

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF THOUSAND OAKS AMENDING THE THOUSAND OAKS MUNICIPAL CODE BY ADDING ARTICLE 22 AND MODIFYING SECTIONS 9-4.202, 9-4.2501, AND 9-4.2505 TO UPDATE THE CITY'S ZONING REGULATIONS WITH OBJECTIVE DESIGN STANDARDS FOR RESIDENTIAL DEVELOPMENT, REVISING BUILDING HEIGHT DEFINITION AND REVISING HEIGHT REQUIREMENTS FOR THE R-3 AND R-P-D ZONES. (MCA-2020-70250)

The City Council of the City of Thousand Oaks does hereby ordain as follows:

Part I

Section 9-4.202 of the Thousand Oaks Municipal Code is added to read as follows:

Sec. 9-4.202 Definitions

“Building height” is limited to a vertical dimension measured from existing grade or the finished grade, whichever is less, up to a warped plane equal to the height limit of the underlying zone. All portions of the building must be located at or below the building height limit, unless otherwise specified within the code as a building height exception. The “warped plane” is an imaginary plane projected parallel to the topography of the site at the height limit of the applicable zoning district.

“Grade, Existing” means the ground elevation and topography before grading or site preparation for development or redevelopment.

“Grade, Finished” means the final ground elevation after the completion of grading or site preparation for development.

Part 2

Article 22 (Reserved.) of the Thousand Oaks Municipal Code is added to read as follows:

Article 22 Objective Design Standards for Residential Development.

Section 9-4.2201 Intent and Purpose.

The Objective Design Standards provide mandatory development standards for specified residential development. Under State Law, Objective Design Standards involve no personal or subjective judgement by a public official and are uniformly verifiable by reference to an external and uniform benchmark. The Objective Design Standards are requirements for residential development, as well as mixed-use development that includes residential uses. For any qualifying project that does not comply with these standards, these standards may be modified through the applicable discretionary application process or as allowed under State Density Bonus Law.

Section 9-4.2202 Applicability.

The Objective Design Standards (Objective Standards) apply to all residential and mixed-use development, which include the new construction of two or more residential units. The Objective Standards were created in response to legislative provisions such as the Housing Accountability Act, that limit local jurisdictions' ability to deny or reduce density of housing projects that are consistent with "objective standards" and multi-family residential projects meeting affordability and other criteria can only be subject to "objective" planning standards to be approved through a ministerial process. These standards also apply to redevelopment that creates two or more new residential units, including but not limited to adaptive reuse of existing buildings. In addition, these standards apply to groups of two or more attached townhomes (row houses), regardless of whether multiple townhomes occupy the same lot, or each townhome is located on a separate lot.

If a conflict occurs between these Objective Standards and other provisions of the City of Thousand Oaks Municipal Code Title 9, Chapter 4, these Objective Design Standards will supersede the standards provided in other Articles of this Chapter. Terms defined within this Article govern the application of these standards and the underlying zoning requirements for qualifying projects. The Objective Standards apply to all residential projects that have not been accepted as complete for processing prior to the effective date of this Article. Terms used in this Article have the same meaning as those terms which are used in Title 9, Chapter 4, except for those terms specifically defined within this Article.

Unless otherwise allowed as a ministerial approval by State law, projects subject to these Objective Standards require application and approval of a Residential Planned Development Permit along with a fee prescribed by City Council and may not be entitled through a modification process. The Community Development Director shall have approval authority for Residential Planned Development permits for projects that comply with these Objective Standards that do not include a Tentative Tract Map. When considering a Residential Planned Development permit, the Community Development Director may approve, with conditions, based on the following findings:

- 1) The project is consistent with the Thousand Oaks General Plan and any applicable specific plan;

- 2) The project complies with all applicable laws, regulations and policies, including the Thousand Oaks Municipal Code; and
- 3) The project has been reviewed in conformance with the provisions of the California Environmental Quality Act.

If a project does not comply with these Objective Standards, unless otherwise waived under current State density bonus law, the Community Development Director may approve up to three modifications for Building Massing & Articulation, Accessory Structures, or Site and Building Elements. If the applicant requests more than three modifications to these standards, the request and accompanying entitlements will be referred to the Planning Commission. Requests of one or more modifications to the remaining standards in this Article will be referred to the Planning Commission.

Approval of modifications to these standards by the Community Development Director and the Planning Commission must be based on making the following findings:

- 1) The modification, while not consistent with a specific provision of this Code, is justified by its intent or by design hardship and allows reasonable and conforming use that is consistent with the General Plan goals and policies and underlying zoning district.
- 2) The modification would result in development consistent with the scale and character of existing and allowable development in the vicinity under the same zoning.
- 3) The modification would result in development that is not detrimental to or that would not adversely impact adjacent properties.

Section 9-4.2203 Definition of terms.

The following definitions apply to terms used in this Article.

- 1) Open Space and Related Terms
 - a) Usable, Open Space: Outdoor or unenclosed area on the ground, or on a roof, balcony, deck, porch or terrace designed and accessible for outdoor living and recreation, but excluding parking facilities, driveways, sidewalks, pedestrian paths, utility or service areas, required front or street side yards, any landscaped area not usable for outdoor living or recreation, or areas with slopes greater than 5 percent. The area and dimensional requirements of the underlying building type and zoning district must be met.
 - b) Open Space, Private: A usable open space adjoining and directly accessible to a dwelling unit, reserved for the exclusive use of residents of the dwelling unit and their guests.
 - c) Open Space, Common/Shared: A usable open space within a residential development reserved for the exclusive use of all residents of the development and their guests.
 - d) Zaguan: A pathway through a building not open to the sky that connects to a courtyard or paseo.

Section 9-4.2204 Relationship to other Ordinances

Projects subject to this Article must comply with all other applicable Objective Standards within the Thousand Oaks Municipal Code and applicable Specific Plan as may be amended. including but not limited to:

- i) Specific Plans;
- ii) Residential Zones;
- iii) Off-Street Parking;
- iv) Height, Yard, Area, and Building Conditions; and
- v) Protected Tree Preservation and Protection.

Section 9-4.2205 Objective Design Standards

Residential development that is subject to this Article must be consistent with the following standards:

1) Street and Pedestrian Connectivity and Automobile Access

Streets are defined as a public or private thoroughfare consisting of automobile travel lanes with street parking, bike lanes as needed, parkways and sidewalks, which affords principal access to abutting property. Alleys are defined as the secondary means to access the property parking and services. Driveways serve as direct access points to on-site covered or structured parking facilities that do not exceed 40 feet from the street right of way.

- a) Internal Connectivity: New public streets must form a connected vehicular and pedestrian network within the development.
- b) External Connectivity: Public streets, alleys, and pedestrian pathways within a proposed subdivision or development site must be connected with existing and planned streets in adjacent neighborhoods to create a continuous street pattern.
- c) Cul-de-sacs and Dead-end Streets: Creation of new cul-de-sacs and dead-end streets are prohibited, unless topographical constraints or existing development prohibit development of through streets. Any public cul-de-sac or other dead-end street longer than 300 feet must be connected to internal or external streets by a pedestrian or bicycle path.
- d) Gates/Barriers Prohibited: Gates or barriers are prohibited on public or private streets. Driveway and pedestrian path access points into the building site may be gated or otherwise restrict public access.
- e) Streets and Driveways: All proposed private streets and driveways must be configured to meet City of Thousand Oaks standards for public streets, including sidewalks and parkways for street trees. Proposed development sites over two acres in size must have parking accessed from new internal streets and alleys or driveways. Alleys may only be dead-end if they allow for non-vehicular connection to adjacent streets, alleys, public pedestrian paths or open space.
 - i) Driveways that provide direct access to subterranean parking garages are exempt from these requirements when other means of pedestrian access is provided.
- f) Flag Lots: Creation of flag lots is prohibited in new subdivisions.

- g) Access to Parking: Curb cuts and driveways providing access to parking facilities must be from an alley or secondary street when present, rather than the principal street along the front property line.

2) Site Development Standards

- a) Developments on parcels or parcel assemblages between 30,000 square-feet and 50,000 square-feet of gross site area must be composed of at least two (2) separate buildings or substantially appear to be two (2) separate buildings. Buildings may be of the same or different building types as allowed in Section 9-4.2205 (5) (k) Building Type Zone Compatibility Matrix.
- b) Developments on parcels or parcel assemblages exceeding 50,000 square-feet must be composed of at least three (3) separate buildings which may be of the same or different building types as allowed in Section 9-4.2205 (5)(k) Building Type Zone Compatibility Matrix.

3) Building Orientation and Unit Entries

- a) Main Entry, Unit Access Configuration, Entry Area and Cover:
 - i) A primary residential or mixed-use building entry must face the street or be oriented to within 45 degrees of parallel to the street. Direct pedestrian access must be provided between the public sidewalk and such primary building entry. Where a site is located on two or more public streets, the primary building entry must be oriented toward the street with the shorter of the two street frontages. If a site fronts two public streets of equal length, the project applicant may determine on which frontage to meet the standard.
 - ii) In courtyard-style developments in which residential buildings are located in the interior of a block, entries must face interior courtyards, walkways, paseos or a pedestrian corridor. Those buildings, or portions of buildings, adjacent to the public street must include a primary entry facing the street, with direct pedestrian access between the entry and the public sidewalk.
 - iii) Dwelling units abutting common open space areas require a minimum of one window, in addition to a porch (ground floor) or balcony (upper levels) access from each dwelling that overlook or access common area.
- b) Balconies: A minimum of 25 percent of residential units facing a street, alley or common interior courtyard must include a balcony overlooking a public space with a minimum size of six feet by four feet.
- c) Entry Area and Cover: Exterior entrances serving multiple units must have a roofed projection, recess, or combination thereof with a minimum depth of five feet (e.g. 2-foot recess and 3-foot projection) and a minimum horizontal width of 12 feet. Exterior entrances serving a single unit must have a roofed projection or recess with a minimum depth of at least five feet and a minimum horizontal width of six feet.

4) Parking Location and Configuration

- a) Off-street parking serving residential development must be located in accordance with the following standards:
 - i) Parking facilities must not be located between the residential building and the street.
 - ii) Required guest parking may be configured as on-street parallel parking when private streets are incorporated into the project design. Such parking spaces must not be angled or perpendicular.
 - iii) Surface parking lots, garages, or carports must be located to the side or rear of residential buildings in relation to adjacent streets. If a site fronts on two or more streets, the standard must apply on the primary street frontage. If a site fronts on two public streets of equal classification, the project applicant may determine on which frontage to meet the standard.
 - iv) If subterranean parking is not integrated into the building design, parking spaces and structures must be setback a minimum of 20 feet behind the principal building frontage.
 - v) Freestanding parking structures are allowed for public parking or shared parking between multiple mixed-use, residential and/or nonresidential projects and must have ground floor liner commercial space not exceeding 25 feet deep interior space along the street frontage. The purpose of the liner spaces is to integrate the parking structure into the adjacent street frontage.
 - vi) Pedestrian exits from all parking structures must include direct access to a street frontage.
 - vii) Parking structures that are freestanding or incorporated into the building types must have the exterior façades that are treated as provided in Section 9-4.2205 (8)(a).
 - viii) Subterranean parking must not extend beyond the building footprint along the frontage and may extend to a height of three feet maximum above finished grade along the street frontage, provided that the garage perimeter wall is incorporated into the design of the frontage type.
- b) Maximum Parking Frontage: The total width of parking areas visible from the street, including open parking, carports, and garages, but excluding underground parking and parking located behind buildings, may not exceed 30 percent of any street frontage. This limitation does not include frontages along alleys.
 - i) Projects that include row houses on a pre-existing lot not exceeding 120 feet in depth must have individual garage doors that face the street and do not occupy more than 50 percent of the width of any street-facing building façade. Where this option is used, garages must be set back at least ten feet behind the front façade of the dwelling, not including the front of a covered porch.

5) Building Types and Design.

- a) Front Yard House: A building designed as a detached single-family dwelling unit. The following text provides standards for Front Yard Houses.
 - i) Entrances to each dwelling must be accessed directly from, and face, the street.
 - ii) Street facing carports or garages must be setback a minimum of ten feet behind the principal building façade facing the street not including any porch or other entry feature allowed to project into the front setback.
 - iii) Street facing garages must not accommodate more than two vehicles side by side and may consist of either one or two garage doors.
 - iv) The primary open space must be located behind the house with minimum width and depth dimension of 20 feet and minimum area of 15 percent of the lot area.
- b) Duplex, Triplex, Quadplexes: A building containing two, three, or four dwelling units that must be individually accessed directly from the street. The following text provides standards for Duplex, Triplex, and Quadplexes.
 - i) Entrances to each dwelling must be accessed directly from, and face, the street. Access to second floor dwellings must be by a staircase, which may be open, covered or enclosed.
 - ii) Each dwelling unit with habitable space on the first floor must have, at-grade outdoor space enclosed by landscaping, fence or a wall with a minimum area of 160 square feet and an unobstructed, flat interior dimension of at least eight feet.
 - iii) Each dwelling unit with habitable space above the first floor must have at least one outdoor space such as a balcony or loggia with a minimum area of 140 square feet and an unobstructed, flat interior dimension of at least seven feet.
 - iv) Building elevations abutting side yards must be designed to provide at least one horizontal plane break of at least three feet, and one vertical break on building walls exceeding 40 feet in length.
 - v) Street facing parking, carports or garages must be setback a minimum of five feet behind the principal building façade facing the street, not including any porch or other entry feature allowed to project into the front setback.
- c) Villa: A building containing four to eight dwelling units. Each dwelling unit must be individually accessed from a central lobby, which in turn is accessed directly from the street or front yard. The following text provides standards for Villas.
 - i) Access to the building must occur directly from and face the street. Said access must be a single point leading to a central lobby which provides access to the individual dwellings without use of a corridor. Second floor dwellings must be accessed by a stair located in the lobby without use of a corridor.
 - ii) Rear yards must contain a usable, outdoor space of no less than 15 percent of the area of each lot and of a regular geometry (e.g., rectangular) intended for common use by all dwelling occupants.

- iii) Dwelling units with habitable space above the first floor must provide usable, outdoor space in balconies or loggias consisting of 150 square feet minimum and an unobstructed, flat interior dimension of at least seven feet.
 - iv) Dwelling units with habitable space on the first floor must provide usable at-grade outdoor space enclosed by landscaping or a wall, with 150 square feet minimum and an unobstructed, flat interior dimension of at least seven feet in addition to the common yard area required above.
 - v) Parking must be located in the rear half of the property.
- d) Bungalow Court: Four or more detached houses arranged around a shared courtyard, with pedestrian access to the building entrances from the courtyard or street. The following text provides standards for Bungalow Courts.
 - i) Entrances to dwellings must be directly from the front yard or from the courtyard.
 - ii) Dwelling entrances must face a courtyard that comprises at least 15 percent of the lot area and of a regular geometry (e.g., rectangular).
 - iii) The overall usable area including hardscape and landscaping must not be less than 60 percent of the total open space area.
 - iv) Each dwelling must have a private usable, outdoor space of at least 150 square feet with a minimum dimension of seven feet. This space must be in addition to the courtyard and may be located in a side yard or the rear yard. When adjacent to the common area, this space must be delineated by a fence, dense landscaping or other permanent physical feature with a height of three and a half to five feet.
 - v) Parking must be located at least five feet behind the principal building frontage, not including any frontage type extending beyond the principal building frontage, and not including any porch or other entry feature allowed to project into the setback.
- e) Rowhouse: Two or more attached two- or three-story dwellings with a width range of 25 to 40 feet per unit. The following text provides standards for Rowhouses.
 - i) The main entrance to each dwelling must be accessed directly from and face the street.
 - ii) Parking, trash/utility services must be accessed from an alley and may be located in a centralized or subterranean garage when developed in conjunction with other building types. Rowhouses are only allowed on a lots with alley access or in a development with a mix of building types that creates street frontages and alley access, except as provided for in Section 9-4.2205(4)(b)(i).
 - iii) Usable, outdoor space must be provided behind each Rowhouse unit with 15 percent minimum of the lot area and of a regular geometry (e.g., rectangular) with a minimum dimension of 10 feet.
- f) Side Court Housing: A building or group of buildings containing dwelling units arranged in a row, generally perpendicular to the street, with one side

yard configured as a courtyard. The following text provides standards for Side Court Housing.

- i) Dwellings must face a side yard configured as a courtyard with a minimum dimension of 20 feet.
 - ii) The primary entrance to each unit must be from the courtyard or, in the case of units facing the street, the front yard.
 - iii) Common living areas on the ground floor (i.e. living, dining rooms, kitchens) must be open to the courtyard with large windows and, where possible, doors.
 - iv) Units without habitable space on the first floor must be accessed by a stairway that may be open or covered, but not enclosed. No more than three units may be accessed by the same stairway.
 - v) The overall usable area including hardscape and landscaping must not be less than 60 percent of the total open space area.
 - vi) When located adjacent to a courtyard, a driveway must be separated from the courtyard through the use of fencing or raised planter that provides a landscaped aesthetic between the driveway and the courtyard.
 - vii) The building elevation abutting the side yard not containing the required courtyard must be designed to provide at least one horizontal plane break of at least three feet, and one vertical break on building walls exceeding 40 feet in length.
 - viii) Parking facilities must be located a minimum of 20 feet behind the principal building frontage unless located in a subterranean garage that does not extend more than three and a half feet above finished grade along the principal frontage.
- g) **Courtyard Housing:** A group of dwelling units arranged to share one or more common courtyards with dwellings taking access from the street or the courtyard(s). The courtyard is intended to be a semi-public space that is an extension of the public realm. The following text provides standards for Courtyard Housing.
- i) Dwelling configuration occurs as townhouses, flats, or flats located over or under flats or townhouses.
 - ii) Ground floor units must have individual entries consisting of a porch, terrace or stoop that faces the street or courtyard.
 - iii) At least two sides of each dwelling unit must be exposed to the outdoors through use of operable windows, porches, balconies and/or doors.
 - iv) Units without habitable space on the first floor must be accessed by a stairway that may be open or covered, but not enclosed. No more than three units may be accessed by the same stairway.
 - v) Courtyard housing must be designed to provide a central courtyard and/or partial, multiple, separated or interconnected courtyards with a cumulative total area of at least 15 percent of the lot area. Each ground floor unit must have direct access to a courtyard.
 - vi) Courtyards can be located on a podium no more than one story above street level.

- vii) Minimum courtyard dimensions must be 40 feet when the long axis of the courtyard is within 45 degrees of an East/West orientation and 30 feet when the courtyard is within 45 degrees of a North/South orientation.
- viii) Courtyards must be connected to the public way and/or to each other by paseos or zaguans.
 - (1) Paseos must be a minimum of 15 feet wide.
 - (2) Zaguans must be a minimum of 10 feet wide.
- ix) The overall usable area including hardscape and landscaping must not be less than 60 percent of the total open space area.
- x) Parking entrances to subterranean garages and/or driveways must be designed as an independent entry from the principal pedestrian entrance and not located the middle 50 percent of the lot frontage.
- h) Stacked Dwelling: An exclusively residential building comprised of flats and/or other residential units which does not meet the requirements of any other building type defined herein. The following text provides standards for Stacked Dwellings.
 - i) The entrance to the building must be through a street level lobby or through a combination of street and podium lobby directly accessible from the street.
 - ii) The main entrance to each ground floor dwelling must be directly from the street. Secondary access may be through an elevator and corridor.
 - iii) Interior circulation to each dwelling must be through one or more interior or exterior corridors which may be single or double-loaded.
 - iv) When dwellings are accessed via an interior corridor, the length of the corridor must not exceed 100 feet in length.
 - v) Dwellings can be accessed via a single-loaded, exterior corridor, provided the corridor is designed per the following requirements:
 - (1) The open corridor length does not exceed 60 feet.
 - (2) The open corridor is designed in the form of a Monterey balcony, a loggia, a terrace, or a wall with window openings.
 - vi) The primary shared open space is the rear yard, which must be designed as a courtyard. Courtyards may be located on the ground or on a podium no more than one story above street level.
 - vii) The minimum courtyard area must be 15 percent of the lot area.
- viii) Minimum courtyard dimensions must be 40 feet when the long axis of the courtyard is within 45 degrees of an East/West orientation and 30 feet when the courtyard is within 45 degrees of a North/South orientation.
- ix) Courtyards must be a minimum proportion of no less than 1:1 between any horizontal dimension and adjacent building height.
- x) A minimum of 60 percent of the common usable open space must be provided as a landscaped green area or garden, with the remaining area in hardscape. The overall usable area including hardscape and landscaping must not be less than 60 percent of the total open space area.

- xi) Parking entrances to subterranean garages and/or driveways must be designed as an independent entry from the principal pedestrian entrance and not located the middle 50 percent of the lot frontage.
- i) Mixed-Use Block: A building designed for occupancy by retail, service, and/or office uses on the ground floor street frontage, with upper floors configured for dwelling units. The following text provides standards for the Mixed-Use Block.
 - i) The main entrance to each ground floor area must be directly from and face the street.
 - ii) Entrance to the residential and/or non-residential portions of the building above the ground floor must be through a street level lobby or through a podium lobby accessible from the street.
 - iii) Elevator access must be provided between the subterranean garage and each level of the building where dwelling and/or commerce access occurs.
 - iv) Parking structures may be incorporated into the building.
 - v) Interior circulation to each dwelling must be through a corridor which may be single or double-loaded.
 - vi) When dwellings are accessed via an interior corridor, the length of the corridor must not exceed 100 feet in length. Corridors between buildings or wings may be interconnected provided there is a physical break consisting of exterior vertical access combined with common open space area.
 - vii) Dwellings can be accessed via a single-loaded, exterior corridor, provided the corridor is designed per the following requirements:
 - (1) The open corridor length does not exceed 60 feet.
 - (2) The open corridor is designed in the form of a Monterey balcony, a loggia, a terrace, or a wall with window openings.
 - viii) Minimum courtyard dimensions must be 40 feet when the long axis of the courtyard is within 45 degrees of an East/West orientation and 30 feet when the courtyard is within 45 degrees of a North/South orientation.
 - ix) The minimum courtyard area must be 15 percent of the lot area.
 - x) Courtyard dimensions must have no less than a one to one (1:1) proportion between any horizontal dimension and adjacent building height.
 - xi) A minimum of 60 percent of the common usable open space must be provided as a landscaped green area or garden, with the remaining area in hardscape. The overall usable area including hardscape and landscaping must not be less than 60 percent of the total open space area.
 - xii) Trash enclosures may be located within a parking structure subject to approval by the waste hauler.

- j) All Building types – Affordable Units:
- i) Affordable units and market rate units in the same development must be constructed of the same or similar exterior materials and details such that the units are not distinguishable.
 - ii) Affordable units must be interspersed throughout the project and not all located in one building in a multi building project.
 - iii) Affordable units must be equivalent in terms of number of bedrooms and the average floor area to the corresponding housing type of market-rate units.
- k) Lot and Building Site(s):
- Buildings must be established on either real or nominal lots such that each building type must front a street or dedicated pedestrian corridor and comply with the building type standards. A real or nominal lot associated with a building must be used exclusively to demonstrate compliance with standards. For the purposes of this Article a nominal lot is an illustrative site area of regular geometry inscribed within a proposed project area in order to represent a lot line and demonstrate compliance with this Article.

The following table depicts the zone where each building type is permitted.

Building Type Zone Compatibility Matrix						
	Lot Width (real or nominal)	R-A R-E R-O R-1	R-2	R-3	R-P-D	SP-20
Front Yard House	40-100 ft.	P	-	-	P (8 du/acre max.)	-
Duplex	50-75 ft.	-	P	-	P	P ¹
Triplex/Quadplex	50 -100 ft.	-	-	P	P	P ¹
Villa	75-100 ft.	-	-	P	P	P ¹
Bungalow Court	100-150 ft.	-	-	-	P	P ¹
Rowhouse	25-50 ft.	-	-	-	P	P ¹
Side Court	75-150 ft.	-	-	P	P	P
Courtyard	100-150 ft.	-	-	P	P	P
Stacked Dwelling	100-150 ft.	-	-	P ²	P ²	P ²
Mixed-Use Block	100-200 ft.	-	-	-	-	P

"P" = permitted in the corresponding zone.

"-" = not permitted in the corresponding zone.

¹Only allowed on sites or portions of sites not fronting onto Thousand Oaks Boulevard.

² Must be included within a project with other building types. A maximum of 50 percent of the total units within a project can be in a Stacked Dwelling building type.

6) Frontage Types

- a) Porch: A Porch is a common frontage associated with single family houses, where the facade is setback from the right-of-way with a front yard. The following standards must apply:
 - i) Minimum clear width of 12 feet centered on the entry.
 - ii) Minimum clear depth of seven feet.
 - iii) Minimum clear height of eight feet.
 - iv) Maximum height of the porch above finished grade is three feet.
 - v) Minimum path of travel of three feet.
 - vi) Maximum width of support pillars of one foot.
 - vii) Minimum floor area clear of supports and path of travel to entrance of four feet by six feet.
 - viii) Maximum projection of four feet into setback.
 - ix) A fence or wall at the property line may be used to define the private space of the yard.
 - x) Raised porch designs are acceptable including a raised front yard with a retaining wall at the property line with entry steps to the yard.
- b) Stoop: Stoops are elevated entry porches with stairs placed close to the front property line with the ground story elevated from the sidewalk, securing privacy for the windows and front rooms. The stoop is suitable for ground-floor residential use with short setbacks. The following standards must apply:
 - i) Clear width and depth must be a minimum of four feet and maximum of eight feet.
 - ii) Maximum finished level above the sidewalk is three feet.
 - iii) Minimum height clear of eight feet.
 - iv) May project a maximum of four feet into required setback.
 - v) Entry doors must face the street or a courtyard required by the applicable building type.
 - vi) A shed roof may also cover the stoop.
- c) Terrace: Terraces are elevated gardens or patios that are set back from the frontage line. This frontage type can effectively buffer residential quarters from the sidewalk, while removing the private yard from public encroachment. The terrace is also suitable for restaurants and cafes, making the eye of a seated food establishment patron level with that of the standing passerby. The following standards must apply:
 - i) Maximum finish level above sidewalk of three feet.
 - ii) Maximum perimeter wall height of six feet above sidewalk level.
 - iii) Minimum clear depth of seven feet.
 - iv) Minimum clear height of eight feet.
 - v) Maximum length of terrace 150 feet, with minimum distance between stairs of 50 feet.
- d) Shopfront: This frontage type applies to retail stores. Shopfronts are facades placed at or close to the right-of way line, with the entrance at sidewalk grade. They are conventional for retail frontage and are commonly

- equipped with cantilevered shed roof(s) or awning(s). The following standards must apply:
- i) Minimum height of shop front opening must be 11 feet.
 - ii) Maximum distance between glazing must be two feet.
 - iii) Maximum depth of recessed entry is 10 feet.
 - iv) Minimum ground floor transparency of 65 percent.
 - v) If awnings are used, then the minimum clear height is eight feet and depth is four feet.
 - vi) Recessed shopfronts are also acceptable.
 - vii) The absence of a raised ground floor precludes residential use on the ground floor facing the street. Residential use would be appropriate above the ground floor or behind another use that fronts the street.
- e) Forecourt: Forecourts are uncovered courts within a storefront, gallery or arcade frontage, wherein a portion of the facade is recessed from the building frontage. The court is suitable for outdoor dining, gardens, vehicular drop-offs, and utility of loading. The following standards must apply:
- i) Width, clear: 10 feet minimum and 60 feet maximum.
 - ii) Depth, clear: 20 feet minimum and 60 feet maximum.
 - iii) Maximum finish terrace level above sidewalk of three feet.
 - iv) Maximum perimeter wall height of three and half feet above terrace level.
 - v) Minimum ground floor transparency of 65 percent.
 - vi) These standards are used in conjunction with the Shopfront frontage type.
 - vii) A fence or wall at the property line may be used to define the private space of the court.
 - viii) The court may also be raised from the sidewalk, creating a small retaining wall at the property line with entry steps to the court.
- f) Gallery: This frontage type consists of a Shopfront with a roof or deck projecting from the façade of the building, supported by columns. The following standards must apply:
- i) Minimum clear depth is 12 feet.
 - ii) Minimum ground floor clear height is 14 feet.
 - iii) Colonnades must not screen the public view of storefront facades more than 25 percent.
 - iv) Minimum height of shop front opening must be 11 feet.
 - v) Maximum distance between glazing must be two feet.
 - vi) Maximum depth of recessed entry is 10 feet.
 - vii) Galleries may be one to two stories in height, to provide covered or uncovered porches at the upper stories.
- g) Arcade: Facades with an attached colonnade that is covered by upper stories. The following standards must apply:
- i) Arcades must be no less than 10 feet wide clear in all directions.
 - ii) Along primary frontages, the arcade must correspond to storefront openings.

- iii) Primary frontage storefront openings must be at least 65 percent of the first-floor wall area and not have opaque or reflective glazing.

7) Building Massing and Articulation.

- a) Maximum Building Length. Buildings must not exceed a length of 200 feet on any side.
- b) Façade Articulation. All building facades that face or will be visible from a public street must include the following treatments:
 - i) Building Base. The first story must be distinguished from the upper stories by using two or more architectural details across the front elevation (e.g., arches, awnings, balconies, columns, cornices, lintels, moldings, trellises, etc.).
 - (1) Buildings over three stories must provide a ground floor elevation that is distinctive from the upper stories by providing a material change between the first floor and upper floors along at least 75 percent of the building façade that has frontage on a street or will be visible from a public street.
 - ii) Main building entrances. Main entrances must be easily identifiable and distinguishable from other ground floor entries. Such main building entrances must be at least one of the following:
 - (1) Marked by a taller mass above the entrance, such as a tower, or within a volume or façade projection that protrudes from the rest of the building surface;
 - (2) Located in the center of the facade, as part of a symmetrical overall feature;
 - (3) Accented by architectural elements, such as columns, overhanging roofs, awnings, and ornamental light fixtures;
 - (4) Marked or accented by a change in the roofline or change in the roof type; or
 - (5) If a corner mixed-use building, the entrance must provide a prominent corner entrance for shops or other activity-generating uses.
 - iii) Exterior Building Walls. Facades must vary in depth through a pattern of offsets, recesses, or projections and must incorporate the following:
 - (1) A minimum one-foot offset is required for any wall plane that exceeds 30 feet in length.
 - (2) Buildings over three stories tall must have major massing breaks at least every 100 feet along any street frontage, adjacent to public parks, publicly accessible outdoor space, or designated open space, with varying setbacks and/or building entries. Major breaks must be a minimum of 30 inches deep and four feet wide and extend the full height of the building.
 - (3) Buildings must have minor massing breaks at least every 50 feet along the street frontage, with varying setbacks, building entries and recesses, or structural bays. Minor breaks must

be a minimum of 12 inches deep and four feet wide and extend the full height of the building.

- (4) Blank walls (facades without doors, windows, landscaping treatments) must be less than 30 feet in length along sidewalks, pedestrian walks, or publicly accessible outdoor space areas.
- c) Variety in Height or Roof Forms. Building height must be varied so that a portion of the building has a noticeable change in height; or roof forms are varied over different portions of the building through changes in pitch, plane, and orientation using the following standards.
 - i) Roof line variation for two or more units: Roofs must be designed to incorporate a minimum of two varying roof heights and types (hip, gable, shed, flat, etc.).
 - ii) Rooflines must be vertically articulated at least every 50 feet along the street frontage with architectural elements such as parapets, varying cornices, reveals, clerestory windows, and varying roof height and/or form.
 - iii) Roof Overhangs: Roof overhangs must be designed with a depth of at least 2 feet.
- d) Building Façade Design.
 - i) The building façade design must incorporate details such as window trim, window recesses, cornices, belt courses, and other design elements.
 - ii) A minimum of two features such as balconies, cantilevers, dormers, bay windows, patios, individualized entries, and accent materials must be incorporated into each façade facing a street or publicly accessible area. Features, such as balconies (full, Juliet, etc.), garden boxes, etc. shall function as such and be able to be to handle loads. Purely decorative features are discouraged, but if used their base shall align with the bottom of the window.
- e) Vertical Articulation. In buildings over 35 feet in height, upper and lower stories must be distinguished by incorporating one or more of the following features. These features may be applied to the transitions between any floors, except where otherwise specified.
 - i) A change in façade materials, along with a change in plane at least one inch in depth at the transition between the two materials.
 - ii) A horizontal design feature such as a water table, belt course, or bellyband.
 - iii) A base treatment at the ground floor consisting of a material such as stone, concrete masonry, or other material distinct from the remainder of the façade and projecting at least one inch from the wall surface of the remainder of the building.
 - iv) Setting back the top floor(s) of the building at least ten feet from the façade of the lower floors.

- f) Materials.
 - i) Exterior Treatments and Materials: At least two materials must be used on any building facade, in addition to glazing and railings. Any one material must comprise at least 20 percent of any building facade, excluding windows and railings.
 - ii) Exterior finish materials must not appear artificial. Brick or other veneer material must have the appearance of a full size and full thickness brick or other material used. Trellises must be made using full size members of two inches by two inches, or two inches by four inches. Veneers are required to turn corners and must not create exposed edges.

8) Façade Transparency and Limitation on Blank Walls.

- a) At least 20 percent of the area of all stories of a street-facing facade mixed-use façade must consist of windows, doors, or other openings. If located within the planning area of the Thousand Oaks Boulevard Specific Plan (SP-20) or other Mixed-Use Specific Plan, 50 percent of the area is required in lieu of 20 percent.

9) Windows Details

- a) Window Design: Window recesses, trim and other window elements must be designed to be substantial in depth to create shadows. The project design must incorporate at least one of the following window features throughout the project:
 - i) Decorative trim elements that add detail and articulation, such as window surrounds must have at least a two-inch depth and minimum depth of at least five inches from glass to exterior of the window trim. They must be incorporated as an integral part of the architectural design; or
 - ii) A minimum depth of at least three inches from glass to wall edge around windows if there is no trim (this is only allowed when appropriate for the architectural style, such as Spanish Revival, Contemporary or Modern).
- b) Divided Lites/Mullions. Divided-lite windows, where utilized, must consist of true/full divided lites or simulated divided lites, in accordance with the following standards:
 - i) Muntins or grids must project at least three-eighths of an inch from the glass surface.
 - ii) Muntins or grids must be used on both the exterior and interior of the glass.
 - iii) For simulated divided lites, spacers must be used between panes.
- c) Materials
 - i) Window frames must be made of aluminum, fiberglass, wood, or manufactured wood; or another material with a wood grain texture finish.
 - ii) Glazing. Opaque, reflective, and mirrored window glazing are prohibited.
- d) Shutters
 - i) Shutters must be proportionately sized to the height and width of the window.

- ii) Shutter materials must be dictated by the architectural style and must not be of a faux material.

10) Private and Common Open Space for Multifamily Developments

- a) Outdoor seating must be provided at common usable open space areas and outside of common laundry facilities.
- b) Multifamily developments (except Senior restricted multifamily developments) exceeding 100 units must have three open space areas, one for general use, one for teenagers, and one for younger children. For the purpose of this standard, adult open space does not include play equipment, but does include tables with seating, and older children outdoor areas include sports areas, age- appropriate park equipment, or other recreational equipment.
- c) Children's Play Areas. Developments that include 25 or more dwelling units and provide common open space within the development must include at least one play area for children. Such play area must:
 - i) Have a minimum dimension of 15 feet in any direction and a minimum area of 600 square feet.
 - ii) Play equipment for children under the age of five must be included in child play areas.
 - iii) The play area must be visible to as many units as possible to provide casual surveillance.
 - iv) The play area must be separated from traffic and any adjacent streets or parking lots with a fence or other barrier at least four feet in height.
 - v) Benches or picnic tables for adults that are accompanying younger children must be provided.
 - vi) Exemptions. The play area requirement does not apply to any development that is:
 - (1) Age-restricted to senior citizens; or
 - (2) Located within 300 feet of a public park containing a children's play area.

11) Accessory Structures, Site and Building Elements.

- a) Perimeter fencing utilized along a public street must be constructed of decorative iron, steel, pre-painted welded steel, or wood material. Security fencing such as electrical, barbed wire, razor wire or sharp, pointed features are not permitted in residential zones (TOMC Sec. 9-4.2509.2).
- b) All fences and walls designed for screening purposes must be of solid material. Chain link or chain link with slats is not permitted.
- c) Where an alley is not present, above ground equipment and trash container areas must be located at least 10 feet behind the façade of the building and be screened from view from the street with landscaping, fence or other solid screening barrier. All exterior trash, recycling, and storage utility boxes, service poles, ventilation systems, electric and gas meters, fire sprinkler valves and backflow preventers and transformers must be screened from

- public view either with landscaping, fencing or integrated into the design of the primary or accessory structure.
- d) Roof top equipment must be screened by the roof structure or by equipment screening from all pedestrian and vehicular views from adjacent and surrounding public streets.
 - e) Trash and recycling enclosures must be roofed in order to comply with storm water pollution prevention.
 - f) Private storage area for each multifamily unit must be provided with a minimum of 160 cubic feet of enclosed storage area, which must be provided in garages, carports or patio areas and in which one dimension must be at least six feet. Units or projects designed with individual garages for each unit are exempt from this requirement.
 - g) All accessory buildings (e.g., garages, sheds, recreation facilities) must incorporate the same design, materials, and colors as the primary building.

Part 3

Section 9-4.2501 Building Height (a)(2) of the Thousand Oaks Municipal Code is amended to read as follows:

“In the R-P-D Zone, except as described herein, no single-family dwelling shall exceed 25 feet in height. In the R-3 and R-P-D Zones, the maximum height for multi-family dwellings must not exceed 35 feet. Projects including 20 percent or more affordable housing units in the very and low-income categories are allowed to exceed 35 feet up to 45 feet as long as the taller portion does not cover more than 40 percent of the building footprint.”

Part 4

Section 9-4.2505. Side Yards (a) (2) of the Thousand Oaks Municipal Code is amended to read as follows:

“In the R-3 Zone interior lots shall have a side yard on each side of any building thereon. Multiple dwellings shall have side yards of eight (8') feet or more, and the sum of the side yards to the nearest foot shall equal or exceed sixteen (16') feet. Two (2) story walls with windows shall have a minimum side yard of ten (10') feet to a line midway between such walls. For accessory buildings each side yard shall be increased by at least one-half (1/2') foot for each two (2') feet, or fraction thereof, in height that any accessory building extends above fifteen (15') feet.

Part 5

Sec. 9-4.2804. Authority of the Community Development Director to approve permit applications (a) of the Thousand Oaks Municipal Code is amended to read as follows:

Sec. 9-4.2804. Authority of the Community Development Director to approve permit applications.

(a) The Community Development Director, or the Director's designee, shall have decision-making authority over the following permit applications:

(1) Development permits and planned development permits, where the proposed development complies with all of the conditions and limitations set forth in this chapter, and the guidelines and standards adopted pursuant to Section [9-4.1806](#) of this chapter;

(2) Residential planned development permits for the approval of construction plans for four (4) or fewer single-family detached dwellings within the Residential Planned Development (R-P-D) Zones;

(3) Precise plan of design applications filed pursuant to Article 18 of this chapter, except where Planning Commission review is required by said Article;

(4) Special use permits for the uses indicated in the Permitted Use Matrices in Sec. [9-4.2104](#) and Sec. [9-4.2105](#) of this chapter, as allowed by the applicable regulations of the underlying zone.

(5) Minor modifications to approved permits and variances, including time extensions as authorized by Section [9-4.2812](#)(e) of this article.

(6) Residential permits that are subject to and comply with Article 22 Objective Design Standards for Residential Development, unless otherwise allowed as a ministerial approval by state law."

Provided, however, that any such application which is considered by the Director to present a policy or precedent-setting matter shall be referred to the Commission for determination.

And Sec. 9-4.2804. (c) of the Thousand Oaks Municipal Code is amended to read as follows:

"Except for applications complying with Section 9-4.2804 (6), if a written statement opposing the application or requesting a public hearing is submitted to the Community Development Department prior to the proposed decision date as set forth in the notice of application, the Director shall not proceed with rendering a decision on the date specified in the notice of application, but shall instead schedule and hold at least one public hearing on the application in accordance with the provisions of this article. Notice of the hearing shall be provided in the manner required by Section [9-12.202](#) of this title."

Part 6

(Uncodified)
Severability

If any section, subsection, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this title; it being hereby expressly declared that this title, and each section, subsection, sentence,

clause and phrase hereof, would have been prepared, proposed, adopted, approved and ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Part 7
(Uncodified)
Effective Date

This Ordinance shall take effect on the thirty-first (31st) day following its final passage and adoption.

PASSED AND ADOPTED THIS (date to be added) by the following vote:

Ayes:
Noes:
Absent:

Bob Engler, Mayor
City of Thousand Oaks City Council

ATTEST/CERTIFY:

Cynthia M. Rodriguez, City Clerk
City of Thousand Oaks City Council

Date Attested: _____

APPROVED AS TO FORM:
Office of the City Attorney

Tracy M. Noonan, City Attorney

APPROVED AS TO ADMINISTRATION:

Andrew P. Powers, City Manager

The presence of electronic signature certifies that the foregoing is a true and correct copy as approved by the City of Thousand Oaks City Council on the date cited above.