

## LEGISLATIVE DIGEST

[Planning Code - Obstructions in Required Setbacks, Yards, and Usable Open Space]

**Ordinance amending the Planning Code to allow, in required setbacks, yards, and usable open space, all projections of an architectural nature if they meet the specified requirements and to allow bay windows that do not meet the specified requirements to apply for a Zoning Administrator waiver; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302.**

### Existing Law

Planning Code Section 136 lists the obstructions allowed in streets and alleys, setbacks, yards, and usable open space. Overhead horizontal projections are allowed if they are of a purely architectural or decorative character and (1) leave at least 7½ feet of headroom, (2) have a vertical dimension of no more than 2 feet 6 inches, (3) do not increase the floor area or the volume of space enclosed by the building, and (4) meet specified projection requirements at the roof and other levels and into yards and usable open space. Section 307(h) authorizes the Zoning Administrator to grant relief from Code requirements under specified conditions; it does not now allow the Zoning Administrator to grant relief from Section 136 requirements.

### Amendments to Current Law

Section 136 is amended to allow all projections of an architectural nature that leave 7½ feet of headroom and do not (1) increase the floor area or the volume of space enclosed by the building, (2) project more than four feet over streets and alleys, or (3) project more than four feet into setbacks, yards, and usable open space. Section 307(h) is amended to allow the Zoning Administrator to grant full or partial relief from the requirements of Section 136 for bay windows that maintain the same massing as those allowed as a permitted obstruction if the windows otherwise meet all applicable design guidelines.

### Background Information

Over the past several years, Planning staff have encountered an increasing number of proposed architectural designs that are innovative and desirable; however, under the current Code, most of these architectural features are not allowed. This legislation will allow more flexibility for architectural projections that enhance a building's design. Any proposed obstruction would still be required to undergo all applicable design review processes and meet all required design standards.

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