



City of Villa Park

Residential Development Zoning Regulations & General Guidelines





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Overview

This document clarifies the procedures for complying with the City of Villa Park Zoning Regulations. The Zoning Regulations are formalized in the Villa Park Municipal Code. The purpose of this document is to provide an easy-to-read guide for homeowners to assist in the successful development of improvement projects of their property in order to maintain the attractive, high-quality, residential character of homes in the City of Villa Park.

In addition to this document, homeowners and their representatives should refer to the Villa Park Municipal Code for exact standards, to the available forms on various building issues, and to the Residential Design Guidelines. In the case where there is disagreement between this document and the Villa Park Municipal Code, the Code shall govern.

City Review Process

Construction and improvement projects often take on a life of their own. Villa Park's review process is straight forward in an attempt to streamline the experience. For major development projects, the City has three formal discretionary planning review processes. These are the Site Plan Review, the Conditional Use Permit, and the Variance Permit. The Site Plan Review process is an over-the-counter or quick review of the planned improvements to ensure consistency with the City's zoning guidelines. The Conditional Use Permit and Variance Permit processes are subject to public hearing requirements before the City Council and community. All of these processes are described in more detail as part of this document. Staff is available to assist you at any stage of the process; however, ultimate responsibility for preparation of any of the construction documents lies with the applicant.



Some projects may require building or engineering approval but not planning approval. These include interior renovations, curb and gutter work, and roofing projects. Irrespective of whether the project requires planning approval or can be approved as part of a non-discretionary building or engineering approval, plans are required.

Site Plan Review Permits

A Site Plan Review Permit is required for any exterior construction, addition, modification, alteration, enhancement, or improvement, to include minor structures and mechanical equipment.

Accessory buildings or structures that are twelve (12) feet in height or less (greater than 7 feet in height) and not enclosed may be approved through the Site Plan Review process provided they meet all other applicable zoning standards. Enclosed structures that are twelve (12) feet in height or less (greater than 7 feet in height) and less than 120 square feet may also be approved through the Site Plan Review process provided they meet all other applicable zoning standards. Typical structures falling under these guidelines include, but are not limited to, patio covers, barbecues, fireplaces, arbors, playhouses, sheds, and gazebos. Structures not meeting the above guidelines or structures that meet the guidelines but exceed other applicable zoning standards may require a Conditional Use or Variance Permit. For example, enclosed structures greater than seven (7) feet in height and more than 120 square feet require a Conditional Use Permit. Structures exceeding twelve (12) feet in height require a Conditional Use Permit.

As of March 2006, the Site Plan Review process (VPMC Article 23-23) includes an **architectural review** component. The process gives authority to the City Manager to conduct an architectural review of all Site Plan Reviews and to seek the assistance of third parties – non-interested architects, city planners, City Council subcommittees – in order to adequately review a proposal. The City Manager cannot deny an application; however, the City Manager can request modifications to an application in order to comply with the zoning code. If the applicant does not wish to comply, they can either withdraw their application or appeal, within ten days, to the City Council. The City Council will use the following findings with regard to conducting the public hearing:

- a. The architectural integrity of an established neighborhood is not diminished nor substantially changed based on the proposed application.
- b. The proposed development is in general conformity with the predominant style or is reasonably compatible with a theme of styles present in the neighborhood.
- c. The neighborhood is deemed to be of transitory nature in which the proposed architectural style, if reasonably believed to be replicated within the neighborhood, may lead to a subsequent predominant style.



The City Council will either grant the appeal, approve the application with conditions of approval, or deny the application.

At the time this document was published, the fee for a Site Plan Review Permit was \$125.00. One Site Plan Review Permit may cover multiple approvals on a single property. Based on the Site Plan Review, the proposal may require a Conditional Use Permit or Variance Permit, which necessitates a Public Hearing before Council.

Site Plan Review Submittal Requirements (3 sets of each document)

- All drawings must be clearly and legibly drawn to scale and accurately reflect existing and proposed conditions of the property.
- If there is a Homeowner's Association applicable to your property, a letter of approval from the Association is required.
- Names, addresses, telephone numbers, and license numbers (if applicable) of any and all architects, designers, engineers, and contractors shall be visible on the plans.
- Prepared plans showing the following minimum information:
 - Address of the project site-
 - Outline of all existing structures on the site and area of proposed construction showing location, size, and setbacks from property lines
 - Applicable scale with directional indicators
 - Property lines of the subject property, including dimensions
 - Property data and calculations showing
 - Lot dimensions and net lot area
 - Floor Area and Lot Coverage Ratios expressed in figures and percentages (See Table 1 below)
 - Existing and proposed building areas
 - Building setback requirements and proposed building setbacks
 - Existing and proposed building heights
 - Exterior elevations and floor plans for all proposed and existing structures
 - Location of structures on adjoining properties showing setbacks from property lines
 - Street names, locations and width of right-of-way
 - Easements, location, purpose and width
 - Walls and fences, existing and proposed, showing type, location, and height
 - Landscaped areas, existing and proposed – showing screening vegetation where required.
 - Topography to include any proposed grade changes using applicable contour lines
 - Material finishes for exterior of all structures



Conditional Use Permits

A Conditional Use Permit is required for:

- all structures exceeding 12 feet in height
- any new construction or addition to existing homes exceeding 25 feet in height
- any addition bringing the total number of garages spaces on the property to 4 or more
- any increase in the maximum allowable floor area ratio
- any increase in the maximum allowable lot coverage ratio for two-story structures (24%) up to a maximum of 32%
- any principal use on a property identified under VPMC Section 23-6.3
- any accessory use of the property not specifically identified under the Code

At the time this document was published, the fee for a Conditional Use Permit was \$325.00. Conditional Use Permits run with the land and continue to be valid upon a change of ownership. Since each structure can be destroyed independently or modified independently, a separate Conditional Use Permit is required for each independent structure triggering the requirement of a Conditional Use Permit. Each additional Conditional Use Permit beyond the initial permit is \$250.00.

In order to give the use regulations the flexibility necessary to achieve the objectives of this chapter, in certain zones conditional uses are permitted, subject to the granting of a conditional use permit. Because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to the objectives of the zoning regulations and with respect to their effects on surrounding properties. In order to achieve these purposes, the City Council is empowered to grant and to deny applications for use permits for such conditional uses in such zones as are prescribed in the zone regulations and to impose reasonable conditions upon the granting of conditional use permits. In all cases, the City Council has the final authority in the granting of conditional use permits.

For a Conditional Use Permit to be approved, the City Council must make findings of fact that establish that the circumstances in the paragraphs below do apply.

- That the proposed location of the conditional use is in accord with the objectives of the Municipal Code and the purpose of the zone in which the site is located.
- That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
- That the proposed conditional use will comply with each of the applicable provisions of the Municipal Code, except for approved variances.



A Conditional Use Permit requires a Public Hearing before the City Council. The Conditional Use Permit constitutes a discretionary approval by the City and the City Council may add those conditions and requirements deemed necessary to ensure that the project is consistent and compatible with the surrounding neighborhood. *Applications for the Permit must be submitted to the City by the first Tuesday in any month to be eligible for the Council Agenda on the fourth Tuesday of that same month. Decisions by the City Council are final. Following the denial or revocation of a Conditional Use Permit, no application for the same or substantially the same Conditional Use Permit on the same or substantially the same site shall be filed within one year of the date of denial or revocation.*

Variance Permits

A Variance Permit is required for:

- any fence or wall exceeding the maximum allowable height
- any reduction in any required setback – front, rear, or side
- any structure exceeding the maximum allowable height (15 feet for detached structures and 32 feet for main residences)

At the time this document was published, the fee for a Variance Permit was \$325.00. One Variance Permit may cover any and all issues requested for the property that require review through a Variance Permit. Variance Permits run with the land and continue to be valid upon a change of ownership.

A Variance from the terms of the zoning chapter shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning chapter deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

For a Variance to be approved, the City Council must make findings of fact that establish that the circumstances in the first three paragraphs apply and that either the fourth or fifth paragraph applies. Variances from the zoning code are discouraged.

- That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of this chapter.
- That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to other properties in the same zone.



- That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the same zone.
- That the granting of the variance will not constitute the granting of a special privilege inconsistent with the limitations on other properties classified in the same zone.
- That the granting of the variance will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

A Variance Permit requires a Public Hearing before the City Council. The Variance constitutes a discretionary approval by the City and the City Council may add those conditions and requirements deemed necessary to ensure that the project is consistent and compatible with the surrounding neighborhood. *Applications for the Permit must be submitted to the City by the first Tuesday in any month to be eligible for the Council Agenda on the fourth Tuesday of that same month. Decisions by the City Council are final. Following the denial or revocation of a Variance, no application for the same or substantially the same Variance on the same or substantially the same site shall be filed within one year of the date of denial or revocation.*

Conditional Use Permit and Variance Permit Plan Submittal Requirements (11 sets of each document)

- All drawings must be clearly and legibly drawn to scale and accurately reflect existing and proposed conditions of the property on paper no smaller than 11" x 14".
- *If there is a Homeowner's Association applicable to your property, a letter of approval from the Association is required.*
- Names, addresses, telephone numbers, and license numbers (if applicable) of any and all architects, designers, engineers, and contractors shall be visible on the plans.
- Prepared plans showing the following minimum information:
 - Address of the project site
 - Outline of all existing structures on the site and area of proposed construction showing location, size, and setbacks from property lines
 - Applicable scale with directional indicators
 - Property lines of the subject property, including dimensions
 - Property data and calculations showing
 - Lot dimensions and net lot area
 - *Floor Area and Lot Coverage Ratios expressed in figures and percentages (See Table 1 below)*
 - Existing and proposed building areas
 - Building setback requirements and proposed building setbacks
 - Existing and proposed building heights



- Exterior elevations and floor plans for all proposed and existing structures
- Location of structures on adjoining properties showing setbacks from property lines
- Street names, locations and width of right-of-way
- Easements, location, purpose and width
- Parking areas
- Walls and fences, existing and proposed, showing type, location, and height
- *Landscaped areas, existing and proposed – showing screening vegetation where required. If a landscape plan is not submitted with the original application, a condition of approval will require submittal and approval of a landscape plan prior to completing any required plan check.*
- *Topography to include any proposed grade changes using applicable contour lines*
- Material finishes for exterior of all structures
- Photographs of existing house and area of remodel, if work will be visible from the street
- Photographs of neighboring structures both adjacent to and across the street from the property, if applicable
- 2 sets of self-adhesive mailing labels for all persons whose names and addresses appear on the most recent assessment role for Orange County as owning property within a distance of 300 feet from the exterior boundaries of the property to which the permit pertains. A radius map showing the property in question and the 300-foot radius must be included. The radius is measured by traversing 300 lineal feet from every corner of the subject property. All properties within the radius, even if they intersect the radius line must be notified.
- An original letter of authorization is required where the property owner is not the applicant. The letter shall state that the applicant has the owner’s permission to file the subject request on the property. The owner or an authorized agent must sign the letter.
- A letter, written by the applicant that clearly describes and explains the requested application and how the proposed project is justified in reference to municipal code regulations pertaining to the Conditional Use Permit or Variance Permit.

Table 1 – Lot Coverage and Floor Area Calculations (Example)

Tabulations	
Existing Lot Area	20,000 Square Feet
Allowable Lot Coverage (24% - 2 story)	4,800 Square Feet
Allowable Maximum Floor Area (32%)	6,400 Square Feet
Existing First Floor Living Area	2,050 Square Feet
Proposed First Floor Addition	350 Square Feet
Total First Floor Living Area	2,400 Square Feet



Existing Garage Area	620 Square Feet
Total Proposed Garage/Storage	<u>800 Square Feet</u>
Total Proposed Lot Coverage	3,820 Square Feet
Lot Coverage Percentage	19%
Existing Second Floor Living Area	<u>1,550 Square Feet</u>
Total Proposed Living Area	5,370 Square Feet
Total Proposed Floor Area	26.9%

Garage area counts toward floor area ratios. The footprint of the residence and all other covered or enclosed structures count toward lot coverage.

General Notification of Neighbors

For a Conditional Use Permit or Variance Permit, surrounding property owners within 300 feet are notified by mail and the property is posted with a public notice identifying the proposed request and the date of the Public Hearing before the City Council. Projects permitted under the Site Plan Review process do not have a noticing requirement. However, as a courtesy and strongly recommended, homeowners are encouraged to notify neighbors of any impending construction activity. Sudden construction activity without prior warning can be upsetting to neighbors.

To produce the radius map and address labels required for notification, the applicant may complete the requirement on their own through the County of Orange Clerk Recorder's Office (least expensive method) or use a radius mapping service. The City does not recommend any one firm but maintains a list of firms for resident review.

Select Building & Zoning Regulations

Each lot has a buildable area established by its front, rear, and side yard setbacks. Setbacks vary for each lot and define where a structure may be built. Buildable areas are established to ensure that adequate spacing is maintained between a house and neighboring structures and rights-of-way. All structures, including accessory buildings, decks, covered walks, breezeways, and trellises must be located within the buildable area with the following exceptions:

- For main structures, eaves, cornices, canopies or cantilevered roofs may project a maximum of 40 percent into any required side setback and 25 percent into any required front or rear setback, and 40 percent into the space required between buildings on the same site, but in no event shall such be closer than 2 feet to any front, side, or rear property line.
- For accessory structures, eaves, cornices, canopies or cantilevered roofs may project a maximum of 30 inches into any required setback area.



- Balconies, decks, porches, terraces, exterior steps in excess of 30 inches in height and exterior stairways (unroofed and unenclosed) may project not more than 3 feet into any required side setback area and not more than 5 feet into a required front or rear setback area, but in no event shall such be closer than 2 feet to any side property line or 3 feet to any front or rear property line.

For lots in the E-4 Small Estate Residential Zone, setbacks for the main structure are:

- Front Setback = 30 feet from the property line
- Rear Setback = 25 feet from the rear property line
- Side Setback = 10 percent of the average lot width with a minimum of 10 feet and a maximum of 20 feet

For lots in the R-1 Residential Zone, setbacks for the main structure are:

- Front Setback = 20 feet from the property line
- Rear Setback = 25 feet from the property line
- Side Setback = 5 feet from the property line

Setbacks for detached structures over 7 feet in height are:

- Front Setback = 50 feet from the property line
- Rear Setback = 10 feet from the property line for E-4 and 5 feet for R-1
- Side Setback = 10 feet from the property line for E-4 and 5 feet for R-1
- Exterior Side Setback for vehicular access = 20 feet (garages and carports)
- Exterior Rear Setback (rear abuts public street) = 20 feet

Setbacks for detached structures less than 7 feet in height are:

- Front Setback = 30 feet from the property line for E-4 and 20 feet for R-1
- Rear Setback = 3 feet
- Side Setback = 3 feet

Street curbs do not represent property lines. Property lines are approximately seven feet behind curb lines; however, this is not exact and a property line survey is recommended to determine the exact location of any property line. A parcel or plat maps is available at City Hall to assist in the determination of property lines and lot dimensions. However, these maps will not reflect the actual physical location of property lines. A physical survey is typically required to get an exact location.



Lot Coverage and Floor Area

Lot coverage is the relationship between the gross building size of all buildings on the site measured to the exterior face of the walls, including courtyards enclosed on all sides, and the net area of the site. The net area is calculated by deducting from the gross lot size any ultimate street rights-of-way and all easements for vehicular use that prohibit the surface use of the site. Swimming pools and lattice patio covers which are at least 50 percent open, do not exceed 12 feet in height and are open on all sides, except where attached to the main structure, do not constitute buildings for the purposes of the lot coverage calculation. Each residential zone has its own specific lot coverage maximums. If any structure exceeds 1-story, the 2-story maximum applies.

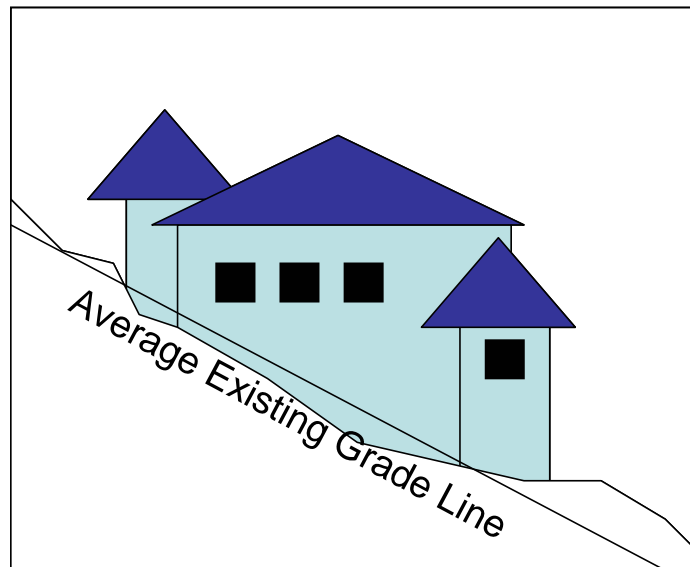
- For the E-4 Zone, lot coverage is limited to 32 percent for 1-story and 24 percent for 2-story.
- For the R-1 Zone, lot coverage is limited to 40 percent for 1-story and 30 percent for 2-story.

Floor area is the relationship of the gross floor area of all floors of all structures on the property to the total gross area of the lot. The calculation includes any detached structures on the property and garage space. Each residential zone has its own specific floor area maximums.

- For the E-4 Zone, floor area is limited to 32 percent of the gross lot area
- For the R-1 Zone, floor area is limited to 40 percent of the gross lot area

Height Restrictions

All structures are subject to a maximum height limit. A building's height is measured from the average existing grade, previously approved grade, or from the averaged level of the finished ground surface within 4 feet adjacent to the building, to the highest point of the building, whichever is the most restrictive. On flat ground, a building is typically measured vertically from the exterior grade at the foundation to the building's highest point. On sloping lots, height is typically measured from average existing grade.



Generally, chimneys may exceed the height maximum to comply with building code requirements.

The maximum height of any accessory building or structure is limited to 15 feet.



The maximum height of any main structure is limited to 25 feet. To exceed 25 feet, a Conditional Use Permit is required. The maximum height of any main structure approved through a Conditional Use Permit is 32 feet.

Garages, Carports, Driveways, and Frontage

Each residence in the City must have a garage with a minimum of 2 enclosed garage spaces. The addition of 4 or more garages spaces requires approval through a Conditional Use Permit. Carports are allowed, but cannot take the place of the minimum required garage spaces.

All driveways must be concrete, asphalt, or other properly engineered and stabilized material. Gravel is not a permitted material.

The following requirements apply to all driveways:

- The driveway may not encroach more than 10 feet upon a curb return that has a radius greater than 22 feet.
- The driveway may not be located closer than 22 feet measured along the curb from any existing or proposed driveway entering a parcel of land under a single ownership.
- The maximum frontage of a lot permitted to be a driveway shall be 45 feet.
- The maximum permitted width of a driveway shall be 40 feet.
- The maximum number of driveways permitted on a single parcel under a single ownership is:
 - 1 for less than 50.99 feet
 - 2 for 51 feet to 199.99 feet
 - 3 for 200 feet to 359.99 feet
- Driveways shall be designed to avoid the removal of existing trees.

Street Dedications and Curb and Gutter Work

On any property, when any permit is issued for the erection, construction, enlargement, or structural alteration of any building or structure that exceeds 300 square feet of floor area, the property owner must dedicate for public use the street right-of-way and other easements designated as necessary on any public street. The property owner must also construct or cause to be constructed, where required, sidewalks, curbs and gutters, pavement, recreational trails, driveway approaches, sewers, and necessary drainage facilities.

An Encroachment Permit is required before work may be conducted on any driveway apron or approach.



Roofs

Since a roof is one of the more visible features of a home, it is important that special attention be paid to its color and design. Class A roofing materials are required.

Plumbing vents and flue terminations should be routed to the rear of the property and mechanical equipment should be combined and/or chase enclosed whenever possible.

Shiny, reflective, or very light colored roofing material should be avoided to avoid undue glare on hillside properties.

All satellite dish antennas, including support structures, and wiring must be completely screened from the view of adjacent properties or from public/private roadways through the use of walls, fences and/or landscape materials.

Grading and Drainage

All grading for buildings should preserve or restore the natural shape of the land wherever possible. To minimize the need for grading and to avoid high retaining walls, cut is preferable to fill in the formation of building pads. Drainage across neighboring properties is prohibited. All drainage must be to the street and/or to an approved drainage system.

Second Dwelling Units

Second dwelling units are permitted in the City of Villa Park subject to approval of a Site Plan Review, if all other zoning and building standards are met. Detached units must comply with applicable setback, size, screening, and height conditions for detached structures. Structures must be reasonably screened from view from neighboring properties. Second Dwelling Units are not allowed in the front yard area, as defined, unless physically attached to the primary unit and accessed through the primary unit. Attached shall mean the physical sharing of a common wall between two enclosed, habitable structures. Secondary units may be rented out, however, no more than two persons may reside in a secondary unit and the property owner must reside in the primary unit. At least one independently accessible parking space must be maintained for the unit and said parking space shall not be provided for in any required side yard or rear yard setback.

In general, secondary dwelling units are limited based on the size of the lot:

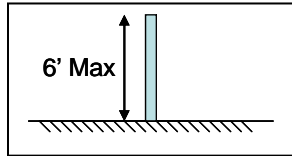
Lot Size	Second Unit Size
Up to 13,000 sq. ft.	640 sq. ft. max
13,001 to 18,000 sq. ft.	900 sq. ft. max
18,001 sq. ft. and above	1200 sq. ft. max

A separate fact sheet on secondary dwelling units is available.

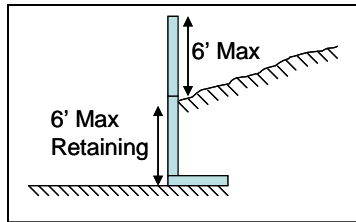
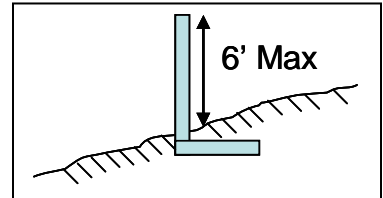


Fences and Walls

The maximum height of any fence or wall constructed within the first 20 feet of any required front setback is 42 inches.



The maximum height of any fence or wall constructed on or across a flat elevation is 6 feet. The maximum height of any fence or wall constructed on a sloped or terraced elevation is a minimum as required by law and a maximum of 6 feet from the high side elevation and unlimited on the low side elevation. All exposed retaining walls may not exceed a height of 6 feet. Therefore, the maximum allowable downslope or low side height is 12 feet.



Any fence or wall constructed within 5 feet of any ultimate street right-of-way is limited to a height of 6 feet.

Corner cut offs must be maintained for corner properties.

Any fence or wall constructed within 3 feet of any other fence or wall is considered one structure for the purposes of height measurement.

Construction Access and Working Time

Contractors must use the safest, shortest and most direct route to bring materials to any property under construction. Contractors must not cross any other property other than the one on which they are working. Repair of any damage to all rights-of-way or adjacent properties due to construction activities is the responsibility of the property owner.

All construction truck traffic must use designated truck routes wherever possible. The City has designated Villa Park Road and Wanda Road as designated truck routes through the City. Other streets may be utilized under direct routes to a construction project only. **Loma Street at Cannon Avenue shall not be used as an entry or exit point for truck traffic.**

Noise sources associated with construction, repair, remodeling, or grading of any real property may take place between the hours of 7 a.m. and 8 p.m. on weekdays, 8 a.m. and 8 p.m. on Saturday, but at no time on Sundays or Federal holidays. Construction Contractors shall not work on Sundays and may be subject to criminal penalties.



Swimming Pools and Spas

All pool and spa plans must show accessory structures, drain provisions, fencing, and proposed changes in plantings, if any. All pool and spa areas must be fully enclosed pursuant to building code requirements. All pools and spas must be upgraded to include anti-entrapment drains when any building permit is pulled.

Swimming pools may be located on any portion of a building site except within the front 20 feet of the front setback area. Large pool structures such as slides, rock formations, and other accessory equipment are required to comply with applicable setback requirements based on their height.

Utility Lines

All new utility service lines shall be underground.

The Edison Company maintains a fund for use by local agencies to underground existing utility lines. This fund is called the Rule 20A fund. In larger communities, this Fund provides a sufficient funding source that can be leveraged or augmented by City funding to underground sections of utility lines. However, due to Villa Park's size, the amount of funds in the City's Rule 20A account is insufficient to underground any amount of utility lines. Therefore, to underground large sections of the City's utility lines, the City would have to fund nearly the entire project. To underground approximately ¼ mile of regular lines, the City would incur a cost of more than \$500,000. If the lines are high-tension lines, the same distance more than doubles the cost.

General Information and Miscellaneous Regulations

Animals

Horses may be kept for recreational purposes only. Minimum lot sizes apply to a maximum number of horses allowed per lot.

<u>Square feet of lot size</u>	<u>Maximum Number of Horses</u>
10,000 to 14,000	2
15,000 to 24,000	3
25,000 to 34,999	4
35,000 to 44,999	5
Over 45,000	6

No person is allowed to keep, stable or stake any equine, bovine, swine, sheep, or goat within 50 feet of any dwelling or building (other than that of the owner) used principally for human habitation.

The keeping of wild, exotic or non-domestic animals is prohibited.



Antennas (Satellite)

In general, the City regulates the placement of all satellite antennas. Antennas will generally come in two types – large diameter dishes (3 feet to a maximum of 10 feet) and small diameter dishes (less than 3 feet). No portion of any large satellite dish may be located in the front yard, street side yard, or extend beyond a property line. For all antennas, whether large or small, the antenna itself, the support structures, and the wiring must be completely screened from the view of adjacent properties or from public and private roadways through the use of walls, fences and/or landscape materials except if doing so is in violation of Federal Communication Commission regulations. Building and/or electrical permits will be required for large antennas. The intent of the antenna regulations is to preserve the aesthetic beauty of Villa Park and its residential areas.

While the intent is to screen the antenna from view, small satellite dishes also have the following guidelines:

- They may be roof mounted and shall not exceed the zoning height allowable.
- They must be mounted on the rear one-half of the building site or the rear one-half of the building that is farthest from the front property line.
- If mounted on a sloping roof, the antenna must be mounted on the side that faces the rear of the property, on the lower two-thirds of the roof plane to which it is attached, and below the roof ridge or peak.
- The antennas may be mounted on the side of a structure but must face the rear or side yard and not intrude into any setback area.

Flags

Flag poles are permitted within the residential zone provided that the pole is placed such that if it were to fall, it would fall completely within the property of the owner.

The City does not regulate the placement of flags, holiday banners, or other temporary seasonal displays within the residential zone. Flag etiquette is encouraged when flying the American Flag. On a national level, the Federal Flag Code provides uniform guidelines for the display of and respect shown to the American Flag. The Code is designed for use by civilian groups or organizations. The Flag Code does not prescribe any penalties for non-compliance nor does it include enforcement provisions, rather, the Code functions simply as a guide to be voluntarily followed by civilians and civilian groups. A copy of the Flag Code can be found at www.senate.gov. California law provides that a person is guilty of a misdemeanor who knowingly casts contempt upon any flag of the United States or of the State by publicly mutilating, defacing, defiling, burning, or trampling upon it.



Landscaping and Trees

Development approvals will consider the impact of the project on surrounding neighborhood developments. Such impacts may require mitigation measures such as landscaping and other design elements. A development must not rely on the landscaping of a neighboring property to adequately screen a new view issue created by the addition of a second story or new window location. Property owners are required to maintain all trees and landscaping on their property such that it does not constitute a hazard. *It is the responsibility of the property owner to maintain any and all trees and vegetation planted within the right-of-way. Trees adjacent to the street must maintain a minimum height of 15 feet above the street right-of-way and 7 feet above the sidewalk. Further, new trees shall not be planted closer than 24 inches to a property line to ensure the mature tree will not damage the fencing.*

Except for driveways, paved walkways and parking areas, all of the required front and street-side setback areas are required to be landscaped. Within any residential zone, hardscape shall not cover more than 50 percent of the required front or street-side setback areas. All landscaping is required to be permanently maintained in a neat and orderly appearance.

Whenever any person applies for a building permit for the construction, reconstruction, remodeling or addition of any structure where such construction, reconstruction, remodeling or addition exceeds 300 square feet, the property owner must plant trees and install root control devices as deemed necessary by the City Engineer within the City right-of-way.

Noise

Noise sources associated with the maintenance (landscape maintenance, general maintenance around the home) of real property may occur only between the hours of 7 a.m. and 8 p.m. on weekdays, 8 a.m. and 8 p.m. on Saturdays, and 9 a.m. and 8 p.m. on Sundays. Noise from school bands, school athletic and school entertainment events, park and playground activity, emergency work, and permitted outdoor gatherings are specifically exempted from the noise ordinance.

Noise sources associated with construction, repair, remodeling, or grading of any real property may only take place between the hours of 7 a.m. and 8 p.m. on weekdays, 8 a.m. and 8 p.m. on Saturday, but at no time on Sundays or Federal holidays. This includes all construction permitted items.

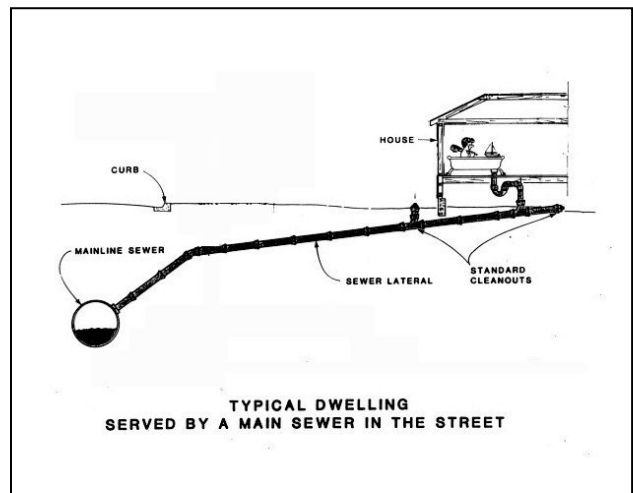


Recreational Courts

The construction of recreational courts and the necessary fencing and exterior lighting may be permitted through the Conditional Use Permit or Site Plan Review process. A Site Plan Review is required for all recreational courts without lighting. When lighting is added to the facility, a Conditional Use Permit is required. Light fixtures cannot be located closer than 10 feet to the nearest property line. Support poles for the light fixtures cannot be closer than 5 feet to the nearest property line. Light fixtures and/or poles cannot be higher than 22 feet from the court surface. No more than one light fixture is permitted per 600 square feet of court surface area. A maximum of 8 light fixtures are permitted. Recreational court lighting may only be operated during the hours of 7 a.m. and 10:30 p.m.

Sewers and Sewer Lateral Connections

All new property developments and new additions to property must connect to the City's sanitary sewer system. New septic systems are no longer permissible. The City maintains trunk lines and collector lines throughout the City. Connections to the City's system are through a series of sewer lateral connections from adjacent homes. Lateral connections are the responsibility of the adjacent property owner to maintain. The City cleans and clears ½ of the City's sewer system on an annual basis. Known problem areas are cleaned on an annual basis. Roots from adjacent trees can cause serious damage to the City's sewer systems and to adjacent private lateral systems. If the City's collector or main sewer lines are damaged or clogged due to roots from the trees of adjacent property owners, the adjacent property owner may be held liable for any resulting damage. It is always important to use the standard sewer cleanouts to clean and clear your private sewer laterals on a regular basis.



Water Quality Ordinance

The City of Villa Park has adopted a Water Quality Ordinance (Chapter XX of the Villa Park Municipal Code) that prohibits illegal discharges of polluted water into the public right-of-way, commonly referred to as city streets, gutter, and storm drains. The City is a co-permittee within the Santa Ana Regional Water Quality Control Board service area. All construction sites are conditioned to require that best management practices (BMPs) be implemented and maintained during the construction period. Further, City staff will respond immediately to sediment control/erosion violations and will issue a cease and desist order providing a short period of time in order to comply. In addition to



construction activities, actions such as draining your pool into the gutter/storm drain system is a violation of the Water Quality Ordinance. All pools must be drained into a permitted sewer connection. Pool water, if properly de-chlorinated, may be discharged into the gutter/storm drain system but it is requested that homeowners first contact the City prior to doing so.

Port-a-potties – Construction Restrooms

Port-a-potties are not allowed in the front setback of a residence. They must be located on a side yard or, if not practical, they must be sufficiently screened front the public right-of-way.

Portable Storage Containers

Portable Storage Containers, or Portable On Demand Storage (PODS), are not allowed to be stored in the front yard area. Storage, as defined in this instance, is the keeping of a storage container for more than seven (7) calendar days in any thirty (30) day period.



Definitions

1. Accessory Building or Structure

Accessory buildings or structures are defined as a subordinate building, located on a building site, the use of which is incidental to the main building or the use of the land on the same building site.

2. Buildable Area

The buildable area is the portion of a lot defined by its setbacks, easements and other lot coverage ratios upon which a structure may be built.

3. Building

A building is a permanent or portable structure having either an open lattice roof or fully covered roof supported by columns or walls.

4. Building Site

A building site is a legally created parcel, or contiguous parcels of land in single or joint ownership; which provides the area and the open spaces required under the City's Zoning Code, exclusive of all rights-of-way and all easements that prohibit the surface use of the property; which abuts a street or waterway; and which has a minimum of 20 continuous feet of vehicular and pedestrian access to a street or alley having a right-of-way width of not less than 20 feet.

5. Detached

For a structure to be detached it must have a physical separation of 2 inches or greater between structures. Where there are wall openings (windows and/or doors) on adjacent walls of two structures used for residential occupancy on the same lot, such structures shall be separated by a distance of not less than 10 feet.

6. Dwelling Unit

A dwelling unit means a building designed exclusively for residential occupancy with 1 or more rooms and a single kitchen.

7. Fence

A fence is any type of fence, wall used as fence, screens, hedges and thick growths of shrubs or trees.



8. Front Yard Area

A front yard area is the entire area, including the front setback area, from the front property line to any building line, between the side property lines.

9. Guest House

A guest house or 2nd dwelling unit is a detached building not exceeding 1200 square feet with a kitchen, bathroom and sleeping facilities.

10. Minor Structures and Mechanical Equipment

Minor structures and mechanical equipment includes trash enclosures, storage sheds or playhouses less than 120 square feet, dog houses, play equipment, fountains, enclosed water heaters, barbecues, garden walls, air conditions, pool filters, vents and other similar structures and mechanical equipment greater than 6 inches in height.

11. Right-of-Way

The right-of-way is the area or strip of land, either public or private, on which an irrevocable right of passage has been recorded for the use of vehicles or pedestrians or both.

12. Setback

A setback is the distance between the building and the property line or when abutting a street, the ultimate right-of-way line.

13. Structure

A structure is anything constructed or erected requiring a fixed location on the ground or attached to something having a fixed location on the ground except business signs. A structure shall include anything defined as a structure under the building code and shall include tents, tent canopies, shade covers, awnings, and other freestanding structures of a similar nature.



2006/7 City Council

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Mayor Pro Tem Bradley E. Reese
Councilmember Rich Freschi
Councilmember Deborah Pauly
Councilmember James Rheins

2006/7 City Staff

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Contract Engineering

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Building Inspector/Code Enforcement Bill Tarin
Construction Inspector Charlie Clarke

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