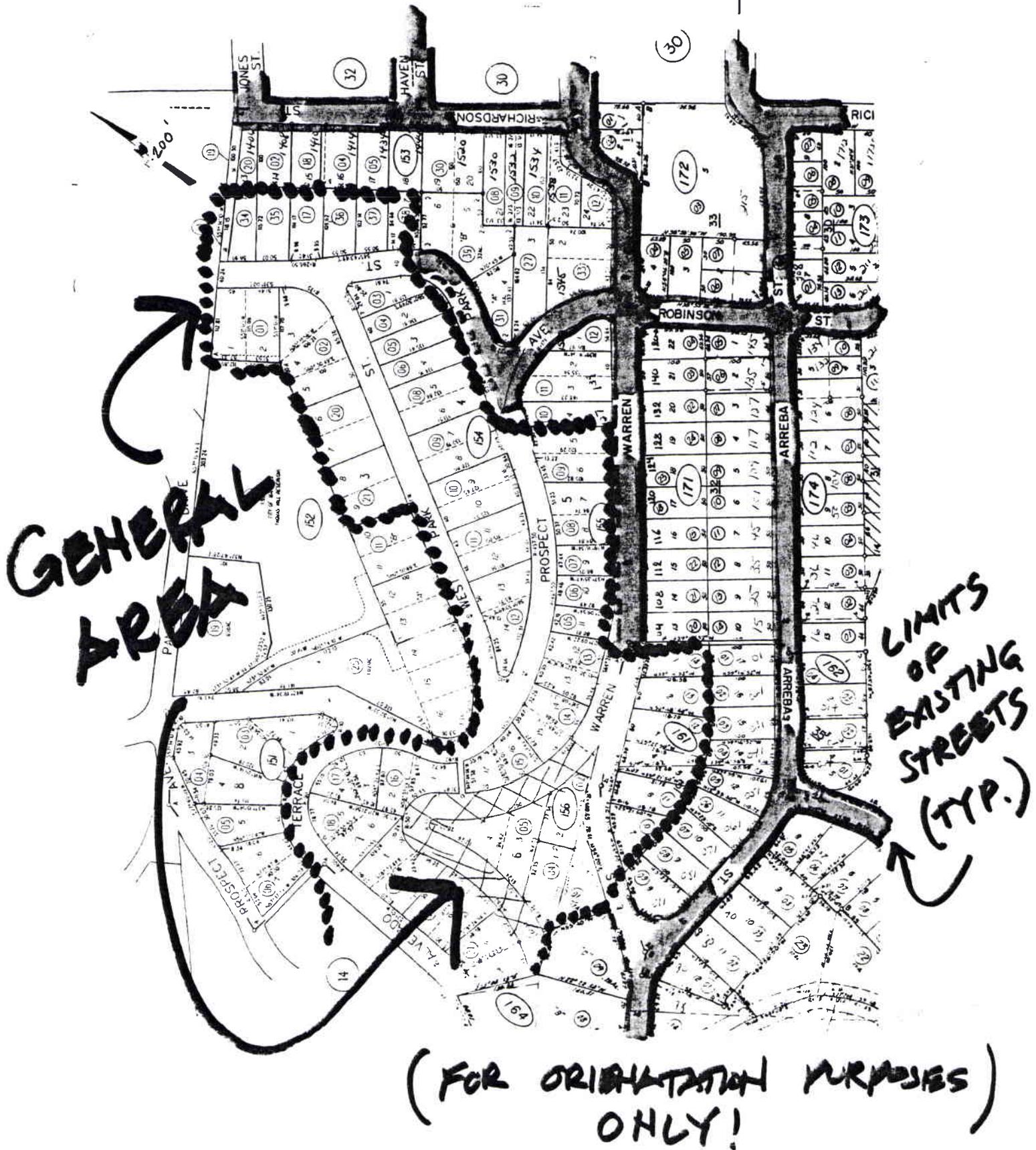


WARREN/PROSPECT LOTS

CITY OF MARTINEZ





City of Martinez

525 Henrietta Street, Martinez, CA 94553-2394
COMMUNITY DEVELOPMENT DEPARTMENT

(925) 372-3515

April 2005

To: Perspective buyers and other interested parties

Re: Warren Street and Prospect Avenue; vacant lots on unimproved streets

The City has received many inquiries regarding properties for sale on Warren Street, Park Street, Prospect Avenue and Alvarado Terrace. (please refer to attached map) These lots are on either substandard or unimproved streets, meaning that one would need to either widen or construct the street, and in some cases install utilities (water sewer etc.), before homes could be built.

We thought it would be helpful if the City to provided interested parties with some preliminary information regarding the development requirements for the lots. Please note that the City has already received applications for development on some of those lots. The following preliminary comments were based on the conditions as of April 2005, and are subject to change depending on the scope of proposed development and conditions at the time someone applies for development:

The following information is only meant to provide a broad overview of the issues to be addressed. Consultation with a civil engineer and/or architect is strongly recommended if one wishes to ascertain the feasibility of developing these lots.

1. Setting:

These properties are generally on slopes greater than 10%, so most of them are classified as *Hillside Lots*. *Hillside Lots* have special zoning requirements as outlined in the Planning section below:

2. Planning:

- The zoning on the properties is generally R-6.0; One-Family Residential: 6,000 sq. ft. minimum lot area required (except for the south side of Warren Street, which are in the R-3.5 District.) Development requirements for the properties are attached as Residential, Municipal Code Section 22.12.
- Please note that the building height limit for residential structures is 25' (measured from grade to pitch of roof). If a home exceeds 25' then a Use Permit approved by Planning Commission (public hearing) is required.

- Design Review approval will be required in most cases: Design Review is required for: a) all houses on *Hillside Lots* with slopes greater than 10%; and b) All houses that are on “an undeveloped parcel adjoining one or more additional undeveloped parcels under the same ownership”). Design Committee recommendation and Zoning Administrator (public hearing) approval is required pursuant to Municipal Code Section 22.34 (as attached)
- Hillside Lots have floor area limitations. Where the natural slope of the ground under the proposed exceeds 20%, a maximum floor area ration (FAR) of .30 shall be allowed. Exceptions to exceed the .30 limit may be granted by the Planning Commission by approval of Use Permit.
- Variances may need to be requested if setbacks/development requirements cannot be met. These can be processed concurrently with the Design Review application. However, please keep in mind that a hardship (physical constraint) is required to make the findings for the granting of a variance.
- Conditions of approval will be required if the project is approved which will be prepared by staff and given to the applicant.

3. Street Improvements:

Currently, Warren Street, Park Street, Prospect Avenue and Alvarado Terrace (see attached map) are not fully improved. The requirements below may apply to the property you are considering:

- Any street you are using for access will generally need to be improved to a minimum of 20 feet width, with curb, gutter.
- If the property you are considering has dual frontage on both Warren and Prospect, City Municipal code requires owners of double frontage lots to construct improvements on both streets. If you plan to gain access from Prospect, you will need to construct a new street, with utilities, to your property. The likely minimum width of the street would be 20 feet with Fire Department approval required. Should access be from Warren Street, it is more likely that the City would allow the owner to enter into a “deferred improvement agreement” that would postpone this requirement until other properties are developed on Prospect. In that case the owner would only be responsible for half of the street improvements along the Warrant property frontage only.

4. Utilities:

You will need to extend utilities as required to serve your proposed development.

- Water: The property is within the City of Martinez water district. Currently there is a water main in the paved area. It ends approximately in front of 104 Warren Street. There is no water main on Warren Street in the unpaved portion of the street. The water main will need to be extended from the existing water main to front of the property in order to provide fire and domestic service to the lot.
- You should check the following agencies regarding their requirements:
 - Sanitary Sewer: Central Contra Costa Sanitary District.
 - Gas and Electric: P.G& E
 - Contra Costa Consolidated Fire District for water supply and access requirements.

5. Application, Approvals and Permits:

A. Application: Submit a formal application to the planning department. We recommend that you meet with staff prior to making the formal application to discuss issues related to your proposed development and required submittals. In general, your application should include preliminary plan with information such as:

- Site development plan (drawn to scale) that includes the existing contours, existing features and trees, and proposed grading contours.
- Boundary dimensions and bearings, existing easements.
- Proposed building sites and setbacks from property lines.
- Location of existing and proposed drainage pattern.
- Location of existing and proposed utility services.
- Preliminary title report.
- Elevations and sections.
- Colors & materials board.
- Stamped and addressed envelopes for all the neighbors within 300' radius along with a list of those addresses. This information can be obtained from the Company Tax Assessor's office or a title company.
- Preliminary Soils Report: The preliminary soils report should be prepared by the developer's consultant. It and will be peer reviewed by the City's geotechnical consultant at developer's expense.

B. Permits:

After the City approves the preliminary plans, the developer needs to submit a formal application to the Building Department for permit(s) with the final building and the site development construction plans. The following permits will be required:

- Building Permit: For the building and retaining walls, if any.
- Encroachment Permit: For all work within the public right of way.
- Grading Permit or Site Development Permit: For all work onsite.
- Approval from utility companies may also be required.

C. Fees: Prior to issuing any permit. All required fees must be paid as per the City's current fee schedule. Fees vary from project to project depending upon your proposed development. There are fees associated with each type of application and permit. In addition there are water service (City) and utility fees. Lastly there is impact fees associated with development. The City recommends a potential buyer meet with the staff if they have questions regarding fees.

Attachments: Residential development Standards (Municipal Code Section 22.12)
Hillside Ordinance – Floor Area Ratio (Municipal Code Section 22.33)
Design Review (Municipal Code Section 22.34)

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CITY OF MARTINEZ MUNICIPAL CODE TITLE 22 - ZONING EXCERPTS

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.**
- C. 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.
- D. 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. 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) 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.

The Planning Commission may consider requests for exceptions to this subsection by use permit (Section 22.40 et. seq.).

- B. 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.)

22.12.270 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.)

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CITY OF MARTINEZ MUNICIPAL CODE TITLE 22 - ZONING EXCERPTS

NOTE: ZONING CODE EXCERPTS FROM CHAPTER 33; HILLSIDE DEVELOPMENT REGULATIONS ARE PROVIDED IN THIS DOCUMENT FOR EASE OF REFERENCE. ADDITIONAL REQUIREMENTS, SUCH AS RESIDENTIAL ZONING DISTRICT DEVELOPMENT STANDARDS AND DESIGN REVIEW WILL APPLY TO YOUR PROJECT. PLEASE REFER TO THE COMPLETE ZONING CODE FOR ADDITIONAL INFORMATION.

FLOOR AREA RATIO (FAR) LIMITS FOR HILLSIDE LOTS

22.33.050 Maximum Floor Area Ratio for Existing Hillside Lots.

- A. This regulation is included in this Chapter to limit the size of structures on substandard size hillside lots and to encourage the consolidation of substandard size hillside lots into larger building sites and encourage compatibility with existing homes in the neighborhood, terrain and lot size.
- B. Where the natural slope of the site under the proposed structure exceeds 20% and the site area is substandard in terms of current zoning and/or slope density site area requirements (Section 22.33.020), a maximum floor area ratio (FAR) of .30 shall be allowed for all structures on the site.
- C. To calculate the allowable floor area for a site subject to FAR regulation, the site area is multiplied by the FAR. The resulting floor area is the maximum gross floor area allowable on the site except in the following instances:
 1. The floor area of a garage or carport shall be allowed in addition to the maximum floor area resulting from the FAR.
 2. On a site situated between substandard size sites improved with buildings, the maximum FAR shall be the average FAR on the improved sites adjoining the sidelines of the site, or that of paragraph B above (whichever is greater).

3. Where a site is not situated between substandard size sites improved with buildings and where substandard size sites comprising 40% of the frontage on a block are improved with buildings, the maximum FAR shall be the average of the FAR's of existing substandard size sites in the block or that of paragraph B above (whichever is greater).

4. The Planning Commission may consider requests for additional floor area beyond that permitted under this section by use permit (Section 22.40 et seq.). (Ord. 1211 C.S. § II, 1994; Ord. 1100 C.S. § II, 1987.)

F:\Community Develop\Zoning Excerptps\Residnetial Floor Area.wpd



CITY OF MARTINEZ MUNICIPAL CODE TITLE 22 - ZONING EXCERPTS

NOTE: THIS SUMMARY OF DESIGN REVIEW REQUIREMENTS & ZONING CODE EXCERPTS FROM CHAPTER 34; "GENERAL REQUIREMENTS AND EXCEPTIONS." HAVE BEEN PROVIDED IN THIS DOCUMENT FOR EASE OF REFERENCE. ADDITIONAL REQUIREMENTS, SUCH AS RESIDENTIAL ZONING DISTRICT DEVELOPMENT STANDARDS WILL APPLY TO YOUR PROJECT. PLEASE REFER TO THE COMPLETE ZONING CODE FOR ADDITIONAL INFORMATION.

DESIGN REVIEW REQUIREMENTS

PRIOR TO ISSUANCE OF A BUILDING PERMIT, A DESIGN REVIEW APPLICATION IS REQUIRED FOR THE FOLLOWING :

- *ALL NON-RESIDENTIAL AND MULTI-FAMILY PROJECTS,*
- *SINGLE-FAMILY PROJECTS IN THE R- AND RR- DISTRICTS, WHEN ONE OR MORE OF THE FOLLOWING APPLIES:*
 1. *The natural grade of the permit site under the proposed structure has an average slope of ten (10) percent or greater, or*
 2. *The permit site is an undeveloped parcel adjoining one or more additional undeveloped parcels under the same ownership, including parcels separated by streets and nonexclusive easements, or*
 3. *The permit site is located in a visually significant area as identified on the "visual environment" map in the Open Space and Conservation Element of the General Plan., or*
 4. *The permit site is located within a seismic or geologic hazard area as identified on the "seismic and geologic hazards map" in the Open Space and Conservation Element of the General Plan.*

REFER TO THE CODE EXCEPTS ON THE FOLLOWING PAGES FOR MORE INFORMATION

22.34.030 Design Review--Applicability.

Each application made for a building permit to construct or alter the exterior of a structure shall be subject to architectural and site design review by the Planning Department prior to issuance of the permit, except as provided below relative to the R and RR Single Family Residential Districts.

Design Review required for single-family permits on certain sites

This section and Sections 22.34.040 through 22.34.070 shall apply to applications for building permits in the R and RR districts only when one or more of the following conditions exist:

- A. The permit site is an undeveloped parcel adjoining one or more additional undeveloped parcels under the same ownership, as shown on the current Tax Assessor's rolls. "Adjoining" for purposes of this section and Section 22.34.030 through 22.34.070 includes parcels separated by public rights-of-way, including streets and nonexclusive easements.
- B. The permit site is located in a visually significant area. "Visually significant" areas are those labeled as "visually significant hilltops and ridges," "visually significant hill-sides," "visually significant riparian vegetation" and "visually significant skyline vegetation" on the map entitled "visual environment" within the open space and conservation element of the General Plan.
- C. The permit site is located within a seismic or geologic hazard area. A permit site shall be considered as located within a seismic or geologic hazard area if it appears to lie on a fault trace or on "slopes, twenty (20) to thirty (30) percent having high landslide susceptibility" or on "slopes over thirty (30) percent in grade" as identified on the map entitled seismic and geologic hazards within the open space and conservation element of the General Plan.
- D. The natural grade of the permit site under the proposed structure has an average slope of ten (10) percent or greater. The method for computing slope shall be that specified in Section 22.12.170. (Ord. 845 C.S., 1976; Ord. 822 C.S. § 2 (part), 1975; prior code § 10,114.2(a).)

22.34.040 Design Review--Plan Submittal--Action by Planning Director.

Complete site plans and elevations shall be submitted to the Planning Department showing all proposed structural development, the relationship of existing structures and all other proposed improvements. Such drawings shall be considered by the Planning Director in an endeavor to insure that the architecture and general appearance of the site, structures and grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the City, and reflect City development policies and goals. The Planning Director may, at any time, withhold action and refer the matter directly to the Board of Adjustments. (Ord. 822 C.S. § 2 (part), 1975: prior code § 10,114.2(b).)

22.34.045 Criteria and Standards.

The Community Development Director shall not approve any Design Review application unless the proposed design and use conforms with the following criteria and standards by:

- A. Complying with all other applicable provisions of the Martinez Municipal Code involving the physical development of buildings, structures and property, including use restrictions;
- B. Providing desirable surroundings for occupants as well as for neighbors. Emphasis is placed upon exterior design with regard to height, bulk, and area openings; breaks in the facade facing on a public or private street; line and pitch of the roof; and arrangement of structures on the parcel;
- C. Having a harmonious relationship with existing and proposed neighboring developments avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted;
- D. Using a limited palette of exterior colors; those colors must be harmonious and architecturally compatible with their surrounding environment;
- E. Using a limited number of materials on the exterior face of the building or structure. In addition, all interior surfaces normally visible from public property shall be finished;

- F. Having exterior lighting appropriately designed with respect to convenience, safety, and effect on occupants as well as neighbors;
- G. Effectively concealing work areas, both inside and outside of buildings, in the case of non-residential facilities;
- H. Undergrounding all utility boxes unless it can be shown that they can be effectively screened from the view of the general public.
- I. Designing the type and location of planting with respect to the preservation of specimen and landmark trees, water conservation as set forth in Chapter 22.35, and maintenance of all planting;
- J. Establishing a circulation pattern, parking layout and points of ingress and egress (both vehicular and pedestrian), designed to maximize pedestrian safety and convenience and to minimize traffic congestion resulting from the impediment of vehicular movement. When applicable, access for handicapped individuals should be considered;
- K. Ensuring that all signs be designed so that they are in scale with the subject development, and will not create a traffic hazard. Emphasis is placed upon the identification of the use or building rather than the advertising of same;
- L. Substantially preserving views from nearby properties where this can be done without severe or undue restrictions on the use of the site, balancing the property rights of the applicant and the affected property owner(s).

The Community Development Director may attach conditions, including requirements for dedications and offsite improvements, to the approval of any Design Review application when necessary to assure compliance with this section. Approval of Design Review shall expire in one year, in the same manner as set forth in Section 22.40.120 for use permits. (Ord. 1208 C.S. § 1, 1993; Ord. 1195 C.S. § 1, 1993; Ord. 1043 C.S. § I, 1985.)

22.34.050 Design Review--Appeal to Board of Adjustments.

The applicant may appeal a decision of the Planning Director to the Board of Adjustments in writing, within ten (10) days of the rendering of the decision. The Board of Adjustments shall review the staff decision within forty-five (45) days of receipt of said appeal and may affirm, modify or reverse the findings of the Planning Director. (Ord. 822 C.S. § 2 (part), 1975: prior code § 10,114.2(c).0)

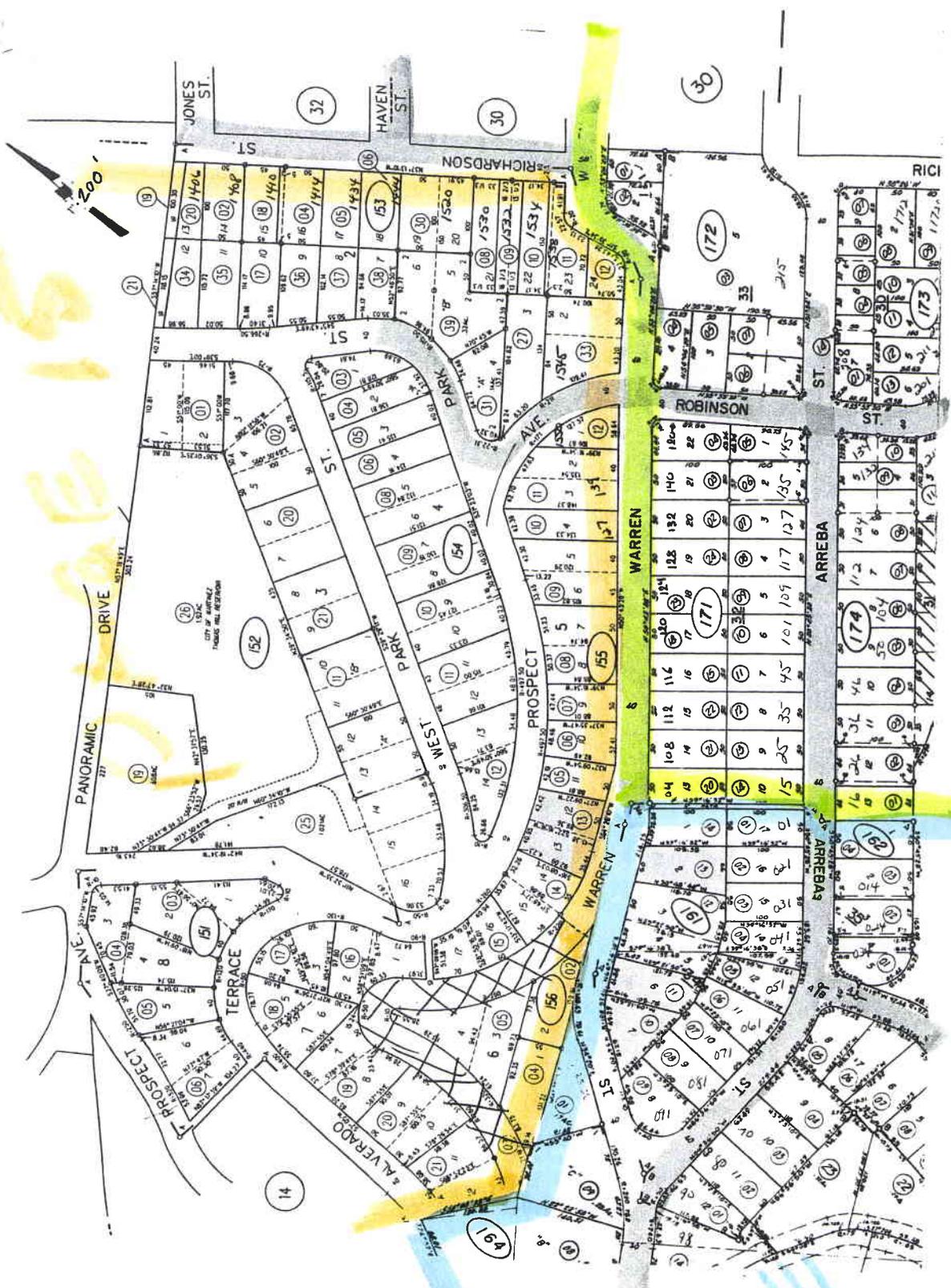
22.34.060 Design Review--Appeal to Planning Commission.

Within ten days of an action taken by the Board of Adjustments, the applicant may appeal the decision in writing to the Planning Commission. The appeal shall be made in a form prescribed by the Planning Commission and filed with the Planning Department. The Planning Commission may affirm, modify or reverse a decision of the Board of Adjustments. (Ord. 822 C.S. § 2 (part), 1975: prior code § 10,114.2(d).)

22.34.070 Design Review--Appeal to City Council.

Within ten days of an action taken by the Planning Commission, the applicant may appeal the decision in writing to the City Council. The appeal shall be made in a form prescribed by the Council and filed with the City Clerk. The City Council may affirm, modify or reverse a decision of the Planning Commission. (Ord. 822 C.S. § 2 (part), 1975: prior code § 10,114.2(e).)

PARCEL BOOK 372, PAGES 15, 16, & 17



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PAGE 16