

EXHIBIT A (REDLINE)
DRAFT AMENDMENT TO SECTION 18.84.090
OF THE PLEASANTON MUNICIPAL CODE
July 8, 2009

18.84.090 Side and rear yards—Requirements and exceptions.

In addition to the regulations prescribed in the zoning schedule of this chapter, the following regulations shall apply:

- A. On the street side of a corner lot the side yard shall not be less than twice the depth of the minimum side yard prescribed for the district, except that a side yard in excess of the required front yard depth shall not be required, and a side yard less than 10 feet shall not be permitted.
- B. On a reversed corner lot the minimum rear yard may be not less than the minimum side yard prescribed for the district if the side yard adjoining the street is not less than the required front yard on the adjoining key lot, or 15 feet, whichever is greater.
- C. Where the side or rear lot line of the site of a use other than a residential use in a district other than an R district adjoins an R district, the minimum side or rear yard shall be 10 feet greater than the minimum yard prescribed in the zoning schedule of this chapter; provided, that where the side or rear lot lines of a site in an I-G district adjoins an R district, the minimum side or rear yard shall be 50 feet.
- D. On the side street of a corner lot, the minimum side yard for a garage, carport, or off-street parking space required to serve a dwelling in an R district shall be 20 feet; provided, that if the garage, carport or off-street parking space is entered parallel to the street, the minimum side yard shall be the same as the side yard otherwise required on the site.
- E. At the time of the initial construction, principal structures in the R-1-8,500, R-1-7,500, R-1-6,500 and RM-4,000 districts may encroach into otherwise required rear yards to within 15 feet of the rear lot line; provided, that there remains a single unobstructed open space with an area equal to 120 percent of the area obtained by multiplying the required rear yard dimension by the minimum lot width prescribed for these zoning districts. This unobstructed open area may be located in a side yard and/or in the area between the principal structure and the rear lot line and shall have a minimum dimension of not less than 15 feet.

Additions to principal structures in the R-1-8,500, R-1-7,500, R-1-6,500 and RM-4,000 districts may encroach into otherwise required rear yards to within 15 feet of the rear lot line, provided that there remains a single unobstructed open space with an area equal to 80 percent of the area obtained by multiplying the required rear yard dimension by the minimum lot width prescribed for these zoning districts. This

unobstructed area may be located in a side yard and/or in the area between the principal structure and the rear lot line and shall have a minimum dimension of not less than 15 feet.

No structure referred to in this section projecting into the required rear yard shall exceed one story in height.

- F. Fences, walls, and hedges not over six feet in height, walks, driveways and retaining walls may occupy a required side or rear yard, except that solid fences, walls, and hedges in the side yard on the street corner of a corner lot may not exceed a height of 30 inches, and open fencing, such as wrought iron, split rail, picket style, or other similar types of open fencing, may not exceed a maximum height of 42 inches. In conjunction with the open fence, a solid base of brick or split face block up to a height of 18 inches may be constructed so long as the total fence height does not exceed 42 inches, and decorative columns, caps, or pilasters up to a height of 48 inches, generally separated by a distance of six feet may be constructed. "Open picket style fencing" is defined as fencing which consists of narrow vertical boards, generally three inches to four inches in width, with at least 33 percent of the fence area being open to view. No such structure or hedge shall pose a traffic sight obstruction. In the C-S, C-A, I-P and I-G districts, fences as high as eight feet may be allowed in conjunction with outdoor storage areas. The upper two feet of such fences may contain barbed wire. Permission of the zoning administrator shall be required for such over height fences and may be denied if the zoning administrator determines the appearance of such fencing would conflict with the purposes of this title or if such fencing would be detrimental to the public health or general welfare. In the R-1-6,500 and R-1-7,500 districts, fences, walls and hedges not over six feet in height may be located to within five feet of the side property line on the street side of a corner lot between the rear property line and a point set back 15 feet from the front corner of the residence closest to the side street.
- G. Fences, walls and hedges greater than six feet but not over eight feet in height may occupy a required side or rear yard upon approval by the zoning administrator.
1. Application for an over height fence, wall or hedge pursuant to this subsection shall be made with the zoning administrator and shall be subject to design review. ~~pursuant to Section 18.20.010 of this title.~~
 2. The zoning administrator **may require noticing up to 300 feet from the property lines in order to continue processing the design review application. If the determination to notice the application is made, it may be subject to a zoning administrator hearing.** ~~or his or her designee, shall schedule a public hearing, within 40 days of submission of the application before the zoning administrator and give notice thereof by mail no less than 10 days prior to the date of the public hearing to all owners of property contiguous to the site of the proposal as shown on the last equalized assessment roll.~~

3. Upon conclusion of the public hearing, the If a zoning administrator hearing is conducted, the zoning administrator may approve, conditionally approve, or deny the application. ~~No application shall be approved, as applied for or as conditioned, unless the zoning administrator and shall finds that the application:~~
 - a. Conforms to the objectives of this title;
 - b. Assists in providing privacy, in attenuating sound transmission, and/or in reducing other annoyance from neighboring properties; and
 - c. Does not significantly impact upon the aesthetics and safety of the neighborhood nor the light and air to all affected properties.
4. ~~Any action of t~~The zoning administrator's decision may be appealed to the planning commission. ~~by any affected party.~~ (Ord. 1862 § 1, 2002; Ord. 1656 § 1, 1995; Ord. 1266 § 1, 1986; Ord. 1194 § 1, 1985; Ord. 1182 § 1, 1985; Ord. 1124 § 1, 1984; prior code § 2-5.38)

EXHIBIT B (CLEAN COPY)
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yard dimension by the minimum lot width prescribed for these zoning districts. This unobstructed area may be located in a side yard and/or in the area between the principal structure and the rear lot line and shall have a minimum dimension of not less than 15 feet.

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1. Application for an over height fence, wall or hedge pursuant to this subsection shall be made with the zoning administrator and shall be subject to design review.
 2. The Zoning Administrator may require noticing up to 300 feet from the property lines in order to continue processing the design review application. If the determination to notice the application is made, it may be subject to a Zoning Administrator hearing.

3. If a Zoning Administrator hearing is conducted, the Zoning Administrator may approve, conditionally approve, or deny the application and shall find that the application:
 - a. Conforms to the objectives of this title;
 - b. Assists in providing privacy, in attenuating sound transmission, and/or in reducing other annoyance from neighboring properties; and
 - c. Does not significantly impact upon the aesthetics and safety of the neighborhood nor the light and air to all affected properties.
4. The Zoning Administrator's decision may be appealed to the planning commission. (Ord. 1862 § 1, 2002; Ord. 1656 § 1, 1995; Ord. 1266 § 1, 1986; Ord. 1194 § 1, 1985; Ord. 1182 § 1, 1985; Ord. 1124 § 1, 1984; prior code § 2-5.38)