Planning and Building Agency
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R4 (SUBURBAN APARTMENT)

Sec. 41-290. **Applicability of division.** R4 (suburban apartment) districts are specifically subject to the regulations contained in this division.

Sec. 41-291. **Purpose.** The R4 suburban apartment district is authorized to provide for garden apartment development, regulated so as to cover a minimum of ground area and provide a maximum of open space. This zone will provide most of the desirable residential characteristics found in single-family residence areas.

Sec. 41-292. **Uses permitted in the R4 district.** The following uses are permitted in the R4 district:

(a) Bungalow courts.

(b) Apartment houses.

(c) One permanent resident manager's office devoted solely to the rental of the dwelling units on the same parcel provided said office and surrounding grounds retain a residential character.

(d) Accessory buildings.

Sec. 41-292.5. **Uses subject to a conditional use permit in the R4 district.** The following uses may be permitted in the R4 district subject to the issuance of a conditional use permit:

(a) Any use that may be permitted in the R1 district subject to the issuance of a conditional use permit pursuant to section 41-232.5.

(b) Care homes.

Sec. 41-294. **Development standards.**

(a) Any development in this district shall be surrounded by a solid redwood or cedar fence or solid masonry wall or combination thereof, the height of which shall be in accordance with the provisions set forth in section 41-610 of this chapter. However, nothing herein shall require the construction of the aforementioned fence along any property line abutting a street, alley, or at driveway entrances and exits.

(b) All required yards shall be landscaped and maintained in accordance with the approved landscape plan.

(c) Compliance with section 34-48 of the subdivision regulations, requiring alleys to the rear of all lots used or intended to be used for the construction of multiple-family residential structures of four (4) or more units, shall not be required in the event of the subdivision of properties zoned R4 provided said subdivision is developed within the terms and intent of the R4 district.

(d) Prior to the submission of development plans with the planning department, the owner or owner's engineer shall confer with the department of public works concerning the necessity for a runoff study based on a storm of a ten (10) year frequency, if said study is considered necessary by the director of the department of public works; it shall be filed with said department and shall show existing and proposed facilities and methods of draining the site and tributary areas without exceeding the capacity of any street, onsite or off-site. The plans shall be approved or conditionally approved and the minimum required improvements installed by the owner to assure adequate and reasonable drainage of the area to the satisfaction of the department of public works, prior to the issuance of a utility release by the building department for the development.

(e) If any parcel zoned R4 is to be developed in accordance with the provisions set forth for this district and, said parcel abuts a street not improved to city standard, the owner shall dedicate the necessary street easement to the city and improve said street so as to be in accordance with the design standards and specifications of this Code of Ordinances prior to the issuance of a utility release by the building department.

(f) All trash collection and garbage collection areas shall be surrounded on at least three (3) sides by a five (5) foot block wall with adequate access to and from these areas for trash and garbage collection vehicles.

(g) Due to the complexity of garden apartment development it is illogical and impractical to define herein an exact pattern for the arrangement of group dwellings for a parcel involving two (2) or more main dwellings; however it is the intent of this district to provide a functional and non-monotonous orientation of buildings with a maximum of open space around each main building consisting of courts, parkways and patio areas all oriented so as to provide separation of vehicular traffic from play areas and recreational areas for children and adults. Further, in order to more clearly define the intent of this district there shall be on file in the office of the planning department illustrations entitled "Guides to Suburban Apartment Development." Said illustrations shall be approved by resolution by the planning commission and city council and shall show the desirable arrangement of buildings and open space, but are not designs which must be copied in order to secure approval of development plans as required by the provisions of the R4 district.

(h) All off-street parking areas not under cover shall be screened from the view of surrounding residents or tenants of the project by shrubs and bushes the normal growth of which is not less than four (4) feet in height.

(i) All points of vehicular access to and from off-street parking areas and driveways onto public rights-of-way shall be approved by the director of public works of the city. Wherever a private driveway enters onto said public right-of-way, a stop sign shall be erected and maintained at such exit point to insure reasonable traffic safety all in compliance with the standard sign sheet on file in the office of the department of public works of the city.

(j) All driveways and off-street parking areas shall consist of two (2) inches of asphaltic concrete on four (4) inches of rock base or of materials and of a thickness approved by the director of public works which shall be of equivalent strength and life of said asphaltic concrete and rock base.

(k) All interior streets and private drives shall be constructed to the standard set forth in this Code of Ordinances prior to the dedication of any such streets to the city. Streets not so constructed need not be accepted by the city.

Sec. 41-296. Height limit. The height limit is:

(a) None except as limited in subsection (b) hereinbelow.

(b) When a lot in the R4 district is within one hundred and fifty (150) feet from property zoned A1, RE, or R1, on said R4 lot no main buildings shall exceed one (1) story and said one (1) story shall not exceed twenty (20) feet in height. Furthermore, when a lot in the R4 district is within three hundred (300) feet of property zoned A1, RE, or R1 on said R4 lot no main buildings shall exceed three (3) stories and said three (3) stories shall not exceed fifty (50) feet in height.

Sec. 41-297. Side yard.

(a) When any interior side property line of a lot in the R4 district abuts property in the A1, RE or R1 district, each dwelling shall have a required side yard along said side property line of not less than one (1) foot for each one (1) foot of building height of that particular dwelling.

(b) When any interior side property line of a lot in the R4 district abuts property in the R4 district or any other district not set forth in subsection (a) of this section, there shall be a required side yard along that side property line of not less than four (4) feet regardless of the height of the dwelling on the lot.

(c) When any interior side property line of a lot in the R4 district abuts a lot or lots having zone classifications of A1, RE, or R1 and any other district, subsection (a) of this section shall apply in the determination of the required side yard along that entire interior side property line.

(d) On corner lots, the side yard on the street side shall be not less than ten (10) feet.

Sec. 41-298. Rear yard.

(a) When any lot zoned R4 has a rear property line abutting property in the A1, RE or R1 district, each dwelling shall have a required rear yard of not less than one (1) foot for each foot of building height of that particular dwelling.

(b) When any lot zoned R4 has a rear property line abutting a lot in any other district not set forth in subsection (a) of this section, there shall be a required rear yard of not less than ten (10) feet.

(c) When any lot in the R4 district has a rear property line common to a property line of a lot or lots having zone classifications of A1, RE or R1 and any other district, subsection (a) of this section shall apply in the determination of the required rear yard along that entire rear property line.

Sec. 41-299. Minimum gross floor area. The following uses shall be subject to the following minimum square feet of gross floor area per unit exclusive of garages, carports and unenclosed porches and patios:

(a) Bachelor apartment: Four hundred fifty (450) square feet.

(b) One-bedroom apartment: Six hundred fifty (650) square feet.

(c) Two-bedroom apartment: Eight hundred (800) square feet.

Further, for each additional bedroom in excess of two (2) bedrooms in an apartment unit, there shall be an additional one hundred (100) square feet of gross floor area.

Sec. 41-300. Minimum lot area per dwelling unit.

(a) For any one (1) story, two (2) story, or three (3) story single-family dwelling, two-family dwelling, or multiple-family dwelling: Not less than one thousand five hundred (1,500) square feet of lot area per dwelling unit constructed therein.

(b) For any four (4) or more story single-family, two-family, or multiple-family dwelling: Not less than five hundred (500) square feet of lot area per dwelling unit constructed therein.

(c) Where an apartment development consists of more than one main building and said buildings vary in height, then subsections (a) and (b) set forth hereinabove shall be applied respectively for each main building depending on the height of each main building.

(d) For the purpose of this section only, if the topmost story of any dwelling unit proposed to be constructed in the R4 district is used for the housing of any mechanical equipment, such as air-conditioning facilities and elevator mechanisms, but is void of any dwelling unit, then said topmost story shall not be declared a story as defined in section 41-153.

Sec. 41-301. **Maximum lot coverage.** Not more than fifty (50) per cent of the total lot area shall be devoted to main and accessory building area, driveways, open or enclosed parking areas and covered patios. The remaining fifty (50) per cent of the total lot area shall be devoted to landscaping; lawn area: Noncommercial outdoor recreational facilities incidental to the residential development such as private swimming pools, putting greens and tennis courts; walkways; uncovered patio areas; fences and necessary fire-fighting equipment and installations as required in section 41-294, subsection (d) of this chapter; further, the open space required by this section shall be arranged and provided in such a manner that it is accessible and usable for the purpose intended herein. Said open space shall not be devoted to commercial agricultural pursuits or any other activity in conflict with the stated purpose of this section and district.

Sec. 41-302. **Off-street parking.** Off-street parking shall be provided in the manner prescribed in Article IV of this chapter. However, of the off-street parking required by Article IV, at least one parking space per unit shall be within a garage or carport. All additional parking stalls may be uncovered.

Sec. 41-303. **Subdivision of property developed under the R4 district.**

(a) Upon completion of a development of property in the R-4 district no portion of the property involved in said development shall be severed or sold unless said severed parcel and the development thereon comply with all provisions set forth for the R4 district. Further, the remaining parcel and development thereon shall also comply with said R4 district provisions. Nothing herein shall prohibit the sale of any one-family dwelling, two-family dwelling, multiple-family dwelling or any dwelling unit within a two-family or multiple-family dwelling provided all common open areas, required yard areas, recreational areas and similar areas constituting the required fifty (50) per cent open areas as set forth in section 41-301 are retained in trust or otherwise for the benefit of all tenants and owners of any interest of any of the structures on the original area developed as a unit. Further, prior to the issuance of a building permit or approval of the development plans as set forth in section 41-295, deed restriction prohibiting the alienation of all land areas not devoted to buildings

shall be recorded in the office of the county recorder of the County of Orange, California. Said restriction shall include a statement that said deed restrictions shall be irrevocable for a period of not less than thirty (30) years. A copy of said deed restrictions shall be filed with the planning department prior to the issuance of a building permit to the owner of the original project.