

ORDINANCE 2004-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA AMENDING TITLE 17 (ZONING) OF THE MONROVIA MUNICIPAL CODE PERTAINING TO REGULATIONS REGARDING RESIDENTIAL DEVELOPMENT STANDARDS.

THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA does ordain as follows

SECTION 1. On June 16, 2004, the Planning Commission of the City of Monrovia held a duly noticed public hearing to consider Ordinance 2004-11 Following the close of the public hearing, the Planning Commission adopted Resolution No 2004-03 recommending approval of Ordinance 2004-11

SECTION 2. On July 6, 2004 and August 3, 2004, the City Council held a duly noticed public hearing on Ordinance 2004-11

SECTION 3. Environmental Review

A Pursuant to the California Environmental Quality Act ("CEQA") and the City's local CEQA Guidelines, City Staff prepared an Initial Study of the potential environmental effects of the proposed Municipal Code Amendment (the "project") Based upon the findings contained in that Study, City staff determined that there was no substantial evidence that the project could have a significant effect on the environment City staff thereafter prepared a Negative Declaration for the project and duly provided public notice of the public comment period and of the intent to adopt the Negative Declaration

B The City Council has reviewed the Negative Declaration and all comments received regarding the Negative Declaration and, based on the whole record before it, finds (i) that the Negative Declaration was prepared in compliance with CEQA, and (ii) that there is no substantial evidence that the project will have a significant effect on the environment The City Council further finds that the Negative Declaration reflects the independent judgment and analysis of the City Council Based on these findings, the City Council hereby adopts the Negative Declaration prepared for the project

C The custodian of records for the Initial Study, Negative Declaration and all other material which constitute the record of proceedings upon which the City's Council's decision was based is the City Clerk of the City of Monrovia Those documents are available for public review in the Office of the City Clerk located at 415 South Ivy Avenue, Monrovia, California 91016

SECTION 4. Title 17, Chapter 17 12, Section 17 12 010 of the Monrovia Municipal Code is hereby amended to read as follows

17 12 010 RESIDENTIAL FOOTHILL (RF) DEVELOPMENT STANDARDS

(A) *Lot size* The minimum lot area shall be 15,000 square feet with a mean average

area in excess of one acre Lots exceeding two acres in area shall be counted as two acres in averaging for a development A minimum lot width and depth of 100 feet is required

(B) *Minimum floor area and lot coverage*

- (1) The minimum gross floor area of a dwelling unit is 2,000 square feet
- (2) The maximum allowed lot coverage by dwelling units and accessory buildings shall be 30%

(C) *Accessory buildings* In the RF zone, the ratio of total gross accessory building floor area to lot area shall not exceed the percentages shown in the following table However, in no case shall accessory structures exceed 80% of the dwelling unit size Attached garages are to be calculated as accessory building floor area

MAXIMUM ACCESSORY BUILDING F.A.R.	
LOT SIZE	FLOOR AREA RATIO (FAR)
Under 1 acre	10% (2,000 square foot maximum)
1 acre and above	8%

(D) *Setbacks*

- (1) Front yard setback requirements in the RF zone shall be as follows

LOT LINE	BOUNDED BY	BUILDING TYPE	REQUIRED SETBACK (In Feet)
Front	A street	Main or accessory	25

- a *Average Setback* Where residences or buildings on the same side of the street as the subject property are developed with front yard setbacks greater than required in the zone, the average setback shall be required The average setback shall be determined using structures on the same side of the street in the same block, not to exceed 400 feet on either side of the subject property The largest and smallest setback will be excluded in determining the average
- b *Encroachments* Porches, platforms, and landing places not extending above the level of the first floor may encroach up to five feet into the required setback Architectural elements, such as oriel, cornices, eaves, or sills may encroach up to two feet
- c *Flag Lots* The front yard setback on a flag lot shall be measured from the closest property line, parallel to and not adjacent to the street However, if a flag lot has a street frontage of 50 feet or greater, the front setback may be taken from the front property line if the house is built in the narrow portion of the lot When a house on a flag lot is oriented in a direction other than towards the street, the Development Review Committee shall determine from where the front yard setback is measured

(2) Side yard setback requirements in the RF zone shall be as follows

LOT LINE	BOUNDED BY	BUILDING TYPE	REQUIRED SETBACK (In Feet)
Side	Other lots or an alley	Main—first story	10% of lot width, 5' minimum, 15' maximum
Side	Other lots, a street or alley	Main—second story	15
Side	Other lots or an alley	Accessory (except garages opening to alley)	3
Side	An alley	Garages opening to alley	25 from opposite side of alley
Side	A street	Main or accessory	10% of lot width, 10' minimum

- a *Encroachments* Chimneys having a maximum parallel linear dimension of eight feet may project two feet into the required setback. Chimneys extending past the second floor may project into the side yard the same amount as on the first floor. Eaves may project two feet into the required setback.
- b *Second Story Setback* The required second story setback shall be 15'. For structures over 27 feet in height, the second story must be setback an additional 2 feet for every additional 1 foot in height.
- c Accessory structures located less than 80 feet from the front property line must be setback the same distance from property line as a main structure.
- d On corner lots with garages opening on to the street, the garage must be setback a minimum of 20 feet from the side property line adjacent to the street.
- e Accessory structures with a plate height exceeding 9 feet and/or a ridge height exceeding 16 feet, two story accessory structures and decks one foot above existing grade shall maintain the same setback as main buildings.

(3) Rear yard setback requirements in the RF zone shall be as follows

LOT LINE	BOUNDED BY	BUILDING TYPE	REQUIRED SETBACK (In Feet)
Rear	Another lot or an alley	Main	20
Rear	Another lot or an alley	Accessory (except garages opening to alley)	0
Rear	An alley	Garages opening to	25 from opposite side

		an alley	of alley
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- a *Encroachments* Attached unenclosed patios with no freestanding walls shall be setback a minimum of 10 feet from the property line
- b Accessory structures with a plate height exceeding 9 feet and/or a ridge height exceeding 16 feet, two story accessory structures and decks one foot above existing grade shall maintain the same setback as main buildings

(4) *Pad Edge Setbacks* On hillside lots with pads adjacent to slopes of three feet or more, using the formula slope height/3 (SH/3), the following regulations also apply

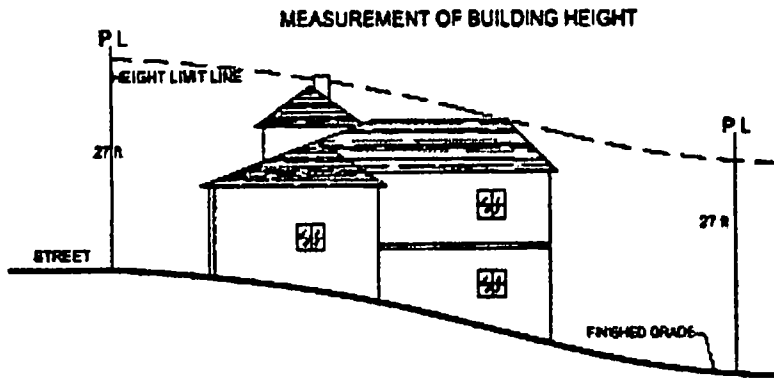
- a *Top of slope* The vertical height of the slope as taken from the toe to top of slope (irrespective of the property line) shall be divided by three (3) using the formula SH/3. The quotient of SH/3 shall be rounded to the nearest whole number and is the required setback for structures from the sides and rear pad edge. The maximum setback required shall be 15 feet for the single story portion of the structure. The second story must be setback 15 feet from the pad edge. For structures over 27 feet in height, the second story must be setback an additional 2 feet for every additional 1 foot in height.
- b *Toe of slope* In addition to the setback requirements from property line, setback distances from the toe of slope for the side of a pad shall be five feet from the toe of the slope to any structures on the pad. No setback is required for the rear of the pad.

(E) *Height restrictions*

(1) No building shall exceed two stories in height. The maximum building height is based on lot width as follows:

Lot Width (In feet)	Maximum building height
Less than 75	27
75 and greater	30

Building height shall be determined by the vertical distance measured at any point of the proposed roof structure to the exterior or finished grade at the proposed exterior walls of the structure. No part of a building (except chimneys) shall extend above an imaginary line drawn at the maximum building height above finished grade as illustrated in the following diagram:



(2) *Retaining walls* When used to extend the pad area of a lot adjacent to slope(s) a retaining wall shall not exceed a height of three feet unless the retaining wall is fully screened by a residence, garage, or other permitted structure so that the wall cannot be viewed from an adjacent parcel or from any street

(F) *Separation between buildings*

(1) Facing walls of separate buildings on the same lot in the RF zone shall meet separation requirements for each story according to the following table

	<i>Required Separation (in feet)</i>
First story	6
Second story	20

(2) These building separation requirements apply equally to separate buildings that share a common roof

(G) *Hillside Development Standards (properties not covered by specific plan)* The following shall be required

- (1) Conservation of natural topographic features and appearances by means of land sculpturing to blend graded slopes and benches with natural topography
- (2) Protection of existing vegetation through careful site planning which may reduce areas of grading
- (3) Provision of safe access for vehicular and pedestrian traffic with minimum of disturbances of the natural terrain Utilization of street designs and improvements which serve to minimize grading impact and harmonize with the natural contours and character of the hillsides Street standards shall be per the city's adopted Hillside Development Policies and Standards
- (4) Every reasonable effort shall be made to preserve or minimize the impact on view corridors and scenic vistas A visual impact analysis shall be required per the city's adopted Hillside Development Policies and Standards
- (5) Every reasonable effort shall be made to preserve mature trees, especially oaks Special consideration shall be given to the preservation or relocation of heritage trees
- (6) Cantilevered construction, overhang, exposed structures or stem wall construction shall not be permitted Cantilevered decking shall be permitted

- only if the line of sight analysis indicates no visual impact or appropriate mitigation measures can be adopted
- (7) Colors of the buildings shall be selected to blend with the natural colors and hues of the surrounding hillsides
 - (8) A landscape plan shall be required indicating type and extent of proposed vegetation. In addition, landscape materials for the coverage and stabilization of graded slopes shall be approved by the Development Review Committee
 - (9) A visual impact analysis shall be required for those dwelling units which are proposed to be developed in "sensitive" areas. "Sensitive" areas are those which are higher in elevation and visually exposed to the city at large and could potentially impact existing city at large view sheds. Proposed dwelling units designated as "sensitive" shall be set back from the top of the slope a distance determined by the line-of-sight analysis in addition to the required setbacks. The line of sight analysis is not designed to completely screen or eliminate the view of the dwelling units in sensitive areas. However, it is designed to minimize the visual impact of building lines by the use of increased setback, berming, landscaping and building design

(H) *Hillside Development permit required* In addition to the requirements of this chapter, where development proposals require grading of the lot with five feet or more of cut, five feet or more of fill, or a retaining wall of six feet in height or higher, approval of a Hillside Development permit is required for the following

- (1) Development of new single-family dwellings
- (2) Earth movement that creates a footprint of more than 500 square feet
- (3) Swimming pools and basements are excluded

SECTION 5. Title 17, Chapter 17 12, Section 17 12 020 of the Monrovia Municipal Code is hereby amended to read as follows

17 12 020 RESIDENTIAL ESTATE (RE) AND RESIDENTIAL LOW (RL) DENSITY STANDARDS

(A) *Lot size*

- (1) The minimum lot area and dimensions shall be as follows

	<i>Minimum Lot Area</i>	<i>Minimum Lot Width</i>	<i>Minimum Lot Depth</i>
RE	20,000 square feet	75 feet	100 feet
RL	7,500 square feet	75 feet	100 feet

- (2) *Lot Averaging* In the RL and Planned Development Areas with RL zone designations, a request for the reduction of a minimum lot area or lot width may be considered through a variance process, if the following criteria are met
 - a The proposed lots shall meet the average of the block in width and area, and in no case shall the depth be less than 100 feet. To determine the average lot size (width and area), the average shall be taken on the same side of the block, no less than 400 feet on either side of the subject lot. Two-thirds of the lots, including the subject lot, must be equal to or less

than the width and area of the proposed lots In cases where the average should be taken by a radius or other means, based on the subject lot's location, and proximity to corners, the Development Review Committee shall decide on the averaging method

- b The proposed lots shall have frontage on an existing dedicated street
- c Averaging shall not be considered if the lot split will result in the demolition of a house built prior to 1940 that has architectural value

(B) *Minimum/maximum floor area*

- (1) The minimum gross floor area of a dwelling unit in the RE and RL zones shall be as follows
 - RE 2,000 square feet
 - RL 1,250 square feet
- (2) The maximum gross square footage of a dwelling unit in the RE and RL is based on lot size and shall be as shown in the following table

LOT SIZE (IN SQUARE FEET)	MAXIMUM SIZE OF HOUSE (IN SQUARE FEET)
5,999 or less	2,000
6,000 - 7,500	3,000
7,501 - 8,499	3,250
8,500 - 9,999	3,900
10,000 - 17,499	4,500
17,500 - 19,999	4,800
20,000 - 22,499	5,100
22,500 - 24,999	5,700
25,000 - 27,499	6,000
27,500 - 29,999	6,300
30,000 - 32,499	6,600
32,500 - 34,999	6,900
35,000 - 37,499	7,200
37,500 - 43,559	7,405
43,560+	17% F A R
*Floor Area Ratio (F A R) is the ratio of dwelling unit floor area to lot area The ratio is derived by dividing the total gross floor area of the dwelling by the lot area and is expressed as a percentage	

(C) *Accessory buildings*

- (1) In the RL and RE zones, the ratio of total gross accessory building floor

area to lot area shall not exceed the percentages shown in the following table. However, in no case shall accessory structures exceed 80% of the dwelling unit size. Attached garages are to be calculated as accessory building floor area.

MAXIMUM ACCESSORY BUILDING F.A.R.	
LOT SIZE	FLOOR AREA RATIO
Under 1 acre	10% (2,000 square foot maximum)
1 acre and above	8%

(D) **Setbacks**

(1) Front yard setback requirements in the RL and RE zones shall be as follows:

LOT LINE	BOUNDED BY	BUILDING TYPE	REQUIRED SETBACK (in feet)
Front	A street	Main or Accessory	25'

- a *Average Setback* Where residences or buildings on the same side of the street as the subject property are developed with front yard setbacks greater than required in the zone, the average setback shall be required. The average setback shall be determined using structures on same side of the street in the same block, not to exceed 400 feet on either side of the subject property. The largest and smallest setback will be excluded in determining the average.
- b *Encroachments* Porches, platforms, and landing places not extending above the level of the first floor may encroach up to five feet into the required setback. Architectural elements, such as oriel, cornices, eaves, or sills may encroach up to two feet.
- c *Flag Lots* The front yard setback on a flag lot shall be measured from the closest property line, parallel to and not adjacent to the street. However, if a flag lot has a street frontage of 50 feet or greater, the front setback may be taken from the front property line if the house is built in the narrow portion of the lot. When a house on a flag lot is oriented in a direction other than towards the street, the Development Review Committee shall determine from where the front yard setback is measured.

(2) Side yard setback requirements in the RL and RE zones shall be as follows:

LOT LINE	BOUNDED BY	BUILDING TYPE	REQUIRED SETBACK (in feet)
Side	Other Lots or an alley	Main—first story	Total of both side yard setbacks is 24% of lot width, 5' minimum
Side	Other Lots, a street or alley	Main—second story	12' second story setback

Side	Other Lots or an alley	Accessory (except garages opening to alley)	3
Side	An alley	Garages opening to alley	25 feet from opposite side of alley
Side	A street	Main or accessory	10

- a *Encroachments* Chimneys having a maximum parallel linear dimension of eight feet may project two feet into the required setback. Chimneys extending past the second floor may project into the side yard the same amount as on the first floor. Eaves may project two feet into the required setback.
- b *Second Story Setback* The required second story setback shall be 12' feet or the required first floor setback, whichever is greater. For structures over 27 feet in height, the second story must be setback an additional 2 feet for every additional 1 foot in height.
- c Where there are two or more adjacent zones the second story setback requirements for the most restrictive zone shall apply.
- d Accessory structures located less than 80 feet from the front line must be setback the same distance from property line as a main structure.
- e On corner lots with garages opening onto the street, the garage must be setback a minimum of 20 feet from the side property line adjacent to the street.
- f Accessory structures with a plate height exceeding 9 feet and/or a ridge height exceeding 16 feet, two story accessory structures and decks one foot above existing grade shall maintain the same setback as main buildings.

(3) Rear yard setback requirements in the RL and RE zones shall be as follows

LOT LINE	BOUNDED BY	BUILDING TYPE	REQUIRED SETBACK (in feet)
Rear	Another lot or alley	Main	20
Rear	Another lots or alley	Accessory (except garages opening to alley)	3
Rear	An alley	Garages opening to alley	25 feet from opposite side of alley

- a *Encroachments* Attached unenclosed patios with no freestanding walls shall be setback a minimum of 10 feet from the property line.
- b Accessory structures with a plate height exceeding 9 feet and/or a ridge height exceeding 16 feet, two story accessory structures and decks one foot above existing grade shall maintain the same setback as main buildings.

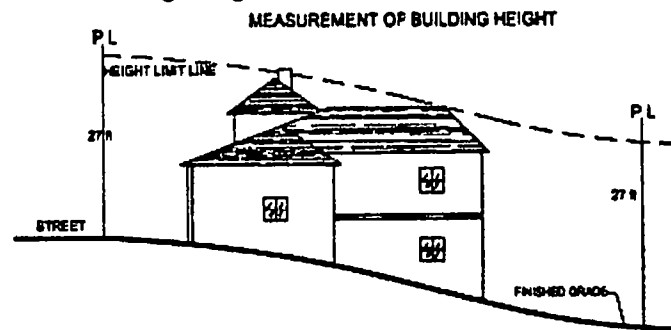
(E) *Building bulk and height restrictions*

- (1) No building shall have more than two stories. The maximum building height

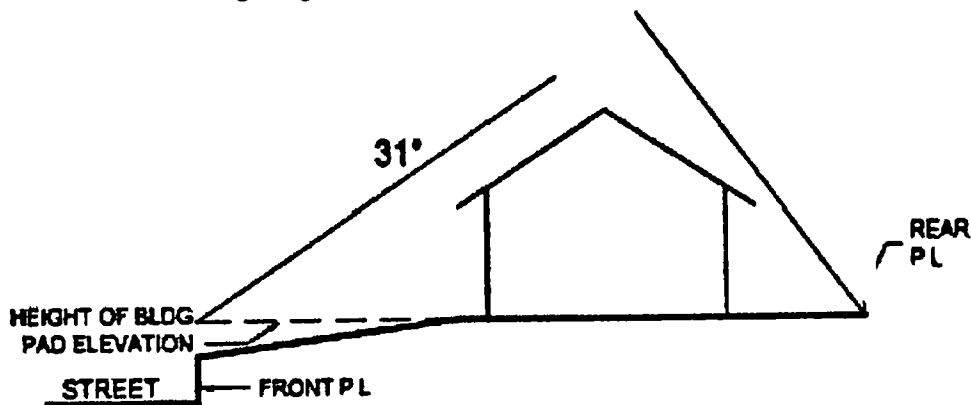
is based on the lot width as follows

Lot Width (In feet)	Maximum building height
Less than 75	27
75 and greater	30

Building height shall be determined by the vertical distance measured at any point of the proposed roof structure to the exterior finished grade at the proposed exterior walls of the structure. No part of a building (except chimneys) shall extend above an imaginary line drawn at the maximum building height above finished grade as illustrated in the following diagram



- (2) In addition, the height of a building measured to the plate height of the development shall fall within a 31 degree angled plane drawn from the front property line of the subject property. The measurement shall be taken from the height of the building pad elevation, but in no case shall the measurements be taken at lower than the height than the curb determination of the building angle is shown in the following diagram



- (3) Exceptions in the RL and RE zones
- (a) Additions to architecturally significant historical homes as determined by the Development Review Committee over 27 feet in height shall be allowed through the minor exception process as long as they do not exceed the existing height of the original house. The Development Review Committee shall also review the new addition for architectural compatibility with the existing house
 - (b) Move-on houses that have historic significant architecture may be over 27 feet in height but are subject to review by the Planning Commission

through the conditional use permit process

(F) *Separation between buildings*

- (1) Facing walls of separate buildings on the same lot in the RL and RE zones shall meet separation requirements for each story according to the following table

	Required Separation (in feet)
First story	6
Second story	20

- (2) These building separation requirements apply equally to separate buildings that share a common roof

(G) *Hillside Development permit required* In addition to the requirements of this chapter, where development proposals require grading of the lot with five feet or more of cut, five feet or more of fill, or a retaining wall of six feet in height or higher, approval of a Hillside Development permit is required for the following

- (1) Development of new single-family dwellings
 (2) Earth movement that creates a footprint of more than 500 square feet
 (3) Swimming pools and basements are excluded

SECTION 6. Title 17, Chapter 17 12, Section 17 12 030 of the Monrovia Municipal Code is hereby amended to read as follows

17 12 030 MULTIPLE FAMILY RESIDENTIAL DEVELOPMENT STANDARDS

(A) *Lot sizes and densities*

- (1) The minimum lot areas, dimensions, and densities for the various multiple-family residential zones are shown in the following table

ZONE	MINIMUM LOT WIDTH (feet)	MINIMUM LOT DEPTH (feet)	MINIMUM LOT AREA (square feet)	DENSITY
RM**** RM****/PUD	75	100	10,000	1 unit per designated (****) square foot of lot area
RM/RH	100	100	15,000	Lots<15,000 square feet RM2500 ¹ Lots>15,000 square feet--75% FAR ²
RH	100	100	15,000	Lots<15,000 square feet ³ Lots>15,000 square feet--75% FAR ²

¹One unit for each 2500 square feet of lot area

²75% Floor Area Ratio (gross dwelling/lot area)

³Two units for the first 5,000 square feet of lot area, with an additional unit for every 1,500 square feet over 5,000

- (2) *Lot Averaging* In the RM and Planned Development Areas with RM zone designations, a request for the reduction of a minimum lot area or lot width may be considered through a variance process, if the following criteria are met
 - (a) The proposed lots shall meet the average of the block in width and area, and in no case shall the depth be less than 100 feet To determine the average lot size (width and area), the average shall be taken on the same side of the block, no less than 400 feet on either side of the subject lot Two-thirds of the lots, including the subject lot, must be equal to or less than the width and area of the proposed lots In cases where the average should be taken by a radius or other means based on the subject lot's location, and proximity to corners, the Development Review Committee shall decide on the averaging method
 - (b) The proposed lots shall have frontage on an existing dedicated street
 - (c) Averaging shall not be considered, if the lot split will result in the demolition of a house built prior to 1940 that has architectural value

(B) *Permitted uses* In addition to permitted use types set out in § 17 08 010, the following regulations apply

- (1) In multiple-family residential zones, the following require a conditional use permit
 - (a) Two-story, second unit behind the main dwelling
 - (b) Any two-story, second unit on a through lot
 - (c) Development of more than two units on a lot
- (2) In RM zones, one-story dwellings may be attached, all two-story dwellings shall be detached A one-story dwelling may be attached to a two-story dwelling

(C) *Dwelling size*

- (1) *Detached Unit* Detached dwelling units shall have a minimum floor area of 1,250 square feet
- (2) *Attached Units* Attached dwelling units shall have the minimum floor area as indicated in the table below (in square feet)

BACHELOR	EFFICIENCY	1-BED-ROOM	2-BED-ROOM	3-BED-ROOM	OVER 3-BED-ROOM
500	600	800	1,000	1,200	Add 50 square feet for every bedroom over 3

(D) *Lot coverage and floor area ratio regulations*

- (1) *Dwelling Floor Area Ratio (F A R)* The ratio of total gross dwelling unit floor area to lot area for developments shall not exceed the percentage shown in the following table

Zone	Floor Area Ratio (in percent)
All RM and RM/PUD	40
RM/RH	40/75
RH	75

- (2) *Accessory Floor Area Ratio* The ratio of total gross accessory building floor area to lot area for developments shall not exceed the percentage shown in the following table

Zone	Floor Area Ratio (in percent)
All RM and RM/PUD	20
RM/RH	20/40
RH	40

(E) **Setbacks**

- (1) Front yard setback requirements in the RM, RM/PUD, RM/RH and RH zones shall be as follows

LOT LINE	BOUNDED BY	BUILDING TYPE	REQUIRED SETBACK (In feet)
Front	A street	Main or accessory	25

- (a) *Average Setback* Where residences or buildings on the same side of the street as the subject property are developed with front yard setbacks greater than required in the zone, the average setback shall be required. The average setback shall be determined using structures on the same side of the street in the same block, not to exceed 400 feet on either side of the subject property. The largest and smallest setback will be excluded in determining the average.
- (b) *Encroachments* Porches, platforms, and landing places not extending above the level of the first floor may encroach up to five feet into the required setback. Architectural elements such as oriel, cornices, eaves, or sills may project up to two feet into the required setback.
- (c) *Flag Lots* The front yard setback on a flag lot shall be measured from the closest property line, parallel to and not adjacent to the street. However, if a flag lot has a street frontage of 50 feet or greater, the front setback may be taken from the front property line if the house is built in the narrow portion of the lot. When a house on a flag lot is oriented in a direction other than towards the street, the Development Review Committee shall determine from where the front yard setback is measured.

- (2) Side yard setback requirements in the RM, RM/PUD, RM/RH, and RH zones shall be as follows

LOT LINE	BOUNDED BY	BUILDING TYPE	REQUIRED SETBACK (In feet)
Side	Other lots or an	Main—first story	10% of lot width

	alley		5 minimum 15 maximum
Side	Other lots or an alley	Main—second story	RM zones—8 RH zone—6
Side	A street	Main or accessory	10% of lot width 10 minimum 15 maximum
Side	Other lots or an alley	Accessory except garages opening to alley)	0
Side	An alley	Garages opening to alley	25 from opposite side of alley

- (a) *Encroachments* Chimneys having a maximum linear dimension of eight feet may project two feet into the required setback. Chimneys extending past the second floor may project into the side yard the same amount as on the first floor. Eaves may project two feet into the required setback.
- (b) *Second Story Setback* The required second story setback shall be 8' in RM Zones and 6' in the RH Zone or the required first story setback, whichever is greater. Where there are two or more adjacent zones the second story setback requirements for the most restrictive zone shall apply. For every story over two, each story shall be setback an additional 8 feet in RM zones and an additional 5 feet in the RH zone.
- (c) Accessory structures located less than 80 feet from the front property line must be setback the same distance from the property line as a main structure.
- (d) On corner lots with garages opening onto the street, the garage must be setback a minimum of 20 feet from the side property line adjacent to the street.
- (e) Accessory structures with a plate height exceeding 9 feet and/or a ridge height exceeding 16 feet, two story accessory structures and decks one foot above existing grade shall maintain the same setback as main buildings.

4 Rear yard setback requirements in the RM, RM/PUD, RM/RH, and RH zones shall be as follows

LOT LINE	BOUNDED BY	BUILDING TYPE	REQUIRED SETBACK (In feet)
Rear	Another lot or an alley	Main	20
Rear	Another lot or an alley	Accessory (except garages opening to alley)	0
Rear	An alley	Garages opening to an alley	25 from opposite side of alley

- (a) *Encroachments* Attached unenclosed patios with no freestanding walls shall be setback a minimum of 10 from the property line
 - (b) Accessory structures with a plate height exceeding 9 feet and/or a ridge height exceeding 16 feet, two story accessory structures and decks one foot above existing grade shall maintain the same setback as main buildings
- (F) *Separation between buildings* Facing walls of separate buildings on the same lot in the RM and RH zones shall meet separation requirements for each story based on the type of development according to the following table

	<i>Required Separation (in feet)</i>		
	<i>Single Family</i>	<i>Multi-Family RM Zones</i>	<i>Multi-Family RH Zone</i>
First story	6	10	8
Second story	12	15	12

- (1) These building separation requirements apply equally to separate buildings that share a common roof
 - (2) In addition to the above requirements, buildings with a ridge height exceeding 27 feet must provide an additional one-half foot of separation between facing walls beyond the first story for each foot over 27 feet
- (G) *Recreation space*
- (1) All developments in the RM zone shall provide a minimum of recreational space equal to 40% of the gross dwelling unit floor area
 - (2) All developments in the RH zone shall provide a minimum of recreation area equal to 20% of the gross dwelling unit floor area
 - (3) At least half of the required recreation space shall be private. Private area shall be enclosed by a minimum five-foot high fence or wall and have a minimum dimension of eight feet and must be directly accessible from the unit
 - (4) Private and common recreation space may be located in a required rear or side setback, but not in a front setback. Common recreation space shall have a minimum 20-foot dimension

SECTION 7. Title 17, Chapter 17 12, Section 17 12 040 of the Monrovia Municipal Code is hereby amended to read as follows

17 12 040 MISCELLANEOUS RESIDENTIAL STANDARDS/ALL RESIDENTIAL ZONES

- (A) ***Basements.*** Basements may be allowed subject to the review by the Development Review Committee. Floor area of basements in dwellings and accessory structures shall not be counted toward the maximum floor area allowed.

- (B) **Fences, hedges and walls** Requirements for fences, hedges and walls in all residential zones shall be as follows
- (1) **Screening** Screening not to exceed six feet in height shall be permitted on all property lines with the following exceptions
 - (a) **Front yard** No fence over four feet in height, nor any hedge or wall over three feet in height will be permitted in a required front setback,
 - (b) **Corner lot** No fence over four feet in height, nor any hedge or wall over three feet in height will be permitted within five feet of the street side property line of a corner lot and must be setback five feet from the front of the house,
 - (c) **Corner cut off areas** No fence, hedge or wall over three feet in height will be permitted in the areas defined in division (E) of this section apply
 - (d) Fences over six feet in height shall be treated the same as the main dwelling with respect to setback from property line,
 - (e) Fences six feet and over in height and adjacent to a public street shall be screened with landscaping A landscape plan consisting of trees, shrubs and ground cover shall be submitted and approved by the city
 - (f) Wrought iron fences without points, spikes or sharp edges on the end of any vertical bar, shall be permitted a maximum height of eight feet, and spacing between vertical bars shall not exceed six inches along the rear and side property lines enclosing the back yard area behind a house, on hillside lots that back up to unimproved wilderness areas Points, spikes and sharp edges shall mean any end of a vertical bar that is capable of causing, or are likely to cause injury to persons, pets, or undomesticated animals
 - (g) Multiple-family residential projects shall be enclosed by five- to six-foot decorative walls
 - (2) **Measurement of height** The height of any screening shall be measured as follows
 - (a) For street property lines, at sidewalk grade,
 - (b) For interior property lines, at highest elevation of adjacent property's finished grade
 - (3) **Materials** All screening under this section shall be composed of the following
 - (a) Masonry walls,
 - (b) Wooden fencing, if of adequate aesthetic and structural quality and durability,
 - (c) Wrought-iron fencing Spacing between vertical bars on all wrought iron fencing shall not exceed six inches If located north of Foothill Boulevard or east of Mountain Avenue above Lemon Avenue, the end of any vertical bar of a wrought iron fence shall not be pointed, spiked or have sharp edges that are capable of causing, or are likely to cause, injury to persons, pets or undomesticated animals Spacing of vertical bars on all wrought iron fencing shall not exceed six inches,
 - (d) Chain link fencing is allowed for properties improved with single family residences only along the side (if not in the front yard setback or adjacent to a street) and rear property lines
 - (e) All other materials as approved by the Committee, after giving

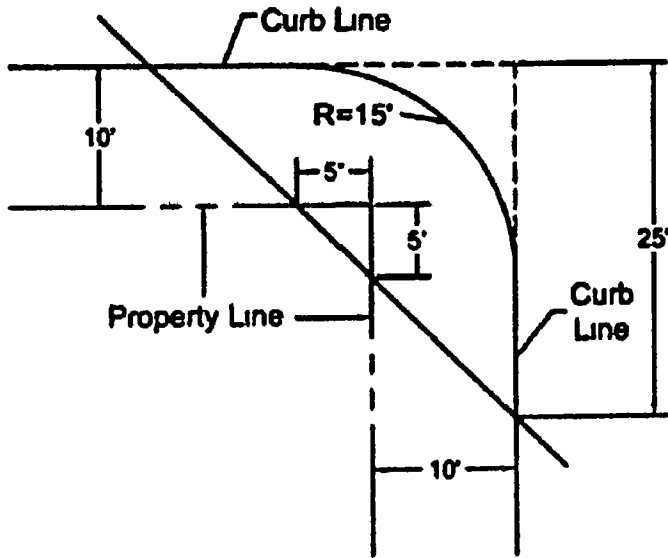
- consideration to appearance, structural quality and durability
- (f) Nothing in this division (B) shall be deemed to set aside or reduce the requirements established for security fencing by local, state or federal law

- (C) *Garages* Front loading, attached garages must be setback a minimum of five feet further than the front of the house. Additionally, where a garage faces a street, the maximum size shall be based on lot width as follows

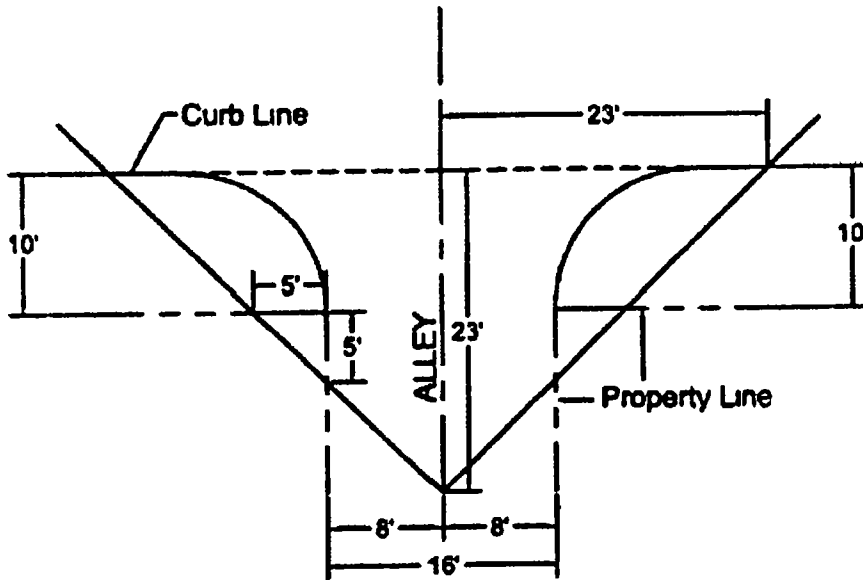
LOT WIDTH	MAXIMUM GARAGE SIZE
up to 74 feet	two-car garage
75 feet and over	three-car garage

- (D) *Lot Consolidation* Consolidation or merger of lots in any residential zone requires a conditional use permit. In addition to the findings specified in §17 52 200, the Commission must also find that the proposed consolidation will not result in the demolition of a residential structure built prior to January 1, 1940 with architectural or known historic value
- (E) *Mechanical equipment* Ground-mounted air conditioning mechanical equipment shall be set back at least five feet from a side property line, with the exception that in the rear yard area equipment may be set back three feet from the side and rear property lines. Roof-mounted mechanical equipment is not permitted, with the following exceptions
- (1) Equipment is entirely screened by building parapet, or
 - (2) Replacement of existing equipment shall be permitted if the equipment is of the same or of lesser dimensions and approved screening can be provided and it is economically impractical to relocate
- (F) *Setbacks—corner cutoff* In all zones, no buildings, walls, fences, hedges, shrubs, ground signs or other physical obstruction higher than three feet above grade shall be located in the triangular area defined by the intersections diagramed on the following pages (the diagrams are not to scale)

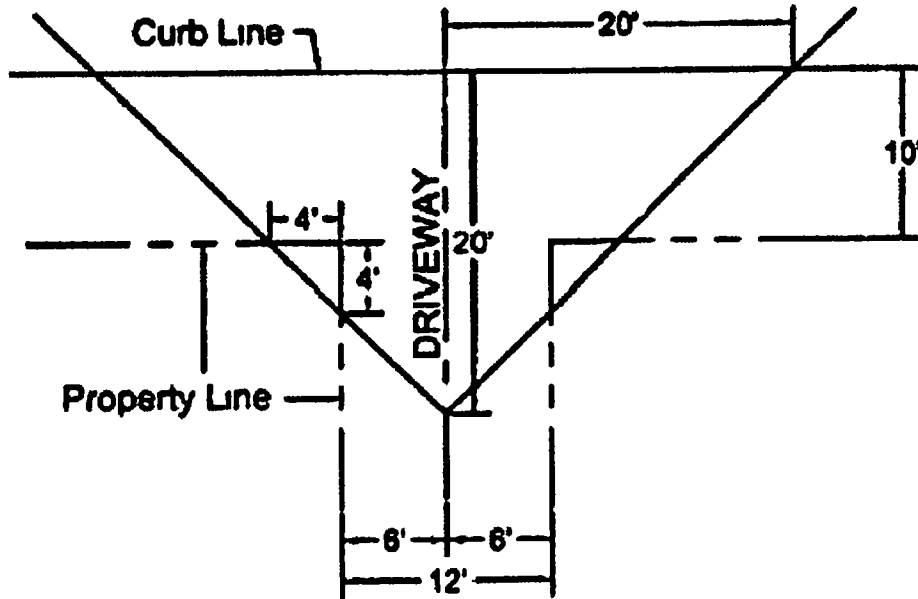
Street Intersection



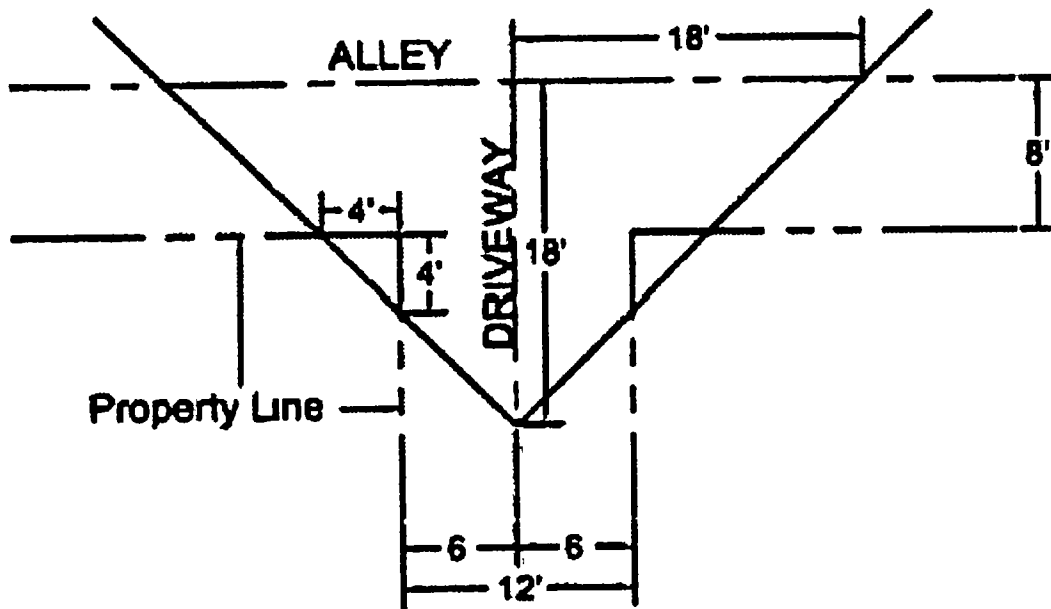
Street and Alley Intersection



Driveway and Street Intersection



Driveway and Alley Intersection



- (G) *Swimming Pools* Swimming pools shall not be located in the front yard and must be at least 5 feet from the side and rear property lines. Mechanical equipment is subject to the provisions set forth in division (D) above.
- (H) *Trash Areas* All outside trash and garbage collection areas shall be enclosed or screened and garbage collection areas with gates and shall be located so as to allow for convenient pick-up and disposal.

SECTION 8. Title 17, Chapter 17 12 of the Monrovia Municipal Code is hereby amended by adding Section 17 12 050 to read as follows

17 12 050 Demolition of Residential Structures—Advisory Review

- (A) *Purpose* In order to encourage the preservation of existing residential structures that contribute to the character of the neighborhoods of Monrovia, any proposed demolition of any residential structure in a residential zone that was built prior to January 1, 1940 is subject to the provisions of this section
- (B) *Application* Upon receipt of an application for demolition, a 120-day review period will begin. During this time, the request will be forwarded to the Historic Preservation Commission for advisory review. After the review, the Commission may terminate the review period and waive the requirements of division (E) below.
- (C) *Public Notification* Once an application is received, notification shall be given in the following manner, noting that the Historic Preservation Commission is acting only in an advisory capacity in a non-discretionary administrative process:
- (1) Posting notice on the site. Within 14 days of applying for a demolition permit, the applicant shall post an official sign on the site of the structure proposed for demolition. The sign shall note that the structure is to be demolished and that demolition of this structure has been delayed to allow time for consideration of alternatives to demolition.
 - (2) Notice shall be mailed to any interested parties. The Planning Division Manager shall maintain a subscription service for organizations and individuals who wish to be notified of applications for demolition of pre 1940's single/multiple family structures. There is a fee for this notification service.
- (D) *Assistance and guidance to applicant* In the course of advisory review, the Historic Preservation Commission and City Staff shall assist and guide the applicant on an advisory basis with the intention of finding solutions to retain the structure, exploring incentives, and directing the owner toward landmark designation and/or appropriate changes that safeguard the structure. Alternatives to demolition might include restoration, relocation or architectural salvage. The Commission may make non-binding recommendations on incentives specified in this Chapter.
- (E) At the end of the 120-day period, the Planning Division Manager, shall approve the demolition permit if the following requirements have been met:
- (1) The building permit for the replacement structure(s) shall be issued concurrently with the demolition permit.
 - (2) Photographic documentation. The applicant shall submit photographs of the features of the structure. The Planning Division shall retain a copy of the documentation for the purpose of public information.
 - (3) Response to offers of relocation or salvage. The applicant shall submit a letter stating that the applicant responded to all offers to relocate the structure, or to salvage elements of the structure during demolition. The letter shall also identify those who submitted offers, and the applicant's response to those offers.
- (F) Any person who demolishes a property subject to the provisions of this section shall be required to restore the property to its appearance or setting prior to the violation at the discretion of the City Council.

SECTION 9. Title 17, Chapter 17,12 of the Monrovia Municipal Code is hereby amended by adding section 17 12 060 to read as follows

17 12 060 Incentives for Retention of Residential Structures

- (A) *Purpose* In order to facilitate the preservation of existing residential structures that contribute to the character of the neighborhoods of Monrovia, certain regulations in this title may be deviated from in order to encourage retention of qualified structures
- (B) *Properties subject to this section* The incentives in this section apply to residential structures in residential zones built prior to January 1, 1940 with architectural value as determined by the Committee. The qualification will be based on condition of the existing structure, architectural integrity, historic value, proposed development and restoration plan for the property
- (C) *Exceptions and Variances* The provisions in this title may be deviated from if the Committee or the Commission determines that the value of preserving the structure outweigh potential impacts of the approval of a minor exception as specified in §17 52 110 or major variance as specified in §17 52 120. Exceptions or variances from the following standards could be considered:
 - (1) Minimum Setback and Building Separation
 - (2) Parking Requirements
 - (3) Minimum Unit Size
 - (4) Recreation Area

SECTION 10. Title 17, Chapter 17 24, Section 17 24 050 subsection (A) is hereby amended to read

- (A) Each enclosed garage shall not have an internal dimension of less than 18 feet in width and 20 feet in depth with no physical obstructions and shall be independently accessible with a minimum of 25 feet of unobstructed space provided for the maneuvering vehicle. The minimum required garage door width shall be 16 feet for a two car garage and 8 feet wide for a one car garage

SECTION 11. Title 17, Chapter 17 24, Section 17 24 110 of the Monrovia Municipal Code is hereby amended by deleting the current subsection 17 24 110(A) and replacing it with the new subsection 17 24 110(A), below, inserting new subsection 17 24 110(B), below, and reordering the remaining subsections accordingly, and deleting the current subsection 17 24 110(E) and replacing it with the new subsection 17 24 110(F), below

- (A) *Single-family residences* Each driveway shall be at least ten feet wide and shall not be encumbered by any projections to a height under eight feet above grade
- (B) *Common Driveways* As defined in §16 08 085, common driveways shall be 15 to 20 feet wide and shall not be encumbered by any projections to a height under eight feet above grade
- (F) *All Zones*
 - (1) Where two driveways are provided, each shall be clearly marked as to the direction of ingress and egress
 - (2) Maximum grade for driveways shall be fifteen percent (15%)

SECTION 12. Title 17, Chapter 17 28, Sections 17 28 080 and 17 28 120, and Title 17, Chapter 17 52, Section 17 52 030 of the Monrovia Municipal Code is hereby amended by replacing all references to the term "minor variances" with the term "minor exceptions"

SECTION 13. Title 17, Chapter 17 48, Section 17 48 030 of the Monrovia Municipal Code is hereby amended by inserting new subsection 17 48 030(C), below, amend existing subsection 17 48 030(D), below, and reordering the remaining subsections accordingly

- (C) When an additional dwelling unit is added to a property in a zone permitting multi-family development, all structures on the property shall meet all building and safety regulations, and further, that to the extent reasonable and feasible all existing structures shall be brought into conformity to the regulations of this title as determined by the Committee or Commission
- (D) If a nonconforming use is maintained in a nonconforming structure, the provisions of this section and §17 48 020 shall apply, provided that where a conflict between said sections exists, the more restrictive provisions shall govern

SECTION 14. Title 17, Chapter 17 52, Section 17 52 110 of the Monrovia Municipal Code is hereby amended by inserting new subsection 17 52 110(A)(3), below, and renumbering existing subsection 17 52 110(A)(3) as 17 52 110(A)(10)(c)

- (3) Exceptions pertaining to swimming pools

SECTION 15. Title 17, Chapter 17 52, Section 17 52 325 of the Monrovia Municipal Code is hereby amended to read

17 52 325 Posting of Property

The development of new residential units or a second story addition to an existing single family dwelling where no public hearing is required, as specified by this title, require the applicant to post the property in a manner set forth by the Director of Community Development The property must be posted a minimum of ten days prior to the review by the Development Review Committee The application shall not be considered complete unless the site has been posted pursuant to this section

SECTION 16. Severability If any section, subsection, subdivision, sentence, clause, phrase, or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance The City Council hereby declares that it would have adopted this ordinance, and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional

SECTION 17. The City Clerk shall certify to the passage of this Ordinance and shall cause same to be published once in the Monrovia Weekly within fifteen (15) days after its passage, and said Ordinance shall become effective 30 days after its passage

INTRODUCED this 3rd day of August 2004

SIGNED, APPROVED, AND ADOPTED this 7th day of September 2004 by the following vote

AYES
NOES
ABSTAIN
EXCUSED

BY

Rob Hammond, Mayor
City of Monrovia

ATTEST

APPROVED AS TO FORM

Linda B Proctor, CMC, City Clerk
City of Monrovia

Craig A Steele, City Attorney
City of Monrovia

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §
CITY OF MONROVIA)

I, LINDA B PROCTOR, CMC, City Clerk of the City of Monrovia, California, do hereby certify that the foregoing is a true and correct copy of Ordinance No 2004-11, it has been published pursuant to law, and was duly adopted and passed at a regular meeting of the City Council on the 7th day of September 2004 by the following vote

AYES:
NOES:
ABSTAIN:
EXCUSED:

ATTEST

Linda B Proctor, CMC, City Clerk
City of Monrovia

ORDINANCE NO. 2004-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA, AMENDING TITLE 15 (BUILDINGS AND CONSTRUCTION) REGARDING REGULATIONS PERTAINING TO MOVING BUILDINGS

THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA hereby ordains as follows

SECTION 1 Title 15, Chapter 15 24, of the Monrovia Municipal Code is hereby amended by changing all references of "Conditional Use Permit" to "Minor Conditional Use Permit" and changing all references of "Planning Commission" to "Development Review Committee"

SECTION 2 Severability If any section, subsection, subdivision, sentence, clause, phrase, or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional

SECTION 3 The City Clerk shall certify to the passage of this Ordinance and shall cause same to be published once in the Monrovia Weekly within fifteen (15) days after its passage, and said Ordinance shall become effective 30 days after its passage

INTRODUCED this 3rd day of August 2004

PASSED, APPROVED AND ADOPTED this 7th day of September 2004 by the following vote

**AYES:
NOES:
ABSTAIN.
EXCUSED:**

BY

Rob Hammond, Mayor
City of Monrovia

ATTEST

APPROVED AS TO FORM

Linda B Proctor, CMC, City Clerk
City of Monrovia

Craig A Steele, City Attorney
City of Monrovia

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §
CITY OF MONROVIA)

I, LINDA B PROCTOR, CMC, City Clerk of the City of Monrovia, California, do hereby certify that the foregoing Ordinance No 2004-15 amending Title 15 regarding regulations pertaining to moving of buildings, was duly adopted and passed at a regular meeting of the City Council on the 7th day of September 2004 by the following vote

AYES:
NOES:
ABSTAIN:
EXCUSED:

ATTEST

Linda B Proctor, City Clerk, CMC
City of Monrovia, California

ORDINANCE 2004-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA AMENDING TITLE 17 (ZONING) SECTION 17.04.040 OF THE MONROVIA MUNICIPAL CODE ENTITLED ZONING.

THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA hereby ordains as follows

SECTION 1. The Planning Commission of the City of Monrovia initiated an application requesting a zone change (Zone Change ZC2004-01) to change the zoning designation from RM3000 (Residential Medium Density) to PD-24 (Planned Development-Area 24) for the properties bounded by Shamrock Avenue on the west, Poppy Avenue on the east, and the alley north of Foothill Boulevard on the south as set forth in "Exhibit A"

SECTION 2. On June 16, 2004, the Planning Commission of the City of Monrovia held a duly noticed public hearing to consider ZC2004-01 Following the close of the public hearing, the Planning Commission adopted Resolution No 2004-02 recommending approval of ZC2004-01

SECTION 3. On July 20, 2004 and August 3, 2004, the City Council held duly noticed public hearings on Zone Change ZC2004-01

SECTION 4 Environmental Review

A Pursuant to the California Environmental Quality Act ("CEQA") and the City's local CEQA Guidelines, City Staff prepared an Initial Study of the potential environmental effects of the proposed zone change (the "project") Based upon the findings contained in that Study, City staff determined that there was no substantial evidence that the project could have a significant effect on the environment City Staff thereafter prepared a Negative Declaration for the project and duly provided public notice of the public comment period and of the intent to adopt the Negative Declaration

B The City Council has reviewed the Negative Declaration and all comments received regarding the Negative Declaration and, based on the whole record before it, finds (i) that the Negative Declaration was prepared in compliance with CEQA, and (ii) that there is no substantial evidence that the project will have a significant effect on the environment The City Council further finds that the Negative Declaration reflects the independent judgment and analysis of the City Council Based on these findings, the City Council hereby adopts the Negative Declaration prepared for the project

C The custodian of records for the Initial Study, Negative Declaration and all other material which constitute the record of proceedings upon which the City's Council's decision was based is the City Clerk of the City of Monrovia Those documents are available for public review in the Office of the City Clerk located at 415 South Ivy Avenue, Monrovia, California 91016

SECTION 5. Section 17 04 040 (Official Zoning Map) of Chapter 17 04 (General Provisions) of Title 17 (Zoning) of the Monrovia Municipal Code, is hereby amended to revise the boundary map and re-zone the property bounded by Shamrock Avenue on the west, Poppy Avenue on the east, and the alley north of Foothill Boulevard on the south from RM 3000 (Residential Medium Density) to Planned Development—Area 24, described in Exhibit "A"

SECTION 6. Severability If any section, subsection, subdivision, sentence, clause, phrase, or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional

SECTION 7 The City Clerk shall certify to the passage of this Ordinance and shall cause same to be published once in the Monrovia Weekly within fifteen (15) days after its passage, and said Ordinance shall become effective 30 days after its passage

INTRODUCED this 3rd day of August, 2004

SIGNED, APPROVED, AND ADOPTED this 7th day of September, 2004 by the following vote

AYES:
NOES:
ABSTAIN:
EXCUSED:

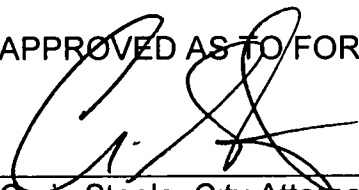
BY

Rob Hammond, Mayor
City of Monrovia

ATTEST

APPROVED AS TO FORM

Linda B Proctor, CMC, City Clerk
City of Monrovia



Craig Steele, City Attorney
City of Monrovia

PD AREA-24

AREA PD-24 - Poppy/Shamrock north of Foothill Boulevard to Norumbega Drive: This residential block consists of double frontage lots (50'x165') and lots that have been subdivided over time that have lot depths of 75' or less. The Poppy Avenue side is predominantly improved with historic Craftsman bungalow homes. The Shamrock Avenue side is a mixture of back yards, accessory structures, and homes varying in age and architectural style. To encourage the retention and preservation of the historic homes on Poppy Avenue and to encourage more consistent development along Shamrock Avenue the following design guidelines addressing orientation of homes, rear yard fencing and off-street parking are designed to meet the specific needs of this neighborhood.

The following development guidelines apply to Planned Development Area 24

- 1 The RM development standards shall apply with a maximum density of one unit per 3,000 square feet of land area and an F A R of 40%
- 2 Preservation and retention of older period homes (pre 1940's) shall be encouraged and slight deviations from development standards (i.e. yard size, building separation, unit size) may be used by the Development Review Committee (DRC)/Planning Commission (PC) to help establish minor exception and/or variance findings. The DRC/PC must determine that the preservation and retention of the older period home outweighs its elimination and the deviations do not make a less desirable development.
- 3 Allow 2-unit detached PUD's on double frontage lots if the following standards are met:
 - a two enclosed garage spaces shall be provided for each unit;
 - b total private recreation space shall be equal to 20% of the residential floor area on the site. A private yard area shall have at least ¼ of the required total yard area with minimum dimensions of 8' per side;
 - c C.C.&R's shall not be required. If there are common areas (i.e. driveway) a recorded joint maintenance agreement will be required,
 - d if an historic home is determined to be eligible for historic landmark designation pursuant to the criteria in the Historic Preservation Ordinance, it shall be retained and shall be landmarked as a condition of approval;
 - e. if an existing home does not exemplify the architectural style of the neighborhood it shall be upgraded to incorporate appropriate design elements,
 - f a Conditional Use Permit shall be required

- 4 Front-loading and side-loading attached garages visible to the street shall be considered only if it is determined that the quality of design outweighs any negative impact and there is no other location on the site a garage could be better located.
- 5 All new residential units shall face the street they are closest to and be designed to reflect the historic values of the neighborhood
- 6 On Shamrock Avenue if a backyard is adjacent to a front yard, backyard fencing shall be permitted along property lines if it is determined that the following criteria are met.
 - a fencing does not create a visibility problem to nearby driveways
The fence shall comply with MMC Section 17 12 040 Setbacks, Physical Obstructions,
 - b the DRC shall review and approve fencing material, height and landscaping in front of the fence line A setback may be required if the DRC determines that its location adversely impacts adjacent properties or that additional area is needed for landscaping
- 7 On Shamrock Avenue placement of accessory structures in the rear 25' of backyards adjacent to front yards shall require approval by DRC The DRC shall take into consideration impact to adjacent properties and visibility from the street In no case shall the structure be closer than 3' to a side property line and 10' from the property line adjacent to Shamrock Avenue.

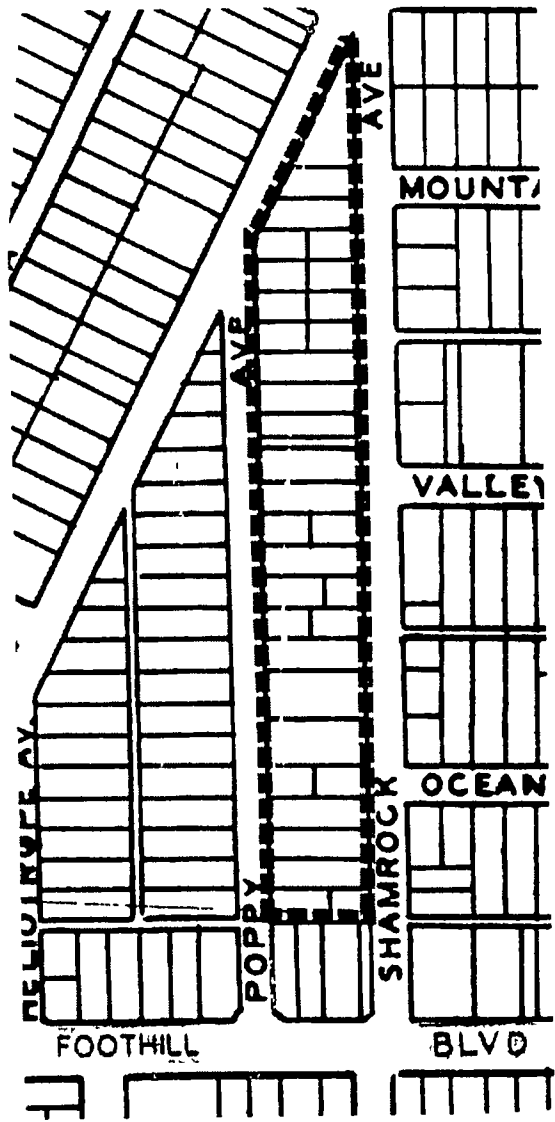


EXHIBIT A