



CITY OF MARTINEZ MUNICIPAL CODE TITLE 22 - ZONING EXCERPTS

(with text to be ~~voided~~ and *effective* MARCH 26, 2007)

NOTE: ZONING CODE EXCERPTS FROM CHAPTER 12; "RESIDENTIAL DISTRICTS" AND CHAPTER 34; "GENERAL REQUIREMENTS AND EXCEPTIONS," HAVE BEEN AGGREGATED IN THIS DOCUMENT FOR EASE OF REFERENCE. ADDITIONAL REQUIREMENTS, SUCH AS DESIGN REVIEW, MAY APPLY TO YOUR PROJECT. PLEASE REFER TO THE COMPLETE ZONING CODE FOR ADDITIONAL INFORMATION.

RESIDENTIAL ZONING DISTRICTS - DEVELOPMENT STANDARDS

22.12.210 Maximum Site Area Coverage.

The maximum site area covered by structures shall be as prescribed in Table F.

TABLE F

District	Maximum Coverage
R-1.5	40 percent
R-2.5	35 percent
R-3.5	40 percent
R-6.0	40 percent
R-7.5	35 percent
R-10.0	30 percent
R-15	30 percent
R-20 and RR-20	25 percent
R-40 and RR-40	20 percent
R-65 and RR-65	15 percent
R-80 and RR-80	10 percent
R-100 and RR-100	5 percent

(Ord. 822 C.S. § 2 (part), 1975: prior code § 10,103.10.)

22.12.220 Front Yards.

A. The minimum front yard shall be as prescribed in Table G subject to the exceptions listed in subsection B.

TABLE G

District	Minimum Front Yard
R-1.5	10 feet
R-2.5	20 feet
R-3.5	20 feet
R-6.0	20 feet
R-7.5	20 feet
R-10.	25 feet
R-15	25 feet
R-20 and RR-20	25 feet
R-40 and RR-40	25 feet
R-65 and RR-65	40 feet
R-80 and RR-80	50 feet
R-100 and RR-100	50 feet

B. Exceptions:

1. On a site situated between sites improved with buildings, the minimum front yard shall be the average depth of the front yards on the improved sites adjoining the side lines of the site.
2. Where a site is not situated between sites improved with buildings and where sites comprising forty percent (40%) of the frontage on a block are improved with buildings, the minimum front yard shall be the average of the existing front yard depths in the block.
3. In computing average front yard depths, a depth 10 feet greater than the minimum required front yard shall be used in lieu of any greater front yard depth.
4. On a site having an average natural slope of thirty percent (30%) or more measured from the established grade of the street at the edge of the existing or proposed pavement to the rear line of the required front yard, a garage or carport may be constructed not less than 15 feet from the edge of the pavement, provided that in no case shall a garage or carport have a front yard of less than 3 feet.

5. For cul-de-sac lots which front upon the turnaround, the minimum front yard shall be 15 feet, providing the driveway is placed in such manner that a standard automobile parked in the driveway will not encroach upon the sidewalk.

6. On corner lots in the R-6.0 and R-7.5 districts, the front yard may be reduced to 15 feet minimum if the structure fronts upon the longer street frontage, provided there is 20 feet between the front of the garage or carport and the front property line. On corner lots in the R-10.0, R-20 and RR-20, and R-40 and RR-40 districts, the front yard may be reduced to 20 feet if the structure fronts upon the longer street frontage. (Ord. 822 C.S. § 2 (part), 1975: prior code § 10,103.11.)

22.12.230 Side Yards.

A. The minimum side yard shall be ten percent (10%) of the average width of the site, subject to the exceptions listed in Table H and thereafter in this section.

TABLE H

District	Minimum Permitted	Maximum Required
R-1.5	5 feet	10 feet
R-2.5	5 feet	10 feet
R-3.5	5 feet	10 feet
R-6.0	5 feet	10 feet
R-7.5	5 feet	10 feet
R-10.0	5 feet	12 feet
R-15	10 feet	15 feet
R-20 and RR-20	10 feet	15 feet
R-40 and RR-40	15 feet	25 feet
R-80 and RR-80	25 feet	35 feet
R-100 and RR-100	30 feet	40 feet

B. Exceptions:

1. In the R-1.5 and R-2.5 districts, on the street side of a corner lot, the side yard shall be not less than fifteen percent (15%) of the average width of the site, provided that a side yard of more than 20 feet shall not be required; except where required due to the height or length of structure on the site, as detailed in subdivisions 3, 4 and 5 herein, and a side yard of less than 7 1/2 feet shall not be permitted.
2. Except in the R-1.5 and R-2.5 districts, on the street side of a corner lot the side yard shall be not less than twenty percent (20%) of the average width of the site, provided that a side yard less than twice the minimum required interior side yard shall not be permitted and a side yard of more than twice the maximum required interior side yard shall not be required; except where required due to the height or length of structure(s) on the site, as detailed in subdivisions 3, 4 and 5 herein.
3. Table H sets forth the minimum requirements for structures of 12 feet or less in height. For structures above 12 feet in height, 1 foot shall be added to each side yard for each 2 feet of height above the lowest 12 feet of height of a structure. Second-story additions to existing one story single family structures will be

permitted with side yards smaller than specified above, subject to the following limitations:

- a. The second-story addition shall not encroach into the existing side yard areas;
 - b. Provisions of Sections 22.34.030 through 22.34.070 shall apply to any such second-story additions.
4. Table H sets forth the minimum requirements for structures less than 40 feet in length. One foot shall be added to each side yard for each 5 feet by which a wall of a structure within 25 feet of the side property line exceeds 40 feet in length parallel to the property line.
 5. The increases in side yards required by subdivisions 3 and 4 herein shall be additive.
 6. A side yard providing access to more than one dwelling unit shall not be less than 10 feet.
(Ord. 822 C.S. § 2 (part), 1975: prior code § 10,103.12.)

22.12.240 Rear Yards.

Except for the R-1.5 and R-2.5 districts, the minimum rear yard shall be 25 feet, subject to the following exceptions:

- A. On a reversed corner lot the minimum rear yard shall be not less than the side yard prescribed in Section 22.12.230, provided that the side yard adjoining the street shall be not less than the required front yard on the adjoining key lot.
- B. ~~Accessory structures not exceeding 12 feet in height may be located in the rear yard provided that not more than twenty five percent (25%) of the required rear yard shall be covered by structures, and provided that on a reversed corner lot an accessory structure shall be located not closer to the rear property line than the required side yard on the adjoining key lot and not closer to the side property line adjoining the street than the required front yard and the adjoining lot, and provided that no accessory structure in excess of 6 feet in height shall be located closer than 5 feet from any property line.~~
- B. Rear yard areas may be averaged on a single site to obtain the required 25-foot rear yard; not more than fifty percent (50%) of the width of the structure may extend closer than 25 feet to the rear property line, nor shall any portion of the structure extend closer than 15 feet to the rear property line.
- C. In the R-1.5 district, the minimum rear yard shall be 20 feet subject to the following exception. In the R-2.5 district, the minimum rear yard shall be 25 feet subject to the following exceptions:
 - 1. In the R-1.5 district the rear yard may be reduced to not less than 10 feet provided that one side yard is not less than 20 feet.
 - 2. In the R-2.5 district, the rear yard may be reduced to not less than 15 feet provided one side yard is not less than 25 feet.
 - 3. One foot shall be added to the rear yard for each 2 feet of height above the lowest 12 feet of height of a structure.
 - 4. On a reversed corner lot the minimum rear yard shall be not less than the side yard prescribed in Section 22.12.230, provided that the side yard adjoining the street shall be not less than the required front yard on

the adjoining key lot.

~~5. Accessory structures not exceeding 12 feet in height may be located in the rear yard, provided that if more than twenty five percent (25%) of the required rear yard is covered by structures, the distance between an accessory structure in the required rear yard and a main structure shall be not less than 25 feet, and provided that on a reversed corner lot an accessory structure shall be located not closer to the rear property line than the required side yard on the adjoining key lot and not closer to the side property line adjoining the street than the required front yard on the adjoining key lot. (Ord. 822, C.S. § 2 (part), 1975: prior code § 10.103.13.)~~

22.34.160 Yard Requirements--Exceptions.

- A. Architectural features including sills, chimneys, cornices and eaves may extend into a required side yard or a space between buildings not more than 18 inches and may extend into a required front or rear yard not more than 6 feet.
- B. Open, unenclosed, uncovered balconies, porches, platforms, stairways and landings placed, no part of which is more than 6 feet above the surface of the ground, may extend into a required yard or space between buildings not more than 6 feet.
- C. Open, unenclosed, uncovered metal fire escapes may project into any required yard or space between buildings not more than 3 feet.
- D. Swimming pools shall be permitted in any yard except a required front yard. No pump or filter installation shall be located less than 5 feet from a side property line or the rear property line of a reversed corner lot.
- E. Fences, walls, hedges, walks, driveways and retaining walls may occupy any required yard or other open space, subject to the limitation prescribed in the district regulation. (Ord. 822 C.S. § 2 (part), 1975: prior code § 10,114.11.)

22.34.090 Fences, Walls and Hedges.

Fences, walls and hedges not exceeding 6 feet in height shall be permitted, except that they may not exceed 3 1/2 feet in height within a required front yard area, with the following exceptions:

- A. In the R Residential Districts, on a site having a natural downslope of twenty percent (20%) or more in the required front yard, a fence, wall or hedge not exceeding 6 feet in height shall be permitted in the front yard;
- B. In the R, I and PA districts, fences, walls and hedges shall not exceed 3 1/2 feet in height anywhere within 50 feet within a street intersection;

22.12.250 Usable Open Space.

The minimum usable open space per dwelling unit for multifamily residential structures in residential districts shall comply with the provisions in Table I.

TABLE I

District	Minimum Usable Open Space Per Dwelling Unit
R-1.5	400 square feet
R-2.5	450 square feet
R-3.5	500 square feet

(Ord. 822 C.S. § 2 (part), 1975: prior code § 10,103.14.)

22.12.260 Height of Structures.

Except in the R-1.5 district, the maximum height of structures shall be two stories or a maximum of 25 feet, whichever is less. In the R-1.5 district, the maximum height of structures shall be two stories over depressed parking, or a maximum of 30 feet, whichever is less. (Ord. 822 C.S. § 2 (part), 1975: prior code § 10,103.15.)

22.34.170 Height Limitations--Measurement and Exceptions.

A. Method of Measurement: ~~This regulation is included in this title~~ ~~To~~ limit the height of structures and to encourage conformity with the natural grade upon which they are placed, ~~the~~ height of a structure shall be measured vertically from any point of the surface of the ground covered by the structure directly over said point. For residential sites (and other sites at the option of the ~~Board of Adjustments~~ **Planning Commission**) exceeding 10% existing natural slope for the portion of the site covered by the proposed structure, height shall be measured from the original natural grade.

B. Exceptions to Maximum Height Limitations:

1. The Planning Commission may consider requests for exceptions to a zoning district's maximum height limitation ~~this subsection~~ by use permit (Section 22.40 et. seq.).

2B. Towers, spires, cupolas, chimneys, penthouses, water tanks, flagpoles, monuments, scenery lofts, transmission towers, fire towers and similar structures and necessary mechanical appurtenances covering not more than ten percent (10%) of the ground area covered by the structure, may be erected to a height not more than 25 feet above the height limit prescribed by the regulations for the district in which the site is located. Utility poles and towers shall not be subject to the height limits prescribed in the district regulations. Radio and television aerials may be erected to a height not more than 50 feet above the height limit prescribed by the regulations for the district in which the site is located. (Ord. 822 C.S. § 2 (part), 1975: prior code § 10,114.12.)

22.12.265; Accessory Structures (in Residential Districts) [NEW SECTION]

- A. Intent: These specific limitations as to the height, number or size of Accessory Structures are intended to ensure adequate light, air and privacy for residential properties, balancing the appropriateness of the Accessory Structures' design to preserving the residential character and neighbor's privacy with the applicant's ability to fully utilize the property in accordance with all applicable standards of the City's zoning regulations.
- B. Size and Location Limitations: Accessory structures shall conform to the maximum coverage, and minimum yard requirements of the applicable zoning district, subject to the following special limitations and exceptions:
1. Maximum Size: The maximum size of any one accessory structure is 1,000 sq. ft.; and the total size of all accessory structures on a lot cannot exceed 50% of the main structure's gross floor area. Exceptions to these maximum size limitations may be granted with approval of a use permit.
 2. Maximum Height: The height of an accessory structure may not exceed one story or 15'. Exceptions to exceed either the one story, or 15' maximum, or both, may be granted with approval of a use permit.
 3. Exceptions to minimum yard requirements for accessory structures within minimum required rear yards. Provided that the accessory structure(s) do not cover more than 25% of the minimum rear yard otherwise required by Section 22.12.240 Rear Yards, accessory structure(s) may be placed, or partially placed, within such minimum required rear yards, subject to the following requirements:
 - a. A minimum setback of 5' shall be maintained from the rear and interior side property lines that are adjacent to the otherwise required minimum rear yard.
 - b. Accessory structures in the minimum required rear yards of corner lots shall be no closer to the street-side side property line than the minimum street-side side yard required by Section 22.12.230; Side Yards.

- c. *Accessory structures in the minimum required rear yards of reverse corner lots shall be no closer to the rear property line than the Minimum Permitted side yard of the adjoining key lot as required by Section 22.12.230 A., Table H, Side Yards.*
4. *Special limitations for keeping of animals.* *Accessory structures, where permitted for the housing of animals, such as horse stables and paddocks, chicken coops, rabbit hitches and similar structures, shall maintain the minimum setbacks from property lines and dwelling as prescribed in Section 22.12.080; Permitted Uses in R-Residential Districts. Other accessory structures which, in the option of the Community Development Director, are not customarily or incidental to the main residential use of the property, require use permit approval.*

22.12.270 Off-Street Parking and Loading Facilities.

- A. Off-street parking shall be provided for residential development in accordance with the requirements of Section 22.36.030 of this title.
- B. Parking and loading facility requirements for nonresidential uses and loading facility requirements for apartment hotels in excess of 5,000 square feet of gross floor area, shall comply with the regulations prescribed in Chapter 22.36 of this title. (Ord. 822 C.S. § 2 (part), 1975; prior code § 10,103.16.)