

ARTICLE III – GENERAL

CHAPTER 19.20 PROPERTY DEVELOPMENT STANDARDS

<u>Section</u>		<u>Page</u>
19.20.010	Purpose	III-19.20-1
19.20.020	Applicability	III-19.20-1
19.20.030	General Standards	III-19.20-1

Tables

20.01	Fences, Walls, Hedges Height and Type Limits	III-19.20-8
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19.20.010 PURPOSE

These standards shall ensure that new or modified uses and development will produce an urban environment of stable, desirable character which is harmonious with the existing and future development, consistent with the General Plan.

19.20.020 APPLICABILITY

Any permit which authorizes new construction or modifications to an existing structure in excess of 25% of the structure floor area shall be subject to the standards set forth in this Chapter.

19.20.030 GENERAL STANDARDS

No permit shall be approved unless it conforms to all of the following standards set forth in this Chapter:

1. Access
 2. Additional Height Restrictions
 3. Antennae, Satellite Dish and Telecommunications Facilities
 4. Design Considerations
 5. Dust and Dirt
 6. Environmental Resources/Constraints
 7. Exterior Building/Structure Walls
 8. Fences and Walls
 9. Fire Protection
 10. Fumes, Vapor, and Gases
 11. Glare
 12. Hazardous Materials
 13. Height Determination (Buildings and Structures)
 14. Lighting
 15. Noise
 16. Odor
 17. Projections into Setbacks
 18. Public Street Improvements
 19. Radioactivity or Electrical Disturbance
 20. Refuse Storage/Disposal
 21. Screening
 22. Signs, Off-Street Parking, Off-Street Loading, and Landscaping
 23. Solar Energy Design Standards
 24. Storage
 25. Toxic Substances and Wastes
 26. Traffic Safety Sight Area
 27. Transportation Control Measures (TCM)
 28. Undergrounding of Utilities
 29. Vibration
- (MC 890 1/20/94; MC 1056 10/8/99; MC 1531 6/3/20)

These standards apply to more than one zone, and therefore, are combined in this Chapter. Also, these standards are to be considered in conjunction with those standards and design guidelines located in the specific land use district chapters.

1. ACCESS

Every structure or use shall have frontage upon a public street or permanent means of access to a public street by way of a public or private easement, or recorded reciprocal access agreement.

2. ADDITIONAL HEIGHT RESTRICTIONS

Where the maximum permitted height of a new structure exceeds 35 feet, the following provisions shall apply:

- A. Enhanced buffering to surround properties and the appropriateness of understructure parking shall be evaluated.
- B. A visual analysis relating structure proportions, massing, height and setback shall be conducted to preserve and enhance the scenic viewshed.
- C. The need and appropriateness of the additional height shall be demonstrated.
- D. Compatibility and harmony with surrounding development, and land use designations shall be demonstrated.
- E. Above 35 feet, additional structural setbacks (step back) may be required.

3. ANTENNAS, SATELLITE DISHES AND TELECOMMUNICATIONS FACILITIES

All antennas, telecommunications facilities, (monopoles) and satellite dishes shall be installed in the following manner, subject to the appropriate entitlement: (MC 1090 11/20/00; MC 1237 1/8/07)

A. EXEMPTIONS

The following installations in residential districts are exempt from the provisions of this section:

- 1. The installation of one (1) ground mounted satellite dish antenna in the rear yard which is less than 10.5 feet in diameter and less than 12 feet in height;
- 2. One (1) satellite dish antenna which is less than 24 inches in diameter may be installed on a building provided that such antenna does not extend above the eavline of said building;
- 3. Residential single-pole or tower roof or ground mounted television, or amateur radio antennas where the boom of any active element of the array is 30 feet or less and the height does not exceed 75 feet.

B. DIRECTOR REVIEW

The following shall be reviewed by the Director, subject to a Development Permit:

1. Antennas up to a maximum of 15 feet in height that are mounted on a building or rooftop and that are screened from view from all adjacent public rights-of-way.
2. Antennas that are architecturally integrated with a building or structure so as not to be recognized as an antenna, such as clock towers, carillon towers and signs.
3. Antennas mounted on other existing structures including, but not limited to, water tanks, pump stations, utility poles, ball field lighting where antenna height does not exceed structure height.
4. Co-location of existing equipment on an existing City-approved support structure.
5. Modification of existing telecommunications facilities where the physical area of the reconfigured or altered antenna shall not exceed 15 percent of the original approval:
 - a. Three (3) or more additional whip antenna (15 feet maximum height);
 - b. The reconfiguration or alteration of existing antenna on a single support structure;
 - c. Additional dishes up to 4 feet in diameter;
 - d. Increased height of an existing antenna up to 75 feet.
6. Stand-alone monopoles camouflaged as palm trees, pine trees or other natural objects, within a grouping of similar natural objects.

C. PLANNING COMMISSION REVIEW

The following shall be reviewed by the Planning Commission, subject to a Conditional Use Permit:

1. Increased height of an existing, approved antenna that exceeds 75 feet in height.
2. New stand-alone monopoles that exceed 75 feet in height.
3. New ground mounted, uncamouflaged monopoles up to 75 feet in height.
4. All other wireless communication facilities, including lattice towers.
5. Placement of an antenna on any building not screened from public view.
6. On residentially designated property that is developed with a legal non-residential use (e.g., school, church, etc.).
7. Placement of a monopole or antenna (except as provided above) located within 75 feet from a property designated residential, or within 75 feet from an existing residence. (MC 1237 1/8/07)

D. DEVELOPMENT AND DESIGN STANDARDS

1. The antenna, support structure and associated equipment shall not be located within any residential land use district except as provided by Section 19.20.030(3)(A) and 19.20.030(3)(C)(6).
2. A maximum of one (1) satellite dish antenna shall be permitted per lot except retail locations selling and displaying satellite dish antennas and/or televisions may have more than one (1) such antenna.
3. No part of any satellite dish antenna shall be located within a required front yard, side yard, or on the street side of a corner lot.
4. No part of any satellite dish antenna shall be located within three (3) feet of any property line.
5. No part of any monopole shall be located within ten (10) feet of any property line. (MC 1237 1/8/07)
6. Associated equipment shall be located within a completely enclosed structure or otherwise screened from view. Equipment shelter buildings shall be architecturally compatible with existing buildings on the site, as well as the surrounding properties, and shall be subject to the architectural Design Guidelines of the Development Code. Design features include, but are not limited to, split-face concrete block, slump stone, faux roof with pitch, etc. (MC 1237 1/8/07)
7. Fencing shall be wrought iron or similar decorative material and shall be consistent with the provisions of Section 19.20.030(8). Prohibited fencing includes chain link, razor wire and barbed wire. (MC 1237 1/8/07)
8. The antennae shall be sited to assure compatibility with surrounding development and not adversely impact the neighborhood.
9. Antennas and support equipment shall be sited to minimize views from the public rights-of-way. Landscaping may be required to screen the tower, equipment buildings or support structures from view. (MC 1237 1/8/07)
10. If an antenna is attached or integrated into a building, it shall be painted to match the color of the building and/or covered with similar materials, subject to approval of the Director.
11. If not camouflaged, antenna and monopoles shall be a single, non-glossy color (e.g., off-white, cream, beige, green, black, or gray).
12. Antenna structures shall conform to Federal Aviation Administration regulation AC70/7460 latest edition. This may include beacons, sidelights and/or strobes.

13. The operation of the antennae shall not cause interference with any electrical equipment in the surrounding neighborhoods (e.g., television, radio, telephone, computer, inclusive of the City's trunked 800MHz public safety radio system, etc.) unless exempted by Federal regulation.
14. A support structure may be required to be adequately designed for a co-location on another company's equipment, of no more than two companies. If co-location is proposed, the application shall be reviewed by the Director, subject to a Development Permit.
15. Camouflaged monopoles shall have heavy-density branch coverage per the manufacturer's specifications (e.g., a minimum of 60 palm fronds or a minimum of 100 pine branches). Antennae shall be painted to match the structure or camouflaged with an approved concealment. A minimum of one-half of the length of the monopole shall be covered with a simulated bark cladding.
(MC 1237 1/8/07)

4. DESIGN CONSIDERATIONS

The following standards are in addition to the specific design guidelines contained in the individual zones:

- A. The proposed development shall be of a quality and character which is consistent with the community design goals and policies including but not limited to scale, height, bulk, materials, cohesiveness, colors, roof pitch, roof eaves and the preservation of privacy.
- B. The design shall improve community appearance by avoiding excessive variety and monotonous repetition.
- C. Proposed signage and landscaping shall be an integral architectural feature which does not overwhelm or dominate the structure or property.
- D. Lighting shall be stationary and deflected away from all adjacent properties and public streets and rights-of-way.
- E. Mechanical equipment, storage, trash areas, and utilities shall be architecturally screened from public view.
- F. With the intent of protecting sensitive land uses, the proposed design shall promote a harmonious and compatible transition in terms of scale and character between areas of different land uses.
- G. Parking structures shall be architecturally compatible with the primary and surrounding structures.
- H. Nearly vertical roofs (A-frames) and piecemeal mansard roofs (used on a portion of the structure perimeter only) are prohibited. Mansard roofs, if utilized on commercial structures, shall wrap around the entire structure perimeter.

5. DUST AND DIRT

In addition to the provisions of Section 19.30.040 (Grading), all land use activities (e.g. construction, grading, and agriculture) shall be conducted so as not to create any measurable amount of dust or dirt emission beyond any boundary line of the parcel. To ensure a dust free environment, appropriate grading procedures shall include, but are not limited to, the following:

- A. Schedule all grading activities to ensure that repeated grading will not be required, and that implementation of the desired land use (e.g. planting, paving or construction) will occur as soon as possible after grading.
- B. Disturb as little native vegetation as possible.
- C. Water graded areas as often as necessary to prevent blowing dust or dirt, hydroseeding with temporary irrigation, adding a dust palliative, and/or building wind fences.
- D. Revegetate graded areas as soon as possible.
- E. Construct appropriate walls or fences to contain the dust and dirt within the parcel subject to the approval of the City Engineer.

6. ENVIRONMENTAL RESOURCES/CONSTRAINTS

All development proposals shall be evaluated in compliance with the California Environmental Quality Act (CEQA) and all General Plan environmental policies including, but not limited to, biological resource management areas, riparian corridors; rare, threatened and/or endangered species; air quality; mineral resources; archaeological resources; high wind areas; and, geologic hazards. Development within 50 feet of a riparian corridor may be prohibited or restricted, and structures within 50 feet of an active or potentially active fault shall be prohibited. Development within these areas shall be subject to the submittal of appropriate report(s) prepared by qualified professionals which address the impacts of the proposed project; the identification of mitigation measures necessary to eliminate the significant adverse impacts; and, the provision of a program for monitoring, evaluating the effectiveness of, and insuring the adequacy of the specified mitigation measures.

7. EXTERIOR BUILDING/STRUCTURE WALLS

The following standards shall apply to all exterior building/structure wall construction:

- A. Since walls will always be a main architectural and visual feature in any major development, restraint must be exercised in the number of permissible finish materials. The harmony of materials and particularly color treatment is essential to achieve unity in the project.
- B. The following designs are deemed unacceptable in any development and therefore shall be prohibited:
 - 1. Nonanodized and unpainted aluminum finished window frames.

2. Metal grills and facades. However, grills and facades of unique design and in keeping with the general decor of the development and neighborhood may be permitted subject to prior approval by the Director.
3. Aluminum or other metal panels are not permitted on the street elevation, unless it can be demonstrated that they are consistent with a structure's overall design character, and do not adversely affect the pedestrian environment.

8. FENCES AND WALLS

The following standards shall apply to the installation of all fences and walls:

A. HEIGHT AND TYPE LIMITS

Fences and walls shall conform to the limitations outlined in Table 20.01. (MC 1056 10/8/99)

B. PROHIBITED FENCE MATERIALS/CHAIN LINK FENCING

1. The use of barbed wire, razor wire, or concertina wire fencing in conjunction with any other fence, wall, roof, or by itself within any land use district, is prohibited except as shown in Table 20.01, or unless required by any law or regulation of the City, the State of California, Federal Government, or agency thereof.

**TABLE 20.01
FENCES AND WALLS
HEIGHT AND TYPE LIMITS**

Zones		Maximum Permitted Height¹	
1.	<u>Residential</u>		
	Front yard or side of street yard (not including the rear yard) ^{2 & 3}	3' 4'	Solid structures Open work structures (must permit the passage of (a minimum of 90% of light)
	Other yard area	6'	
	Outside of required yard area	8'	
	Abutting a non-residential district	6'	Solid, decorative masonry wall
2.	<u>Commercial, Industrial and Institutional</u>		
	Front yard or side of street yard	2'6" 6'	Solid structures Open work structures
	Abutting residential zone	8'	Solid, decorative masonry wall
	Other yard area	8'	
	Outdoor storage areas visible from public rights-of-way (located behind required yards)	10' 16'	Commercial Industrial
	Electric fences (located behind a primary fence)		
	Within a setback area	10'	Commercial/Industrial
	Outside the setback area	16'	Industrial
3.	<u>All Zones – Traffic Safety Site Area</u>	2'6"	
4.	<u>Public Right-of-Way</u>	8'	
5.	<u>Hillside Management Overlay – Retaining Walls</u>		
	Uphill slope	8'	
	Down slope	3'6"	
	Lots sloping with the street	3'6"	
	Adjacent to driveways	8'	
	Facing streets	5'	Constructed with natural, indigenous materials
6.	<u>Foothill Fire Zones Overlay – Fences and Walls</u>		Constructed with non-combustible materials only

¹The limitations shall not apply in the following instances:

- Where a greater height is required by any other provision of the Municipal Code; or
- Where a greater height or type of fence or wall is required by a condition of approval.

²Rear yard defined for the purposes of this section shall be from the rear property line to the rear plane(s) of the structure.
(MC 888 1/6/94)

³Except for school uses (including pre-schools) which were legally established prior to November 1, 2004, which may have a 6' decorative security fence (wrought iron) in the front yard area and street-side side yard areas.
(MC 1212 8/15/05)

2. Six-foot high chain link fencing is permitted at all property lines for vacant commercial/industrial lots or buildings. The chain link fence shall be removed from the front yard and any other location adjacent to a public street by the owner/applicant at the time of development or occupancy.
3. Chain link fencing with neutral colored slats may be used for outdoor storage areas located in the CH, IL, IH, and IE zones within required yards, if the fence would not be adjacent to a public street. Landscaped planting of sufficient density and height may be used to screen the fence from public view. Additionally, chain link fencing may be used with tennis courts, private and commercial, temporarily at construction sites, and where it is required by any law or regulation of the City, the State of California, Federal Government, or agency thereof.
4. The above limitations shall not apply where the prohibited fence material is required as a condition of approval. (MC 889 1/6/94; MC 1384 1/16/13)

B. WALL DESIGN STANDARDS

Perimeter tract or commercial/industrial development walls which are adjacent to a public street shall have articulated planes by providing at a minimum for every 100 feet of continuous wall an 18-inch deep by eight-foot long landscaped recession. (MC 888 1/6/94)

Walls shall be constructed with pilasters provided at every change in direction, every five feet difference in elevation and at a minimum of every 25 feet of continuous wall.

C. RESIDENTIAL FENCING/WALL REQUIREMENT

Fencing or walls are required between individual residential units, and residential developments if adjacent to parks, open spaces, and/or major rights-of-way. All fencing and walls are to be provided by each developer at the time of construction.

D. ELECTRIC FENCES

1. **Permit Required.** No electric fences shall be installed or used unless a Fence Permit has been applied for and obtained from the Community Development Department.
2. **Type of Electric Fences Allowed.** The construction and use of electric fences shall be allowed in the City only as provided in this section and subject to the following standards:
 - a. IEC Standards 60335-2-76: Unless otherwise specified herein, electric fences shall be constructed or installed in conformance with the specifications set forth in International Electrotechnical Commission (IEC) Standard No. 60335-2-76.

b. Electrification:

- (1) The energizer for electric fences must be driven by a commercial storage battery not to exceed 12 volts DC.
- (2) The electric charge produced by the fence upon contact shall not exceed energizer characteristics set forth in paragraph 22.108 and depicted in Figure 102 of IEC Standard No. 60335-2-76.

3. **Conditions for Installation.**

- a. Perimeter Fence or Wall: No electric fence shall be installed or used unless it is completely surrounded by a non-electrical fence or wall that is not less than six feet high.
- b. Location: Electric fences shall be permitted only in non-residential zones and only in locations approved by the Community Development Department.
- c. Height: Electric fences shall not have a height in excess of 10 feet in commercial and industrial setback areas and shall not have a height in excess of 16 feet outside of the setback areas on industrial properties.
- d. Warning Signs: Electric fences shall be clearly identified with warning signs prepared in English and Spanish that read: “Warning-Electric Fence” at intervals of not less than 60 feet.
- e. “Knox Box”: A “Knox Box Electrical Shunt Switch” and a “Knox Box” or other similar approved device shall be installed for emergency access of Police and Fire Departments.

4. **Indemnification.** All applicants issued permits to install or use an electric fence as provided in this Chapter shall agree, as a condition of permit issuance, to defend, indemnify and hold harmless the City of San Bernardino and its agents, officers, consultants, independent contractors and employees from any and all claims, actions or proceedings arising out of any personal injury, including death, or property damage caused by the electric fence.

5. **Emergency Access.** In the event that access by the City of San Bernardino Fire Department and/or Police Department personnel to a property where a permitted electric fence has been installed and is operating required due to an emergency or urgent circumstances, and the Knox Box or other similar approved device referred to in this Chapter is absent or non-functional, and an owner, manager, employee, custodian or any other person with control over the property is not present to disable the electric fence, the fire or police personnel shall be authorized to disable the electric fence in order to gain access to the property. As a condition of permit issuance, all applicants issued permits to install or use an electric fence as provided in this Chapter will agree to waive any and all claims for damages to the electric fence against the City of San Bernardino and/or its personnel under such circumstances.

6. **Violation; Misdemeanor.** It shall be unlawful, and a misdemeanor, for any person to install, maintain or operate an electric fence in violation of this section.

E. BARBED WIRE, RAZOR WIRE AND CONCERTINA WIRE FENCES

1. **Permit Required.** No barbed wire, razor wire, or concertina wire fences shall be installed or used unless a Fence Permit has been applied for and obtained from the Community Development Department.
2. **Conditions for Installation.**
 - a. **Location:** Barbed wire, razor wire, or concertina wire fences shall be permitted only in non-residential zones and only in locations approved by the Community Development Department.
 - b. **Height:** Barbed wire, razor wire, or concertina wire fences shall not have a height in excess of 10 feet in commercial and industrial setback areas and shall not have a height in excess of 16 feet outside of the setback areas on industrial properties.

9. FIRE PROTECTION

All structures shall meet the requirements of the City Fire Department.

10. FUMES, VAPOR, AND GASES

No emission which can cause damage to human health, animals, vegetation or other forms of property shall be discharged into the atmosphere. No other forms of emission shall be measurable at any point beyond the boundary line of the parcel. Emissions shall be in compliance with Air Quality Management District and Regional Water Quality Control Board permits.

11. GLARE

No glare incidental to any use shall be visible beyond any boundary line of the parcel.

12. HAZARDOUS MATERIALS

The following standards are intended to ensure that the use, handling, storage and transportation of hazardous materials comply with all applicable requirements of Government Code 65850.2 and Health and Safety Code 25505, Article 80-Uniform Fire Code, et. al. It is not the intent of these regulations to impose additional restrictions on the management of hazardous wastes, which would be contrary to State Law, but only to require reporting of information to the City that must be provided to other public agencies.

For the purposes of this Section, "hazardous materials" shall include all substances on the comprehensive master list of hazardous materials compiled and maintained by the California Department of Health Services.

- A.** A Conditional Use Permit shall be required for any new commercial, industrial, or institutional or accessory use, or major addition to an existing use, that involves the manufacture, storage, handling, or processing of hazardous materials in sufficient quantities that would require permits as hazardous chemicals under the Uniform Fire Code, with the following exceptions:

 - 1.** Underground storage of bulk flammable and combustible liquids; and
 - 2.** Hazardous materials in container sizes of 10 gallons or less that are stored or maintained for the purposes of retail or wholesale sales.

- B.** All businesses required by Chapter 6.95 of the California Health and Safety Code to prepare hazardous materials release response plans shall submit copies of these plans, including revisions to the Director at the same time these plans are submitted to the administrating agency which is responsible for administering these provisions.

- C.** Underground storage of hazardous materials shall comply with all applicable requirements of Chapter 6.7 of the California Health and Safety Code, and Article 79 of the Uniform Fire Code. Any business that uses underground storage tanks shall comply with the following:

 - 1.** Notify the City Fire Department of any unauthorized release of hazardous materials immediately, after the release has been detected and the steps taken to control the release; and
 - 2.** Notify the City Fire Department and the Director of any proposed abandoning, closing or ceasing operation of an underground storage tank and the actions to be taken to dispose of any hazardous substances.

- D.** Above-ground storage tanks for any flammable liquids shall meet all standards of the City Fire Department.

- E.** All structures subject to the provisions of this Development Code and all newly created lots shall be designed to accommodate a setback of at least 100 feet from a pipeline. This setback may be reduced, where the Director finds that:

 - 1.** The structure would be protected from the radiant heat of an explosion by berming or other physical barriers;
 - 2.** A 100-foot setback would be impractical or unnecessary because of existing topography, streets, lot lines, or easements; and,
 - 3.** There shall be construction of hazardous liquid containment system or other mitigating facility where the City Engineer finds that a leak would accumulate within the reduced setback area. The design shall be approved by the City Engineer and a surety instrument shall be approved by the City Attorney to ensure the construction of the system.

A proposed structure (including a residence) on an undeveloped existing lot of record that cannot be constructed only because of this restriction, shall be allowed to be constructed if the structure is located so as to comply with the setback regulation as closely as possible. The Director may require a hazardous liquid containment system, to be approved by the City Engineer.

A pipeline is defined as follows:

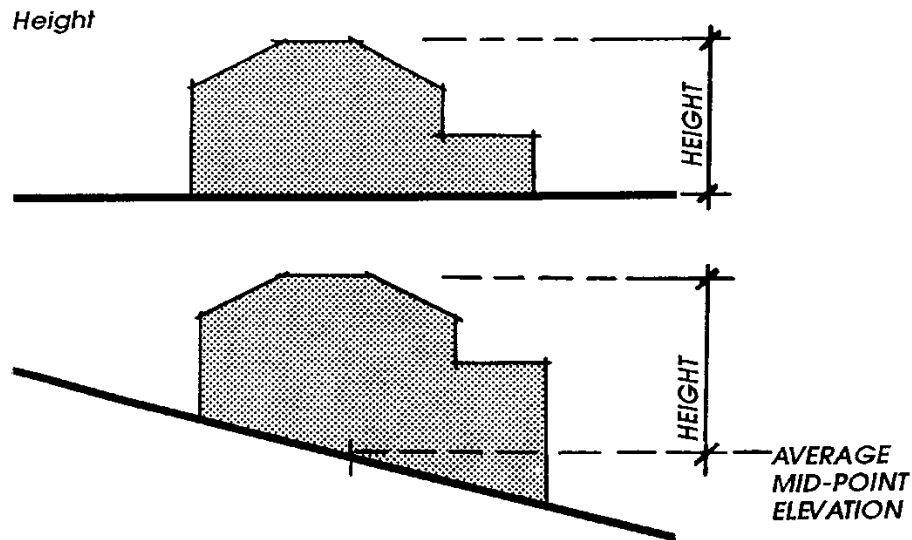
1. A pipe with a nominal diameter of 6 inches or more, that is used to transport hazardous liquids, but does not include a pipe used to transport a hazardous liquid by gravity and a pipe used to transport or store a hazardous liquid within a refinery, storage, or manufacturing facility; or,
2. A pipe with a nominal diameter of six inches or more operated at a pressure of more than 275 pounds per square inch that carries gas.

A subdivider of a development within 500 feet of a pipeline shall notify a new owner at the time of purchase agreement and at the close of escrow of the location, size, and type of pipeline.

13. HEIGHT DETERMINATION (BUILDINGS AND STRUCTURES)

All structures shall meet the following standards relating to height:

- A. The structure's height shall not exceed the standard for the land use district in which it is located. The structure height shall be determined from the finished grade to the highest point of the structure, excluding chimneys and vents.
- B. Pad elevations shall be determined by the Director and the City Engineer based on the following criteria.
 1. Flood control;
 2. Site drainage;
 3. Viewshed protection from both public and private property;
 4. Protection of privacy of surrounding properties including consideration of the location of windows, doors, balconies, and decks;
 5. Structure setback in relationship to structure height and property lines;
 6. Sightline and structure envelope analysis;
 7. Sewer line grade and location; and
 8. Necessary slopes and retaining walls.



- C. Perimeter fences, or walls, shall not exceed six feet in height, unless as otherwise provided in this Development Code. The height shall be measured from the finished grade of the property.
- D. Architectural walls integral to the structure design, attached to the structure may exceed 6 feet in height, subject to review by the Director.
- E. To protect safety sight-distance for vehicular movement, sight obscuring fences, or walls, or other obstructions shall not exceed 36 inches in height when located in a front setback. (MC 888 1/6/94)
- F. Free-standing flagpoles and radio and television antennas may not exceed the structure height restrictions of the land use district in which they are located, except as otherwise provided in this Development Code.

14. LIGHTING

Exterior lighting shall be energy-efficient and shielded or recessed so that direct glare and reflections are contained within the boundaries of the parcel, and shall be directed downward and away from adjoining properties and public rights-of-way. No lighting shall blink, flash, or be of unusually high intensity or brightness. All lighting fixtures shall be appropriate in scale, intensity, and height to the use it is serving. Security lighting shall be provided at all entrances/exits.

15. NOISE

No loudspeaker, bells, gongs, buzzers, mechanical equipment or other sounds, attention-attracting, or communication device associated with any use shall be discernible beyond any boundary line of the parcel, except fire protection devices, burglar alarms and church bells. The following provisions shall apply:

- A. In residential areas, no exterior noise level shall exceed 65dBA and no interior noise level shall exceed 45dBA.

- B.** All residential developments shall incorporate the following standards to mitigate noise levels:
 - 1.** Increase the distance between the noise source and receiver.
 - 2.** Locate land uses not sensitive to noise (i.e., parking lots, garages, maintenance facilities, utility areas, etc.) between the noise source and the receiver.
 - 3.** Bedrooms should be located on the side of the structure away from major rights-of-way.
 - 4.** Quiet outdoor spaces may be provided next to a noisy right-of-way by creating a U-shaped development which faces away from the right-of-way.

- C.** The minimum acceptable surface weight for a noise barrier is four pounds per square foot (equivalent to ¾-inch plywood). The barrier shall be of a continuous material which is resistant to sound including:
 - 1.** Masonry block
 - 2.** Precast concrete
 - 3.** Earth berm or a combination of earth berm with block concrete.

- D.** Noise barriers shall interrupt the line-of-sight between noise source and receiver.

16. ODOR

No use shall emit any obnoxious odor or fumes.

17. PROJECTIONS INTO SETBACKS

The following list represents the only projections, construction, or equipment that shall be permitted within the required setbacks:

- A.** Front Setback: Roof overhangs, fireplace chimney, awnings & canopies

- B.** Rear Setback: Roof overhangs, pools, patio covers, tennis courts, gazebos, and awnings & canopies, provided there is no projection within 10 feet of the property line. Accessory structures may be built to the interior side or rear property lines provided that such structures are not closer than 10 feet to any other structures. (MC 876 7/8/93)

- C.** Side Setback: Roof overhangs, fireplace chimney, awnings & canopies

Building Code requirements may further restrict the distance required to be maintained from the property lines and other structures.

18. PUBLIC STREET IMPROVEMENTS

- A. Any new construction or construction of 2,500 square feet or more of the structure floor area of the primary structure shall require the dedication of public right-of-way for public street purposes. In addition, the property owner shall be required to irrevocably agree to participate in any future assessment district that may be formed to construct public street improvements in accordance with the policies, procedures and standards of the Director of Public Works/City Engineer.
- B. Whenever street improvements are required along a parcel as a condition of approval, and the off-site drainage pattern requires it, the entire street section may be required to be improved in accordance with the policies, procedures and standards of the Director of Public Works/City Engineer.
- C. Special Fee areas may be designated by the Mayor and Common Council to provide funding for required improvements or to refund monies advanced by the City for designated improvements. Whenever such fee areas are established by Resolution of the Mayor and Common Council, all new construction or construction of 2,500 square feet or more of structure floor area of the primary structures shall pay such fees. (MC 816 2/6/92; MC 1373 6/20/12)

19. RADIOACTIVITY OR ELECTRIC DISTURBANCE

No activity shall be permitted which emits radioactivity or electrical disturbance.

20. REFUSE STORAGE/DISPOSAL

Every parcel with a multi-family, commercial or industrial structure shall have a trash receptacle on the premises. The trash receptacle shall be of sufficient size to accommodate the trash generated. The receptacle shall be screened from public view on at least three sides by a solid wall six feet in height and on the fourth side by a solid gate not less than five feet in height, in compliance with adopted Public Works Department Standards. The gate shall be maintained in good working order and shall remain closed except when in use. The wall and gate shall be architecturally compatible with the surrounding structures. Trash receptacles for single family homes should be stored within the enclosed garage or behind a fence.

21. SCREENING

Any equipment, whether on the roof, side of structure, or ground, shall be screened. The method of screening shall be architecturally compatible in terms of materials, color, shape, and size. The screening design shall blend with the building design and include landscaping when on the ground.

22. SIGNS, OFF-STREET PARKING, OFF-STREET LOADING AND LANDSCAPING

All development shall comply with the provisions of Chapter 19.22 (Sign Standards); Chapter 19.24 (Off-Street Parking Standards); Chapter 19.26 (Off-Street Loading Standards) and Chapter 19.28 (Landscaping).

23. SOLAR ENERGY DESIGN STANDARDS (MC 1381 12/19/12)

Passive heating and cooling opportunities shall be incorporated in all developments in the following manner:

- A. Future structures should be oriented to maximize solar access opportunities.
- B. Streets, lot sizes, and lot configurations should be designed to maximize the number of structures oriented so that the south wall and roof area face within 45° of due south.
- C. The proposed lot size and configuration should permit structures to receive cooling benefits from both prevailing breezes and existing and proposed shading.
- D. Any pool or spa facilities owned and maintained by a homeowners association shall be equipped with a solar cover and solar water heating system.
- E. No structure (building, wall or fence) shall be constructed or vegetation placed so as to obstruct solar access on an adjoining parcel.

24. STORAGE

There shall be no visible storage of motor vehicles, trailers, airplanes, boats, or their composite parts; loose rubbish, garbage, junk, or their receptacles; tents; or building or manufacturing materials in any portion of a lot, except as allowed under the provisions of this Development Code. No storage shall occur on any vacant parcel.

No vehicles may be stored or displayed for sale on any vacant lot or at any vacant business location.

Building materials for use on the same premises may be stored on the parcel during the time that a valid building permit is in effect for construction.

25. TOXIC SUBSTANCES AND WASTES

No use may operate that utilizes toxic substances or produces toxic waste without the approval of a Conditional Use Permit pursuant to the provisions of Chapter 19.36 (Conditional Use Permits). Prior to consideration of a Conditional Use Permit, the operator must prepare a toxic substance and waste management plan which will provide for the safe use and disposal of these substances.

26. TRAFFIC SAFETY SIGHT AREA (MC 1531 6/3/20)

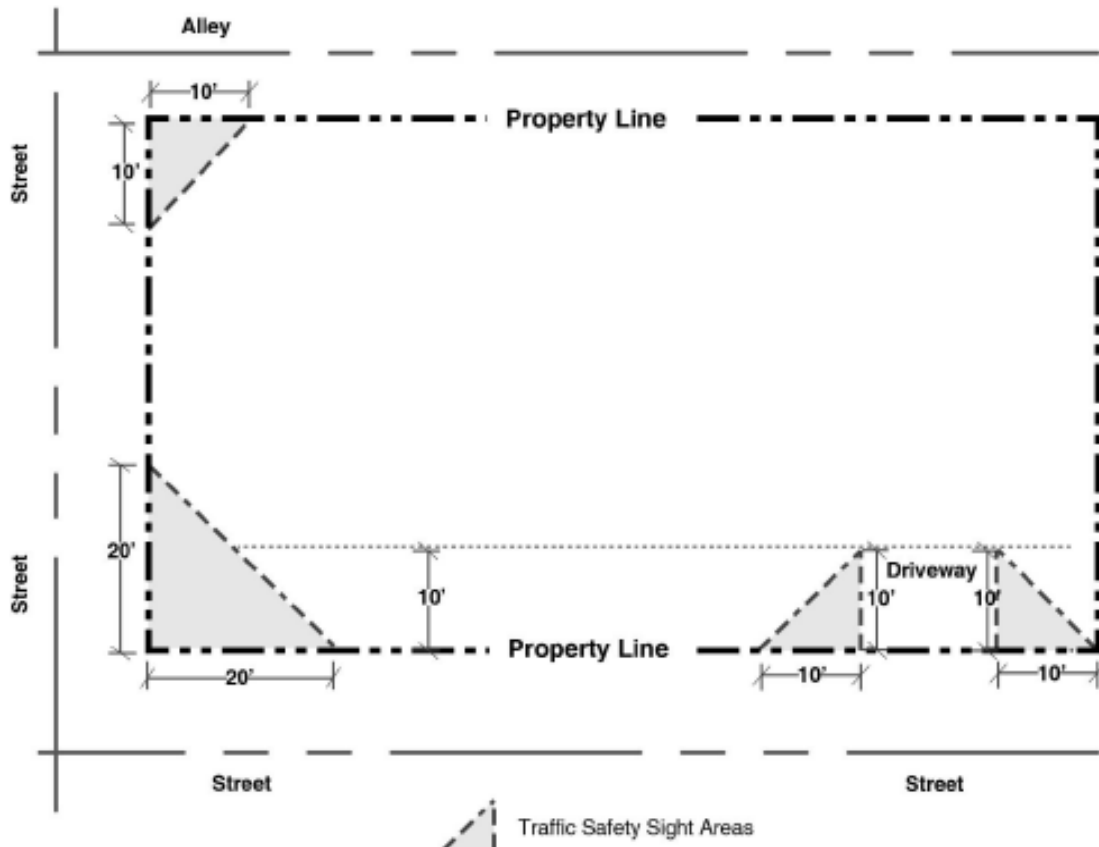
No fence, wall, hedge, sign or other structure, shrubbery, mounds of earth, or other visual obstruction over 36 inches in height above the nearest street curb elevation shall be erected or placed within a Traffic Safety Sight Area. A Traffic Safety Sight Area is a triangular portion of a lot formed by three distances measured along and/or perpendicular to property lines at the intersection of two street rights-of-way or at intersections of driveways, parking entrances, and alleys with a street right-of-way.

A. Distances Used to Measure Traffic Safety Sight Areas

The following distances, as seen in Figure 19.20 (29)-A (Traffic Safety Sight Area Distances) shall be used to measure Traffic Safety Sight Areas. Upon review by the City Traffic Engineer, the distances specified in this Section may be increased if he/she determines that a greater distance is required to maintain public health and safety or reduced if he/she determines that the reduced distance would not create a public health and safety hazard.

1. For Traffic Safety Sight Areas at the intersection of two street rights-of-way, two sides of the triangle extend along the intersecting property lines for 20 feet and the third side is a diagonal line that connects the two other sides.
2. For Traffic Safety Sight Areas at the intersection of a street right-of-way and alley, two sides of the triangle extend along the intersecting property lines for 10 feet and the third side is a diagonal line that connects the two other sides.
3. For Traffic Safety Sight Areas at the intersection of a street right-of-way and driveway or parking entrance, one side of the triangle extends from the intersection of the street right-of-way and the driveway or parking entrance for 10 feet along the property line. The second side extends from the intersection of the street right-of-way and driveway or parking entrance for 10 feet perpendicular to the property line. The third side of the triangle connects the two other sides.

Figure 19.20 26-A: Traffic Safety Sight Area Distances



B. EXEMPTIONS

Traffic Safety Sight Areas shall not apply to the following:

1. Public utility poles;
2. Trees trimmed (to the trunk) to a line at least six feet above the level of the intersection;
3. Supporting members of appurtenances to permanent structures existing on the date this Development Code becomes effective; or
4. Official warning signs or signals.

27. TRANSPORTATION CONTROL MEASURES (TCM)

The purpose of this section is to reduce vehicle trips thereby reducing air pollutants and improving air quality, to comply with State Law, and to promote an improved quality of life. All new development is subject to the following Transportation Control Measures:

- A. Bicycle parking facilities or secured bicycle lockers shall be provided for all new non-residential developments and multi-family (of 10 or more units) developments when discretionary review is required. Parking racks or secured lockers shall be provided at a rate of 1 per 30 parking spaces with a minimum of a three-bike rack.
- B. All new non-residential developments, meeting CMP thresholds of 250 or more peak hour trips, shall provide a minimum of one shower for persons bicycling or walking to work. The shower shall be made so as to be accessible to both men and women.
- C. On-site pedestrian walkways and bicycle facilities shall be provided connecting each building in a development to public streets for all new non-residential and multi-family (of 10 or more units).
- D. Passenger loading areas, suitable to the proposed land use shall be provided for all new non-residential and multi-family (of 10 or more units) developments (of 100 or more parking spaces). The loading areas shall be placed in locations close to building entrances but so as not to interfere with vehicle circulation.
- E. Preferred parking facilities shall be provided for vanpools at a rate of 1 van parking space per 100 standard parking spaces for all new non-residential development. A minimum of one such space shall be required. A vertical clearance of no less than 9 feet shall be provided.
- F. Transit improvements such as bus pullouts, bus pads, and bus shelters shall be provided for new residential and non-residential development along existing or planned transit routes. The need for and nature of those improvements shall be defined in cooperation with Omnitrans.

- G.** New non-residential developments exceeding the following thresholds may be required to designate on-site parking areas to be used by commuters as park-and-ride lots or contribute exaction fees to develop off-site park-and-ride lots:

Retail	250,000 Square Feet GFA
Industrial	325,000 Square Feet GFA
Office	125,000 Square Feet GFA

The determination of whether an on-site park-and-ride facility or contribution of exaction fees is required will be based upon a Traffic Impact Analysis Report (TIA Report), prepared by a qualified traffic engineer in a manner consistent with the Congestion Management Program (CMP) for San Bernardino County.

- H.** Parking space requirements for new non-residential development shall be reduced when linked to other actions that reduce trips to account for increased ridesharing and other modes of transportation. Analysis shall be provided estimating the trip reductions. The City Traffic Engineer shall review the analysis and make a recommendation to the Planning Division on the number of parking spaces that may be eliminated.
- I.** A telecommuting center or contributions toward such a center shall be required for all new residential developments of 500 units or more.
- J.** On-site video conferencing facilities shall be provided for all office park developments with 1,000 or more employees. (MC 890 1/20/94)

28. UNDERGROUNDING OF UTILITIES

Utilities shall be placed underground pursuant to Section 19.30.110. In the event an above ground electrical transformer is located outdoors on any site, it shall be screened from view with a solid wall and landscaping and not located in any setback area. If it cannot be screened, it shall be located in an underground vault. Exceptions to the undergrounding of utilities requirements are as follows:

- A.** Transformers, pedestal-mounted terminal boxes, meter cabinets and concealed ducts may be placed above ground, if they are used solely in connection with the underground transmission or distribution lines;
- B.** Poles supporting street lights, and the electrical lines within the poles, may be situated above the surface of the ground;
- C.** The Council may waive any requirement of this section if topographical, soil or similar physical conditions make such underground installation unreasonable or impractical;
- D.** Any Parcel Map with a maximum of four residential parcels, no parcel of which has previously been exempted from this section; and where at least 50% of the surrounding area within a radius of 500 feet has been previously developed without undergrounding utilities;
- E.** That portion of a previously developed non-residential Parcel Map;

- F.** The requirement to underground shall apply to all utility lines traversing a subdivision, or installed along either side of the streets and alleys adjoining the subdivision, except for electrical lines of 33 KVA or more. Where one line is exempt, all parcel lines on that same pole shall be exempt;
- G.** Any single lot development on a Residential Estate, Low, Suburban, or Urban (RE, RL, RS, and RU) designated parcel; or any single lot development of one net acre or less in any land use district, shall be exempt from this requirement. This exemption shall not apply where the requirement to underground utilities is imposed as a condition of approval of a subdivision map; and
- H.** The remodeling of existing structures where the cost of remodeling is less than 50% of the replacement cost of the existing structure as determined for building permit fees shall be exempt.

29. VIBRATION

No vibration associated with any use shall be permitted which is discernible beyond the boundary line of the property.

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