

ORDINANCE NO. _____

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDWOOD
CITY AMENDING ARTICLES 30, 33, 36, and 37 OF THE ZONING
ORDINANCE**

WHEREAS, in order to comply with recent changes in State law, various changes to the Accessory Dwelling Unit (ADU) ordinance and related ordinances are being proposed (Ordinance Amendments), a summary of which is below. Other changes to the City Code are being proposed by separate ordinance.

Zoning Ordinance Amendments:

- 1) **Accessory Dwelling Units** – Amend Article 37 (Accessory Dwelling Units) to remove the parking requirement, allow conversions of garages and accessory structures, allow second story additions over accessory structures, expand the maximum size allowable, remove the bedroom limitation and make minor clarifications to applicable requirements.
- 2) **Single-Family Parking** – Amend Article 30 (Off-Street Parking and Loading) to remove the parking requirement for ADUs, allow one of the two required parking spaces for a single-family home to be uncovered, eliminate the requirement for a third parking space for five or more bedrooms and eliminate the requirement for two-thirds of parking spaces to be covered.
- 3) **Nonconforming Parking** – Amend Article 33 to allow homes with nonconforming parking to expand even if they have an ADU or more than three bedrooms.
- 4) **Accessory Structures** – Amend Article 36 to eliminate the two-water fixture limitation for accessory structures, allow gabled roofs but maintain the overall height limitation of 14 feet, allow two-story accessory structures if they meet the requirements for the main dwelling unit and allow small accessory structures less than 120 sq. ft. if they are 7 ft. in height or less.
- 5) **Miscellaneous Cleanup** – Miscellaneous organizational and wording cleanup within Articles 30, 33, 36 and 37 of the Zoning Ordinance.

WHEREAS, a notice of public hearing on the proposed Ordinance Amendments was posted on the website, provided to interested parties and duly published in the Daily News 10 days prior to the public hearing; and

WHEREAS, at the February 21, 2017 public hearing, the Planning Commission recommended approval of the amendments to the Zoning Ordinance; and

WHEREAS, at the March 27, 2017 public hearing, the City Council considered the whole of the record and public comments received.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDWOOD CITY DOES RESOLVE AS FOLLOWS:

Section 1. The recitals set forth above are true and correct, and are hereby incorporated herein by this reference as if fully set forth in their entirety.

Section 2. The City Council hereby finds that the proposed Ordinance Amendments are in the public interest and consistent with the Redwood City General Plan.

Section 3. This proposed Zoning Ordinance Amendments have been reviewed with respect to applicability of the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.). Adoption of an ordinance regarding accessory dwelling units in a single-family or multifamily residential zone to implement the provisions of Government Code is an action that is exempt from the provisions of CEQA under Public Resources Code Section 21080.17 and CEQA Guidelines Section 15282(h). The remaining amendments have been evaluated and found to not have an impact on the environment per Section 15061(b)(3) as it can be seen with certainty that they will not have an impact on the environment. Pursuant to Guidelines section 15091(e), the documents and other materials that constitute the record of proceedings upon which the Planning Commission has based its decision are located in and may be obtained from, the Office of the City Clerk at 1017 Middlefield Road, Redwood City, California. The City Clerk is the custodian of records for all matters before the City.

Section 4. The City Council hereby adopts the Zoning Ordinance Amendments by adding the text shown in underline (example) and deleting the text shown in ~~strikeout (example)~~, as provided in Exhibit A. Wording in brackets ([example]) is informational only and is not to be included in the published ordinance. (Exhibit A).

Section 5. This Ordinance shall go into effect 30 days following its adoption.

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EXHIBIT A – ZONING ORDINANCE AMENDMENTS

Article 37 - ACCESSORY DWELLING UNITS

37.1 - Purpose, Scope.

The purpose of this section is to:

- A. Allow accessory dwelling units on single-family residential properties while respecting the character of the residential neighborhood.
- B. Increase the availability of a variety of housing types that is accessible for all income groups.
- C. Support affordable housing and multi-generational living.
- D. Encourage housing construction or alteration to meet the needs of residents with special needs including residents with disabilities.
- E. Create flexibility in the design and location of accessory dwelling units.
- F. Maintain adequate setback requirements and height limitations.

37.2 - Definition.

Accessory Dwelling Unit. An accessory dwelling unit, commonly known as a second unit or in-law unit, is an attached or detached dwelling unit that is located on the same lot as a single-family dwelling and provides complete living, sleeping, eating, cooking, and sanitation facilities separate and independent of the main dwelling. A second unit also includes an efficiency unit, as defined in Section 17958.1 of Health and Safety Code and a manufactured home, as defined in Section 18007 of the Health and Safety Code.

37.3 - Development Standards.

An accessory dwelling unit may be constructed on the same lot as an existing or proposed single-family dwelling in the RH, R-1, R-2, R-3, R-4, and R-5 zoning districts, subject to the following development standards:

A. Number and Location.

1. No more than one (1) accessory dwelling unit may be located constructed on the same lot that has an existing or proposed single-family dwelling. Accessory dwelling units are not required to meet the density requirements of the General Plan or zoning ordinance and do not count toward the permissible number of units per acre (or required lot area per dwelling).
2. Accessory dwelling units and may be attached to, detached from, or located within the living area of the existing dwelling. ~~to (i.e., created through conversion of existing floor area or addition of new floor area to the principal residence) or detached from a single-family dwelling.~~

B. Lot Coverage.

1. ~~**Overall Lot Coverage.**~~ The maximum allowable lot coverage for all structures on a single-family lot, including an accessory dwelling unit and accessory buildings, shall be limited to the maximum allowable lot coverage of the underlying zoning district.
2. ~~**Rear Yard Coverage.**~~ The maximum allowable coverage in a required rear yard setback area is fifty (50) percent. [stated in 36.5 (Accessory Buildings)]

C. Building Height and Setbacks.

1. **Attached Accessory Dwelling Unit.** The height and setbacks of an attached accessory dwelling unit are subject to the requirements shall be subject to the maximum building height and minimum setback standards of the underlying zoning district and the setback requirements in Section 32.3 (Supplemental Setback Requirements) and shall have independent exterior access.
2. **Detached Accessory Dwelling Unit.** The height and setbacks of a detached accessory dwelling unit shall be subject to the requirements of Section 36.5 (Accessory Buildings) with the following exceptions. maximum building height and minimum setback standards in the underlying zoning district.
 - a. **Rear Yard Setback.** A detached accessory dwelling unit shall be set back 10 feet from the rear property line.
 - b. **Conversion of Accessory Building.** A legal accessory building may be converted into an accessory dwelling unit provided the side and rear setbacks are sufficient for fire safety. Any expansion of the building shall meet current requirements for an accessory dwelling unit.
 - c. **Second Story.** If an accessory dwelling unit is constructed above a garage, the minimum second-story setback is 5 ft. from the rear and side property lines and the maximum height is 28 feet. [State Law and City Zoning Standards]
 - a. ~~**Exception.**~~ A detached accessory dwelling unit may encroach within a required rear yard setback provided it meets the following standards:
 - (i) ~~**Minimum Rear Yard Setback.**~~ A minimum rear yard setback of ten (10) feet shall be required.
 - (ii) ~~**Maximum Height.**~~ A maximum building height of fourteen (14) feet and wall height of nine (9) feet shall be permitted.
 - (iii) ~~**Other Development Standards.**~~ The accessory dwelling unit shall comply with the minimum front and side setback standards of the underlying zoning district.

3. ~~**Building Height Limitation.** The building height of a detached accessory dwelling unit shall not exceed the building height of a single-family dwelling on the same lot. [referencing 36.5 (Accessory Structures).]~~

4. ~~**Distance Between Buildings.** A minimum setback of six (6) feet shall be required between an accessory dwelling unit and any single-family dwelling or accessory buildings on the lot. [36.5 addresses this requirement.]~~

5. **Square Footage and Number of Bedrooms.** The maximum allowable floor area for an accessory dwelling unit shall not exceed the area specified six hundred forty (640) and no more than one (1) bedroom shall be permitted, following below, provided that in no instance may the size of an attached accessory dwelling unit exceed 50 percent of the existing living area.

a. **Standard Units.** Accessory dwelling units shall not exceed seven hundred (700) square feet, except as specified in subsections (b) and (c) below.

b. **Accessible Units.** Units meeting the California Building Code requirements for disabled access are permitted to have up to 800 ~~seven hundred (700)~~ square feet of floor area.

c. **RH and R-1 Lots Greater Than or Equal to ~~ten thousand (10,000)~~ Square Feet.** For lot sizes greater than or equal to ~~ten thousand (10,000)~~ square feet in the RH and R-1 zoning districts, the maximum allowable floor area for an accessory dwelling unit is ~~eight hundred (800)~~ 900 square feet and ~~no more than two (2)~~ bedrooms shall be permitted.

6. **Definition of Floor Area.** For the purposes of this article, floor area for an accessory dwelling unit shall not include garages, carports, and covered porches parking structures.

D. **Parking.** No additional parking spaces are required for the accessory dwelling unit. If a garage or carport is converted or demolished in conjunction with the construction of an accessory dwelling unit, the required replacement spaces may be uncovered. Replacement spaces shall be located on any paved area on the lot, including within any setback. Tandem configuration is permitted. ~~One (1) covered or uncovered space is required in addition to the existing spaces that were legally constructed for the single family dwelling. The parking space for the accessory dwelling unit may be located on a driveway within a required setback area in accordance with~~ Article 30 (Off-Street Parking and Loading).

E. **Pervious Area in Front Yard.** The front yard shall be subject to the minimum pervious area and stormwater requirements of the underlying zoning district.

F. **Architectural Standards.** An accessory dwelling unit shall be architecturally compatible with the architectural style and exterior paint and materials of the single-family dwelling on the same lot.

G. Stormwater Treatment. Accessory dwelling units are subject to the requirements of Section 32.12 (Stormwater Treatment), including creek protection and setbacks.

H. Passageway. A passageway is not required in conjunction with the construction of an accessory dwelling unit, unless mandated by the Americans with Disabilities Act or other state or federal safety code or standard. A passageway is a pathway that is unobstructed and clear to the sky that extends from the street to the door of the accessory dwelling unit.

I. Historic Preservation. Any accessory dwelling unit located in a historic district or on a site with a historic landmark shall be subject to the requirements of Chapter 40 (Historic Preservation) of the City Code.

37.4 - Application.

An accessory dwelling unit that includes a second-story element shall require approval of an Architectural Permit in accordance with Article 45, ~~prior to the issuance of a Building Permit.~~

37.5 – Neighbor Notification.

~~An application for an accessory dwelling unit with a second-story element shall include notification to adjacent property owners and tenants in accordance with Article 49 (Public Notice). [This is handled as part of the application submittal process.]~~

37.65 - Rental Only.

The accessory dwelling unit shall not be intended or offered for sale, nor sold, but may be rented.

37.76 - Homeowner Occupancy.

- A. The property owner shall live on-site in either the main unit or the accessory dwelling unit.
- B. Exception. The homeowner may live off-site and rent out both the main house and the ADU if the homeowner has a medical condition that requires residency elsewhere or accepts a job offer outside of the San Francisco Bay Area.

1. **Process for Review.** Applications for Exception to the Homeowner Occupancy Requirement shall be filed with the Community Development Department by owner of the property affected and shall be reviewed by the Planning Manager or his/her designee. The application shall include pertinent information as may be required by the Planning Manager or his/her designee that demonstrates conformance with the exception criteria described in this subsection B.

2. **Action.** The Planning Manager may take the following actions within 45-days of application submittal:
 - a. Request additional information.
 - b. Approve or deny the application.
 - c. A written decision will be provided to the applicant.

Article 30 - OFF-STREET PARKING AND LOADING

30.5 - Required Number of Parking Spaces—Outside of the Downtown Parking Zone and Mixed-Use Zoning Districts.

In all districts in connection with every use of property and for each building site outside of the Downtown Parking Zone and Mixed-Use Zoning Districts, there shall be provided off-street parking spaces for vehicles according to the following schedule:

(Wherever square feet of floor area is indicated, it shall mean gross square footage.)

A. Residential Uses.

1. Single-Family Dwellings: two parking spaces, one of which shall be covered. The uncovered space shall be located on a paved area and may be located in any setback. The front yard shall be subject to the minimum pervious area and stormwater requirements of the underlying zoning district. Tandem configurations are permitted. If a covered space is converted or demolished in conjunction with the construction of an accessory dwelling unit, the required replacement space may be uncovered. Dwellings, single-family containing four (4) bedrooms or less: two (2) covered spaces; not located within any required front or side yard.-:
2. ~~Dwellings, single-family containing more than four (4) bedrooms: two (2) covered spaces, plus five-tenths (0.5) covered space for every bedroom beyond (fractional spaces shall be rounded up to a full space).~~
3. ~~Accessory dwelling units: one (1) covered or uncovered space. If uncovered, the space may be located on a driveway within a required front, side or rear yard setback area. Tandem parking to meet the accessory dwelling unit parking requirement is permitted.~~
4. Dwellings, duplex: two (2) spaces per unit not located within any required front or side yard.
5. Dwellings, multiple family: includes townhouses, condominiums, and rental apartments: two (2) spaces per unit, one (1) covered for each unit, plus one (1) space for every four (4) units for guest or visitor parking; not located within any required front or side yard. For all multiple dwelling developments

containing four (4) or more dwelling units on a single site, all required off-street guest or visitor parking spaces shall be clearly marked as "reserved for guests" or "reserved for visitor" parking, or similarly so marked, designated, and maintained at all times.

The following exceptions to the requirements may be allowed:

1. For any multiple dwelling development, any portion of which is located within five hundred (500) feet of the right-of-way of El Camino Real or Woodside Road (between Alameda de las Pulgas and Highway 101): two (2) spaces per unit for two (2) bedroom or larger units; and one and one-half (1.5) spaces per unit for studio or one (1) bedroom units; including one (1) covered space for each unit; plus one (1) space for every four (4) units for guest or visitor parking.
2. The Zoning Administrator may reduce or eliminate the required number of guest or visitor spaces (a) if adequate street parking is available, and/or (b) if only one (1) parking space is reserved per unit for residents, and/or (c) if the site is in close proximity to retail shopping facilities.
6. Rooming or boarding houses: one (1) covered space for each bedroom, but not less than three (3) spaces; not located within any required front or side yard.

~~A minimum of two thirds (2/3) of the total number of parking spaces required by this subsection (A), with the exception of subsection (A)(3) accessory dwelling units, for a single building site shall be covered and located within a garage or carport. One third (1/3) or less of the total number of required parking spaces may be uncovered.~~

[Subsections B-E remain unchanged]

30.16 - Location of Required Parking and Loading Facilities.

- A. **Off-Site Parking.** Required off-street parking facilities shall be on the same lot or on an immediately adjacent parcel of land as the structure or use they are intended to serve. The Zoning Administrator, upon application submitted in the manner provided by Section 30.5(E), may permit the location of all or part of the required parking spaces on non-adjacent parcels located within four hundred (400) feet of the premises to which the parking requirement pertains, and may permit parking spaces intended for use of employees to be located on non-adjacent parcels within nine hundred (900) feet of the premises to which the parking requirement pertains, if the Zoning Administrator determines that such locations will substantially preserve the purpose of this article.

- B. **Loading Locations.** Required off-street loading facilities shall be on the same lot or parcel of land as the building they are intended to serve. In no case shall the required off-street loading space be part of the area used to meet the off-street parking requirements of this ordinance.
- C. **Parking Location On-Site.** In any R District, required covered parking spaces for multi-family, duplex, or single-family dwellings, or for conditional uses of the property, shall not be located in a required front yard or side yard, or in the rear yard along a street property line of a corner lot.

Article 33 - Nonconforming Lots, Uses, Structures and Parking

33.16 - Nonconforming Parking—Single-Family Residential.

- A. A single-family use or structure that is nonconforming due to the number of parking spaces, may be enlarged, provided:
 - 1. The addition does not occupy existing available parking area;
 - 2. The structure is located in the RH, R-1, R-2, R-3, R-4, or R-5 Zoning Districts;
 - ~~3. The structure will have no more than three (3) bedrooms after the enlargement is completed;~~
 - ~~4.3.~~ The structure will not exceed two thousand (2,000) square feet in total living area after the enlargement is completed, except as provided in subsection 75 of this section;
 - ~~5. Existing parking spaces on the site are covered, and were legally established at their current dimensions;~~
 - ~~6.4.~~ The driveway meets the standards of Section 30.9 (Access Drives) A minimum driveway width of ten (10) feet is provided, or a lesser width is provided where existing and legally established at that width; and parking access and backup constraints do not prohibit use of the existing space(s); ~~and~~
 - ~~7.5.~~ The square footage limitation of two thousand (2,000) square feet may be exceeded where a Use Permit is approved, subject to meeting the following additional criteria:
 - ~~a. That the Single Family Dwelling property will have no more than three (3) bedrooms after the enlargement;~~
 - ~~b. That the enlargement not be intended for use as or conversion to a bedroom or used for sleeping purposes;~~
 - ~~c. That acceptable enlargements be limited to kitchen enlargements, bathroom additions and appurtenant utility or service areas and storage;~~

- d. That the total net enlargement will not exceed two hundred (200) square feet (gross) over the life of the subject property;
 - e. That the enlargement not require a variance or other additional special exception other than for the existing nonconforming parking condition;
 - f. ~~That the property is equal to or exceeds the minimum site area requirement for a single family dwelling;~~
 - g. ~~That the property does not contain an accessory dwelling.~~
- B. A single-family use or structure that is nonconforming due only to the size or location of parking spaces (but has an adequate number of spaces), and/or the size and location of its garage or carport (or related design criteria for driveway access or parking backup area), may be enlarged, provided:
- 1. The addition does not occupy existing available parking area;
 - 2. ~~Existing parking spaces on the site are covered and were legally established at their current dimensions;~~
 - 3. ~~2. Any driveway meets the standards of Section 30.9 (Access Drives) A minimum driveway width of ten (10) feet is provided, or a lesser width is provided where existing and legally established at that width; and parking access and backup constraints do not prohibit use of the existing spaces.~~
 - 4. ~~Access and backup constraints do not prohibit use of existing spaces.~~

Article 36 – Exterior Site Improvements

36.5 - Accessory Buildings.

The requirements of this section apply to all accessory buildings in any zoning districts.

A. Definition.

- 1. **Accessory Building.** An accessory building is any subordinate detached building located on the same lot as a main building or buildings, and serves a purpose that is customarily incidental to the main structure, such as a garage or storage buildings. Where a building is in any way connected at any point to a main building, it shall comply with the requirements for the main building of the underlying zoning district. Accessory buildings do not include trash enclosures, disaster shelters (Section 36.6) or accessory dwelling units, ~~which are regulated separately in Section 36.6 (Disaster Shelters) and Article 37 (Accessory Dwelling Units).~~
- 2. ~~**Accessory Building, Small.** A small accessory building is any subordinate detached building located on the same lot as a main building or buildings that is thirty (30) square feet or less without a foundation, and~~

serves a purpose that is customarily incidental to the main structure, such as a shed. Where a small accessory building is in any way connected at any point to a main building, the small accessory building shall comply with the requirements for the main buildings of the underlying zoning district.

B. Use of Accessory Buildings. Accessory buildings with a kitchen are considered accessory dwelling units and shall meet the requirements of Article 37 (Accessory Dwelling Units). ~~Accessory buildings shall not include habitable space as defined by the Building Code. Bathrooms in accessory buildings are limited to being a "half" bath with two (2) water fixtures. No more than two (2) water fixtures are permitted for accessory buildings on lots with residential uses. Any building with more than two (2) water fixtures, such as a full bathroom, including toilet, bath/shower, and sink or used as sleeping quarters shall comply with the same required development standards that apply to main buildings for the underlying zoning district.~~

C. Location. An accessory building shall not project beyond the front wall line of a main building and shall meet the following setback requirements:

1. **Front Yard.** An accessory building shall comply with the minimum front yard setback of the underlying zoning district.
2. **Side Yard.** For both interior and exterior street side yard setbacks, the accessory building shall meet the minimum side yard setbacks of the main building (refer to individual zoning district articles for further information).
3. **Rear Yard.** An accessory building shall have a minimum rear yard setback of six (6) feet.
4. **Setback from Other Buildings.** The accessory building shall be set back at least six (6) feet from other buildings on the same lot.

D. Height. The total height of an accessory building is limited to fourteen (14) feet and the wall height is limited to nine (9) feet for flat or shed roofs adjacent to the side and rear property line., ~~and the top of the wall height is limited to nine (9) feet.~~

E. Lot Coverage. Accessory buildings count towards the maximum lot coverage of the underlying zoning district.

~~**FE. Provisions for Small Accessory Buildings.** Accessory buildings of less than 120 sq. ft. without foundations may be located in the rear setback, behind the wall of the main building and in a required side or rear yard area provided they do not exceed 7 feet in height or the maximum allowed height of a fence in the setback, whichever is less.~~

1. ~~**Height.** Accessory buildings of thirty (30) square feet or less ("small" accessory buildings) without foundations shall not exceed seven (7) feet in height, or the maximum height of a fence allowed in a required setback.~~

~~2. **Location.** Small accessory buildings without foundations shall be located in the rear of the lot, behind the rear wall line of a main building and may be located in a required interior side or rear yard setback area.~~

~~3. **All Other Requirements.** All other requirements of this section apply.~~

GF. Total Amount of Accessory Buildings. Any combination of accessory buildings or an accessory dwelling unit shall not cover more than 50 percent of the required rear yard area.

ORDINANCE NO. _____

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDWOOD
CITY AMENDING CHAPTERS 9, 14 and 38 OF THE CITY CODE**

WHEREAS, in order to comply with recent changes in State law, various changes to the Accessory Dwelling Unit (ADU) ordinance are being proposed by separate ordinance. Related ordinances are also being proposed (Ordinance Amendments), a summary of which is below.

- 1) **Driveway** – Amend Section 9.57 and Section 29.30 to permit driveways if they lead to required parking and as further described below.
- 2) **Nuisance Parking** –Amend Section 14.72 to be consistent with permitted uncovered parking.
- 3) **Water Mains** – Amend Section 38.26 to clarify definitions for water main upgrades.

WHEREAS, Ordinance No. 2428 (adopted January 9, 2017) added Section 9.57, which amended Section 202 of the Building Code to replace the definition of “Assembly Area” and add definitions for “Driveway” and “Shed.” This ordinance would amend the definition of “Driveway” to permit driveways if they lead to required parking, rather than covered parking such as a garage or carport; and

WHEREAS, a notice of public hearing on the proposed Ordinance Amendments was posted on the website, provided to interested parties and duly published in the Daily News 10 days prior to the public hearing; and

WHEREAS, at the March 27, 2017 public hearing, the City Council considered the proposed ordinance, the whole of the record and public comments received.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDWOOD CITY DOES RESOLVE AS FOLLOWS:

Section 1. The recitals set forth above are true and correct, and are hereby incorporated herein by this reference as if fully set forth in their entirety.

Section 2. The City Council hereby finds that the proposed Ordinance Amendments are in the public interest and consistent with the Redwood City General Plan.

Section 3. This proposed Ordinance Amendments have been reviewed with respect to applicability of the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.). The Ordinance Amendments have been evaluated and found to not have an impact on the environment per Section 15061(b)(3) as it can be seen with certainty that they will not have an impact on the environment. Pursuant to Guidelines section 15091(e), the documents and other materials that constitute the record of proceedings upon which the Planning Commission has based its decision are located in and may be obtained from, the Office of the City Clerk at 1017 Middlefield Road, Redwood City, California. The City Clerk is the custodian of records for all matters before the City.

Section 4. The City Council hereby adopts the Ordinance Amendments by adding the text shown in underline (example) and deleting the text shown in strikeout (~~example~~), as provided below. Wording in brackets ([example]) is informational only and is not to be included in the published ordinance.

Section 5. Section 9.57 is amended to read as follows:

Sec. 9.57. SECTION 202 OF THE BUILDING CODE AMENDED: Section 202 of the Building Code is amended to replace the definition for "Assembly Area" and add definitions for "Driveway" and "Shed" to read as follows:

ASSEMBLY AREA. Any area that two or more people may assemble in any occupancy, such as an office, including a building or facility, or any portion thereof, used for the purpose of entertainment, educational or civic gatherings, or similar purposes. For the purposes of these requirements, assembly areas include, but are not limited to, classrooms, lecture halls, courtrooms, public meeting rooms, public hearing rooms, legislative chambers, motion picture houses, auditoria, theaters, playhouses, dinner theaters, concert halls, centers for the performing arts, amphitheaters, arenas, stadiums, grandstands or convention centers.

DRIVEWAY. A required element from the street to the ~~width of the garage, carport or any other covered~~ required parking that needs to be constructed out of concrete, asphalt or any other material and design approved by the Planning Division.

SHED. A structure used as storage that consists of 1 light, 1 switch, 1 receptacle, no insulation or wall covering.

Section 6. Section 29.30 is amended to read as follows:

Sec. 29.30. - RESIDENTIAL DRIVEWAY APPROACHES (Chapter 29 - Streets, Sidewalks and Work in or Use of City Right-of-Way):

A. The locations and dimensions of driveway approaches to all real property situated in any residentially zoned district shall conform to the following:

1. No driveway approach shall be constructed which does not serve to off-street parking spaces required by the Zoning Ordinance. ~~Shall be constructed which does not serve a garage or carport located to the rear boundary (building setback line) of the front yard required by the zoning ordinance.~~

[Sections A (2)-(4) and B (including its subsections) unchanged].

Section 7. Section 14.72 is amended to read as follows:

Sec. 14.72. - PUBLIC NUISANCES DESCRIBED (Chapter 14 – Refuse, Weed, Nuisance and Abandoned Shopping Cart Regulation and Abatement):

Each of the following described conditions or objects caused, permitted, maintained or otherwise allowed to remain in existence on, in, under or above a premises constitutes a public nuisance:

[A - N unchanged].

O. Any automobile, trailer, house trailer, camper, van, truck, pickup truck, recreational vehicle, boat or other vehicle or other mobile equipment (whether or not motorized), or portions thereof, parked or stored on lawns or as otherwise prohibited ~~on, or within, the front yard or street side yard of a corner lot, or any portion thereof, required under the provisions of Article 32-30 (Off-Street Parking and Loading) of the Zoning Ordinance. As said provisions may from time to time be amended, revised, replaced or superseded; provided that such vehicles or equipment parked or stored in a completely enclosed building or structure in a lawful manner not visible from other private property or from any public street, sidewalk or other public place or otherwise parked or stored in a lawful manner shall not be deemed a nuisance.~~

[P-Q unchanged.]

Section 8. Section 38.26 is amended to read as follows:

Sec. 38.26. - WATER MAIN UPGRADE—ALL WATER SERVICE AREAS: (Chapter 38 – Water System Regulations)

The following requirements shall apply to all water service areas defined in Section 38.1.

Upon the construction of a new building (except an accessory dwelling unit) (residential or commercial) or upon the performance of substantial commercial or substantial residential remodeling, a minimum eight (8) inch diameter water main shall be constructed from the nearest point of connection of an existing water main six (6) inch diameter or greater size through the entire street frontage if the existing water main serving the property is less than six (6) inch diameter.

In addition, regardless of the level and size of development and remodeling, a minimum eight (8) inch diameter water main shall be constructed from the nearest point of connection of an existing water main six (6) inch diameter or greater size through the entire street frontage if:

(1) The existing water main, regardless of size, does not provide adequate flows and pressures to support the additional growth for fire protection, fire suppression, and domestic use purposes as determined by the City according to the City Standards; and

(2) A fire hydrant is required and the existing water main is less than six (6) inch in diameter.

Refer to Section 18.235 for definitions of terms used in this section.

Section 9. This Ordinance shall go into effect 30 days following its adoption.

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