



# CITY OF COVINA MUNICIPAL CODE CHAPTER 17 - ZONING ORDINANCE



CITY OF COVINA  
COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION  
125 EAST COLLEGE STREET  
COVINA, CALIFORNIA 91723

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# DRAFT DOCUMENT





## CHAPTER 17.02 GENERAL PROVISIONS

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### 17.02.10 TITLE AND AUTHORITY

This Title (Title 17) shall be known as the *City of Covina Zoning Ordinance* and is also referred to hereinafter as the *Zoning Ordinance*. This Zoning Ordinance was adopted pursuant to Article XI, Section 7 of the Constitution of the State of California and was prepared in compliance with the requirements of Title 7 of the Government Code. The City of Covina Zoning Ordinance is enacted pursuant to the authority vested to the City of Covina by the State of California Constitution, the State of California Planning, Zoning, and Development Laws (Government Code Sections 65000 et. seq.), the State of California Subdivision Map Act (Government Code Section 66510 et. seq.), and the State of California Health and Safety Code.

This Zoning Ordinance establishes zoning districts (also referred to as zones) that govern the use of land, indicates standards for structures and improvements that are permitted within the various zones, and establishes procedures for the granting of permits and other entitlements. The Zoning Map delineates the boundaries of the zoning districts that are applicable to specific properties within the City.

### 17.02.20 INTENT AND PURPOSE

The purpose of this Zoning Ordinance is to implement the policies of the Covina General Plan by classifying and regulating the uses of land and structures within the City of Covina. This Zoning Ordinance is adopted as a means to fulfill the following:

1. To classify, designate, and regulate the use of buildings, structures, and the land within the City of Covina pursuant to the General Plan;
2. To promote and protect the health, safety, and general welfare of those living, working, or visiting the City;
3. To preserve and enhance the aesthetic quality of the City;
4. To conserve and stabilize the value of property;
5. To provide adequate open spaces;
6. To prevent an undue concentration of population; and,
7. To facilitate a comprehensive pattern of land uses to provide a variety of housing types, employment opportunities, and community facilities.



## 17.02.30 APPLICABILITY, INTERPRETATION, AND SEVERABILITY

All City departments, officials, and other public employees vested with the authority to issue permits and/or licenses, must comply with the provisions of this Zoning Ordinance. No license or permit for uses or structures that would be in conflict with this Zoning Ordinance shall be issued or otherwise permitted. The following will apply in the interpretation of certain provisions of this Zoning Ordinance:

- A. *Uncertainty in Interpretation.* Where an uncertainty exists regarding the interpretation of any provision of this Zoning Ordinance, or its application to a specific case or situation, the Community Development Director, or his/her designee, is authorized to interpret the intent of the provision in question. The aforementioned interpretation shall then apply in all similar situations unless modified by the Planning Commission or City Council, on appeal.
- B. *Abrogation of Other Regulations.* No provision of this Zoning Ordinance is intended to abrogate or interfere with any deed restriction, covenant, easement, or other legal agreement or any such agreements that are more restrictive than those provisions contained within this Zoning Ordinance.
- C. *Preemption.* In those instances where this Zoning Ordinance imposes greater restriction than that required by an existing regulation, this Zoning Ordinance will preempt the existing regulation. The following rules governing the preemption of any existing code(s) and regulation(s) shall also apply:
  - 1. The provisions of this Zoning Ordinance shall not be interpreted to repeal, amend, modify, alter, or change any other code or regulation that was not specifically repealed, amended, modified, altered, or changed.
  - 2. Nothing in this Zoning Ordinance shall be interpreted to authorize the use of a lot or parcel in any manner that is in violation of any other applicable statute, code, or regulation.
  - 3. Whenever the provisions of this Zoning Ordinance are different from the provisions of any other ordinance, regulation, adopted code, the more restrictive provisions shall apply.
  - 4. The rights granted by any permit, license, or other approval(s) will be permitted to continue. In the future, to the extent permitted by any other applicable law, such rights shall be exercised in accordance with the provisions of this Zoning Ordinance.
- D. *Severability of this Zoning Ordinance.* This Zoning Ordinance is severable in the event that any part, sentence, paragraph, section, or clause is found to be unconstitutional or otherwise invalid. In such instances, the remainder of this Zoning Ordinance shall not be affected.
- E. *Limitations of Land Use.* Except as provided in this title, no building shall be erected, reconstructed, or structurally altered nor shall any building or land be used for any purpose other than that specifically permitted in this Zoning Ordinance.
- F. *Existing Lots.* The following general requirements are applicable to existing lots in the City of Covina.



1. Every individual parcel of land existing on the effective date of the adoption of this Zoning Ordinance, shall be deemed to be one lot and shall be subject to all property development standards of the applicable zone district in which the lot is located.
2. No lot or parcel of land existing on the effective date of the adoption of this Zoning Ordinance may be reduced in any manner below the minimum standards for lot area for the applicable zone district in which the lot is located.
3. No lot area may be reduced or diminished so that the yard areas or other open spaces will be less than that prescribed by this Zoning Ordinance.
4. The occupancy of a lot or parcel of land may not be increased in any manner except in conformance with the regulations for the applicable zone district in which the lot is located.

## 17.02.40 CLARIFICATIONS OF AMBIGUITY OR OMISSION

If an ambiguity or omission arises concerning the meaning and intent of this Zoning Ordinance, the Planning Commission will ascertain all pertinent facts and, by resolution of record, set forth its findings and its interpretation. The resolution shall be forwarded to the City Council and, if approved by the City Council, the interpretation shall govern.

## 17.02.50 PROCEDURES FOR INTERPRETATION

Once it has been determined by the City Council, Planning Commission, and/or the Community Development Director or his/her designee that a provision of this Zoning Ordinance is in need of refinement or revision, the Zoning Ordinance will be amended as soon as is practical. Until an amendment can occur, the Community Development Department will maintain a complete record of all official interpretations as an appendix to this Zoning Ordinance, and indexed by the number of the section or subsection that is the subject of the interpretation. The procedures for the interpretation of a provision of this Zoning Ordinance include the following.

- A. *Request for interpretation.* The request for an interpretation or determination shall be made to the department, shall include all information required by the department, and the fee established by the city's fee resolution.
- B. *Findings, basis for interpretation.* The issuance of an interpretation by the planning agency shall include findings stating the basis for the interpretation. The basis for an interpretation may include technological changes or new industry standards. The issuance of an interpretation shall also include a finding documenting the consistency of the interpretation with the general plan.
- C. *Record of interpretations.* Official interpretations shall reference the provisions of this Zoning Ordinance being interpreted and the applicability in the particular or general circumstances that caused the need for interpretations and the determination. The written record shall be kept on file in the Community Development Department.
- D. *Appeals.* Any interpretation of this Zoning Ordinance by the Planning Commission and/or the Community Development Director and his/or her designee may be appealed pursuant to the requirements of *City of Covina Zoning Ordinance, Chapter 17.20.*



## 17.02.60 AUTHENTICATION

This Zoning Ordinance shall take effect within thirty (30) days from its adoption by the City of Covina City Council.



## CHAPTER 17.03 DEFINITIONS

### SECTION CONTENTS

- 17.03.10 Title and Authority
- 17.03.20 General Grammatical Interpretation
- 17.03.30 Definitions (A through Z)

### 17.03.10 TITLE AND AUTHORITY

This Chapter contains a list of terms to provide clarification regarding the intent of the Zoning Ordinance as it relates to land use and development requirements.

### 17.03.20 GENERAL GRAMMATICAL INTERPRETATION

Words, terms, and phrases used in this Zoning Ordinance shall have the meanings usually ascribed to them, or as defined or used in the State of California Planning, Zoning, Development Laws, or as defined in *City of Covina Zoning Ordinance, Section 17.04.30* of this Chapter. For general terminology used throughout this Zoning Ordinance, the definitions used in the Uniform Building Code or accepted dictionaries of the English language shall apply.

### 17.03.30 DEFINITIONS (A THROUGH Z)

#### A

*Abut* means contiguous to; for example, two adjoining lots with a common property line are considered to be abutting.

*Access and/or Access way* refers to the place, means, or way by which pedestrians and vehicles shall have safe, adequate and usable ingress and egress to a property.

*Accessory Building* means a building, part of building, structure which is subordinate to the use of the main building, structure or use on the same lot.

*Accessory Living Quarters* means the same as "guest house."

*Accessory Use* means a use that is incidental, to the main use of the lot or building.

*Adjacent* means, near, close, contiguous or abutting; for example, an industrial zone across a street or highway from a residential zone shall be considered as "adjacent."

*Adjoining* means across from street, highway, alley, railroad, drainage channel or directly abutting.

*Adult-Oriented Businesses* means any one of the following:

- A. *Adult Arcade* is an establishment where, for any form of consideration, one or more still or motion picture projectors, or similar machines used for the viewing of films, computer generated images, motion pictures, video cassettes, slides or other photographic reproductions that are pornographic in nature.



- B. *Adult Bookstore* is an establishment that has thirty percent or more of its stock in books, magazines, periodicals or other printed matter, or of photographs, films, motion pictures, video cassettes, slides, tapes, records or other form of visual or audio representations which are pornographic in nature.
- C. *Adult Cabaret* means a nightclub, restaurant, or similar business establishment which: (1) regularly features live performances which are distinguished or characterized by an emphasis upon the display of specified anatomical areas or specified sexual activities; and/or (2) which regularly features persons who appear semi-nude; and/or (3) shows films, computer generated images, motion pictures, video cassettes, slides, or other photographic reproductions that are pornographic in nature.
- D. *Adult Hotel/Motel* means a hotel or motel or similar business establishment offering public accommodations for any form of consideration which rents, leases, or lets any room for less than a six hour period, or rents, leases, or lets any single room more than twice in a 24-hour period.
- E. *Adult Motion Picture Theater* is a business establishment where, for any form of consideration, films, computer generated images, motion pictures, video cassettes, slides or similar photographic reproductions are shown that are exclusively pornographic in nature.
- F. *Adult Theater* means a theater, concert hall, auditorium, or similar establishment which, for any form of consideration regularly features live performances which are distinguished or characterized by an emphasis on the display of specified anatomical areas or specified sexual activities.
- G. *Adult Modeling Studio* means a business which provides, for pecuniary compensation, monetary or other consideration, hire or reward, figure models who, for the purposes of sexual stimulation of patrons, display specified anatomical areas to be observed, sketched, photographed, painted, sculpted or otherwise depicted by persons paying such consideration. "Modeling studio" does not include schools maintained pursuant to standards set by the State Board of Education. "Modeling studio" further does not include a studio or similar facility owned, operated, or maintained by an individual artist or group of artists, and which does not provide, permit, or make available specified sexual activities.

*Advertising Structure* means a sign soliciting public support or directing public attention to the sale, lease, hiring or use of any objects, products or services which are not produced, sold, or otherwise available on the premises where such sign is erected and maintained. "Outdoor advertising structure" also means a sign upon which a visual message is delivered to members of the general public concerning candidates for public offices and other matters relating to elections as well as public service announcements.

*Advisory Agency* means the planning commission which is herein designated as the advisory agency to the Covina City Council on all matters related to the zoning and use of land and structures.

*Affordable Unit* refers to a housing development project in which 80% of the units shall be designated for very low-income households and 20% reserved for low-income households as defined in the Health and Safety Code.

*Airport* means any area which is used or is intended to be used for the taking off and landing of aircraft, including helicopters, and appurtenant areas which are used or are intended to be used for airport buildings or facilities, including open spaces, taxiways, hangars, and aircraft tie-down areas.

*Aisle* means an access way to any required vehicular parking spaces within a private, public or semipublic parking lot.



*Alley* means a public or private way at the rear or side of property, permanently reserved as a means of secondary vehicular access to abutting property.

*Altered* means the same as "structural alterations."

*Alternative Transportation* means modes of transportation other than the single passenger motor vehicle, such as carpools, vanpools, bus pools, public transit, walking and bicycling.

*Amendment* means an addition, deletion or a change in the wording, context or substance of this title or the zoning map made a part of this title.

*Amusement Arcade* refers to any place open to the public where five (5) or more amusement games are maintained for use by the public. When only a portion of the premises is used for the operation of amusement games, only that portion shall be considered as an amusement arcade.

*Amusement Game* refers to any entertainment device for which a fee is paid to play, including, but not limited to, pinball, video or other electronic games.

*Animal Hospital* means a place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment. A kennel use shall be only incidental to such hospital use.

*Antique Shop* means places where articles, merchandise, and furniture are sold which are over fifty years old, or are sold for a higher price than originally purchased.

*Apartment* means a room or suite of two or more rooms in a multiple dwelling, occupied or suitable for occupancy as a residence for one family.

*Apartment Hotel* means a building or portion thereof containing a combination of at least six apartments and hotel units at a ratio of three hotel units for each apartment unit within a single structure.

*Apartment House* means a building or portion thereof designed or used for three or more dwelling units, or a combination of three or more dwelling units and not more than five guest rooms or suites of rooms.

*Artists' Studio* refers to a building containing work space and retail sales space for artists and artisans producing individual one-of-a-kind works of art, including individuals practicing a fine art, or skilled in an applied art or craft, provided that the use does not impact any other use or property with noise, odor, dust, vibration, or other nuisance. This classification includes, but is not limited to, painter's studios, ceramic studios, and custom jewelry studios.

*Assessor* means the county assessor.

*Assisted Living* refers to a living arrangement for the elderly, infirm, or disabled, in which housekeeping, meals, medical care, and other assistance is available to residents as needed.

*Auto Court* means the same as "motel."

*Automobile and Trailer Sales Lot* means an open area used for the display, sales and/or rental of new or used automobiles, and trailer coaches, but where no repair, repainting or remodeling is done.



*Automobile Impound* means a business operated in conjunction with automobile towing, which offers the temporary storage of operable and inoperable vehicles. Automobile impound does not include stacking, dismantling, long-term storage, crushing or dumping of vehicles or trailers or the sale of parts thereof.

*Automobile Repair Garage* means a building enclosed on not less than three sides by walls, except when fronting on a dedicated street or alley, the building shall be enclosed on all sides by walls and/or doors, and used for the servicing of motor vehicles, including tube and tire repair, battery charging, storage of automobiles and supplies related to the servicing of motor vehicles, engine overhauling and automobile upholstery.

*Automobile Service Station* means a business which offers various automotive product for sale including gasoline from pumps, tires, batteries and lubricants. Other services that may offer, in addition, such related services as battery charging, tube and tire repairs, non-mechanical auto washing, lubrication services, minor motor tune-ups, brake services, wheel alignment, and where otherwise permitted in the zone where located the rental of trailers, cars or trucks from the premises where parking stalls are provided for the storage of such vehicles. The storage of merchandise for such sales and for the performance of such services is included. This definition does not include major motor tune-ups, automobile repairs, body and fender work, overhauls, painting, upholstery work, auto glass work, welding, tire recapping or auto dismantling, the sale of trailers, cars, trucks and boats stored upon the premises.

*Automobile Towing* refers to a business which offers the service of towing vehicles and storage of not more than two inoperable vehicles on the premises for periods of up to seventy-two hours per vehicle.

*Automobile Wrecking* means the wrecking or dismantling of used motor vehicles or trailers, or the storage of, sale of or dumping of dismantled, partly dismantled, obsolete or wrecked motor vehicles or their parts. Except as part of the operation of an automobile impound yard, the presence of three or more inoperable vehicles or parts thereof for periods in excess of thirty days shall be deemed to be defacto automobile wrecking for purpose of zoning ordinance enforcement regardless of the zone district in which such activity occurs. This definition does not apply to the incidental storage of inoperative or disabled vehicles which are undergoing timely and bona fide repair in connection with the legal operation of an automobile repair garage or automobile body and fender repair shop.

*Average Angle Setback* means the relationship between the height of a building and its distance from a given property line as determined by a given angle measured from a given point or line. The average angle setback shall be determined in the following manner:  $\text{Actual angle setback} = \frac{\text{length of building}}{\text{building of building X of the setback}} = \text{Average angle Lot Frontage setback}$ .

*Awning* refers to either a fabric covered appendage or a temporary collapsible shelter of noncombustible materials supported entirely from the exterior wall of a building.

## B

*Bachelor Apartment* means a one room apartment designed, used or intended to be used, rented or hired out as living accommodations for one person, consisting of living, sleeping, eating, cooking and sanitation facilities. With the exception of sanitary facilities, all amenities are provided in a single room.

*Balcony* refers to a platform that projects from the wall of a building, typically above the first level, and is surrounded by a rail, balustrade, or parapet on at least one side.

*Balcony, Unenclosed* refers to a balcony open to the sky and not fully enclosed on more than two (2) sides.



*Balloon* refers to a floating air-filled or gas-filled object tethered to a fixed location (also see *sign*, *balloon*).

*Banks and Savings* refers to a state or federally-chartered financial institution that provides retail banking

*Bars and Cocktail Lounges* refers to establishments where alcoholic beverages are sold for consumption on the premises. This classification excludes restaurants and commercial recreation uses that may serve alcoholic beverages incidental to the primary use.

*Basement* means a space wholly or partly underground, and having more than one-half of its height, measuring from its floor to its ceiling, below the average adjoining grade. If the finished floor level directly above a basement is more than six feet above grade at any point, such basement shall be considered a story. A basement shall not be occupied for sleeping purposes.

*Billboard* means any sign or advertising structure used as an outdoor display for advertising which does not pertain to the business or activity on the premises where the sign or advertising structure is located, but shall not include official notices, etc., listed as excluded under "advertising structure."

*Billiard Parlor* means any public place maintaining as an ancillary or primary use two or more tables upon which billiards, pool, snooker or similar game is played with ball and cue and for which a fee is charged.

*Block Frontage* means all property fronting on one side of a street between intersecting and intercepting streets, or between a street and right-of-way, waterway, end of a cul-de-sac, or city boundary. An intercepting street shall determine only the boundary of the block frontage on the side of the street that it intercepts. Where the city boundary intersects or intercepts a street in a block as described herein, the block shall be considered to end at the city boundary.

*Boarding and/or Rooming House* means a building containing a single dwelling unit and with not more than five guest rooms where lodging is provided with or without meals for compensation, not including rest homes or homes for the aged.

*Bona fide Eating Establishment* means an establishment engaged in the sale of food and nonalcoholic beverages for consumption on or off the premises, and alcoholic beverages for consumption on the premises and where at least twenty percent of the gross floor area of the building is designed, equipped and used exclusively for the storage and preparation of food and nonalcoholic beverages for consumption, and where at least fifty percent of the gross floor area of the building is designed, equipped and used exclusively for seating of patrons for the purpose of serving meals. Meals shall mean the usual assortment of foods commonly ordered at various hours of the day. Patrons shall mean persons who come to a bona fide public eating place for the purpose of actually ordering and obtaining a meal therein. No more than thirty percent of the gross floor area exclusive of conference or banquet rooms shall be dedicated to a bar or the storage of alcoholic beverages; however, in no case shall the gross floor area exceed two thousand square feet.

*Breezeway* means a roofed passage-way, open on at least one side, where the roof is in keeping with the design and construction of the main building. The breezeway shall be considered an inner court created by a roof structure connecting two buildings. The space between buildings connected by a breezeway shall be not less than six feet in length, as required in "distance between buildings," Section 17.26.160.

*Building* means any structure built and maintained for the support, shelter or enclosure of persons, animals, chattels or property of any kind. No building shall be located within any future widening of an



existing right-of-way set forth on the general plan of the city. "Building," as used in this title, includes "structure."

*Building, Height of* means the vertical distance measured from the adjoining curb level to the highest point of the building, exclusive of chimneys and ventilators and other exceptions to building height permitted in the zones; provided, however, that where buildings are set back from the street line, the height shall be measured from the average elevation of the finished grade at the front of the building.

*Building Line* means a line on private property, established by ordinance, which regulates the location of buildings and/or structures as they relate to rights-of-way of alleys, streets, highways, railways and drainage channels.

*Building, Main* means a building within which is conducted the principal use permitted on the lot, as provided by this title.

*Building Setback Line* means the minimum distance, as prescribed by this title, between the property line of a lot or parcel of land, and any point on a building or structure related thereto, exclusive of those architectural features permitted to extend into such required yards or open spaces.

*Building Site* means the ground area of a building together with all the open space required by this Zoning Ordinance.

*Building Wall* is the vertical surface, or any element thereof, including any structural member or group of structural members attached the vertical surface, that defines the exterior boundaries of a building.

*Business and Trade School* is an establishment which provides on-site training of business, commercial, and/or trade skills such as accounting, data processing, and computer repair. This classification excludes establishments providing training in an activity that is not otherwise permitted in the applicable zone. Incidental instructional services in conjunction with another primary use shall not be considered a business and trade school.

*Bungalow Court* means a group of two or more detached buildings used or intended to be used as one family or two family (duplex) dwellings, located on a single lot, together with all of the open spaces required by this title, but not including tourist courts, motor courts or motels.

## C

*Cabana* means a detached structure used as a bathhouse or related to a residential trailer. The structure shall not be used for sleeping purposes.

*California Environmental Quality Act (CEQA)* is a statute that requires all jurisdictions in the state of California to evaluate the extent of environmental degradation posed by proposed development.

*Canopy* has the same meaning as "awning" as defined in this section, except that a canopy contains separate supporting posts and is not supported entirely from the exterior wall of a building. A fixed overhead shelter used may or may not be attached to a building.

*Carnival* means an operation within a common perimeter of rides, entertainment, food service and games of skill.

*Carpool* means a group of two to six persons who regularly commute together to and from work in an automobile.



*Carport* means a permanent roofed structure with not less than three enclosed sides, used for automobile shelter and automobile storage.

*Centerline* means the same as "street centerline."

*Chair* shall mean either a distinct piece of furniture designed to allow one person to sit upon the same, or when seating is provided on a bench or other similar structure, every twenty (20) inches of seating space shall be considered as the equivalent of one chair for determining seating capacity.

*Chapel* means a permanently located building used for public or private purposes, including prayer, worship, weddings or special services. Such building shall be fully enclosed with walls (including windows and doors) and shall conform to applicable legal requirements affecting design and construction.

*Check Cashing* refers to a business that, for compensation, engages in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose. This classification does not include a state- or federally- chartered bank, savings association, credit union, or industrial loan company. Further, this classification does not include establishments selling consumer goods where the cashing of checks or money orders is incidental to the main purpose of the business.

*Chief Planning Official* means the director of community development or his/her designee, who is responsible for the administration and supervision of the planning division of the community development department for the City of Covina.

*Child Care Center* is any facility that provides non-medical care to children under eighteen(18) years of age in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a twenty-four (24) hour basis. "Child care center" includes day care centers and family day care homes.

*Church* means a permanently located building commonly used for religious worship. Such building shall be fully enclosed with walls (including windows and doors), having a roof (canvas or fabric excluded) and shall conform to applicable legal requirements affecting design and construction.

*Clinic* means a place for group medical services not involving overnight housing of patients.

*Club* means an association of persons (whether or not incorporated), religious or otherwise, for social purposes, but not including groups which are organized primarily to render a service carried on as a business for profit.

*Commercial Vehicle* refers to any vehicle that, when operated on a street, is required to be registered as a commercial vehicle under the State Vehicle Code, and which is used or maintained for the transportation of persons for hire, compensation, or profit, or which is designed, used, or maintained primarily for the transportation of property.

*Commission or Planning Commission* means the Planning Commission of the City of Covina.

*Communications Facilities* refers to any establishment engaged in broadcasting, recording, and other communication services accomplished through electronic or telephonic mechanisms. This classification includes, but is not limited to, radio, television, or recording studios, telephone switching centers, and telegraph offices.

*Communications Facilities, Wireless* is an unstaffed facility used for the transmission or reception of



wireless telecommunication services, commonly consisting of an antenna array, connection cables, a support structure, and ancillary support facilities.

*Community Apartments* means any apartment house where an undivided interest in the title to the real property, such as tenancy in common, is coupled with the right of exclusive occupancy of a separate apartment unit.

*Community Center* refers to a building, buildings, or portions thereof used for recreational, social, educational, and cultural activities where buildings and associated improvements are owned and/or operated by a public, nonprofit, or public serving group or agency.

*Community Gardens* means a light garden area consisting of small plots for use by private individuals for recreational gardening.

*Compatible Use* means a use that, by its manner of operation, is suitable in the district in which it may be nonconforming. The use of land and/or buildings must be in harmony with the uses on abutting properties in the same district.

*Condominium* means an estate in real property consisting of an undivided interest in common in a portion of a parcel or real property together with a separate interest in space in a residence. A condominium may include, in addition, a separate interest in other portions of such real property.

*Congestion Management Program Network* is a system of highways and roadways within the county of Los Angeles that includes all state highways and principal arterials and has been designated under the county's congestion management program for the purpose of monitoring traffic congestion.

*Contiguous* means the same as "abut."

*Convalescent Home* means a premises used for the housing of and caring for the ambulatory aged or infirm. There shall be only incidental convalescent care not involving either trained nurse or physician residing on the premises. There shall be no surgery, physical therapy or other similar activities such as are customarily provided in sanitariums and hospitals.

*Corner Cutback* means the reserved open space for maintenance of adequate and safe visibility for vehicular and pedestrian traffic at all intersections of streets, alleys and/or private driveways, as provided in the zones. The space shall be kept free of buildings, structures and landscaping, that would constitute a visual obstruction. In no case shall landscaping and/or structures permitted in the required corner cutback area exceed three (3) feet in height, measured from the established street grade.

*Court* means an open, unoccupied space, other than a yard, on the same lot with the building or buildings and bounded on two or more sides by such building and/or buildings.

*Court, Apartment* means a group of dwellings, arranged about two or more sides of a court which opens into a dedicated street or public way.

*Court, Inner* means a court enclosed on all sides by exterior walls of a building or by exterior walls and lot lines on which walls are allowable.

*Court, Outer* means a court enclosed on not more than three sides by exterior walls and lot lines on which walls are allowable with one side or end open to a street, driveway, alley or yard.

*Coverage* means that portion of a lot or building site which is occupied by any building or structure, regardless of whether the building or structure is intended for human occupancy.



*Crankcase Oil Tanks* means aboveground tanks having less than five (500) hundred gallons of capacity which are used for the temporary collection and storage of motor drain oil from engine crankcases. All such tanks shall be subject to site plan review and shall be screened from view to City approval in an attractive and architecturally compatible manner.

## D

*Dance Hall* means the same as "public dancing place."

*Day Nursery* means any group of buildings, building or portion thereof used primarily for the daytime care of children.

*Daycare Center, Adult* refers to a state-licensed facility designed to provide necessary care and supervision to persons eighteen (18) years of age or older on less than a twenty-four (24)-hour basis. Adult day care centers include the various types of adult day services as defined under state law that include "adult day care facilities," "adult social day care facilities," and "adult day health care facilities." These uses are permitted in the City's C-P Zone District.

*Day Care Center, Children* refers to a state-licensed facility, other than a family day care home, providing non-medical care and supervision to children under eighteen (18) years of age on less than a twenty-four (24)-hour basis. Child day care centers shall include "day care centers" as defined under state law, which include infant centers, preschools, and extended day care facilities.

*Deck* is a platform other than a balcony, either freestanding or attached to a building, without a roof, that is supported by pillars, posts, or walls.

*Developer* means the person who is responsible for the planning, design and construction of a development project that is subject to the provisions of this Zoning Ordinance.

*Development* means the construction, remodeling, or expansion of buildings, structures, or parking lots intended for residence, commerce, trade, industry, or other purposes in appropriate locations.

*Development Agreement* means an obligation entered into on the part of a developer and a jurisdiction as specified under Section 65864 of the California Government Code.

*Dormitory* means a guest room designed, intended for or occupied as sleeping quarters by more than two persons. Every one hundred square feet of a total enclosed floor area in a dormitory shall be considered as a separate guest room for purposes of calculating off-street parking requirements.

*Drainage Channel* means any existing or proposed open ditch, open culvert or open channel, created, designed or constructed to transmit water for flood control or irrigation purposes, which existing or proposed ditch, culvert or channel is delineated on county flood control district plans or on drainage plans prepared by the city.

*Dripline* means a vertical line extending from the outermost portion of a tree canopy to the ground.

*Driveway* refers to any access way to a required off-street parking lot or facility and shall be paved with hard, durable asphaltic paving at least two and one-half inches thick after compaction or with Portland cement paving at least four inches thick at a width as hereinafter provided:

1. Driveways serving not more than four dwelling units shall be paved to a minimum width of not less than nine feet;



2. Driveways serving five or more dwelling units when accommodating one-way vehicular traffic shall be paved to a minimum width of not less than nine feet, and when accommodating two-way vehicular traffic shall be paved to a minimum width of eighteen feet;
3. Driveways serving other than residential uses shall be paved to a minimum width of fifteen feet to accommodate one-way vehicular traffic and a minimum of twenty-five feet when accommodating two-way vehicular traffic. All driveways shall be encumbered to a height of not less than eight feet.

*Drive-in Restaurant* is any building or structure in which food and drink are prepared for service to customers outside of such building or structure, even though the same is served to customers inside said building or structure or to customers occupying vehicles outside such structure, and shall include self-service restaurants for take-out food.

*Dump* means a place used for the disposal, abandonment, discarding, dumping, reduction, burial, incineration, or by any other means, of any garbage, trash, refuse or waste material.

*Duplex* means the same as "two family dwelling," Section 17.04.219.

*Dwelling* means a building or portion thereof designed and used exclusively for residential occupancy, including one family, two family and multiple dwellings, but not including hotels, boarding or rooming houses.

*Dwelling, Multiple* means a detached building designed and used for occupancy by two or more families, all living independently of each other and having separate kitchen facilities for each family. Notwithstanding the above, "multiple dwelling" shall not include the combination of a single family dwelling and a second unit upon the same lot.

*Dwelling, Single Family* means a detached building designed or used exclusively for the occupancy of one family and having a kitchen facility for only one family.

*Dwelling, Second Unit* or "second unit" shall mean an attached or detached independent residential unit providing living, sleeping, eating, cooking, and sanitation on the same parcel of land as no more than one dwelling unit, which is an existing legal conforming single-family dwelling unit. Second dwelling units include detached bachelor apartments of at least 500 square feet and manufactured homes as defined in Section 18007 of the Health and Safety Code, provided that such units shall be subject to all development standards applicable to second dwelling units.

*Dwelling, Two Family* means a building designed or used exclusively for the occupancy of two families living independently of each other and having separate kitchen facilities for each family. Notwithstanding the above, "two family dwelling" shall not include the combination of a single family dwelling and a second unit upon the same lot.

*Dwelling unit* means two or more rooms in a dwelling or apartment house designed to be occupied by one household for living or sleeping purposes and having only one kitchen.

## E

*Easement* means a space on a lot or parcel of land reserved for or used for public utilities or public uses.

*Ecological Restoration Project* refers to a project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.



*Educational Institution* means public, parochial and other nonprofit institutions conducting regular academic instruction at kindergarten, elementary, secondary and collegiate levels, and including graduate schools, universities and nonprofit research institutions. Such institutions must either:

1. Offer general academic instruction equivalent to the standards prescribed by the State Board of Education; or
2. Confer degrees as a college or university of undergraduate or graduate standing; or
3. Conduct research. This definition does not include schools, academies or institutions, incorporated or otherwise, which operate for a profit, nor does it include commercial or trade schools.

*Electrical or Mechanical Games* means any pinball machine or similar device where any sum is charged by means of coin or slug in a slot or otherwise.

*Employee Parking Area* means the portion of total required parking at a development used by on-site employees.

*Erect* means to build, construct, attach, hang, place, suspend or fix, and also includes the suspending of wall signs.

## F

*Family* means an individual or two or more persons related by blood, marriage or adoption or a group of not more than five persons, excluding servants, who are not related by blood, marriage or adoption, living together as a single housekeeping unit in a dwelling unit.

*Family Day Care home, Large* refers to any dwelling that regularly provides care, protection, and supervision for twelve (12) or fewer children under the age of ten (10), in the provider's own home, for periods of less than twenty-four (24) hours per day.

*Family Day care Home, Small* refers to any dwelling that regularly provides care, protection, and supervision for one (1) to six (6) children inclusive, including children under the age of ten (10).

*Federal Government* means the Government of the United States.

*Fence* means any structure forming a physical barrier which is so constructed that not less than fifty percent of the vertical surface is open to permit the transmission of light, air and vision through the surface in a horizontal plane, but which is impenetrable to persons and animals. This includes wire mesh, steel mesh, chain link, louver, stake, and other similar materials.

*Firearm Sales or Firearms Business* refers to an establishment having at least twenty-five (25%) percent of its gross floor area devoted to the sale of fire arms, ammunition and ammunition components, and hunting or shooting equipment.

*Flood Control Channel* shall have the same meaning as "drainage channel."

*Floor Area* means the sum of the gross horizontal areas of the several floors of the building excluding areas used for accessory garage purposes and such basement and cellar areas as are devoted exclusively to uses accessory to the operation of the building. All horizontal dimensions shall be taken from the exterior faces of walls including walls or other enclosures of enclosed porches. Whenever "floor area" is used in this title as a basis for required off-street parking for any structure, it shall be



assumed that, unless otherwise stated, the floor area applies, not only to the ground floor area but also to any additional stories and/or basement of the structure.

*Floor Space Index* means the ratio of gross building floor area to total lot area expressed as a fraction. (Example: Two square feet of gross floor area for each three square feet of total lot area would result in a "floor space index" of 2:3.)

*Floor Area, Gross* refers to the horizontal area of all the floors of a building included within the surrounding walls, exclusive of vent shafts and courts.

*Floor Area, Net* refers to the total useable floor area within all floors of a building included within the surrounding walls.

*Floor Area Ratio* is the numerical value obtained through dividing the gross floor area of a building or buildings by the total area of the lot or parcel of land on which such building or buildings are located.

*Food and Beverage Sales* is a business establishment where the primary use involves the retail sales of food and beverages for off-site preparation and consumption. Typical uses include grocery markets and delicatessens. This category does not include liquor stores.

*Freeway* means a highway so indicated on the City of Covina General Plan or as designated by the State OF California Department of Transportation (CALTRANS).

*Frontage* means the line where a lot abuts a dedicated street or highway right-of-way line. Frontage is expressed in lineal feet and is measured along the right-of-way line. Where a future street or highway right-of-way line has been established on the general plan or other official plan, frontage shall be measured along that line.

*Front Wall* means the wall of the building or structure nearest the street on which the building fronts, but excluding certain architectural features as cornices, canopies, eaves or embellishments.

## G

*Garage, Private* means a detached accessory building or a portion of a main building on the same lot as a dwelling used for the housing of vehicles of the occupants of the dwelling, including carports.

*Garage, Public* means any garage other than a private garage.

*Garage, Storage* means any premises, uses exclusively for the storage of vehicles.

*Gasoline Service Station* means the same as "automobile service stations."

*General Plan* refers to the City of Covina General Plan.

*Grade* means the gradient, the rate of incline or decline expressed as a percent. For example, a rise of twenty-five feet in a horizontal distance of one hundred feet would be expressed as a grade of twenty-five percent.

*Greenhouse* means a building or structure constructed chiefly of glass, glass-like or translucent material, cloth or lath, which is devoted to the protection or cultivation of flowers or other tender plants, and shall be classified as a building in determining lot coverage.



*Ground Sign* means a sign which is supported by one or more poles, uprights or braces, in or upon the ground, which are not a part of the building.

*Guest* means any transient person who occupies a room for sleeping purposes.

*Guest Home* means the same as "rest home."

*Guest House (accessory living quarters)* means living quarters within a detached accessory building located on the same premises with the main building, for use by temporary guests of the occupant of the premises, such quarters having no kitchen facilities and not rented or otherwise used as a separate dwelling unit. A guest house shall be deemed to be an accessory building and subject to all the standards related to accessory buildings.

*Guest Room* means a room which is designed to be occupied by not more than four guests for sleeping purposes, but not including dormitories.

## H

*Health Spa* means any use, whether primary or incidental to the main use, which offers health-related programs commercially on an individual or organized basis and provides physical therapy, use of gymnasium or exercise equipment, solariums, yoga, dance exercise, swimming or other similar health/recreational activities.

*Hedge* means a plant or series of plants, shrubs or other landscape material, so arranged as to form a physical barrier or enclosure.

*Heritage Trees* refer to protected trees that meet one or more of the following criteria:

1. Trees of the following species with a trunk diameter, as measured at standard height, of at least 10 inches for a single-trunk tree or with a combined diameter of at least 22 inches for multiple-trunk trees:
2. Quercus (all species (oaks)); or,
3. Individual trees or groups of trees designated as heritage tree(s) by the City of Covina City Council pursuant to the *City of Covina Zoning Ordinance, Chapter 17.11*.

*High Density* means a density equal to or greater than one hundred twenty percent of the maximum residential density allowed under the City of Covina General Plan and Zoning Ordinance.

*Highway* means a major or secondary highway as delineated on the City of Covina General Plan.

*Highway Industrial Zone* means an area generally devoted to industrial activity and located along major and secondary highways.

*Highway Right-of-way Line* means either the existing right-of-way if the right-of-way conforms to the general plan or the future right-of-way line for a major or secondary highway or traffic collector street as located and dimensioned on the general plan. A yard abutting such a highway or street shall be measured from this future right-of-way line.



*Hospice* means a health-care facility for the terminally ill that emphasizes pain control and emotional support for the patient and family, typically refraining from taking extraordinary measures to prolong life.

*Hospital* means any building or portion thereof used for the accommodation and medical care of sick, injured, or infirmed persons and including sanitariums, alcoholic sanitariums, institutions for the cure of chronic drug addicts and mental patients.

*Hotel* means a building or portion thereof containing six or more hotel units, and a restaurant. All hotel units shall have access from an interior corridor or hallway. A hotel may contain related service shops as permitted in the zone in which it is located, but the floor area reserved for permitted commercial purposes shall not exceed twenty-five percent of the gross floor area excluding areas reserved for parking.

*Hotel Unit* means a unit in a hotel, motel or apartment hotel containing one or more rooms which provide no kitchen facilities and which is designed and utilized as a single unit to be rented to transients on a daily or weekly basis.

*Hobby Track, Radio Controlled* means a land use in which, wholly within the confines of a single building, is located a recreational racing facility for miniature vehicles which are radio controlled and electrically powered. The wholesale and retail sales of vehicles, parts thereof and related equipment used in racing these vehicles is allowed on an ancillary basis.

*Home Occupation* is an occupational activity carried on by the occupant(s) of a residential dwelling as a secondary use in connection with which there is no display, no walk-in customers, no stock-in-trade, nor commodity sold upon the premises, no person employed, and no mechanical equipment used, except such as is necessary for housekeeping purposes.

*Household Pet* refers to a domesticated animal commonly maintained within a residence.

*Hydrozone* means a portion of the landscaped area having plants with similar water needs that are served by a valve or set of valves with the same schedule. A hydrozone may be irrigated or nonirrigated. For example, a naturalized area planted with native vegetation that will not need supplemental irrigation once established is a nonirrigated hydrozone.

I

*Industrial Park Zone* means an area generally devoted to industrial activities and located in interior streets.

*Industry* means the manufacture, fabrication, processing, reduction or destruction of any article, substance or commodity, or any other treatment thereof.

*In-Home Businesses* means minor commercial activities that do not distract from the quiet and private characteristics of a residential neighborhood and are incidental to the residential use of a dwelling.

*Infiltration Rate* means the rate of water percolation into the soil that is typically expressed as inches per hour.

J

*Junk* means any worn out, cast off or discarded article or material which is ready for destruction or has been collected or stored for salvage or conversion to some use. Any article or material which,



unaltered or unchanged and without further reconditioning can be used for its original purpose as readily as when new, shall not be considered junk.

*Junkyard* means any lot, or the use of any portion of a lot, for the dismantling or wrecking of automobiles or other motor vehicles or machinery, or for the storage or keeping for sale of parts and equipment resulting from such dismantling or wrecking, or for the storage or keeping of junk, including scrap metals or other scrap materials.

## K

*Kenel* means any lot or premises on which four or more dogs or other animals, at least four (4) months of age, are kept, boarded or trained.

*Kitchen* means any room intended or designed to be used or maintained for the cooking and/or preparation of food.

## L

*Landscaped Area* refers to the entire parcel less the building footprint, driveways, non-irrigated portions of parking lots, hardscapes such as decks and patios and other nonporous areas. Water features are included in the calculation of the landscaped area. Areas dedicated to edible plants, such as orchards or vegetable gardens, are not included.

*Landscaped Median* means a section or sections of a roadway which is now, or thereafter may be, improved by the planting, of at least on one side, of the right-of-way, of lawns, trees, shrubs, flowers or other ornamental vegetation which shall require reasonable maintenance.

*Landscape Space* indicates the relationship of lot size to landscaping area, designated by a percentage of the parcel area.

*Landscaping* includes the original planting of suitable vegetation in conformity with the requirements of this title and the continued maintenance thereof.

*Land Use Zoning Map* means the land use zoning map of the City of Covina.

*Liquor* means alcoholic beverages including but not limited to beer, wine and distilled spirits.

*Liquor, Off-Sale Establishments* means any retail facility which requires a Type 20 or Type 21 off-site retail license from the California Department of Alcohol Beverage Control.

*Liquor, On-site Sale Establishments* means a bar or cocktail lounge where the principal business is the sale of alcoholic beverages for consumption on the premises whether or not accompanied by the sale, dispensing or consumption of food. The facility shall not exceed two thousand (2,000) square feet.

*Loading Space* means an off-street space or berth on the same lot with a main building, or contiguous to a group of buildings, for the temporary parking of commercial vehicles while loading or unloading, which space shall abut a street, alley or other appropriate means of ingress and egress.

*Lot* means:

1. A parcel of real property with a separate and distinct number or other designation shown on a plat recorded in the office of the county recorder; or



2. A parcel of real property delineated on an approved record of survey, lot split or sub parceling map as filed in the office of the city clerk and abutting at least one public street; or
3. A parcel of real property containing not less lot area than required by the zone in which it is located, abutting at least one public street and held under separate ownership from adjacent property prior to the effective date of the ordinance codified.

*Lot Area* means the total area, measured in a horizontal plane, within the lot lines of a lot. Portions of a lot which have a slope of four to one (four feet horizontal to one foot vertical) or steeper shall not be included in the computation of lot area.

*Lot, Corner* means a lot located at the intersection of two (2) or more streets at an angle of not more than one hundred twenty degrees. If the angle is greater than one hundred twenty (120) degrees it shall be considered an interior lot.

*Lot, Cul-de-sac* means a lot fronting on or with more than one-half of its lot width fronting on the turnaround end of the cul-de-sac street. All cul-de-sac lots shall have a front lot line of not less than forty-five (45) feet and a lot width at the front yard setback line of not less than the minimum lot width specified for that zone in which the cul-de-sac lot is located.

*Lot Depth* means the average horizontal distance between the front and rear lot lines measured in the mean direction of the side lot line.

*Lot, Interior* means a lot other than a corner or reversed corner lot.

*Lot, Key* means any lot where the side lot line abuts the rear lot line of one or more other lots, and not separated by an alley.

*Lot Line* means any line bounding a lot.

*Lot Line, Front.* On an interior lot, the front lot line is the property line abutting a street. On a corner or reversed corner lot, the front lot line is the shorter property line abutting a street. On a through lot or a lot with three or more sides abutting a street, the Community Development Director, or his/her designee, shall determine which property line shall be the front lot line, for purposes of compliance with yard provisions of this Zoning Ordinance.

*Lot line, Rear* means a lot line not abutting a street which is opposite and most distant from the front lot line. In the case of an irregular shaped lot, a line within the lot, parallel to and at a maximum distance from the front lot line having a length of not less than ten feet. A lot which is bounded on all sides by streets may not have a rear lot line.

*Lot line, Side* means any lot line that is not a front lot line or rear lot line. On a lot with three or more sides abutting a street, all lot lines abutting a street, other than the front lot line, may be side lot lines.

*Lot of Record* means a parcel of land as shown on the records of the Los Angeles County assessor.

*Lot, Reduced Area* which has been reduced by public acquisition of a portion thereof for street purposes shall be deemed to have the area pre-existing such acquisition. "Public acquisition," as used herein, means acquisition pursuant to the power of eminent domain.

*Lot, Reversed Corner* means a corner lot, the side line of which is substantially a continuation of the front lot lines of the lots to its rear, whether across an alley or not.



*Lot, Substandard* means a lot whose area, width, or depth is less than that required in the zone in which it is located.

*Lot, Through* means a lot having frontage on two parallel or approximately parallel dedicated streets, not including a corner or reversed corner lot. The Community Development Director shall determine which frontage or frontages shall be considered as the "lot front" or "lot frontages" for purposes of compliance with yard and setback provisions of this title.

*Lot Width* means the horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.

*Low Income* means an income equal to or less than eighty percent (80%) of the median income of Los Angeles County, with adjustments for family size.

## M

*Manufactured Housing* means a mobile home, as defined by and installed in accordance with California Health and Safety Code Sections 18008 and 18551, respectively, and factory-built housing, as defined by California Health and Safety Code Section 19971.

*Marquee* means a permanent, roofed structure attached to and supported by the building and projecting over public or private property.

*Marquee Sign* means a sign attached to or hanging from a marquee.

*Massage Establishment* means any place where for any form of consideration or gratuity, massage, alcohol rub, administration of fomentations, electric or magnetic treatments, or any other treatment or manipulation of the human body occurs. Excluded from this definition are services or treatment offered by state-licensed chiropractors, osteopaths and medical doctors.

*Medical Clinic* is any facility providing physical or mental health service, and medical or surgical care of the sick or injured, but shall not include inpatient or overnight accommodations. Activities included within this definition include, but may not be limited to, health centers, health clinics, and doctors' offices.

*Mini-Warehouse* refers to a warehouse operation serving the public where customers rent or lease, or self-storage and have direct access to, individual storage areas, compartments, or facilities rooms within a larger structure or structures provided for storage use. This use may also include limited caretaker facilities that are ancillary to such uses.

*Mixed use* means development that integrates compatible commercial or retail uses, or both, with residential uses, and that because of its proximity to jobs, shopping, and residences, will minimize new trip generation.

*Mobile Home* means the same as "residential trailer."

*Motel* means a building or portions thereof, containing six or more motel units, including groups designated as auto cabins, auto courts, motor courts, motor hotels and similar designations, which units are so arranged to have direct access from a yard or court with the required parking for each unit being located adjacent to unit. A motel may also include one apartment reserved for the owner/operator or manager.



*Mortuary* is an establishment providing services such as preparing the deceased for burial, and arranging and managing funerals and related services, and may include limited caretaker facilities. This classification excludes cemeteries, crematoriums, and columbarium.

*Motel Unit* means the same as "hotel unit."

*Mulch* refers to any material such as leaves, bark, straw or other materials left loose and applied to the soil surface to reduce evaporation.

*Multi-tenant Retail Arcades* means a land use in which, wholly within the confines of a single building, are located more than four (4) vendors offering personal property for retail sale or trade who are separated from each other, if at all, by less than complete floor-to-ceiling walls, a solid ceiling, and a solid, lockable access door. This definition does not include a temporary event held for the exclusive benefit of any nonprofit organization or organizations. "Vendor" means and includes any person, partnership, corporation, or organization who engages in selling, exchanging, or offering for sale as owner or consignee, personal property within a multi-tenant retail arcade.

## N

*Nonconforming Building* means a building or portion thereof lawfully existing on the effective date of the ordinance codified in this Title that was designed, erected, or structurally altered for a use which does not conform to the uses permitted in the zone in which it is located, or which does not comply with one or more of the property development standards of the zone in which it is located.

*Nonconforming Use* means a use of a building or land existing on the effective date of the ordinance codified in this Title that does not conform to the uses permitted in the zone in which the use is located.

*Notice of Preparation* means the announcement, circulated to affected parties, of intent to prepare an environmental impact report for a particular development project or plan.

*Nursery School* means the same as "day nursery."

*Nursing Home* means the same as "hospital."

## O

*Occasional sale* is the sale of personal property in a residential zone or upon premises zoned for another use providing the actual and principal current use of such premises is for residential purposes when such sale is advertised by means of an advertisement in a newspaper or sign on such property, designating such sale as a "yard sale," "patio sale," "lot sale," "garage sale," or of words having similar import or meaning or in the alternative when such advertisement or sign advertises the sale of four or more items upon such premises or where in fact four or more items are sold upon such residential property.

*Occasional Sale Permit* is a permit issued by the planning department of the City of Covina designating the address where such activity is conducted, the dates for which such permit is valid and the general type of property to be sold. No more than two (2) permits shall be issued during any twelve (12) month period. Permitted sales shall be limited to two (2) consecutive days within a calendar week.

*Offices, Administrative* refers to a clerical or public contact offices of a government agency, government including postal facilities, together with incidental storage and maintenance of vehicles.



*Offices, Medical* refer to offices or health facilities providing health services, including without limitation, preventative and rehabilitation treatment, diagnostic services, and testing and analysis, but excluding inpatient services and overnight accommodations. This classification includes without limitation offices providing medical, dental, surgical, rehabilitation, podiatric, optometric, chiropractic, and psychiatric services, and medical or dental laboratories incidental to such offices.

*Offices, Professional* refer to offices for firms or organizations providing professional, executive, management or administrative services, such as architectural, engineering, real estate, insurance, investment, or legal offices. This classification excludes savings and loan associations, banks, and medical offices.

*Off-street Parking Facility* is a lot, or portion thereof, improved and used for the parking of vehicles, including, but not limited to, enclosed garages and parking structures, open parking areas, drive aisles, driveways, and appurtenant landscaped planters and their improvements.

*Outdoor Advertising* means the same as "advertising structure."

*Outdoor Dining* is defined as use of an adjacent, outside area by a food or beverage establishment for the same eating and drinking activities that occur within the establishment.

*Outdoor Display Area* is defined as the area in which goods are placed outside a building for display or sale purposes, and in conjunction with permanent commercial uses located inside adjacent buildings.

*Overspray* means the water which is delivered beyond the landscaped area, wetting pavements, walks, structures, or other non-landscaped areas.

## P

*Parcel of Land* means the same as "lot."

*Parks and Recreation Facilities* are uses that include, but are not limited to, land and interests in land; swimming pools; tennis, volleyball and basketball courts; baseball grounds; play areas; turf; sprinkler systems; community center buildings; recreation buildings; and other works, properties, structures, and facilities necessary or convenient for public park, playground, or recreation purposes.

*Parking Area, Private* means an open area, other than a street, used for the parking of automotive vehicles and restricted from general public use. Such areas shall have frontage on or access to a dedicated street or alley.

*Parking Area, Public* means an area, other than a private parking area or street, used for the parking of vehicles and available for public or quasi-public use, either free or for remuneration. Such areas shall have frontage on or access to a dedicated street or alley.

*Parking Space, Automobile* means a space exclusive of driveways, ramps, columns, loading areas, office or work areas within a building or open parking area for the parking of one automobile.

*Patio* refers to a permanently open on not less than three sides and used solely for outdoor living. The patio will be considered to be open when enclosed by screening or any structure forming a physical barrier which is so constructed that not less than fifty percent (50%) of the vertical surface is permanently open to permit the transmission of light, air and vision through the surface in a horizontal plane.



*Pawn Shop* is a business establishment engaged in the buying or selling of new or secondhand merchandise and offering loans secured by personal property.

*Performance Art* is a public building used for theatrical performances, concerts, recitals, and facilities similar entertainment. This classification excludes commercial cinemas or theaters.

*Personal Convenience Service* is a business establishment providing recurrently-needed services of a personal nature. This classification includes, but is not limited to, barber and beauty shops, seamstresses, tailors, shoe repair shops, photocopying, retail dry cleaning establishments (excluding wholesale dry cleaning plants), self-service laundromats, and similar services. This classification excludes massage parlors, tattoo parlors, and/or skin piercing establishments.

*Personal Improvement Service* is a business establishment providing instructional services or facilities, including, but not limited to, photography, fine arts, crafts, dance or music studios, driving schools, modeling agencies, reducing salons, and health or physical fitness clubs. Incidental instructional services associated with a retail use shall be classified as "retail sales" rather than "personal improvement services."

*Porte-cochere* means an accessory structure open on three sides and attached to the side or front of a building through which cars pass and is established for the convenient loading and unloading of passengers from an automobile. A porte-cochere is not a carport or garage nor may it be used to satisfy off-street parking requirements.

*Poultry* means one or more species of domestic fowl.

*Preferential Parking* means parking spaces reserved for carpool and vanpool vehicles, usually in a place more convenient to a work site than parking spaces for single occupant vehicles.

*Private Dance* means a dance which is limited to those persons individually invited and admitted, with or without charge, conducted by a club, society, or association organized or incorporated for private, benevolent or charitable purposes, having a membership, and which holds meetings other than such dances at regular intervals, and when the proceeds, if any, of such dance are used for the purpose of such organization.

*Property Line* means the same as "lot line."

*Property Owner* means the individual, group, partnership, corporation or other legal entity which holds lawful title and legal right of possession to real property. For purposes of determining standing to file an application under this title for a conditional use permit or variance, "property owner" shall be deemed to include a lessee under a written lease with not less than one year's term remaining.

*Provision* includes all regulations and requirements referred to in the reference.

*Public Dance* means a dance open to the public, with or without charge.

*Public Dancing Place* means a place where a public dance is held or conducted.

*Public Storage Facility* means a place for storing personal goods and materials of private individuals and companies. The goods and materials thus stored are not intended for redistribution, resale or other commercial activity. No other activity other than the storage described above is intended for a public storage facility.



## Q

*Quasi-Public Organization* means any nongovernmental, nonprofit organization that is devoted to public service and welfare.

## R

*Rain-Sensing Device* means a system which automatically shuts off the irrigation system when it rains.

*Ramada* means an arbor or pergola-like structure usually associated with a residential trailer.

*Recreational Area* means areas of active play or recreation such as sports fields, schoolyards, picnic grounds, or other areas with intense foot traffic.

*Recycling, Collection Facility* refers to a center established for the acceptance of recyclable materials from the public by donation, redemption, or purchase.

*Recycling, Processing Facility* is a building or enclosed space used for the collection and processing of recyclable materials. "Processing" means the preparation of material for efficient shipment, or to an end-user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and re-manufacturing.

*Rehabilitated Landscape* means any landscaping project that requires a permit.

*Residence* means a building used, designed or intended to be used as a home or dwelling place.

*Restaurant, Sit Down* is a business establishment that is maintained, operated, and/or advertised or held out to the public as a place where food and beverage are served to the public on demand from a menu during stated business hours, served in and on reusable containers and dinnerware, to be consumed on the premises primarily inside the building at tables, booths, or counters, with chairs, benches, or stools. This use may include incidental delivery service utilizing no more than two (2) delivery vehicles.

*Restaurant, Fast-Food* is a business establishment that is maintained, operated, and/or advertised or held out to the public as a place where food and beverage are served to customers from a serving counter in disposable containers or wrappers and where food and meals are generally prepared in advance for immediate sale, and which may include inside seating, drive-through service, delivery service, and take-out/carry-out service.

*Restaurant, Delivery* is a place where orders for food and beverages may be placed in person or by telephone, facsimile, copier, or other off-site means of communication, from a limited menu, and which orders are delivered to a location directed by the customer.

*Restaurant, Take-out* is a business establishment that is maintained, operated, and/or advertised or held out to the public as a place where food and beverages are served in disposable containers or wrappers from a serving counter for consumption exclusively off the premises.

*Rest Home* refers to a living arrangement for the elderly, infirm, or disabled, in which housekeeping, meals, medical care, and other assistance is available to residents as needed.

*Retail Store* means a business selling goods, wares or merchandise directly to the ultimate consumer.



*Room* means an un-subdivided portion of the interior of a dwelling unit, excluding bathrooms, closets, hallways and service porches.

*Runoff* means water which is not absorbed by the soil or landscape to which it is applied and flows from the area. For example, runoff may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or when there is a severe slope.

## S

*Sanitarium* means a health station or retreat or other place where patients are housed and where medical or surgical treatment is given.

*Schools, Elementary, Intermediate, Junior High and High* means an institution of learning which offers instruction in the several branches of learning and study required to be taught in the public schools by the Education Code of the state.

*Schools, Private* means certified or licensed schools offering instruction in vocational studies and social, vocation and rehabilitation training.

*Secondary (or second) Unit* is a detached dwelling unit that provides complete, independent living residential unit facilities for one (1) or more persons. A secondary residential unit shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same lot on which the primary unit is situated.

*Senior Housing* is a housing development project in which one hundred (100%) percent of the project rental units are intended to be occupied by seniors. HUD requires that senior housing in HUD supported developments have a minimum age of sixty-two (62) years of age or at least one spouse over sixty-two (62) years of age. The minimum age requirement for market-rate senior housing is 55-years of age.

*Service Bay* means an enclosed area capable of holding one vehicle for greasing, tire repair, washing, lubrication or minor mechanical repairs.

*Service Stations* mean the same as "automobile service stations."

*Setback Line, Front Yard* means the line which defines the depth of the required front yard. The setback line is parallel with the street line or, when established by the Covina General Plan, with the highway right-of-way line, removed there from by the perpendicular distance prescribed for the front yard in the zone.

*Setback Line, Rear Yard or Side Yard* means the line which defines the width or depth of the required rear or side yard. The setback line is parallel with the property line, removed there from by the perpendicular distance prescribed for the yard in the zone.

*Sign* means any device for visual communication, other than an outdoor advertising structure, including any announcement, declaration, demonstration, display, illustration or insignia, which is used to advertise or promote the interest of any person, business, group or enterprise, relating to goods, services, products and the like produced or available on the premises on which the sign is located.

*Sign Area* means the field of the sign, not including structural supports and not including the face of the building, except that portion which forms the field. On a projecting or freestanding sign, only one face shall be counted in computing sign area.



*Sign, Animated Signs* refers to signs designed to attract attention through movement or the semblance of movement of the whole or any part including, but not limited to, signs which swing, twirl, move back and forth or up and down; or signs which change color or shades of color; or any other method or device which suggests movement. Animated signs do not include flags and banners, time and temperature signs.

*Sign, Announcement or Bulletin Board Signs* are signs that are permanent in character and designed to accept changeable copy, handbills, posters and matters of a similar nature.

*Sign, Area of Sign* refers to the area of a sign which includes the entire area within a series of rectangles whose outermost borders are defined by the outermost extent of any writing, representation, emblem, figure, character or separate sign surface. When letters comprising a sign message are placed on a background or field which is different in color or materials from the architectural features of the building on which the sign is mounted, the sign area shall be calculated as the entire area comprising the overall sign feature. In the case of a two-sided sign, the area shall be computed as including only the maximum single display surface that is visible from any ground position at one time. The supports or uprights on which any sign is supported should not be included in determining the sign area unless such supports or uprights are designed in such a manner as to form an integral background of the sign. In the case of any cylindrical or spherical sign, the total area shall be computed on the total area of the surface of the sign.

*Sign, Awning Sign* is a sign painted or printed on the exterior surface of an awning.

*Sign, Balloon* refers to one or more balloons used as a permanent or temporary sign or as a means of directing attention to any business or profession, or to a commodity or service sold, offered, or manufactured, or to any entertainment.

*Sign, Banner* is a fabric or fabric-like material on which an advertising message is painted or otherwise affixed.

*Sign, Billboard* is a sign that directs attention to a business, profession, product, commodity or service offered on the site on which the sign is located.

*Signs, Changeable Copy* refers to copy for temporary use which is changed at periodic intervals and which may be utilized on pylon, monument, wall, bulletin board or announcement signs.

*Sign, Commercial Complex* is any group of three (3) or more commercial uses on a parcel or combination of parcels which are generally served either by common access or common parking, or large single commercial use occupying at least two and one-half (2 ½) acres with a minimum of two-hundred (200) feet of street frontage.

*Sign, Construction Signs* refers to signs stating the names of those individuals or businesses, such as architects, engineers, contractors, or owners directly connected with a construction project and/or the name of the project, the address of the business, and emergency telephone numbers.

*Sign, Directional Signs* are signs that contain any of the following words: "Entrance", "Enter", "Out", "One-way" or other words, or words which contain non-flashing arrows or other characters indicating traffic direction.

*Sign, Electronic Message Sign* is a sign having the capability of presenting variable message displays, including time and temperature, by projecting an electronically controlled light pattern against a contrasting background and which can be programmed to change the message display periodically.



*Sign, Flag* is a device, generally made of flexible materials, usually cloth, paper or plastic, usually used as a symbol of a government, school, religion, etc. It may or may not contain any copy.

*Sign, Flashing Signs* are signs that, in whole or in part disappear and reappear at periodic intervals, or are intermittently on and off, and which are placed so as to attract vehicular traffic with emphasis on the recurrence of lights as in those types generally referred to as "nervous" signs, arrows, stars, etc., and/or beacon signs.

*Sign, Freestanding* refers to a sign that is completely supported by structures or other supports that are placed on or anchored in the ground and are independent from any building or other structure.

*Sign, Height* is the distance from the average ground level immediately surrounding the base of the sign to the top of its highest element, including any structural or architectural element. Landscape mounding shall not be used to artificially increase the height of a sign.

*Sign, Incidental* is any sign, handbill, or poster which is placed to advertise or announce a specific event, or which pertains to a particular event or occurrence, or which is not designed or intended to be placed permanently, or which relates to such events or occurrence that are not taking place on the premises on which the sign is located. Examples of such signs include, but are not limited to, signs, handbills, or posters relating to garage sales, political candidates or ballot measures, concerts, and swap meets.

*Sign, Monument* is a sign with an overall height of six (6) feet or less, standing directly on the ground or on a base of where supporting poles or structures, if any, are enclosed by decorative covers.

*Sign, Nameplate* is a sign used for the naming of an occupant of a premises, business and/or address.

*Sign Off-site* refers to any sign which advertises or informs in any manner businesses, services, goods, persons or events at some location other than that upon which the sign is located.

*Sign, Painted* refers to signs that are painted on the exterior surface of a building or structure.

*Sign, Pennant* is a device generally made of flexible materials, usually cloth, paper or plastic. A pennant may or may not contain any copy and is primarily intended to draw attention.

*Sign, Pylon* is a sign with an overall height exceeding six feet and having one or more decorative supports permanently attached directly into or upon the ground.

*Sign, Political* is a sign setting forth a political message with respect to an upcoming federal, State or local governmental election.

*Sign, Portable* is a sign designed not to be attached to a building or anchored to the ground. Signs held by an individual or A-frame signs are prohibited in the City of Covina.

*Sign, Poster* refers to any sign attached to the ground in a manner approved by the building official, which may be visible from adjacent streets or highways.

*Sign, Projecting* are signs including wall signs which are suspended from or supported by a building or wall and which project from said building or wall.

*Sign, Real Estate* are signs and sign structures relating to the sale, lease or other disposition of the real property on which the sign is located and which are temporary in nature.



*Sign, Revolving* are signs where all or a portion of, rotate in a constant, circular manner.

*Sign, Roof* is a sign supported by or attached to or projecting through the roof of a building or structure, or projecting above the eave line or parapet wall of the building or structure.

*Sign, Special Event* is a temporary sign, which advertises special events and activities such as grand openings, charitable events, Christmas trees, fireworks, or as specified by the Planning Director.

*Sign Structure* refers to the supports, uprights, bracings, guy rods, cables and other structural framework of a sign or outdoor display.

*Sign, Temporary* are signs erected for a temporary purpose not exceeding forty-five days, including banners, pennant valances, streamers, balloon signs, inflated devices, search lights, beacons, costumed or live persons, moving stuffed animals, or advertising light or similar materials used for advertising purposes attached to or pinned on or from any structure, staff, pole, line, framing, vehicle or other object.

*Sign, Time and Temperature* is an electronically controlled sign with illuminated flippers or light bulbs for the sole purpose of displaying the time, and temperature (F° and/or C°) at intermittent intervals.

*Signs, Under Canopy* refers to a sign with a single or double face copy attached to the underside of a projecting canopy perpendicular to the building frontage.

*Sign, Unofficial (non-regulatory)* are signs located on public property (e.g., street or median island, parkway, sidewalk, traffic control sign posts, utility poles, park land, trees, etc.).

*Sign, Vehicle* are signs on or affixed to trucks, vans, automobiles, trailers, or other vehicles which advertise or provide direction to a use or activity not related to its lawful making of deliveries or sales of merchandise or rendering of service from such vehicles.

*Sign, Wall* are signs which are in any manner affixed to any exterior wall of a building or structure, the exposed face of which is in a plane parallel to the plane of the wall and which projects not more than twelve inches from the building or structure wall.

*Sign, Window* are signs painted, attached, glued or otherwise affixed to a window or otherwise easily visible from the exterior of the building.

*Sign, Wall Murals* refers to the decoration on the exterior surface of a structure with scenic, architectural or artistic paints which in themselves do not identify or advertise any product, service or business. A wall mural is a sign if it is related by language, logo or pictorial depiction to the advertisement of any product or service or the identification of any business.

*Site Plan* means a plan showing the proposed arrangements of buildings and facilities on the land as set forth in Chapter 17.64 and in other ordinances of the City of Covina.

*Skilled Nursing Home* means the same as "Hospice."

*Slope* means a natural or artificial incline, as a hillside or terrace. Slope is usually expressed as a ratio (for example, a horizontal distance of one hundred feet with a rise of fifty feet would be expressed as a 2:1 slope).



*Snack Shop* is a business establishment that is maintained, operated, and/or advertised or held out to the public as serving snack foods, such as donuts, ice cream, yogurt, candy, cookies, bakery items, beverages, and similar items to be consumed either on the premises or off the premises.

*Soil Moisture Sensing Device* means a device that measures the amount of water in the soil.

*South Coast Air Quality Management District (SCAQMD)* is the regional authority appointed by the California State Legislature to bring the South Coast Air Basin into compliance with federal and state air quality Standards. The South Coast Air Basin comprises the non-desert portions of Los Angeles, Orange, Riverside and San Bernardino Counties.

*Specified Anatomical Areas* as used herein shall mean and include any of the following:

1. Less than completely and opaquely covered human (i) genitals or pubic region; (ii) buttocks; and (iii) female breast below a point immediately above the top of areola;
2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered;
3. Any device, costume or covering that simulates any of the body parts identified above.

*Specified Sexual Activities* mean and include any of the following, whether performed directly or indirectly through clothing or other covering:

1. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breast;
2. Sex acts, actual or simulated, including intercourse, oral copulation, or sodomy;
3. Masturbation, actual or simulated;
4. Excretory functions as part of or in connection with any of the other activities described above.

*Stable, Private* means a detached accessory building for the keeping of horses owned by the occupants of the premises and not kept for remuneration, hire or sale.

*Stable, Public* means a stable other than a private stable.

*Stock Cooperatives* refers to a corporation which is formed or availed of primarily for the purpose of holding title to, either in fee simple or for a term of years, improved real property, if all or substantially all of the shareholders of such corporation receive a right of exclusive occupancy in a portion of the real property, title to which is held by the corporation, which right of occupancy is transferable only concurrently with the transfer of the share or shares of stock in the corporation held by the person having such right of occupancy.

*Story* means a space in a building between the surface of any floor and the surface of the floor next above, or if there is no floor above, then the space between such floor and the ceiling or roof above.

*Story, Half* means a story under a gable, hip or gambrel roof, plates of which are not more than three (3) feet above the floor of such story.

*Street* means a public thoroughfare or right-of-way dedicated, deeded or condemned for use as such, other than an alley, which affords the principal means of access to abutting property including avenue,



place, way, drive, lane, boulevard, highway, road and any other thoroughfare, except as excluded in this Title. A street includes all major and secondary highways, freeways, traffic collector streets and local streets.

*Street Centerline* means the centerline of a street or right-of-way as established by official surveys.

*Street Line* means the boundary line between street and abutting property.

*Street, Local* means any street, dedicated, deeded or condemned as such, serving as the principal means of access to property, which street is not shown as a major or secondary highway or traffic collector street on the Covina General Plan.

*Street, Side* means that street bounding a corner or reversed corner lot and which extends in the same general direction as the line determining the depth of the lot.

*Structural Alterations* mean any change in the supporting members of a building, such as in a bearing wall, column, beam or girder, floor or ceiling joists, roof rafters, roof diaphragms, roof trusses, foundations, piles or retaining walls or similar components.

*Structure* means anything constructed or built, any edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some manner, which requires a building permit and which requires location on the ground, or is attached to something having a location on the ground, excepting outdoor areas such as patios, paved areas, walks, swimming pools, tennis courts and similar recreation areas. This includes billboards and outdoor advertising structures.

*Supermarket* means a market having ten thousand or more square feet of floor area devoted principally to the sale of food.

*Swap Meet* means the same as "Multi-tent Retail Arcade."

*Swimming Pool* means a tank or pool created by artificial means designed for the purpose of containing an outside body of water and offering the possibility of use for swimming, bathing and/or total bodily immersion by any person, any portion of which tank or pool exceeds thirty-six inches in depth and which pool or tank is not portable in design or construction.

## T

*Thrift Shop* means a retail establishment operated by a chartered nonprofit organization, offering for sale to the general public various items which have been donated to the organization.

*Toe of Slope* means that point or line of initial break where the terrain changes to an upward direction.

*Top of Slope* means that point or line of initial break where the terrain changes to a downward direction.

*Townhouse* means the same as "condominium."

*Trade School* means a public or private school offering instruction in the technical, commercial and/or trade skills, such as real estate, business and secretarial, electronics, automotive and aircraft, medical and dental, and similar commercial establishments.



*Trading Area* means the area served by an existing commercial development or to be served by the proposed commercial development and from which the development draws its support.

*Trailer Park or Mobile Home Park* means any area or tract of land where space is rented or held for rent to two or more owners or users of residential trailers or mobile homes.

*Trailer, Residential* means a vehicle with or without motive power, designed and constructed to travel on the public thoroughfare in accordance with the provisions of the *State of California Vehicle Code* and to be used for human habitation. Pursuant to this Title, no trailer shall be used as a place of human habitation except in regularly established trailer parks.

*Trailer Space* means a plot of ground within any trailer park designed for the accommodation of one (1) residential trailer and related facilities.

*Transient* means a person who receives dwelling accommodations for a price, with or without meals, for a period of not more than one-hundred and eighty (180) consecutive days.

*Transportation Demand Management* means the alteration of travel behavior, usually on the part of commuters, through programs of incentives, services, and policies. Transportation demand management addresses alternatives to single occupant vehicles such as carpooling, vanpooling, bicycling, use of public transit, and walking; and changes in work schedules that move trips out of the peak period or eliminate them altogether (such as telecommuting or compressed work weeks).

*Tree Preservation Permit* means a permit to damage one or more heritage trees.

*Tree, Damage* means any action to destroy, remove, relocate, or otherwise inflict harm or injury to a tree. Damage shall include any act causing injury to the root system or other parts of a tree including burning, applications of toxic substances, operation of equipment or machinery within the dripline, paving within the dripline, change of the natural grade within the dripline, trenching or excavation within the dripline, excessive watering or any act of a similar nature.

*Tree Diameter (at standard height)* is the diameter of a tree trunk as measured four and one-half feet above the mean natural grade of the ground in which it is growing.

*Tree Dripline* shall mean an imaginary line on the ground at the furthest extension of the canopy around the circumference of the tree.

*Truck and/or Trailer Sales Lot* refers to an open area where trucks and/or trailers are sold, leased or rented on premises and where no repairs, repainting or remodeling is done. Lots containing such uses must be paved.

*Trucking Terminal* is any business engaged in the storage and distribution of goods having more than five (5) heavy trucks (having a rating of more than ten-thousand (10,000) pounds and/or an unladen weight of more than six-thousand (6,000) pounds) on the premises at any one time, but excluding trucking accessory to another industrial use on the site.

*Turf* means a surface layer of earth containing mowed grass with its roots. Annual bluegrass, Kentucky bluegrass, Perennial rye grass, Red fescue and Tall fescue are cool-season grasses. Bermuda grass, Kikuyu grass, Seashore paspalum, St. Augustine grass, Zoysia grass and Buffalo grass are some examples of warm-season grasses.



## U

*Use* means the purpose for which land and/or building is erected, arranged, designed or intended, or for which land and/or building is or may be occupied or maintained.

## V

*Vanpool* means a group of seven (7) to fifteen (15) persons that regularly use a van for commuting together, to and from work.

*Variance* means a permit for deviation from the provisions established in the zone in which the property is located, granted by the Planning Commission pursuant to the *City of Covina Zoning Ordinance, Chapter 17.25*, and intended to permit the fair use of property in cases where the strict enforcements of the law would, because of exceptional conditions on the land, such as the location, size, shape or slope of the lot, work an unnecessary hardship on the subject property which would not apply to other properties in the same zone.

*Vehicle* means a motorized form of transportation subject to the State of California Vehicle Code.

*Visual Obstruction* means fencing, hedges, trees, shrubs and walls or any combination thereof which materially limits the visibility of persons at intersecting or intercepting streets and alleys. (See also "corner cutback.")

## W

*Wall* means any structure or device forming a physical barrier, which is so constructed that fifty (50) percent or more of the vertical surface is closed and prevents the passage of light, air and vision through the surface in a horizontal plane. This includes concrete, concrete block, wood or other materials that are solids and are so assembled as to form a solid barrier. Walls shall be constructed to conform to the standards of the building code.

*Warehouse* means a building to store wares or goods before distribution for resale.

## X

*Xeriscape* refers to any environmental design and landscaping technique for land development that employs various methods that minimizes water consumption.

## Y

*Yard* refers to any open landscaped space, other than a court about which buildings are grouped, which are maintained as an area clear of structures, appurtenances, projection, motor vehicles, trailers and vehicular paving, except when permitted for aesthetic considerations.

*Yard, Front* means a space between the front yard setback line and the front lot line or future highway right-of-way line, and extending the full width of the lot.

*Yard, Rear* means a space between the rear yard setback line and the rear lot line, extending the full width of the lot.



*Yard, Side* means a space extending from the front yard setback line, or from the front lot line where no front yard is required by this title, to the rear yard setback line or rear lot line, between a side lot line and the side yard setback line.

## Z

*Zone* means a land area shown or described in the land use zoning map and as set forth and described in this Title.

*Zone, Change* means the legislative act of removing one or more parcels of land from one zone and placing them in another zone on the Official Zoning Map.

*Zoning Map* refers to the *Official Zoning Map of the City of Covina* that delineates the boundaries of the various Zone Districts within the City of Covina.



## CHAPTER 17.04 LAND USE ZONES AND MAP

### SECTION CONTENTS

- 17.04.10 Purpose and Authority
- 17.04.20 Designation of Zones
- 17.04.30 Zoning Map
- 17.04.40 Determination of Zone District Boundaries on Zoning Map

### 17.04.10 PURPOSE AND AUTHORITY

The purpose of this Chapter is to establish the various Zone Districts as a means to promote the orderly development of the City of Covina and to implement *Title 17 of the City of Covina Municipal Code*.

### 17.04.20 DESIGNATION OF ZONES

In order to carry out the provisions of the *City of Covina Zoning Ordinance*, the City is divided into the Zones indicated in Table 17.04-1.

Table 17.04-1 City of Covina Zone Districts	
Zone District Designation	Description
A-1	Agricultural and Residential Zone District (Single-Family)
A-2	Agricultural and Residential Zone District (Single-Family)
E-1/2e	Estate Residential Zone District (Single-Family Estate)
E-2-1/2	Estate Residential Zone District (Single-Family Estate)
E-5	Estate Residential Zone District (Single-Family Estate)
R-1-20,000	Residential Zone District (Single-Family) 20,000 square feet minimum lot area
R-1-10,000	Residential Zone District (Single-Family) 10,000 square feet minimum lot area
R-1-8500	Residential Zone District (Single-Family) 8,500 square feet minimum lot area
R-1-7500	Residential Zone District (Single-Family) 7,500 square feet minimum lot area
RD-3000	Residential Zone District (Multiple-Family) 3,000 square feet minimum lot area per dwelling unit
RD-2000	Residential Zone District (Multiple-Family) 2,000 square feet minimum lot area per dwelling unit
RD-1500	Residential Zone District (Multiple-Family) 1,500 square feet minimum lot area per dwelling unit



Table 17.04-1 City of Covina Zone Districts (continued)	
Zone District Designation	Description
RD-1250	Residential Zone District (Multiple-Family) 1,250 square feet minimum lot area per dwelling unit
R-TP	Residential Zone District (Trailer and Mobile Home Park)
C-P	Commercial, Administrative and Professional Office Zone District
C-1	Commercial Zone District (Neighborhood Stores)
C-2	Commercial Zone District (Neighborhood Shopping Center)
C-3	Commercial Zone District (Central Business)
C-3A	Commercial Zone District (Regional and Community Shopping Center)
C-4	Commercial Zone District (Highway)
C-5	Commercial Zone District (Specified Highway)
C-R	<u>Commercial Zone District (Recreation)</u>
M-1	Light Manufacturing Zone District
P-QP	Public/Quasi Public Zone District

### 17.04.30 ZONING MAP

The original of the *City of Covina Zoning Map* shall be kept on file with the City of Covina City Clerk and will serve as the official zoning map for the City. The boundaries of the various zones are indicated on the zoning map and made a part of this Zoning Ordinance by reference.

### 17.04.40 DETERMINATION OF ZONE DISTRICT BOUNDARIES ON ZONING MAP

If there is uncertainty about the location of any zoning district boundary shown on the official zoning map, the following rules are to be used in resolving the uncertainty.

1. Where Zone District boundaries are shown as approximately following legal lot lines or the right-of-way lines of highways, streets, or alleys, such lines shall serve as the zone district boundaries. In all other cases where a zone district abuts a highway, street, or alley, the zone district boundaries shall extend to the centerline of the highway, street, or alley.
2. Where Zone District boundaries are shown as approximately following a watercourse, stream, or drainage channel, the zone district boundaries shall extend to the centerline of the watercourse, stream, or drainage channel.



3. In the case of un-subdivided property where a Zone District boundary divides a lot, the location of the boundary, unless the boundary is indicated by dimensions or legal description, shall be determined by use of the scale appearing on the zoning map.
4. Where a public highway, street, or alley is officially vacated or abandoned, the vacated or abandoned highway, street, or alley shall acquire the zone classification of the property to which the vacated or abandoned portion reverts. In the event that a vacated street, alley, right-of-way or easement was the boundary between two zones, the new property line or a line established at or within fifty (50) feet of the centerline of the street, alley, right-of-way or easement that has been vacated, shall serve as the boundary line.



## CHAPTER 17.05 SINGLE-FAMILY RESIDENTIAL ZONES

### SECTION CONTENTS

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- 17.05.20 Permitted Uses within the Single-family Zones
- 17.05.30 Off-street Parking Requirements Applicable to Single-family Zones
- 17.05.40 Landscaping Requirements Applicable to Single-family Zones
- 17.05.50 Floor Area of Single-family Dwellings
- 17.05.60 Height and Floor Area Requirements of Accessory Building
- 17.05.70 Distance Between Buildings Requirements Applicable to Single-family Zones
- 17.05.80 Access Requirements Applicable to Single-family Zones
- 17.05.90 Yard Requirements Applicable to Single-family Zones
- 17.05.100 Fences, Hedges, and Wall Requirements Applicable to Single-family Zones
- 17.05.110 Sign Requirements Applicable to Single-family Zones
- 17.05.120 Underground Utility Requirements Applicable to Single-family Zones
- 17.05.130 Site Plan Review Requirements Applicable to Single-family Zones
- 17.05.140 Requirements Governing Second Dwelling Units in the Single-family Zones
- 17.05.150 Exceptions to Height Requirements in the Single-family Zones
- 17.05.160 A-1 Agricultural and Residential Zone (Single-family)
- 17.05.170 A-2 Agricultural and Residential Zone (Single-family)
- 17.04.180 E-½ Estate Residential Zone (Single-family)
- 17.04.190 E-1 Estate Residential Zone (Single-family)
- 17.04.200 E-2½ Estate Residential Zone (Single-family)
- 17.04.210 E-5 Estate Residential Zone (Single-family)
- 17.04.220 R-1-20,000 Residential Zone (Single-family)
- 17.04.230 R-1-10,000 Residential Zone (Single-family)
- 17.04.240 R-1-8,500 Residential Zone (Single-family)
- 17.04.250 R-1-7,500 Residential Zone (Single-family)

### 17.05.10 PURPOSE AND AUTHORITY

This purpose of this Chapter is to define the standards and requirements of the single-family residential Zone Districts as a means to promote orderly growth and development in the City.

### 17.05.20 PERMITTED USES WITHIN THE SINGLE-FAMILY RESIDENTIAL ZONES

This purpose of this Section is to identify those land uses that are permitted, conditionally permitted, and prohibited in the single-family residential zones. Uses that are permitted, conditionally permitted, and prohibited are identified in Table 17.05-1.

Table 17.05-1 Permitted Land Uses For Single-Family Residential Zone Districts			
	A Zones	E Zones	R-1 Zones
<b>Daycare Facilities</b>			
Commercial Day Care Facilities	P	P	P
<b>Educational Establishments</b>			
Elementary, Junior, and High Schools/Public	P	P	P



<b>Table 17.05-1 Permitted Land Uses For Single-Family Residential Zone Districts (continued)</b>			
	A Zones	E Zones	R-1 Zones
Elementary, Junior, and High Schools/Private	P	P	P
<b>Public and Quasi-Public Uses</b>			
Community Recreation Centers	P	P	P
Cultural Facilities	P	P	P
Libraries	P	P	P
Museums	P	P	P
Parks	P	P	P
Public Safety Facilities	P	P	P
Senior Citizen Activity Centers	P	P	P
Athletic Fields	P	P	P
<b>Religious Institutions</b>			
Churches	P	P	P
Monasteries, Convents, or Similar Uses	P	P	P
<b>Residential Uses</b>			
Accessory Guest Houses	A	A	A
Accessory Rental Units (Second Units)	A	A	A
Boarding or Rooming Houses	N	N	N
Congregate Care Facilities	N	N	N
Day Care Centers, Family - < than 7 Children	C	C	C
Day Care Centers, Family - 7 to 14 Children	C	C	C
Duplexes	N	N	N
Group or Community Care Facilities - 6 or less persons)	P	P	P
Group or Community Care Facilities - 7 + persons)	C	C	C
Home Occupation Businesses	C	C	C
Mobile Home Parks	N	N	N
Mobile Home or Manufactured Housing Units Single Lot	P	P	P
Multiple-Family, Apartment & Condominiums	N	N	N
Planned Residential Developments	N	N	N
Senior Housing Developments	N	N	N
Single-Family Dwellings	P	P	P
N = Not Permitted    P = Permitted    C = Conditionally Permitted    A = Permitted as an Accessory Use			



## 17.05.30 OFF-STREET PARKING REQUIREMENTS APPLICABLE TO SINGLE-FAMILY ZONES

The provisions of *City of Covina Zoning Ordinance, Chapter 17.10* shall apply to all single-family Zone Districts.

## 17.05.40 LANDSCAPING REQUIREMENTS APPLICABLE TO SINGLE-FAMILY ZONES

The provisions of *City of Covina Zoning Ordinance, Chapter 17.11* shall apply to all single-family Zone Districts.

## 17.05.50 FLOOR AREA OF SINGLE-FAMILY DWELLINGS

The minimum ground floor area of single-family dwellings, including site-built homes and manufactured housing, exclusive of open porches, garages, carports, balconies, patios and terraces, shall be not less than one-thousand, one-hundred (1,100) square feet.

## 17.05.60 HEIGHT AND FLOOR AREA REQUIREMENTS FOR AN ACCESSORY BUILDING

The maximum ground floor area of accessory buildings shall not exceed fifty (50) percent of the ground floor area of the main building. Accessory buildings shall not have a height greater than one (1) story or fifteen (15) feet.

## 17.05.70 DISTANCE BETWEEN BUILDINGS REQUIREMENTS APPLICABLE TO SINGLE-FAMILY ZONES

Requirements for space between buildings shall be increased two and one-half (2½) feet for each story or fraction above the first story. The minimum distance between accessory and main buildings shall be as follows:

1. Accessory buildings, except as provided in this Section, shall be located not less than six (6) feet from any main building. When attached by a breezeway roof, the intervening space shall be considered an inner court.
2. An accessory building that is used as a garage and is located within the area defined by the projection of the side lines of any main building, and has vehicular access entirely or in part between it and any main building, shall be located not less than twenty-five (25) feet from any main building.
3. The minimum distance between accessory buildings shall be not less than six (6) feet unless the buildings have a common or party wall.

## 17.05.80 ACCESS REQUIREMENTS APPLICABLE TO SINGLE-FAMILY ZONES

This Section indicates access requirements that are applicable to all single-family zones.

- A. *Vehicular Access.* There shall be vehicular access from a dedicated street or alley to off-street parking facilities on the property requiring off-street parking.
- B. *Vehicular Access from Alleys.* Vehicular access to lots fronting on a major or secondary highway shall be by way of an alley or service road. When unimproved lots of record on the effective date of the ordinance codified herein cannot secure access by way of an alley or



service road, there shall be a paved turning area on the lot to permit motor vehicles to head into the street.

- C. *Pedestrian Access.* There shall be a pedestrian access from a dedicated street to property used for residential purposes.
- D. *Fire Safety Access.* An access-way of not less than three feet in width shall be provided abutting each side lot line.

## 17.05.90 YARD REQUIREMENTS APPLICABLE TO SINGLE-FAMILY ZONES

This Section indicates those yard requirements that are applicable to all single-family zones. Yards shall be measured perpendicular to the property line or from the future right-of-way line as established by the general plan for an existing right-of-way. Front and side yards, as referred to in this section, are the open unoccupied space on the same lot with a main building, extending the full width of the lot and situated between the street line and the front line of the main building facing the street projected to the side lines of the lot. For the purpose of this section, "main building" shall not include a detached or attached garage.

- A. *Yard Requirements for Other Uses.* Building used for a church, school, institution or other similar use shall observe the provisions of the zone for front yards and for side yards abutting a street. The buildings shall be removed at least twenty (20) feet from all other property lines. Required yards may be used only for parking or access purposes.
- B. *Landscaping and Use of Yard Areas.* Required yards shall be landscaped, except for the paved access to the garage, parking areas and the residential building. The amount of paved access and parking areas in the required front yard shall not exceed fifty (50) percent of the total required front yard area. All motor vehicles, trailers, boats, house trailers, motor homes or campers on residential property shall be parked in paved access, garage or paved parking areas.
- C. *Screening.* All utilities, equipment, machinery and satellite and disc antennas, located in yards, shall be screened at ground level from adjacent properties behind enclosures that are architecturally compatible with the adjacent building, or shall be screened by landscaping or fencing. Satellite and disc antennas with a diameter greater than two (2) feet shall not be permitted on the roof of any structure.
- D. *Railroad Right-of-Way Separation.* No residential building shall be erected within fifty (50) feet of the right-of-way of any railroad line or freeway.
- E. *Swimming Pools.* A swimming pool shall not be located in any required front yard, nor shall it be located closer than five (5) feet from any side or rear property line.
- F. *Storage.* The term storage referred to in this section, means the placing or parking of materials or vehicles for a period in excess of seventy-two (72) continuous hours. Neither the required front yard nor side yards abutting a street shall be used for the purpose of storing trailers, boats, house trailers, motor homes, campers, camper bodies, or motor vehicles or for the storage of any matter, materials, refuse bins or equipment except in the following cases:
  - 1. The parking of a vehicle or storage of equipment and material in said front yard area to be used in actual bona fide repair, alteration, remodeling or construction of any building or structure upon such lot, not exceeding sixty (60) days in any twelve (12) month period.



2. Where the vehicles or materials stored are completely screened from visibility from the abutting street and the manner of screening is in accordance with the provisions of this title.
- G. *Permitted Projections into Required Yards.* This section indicates the projections that are permitted in the yard areas within the single-family Zone Districts.
1. Openwork fences, hedges, landscape architectural features, including patios, open-air grills and similar features, or guard railings for safety protection around depressed ramps, not more than three and one-half feet in height, may be located in any front, side or rear yard.
  2. Fire escapes may extend or project into any yard not more than four (4) feet.
  3. Cornices, eaves, belt courses, sills and other similar architectural features may extend or project into a required front yard not more than four (4) feet, and may extend into a required side yard or required rear yard not more than four (4) inches for each one (1) foot of the width of such required side yard or required rear yard; provided, however, that the projection shall be not closer than three (3) feet from any side or rear property line.
  4. Uncovered porches, platforms or landing places which do not extend above the level of the first floor of the building may extend into any front yard a distance of not more than six feet, and such features shall not extend into a court more than twenty (20) percent of the width of the court and in no case more than six (6) feet, and may extend into any side or rear yard not more than three feet. An openwork railing may be installed or constructed on any such porch, platform, or landing place provided it does not exceed thirty (30) inches in height.
  5. A porte cochere may be placed over a driveway in a front or side yard subject to the provisions in Subsection G8 of this Section.
  7. Open, unenclosed stairways or balconies not covered by a roof or canopy may extend or project into a required front yard not more than thirty (30) inches.
  8. The eaves of all main buildings and of accessory buildings that are located less than seventy-five (75) feet from the front property line may project into a required side yard a distance not greater than twenty (20) inches, and in no case shall the eave be less than two (2) feet, six (6) inches from the side property line.
  9. The eaves of accessory buildings that are located more than seventy-five (75) feet from the front property line may project into a side or rear yard but the eaves may not be closer than two (2) feet from a side property line. A patio may be placed in the required rear yard area when the patio:
    - a. Is located not closer than five (5) feet from side and rear property lines;
    - b. Occupies not more than thirty-five (35) percent of the required rear yard area. For maximum coverage of rear yard, see CMC 17.26.140(C)(6).

## 17.05.100 FENCES, HEDGES, AND WALL REQUIREMENTS APPLICABLE TO SINGLE-FAMILY ZONES

This Section indicates those yard requirements that are applicable to all single-family zones.

- A. *General Requirements.* The following requirements apply to fences, hedges, and walls in all single-family zones.



1. Fences, hedges, walls and retaining walls not greater than six feet in height shall be permitted on or within all rear and side property lines on interior lots, and corner lots when abutting a street, on or to the rear of all front yard setback lines. (See Subsection 2 of this Section for reference to reverse corner lots.)
  2. On a reverse corner lot, fences, hedges, walls or retaining walls not greater than six feet in height may be located in the required side yard not closer than twelve and one-half feet (12 ½) feet to the side property line abutting a street, on or to the rear of all front yard setback lines and on or to the front of all rear yard setback lines.
  3. Fences, hedges, walls and retaining walls not over three (3) feet in height shall be permitted in any required front, side or rear yards abutting a street. In required corner cutback areas, only openwork fences not more than three feet in height shall be permitted. Walls, hedges and other visual obstructions are prohibited.
  4. To enclose tennis courts or other game areas located within the rear half of the lot, fences over six feet in height shall be permitted; provided, that portion of the fence or structure which is higher than six (6) feet shall be composed of wire mesh or other material whose vertical surface is not more than 10 percent solid. Provision shall be made for fire safety access as required in the *City of Covina Zoning Ordinance, Section 17.05.90*.
  5. Property owners abutting the proposed commuter rail line may construct block/sound attenuation walls of up to ten (10) feet in height along their property line and that of the rail line, and other similar locations as deemed necessary by the Community Development Director and his/her designee. Anyone constructing such a wall will be required to plant, irrigate and maintain fast-growing, drought-tolerant vines along the wall facing the rail line, to reduce the potential for graffiti.
  6. A fence or wall six (6) feet in height may be required along the perimeter of all areas which by reason of the conditions on the property or physical hazards, such as frequent inundation, erosion, excavation or grade separation, are considered by the Planning Commission to be dangerous to the health and safety.
- B. *Corner Cutback Requirements.* The following regulations shall apply to all intersections of streets, alleys and/or private driveways in order to provide adequate visibility for vehicular traffic. There shall be no visual obstruction within the cutback areas established herein. In hillside areas, corner cutback treatment shall include such grading as may be necessary to provide for reasonable intersection visibility:
1. There shall be a corner cutback area at all intersecting and intercepting streets and/or alleys. The cutback line shall be in a horizontal plane, making an angle of forty-five (45) degrees with the side, front or rear property line and shall pass through the closest intersection of yard setback lines at the corner of the lot where visibility is required.
  2. There shall be a corner cutback area on each side of any private driveway intersecting a street or alley. The cutback lines shall be in a horizontal plane, making an angle of forty-five (45) degrees with the side, front or rear property line. They shall pass through a point not less than ten (10) feet from the edges of the driveway where it intersects the street or alley right-of-way.
  3. Where, due to an irregular lot shape, a line at a forty-five (45) degree angle does not provide for intersection visibility, the corner cutback shall be defined by a line drawn from a point on the front (or rear) property line that is not less than seventeen (17) feet from the intersection of the side and front (or rear) property lines and through a point on the side property line that is not less than seventeen (17) feet from the intersection of the side and front (or rear) property lines.



- C. *Fencing for Swimming Pools.* A swimming pool shall not be located in any required front yard, nor shall it be located closer than five (5) feet from any side or rear property line.
1. Swimming pools shall be entirely enclosed by buildings or by fences or walls not less than five (5) feet or greater than six (6) feet in height.
  2. The fence or wall shall be equipped with self-closing and self-latching gates or doors, the latching device being located not less than four (4) feet, ten (10) inches above the ground.
  3. All fencing must be in place and approved before the pool is filled with water.
- D. *Hillside Lots.* A fence or wall not less than five (5) feet or more than six (6) feet in height shall be constructed at the top of the slope on each lot where all of the following conditions apply:
1. The top of the slope is a property line between adjoining lots held under separate ownership;
  2. The difference in vertical elevation between the top and the toe of the slope is six (6) feet or more; and
  3. The slope between the property line and the toe of the slope is two (2) feet horizontal to one (1) foot vertical or greater.

## 17.05.110 SIGN REQUIREMENTS APPLICABLE TO SINGLE-FAMILY ZONES

The provisions of the *City of Covina Zoning Ordinance, Chapter 17.05* shall apply to all signs in the residential single-family Zone Districts.

## 17.05.120 UNDERGROUND UTILITY REQUIREMENTS APPLICABLE TO SINGLE-FAMILY ZONES

Utility lines including, but not limited to, electric, communications, street lighting and cable television shall be placed underground in accordance with *City of Covina Zoning Ordinance, Chapter 17.25*, unless special permission to construct said lines above the ground is granted.

## 17.05.130 SITE PLAN REVIEW REQUIREMENTS APPLICABLE TO SINGLE-FAMILY ZONES

The provisions of the *City of Covina Zoning Ordinance, Chapter 17.25* indicate the site plan requirements applicable to all residential single-family Zone Districts.

## 17.05.140 REQUIREMENTS GOVERNING SECOND DWELLING UNITS IN THE SINGLE-FAMILY ZONES

The following development standards shall apply to second dwelling units:

- A. *Size and Dimension Requirements.* Second dwelling units may not be smaller than a bachelor apartment (five hundred [500] feet and may not exceed thirty (30) percent of the gross floor area of the existing single-family unit or five-hundred (500) square feet, whichever is greater, if attached; and may not exceed eight-hundred (800) square feet in gross floor area, if detached. Except as otherwise noted in this Chapter, the maximum ground floor area of accessory buildings shall not exceed fifty (50) percent of the ground floor area of the main building.



- B. *Utility Service.* Water and sewer service to the site and the second unit is adequate and will be served by the same water and sewer line connections that serve the existing single-family dwelling. Separate electric and water meters are required for the second unit. All utility installations on the lot will be underground.
- C. *Subdivision Prohibition.* The applicant for approval of a second dwelling unit must be the owner-occupant of the existing single-family dwelling. In addition, the property owner shall maintain residency in the primary single-family dwelling unit upon and, in perpetuity, following completion and occupancy of the secondary unit. Second dwelling units may be rented separately but shall not be sold independently of the existing single-family unit.
- D. *Location and Design.* The second unit shall be located to the rear of the existing single-family unit and must be consistent in architectural style with the existing single-family dwelling and community standards for residential uses.
- E. *Parking Requirements.* Parking for all secondary dwelling units shall include a minimum one-car garage plus one open parking space for each number of bedrooms in excess of one. All parking facilities shall meet the applicable provisions of the *City of Covina Zoning Ordinance, Chapter 17.10.*
- F. *Second Unit Distance, Height, and Lot Coverage Requirements.* For the purposes of determining applicable requirements for the distance between the second dwelling unit and the existing single-family dwelling or other buildings, the second dwelling unit building height limits, and the maximum ground coverage limitations, a second dwelling unit shall be considered an "accessory building," as defined in the *City of Covina Zoning Ordinance, Chapter Section 17.03*, and those distance and height regulations applicable to accessory buildings shall apply.
- G. *Second Unit Setback, Building Code, and Architectural Review Requirements.* For purposes of determining applicable requirements for (1) lot and yard setback distances, (2) building code compliance, and (3) architectural review, a second dwelling unit shall be considered as a "single-family dwelling," as defined in the *City of Covina Zoning Ordinance, Chapter Section 17.03*, and those regulations applicable to single-family dwellings shall apply.
- H. *Second Unit Review and Fees.* Established lot coverage and site plan review requirements, as well as applicable provisions pertaining to fees and charges for city review, and all other requirements of this title generally applicable to residential construction in the zone in which the property is located shall also apply to second dwelling units. Public service and recreation impact fees, set forth by council resolution, shall be paid prior to occupancy.

## 17.05.150 EXCEPTIONS TO HEIGHT REQUIREMENTS IN THE SINGLE-FAMILY ZONES

This Section indicates those exceptions to the specific height limits applicable to the various single-family residential Zone Districts.

- A. *Exempt Improvements.* Penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, church steeples, flagpoles, chimneys, water tanks or wireless masts or similar structures may be erected above the height limits herein prescribed when approved by the commission; provided, that the same shall be safely erected and maintained at such height in view of the surrounding conditions and circumstances. No penthouse or roof structures or any space above the height limit shall be allowed for the purpose of providing additional living or floor space.



- B. *Hillside Lots.* On lots located on slopes downhill from street grade and having a twenty-five (25) percent or greater grade measured in the general direction of the side lot lines, an additional story may be constructed on the main building; provided, that the ceiling of the lowest story shall be not more than two feet above the curb level measured at the center of the lot frontage.
- C. *Screening of Roof Equipment.* All roof equipment and machinery shall be entirely screened from view with a screening device utilizing materials which are compatible to the materials used on the building.

## 17.05.160 A-1 AGRICULTURAL AND RESIDENTIAL ZONE (SINGLE-FAMILY)

The A-1 Zone District is intended for agricultural purposes as herein permitted, with appropriate single-family dwellings at a minimum lot area of two (2) acres. Uses permitted, conditionally permitted, and prohibited in the A-1 Zone District are identified in Table 17.05-1.

- A. *Property Development Standards, Generally.* The property development standards contained in Section 17.05.160, Subsection B through F shall apply to all land and buildings in the A-1 zone, except that any lot held under separate ownership or that was of record on the effective date of the ordinance codified in this title which is substandard in area or dimensions may be used subject to all other standards.
- B. *Lot area.* Each lot, farm, ranch, orchard or other parcel of land shall have a minimum area of two (2) acres.
- C. *Lot Dimensions.* All new lots shall comply with the following minimum standards and existing lot now held under separate ownership or of record may not be reduced below these standards:
  - 1. Each lot shall have a minimum width of three (300) feet; and
  - 2. Each lot shall have a minimum depth of three hundred (300) feet.
- D. *Building Height, Generally.* No building or structure erected in this zone shall have a height greater than thirty-five (35) feet or two and one-half (2 ½) stories, whichever is less.
- E. *Yards, Generally.* The provisions of the City of Covina Zoning Ordinance, Section 17.05.90 of this Chapter shall apply. The special provisions outlined below in this Subsection shall also apply.
  - 1. Front yard of not less than twenty-five (25) feet extending across the full width of the lot except for special conditions provided for below. The required front yard shall not be used for storage of trailers, boats or house trailers, or for storage of any materials.
  - 2. Side yard on each side of not less than twenty (20) feet.
  - 3. Each lot shall have a rear yard of not less than twenty-five (25) feet.

## 17.05.170 A-2 AGRICULTURAL AND RESIDENTIAL ZONE (SINGLE-FAMILY)

The A-2 Zone District is intended for agricultural purposes, including poultry and rabbit raising, with appropriate single-family dwellings at a minimum lot area of two acres. Uses permitted, conditionally permitted, and prohibited in the A-2 Zone District are identified in Table 17.05-1.



- A. *Development Standards.* The property development standards contained in Section 17.05.160, Subsection B through F, shall be applicable to the A-2 Zone.

## 17.05.180 E-½ ESTATE RESIDENTIAL ZONE (SINGLE-FAMILY)

The E-½ Zone District is intended to provide for the development of single-family homes on large estate-type home site, with a minimum lot area of one-half acre and not more than one dwelling unit permitted on any lot. Uses permitted, conditionally permitted, and prohibited in the E-½ Zone District are identified in Table 17.05-1.

- A. *Lot area.* Each lot, farm, ranch, orchard or other parcel of land shall have a minimum area of one-half (½) acres.
- B. *Lot Dimensions.* All lots hereafter created shall comply with the following minimum standards and lots now held under separate ownership or of record may not be reduced below these standards:
  - 1. Each lot shall have a minimum width of one-hundred feet (100) feet;
  - 2. Each lot shall have a minimum depth of one-hundred and fifty (150) feet.
  - 3. Each cul-de-sac lot shall have a minimum width of forty-five (45) feet at the front lot line and a minimum lot width of one-hundred (100) feet at the front building setback limit.
- C. *Building Height, Generally.* No building or structure erected in this zone shall have a height greater than thirty-five (35) feet or two and one-half (2 ½) stories, whichever is less.
- D. *Yards, Generally.* The provisions of Section 17.05.90 of this Chapter shall apply. The special provisions outlined below shall also apply.
  - 1. Front yard of not less than twenty-five (25) feet extending across the full width of the lot except for special conditions provided for below. The required front yard shall not be used for storage of trailers, boats or house trailers, or for storage of any materials.
  - 2. Side yard on each side of not less than twenty (20) feet.
  - 3. Each lot shall have a rear yard of not less than twenty-five (25) feet.

## 17.05.190 E-1 ESTATE RESIDENTIAL ZONE (SINGLE-FAMILY)

The E-1 Zone District is intended to provide for the development of single-family homes on large estate-type home sites with a minimum lot area of one (1) acre and not more than one dwelling unit permitted on any lot. Uses permitted, conditionally permitted, and prohibited in the E-1 Zone District are identified in Table 17.05-1.

- A. *Lot area.* Each lot or other parcel of land shall have a minimum area of one (1) acres.
- B. *Lot Dimensions.* All lots hereafter created shall comply with the following minimum standards and lots now held under separate ownership or of record may not be reduced below these standards:
  - 1. Each lot shall have a minimum width of one-hundred feet (100) feet;



2. Each lot shall have a minimum depth of one-hundred and fifty (150) feet.
  3. Each cul-de-sac lot shall have a minimum width of forty-five (45) feet at the front lot line and a minimum lot width of one-hundred (100) feet at the front building setback limit.
- C. *Building Height, Generally.* No building or structure erected in this zone shall have a height greater than thirty-five (35) feet or two and one-half (2½) stories, whichever is less. The exceptions to this height limit indicated in Section 17.05.160 of this Chapter shall also apply.
- D. *Yards, Generally.* The provisions of Section 17.05.90 of this Chapter shall apply. The special provisions outlined below shall also apply.
1. Front yard of not less than twenty-five (25) feet extending across the full width of the lot except for special conditions provided for below. The required front yard shall not be used for storage of trailers, boats or house trailers, or for storage of any materials.
  2. Side yard on each side of not less than twenty (20) feet.
  3. Each lot shall have a rear yard of not less than twenty-five (25) feet.

## 17.05.200 E-2½ ESTATE RESIDENTIAL ZONE (SINGLE-FAMILY)

The E-2½ Zone District is intended to provide for the development of single-family homes on large estate-type home sites with a minimum lot area of two and one-half (2½) acres and not more than one dwelling unit permitted on any lot. Uses permitted, conditionally permitted, and prohibited in the E-2½ Zone District are identified in Table 17.05-1.

- A. *Lot area.* Each lot or other parcel of land shall have a minimum area of two and one-half (2½) acres.
- B. *Lot Dimensions.* All lots hereafter created shall comply with the following minimum standards and lots now held under separate ownership or of record may not be reduced below these standards:
1. Each lot shall have a minimum width of one-hundred feet (100) feet;
  2. Each lot shall have a minimum depth of one-hundred and fifty (150) feet.
  3. Each cul-de-sac lot shall have a minimum width of forty-five (45) feet at the front lot line and a minimum lot width of one-hundred (100) feet at the front building setback limit.
- C. *Building Height, Generally.* No building or structure erected in this zone shall have a height greater than thirty-five (35) feet or two and one-half (2½) stories, whichever is less. The exceptions to this height limit indicated in Section 17.05.160 of this Chapter shall also apply.
- D. *Yards, Generally.* The provisions of Section 17.05.90 of this Chapter shall apply. The special provisions outlined below shall also apply.
1. Front yard of not less than twenty-five (25) feet extending across the full width of the lot except for special conditions provided for below. The required front yard shall not be used for storage of trailers, boats or house trailers, or for storage of any materials.
  2. Side yard on each side of not less than twenty (20) feet.



3. Each lot shall have a rear yard of not less than twenty-five (25) feet.

## 17.05.210 E-5 ESTATE RESIDENTIAL ZONE (SINGLE-FAMILY)

The E-5 Zone District is intended to provide for the development of single-family homes on large estate-type home sites with a minimum lot area of five (5) acres and not more than one dwelling unit is permitted on any single lot. Uses permitted conditionally permitted, and prohibited in the E-5 Zone District are identified in Table 17.05-1.

- A. *Lot area.* Each lot or other parcel of land shall have a minimum area of five (5) acres.
- B. *Lot Dimensions.* All lots hereafter created shall comply with the following minimum standards and lots now held under separate ownership or of record may not be reduced below these standards:
  1. Each lot shall have a minimum width of one-hundred feet (100) feet;
  2. Each lot shall have a minimum depth of one-hundred and fifty (150) feet.
  3. Each cul-de-sac lot shall have a minimum width of forty-five (45) feet at the front lot line and a minimum lot width of one-hundred (100) feet at the front building setback limit.
- C. *Building Height, Generally.* No building or structure erected in this zone shall have a height greater than 35 feet or two and one-half (2½) stories, whichever is less. The exceptions to this height limit indicated in Section 17.05.160 of this Chapter shall also apply.
- D. *Yards, Generally.* The provisions of Section 17.05.90 of this Chapter shall apply. The special provisions outlined below shall also apply.
  1. Front yard of not less than twenty-five (25) feet extending across the full width of the lot except for special conditions provided for below. The required front yard shall not be used for storage of trailers, boats or house trailers, or for storage of any materials.
  2. Side yard on each side of not less than twenty (20) feet.
  3. Each lot shall have a rear yard of not less than twenty-five (25) feet.

## 17.05.220 R-1-20,000 RESIDENTIAL ZONE (SINGLE-FAMILY)

This Zone District is intended to provide for the development of single-family homes on large estate-type home sites with a minimum lot area of twenty-thousand (20,000) square feet and not more than one dwelling unit permitted on any lot. Uses permitted, conditionally permitted, and prohibited in the R-1-20,000 Zone are identified in Table 17.05-1.

- A. *Lot area.* Each lot or other parcel of land shall have a minimum area of twenty-thousand (20,000) square feet.
- B. *Lot Dimensions.* All lots hereafter created shall comply with the following minimum standards and lots now held under separate ownership or of record may not be reduced below these standards:
  1. Interior lots shall have a minimum width of one-hundred (100) feet,



2. Corner lots shall have a minimum width of one hundred and one-half feet (102 ½) feet.
  3. Reversed corner lots shall have a minimum width of one-hundred and five (105) feet,
  4. Lots siding on freeways, public schools, recreation areas or railroad rights-of-way shall have a minimum width of one-hundred and twenty-five (125) feet,
  5. Cul-de-sac lots shall have a minimum width of forty-five (45) feet at the front lot line and a minimum lot width of one-hundred (100) at the front building setback line;
  6. All lots shall have a minimum depth of one-hundred and fifty feet (150) feet.
- C. *Building Height, Generally.* No building or structure erected in this zone shall have a height greater than 35 feet or two and one-half (2 ½) stories, whichever is less. The exceptions to this height limit indicated in Section 17.05.160 of this Chapter shall also apply.
- D. *Yards, Generally.* The provisions of Section 17.05.90 of this Chapter shall apply. The special provisions outlined below shall also apply.
1. Front yard of not less than 25 feet extending across the full width of the lot except for special conditions provided for below. The required front yard shall not be used for storage of trailers, boats or house trailers, or for storage of any materials.
  2. Side yard on each side of not less than twenty (20) feet.
  3. Each lot shall have a rear yard of not less than twenty-five (25) feet.

## 17.05.240 R-1-10,000 RESIDENTIAL ZONE (SINGLE-FAMILY)

The R-1-10,000 Zone District is intended to provide for the development of single-family homes on large estate-type home sites with a minimum lot area of one-half acre and not more than one dwelling unit permitted on any lot. Uses permitted, conditionally permitted, and prohibited in the R-1-10,000 Zone District are identified in Table 17.05-1.

- A. *Lot area.* Each lot or other parcel of land shall have a minimum area of ten-thousand (10,000) square feet.
- B. *Lot Dimensions.* All lots hereafter created shall comply with the following minimum standards and lots now held under separate ownership or of record may not be reduced below these standards:
1. Interior lots shall have a minimum width of eighty (80) feet,
  2. Corner lots shall have a minimum width of eighty-two and one-half (82½) feet.
  3. Reversed corner lots shall have a minimum width of eighty-five (85) feet,
  4. Lots siding on freeways, public schools, recreation areas or railroad rights-of-way shall have a minimum width of one-hundred and five (105) feet,
  5. Cul-de-sac lots shall have a minimum width of forty-five (45) feet at the front lot line and a minimum lot width of one-hundred (100) at the front building setback line;



6. Lots facing onto a local street shall have a minimum depth of one-hundred and ten (110) feet.
  7. Lots facing or backing on major or secondary highways shall have a minimum depth of one-hundred and twenty (120) feet.
  8. Lots backing on a freeway, public school or recreation area, or railroad right-of-way shall have a minimum depth of one-hundred and twenty-five (125) feet.
- C. *Building Height, Generally.* No building or structure erected in this zone shall have a height greater than 35 feet or two and one-half (2 ½) stories, whichever is less. The exceptions to this height limit indicated in Section 17.05.160 of this Chapter shall also apply.
- D. *Yards, Generally.* The provisions of Section 17.05.90 of this Chapter shall apply. The special provisions outlined below shall also apply.
1. Front yard of not less than twenty-five (25) feet extending across the full width of the lot except for special conditions provided for below. The required front yard shall not be used for storage of trailers, boats or house trailers, or for storage of any materials.
  2. Side yard on each side of not less than twenty (20) feet.
  3. Each lot shall have a rear yard of not less than twenty-five (25) feet.

## 17.05.250 R-1-8,500 RESIDENTIAL ZONE (SINGLE-FAMILY)

The R-1-8,500 Zone District is intended to provide for the development of single-family homes on lots with a minimum lot area of eight-thousand, five-hundred (8,500) square feet and not more than one dwelling unit permitted on any lot. Uses permitted, conditionally permitted, and prohibited in the R-1-8,500 Zone District are identified in Table 17.05-1.

- A. *Lot area.* Each lot or other parcel of land shall have a minimum area of eight-thousand, five-hundred (8,500) square feet.
- B. *Lot Dimensions.* All lots hereafter created shall comply with the following minimum standards and lots now held under separate ownership or of record may not be reduced below these standards:
1. Interior lots shall have a minimum width of seventy (70) feet.
  2. Corner lots shall have a minimum width of seventy-seven and one-half (77½) feet.
  3. Reversed corner lots shall have a minimum width of eighty-five (85) feet.
  4. Lots siding on freeways, public schools or recreation areas, or railroad rights-of-way shall have a minimum width of ninety-five (95) feet.
  5. Cul-de-sac lots shall have a minimum width of forty-five (45) feet at the front lot line and a minimum lot width of seventy (70) feet at the front building setback line.
  6. Lots facing on local streets shall have a minimum depth of one-hundred and five (105) feet.



7. Lots facing or backing on major or secondary highways shall have a minimum depth of one-hundred and fifteen (115) feet.
  8. Lots backing on a freeway, railroad right-of-way, public school or recreation area shall have a minimum depth of one-hundred and twenty-five (125) feet.
- C. *Building Height, Generally.* No building or structure erected in this zone shall have a height greater than 35 feet or two and one-half (2 ½) stories, whichever is less. The exceptions to this height limit indicated in Section 17.05.160 of this Chapter shall also apply.
- D. *Yards, Generally.* The provisions of Section 17.05.90 of this Chapter shall apply. The special provisions outlined below shall also apply.
1. Front yard of not less than twenty-five (25) feet extending across the full width of the lot except for special conditions provided for below. The required front yard shall not be used for storage of trailers, boats or house trailers, or for storage of any materials.
  2. Side yard on each side of not less than twenty (20) feet.
  3. Each lot shall have a rear yard of not less than twenty-five (25) feet.

## 17.05.260 R-1-7,500 RESIDENTIAL ZONE (SINGLE-FAMILY)

The R-1-7,500 Zone District is intended to provide for the development of single-family homes with a minimum lot area of seven-thousand, five-hundred (7,500) square feet and not more than one dwelling unit permitted on any lot. Uses permitted, conditionally permitted, and prohibited in the R-1-7,500 Zone District are identified in Table 17.05-1.

- A. *Lot area.* Each lot or other parcel of land shall have a minimum area of seven-thousand, five-hundred (7,500) square feet.
- B. *Lot Dimensions.* All lots hereafter created shall comply with the following minimum standards and lots now held under separate ownership or of record may not be reduced below these standards:
1. Interior lots shall have a minimum width of sixty (60) feet.
  2. Corner lots shall have a minimum width of sixty-seven and one-half (67½) feet.
  3. Reversed corner lots shall have a minimum width of seventy-five (75) feet.
  4. Lots siding on freeways, public schools or recreation areas, or railroad rights-of-way shall have a minimum width of eighty-five (85) feet.
  5. Cul-de-sac lots shall have a minimum width of forty-five (45) feet at the front lot line and a minimum lot width of sixty (60) feet at the front of the building setback line.
  6. Lots facing on local streets shall have a minimum depth of one-hundred (100) feet.
  7. Lots facing or backing on major or secondary highways shall have a minimum depth of one-hundred and ten (110) feet.



8. Lots backing on a freeway, railroad right-of-way, public school or recreation area shall have a minimum depth of one-hundred and twenty-five (125) feet.
- C. *Building Height, Generally.* No building or structure erected in this zone shall have a height greater than 35 feet or two and one-half (2 ½) stories, whichever is less. The exceptions to this height limit indicated in Section 17.05.160 of this Chapter shall also apply.
- D. *Yards, Generally.* The provisions of Section 17.05.90 of this Chapter shall apply. The special provisions outlined below shall also apply.
  1. Front yard of not less than twenty-five (25) feet extending across the full width of the lot except for special conditions provided for below. The required front yard shall not be used for storage of trailers, boats or house trailers, or for storage of any materials.
  2. Side yard on each side of not less than twenty (20) feet.
  3. Each lot shall have a rear yard of not less than twenty-five (25) feet.



## CHAPTER 17.06 MULTIPLE-FAMILY RESIDENTIAL ZONES

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### 17.06.10 PURPOSE AND AUTHORITY

The RD Zone District is intended to provide for the development of multiple-family residential structures such as apartments, condominiums, townhouses, stock cooperatives and community apartments. Condominiums, townhouses, stock cooperatives and community apartments are privately owned homes. To provide these characteristics, certain amenities should be included in the unit development over and above a typical rental unit to assure a pride of ownership. Any apartment conversion should be upgraded to include the same amenities to assure the same pride of ownership.

### 17.06.20 PERMITTED USES IN THE RD ZONES

Uses that are permitted, conditionally permitted, and prohibited in the RD Zone District are identified in Table 17.06-1.

Table 17.06-1 Permitted Land Uses For Residential Base Zone Districts	
	RD Zones
<b>Daycare Facilities</b>	
Commercial Day Care Facilities	P
<b>Educational Establishments</b>	
Elementary, Junior, and High Schools/Public	P
Elementary, Junior, and High Schools/Private	P



Table 17.06-1 Permitted Land Uses For Residential Base Zone Districts	
	RD Zones
<b>Public and Quasi-Public Uses</b>	
Community Recreation Centers	P
Cultural Facilities	P
Libraries	P
Museums	P
Parks	P
Public Safety Facilities	P
Senior Citizen Activity Centers	P
Athletic Fields	P
<b>Religious Institutions</b>	
Churches	P
Monasteries, Convents, or Similar Religious Use	P
<b>Residential Uses</b>	
Accessory Guest Houses	A
Accessory Rental Units (“Granny Flats”)	A
Boarding or Rooming Houses	P
Congregate Care Facilities	C
Day Care Centers, Family - Less than 7 Children	P
Day Care Centers, Family - 7 to 14 Children	C
Duplexes	P
Group or Community Care Facilities - 6 or fewer	P
Group or Community Care Facilities - 7 or more	C
Home Occupation Businesses	C
Mobile Home Parks	N
Mobile Home or Manufactured Housing Units Single	P
Multiple-Family, Apartment & Condominiums	P
Planned Residential Developments	P
Senior Housing Developments	P
Single-Family Dwellings	P
N = Not Permitted    P = Permitted    C = Conditionally Permitted    A = Permitted as an Accessory Use	

### 17.06.30 GENERAL PROPERTY DEVELOPMENT STANDARDS

The property development standards contained in 17.28.060 through 17.28.510 shall apply to all land and buildings in the RD zone, except that any lot held under separate ownership or that was of record on the effective date of the ordinance codified in this title which is substandard in area or dimensions may be used subject to all other standards.



- A. *Lot Area.* Each lot shall have a minimum area of 7,200 square feet, measured in a horizontal plane within the lot lines of a lot. Portion of a lot which has a slope of four to one (four feet horizontal to one foot vertical) or steeper shall not be included in the computation of lot area.
- B. *Lot Dimensions.* All lots hereafter created shall comply with the following minimum standards and lots now existing may not be reduced below these standards:
1. Interior lots shall have a minimum width of sixty (60) feet.
  2. Corner lots shall have a minimum width of sixty-seven and one-half (67½) feet.
  3. Reversed corner lots shall have a minimum width of seventy-five (75) feet.
  4. Lots siding on freeway, public schools or recreation areas, or railroad rights-of-way shall have minimum width of eight-five (85) feet.
  5. Cul-de-sac lots shall have a minimum of forty-five (45) feet at the front lot line and a minimum lot width of sixty (60) feet at the front building setback line.
  6. Each lot shall have a minimum depth of one hundred and twenty (120) feet except as hereinafter provided.
  7. Lots backing on a freeway, railroad right-of-way, public school or recreation area shall have a minimum depth of one hundred and fifty (150) feet.
- C. *Additions to Existing Buildings.* The exterior and roof of all enclosed room additions to existing buildings shall be the same as or similar to the architecture and materials of the existing building. Reasonable variations in design shall be permitted upon approval of the planning director.
- D. *Density.* When property in zone RD is developed, the minimum required lot area per multiple-family dwelling unit shall be equal to the number used as a suffix to the zoning symbol "RD"; provided, however, that in no case shall the minimum required lot area be less than 1,250 square feet per dwelling unit. Where there is located upon any RD zoned lot a single-family dwelling, there shall be no more than one single-family dwelling unit on any one lot; provided, however, that one second dwelling unit authorized by this title may be located upon the same lot as the primary single-family dwelling unit without exceeding the density limitations prescribed herein.
- E. *General Building Height Requirements.* No building or structure in the RD zone shall have a height greater than provided for in the following subsections. The use of the word "building" in the following subsections shall mean only those structures which are used as a residence:
1. The maximum building height shall be two stories or thirty-five (35) feet except by conditional use permit.
  2. Building heights of all multiple-family density developments abutting an R-1 zone shall be governed by the following requirements:
  3. Building height along interior property lines shall be determined by permitting one foot of building height for each foot of building setback provided, except as otherwise described in 17.28.130, whichever is greater.



4. Building height along all rear property lines shall be determined by permitting one foot of building height for each two feet of building setback provided, except as otherwise described in 17.28.140, whichever is greater.

F. *Exceptions to Building Height Requirements.* Exceptions to Subsection E of this Chapter include the following:

1. No penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment; towers, steeples, radio and television masts or other structures shall exceed the height limit provided in this Chapter.
2. On lots located on slopes downhill from street grade and having a twenty-five (25) percent or greater grade measured in the general direction of the side lot lines, an additional story may be constructed on the main building; provided, that the ceiling of the lowest story shall be not more than two feet above the curb level measured at the center of the lot frontage.
3. All roof equipment and machinery shall be entirely screened from view with a screening device utilizing materials which are compatible to the materials used on buildings.

## 17.06.40 YARD AND SETBACK REQUIREMENTS

A. *General Yard Requirements.* This Subsection indicates the general yard and setback requirements applicable to the RD Zone Districts.

1. Yards shall be measured perpendicular to the property line or from the future right-of-way line as established by the general plan for an existing right-of-way.
2. A swimming pool shall not be located in any required front yard, nor shall it be located closer than five feet from any side or rear property line. It shall be entirely enclosed as required in 17.28.210.
3. No residential buildings shall be erected within fifty (50) feet of the right-of-way of any railroad line or freeway.
4. All utilities, equipment, machinery and satellite and disc antennas, located in yards, shall be screened at ground level from adjacent properties behind enclosures that are architecturally compatible with the adjacent building, or shall be screened by landscaping or fencing. Satellite and disc antennas with a diameter greater than two feet shall not be permitted on the roof of any structure.

B. *Front yard.* This Subsection indicates the front yard setback requirements applicable to the RD Zone Districts.

1. Each lot shall have a front yard of not less than twenty-five (25) feet extending the full width of the lot.
2. For buildings greater than one story in height, the second floor and above shall be set back a minimum of forty (40) feet from the front property line.
3. Where lots comprising fifty (50) percent or more of the block frontage are developed with a front yard either greater or lesser in depth than that prescribed in this section, the average of such existing front yards shall establish the front yard for the remaining lots in



the block frontage; however, a front yard determined in this way shall not be less than fifteen (15) nor more than forty (40) feet. Existing front yards of more than forty (40) feet shall be counted as forty (40) feet in calculating the average.

4. Where the entire block frontage is designed and developed as a unit, the front yard requirements may be varied by not more than five (5) feet in either direction; provided, that the average front yard for the entire frontage is not less than that required in the zone.
5. On key lots, the minimum front yard shall be the same as the front yard for the adjoining interior lot. When the front yard on the adjoining interior lot is less than prescribed by the ordinance codified in this title, the key front yard may be the same; however, in no case shall the key lot front yard be less than fifteen (15) feet.
6. The required front yard shall not be used for the storage of trailers, boats, house trailers, motor homes, materials, nor shall it be used for parking of vehicles.
7. The required front yard shall be at every point open and unobstructed from the ground upward, except as follows:
  - a. Cornices, canopies, eaves or other similar architectural features not providing additional floor space within the building may extend into a required front yard as approved by the planning department;
  - b. Open, unenclosed, uncovered porches, platforms or landing places which do not extend above the level of the first floor of the building may extend into any front yard not more than six feet; provided, however, that an openwork railing not more than 42 inches in height may be installed or constructed on any such porch, platform or landing place;
  - c. Fountains and sculptures as approved by the planning department, and plants.
8. No area designed for or used for outdoor recreation purposes shall be located between the front property line and the nearest dwelling unit.

C. *Side yard.* This Subsection indicates the side yard setback requirements applicable to the RD Zone Districts.

1. There shall be a minimum side yard and setback along interior property lines of each side of a main building as provided for in Table 17.06-1.

Table 17.06-1 Side Yard and Setback (Feet) for Main Buildings		
Length of Facing Wall	One Story	Two Story or Greater
100 feet or under	5 feet	10 feet
100 feet or over	10 feet	15 feet

2. A zero side yard may be permitted on one side where adjacent properties participate in an agreement approved by the City Attorney and when the amount of yard normally required is required on the opposite side of the lot.



3. No mechanical equipment nor air conditioning equipment shall be located within a required side yard within five (5) feet of a property line.
  4. There shall be a minimum side yard along the street side of a corner lot of not less than twelve and one-half feet (12½) in width. On a reverse corner lot, the side yard abutting the street shall be not less than fifteen (15) feet in width. No accessory buildings shall be located in the required side yard. The yard shall be at every point open and unobstructed from the ground upward except as provided for under the front yard requirements.
  5. No accessory building shall be located at a distance less than sixty (60) percent of the depth of the lot from the front property line or thirty (30) feet, whichever is less. A private garage, whether attached or detached, having direct access from the side street shall be located not less than twenty-five (25) feet from the side property line abutting the street.
- D. *Rear yard.* This Subsection indicates the rear yard setback requirements applicable to the RD Zone Districts.
1. There shall be a minimum rear yard and setback of not less than twenty five (25) feet. Accessory buildings may be located in the required yard. The yard shall be at every point open and unobstructed from the ground upward except as provided for under the front yard requirements.
  2. Nonresidential accessory buildings may be permitted in a required rear yard as follows:
    - a. Provisions to be made for all roof drainage to be taken care of on the subject property;
    - b. An accessory building having direct vehicular access from an alley shall be located not less than twenty-five (25) feet from the opposite side of the alley, but in no case less than five feet from the rear property line;
    - c. An accessory building attached to a main building and used for garage purposes shall be located not less than five (5) feet from the rear lot line;
    - d. Buildings or structures in the rear yard shall be located not less than twenty-five (25) feet from the side property line abutting the street, and not less than five (5) feet from the rear property line on a reversed corner lot.
  3. On through lots, the planning commission will designate the front lot line. In such cases, the minimum rear yard shall be the average of the yards on the lots next adjoining. If such lots next adjoining are developed, the minimum rear yard area shall conform to the front yard setback for the zone in which the property is located.
- K. *Distance between buildings - Generally.* The minimum distance between buildings shall be the sum of the minimum yard requirement for each building as provided for in Table 17.06-2.



Table 17.06-2 Side Yard and Setback (Feet)for Main Buildings			
	Minimum Yard Setback	Additional Yard Setback for Additional Height	Additional Yard Setback for Length of Building
Any building wall containing windows opening into any habitable room (not including kitchen or bathroom)	6 feet	Plus: One foot per additional story in height above first floor	Plus: One foot per each 15 feet of length of facing wall
Any building wall having no main entrance or windows opening into any habitable room	5 feet	1 foot	0 feet

### 17.06.50 USABLE YARD AREA REQUIREMENTS

All dwelling units in the RD zones shall be provided with a usable yard area as follows:

- A. *Minimum Area.* No parcel of land shall have less than one-thousand (1,000) square feet of usable yard area.
- B. *Minimum Yard Area for Each Unit.* The minimum required usable yard area shall be seventy-five (75) feet for each dwelling unit, either as a private usable open space or a combination of private and common open space and/or children’s recreation areas.
- C. *Required Useable Yard Area.* This Subsection indicates the useable yard area requirements applicable to the RD Zone Districts.
  - 1. The required private usable yard area when located on open ground, utilized as patios, terraces, atrioms or surfaces of courts, shall have a minimum dimension of eight feet and a minimum area of 96 square feet.
  - 2. The required usable yard area when located on balconies, porches or decks shall have a minimum area of seventy (70) square feet and a minimum dimension of seven (7) feet.
  - 3. The remaining required usable open space not provided as private usable open space shall be provided in the common usable open space not less than four-hundred (400) square feet in area and having no dimension less than fifteen (15) feet.
- D. *Access.* All common yard area must be conveniently located and readily accessible from all dwelling units, screened from adjacent streets and highways to be landscaped with lawns, trees, shrubs and other permanently maintained plant material excepting for swimming pools, game courts and other recreational facilities;
- E. *Use of Yard Area.* The usable yard area required by this section shall not be used for parking, driveways, automobile turning area or accessory buildings. Maximum gradient of usable yard area shall be five (5) percent unless approved by the Planning Commission as an integral part of a landscaped scheme;



F. *Requirements for Condominiums, Townhouses, Stock cooperatives and Community Apartments.* All condominiums, townhouses, stock cooperatives and community apartments shall contain certain minimum yard areas as follows:

1. All parcels of land shall contain at least one thousand (1,000) square feet or fifteen (15) percent of usable yard area, whichever is greater.
2. Minimum private usable yard area shall be two-hundred (200) square feet with a minimum dimension of twelve (12) feet. Balcony areas shall be at least one-hundred and twenty (120) square feet with a minimum dimension of eight (8) feet.
3. Such usable yard area shall not be located within a required front yard or in a required side yard abutting a street or in a required rear yard abutting a street.

## 17.06.60 FLOOR AREA AND LOT COVERAGE REQUIREMENTS

A. *Floor area of dwelling unit.* This Subsection indicates the dwelling unit floor area requirements applicable to the RD Zone Districts.

1. For single-family dwelling units, the minimum ground floor area exclusive of open porches or garages shall be not less than 1,000 square feet.
2. Minimum dwelling unit size other than single-family units allowed exclusive of garages, carports, balconies, patios, terraces and open porches shall be in accordance with the requirements outlined in Table 17.06.03.

Table 17.06-3 Minimum Dwelling Units Size		
Type Unit (A)	Minimum Square Feet (B)	Minimum Square Feet Required for Additional Land Coverage (C)
Bachelor unit	500	None allowed
One bedroom	700	None allowed
Two bedroom	1,000	1,100
Over two bedrooms	1,000 + 150 for each additional bedroom over two	1,100 + 150 for each additional bedroom over two

B. *Land coverage - Generally.* Land coverage, except as provided for herein, shall not exceed that percent provided for in Table 17.06-4, exclusive of porches, balconies, decks, patios or terraces.



Table 17.06-4 Minimum Dwelling Units Size				
Total Square Footage of Parcel Being Developed	Land Area Per Unit (in sq. ft.)			
	More than 3,000	2,999 through 2,000	1,900 through 1,249	1,250
Under 7,200 sq. ft.	35%	38%	40%	40%
7,200 and over	35%	35%	38%	40%

- C. *Land coverage - Exceptions.* This Subsection indicates the land coverage requirements applicable to the RD Zone Districts. The square footage of garages in excess of the minimum required by this Chapter need not be considered a part of the land coverage on a parcel of land.
1. When property is developed with all dwelling units having a square footage greater than that provided under Column (C) of the table contained in 17.28.380, the development may exceed the maximum percent of land coverage by not more than an additional two and five-tenths percent.
  2. When property is developed with a portion of its ground floor square footage developed within a one-story building, the development may exceed the maximum land coverage by not more than the percentage identified in Table 17.06-5.

Table 17.06-5 Maximum Permitted Exceedance of Lot Coverage Requirements	
Percentage of Ground Floor Square Footage Developed as One Story Building	Additional Land coverage Authorized
20%	2.5%
30%	5.0%
40%	7.5%
50%	10.0%

## 17.06.70 WALLS AND FENCES

This Section indicates the general requirements governing fences and walls in the RD Zone Districts.

- A. *Distance between partial parallel walls.* The distance between partial parallel walls facing each other for only a portion of their lengths (not exceeding twenty [20] percent of the length



of the existing facing wall) shall be equal to a distance equivalent to three-fourths of the sum of the yard depth requirements for both walls.

- B. *Fences and walls - Required buffer walls.* A solid masonry wall six feet in height shall be provided between all multiple-family classified property and all abutting property classified for single-family residential uses; except that such walls on the front property line to a depth equal to the required front yard of the abutting R classified property shall be three feet in height.
- C. *Fences and walls - Required parking area screening.* When parking areas are developed abutting the required front yard setback or side yard setback adjacent to the street, a forty-two (42) inch-high solid masonry wall shall be installed between the subject parking areas and the front yard setback.
- D. *Walls abutting rail line - Height and vegetation requirements.* Property owners abutting the proposed commuter rail line may construct block/sound attenuation walls of up to 10 feet in height along their property line and that of the rail line, and other similar locations as deemed necessary by the Director of Community Development or his/her designee. Anyone constructing such a wall will be required to plant, irrigate and maintain fast-growing, drought-tolerant vines along the wall facing the rail line to reduce the potential for graffiti.
- E. *Fences and walls - Hazardous areas.* A fence or wall six feet in height with proper emergency access may be required along the perimeter of all areas which by reason of the conditions on the property or physical hazards, such as frequent inundation, erosion, excavation or grade separation, are considered by the commission to be dangerous to the health and safety.
- F. *Fences and walls - Hillside lots.* A fence or wall not less than five (5) feet or greater than six (6) feet in height shall be constructed at the top of the slope on each lot where all of the following conditions apply:
1. Where the top of the slope is a property line between adjoining lots held under separate ownership;
  2. Where the difference in vertical elevation between the top and the toe of the slope is six feet or more; and
  3. Where the slope between the property line and the toe of the slope is two feet horizontal to one foot vertical or greater.
- G. *Fences and walls - Swimming pools.* Swimming pools shall be entirely enclosed by a building wall with no openings, or by fences or walls not less than five (5) feet or more than six (6) feet in height. The fence or wall shall be equipped with self-closing and self-latching gates or doors, the latching device being located not less than four feet 10 inches above the ground. All fencing must be in place and approved before water is run into the pool. All lighting of pool area shall be so hooded that the light does not shine towards abutting properties.
- H. *Fences and walls - Wall height measurement.* Wall height shall be measured from the higher finished grade.
- I. *Fences and walls - Corner cutback area regulations.* The following regulations shall apply to all intersections of streets, alleys and/or private driveways in order to provide adequate visibility for vehicular traffic. There shall be no visual obstruction within the cutback areas established herein. In hillside areas, corner cutback treatment shall include such grading as may be necessary to provide for reasonable intersection visibility:



1. There shall be a corner cutback area at all intersecting and intercepting streets and/or alleys. The cutback line shall be in a horizontal plane, making an angle of forty-five (45) degrees with the side, front, or rear property line, as the case may be. It shall pass through the closest intersection or yard setback lines at the corner of the lot where visibility is required.
  2. There shall be a corner cutback area on each side of any private driveway intersecting a street or alley. The cutback lines shall be in a horizontal plane, making an angle of forty-five (45) degrees with the side, front or rear property line, as the case may be. They shall pass through a point not less than 10 feet from the edges of the driveway where it intersects the street or alley right-of-way.
  3. Where, due to an irregular lot shape, a line at a forty-five (45) degree angle does not provide for intersection visibility, the corner cutback shall be defined by a line drawn from a point on the front (or rear) property line that is not less than seventeen (17) feet from the intersection of the side and front (or rear) property lines and through a point on the side property line that is not less than seventeen (17) feet from the intersection of the side and front (or rear) property lines.
- J. *Permitted fences, hedges and walls.* This Subsection indicates the requirements governing fences, hedges, and walls in the RD Zone Districts.
1. Fences, hedges, walls and retaining walls not greater than six feet in height shall be permitted on or within all rear and side property lines on interior lots, and corner lots when abutting a street, on or to the rear of all front yard setback lines. (See subsection (B) of this section for reference to reverse corner lots.)
  2. On a reverse corner lot, fences, hedges, walls or retaining walls not greater than six (6) feet in height may be located in the required side property line abutting a street, on or to the rear of all front yard setback lines and on or to the front of all rear yard setback lines.
  3. Fences, hedges, walls and retaining walls not over three (3) feet in height shall be permitted in any required front, side or rear yards abutting a street. In required corner cutback areas, only openwork fences not more than three (3) feet in height shall be permitted. Walls, hedges and other visual obstructions are prohibited.
  4. To enclose tennis courts or other game areas located within the rear half of the lot, fences over six (6) feet in height shall be permitted; provided, that portion of the fence or structure which is higher than six (6) feet shall be composed of wire mesh or other material whose vertical surface is not more than ten (10) percent solid. Provision shall be made for fire safety access.
  5. No barbed wire shall be used or maintained in or about the construction of a fence, wall or hedge along the front, side or rear lines of any lot, or within three feet of the lines, and no sharp wire or points shall project at the top of any fence or wall six (6) feet or less in height.
- K. *Fences and walls - Design.* All fences and walls shall be architecturally compatible in design and material to the main structures.



## 17.06.80 CAR CARE FACILITIES

All developments having more than twenty (20) units shall provide car wash areas constructed with water, adequate drainage and electrical facilities. The number shall be determined by the Community Development Department and may be a part of the required parking stalls.

## 17.06.90 LIGHTING

All lighting of the building, landscaped parking area or similar facilities shall be hooded and erected so as to reflect away from adjoining properties.

## 17.06.100 MECHANICAL EQUIPMENT

All mechanical equipment shall be screened behind a permanent structure and all rooftop mechanical equipment shall be placed behind a permanent parapet wall and be completely restricted from all view from ground surfaces or adjacent higher street elevations. Such screening shall be as high as the highest portion of equipment ducting and shall be permanently maintained from the ground. No mechanical equipment shall be permitted in the required side yard or front yard.

## 17.06.110 LAUNDRY FACILITIES

All outdoor clothes drying areas shall be screened from all sides by landscaped screen, fence or a wall not less than six (6) feet in height. All condominiums, townhouses, stock cooperatives and community apartments shall have their own private laundry space contained within the unit.

## 17.06.120 LANDSCAPING

All yard areas are to be entirely landscaped with ground cover, trees, shrubs, and other plant materials including, where an integral part of a landscaped scheme comprised primarily of plant materials, such items as fountains, ponds, sculptures and planters. Recreation facilities other than in a building may be permitted in areas not visible from a public right-of-way. The Community Development Director or his/her designee shall approve the size and plant material to be in harmony with the development and to be in scale with the structures. All trees and ground cover in the parkway shall be approved by the director of public works. All landscape areas shall be served by an irrigation system approved by the Community Development Director or his/her designee.

## 17.06.130 STORAGE

Each development shall be provided with sufficient storage areas according to the following requirements.

- A. *Refuse and Trash Disposal*. Each development shall be provided with sufficient refuse and trash storage areas according to the following requirements.
  1. All outdoor trash, garbage and refuse storage shall be screened on all sides from public view by a minimum six (6) foot-high concrete or solid masonry wall and the opening provided with a gate of a durable wood or approved material. Such areas shall be located as to be easily accessible for trash pickup.
  2. No bin shall be under an eave overhang.



3. The owners of existing properties on which three (3) or more dwelling units are located shall construct facilities in compliance with this section by August 1, 1996.
  4. The designated planning official shall prepare reasonable standards for the method of screening, design, capacity, and construction of such facilities.
- B. *Garage Storage*. A minimum 175 cubic feet of storage area shall be contained within the garages. The minimum dimensions of this storage shall be four feet.

## 17.06.140 VARIANCE FOR MINOR DEVIATION - ADDITIONAL AUTHORITY

Pursuant to 17.78.160 and in addition to the authority provided therein, the designated planning official may approve modifications to city standards in the RD residential zone not to exceed:

1. Applications to reduce the minimum size or dimensions for a garage by up to fifteen (15) percent when such garage results from the conversion of an existing carport.
2. Applications to allow walls in front or side yards up to five (5) feet in height built of a mixture of decorative block or brick and ornamental wrought iron; provided, that the wall does not constitute a safety hazard and at least eighty (80) percent of the vertical surface above three (3) feet in height is kept open for visibility and the passage of light and air.
3. Applications to place trash enclosures in required yards provided such enclosures are not closer than three feet to another residential property line or less than fifteen (15) feet from the front property line.
4. Applications to vary any standard by not more than twenty (20) percent or to eliminate required parking for the sole purpose of providing a trash enclosure for a pre-existing building as required in 17.28.470.

## 17.06.150 SECURITY

A security system for each structure, parking area and grounds shall be provided as approved by the fire chief and police chief.

## 17.06.160 IDENTIFICATION

All developments of twelve (12) units or greater shall have placed on-site a permanent plot plan convenient for emergency vehicles and visitors showing apartment numbers and location, except where units have separate house numbers visible from the street.

## 17.06.170 UTILITY SERVICES

All utility services shall be underground. All utility laterals for condominiums, townhouses, stock cooperatives and community apartments shall gain access to each unit from the common yard area.

## 17.06.180 ARCHITECTURAL FEATURES

The following architectural requirements are applicable to structured located within the RD Zone Districts.



1. All buildings including accessory buildings shall possess a continuous-slope roof element which may vary in design and application.
2. All buildings shall utilize wood, tile or masonry materials on the exterior walls. In the event that plaster or stucco walls are proposed, the same shall be used in combination with one or more of the above materials. Architectural design features shall be utilized around the total exterior of the structures.
3. The architectural character of the proposed structures shall be based upon the appropriate use of sound materials and upon the principles of harmony and proportion in the element of the structures.
4. Building length shall not exceed one-hundred and sixty (160) feet.

## 17.06.190 CONTRACTUAL AGREEMENTS

All condominiums, townhouses, stock cooperatives and community apartments shall adopt homeowners' association rules, which shall provide for and assure adequate maintenance of the entire development. Such rules shall be subject to review and approval by the planning commission. Unless otherwise approved by the Planning Commission, all necessary maintenance of condominiums or townhouses shall be performed by outside professional management organizations. The homeowners' association rules shall provide for a periodic review of the performance of such outside organizations to assure that adequate and proper maintenance services are provided.

## 17.06.200 CONVERSIONS

All applications for conversions of apartments to condominiums, townhouses, stock cooperatives and community apartments shall include an economic statement concerning the capability of development. The apartment conversion shall conform to all ordinances relating to condominiums, townhouses, stock cooperatives and community apartments.

## 17.06.210 CONDITIONS TO USE

The following standards shall apply to the use and structures in the RD zone:

1. All required fences and walls shall be maintained in proper repair at all times;
2. All swimming pools shall be maintained as required in 17.28.050 through 17.28.510;
3. All corner cutback requirements shall be maintained. No plants or material shall be allowed to grow or be maintained in such a condition which would cause a visual obstruction in these areas;
4. All off-street parking areas and the access thereto shall be maintained in good repair and all striping shall be maintained in a clearly visible state;
5. All required safety devices and signs shall be maintained in proper repair at all times;
6. All trash, garbage and refuse storage shall be maintained as provided for in this chapter. The above shall not be deposited in any form or manner that may be transported by natural causes or force or in a manner which may cause fumes, dust or which contribute a fire hazard or are



edible by or otherwise attractive to rodents or insects. Such items shall be stored only in closed containers and properly screened;

7. All landscaping shall be maintained. Any plants which die shall be replaced by the same plant as originally called for or by an alternate approved as an amendment to the site plan and architectural review;
8. No changes shall be made in the architectural features or elements of the structure without an amendment to the site plan and architectural review.

## 17.06.220 SITE PLAN AND ARCHITECTURAL REVIEW

The following procedures shall apply to all development in the RD zone:

- A. The site plan provisions of 17.64 shall apply.
- B. In order that the buildings, structures, signs and landscaping will be in harmony with other structures and appearances in the area and not obnoxious, undesirable or unsightly in appearance, the applicant shall provide in addition to the site plan review of Chapter 17.64 CMC, the following items for approval:
  1. The total development plan showing all the dimensions and locations of proposed structures, buildings, streets, parking, yards, playgrounds, open spaces and other public and private facilities,
  2. Architectural drawings or sketches showing the design and character of the proposed structures, uses and facilities and the physical relationship of all elements,
  3. Lot dimensions,
  4. All buildings and structures; location, floor plans (scale for typical unit design shall be one-quarter inch), elevations, size, height, proposed use,
  5. The relation to the existing buildings and structures in the general vicinity and area,
  6. Yards and space between buildings,
  7. Walls and fences; location, height and materials,
  8. Off-street parking; location, number of spaces and dimensions of parking area, internal circulation pattern,
  9. Access; pedestrian, vehicular, service; points of ingress and egress; internal circulation,
  10. Loading; location, dimension, number of spaces, internal circulation,
  11. Lighting; location and general nature; hooding devices,
  12. Street dedications and improvements, if required,



13. Landscaping; variety, size of plants and irrigation system,
  14. Drainage pattern and structures,
  15. Trash storage areas and related walls,
  16. All public utilities installations including poles, transformers, vaults and meters,
  17. The colors and materials on the exterior,
  18. The type and pitch of roofs,
  19. The size and spacing of windows, doors and other openings,
  20. Towers, chimneys, roof structures, flagpoles, radio and television masts,
  21. All plans shall have the following calculations listed: Unit breakdown by type of unit, size in square feet of each typical type of unit and name, address and phone number of the individual preparing the plans, and
  22. Other data as may be required to permit the planning director to make the required findings.
- C. If he finds all of the following conditions to exist, the planning director shall approve the application as provided in 17.64, subject to such conditions as he may attach which are deemed necessary to protect the public health, safety and general welfare, to secure a development which is in harmony with other developments in the area, to minimize all undesirable or unsightly appearance, and to provide an orderly and visually aesthetic development within the intent of this title:
1. That all provisions of applicable ordinances, including the ordinance codified in this title, are complied with,
  2. That the following are arranged so that traffic congestion is avoided, pedestrian and vehicular safety and welfare are protected:
    - a. Building structures and improvements,
    - b. Vehicular ingress, egress and internal circulation,
    - c. Setbacks,
    - d. Height of buildings,
    - e. Location of services,
    - f. Walls,
    - g. Landscaping,



- h. Grading.
- 3. That all yard areas required by this title, or found necessary for compatibility to the adjacent properties, except that area approved for driveways, walkways and parking areas are to be fully landscaped with plant material and maintained in a manner consistent with the accepted standards of gardening for the plant material used,
- 4. That any signs requested, and the colors thereof, are tastefully incorporated within the overall design of the entire development and in compliance with all code requirements, so as to achieve a homogeneous development,
- 5. That landscaping is incorporated in such a way as to complement the overall development, to enhance visual interest and appeal, and to soften bolder architectural features,
- 6. That the architectural character of the proposed structures is based upon the appropriate use of sound materials and upon the principles of harmony and proportion in the elements of the structure,
- 7. That the overall plan is in keeping with existing quality improvements in the area, and in harmony with the future development of the area, and in accord with the general plan,
- 8. That the development will not be detrimental to surrounding properties, nor diminish the value thereof.
- 9. If he finds any of the above not to be true, or not to exist, the planning director shall disapprove the application.

## 17.06.240 COMMUNITY IMPACT REQUIREMENT

The following requirements shall be made a part of the application. These requirements may be waived by the planning director unless otherwise required by the planning commission:

- A. *Cost Benefit Study.* A cost-benefit feasibility study by an independent economic firm or city staff at no expense to the city. The subject form and report scope shall be approved by the planning director;
- B. *School Impact Study.* A school impact study by an independent firm or city or school district staff at no expense to the city, indicating the effect of the proposed development upon the public school system. The subject form and report scope shall be approved by the planning director;
- C. *Traffic Impact Study.* A traffic impact study at no cost to the city. Such study shall include the impact of the proposed development on the surrounding area, the traffic potential to be generated by the development, the adequacy or inadequacy of existing streets and highways to safely carry the predicted traffic loads, necessary changes in the street system or design caused by the development, projected cost of such improvements not to be borne by the developer and such other information as may be required by the planning director in order to aid in making his decision. The form, content and scope of the study shall be approved by the planning director.



## CHAPTER 17.07 TRAILER PARK RESIDENTIAL ZONE

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### 17.07.10 PURPOSE AND AUTHORITY

The R-TP Zone District is created to provide the accommodation of residential trailers in planned, integrated trailers parks. (“Trailer” as used herein is deemed to refer to a residential trailer.) Uses that are permitted, conditionally permitted, and prohibited in the R-TP Zone District are identified in Table 17.07-1.

Table 17.07-1 Permitted Land Uses For Residential Base Zone Districts	
	R-TP Zone
Residential Uses	
Home Occupation Businesses	C
Mobile Home Parks	P
Mobile Home or Manufactured Housing Units Single Lot	P
P = Permitted    C = Conditionally Permitted	

### 17.07.20 R-TP RESIDENTIAL ZONE (TRAILER PARK)

The property development standards contained in 17.30.060 through 17.30.230 shall apply to all land and buildings in the R-TP zone.

- A. *Trailer Space Area.* Each trailer space shall have a minimum area of one-thousand, five-hundred (1,500) square feet.
- B. *Trailer Space Dimensions.* Each trailer space shall be not less than thirty (30) feet in width.



- C. *Additions to Existing Buildings.* The exterior and roof of all enclosed room additions to existing buildings shall be the same as or similar to the architecture and materials of the existing building. Reasonable variations in design shall be permitted upon approval of the planning director.
- D. *Population Density.* There shall be a minimum of two-thousand, four-hundred (2,400) square feet of trailer park area for each trailer space provided on the site. This space ratio shall include access, trailer parking, automobile parking, outbuilding space, and recreational areas.
- E. *Building Height, Generally.* No building or structure erected in this Zone District shall have a height greater than two and one-half (2½) stories or thirty-five (35) feet, whichever is less.
- F. *Building height - Exceptions - Permitted Projections Above Limit.* This section indicates the projections that are permitted in the yard areas within the single-family Zone Districts.
1. Openwork fences, hedges, landscape architectural features, including patios, open-air grills and similar features, or guard railings for safety protection around depressed ramps, not more than three and one-half feet in height, may be located in any front, side or rear yard.
  2. Fire escapes may extend or project into any yard not more than four (4) feet.
  3. Cornices, eaves, belt courses, sills and other similar architectural features may extend or project into a required front yard not more than four (4) feet, and may extend into a required side yard or required rear yard not more than four (4) inches for each one (1) foot of the width of such required side yard or required rear yard; provided, however, that the projection shall be not closer than three (3) feet from any side or rear property line.
  4. Uncovered porches, platforms or landing places which do not extend above the level of the first floor of the building may extend into any front yard a distance of not more than six (6) feet, and such features shall not extend into a court more than twenty (20) percent of the width of the court and in no case more than six (6) feet, and may extend into any side or rear yard not more than three feet. An openwork railing may be installed or constructed on any such porch, platform, or landing place provided it does not exceed thirty (30) inches in height.
  5. A porte cochere may be placed over a driveway in a front or side yard subject to the provisions in Subsection F8 of this Section.
  7. Open, unenclosed stairways or balconies not covered by a roof or canopy may extend or project into a required front yard not more than thirty (30) inches.
  8. The eaves of all main buildings and of accessory buildings that are located less than seventy-five (75) feet from the front property line may project into a required side yard a distance not greater than twenty (20) inches, and in no case shall the eave be less than two (2) feet, six (6) inches from the side property line.
  9. The eaves of accessory buildings that are located more than seventy-five (75) feet from the front property line may project into a side or rear yard but the eaves may not be closer than two (2) feet from a side property line. A patio may be placed in the required rear yard area when the patio:
    - a. Is located not closer than five (5) feet from side and rear property lines;
    - b. Occupies not more than thirty-five (35) percent of the required rear yard area. For maximum coverage of rear yard, see CMC 17.26.140(C)(6).



### 17.07.30 YARDS - GENERALLY.

This Section indicates those yard requirements that are applicable to all single-family zones. Yards shall be measured perpendicular to the property line or from the future right-of-way line as established by the general plan for an existing right-of-way. Front and side yards, as referred to in this section, are the open unoccupied space on the same lot with a main building, extending the full width of the lot and situated between the street line and the front line of the main building facing the street projected to the side lines of the lot. For the purpose of this section, "main building" shall not include a detached or attached garage.

- A. *Yard Requirements for Other Uses.* Other buildings permitted in the R-TP Zone District shall observe the provisions of the zone for front yards and for side yards abutting a street. The buildings shall be removed at least twenty (20) feet from all other property lines. Required yards may be used only for parking or access purposes.
- B. *Landscaping and Use of Yard Areas.* Required yards shall be landscaped, except for the paved access to the garage, parking areas and the residential building. The amount of paved access and parking areas in the required front yard shall not exceed fifty (50) percent of the total required front yard area. All motor vehicles, trailers, boats, house trailers, motor homes or campers on residential property shall be parked in paved access, garage or paved parking areas.
- C. *Screening.* All utilities, equipment, machinery and satellite and disc antennas, located in yards, shall be screened at ground level from adjacent properties behind enclosures that are architecturally compatible with the adjacent building, or shall be screened by landscaping or fencing. Satellite and disc antennas with a diameter greater than two (2) feet shall not be permitted on the roof of any structure.
- D. *Railroad Right-of-Way Separation.* No residential building shall be erected within fifty (50) feet of the right-of-way of any railroad line or freeway.
- E. *Swimming Pools.* A swimming pool shall not be located in any required front yard, nor shall it be located closer than five (5) feet from any side or rear property line.
- F. *Storage.* The term storage referred to in this section, means the placing or parking of materials or vehicles for a period in excess of seventy-two (72) continuous hours. Neither the required front yard nor side yards abutting a street shall be used for the purpose of storing trailers, boats, house trailers, motor homes, campers, camper bodies, or motor vehicles or for the storage of any matter, materials, refuse bins or equipment except in the following cases:
  1. The parking of a vehicle or storage of equipment and material in said front yard area to be used in actual bona fide repair, alteration, remodeling or construction of any building or structure upon such lot, not exceeding sixty (60) days in any twelve (12) month period.
  2. Where the vehicles or materials stored are completely screened from visibility from the abutting street and the manner of screening is in accordance with the provisions of this title.
- G. *Permitted Projections into Required Yards.* This section indicates the projections that are permitted in the yard areas within the R-TP Zone District.
  1. Openwork fences, hedges, landscape architectural features, including patios, open-air grills and similar features, or guard railings for safety protection around depressed ramps, not more than three and one-half feet in height, may be located in any front, side or rear yard.



2. Fire escapes may extend or project into any yard not more than four (4) feet.
3. Cornices, eaves, belt courses, sills and other similar architectural features may extend or project into a required front yard not more than four (4) feet, and may extend into a required side yard or required rear yard not more than four (4) inches for each one (1) foot of the width of such required side yard or required rear yard; provided, however, that the projection shall be not closer than three (3) feet from any side or rear property line.
4. Uncovered porches, platforms or landing places which do not extend above the level of the first floor of the building may extend into any front yard a distance of not more than six feet, and such features shall not extend into a court more than twenty (20) percent of the width of the court and in no case more than six (6) feet, and may extend into any side or rear yard not more than three feet. An openwork railing may be installed or constructed on any such porch, platform, or landing place provided it does not exceed thirty (30) inches in height.
5. A porte cochere may be placed over a driveway in a front or side yard subject to the provisions in Subsection G8 of this Section.
7. Open, unenclosed stairways or balconies not covered by a roof or canopy may extend or project into a required front yard not more than thirty (30) inches.
8. The eaves of all main buildings and of accessory buildings that are located less than seventy-five (75) feet from the front property line may project into a required side yard a distance not greater than twenty (20) inches, and in no case shall the eave be less than two (2) feet, six (6) inches from the side property line.
9. The eaves of accessory buildings that are located more than seventy-five (75) feet from the front property line may project into a side or rear yard but the eaves may not be closer than two (2) feet from a side property line. A patio may be placed in the required rear yard area when the patio:
  - a. Is located not closer than five (5) feet from side and rear property lines;
  - b. Occupies not more than thirty-five (35) percent of the required rear yard area. For maximum coverage of rear yard, see CMC 17.26.140(C)(6).

## 17.07.40 FRONT YARD.

Each trailer park shall have a front yard of twenty-five (25) feet abutting a dedicated street. The yard shall be landscaped and maintained.

## 17.07.50 SIDE YARD.

There shall be a side yard of not less than five (5) feet on each side of the trailer park not abutting a street. The side yard may be used for access or parking. Where a trailer park sides on a street, there shall be a side yard abutting the street of not less than fifteen (15) feet; however, if the trailer park side is in the same block frontage with a residential or agricultural zone, the yard shall be the same as that required for the residential or agricultural zone. An alley shall be deemed to define a block frontage for purposes of this section. Side yards abutting streets shall be landscaped and maintained.

## 17.07.60 REAR YARD.

Each trailer park shall have a rear yard of not less than twenty-five (25) feet. The yard may be used for access or parking.



## 17.07.70 DISTANCE BETWEEN RESIDENTIAL TRAILERS.

The following requirements governing the distance between buildings are applicable to the R-TP Zone District.

1. There shall be a space of not less than ten (10) feet in width between a trailer and any cabana, ramada or other similar permanent accessory structure related to another trailer.
2. There shall be a space not less than twenty (20) feet in width between a trailer and any permitted building, except transformer or meter structures.
3. There shall be a space not less than ten (10) feet in width between a vehicular accessway and a trailer which sides on the accessway, and not less than two and one-half (2½) feet between such vehicular accessway and the end of the trailer or the end of the towing bar, whichever the case may be.

## 17.07.80 FENCES, HEDGES AND WALLS.

The provisions of the R-1-7500 zone, 17.26.170 through 17.26.210, shall apply, except that for swimming pool areas the provisions of the RD-3000 zone shall apply. In addition, where the R-TP zone abuts any residential or agricultural zone, a solid masonry wall not less than five (5) feet or more than six (6) feet in height shall be erected on the zone boundary. The wall shall be reduced to not more than three feet in height in the required yard area abutting a street and shall comply with the corner cutback provisions of the R-1-7500 zone, 17.26.200 and 17.26.210. Where the R-TP zone abuts a street or alley, the planning director may, at the time of site plan review, require a wall or fence on the yard setback line when deemed necessary to protect the health, safety and welfare.

## 17.07.90 OFF-STREET PARKING

The provisions of 17.72.010 through 17.72.120 shall apply.

## 17.07.100 ACCESS

The provisions of the R-1-7500 zone, 17.26.230 through 17.26.250, shall apply. There shall be an accessway of not less than thirty (30) feet in width from the street or alley to each trailer space, the way to be for both pedestrian and vehicular access with not less than twenty-five (25) feet reserved for vehicular access and not less than five feet reserved for pedestrian walkways. The five-foot pedestrian walkways may be provided by two-and-one-half-foot walkways on either side of the vehicular way. No parking shall be permitted in the required accessway. There shall be a paved turning area in the trailer park to permit motor vehicles to head into a dedicated street or alley.

## 17.07.110 PERMITTED SIGNS

The following signs shall be permitted, subject to the standards in 17.30.210:

1. Identification signs which advertise the trailer park, provided they are located on the subject property. The signs shall not exceed one (1) square foot of area for each lineal foot of frontage along the street from which there is access to the trailer park; provided, that signs for any one trailer park shall not exceed one-hundred (100) square feet of sign area on any one frontage;
2. Directional signs related to the location of trailers and facilities on the premises, provided they are located on the subject property. The signs shall not exceed ten (10) square feet in area;



3. "For Rent," "For Sale," "Vacancy" and similar signs, provided they are posted on the subject lot or on a building thereon by the owner or his authorized agent. The signs shall not exceed six square feet in area and there shall be not more than one such sign for any one trailer park;
4. Nameplates, not exceeding one (1) square foot in area.

## 17.07.120 SIGNS - STANDARDS

The following standards and conditions shall apply to all signs:

1. Signs shall in no way endanger the health and safety by causing distraction to operators of motor vehicles on the streets and highways. Location, lighting and color of signs shall be such as to cause no confusion with public signs or traffic signals. No blinking, flashing or animated signs visible from any street or highway shall be permitted;
2. Signs shall not be located in any required yard area and shall not exceed the height provisions of this zone;
3. Lighting shall be so arranged as to reflect the light away from adjoining premises.

## 17.07.130 LOADING

There are no requirements on this subject in this zone.

## 17.07.140 SIZE OF NEW DISTRICT

The minimum amount of land that may be zoned R-TP in any one location shall be two and one-half (2½) acres.

## 17.07.150 SEWER CONNECTIONS

A. Each trailer park shall be connected to a sanitary sewer when such facilities are deemed by the public works director to be available. Each trailer space shall have a connection to the sanitary sewer line. Trailers that cannot be connected to a sanitary sewer line shall not be permitted.

## 17.07.160 ACCESSORY STRUCTURES

No accessory building shall be constructed as a permanent part of a trailer. Only cloth awning or similar temporary device may be attached to a trailer. Cabanas, armadas and other similar permanent structures may be erected in conjunction with a trailer space; provided, that in no case may a cabana or ramada be closer than ten (10) feet to any trailer other than the one it is designed to serve, or to any other cabana or ramada.



## CHAPTER 17.08 COMMERCIAL AND INDUSTRIAL ZONES

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### 17.08.10 PURPOSE AND AUTHORITY

This Chapter is intended to provide commercial and industrial zones for the City of Covina.

### 17.08.20 PERMITTED USES

Uses that are permitted, conditionally permitted, and prohibited in the commercial and industrial zones are identified in Table 17.08-1.

Table 17.08-1 Permitted Land Uses For Commercial and Industrial Base Zone Districts									
	CP	C-1	C-2	C-3	C-3A	C-4	C-5	TCSP	M-1
<b>Administrative Professional Services</b>									
Administrative/Professional Offices	P	P	P	P	P	P	P	P	P
Advertising Agencies	P	P	P	P	P	P	P	P	P
Architectural/Engineering/Design Services	P	P	P	P	P	P	P	P	P
Attorney/Legal Services	P	P	P	P	P	P	P	P	P
Business Management Services	P	P	P	P	P	P	P	P	P
Government Offices	P	P	P	P	P	P	P	P	P
Travel Agencies	P	P	P	P	P	P	P	P	N



**Table 17.08-1  
Permitted Land Uses For Commercial and Industrial Base Zone Districts (continued)**

	CP	C-1	C-2	C-3	C-3A	C-4	C-5	TCSP	M-1
<b>Alcohol Service and Sales</b>									
Bars or Cocktail Lounges	N	C	C	C	C	C	C	C	N
Liquor Stores	N	C	C	C	C	C	C	C	N
Restaurants with Alcoholic Beverage Sales	N	C	C	C	C	C	C	C	N
<b>Automotive Services</b>									
Automobile, Motorcycle,, Boat Sales	N	P	P	P	P	P	P	P	N
Automobile Parking Facilities	N	P	P	P	P	P	P	P	P
Automobile Rental Agencies	N	N	N	P	P	P	P	P	N
Automobile Repair Facilities	N	N	N	P	P	P	P	P	N
Body and Paint Shops	N	N	N	P	P	P	P	P	P
Car Wash	N	N	N	P	P	P	P	P	P
Gas/Service Stations	N	N	N	P	P	P	P	P	P
Limousine Services	N	N	N	P	P	P	P	P	N
Towing Services - With Indoor Vehicle Service	N	N	N	C	P	P	P	P	P
Towing Services W/ Outdoor Vehicle Storage	N	N	N	N	N	N	N	N	P
Truck/Trailer Rentals	N	N	N	N	N	N	N	N	P
<b>Communications Facilities</b>									
Cellular Communication Facilities	C	C	C	C	C	C	C	C	C
Cellular - Stealth	C	C	C	C	C	C	C	C	C
Cellular - Non-Stealth	C	C	C	C	C	C	C	C	C
Radio and Television Broadcasting Studios	C	C	C	C	C	C	C	C	C
Recording and Sound Studios	C	C	C	C	C	C	C	C	C
Satellite Dishes (Non-Private)	C	C	C	C	C	C	C	C	C
Satellite Dishes (Private Use)	C	C	C	C	C	C	C	C	C
Ham Radio Antennae (Private Use)	C	C	C	C	C	C	C	C	C
<b>Daycare Facilities</b>									
Commercial Day Care Facilities	N	N	P	P	P	P	P	N	N
<b>Educational Establishments</b>									
Elementary, Junior, and High Schools/Public	N	N	N	N	N	N	N	N	N
Elementary, Junior, and High Schools/Private	N	N	N	N	N	N	N	N	N
Vocational and Trade Schools	N	N	C	C	C	C	C	C	N
<b>Food and Beverage Sales</b>									
Bakeries	N	P	P	P	P	P	P	P	N
Catering Establishments	N	P	P	P	P	P	P	P	N
Convenience Markets	N	P	P	P	P	P	P	N	N
Grocery Stores/Supermarkets	N	P	P	P	P	P	P	N	N
Grocery Store, Alcohol Sales	N	C	C	C	C	C	C	C	N



**Table 17.08-1  
Permitted Land Uses For Commercial and Industrial Base Zone Districts (continued)**

	CP	C-1	C-2	C-3	C-3A	C-4	C-5	TCSP	M-1
<b>General Merchandise and Trade</b>									
Antique Sales	N	N	P	P	P	N	N	P	N
Appliance Sales	N	N	N	P	P	P	P	P	N
Art Galleries and Supplies	P	P	P	P	P	P	P	P	N
Beauty Supplies	P	P	P	P	P	P	P	P	N
Books and Magazines	P	P	P	P	P	P	P	P	N
Building Materials	N	N	N	P	P	P	P	N	N
Building Materials with outdoor sales/storage	N	N	N	P	P	P	P	N	N
Camera and Photographic Supplies	P	P	P	P	P	P	P	P	N
Candy Stores	P	P	P	P	P	P	P	P	N
Cigar/Cigarette Shops	P	P	P	P	P	P	P	P	N
Clothing Stores	P	P	P	P	P	P	P	P	N
Department Stores	N	N	P	P	P	P	P	P	N
Discount Stores	N	N	P	P	P	P	P	P	N
Electronic Equipment Sales	P	P	P	P	P	P	P	P	N
Equipment Sales and Rentals	P	P	P	P	P	P	P	P	N
Florists	P	P	P	P	P	P	P	P	N
Freight Forwarding Services	N	N	N	N	N	N	N	N	N
Furniture and Home Furnishings	N	N	P	P	P	P	P	P	N
Garden Supply	N	N	N	P	P	P	P	N	N
Gifts, Crafts, and Novelties	P	P	P	P	P	P	P	P	N
Guns and Ammunition	N	N	N	P	P	P	P	N	N
Hardware Stores	N	N	N	P	P	P	P	P	N
Hobby, Toy and Game Stores	P	P	P	P	P	P	P	P	N
Indoor Swap Meets	N	N	N	P	P	P	P	N	N
Jewelry Sales and Repair	P	P	P	P	P	P	P	P	N
<b>General Merchandise and Trade</b>									
Leather Goods	P	P	P	P	P	P	P	P	N
Luggage Sales	P	P	P	P	P	P	P	P	N
Office Equipment, Furniture, and Supplies	P	P	P	P	P	P	P	P	N
Pet Sales and Supplies	P	P	P	P	P	P	P	P	N
Records, Tapes, and Videos	P	P	P	P	P	P	P	P	N
Retail, Other Specialty	P	P	P	P	P	P	P	P	N
Sporting Goods and Equipment	P	P	P	P	P	P	P	P	N
Surplus Stores	N	N	N	P	N	N	N	N	N
Thrift and Second-Hand Stores	N	N	N	P	N	N	N	P	N
Variety Stores	N	N	N	P	P	P	P	P	N
Wholesale Establishments	N	N	N	P	P	P	P	N	N



**Table 17.08-1  
Permitted Land Uses For Commercial and Industrial Base Zone Districts (continued)**

	CP	C-1	C-2	C-3	C-3A	C-4	C-5	TCSP	M-1
<b>Lodging</b>									
Bed and Breakfast Facilities	N	N	N	C	C	C	C	C	N
Hotels and Motels	N	N	C	C	C	C	C	C	N
Residence Inns	N	N	C	C	C	C	C	N	N
Single-Room Occupant (SRO) Facilities	N	N	N	N	N	N	N	P	N
Trailer Parks and Campsites	N	N	N	N	N	N	N	N	N
Transitional Housing	N	N	N	N	N	N	N	N	N
<b>Manufacturing and Industrial</b>									
Apparel/Textile Products	N	N	N	N	N	N	N	N	P
Assembly Plants	N	N	N	N	N	N	N	N	P
Bottling Plants	N	N	N	N	N	N	N	N	P
Bulk Postal Service Facilities	N	N	N	N	N	N	N	N	P
Chemicals	N	N	N	N	N	N	N	N	C
Contract Construction Services	N	N	N	N	N	N	N	N	P
Data Services	N	N	N	N	N	N	N	N	P
Exterminating Services	N	N	N	N	N	N	N	N	P
Feed and Fuel Yards	N	N	N	N	N	N	N	N	C
Food and Kindred Products	N	N	N	N	N	N	N	N	C
Furniture	N	N	N	N	N	N	N	N	P
Lumber/Wood Products	N	N	N	N	N	N	N	N	P
Moving and Storage Establishments	N	N	N	N	N	N	N	N	P
Metal Salvage Yards	N	N	N	N	N	N	N	N	C
Paper Products	N	N	N	N	N	N	N	N	C
Petroleum-Related Materials	N	N	N	N	N	N	N	N	C
<b>Manufacturing and Industrial (continued)</b>									
Primary Metal Industries (Electroplating)	N	N	N	N	N	N	N	N	C
Printing/Publishing	N	N	N	N	N	N	N	N	P
Professional/Scientific/Electronic Products	N	N	N	N	N	N	N	N	P
Research Services and Laboratories	N	N	N	N	N	N	N	N	P
Retail Sales of Products Manufactured or	N	N	N	N	N	N	N	N	P
Sandblasting and Beadblasting	N	N	N	N	N	N	N	N	P
Taxidermy	N	N	N	N	N	N	N	N	C
<b>Medical/Health Care</b>									
Ambulance Services	P	P	P	P	P	N	N	N	P
Animal Hospitals/Veterinaries	P	P	P	P	P	N	N	N	N
Clinics	P	P	P	P	P	N	N	N	N
Convalescent Homes	P	P	P	P	P	N	N	N	N
Chemical Dependency Clinics	C	N	N	N	N	N	N	N	N
Hospitals	C	P	P	P	P	N	N	N	N



<b>Table 17.08-1 Permitted Land Uses For Commercial and Industrial Base Zone Districts (continued)</b>									
	CP	C-1	C-2	C-3	C-3A	C-4	C-5	TCSP	M-1
Medical/Dental Offices	P	P	P	P	P	P	P	N	N
Pharmacies	P	P	P	P	P	P	P	N	N
Pharmacies, with drive-through	C	C	C	P	P	P	P	N	N
<b>Personal Services</b>									
Banking, Credit Unions, Financial Services	P	P	P	P	P	P	P	P	N
Barbers and Beauty Parlors	P	P	P	P	P	P	P	P	N
Cemeteries	N	N	N	N	N	N	N	N	N
Check Cashing Services	N	P	P	P	P	N	N	N	N
Commercial Pet Grooming Services	P	P	P	P	P	P	P	P	N
Dry Cleaners	P	P	P	P	P	P	P	P	N
Funeral Parlors, Mortuaries	P	P	P	P	P	N	N	P	N
Laundries, Laundromats	P	P	P	P	P	N	N	P	N
Locksmith and Key Shops	P	P	P	P	P	P	P	P	N
Pawnbrokers	N	P	P	P	P	N	N	P	N
Photocopying and Photo Developing Services	P	P	P	P	P	P	P	P	N
Photography Studios	P	P	P	P	N	N	N	P	N
Shoe Repair Shops	P	P	P	P	P	P	P	P	N
Tailors	P	P	P	P	P	P	P	P	N
Tattoo/Body Piercing Services	N	N	N	C	C	N	N	N	N
<b>Public and Quasi-Public Uses</b>									
Community Recreation Centers	N	N	N	N	N	N	N	P	N
Cultural Facilities	N	N	N	N	N	N	N	P	N
Libraries	N	N	N	N	N	N	N	P	N
Museums	N	N	N	N	N	N	N	P	N
Parks	N	N	N	N	N	N	N	P	N
Public Safety Facilities	N	N	N	N	N	N	N	P	N
Senior Citizen Activity Centers	N	N	N	N	N	N	N	P	N
<b>Recreation and Entertainment</b>									
Adult-Oriented Businesses	N	N	N	N	N	N	N	N	C
Amusement Parks	N	N	N	N	N	N	C	N	N
Athletic Fields	N	N	N	P	P	N	N	N	N
Batting Cages	N	N	N	N	N	N	C	N	N
Billiard and Pool Halls	N	N	N	N	N	C	C	C	N
Bowling Alleys	N	N	N	N	N	P	P	P	N
Dance Studios	N	N	N	N	N	P	P	P	N
Golf Driving Ranges	N	N	N	N	N	N	C	PN	N
Health Clubs and Gymnasiums	N	N	N	N	N	P	P	P	N
Miniature Golf Courses	N	N	N	N	N	N	C	N	N



**Table 17.08-1  
Permitted Land Uses For Commercial and Industrial Base Zone Districts (continued)**

	CP	C-1	C-2	C-3	C-3A	C-4	C-5	TCSP	M-1
Public Auditorium/Auditoriums	N	N	N	N	N	N	N	N	N
Skating Rinks	N	N	N	N	N	N	C	P	N
Video Arcades	N	N	N	N	N	C	C	P	N
<b>Recycling</b>									
Collection and/or Processing Facilities	N	C	C	N	N	N	N	N	C
<b>Religious Institutions</b>									
Churches	N	N	C	C	C	C	C	C	N
Monasteries, Convents, or Similar Religious	N	N	C	C	C	C	C	C	N
<b>Repair Services</b>									
Electrical and Household Appliances Repair	N	P	P	P	P	P	P	P	P
Furniture Refinishing and Reupholstering	N	N	N	P	P	P	P	P	P
Lawnmower Repair/Sales Shops	N	N	N	P	P	P	P	P	P
Machine and/or Welding Shops	N	N	N	N	N	N	N	N	P
<b>Restaurant</b>									
Delicatessens	P	P	P	P	P	P	P	P	N
Fast-Food Restaurants - Without Drive-Thru	P	P	P	P	P	P	P	P	N
Fast-Food Restaurants - With Drive-Thru	C	C	C	C	C	C	C	C	N
Sit-Down Restaurants	P	P	P	P	P	P	P	P	N
Sit Down Restaurant with live Entertainment	C	C	C	P	P	P	P	P	N
Restaurant, serving alcohol	C	C	C	C	C	C	C	C	N
<b>Service Organizations</b>									
Philanthropic and Charitable Institutions	P	P	P	P	P	N	N	P	N
Service Organizations	P	P	P	P	P	N	N	P	N
<b>Temporary Uses</b>									
Street/Craft Fairs and Farmers' Markets	C	C	C	C	C	C	C	C	N
Temporary Structures (Subdivision sales Office)	C	C	C	C	C	C	C	C	N
Christmas Tree/Pumpkin Lots, and Similar	C	C	C	C	C	C	C	C	N
Outdoor Displays	C	C	C	C	C	C	C	C	N
Parking Lot Sales	C	C	C	C	C	C	C	C	N
Amusement Enterprises	C	C	C	C	C	C	C	C	N
<b>Transportation Facilities</b>									
Bus Passenger Terminals	N	N	N	N	N	C	C	N	N
Charter Bus Companies	N	N	N	N	N	C	C	N	N
Motor Vehicle Transportation (Taxi/Shuttle)	N	N	N	N	N	C	C	N	N
Truck Stops and Terminals	N	N	N	N	N	N	N	N	C
<b>Utilities</b>									
Public Utility/Service Structures	P	P	P	P	P	P	P	P	P
Utility Company Offices	P	P	P	P	P	P	P	P	P



Table 17.08-1 Permitted Land Uses For Commercial and Industrial Base Zone Districts (continued)									
	CP	C-1	C-2	C-3	C-3A	C-4	C-5	TCSP	M-1
Water Storage, Distribution, and Collection	P	P	P	P	P	P	P	P	P
<b>Residential</b>									
Boarding or Rooming Houses	N	N	N	N	N	N	N	P	N
Congregate Care Facilities	C	N	N	N	N	N	N	C	N
Duplexes	N	N	N	N	N	N	N	N	N
Multiple-Family, Apartment & Condominiums	N	N	N	N	N	N	N	P	N
Senior Housing Developments	N	N	N	N	N	N	N	P	N
Single-Family Dwellings	N	N	N	N	N	N	N	N	N
Uses Prohibited by Federal Statutes	All uses prohibited by Federal Statutes are prohibited in the City of Covina.								
N = Not Permitted   P = Permitted   C = Conditionally Permitted   A = Permitted as an Accessory Use									

### 17.08.30 OFF-STREET PARKING REQUIREMENTS APPLICABLE TO COMMERCIAL AND INDUSTRIAL ZONES

The provisions of *City of Covina Zoning Ordinance, Chapter 17.10* shall apply to all single-family Zone Districts.

### 17.08.40 LANDSCAPING REQUIREMENTS APPLICABLE TO COMMERCIAL AND INDUSTRIAL ZONES

The provisions of *City of Covina Zoning Ordinance, Chapter 17.11* shall apply to all commercial and industrial Zone Districts.

### 17.08.50 DISTANCE BETWEEN BUILDINGS REQUIREMENTS APPLICABLE TO COMMERCIAL AND INDUSTRIAL ZONES

There are no requirements for distance between buildings in the commercial and industrial Zone Districts.

### 17.08.60 ACCESS REQUIREMENTS APPLICABLE TO COMMERCIAL AND INDUSTRIAL ZONES

This Section indicates access requirements that are applicable to all commercial and industrial Zone Districts

- A. *Vehicular Access.* There shall be vehicular access from a dedicated street or alley to off-street parking facilities on the property requiring off-street parking.
- B. *Vehicular Access from Alleys.* Vehicular access to lots fronting on a major or secondary highway shall be by way of an alley or service road. When unimproved lots of record on the effective date of the ordinance codified herein cannot secure access by way of an alley or service road, there shall be a paved turning area on the lot to permit motor vehicles to head into the street.
- C. *Pedestrian Access.* There shall be a pedestrian access from a dedicated street to the commercial or industrial property.



D. *Fire Safety Access.* The access must meet all requirements of the Fire Department.

## 17.08.70 FENCES, HEDGES, AND WALL REQUIREMENTS APPLICABLE TO COMMERCIAL AND INDUSTRIAL ZONES

This Section indicates the requirements related to fences, hedges, and walls related to all commercial and industrial Zone Districts.

- A. *Fences and walls - Required walls.* A six-foot wall measured from the highest finished grade is required when the property adjoins a residential or agricultural zone. Walls shall be reduced to not more than three (3) feet in height in any required yard abutting a street, in the area defined by a line which is the prolongation of the front yard required in the abutting residential or agricultural zone, and shall conform to corner cutback provisions.
- B. *Fences and walls - Hazardous areas.* A fence or wall not more than six (6) feet in height may be required along the perimeter of all areas which by reason of the conditions on the property or physical hazards, such as frequent inundation, erosion, excavation or grade separation, are considered by the commission to be dangerous to the health and safety.
- C. *Fences and walls - Corner cutback area regulations.* The following regulations shall apply to all intersections of streets, alleys and private driveways in order to provide adequate visibility for vehicular and pedestrian traffic. There shall be no visual obstruction within the cutback areas established herein:
1. There shall be a corner cutback area in all intersecting and intercepting streets and alleys. The cutback line shall be a horizontal plane making an angle of forty-five (45) degrees with the side, front or rear property line, as the case may be. It shall pass through the closest intersection of yard setback lines at the corner of the lot where visibility is required.
  2. There shall be a corner cutback area on each side of any private driveway intersecting a street or alley. The cutback lines shall be in a horizontal plane making an angle of forty-five (45) degrees with side, front or rear property line, as the case may be. They shall pass through a point not less than ten (10) feet from the edges of the driveway where it intersects the street or alley right-of-way.
  3. Where, due to an irregular lot shape, a line at a forty-five (45) degree angle does not provide for intersection visibility, the corner cutback shall be defined by a line drawn from a point on the front (or rear) property line that is not less than seventeen (17) feet from the intersection of the side and front (or rear) property lines and through a point on the side property line that is not less than seventeen (17) feet from the intersection of the side and front (or rear) property lines.
  4. Fences, hedges, walls and retaining walls, not greater than six (6) feet in height, shall be permitted on or within all property lines not abutting streets and on or to the rear of all yard setback lines of yards abutting streets. Fences, hedges, walls and retaining walls not over three (3) feet in height shall be permitted in required yards abutting streets. In any required corner cutback area, only openwork fences shall be permitted. Walls, hedges and other visual obstructions are prohibited.
- D. *Fences and walls - Tennis courts.* To enclose tennis courts or other game areas located within the rear half of the lot, fences over six feet in height shall be permitted; provided, that portion of the fence which is higher than six feet shall be composed of wire mesh or other material whose vertical surface is not more than ten (10) percent solid.



## 17.08.80 EXCEPTIONS TO HEIGHT REQUIREMENTS APPLICABLE TO COMMERCIAL AND INDUSTRIAL ZONES

The following exceptions to the height limitations and general requirements governing roof structures include the following:

1. Penthouses or roof structures required for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, church steeples, flagpoles, roof signs when permitted in the zone;
2. Chimneys, water tanks or wireless masts or similar structures, when approved by the Planning Commission, may be erected above the height limits described in this Section.
3. All roof structures must be safely erected and maintained. No penthouse or roof structures, or other space above the height limit, shall be allowed for the purpose of providing additional floor space.
4. All roof equipment and machinery shall be entirely screened from view with a screening device utilizing materials which are compatible to the materials used on the building.

## 17.08.90 SIGN REQUIREMENTS APPLICABLE TO COMMERCIAL AND INDUSTRIAL ZONES

The provisions of the *City of Covina Zoning Ordinance, Chapter 17.05* shall apply to all signs in the commercial and industrial Zone Districts.

## 17.08.100 UNDERGROUND UTILITY REQUIREMENTS APPLICABLE TO COMMERCIAL AND INDUSTRIAL ZONES

Utility lines including, but not limited to, electric, communications, street lighting and cable television shall be placed underground in accordance with *City of Covina Zoning Ordinance, Chapter 17.25*, unless special permission to construct said lines above the ground is granted.

## 17.08.110 SITE PLAN REVIEW REQUIREMENTS APPLICABLE TO COMMERCIAL AND INDUSTRIAL ZONES

The provisions of the *City of Covina Zoning Ordinance, Chapter 17.25* indicate the site plan requirements applicable to all residential single-family Zone Districts.

## 17.08.120 C-P COMMERCIAL ADMINISTRATIVE, AND PROFESSIONAL OFFICE ZONE

The C-P (commercial, administrative and professional office) Zone District is intended to provide for the development of an integrated office and professional zone wherein all of the related types of uses and facilities may be located. Uses permitted, conditionally permitted, and prohibited in the C-P Zone District are identified in Table 17.04-2.

- A. *General Property Development Standards.* For residential uses the property development standards of the RD-1500 zone shall apply. The property development standards contained in 17.34.060 through 17.34.220 shall apply to all nonresidential land and buildings in the C-P Zone District.
- B. *Lot area.* There are no lot area provisions in the C-P Zone District.



- C. *Lot dimensions.* There are no provisions on this subject in the C-P Zone District.
- D. *Building Height Requirements.* No building or structure erected in this Zone District shall have a height greater than fifty (50) feet except by conditional use permit. The exceptions to the height limitations and general requirements governing roof structures are indicated in Section 17.08.80 of this Chapter.

### 17.08.130 C-1 COMMERCIAL ZONE (NEIGHBORHOOD)

The C-1 Zone District is intended to be a very limited commercial area to serve the needs of the immediate neighborhood. This Zone District is not intended to expand into a larger scale shopping center. The stores in this Zone District are intended to fit into the residential pattern without creating either architectural or traffic conflicts. The regulations contained in this chapter are intended to protect the residential environment. Uses permitted, conditionally permitted, and prohibited in the C-1 Zone District are identified in Table 17.04-2.

- A. *General Property Development Standards.* The property development standards contained in 17.36.060 through 17.36.210 shall apply to all land and buildings in the C-1 Zone District.
- B. *Size of C-1 Zoned Land.* The minimum and maximum amounts of land that may be zoned C-1 shall be:
  1. Minimum area, one-third (1/3) acre;
  2. Maximum area, one (1) acre;
  3. Minimum width, one-hundred (100) feet;
  4. Minimum depth, one-hundred and fifty (150) feet.
- C. *Lot dimensions.* There are no lot width provisions for the C-1 Zone District. Each lot shall have a minimum depth of one-hundred and fifty (150) feet.
- D. *Building Height Requirements and Roof Mounted Structures.* No building or structure erected in this zone shall have a height greater than fifty (50) feet except by conditional use permit. The exceptions to the height limitations and general requirements governing roof structures are indicated in Section 17.08.80 of this Chapter.
- E. *Yards.* Yards shall be measured perpendicular to the property line or from the future right-of-way line as established by the general plan for an existing right-of-way.
  1. Each lot shall have a front yard of not less than twenty-five (25) feet.
  2. Corner lots shall have a side yard abutting the street of not less than twelve and one-half (12½) feet.
  3. Reversed corner lots shall have a side yard abutting the street of not less than fifteen (15) feet.
  4. When the C-1 Zone District abuts a residential or agricultural zone, there shall be a yard of not less than ten (10) feet abutting the zone, except when such residential or agricultural zone properties are developed as a public park, no yard shall be required.



5. All required yards abutting streets shall be landscaped and maintained. If across a local street from a residential or agricultural zone, a wall not less than five (5) feet or more than six (6) feet in height shall be erected on the setback line where there is no building on the line and where there is parking or loading to the rear of the line.

## 17.08.140 C-2 COMMERCIAL ZONE (NEIGHBORHOOD)

The C-2 Zone District is intended to serve as a shopping center. Uses permitted, conditionally permitted, and prohibited in the C-2 Zone are identified in Table 17.04-2.

- A. *General Property Development Standards.* The property development standards contained in 17.36.060 through 17.36.210 shall apply to all land and buildings in the C-2 Zone District.
- B. *Lot area.* There are no lot area provisions in the C-2 Zone District.
- C. *Lot dimensions.* There are no provisions on this subject in the C-2 Zone District.
- E. *Building Height Requirements.* No building or structure erected in this zone shall have a height greater than thirty-five (35) feet except by conditional use permit. The exceptions to the height limitations and general requirements governing roof structures are indicated in Section 17.08.80 of this Chapter.
- F. *Yards.* Yards shall be measured perpendicular to the property line or from the future right-of-way line as established by the general plan for an existing right-of-way.
  1. When the C-2 Zone fronts, sides or rears on a street which is a boundary with a residential or agricultural zone, except as provided in subsection (D) of this section, there shall be a yard abutting the street of not less than twenty (20) feet. The required yard shall be landscaped and maintained. If across a local street from a residential or agricultural zone, except as provided in subsection (D) of this section, a wall not less than five (5) feet or more than six (6) feet in height shall be erected on the setback line where there is no building on the line and where there is parking, loading or storage to the rear of the line.
  2. When the C-2 Zone abuts a residential or agricultural zone, there shall be a minimum building setback of twenty-five (25) feet consisting of a ten (10) foot landscaped strip adjacent to the property line and a minimum fifteen (15) foot driveway for fire access. No entrances or exits from the rear of the building, except limited fire access, will be allowed. A solid masonry wall not less than five (5) feet or more than six (6) feet in height shall be erected on the zone boundary line.
  3. When the C-2 Zone sides or rears on an alley which is a boundary with a residential or agricultural zone, there shall be a yard abutting the alley of not less than seventy (70) feet, measured from the side of the alley opposite the subject property, except where the C-2 Zone sides or rears on an alley which is a boundary with a public park, no yard shall be required. The required yard may be used for parking, loading, access or storage, provided items are not stored higher than six (6) feet.
  4. When the C-2 Zone fronts directly on a public park or fronts on a street which is a boundary with a public park, there shall be a yard abutting the street of not less than twenty (20) feet. The required yard may be landscaped or used for parking; however, it shall not be used for loading or storage. A wall not less than five (5) feet or more than six (6) feet in height shall be erected on the setback line where there is loading or storage to the rear of the line.



## 17.08.150 C-3 COMMERCIAL ZONE (CENTRAL BUSINESS)

The C-3 Zone District is intended to provide for planned, unified shopping centers at community and regional levels. A “community shopping center” is a trading center serving specialized needs of families in a community neighborhood area. A “regional shopping center” is a trading center offering greater variety of general merchandise, apparel and home furnishings to families located in a larger area than is served by a neighborhood community shopping center. Uses permitted, conditionally permitted, and prohibited in the C-3 Zone are identified in Table 17.04-2.

- A. *General Property Development Standards.* The property development standards contained in 17.36.060 through 17.36.210 shall apply to all land and buildings in the C-3 Zone District.
- B. *Lot area.* The minimum and maximum amount of land that may be zoned C-3 in any location shall correspond to the following requirements.
  1. Community shopping centers: minimum area, ten (10) acres; maximum area, thirty (30) acres;
  2. Regional shopping centers: minimum area, thirty (30) acres; maximum area, no requirements;
  3. The applicant may present economic data in support of the community or regional shopping center of the size he/she is proposing.
- C. *Lot dimensions.* There are no provisions on this subject in the C-3 Zone District.
- D. *Building Height Requirements.* No building or structure erected in this zone shall have a height greater than seventy-five (75) feet except by conditional use permit. The exceptions to the height limitations and general requirements governing roof structures are indicated in Section 17.08.80 of this Chapter.
- E. *Yards.* Yards shall be measured perpendicular to the property line or from the future right-of-way line as established by the general plan for an existing right-of-way.
  1. When the C-3 Zone District abuts residentially zoned properties there shall be a yard of not less than twenty-five (25) feet abutting the zone boundary, except where the C-3 Zone abuts a public park and in this case, no yard shall be required.
  2. The required yard may be used for parking, loading, access or storage, provided items are not stored higher than the required wall.
  3. A solid masonry wall, not less than five (5) feet or more than six (6) feet in height, shall be erected on the zone boundary line.

## 17.08.160 C-3A COMMERCIAL ZONE (REGIONAL OR COMMUNITY SHOPPING CENTER)

The C-3A Zone District is intended to provide for planned, unified shopping centers at community and regional levels. A community shopping center is a trading center serving specialized needs of families in a community neighborhood area. A regional shopping center is a trading center offering greater variety of general merchandise, apparel and home furnishings to families located in a larger area than is served by a neighborhood community shopping center. Uses permitted, conditionally permitted, and prohibited in the C-3A Zone are identified in Table 17.04-2.



- A. *General Property Development Standards.* The property development standards contained in 17.36.060 through 17.36.210 shall apply to all land and buildings in the C-3A Zone District.
- B. *Lot area.* The minimum and maximum amount of land that may be zoned C-3A in any location shall correspond to the following requirements.
  - 1. Community shopping centers: minimum area, ten (10) acres; maximum area, thirty (30) acres;
  - 2. Regional shopping centers: minimum area, thirty (30) acres; maximum area, no requirements;
  - 3. The applicant may present economic data in support of the community or regional shopping center of the size he is proposing.
- C. *Lot dimensions.* There are no provisions on this subject in the C-3A Zone District.
- D. *Building Height Requirements.* No building or structure erected in this zone shall have a height greater than seventy-five (75) feet except by conditional use permit. The exceptions to the height limitations and general requirements governing roof structures are indicated in Section 17.08.80 of this Chapter.
- E. *Yards.* There are no yard requirements in the C-3A Zone District.

## 17.08.170 C-4 COMMERCIAL ZONE (HIGHWAY)

The C-4 Zone District is intended to provide for highway-related uses. Uses permitted, conditionally permitted, and prohibited in the C-4 Zone are identified in Table 17.04-2.

- A. *General Property Development Standards.* The property development standards contained in 17.36.060 through 17.36.210 shall apply to all land and buildings in the C-4 Zone.
- B. *Lot area.* There are no lot area provisions in the C-4 Zone District.
- C. *Lot dimensions.* There are no lot width provisions for the C-4 Zone District. Each lot shall have a minimum depth of one-hundred and fifty (150) feet.
- D. *Building Height Requirements.* Except by conditional use permit, no building or structure in this zone shall have a height greater than fifty (50) feet, except when located closer than fifty (50) feet to any abutting residential or agricultural zoned lands such building or structure shall not exceed thirty-five (35) feet in height. The exceptions to the height limitations and general requirements governing roof structures are indicated in Section 17.08.80 of this Chapter.
- E. *Yards.* Yards shall be measured perpendicular to the property line or from the future right-of-way line as established by the general plan for an existing right-of-way.
  - 1. When the C-4 Zone fronts, sides or rears on a street, there shall be a yard abutting the street of not less than ten (10) feet, except as provided in subsection (C) of this section. If across a local street from a residential or agricultural zone, except as provided in subsection (C) of this section, a wall not less than five (5) feet nor more than six (6) feet in height shall be erected on the setback line where there is no building on the line and where there is parking, loading or storage to the rear of the line.



2. When the C-4 Zone abuts a residential or agricultural zone, there shall be a minimum building setback of twenty-five (25) feet consisting of a ten (10) foot landscaped strip adjacent to the property line and a minimum fifteen (15) foot driveway for fire access. No entrances or exits from the rear of the building, except limited fire access, will be allowed. A solid masonry wall not less than five (5) feet or more than six (6) feet in height shall be erected on the zone boundary line.
3. When the C-4 Zone fronts directly on a public park or fronts on a street which is a boundary with a public park, there shall be a yard abutting the street of not less than twenty (20) feet. The required yard may be landscaped or used for parking; however, it shall not be used for loading or storage. A wall not less than five (5) feet or more than six (6) feet in height shall be erected on the setback line where there is loading or storage to the rear of the line.
4. A swimming pool shall not be located in any required yard abutting a street, and in no case shall it be located less than five feet from any side or rear property line not abutting a street. It shall be entirely enclosed.

## 17.08.180 C-5 COMMERCIAL ZONE (SPECIFIED HIGHWAY)

The C-5 Zone District is intended to provide for specified highway-related commercial uses. Uses permitted, conditionally permitted, and prohibited in the C-5 Zone District are identified in Table 17.04-2.

- A. *General Property Development Standards.* The property development standards contained in 17.36.060 through 17.36.210 shall apply to all land and buildings in the C-5 Zone District.
- B. *Lot area.* There are no lot area provisions in the C-5 Zone District.
- C. *Lot dimensions.* There are no provisions on this subject in the C-5 Zone District.
- D. *Development Density.* There are no population density provisions for the C-5 Zone District.
- E. *Building Height Requirements.* No building or structure erected in this zone shall have a height greater than fifty (50) feet except by conditional use permit. The exceptions to the height limitations and general requirements governing roof structures are indicated in Section 17.08.80 of this Chapter.
- F. *Yards.* Yards shall be measured perpendicular to the property line or from the future right-of-way line as established by the general plan for an existing right-of-way.
  1. When the C-5 zone abuts a residential or agricultural zone, there shall be a minimum building setback of twenty-five (25) feet consisting of a 10-foot landscaped strip adjacent to the property line and a minimum fifteen (15) foot driveway for fire access. No entrances or exits from the rear of the building, except limited fire access, will be allowed. A solid masonry wall not less than five (5) feet no more than six (6) feet in height shall be erected on the zone boundary line.
  2. When the C-5 zone fronts directly on a public park or fronts on a street which is a boundary with a public park, there shall be a yard abutting the street of not less than twenty-five (25) feet. The required yard may be landscaped or used for parking; however, it shall not be used for loading or storage. A wall not less than five (5) feet or more than six (6) feet in height shall be erected on the setback line where there is loading or storage to the rear of the line.



### 17.08.190 TC-P TOWN CENTER MEDICAL AND PROFESSIONAL OFFICE ZONE

The TC-P Zone District is intended to provide a central location for the development of integrated medical and professional facilities and uses. Uses permitted, conditionally permitted, and prohibited in the TC-P Zone District are identified in Table 17.04-2.

- A. *General Property Development Standards.* The standards contained in 17.50.060 through 17.50.250 shall apply to all buildings, structures and land uses for permitted uses in this Zone District. In addition, all buildings and structures in this zone shall be subject to review by the architectural board of review.
- B. *Lot area.* All buildings or structures proposed on any parcel in this Zone District shall be reviewed by the planning department in accordance with Chapter 17.64 CMC (Site Plan Review). The owner, builder or developer shall provide such data and information which will assist in the determination of the adequacy of the parcel's size and dimension. Where it is found by the planning department that the parcel is insufficient in size and dimension in accordance with Chapter 17.64, the owner, builder or developer will be advised and no building permit shall be issued if subject parcel is found to be inadequate. The lot will be sufficient if it can accommodate the minimum parking, open space, landscape and yard requirements for the size of the building proposed.
- C. *Lot dimensions.* For provisions on this subject, see CMC 17.50.060.
- E. *Building Height Requirements.* No building shall exceed a height of four (4) stories except by conditional use permit.
- F. *Yards, Structures less than two and one-half stories or 35 feet in height.* When buildings or structures are less than two and one-half (2½) stories or thirty-five (35) feet in height, the following method shall be used to determine yard setback requirements:
1. When the TC-P zone fronts, sides or rears on a street, there shall be a minimum yard area abutting the street equal to twenty (20) percent of the lot depth multiplied by one-half the width of the lot frontage. While the setback line may vary, the minimum yard area required shall be maintained. The architectural board of review shall determine if the minimum width or depth of the yard satisfies the intent of this section. Parking areas or driveways shall not be considered as satisfying the yard requirements. Corner lots will be considered as having two (2) street frontages and, subsequently, two yard areas.
  2. When a building in the TC-P zone abuts a public alley or parking area and possesses a rear entry that faces the public alley and parking area, then a portion of the required front yard may be developed and maintained at the rear of the building.
  3. When the TC-P zone abuts a residential zone it shall comply with the minimum yard requirements of the residential zone.
- G. *Yards - Structures exceeding two and one-half stories or 35 feet in height.* When buildings or structures exceed two and one-half (2 ½) stories or thirty-five (35) feet in height, the following method shall be used to determine the setback:
1. All structures shall observe an average angle setback of fifty (50) degrees when abutting a public dedicated street, measured from the existing property line or the ultimate right-of-way line.



2. When the TC-P zone abuts residentially zoned property, all structures shall observe an average angle setback of fifty (50) degrees measured from the property line separating the two zones.
  3. When the TC-P zone abuts a public alley which is the boundary between the zone and any residential zone, all structures shall observe an average angle setback of fifty (50) degrees measured from the opposite side of alley.
- H. *Yards - Exceptions - Permitted projections into required yards and setbacks.* Architectural projections such as sculptural detailing and modeling, arcades, cornices, cantilevered beams and similar features may encroach into the required yard area; however, they shall be subject to the review and approval of the architectural review board. Safety, health, utility or communication equipment may encroach into the required yard when attached to the ground, provided this equipment is entirely screened with an ornamental masonry material, the same as, or equal to, that used on the main building. The equipment may project from a wall of the building or structure provided it shall also be screened with an ornamental material. If the equipment is designed in such a way as to complement the architecture of the building or structure, then it may be exposed subject to the review and approval of the architectural review board of the design and character of the equipment.
- I. *Distance between Buildings.* A minimum distance between buildings or structures on the same lot shall not be less than ten (10) feet. The architectural review board may modify this distance if it involves architectural features.

## 17.08.200 TC-C TOWN CENTER COMMERCIAL ZONE (TOWN CENTER SPECIFIC PLAN)

The TC-C Zone District is intended to serve as a general commercial trading area, emphasizing unique services and specialty shops which preserve the character of the town center and promote a pedestrian-oriented environment. Uses permitted, conditionally permitted, and prohibited in the TC-C Zone are identified in Table 17.04-2.

- A. *General Property Development Standards.* The standards contained in 17.52.060 through 17.52.250 shall apply to all buildings, structures and land uses for permitted uses in this zone. In addition all buildings and structures in this zone shall be subject to review by the architectural board of review.
- B. *Lot area.* All buildings or structures proposed on any parcel in this zone shall be reviewed by the planning department in accordance with Chapter 17.64 CMC (Site Plan Review). The owner, builder or developer shall provide such data and information which will assist in the determination of the adequacy of the parcel's size and dimension. Where it is found by the planning department that the parcel is insufficient in size and dimension in accordance with Chapter 17.64 CMC, the owner, builder or developer will be advised and no building permit shall be issued if subject parcel is found to be inadequate. The lot will be sufficient if it can accommodate the minimum parking, open space, landscape and yard requirements for the size of the building proposed.
- C. *Lot dimensions.* For provisions on this subject, see CMC 17.52.060.
- E. *Building Height Requirements.* No building shall exceed a height of four (4) stories except by conditional use permit.
- F. *Yards, Structures less than two and one-half stories or 35 feet in height.* When buildings or structures are less than two and one-half (2 ½) stories or thirty-five (35) feet in height, the following method shall be used to determine yard setback requirements:



1. When the TC-C Zone District fronts, sides or rears on a street, there shall be a minimum yard area abutting the street equal to twenty (20) percent of the lot depth multiplied by one-half the width of the lot frontage. While the setback line may vary, the minimum yard area required shall be maintained. The architectural board of review shall determine if the minimum width or depth of the yard satisfies the intent of this section. Parking areas or driveways shall not be considered as satisfying the yard requirements. Corner lots will be considered as having two street frontages and, subsequently, two yard areas.
  2. When a building in the TC-C Zone District abuts a public alley or parking area and possesses a rear entry which faces the public alley and parking area, then a portion of the required front yard may be developed and maintained at the rear of the building.
  3. When the TC-C Zone District abuts a residential zone it shall comply with the minimum yard requirements of the residential zone.
- G. *Yards - Structures exceeding two and one-half stories or 35 feet in height.* When buildings or structures exceed two and one-half stories or thirty-five 35 feet in height, the following method shall be used to determine the setback:
1. All structures shall observe an average angle setback of 50 degrees when abutting a public dedicated street, measured from the existing property line or the ultimate right-of-way line.
  2. When the TC-C Zone District abuts residentially zoned property, all structures shall observe an average angle setback of fifty (50) degrees measured from the property line separating the two zones;
- C. When the TC-C Zone District abuts a public alley which is the boundary between the zone and any residential zone, all structures shall observe an average angle setback of fifty (50) degrees measured from the opposite side of alley.
- H. *Yards - Exceptions - Permitted projections into required yards and setbacks.* Architectural projections such as sculptural detailing and modeling, arcades, cornices, cantilevered beams and similar features may encroach into the required yard area; however, they shall be subject to the review and approval of the architectural review board. Safety, health, utility or communication equipment may encroach into the required yard when attached to the ground, provided this equipment is entirely screened with an ornamental masonry material, the same as, or equal to, that used on the main building. The equipment may project from a wall of the building or structure provided it shall also be screened with an ornamental material. If the equipment is designed in such a way as to complement the architecture of the building or structure, then it may be exposed subject to the review and approval of the architectural review board of the design and character of the equipment.

## 17.08.210 M-1 ZONE (LIGHT MANUFACTURING ZONE)

The M-1 (light manufacturing) Zone District is intended to provide for the development of industrial uses which include fabrication, manufacturing, assembly or processing of materials that are in already processed form.

- A. *General Property Development Standards.* The property development standards contained in 17.54.060 through 17.54.310 shall apply to all land and buildings in the M-1 Zone District, except that any lot existing on the effective date of the ordinance codified in this title which is substandard in dimensions may be used subject to all other standards.



- B. *Lot area.* There are no lot area provisions in the M-1 Zone District.
- C. *Lot dimensions.* All lots hereafter created shall comply with the following minimum standards and lots now existing may not be reduced below these standards:
1. There are no lot width provisions;
  2. Each lot shall have a minimum depth of one-hundred and fifty (150) feet.
- D. *Building Height Requirements.* No building or structure erected in this zone shall have a height greater than fifty (50) feet except by conditional use permit. The exceptions to the height limitations and general requirements governing roof structures are indicated in Section 17.08.80 of this Chapter.
- E. *Yards.* Yards shall be measured perpendicular to the property line or from the future right-of-way line as established by the City of Covina General Plan for an existing right-of-way.
1. Where the M-1 Zone District fronts, sides or rears on a major or secondary highway which is a boundary between the M-1 and any commercial or other manufacturing zone, there shall be a yard abutting the highway of not less than twenty-five (25) feet. The required yard may be landscaped or used for parking; however, it shall not be used for loading or storage.
  2. Where the M-1 Zone District fronts, sides or rears on a local street which is a boundary between any M-1 zone and any commercial or other manufacturing zone, there shall be a yard abutting the street of not less than 10 feet. The required yard may be landscaped or used for parking; however, it shall not be used for loading or storage.
  3. Where the M-1 Zone District fronts, sides or rears on a major or secondary highway which is a boundary between the M-1 and any residential or agricultural zone, except as provided in subsection (G) of this section, there shall be a yard abutting the highway of not less than fifty (50) feet. A solid masonry wall not less than three (3) feet or more than four (4) feet in height shall be provided five (5) feet from and parallel with the front, side or rear property line abutting the highway. The space between the required wall and the property line shall be landscaped and maintained. The remainder of the required yard may be used for parking, but shall not be used for loading or storage.
  4. Where the M-1 Zone District fronts, sides or rears on a local street which is a boundary between the M-1 zone and any residential or agricultural zone, except as provided in subsection (G) of this section, there shall be a yard abutting the street of not less than eighty-five (85) feet. The twenty-five (25) feet nearest the street shall be landscaped and maintained. The remainder may be either landscaped or used for parking, but shall not be used for loading or storage.
  5. Where the M-1 Zone District sides or rears on any alley which is a boundary between the M-1 and any residential or agricultural zone, except as provided in subsection (G) of this section, there shall be a yard abutting the alley of not less than eighty (80) feet measured from the side of the alley opposite the subject M-1 property. The required yard may be used for parking or storage; provided, that items are not stacked higher than the required wall. Single objects, not stacked or piled, each having a height greater than six (6) feet may be stored in the required yard; provided, that an unobstructed aisle not less than six (6) feet in width is maintained between such storage area and any side or rear property line. A solid masonry wall not less than five (5) feet or more than six (6) feet in height shall be erected on the property line abutting the alley, excepting where the alley is used as access for servicing. The yard may be used for loading, provided the wall is erected not less than thirty (30) feet from the side of the alley opposite the subject property. Access



may be provided through the wall as approved by the Community Development Director or his/her designee.

6. Where the M-1 Zone District sides or rears on a railroad right-of-way which is the boundary between the M-1 and any residential or agricultural zone, except as provided in subsection (G) of this section, there shall be a yard of not less than fifty (50) feet measured from the opposite side of the railroad right-of-way. The required yard may be used for parking, loading or storage, provided items are not stacked higher than six (6) feet. Single objects, not stacked or piled, each having a height greater than six (6) feet may be stored in the required yard; provided, that an unobstructed aisle not less than six (6) feet in width is maintained between such storage area and any side or rear property line. A railroad loading dock is the only structure permitted in the required yard abutting a railroad right-of-way.
  7. Where the M-1 Zone District sides or rears on a drainage channel right-of-way which is the boundary between the M-1 and any residential or agricultural zone, except as provided in subsection (G) of this section, there shall be a yard of not less than eighty (80) feet measured from the opposite side of the channel right-of-way. The required yard may be used for parking, loading or storage, provided items are not stacked higher than six (6) feet. Single objects, not stacked or piled, each having a height greater than six (6) feet may be stored in the required yard; provided, that an unobstructed aisle not less than six (6) feet in width is maintained between such storage area and any side or rear property line.
  8. Where the M-1 Zone District sides or rears directly on a residential or agricultural zone with no street, highway, alley, drainage channel right-of-way or railroad right-of-way between, except as provided 17.54.020(A) and subsection (G) of this section, there shall be a yard of not less than eighty (80) feet. The commercial uses listed in 17.54.020(A) shall have a yard of not less than twenty (20) feet. A solid masonry wall not less than five (5) feet or more than six (6) feet in height shall be erected on the zone boundary line. The wall shall be reduced to not more than three (3) feet in height in any required yard abutting a street. The required yard may be used for parking or storage provided items are not stored higher than the required wall.
  9. Where the M-1 Zone District fronts directly on a public park or fronts on a street which is a boundary with a public park, there shall be a yard abutting the street of not less than twenty-five (25) feet. The required yard may be landscaped or used for parking; however, it shall not be used for loading or storage. If across a local street from a park site, a wall not less than five feet nor more than six feet in height shall be erected on the setback line where there is loading or storage to the rear of the line. Where the M-1 Zone District sides or rears on a public park, or sides or rears on a major or secondary highway, local street, alley, railroad right-of-way or drainage channel right-of-way, which is a boundary with a public park, no yard shall be required. A solid masonry wall of not less than five feet nor more than six (6) feet in height shall be erected on the side or rear property line where there is no building on the line. Access may be provided through the wall as approved by the planning director at the time of site plan review.
- G. *Substandard depth lots existing and zoned M-1.* Lots existing and zoned M-1 on the effective date of the ordinance codified in this title which are substandard in depth shall comply with the following:
1. When such a lot fronts, sides or rears on a street which is a boundary with a residential or agricultural zone, there shall be a yard abutting the street of not less than ten (10) feet, except as provided in subsection (C) of this section. The required yard shall be landscaped and maintained. If across a local street from a residential or agricultural zone, except as provided in subsection (C) of this section, a solid masonry wall not less than five (5) feet or



more than six (6) feet in height shall be erected on the setback line where there is no building on the line and where there is parking, loading or storage to the rear of the line.

2. When such a lot abuts a residential or agricultural zone, except as provided in subsection (C) of this section, there shall be a yard of not less than twenty-five (25) feet abutting the zone boundary. A solid masonry wall of not less than five (5) feet or more than six (6) feet in height shall be erected on the zone boundary line. The required yard may be used for parking, loading or storage, provided items are not stacked higher than the required wall. Single objects not stacked or piled, each having a height greater than six (6) feet, may be stored in the required yard; provided, that an unobstructed aisle not less than six (6) feet in width is maintained between such storage area and any side or rear property line.
3. When such a lot fronts directly on a public park or fronts on a street which is a boundary with a public park, there shall be a yard abutting the street of not less than twenty-five (25) feet. The required yard may be landscaped or used for parking; however, it shall not be used for loading or storage. If across a street from a park site, a wall not less than five (5) feet or more than six (6) feet in height shall be erected on the setback line where there is loading or storage to the rear of the line. When such lot sides or rears on a public park, no yard shall be required.

## 17.08.220 OUTDOOR DINING OVERLAY ZONE

The purpose of this Section is to establish regulations to allow limited dining and commercial display to encroach into the public right-of-way as an ancillary component of an adjacent primary business which is located on private property. It is intended that such outdoor dining and display will not unduly restrict public access or utilize a design that detracts from the image and appearance of the surrounding area.

- A. *Outdoor Dining and Display Districts.* Outdoor dining and display shall be permitted to encroach into the public right-of-way pursuant to this chapter in the following areas:
  1. The town center-commercial (TC-C) and town center-professional (TC-P) zone districts where the encroachment is on Citrus Avenue, Badillo Street, College Street, School Street, Italia Street, Orange Street, Cottage Street and San Bernardino Road.
  2. The regional or community shopping center (C-3A) zone district where the encroachment is on or abutting Shoppers Lane.
  3. Notwithstanding any provisions of this chapter, the outdoor display of pennant/flags shall be permitted in the town center-commercial (TC-C) and town center-professional (TC-P) zones and in the Shoppers Lane district of the C-3A zone as outlined in 17.74.063.
- B. *Location.* Outdoor dining and display in the public right-of-way shall not extend beyond the boundaries of the primary business property to which such activity is subordinate. Outdoor display may not encroach more than two feet into the public right-of-way however, a clear pedestrian pathway shall be maintained the full width of the property. The pathway shall maintain a minimum unobstructed passageway of five feet as measured from the dining area to any obstruction including but not limited to light standards, benches, street trees and newsracks.
- C. *Insurance.* The permittee shall maintain general liability insurance for the benefit of the City of a type and amount as determined appropriate by the City Manager.



- D. *General Development Standards.* The following general development standards are applicable to outdoor dining uses.
1. Facilities and equipment shall be of a quality and style that is consistent with the downtown design guidelines adopted by the Covina Redevelopment Agency and any other applicable design standards and policies. The design, quality, materials and colors used for chairs, tables, lighting and other fixtures shall complement the architectural style and colors used on the adjacent buildings.
  2. Outdoor dining areas that have more than four (4) tables or more than eight (8) chairs shall separate the dining area from the walkway with fencing, swag roping, decorative plants, landscape planters, or other architectural barriers that prevent encroachment of tables and chairs into the five (5) foot pathway being maintained for pedestrian access. Outside dining areas that have more than eight (8) tables or more than sixteen (16) chairs must provide permanent fencing between the dining area and the walkway. The Community Development Director or his/her designee may relax this standard when it is clear that there is no reasonable possibility of tables or chairs being moved to encroach on the required pedestrian pathway.
  3. Lighting will be required for outdoor dining areas where food will be eaten during the evening hours. The lighting fixtures must be decorative and complement the architectural character of the building and area. Lights mounted on the building shall not cause direct glare or other visual obstruction to pedestrians or vehicle drivers along the street and public walkway, and should illuminate only the sidewalk area.
  4. Portable umbrellas may be permitted provided they do not obstruct the public right-of-way or walkway, and do not contain advertising.
- E. *Operational Standards.* The following operational standards are applicable to outdoor dining uses.
1. The owner of the primary business is responsible for proper operation of the outdoor dining area. Outdoor dining shall be continuously supervised by management or employees. Food establishments serving alcoholic beverages shall have a supervisor, at least twenty-one (21) years of age, on-site at all times of operation. Any behavior that disturbs customers or passersby on the sidewalk will constitute grounds for revocation of any permit(s) to operate an outdoor dining area.
  2. Establishments are required to maintain all areas in and around the sidewalk dining area in a manner which is clean and free of litter and debris.
  3. The outdoor dining hours of operation shall be limited to the hours of operation of the associated food or beverage establishment.
  4. All plans and permits for the outdoor dining area approved by the City must be kept on the premises for public inspection at all times during which the associated establishment is open for business.
  5. Outdoor dining areas shall be operated in a manner that meets all requirements of the health department of Los Angeles County and all other applicable regulations, laws, ordinances and standards. Food establishments serving alcoholic beverages shall also obtain all necessary permits required by the State Alcoholic Beverage Control Department.



## 17.08.230 OUTDOOR DISPLAY

This Section of Chapter 17.08 governs the requirements related to outdoor displays.

- A. *General Locational Standards.* The following locational standards are applicable to outdoor displays.
  - 1. All outdoor displays must be placed so as not to obstruct business entrances, pedestrian pathways and driveways.
  - 2. Outdoor displays shall not encroach more than two feet into the public right-of-way and must be placed so that the clear sidewalk space for the passage of pedestrians is at least six feet on nonarterial streets and eight feet on arterial streets.
  - 3. Outdoor displays shall be placed so as not to interfere with the reasonable use of storefront windows for display purposes by adjacent businesses.
  - 4. Outdoor displays shall not unreasonably obstruct visibility of other businesses.
  - 5. Outdoor displays shall not create a vehicle or pedestrian hazard.
- B. *General Standards.* The following general standards are applicable to outdoor displays.
  - 1. All outdoor displays shall be limited to artwork and pottery, flowers and plants, general merchandise related to the adjoining business or other items which are determined by the chief planning official to be consistent with the intent of this code and the downtown redevelopment plan.
  - 2. All outdoor displays shall be portable and removed from public view at the close of each business day.
  - 3. Outdoor displays shall be maintained in a clean, neat and attractive condition, and in good repair at all times.
  - 4. Outdoor displays shall not include signs or contain advertising materials. However, restaurant menu signs will be allowed if they do not exceed six square feet (limit one per business).
  - 5. Outdoor displays shall be limited to the hours of operation of the originating business.
  - 6. Outdoor displays shall be limited to a maximum area of one-half square foot of display area for every foot of store frontage on the street.
  - 7. The design and configuration of outside displays shall be attractive, compatible with the architecture of the building, and incorporate themes, colors and materials that are consistent with the downtown redevelopment plan.
- C. *Review Authority.* The Community Development Director or his/her designee shall have administrative authority to review and approve minor permits. The chief planning official may impose reasonable conditions to assure that the dining or display area is not detrimental to the public health, safety and welfare and is consistent with applicable redevelopment plans and design guidelines. Minor permits include:



1. Outdoor display areas that conform to the requirements of this Chapter.
  2. Outdoor dining areas which have not more than eight (8) tables or sixteen (16) chairs. For purposes of this chapter, each twenty (20) inches of space on a bench shall be considered as one chair.
  3. The Planning Commission shall have authority to review and approve dining areas with more than eight (8) tables or more than sixteen (16) chairs.
- D. *Conditions of Approval.* The Community Development Director or his/her designee or the Planning Commission, as applicable, may impose reasonable conditions of approval to ensure that outdoor dining and display areas operate in a manner that is not detrimental to the public health, safety and welfare, is consistent with all applicable codes, policies and guidelines, and enhances the image, appearance and vitality of the area in which the use is located. This includes but is not limited to authority to regulate the design, layout, materials, colors, quality and appearance of outside dining and display areas; to require security deposits, insurance and other reasonable financial guarantees and to prescribe operating terms which the permittee must follow.
- E. *Appeal.* The following appeal procedures are applicable:
1. The decision of the Community Development Director or his/her designee may be appealed to the Planning Commission.
  2. The decision of the Planning Commission may be appealed to the City Council.
  3. The above decisions must be appealed in writing to the City Clerk's office within ten (10) days after the decision is made.
- F. *Fees.* When filing an application for an outdoor dining or display permit or any related appeals, a uniform nonrefundable fee shall be paid for the purposes of defraying the costs incidental to the proceedings. The fees shall be determined by the city council and adopted by resolution which may be amended from time to time.
- G. *Encroachment Permit.* An encroachment permit must be obtained from the City before any outdoor display or dining is permitted.
- H. *Terms and Renewal.* A minor permit for an outdoor dining or display area may be approved for a maximum of one (1) year. Renewal permits may be granted for one (1) year periods. Major permits may be approved by the Planning Commission for periods of up to five (5) years. The City reserves the right to temporarily suspend the permit upon seven (7) days' notice because of anticipated or actual conflicts in the use of sidewalk areas due to street repairs, parades, festivals and other similar events.



## CHAPTER 17.09 PUBLIC/QUASI-PUBLIC ZONES

### SECTION CONTENTS

- 17.09.10 Purpose and Authority
- 17.09.20 Permitted Uses
- 17.09.30 Off-street Parking Requirements Applicable to Public/Quasi-Public Zone District
- 17.09.40 Landscaping Requirements Applicable to Public/Quasi-Public Zone District
- 17.09.50 Distance Between Buildings Requirements Applicable to Public/Quasi-Public Zone District
- 17.09.60 Access Requirements Applicable to Public/Quasi-Public Zone District
- 17.09.70 Fences, Hedges, and Wall Requirements Applicable to Public/Quasi-Public Zone District

### 17.09.10 PURPOSE AND AUTHORITY

The P-QP Zone District is intended to provide for the development and maintenance of public facilities in the City of Covina.

### 17.09.20 PERMITTED USES

Uses that are permitted, conditionally permitted, and prohibited in the P-QP Zone District are identified in Table 17.09-1.

Table 17.09-1 Permitted Land Uses For Public and Quasi-Public Zones	
Use	Permitted
<b>Administrative</b>	
Administrative/Professional Offices	P
Government Offices	P
<b>Communications Facilities</b>	
Cellular Communication Facilities	C
Cellular - Stealth	C
Cellular - Non-Stealth	C
Radio and Television Broadcasting Studios	C
Recording and Sound Studios	C
Satellite Dishes (Non-Private)	C
<b>Educational Establishments</b>	
Elementary, Junior, and High Schools/Public	P
Elementary, Junior, and High Schools/Private	P
Vocational and Trade Schools	C
<b>Public and Quasi-Public Uses</b>	
Community Recreation Centers	P



<b>Table 17.09-1 Permitted Land Uses For Public and Quasi-Public Zones (Continued)</b>	
Use	Permitted
Cultural Facilities	C
Libraries	P
Museums	C
Parks	P
Public Safety Facilities	P
Senior Citizen Activity Centers	P
<b>Religious Institutions</b>	
Churches	C
Monasteries, Convents, or Similar Religious Use	C
<b>Temporary Uses</b>	
Street/Craft Fairs and Farmers' Markets	C
Christmas Tree/Pumpkin Lots, and Similar	C
Outdoor Displays	C
Amusement Enterprises	C
<b>Transportation Facilities</b>	
Bus Passenger Terminals	N
<b>Utilities</b>	
Public Utility/Service Structures	P
Utility Company Offices	P
Water Storage, Distribution, and Collection	P
P = Permitted    C = Conditionally Permitted    A = Permitted as an Accessory	



## **17.09.30 OFF-STREET PARKING REQUIREMENTS APPLICABLE TO PUBLIC/QUASI-PUBLIC ZONE DISTRICT**

The provisions of *City of Covina Zoning Ordinance, Chapter 17.10* shall apply to all uses permitted under the P-QP Zone District.

## **17.09.40 LANDSCAPING REQUIREMENTS APPLICABLE TO PUBLIC/QUASI-PUBLIC ZONE DISTRICT**

The provisions of *City of Covina Zoning Ordinance, Chapter 17.11* shall apply to all uses permitted under the P-QP Zone District.

## **17.09.50 DISTANCE BETWEEN BUILDINGS REQUIREMENTS APPLICABLE TO PUBLIC/QUASI-PUBLIC ZONE DISTRICT**

There are no requirements for distance between buildings in the P-QP Zone District.

## **17.09.60 ACCESS REQUIREMENTS APPLICABLE TO PUBLIC/QUASI-PUBLIC ZONE DISTRICT**

This Section indicates access requirements that are applicable to all uses permitted under the P-QP Zone District.

- A. *Vehicular Access.* There shall be vehicular access from a dedicated street or alley to off-street parking facilities on the property requiring off-street parking.
- B. *Vehicular Access from Alleys.* Vehicular access to lots fronting on a major or secondary highway shall be by way of an alley or service road. When unimproved lots of record on the effective date of the ordinance codified herein cannot secure access by way of an alley or service road, there shall be a paved turning area on the lot to permit motor vehicles to head into the street.
- C. *Pedestrian Access.* There shall be a pedestrian access from a dedicated street to the commercial or industrial property.
- D. *Fire Safety Access.* The access must meet all requirements of the Fire Department.

## **17.09.70 FENCES, HEDGES, AND WALL REQUIREMENTS APPLICABLE TO PUBLIC/QUASI-PUBLIC ZONE DISTRICT**

This Section indicates the requirements related to fences, hedges, and walls related to uses permitted under the P-QP Zone District.

- A. *Fences and walls - Required walls.* A six-foot wall measured from the highest finished grade is required when the property adjoins a residential or agricultural zone. Walls shall be reduced to not more than three feet in height in any required yard abutting a street, in the area defined by a line which is the prolongation of the front yard required in the abutting residential or agricultural zone, and shall conform to corner cutback provisions.
- B. *Fences and walls - Hazardous areas.* A fence or wall not more than six feet in height may be required along the perimeter of all areas which by reason of the conditions on the property or physical hazards, such as frequent inundation, erosion, excavation or grade separation, are considered by the commission to be dangerous to the health and safety.



- C. *Fences and walls - Corner cutback area regulations.* The following regulations shall apply to all intersections of streets, alleys and private driveways in order to provide adequate visibility for vehicular and pedestrian traffic. There shall be no visual obstruction within the cutback areas established herein:
1. There shall be a corner cutback area in all intersecting and intercepting streets and alleys. The cutback line shall be a horizontal plane making an angle of forty-five (45) degrees with the side, front or rear property line, as the case may be. It shall pass through the closest intersection of yard setback lines at the corner of the lot where visibility is required.
  2. There shall be a corner cutback area on each side of any private driveway intersecting a street or alley. The cutback lines shall be in a horizontal plane making an angle of forty-five (45) degrees with side, front or rear property line, as the case may be. They shall pass through a point not less than ten (10) feet from the edges of the driveway where it intersects the street or alley right-of-way.
  3. Where, due to an irregular lot shape, a line at a forty-five (45) degree angle does not provide for intersection visibility, the corner cutback shall be defined by a line drawn from a point on the front (or rear) property line that is not less than seventeen (17) feet from the intersection of the side and front (or rear) property lines and through a point on the side property line that is not less than seventeen (17) feet from the intersection of the side and front (or rear) property lines.
  4. Fences, hedges, walls and retaining walls, not greater than six (6) feet in height, shall be permitted on or within all property lines not abutting streets and on or to the rear of all yard setback lines of yards abutting streets. Fences, hedges, walls and retaining walls not over three (3) feet in height shall be permitted in required yards abutting streets. In any required corner cutback area, only openwork fences shall be permitted. Walls, hedges and other visual obstructions are prohibited.



## CHAPTER 17.10 OFF-STREET PARKING AND LOADING

### SECTION CONTENTS

- 17.10.10 Purpose and Authority
- 17.10.20 Applicability
- 17.10.30 General Provisions
- 17.10.40 Required Parking Improvements for Off-street Parking
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- 17.10.70 Hardship Cases and Exceptions
- 17.10.80 Access Requirements for Off-street Parking Areas
- 17.10.90 Parking Facility Standards and Dimensions
- 17.10.100 Off-street Loading and Commercial Vehicle Parking
- 17.10.110 Administration and Enforcement

### 17.10.10 PURPOSE AND AUTHORITY

The purpose of this Chapter is to ensure that all land uses and development in the City of Covina have sufficient parking in order to accommodate demand and to prevent or alleviate congestion.

### 17.10.20 APPLICABILITY

This Chapter shall apply to all new construction as well as the expansion, renovation, conversion, and alteration of existing uses or structures in all zone districts. Parking and loading areas shall be provided in accordance with this Chapter when a building or structure is constructed or a new use is established. Additional off-street parking shall be provided in accordance with this section if any of the following circumstances occur:

1. An existing building is altered, or dwelling units, apartments or guest rooms are added; or
2. A use is intensified due to the addition of floor space or seating capacity; or
3. There is a change of use at the time of such alteration, addition, intensification or change of use.

### 17.10.30 GENERAL PROVISIONS

This Section outlines the general parking requirements applicable to all development in the City.

- A. *Maintenance of Parking Areas.* All covered or uncovered off-street parking and loading facilities required by this Chapter shall be permanently reserved for parking and loading purposes. All parking facilities, including but not limited to, curbs, directional markings, handicapped symbols, landscaping, pavement, signs, striping and wheel stops, etc., shall be permanently maintained by the property owner/tenant in good repair, free of litter and debris, potholes, obstructions and stored material.
- B. *Restrictions Regarding Use of Parking Areas.* Required parking spaces and areas shall not be used for the sale or display of goods and services, the sale, display, repair or dismantling of motor vehicles, or for the storage of any property.



- C. *Truck Parking Prohibited in Residential Zones.* The parking of commercial vehicles weighing six-thousand (6,000) pounds or more shall be prohibited in all residential zones. This restriction applies to both on-street and off-street parking.
- D. *Temporary Parking.* Parking areas in any zone may be used for temporary, special events with authorization from the owner or operator of the parking area and the Community Development Director and his/her designee. The Community Development Director and his/her designee may impose conditions as a means to mitigate any potential adverse effect on surrounding properties.

## 17.10.40 REQUIRED PARKING IMPROVEMENTS FOR OFF-STREET PARKING

All public, semipublic, and private parking areas that are to be used for the parking of vehicles shall be improved as follows:

- A. *Surface Materials.* Parking areas shall be paved with hard, durable asphaltic paving at least two and one-half (2 ½) inches thick after compaction, or with Portland cement paving with a minimum thickness of least four (4) inches.
- B. *Surface Parking Lots Abutting Residential Zone.* Where surface parking lots are located next to a residentially zoned lot, a masonry wall of not less than five (5) feet nor more than six (6) feet in height, shall be erected and maintained between the parking lot and the adjoining residential property. The wall must be located behind the required front setback line of the adjoining residential properties. The wall shall not be located less than two and one-half (2 ½) feet and not more than three (3) feet from the required front setback line to the front property line.
- C. *Light and Glare.* Any lighting in the parking area shall be designed and located so as to reflect the light away from adjoining premises. The lighting of parking areas shall be designed in accordance with the standards for light and glare provided in Chapter 17.09.
- D. *Drainage.* The drainage requirements of any surface parking area shall be subject to the approval of the Public Works Director of the City of Covina.
- E. *Parking Areas Abutting Street or Sidewalk.* Parking areas that abut a public sidewalk or street must have a masonry wall at least two (2) feet in height though no more than three (3) feet in height. These walls shall be erected and maintained between the parking lot and the public sidewalk or street.
- F. *Landscaping.* Landscaping of parking areas for commercial and industrial zoned properties shall be provided according to the requirements of Chapter 17.06.

## 17.10.50 PARKING REQUIREMENTS FOR LAND USES

Each land use shall provide the minimum number of off-street parking spaces required by this Section, except where a greater number of spaces are required through conditional use permit conditions of approval.

- A. *Off-street Parking Requirements.* Off-street parking and loading spaces must be provided with adequate ingress and egress for any new structure; any new established land use; any addition to or enlargement of an existing structure or use; or for any change in the occupancy of any structure or use that would result in additional demand for parking or loading spaces.



Any additional parking or loading required will be based on that required only for the addition, enlargement, or change in use and not for the entire structure or use. Table 17.10-1 specifies the number of off-street parking spaces required for permitted land uses. The loading space requirements are indicated in Section 17.10.100 of this Chapter.

<b>Table 17.10-1 Off Street Parking Requirements</b>	
Land Use	Parking Required
<b>Section A. Residential Uses</b>	
A-1 Single-family residential unit	Two (2) enclosed spaces/unit (accessory units that are rentals must provide one (1) additional space for each bedroom)
A-2 Duplex units	Two (2) spaces plus one (1) for each bedroom in excess of three (3) bedrooms. <sup>3</sup>
A-3 Apartment, bachelor unit	Two (2) spaces plus one (1) for each bedroom in excess of three (3) bedrooms. <sup>3</sup>
A-4 Apartment, one bedroom unit	Two (2) spaces plus one (1) for each bedroom in excess of three (3) bedrooms. <sup>3</sup>
A-5 Apartment, two bedroom unit	Two (2) spaces plus one (1) for each bedroom in excess of three (3) bedrooms. <sup>3</sup>
A-6 Apartment, three bedroom unit	Two (2) spaces plus one (1) for each bedroom in excess of three (3) bedrooms. <sup>3</sup>
A-7 Apartment, three bedroom unit	Two (2) spaces plus one (1) for each bedroom in excess of three (3) bedrooms. <sup>3</sup>
<b>Section B. Office, Retail, and other Commercial Uses</b>	
B-1 Office, general (<10,000 sq. ft. of floor area) <sup>1</sup> .	One (1) space per 250 sq. ft. of floor area. <sup>1</sup>
B-2 Office, general (10,000+ sq. ft. of gross floor area) <sup>1</sup> .	One (1) space per 300 sq. ft. of floor area. <sup>1</sup>
B-3 Office, finance incl. banks	One (1) space per 200 sq. ft. of floor area. <sup>1</sup>
B-4 Office, medical	Refer to Section E.
B-5 Personal Services (barbers, salons, nails)	One (1) space per work station or one (1) space per 150 sq. ft. of floor area, whichever is greater. <sup>1</sup>
B-6 Health Club	One (1) space per 200 sq. ft. of floor area. <sup>1</sup>
B-7 Retail (<2,000 sq. ft. of floor area) <sup>1</sup> .	One (1) space per 200 sq. ft. of floor area. <sup>1</sup>
B-8 Retail (2,000 to 5,000 sq. ft. of floor area) <sup>1</sup> .	One (1) space per 250 sq. ft. of floor area. <sup>1</sup>
B-9 Retail (>5,000 sq. ft. of floor area) <sup>1</sup> .	One (1) space per 300 sq. ft. of floor area. <sup>1</sup>



<b>Table 17.10-1 Off Street Parking Requirements (continued)</b>	
Land Use	Parking Required
B-10 Commercial Center (<10,000 sq. ft. of gross floor area) <sup>1,...</sup>	One (1) space per 200 sq. ft. of floor area (five [5] spaces per 1,000 sq. ft. of floor area). <sup>1</sup>
B-11 Commercial Center (10,000 sq. ft. to 24,999 sq. ft. of floor area) <sup>1</sup> .	One (1) space per 250 sq. ft. of floor area (four [4] spaces per 1,000 sq. ft. of floor area). <sup>1</sup> .
B-12 Commercial Center (25,000+ sq. ft. of gross floor area) <sup>1</sup> .	One (1) space per 300 sq. ft. of floor area (3.3 spaces per 1,000 sq. ft. of floor area). <sup>1</sup> .
<b>Section C. Lodging</b>	
C-1 Hostel/Boarding Houses	One (1) space for each room or sleeping unit.
C-2 Hotel (< 100 rooms)	One (1) space per one (1) guest room <i>plus</i> one (1) additional space for every ten (10) rooms. <sup>2</sup> Additional parking will be required to accommodate banquet facilities, bars, and restaurants (refer to Section F).
C-3 Hotel (100 to 200 rooms)	Three-quarter (3/4) space per guest room <i>plus</i> one (1) space for every ten (10) rooms. <sup>2</sup> Additional parking will be required to accommodate banquet facilities, bars, and restaurants (refer to Section F).
C-4 Hotel (201+ rooms)	Three-quarter (3/4) space per guest room <i>plus</i> one (1) space for every ten (10) rooms. <sup>2</sup> Additional parking will be required to accommodate banquet facilities, bars, and restaurants (refer to Section F).
C-5 Motels (automobile courts)	One (1) space per one (1) guest unit <i>plus</i> one (1) additional space for every ten (10) rooms. <sup>2</sup> Additional parking will be required to accommodate banquet facilities, bars, and restaurants (refer to Section F).
<b>Section D. Entertainment/Assembly Uses</b>	
D-1 Arenas and Auditoriums	One (1) space for every three (3) fixed seats or one (1) space for each every 35 sq. ft of floor area used for the primary assembly purpose.
D-2 Bowling alleys	Five (5) spaces for each lane.
D-3 Dance halls, public and private	One (1) space for each 35 square feet of floor area reserved for dancing. <sup>1</sup>
D-4 Gymnasiums or health studios	One (1) space for each 600 square feet of floor area. <sup>1</sup>
D-5 Theaters	One (1) space for every three (3) fixed seats.
D-6 Adult Entertainment	One (1) space for every two (2) fixed seats <i>plus</i> one (1) space for every 100 sq. ft. of floor area. <sup>1,2</sup>
D-7 Other Assembly Uses	One (1) space for every three (3) fixed seats or one (1) space for each every 35 sq. ft of floor area used for the primary assembly purpose, whichever amount is greater.



Table 17.10-1 Off Street Parking Requirements (continued)	
Land Use	Parking Required
<b>Section E. Medical Uses</b>	
E-1 Hospitals	One and one-half (1 ½) space per bed.
E-1 Medical or dental clinics and medical professional offices	One (1) space for every 150 sq. ft. of floor area. <sup>1</sup>
E-1 Convalescent hospitals, nursing homes and skilled care facilities.	One (1) space per three (3) beds.
<b>Section F. Food and Beverage Service Uses</b>	
F-1 <1,000 sq. ft. of floor area. <sup>1</sup>	One (1) space for every 200 sq. ft. of floor area. <sup>1</sup>
F-2 1,000 sq. ft. to 3,999 sq. ft. of gross floor area.	One (1) space for every 100 sq. ft. of floor area. <sup>1</sup>
F-3 4,000 sq. ft. or greater of floor area. <sup>1</sup>	Forty (40) spaces plus one (1) for each 50 sq. ft. of floor area in excess of 4,000 sq. ft. <sup>1</sup>
<b>Section G. Manufacturing/Warehousing</b>	
G-1 Manufacturing (1,500 sq. ft. or less of floor area). <sup>1</sup>	One (1) space for every 300 sq. ft. of floor area. <sup>1</sup> Additional parking for office uses must be provided per Section G-8.
G-2 Manufacturing (1,501 sq. ft. to 3,000 sq. ft. of floor area). <sup>1</sup>	One (1) space for every 500 sq. ft. of floor area. <sup>1</sup> Additional parking for office uses must be provided per Section G-8.
G-3 Manufacturing (3,001 sq. ft. to 10,000 sq. ft. of floor area). <sup>1</sup>	One (1) space for every 750 sq. ft. of floor area. <sup>1</sup> Additional parking for office uses must be provided per Section G-8.
G-4 Manufacturing (10,001 sq. ft. of floor area and greater). <sup>1</sup>	One (1) space for every 1,000 sq. ft. of floor area. <sup>1</sup> Additional parking for office uses must be provided per Section G-8.
G-5 Public Storage	One (1) space for every 2,000 sq. ft. of floor area. <sup>1</sup> Additional parking for office uses must be provided per Section G-8.
G-6 Warehousing/Distribution (less than 10,000 sq. ft. of floor area).	One (1) space for every 500 sq. ft. of floor area. <sup>1</sup> Additional parking for office uses must be provided per Section G-8.
G-7 Warehousing/Distribution (10,000 sq. ft. or more floor area).	One (1) space for every 1,000 sq. ft. of floor area. <sup>1</sup> Additional parking for office uses must be provided per Section G-8.
G-8 Offices ancillary to the primary manufacturing warehousing use.	One (1) space for every 300 sq. ft. of gross floor area if the floor area devoted to office uses account for 25% or more of the total gross floor area.



Table 17.10-1 Off Street Parking Requirements (continued)	
Land Use	Parking Required
<b>Section H. Institutional and Educational Uses</b>	
H-1 Churches, synagogues, mosques, and other places of worship.	One (1) space for each six (6) fixed seats within the sanctuary or primary worship area. Where there are no fixed seats, one (1) space for every 300 square feet of assembly area is required. <sup>4</sup>
H-2 Day care school	<u>One for each employee</u>
H-3 Elementary and Middle	One and one-half (1 ½ ) space per classroom plus one (1) space for every 300 square feet of office and administrative use. <sup>1</sup>
H-4 High school and college	One (1) space for each three (3) students with the number of students determined by the school's maximum design enrollment.
H-4 Trade, business or private schools	One (1) space for each two (2) fixed seats or one (1) space for each 100 square feet of floor area used for assembly and not containing fixed seats, whichever amount is greater. <sup>1</sup>
I-1 Mixed Use, Retail	One (1) space for each 200 square feet, minus 15% credit for common usage of parking stalls. <sup>1</sup> Shared parking requirements will also be applicable (refer to Section 17.05.60)
I-2 Mixed Use, Office	One (1) space per 250 sq. ft. of floor area, minus 15% credit for common usage of parking stalls. <sup>1</sup> Shared parking requirements will also be applicable (refer to Section 17.05.60)
I-3 Mixed Use, Residential	A 25% credit will be calculated if project meets the requirements of a transit oriented development (refer to Section 17.05.60).
<p>1. Floor area refers to the gross floor area.</p> <p>2. The additional incremental increase in the parking requirements is to accommodate employee parking demand.</p> <p>3. Guest parking shall be provided at a rate of one space per every five units. Credit for guest parking spaces shall be allowed for street frontage (exclusive of alleys) upon which parking is not prohibited and which abuts the property line. The amount of on-street parking available to any development shall be computed at the rate of one space per 22 feet</p> <p>4. Ancillary areas used for offices, education, counseling, etc. will be required and will be calculated according to one (1) space per 200 sq. ft. of floor area.</p> <p><i>Combined Uses.</i> Where two or more uses exist within a single building, parking shall be calculated based on the percentage of floor area devoted to each use.</p> <p><i>Compact and Handicap Parking.</i> The calculation of the number of compact and handicap parking spaces to be provided shall be based on the total number of spaces required as indicated in Section 17.10.50 E and F.</p>	

B. *Unspecified Land Use.* If a land use is not specifically listed in Table 17.10-1, the Community Development Director or his/her designee shall decide which standard(s) most closely reflect the demand for parking that will be generated by the proposed use. In the event the determination of the Community Development Director or his/her designee is deemed to be unsatisfactory or unreasonable by the applicant, the applicant may appeal the Community Development Director or his/her designee's determination to the Planning Commission (refer to Chapter 17.80 regarding appeals).



- C. *Reduction of Spaces.* No reduction of required parking spaces shall be allowed except through the approval of a Variance in accordance with Section 17.80.
- D. *Off-street Parking for Common facilities.* Common parking facilities may be provided in lieu of the individual requirements as long as the requirements contained in Section 17.10.60 are met.
- E. *Off-street Parking for Disabled.* The following requirements govern the provision of parking for disabled persons.
  - 1. The parking requirements for handicapped stalls are indicated in Table 17.10-2. The required parking stalls for disabled persons are calculated as a proportion of the total stalls within the parking lot. Refer to the Uniform Building Code, Title 24 for requirements applicable to parking areas that exceed the total parking spaces (161 spaces and greater) shown in Table 17.10-2. Refer to the State Vehicle Code (Section 22511.8) for the requirements related to the posting handicapped parking stalls.

Table 17.10-2 Disabled Parking Requirements	
Parking Lot Characteristics (Total No. of Parking Spaces)	Parking Spaces Required
Less than forty (40) spaces.	One (1) space
Forty-one (41) to eighty (80) spaces.	Two (2) spaces
Eighty-one (81) to one-hundred and twenty (120) spaces.	Three (3) spaces
One-hundred and twenty-one (121) to one hundred and sixty (160) spaces.	Four (4) spaces
One hundred and sixty-one (161) spaces to three-hundred (300) spaces.	Five (5) spaces

- 2. The handicapped parking stalls shall be located no more than one hundred (100) feet from the main entrance(s) of the building(s) that will be served by the parking area. The minimum size of a handicapped stall shall be fourteen (14) feet in width by nineteen (19) feet in length in addition to a five (5) foot access.
  - 3. All handicapped stalls shall be marked and signed with the handicapped symbols pursuant to the applicable Building Code requirements. The stalls shall be painted parking lot blue with the handicapped symbol at the entrance of the parking space.
  - 4. In order to satisfy the handicapped parking requirements, existing parking areas may be reduced by an amount necessary to satisfy the minimum requirements of the City for handicapped parking.
- F. *Compact Parking.* Up to fifty (50) percent of the parking stalls in a parking lot providing twenty (20) or more stalls may be designated as compact parking stalls. The City shall require a Conditional Use Permit pursuant to Section 17.80 to allow .



### 17.10.60 COMMON, SHARED (JOINT USE) AND REMOTE PARKING REQUIREMENTS.

Certain types of land uses or combinations of land uses may be eligible for a parking reduction if it can be demonstrated that such uses may benefit from common or shared-parking. For example, land uses that are operational during the daytime and weekday periods may provide shared parking opportunities for uses that operate during the evening and/or weekend periods. This section indicates the procedures applicable to applications requesting either shared-parking or remote parking.

- A. *Off-street parking for Common facilities.* Common parking facilities may be provided in lieu of the individual parking requirements contained in Section 17.05.50. Such facilities shall be approved by the Planning Commission as to size, shape and relationship to business sites to be served; provided, that the total of such off-street parking spaces when used together shall not be less than the sum of the various uses computed separately. When any such common facility is to occupy a site of 5,000 square feet or more, then the parking requirements as specified in this Chapter for each of two or more participating buildings or uses may be reduced not more than fifteen (15) percent upon approval of development plans by the planning commission in the manner set forth in Section 17.80 (Variances).
- B. *Conditions for Shared Parking.* The following conditions must apply for shared parking to be permitted.
  1. The building(s) or uses must be located within one-hundred and fifty (150) feet of the parking facility that is to be shared.
  2. The uses that will share the parking facility shall be located on the same lot or contiguous lots.
  3. The applicant shall show that there is no substantial conflict in the principal operating hours for the building(s) or use for which the joint use of off-street parking is proposed. Parties concerned in the joint use of off-street parking facilities shall provide evidence regarding an agreement for such joint use through a proper legal instrument approved by the City Attorney and Planning Commission as to form and content. The agreement shall be approved by the City Attorney and Community Development Director or his/her designee and shall be recorded with the Los Angeles County Recorder. The agreement shall continue to be valid upon any change of ownership of the properties subject to the agreement.
  5. Shared parking arrangements must be authorized by any discretionary permit that is issued for the uses that will utilize the shared parking. Where no discretionary permit is required, such shared parking arrangements shall meet all other requirements of this Subsection B.
- C. *Required Circumstances for Shared Parking.* The Planning Commission may authorize the joint use of parking facilities under the following circumstances:
  1. Up to fifty (50) percent of the parking facilities for a use considered to be primarily a daytime use may be provided by a use considered to be primarily a nighttime use.
  2. Up to fifty (50) percent of the parking facilities for a use considered to be primarily a nighttime use may be provided by a use considered to be primarily a daytime use.
  3. Up to one hundred (100) percent of the parking facilities for a church or for an auditorium incidental to a public or parochial school may be supplied by parking facilities of a use considered to be primarily a daytime use.



4. All shared (reciprocal) parking permitted in Subsections 1 through 3 above shall be subject to conditions set forth in Section 17.10.60.B.
- D. *Special Study Required for Shared Parking.* Two (2) or more uses may share parking facilities, subject to the approval of the Community Development Director or his/her designee and the provisions of this Section. A parking demand analysis for the uses proposed to share parking facilities shall be prepared. The parking demand analysis shall be prepared pursuant to the methodology outlined in the Urban Land Institute's *Methodology for Determining Shared Parking*. In no event, however, shall the parking requirement be reduced below the highest peak parking requirement of the use requiring the most parking.
- D. *Remote Parking.* The following conditions must apply for remote parking.
1. Remote parking may be permitted for multi-family structures and commercial and industrial uses, provided such parking facilities are located no more than three hundred (300) feet from the uses they are intended to serve.
  2. Remote parking for hospitals, sanitariums, homes for the aged, asylums, orphanages, rooming houses, lodging houses, club rooms, and fraternity and sorority houses shall be located not more than one hundred and fifty (150) feet from the building(s) they are required to serve.
  3. A covenant for use of the lot for parking shall be required between the owner of the lot supporting the proposed use and the owner of the lot to be used for the remote parking. The covenant for remote parking shall be prepared by the City and recorded with the Los Angeles County Recorder. The covenant may not be revoked, modified, or canceled without the consent of the City.
  4. Any agreement for remote parking shall be incorporated into any required discretionary permit issued for the proposed use that requires the remote parking. Where no other application is involved, a conditional use permit shall be required to authorize the request for remote parking.

## 17.10.70 HARDSHIP CASES AND EXCEPTIONS

- A. *Hardship Cases.* Whenever practical difficulties or unnecessary hardships result or it is physically impossible to reasonably comply with the parking requirements contained in this Chapter, the applicant may request a parking variance subject to the requirements outlined in Section 17.80.
- B. *Parking District Exceptions.* The provisions of the preceding Sections (17.10.10 through 17.10.60) shall apply uniformly throughout the City, except as provided in this Section:
1. Property located within the territorial limits of any completed proceeding for the formation of an off-street parking district shall be deemed to have complied with the provisions of Sections 17.10.50 through 17.10.80 to the extent that the property has been originally assessed to provide for off-street parking. Each assessment parcel within a parking district, as defined on the original assessment roll of the district, shall be deemed to have complied with Sections 17.10.50 through 17.10.80 to the extent that the amount of the original assessment levied against that parcel divided by the quotient derived from dividing the original total amount of money assessed against the properties within the district by the original total number of square feet of parking area provided by the parking



district. The quotient shall be calculated so as to convert the amount of each assessment into the number of square feet of parking area paid for by the assessment, and the number of square feet so calculated shall be deducted from the total amount of off-street parking required by Sections 17.10.50 through 17.10.80.

2. Property located within the territorial limits of Parking District No. 1 shall receive additional credit toward compliance with Sections 17.10.50 through 17.10.80 for parking spaces purchased by the district from proceeds of the annual assessment for expansion of parking. Such additional credit for a parcel shall be calculated as follows:
  - a. By dividing the assessed valuation of land and improvement for fiscal year 1987-1988 of such parcel by the quotient of the total valuation of land and improvements of the entire district for fiscal year 1987-1988 divided by the number of parking spaces purchased by the district from the proceeds of the annual assessments at the end of fiscal year 1987-1988; plus,
  - b. By dividing the assessed valuation of land and improvements (or assessed value of land and building permit value, whichever is greater) of such parcel, at the time development or redevelopment is requested, by the quotient of the entire district assessable properties at that time divided by the total number of parking spaces purchased by the district from the proceeds of annual assessments after fiscal year 1987-1988. A fractional space resulting from the sum of original credit and additional credit shall be counted as a full space.
3. Property located within the territorial limits of Parking District No. 1, which does not have adequate on-site parking, may also receive credit toward compliance with parking requirements by contributing parking spaces on another parcel to the district, or by contributing money to the district sufficient for the district to purchase the spaces necessary to meet the parking requirements for such property. Any parking credit resulting from such contribution of such property shall be added to any existing credit for such property at the time such contribution is made.
4. Properties located within Parking District No. 1 for which a variance from parking requirements is sought, shall first secure a report and recommendation from the Board of Parking Place Commissioners of such district to the Planning Commission prior to any Planning Commission Public Hearing.
5. The parking spaces required for the following uses for property located within Parking District No. 1 are identified in Table 17.10-3.



Table 17.10-3 Parking Requirement Exceptions for Parking District No. 1	
Use	Parking Spaces Required
Banks, business or professional offices, clothing shops, furniture and appliance stores, hardware stores, household equipment shops, libraries, library stations, museums, service shop, shoe repair shops, personal service shops	One (1) space for each 330 square feet of gross floor area
Medical or dental clinics and medical professional offices	One (1) space for each 330 square feet of gross floor area
Retail stores, except as otherwise specified herein: having not more than 20,000 square feet of floor area	One (1) space for each 330 square feet of gross floor area
Retail stores, except as otherwise specified herein: having more than 20,000 square feet of floor area	Sixty (60) spaces plus one (1) space for each 250 square feet of gross floor area in excess of 20,000 square feet, plus one for each employee

C. *Grant of Exceptions by Redevelopment Agency.* Upon receipt of a complete application from a property owner or lessee of the property, the Covina Redevelopment Agency may grant exceptions to the applicable parking standards if the property is located within the boundaries of Parking District No. 1 and the Covina Redevelopment Project No. 2, Subarea 1. These exceptions may address all parking standards as required under this Chapter Code. In granting exceptions, the Covina Redevelopment Agency may impose reasonable conditions as necessary to assure adherence with the findings, standards and intent of this section.

1. Prior to granting any exception, the Covina Redevelopment Agency must make the following findings:
  - a. That the proposed exception is consistent with the City of Covina General Plan and the Downtown Redevelopment Plan;
  - b. That the proposed exception will further the goals and policies of the Downtown Redevelopment Plan and benefit the overall business environment in the area;
  - c. That parking has been studied and that sufficient on-site and/or off-site parking is available to meet the anticipated needs of the proposed use and prevent a significant adverse effect on existing surrounding uses; and,
  - d. That the provision of parking as required by this code would create an unreasonable hardship.
2. The Covina Redevelopment Agency shall hold a public hearing on any proposed exception pursuant to Section 17.80 (Conditional Use Permits). Prior to holding this public hearing, the Redevelopment Agency shall obtain recommendations on the matter from the Planning Commission and Board for Parking District No. 1.
3. Any exception granted by the Redevelopment Agency that allows the operation of a use that normally requires in excess of one (1) parking stall for every three hundred and thirty (330) square feet of building area, shall be personal to said use and shall not run with the land or transfer to heirs and successors in interest to the property.



4. The City Council may adopt fees to cover the reasonable costs of considering any requests for an exception pursuant to this Section.

## 17.10.80 ACCESS REQUIREMENTS FOR OFF-STREET PARKING AREAS

Driveways providing ingress and egress to off-street parking spaces shall be designed, constructed and maintained according to the requirements of this Section.

- A. *General Requirements.* All lots shall have adequate vehicular access from a dedicated and improved street or service road that permits unimpeded movement to and from the lot. Visibility on streets and intersections shall not be blocked by signs, trees, hedges, fences, walls, or structures. Directional signs and graphics may be used to further promote public safety and convenience.
- B. *Driveways.* The following requirements are applicable to driveways:
  1. Driveways shall not be located where they would impede traffic on streets or intersections.
  2. Driveways and aisles shall be maintained unobstructed at all times.
  3. The minimum driveway width shall be twelve (12) feet per lane for a one-way driveway and twenty-four (24) feet for a two-way driveway.
- C. *Aprons.* Each garage shall have an adequate paved area in front of the garage (apron) for maneuvering. The minimum paved apron width shall be twenty-four (24) feet.
- D. *Visibility Requirements.* Each entrance and exit to a public, semipublic or private parking area shall be constructed and maintained so that any vehicle entering or leaving the parking area shall be clearly visible at a distance of not less than ten (10) feet to a person approaching the driveway entrance.
- E. *Signage.* Exits from public, semipublic, or private parking lots shall be clearly posted with stop signs. Appropriate bumper guards, walls, entrance and exit signs and directional signs shall be maintained where required.

## 17.10.90 PARKING FACILITY STANDARDS AND DIMENSIONS

Off-street parking areas shall be provided outside of any public right-of-way in conformance with this Section. The following requirements shall apply:

- A. *Conversion of Parking.* No parking area or parking space required pursuant to this Chapter shall be eliminated, reduced, or converted in any manner below the requirements established in this Chapter unless equivalent facilities are provided elsewhere in conformance with this Chapter.
- B. *Residential Parking.* The following requirements apply to all residential uses.
  1. Parking spaces will be required on the same site on which the main building for each dwelling unit or in the same trailer park.



2. Each parking space shall be not less than nine (9) feet wide by nineteen (19) feet in length, except where a greater amount is required in this Chapter.
  3. A minimum of twenty-five (25) feet of unobstructed space must be provided as an entrance and for the maneuvering of vehicles between the side of the accessory building and any other building and/or structure.
- C. *Required Dimensions for Off-street Parking Spaces.* Each delineated off-street parking space for the parking of the motor vehicle in a public, semipublic or private parking area shall have an area of not less than one-hundred and seventy-one (171) square feet, exclusive of drives or aisles and an area of not less than three-hundred (300) square feet inclusive of safe ingress and egress. Each parking space must have a minimum width of nine (9) feet and a minimum length of nineteen (19) feet (also refer to Subsection F of this Section). Each delineated off-street parking space must have a vertical clearance of not less than ten (10) feet.
- E. *Required Dimensions for Disabled Parking Spaces.* The minimum dimensions for a handicapped stall is fourteen (14) feet in width by nineteen (19) feet in length and five (5) foot access.
- F. *Parking Aisle Dimensions.* Aisles that provide access to parking spaces in a parking lot shall have a minimum width of nine (9) feet to accommodate one-way vehicular traffic, and a minimum width of eighteen (18) feet to accommodate two-way traffic, except as provided in Table 17.10-4.

Table 17.10-4 Parking Aisle Widths	
Angle of Parking Spaces	Aisle Width
Parallel to 30°	<u>One way not less than 12 ft.</u>
31° to 45°	One way not less than 14 ft.
46° to 60°	One way not less than 18 ft.
61° to 90°	Two way not less than 25 ft.

Where the width of the associated parking stalls has been increased, the aisle width may be decreased in accordance with the requirements indicated in Table 17.10-5.

Table 17.10-5 Parking Stall Widths		
Stall Length (in feet)	Stall Width (in feet)	Aisle Width (in feet)
19 feet	9 feet	25 feet
19 feet	9 ½ feet	24 feet
19 feet	10 feet	23 feet
19 feet	10 ½ feet	22 feet



## 17.10.100 OFF-STREET LOADING AND COMMERCIAL VEHICLE PARKING

This Section establishes off-street loading requirements for the permitted land uses and the parking requirements for commercial vehicles.

- A. *Off-street Loading Space Requirements.* Every hospital, institution, hotel, commercial or industrial building shall have and maintain loading spaces as provided in Section 17.10.100.B subject to conditions herein:
1. When the lot upon which the loading spaces are located abuts upon an alley, the loading spaces shall adjoin or have access from the alley.
  2. The length of the loading space may be measured perpendicular to, or parallel with the alley. Where such loading area is parallel with the alley and the lot is fifty (50) feet or less in width, the loading area shall extend across the full width of the lot. Where the loading is permitted in a yard, the yard may be used in calculating the area required for loading, providing that there is no more than one entry or exit along a distance of sixty (60) feet of lot frontage or any fraction thereof.
  3. A loading space being maintained in connection with any existing main building on the effective date of this Zoning Ordinance shall be maintained so long as the building remains, unless an equivalent number of such spaces are provided on a contiguous lot in conformity with the requirements of this section and 17.10.100.B.
  4. No loading space provided for the purpose of complying with the provisions of this Chapter shall be eliminated, reduced or converted below the requirements established in this Chapter unless equivalent facilities are provided elsewhere in conformance with the requirements of this Chapter.
  5. A loading space required by this Chapter may occupy a required yard as provided in the corresponding Zone District, but in no case shall any part of an alley or street be used for loading.
- B. *Off-street Loading Requirements for Various Uses.* The off-street loading spaces indicated in Table 17.10-6 shall be provided for all commercial and industrial uses. The loading spaces shall be not less than twelve (12) feet in width, forty (40) feet in length, and with fourteen (14) feet of vertical clearance:

Table 17.10-6 Loading Requirements for Various Uses	
Total Square Feet of Building Space (Gross Floor Area)	Loading Spaces Required
Commercial and Industrial Buildings: 3,000 sq. ft to 20,000 sq. ft.	One (1) space
Commercial and Industrial Buildings: 20,001 sq. ft to 50,000 sq. ft.	Two (2) spaces
Commercial and Industrial Buildings: 50,001 sq. ft. and over	Three (3) spaces



Table 17.10-6 Loading Requirements for Various Uses (continued)	
Total Square Feet of Building Space (Gross Floor Area)	Loading Spaces Required
Hospitals, Institutions, Hotels, Office Buildings: 10,000 sq. ft to 50,000 sq. ft.	One (1) space
Hospitals, Institutions, Hotels, Office Buildings: 50,001 sq. ft to 100,000 sq. ft.	Two (2) spaces
Hospitals, Institutions, Hotels, Office Buildings: 100,001 sq. ft. and over	Three (3) spaces

- B. *Off-street Parking or Storing of Commercial Vehicles.* The following requirements are applicable to the parking and storage of commercial vehicles.
1. “Commercial vehicle,” as used in this Section, means a vehicle of a type required to be registered under the Vehicle Code used or maintained for the transportation of persons for hire, compensation or profit, or designed, used or maintained primarily for the transportation of property.
  2. It is unlawful to park or store any commercial vehicle on property which is zoned with a residential classification.
  3. It is unlawful to park or store any commercial vehicle on property which is zoned for commercial purposes except in a space which is reserved for a commercial vehicle parking purpose in the parking area required connection with the commercial use.
  4. The provisions of this Section shall not apply to commercial automobiles, pickups, panel delivery trucks and station wagons or the temporary parking of a vehicle while it is engaged in the loading or unloading merchandise or passengers.
- C. *Off-street Parking of Truck Trailers.* For new manufacturing and warehousing uses, one (1) space shall be dedicated for each truck high dock for the off-street parking of truck trailers.

## 17.10.110. ADMINISTRATION AND ENFORCEMENT

The administration and enforcement of this Chapter will conform to those requirements outlined in Chapter 17.80 of this Zoning Ordinance.



## CHAPTER 17.11 LANDSCAPING

### SECTION CONTENTS

- 17.11.10 Purpose and Authority
- 17.11.20 Applicability
- 17.11.30 General Landscaping Requirements for New Development
- 17.11.40 Landscape Documentation Requirements
- 17.11.50 Landscape Plan Scope and Content
- 17.11.60 Irrigation design plan
- 17.11.70 Certificate of Substantial Completion
- 17.11.80 Maintenance of Existing Landscaping
- 17.11.90 Water-Efficient Landscaping Requirements
- 17.11.100 Street Trees
- 17.11.110 Heritage Trees
- 17.11.120 Tree Preservation
- 17.11.130 Minor Deviations
- 17.11.140 Fees
- 17.11.150 Administration and Enforcement

### 17.11.10 PURPOSE AND AUTHORITY

The purpose of this Chapter is to regulate the location, extent, and maintenance of landscaping (including that required for mature trees) in all zones. Additional purposes of this Chapter are to preserve and protect mature trees and to assure that new development preserves significant healthy and mature trees to the greatest extent possible and to make sure that activities conducted on properties containing mature minimize harm and destruction of such trees.

### 17.11.20 APPLICABILITY

The person in possession of public and/or private property shall maintain all landscaping and any tree within the property or under their control in a safe and healthy condition.

- A. *Applicability of this Chapter on Development.* The minimum standards of this Chapter shall apply to all new construction as well as the expansion, renovation, conversion, and alteration of existing uses or structures in all zone districts.
- B. *Minimum Standards.* The minimum standards of this Chapter shall apply to all new construction, expansion, renovation, conversion, and alteration of existing uses or structures in all zone districts.
- C. *Timing of Provision of Landscaping.* Landscaping and buffering requirements shall be provided at the time of commencement of the use of the land or construction of the building, or at the time of renovation, conversion, alteration, or expansion by adding floor area, dwelling units, rooms, beds, or seats to a structure.
- D. *Exceptions to this Chapter.* Except as provided in 17.82.070, the provisions of this Chapter shall not apply to ecological restoration projects that do not require a permanent irrigation system or any project with a landscaped area less than 1,500 square feet. The Community Development Director or his/her designee may authorize exemptions to any of the design and improvement standards in this section.



### 17.11.30 GENERAL LANDSCAPING REQUIREMENTS FOR NEW DEVELOPMENT

The following general landscaping requirements are required of all new development.

- A. *Required Landscaping for Non-residential Uses.* For nonresidential uses, all front, side, and rear yards shall be landscaped and maintained. A landscape plan must be submitted to and approved by the City pursuant to the requirements outlined in Section 17.11.40.
- B. *Required Landscaping for All Residential Zones.* Landscaping in residential zones shall be required in front, side, and rear yards where the lot adjoins a dedicated street.
- C. *Required Landscaping for RD (Multiple-family Residential) Zones.* All yard areas are to be entirely landscaped with ground cover, trees, shrubs, and other plant materials including, where an integral part of a landscaped scheme comprised primarily of plant materials, such items as fountains, ponds, sculptures and planters. Recreation facilities other than in a building may be permitted in areas not visible from a public right-of-way. The Community Development Director or his/her designee shall approve the size and plant material to be in harmony with the development and to be in scale with the structures. All trees and ground cover in the parkway shall be approved by the Director of Public Works. All landscape areas shall be served by an irrigation system approved by the Community Development Director or his/her designee.
- C. *Additional Landscaping Required in Multiple-family Zones.* Aside from required landscaping in yards, developments in the RD zone shall provide landscaping and street trees or sidewalks and street trees for the parkway portions of adjoining streets.
- D. *Parking Area Landscaping.* Parking areas shall be landscaped pursuant to the provisions of this Section. The botanical and common name of all trees shall be indicated on the site plan. A tree-staking detail shall be required on all approved plans. Landscaping of parking areas shall be provided as follows:
  1. An amount equal to not less than two (2) percent of the gross parking area, which for the purpose of calculation shall include all that area improved and used for the parking of vehicles as well as aisles, shall be reserved for landscaping.
  2. Landscaping placed in required yards, planted on slopes exceeding two (2) percent in grade, in easements and planting adjacent to buildings within or contiguous to improved parking areas, shall not be considered a credit for any of the required landscaping in parking areas, except when a required yard may be used for off-street parking as provided in this title and the yard is instead landscaped. This landscaped area may be included as a credit.
  3. At least a minimum (2) two percent interior landscaping and one (1) tree for each one thousand, seven hundred and fifty (1,750) square feet of interior parking area as described in Subsection (F)(1) of this section shall be provided in parking areas in commercial zones, and at least one (1) tree for each six-thousand (6,000) square feet of site area for industrial zones.
  4. All trees shall be placed in a minimum of fifteen (15) gallon containers and have a trunk diameter of at least two (2) inches and a height of eight (8) feet or more.
  5. All trees or landscaping areas that are neglected or damaged in any way shall be replaced by the owner, at the owner's expense, within ten (10) days after notification from the City.



6. All tree wells shall have a minimum six (6) inch-wide continuous reinforced concrete curb enclosing them. The height of the curb shall be at least six (6) inches. All tree wells shall have a minimum area of twenty-five (25) square feet.
7. Ground cover and shrubs shall be provided within all required tree wells and landscaped areas. The type, size and spacing of material used shall be approved by the Community Development Director or his/her designee.
8. All landscaped areas including tree wells shall be served by an approved irrigation system to ensure adequate water supply for the continued maintenance of all plants and vegetation.

## 17.11.40 LANDSCAPE DOCUMENTATION REQUIREMENTS

This Section outlines the procedures related to the preparation and submittal of landscape documentation plans as part of development applications.

- A. *Landscape Documentation Package Required for all New Development.* A copy of the landscape documentation package conforming to the requirements of this Chapter shall be submitted to the City. No permit shall be issued until the City reviews and approves the landscape documentation package. Each landscape documentation package shall include the following elements:
  1. Landscape design plan prepared pursuant to the requirements outlined in Section 17.11.50 of this Chapter;
  2. Irrigation design plan prepared pursuant to the requirements outlined in Section 17.06.60 of this Chapter;
  3. Certificate of substantial completion (to be submitted after installation of the project);
  4. Any other information deemed necessary by the Community Development Director or his/her designee, including but not limited to a grading plan, soils analysis and irrigation schedule.
- B. *Landscape Design Elements.* A landscape design plan must consider the following elements in the preparation of a landscape documentation package:
  1. Plant selection and grouping including plants having similar water use shall be grouped together in distinct hydrozones.
  2. Plants shall be selected appropriately based upon their adaptability to the climatic, geological, and topographical conditions of the site. Protection and preservation of native species and natural trees is encouraged.
  3. The City shall provide a list of recommended planting materials. Alternative materials may be used when the overall landscape plan conforms to the intent of this Chapter.
  4. Fire prevention needs shall be addressed in areas that are fire prone.
  5. Re-circulating water shall be used in all decorative water features. Pool and spa covers are required.



- C. *Landscape Design Plan Submittal.* A Landscape Design Plan meeting the requirements of the City of Covina shall be submitted as part of the landscape documentation package.
- D. *Irrigation Plan Submittal.* An irrigation design plan meeting the requirements of the City of Covina shall be submitted as part of the landscape documentation package.

## 17.11.50 CERTIFICATE OF SUBSTANTIAL COMPLETION

Prior to final approval of building or development permits, the developer shall submit a Certificate of Substantial Completion utilizing forms designated for this purpose. The Certificate of Substantial Completion shall be signed by the design professional responsible for the project pursuant to procedures established by the Community Development Director or his/her designee.

## 17.11.60 MAINTENANCE OF EXISTING LANDSCAPING

All landscape areas, whether installed pursuant to this Chapter or not, shall be maintained in a healthful condition. Irrigation systems and their components shall be maintained in a fully functional manner consistent with the originally approved design and the provisions of this Chapter.

- A. *Inefficient Landscape Irrigation.* Water waste resulting from inefficient landscape irrigation leading to excessive runoff, low head drainage, overspray, and other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, or structures is prohibited.
- B. *Maintenance of Landscaping.* The following requirements apply to the maintenance of landscaping:
  - 1. Property owners shall maintain the planting strip abutting each property regardless of whether the property is developed or not.
  - 2. Occupants of a property abutting a public street or alley shall keep private trees from overhanging into the public right-of-way. Trees shall be trimmed to maintain a minimum clearance of ten (10) feet above the sidewalk, fourteen (14) feet above a curb, seventeen and one-half (17½) feet at center in residential areas, and seventeen and one-half (17½) feet above the curb at bus stops.
  - 3. Any tree, shrub located on private property that overhangs any street so that it endangers life, safety, or public property shall be removed, trimmed, or cut off within ten (10) days of written notice from the City.

## 17.11.70 WATER-EFFICIENT LANDSCAPING REQUIREMENTS

All landscape areas, whether or not installed pursuant to this Chapter, shall be maintained in a healthful and sound condition. Irrigation systems and their components shall be maintained in a fully functional manner consistent with the provisions of this Chapter.

- A. *Water Efficiency.* A regular maintenance schedule shall include but not be limited to checking, adjusting, and repairing irrigation equipment; resetting the automatic controller; aerating turf areas; replenishing mulch; fertilizing; pruning, and weeding in all landscaped areas.
- B. *Equipment Repair.* Whenever possible, the repair of irrigation equipment shall be done with the originally specified materials or their equivalents.



- C. *Water Runoff.* Water waste resulting from inefficient landscape irrigation leading to excessive runoff, low head drainage, overspray, and other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways or structures, is prohibited.
- D. *Landscape Documentation Package.* A landscape documentation package meeting the requirements of Section 17.11.40 of this Chapter shall be submitted as part of the landscape documentation package.
- E. *Landscape Design Plan.* A landscape design plan meeting the requirements of Section 17.11.40 of this Chapter shall be submitted as part of the landscape documentation package.
- F. *Irrigation Design Plan.* An irrigation design plan meeting the requirements of Section 17.11.40 of this Chapter shall be submitted as part of the landscape documentation package.

## 17.11.80 STREET TREES

This Section applies to street trees located within the public right-of-way. Street trees may be required as conditions of approval for any subdivision, lot split, or other permit issued in compliance with this title or other applicable City regulation. Street trees shall be twenty-four (24) inch box trees or larger.

- A. *Permitted Plantings.* Only trees approved by the Community Development Director or his/her designee shall be planted along a public street, parking strip, public right-of-way, or parkway.
- B. *Responsibility for Maintenance.* Owners of a property fronting a public street shall be responsible for the adequate watering of all street trees abutting that property and shall bear the cost of replacement of any street tree that dies as a result of insufficient watering or care.
- C. *Alteration or Removal.* No person shall plant, trim, or remove any tree or shrub on any, public street or right-of-way without approval of a permit by the Public Works Department. Such permits shall be granted to public utility companies and agencies to ensure the safe operation of their businesses and shall be valid for one (1) year from the date of issue.
- D. *Prohibitions.* The following acts in planting strips or parkway areas are prohibited:
  - 1. Construction of a tree well with diameter less than four (4) feet or otherwise filling the ground area around a tree so as to shut off light, air, or water from the roots.
  - 2. Piling of any, building material, equipment, or other substance around any tree so as to cause injury.
  - 3. Pouring of any deleterious matter on or around any tree or on the ground or on any lawn in such a manner as to damage the tree.
  - 4. Cutting, breaking, defacing or damaging a tree in any manner whatsoever.
  - 5. Placing or allowing to remain in any parkway area any vegetation (other than an approved tree) or structure exceeding eighteen (18) inches in height.
  - 6. Posting or affixing to any City tree any bill, poster, picture, placard, announcement, notice, advertisement, or sign.



## 17.11.90 HERITAGE TREES

The City of Covina City Council, Planning Commission or any property owner or concerned citizen of Covina may nominate a tree or cluster of trees for heritage status that are not otherwise defined as heritage tree(s) by this Chapter.

- A. *Notification of Heritage Tree Status.* As part of the City's consideration of a heritage tree status nomination, there shall be on file with the Community Development Department, a signed written document indicating that the owner of the nominated tree(s) consent to the tree(s) being designated for the heritage tree status under this Chapter, and that, if the tree(s) is/are ultimately designated for heritage tree status, the owner fully understands the restrictions and covenants set forth in this Chapter.
- B. *Evaluation Criterion.* In evaluating a nomination for heritage status, the decision-making body shall consider:
  - 1. The age, history, species and location of the tree(s) along with its relative importance to the community.
  - 2. Whether the tree(s) occupies a location of significant aesthetic importance to the image of the community or a neighborhood thereof.
  - 3. Unique or special characteristics and the image created by the planting and spacing of a group of trees.
  - 4. The environmental value of the tree(s) as wildlife and biotic habitat and for erosion prevention.
  - 5. The economic and social impact on the owner of the property or properties on which the tree(s) are located.
- C. *Planning Commission Consideration.* Not later than sixty (60) calendar days following the Community Development Department's receipt of a complete application to nominate a tree for heritage status, the Planning Commission shall hold a public hearing to consider the nomination.
- D. *City Council Consideration.* Not later than 45 calendar days following the date of the City Council's receipt of the Planning Commission's recommendation, the Planning Commission's recommendation on the nomination shall be considered by the City Council at a public hearing to which comparable written notice shall be provided.
- E. *Citywide Requirements Governing Heritage Trees.* The following requirements governing Heritage Trees shall apply citywide:
  - 1. At the time of planting, any heritage tree provided pursuant to this Chapter shall be of a health, size, height and trunk caliper that conforms with the current edition of "Horticultural Standards" for number one grade nursery stock as adopted by the American Association of Nurserymen.
  - 2. Utility companies shall practice good arboricultural practice.
  - 3. Heritage trees shall only be trimmed in a manner consistent with the standards of the Western Chapter of the International Society of Arboriculture.



4. The property owner is responsible for maintaining maintain all heritage trees located within his/her property in a sound, healthy and attractive manner. This maintenance shall include, but may not be limited to, the provision of adequate water, trimming to prevent excessive overgrowth and entanglement, the removal of dead or dangerous branches, and the avoidance of practices that may endanger the tree(s).
  5. Trenching and excavation under the drip line of a heritage tree shall only be undertaken using hand tools.
  6. Protective fencing shall be provided around the drip line of all heritage trees during construction.
  7. Utility trenches and footings shall not be placed under the drip line of a heritage tree without prior city approval.
  8. Irrigation systems shall be designed to suit the needs of the tree(s) located on the property.
  9. Prior to issuance of building, grading, demolition, and construction permits, the applicant shall:
    - a. Obtain a tree preservation permit if subject to this Chapter.
    - b. Submit final tree report to the Community Development Director or his/her designee, unless waived by the Community Development Director or his/her designee, pursuant to 17.83.060(B)(8).
    - c. Submit all required security deposits and agreements.
    - d. A copy of the City-approved final tree report shall be kept on the site at all times and the developer shall follow all recommendations therein.
- F. *Exemption from the Solar Shade Control Act.* The City of Covina is exempt from the provisions of Chapter 12 (commencing with Public Resources Code Section 25980), Division 15 of the Public Resources Code which Chapter is known as the Solar Shade Control Act.

## 17.11.100 TREE PRESERVATION

Except as otherwise provided in this Chapter, no person shall damage any heritage tree(s) located on any lot or parcel of land within the City unless a tree preservation permit is first obtained as provided herein.

- A. *Exceptions.* The provisions of this Chapter shall not apply to:
1. Street trees maintained by the city and located within any public right-of-way as described in Chapter 11.36 CMC.
  2. Routine maintenance of heritage trees is exempt from this Chapter. Routine maintenance *does not* include the removal in any one (1) year period of branches that would bear over ten (10) percent of the tree's live foliage or any reduction in more than twenty-five (25) percent of the tree's height. All such maintenance shall be undertaken in a manner that conforms to the standards of the Western Chapter of the International Society of Arboriculture.



3. An emergency caused by the tree's dead, deceased, or hazardous conditions as determined by visual inspection by a licensed forester, certified arborist, the Community Development Director or his/her designee.
  4. Emergency or routine maintenance by a public utility necessary to protect or maintain an electrical power or communication line and structures appurtenant thereto.
  5. Trees planted, grown and/or held for sale by a licensed nursery.
  6. The repair and maintenance of existing parkways, highways and streets and/or other public facilities.
- B. *Approval Authority.* The Community Development Director or his/her designee shall have authority to approve, deny or approve subject to conditions any tree preservation permit to damage not more than one (1) heritage tree located on a property zoned and used as a single-family residence. The City of Covina Planning Commission shall have authority to approve, deny or approve subject to conditions any tree preservation permit to damage heritage trees for which the Community Development Director or his/her designee does not have approval authority. Prior to approving a tree preservation permit to damage a heritage tree, the Planning Commission shall conduct a public hearing held pursuant to the provisions of [CMC 17.62.100](#).
- C. *Tree Preservation Permit Application Process.* Any person desiring a tree preservation permit shall file an official City of Covina Tree Preservation Permit Application with the Community Development Director and his/her designee.
1. No public notice is required for consideration of a tree preservation permit for which the Community Development Director or his/her designee has approval authority.
  2. For applications for a tree preservation permit that are presented to the Planning Commission, the Community Development Director or his/her designee, not less than ten (10) days before the date of the public hearing on the application, shall cause notice of the filing of a tree preservation permit application to be published once in a newspaper of general circulation in the city.
  4. When an application for a conditional use permit, variance, planned community development (PCD), zone change or tentative map for a subdivision is concurrently filed, notice that a tree preservation permit application will also be considered shall be included in the required legal notices for such conditional use permit, variance, planned community development (PCD), zone change or tentative map.
  5. Prior to approving a tree preservation permit for which he/she has approval authority, the approval authority must determine that at least one of the following provisions applies:
    - a. The subject tree(s) are naturally damaged and diseased to a degree that cannot be reasonably corrected or restored to health.
    - b. The action is necessary to maintain the health and viability of the subject tree(s) or other nearby trees.
    - c. The subject tree(s) represent a substantial threat to existing structures and significant improvements on the property.



- d. There is no reasonable development alternative and retention of the subject tree(s) would constitute a substantial economic hardship.
6. In the case of tree preservation permits for which the Planning Commission has approval authority, in addition to the above at least one of the following applies:
    - a. That the damage proposed is necessary to avoid frustration of the planned improvement or proposed use of the subject property to such a degree that alternative development plans cannot achieve the same result, or the cost of such alternative plans is prohibitive, or placement of the subject tree(s) precludes the reasonable and efficient use of such property for a use otherwise authorized.
    - b. That the subject tree(s) proposed to be damaged interfere(s) with utility services or streets and highways either within or outside of the subject property and no reasonable alternative to such interference exists other than damaging the subject tree(s).
    - c. That the condition of the subject tree(s) with regard to debilitating disease or danger of falling is such that the danger or disease cannot be remedied through preservation procedures and practices other than damaging the tree(s).
  7. In rendering a decision, the approval authority shall consider shade, scenic beauty, forest cover diminishment, wildlife preservation, historic value, aesthetics and general community welfare.
- D. *Conditions of Approval.* In rendering a decision on a tree preservation permit application, the approval authority may impose conditions of approval including but not limited to:
1. Replanting of a replacement tree of equivalent value and species.
  2. Relocation of the subject tree(s) to an alternative location.
  3. Payment of in-lieu mitigation fees to plant and/or preserve the subject tree(s) on property or sites where the city can assure the long-term viability of the subject tree(s).
  4. Preparation of a monitoring and/or mitigation program by a city-approved certified arborist or licensed forester and provision of adequate financial security to assure implementation of the program.
  5. Such other conditions as may be necessary to assure the tree preservation permit is consistent with the findings and purpose of this Chapter.
- E. *Tree Preservation Permit Effective Date.* If a tree preservation permit is issued for a development project requiring a land use entitlement (conditional use permit, variance, zone change, planned community development (PCD), or tentative subdivision map), grading permit, building permit, or any other city development permit, no tree preservation permit shall be effective and the permittee shall not damage a heritage tree until all required land use entitlements and city development permits have been obtained so that the permittee may commence with development of the project.
- F. *Tree Preservation Permit Expiration.* Unless otherwise specifically provided by the approval authority, any tree preservation permit granted under this Chapter shall expire one year from the date of issuance. Any damage authorized by a permit must commence prior to the permit's expiration and thereupon be diligently pursued to timely completion.



- G. *Appeal.* The decision of the Community Development Director or his/her designee may be appealed to the Planning Commission within ten (10) calendar days of the date on which the decision is rendered. No public hearing is required for the Planning Commission to consider the appeal. The decision of the Planning Commission may be appealed to the City Council within ten (10) days of the date on which it is rendered. The City Council shall conduct a public hearing on the appeal in the manner provided under CMC 17.62.130 when the initial tree preservation permit application was subject to a public hearing before the Planning Commission.
- H. *Tree preservation and propagation fund.* The City of Covina shall establish a tree preservation and propagation fund using moneys collected as civil penalties, in-lieu mitigation fees, and other penalties related to this Chapter. These funds shall be used exclusively to cover the costs of planting replacement trees or preserving native trees on property or sites where the City has reasonable assurance of the long-term viability of the trees.

## 17.11.110 MINOR DEVIATIONS

The Community Development Director or his/her designee may grant variances allowing minor deviations from the requirements of this Chapter without a public hearing. The variances that may be granted are limited to minor modifications to approved landscaping, irrigation or grading plans which comply with the spirit and intent of this Chapter, including but not limited to revising or substituting plant varieties, container sizes, plant locations, irrigation specifications, hardscape components, berm heights, berm locations, slope features, and the like; and modifications of planting, installation and/or soil preparation details. In granting a minor deviation, the Community Development Director or his/her designee shall make findings in accordance with CMC 17.78.020.

## 17.11.120 FEES

The City of Covina City Council shall from time to time adopt fees to recover the full cost to evaluate, monitor and enforce the various permits, applications, appeals, and penalties provided in this Chapter.

## 17.11.130 ADMINISTRATION AND ENFORCEMENT

The administration and enforcement of this Chapter will conform to those requirements outlined in Chapter 17.80 of Title 17.



## CHAPTER 17.12 SIGNS

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- 17.12.160 Administration and Enforcement

### 17.12.10 PURPOSE AND AUTHORITY

This Chapter is intended to provide for a more orderly display of off-site subdivision directional signs advertising various subdivisions throughout the city and to provide standard specifications for such signs.

### 17.12.20 APPLICABILITY

The minimum standards of this Chapter shall apply to all new construction as well as the expansion, renovation, conversion, and alteration of existing uses or structures in all zone districts.

### 17.12.30 SIGN PERMIT REQUIREMENTS

It is unlawful for any person to erect, alter, permit or maintain, unless otherwise excepted by this chapter, a sign upon any commercially zoned property without first obtaining a written sign permit from the planning department as required by this Chapter.

- A. *Permit Application.* An application for such permit(s) shall be made on a form provided by the Community Development Department.
- B. *Permit - Exceptions.* The following signs, if not illuminated, shall be allowed on all commercially zoned property without a sign permit being required:
  - 1. One identification sign that does not exceed one (1) square foot in area that displays only the address of the owner or the occupant.
  - 2. Directional or safety signs as required provided that each such sign has first been reviewed and approved by the Community Development Department and such signs do not exceed sixteen (16) square feet per face.



3. Governmental flags or emblems or flags of nonprofit organizations.
  4. Religious, charitable, educational, cultural or political posters not exceeding sixteen (16) square feet in area, temporary in nature, and conforming to the provisions of Chapter 17.75 CMC.
  5. Governmental or other legally required posters, notices or signs.
  6. Utility or telephone pay station signs.
  7. Temporary real estate signs concerning the sale, rental or lease of the premises provided that:
    - a. Only one (1) such sign is displayed per occupancy or street frontage on the property to which it refers;
    - b. Each sign does not exceed sixteen (16) square feet per face; and,
    - c. Each such sign is removed from the premises upon completion of the sale, rental or lease activity to which it pertains;
  8. Temporary contractor's signs not exceeding sixteen (16) square feet each, or one (1) construction directory sign for all contractors not exceeding thirty-two (32) square feet per face and eight (8) feet in overall height. Each such sign must be removed upon completion of the work activities by such person or firm.
  9. Sidewalk signs and pennant/flags permitted in the TC-C and TC-P zones and in the Shoppers Lane district of the C-3A zone (such signs require a sidewalk dining and display permit, but not a sign permit).
- C. *Permit for Temporary Signs and Attention-Getting Devices.* An annual permit shall be obtained from the Community Development Director or his/her designee prior to the installation of any device or temporary sign or attention-getting device. When the application for the permit is filed, a uniform fee, as set from time to time by resolution of the city council, shall be paid for defraying the costs incidental to the proceedings. The Community Development Director or his/her designee may impose reasonable conditions as part of the permit's issuance. No permit shall be issued for any business or site to utilize temporary attention-getting devices for a period in excess of ninety (90) total days in any calendar year.
- D. *Permit for Murals.* A sign permit must be completed for a mural to be forwarded to the ad hoc mural committee. The sign permit fee for public art commissioned by nonprofit organizations, service clubs, and/or governmental agencies, the city council, and their commissions or committees is waived.
- E. *Painted Sign Permit.* A sign permit is required for a painted sign.
- F. *Subdivision Directional Signs.* It is unlawful for any person to erect, alter, permit or maintain a subdivision directional sign upon any property within the City without first obtaining a written off-site subdivision directional sign permit from the planning department as required by this chapter. Any application for such a permit shall be made on a form provided by the Community Development Department.



- G. *Removal of Non-conforming Signs.* Section 17.00.00 governs the amortization procedures for non-conforming signs and billboards. The following requirements are applicable to illegal and/or non-conforming signs.
1. Except for copy changes and normal repair or maintenance, no sign in existence upon the adoption of the ordinance codified herein shall be modified, altered, moved or replaced, unless it is made to comply with the provisions of this title.
  2. Nonconforming signs made of paper, cloth, canvas or other similar nondurable material, including painted wall signs or freestanding signs that are not affixed to a building or the ground, shall be removed within six months from the effective date of the ordinance codified herein.
  3. Every lawfully established nonconforming sign of a permanent nature shall be removed or altered to comply with the provisions of this title on or before July 1, 1979.
  4. Whenever a business use within any commercial zone is discontinued or sold, the sign owner, his agent or the property owner shall remove all temporary nonconforming signs from the premises and shall remove all permanent nonconforming signs from the premises.

#### 17.12.40 REVIEW CRITERIA FOR PERMANENT SIGNS

All signs which are regulated by this Chapter shall be reviewed by the Community Development Department or his/her designee. In approving, denying or approving with conditions a particular sign permit, following review criteria must be demonstrated:

1. The sign is necessary for the applicant's enjoyment of substantial trade and property rights.
2. The sign is consistent with the intent and purpose of this Chapter.
3. The sign does not constitute a detriment to public health, safety and welfare.
4. The size, shape, color and placement of the sign is compatible with and bears a harmonious relationship to the building it identifies.
5. The size, shape, color and placement of the sign is compatible with and bears a harmonious relationship to the neighborhood and other signs in the area.
6. The location and design of the proposed sign and the design of its visual elements (lettering, words, figures, colors, decorative motifs, spacing and proportions) are legible under normal viewing conditions prevailing where the sign is to be installed.
7. The location and design of the proposed sign does not obscure from view or unduly detract from existing or adjacent signs.
8. The location and design of the proposed sign, its size, shape, illumination and color, are compatible with the visual characteristics of the surrounding area so as not to detract from or cause depreciation of the value of the adjacent developed properties.
9. The location and design of a proposed sign in close proximity to any residential district does not adversely affect the value or character of the adjacent residential district.



10. When in the public interest, and agreed to by the sign applicant, the Community Development Director or his/her designee may consider and render decisions on modifications of up to ten (10) percent of the provisions of this title pertaining to the size, height and copy area coverage of signs. In rendering such decisions, the Community Development Director or his/her designee shall be required to adhere to the same review criteria as established in this Section.

## 17.12.50 SIGNS IN RESIDENTIAL ZONES

Signs and other commercial advertising shall be permitted in the residential zone districts only as provided in CMC 17.26.270 through 17.26.290. Other sign requirements specific to the residential Zone Districts are outlined in this Section.

- A. *Nameplates*. Nameplates shall be permitted subject to the conditions outlined below.
  1. Nameplates shall not exceed one square foot in area and there shall be not more than one nameplate per dwelling unit;
  2. Nameplates shall display only the name of the premises upon which it is displayed, and/or the name of the owner or lessee of the premises, and/or the address of the premises.
- B. *Sign Requirements in Agricultural Zones*. Signs advertising agricultural products produced and sold on the premises shall be permitted provided that such signs do not exceed twenty-five (25) square feet in area and that there is no more than one (1) sign per three-hundred (300) feet of frontage on a dedicated street.
- C. *"For Rent", "For Sale", and Similar Signs*. "For Rent," "For Sale" and signs of similar type shall be permitted provided that not more than two (2) such signs shall be permitted on any lot or parcel; no sign shall exceed four (4) square feet in area; and the sign shall be posted on the subject lot by the owner or his/her authorized agent.
- D. *Signs for Conditionally Permitted Uses in Residential Zone Districts*. Conditionally allowed uses such as churches and educational institutions may request site plan approval for such signage as may be reasonably necessary for the use. Any such signage shall comply with the following:
  1. Each site shall be permitted to have one wall sign not to exceed five (5) percent of the area of the first story height of the building or fifty (50) square feet, whichever is greater, and one monument sign not to exceed twenty (20) square feet in area and six (6) feet in height.
  2. In lieu of the signage provided in Subsection D1 of this Section, the Community Development Director or his/her designee may approve one monument sign not to exceed fifty (50) square feet in area and eight (8) feet in height.
  3. All signs shall be designed in harmony with the surrounding residential area.
  4. Each use shall be permitted one pedestrian oriented information sign not to exceed sixteen (16) square feet in area.
  5. Each use shall be permitted reasonable directional and traffic safety signs as determined necessary by the Community Development Director or his/her designee.
  6. That the design of all signs be submitted for site plan review and approval by the Community Development Director or his/her designee.



- E. *Subdivision Signs.* The following signs and advertising structures shall be permitted in all residential Zone Districts:
1. Temporary real estate signs advertising real property which has been subdivided for purposes of sale or lease shall be permitted, subject to the following conditions:
    - a. Such signs shall be located on the premises within the boundaries of the subdivision which they advertise.
    - b. Such signs shall not exceed one-hundred (100) square feet in area.
    - c. There shall be not more than two (2) such signs for every three-hundred (300) feet of frontage.
    - d. Before any sign or advertising structure is erected, a permit must be issued by the building department for a six (6) month period.
    - e. The sign shall remain only as long as some portion of the property advertised for sale remains unsold, or for a period of six (6) months, whichever period is shorter. No such sign shall remain longer than six (6) months unless the permit has been renewed by the building department.
  2. Small signs are permitted within the tract; provided, there shall be no more than one such sign for each three lots. Each sign shall not exceed four square feet in area.
  3. Signs are permitted on the same lot with a model home; provided, they not exceed three in number and four square feet each in area. The sign shall be removed within 48 hours after the initial sale of the lot and/or home.

## 17.12.60 REQUIREMENTS FOR COMMERCIAL SIGNS

The following regulations shall apply to all signs for which a sign permit or review is required by this Chapter. The following sign provisions apply only to on-premises signs. Off-premises (non-appurtenant) signs and billboards shall not be permitted.

- A. *City Review and Approval Required for New Signs.* Each sign shall be subject to review and approval by the Community Development Department prior to its erection. In the case of new developments, a signing program shall be submitted as part of the site plan review procedure.
- B. *Coordinated Sign Program Requirement for Centers.* A coordinated signing program shall be required for properties where several businesses require signing.
- C. *Sign Content.* The content or advertising that may be displayed on signs shall be limited to the following:
  1. The identification of the building or its owners or the occupants of the premises;
  2. Information concerning the activities conducted on the premises, or the goods and services offered in connection with the business;
  3. Information concerning the sale, rental or lease of the premises; and,



4. Information providing safety or directional messages.
- D. *Sign Content Requirements.* The content or advertising to be displayed on signs shall not cover more than forty (40) percent of the aggregate sign area. Where the background of that sign is the building itself, and the letters, words or figures are free from any encompassing sign structure, the copy area may be extended to eighty (80) percent of the aggregate sign area.
- E. *Sight Distance Requirements.* No sign shall be allowed to obstruct the sight distance of motorists or pedestrians or be designed with flashing lights, moving parts, audible noises or other devices which tend to constitute a hazard.
- F. *Moving Display Lighting.* Signs employing blinking or scintillating lights are permitted only when using frosted lamps no larger than eleven (11) watts and when no individual lamp is set to blink on and off more than fifteen (15) times per minute.
- H. *Moving Signs.* Freestanding or unattached signs shall be allowed to rotate provided they do not exceed eight (8) revolutions per minute (rpm).
- I. *Encroachment.* No sign shall extend into the present or future right-of-way, except as specifically indicated. Signs may be located within a street setback as defined in CMC 17.74.020.
- K. *Maintenance of Signs.* All signs, together with all supports, braces, anchors, etc., shall be kept in continual repair, including the replacement of defective parts, repainting, and cleaning, and otherwise in a presentable condition.
- L. *Utilities.* All signs or sign structures requiring utilities service shall be served by underground utilities only.
- M. *Non-conforming Signs.* Except for copy changes and normal repair or maintenance, nonconforming signs shall not be allowed to be moved, altered, added to or replaced unless they are made to comply with the provisions of this Chapter.
- N. *Sign Lighting.* All lighted signs should have diffused or indirect lighting and have a maximum power of fifteen (15) watts per square foot at the sign face.
- O. *Tobacco product and alcoholic beverage advertising prohibited on billboards.* Except as herein stated, no person shall, after the effective date of the ordinance adopting this section, place or cause to be placed or permit to remain in place any advertisement for tobacco products or alcoholic beverages on any billboard within any residential zone or within one-thousand (1,000) feet of the premises of any school, park, recreational facility, youth center, or church as defined in Chapter 04.04 of this Title. The distances specified in this subsection shall be measured in a straight line, without regard to intervening structures, from the nearest property line of a use listed above.
1. This subsection may only be applied to or interpreted to have an effect on any contract executed after the effective date of the ordinance adopting this subsection. Absent proof of the existence of any contract, agreement, lease or the like, entered into before the effective date of this section, and the terms and conditions thereof, any advertisement in violation of any part of this subsection shall be removed within six (6) months of the effective date of this section.



2. This subsection shall be administered and enforced by the Community Development Department. The Community Development Department shall create and update a detailed map of the city, showing the location and boundaries of all schools, parks, recreational centers, youth centers, and churches, and the corresponding one-thousand (1,000) foot radii within which tobacco product and alcoholic beverage advertising is prohibited. The Community Development Department shall also develop guidelines, as appropriate, to ensure proper implementation and enforcement of this subsection. Nothing contained in this subsection shall be interpreted or enforced in such a manner as to constitute a compensable limitation on the use of any advertising display pursuant to Business and Profession Code Section 5412. The Community Development Department may enter into agreements with appropriate city departments to enforce this subsection.

## 17.12.70 REQUIREMENTS FOR TEMPORARY SIGNS AND ATTENTION-GETTING DEVICES

Temporary signs are signs erected for a temporary purpose not exceeding forty-five (45) days, including banners, pennant valances, streamers, balloon signs, inflated devices, search lights, beacons, costumed or live persons, moving stuffed animals, or advertising light or similar materials used for advertising purposes attached to or pinned on or from any structure, staff, pole, line, framing, vehicle or other object. Temporary signs and advertising devices shall be permitted in all commercial and industrial zones subject to the following regulations:

- A. *When Temporary Signs are Permitted.* Temporary signs are permitted for the opening of new business, special or seasonal sales, and promotional events.
- B. *Types of Temporary Signs Permitted.* The following types of temporary promotional devices shall be permitted:
  1. Banners that are mounted flush against a building wall or suspended over a landscaped area;
  2. Flags and streamers (attached to a standard or building);
  3. Professional-quality window painting;
  4. Window posters;
  5. Nonmetallic balloons, not exceeding three and one-half cubic feet in volume; or
  6. Such other devices as the Planning Commission deem to be similar and not more obnoxious or detrimental to the public welfare.
- C. *Requirements for Temporary Signs and Attention-Getting Devices.* Temporary signs and banners shall comply with the following limits:
  1. The total area of all banners, flags and streamers utilized shall not exceed fifty (50) square feet, with the exception that businesses where the principle building frontage is wider than one-hundred (100) feet shall be permitted to have a total area of one-hundred (100) square feet of temporary signage.
  2. Building/wall-mounted banners, flags and/or streamers not to exceed one hundred (100) square feet per banner or two and one-half (2 ½) square feet per lineal foot of building or wall front, whichever is less (banners may be ground-mounted).
  3. No more than three (3) banners per building shall be permitted.



4. Pennants/small flags must be suspended from horizontal ropes.
  5. Bunting, flags, streamers and/or banners attached to light standards, may not to exceed a total of fifty (50) square feet per light standard.
  6. No more than two (2) balloons per linear foot of building frontage.
  7. One large balloon or inflatable figure shall be allowed for events with an administrative conditional use permit. In addition, such devices must adhere to the following requirements:
    - a. The balloon shall not exceed the building height limit of the zone or fifty (50 feet), whichever is least restrictive, nor shall the balloon be displayed for more than thirty (30) total days per calendar year.
    - b. Inflatable balloons not exceeding three and one-half (3 ½ ) cubic feet in volume per any one balloon which are tied to any vehicle(s) and approved by the Community Development Director or his/her designee.
    - c. Inflatable balloons and figures shall be allowed not to exceed the height limits of the zone or displayed over sixty (60) days total per year.
  8. Window painting and posters shall not exceed fifty (50) percent of the window area on the building face on which the painting or poster is located. Window painting and posters may be used in combination with banners, flags, and streamers and do not count against the fifty (50) or one-hundred (100) square-foot limit previously stated.
- D. *Conditions of Use for Temporary Signs and Attention-Getting Devices.* Temporary signs and other attention-getting devices and signs permitted by this Section must comply with the following conditions of use:
1. All temporary signs and attention-getting devices shall be maintained in sound and attractive condition with no visible deterioration. Such devices shall be replaced or removed at intervals not exceeding six (6) months.
  2. All devices and advertising permitted by this section shall be of professional-quality design, construction and workmanship.
  3. No device shall be constructed, located or situated so as to constitute a potential hazard to the public or pedestrian or vehicular traffic.
  4. All temporary signs and attention-getting devices shall be located on a building or wall structure or within the City-approved display area.
- E. *Prohibited Temporary Signs and Attention-Getting Devices.* The following types of temporary attention-getting devices are expressly prohibited:
1. Inflatable balloons larger than three and one-half (3½) cubic feet in volume;
  2. Pennants of any size (whether attached to a building or suspended from lengths of rope);
  3. Flags and/or streamers suspended from lengths of rope;



4. Portable signs, including but not limited to A-frame signs and trailers;
  5. Roof signs;
  6. Fence signs;
  7. Windblown devices (except building-attached flags and streamers);
  8. Signs in the public right-of-way; or
  9. Light- or sound-emitting devices.
- F. *Temporary Signs and Advertising Devices for Outdoor Uses.* Businesses that meet with the following criteria shall have the option, at their discretion, of complying with the standards of this section in lieu of those listed in CMC 17.74.055.
1. The outdoor uses must be located on sites exceeding sixty-thousand (60,000) square feet of net site area.
  2. The outdoor uses must utilize visible outdoor merchandise display area(s) where such area(s) have been approved for display purposes by the City. Such display purposes include, but may not be limited to:
    - a. Auto, motorcycle and boat sales or rental (new or used);
    - b. Building materials sales;
    - c. Plant nurseries; and,
    - d. Mobile home sales.

## 17.12.80 REQUIREMENTS FOR SERVICE STATION SIGNS

Signs for service stations located in any zone shall comply with all pertinent provisions of this Chapter as well with the following requirements:

- A. *Monument Sign Requirements.* No more than two (2) monument signs are permitted. Monument signs are defined as fixed freestanding signs not exceeding a height of ten (10) feet, located entirely within a landscaped area and having a massive support element projecting from the landscaped area. Such sign or signs shall be limited to a maximum square footage per sign of twenty-six (26) square feet per side.
- B. *Freestanding Sign Requirements.* No more than two (2) freestanding signs are permitted. A freestanding sign is defined as a fixed sign which is supported by one or more columns, uprights or braces in or upon the ground. Such freestanding signs shall have a minimum clearance aboveground level of eight (8) feet, a maximum clearance of ten (10) feet and a maximum height of eighteen (18) feet. Such sign shall not exceed twenty-six (26) square feet per face and shall be limited to three faces. The City may authorize the use of the square footage of two signs in one sign if such action results in a sign compatible to the existing structure. All structural support shall be treated in such a manner as to be aesthetically compatible with the buildings and improvements. Such signs shall be located within or over a landscaped area.



- C. *Monument Sign and Freestanding Sign Requirements.* For those service station businesses that employ each type of site referred to in the previous subsections, the requirements for monument signs and freestanding sign will be applicable.
- D. *Sign Display and Design.* The following display and design requirements are applicable to signage for service station uses:
1. Each service station may have the following miscellaneous signs: price signs, wall signs, credit card signs, logo signs, and signs denoting service and sales.
  2. Such signs, except temporary signs, and their support shall be architecturally compatible with the structure.
  3. All signs, except price signs and temporary signs, shall be situated parallel with the face of the building or made an integral part of the design of the canopy or supporting members of the canopy.
  4. The total combined area of all miscellaneous signs shall not exceed one-hundred (100) square feet. Those signs required by law, directional signs, and two logos placed upon each pump shall not be included in the calculation of the total square footage of the miscellaneous signs.
  5. No individual miscellaneous sign shall exceed twenty (20) square feet per face.
  6. All temporary signage and other attention getting devices may be permitted subject to the provisions of this Chapter.
- E. *Window Advertising Prohibited.* No advertising materials shall be displayed in windows or any building other than those advertising service or merchandise incidental to the operation of the automobile service station.

## 17.12.90 REQUIREMENTS FOR MURALS

A *mural* refers to a picture or representation, in any type of medium, on an exterior surface of a structure that does not contain the name of the business, product, or service on the premises. The following general requirements are applicable to mural signs:

1. Murals are only permitted in the TC-C, TC-P, and M-1 zones, and in the Shoppers Lane district of the C-3A zone as outlined in the CMC 17.74.061.
2. No more than fifteen (15) percent of the mural may contain the name of the artist, sponsor, and/or product likeness.
3. If a mural is on the side of a building that would not normally qualify as an eligible wall for a sign under the design guidelines, the approval of a mural makes that side of the building eligible under the design guidelines. This does not increase the maximum signage allowed, and a new sign permit is still required.
4. Murals cannot be mere extensions or enlargements of an existing sign.
5. Murals become the property of the property owner, and mural maintenance is the responsibility of the property owner.



6. Written permission from the property owner along with an acknowledgment of the property owner's responsibility to remove the mural if it is not maintained is required.
7. Murals must be maintained or the city has the right to require removal with 90 calendar days' written notice to the artist (if available) and the property owner. If the mural is not repaired or removed within the 90-calendar-day period, the city can abate the mural at the property owner's expense.
8. Murals shall be subject to review for approval by an ad hoc mural committee made up of the city manager or his or her designee, a representative from the redevelopment agency, a representative from the Planning Commission, a representative from the Cultural Arts Committee, and the Mayor or his or her representative. There will be a ten (10) day appeal period after the committee has approved or disapproved a mural during which time anyone can appeal the decision to the City Council.
9. In considering murals for approval, the ad hoc committee must consider the significance of the project's location, the artist's ability, the ability of the artist to complete the project in a timely manner (typically within a two (2) month period of time), and the ability and willingness of the property owner to maintain the mural. In the TC-C and TC-P zones and the Shoppers Lane district of the C-3A zone a special emphasis on the history and heritage of Covina is encouraged, but not specifically required.

## 17.12.100 REQUIREMENTS FOR PAINTED SIGNS

*Painted signs* refer to any on-premises sign painted or silk-screened onto a building wall. The following general requirements are applicable to mural signs:

1. Painted signs are only permitted in the TC-C and TC-P zones, and in the Shoppers Lane district of the C-3A zone as outlined in CMC 17.74.062.
2. Painted signs shall be limited to the name of the business, the type of business, and/or the principle product of the business, together with a logo or decoration(s) compatible with the architectural style and colors of the building.
3. Painted signs may be provided with exterior illumination provided the illumination satisfies all applicable city codes, including the electrical code.
4. Any painted signs shall be in lieu of conventional cabinet or channel letter signs (or principal wall signs).
5. Painted signs shall be professionally painted or applied.
6. Permanent painted window signs shall not exceed twenty-five (25) percent of the window surface area.
7. Written permission from the property owner along with an acknowledgment of the property owner's responsibility to remove the sign if it is not maintained is required.
8. All applicable standards pertaining to wall signs shall apply.
9. Painted signs must be maintained or the City has the right to require removal with two (2) week written notice. If the sign is not repaired or removed within the two (2) week period, the City may abate the painted sign at the property owner's expense.



## 17.12.110 REQUIREMENTS FOR SIDEWALK SIGNS

Sidewalk signs and pennant/flags are only permitted in the TC-C and TC-P zones and in the Shoppers Lane district of the C-3A zone as outlined in CMC 17.74.063.

1. Sidewalk signs and pennant/flags may be located upon the premises or public sidewalk along a street or alley adjacent to the business provided they do not obstruct any required walkway or entry, crosswalks, public seating areas, or impede the view of vehicular traffic.
2. Sidewalk signs and pennant/flags shall be subject to the provisions of the sidewalk dining and display application process, including the appropriate liability insurance and engineering-related encroachment permit requirements.
3. Only one sidewalk sign or pennant/flag may be approved per ground floor business. Only one (1) sidewalk sign may be approved per building for businesses above or below the ground floor.
4. Sidewalk signs and pennant/flags shall be removed at the close of each business day.
5. The following display and design requirements are applicable to sidewalk signs:
  - a. Sidewalk signs shall not exceed six (6) square feet in total area per side, shall not exceed five (5) feet in height or be less than three (3) feet in height, and shall include a minimum of fifty (50) percent permanent copy. The remaining fifty (50) percent may contain changeable copy provided visual quality is maintained.
  - b. Pennant flags shall not exceed fifteen (15) square feet in area per side, shall be placed on poles no higher than nine (9) feet (measured to top of pennant/flag), and shall meet all applicable safety and accessibility-related location requirements. Pennant/flag copy shall be comprised of business/institution (name) identification only (no product advertisements) though no copy area minimum or maximum standards shall apply.
  - c. The design, style, and color of pennant/flag signage shall further conform to a coordinated signing program for the appurtenant TC-C or TC-P zone areas (downtown district) or Shoppers Lane area and complement surrounding buildings.
  - d. Under CMC 17.74.050(B) and subsection VIII(F) of the design guidelines, said coordinated signing programs shall be developed by representatives of downtown area and Shoppers Lane area businesses and property owners and shall be approved by city staff.
6. Sidewalk signs and pennant/flags may not have attachments to them, such as banners, balloons, lights, streamers, or other attention-getting devices.
7. The use of chalk boards, white boards, or similar written-on devices are not acceptable except for restaurant, coffee/tea shop, and bakery menus.
8. The use of paper or cardboard signs is prohibited. Pennant/flags composed of plastic materials are further prohibited.
9. Originality is encouraged and professional quality is required for all signage.
10. All signage shall be maintained in good repair and in sound and attractive condition, with no visible deterioration.



## 17.12.120 REQUIREMENTS FOR OFFSITE SUBDIVISION DIRECTIONAL SIGNS

*Off-site subdivision signs* refer to sign structures that provide directions to new residential subdivisions and which are temporary in nature.

- A. *Sign Specifications.* The design specifications for panel and sign structure design shall be in accordance with requirements established by resolution of the City of Covina City Council.
- B. *Location.* The location requirements applicable to off-site subdivision directional signs shall be as follows:
  - 1. The placement of each sign structure shall be reviewed and approved by the Community Development Director or his/her designee.
  - 2. All signs shall be placed on private property or City right-of-way with written consent of the property owner filed with the Community Development Director or a City encroachment permit obtained and filed with the city engineer prior to the issuance of a sign permit.
  - 3. No sign structure shall be located within six hundred (600) feet from any existing or previously approved sign site.
  - 4. A sign location plan shall be prepared showing the location of each directional sign and shall be submitted to the planning director prior to the issuance of a sign permit.
- C. *General requirements.* The following regulations shall apply to all off-site subdivision directional signs:
  - 1. Any such sign approved for a particular subdivision within the city shall not be changed to advertise another subdivision without approval of the planning director.
  - 2. There shall be no additions, tag signs, streamers, devices, display boards or appurtenances added to the signs as originally approved. Further, no other directional signs may be used, such as posters or trailer signs.
  - 3. No subdivision signs shall be erected advertising tracts or subdivisions located outside the city limits.
  - 4. Said signs shall be allowed until a subdivision is sold out or for a period of 12 months, whichever first occurs. Extensions of the 12-month time limit may be approved by the planning director upon presentation of sufficient justification for the extension.
  - 5. Said signs may contain directions to public buildings and facilities.

## 17.12.130 REQUIREMENTS FOR OUTDOOR ADVERTISING (BILLBOARDS)

Outdoor advertising structures (billboards) are permitted only in the "S Zone. Billboards are subject to the requirements of this section.

- A. *General Requirements.* The S zones shall be overlaid only upon the M-1 zone. No person shall use, locate, construct or maintain an outdoor advertising structure on any property except in an S zone. Outdoor advertising structures shall be located in compliance with the following:



1. No outdoor advertising structure shall be located other than in compliance with all setback requirements of the zone underlying the S zone upon which the same is located, and
  2. No outdoor advertising structure shall be located within 400 feet, as measured along the street on one side thereof, of any property zoned for or used for residential, agriculture, church, school, park, hospital or civic center purposes, and
  3. No outdoor advertising structure, except for bidirectional signs, shall be located within 450 feet, as measured along the street on one side thereof, of any other outdoor advertising structure whether or not on the same lot, and
  4. No outdoor advertising structure shall be located within two feet of any other building or structure, except that bidirectional outdoor advertising structures may be located adjacent to one another if the distance between the same does not exceed 18 inches.
- B. *Design Requirements.* The design and maintenance of outdoor advertising structures on such properties shall comply with the following regulations:
1. The total area of an outdoor advertising structure shall not exceed eight hundred (800) square feet, nor be less than three-hundred (300) square feet.
  2. No advertising structure shall exceed an overall height of thirty-five (35) feet, measured from the finished grade of the lot upon which the sign is located; nor shall the bottom of the structure be less than twelve (12) feet above the grade.
  3. Structures shall be supported by not more than two (2) columns, which columns shall be metal, or material equal to or stronger than metal;
  4. The standards for material used as a border around the sign area, as well as the screening on the back of single-faced structures, shall be as set forth by resolution of the City of Covina City Council, which resolution and standards therein may be amended from time to time, as necessary, to ensure the protection and preservation of the public health, safety and general welfare;
  5. All outdoor advertising structures shall be maintained so as not to be unsightly to a person of normal sensibility, nor in such a manner as to constitute a nuisance at law. The Community Development Director or his/her designee shall be charged with the enforcement of this subsection;
- C. *Advertising Displays Located Adjacent to landscaped freeways.* No advertising display shall be placed or maintained on property adjacent to a section of freeway which has been, or hereafter may be, landscaped as defined in this title, if the advertising display is within five hundred (500) feet of the freeway or is designed to be viewed primarily by persons traveling on such landscaped section of a freeway.

## 17.12.140 REQUIREMENTS FOR INCIDENTAL SIGNS

An "incidental sign" (hereinafter "such sign or signs" or "the sign" or "a sign") is any sign, handbill, or poster which is placed to advertise or announce a specific event, or which pertains to a particular event or occurrence, or which is not designed or intended to be placed permanently, or which relates to such events or occurrence that are not taking place on the premises on which the sign is located. Examples of such signs include, but are not limited to, signs, handbills, or posters relating to garage sales, political candidates or ballot measures, concerts, "swap meets" and the like.



- A. *Posting Prohibited.* No person shall paint, mark, or write on, or post or otherwise affix, or erect, construct, maintain, paste, nail, tack or otherwise fasten or affix, any such sign or signs on any sidewalk, crosswalk, curb, street lamppost, pole, bench, hydrant, tree, shrub, bridge, electric light or power or telephone wire pole, or wire appurtenance thereof, or upon any street sign or traffic sign, or upon any other object located within the public right-of-way which is not maintained for the purpose of communications by such signs by the general public.
- B. *Size.* Regardless of the zone in which any such sign or signs are placed, the total area of any such sign or signs shall not exceed 32 square feet where the frontage is equal to or less than 100 linear feet. Where the frontage is greater than 100 linear feet the total area of any such sign or signs may be increased by one-half of one square foot for each linear foot of frontage in excess of one-hundred (100) feet.
- C. *Method of Affixing.* No such sign or signs shall be affixed to any permanent building, structure or facility by use of glue, mastic, tape or tacks penetrating more than one-half inch in depth. This section shall not apply to signs affixed to portable or freestanding devices.
- D. *Location.* No such sign or signs shall be constructed, located or situated within the public right-of-way, nor so as to constitute a potential hazard to the public, nor so as to obstruct the sight distances of motorists or pedestrians, nor less than five (5) feet from any property line.
- E. *Exceptions.* This chapter shall not prevent a public officer or employee from posting notices as required by law, such as notices of street abandonment or notices of proposed assessment district proceedings, as required by the Streets and Highways Code or other statutory authority. This section shall also not pertain to:
1. Structures located within the right-of-way which by tradition or designation are used for the purpose of communication by the general public. Such structures shall include kiosks, bulletin boards, benches upon which advertisement is authorized, newspaper racks, and billboards as authorized by this code.
  2. Events or activities sponsored by the City of Covina or the City of Covina Redevelopment Agency.
- F. *Removal of Incidental Signs.* This section governs the requirements related to the removal of incidental signs. Any incidental sign(s) not prohibited by this chapter shall be removed within fourteen (14) calendar days after the event to which they relate occurs, whether the event is an individual activity or is one part of two or more activities. Other requirements include the following:
1. Any sign or signs located within the public right-of-way or located upon any property in such a manner as to constitute a hazard or risk to the public or so as to obstruct the sight distances of motorists or pedestrians may be removed immediately and without notice by any officer or employee authorized to enforce the *City of Covina Municipal Code, Section 1.28.010.*
  2. Any sign or signs prohibited by this chapter may be removed by any officer or employee authorized to enforce the municipal code under *City of Covina Municipal Code, Section 1.28.010.* The officer or employee seeking to remove the sign shall reasonably attempt to notify the owner in accord with subsection (D) of this section. In cases where a sign contains the name of a printing firm, political group, or political candidate, the city officer or employee shall also reasonably attempt to notify such firm, group, or candidate.
    - a. If the owner refuses to remove the sign, the officer or employee may remove the sign immediately after that refusal. If the owner agrees to remove the sign, they shall have



seventy-two (72) hours to comply, after which the sign is deemed abandoned and may be removed without further delay.

- b. If no response is received to the notice within seventy-two (72) hours of mailing or personal delivery, the sign is deemed abandoned and may be removed without further delay.
  - c. If the owner of the prohibited sign cannot be reasonably ascertained from the sign itself, the sign is deemed abandoned. Signs deemed abandoned in this fashion may be removed without further notice seventy-two (72) hours after they are deemed abandoned.
3. Any sign removed pursuant to Subsection F2 of this Section shall be transported to the Community Development Department for retrieval or disposal in accordance with CMC 17.75.080 and 17.75.090.
  4. Notice of violation of this chapter and possible removal of the sign shall be made in writing, and shall be personally delivered or sent by first-class mail. Such notice shall contain, at a minimum, a statement of intention to remove the sign, a brief statement of the officer or employee's reason for believing the sign is prohibited, the name and telephone number of the officer or employee seeking removal, and the procedure for and cost of retrieving the sign if it is removed.
- G. *Retrieval of Incidental Signs.* Any person desiring to retrieve a sign removed by city officers or employees may do so upon the payment of an administrative fee as determined by the community development director, not to exceed the actual cost of removing the sign. In lieu of paying such administrative fee, such person may retrieve a sign upon signing a promise to appear upon a citation issued to him or her for violation of this chapter. If a person wishes to contest the fact that a sign was placed in violation of this chapter prior to paying the fine or signing the citation, he or she shall have the right to an administrative hearing before the community development director. If the director finds that the sign was lawfully posted, he shall return the sign without an administrative fee or the issuance of a citation.
- H. *Disposal of Incidental Signs.* Any such sign or signs removed by city officers or employees may be considered abandoned if it is not retrieved within fifteen (15) calendar days after the date of such removal, and may be disposed of by the city without liability therefor to any person.
- I. *Cleanup Deposit.* Prior to posting any signs described by this chapter, the person posting such signs shall deposit, with the city clerk, the sum of \$50.00 in cash, check, or money order. The city will issue a receipt, signed by the city clerk and noting the applicable event(s) and date(s). The receipt shall be proof of the making of the deposit described herein and shall be returned to the city clerk at such time as a refund of the deposit is requested.
1. The deposit shall be used by the City to defray costs of removing signs not voluntarily removed by the person or organization originally posting them. At such time as the deposit has been exhausted, the city clerk shall send notification to the original depositor demanding further deposit in the amount of \$50.00.
  2. Within thirty (30) days following the event for which such signs were posted, and following the City's determination that no further cleanup of the signs is required, the City Clerk shall refund the balance of the deposit. If the City is unable to contact or locate the person posting the signs within 90 days, the balance of the deposit shall be transferred to the general fund of the City.



3. The posting of any signs pursuant to this chapter prior to the making of the deposit as set forth above is prohibited. All of the duties imposed upon the City Clerk as set forth in this chapter, and in this section, are ministerial in nature and shall not be construed as vesting in the City Clerk discretionary authority to deny any person the right to post signs in the city except for failure to make a deposit as set forth herein.

## 17.12.160 REMOVAL OF PROHIBITED STRUCTURES/NON-CONFORMING SIGNS

The procedures concerning the removal of prohibited and/or non-conforming signs are indicated in Chapter 17, Section 17.17.70 Nonconforming Signs and Billboards.

## 17.12.170 ADMINISTRATION AND ENFORCEMENT

The administration and enforcement of this Chapter will conform to those requirements outlined in Chapter 17.80 of Title 17.

- A. Any sign which has been constructed or erected or is being maintained in violation of any of the provisions of this chapter or the provisions of this code regulating signs shall be removed by the owner, agent or person having the beneficial use of the property on which the sign is displayed within 10 days after receiving notice to do so by the planning department.
- B. The cost of removing any sign and any expense incidental to such action shall be paid by the sign owner, his agent or the manufacturer.
- C. Any person, firm or corporation who constructs, erects, alters, maintains or causes to be erected, altered or maintained any sign which is in violation of this chapter or the provisions of this code regulating signs is guilty of a misdemeanor and, upon conviction thereof, is punishable as provided in CMC 1.16.010. Each such person, firm or corporation is guilty of a separate offense for every day that the violation of this title is continued or permitted.
- D. Any sign erected on or extending over public property in violation of the provisions of this chapter or the provisions of this code regulating signs, and any sign which is in violation of this title, is a public nuisance subject to abatement by the city in a civil action. The remedy provided herein is cumulative with any other remedy, civil or criminal, which the city may have.



## CHAPTER 17.13 ADULT-ORIENTED BUSINESSES

### SECTION CONTENTS

- 17.13.10 Purpose and Authority
- 17.13.20 Applicability
- 17.13.30 Minimum Proximity Requirements
- 17.13.40 General Requirements for Adult-Oriented Business Uses
- 17.13.50 Amortization of Nonconforming Adult-Oriented Business Uses
- 17.13.60 Extension of Time for Termination of Nonconforming Uses
- 17.13.70 Administration and Enforcement

### 17.13.10 PURPOSE AND AUTHORITY

The intent of this Chapter to prevent community-wide adverse economic impacts, increased crime, decreased property values, and the deterioration of neighborhoods that may result from the concentration of adult-oriented businesses in close proximity to each other or to other incompatible uses such as schools for minors, churches, and residentially zoned districts or uses.

### 17.13.20 APPLICABILITY

The City of Covina City Council finds that it has been demonstrated in various communities that the concentration of adult-oriented businesses causes a number of adverse environmental effects on the local community. Therefore, the purpose of this Chapter to establish reasonable and uniform regulations to prevent the concentration of adult-oriented businesses or their close proximity to incompatible uses, while permitting the location of adult-oriented businesses in certain areas of the City.

### 17.13.30 MINIMUM PROXIMITY REQUIREMENTS

No adult-oriented business shall be established or located in any zone in the City of Covina other than M-1 light manufacturing, or within certain distances of certain specified land uses or zones as set forth below:

1. No adult-oriented business shall be established or located within five-hundred (500) feet of any other adult-oriented business.
2. No adult-oriented business shall be established or located within five-hundred (500) feet of any existing residential zone or use, park, church, or school.
3. The distances set forth above shall be measured as a radius from the primary entrance of the Adult-Oriented Business to the property lines of the property so zoned or used without regard to intervening structures.

### 17.13.40 GENERAL REQUIREMENTS FOR ADULT-ORIENTED BUSINESS USES

In addition to the base zoning requirements, the following additional requirements shall be applicable to Adult-Oriented Businesses.

- A. *Prescribed Uses and Standards.* The adult business shall not conduct or sponsor any special events, promotions, festivals, concerts or similar activities which would increase the demand



for parking spaces beyond the approved number of spaces for the business. The adult business shall not conduct any uses that are not otherwise prescribed in Chapter 17.05 of this Title. Except as specifically provided in this Chapter, the adult business shall comply with the zoning, parking, development and design standards applicable to the zone in which the business is located.

- B. *Occupancy Requirements.* Maximum load, fire exits, aisles and fire equipment shall be regulated, designated and provided in accordance with the City of Covina Fire Department and Building regulations and standards adopted by the City of Covina.
- C. *Signage Visible to Views from Public Areas.* No adult business shall be operated in any manner that permits the observation of any material depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" from any public way or from any location outside the building in which the establishment is located. This provision shall apply to any display, decoration, sign, show window or other opening that is viewable by the public.
- D. *Screening Views of the Interior.* As a means to protect minors or members of the public that may be offended, the following requirements must be implemented to prevent indoor activities from being visible outside the adult-oriented business establishment.
  - 1. No exterior door or window on the premises shall be propped or kept open at any time while the business is open, and any exterior windows shall be covered with opaque covering at all times. Such opaque covering shall be subject to approval of the Community Development Director.
  - 2. Permanent barriers shall be installed and maintained to screen the interior of the premises from public view for each door used as an entrance/exit to the business.
  - 3. No adult material shall be displayed in a manner so that it is visible from any location other than within the premises occupied by the adult business.
- E. *Restrictions of Minors.* No person under the age of eighteen (18) years shall be permitted within the premises at any time. The building entrance to an adult business shall be clearly and legibly posted with a notice indicating that minors are precluded from entering the premises. The notice shall be constructed and posted to the satisfaction of the Community Development Director or his/her designee.
- F. *Noise Control.* The following requirements are applicable to adult-oriented businesses as a means to protect the public, patrons, and employees from excessive noise levels.
  - 1. No loudspeakers or sound equipment shall be used by an adult business for the amplification of sound (both indoor and outdoor) to a level that violates any noise restrictions as may be adopted by the City.
  - 2. Adult-oriented businesses must comply with all State and Federal sound exposure requirements related to noise propagation and protection of employees and patrons.
  - 3. The premises within which the adult business is located shall provide sufficient sound-absorbing insulation so that noise generated inside shall not be audible anywhere on any adjacent property or public right-of-way or within any other building or other separate unit within the same building in violation of any noise restrictions as may be adopted by the Community Development Department.



- G. *Interior Improvements and Design.* The following general design standards and requirements are applicable to adult-oriented business.
1. All indoor areas of the adult business within which patrons are permitted, except restrooms, shall be open to view at all times.
  2. All areas of the adult business accessible to patrons shall be illuminated at least to the extent of twenty (20) foot-candles, minimally maintained and evenly distributed at ground level.
  3. The adult business shall provide and maintain separate restroom facilities for male patrons and employees and female patrons and employees.
  4. Fixed rail(s) at least thirty (30) inches in height shall be maintained to provide separation between entertainers and patrons.
- H. *Requirements for Adult Arcades.* The following additional requirements shall pertain to adult arcades.
1. The interior of the adult arcade shall be configured in such a manner that there is an unobstructed view from a manager's station of every area of the adult arcade in which any patron is permitted access for any purpose excluding restrooms.
  2. It shall be the duty of the owner(s) and it shall also be the duty of all employees present in the adult arcade to ensure that the individual viewing area remains unobstructed by any doors, walls, persons, merchandise, display racks or other materials at all times.
  3. No individual viewing area may be occupied by more than one (1) person at any time.
  4. The adult arcade shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every area of the business in which the patrons are permitted access.
- I. *Requirements Related to the Business Operation.* The following requirements shall pertain to adult businesses providing live entertainment depicting specified anatomical areas or involving specified sexual activities:
1. No person shall perform live entertainment for patrons of an adult business except upon a stage at least twenty-four (24) inches above the level of the floor which is separated by a distance of at least six (6) feet from the nearest area occupied by patrons. No patron shall be permitted within six (6) feet of the stage while the stage is occupied by an entertainer.
  2. The adult business shall provide separate dressing room facilities for entertainers which are exclusively dedicated to the entertainers' use.
  3. The adult business shall provide access for entertainers between the stage and the dressing rooms completely separated from the patrons.
  4. No entertainer, either before, during, or after performances, shall have physical contact with any patron and no patron shall have physical contact with any entertainer before, during, or after performances.



- J. *Security.* At least one (1) security guard shall be on duty outside the premises, patrolling the grounds and parking areas, at all times while the business is open. If the occupancy limit of the premises is greater than fifty (50) persons, an additional security guard shall be on duty inside the premises. The security guard(s) shall be charged with preventing violations of law and enforcing compliance by patrons with the requirements of this Chapter, and notifying the Covina Police Department and code enforcement department of any violations of law observed. Any security guard required by this subparagraph shall be uniformed in such a manner so as to be readily identifiable as a security guard by the public and shall be duly licensed as a security guard as required by applicable provisions of state and/or local law. No security guard required pursuant to this subparagraph shall act as a door person, ticket seller, ticket taker, or admittance person while acting in a security guard capacity.
- K. *Parking.* The adult-oriented business shall comply with the parking requirements outlined in Chapter 17.05 of this Title. The parking requirements for adult business call for one (1) space for every two (2) fixed seats *plus* one (1) space for every 100 sq. ft. of floor area.

### 17.13.50 AMORTIZATION OF NONCONFORMING ADULT-ORIENTED BUSINESS USES

Any use of real property existing on January 1, 1997, which does not conform to the provisions of [CMC 17.55.030](#), but which was constructed, operated, and maintained in compliance with all previous regulations, shall be regarded as a Group B nonconforming use under [Chapter 17.70 CMC](#), and may be continued for the period allowed by [Chapter 17.70 CMC](#). On or before the date of termination of the nonconforming use(s), all such nonconforming uses shall be terminated unless an extension of time has been approved by the planning commission in accordance with the provisions of [CMC 17.55.050](#).

- A. *Abandonment.* Notwithstanding the above, any discontinuance or abandonment of the use of any lot or structure as an adult-oriented business shall result in a loss of legal nonconforming status of such use.
- B. *Amortization, Annexed Property.* Any adult-oriented business which was a legal use at the time of annexation of the property and which is located in the city, but which does not conform to the provisions of [CMC 17.55.030](#), shall be terminated within one year of the date of annexation unless an extension of time has been approved by the planning commission in accordance with the provisions of [CMC 17.55.050](#).

### 17.13.60 EXTENSION OF TIME FOR TERMINATION OF NONCONFORMING USE

The owner or operator of a nonconforming use as described in [CMC 17.55.040](#) may apply under the provisions of this section to the planning commission for an extension of time within which to terminate the nonconforming use.

- A. *Time and Manner of Application.* An application for an extension of time within which to terminate a use made nonconforming by the provisions of [CMC 17.55.030](#) may be filed by the owner of the real property upon which such use is operated, or by the operator of the use. Such an application must be filed with the planning division at least ninety (90) days but no more than one-hundred and eighty (180) days prior to the time established in [CMC 17.55.040](#) for termination of such use.
- B. *Content of Application - Fee.* The application shall state the grounds for requesting an extension of time. The filing fee for such application shall be the same as that for a variance as is set forth in the schedule of fees established by resolution from time to time by the City of Covina City Council.



- C. Hearing Procedure. The City Manager shall appoint a hearing officer to hear the application. The hearing officer shall set the matter for hearing within forty-five (45) days of receipt of the application. All parties involved shall have the right to offer testimonial, documentary and tangible evidence bearing on the issues; may be represented by counsel; and shall have the right to confront and cross-examine witnesses. Any relevant evidence may be admitted that is the sort of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs. Any hearing under this section may be continued for a reasonable time for the convenience of a party or a witness. The decision of the hearing officer shall be final and subject to judicial review pursuant to California Code of Civil Procedure Section 1094.6.
- D. Approval of Extension - Findings. An extension under the provisions of this section shall be for a reasonable period of time commensurate with the investment involved, and shall be approved only if the Planning Commission makes all of the following findings or such other findings as are required by law:
1. The applicant has made a substantial investment (including but not limited to lease obligations) in the property or structure on or in which the nonconforming use is conducted; such property or structure cannot be readily converted to another use; and such investment was made prior to January 1, 1997;
  2. The applicant will be unable to recoup said investment as of the date established for termination of the use; and
  3. The applicant has made good faith efforts to recoup the investment and to relocate the use to a location in conformance with [CMC 17.55.030](#).

## 17.13.70 ADMINISTRATION AND ENFORCEMENT

The administration and enforcement of this Chapter will conform to those requirements outlined in Chapter 17.80 of Title 17.



## CHAPTER 17.14 ANIMAL KEEPING

### SECTION CONTENTS

- 17.14.10 Purpose and Authority
- 17.14.20 Applicability
- 17.14.30 Domestic Animal Keeping
- 17.14.40 Dangerous and Prohibited Animals
- 17.14.50 Wild and/or Exotic Animals
- 17.14.60 Environmental Management
- 17.14.70 Administration and Enforcement

### 17.14.10 PURPOSE AND AUTHORITY

This Chapter establishes animal keeping regulations within the City of Covina. The intent of this Chapter is to ensure that animal keeping within the City of Covina does not result in an adverse impact related to a health and safety violation; to eliminate conditions that contribute to environmental degradation and pollution; and, to ensure that the keeping of animals does not create a nuisance.

### 17.14.20 APPLICABILITY

This Chapter is applicable to all Zone Districts in the City of Covina. All animal keeping activities permitted in this Chapter shall also be subject to the requirements of Title 7 (Animals) in the City of Covina Municipal Code.

### 17.14.30 DOMESTIC ANIMAL KEEPING

*Domestic* and *non-dangerous* wild animals may be kept or maintained as pets or for the non-commercial use of member(s) of a household residing on the premises subject to the following restrictions.

- A. *Large Animals.* Large animals refer to any animal that weighs 250 pounds or more as well as other bovine species, goats, and sheep. Large animals are permitted within the “Agricultural and Residential Zones” that include the A-2 and A-1 Zone Districts. The A-1 and A-2 Zones are intended for agricultural purposes with appropriate single-family dwellings with a minimum lot area of two acres. The Zone Districts in which large animals are permitted are indicated in Table 17.09-1.
- B. *Small Animals.* Small animals are permitted in all residential zones and include rodents, birds, non-poisonous snakes, chickens and other barnyard fowl, rabbits and similar species that do not constitute a public nuisance. Other similar small animals not listed may be permitted by determination of the Planning Director that such animals are no more obnoxious or detrimental to the public welfare than the animals that are permitted in this subsection. The Zone Districts in which small animals are permitted are indicated in Table 17.09-1.
- C. *Dogs and Cats.* Domesticated dogs and cats are limited to a maximum for three (3) dogs and three (3) cats over the age of twelve (12) months for each developed residential lot.



Table 17.14-1 Permitted Animals for the Residential Base Zone Districts						
Animal	A Zones	E Zones	R-1 Zones	RD Zones	R-TP Zones	Additional Requirements
<b>Large Animals (Section 17.14.30.A)</b>						
Horses	■	□	□	□	□	<ul style="list-style-type: none"> <li>● No more than two (2) large animals of the same species are permitted for each one (1) acre of lot area.</li> <li>● There shall not be more than five (5) large animals consisting of cattle, horses, sheep and/or other large animals, for each acre of land.</li> </ul>
Other Bovine Animals	■	□	□	□	□	
Sheep	■	□	□	□	□	
Goats	■	□	□	□	□	
<b>Small Animals (Section 17.14.30.B)</b>						
Pot Bellied Pigs	■	■	■	□	□	● No more than one (1) pot-bellied pig per lot or parcel.
Domestic dogs	■	■	■	●	●	● <i>A, E, and R-1 Zones.</i> No more than three (3) animals over twelve (12) months of age are permitted on a single lot.
Domestic cats	■	■	■	●	●	● <i>RD and R-TP-1 Zones.</i> No more than one animal of the same species or two (2) of any combination thereof, are permitted.
Domesticated parrot	■	■	■	■	■	● <i>A, E, and R-1 Zones.</i> No more than three (3) small animals of the same species or nine (9) small animals consisting of any combination thereof, are permitted.
Domesticated parakeet	■	■	■	■	■	
Rabbits/hares	■	■	■	■	■	● <i>RD and R-TP-1 Zones.</i> No more than three (3) small animals of the same species or any combination thereof, are permitted.
Golden hamsters	■	■	■	■	■	
Albino rats/mice	■	■	■	■	■	
Guinea pigs	■	■	■	■	■	● No exotic species are permitted (refer to Section 17.08.50).
Local frogs	■	■	■	■	■	● <i>A-2 Zone.</i> No poultry houses and/or runs or rabbit hutches permitted in the A-2 Zone shall be located less than one hundred feet from the boundary with any adjacent residential or A-1 zone.
Turtles and toads	■	■	■	■	■	
Non-poisonous snakes	■	■	■	■	■	
Tropical Fish	■	■	■	■	■	<ul style="list-style-type: none"> <li>● No limit on the number of fish.</li> <li>● Species that are permitted are those normally found in a tropical fish store.</li> </ul>
<b>Fowl/Avian Species</b>						
Ducks	■	■	■	□	□	● There shall not be more than ten (10) fowl consisting of chickens, turkeys, guinea fowl, pigeons, ducks, pheasant or geese for each acre of land
Doves	■	■	■	□	□	
Pheasant	■	■	■	□	□	
Geese	■	■	■	□	□	● <i>A-2 Zone.</i> No killing or dressing shall be permitted other than of the poultry raised on the premises and that such killing or dressing shall be done in an accessory building designed specifically for said purpose. No such uses are permitted in the other residential zones.
Turkeys	■	■	■	□	□	
Chickens	■	■	■	□	□	
Pigeons	■	■	■	□	□	
■ Permitted    □ Prohibited    ● Further restrictions on the number of animals						



## 17.14.40 DANGEROUS AND PROHIBITED ANIMALS

Any animal, except a trained dog assisting a peace officer engaged in law enforcement duties, which demonstrates any or all of the following behavior, is prohibited.

- A. *Animals Causing Injury or Property Damage.* A dangerous animal is one that attacks, without provocation, that requires a defensive action by any person to prevent bodily injury or property damage or which results in an injury to a person or property; or any behavior, without provocation, which constitutes a physical threat of bodily harm to a person; where such attack, injury, or behavior occurs in a place where such person is conducting himself peaceably and lawfully.
- B. *Unrestrained Animals.* A dangerous animal is one that is unrestrained and harasses or molests persons or other animals off of the owner's property.
- C. *Risk to Health and Safety.* A dangerous animal is one that creates a danger or constitutes a menace to the health and safety of the public due to the training or inherent nature of the animal.
- D. *Other Prohibited Animals.* A person shall not keep or maintain any animal other than those permitted in this Section 17.08 for non-commercial use in any Zone except as specifically permitted in this article and subject to all regulations and conditions enumerated in this article.

## 17.14.50 WILD AND/OR EXOTIC ANIMALS

It is unlawful to import, transport, or possess for pets, live animals within the City of Covina that are identified as wild and/or exotic animals by the State of California Department of Fish and Game. The prohibited wild and/or exotic species are identified in the California Code of Regulations, Title 14 §671.

## 17.14.60 ENVIRONMENTAL MANAGEMENT

This section outlines the requirements governing the maintenance and upkeep of animal keeping facilities and other structures used for the housing of animals.

- A. *Water Runoff.* All animal-keeping facilities must be designed in a manner so that water runoff is contained and disposed of in such a manner so that the runoff does not contribute to the pollution of local groundwater or the flooding of adjacent properties.
- B. *Open Water Containers or Standing Water.* Open watering containers must be designed so that they do not become attractants for mosquito larvae. Standing water is not permitted.
- C. *Waste and Debris Containers.* Animal keeping facilities and accessory uses must be maintained at all times and kept free of debris, trash, and animal waste. Storage containers for such debris, trash, and animal waste must be kept closed at all times.
- D. *Odors.* Animal keeping facilities and accessory uses must be designed and maintained to prevent odors from affecting adjacent properties.



- E. *Feed Storage.* Buildings, containers, or any other improvement used for the storage of feed must be constructed of materials to ensure that such feed is not an attractant to insects, rodents, and other vectors and to control odors.
- F. *Pest Control.* All animal-keeping facilities must be kept free of vectors through periodic pest control inspections.
- G. *Chemicals.* The storage, handling, and disposal of any potentially hazardous chemicals or commercial products used in the routine maintenance of animal control facilities or in the care of the animals, must adhere to all pertinent Federal, State, or Los Angeles County Health Department regulations.
- H. *Fugitive Dust and Particulates.* All animal keeping facilities and accessory uses must be designed and maintained to prevent fugitive dust and particulates from affecting off-site locations.

## 17.14.150. ADMINISTRATION AND ENFORCEMENT

The administration and enforcement of this Chapter will conform to those requirements outlined in Chapter 17.80 of Title 17.



## CHAPTER 17.15 HISTORIC PRESERVATION

### SECTION CONTENTS

- 17.15.10 Purpose and Authority
- 17.15.20 Applicability
- 17.15.30 Administration
- 17.15.40 Historic Preservation Board
- 17.15.50 Historic Designation Criteria
- 17.15.60 Historic Structure Modification Certificate
- 17.15.70 Emergency Demolition
- 17.15.80 Maintenance and Care
- 17.15.90 Historic Preservation Participation Incentives
- 17.15.100 Delay of Demolition Permit
- 17.15.110 Administration and Enforcement

### 17.15.10 PURPOSE AND AUTHORITY

The purpose of this Chapter is to preserve, conserve and maintain the City of Covina's cultural, architectural, archaeological, and historical resources by encouraging the voluntary designation of such properties and resources for protection. This Chapter's intent is to accomplish the following:

1. To preserve Covina's architectural history and to encourage complementary development and land uses on surrounding properties;
2. To build and strengthen civic pride in the beauty and notable accomplishments of the past;
3. To protect, enhance and perpetuate Covina's historic attractions for residents desiring a pleasant way of life, as well as tourists and visitors seeking a pleasant shopping and recreational experience;
4. To strengthen the economy of the City by stabilizing and improving property values through adaptive reuse, increased social activity, and increased community awareness of the City's historic resources.
5. To promote the private and public use and preservation of designated structures or areas for the education, appreciation and general welfare of the people.

### 17.15.20 APPLICABILITY

This Chapter shall apply to all new construction and the expansion, renovation, conversion, and alteration of existing uses or structures in all zone districts that may be subject to historic preservation.

### 17.15.30 ADMINISTRATION

The implementation of this Chapter shall be the direct responsibility of the *City of Covina Historic Preservation Board* with support from the City of Covina Community Development Department. The Historic Preservation Board shall establish rules of order and regular meeting requirements and procedures, which may be amended from time to time as needed.



## 17.15.40 HISTORIC PRESERVATION BOARD

The Historic Preservation Board shall carry out activities required by City ordinances relating to the administration of this Chapter. The Historic Preservation Board shall have the following powers and duties:

1. To increase public awareness of the value of historic, architectural and cultural preservation by developing and participating in public information programs. Specific duties may include, but not be limited to, lectures, tours, walks, reports or publications, films, open houses, and special events;
2. To establish and/or recommend specific design guidelines for the alteration, construction, removal, or demolition of historical landmarks and structures of merit to the City of Covina City Council;
3. To review applications for permits to rehabilitate, construct, change, alter, modify, remodel, demolish, remove or significantly affect any structure over which the historic preservation board has approval authority;
4. To compile or cause to be compiled and maintained a current inventory of all designated historic landmarks and structures of merit;
5. To review and make recommendations on applications for conditional use permits, zoning amendments, or zoning variances for historic landmarks and structures of merit;
6. To seek means and sources for the protection, retention and preservation of historic resources through financial support from individuals and public and private entities;
7. To recommend grants, tax incentives, and benefits to encourage redevelopment of historically significant structures or neighborhoods;
8. To encourage public participation in the nomination, review and permitting processes for historic resources;
9. To adopt and make available nomination, application and review procedures to designate historic landmarks or structures of merit; and,
- J. To implement the Secretary of the Interior's standards with respect to historic preservation.

## 17.15.50 HISTORIC DESIGNATION CRITERIA

This Section establishes designation criteria that will be used in the designation of any property and/or building as historically significant.

- A. *Designation Criteria.* The following criteria shall be used by the Historic Preservation Board and City of Covina City Council in designating any property as a historic landmark or structure of merit:
  1. It exemplifies or reflects special elements of the city's cultural, social, economic, political, aesthetic, engineering, architectural or natural history; or
  2. It is identified with persons or events significant in local, state, or national history; or



3. It represents the work of a notable builder, designer, or architect; or
  4. It embodies distinctive characteristics of a style, type, period, or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship; or
  5. It contributes to the significance of an historic area, being a geographically definable area possessing a concentration of historic or scenic properties or thematically related grouping of properties which contribute to each other and are unified aesthetically by plan or physical development; or
  6. It is one of the few remaining examples in the City of Covina, region, state, or nation possessing distinguishing characteristics of an architectural or historic type or specimen.
- B. *Nomination Procedures.* The nomination for historic designation shall be considered in accordance with the following procedures:
1. Nominations may be filed by the City Council, planning commission and historic preservation board, any property owner, the Covina Historical Society, any community or ethnic association, or any Covina citizen.
  2. With respect to nominations for individual historic landmarks or structures of merit, no application shall be accepted without the written consent of the owner of the property to which the nomination pertains. The owner may withdraw this consent prior to the City Council's final determination. Such withdrawal shall terminate the nomination proceedings for the subject property.
  3. Nomination shall be made to the historic preservation board on a form provided by the Community Development Department. The nomination shall provide sufficient documentation and information indicating how the proposal meets the designation criteria. The Community Development Director or his/her designee shall establish a nomination form and minimum information requirements.
  4. Written notice shall be sent by mail to each property owner within three hundred (300) feet of the boundaries of the property upon which is located the proposed structure of merit or historic landmark that is the subject of the hearing, which shall be set within sixty (60) days of when the application is found to be complete. The notice shall indicate the date, place, time, and purpose of the hearing to consider such designation and shall be published at least once in a newspaper of general circulation in the city not less than 10 days prior to hearing. The Community Development Director or his/her designee shall send notice by certified mail to the owner(s) of all properties proposed for nomination as historic landmarks or structures of merit. The notice shall include a written summary of application of the nomination and seek a written statement of consent or opposition.
  5. The Historic Preservation Board shall conduct a public hearing at which all evidence and testimony shall be considered. Recommendations may be for approval, or approval with conditions, or denial. The recommendation shall be forwarded to the City Council within sixty (60) days for action in the form of a nomination statement.
  6. Upon receipt of nomination, the City Council shall set a hearing within forty (45) days for consideration and provide notice in the manner presented in this section. The City Council shall render its decision within a timely period of time.
  7. The City shall notify the affected owners of designation by certified mail within ten (10) days.



8. Failure to send notice by certified mail to any affected owner where the address of such owner is not a matter of public record shall not invalidate any proceedings in connection with the proposed designation.
  9. Upon designation by the city council, the city clerk shall record the city council's decision in the office of the county recorder of the county of Los Angeles in the form of a designation statement, in fact or by reference.
  10. No deliberate action may be taken which is inconsistent with **CMC 17.81.060(C)(3)(a)** which would deface or destroy the proposed historic landmark or structure of merit and no permits shall be issued while the nomination process, including public hearing, is pending.
- C. *Repeal of Historic Designation.* An application to repeal a Historic Designation may be considered in the same manner provided by this Chapter if the resource no longer meets designation criteria for reasons such as the subsequent discovery of substantial information concerning the significance of the resource or destruction of the resource by a catastrophic event.

## 17.15.60 HISTORIC STRUCTURE MODIFICATION CERTIFICATE

No alteration or demolition may be conducted on a designated historic landmark or structure of merit without first obtaining a historic structure modification certificate from the City. The application and review process is described in this Section.

- A. *Application.* An application for a Historic Structure Modification Certificate shall be filed by the applicant with the City of Covina Community Development Department. The Community Development Director or his/her designee shall be responsible for reviewing the application for compliance with the Secretary of the Interior's Standards as well as all local standards and criteria. Where practical, the historic structure modification certification may be combined with other permit processing related to construction and demolition of structures and buildings that are subject to the application.
- B. *Approval Authority.* The approval authority for a historic structure modification certificate application shall be divided into two categories that include Minor Projects and Major Projects.
- C. *Definition and Review of Minor Projects.* Minor projects shall be administratively reviewed by the Community Development Director or his/her designee who shall have approval authority. These minor projects may include, but not be limited to any of the following:
  1. The replacement of an element of a historic landmark or structure of merit with similar elements or additional elements that do not significantly impact the character, history, or architectural style of the structure.
  2. Room and patio additions to structures of merit where the architectural design is compatible with the original building and the surrounding area and the project does not otherwise require review by the historic preservation board.
  3. The demolition or construction of accessory structures where the accessory structure proposed for demolition is not a landmark structure and any new structure is of a style, architecture and color that is compatible with the main building.
  4. Room additions to a historic landmark that are less than five-hundred (500) square feet in area and do not alter the architectural character of the building or structure.



5. Interior construction and/or remodeling where such work does not adversely impact a significant historical feature of the house.
- D. *Definition and Review of Major Projects.* Major projects shall be reviewed by the Historic Preservation Board who shall have approval authority and will include, but may not be limited to, the following:
- a. Any changes that significantly alter the architectural character, height, proportion, the relationship of the building mass and space, roof shape, scale, or distinctive facades of a structure of merit or a historic landmark.
  - b. The demolition or relocation of an historic landmark or a structure of merit and/or the construction of new primary use buildings.
  - c. Room additions to a historic landmark that exceed five-hundred (500) square feet in area.
- E. *Noticing Requirements.* No notice is required for a minor project. The procedures and public notice to consider a major project shall be the same as CMC 17.81.050(B).
- F. *Findings.* The consideration of a Historic Structure Modification Certificate shall be directed by the following criteria:
1. *Height.* Any proposed construction shall be compatible with the height and bulk of contemporary historical development in the vicinity and with maximum conformance for the applicable zoning district.
  2. *Proportions of Windows and Doors.* Proportions and relationships between doors and windows shall be compatible with the architecture and character of the contemporary historical development in the vicinity, and be of an appropriate material.
  3. *Relationship of Building Masses and Open Spaces.* The relationship between the proposed structures and open spaces or between remodeled structures and created spaces shall be consistent with shapes and setbacks of contemporary historical development in the vicinity.
  4. *Roof Shape.* Design shall be compatible with the architectural character and style of surrounding structures, gables, turrets, and other roof forms.
  5. *Scale.* Structure shall be compatible with the architectural character and style of contemporary historical development in the vicinity. New architecture shall be sensitive through proper scale and materials.
  6. *Architectural Details.* Architectural details, including materials and textures, shall be treated so as to make any new construction compatible with the architectural style and character of contemporary historical development in the vicinity.
  7. *Architectural Rhythm and Articulation.* All proposed structure or facade remodeling shall show sufficient and rhythmic repetition of details to be compatible with facade articulation of contemporary historical development in the vicinity.
  8. *Compatibility.* New additions and adjacent related new construction shall be undertaken so that it will not impair essential form and integrity of the historic property if the addition or construction is removed in the future.



9. *Mechanical Equipment.* All exterior mechanical equipment shall be screened from view with acceptable and appropriate screens, parapet walls, landscaping, or other screen forms. Design, style, color and texture shall be compatible with the existing or proposed building/facade design.
10. *Major Demolition Finding.* Findings to approve demolition of over forty (40) percent of a historic landmark or structure of merit:
  - a. The retention of the historic building or structure will constitute a significant economic hardship as defined in this chapter; or,
  - b. The demolition of the historic structure is necessary to allow development of a project which is of overriding community importance; or,
  - c. The applicant fully intends to construct a replacement structure, has obtained the necessary financial commitment, and has obtained site plan approval pursuant to this title; or,
  4. If the applicant does not intend to develop a replacement structure, that the existing historic structure constitutes a substantial threat to the public health, safety and welfare which cannot be reasonably mitigated by measures other than demolition.
- G. *Appeal Procedures.* The decision on a Historic Structure Modification Certificate may be appealed as follows:
  1. The Community Development Director or his/her designee determination may be appealed to the historic preservation board. The Historic Preservation Board's decision may be appealed to the City Council.
  2. All appeals shall be in writing stating the reasons for appeal and filed with the Community Development Department within ten (10) days from the decision. An appeal shall stay all actions, abeyances, or other discretionary approvals.
  3. Appeals shall be scheduled for the earliest regular meeting and consistent with the agenda procedures of the Historic Preservation Board and City Council. There shall be no fee charged for the appeal.
  4. Notice of the appeal shall be provided in accordance with CMC 17.81.050(B).
- H. *Certificate of Economic Hardship.* The Historic Preservation Board shall not deny a historic structure modification certificate if such action would result in a significant economic hardship that would deny the property owner reasonable use and economic return on the property. In such case the Historic Preservation Board shall issue a *Certificate of Economic Hardship* along with the Historic Structure Modification Certificate. The procedures and standards for considering economic hardships shall be as follows:
  1. The owner of an historic landmark or structure of merit may request that an alteration, demolition or relocation be conducted even though it does not meet the findings for such certificate if the owner can substantiate the suffering of significant economic hardship that denies the owner reasonable use or economic return.



2. The applicant must present facts and clear evidence demonstrating immediate and substantial economic hardship if the historic preservation board fails to approve the historic structure modification certificate.
3. Economic hardship shall mean a substantial burden to the owner of the property and is unreasonable in comparison to the benefit conferred to the community. To approve a Certificate of Economic Hardship, the historic preservation board must make the following findings:
  - a. A denial will significantly diminish the value of property.
  - b. A sale or rental is not practical when compared to the zoning or permitted uses. This pertains to commercial properties only.
  - c. The use of the property for adaptive reuse is impractical.
  - d. The rental of the property at a reasonable rate is not feasible. This pertains to commercial properties only.
  - e. All means involving City-sponsored incentives, such as tax abatement, financial assistance, building code modifications, amendments to the zoning ordinance, loans, grants, and reimbursement have been explored to relieve possible economic hardship and have been found to be inadequate to reasonably mitigate the impact.
4. When requested by the Historic Preservation Board, the applicant shall furnish adequate evidence supporting the claim of economic hardship. The historic preservation board may request any of the following information when reasonably necessary to render a decision:
  - a. Cost estimate of proposed work and additional costs that would be incurred by complying.
  - b. Report on structural soundness and rehabilitation feasibility from a licensed engineer or architect experienced in rehabilitation.
  - c. A fair market appraisal from an appraiser of current and estimated value after completion of proposed construction, alteration, demolition, or removal.
  - d. Proposed demolition requires an estimate from an architect, appraiser, or other professional experienced in rehabilitation stating that it is economically unreasonable to rehabilitate, relocate, or reuse existing structure on the property.
  - e. For income-producing properties, information on annual gross income, operating and maintenance expenses, depreciations and annual cash flow after debt service, and real property.
  - f. Any other information that the historic preservation board finds is necessary to render a decision.
5. City staff shall prepare a report analyzing evidence and shall include, where possible, a hardship relief plan, with recommendations such as property tax relief, loans, or grants, acquisitions of property, use of the State Historic Building Code, changed zoning regulations, and redevelopment funds.



6. The Historic Preservation Board shall review evidence and staff's relief plan and determine whether denial of historic structure modification certificate has or will deprive owner of reasonable use or reasonable economic return. If facts and clear evidence demonstrate the applicant's claim for economic hardship and that the proposed relief plan cannot provide sufficient mitigation, then the Historic Preservation Board may recommend to the City Council to approve or conditionally approve such certificate. The final decision shall be made by the City Council.
7. In the matter of the issuance of the historic structure modification permit, the above entitled procedure shall be implemented. If the historic preservation board recommends to the city council denial of the request and the council concurs, then the applicant will be notified by certified mail of the historic structure modification certificate and certificate of economic hardship denials.
8. If a historic structure modification certificate and certificate of economic hardship would result in the demolition of a historic landmark or structure of merit the applicant shall provide the following documentation:
  - a. Photographs of exterior and interior of the structure;
  - b. Site plan(s), floor plan(s) and any significant exterior elevations;
  - c. Scale drawings;
  - d. Archaeological survey (where applicable); and
  - e. Other reasonable documentation to preserve historical knowledge as required by the historic preservation board.

## 17.15.70 EMERGENCY DEMOLITION

Historic landmarks and structures of merit that have been severely damaged because of an emergency declared by the President of the United States, Governor of California, or the Mayor of Covina and present an imminent threat to public safety and cannot be secured against intrusion or entry shall be exempt from the provisions of this chapter. A determination for demolition shall be made by one of the following: Building Safety Officer, City Manager, or Disaster Chairman in conjunction with the Community Development Department and, when practical, the Historic Preservation Board.

## 17.15.80 MAINTENANCE AND CARE

The owner or other person in charge of a historic landmark or structure of merit shall keep in good repair all of the exterior and interior portions specified in the designation statement and all interior portions necessary to prevent deterioration and decay of any/all architectural features. Nothing in this Chapter shall be construed to prevent ordinary maintenance, upkeep and repair, nor does this Chapter prevent construction, reconstruction, alteration, restoration, demolition, or removal when certified by the historic preservation board that action is required for the public safety due to unsafe conditions which cannot be rectified through the use of the California State Historical Building Code.

## 17.15.90 HISTORIC PRESERVATION PARTICIPATION INCENTIVES

In order to foster preservation of the City of Covina's cultural heritage and built urban history environment, the following incentives for participation are only available to historic landmarks or structures of merit:



- A. *State Historic Building Code.* Any alteration made for preservation, rehabilitation, restoration, or relocation of an historic landmark or structure of merit shall be allowed to comply with the requirements of the State Historical Building Code pursuant to the *California Health and Safety Code Section 18950 et seq.* rather than the otherwise applicable building and safety codes. This section does not apply to requirements for fire sprinkler systems as provided for elsewhere in the municipal code.
- B. *Mills Act Contracts.* The City Council authorizes the use of contracts pursuant to *California Government Code Section 50280 et seq.* Such contracts, which shall be administered by the Community Development Department, may be entered into at the sole discretion of the City Council based on the recommendations of the historic preservation board in a form to be approved by the City Attorney. The intent of such contracts shall be the continued preservation of historic properties. The subject property must be a historic landmark or structure of merit.
- C. *Fee Relief.* The applicable building construction or planning review permit fees shall be thirty (30) percent of the actual permit fee at time of issuance. This shall not apply to the historic structure modification certificate.
- D. *Setback Flexibility.* Room additions may be constructed at a setback less than provided for under the Title 17 of this code provided it is no closer than the existing structure and the addition complies with Uniform Building Code.
- E. *Relief from Nonconforming Parking Requirements.* Additions to single-family residences with an additional floor area that does not exceed fifty (50) percent of the existing floor area in any twelve (12) month period shall not be required to provide additional parking according to current standards. Multiple-family dwellings adding additional dwelling units within existing zoning standards shall not be required to bring the existing unit(s) into compliance with current parking standards.
- F. *Recognition.* The historic preservation board shall establish a program to recognize historic properties with special plaques, signage and other appropriate forms of recognition.
- G. *Financial Benefits.* Owners of such properties are eligible to apply for private, local, state and federal financial benefits as available.

## 17.15.100 DELAY OF DEMOLITION PERMIT

A committee comprised of the City Manager, Community Development Director, Public Works Director and Parks and Recreation Director may vote to delay for up to thirty (30) days the approval of a permit to demolish a potential historic landmark when the following apply:

- A. The structure is of exceptional historical significance and age and occupies a prominent site in the community; or
- B. The City Council has not previously declined to designate the structure as a historic landmark or structure of merit.

## 17.15.110 ADMINISTRATION AND ENFORCEMENT

The administration and enforcement of this Chapter will conform to those requirements outlined in Chapter 17.80 of Title 17. The following enforcement and penalty provisions are applicable to this Chapter.



- A. *Failure to Comply.* Any person, whether owner, agent, or otherwise, who violates a requirement of this Chapter or fails to comply with a condition of approval of any certificate or permit issued shall be guilty of a criminal misdemeanor and subject to provisions of the *City of Covina Municipal Code, Chapter 1.28.*
- B. *Alteration of Historic Landmark or Structure.* Any person or entity who unlawfully constructs, alters, demolishes, relocates or removes an historic landmark or structure of merit may be required to restore the building or structure to its original setting prior to the violation. Any action to enforce this provision shall be implemented by the City of Covina or any other entrusted party. This civil remedy shall be in addition to any criminal prosecution and penalty and any other remedy provided by law.
- C. *Denial of Building Permit.* The demolition of a historic landmark or structure of merit in violation of this chapter may result in the denial of building or construction-related permits or permits for use as a parking area. The question of denial and the period of its duration shall be based on the significance of the lost building or structure and the nature of the violation.



## CHAPTER 17.16 ENVIRONMENTAL PROTECTION

### SECTION CONTENTS

- 17.16.10 Intent and Purpose
- 17.16.20 Applicability of this Chapter
- 17.16.30 Noise Control
- 17.16.40 Light Trespass and Glare
- 17.16.50 Transportation Demand Management
- 17.16.60 Reserved

### 17.16.10 INTENT AND PURPOSE

The purpose of this Chapter is to establish development standards and requirements to prevent undesirable noise and light and glare resultant from land use and development activity. Further regulation of public nuisances is found in Chapter 9 of this Title.

### 17.16.20 APPLICABILITY OF THIS CHAPTER

This Chapter applies to all land uses and activities in the City of Covina regardless of the applicable Zone District.

### 17.16.30 NOISE CONTROL

No noise source, type, or level sufficient to cause distress to, or be unpleasant to, a person of reasonable sensitivity shall be allowed at any time. All land uses must comply with all pertinent provisions of Chapter 9.40 prohibiting unnecessary, excessive, and annoying noises from all sources. Chapter 9.40 is referred to and cited as the City of Covina Noise Ordinance.

### 17.16.40 LIGHT TRESPASS AND GLARE

All new and existing development must control and limit light and glare and light trespass as a means to preserve the night-time skies that contribute to the City's community character. The following sections implement the City of Covina policies related to light trespass and glare for new development.

1. *Lighting Plans Required.* All development plans must include an outdoor lighting plan submitted as part of the development application.
- B. *Limit Light Trespass.* All outdoor light fixtures shall limit light trespass and glare through the use of shielding, directional lighting, timers, motion detectors, or other means to prevent skyward lighting. All exterior lights shall be designed, located, installed and directed to prevent objectionable light glare across property lines. Landscaping may be required in areas where plantings can reduce glare.
- C. *Outdoor Lighting.* External lighting fixtures must not create any objectionable light trespass or spillover impacts.
- D. *Driveway and Parking Area Lighting.* Lighting fixtures located along driveways and parking areas shall be fitted with glare shields or be cut-off type fixtures.



## 17.16.40 TRANSPORTATION DEMAND MANAGEMENT

The purpose of this Section is to implement a trip reduction and travel demand management ordinance that promotes alternative transportation methods, such as carpools, vanpools, transit, bicycles, walking, flexible work hours, telecommuting, and parking management programs.

- A. *Review of transit impacts.* Prior to approval of any development project for which an environmental impact report (EIR) will be prepared pursuant to the requirements of the California Environmental Quality Act (CEQA) or based on a local determination, regional and municipal fixed-route transit operators providing service to the project shall be identified and consulted with.
- B. *Transportation demand and trip reduction measures.* Prior to approval of any development project, the applicant shall make provisions for all of the following applicable transportation demand management and trip reduction measures that are applicable. This division shall not apply to projects for which a development application has been deemed "complete" by the City pursuant to Government Code Section 65943, or for which a notice of preparation for DEIR has been circulated or for which an application for a building permit has been received, prior to the effective date of this division.
- C. *Development standards for Large Nonresidential development of twenty-five thousand (25,000) square feet or more.* Larger nonresidential developments corresponding to this category shall provide the following to the satisfaction of the City of Covina:
  1. A bulletin board, display case, or kiosk displaying transportation information located where the greatest number of employees are likely to see it. Information in the area shall include, but is not limited to, the following: current maps, routes and schedules for public transit routes serving the site;
  2. Telephone numbers for referrals on transportation information including numbers for the regional ridesharing agency and local transit operators;
  3. Ridesharing promotional material supplied by commuter-oriented organizations;
  4. Bicycle route and facility information, including regional/local bicycle maps and bicycle safety information;
  5. A listing of facilities available for carpools, vanpoolers, bicyclists, transit riders and pedestrians at the site.
- D. *Development standards for Large Nonresidential development of fifty-thousand (50,000) square feet or more.* Nonresidential development of fifty thousand (50,000) square feet or more shall comply with subsection (d)(2)a. above and shall provide all of the following measures to the satisfaction of the City:
  1. Not less than ten (10) percent of employee parking area, shall be located as close as is practical to the employee entrance(s), and shall be reserved for use by potential carpool/vanpool vehicles, without displacing handicapped and customer parking needs.
  2. Spaces will be signed/striped as demand warrants; provided that at all times at least one (1) space for projects of fifty thousand (50,000) square feet to one hundred thousand (100,000) square feet will be signed/striped for carpool/vanpool vehicles.



3. Bicycle racks or other secure bicycle parking shall be provided to accommodate four (4) bicycles per the first fifty thousand (50,000) square feet of nonresidential development and one (1) bicycle per each additional fifty thousand (50,000) square feet of non-residential development.
- E. *Development standards for Large Nonresidential development of one-hundred thousand (100,000) square feet or more.* Nonresidential development of one hundred thousand (100,000) square feet or more shall comply with subsections (d)(2)a. and (d)(2)b. above, and shall provide all of the following measures to the satisfaction of the city:
1. A safe and convenient zone in which vanpool and carpool vehicles may deliver or board their passengers.
  2. Sidewalks or other designated pathways following direct and safe routes from the external pedestrian circulation system to each building in the development.
  3. If determined necessary by the city to mitigate the project impact, bus stop improvements must be provided. The city will consult with the local bus service providers in determining appropriate improvements. When locating bus stops and/or planning building entrances, entrances must be designed to provide safe and efficient access to nearby transit stations/stops.
  4. Safe and convenient access from the external system to bicycle parking facilities on-site.
- F. *Transportation demand and trip reduction measures monitoring.* All development projects for which an environmental impact report (EIR) will be prepared pursuant to the requirements of the California Environmental Quality Act (CEQA), and for which all applicable demand management and trip reduction measures are required per this division, shall comply with the mitigation monitoring program and enforcement of mitigation measures as adopted as part of the project's approval.
- G. *Transportation demand and trip reduction measures enforcement.* No person shall violate or fail to comply with any or all of the applicable demand management and trip reduction measures, as required per this division and as enforceable as conditions of approval of the conditional use permit, precise plan or other discretionary approval(s) for the project. Should the developer, or responsible or trustee agency, violate or fail to comply with this division, and applicable conditions of approval, all permits including, but not limited to, the certificate of occupancy and/or business license, conditional use permits, precise plans or other discretionary approvals for the project may be revoked by the city. Furthermore, any such violation or failure to comply with any or all of this division may result in the revocation of the certificate of occupancy and/or business license.



## CHAPTER 17.17 NON-CONFORMING LOTS, BUILDINGS, AND USES

### SECTION CONTENTS

- 17.17.10 Purpose and Authority
- 17.17.20 Applicability
- 17.17.30 General Provisions
- 17.17.40 Group A Nonconforming Lots, Buildings and Uses
- 17.17.50 Group B Nonconforming Lots, Buildings and Uses
- 17.17.60 Nonconforming Use of the Land
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- 17.17.130 Nonconforming Lots, Buildings and Uses Subject to A Variance or A Conditional Use Permit
- 17.17.140 Public Utility Distribution Stations
- 17.17.150 Review of Amortization Schedule or Substitution of Use for Nonconforming Uses and Structures

### 17.17.10 PURPOSE AND AUTHORITY

This Chapter establishes provisions for the regulation of nonconforming structures, land uses and lots. Within the Zone districts established by this Title, there are structures, land uses and/or lots that were lawful prior to the adoption or amendment of this Zoning Ordinance. Subsequent to the adoption or amendment of this Zoning Ordinance, these structures, land uses, and lots are now prohibited, regulated, or restricted differently under the terms of the amended Zoning Ordinance. The intent of Title 17 and this Chapter is to discourage the long-term continuance of nonconforming buildings, uses, and lots while allowing them to exist under limited conditions.

### 17.17.20 APPLICABILITY

This Chapter applies to all zone districts and to any parcels or structures in the City Covina that are nonconforming.

### 17.17.30 GENERAL PROVISIONS

Where lots, buildings or uses were legal conforming on the effective date of any ordinance that made them nonconforming with the provisions of this Title, it is the intent of this Chapter to declare such lots, buildings and uses to be nonconforming for the purpose of protecting the public health, safety and welfare.

### 17.17.40 GROUP A NONCONFORMING LOTS, BUILDINGS AND USES

Group A nonconforming lots, buildings and uses are those that are generally not detrimental in the Zone. In which they are located. They may be continued and, under certain conditions, altered or enlarged.

- A. *Group A Nonconforming Lots.* Group A nonconforming lots refer to lots that do not conform to the lot area and lot dimension standards of the zone in which the lots are located. The uses permitted in the Zone in which the lot is located, shall also be permitted on the nonconforming



lot though the use is subject to all other property development standards of the Zone. These provisions also apply to unimproved lots. Lots containing structures are subject to the provisions of CMC 17.70.040. Lots whose use involves no buildings are subject to the provisions of CMC 17.70.090.

- B. *Group A Nonconforming Buildings.* Group A nonconforming buildings refer to those buildings that do not conform to the building height, yards and distance between building standards for the Zone in which they are located. Such buildings shall be permitted to continue provided that any addition, alteration or enlargement of the building complies with all the property development standards of the applicable Zone. When any Group A nonconforming building is removed from a parcel, all future buildings or structures erected on the parcel is required to conform to all property development standards of the Zone.
- C. *Group A Nonconforming Uses in Agricultural and Residential Zones.* In agricultural and residential zones, Group A nonconforming uses of buildings are those uses that do not conform to the population density standards for the Zone in which they are located. Buildings containing such uses may be altered provided that the existing population density is not increased.
- D. *Group A Nonconforming Uses in Commercial and Industrial Zones.* In commercial and industrial zones, Group A nonconforming uses of buildings are those uses that are not listed as permitted uses (refer to Chapter 17.04) but which are of the same general type (i.e., commercial uses in a commercial zone) and are determined by the City of Covina Planning Commission to be not detrimental to the public health, safety and general welfare as provided for in CMC 17.60.020 through 17.60.040. Such uses may be continued or altered, subject to the property development standards of the zone.

#### 17.17.50 GROUP B NONCONFORMING BUILDINGS AND USES

Group B nonconforming buildings and uses are those that are detrimental in the Zone. They must be terminated or removed within a specified period.

- A. *Group B Nonconforming Buildings.* Group B nonconforming buildings include the following:
  1. Commercial and industrial buildings located in agricultural or residential zones shall be considered as Group B nonconforming;
  2. Residential buildings located in a commercial or industrial zone and not specifically permitted in the zone, shall be considered as Group B nonconforming.
- B. *Time Limits.* The time periods cited in this Section begin on the effective date of any ordinance that made them nonconforming. This timetable is deemed to provide for the amortization of the affected buildings. On or before the termination of the period, such buildings shall be removed from the land unless the date of removal is prolonged by the City of Covina Planning Commission pursuant to CMC 17.70.180. The following time limits are applicable to all Group B nonconforming buildings,
  1. Types 1 and 2 construction as defined by the *Building Code of the City of Covina*: twenty (20) years;
  2. Types 3 and 4 construction as defined by the *Building Code of the City of Covina*: fifteen (15) years;



3. Type 5 construction as defined by the *Building Code of the City of Covina*: ten (10) years.
- C. *After Removal of Nonconforming Building or Uses*. When the nonconforming building or use is removed from the land at or before the end of the amortization period, every future building and use shall be in conformance with the provisions of this Title.
- D. *Group B Nonconforming Uses*. Group B nonconforming uses shall be those uses in any zone which are expressly prohibited and those other uses which may not be classified as Group A nonconforming uses.
  1. A Group B nonconforming use of a conforming building or of a Group A nonconforming building shall, within five (5) years from the effective date of any ordinance that makes it nonconforming, be completely terminated or shall be so altered that it will be in conformity with the uses permitted in the zone. The termination of such uses may be prolonged by the City of Covina Planning Commission pursuant to Chapter 17.12.150. The nonconforming use shall not be expanded or extended into any other portion of the building, and if such use is discontinued for a period of one-hundred and eighty (180) days, any future use of the building shall be in conformity with the uses permitted in the Zone.
  2. Group B nonconforming uses in a Group B nonconforming building may continue for the duration of the building and may be expanded or extended throughout the building provided that no structural alterations except those required by law or ordinance shall be made therein; further, if no structural alterations are made, a nonconforming use in such a building may be changed to permit a similar or more restricted type of nonconforming use; provided, that the new use is approved by the planning commission.

## 17.17.60 NONCONFORMING USE OF THE LAND

A nonconforming use of land, where no buildings or structures are involved, shall be completely terminated or altered so that it will be in conformity with the uses permitted in the Zone within five (5) years after the effective date of any ordinance that made it nonconforming. The termination of such use may be prolonged by the City of Covina Planning Commission pursuant to CMC 17.70.180 and the proceedings contained therein. The nonconforming use of land shall not be expanded in any way either on the same or any adjoining property. If such nonconforming use of land is discontinued for a period of one-hundred and eighty (180) days, any further use of the land shall be in conformity with this Title.

## 17.17.70 NONCONFORMING SIGNS AND BILLBOARDS

Nonconforming signs and billboards are subject to the requirements of this Section.

- A. *Abatement of Identification Signs*. Identification signs which do not conform to this title, but which lawfully existed and were maintained on the effective date of any ordinance which made them nonconforming, shall, within five years after the effective date of such ordinance, be removed or made to conform.
- B. *Abatement of Nonconforming Billboards*. Billboards which do not conform to this title but which lawfully existed and were maintained on the effective date of any ordinance which made them nonconforming shall, within three years after the effective date of such ordinance, be removed or made to conform.
- C. *Maintenance of Nonconforming Signs and Billboards*. During the interim period, the nonconforming signs and billboards shall be kept in good repair and visual appearance and no structural alteration shall be made thereto.



## **17.12.80 NONCONFORMING FENCES, HEDGES AND WALLS**

Fences, hedges and walls that do not conform to the corner cutback provisions of this Title shall be removed or made to conform within three (3) years after the effective date of any ordinance that made them nonconforming.

## **17.12.90 NONCONFORMING OFF-STREET PARKING AND LOADING FACILITIES**

Where off-street parking or loading facilities do not conform to the provisions of this Title, or where no such facilities have been provided for the buildings constructed prior to the effective date of any ordinance which made them nonconforming or which required such facilities where none were provided, such buildings shall not be expanded nor may additional facilities be provided within the building until after the requirements for off-street parking and loading space have been complied with for those facilities added or enlarged. Property located in a duly formed municipal parking zone shall conform to CMC 17.72.110.

## **17.12.100 REVERSION OF NONCONFORMING USE**

Any portion of a nonconforming building or use that is altered or changed to a conforming use shall not thereafter be used for a nonconforming use.

## **17.12.110 RECONSTRUCTION OF NONCONFORMING BUILDING**

The provisions of this Title shall not prevent the reconstruction, repair or rebuilding of any nonconforming building damaged by fire, explosion, or act of God or the enemy, subsequent to the effective date of any ordinance which made such building nonconforming; provided, that the cost of such reconstruction, repairing or rebuilding shall not exceed fifty (50) percent of the reasonable replacement value of the building immediately prior to the damage, as determined by a qualified appraiser.

## **17.12.120 THE ELIMINATION OF TEMPORARY NONCONFORMING RESIDENTIAL BUILDINGS**

A lot located within an Agricultural or Residential Zone that contains a temporary nonconforming residential building may be improved with a dwelling or dwellings permitted in the Zone in which the lot is located provided that the temporary dwelling is made to conform with the provisions of the Zone or removed within thirty (30) days after the granting of an occupancy permit by the City of Covina for the use of the new dwelling.

## **17.12.130 NONCONFORMING LOTS, BUILDINGS AND USES SUBJECT TO A VARIANCE OR A CONDITIONAL USE PERMIT**

Those nonconforming lots, uses and buildings which are existing under a variance or a conditional use permit granted under this Title or any previous zoning ordinance, shall be permitted to continue under the conditions and regulations imposed in the permit or variance, except as provided in this Chapter.

## **17.12.140 PUBLIC UTILITY DISTRIBUTION STATIONS**

Nothing in this Title pertaining to nonconforming buildings and uses shall be construed or applied so as to require the termination, discontinuance or removal, or so as to prevent the modernization, replacement, repair, maintenance, alteration, reconstruction or rebuilding of public utility distribution stations, buildings, structures, uses, equipment and facilities; provided, that there is no change of use or increase of its areas so used.



## 17.12.150 REVIEW OF AMORTIZATION SCHEDULE OR SUBSTITUTION OF USE FOR NONCONFORMING USES AND STRUCTURES

- A. *Request for Review.* An application requesting the review of the amortization schedule may be filed with the City of Covina Planning Commission. Such requests are limited to the following:
1. A request for the extension of the time within which a nonconforming use or structure must be discontinued and removed from its site as specified in CMC 17.70.070, 17.70.080 and 17.70.090; or
  2. A request substituting another use permitted in the Zone in which the nonconforming use is located. The nonconforming building is vacant despite efforts to ensure continuation of a nonconforming use and is so constructed that it may not reasonably be expected to be converted to or used for a use permitted in the zone in which it is located. The Planning Commission may accept such filing either before or after the date of expiration of such nonconforming use.
- B. *Application and Procedure.* The application and all procedures relative to notification, public hearing and appeals shall be the same as for a conditional use permit except as specifically provided in this Section.
- C. *Burden of Proof/Findings and Decision.* In addition to the information required in the application, the applicant shall substantiate, to the satisfaction of the Planning Commission, the facts identified in this Section (1)(2). After a public hearing, the City of Covina Planning Commission shall consider applications for a nonconforming use and structure review. In making such determination, the Planning Commission may approve the request where the information supplied by the applicant and/or presented at public hearing substantiates the findings identified in this Section (1)(2). The findings referred to in this Section include the following:
1. The nature of the improvement is such that to require cessation of use would impair the property rights of any person to such an extent as to be an unconstitutional taking of property; and
  2. That such adjustment will not be materially detrimental to the public health, safety or general welfare, or to the use, enjoyment or valuation of property of other persons located in the vicinity.
- E. *Conditions.* The Planning Commission, in approving an application for the review of a nonconforming use and structure, may impose conditions it deems necessary to ensure that the approval will be in accord with the findings that are required as part of any approval. Conditions imposed by the commission may involve any pertinent factors affecting the establishment, operation and maintenance of the use requested, including, but not limited to, those specified in CMC 17.62.120(D).



## CHAPTER 17.18 RESERVED

### SECTION CONTENTS

17.18.10 Reserved

**17.18.10 RESERVED**



## CHAPTER 17.19 HIGHWAY RIGHT-OF-WAY LINES

### SECTION CONTENTS

- 17.14.10 General Requirements
- 17.14.20 Determination of Required Yards
- 17.14.30 Standards for Major Highways
- 17.14.40 Standards for Secondary Highways
- 17.14.50 Standards for Traffic Collector Streets
- 17.14.60 Reserved

#### 17.14.10 GENERAL REQUIREMENTS

The highway right-of-way lines contained in this Chapter refer to major highways, secondary highways, and traffic collector streets as shown in the City of Covina General Plan.

#### 17.14.20 DETERMINATION OF REQUIRED YARDS

When yards are required for lots abutting major highways, secondary highways, and/or traffic collector streets, the yards shall be measured from the future highway right-of-way line that is established by the General Plan right-of-way standard for the particular roadway classification. Where yards are not required, the building shall be located on or to the rear of the future highway right-of-way line.

#### 17.14.30 STANDARDS FOR MAJOR HIGHWAYS

Pursuant to the City of Covina General Plan, the right-of-way line on each side of all major highways is established as fifty (50) feet from the centerline. The total right-of-way width for a major highway is one-hundred (100) feet.

#### 17.14.40 STANDARDS FOR SECONDARY HIGHWAYS

Pursuant to the City of Covina General Plan, the right-of-way line on each side of all secondary highways is established as forty (40) feet from the centerline. The total right-of-way width for a secondary highway is eighty (80) feet.

#### 17.14.50 STANDARDS FOR TRAFFIC COLLECTOR STREETS

Pursuant to the City of Covina General Plan, the right-of-way line on each side of all traffic collector streets is established as forty (40) feet from the centerline. The total right-of-way width for a traffic collector street is eighty (80) feet.

#### 17.14.60 RESERVED



## CHAPTER 17.20 PROPERTY MAINTENANCE

### SECTION CONTENTS

- 17.20.10 Purpose and Authority
- 17.20.20 Applicability
- 17.20.30 Maintenance of Landscaping
- 17.20.40 Maintenance Requirements for Developed Properties
- 17.20.50 Maintenance Requirements for Vacant Real Property
- 17.20.60 Vehicles
- 17.20.70 Graffiti
- 17.20.80 Abatement
- 17.20.90 Administration and Enforcement

### 17.20.10 PURPOSE AND AUTHORITY

This Chapter shall be known as the *City of Covina Property Maintenance Ordinance*. The City of Covina City Council has determined that the quality of life in the City is linked to the character and condition of its commercial, industrial and residential properties. It is the intent of this Chapter to provide standards that shall enhance the value of land, protect the public appearance, maintain the integrity and character of the community, and secure the public's health, safety, and welfare. The purpose of this Chapter is to provide minimum standards for maintaining all real properties, including buildings and structures, in a manner that enhances the quality of life, public appearance, integrity and character of the community.

### 17.20.20 APPLICABILITY

The minimum standards of this Chapter shall apply to all improvements and real property located in all Zone Districts.

### 17.20.30 MAINTENANCE OF LANDSCAPING

This Section outlines the requirements regarding the maintenance of landscaping in the City of Covina.

- A. *General Landscape Maintenance*. Front yards, side yards, rear yards or other landscaped yard areas visible from a public right-of-way must be properly maintained at all times. Proper maintenance includes sufficient irrigation to maintain the plant life, trimming, removal of organic debris, pest removal, and other activities that are required to maintain the vitality of the landscaping.
- B. *Maintenance of Overgrown Vegetation*. Overgrown vegetation including trees, shrubbery, ground covers, lawns and decorative plantings that are in need of maintenance, must be trimmed. Weeds and vegetation growing through cracked walkways, driveways and other yard areas that result in a detracting of appearance, must be removed.
- C. *Storage of Plant Waste*. The keeping, maintaining, or storing landscape clippings, cuttings in the front yards, side yards, back yards or other yard areas is prohibited. This subsection does not apply to properly maintained, readily biodegradable green waste contained within a compost bin. Waste, rubbish, trash, garbage, offal, refuse and other debris accumulated on



the front yards, side yards, back yards or other yard areas must be stored in an approved trash enclosure.

- D. *Dead or Diseased Plant Materials.* Dead, decayed or diseased lawns, trees, shrubs or other vegetation, that results in a detraction of appearance and/or health hazard (falling debris, fire, etc.), must be removed.
- E. *Maintenance of Yard Areas.* Front yards, side yards, back yards or other yard areas plainly visible from a public right-of-way barren of landscape and resulting in a detraction of appearance are prohibited. Any yard not in keeping with the established neighborhood maintenance standards, which is otherwise in need of maintenance and results in a detraction of appearance, is also prohibited. Any portion of a yard, whether it complies with established neighborhood maintenance standards or not, which displays other defects caused by a want of due care.

#### 17.20.40 MAINTENANCE REQUIREMENTS OF DEVELOPED PROPERTIES

All developed real property in the City of Covina shall be maintained at a level not less than the following standards.

- A. *Condition of Structures.* Structures shall not be partially destroyed, abandoned, unsecured, or otherwise permitted to remain in a state of partial construction for more than thirty (30) days. Buildings or structures shall not be boarded up for a period in excess of ten (10) days without a valid demolition or building permit on file. The modification or lack of maintenance of any element attached to a building or structure that results in a noticeable detraction of appearance (as compared with adjacent properties), is prohibited.
- B. *Building Exteriors and Roofs.* Exterior building surfaces and roofs shall be maintained free of significant surface cracks, missing materials, warping, dry rot or other conditions that affect the structural integrity or results in a dilapidated appearance. Damaged, cracked, or broken exterior wall coverings, such that the condition is plainly visible, are prohibited.
- C. *Use of Tarps and/or Temporary Covering.* Excluding emergency repairs, it is prohibited to use tarps for roof and building repairs. Additionally, the use of tarps for vehicle covers, or temporary canopies, enclosures, and/or awnings is prohibited in any outdoor area visible from any public right-of-way.
- D. *Paint.* Painted surfaces on buildings, trash enclosures, walls, retaining walls, fences, and structures shall be maintained in order to prevent decay, excessive checking, cracking, peeling, chalking, dry rot, warping, or termite infestation. This Section applies to peeling paint, blistering paint, or unpainted exterior surfaces that are visible to public view.
- E. *Landscaping.* All yard areas visible to public view must be landscaped and maintained in accordance with Section 17.15.30 of this Chapter.
- F. *Pools and Water Features.* Barrier fencing and gates for swimming pools and spas shall be maintained as required by the California Building Code. Enclosure requirements not in conformance with the provisions found in Chapter 8.12 or as required and approved by the Community Development Department are prohibited. Swimming pools and spas shall not contain unfiltered or stagnant water. Fountains, ponds, swimming pools or spas must be maintained so that they are free of algae, bacteria, mosquitoes or opaque water.



- G. *Graffiti*. All structures, equipment, walls, and fencing on the property shall be maintained free of graffiti pursuant to Section 17.15.70 of this Chapter.
- G. *Lighting*. All exterior light fixtures shall be maintained in good working order free of broken lamps, lens, and light bulbs. Furthermore, the structural integrity of all supporting poles and mounting fixtures shall be maintained. All insulation and connections shall be intact and free of exposed wire.
- H. *Windows and Window Screens*. Broken windows and glass doors and the use of materials other than glass as a replacement or covering of windowpanes are prohibited. Damaged, cracked or broken windowpanes or window screens, such that the condition is plainly visible, is prohibited. On residential rental properties, window screens are required on all windows.
- J. *Trash Bins/Enclosures*. Overflowing trash bins or dumpsters due to inadequate number of bins and/or request for service from the trash hauler are prohibited. Existing refuse enclosures that present a detraction of appearance, have dilapidated gates, or are otherwise not maintained as required and approved by the Community Development Director, are prohibited.
- K. *Walls and Fences*. All walls, retaining and crib walls, and fences abutting public rights-of-way (including alleys) shall be maintained free of significant surface cracks, dry rot, warping, deterioration, leaning, missing panels or blocks which either threaten the structural integrity, or result in a dilapidated, decaying, disfigured, or partially ruined appearance. Fences or masonry walls damaged to the extent that portions of the fence or wall are missing or broken allowing passage of a six (6) inch or larger sphere is defined as significant damage/deterioration that is subject to this Section. Fences or masonry walls that are not in conformance with the character of the neighborhood, or are constructed of dissimilar materials, or composed of materials that violate provisions of this municipal code or applicable design guidelines are also prohibited.
- L. *Hardscape Areas*. Parking areas, private alleys, driveways, sidewalks, and walkways shall be maintained free of potholes, cracks, breaks, lifting, and other deteriorated conditions.
- M. *Ornamentation*. Individual ornamentation elements deemed to be excessive, outrageous, or not in keeping with the character of the neighborhood are prohibited.
- N. *Outdoor Storage*. Personal property kept, maintained, or stored in the front yards, side yards, back yards or other yard areas that does not conform with the neighborhood maintenance standards and results in a detraction of appearance, is prohibited. (We need to mention PODs and other containers)
- O. *Outdoor Vehicle Parking/Storage*. The storage of vehicles must conform to the requirements outlined in Section 17.15.60 of this Chapter.
- P. *Signs*. All signs shall be maintained in order to prevent deterioration, disrepair, and unsightliness.
- Q. *Communication Equipment and Antennas*. Satellite dish antennas, miscellaneous equipment or machinery located in any yard area plainly visible from a public right-of-way or adjacent properties must be maintained in good condition. Satellite dish antennas with a diameter greater than one meter (39.37 inches) located on the roof must be screened from view in a manner approved by the Community Development Director. This subsection does not apply to antennas, miscellaneous equipment or machinery that is located outside of a front yard or



street side yard for the private communication use by a ham radio operator, operating with a valid license issued by the Federal Communications Commission.

- R. *Excavations.* Excavations, abandoned wells, shafts, basements, and other holes shall be properly secured to prevent access by unauthorized persons.
- S. *Drainage.* Onsite drainage improvements shall be maintained in order to prevent deterioration, disrepair, and ineffectiveness.
- T. *Rodent and Vermin Control.* All property, including landscaped areas, buildings, and structures, shall be maintained free of rodents and other vermin.

## 17.20.50 MAINTENANCE REQUIREMENTS OF VACANT PROPERTY

All vacant real property in the city shall be secured and maintained at a level not less than the following standards during the time period that such property remains vacant real property:

- A. *Graffiti.* All structures, equipment, walls, and fencing on the property shall be maintained free of graffiti pursuant to Section 17.15.70.
- B. *Maintenance of Landscaping.* The ground surface of vacant properties that will remain undeveloped for a period exceeding sixty (60) days must be landscaped and maintained pursuant to Section 17.15.30 of this Chapter.
- C. *Rubbish, litter and weeds.* All landscaped, concrete, dirt, or paved open areas on the real property and adjoining public parkway shall be kept clear of rubbish, litter, and weeds.
- D. *Temporary Fencing.* The property shall be fenced on all sides along the property line with a chain link fence or other type of secure fencing at a minimum height of six (6) feet from grade. The fire chief or building official may determine a greater fence height is necessary. The planning division shall review the fence location and material(s), and chain link fencing shall only be used in conjunction with an opaque screening material. The responsible party shall maintain the fence in good repair and condition. The fence may be properly posted with no trespassing signs, and the fence shall be kept clear of all other signs, except lawfully installed signs.
- E. *Outdoor Storage.* No materials of any kind may be stored within the vacant property unless construction activities are to commence within thirty (30) days. In this latter instance, only those materials, equipment, or structures that are directly related to the pending on-site construction activities are permitted.

## 17.20.60 VEHICLES

For the purpose of this section, “Stored” shall mean the placing or parking of vehicles for a period of seventy-two (72) or more hours. Vehicles that are determined not substantially moved from their parked location shall be considered as stored. The following conditions are unsightly and subject to the abatement provisions of this Chapter and Chapter 8.16 Covina Municipal Code.

- A. Vehicles used for commercial purposes parked, stored, garaged or maintained in residentially zoned neighborhoods.



- B. Trailers, boats, house trailers, motor homes, recreational vehicles, campers, camper bodies or motor vehicles stored or maintained in any of the following:
1. Front yard or street side yard;
  2. Any unpaved area;
  3. Any other location that is not adequately screened by a fence or similar barrier as required and approved by the chief planning official.
- D. The accumulation and storage of abandoned, wrecked, dismantled or inoperative vehicles or parts unless otherwise approved by the Community Development Director or his/her designee.
- E. The accumulation and storage of automobiles, boats, vehicles or parts thereof not registered to the legal occupant or owner of the property.

## 17.20.70 GRAFFITI

The exterior of all privately owned buildings, fences, windows, walls, structures and trash receptacles shall be maintained free from graffiti when such graffiti is visible from a public street, alley, or right-of-way pursuant to the requirements of Chapter 9.65 of Title 17 of the City of Covina Municipal Code.

## 17.20.80 ABATEMENT

All or any part of any real property, landscape or structure located thereon found as provided in this chapter to constitute a public nuisance shall be abated by the procedures set forth in Chapter 17.80 of Title 17 of the City of Covina Municipal Code.

## 17.20.80 ADMINISTRATION AND ENFORCEMENT

The administration and enforcement of this Chapter will conform to those requirements outlined in Chapter 17.80 of Title 17 of the City of Covina Municipal Code.



## CHAPTER 17.16 RESIDENTIAL CONVERSIONS

### SECTION CONTENTS

- 17.21.10 Intent and Purpose
- 17.21.20 General Application Requirements
- 17.21.30 Review Criteria
- 17.21.40 Nonconforming Buildings
- 17.21.50 Findings for Approval
- 17.21.60 Reserved

### 17.21.10 INTENT AND PURPOSE

The intent of this Chapter is to provide for more orderly residential development in commercial zones that are contemplating a conversion to a nonresidential use. Other purposes of this Chapter include bringing the converted building into harmony with the immediate neighborhood; to protect the general welfare of the adjacent property owners and residents as well as the citizens of Covina. The purposes of this Chapter may be accomplished by regulating and controlling the design, quality of materials, landscaping, color and maintenance of buildings and site subject to a request for conversion.

### 17.21.20 GENERAL APPLICATION REQUIREMENTS

It is unlawful for any person to alter, remodel or maintain, unless otherwise exempted by this Chapter, a residential building to a commercial use without first obtaining the approval of the Architectural Board of Review. Application for such conversion shall be made upon a form provided by the Building Department to enable the Architectural Board of Review to make a finding that the proposed development is in conformity with both the intent and provisions of this Title. The application requirements, review, and the appeals procedures that are applicable to residential conversions are provided in Chapter 17.20 of this Title.

### 17.21.30 REVIEW CRITERIA

All developments regulated by this Chapter shall be reviewed and approved by the Architectural Board of Review. In approving, denying or approving with conditions a particular conversion, the Architectural Board of Review shall be subject to the following review criteria:

1. The conversion is necessary for the applicant's enjoyment of substantial use and property rights;
2. The conversion is consistent with the intent and purpose of this Chapter and this Title;
3. The conversion does not constitute a detriment to public health, safety and welfare;
4. The design, color, use and quality of materials of the conversion are compatible with and bear a harmonious relationship to the adjacent properties;
5. The design, color, use and quality of materials of the conversion are compatible with the visual characteristics of the surrounding area so as not to detract from or cause depreciation of the value of adjacent developed properties.



## 17.21.40 CONVERSION OF NONCONFORMING BUILDINGS

The following requirements are applicable to nonconforming structures.

1. Except for normal repair and maintenance, no Group B nonconforming building which has been converted and is existing upon the adoption of the ordinance codified in this Title shall be modified, altered or remodeled unless it is made to comply with the provisions of this title.
2. The provisions of [Chapter 17.70 CMC](#) shall apply.

## 17.21.50 FINDINGS FOR APPROVAL

If it is found that all of the following conditions exist, the Architectural Board of Review shall approve the application, subject to such conditions as it may attach that are deemed necessary to protect the public health, safety and general welfare, to secure a development which is in harmony with other buildings and property in the area, to minimize all undesirable or unsightly appearance and to provide an orderly and visually aesthetic development within the intent of this Title:

1. All of the provisions of all applicable ordinances, including the ordinance codified in this Title, have been complied with.
2. All of the following are arranged so that traffic congestion is avoided, and pedestrian and vehicular safety and welfare are protected:
  - a. Building structures and improvements;
  - b. Vehicular ingress, egress and internal circulation;
  - c. Setbacks;
  - d. Height of buildings;
  - e. Location of service;
  - f. Walls;
  - g. Landscaping; and,
  - h. Grading.
3. All buildings possess a roof element compatible in design and materials with adjacent buildings;
4. All buildings utilize wood, tile or masonry materials on the exterior walls. In the event that plaster or stucco walls are proposed, that the same are used in combination with one or more of the above-mentioned materials;
5. All parking is prohibited from the front yard or the area between the building and the front property line;



6. All outdoor utility equipment is screened with the same materials used on the main building with the exception of the gates;
7. Trash enclosures are to be provided for each building and constructed of a compatible masonry material and be at least six feet wide by eight feet long and six feet high. Solid durable gates shall also be provided to conceal the bin;
8. All mechanical equipment is screened behind a permanent structure and not visible from ground surfaces or adjacent higher street elevations. Such screening shall be as high as the highest portion of any of the equipment;
9. The landscaping is incorporated in such a way as to complement the overall development to enhance visual interest and appeal and to soften bolder architectural features;
10. The architectural character of the proposed structure is based upon the appropriate use of sound materials and colors and upon the principles of harmony and proportion in the elements of the structure;
11. The overall plan is in keeping with the existing quality improvements in the area and is in harmony with the future development of the area and in accord with the general plan;
12. The development will not be detrimental to surrounding properties nor diminish their value thereof;
13. The landscaping or architectural features which can be preserved to maintain the neighborhood character or style shall be protected and maintained.
14. In the event it is found that any of the above is not true or do not exist, the Architecture Board of Review shall disapprove the application.



## CHAPTER 17.22 REASONABLE ACCOMMODATION

### SECTION CONTENTS

17.17.10 Reserved

17.17.10 RESERVED



## CHAPTER 17.23 RESERVED

### SECTION CONTENTS

17.23.10 Reserved

**17.23.10 RESERVED**



## CHAPTER 17.24 RESERVED

### SECTION CONTENTS

17.19.10 Reserved

17.19.10 RESERVED



## CHAPTER 17.25 ADMINISTRATION AND ENFORCEMENT

### SECTION CONTENTS

17.25.10	Purpose and Authority
17.25.20	Review and Approval Authority
17.25.30	Application Process
17.25.40	Public Hearings
17.25.50	Public Hearings, Noticing
17.25.60	Public Hearing, Evidence of Noticing
17.25.70	Public Hearing, Procedures
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17.25.100	Plot Plans
17.25.110	Zone Amendment and Zone Changes
17.25.120	General Plan Amendments
17.25.130	Conditional Use Permits
17.25.140	Variances
17.25.150	Enforcement

### 17.25.10 PURPOSE AND AUTHORITY

The purpose of Chapter 17.25 is to outline those activities and/or procedures that will implement this Zoning Ordinance.

### 17.25.20 REVIEW AND APPROVAL AUTHORITY

The Community Development Director shall be responsible for the enforcement and administration of the Zoning Code. Other duties of the Community Development Director related to the implementation of the Zoning Code include the following:

1. The Community Development Director shall consider and approve plot plan applications which are in conformance with applicable zoning standards.
2. The Community Development Director shall review and make recommendations to the Planning Commission and the City Council on planning applications, land use and planning issues, or other activities as may be directed by the City Council, the Planning Commission, or the City Manager.
3. The Community Development Director shall assist applicants in the submittal of development applications.
4. The Community Development Director shall review and make recommendations to the Planning Commission and City Council on all applications and any attendant approvals and environmental documents.



The Planning Commission is responsible for reviewing, approving, or making recommendations to the City Council. Other duties of the Planning Commission related to the implementation of the Zoning Code include the following:

1. The Planning Commission shall instruct the Planning Director to exercise administrative duties where applicable.
2. The Planning Commission shall consider and make recommendations to the City Council regarding general plan amendments, zone changes, zone variances, and specific plans.
3. The Planning Commission shall recommend approval (to the City Council) of all the tentative parcel maps and tentative tract maps.
4. The Planning Commission shall consider the appeals of determinations made by the Planning Director regarding site plan reviews, signage plans, and temporary use permits.
5. The Planning Commission shall approve variances and conditional use permits.

Table 17.20-1 identifies the permits and approvals that may be necessary as required by this Zoning Code, as well as approving authority and appeal body.

Table 17.20-1 Permit Approval Matrix			
Application	Staff	Planning Commission	City Council
Site Plan Review	Approval	Appeal	
Minor Variance	Approval	Appeal	
Conditional Use Permit	Review	Approval	Appeal
Variance	Review	Approval	Appeal
Zone Change	Review	Recommendation	Approval
General Plan Amendment	Review	Recommendation	Approval
Final Subdivision Map	Review	--	Approval
Tentative Subdivision Map	Review	Recommendation	Approval
Parcel Map	Review	Recommendation	Approval

### 17.25.30 APPLICATION PROCESS

Applications for permits, permit modifications, amendments, and other matters pertaining to the Zoning Code, shall be filed with the Community Development Department on the appropriate City application form. The following procedures apply to the granting of a development application:

- A. *Submittal Information.* All plans, and any other information required by the Community Development Department shall be submitted with the application form. Applications shall be completed by the owner(s) of properties, their agents, or other persons who have written authority from the property owner(s) to complete and file the application on the owner's



behalf. Any person or authorized representative desiring a permit or approval required by this Title, shall file an application with the Community Development Director or his/her designee.

- B. *Pre-application Meeting.* Prior to the filing of an application for any discretionary permit requiring approval by the Planning Commission or City Council, the applicant may request a pre-application conference with the Community Development Director or his/her designee. The purpose of the pre-application conference is to advise the applicant of the development regulations applicable to the property for which the application is being filed and to review any preliminary site plan or other development plans the applicant may have prepared.
- C. *Application is Deemed Completed.* No application shall be processed until it is deemed complete by the Community Development Director or his/her designee. No application shall be deemed complete until all required information is provided in the required quantity and format.
- E. *Concurrent Applications.* Whenever more than one permit or approval is required for a proposed project or use, all applications shall be filed and processed concurrently. All such related applications will be reviewed in accordance with the procedures set forth for the application requiring the highest level of review.
- F. *Application Fees.* Each applicant for a land use action authorized by this Zoning Ordinance shall pay those fees and costs as established by resolution of the City Council.
- G. *Re-submittal of Application.* Whenever an application or portion of an application has been denied or revoked and the denial or revocation becomes final, no new application for the same or similar request may be accepted within one (1) year of the date of the denial, unless the Planning Director finds that the conditions surrounding the application have sufficiently changed to warrant a new application. Changed conditions shall mean a substantial change in land use on properties in the vicinity, improved infrastructure in the vicinity, altered traffic patterns, or any such similar change resulting in a changed physical environment.

## 17.25.40 PUBLIC HEARINGS

For applications requiring a public hearing, upon accepting an application as complete, the Community Development Director or his/her designee shall establish the time and place of the public hearing consistent with the requirements of this Section. The City Council shall have the authority to change the time or place of a hearing. The hearing body for any given matter shall be determined based upon the nature and type of permit as set forth in this Zoning Ordinance. However, in all cases, the hearing shall be held within 30 days of the date on which the application has been accepted as complete, unless a longer time period is required to accommodate the requisite environmental review under the provisions of the California Environmental Quality Act.

## 17.25.50 PUBLIC HEARINGS, NOTICING

The procedures for the noticing of public hearings are indicated in this section.

- A. *Newspaper Publication.* The notice of the public hearing shall be published in a newspaper of general circulation not less than ten (10) days prior to the date of the hearing, or as prescribed in the California Environmental Quality Act where relevant. The notice shall include the time, place, and identity of the hearing body or officer, the nature of the application, the application number, and the location of the property under consideration.



- B. *Notice to Surrounding Properties.* Notice shall be given to all owners of property located within the designated radius of the exterior boundaries of the subject property pursuant to the requirements of the State of California Planning and Zoning Development Law.
- C. *Additional Notice.* Additional notice of the hearing shall be provided in accordance with procedures established by the Planning Commission and as may be required under the California Environmental Quality Act.

## 17.25.60 PUBLIC HEARING, EVIDENCE OF NOTICING

When notice of a public hearing is given, the documentation indicated in this section shall be deemed sufficient to serve as proof that such notice was given.

- A. *Affidavit of Publication Required.* When notice is given by publication, an affidavit of publication by the newspaper in which the publication was made is required.
- B. *Affidavit of Mail Delivery Required.* When notice is given by mail or other delivery, an affidavit or proof of mailing/delivery must be made, showing, at a minimum, the date or dates of mailing/delivery and the list of persons and groups to which the mailing/delivery was made.
- C. *Failure to Comply.* Failure to send notice to any property owner whose address is not on the most recent roll of the Los Angeles County Assessor shall not invalidate any of the proceedings.

## 17.25.70 PUBLIC HEARING, PROCEDURES

The conduct of the public hearing(s) must include the following elements identified in this section.

- A. *Discretionary Review.* At the public hearing, the authorized hearing body shall review the application and any pertinent materials submitted with the application, and any report prepared by the Community Development Director or his/her designee or his designee based on City staff's investigation of the application.
- B. *The Applicant's Rights at Public Hearing.* During any public hearing, the applicant for the application shall have the right to be represented to provide testimony and to present evidence.
- C. *The Public's Rights at Public Hearing.* All other persons shall have the right to comment on any relevant aspect of the application under consideration.
- D. *Discretionary Action.* Following the completion of testimony at a public hearing, action shall be taken to approve, conditionally approve, deny, continue, or take under advisement, the subject of the public hearing.
- E. *Continuation of Public Hearing.* If the action is taken to continue the item being considered or to take the matter under advisement, before adjournment or recess, the person presiding at the public hearing shall publicly announce the time and place to which the hearing will be continued. No further notice shall be required.
- F. *Final Decision.* The decision of the hearing body shall be considered final unless a decision is appealed. In all cases, the City Council shall represent the final authority.



## 17.25.80 APPEALS AND REVOCATIONS

An applicant is afforded the right to appeal and decision made by the Community Development Director and/or the Planning Commission. The appeals procedures are indicated in this section.

- A. *Appeal of Planning Director's Decision.* Decisions of the Community Development Director, authorized by this Zoning Ordinance, may be appealed to the Planning Commission. All such appeals shall be filed in writing with the Secretary of the Planning Commission.
- B. *Appeal of Planning Commission Decision.* All actions and decisions of the Planning Commission, authorized by this Zoning Ordinance, may be appealed to the City Council. All such appeals shall be filed in writing with the City Clerk.
- C. *Persons Eligible to File an Appeal.* Any person may appeal a decision or action of the Community Development Director or Planning Commission, in accordance with the terms of this Zoning Ordinance.
- D. *Time Limit for Filing an Appeal.* All appeals must be filed within fifteen (15) calendar days of the date of the rendering of the decision. If the fifteenth (15<sup>th</sup>) day occurs on a holiday or weekend, the appeal period shall be extended to the next City workday. No appeal shall be accepted after the appeal period has expired.
- E. *Appeals Form.* All appeals must be submitted in writing on the appropriate form provided by the City. The appeal must specifically state the grounds for the appeal and instances in which the review body erred in reaching the particular determination subject to the appeal.
- F. *Payment of Fees.* A fee shall be paid concurrent with filing of the appeal in accordance with the fee schedule established by resolution of the City Council.
- G. *Scheduling of Public Hearing.* Within fifteen (15) days upon receipt of an appeal, the Planning Commission Secretary (in the case of an appeal of a Community Development Director's decision) or the City Clerk (in the case of an appeal of a decision by the Planning Commission) shall set the matter for public hearing. The hearing shall be noticed as provided for in Section 17.42.
- H. *Findings.* All actions to affirm, reverse, or modify in whole or part any decision of the Planning Director or Planning Commission shall be made with supporting findings for the affirmation, reversal, or modification.

## 17.25.90 REVOCATIONS AND RIGHT OF REVOCATION

Upon determination that there has been a violation of the terms or conditions of any permit or approval granted under this Zoning Ordinance; or if a determination is made that a permit or approval was obtained by deception or fraud, or represents a public nuisance; or the use subject to the approval no longer exists; or the permit or approval has not been activated in accordance with the terms of this Title 17, the Community Development Director shall have the authority to initiate revocation proceedings.

- A. *Public Hearing Required for Revocation.* The Community Development Director shall schedule a hearing before the Planning Commission for the purpose of considering revocation of the permit or approval. In the case where the Planning Commission's original action consisted of a recommendation to the City Council, the Planning Commission's action on the revocation shall



also consist of a recommendation to the City Council, and the City Council shall have the authority to revoke the permit or approval.

- B. *Written Notice to Permittee.* At least thirty (30) days prior to the revocation hearing, the permittee (the owner of the property, use, or business subject to the revocation) subject to the revocation hearing shall be given written notice of the City's intent to conduct the hearing. The notice to the permittee shall be served either in person or by registered mail, return receipt requested.
- C. *Public Notice.* At least ten (10) days prior to the revocation hearing, public notice of the hearing shall be given in the same manner as was required for the original permit or approval.
- D. *Evidence in Support of Motion.* At the hearing, the Community Development Director shall present evidence supporting the motion for the revocation of the permit or approval. The permittee shall be given the opportunity to present reasons why the permit or approval shall not be revoked.
- E. *Preparation of Findings.* The Community Development Director or City Council shall make a decision regarding the revocation based upon the information presented at the hearing and shall within thirty (30) days of the hearing make findings and report its decision in writing. A copy of the decision shall be mailed via certified mail, or similar method providing proof of delivery, to the party whose permit is being revoked.

## 17.25.100 PLOT PLANS

A Plot Plan permit shall be required of any party proposing to establish a new land use, or to assume an existing use, consistent with the zoning of the proposed location of the use, prior to the use and occupancy of any property for such land use. The purpose of a Plot Plan permit is to implement the provisions of the Zoning Ordinance and to protect the character and integrity of residential, commercial and industrial areas in the City. Plot Plan applications shall be processed by the Planning Director and shall entail a review of the configuration, design, location and impact of the proposed use by comparing the use to established standards and design guidelines in order to determine whether the permit should be approved. The Planning Director is empowered to grant and deny Plot Plan applications for projects for which environmental impacts can be mitigated to a level of insignificance, and to impose reasonable conditions upon the granting of such permits. The Planning Commission is empowered to grant and deny Plot Plan applications for projects for there may be environmental impacts which cannot be mitigated to a level of insignificance and for which an Environmental Impact Report is required pursuant to the provisions of the California Environmental Quality Act, and to impose reasonable conditions upon the granting of such permits.

- A. *Providing Proof of Vested Interest.* Any person who is able to demonstrate a legal vested interest in the proposed application may initiate an application for a Plot Plan permit. The authorized agent of any person with a legal vested interest may also initiate an application. The Planning Director may request proof of ownership or authorization to apply prior to acceptance of any application.
- B. *Type of Plot Plan Application.* The Planning Director shall determine the type and scope of application required of any applicant for a proposed use.
  - 1. An Administrative Plot Plan application, not requiring a public hearing, shall be required for the following:



- a. Occupancy or assumption of an existing use or business which conforms to this Zoning Ordinance.
  - b. Site plans for a single family dwelling unit on an existing legal lot and other residential projects with two to four dwelling units on one legal lot.
  - c. Development plans that are exempt from the California Environmental Quality Act.
  - d. Model home complexes and temporary real estate sales offices used exclusively for the first sales of homes.
2. A Plot Plan application, requiring a public hearing conducted by the Planning Director, shall be required for the following:
- a. Any use which is subject to the provisions of the California Environmental Quality Act, where impacts can be mitigated to a level of insignificance, and for which a Negative Declaration can be prepared and adopted.
  - b. Any use which exceeds the limitations applicable to the Administrative Plot Plan application process, as set forth in this Zoning Ordinance (Section 17.02.70(B)I).
3. A Plot Plan application, requiring a public hearing conducted by the Planning Commission, shall be required for the following:
- a. Any use which is subject to the provisions of the California Environmental Quality Act, for which environmental impacts cannot be mitigated to a level of insignificance, and/or for which an Environmental Impact Report is required. Any use which exceeds the limitations applicable to Planning Director approval, as set forth in this Zoning Ordinance (Section 17.02.70(B)1).
- C. *Filing of Application.* The application shall be filed pursuant to the provisions of this Zoning Ordinance (Section 17.02.40).
- D. *Review of Application by Planning Director.* The Planning Director or his designee shall investigate the application and proposal, including the analysis of precedent cases as appropriate. For Administrative Plot Plan applications, the Planning Director shall render a decision in writing without notice or hearing. For Plot Plan applications, the Planning Director or his designee shall prepare a report outlining facts and a recommendation relating to the application. The report shall be provided to the applicant prior to any scheduled public hearing on the application.
- E. *Planning Director Public Hearing.* For plot plans acted upon in accordance with Section 17.020.70(B)2, a public hearing, with the Planning Director presiding as hearing officer, shall be noticed and conducted pursuant to the provisions of this Zoning Ordinance (Section 17.02.51). At the public hearing, the Planning Director shall review the application and proposal and receive evidence concerning the proposed use and the proposed conditions under which it would be operated and maintained, particularly with respect to the findings prescribed in Subsection I of this section (Required Findings).
- F. *Planning Director Action.* The Planning Director shall act to approve, conditionally approve, or deny the application. The decision of the Planning Director shall become



effective immediately upon its rendering, unless an appeal is filed pursuant to the provisions of this Zoning Ordinance (Section 17.02.60 Appeals and Revocations).

- G. *Planning Commission Public Hearing.* For plot plans acted upon in accordance with Section 17.020.70(B)3, a public hearing of the Planning Commission shall be noticed and conducted pursuant to the provisions of this Zoning Ordinance (Section 17.02.51). At the public hearing, the Planning Commission shall review the application and proposal and receive evidence concerning the proposed use and the proposed conditions under which it would be operated and maintained, particularly with respect to the findings prescribed in Subsection I of this section (Required Findings).
- H. *Planning Commission Action.* The Planning Commission shall act to approve, conditionally approve, or deny the application. The decision of the Planning Commission shall become effective immediately upon its rendering, unless an appeal is filed pursuant to the provisions of this Zoning Ordinance (Section 17.02.60 Appeals and Revocations).
- I. *Findings of Approval.* The Planning Director or Planning Commission may approve and/or modify a Plot Plan permit in whole or part, with or without conditions, provided that all of the following findings of fact are made:
  - 1. The proposed use is permitted, or is substantially similar to a use permitted, within the subject zone and complies with the intent of all applicable provisions of this Zoning Ordinance;
  - 2. The proposed use is consistent with the objectives, policies, general land uses and programs of the general plan and any applicable specific plans;
  - 3. The subject site is physically suitable for the type and intensity of the proposed land use;
  - 4. The location, size, design and operating characteristics of the proposed use is compatible with existing land uses within the general area in which the proposed use is located;
  - 5. There are adequate provisions for public access, water, sanitation, and public utilities and services to ensure that the proposed land use would not be detrimental to the public convenience, health, safety or general welfare;
  - 6. The approval of the Plot Plan permit for the proposed use is in compliance with the requirements of the California Environmental Quality Act and there would be no significant adverse impacts upon environmental quality and natural resources that cannot be reasonably mitigated and monitored.
- J. *Imposition of Conditions of Approval.* In granting a permit, the Community Development Director or Planning Commission may impose such conditions as deemed necessary to ensure that the public health, safety and general welfare are protected and that the proposed use is not a detriment to the community. All conditions shall be binding upon the applicant, heirs, successors, or assignees.
- K. *Plot Plan Time Limits.* The grantee of a Plot Plan permit shall have one (1) year from the effective date of the permit to establish a right to use the permit; otherwise, the Plot Plan



permit shall lapse and become void. For the purposes of this section, such a right shall be established if either:

1. A building permit has been issued and construction commenced and diligently pursued towards completion of the project.
  2. In the event that no building permit is required, a certificate of occupancy and/or business license has been issued for the use.
- L. *Plot Plan Lapse in Time.* A Plot Plan permit subject to lapse may be renewed up to one (1) additional year, provided that the applicant files an application for renewal with the Planning Director prior to the expiration date, and subject to consideration in a public hearing.

### 17.25.110 ZONE AMENDMENT AND ZONE CHANGES

In recognition of that fact that physical, economic, and other conditions in the City may change over time, provisions are hereby made to allow for amendments to the Zoning Map and Zoning Ordinance text in accordance with the procedures outlined in this Section. All such changes of zone or zoning ordinance text amendments shall be adopted in the manner in which other City ordinances are adopted.

- A. *Providing Proof of Vested Interest.* Any person who is able to demonstrate a legal vested interest in the proposed application may initiate applications for a change of zone or zoning ordinance text amendment. The authorized agent of any person with a legal vested interest may also initiate an application. The Planning Director may request proof of ownership or authorization to apply prior to the acceptance of any application.
- B. *Zone Changes for Properties Under Multiple Ownership.* In the case of a change of zone application, if the property for which the change of zone is proposed is under multiple ownership, all owners or their authorized agents shall be required to sign the application.
- C. *City Council Initiated Zone Change.* The City Council may initiate an application to change the boundaries of any zone district or to amend the text of the zoning ordinance.
- D. *Planning Commission Public Hearing.* A public hearing before the Planning Commission shall be noticed and conducted pursuant to the provisions of this Chapter 17.02 (Sections 17.02.51 to 1702.53).
- E. *Recommendation of Zone Change by Planning Commission.* The Planning Commission shall recommend to the City Council approval, approval with modifications, or denial of the proposed application. The Commission's recommendation shall be transmitted to the City Clerk for scheduling the matter for consideration by the City Council.
- F. *Denial of Zone Change by Planning Commission.* Upon receipt of a Planning Commission recommendation for denial of a change of zone, the City Clerk shall place the Commission's recommendation on the City Council agenda as a receive-and-file item. The Commission's decision shall be considered final and no further action by the Council will be required unless an appeal is filed in accordance with the provisions of this Zoning Ordinance (17.02.60, Appeals), or unless the Council chooses to set the matter for hearing.
- G. *City Council Public Hearing.* Upon receipt of a Planning Commission resolution recommendation for approval of a change of zone or zoning ordinance amendment, or denial of



a zoning ordinance text amendment, the City Clerk shall set the matter for hearing before the City. At the hearing, the City Council shall review the Commission's recommendation and receive evidence as to how or why the proposed change of zone or zoning ordinance text amendment is consistent with the objectives of this Zoning Ordinance, the City of Covina General Plan, and development policies of the City. The City Council shall act to approve or deny the application by resolution.

- H. *Referral of Matter Back to the Planning Commission.* If the Council proposes any substantial modification to the application not previously considered by the Planning Commission, the Council shall refer the matter back to the Commission for consideration. No public hearing shall be required. Failure of the Commission to act within forty (40) days of receiving the Council's request shall provide the Council with authority to act without the Commission's recommendation.
- I. *Approval of Zone Change by City Council.* The City Council shall be required to make the following findings of fact before approving a change of zone or zoning ordinance text amendment:
  - 1. That the proposed change of zone or zoning ordinance text amendment is consistent with the goals, policies, and objectives of the General Plan; and
  - 2. That the proposed change of zone or zoning ordinance text amendment will not adversely affect surrounding properties; and
  - 3. That the proposed change of zone or zoning ordinance text amendment promotes public health, safety, and general welfare and serves the goals and purposes of this zoning Ordinance.

## 17.25.120 GENERAL PLAN AMENDMENTS

This Section (17.02.80) is established pursuant to Section 65358 of the California Government Code, to allow for the amendment of the City of Covina General Plan.

- A. *Providing Proof of Vested Interest.* Applications to amend the General Plan text or maps may be initiated by any person who is able to demonstrate a legal vested interest in the proposed application. The authorized agent of any person with a legal vested interest may also initiate an application. The Planning Director may request proof of ownership or authorization to apply, prior to the acceptance of any application.
- B. *General Plan Amendments for Properties Under Multiple Ownership.* In the case of a proposed amendment to the General Plan land use policy map, if the property for which the amendment is proposed is in more than one ownership, all owners or their authorized agents shall be required to sign the application.
- C. *City Council Initiated General Plan Amendment.* The Planning Director and/or City Council may initiate an application to amend the General Plan.
- D. *Planning Commission Hearing.* A public hearing before the Planning Commission shall be noticed and conducted pursuant to the provisions of Section 17.02.51. At the public hearing, the Planning Commission shall review the application and proposal and receive evidence as to how or why the proposed General Plan amendment is consistent with the objectives of this Title 17, the balance of the General Plan, and development policies of the City.



- E. *Planning Commission Action.* The Planning Commission shall act to recommend to the City Council approval, approval with modifications, or denial of the proposed application. A majority vote of the entire Planning Commission is required to recommend approval or approval with modifications. The Planning Commission's action shall include its recommendation and shall be transmitted to the City Clerk for scheduling the matter for public hearing before the City Council.
- G. *City Council Public Hearing.* Upon receipt of a Planning Commission resolution, the City Clerk shall set the matter for hearing before the City Council as provided for in Section 17.42 (Public Hearings). At the hearing, the City Council shall review the Commission's recommendation and may receive evidence as to how or why the proposed General Plan amendment is consistent with the objectives of this Zoning Ordinance, the balance of the General Plan, and development policies of the City.
- H. *City Council Action.* The City Council shall act to approve or deny the application. A majority vote of the entire Council is required to amend the General Plan. The City Council's action to amend the General Plan shall be by formal resolution.
- I. *Referral of General Amendment to the Planning Commission.* If the City Council proposes any substantial modification to the application not previously considered by the Planning Commission, the City Council shall refer the matter back to the Commission for consideration. No public hearing shall be required. Failure of the Planning Commission to act within forty (40) days of receiving the City Council's request shall provide the City Council with authority to act without the Planning Commission's recommendation.
- J. *Required Findings.* Prior to approving a General Plan amendment, the City Council shall make the following findings:
  - 1. That the proposed amendment is in the public interest, and that there will be a community benefit resulting from the amendment;
  - 2. That the proposed amendment is consistent with the other goals, policies, and objectives of the General Plan;
  - 3. That the proposed amendment will not conflict with provisions of the zoning ordinance or subdivision regulations; and
  - 4. In the event that the proposed amendment is a change to the land use policy map, that the amendment will not adversely affect surrounding properties.

## 17.25.130 CONDITIONAL USE PERMITS

The City recognizes that certain uses, due to the nature of use, intensity, or size, require special review to determine if the use proposed, or the location of that use, is compatible with surrounding uses, or through the imposition of development and use conditions, can be made compatible with surrounding uses. The Conditional Use Permit is provided for this purpose. The Planning Commission is empowered to grant and deny applications for Conditional Use Permits and to impose reasonable conditions upon the granting of such permit.

- A. *Providing Proof of Vested Interest.* Any person who is able to demonstrate a legal vested interest in the proposed application may initiate an application for a Conditional Use Permit. The authorized agent of any person with a legal vested interest may also initiate an application. Planning Director may request proof of ownership or authorization to apply prior to the acceptance of any application.



- B. *Scope of Application.* Applications for Conditional Use Permits may be submitted only for those uses specified as allowable conditional uses in the applicable zone district. A Conditional Use Permit is not a substitute for a change of zone or zoning ordinance text amendment.
- C. *Filing of Application.* The application shall be filed pursuant to the provisions of this Zoning Ordinance (Section 17.02.40).
- D. *Review of Application by Planning Director.* The Planning Director or his designee, shall investigate the application and proposal, including the analysis of precedent cases as appropriate, and shall prepare a report outlining facts and a recommendation relating to the application. The report shall be provided to the Planning Commission and the applicant prior to any scheduled public hearing on the application.
- E. *Planning Commission Public Hearing.* A public hearing before the Planning Commission shall be noticed and conducted pursuant to the provisions of this Zoning Ordinance (Section 17.02.51). At the public hearing, the Planning Commission shall review the application and proposal and receive evidence concerning the proposed use and the proposed conditions under which it would be operated or maintained, particularly with respect to the findings prescribed in subsection G of this section (Required Findings).
- F. *Planning Commission Action.* The Planning Commission shall act to approve, conditionally approve, or deny the application. The decision of the Planning Commission shall become effective immediately upon its rendering, unless an appeal is filed pursuant to the provisions of this Zoning Ordinance (Section 17.02.60 Appeals and Revocations).
- G. *Findings of Approval.* The Planning Commission may approve and/or modify a Conditional Use Permit in whole or in part, with or without conditions, provided that all of the following findings of fact are made:
1. The proposed use is one conditionally permitted within the subject zone and complies with the intent of all applicable provisions of this Zoning Ordinance;
  2. The proposed use would not impair the integrity and character of the zone in which it is to be located;
  3. The subject site is physically suitable for the type of land use being proposed;
  4. The proposed use is compatible with the land uses presently on the subject property;
  5. The proposed use would be compatible with existing and future land uses within the zone and the general area in which the proposed use is to be located;
  6. There would be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety;
  7. There would be adequate provisions for public access to serve the subject proposal;
  8. The proposed use is consistent with the objectives, policies, general land uses, and programs of the City of Covina General Plan;
  9. The proposed use would not be detrimental to the public interest, health, safety, convenience, or welfare; and



10. The proposed design and elevations preserve and maximize the image, character, and visual quality of the neighborhood.
  11. The Planning Commission shall find that the proposed use does not have a disproportionately high and adverse human health or environmental effect on minority and low-income populations.
  12. This subsection G shall apply only to the uses identified in Chapter 17.03. This subsection shall not invalidate any conditional use permit for an operating facility, but shall be complied with prior to issuance of a building permit for all projects for which no building permit has been issued upon the effective date of this provision.
- H. *Imposition of Conditions of Approval.* The following provisions shall apply with respect to the imposition of conditions of approval:
1. In granting a Conditional Use Permit, the Planning Commission may impose such conditions as it deems necessary to ensure that the public health, safety, and general welfare are protected and that the proposed operation is not a detriment to the community.
  2. All conditions shall be binding upon the applicant, heirs, successors, or assignees and shall restrict the construction, location, maintenance, and use of all land within the development.
  3. A deed restriction may be recorded with the County Recorder of Los Angeles County, as approved by the city attorney, regarding the conditions of this section and other requirements of the Conditional Use Permit.
- I. *Conditional Use Permit, Attachment, Suspension, and Revocation.* A conditional Use Permit that is valid and in effect and granted pursuant to the provisions of this Title 17 shall be valid only on the property for which it was granted and shall continue to be valid upon change of ownership of the property or any lawfully existing building or structure on the property. The Planning Director shall have the authority to initiate proceedings to suspend or revoke a Conditional Use Permit pursuant to provisions set forth in Section 17.02.65.
- J. *Conditional Use Permit Time Limits.* The grantee of a Conditional Use Permit shall have one (1) year from the effective date of the permit to establish a right to use the permit; otherwise, the Conditional Use Permit shall lapse and become void. For the purposes of this section, such a right shall be established if either:
1. A building permit has been issued and construction commenced and diligently pursued toward completion on the site for which the Conditional Use Permit was approved; or
  2. In the event no building permit is required, a certificate of occupancy has been issued for the structure for which the Conditional Use Permit was approved; or
  3. In the event no building permit or occupancy is required, the site for which the Conditional Use Permit was approved is occupied and used for the permitted purpose; or
  4. Prior to the date on which the Conditional Use Permit will elapse, the grantee files an application to renew the permit pursuant to subsection K below.



- K. *Conditional Use Permit Lapse in Time.* A Conditional Use Permit subject to lapse may be renewed up to an additional one-year period, provided that the application for renewal is filed with the Planning Department prior to the expiration date. A public hearing before the Planning Commission shall be required.
- L. *Conditional Use Permit Renewal.* The Planning Commission may grant or deny an application for renewal of a Conditional Use Permit. As part of its action, the Commission may also modify existing conditions of approval or add new conditions to reflect any change in circumstances related to the Conditional Use Permit and surrounding properties.
- M. *Lapsing in Conditional Use Permit.* If any Conditional Use Permit fails to be actively exercised for a continuous 180-day period, the permit shall lapse and become void.

### 17.25.140 VARIANCES

The Variance procedure is provided pursuant to Section 65906 of the California Government Code to grant relief from zoning provisions when, because of special circumstances applicable to a property, including size, shape, topography, location, or surroundings, the strict application of this zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under the identical zoning classification.

- A. *Limitations in Variances.* Variances shall not be granted to authorize a use or activity on a property that is not otherwise expressly authorized by the provisions of this zoning ordinance governing that property. A Variance is not a substitute for a zone change, zone text amendment, or Conditional Use Permit. Financial hardship in and of it does not represent grounds on which to file a Variance application to gain relief from zoning provisions.
- B. *Providing Proof of Vested Interest.* Any person who is able to demonstrate a legal vested interest in the proposed application may initiate an application for a Variance. The authorized agent of any person with a legal vested interest may also initiate an application. The Planning Director may request proof of ownership or authorization to apply prior to the acceptance of any application.
- C. *Notice of Public Hearing.* An application shall be filed pursuant to the provisions of Section 17.02.51.
- D. *Filing of Application.* In addition to the application filing requirements established in this Zoning Ordinance, the applicant shall file a statement of the precise nature of the Variance requested and the practical difficulty or unnecessary physical hardship that would result from the strict or literal interpretation of this ordinance, together with any other data pertinent to the application and the making of requisite findings (Section 17.02.40).
- E. *Review of Application by Planning Director.* The Planning Director shall investigate the application and proposal, including the analysis of precedent cases as appropriate, and shall prepare a report outlining facts and a recommendation relating to the application. The report shall be provided to the Planning Commission and the applicant prior to any scheduled public hearing on the application.
- F. *Public Hearing.* A public hearing before the Planning Commission shall be noticed and conducted pursuant to the provisions of this Zoning Ordinance (Section 17.02.51). At the public hearing, the Planning Commission shall review the application and proposal and receive



evidence concerning the proposed Variance and the conditions which make compliance with specific provisions of this ordinance difficult.

- G. *Planning Commission Action.* The Planning Commission shall act to approve, conditionally approve, or deny the application. The decision of the Planning Commission shall become effective immediately upon its rendering, unless an appeal is filed pursuant to the provisions of Section 17.02.60 (Appeals and Revocations).
- H. *Findings of Approval.* In granting a Variance, the Planning Commission must make all of the following findings:
1. That the strict or literal interpretation and application of this Zoning Ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this Zoning Ordinance, or would deprive applicants of privileges granted to others in similar circumstances; and
  2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or the intended development of the property that do not apply generally to other property in the same zone; and
  3. That the granting of such Variance will not constitute the granting of a special privilege inconsistent with the limitations on other properties in the vicinity classified in the same zone; and
  4. That the granting of such Variance will not be materially detrimental to the public health, safety, or general welfare nor injurious to property or improvements in the zone or neighborhood in which the property is located; and
  5. That the granting of such Variance will not create any inconsistency with any objective contained in the General Plan.
- I. *Imposition of Conditions of Approval.* A variance that is valid and in effect and granted pursuant to the provisions of this Zoning Ordinance shall be valid only on the property for which it was granted and only for the improvements for which it is granted and further, shall continue to be valid upon change of ownership of the property or any lawfully existing building or structure on the property.
- J. *Conditions of Approval will be Binding.* The Planning Director shall have the authority to initiate proceedings to suspend or revoke a Variance pursuant to provisions set forth in Section 17.02.65.
- K. *Time Limits.* The grantee of a Variance shall have one (1) year from the effective date of the approval to establish a right to use the approval; otherwise, the Variance shall lapse and become void. For the purposes of this section, such a right shall be established if either:
1. A building permit has been issued and construction commenced and diligently pursued toward completion on the site for which the Variance was approved; or
  2. In the event no building permit is required, a certificate of occupancy has been issued for the structure for which the Variance was approved; or



3. In the event no building permit or occupancy is required, the site for which the Variance was approved is occupied; or
  4. Prior to the date on which the Variance will elapse, the grantee files an application to renew the permit pursuant to subsection L below.
- L. A Variance subject to lapse may be renewed up to an additional one-year period, provided that the application for renewal is filed with the Planning Department prior to the expiration date.
- M. The Planning Commission may approve or deny an application for renewal of a Variance. As part of its action, the Commission may also modify existing conditions of approval or add new conditions to reflect any change in circumstances related to the Variance and surrounding properties.

## 17.25.150 ENFORCEMENT

This section outlines the procedures to ensure that the provisions of this Title are enforced.

- A. *Interpretation - Purpose - Conflict.* In interpreting and applying the provisions of this title, they shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare. It is not intended by this title to interfere with or abrogate or annul any easement, covenant or other agreement between parties. Where this title imposes a greater restriction upon the use of buildings or land, or upon the height of buildings, or requires larger open spaces than are imposed or required by other ordinances, rules, regulations or by easements, covenants or agreements, the provisions of this title shall control.
- B. *Permits and licenses - Compliance.* All departments, officials or public employees vested with the duty of authority to issue permits or licenses, where required by law, shall conform to the provisions of this title. No such license or permit for uses, buildings or purposes where the same would be in conflict with the provisions of this title shall be issued. Any such license or permit, if issued in conflict with the provisions hereof, shall be null and void. No premises shall be occupied or used and no building hereafter erected or altered shall be occupied or used until a certificate of compliance has been issued by the secretary of the city planning commission; provided, that such certificate of compliance shall be required only within those areas mapped under the provisions of this title.
- C. *Violation - Penalty.* Any person, firm or corporation violating any of the provisions of this title is guilty of a misdemeanor, unless otherwise specifically provided, and upon conviction thereof is punishable as provided in 1.16.010. Each such person, firm or corporation is guilty of a separate offense for every day during any portion of which any violation of any provisions of this title is committed, continued or permitted by such person, firm or corporation, and is punishable therefor as provided for in this title, and any use, occupation or building or structure maintained contrary to the provisions hereof constitutes a public nuisance.