbox"/>	Wall Plane Variation Projections Allowance. Check one. <input type="checkbox"/> No more than 50% of total wall plane variation (measured in square feet) may project 2 feet into the front setback <input type="checkbox"/> Projection Allowance Not Applied	9-4.130(f)(3)(iii)						
9-4.130(f)(4) Tier 3: Fenestration and Materials								
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:33%; border: none;"><i>Buildings 25 feet or less (length)</i></td> <td style="width:33%; border: none;"><i>Between 25 feet and 50 feet (length)</i></td> <td style="width:33%; border: none;"><i>More than 50 feet (length)</i></td> </tr> <tr> <td style="border: none;">Check a minimum of three.</td> <td style="border: none;">Check a minimum of three.</td> <td style="border: none;">Check a minimum of three.</td> </tr> </table>			<i>Buildings 25 feet or less (length)</i>	<i>Between 25 feet and 50 feet (length)</i>	<i>More than 50 feet (length)</i>	Check a minimum of three.	Check a minimum of three.	Check a minimum of three.
<i>Buildings 25 feet or less (length)</i>	<i>Between 25 feet and 50 feet (length)</i>	<i>More than 50 feet (length)</i>						
Check a minimum of three.	Check a minimum of three.	Check a minimum of three.						
<input type="checkbox"/>	Awnings. Minimum 3 foot depth, covering at least 75% of windows and doors on the ground floor - See Section 9-4.130[g][1] for awning requirements	9-4.130(f)(4)(i)						
<input type="checkbox"/>	Transparency. Exceed minimum transparency requirements by 5 additional percentage points - See Section 9-4.130[f][2][ii] for transparency standards	9-4.130(f)(4)(ii)						
<input type="checkbox"/>	Window Trim. Minimum 3½ inches (width) and ¼ inch (depth)	9-4.130(f)(4)(iii)						
<input type="checkbox"/>	Window Frame Material. Window frame material (all windows) that is not white vinyl	9-4.130(f)(4)(iv)						
<input type="checkbox"/>	Lintels. Applied over at least 50% of all window and door openings	9-4.130(f)(4)(v)						
<input type="checkbox"/>	Windowsills. Minimum 2 inch projection beyond the building façade, applied to at least 50% of all window openings	9-4.130(f)(4)(vi)						
<input type="checkbox"/>	Decorative Trim. Molding, cornice, corbeled end beams, and/or rafter tails between stories (not at roof level) - See Figure 4-e: Decorative Trim	9-4.130(f)(4)(vii)						
<input type="checkbox"/>	Secondary Cladding Material. Minimum 25% of any street-facing façade area (excluding windows and doors), or the first story of the street-facing façade	9-4.130(f)(4)(viii)						
9-4.130(f)(5) Tier 4: Roofs								
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:33%; border: none;"><i>Buildings 25 feet or less (length)</i></td> <td style="width:33%; border: none;"><i>Between 25 feet and 50 feet (length)</i></td> <td style="width:33%; border: none;"><i>More than 50 feet (length)</i></td> </tr> <tr> <td style="border: none;">Check a minimum of one.</td> <td style="border: none;">Check a minimum of two in Commercial zones, one in DO or DC zones.</td> <td style="border: none;">Check a minimum of two in Commercial zones, one in DO or DC zone.</td> </tr> </table>			<i>Buildings 25 feet or less (length)</i>	<i>Between 25 feet and 50 feet (length)</i>	<i>More than 50 feet (length)</i>	Check a minimum of one.	Check a minimum of two in Commercial zones, one in DO or DC zones.	Check a minimum of two in Commercial zones, one in DO or DC zone.
<i>Buildings 25 feet or less (length)</i>	<i>Between 25 feet and 50 feet (length)</i>	<i>More than 50 feet (length)</i>						
Check a minimum of one.	Check a minimum of two in Commercial zones, one in DO or DC zones.	Check a minimum of two in Commercial zones, one in DO or DC zone.						
<input type="checkbox"/>	Eaves and Rakes. Minimum 18-inch projection on all roof sections.	9-4.130(f)(5)(i)						
<input type="checkbox"/>	Corbeled End Beams/Rafter Tails. Minimum 16-inch projection, spaced minimum 2 feet (maximum 3 feet) apart, for the length of each roof eave	9-4.130(f)(5)(ii)						
<input type="checkbox"/>	Cornice. Minimum 1-inch (maximum 8-inch) projection, extending the length of the building (except vertical features), or soldier row on an all-brick building.	9-4.130(f)(5)(iii)						
<input type="checkbox"/>	Roof Profile Variation. Check one. <input type="checkbox"/> Height. Variation in height of the same roof type by minimum 18 inches <input type="checkbox"/> Pitch. Variation in pitch of the same roof type by minimum 25% <input type="checkbox"/> Gables. Minimum 40% of façade length.	9-4.130(f)(5)(iv)						
<input type="checkbox"/>	Multiple Roof Types. Secondary roof type for minimum 25% of total roof line. See Section 9-4.130[g][3] for roof standards. May also be used to comply with Section 9-4.130[f][2][v][f] requirement if applied at a street intersection corner.	9-4.130(f)(5)(v)						

Project Complies	Description	Section
<input type="checkbox"/>	Dormers. Minimum 50% of upper floor windows and no less than 2 windows	9-4.130(f)(5)(vi)
9-4.130(h)(1) Allowable Entryway Types by Building Type		
<input type="checkbox"/>	Mixed-use. <i>Check one.</i> <input type="checkbox"/> Shopfront See Section 9.4-130[h][3][i] for shopfront standards. <input type="checkbox"/> Arcade See Section 9.4-130[h][3][ii] for arcade standards.	9-3.262(h)(1)
9-4.130(i)(4) Color Variety		
<input type="checkbox"/>	Building Exterior. Minimum 2 (maximum 4) colors on building wall exterior. See Section 9.4-130[i] for allowed/prohibited building materials and colors.	9-3.262(i)(4)
ADDITIONAL STANDARDS IF ADJACENT TO SINGLE FAMILY ZONING DISTRICT Where the side or rear property line abuts a property in the RR, RS, RSF, or LSF zoning districts.		
9-4.130(j) Transition to Abutting Rural and Single Family Uses		
<input type="checkbox"/>	Landscape Buffer. Minimum 5-foot landscape buffer (clear of any wall footings)	9-4.130(j)(4)
<input type="checkbox"/>	Screening Wall. Minimum 6 feet (height) of solid wall or fence	9-4.130(j)(5)
<input type="checkbox"/>	Balcony Orientation. <i>Check one</i> <input type="checkbox"/> Balconies oriented away from abutting single-family <input type="checkbox"/> Does not apply	9-4.130(j)(3)
9-4.130(j) Transition to Abutting Rural and Single Family Uses Only applies to mixed-use and multifamily projects of 5 units or more. <input type="checkbox"/> Does not apply		
<input type="checkbox"/>	10-Foot Setback. From abutting single family zoning district	9-4-130(j)(1)
<input type="checkbox"/>	Additional Setback. <i>Check one</i> <input type="checkbox"/> Upper Story Stepback. 6 feet minimum - See Figure 4-l: Upper Story Stepback <input type="checkbox"/> Building Setback. Additional 5 feet minimum - See Figure 4-m: Building Setback	9-4-130(j)(2)

Applicants are advised to consult the Planning and Zoning Code https://library.gcode.us/lib/atascadero_ca/pub/municipal_code/item/title_9 and Planning Division staff prior to applying. This checklist is a summary but is not all inclusive of requirements.

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Multifamily Project Checklist

Project Complies	Description	Section
9-3.245 DENSITY – RMF ZONE		
<input type="checkbox"/>	Minimum and Maximum Density. <i>Check one</i> <input type="checkbox"/> RMF-10. Minimum 2 du/acre; maximum 10 du/acre <input type="checkbox"/> RMF-20. Minimum 20 du/acre; maximum 24 du/acre	9-3.252
<input type="checkbox"/>	Fractional Density. <i>Check one</i> <input type="checkbox"/> Fractional Density Applied. The following may be used to calculate multi-unit development density allowed on a parcel: <ul style="list-style-type: none"> - Units up to 600 square feet = 0.50 units - Units of 601 square feet up to 1,000 square feet = 0.66 unit - Units over 1,000 square feet = 1 unit <input type="checkbox"/> Fractional Density Not Applied	9-3.252
9-4.106 - 9-4.128 SETBACKS, HEIGHT, PARKING, LANDSCAPING, AND FENCING		
<input type="checkbox"/>	Maximum Height. 35 feet	9-4.113
<input type="checkbox"/>	Street Setback. <i>Check one</i> <input type="checkbox"/> Frontage on El Camino Real or Highway 41. Minimum 15 feet <input type="checkbox"/> Frontage on other streets. Minimum 12 feet	9-4.106
<input type="checkbox"/>	Side Setback. Minimum 5 feet	9-4.107
<input type="checkbox"/>	Rear Setback. Minimum 10 feet	9-4.108
<input type="checkbox"/>	Interior Setbacks (Building Separation). Minimum 6 feet between buildings	9-4.109
<input type="checkbox"/>	Parking. <i>Check all</i> <input type="checkbox"/> General. Complies with required number of spaces, parking design, parking location <input type="checkbox"/> Garages. Garage width maximum 14 feet wide and 5 ft setback from façade (or no attached garages provided) <input type="checkbox"/> Parking for Guest and Other Required Spaces. Located in a shared parking area	9-4.115 to 9-4.119
<input type="checkbox"/>	Landscaping. <i>Check all</i> <input type="checkbox"/> Street Trees. Planted 30 feet on center; set back minimum 12 feet from buildings in an unpaved planting area at least 6 feet by 6 feet <input type="checkbox"/> Parking Lot Landscaping. Shade trees at 35-foot intervals	9-4.125(a)(3) 9-4.119(f) and (g)
<input type="checkbox"/>	Fencing. Fence height, materials, and mechanical equipment screening	9-4.128
9-3.262 PROPERTY DEVELOPMENT STANDARDS – RMF		
<input type="checkbox"/>	Storage Space. Minimum 130 cubic feet of enclosed storage per unit, which must be accessed from outside the unit. May be combined for units, such as long-term bicycle storage.	9-3.262(b)
<input type="checkbox"/>	Laundry Facilities. <i>Check one</i> <input type="checkbox"/> Laundry hookups within each individual dwelling unit <input type="checkbox"/> Shared laundry facility	9-3.262(f)
<input type="checkbox"/>	Pedestrian Connections. All residential units are connected to pedestrian pathways or linked to off-site pedestrian connections	9-3.262(g)
9-3.262(c) OUTDOOR RECREATION OR GATHERING AREAS		
<input type="checkbox"/>	Size. Minimum 200 square feet per unit	9-3.262(c)(1)

Project Complies	Description	Section						
<input type="checkbox"/>	<p>Type. <i>Check one</i></p> <p>2-3 units</p> <p><input type="checkbox"/> Private amenity</p> <p><input type="checkbox"/> Common open space, minimum 400 square feet</p> <p><input type="checkbox"/> Combination private/common</p> <p>4-9 units</p> <p><input type="checkbox"/> Common open space, 50% or more is minimum 800 square feet</p> <p><input type="checkbox"/> Combination, no more than 50% is private</p> <p>10+ units</p> <p><input type="checkbox"/> Common open space, 50% or more is minimum 1,000 square feet</p> <p><input type="checkbox"/> Combination, no more than 50% is private</p>	9-3.262(c)(1)						
<input type="checkbox"/>	<p>Private Open Space Minimum Dimensions. <i>Check one</i></p> <p><input type="checkbox"/> Minimum 6 feet (width and depth) in any direction</p> <p><input type="checkbox"/> <i>Does not apply</i></p>	9-3.262(c)(2)(i)						
<input type="checkbox"/>	<p>Common Open Space Minimum Dimensions. <i>Check one</i></p> <p><input type="checkbox"/> Minimum 10 feet (width and depth) in any direction</p> <p><input type="checkbox"/> <i>Does not apply</i></p>	9-3.262(c)(3)(i)						
<input type="checkbox"/>	<p>Not located in drainage basins with 2 feet (depth) or greater and/or areas not accessible to the units being served</p>	9-3.262(c)(3)(iii)						
9-3.262(c)(4) Common Open Space – Required Amenities								
<input type="checkbox"/>	<p>Tier 1 Amenities.</p> <p><i>Check a minimum of one</i></p> <p><input type="checkbox"/> Courtyard Entry - <i>Only applies to projects of 3 units or more</i></p> <p><input type="checkbox"/> Shade over 50% of common open space, including one canopy tree</p> <p><input type="checkbox"/> Public or interactive art</p> <p><input type="checkbox"/> On-site tree preservation</p>	9-3.262(c)(4)(i)						
<input type="checkbox"/>	<p>Tier 2 Amenities.</p> <table border="1" data-bbox="251 1192 1274 1270"> <thead> <tr> <th>2-3 units</th> <th>4-9 units</th> <th>10+ units</th> </tr> </thead> <tbody> <tr> <td><i>Check a minimum of one</i></td> <td><i>Check a minimum of two</i></td> <td><i>Check a minimum of two</i></td> </tr> </tbody> </table> <p><input type="checkbox"/> Fixed or movable seating/outdoor dining area</p> <p><input type="checkbox"/> Enclosed, off-leash dog run/relief/wash area</p> <p><input type="checkbox"/> Children’s play area</p> <p><input type="checkbox"/> Sports court or other outdoor activity stations</p> <p><input type="checkbox"/> Pool or spa</p> <p><input type="checkbox"/> Outdoor kitchen</p> <p><input type="checkbox"/> Fire pit with permanent natural gas line</p> <p><input type="checkbox"/> Patio (minimum area 150 square feet and dimension of 10 feet in any direction)</p> <p><input type="checkbox"/> Preservation of 25% of existing mature tree canopy</p> <p><input type="checkbox"/> Parking court - <i>Only applies to projects of 4 units or less</i></p>	2-3 units	4-9 units	10+ units	<i>Check a minimum of one</i>	<i>Check a minimum of two</i>	<i>Check a minimum of two</i>	9-3.262(c)(4)(ii)
2-3 units	4-9 units	10+ units						
<i>Check a minimum of one</i>	<i>Check a minimum of two</i>	<i>Check a minimum of two</i>						
<input type="checkbox"/>	<p>Tier 3 Amenities.</p> <table border="1" data-bbox="251 1659 1274 1736"> <thead> <tr> <th>2-3 units</th> <th>4-9 units</th> <th>10+ units</th> </tr> </thead> <tbody> <tr> <td><i>Check a minimum of one</i></td> <td><i>Check a minimum of one</i></td> <td><i>Check a minimum of two</i></td> </tr> </tbody> </table> <p><input type="checkbox"/> Vertical landscaping</p> <p><input type="checkbox"/> Community garden</p> <p><input type="checkbox"/> Flowering plants or edible landscaping</p> <p><input type="checkbox"/> 100% native, drought-tolerant plants and habitat</p> <p><input type="checkbox"/> Interpretive or educational information</p> <p><input type="checkbox"/> Nature trail</p>	2-3 units	4-9 units	10+ units	<i>Check a minimum of one</i>	<i>Check a minimum of one</i>	<i>Check a minimum of two</i>	9-3.262(c)(4)(iii)
2-3 units	4-9 units	10+ units						
<i>Check a minimum of one</i>	<i>Check a minimum of one</i>	<i>Check a minimum of two</i>						

Project Complies	Description	Section
9-3.262(c)(5) Open Space Area – Additional Standards and Restrictions		
<input type="checkbox"/>	Slope. Maximum 6% slope	9-3.262(c)(5)(i)
<input type="checkbox"/>	Front Setback. Check one <input type="checkbox"/> If located in a front setback, open space use areas shall be set back at least 5 feet from the property line/edge of right-of-way. <input type="checkbox"/> Does not apply.	9-3.262(c)(5)(iv)
9-3.262(d) Open Space Reductions		
<input type="checkbox"/>	Location. Check one <input type="checkbox"/> Project site is within 500 feet of public park; 50% reduction of required open space <input type="checkbox"/> Project site is within 1,000 feet of public park; 25% reduction of required open space <input type="checkbox"/> Reduction Not Applied.	9-3.262(d)(1)
<input type="checkbox"/>	Indoor Recreation Area. Only applies to buildings more than 50 feet (length). Check one <input type="checkbox"/> Indoor recreation area (2,000 square feet); 25% reduction of required open space <input type="checkbox"/> Reduction Not Applied.	9-3.262(d)(2)
9-4.129 SOLID WASTE, RECYCLING, AND ORGANICS COLLECTION AND DISPOSAL		
<input type="checkbox"/>	Location. Check one <input type="checkbox"/> Not in the front yard setback <input type="checkbox"/> In the front yard setback (requesting AUP) and compliant with 9-4.129(b)(1)(i)	9-4.129(b)(1)
<input type="checkbox"/>	Individual/Consolidated. Check one <input type="checkbox"/> Consolidated shared waste collection area. <input type="checkbox"/> Individual trash receptacles. <i>Only allowed for projects with 2 or fewer units and a frontage greater than 50 linear feet.</i>	9-4.129(b)(2)
<input type="checkbox"/>	Design. Check all <input type="checkbox"/> Matches architectural design and materials of primary structure <input type="checkbox"/> Trellis or roof cover <input type="checkbox"/> Solid steel door <input type="checkbox"/> Wheel stops or curbs	9-4.129(b)(4)

Project Complies	Description	Section						
9-4.130 MULTIFAMILY AND MIXED-USE BUILDING DESIGN STANDARDS								
9-4.130(f)(2) Tier 1: Required Components		Table 9-4.130-2						
<input type="checkbox"/>	Transparencies. Minimum 15%	9-4.130(f)(2)(ii)						
<input type="checkbox"/>	Windows. Minimum 2 inch inset	9-4.130(f)(2)(iii)						
<input type="checkbox"/>	Blank Walls. Maximum 20 feet in length	9-4.130(f)(2)(iv)						
9-4.130(f)(3)(i) Tier 2: Wall Plane Variation								
<input type="checkbox"/> All façades facing the public right-of-way include variation that cumulatively equals at least 25% of the total façade plane area that faces the public right-of-way. <input type="checkbox"/> Does not apply. (Does not apply to projects with less than 5 units or cottage clusters.)								
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:33%;"><i>Duplex, Triplex, Fourplex, Cottages</i></td> <td style="width:33%;"><i>5+ Units and less than 50 feet (length)</i></td> <td style="width:33%;"><i>5+ Units and more than 50 feet (length)</i></td> </tr> <tr> <td>No requirement</td> <td>Check a minimum of one</td> <td>Check a minimum of two</td> </tr> </table>			<i>Duplex, Triplex, Fourplex, Cottages</i>	<i>5+ Units and less than 50 feet (length)</i>	<i>5+ Units and more than 50 feet (length)</i>	No requirement	Check a minimum of one	Check a minimum of two
<i>Duplex, Triplex, Fourplex, Cottages</i>	<i>5+ Units and less than 50 feet (length)</i>	<i>5+ Units and more than 50 feet (length)</i>						
No requirement	Check a minimum of one	Check a minimum of two						
<input type="checkbox"/>	Plaza or Forecourt. Minimum 12 feet (depth) by minimum 20% of the primary street-facing building façade (length)	9-4.130(f)(3)(i)(a)						
<input type="checkbox"/>	Upper Story Stepback. Minimum 8 feet (depth) by minimum 15% of the primary street-facing building façade (length)	9-4.130(f)(3)(i)(b)						
<input type="checkbox"/>	Balconies. Projected or recessed balconies - See Section 9-4.130[g][2] for balcony requirements	9-4.130(f)(3)(i)(c)						
<input type="checkbox"/>	General Massing Break. Minimum 1 foot (depth) by 3 feet (length) by 8 feet (height)	9-4.130(f)(3)(i)(d)						
<input type="checkbox"/>	Full Brick Façade. Minimum 90% of total nontransparent façade. See also Subsection 9-4.130[i][1][ii] for returning materials at corners.	9-4.130(f)(3)(i)(e)						
9-4.130(f)(3)(ii) and (iii) Tier 2: Wall Plane Variation Additional Regulations								
<input type="checkbox"/>	Vertical Elements on Horizontal Buildings. Check one. <input type="checkbox"/> At least 1 (of the required Tier 2 design strategy options) shall be a vertical element - Only applies to buildings more than 50 feet (length) <input type="checkbox"/> Does not apply	9-4.130(f)(3)(ii)						
<input type="checkbox"/>	Wall Plane Variation Projections Allowance. Check one. <input type="checkbox"/> No more than 50% of total wall plane variation (measured in square feet) may project 2 feet into the front setback <input type="checkbox"/> Projection Allowance Not Applied	9-4.130(f)(3)(iii)						
9-4.130(f)(4) Tier 3: Fenestration and Materials								
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:33%;"><i>Duplex, Triplex, Fourplex, Cottages</i></td> <td style="width:33%;"><i>5+ Units and less than 50 feet (length)</i></td> <td style="width:33%;"><i>5+ Units and more than 50 feet (length)</i></td> </tr> <tr> <td>Check a minimum of two</td> <td>Check a minimum of three</td> <td>Check a minimum of three</td> </tr> </table>			<i>Duplex, Triplex, Fourplex, Cottages</i>	<i>5+ Units and less than 50 feet (length)</i>	<i>5+ Units and more than 50 feet (length)</i>	Check a minimum of two	Check a minimum of three	Check a minimum of three
<i>Duplex, Triplex, Fourplex, Cottages</i>	<i>5+ Units and less than 50 feet (length)</i>	<i>5+ Units and more than 50 feet (length)</i>						
Check a minimum of two	Check a minimum of three	Check a minimum of three						
<input type="checkbox"/>	Transparency. 20%+ transparency	9-4.130(f)(4)(ii)						
<input type="checkbox"/>	Window Trim. Minimum 3½ inches (width) and ¾ inch (depth)	9-4.130(f)(4)(iii)						
<input type="checkbox"/>	Window Frame Material. Window frame material (all windows) that is not white vinyl	9-4.130(f)(4)(iv)						
<input type="checkbox"/>	Lintels. Applied over at least 50% of all window and door openings	9-4.130(f)(4)(v)						
<input type="checkbox"/>	Windowsills. Minimum 2-inch projection beyond the building façade, applied to at least 50% of all window openings	9-4.130(f)(4)(vi)						
<input type="checkbox"/>	Decorative Trim. Molding, cornice, corbeled end beams, and/or rafter tails between stories (not at roof level) - See Figure 4-e: Decorative Trim	9-4.130(f)(4)(vii)						
<input type="checkbox"/>	Secondary Cladding Material. Check one. <input type="checkbox"/> Duplex, Triplex, Fourplex, or Cottage Cluster. Minimum 10% of any street-facing façade area (excluding windows and doors), or the first story of the street-facing façade <input type="checkbox"/> Multiplex. Minimum 25% of any street-facing façade area (excluding windows and doors), or the first story of the street-facing façade	9-4.130(f)(4)(viii)						

Project Complies	Description	Section
9-4.130(f)(5) Tier 4: Roofs		
	<i>Duplex, Triplex, Fourplex, Cottages</i>	<i>5+ Units and less than 50 feet (length)</i>
		<i>5+ Units and more than 50 feet (length)</i>
	Check a minimum of one	Check a minimum of two
<input type="checkbox"/>	Eaves and Rakes. Minimum 18-inch projection on all roof sections	9-4.130(f)(5)(i)
<input type="checkbox"/>	Corbeled End Beams/Rafter Tails. Minimum 16-inch projection, spaced minimum 2 feet (maximum 3 feet) apart, for the length of each roof eave	9-4.130(f)(5)(ii)
<input type="checkbox"/>	Cornice. Minimum 1-inch (maximum 8-inch) projection, extending the length of the building (except vertical features), or soldier row on an all-brick building	9-4.130(f)(5)(iii)
<input type="checkbox"/>	Roof Profile Variation. Check one. <input type="checkbox"/> Height. Variation in height of the same roof type by minimum 18 inches <input type="checkbox"/> Pitch. Variation in pitch of the same roof type by minimum 25% <input type="checkbox"/> Gables. Minimum 40% of façade length	9-4.130(f)(5)(iv)
<input type="checkbox"/>	Multiple Roof Types. Secondary roof type for minimum 25% of total roof line - See Section 9.4-130[g][3] for roof standards	9-4.130(f)(5)(v)
<input type="checkbox"/>	Dormers. Minimum 50% of upper floor windows and no less than 2 windows	9-4.130(f)(5)(vi)
9-4.130(h)(1) Allowable Entryway Types by Building Type		
<input type="checkbox"/>	Entryway. Check one Duplex, Triplex, Fourplex, or Cottage Cluster. <input type="checkbox"/> Porch See Section 9.4-130[h][3][iii] for porch standards Multiplex (5+ units) <input type="checkbox"/> Arcade See Section 9.4-130[h][3][ii] for arcade standards <input type="checkbox"/> Porch See Section 9.4-130[h][3][iii] for porch standards	9-3.262(h)(1)
9-4.130(i)(4) Color Variety		
<input type="checkbox"/>	Building Exterior. Minimum 2 (maximum 4) colors on building wall exterior - See Section 9.4-130[i] for allowed/prohibited building materials and colors	9-3.262(i)(4)
ADDITIONAL STANDARDS IF ADJACENT TO SINGLE FAMILY ZONING DISTRICT		
Where the side or rear property line abuts a property in the RR, RS, RSF, or LSF zoning districts.		
9-4.130(j) Transition to Abutting Rural and Single Family Uses		
<input type="checkbox"/>	Landscape Buffer. Minimum 5-foot landscape buffer (clear of any wall footings)	9-4.130(j)(4)
<input type="checkbox"/>	Screening Wall. Minimum 6 feet (height) of solid wall or fence	9-4.130(j)(5)
<input type="checkbox"/>	Balcony Orientation. Check one <input type="checkbox"/> Balconies oriented away from abutting single-family <input type="checkbox"/> Does not apply	9-4.130(j)(3)
9-4.130(j) Transition to Abutting Rural and Single Family Uses <i>Only applies to mixed-use and multifamily projects of 5 units or more.</i> <input type="checkbox"/> Does not apply		
<input type="checkbox"/>	10-Foot Minimum Setback. From abutting single family zoning district	9-4-130(j)(1)
<input type="checkbox"/>	Additional Setback. For buildings within 15-feet of abutting residential property. Check one <input type="checkbox"/> Upper Story Stepback. 6 feet minimum - See Figure 4-l: Upper Story Stepback <input type="checkbox"/> Building Setback. Additional 5 feet minimum - See Figure 4-m: Building Setback	9-4-130(j)(2)
9-4.130(l) ADDITIONAL STANDARDS FOR COTTAGE CLUSTERS		
9-4.130(l)(2) Site Planning		
<input type="checkbox"/>	Unit Count. Minimum of 3 and maximum of 12 cottages per single cottage cluster.	9-4.130(l)(2)(i)
<input type="checkbox"/>	Common Courtyard. Check one <input type="checkbox"/> Shared common courtyard <input type="checkbox"/> Does not apply (Cluster less than 5 units exempt.)	9-4.130(l)(2)(ii)

Project Complies	Description	Section
<input type="checkbox"/>	Garages/Carports. No more than 25% garages/carports of common courtyard's perimeter abutted by garages	9-4.130(l)(2)(iii)
<input type="checkbox"/>	Allowed Building Type(s). Check all that apply <input type="checkbox"/> Single detached units <input type="checkbox"/> Duplexes	9-4.130(l)(2)(iv)
9-4.130(l)(3) Setbacks		
<input type="checkbox"/>	Setback from Property Line. Aligns with underlying zoning district	9-4.130(l)(3)(i)
<input type="checkbox"/>	Setback between Structures. Minimum 6 feet	9-4.130(l)(3)(ii)
9-4.130(l)(4) Maximum Building Footprint		
<input type="checkbox"/>	Individual Units. Check all that apply <input type="checkbox"/> Single Detached Unit. Maximum 800 square feet <input type="checkbox"/> Duplex. Maximum 1,000 square feet	9-4.130(l)(4)
9-4.130(l)(5) Open Space		
<input type="checkbox"/>	Common Courtyard Minimum Dimensions. Minimum 15 feet (width) and no less than 400 square feet	9-4.130(l)(5)(i)
<input type="checkbox"/>	Cottage Orientation to Common Courtyard. Check a minimum of one <input type="checkbox"/> Abuts common courtyard <input type="checkbox"/> Main entrance faces common courtyard <input type="checkbox"/> Within 10 feet from a pedestrian path connecting to common courtyard	9-4.130(l)(5)(ii)
<input type="checkbox"/>	Impervious Elements. Maximum 75% of total common courtyard area consists of impervious elements	9-4.130(l)(5)(iii)
9-4.130(l)(6) Fences		
<input type="checkbox"/>	Fences Delineating Private Yards and Common Open Spaces. - Maximum 42 inches (height) - Minimum 50% transparent - See Section 9-4.130(l)(6)(ii)(a) for prohibited materials	9-4.130(l)(6)(ii)
9-4.130(l)(7) Pedestrian Access		
<input type="checkbox"/>	Access. A pedestrian path (hard-surfaced and 3 feet wide) is required to provide access from each cottage cluster to the following: - Common courtyard - Shared parking area - Sidewalks - Public rights-of-way abutting the site	9-4.130(l)(7)(i)
9-4.130(l)(8) Existing Structures		
<input type="checkbox"/>	Existing Structures. Check one <input type="checkbox"/> No existing dwelling on site to remain <input type="checkbox"/> Existing structures on site to be retained - See Section 9-4.130(l)(8) (Maximum Footprint)	9-4.130(l)(8)