

ORDINANCE NO. 25-1762

AN ORDINANCE OF THE CITY OF NORWALK, AMENDING TITLE 17 (ZONING) OF THE NORWALK MUNICIPAL CODE UPDATING THE ACCESSORY DWELLING UNIT CODE AND VARIOUS OTHER SECTIONS RELATING TO RESIDENTIAL ZONING

WHEREAS, the City of Norwalk (“City”) is a general law city, incorporated under the laws of the State of California; and

WHEREAS, the City adopts this Ordinance pursuant to the City’s general and police powers and property rights set forth under Government Code Sections 65850(a); and

WHEREAS, the City has initiated Zoning Text Amendment No. 2025-01; and

WHEREAS, the City desires to amend Title 17 (“Zoning”) of the Norwalk Municipal Code (NMC) to add a new Chapter 17.04.205 to Article “III” (“Accessory Buildings and Structures”) of Title 17 (“Zoning”) of the Norwalk Municipal Code (NMC); amend Section 17.04.210 (“Accessory Dwelling Units and Junior Accessory Dwelling Units); and amend Chapter 17.05 (“Residential Zones”); and

WHEREAS, on October 22, 2025, the Planning Commission for the City of Norwalk (“Planning Commission”) conducted a duly noticed public hearing to consider Zoning Text Amendment No. 2025-01, and where after careful review of the evidence in the matter, it adopted Resolution 25-14 recommending the City Council of the City of Norwalk (“City Council”) approve the proposed Zone Text Amendment; and

WHEREAS, all legal prerequisites to the adoption of this Ordinance have occurred.

THE CITY COUNCIL OF THE CITY OF NORWALK DOES ORDAIN AS FOLLOWS:

Section 1. The City Council for the City of Norwalk finds and declares that the foregoing recitals are true and correct and incorporates said recitals fully into this Ordinance as substantive findings.

Section 2. Purpose. The purpose and intent of this Ordinance is as follows:

1. Update the City’s ADU code, which is currently null and void, and inconsistent with Government Code §66310-66342, to meet current State Law requirements;
2. Updating the City’s ADU code is a required program included in the 2021-2029 Housing Element (Program 1.4); and
3. Amend various sections of the NMC to add, remove or various sections of the Title 17 of the NMC and updating the definitions to make it consistent

with the City's current uses, practices, development patterns, and to update obsolete development standards, and to clarify ambiguous requirements.

Section 3. Finding. The proposed Zone Text Amendment will be in the public interest since it will enact and reflect the requirements of Government Code Section 66310-66342 and the additional zoning text amendments will provide clarity to the various sections of the NMC and update outdated definitions.

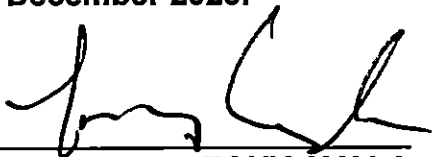
Section 4. Approvals. The City Council of the City of Norwalk hereby approves Zone Text Amendment No. 2025-01 amending Title 17 (Zoning) of the Norwalk Municipal Code as set forth in Exhibit "A".

Section 5. Environmental. The City Council hereby finds and determines that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to "common sense" exception set forth in Section 15061(b)(3) of the California Code of Regulations where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Section 6. Severability. If any section, clause or phrase of this Ordinance is for any reason held to be unconstitutional, or otherwise invalid, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section 7. Certification. The City Clerk shall certify to the passage of this Ordinance and shall cause this Ordinance to be published or posted as required by law.

PASSED, APPROVED, AND ADOPTED this 2nd of December 2025.

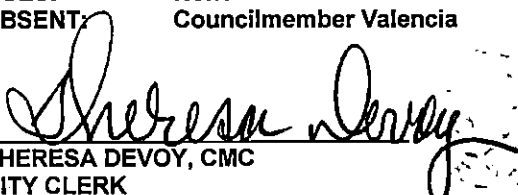


TONY AYALA
MAYOR

ATTEST:

I, **Theresa Devoy**, CMC, City Clerk of the City of Norwalk, California, **DO HEREBY CERTIFY** that the foregoing is a full, true and correct copy of Ordinance No. 25-1762; it has been published pursuant to State law; was introduced at a regular meeting of the City Council held November 18, 2025, and adopted as **Ordinance No. 25-1762** of the City of Norwalk at a regular meeting of the City Council held on December 2, 2025; and said Ordinance has been duly signed by the Mayor and attested by the City Clerk and that the same was approved and adopted by the following vote to wit:

AYES: Councilmembers Ramirez and Rios, Vice Mayor Perez, and Mayor Ayala
NOES: None
ABSENT: Councilmember Valencia



THERESA DEVOY, CMC
CITY CLERK

EXHIBIT A

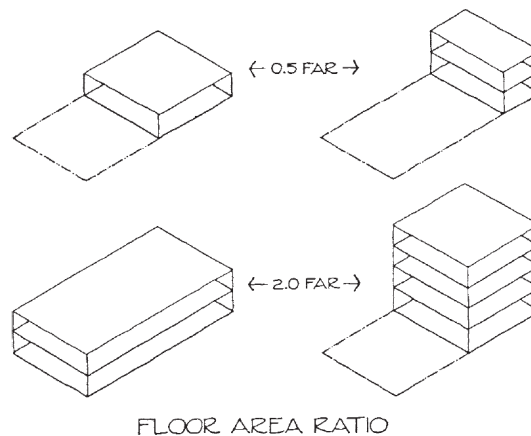
Title 17 ZONING

Chapter 17.01 ADMINISTRATION

Article I. General Provisions and Definitions

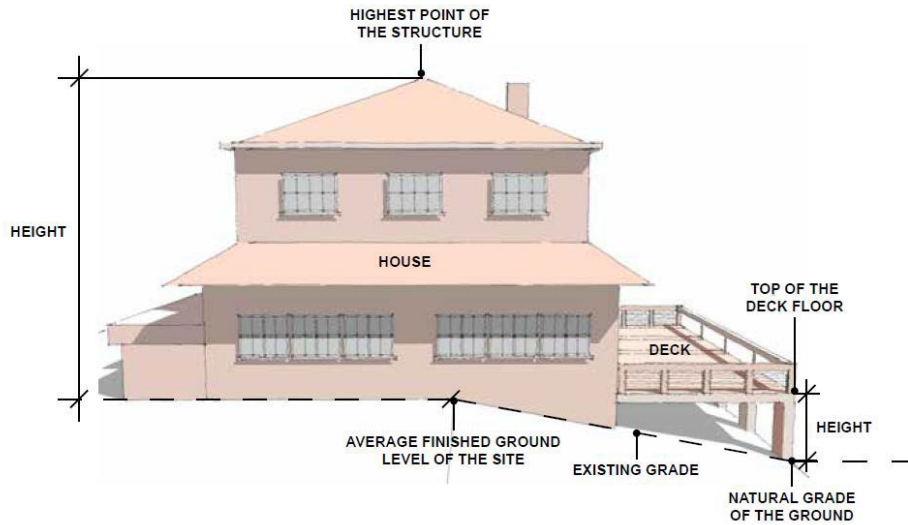
“17.01.060 Definition of “Accessory Dwelling Unit” was deleted. Definition of “Floor Area Ratio”, “Height, Building”, and “Lot Coverage” were amended to read as follows. Definition of “Top Plate Height” was added to read as follows and the remainder of the definitions remain.

"Floor area ratio" for non-residential developments_ means the gross floor area of all buildings and structures on the lot, excluding parking structures, elevator shafts and stairwells, but including covered storage areas, divided by the total lot area. For residential developments, means the livable floor area divided by the total lot area. An illustration is provided below for reference.



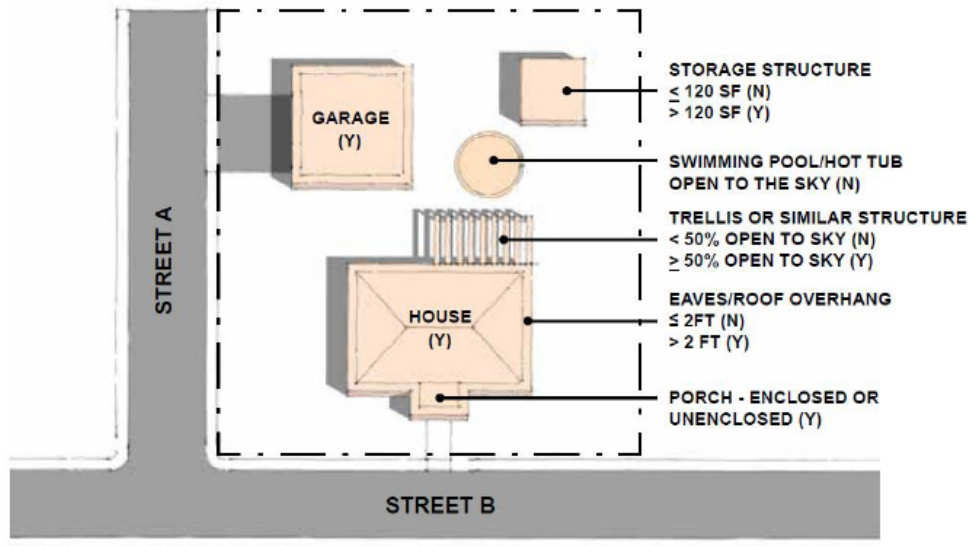
Height, building. "Building height" means the vertical measurement from the highest point of the structure (excluding any projections which this title expressly authorizes above the maximum height) to the average finished ground level of the site, as illustrated below. For properties with a sloping grade, the maximum allowable height shall be measured as the vertical measurement from the closest sloping finished grade to an imaginary plane located the allowed number of feet above and parallel to the finished grade at the time of project submittal.

Measuring Building Height



"Lot coverage" means the percentage of the lot covered by buildings or structures (as illustrated below), including all covered parking spaces, but not including walkways and driveways; outdoor swimming pools; trellis and similar structures that are a minimum 50 percent open to the sky; uncovered patios and landings that are a minimum of 50 percent open to the sky; unenclosed stairways; and up to 120 feet for one storage structure are not included in single-family residential zones; and recreational-leisure buildings and facilities are not included in multiple-family residential zones.

Lot Coverage



“Top plate height” means the horizontal framing member that caps an exterior wall and supports rafters or roof framing.”

Chapter 17.04 Use Regulations

Article III. Specific Uses in Residential Zones

“17.04.205 Accessory Buildings and Structures was added to read as follows:

A. Height. Accessory buildings and structures located in any residential zone shall not exceed one (1) story and 16 feet in height.

B. Floor Area. The total area for enclosed accessory buildings and structures shall not exceed 800 square feet per residential property. If there is more than one (1) detached single-family dwelling on a property, the total area for accessory buildings shall not exceed 600 square feet per dwelling.

C. Lot Coverage and Floor Area Ratio (FAR). The roofed area shall be included in the maximum lot coverage and the square footage shall be included in the maximum floor area of the accessory building. In addition, the lot coverage and square footage shall be included in the maximum lot coverage and FAR of the underlying zoning district.

D. Location. Accessory buildings and structures located in any residential zone shall not be located at a distance less than 50 percent of the depth of the lot from the front lot line, or 50 feet, whichever is less. In addition, it shall not be located within a front yard or street side yard setback of the underlying zoning district.

E. Setbacks. Accessory buildings and structures located in any residential zone shall have a minimum interior side and rear yard setback of four feet. On a corner lot, the setbacks shall meet the minimum required of the underlying zoning district.

F. Design. The exterior design shall have the same architectural style as the primary dwelling or multiple-family structure(s). In addition, it shall use the same materials, colors, exterior finishes, roof form and windows/doors. Accessory buildings and structures shall comply with the adopted Objective Design Standards of this Title. This shall not apply to structures for animal enclosures and related activities, greenhouses or conservatories.

G. Bathrooms and Other Plumbing. Plumbing for bathrooms, washer hookups and other plumbing are permitted as part of an accessory building for residential uses. For bathrooms with showers or bathtubs, a covenant shall be signed and recorded against the property by the property owner stating that the structure will not be converted to an accessory dwelling unit or urban dwelling without obtaining necessary permits from the City and paying any required fees.

H. See Article IV R-H zone of this Title for additional standards and requirements for accessory buildings.”

Chapter 17.04 Use Regulations

Article III. Specific Uses in Residential Zones

“17.04.210 The entirety of the current Accessory Dwelling Units section is deleted and replaced by the following section to read as follows:

17.04.210 Accessory Dwelling Units and Junior Accessory Dwelling Units

A. Purpose. The purpose of this section is to establish regulations governing Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) in accordance with California Government Code Section 66310-66342, et seq., as amended from time to time, and other applicable state laws. This section is not intended to conflict with State Law and shall be interpreted to be compatible with state enactments. Facilitating the development of ADUs and JADUs will increase the availability of affordable housing to suit the variety of lifestyles and needs of the community, while mitigating impacts on traffic, utilities, and public health and safety and preserving the character of residential neighborhoods.

B. Definitions. Words and terms as used in ADU and JADU regulations of this Section are defined as follows:

“Accessory Dwelling Unit” or “ADU” means an attached or detached residential unit that provides complete independent living facilities for one (1) or more persons and is located on a lot with a proposed or existing primary residential unit. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation and be located on the same parcel that the primary residential unit is or will be situated. An accessory dwelling unit can also be an efficiency unit, as defined in Section 17958.1 of the Health and Safety Code, or a manufactured home, as defined in Section 18007 of the Health and Safety Code.

“Accessory Building” or “Accessory Structure” means a detached structure that is accessory and incidental to a dwelling located on the same lot.

“Attached” means the ADU or Junior ADU shares a wall with the existing or proposed single dwelling or the multiple-family dwelling, with both sides of the wall being habitable space. ADUs or Junior ADUs shall not be connected to the existing or proposed single-family dwelling or multiple-family structure solely by a patio cover, breezeway or similar roofed area.

“Building Height” means height is measured at existing legal grade to the peak of the structure.

“Complete Independent Living Facilities” means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multiple-family dwelling is or will be situated.

“Detached” means the ADU is physically separated from the existing or proposed single dwelling or the multiple-family dwelling.

“Efficiency Kitchen” means a kitchen that includes at a minimum:

1. Appliances for cooking food and refrigeration, either built-in or countertop.
2. A sink for food preparation greater than 12 inches by 12 inches, excluding the sink located in the bathroom.
3. A food preparation counter.
4. Storage cabinets that are reasonable size in relation to size of JADU.

“Efficiency Dwelling Unit” means a dwelling unit which contains a minimum of 150 square feet in living space, a separate closet, kitchen sink, cooking appliance, refrigerator, and a separate bathroom containing a water closet, lavatory, bathtub, or shower.

“Existing Floor Area” means a legally permitted building constructed on the site with a final inspection or certificate of occupancy as of the date of application submittal, that conforms to current zoning standards or is legal nonconforming as to current zoning standards.

“Human Being” means in the context of property ownership, an individual that is not a corporation or other legal entity and that is otherwise considered to be a legal “person”. A “human being” may be a property owner who owns real property and holds title to that property in their name as: an individual, community property, a member of a joint tenancy, a tenant in common, a trustee or a benefactor of a trust or a partner of a partnership, but not as an officer of a corporation or other such legal entity.

“Ingress and Egress” means ability to enter and exit a property and not included as part of living area and livable space for the ADU. Additions for ingress and egress shall only be for means of access to the ADU that may be inaccessible otherwise.

“Junior Accessory Dwelling Unit” or “JADU” means a residential dwelling unit that satisfies all of the following: (i) it is no more than 500 square feet in size; (ii) it is contained entirely within an existing or proposed single-family structure (an enclosed use within the residence, such as an attached garage, is considered to be a part of and contained within the single-family structure); (iii) it includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family structure; (iv) if the unit does not include its own separate bathroom, then it contains an interior entrance to the main living area of the existing or proposed single-family structure in addition to an exterior entrance that is separate from the main entrance to the primary dwelling; and (v) it includes an efficiency kitchen. Either the JADU, single-family residence, or ADU if one exists on the property shall be owner-occupied. A JADU is not permitted on property owned by a corporate entity or LLC. A recorded covenant is required for JADUs prior to approval. For the purposes of this definition, enclosed uses are within the residence, with the exception of attached garages, to be a part of the proposed or existing single-family residence and enclosed with solid walls on a minimum of three sides.

“Living Area” means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

“Livable Space” means a space in a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation. A livable space does not include storage rooms, boiler rooms, passageways, attics, basements, garages, stairwells, and spaces used for ingress/egress.

“High-Quality Transit Corridor (HQTC)” means a corridor with fixed route bus service with service intervals no longer than 20 minutes during peak commute hours. HQTC definition shall be consistent with definition provided in Section 21155 of the Public Resources Code.

“Major Transit Stop (MTS)” means a site containing any of the following: a) an existing rail or bus rapid transit station, b) a ferry terminal served by either a bus or rail transit service or c) the intersection of two or more major bus routes with a frequency of service interval of 20 minutes or less during the morning and afternoon peak commute periods. Definition of MTS shall be consistent with definition provided in Section 21155 of the California Public Resources Code.

“Multiple-Family Dwelling” or “Multifamily Dwelling” for the purpose of this section, means two or more attached dwelling units. Multiple detached single-family dwelling units on the same lot are not considered multifamily dwellings. A multiple-family dwelling may also be referred to as a “primary dwelling”.

“Nonconforming Zoning Condition” means an approved or permitted physical improvement on a property that does not conform with current zoning standards.

“Objective Standards” means standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.

“Passageway” means a pathway that is unobstructed, clear to the sky, and extends from a street to one (1) entrance of the accessory dwelling unit.

“Primary Legal Residence” means the primary domicile and permanent home of the property owner as a legal resident of the State of California and as determined by the State of California for the purposes of taxation. Proof of such residency shall be demonstrated by the property owner presenting to the City a current unexpired valid copy of one of the following showing the address of the subject property as their primary legal residence: a California driver’s license, a California Real ID, or other State of California identification card and/or a Federal Government issued United States passport or Military ID.

“Property Owner” means all persons owning a piece of real property but may be specifically limited for some regulations to be only an individual “human being” and it shall include their heirs, successors, and assigns.

“Proposed Dwelling” means a single or multiple-family dwelling that is the subject of a permit application and that meets the requirements for permitting.

“Public Transit” means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

“Exempt ADUs” refers to ADUS and JADUS that are created pursuant to Government Code Section 66323 that must be approved ministerially and are not subject to standards set forth in Government Code Sections 66310-66342.

“Tandem Parking” means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

C. ADU Review

1. The City shall ministerially review applications for any proposed ADUs and/or JADUs, in conformance with this Code and Sections 66310 to 66342 of the California State Government Code, as currently adopted and as subsequently amended from time to time, in the future.
2. The ADU and/or JADU application review fee is determined by City Council by resolution in the adopted fee schedule and is subject to annual cost of living increases.
3. The overall review time between the acceptance of the ADU and/or JADU application as complete with all required materials, full payment of applicable fees shall not exceed 60 business days. If the City has not approved or denied the completed application within 60 business days, the application shall be deemed approved. However, failure by the property owner and/or applicant to provide in a timely and correct manner any requested materials, documents, calculations, corrected plans and/or payment of fees shall be grounds for denial of the proposed project and termination of the 60 business day review timeline, as determined appropriate by the Director of Community Development.
 - a. Defect Notification. In the instances when plans have been accepted for review are subsequently denied, the 60 business day limit will be terminated, and the plans shall be returned by the City to the property owner or designated representative accompanied with a full set of written comments from the City listing the items that are defective or deficient and a description of how the application can be remedied. Once the plans are resubmitted and are successfully accepted as complete, then a new 60 business day processing timeline shall be initiated.
 - b. Good Faith Processing. The property owner shall act in good faith and respond in a timely manner when corrections are requested. If it is determined that it will take more than five business days to respond, then the property owner should file an extension of time to

continue the processing timeline beyond the 60 business day limit. Failure by the property owner to respond in a reasonable and timely manner by submitting corrected plans or by requesting a time extension shall be grounds for denial of the project, as determined appropriate by the Director of Community Development before the lapse of the 60 business day review period.

4. Following a denial, a subsequent application resets the 60 business day period.
5. When an application to create an ADU or JADU is submitted with an application to create a new single-family or multifamily dwelling on the lot, the City may delay acting on the application for the ADU or JADU until the City acts on the permit application to create the new single-family or multifamily dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.
 - a. Prior to final inspection of an ADU, the hosting primary dwelling unit shall be completed with a successful final inspection allowing occupancy that is completed prior to, or concurrently with, a successful final inspection of the ADU, allowing ADU occupancy.
6. A demolition permit for a detached garage that is to be replaced with an ADU is reviewed with the application for the ADU and issued concurrently.
7. The ADU and/or JADU shall be limited to the floor area approved at the time of building permit issuance. Any owner wishing to incorporate the floor area of an ADU and/or JADU from conversion of existing space back into the primary dwelling unit must request termination of the ADU/JADU use under this Section, satisfying all zoning and development standards of the underlying zone.

D. Limitations to Develop, Sell, Convey or Rent an ADU.

1. An accessory dwelling unit shall not be permitted in combination with any of the following developments:
 - a. ADU constructed per Subsection (Y) (Exempt Units).
 - b. Housing development subject to Section 65852.21 of the Government Code.
 - c. Urban lot split subject to Section 66411.7 of the Government Code.
2. Rental Term. The rental of ADUs or JADUs shall be for a duration longer than 30 consecutive days. Short-term rentals shall be prohibited.
3. No Separate Conveyance. Except as otherwise provided in the Government Code Section 66341, an ADU may be rented, but no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).

E. Zoning

1. An ADU or JADU, notwithstanding Subsection (Y) (Exempt Units), may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.
2. An ADU or JADU subject to Subsection (Y) (Exempt Units) may be created on a lot in a residential (R-Zones) or mixed-use zone.

3. No ADU or JADU shall be created on a lot that is in the Commercial or Manufacturing Zones.

F. Number of ADU and JADU Units

1. For lots with an existing or proposed single-family dwelling:
 - a. One new construction ADU, detached or attached, complying with the development standards set forth in Subsections (G) to (X). The ADU may be developed in conjunction with a JADU; or
 - b. Exempt ADU which includes the following:
 - i. One detached, new construction ADU, complying with the development standards set forth in Subsections (Y)(2)(a). The Exempt ADU may be developed in conjunction with a JADU.
 - ii. One ADU and one JADU created within an existing or proposed single-family dwelling or accessory building, complying with the development standards set forth in Subsections (Y)(2)(b).
 - c. A lot where only one residential dwelling unit exists may either have an ADU or an accessory living quarter, but not both. For the purposes of this section, other accessory buildings which are defined as "R" Occupancy per Chapter 3 of the California Building Code such as, a cabana, pool house, recreation room, workshop, studio, rumpus room and similar shall be considered accessory living quarters. An accessory living quarter may be converted to an ADU. Nothing herein shall prohibit the creation of a JADU on such a lot that contains an accessory living quarter.
2. For lots with two existing or proposed detached single-family dwellings:
 - a. Exempt ADU which includes the following:
 - i. One detached, new construction ADU, complying with the development standards set forth in Subsections (Y)(2)(a).
 - ii. One ADU created within an existing or proposed single-family dwelling or accessory building, complying with the development standards set forth in Subsections (Y)(2)(b).
 - b. No JADU shall be permitted within lots with two detached single-family dwellings.
3. For lots with an existing or proposed multiple-family dwelling:
 - a. Exempt ADUs which includes the following:
 - i. Multifamily Converted ADUs, complying with the development standards set forth in Subsections (Y)(3)(a).
 1. At least one ADU and up to 25% of the existing multifamily dwelling units may be created within the portions that are not used as livable space.
 - a. Fractions shall be rounded down to the nearest whole number.
 - ii. Multifamily Detached ADUs on Lots with Existing Multifamily Dwelling(s), complying with the development standards set forth in Subsections (Y)(3)(b).
 1. A maximum of eight detached ADUs are allowed, not to exceed the number of existing units on the lot.

- iii. Multifamily Detached ADUs on Lots with Proposed Multifamily Dwelling(s), complying with the development standards set forth in Subsections (Y)(3)(c).
 - 1. A maximum of two (2) detached ADUs are allowed.
 - b. No Junior ADU shall be permitted in lots with an existing or proposed multiple-family dwelling.

G. Configuration and Location.

- 1. An ADU may be:
 - a. Attached ADUs - Attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, and accessory structures.
 - b. Detached ADUs - Detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling.
 - c. Located within a proposed or existing primary dwelling or multiple-family dwelling or detached from the proposed or existing primary dwelling or multiple-family dwelling.
- 2. A JADU shall be attached to, or located within, the existing or proposed primary dwelling.
- 3. The following ADU configurations shall be prohibited:
 - a. ADUs shall not be attached to any existing detached accessory structure that do not meet current setback requirements for ADUs, including required garages for the main dwelling.
 - b. Floor area of the ADU shall not be below the finished grade.
 - c. For lots with an existing or proposed single-family dwelling, detached ADUs shall not exceed one story in height and/or be constructed over accessory structure(s).
 - d. ADUs located within the R-H zone shall be subject to the Norwalk Municipal Code Section 17.05.350(E).
- 4. ADU location shall be in substantial conformance with the conditions of approval for any existing discretionary or ministerial approvals on file for the subject property. Substantial changes that conflict with any conditions of approval will require an amendment or termination of the said entitlement or permit.
 - a. Multifamily dwelling units proposing for conversions of project amenities including, but not limited to, open space, laundry rooms, recreation rooms, etc. are strongly discouraged. Landlord shall make a good faith effort to inform tenants of their intent to convert a portion of the project's amenities into units to the satisfaction of the Director of Community Development.
- 5. ADU location shall comply with vision clearance dedications required per Section 17.03.250 (Corner Cut-Off Area—Vision Clearance Dedication).
- 6. An existing residential unit may be converted to an ADU, but not as a JADU, at the time that a new primary dwelling is proposed for construction, provided the existing residential unit conforms to all the standards under this section.

H. Unit Size

- 1. Minimum Unit Size. An ADU shall be no less than 150 square feet in size.
- 2. Attached ADU (new). The maximum unit size for an attached ADU shall not exceed 50 percent of the existing or proposed primary dwelling. In addition, the attached ADU shall

not exceed 850 square feet for a studio or one (1) bedroom and 1,000 square feet for more than one (1) bedroom.

3. Detached ADU (new). The maximum unit size for a detached ADU shall not exceed 850 square feet for a studio or one (1) bedroom and 1,000 square feet for more than one (1) bedroom.
4. Junior ADU. The maximum square footage for a JADU shall be 500 square feet.
5. Conversions of Existing Structure. There shall be no size limit for conversions of existing permitted structures.

I. Lot Coverage and Floor Area Ratio (FAR)

1. Lot Coverage. The maximum lot coverage by all structures on lots developed with ADUs shall not exceed underlying zoning requirements.
2. Floor Area Ratio (FAR). The maximum FAR on lots developed with ADUs shall not exceed underlying zoning requirements.

J. Setbacks and Building Separation

1. The minimum interior side yard and rear yard setback for an attached or detached ADU shall be four (4) feet, unless the ADU is:
 - a. Converted from an existing legal or legal-nonconforming structure; or
 - b. A new structure created in the same location and to the same dimensions as an existing legal or legal nonconforming structure.
2. For ADUs over one-story in height, the second story shall be setback an additional five feet from the first floor along the front, interior side, and street side setbacks.
3. The minimum front yard and street side yard setback shall comply with the underlying zone.
4. A minimum building separation of five feet, measured from eave to eave, shall be maintained between the accessory dwelling unit and any structures on site.

K. Building Height

1. Detached ADU. A maximum height of 16 feet in all zoning districts. Additional height may be permitted as follows:
 - a. A maximum height of 18 feet when the lot is a half-mile walking distance from a major transit stop or high-quality transit corridor.
 - i. An additional two feet may be permitted to accommodate roof pitch that aligns with the primary dwelling for a maximum of 20 feet.
 - b. A maximum height of 18 feet on a lot with an existing or proposed multifamily that is more than one (1) story in height.
2. Attached ADU. A maximum height of 25 feet or the height limitation of the underlying zone, whichever is lower.
3. Non-exempt detached ADUs shall not exceed one-story in height.

4. New construction ADU shall not be permitted above a detached garage or carport on lots with a single-family dwelling.
5. Plate height shall be limited to eight feet per story.

L. Off-Street Parking Requirements

1. No parking shall be required for a JADU.
2. One off-street parking space is required for each ADU. Such parking may be provided as tandem parking, as defined in this section, on a driveway.
3. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, replacement of the lost off-street covered parking shall not be required to be replaced.
4. Notwithstanding this Subsection, off-street parking requirements shall not apply to ADUs in any of the following circumstances:
 - a. The ADU is located within one-half ($\frac{1}{2}$) mile walking distance of public transit, as defined in this section.
 - b. The ADU is located within an architecturally and historically significant historic district.
 - c. The ADU is located within the proposed or existing primary residence or an accessory structure.
 - d. When on-street parking permits are required but not offered to the occupant of the ADU.
 - e. When there is a car share vehicle located within one (1) block of the ADU.
 - f. When a permit application for an ADU is submitted with a permit application to create a new single-family dwelling or a new multifamily dwelling on the same lot, provided that the ADU satisfies any other criteria listed in (a)-(d) above.

M. Driveways

1. An ADU shall share the driveway with the existing or proposed primary dwelling unit. A second driveway shall not be permitted, unless the proposed second driveway is accessed from an alley. If the property has two (2) existing driveways, the second driveway may remain if lawfully established.

N. Density

1. An ADU or JADU that conforms to the requirements of this section shall not be considered to exceed the allowable density for the lot upon which it is located. It shall be deemed to be an accessory residential use that is consistent with the existing General Plan and zoning designation for the lot.

O. Design

1. The materials and colors of the exterior, including but not limited to walls, roof, and windows and doors, shall match the appearance and architectural design of those of the primary dwelling.
2. Stairwells leading to ADUs shall be enclosed.

3. The roof pitch must match that of the dominant roof pitch of the primary dwelling. The dominant roof pitch is the pitch shared by the largest portion of the roof.
4. When the roof pitch of the existing primary dwelling or multifamily dwelling had a pitch greater than 4:12, the roof pitch of the ADU is not required to match, so long as the ADU complies with the height requirements set forth in Subsection (K).
5. For attached ADUs and JADUs, the entrance shall be located on the side or rear of the primary dwelling. The entrance is prohibited from being located on the front of the primary dwelling unit, facing the public right-of-way. In addition, there shall be no exterior staircase leading to or from an attached ADU or JADU.
6. For detached ADUs, the entrance shall not face or be visible from the public right-of-way.
7. For ADUs and JADUs converted from a garage or other existing accessory buildings, the garage door shall be removed and replaced with building doors, windows, and/or other design features. A three (3) foot wide planter with drought-tolerant plants shall be installed between the ADU or JADU and any driveway.
8. ADUs shall not be designed with upper story balconies or elevated decks.
9. Exterior lighting shall be shielded or directed downward to prevent off-site illumination onto adjacent property.
10. ADUs shall have an eave projection of at least one (1) foot on all sides of the building(s).
11. Windows and doors shall not have direct line of sight to the adjacent residential property. Fencing, landscaping, or privacy glass may be used to provide screening to prevent direct line of sight. This requirement may be exempt for conversions of legally permitted structures that do not include installation of new exterior windows facing an adjacent property line or when only clerestory windows are used and do not provide views into neighboring lots.
12. New second-story windows shall be prohibited along the interior side and rear lot lines for all ADUs and JADUs when the proposed setback is less than four (4) feet, unless required by the Building Code. Required windows shall be designed to preserve privacy with opaque or clerestory windows. If the side or rear lot lines abut an alley with a minimum width of 20 feet, second story windows may be allowed on the façade facing the alley.
13. If it is deemed infeasible to comply with all of the requirements outlined in Subsections (O) (1) through (12) above, the Community Development Director may grant a waiver to one or more requirements.

P. Landscaping and Open Space requirements

1. All required yards abutting streets shall be completely landscaped with live landscaping, exclusive of driveways, porches, patios, and walkways.
2. The paved area of the required front yard and required street side yard, including driveways and walkways, porches, and patios, shall not exceed 50% and 500 square feet, except as allowed by the Director of Community Development for properties with a substandard width or unique shape, orientation or configuration.
3. The open space requirements shall comply with the underlying zone.

Q. Owner Occupancy

1. All Junior ADUs are subject to an owner-occupancy requirement. A human being with legal or equitable title to the property must reside on the property as the person's legal domicile and principal residence, in either the single-family dwelling unit, the JADU, or an ADU if one exists on the property. A covenant shall be signed and recorded against the property by the property owner stating that the primary dwelling, JADU, or an ADU if one exists on the property will be occupied by the property owner.
 - a. Owner occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.
 - b. The covenant runs with the land and may be enforced against future property owners.
 - c. The covenant may be removed if the owner eliminates the JADU and reverts the JADU to the original permitted layout and use within the single-family dwelling. To remove the covenant, an owner may make a written request to the Director of Community Development, providing evidence that the JADU has in fact been eliminated. The Director may then determine whether the evidence supports the claim that the unit has been eliminated. Appeal may be taken from the Director's determination consistent with other provisions of this Title. If the JADU is not entirely physically removed but is only eliminated by virtue of having a necessary component of the JADU removed, the remaining structure and improvements shall otherwise comply with applicable provisions of this Title.

R. Building, Fire, and Other Codes

1. All ADUs shall comply with all provisions of the Norwalk Municipal Code pertaining to the adequacy of water, sewer, electrical, drainage, and fire and emergency services to the property on which the ADU will be located as well as all applicable codes pertaining to building, fire, health, and/or safety.
2. Construction of an ADU does not constitute a Group R occupancy change under the local building code, as described in the California Building Code (Sec. 310), unless the City Building and Safety Manager makes a written finding based on substantial evidence in the record that the construction of the ADU could have a specific, adverse impact on public health and safety. Nothing in Subsection (R)(2) prevents the City from changing the occupancy code of a space that was uninhabitable space or that was only permitted for nonresidential use and was subsequently converted for residential use in accordance with this section.

S. Sprinklers

1. ADUS shall not be required to install fire sprinklers if they are not required for the existing primary dwelling. However, if a primary dwelling currently does not have fire sprinklers, and an attached ADU is proposed which would trigger fire sprinkler requirements due to the increase in livable space, that requirement shall not be imposed upon the primary dwelling unit.

T. Solar Panel Systems

1. Newly constructed ADUs are subject to the California Energy Code requirement to provide solar panel systems if the unit(s) is a newly constructed, detached ADU. The solar panel system can be installed on the ADU or on the primary dwelling unit.

U. Laundry

1. All ADUs shall have laundry connections for a washer and dryer within the interior space of the proposed dwelling unit.

V. Building and Zoning Enforcement

1. The City shall not deny an ADU or JADU application solely due to nonconforming zoning conditions, building code violations, or unpermitted structures on the lot that do not present a threat to the public health and safety and that is not affected by the construction of the ADU or JADU. However, any approvals granted under this Section shall not constitute authorization for continuation of the violation, or waiver by estoppel against any future enforcement action.
2. Unpermitted ADUs constructed before January 1, 2020:
 - a. The City may not deny a permit to legalize an existing but unpermitted ADU that was constructed if denial is based on either of the following grounds:
 - i. The ADU violates applicable building standards; or
 - ii. The ADU does not comply with the California Government Code (Sec. 66310-66342) or Norwalk Municipal Code Section 17.04.210.
 - b. Exceptions
 - i. Notwithstanding Subsection (T)(2)(a), above, the City may deny a permit to legalize an existing, but unpermitted ADU that was constructed before January 1, 2020, if the City makes a finding that correction the violation is necessary to protect the health and safety of the public or occupants of the structure, or if the building is deemed substandard pursuant to Section 17920.3 of the Health and Safety Code.

W. Fees/Utility Connections

1. The property owner shall pay all applicable impact fees related to an ADU 750 square feet or larger, including, but not limited to, parks, traffic, water and sewer impact fees. Such fees shall be charged proportionately in relation to the square footage of the primary dwelling unit.
2. No new or separate utility connection or related fees or capacity charges shall be required for an ADU described in Subsection (Y)(2)(b) below, unless such ADU was constructed with a new single-family home.
3. For ADUs not described in Subsection (Y)(2)(b) below, a new or separate utility connection for the following, including, but not limited to, water, electric, gas, sewer, and trash may be required subject to the Principal City Engineer, Director of Community

Development, and Building and Safety Manager's determination. Related fees or capacity charges shall be proportionate to the burden of the proposed ADU based upon either its square feet or number of its drainage fixture unit ("DFU") values, upon the water or sewage system. Such fees or charges shall not exceed the reasonable cost of providing service.

X. Other Development Standards

1. For all other development standards not specified in this Section, the development standards of the underlying zoning district shall apply.

Y. Exempt Units.

1. Notwithstanding any development standards or other limitations set forth in Subsections (A) through (U), the City shall ministerially approve an application for a building permit within a residential or mixed-use zoning district to create any of the following units:
2. For lots with an existing or proposed single-family dwelling:
 - a. New construction. One (1) detached ADU per lot, subject to all the following:
 - i. Area. The maximum unit size for the ADU shall be 800 square feet.
 - ii. Setbacks. The minimum interior side yard and rear yard setbacks shall be four (4) feet.
 - iii. Height. The maximum height limitation is subject to development standards set forth in Subsection (K) (Building Height).
 - b. Created within an existing or proposed single-family dwelling or accessory building. One JADU and one attached ADU or detached ADU per lot, subject to all of the following:
 - i. Created entirely within the square footage of the existing or proposed single-family dwelling or accessory structure.
 - a. An additional 150 square-foot expansion may be permitted for the ADU strictly to accommodate ingress and egress. Additions for ingress and egress shall only be for means of access to the ADU that may be inaccessible otherwise (e.g. the construction of a staircase to reach a second story ADU).
 - b. The interior side and rear yard setbacks shall be sufficient for fire and safety.
 - ii. JADU. The JADU shall be entirely within the square footage of an existing or proposed primary dwelling and not within an accessory structure, with the exception of an attached garage.
 - iii. Area. The maximum square footage for an attached ADU shall not exceed 800 square feet or 50 percent of the existing or proposed primary dwelling, whichever is less.
 - iv. Access. The attached ADU or Junior ADU shall have exterior access that is independent of that for the single-family dwelling.

3. For lots with an existing or proposed multiple-family dwelling:
 - a. Multifamily Converted ADUs
 - i. Number. At least one ADU or up to 25% of the existing multifamily dwelling units may be created within the portions that are not used as livable space.
 - a. Fractions shall be rounded down to the nearest whole number.
 - b. For mixed-use projects, areas designated for commercial uses including off-street parking and storage shall not be converted to ADUs.
 - ii. Location. ADUs may be created within the portions of existing multifamily structures that are not used as livable space. Examples of structures that are not used as livable space include, but are not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages.
 - b. Multifamily Detached ADUs on Lots with Existing Multifamily Dwelling(s) subject to all of the following:
 - i. Number. A maximum of eight (8) detached ADUs are allowed, not to exceed the number of existing units on the lot.
 - ii. Setbacks. The minimum interior side yard and rear yard setbacks shall be four (4) feet.
 - iii. Height. The maximum height limitation is subject to development standards set forth in Subsection K (Building Height).
 - iv. Area. The maximum square footage for each ADU shall be 800 square feet.
 - c. Multifamily Detached ADUS on Lots with Proposed Multifamily Dwelling(s) subject to all of the following:
 - i. Number. A maximum of two (2) detached ADUs are allowed.
 - ii. Setbacks. The minimum interior side yard and rear yard setbacks shall be four (4) feet.
 - iii. Height. The maximum height limitation is subject to development standards set forth in Subsection K (Building Height).
 - iv. Area. The maximum square footage for each ADU shall be 800 square feet.
 - d. No Junior ADU shall be permitted in lots with an existing or proposed multiple-family dwelling.
 - e. Concessions. Multifamily dwelling units proposing for conversions of project amenities including, but not limited to, open space, laundry rooms, recreation rooms, and parking spaces are strongly discouraged. At the discretion and approval of the Director of Community Development, additional height may be allowed if the applicant demonstrates good faith effort in preserving such amenities.”

Chapter 17.05 Residential Zones
Article I. R-1 Zone, Single-Family Residential Zone

“17.05.010. Permitted uses. The following sections are amended to read as follows and the remainder of these Subsections shall remain unchanged:

Subsection B. Accessory buildings and structures pursuant to the requirements of Section 17.04.205.

Subsection C. The renting of not more than two rooms without kitchens to not more than four roomers, or the providing of table board to not more than four boarders, or both, but not to exceed four roomers and boarders in any combination thereof, for a period greater than thirty (30) consecutive calendar days.

17.05.020. Building height. The following sections are amended to read as follows:

Subsection A. No primary building or structure in an R-1 zone shall exceed two stories or 30 feet in height, whichever is the lesser, except that non-dwelling structures which require greater height for functional purposes, such as structures for the housing of tanks, ventilating fans, church spires or similar features may exceed such height, as provided by Section 17.03.230.

Subsection B. The maximum allowable top plate height shall be 14 feet for the first story and 24 feet for the second story.

17.05.030. Front yard. The following sections are deleted in its entirety and replaced to read as follows:

- A. Every lot and every parcel in an R-1 zone shall have a front yard of not less than 20% of the lot depth, but such front yard need not exceed 20 feet for the first story. The second story shall be setback an additional five feet from the first story.
- B. Front yards shall be landscaped as required by-Section 17.03.010.

17.05.040 Side yards. The following sections are deleted in its entirety and replaced to read as follows:

Every lot and every parcel in an R-1 zone shall have side yards as follows:

- A. Interior lots or parcels and corner lots or parcels shall have a side yard on each side of the lot or parcel of not less than five feet in width for the first story and 10 feet in width for the second story.
- B. Reversed corner lots or parcels shall have the following side yards:
 - 1. On the interior side of a reversed corner lot or parcel, the side lot line of which adjoins another lot or parcel, there shall be a side yard of not less than five feet in width for the first story and 10 feet for the second story.
 - 2. On the street side of a reversed corner lot or parcel, there shall be a first story side yard with a width of not less than 50% of the front yard required on the lot abutting the rear of such reversed corner lot or parcel, and no detached building on such reversed corner lot or parcel shall project closer to the street line than the rear line of the required front yard of the lot abutting the rear of such reversed corner lot or parcel. The second story shall be setback an additional five feet from the first story.
- C. Side yards abutting streets shall be landscaped as required by Section 17.03.010.

§ 17.05.050. Rear yard. The following sections are deleted in its entirety and replaced to read as follows:

- A. Every lot and every parcel in an R-1 zone shall have a rear yard with a depth not less than 20% of the depth of such parcel or lot, provided that such rear yard depth need not exceed 20 feet.
- B. An accessory building or structure constructed in the required rear yard, provided that an open space, equal in area to 50% of the area of the required rear yard or 500 square feet, whichever is less, and meeting the requirements herein specified, is maintained in the rear one-half of the lot (measured along the side property lines), and in any portion of the lot more than 50 feet distant from the front lot line. Such open space shall:
 - 1. Be contiguous, i.e., not separated;
 - 2. Have no linear dimension at any point of less than 10 feet; and
 - 3. Be located on the same lot.

Swimming pools, outdoor recreational ramps, patios, pergolas, and similar type structures not enclosed on more than two sides with permanent construction and materials may be located within the open space area.

- C. Building utilization of required rear yards is permitted, if approved by conditional use permit, for specifically designed properties and developments where permanent control of both sides of an existing or proposed lot line is provided.

17.05.052 Distance between buildings. The following section is added to read as follows:

The minimum distance between all buildings and structures shall be five feet measured from eave-to-eave.

17.05.054. Lot Coverage. The following section is added to read as follows:

The maximum allowable lot coverage shall not exceed 40 percent of the lot size.

17.05.056. Floor Area Ratio. The following section is added to read as follows:

The maximum allowable floor area ratio shall not exceed 40 percent of lot the size.

17.05.090. Development standards for single-family dwelling units. The following sections are amended to read as follows and the remainder of these Subsections shall remain unchanged.

- A. Single-family dwellings shall be subject to the following standards:
1. Every single-family dwelling shall have an eave projection of at least one and one-half feet on all sides of the building(s).
 2. Second stories shall not overhang from the first story from the front, side, and street side of the single-family dwelling.
 3. Every single-family dwelling shall have a roof constructed of wood, shakes, shingle, asphalt composition, crushed rock or other similar roofing material. Reflective, glossy, polished and/or roll-formed type metal roofing is prohibited unless modified by the procedure below.
 4. Additions to single-family dwellings shall be architecturally consistent and have a roof pitch that matches the existing single-family dwelling.
 5. Two-story buildings shall be provided with windows that are recessed a minimum of two inches.
 6. Every single-family dwelling shall have an exterior wall covering of brick, wood, stucco, metal, concrete or similar material. Reflective, vinyl, glossy, polished and/or roll-formed type metal siding is prohibited unless modified by the procedure below.
 7. Every single-family dwelling shall not be less than 20 feet in width and shall have a floor area of not less than 800 square feet, exclusive of garages, porches and patios.
 8. All exterior walls shall have a continuous concrete foundation and comply with all standards of the building code; any exposed foundation shall be architecturally compatible to the exterior design.
 9. Offset of the building façade, or the front of the building, shall be provided.

10. Every single-family dwelling shall have laundry facilities that are internally accessible to the dwelling it serves.
11. To provide for the normal functions of family living, floor plans shall be designed to include adequate size and arrangement of rooms, sufficient cupboard space, closet space and storage space, and also include the following:
 - a. At least one bathroom shall have access directly from a hallway and not from another room.
 - b. A bedroom shall not have its only means of access through another bedroom or solely from the outside.
 - c. Secondary access to the outside shall be provided from the kitchen or from the kitchen via a utility area that does not require passage through the living room or a bedroom.”

Chapter 17.05 Residential Zones

Article II. R-2 Zone, Multi-Family Medium Density Residential Zone

“17.05.100. Permitted uses. The following sections are added to read as follows and the remainder of these Subsections shall remain unchanged:

Subsection J. Accessory buildings and structures pursuant to the requirements of Section 17.04.205.

Subsection K. An accessory dwelling unit pursuant to the requirements of Section 17.04.210.

17.05.110. Building height. The following sections are deleted in its entirety and replaced to read as follows:

- A. No primary building or structure shall exceed two stories or 30 feet in height, whichever is the lesser, except as provided by Section 17.03.230 for certain roof and similar structures.
- B. The maximum allowable top plate height shall be 14 feet for the first story and 24 feet for the second story.

17.05.120. Front yard. The following sections are deleted in its entirety and replaced to read as follows:

- A. Every lot and every parcel in an R-2 zone shall have a front yard of not less than 15% of the lot depth, provided that such front yard depth need not exceed 15 feet for the first story. The second story shall be setback an additional five feet from the first story.

- B. Front yards shall be landscaped as required by Section 17.03.010 and shall be equipped with an automatic irrigation system and landscaped and maintained in accordance with adopted City standards.

17.05.130. Side yards. The following sections is amended to read as follows::

A. Interior Lot Lines.

- 1. Every property less than 50 feet in width shall have a side yard on each side of the property of not less than 10% of the lot width, but in no case less than five feet for the first story and 10 feet for the second story.
- 2. Every property 50 feet or more in width shall have a side yard on each side of the property of not less than five feet for the first story and 10 feet for the second story.
- 3. Where the interior side lot line of a multiple dwelling of three or more dwelling units abuts an R-1 zone there shall be a side yard of not less than 10 feet on the first story and an additional five feet for the second story.

B. Abutting Streets.

- 1. Every property less than 50 feet in width shall have a side yard abutting the street of not less than five feet for the first story. The second story shall be setback an additional five feet from the first story.
- 2. Every property 50 feet or more in width shall have a side yard abutting the street of not less than 10 feet for the first story. The second story shall be setback an additional five feet from the first story.
- 3. On the street side of a reversed corner lot or parcel, there shall be a side yard for the first story with a width of not less than 50% of the front yard required on the lot or parcel abutting the rear of such reversed corner lot or parcel, and no detached accessory building on such reversed corner lot or parcel shall project beyond the rear line of the required front yard of the lot abutting the rear of such reversed corner lot or parcel. The second story shall be setback an additional five feet from the first story.
- 4. Side yards abutting streets shall be landscaped as required by Section 17.03.010.

C. Permitted Uses of Side Yards. Structures shall be prohibited within interior side yards, subject to the following exceptions:

- 1. Common outdoor living areas but such areas shall be screened from adjacent streets and properties. These areas may include swimming pools, barbecues, putting greens, court game facilities and any other recreational-leisure facilities necessary to meet the requirements of residents and their guests.
- 2. Private patios or yards.

17.05.140. Rear yard. The sections D and E are deleted and the remainder of these Subsections shall remain unchanged:

Subsection D. Delete in its entirety.

Subsection E. Delete in its entirety.

17.05.142 Distance between buildings. The following section is added to read as follows:

The minimum distance between all buildings and structures shall be 10 feet measured from eave to eave.

17.05.144. Lot Coverage. The following section is added to read as follows:

The maximum allowable lot coverage shall not exceed 45 percent of the lot size.

17.05.146. Floor Area Ratio. The following section is added to read as follows:

The maximum allowable floor area ratio shall not exceed 45 percent of lot the size.

17.05.190. Landscaping, architectural and building design standards. The following sections are added, amended, or deleted to read and as follows and the remainder of these Subsections shall remain unchanged:

Subsection C. The following section is added to read as follows:

9. Windows recessed a minimum of three inches.

Subsection D. The following section is amended to read as follows:

12. Laundry facilities that are internally accessible to the unit it serves.

Subsection F. The following section is amended to read as follows:

1. All developments must have trash storage areas which shall be located for the convenience of the residents and for efficiency of collection. One six-foot by eight-foot enclosure is required for projects of five or more units at the ratio of one for every five units for the purpose of storing garbage, waste, refuse and trash. Such enclosure shall have on each side thereof a solid reinforced masonry wall of not less than five feet in height except for openings. All openings shall be equipped with solid, view obscuring gates or doors which meet the height requirement of this section and the fence requirements for durability. Such gates or doors shall be equipped at all times with a fully operating, self-closing device. At least one opening or gate or door shall be of sufficient width to provide reasonable and necessary access to, the storage area and such opening door or gate shall at all times be located and maintained at such a place and in such a fashion that access to the storage area for the deposit and removal of waste, trash, refuse and garbage is reasonably afforded. A roof shall be provided for the trash enclosure.

2. The finish and color of the enclosure, gate and roof shall be decorative and shall incorporate primary elements from the site building style. Chain link and or vinyl fencing shall not be permitted.

Subsection G. Delete in its entirety.”

Chapter 17.05 Residential Zones

Article III, R-3 Zone, Multi-Family High Density Residential Zone

“17.05.200. Permitted uses. The following sections are amended to read as follows and the remainder of these Subsections shall remain unchanged:

Subsection C (8) Delete in its entirety.

Subsection J. Accessory buildings and structures pursuant to the requirements of Section 17.04.205.

Subsection K. An accessory dwelling unit pursuant to the requirements of Section 17.04.210.

17.05.210. Building height. The following sections are deleted in its entirety and replaced to read as follows:

- A. No primary building or structure shall exceed two stories or 30 feet in height, whichever is the lesser; except multiple dwellings equipped with elevators and other permitted buildings if either is approved by conditional use permit; and except as provided by Section 17.03.230 for certain roof and similar structures.
- B. The maximum allowable top plate height shall be 14 feet for the first story and 24 feet for the second story.

17.05.220. Front yard. The following sections are deleted in its entirety and replaced to read as follows:

- A. Every lot and every parcel in an R-3 zone shall have a front yard of not less than 15% of the lot depth, provided that such front yard depth need not exceed 15 feet for the first story. The second story shall be setback an additional five feet from the first story.
- B. Front yards shall be landscaped as required by Section 17.03.010 and shall be equipped with an automatic irrigation system and landscaped and maintained in accordance with adopted City standards.

17.05.230. Side yards. The following sections are deleted in its entirety and replaced to read as follows:

- A. Interior Lot Lines.
 - 1. The side yard on each side of the property shall not be less than five feet for the first story and 10 feet for the second story.
 - 2. Where abutting an R-1 zone, the side yard setback shall not be less than 20 feet for the first story. The second story shall be setback an additional five feet from the first story.
- B. Abutting Streets.
 - 1. Every property less than 50 feet in width shall have a side yard abutting the street of not less than five feet for the first story. The second story shall be setback an additional five feet from the first story.
 - 2. Every property 50 feet or more in width shall have a side yard abutting the street of not less than 10 feet for the first story. The second story shall be setback an additional five feet from the first story.
 - 3. Side yards abutting streets shall be landscaped as required by Section 17.03.010.
- C. Permitted Uses of Side Yards. Structures shall be prohibited within interior side yards, subject to the following exceptions:
 - 1. Common outdoor living areas but such areas shall be screened from adjacent streets and properties. These areas may include swimming pools, barbecues, putting greens, court game facilities and any other recreational-leisure facilities necessary to meet the requirements of residents and their guests.
 - 2. Private patios or yards.

17.05.240. Rear yard. The following sections are deleted and the remainder of these Subsections shall remain unchanged:

Subsection D. Deleted in its entirety.

Subsection E. Deleted in its entirety.

17.05.242. Distance between Buildings. The following section is added to read as follows:

The minimum distance between all buildings and structures shall be 10 feet measured from eave to eave.

17.05.244. Lot Coverage. The following section is added to read as follows:

The maximum allowable lot coverage shall not exceed 50 percent of the lot size.

17.05.246. Floor Area Ratio. The following section is added to read as follows:

The maximum allowable floor area ratio shall not exceed 50 percent of lot the size.

17.05.280. Open space. The following sections are amended to read as follows and the remainder of these Subsections shall remain unchanged:

Subsection B.

2. Open space shall have no dimension less than 10 feet, and may contain pedestrian walkways, landscaping, pergolas, and swimming pools, but shall otherwise be unoccupied and unobstructed from the ground upward, except for the following:

- a. One hundred percent of unenclosed areas under balconies and patio covers can be counted as open space;
- b. Fifty percent of the area of decks and balconies can be counted toward open space, to a maximum of 25% of the total open space required; and
- c. Fifty percent to 100% of recreation rooms may be included as open space, when considered by the Planning Commission to be an integral part of the open space layout.

17.05.290. Landscaping, architectural and building design standards. Subsection C. The following section was added to read as follows:

Subsection C (9). The following section is added to read as follows

9. Windows recessed a minimum of three inches.

Subsection D (12). The following section is amended to read as follows

12. Laundry facilities that are internally accessible to the unit it serves.

Subsection F. The following section is amended to read as follows:

Waste, Garbage and Trash Regulations.

1. All developments must have trash storage areas which shall be located for the convenience of the residents and for efficiency of collection. One six-foot by eight-foot enclosure is required for projects of five or more units at the ratio of one for every five units for the purpose of storing garbage, waste, refuse and trash. Such enclosure shall have on each side thereof a solid reinforced masonry wall of not less than five feet in height except for openings. All openings shall be equipped with solid, view obscuring gates or doors which meet the height requirement of this section and the fence requirements for durability. Such gates or doors shall be equipped at all times with a fully operating, self-closing device. At least one opening or gate or door shall be of sufficient width to provide reasonable and necessary access to the storage area and such opening door or gate shall at all times be located and maintained at such a place and in such a fashion that access to the storage area for the deposit and removal of waste, trash, refuse and garbage is reasonably afforded. A roof shall be provided for the trash enclosure.
2. The finish and color of the enclosure, gate and roof shall be decorative and shall incorporate primary elements from the site building style. Chain link and or vinyl fencing shall not be permitted.
3. All garbage stored within such enclosure shall be placed and maintained in a metal or plastic container which has an overlapping fly-tight lid. The lid shall be secured in place at all times when the container is not being filled or emptied.
4. Waste, refuse and trash, other than garbage shall be placed, maintained, and stored in a container of substantial design and construction that will retain therein such trash, refuse and waste and may be readily emptied by trash collectors and which, further, do not readily disintegrate, fall apart, blow, or scatter about the premises.
5. Garbage, waste, refuse and trash may also be stored in metal bins equipped with wheels of a design approved by the Director. All garbage, waste and refuse and trash contained in such bins shall be maintained within the interior of the metal bins and shall be equipped with a lid which shall be completely closed at all times except when being filled or emptied.
6. All of the aforementioned containers shall be kept and maintained within the walls of such enclosure except when being emptied by a collector.
7. There shall be provided and maintained within such storage area trash containers, as aforementioned, of not less than 50 gallon capacity.
8. No person shall deposit, maintain, accumulate, dispose of or allow the deposit, accumulation, maintenance or any disposal of any garbage, waste, refuse or trash outside of a building.

Subsection G. Delete in its entirety.”

**Article IV
R-H Zone, Residential Horse Property Zone**

“17.05.310. Permitted uses. The following section is added to read as follows and the remainder of these Subsections shall remain unchanged:

Subsection L. Accessory buildings and structures pursuant to the requirements of Section 17.04.205.

17.05.320. Building height. The following sections are deleted in its entirety and replaced to read as follows:

- A. No primary building or structure in an R-H zone shall exceed two stories or 30 feet in height, whichever is the lesser.
- B. The maximum allowable top plate height shall be 14 feet for the first story and 24 feet for the second story.

17.05.330. Front yard. The following sections are deleted in its entirety and replaced to read as follows:

- A. Every lot and every parcel in an R-H zone shall have a front yard of not less than 20% of the lot depth, but such front yard need not exceed 20 feet for the first story. The second story shall be setback an additional five feet from the first story.
- B. Front yards shall be landscaped as required by Section 17.03.010.

17.05.340. Side yards. The following sections are deleted in its entirety and replaced to read as follows:

Every lot and every parcel in an R-H zone shall have side yards as follows:

- A. Interior lots or parcels and corner lots or parcels shall have a side yard on each side of the lot or parcel of not less than 10% of the width of the lot or parcel, provided that such side yard shall be not less than five feet in width for the first story and 10 feet in width for the second story.
- B. Reversed corner lots or parcels shall have the following side yards:
 - 1. On the side of a reversed corner lot or parcel, the side lot line of which adjoins another lot or parcel, there shall be a side yard of not less than 10% of the width of the lot or parcel, provided that such side yard shall be not less than five feet in width for the first story and 10 feet in width for the second story.
 - 2. On the street side of a reversed corner lot or parcel, there shall be a side yard with a width of not less than 50% of the front yard required on the lot abutting the rear of such reversed corner lot or parcel, and no detached building on such reversed corner lot or parcel shall project closer to the street line than the rear line of the required front yard of the lot

abutting the rear of such reversed corner lot or parcel.

- C. Building utilization of required side yards is permitted, if approved by conditional use permit, for specifically designed properties and developments where permanent control of both sides of an existing or proposed lot line is provided.
- D. Side yards abutting streets shall be landscaped as required by Section 17.03.010.

17.05.350. Rear yard. The following sections are amended or deleted to read as follows. The remainder of these Subsections remain unchanged:

Subsection B. An accessory building or structure may be erected or constructed in the required rear yard, except as provided by subsection E of this section, provided that an open space, equal in area to 50% of the area of the required rear yard or 500 square feet, whichever is less, and meeting the requirements herein specified, is maintained in the rear one-half of the lot (measured along the side property lines), and in any portion of the lot more than 50 feet distant from the front lot line. Such open space shall:

- 1. Be contiguous, i.e., not separated;
- 2. Have no linear dimension at any point of less than 10 feet; and
- 3. Be located on the same lot.

Subsection C. Delete in its entirety.

17.05.382. Distance Between Buildings. The following section is added to read as follows:

The minimum distance between all buildings and structures shall be five feet measured from eave to eave.

17.05.384. Lot Coverage. The following section is added to read as follows:

The maximum allowable lot coverage shall not exceed 40 percent of the lot size.

17.05.386. Floor Area Ratio. The following section is added to read as follows:

The maximum allowable floor area ratio shall not exceed 40 percent of lot the size.”

Article V
R-4 Zone, Multi-Family High Density Residential Zone

“17.05.400. Permitted uses. The following sections are added to read as follows and the remainder of these Subsections shall remain unchanged:

Subjection J. Accessory buildings and structures pursuant to the requirements of Section 17.04.205.

Subsection K. An accessory dwelling unit pursuant to the requirements of Section 17.04.210.

17.05.410. Building height. The following sections are deleted in its entirety and replaced to read as follows:

- A. No primary building or structure shall exceed two stories or 30 feet in height, whichever is the lesser; except multiple dwellings equipped with elevators and other permitted buildings if either is approved by conditional use permit; and except as provided by Section 17.03.230 for certain roof and similar structures.
- B. The maximum allowable top plate height shall be 14 feet for the first story and 24 feet for the second story.

17.05.420. Front setback. The following section is amended to read as follows and the remainder of the subsections remain unchanged:

Subsection A. Every lot and every parcel in an R-4 zone shall have a front setback from the front property line of not less than 15% of the lot depth, provided that such front setback depth need not exceed 15 feet for the first story. The second story shall be setback an additional five feet from the first story.

Subsection C. Front setbacks shall be kept clear of any structures, except as specifically allowed in this title, and landscaped, as required by Section 17.03.010 and shall be equipped with an automatic irrigation system and landscaped and maintained in accordance with adopted City standards.

17.05.430. Side setback. The following sections are amended or deleted to read as follows. The remainder of these subsections remain unchanged:

Subsection A (1). Interior Lot Lines. The following subsection is amended as follows. The remainder of this section remain unchanged:

- 1. Every property shall have a side setback from the side property line on each side of the property of not less than five feet for the first story and 10 feet for the second story. Where abutting an R-1 zone, not less than 10 feet for the first story and the second story shall be setback an additional five feet from the first story.

Subsection (A)(2)(d). Deleted in its entirety.

Subsection (B)(1) is amended as follows. The remainder of this section remains unchanged:

1. Every property shall have a side setback from the side property line abutting the street of not less than 10 feet for the first story. The second story shall be setback an additional five feet from the first story.

17.05.440. Rear setback. The following sections are amended to read as follows. The remainder of this section remains unchanged:

Subsection C. Rear setbacks shall be landscaped as required by Section 17.03.010.
Subsection (D) (4). Deleted in its entirety.

17.05.442. Distance Between Buildings. The following section is added to read as follows:

The minimum distance between all buildings and structures shall be 10 feet measured from eave to eave.

17.05.444. Lot Coverage. The following section is added to read as follows:

The maximum allowable lot coverage shall not exceed 60 percent of the lot size.

17.05.446. Floor Area Ratio. The following section is added to read as follows:

The maximum allowable floor area ratio shall not exceed 60 percent of lot the size.

17.05.490. Landscaping, architectural and building design standards. Subsection C. The following section was added to read as follows and the remainder of the subsections remain unchanged:

Subsection C (10) is added as follows:

Windows recessed a minimum of three inches.

Subsection D (12) is amended to read as follows:

Laundry rooms facilities that are internally accessible to the unit it serves.

Subsection F. The following sections are amended to read as follows and the remainder of the subsections remain unchanged:

1. All developments must have trash storage areas which shall be located for the convenience of the residents and for efficiency of collection. One six-foot by eight-foot enclosure is required at the ratio of one for every five units for the purpose of storing garbage, waste, refuse and trash. Such enclosure shall have on each side thereof a solid

reinforced masonry wall of not less than five feet in height except for openings. All openings shall be equipped with solid, view-obscuring gates or doors which meet the height requirement of this section and the fence requirements for durability. Such gates or doors shall be equipped at all times with a fully operating, self-closing device. At least one opening or gate or door shall be of sufficient width to provide reasonable and necessary access to the storage area and such opening door or gate shall at all times be located and maintained at such a place and in such a fashion that access to the storage area for the deposit and removal of waste, trash, refuse and garbage is reasonably afforded. A roof shall be provided for the trash enclosure.

2. The finish and color of the enclosure, gate and roof shall be decorative and shall incorporate primary elements from the site building style. Chain link and or vinyl fencing shall not be permitted.”