

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING FULLERTON MUNICIPAL CODE SECTION 15.17.070 RELATING TO DEVELOPMENT STANDARDS FOR MULTI-FAMILY ZONES, DELETING FULLERTON MUNICIPAL CODE CHAPTERS 15.10 AND 15.12 0AND FINDING THE ORDINANCE EXEMPT FROM CEQA PURSUANT TO CEQA GUIDELINES SECTIONS 15061(B)(3) AND 15305

WHEREAS, California state law requires every city to have a General Plan, including a Housing Element, which complies with the provisions of Government Code section 65580 *et seq.*

WHEREAS, one of the programs identified in the Housing Element requires adopting objective development standards that remove constraints to multi-family housing.

WHEREAS, FMC Section 15.17.070 revisions impose objective development standards and supersede Chapters 15.10 and 15.12 which impose subjective development standards which the City may no longer apply.

WHEREAS, during the Housing Element review process, the Department of Housing and Community Development provided guidance regarding maximum height limits and parking standards which this ordinance incorporates.

WHEREAS, the Planning Commission of the City of Fullerton, California held a duly noticed public hearing in compliance with FMC 15.72.040 and as required by state law to consider amendments to the Fullerton Zoning Code on February 12, 2025.

WHEREAS, at the close of the public hearing, the Planning Commission adopted Resolution No. PC-2025-01 recommending City Council adopt this Ordinance.

WHEREAS, City Council held a duly noticed public hearing on this matter on September 16, 2025.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FULLERTON ORDAINS AS FOLLOWS:

SECTION 1. Findings.

- A. The previous recitals are true and correct and are incorporated as if fully set forth herein.
- B. Adoption of this Ordinance represents good planning practices and is required by law as it implements a program of the Housing Element and implements the requirements of state law.

SECTION 2. Chapters 15.10 and 15.12 of the Fullerton Municipal Code are hereby deleted in their entirety.

SECTION 3. Section 15.17.070 of the Fullerton Municipal Code is hereby deleted, and a new Section 15.17.070 is hereby added to read as follows:

15.17.070. Site Development Standards for Multiple-Family Residential and Mobile Home Zone Classifications.

The following development standards apply to the R-G, R-3R, R-3, R-3P, R-4, R-5, and R-MH zones. For mixed-use development projects, refer to Chapter 15.18 (Mixed-Use Development). Where conflicts between provisions exist, the more restrictive standard shall apply.

A. Building Standards

1. Lot Standards

- a. Lot standards for Multiple-Family Residential Zones shall be as prescribed in Table 15.17.070.A.
- b. Exception: The permitted lot area per dwelling unit shall be 1,600 square feet per unit when at least 80 percent required parking is fully below natural grade or when two pre-existing, legal lots are consolidated into one lot of 20,000 square feet or greater, having access from a public alley.

	R-G	R-3R	R-3/ 3P	R-4	R-5	R-MH
Minimum lot area	7,200 SF	8,800 SF	10,000 SF	20,000 SF	30,000 SF	5 acres
Minimum lot area per dwelling unit	3,600 SF	2,200 SF	1,600 SF	1,150 SF	N/A	4,000 SF
Maximum lot coverage	60%	60%	60%	60%	60%	70%

2. Setbacks Standards

- a. Building setback standards for Multiple-Family Residential Zones shall be as prescribed in Table 15.17.070.B and as illustrated in Figure 1.
- b. Exception: When the combined area of the required setbacks from public streets exceeds 25 percent of the total lot area, said setbacks may be reduced so as not to exceed 25 percent of the total lot area, subject to the approval of the Director of Development Services.
- c. The following elements are allowed to encroach into the setback:

- i. Walls and fences per § 15.17.070.B.3
- ii. Landscaping per § 15.17.070.B.4.

Table 15.17.070.B Minimum Building Setbacks for Multiple-Family Residential Zones			
	R-G, R-3R, R-3, R-3P, R-4, R-5	R-MH	
Along Street (A)	15 feet	15 feet	
Along Side Street (B)	15 feet	15 feet	
Along Alley (C)	5 feet (1)	5 feet	
Along Interior Lot Line (D)	5 feet (1)	10 feet	

- (1) Setback standard is applicable to the ground floor (i.e., at finished grade). See § 15.17.070.A.3 (Step-Back Standards) for upper-story step-backs.

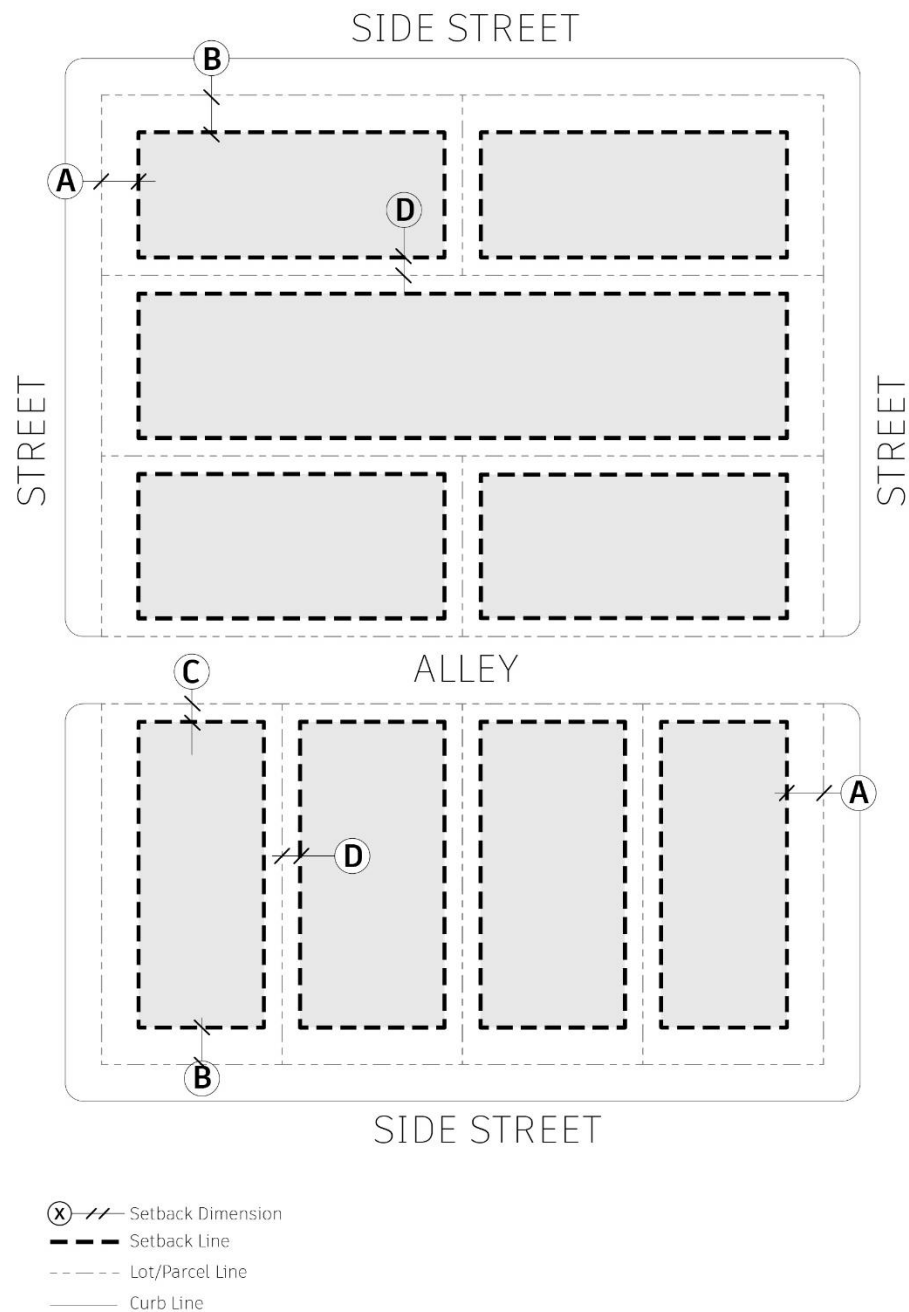


Figure 1. Building Setbacks

3. Step-Back Standards

- Building step-back standards for Multiple-Family Residential Zones shall be as prescribed in Table 15.17.070.C and illustrated in Figure 2.

- b. Building step-backs shall be measured from the setback line.
- c. Building step-backs shall occur for a minimum of 70 percent of the total façade length.
- d. The following elements are allowed within the step-back:
 - i. Open space per § 15.17.070.B.
 - ii. Walls and fences per § 15.17.070.B.3.
 - iii. Landscaping per § 15.17.070.B.4.

Table 15.17.070.C Minimum Building Step-Backs for Multiple-Family Residential Zones	
	R-G, R-3R, R-3, R-3P, R-4, and R-5
	2 nd story and above
Street (front and side)	0 feet
Along Alley or Interior Lot Line	5 feet

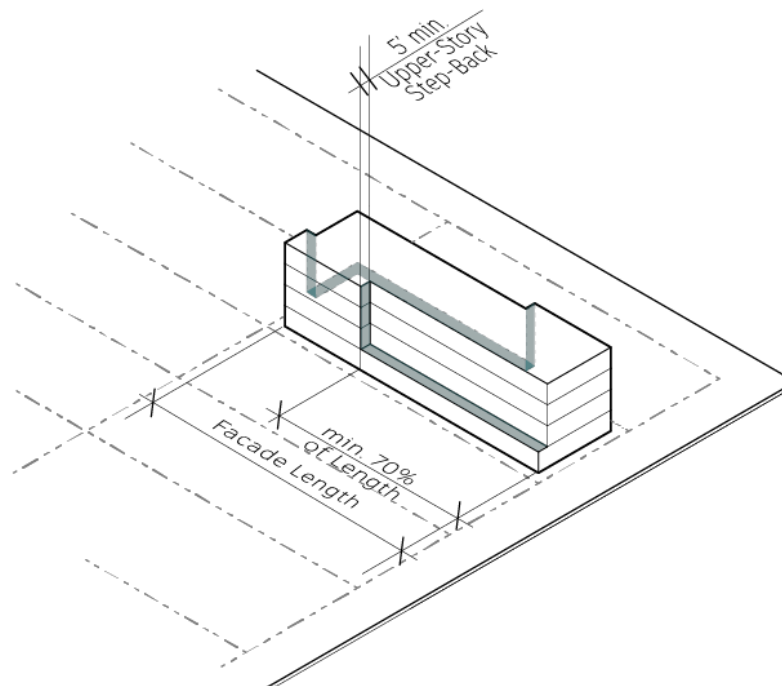


Figure 2. Building Step-Backs

4. Height Standards

- a. Building height standards for Multiple-Family Zones shall be as prescribed in Table 15.17.070.D.

- b. In the multiple-family residential zones R-3, R- 3P, R-3R, R-4, and R-5 where subterranean parking is used, and such parking area is a basement as defined in §15.04 (Definitions), then the story above said basement shall be considered the first story of the structure.

Table 15.17.070.D Maximum Height Requirements for Multiple-Family Residential Zones			
	R-G, R-3R, R-3, R-3P, R-4, and R-5		R-MH
Maximum height limit for development on those portions of parcels within 100 feet of a property line with an R-1 and R-1P zone classification	30 feet. If a multiple-family structure is located down-slope from an adjacent R-1 and R-1P zoned property, the following maximum height limits shall apply as illustrated in Figure 3. - For a grade differential of less than 20 feet, a 30 feet maximum height limit applies. - For a grade differential of more than 20 feet, a 40 feet maximum height limit applies.		35 feet
	R-G, R-3R, R-3, R-3P, R-4, and R-5		
Maximum height limit for development on those portions of parcels greater than 100 feet from a property line with an R-1 and R-1P zone classification	Unlimited		35 feet

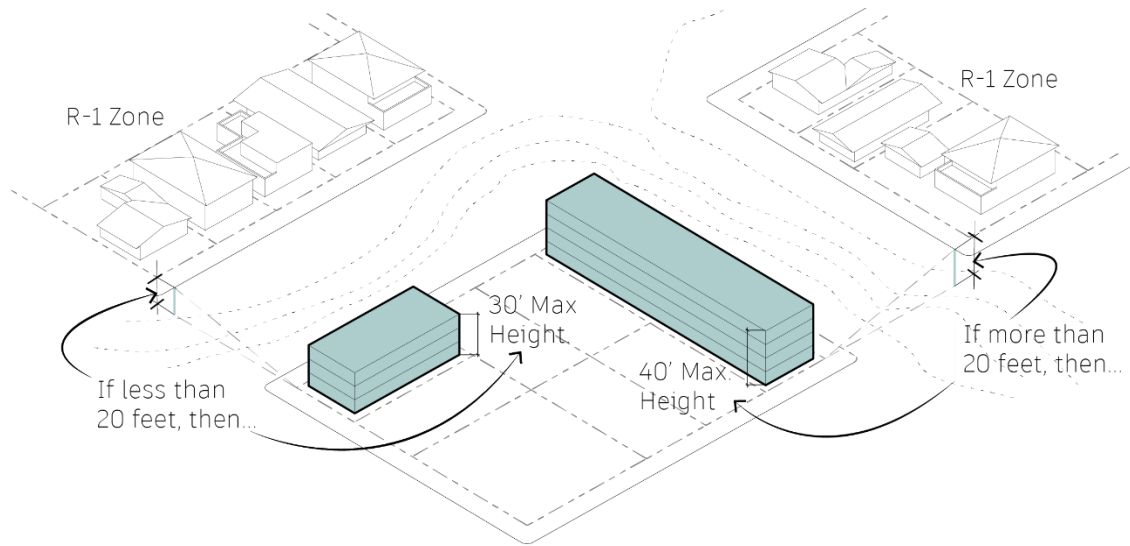


Figure 3. Maximum Building Height for Parcels within 100 feet of R-1 and R-1P Zones.

5. Façade Modulation and Articulation Standards

- a. Façade break. A building façade with frontage along a street shall not span a continuous horizontal length greater than 150 feet unless it includes at least one break or interruption in the façade with a minimum length of 20 feet and minimum depth of 5 feet, as illustrated in Figure 4.

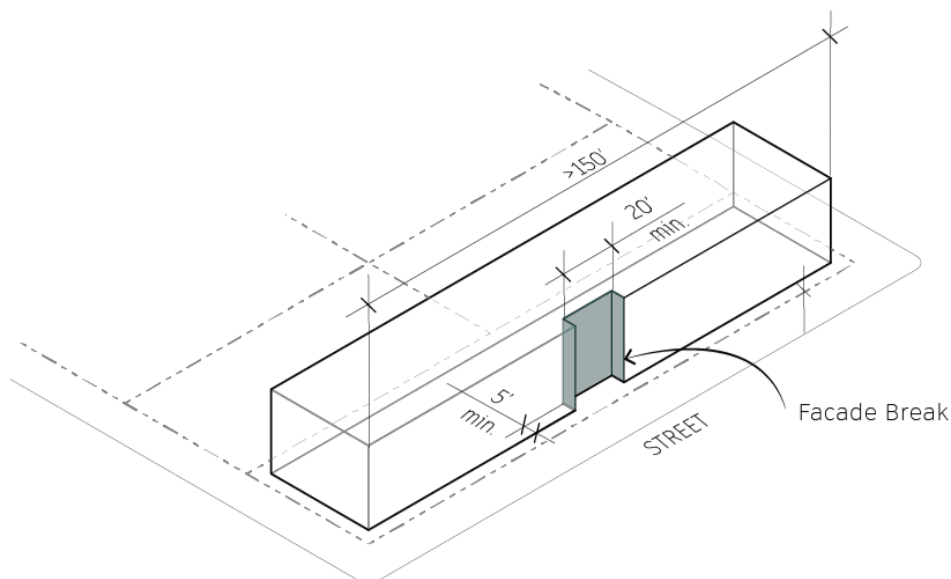


Figure 4. Façade Break

- b. Façade modulation and articulation. A building façade with frontage along a street shall not span a continuous horizontal length greater than 50 feet unless it articulates at least 25 percent of the total façade area utilizing at least one of the following techniques and as illustrated in Figure 5:

- i. Building step-backs, recesses/reliefs, and/or projections of at least 2 feet in depth,
- ii. Use of balconies, decks, porches, patios, and/or terraces, and/or
- iii. Use of awnings, trellises, canopies, lattices, louvers, sunshades, and/or other similar shading devices.

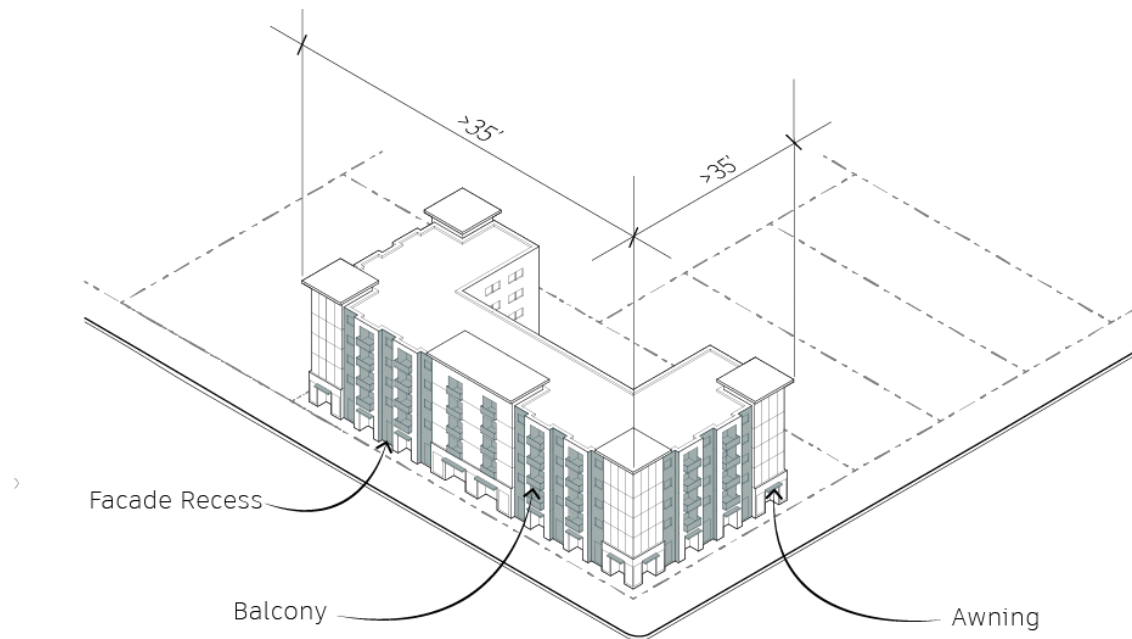


Figure 5. Façade Modulation and Articulation

- c. Blank facades. All building façades at each level shall not span a continuous horizontal length greater than 20 feet unless it includes a façade opening, such as window or door, as shown in Figure 6.

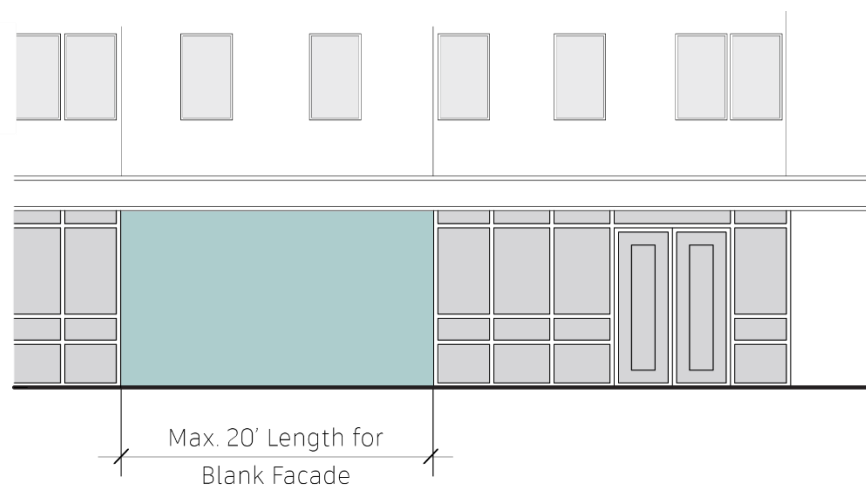


Figure 6. Blank Facades

6. Ground Floor Standards

- a. Building entries. Each building façade with frontage along a street shall provide a minimum of one ground floor building entry with a pedestrian connection, such as a sidewalk or walkway, to the street. All street-facing building entries shall be recessed a minimum of 30 inches from the façade.
- b. Ground floor dwelling units. Each individual ground floor dwelling unit with frontage along a street shall provide its own ground floor entry with a pedestrian connection, such as a sidewalk or walkway, to the street, as illustrated in Figure 7.

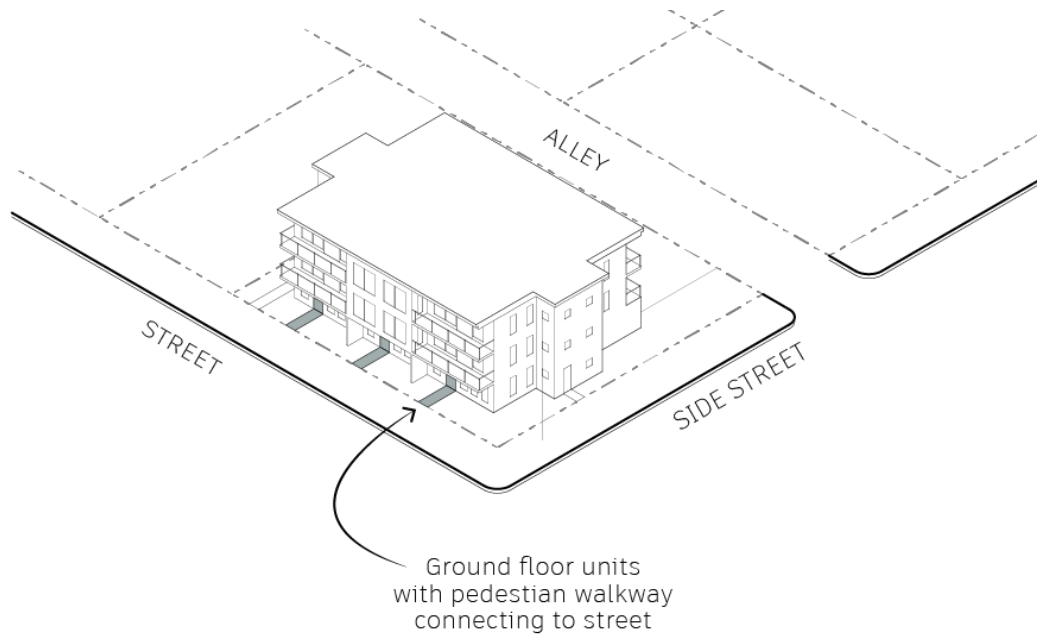


Figure 7. Entries for Ground Floor Dwelling Units

- c. Façade Openings. Each ground floor façade shall dedicate at least 25 percent of the façade area to façade openings, such as windows or doors, as illustrated in Figure 8. The use of tinted, mirrored, or reflective glass is prohibited.

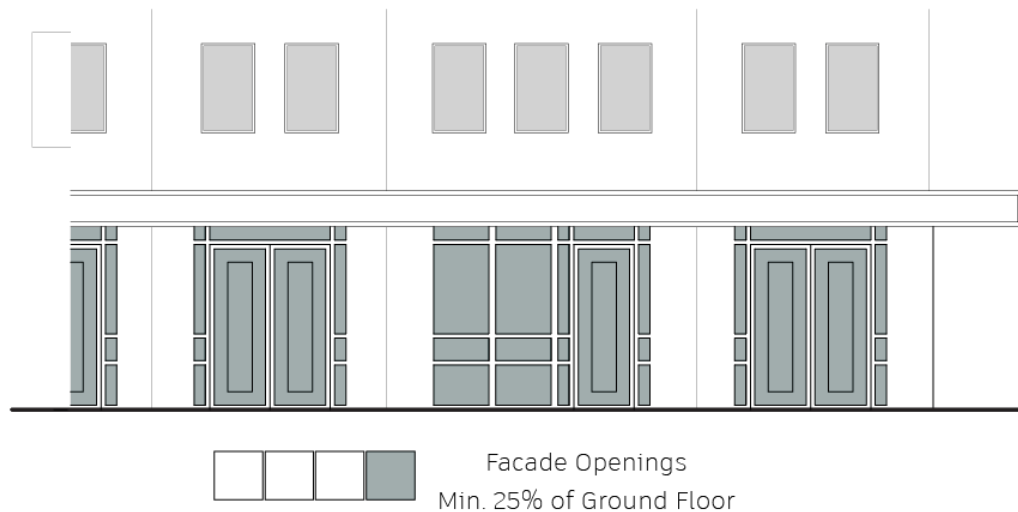


Figure 8. Ground Floor Façade Openings

B. Open Space Standards

1. Private Open Space Standards

- a. Private open space standards for Multiple-Family Zones shall be as prescribed in Table 15.17.070.E.
- b. Each residential unit shall provide at least one private open space that is usable in the form of a balcony, deck, porch, patio, or terrace that measures at least 6 feet in at least one direction.
- c. All such private open space areas may be counted on a one-for-one basis up to a total of one-third of the required open space.
- d. Private open spaces shall not include any portion of off-street parking space, driveways, turnaround areas, required street setback area, or any accessory building or rooftops, except those portions thereof used for outdoor living or recreational purposes. Private open spaces shall also not be included within any common open space and any private open space occurring next to any common area shall be separated by a fence or wall architecturally designed to match the building.
- e. In R-5 zones only, and only in those R-5 projects containing no dwelling unit of over one bedroom, up to 25 percent of any landscaped or recreational area developed and maintained above grade on top of buildings or site structures may be counted as open space rather than as covered space in computing total site coverage, provided that the area so counted shall not total more than 50 percent of the required site open space.

Table 15.17.070.E Private Open Space Requirements per Unit for Multiple-Family Residential Zones		
	R-G, R-3R, R-3, R-3P, R-4, and RM-H	
Minimum area of usable private open space required per dwelling unit	100 square feet	

2. Common Open Space

- a. Multiple-family residential projects shall provide common open space as “usable open space” as defined in 15.17.040.C (General Site Development Standards – Usable Open Space).
- b. Common open space standards for Multiple-Family Residential Zones shall be prescribed in Table 15.17.070.F based on the number of units and bedroom mix.
- c. Common open space shall be landscaped per 15.17.070.B.4 (Landscaping).

Table 15.17.070.F Common Open Space Requirements per Unit for Multiple-family Residential Zones					
Number of Bedrooms per Dwelling Unit	R-G, R-3R	R-3/ R-3P	R-4	R-5	R-MH
Studio	600 SF	400 SF	300 SF	200 SF	750 SF
1	600 SF	400 SF	300 SF	200 SF	750 SF
2	800 SF	600 SF	450 SF	300 SF	750 SF
3	1,000 SF	800 SF	600 SF	400 SF	750 SF
Additional bedrooms	200 SF each	200 SF each	150 SF each	100 SF each	N/A

3. Fences and Walls

- a. Applicability. Fences and walls for multiple-family residential projects shall be regulated as outlined in § 15.17.050.G (Fences and Walls).

4. Landscaping

- a. Applicability. Landscaping for multiple-family residential projects shall be regulated as outlined in Chapter 15.50 (Landscaping and Irrigation Requirements) for the following:
 - i. Installation of new landscaped areas; or
 - ii. Rehabilitation of existing landscaped areas where affected landscaped area is equal to or greater than 2,500 square feet.
 - iii. Installation of new landscape areas less than 2,500 square feet in aggregate may opt to comply instead with the prescriptive measures contained in Chapter 15.50 Appendix A.
 - iv. New or rehabilitated projects using treated or untreated graywater or rainwater captured on site, any lot or parcels within the project that has less than 2,500 square feet of landscape area and meets the lot or parcel's landscape water requirement (Estimated Total Water Use) entirely with the treated or untreated graywater or through stored rainwater captured on site is subject only to Appendix A Section (5).
- b. Setbacks. All street and alley setbacks shall be landscaped except for pedestrian and vehicular access ways, or other non-irrigated areas designed for non-development (e.g., existing native vegetation).
- c. Parking Areas. All open parking areas shall be landscaped and shall provide the following:

- i. Planters with a total landscaped area of a minimum of 25 square feet per parking space or 8 percent of the total area of the open parking area, whichever is greater. Planters should be distributed throughout the open parking area.
 - ii. Trees with a total shaded area (e.g., the area under the tree canopy or dripline 15 years after installation) of a minimum of 50 percent of the total area of the open parking area. Trees should be distributed throughout the open parking area.
- d. Common Open Spaces. All common open space areas shall be landscaped and shall provide the following.
 - i. Landscaping. A minimum of 25 percent of outdoor common open space shall be a planted area with a minimum dimension of 30 inches in any direction.
 - ii. Trees. A minimum of one 24-inch box tree for every 500 square feet of outdoor common open space shall be planted within the common open space. For projects with 2 or more trees, a minimum of 50 percent of all trees planted shall be shade trees.
 - iii. For projects greater than 5 acres in size. Pedestrian accessways and publicly accessible usable open space shall be provided per 15.17.070.D.3.

C. Parking Standards

1. Off-Street Parking Standards

- a. Off-Street parking for Multiple-Family Residential Zones shall be regulated as outlined in § 15.17.080 (Parking Standards) and this section.
- b. Off-Street parking standards for Multiple-Family Residential Zones shall be prescribed in Table 15.17.070.G.

Table 15.17.070.G Off-Street Parking Requirements per Unit for Multiple-family Residential Zones			
	R-G, R-3R, R-3, R-3P and R-4	R-5	
Studio	1.25 spaces plus 0.25 guest spaces	1 space plus 0.25 guest spaces	
1 Bedroom	1.5 spaces plus 0.25 guest spaces	1 space plus 0.25 guest spaces	

2 Bedrooms	1.75 spaces plus 0.25 guest spaces	1.5 spaces plus 0.25 guest spaces	
3 or More Bedrooms	2 spaces plus 0.25 guest spaces	2 spaces plus 0.1 guest spaces	

- c. Exception: In R-5 projects for studio dwelling units, the required off-street vehicular parking may be reduced to 1 space per 2 dwelling units with a Conditional Use Permit.
- d. Exception: In the R-3, R-4 and R-5 zones, the required off-street vehicular parking may be reduced to 1 space per 4 dwelling unit for federally and state subsidized retirement complex with a Conditional Use Permit. In reviewing the Conditional Use Permit, the factors to be considered shall include, but not be limited to, the projected population of the proposed development, the design of the building or development in relation to the ability to provide additional parking if needed, the possibility of contractual limitations on the ownership of vehicles, and the site's proximity to shopping facilities, schools, recreation, and cultural opportunities.
- e. Exception: For projects within $\frac{1}{2}$ mile of public transit per California Government Code Section 65863.2, off-street parking minimum requirements shall be waived.

2. Vehicular Access and Layout Standards

- a. At-grade (surface) parking is prohibited within any street setback. Entry/exit openings, driveways, curb cuts, and access lanes for vehicular access, fire access, utilities access, or pedestrian access are exempt from this requirement.
- b. Above-grade structured parking facing a street shall be screened by landscaping or buildings so that it is not visible from the street. Entry/exit openings, driveways, curb cuts, and access lanes for vehicular access, fire access, utilities access, or pedestrian access are exempt from this requirement.
- c. Below-grade structured parking is exempt from street setback requirements.

D. Site Standards

Access and Circulation Standards

- a. In order of priority and subject to approval by the Community Development Director and the City's Traffic Engineer, vehicular access shall be provided from (a) an alley, rear street, or perimeter drive aisle, (b) a side street, (c) an existing or

relocated access point on a front street, and (d) a new access point on a front street.

2. Trash, Storage, and Mechanical Equipment

- a. Utility meters and connections, air conditioning condensers, ducting/venting, panels, roof ladders, and similar equipment shall be screened from view from the street (public and internal) and shall not be located within any required open space or setback area. Screening techniques range from the use of landscaping to placement in concealed rooms or closets for equipment on the ground. Roofs shall be of a form or height to provide screening for roof-mounted equipment. Alternatively, roof screening that is consistent with the architecture of the building may be used.
- b. No trash enclosure shall be located in any required open space or setback area, within direct view of a street. For projects utilizing exterior trash enclosures, the following requirements shall be met:
 - i. Enclosure shall be constructed of masonry with walls a minimum of six feet in height and finished to match the main building.
 - ii. Enclosure shall be finished with a solid roof designed to architecturally match the main building.
 - iii. Enclosure shall be finished with solid metal doors.
 - iv. Enclosure shall be provided with hose bib and floor drain connected to the sanitary sewer to facilitate regular cleaning.
- c. The outdoor storage of materials, products, supplies, and containers shall be prohibited.

3. Standards for Projects Greater than 5 Acres in Size

- a. Projects on sites with an area of 5 acres or more shall provide the following:
 - i. Pedestrian walkways shall connect all buildings in a project to each other, to on-site parking areas, to on-site publicly accessible open spaces, to other on-site amenities, and to the public sidewalk along each abutting public right of way. Pedestrian walkways shall be continuous. Where an interruption occurs, such as at a driveway, drive aisle, or street, the pedestrian walkway shall maintain a direct connection via a marked crosswalk or similar feature.
 - ii. A publicly accessible usable open space shall be provided, in addition to any required common open space, per the following:

- a. Open space shall provide a minimum area equivalent to 5 percent of the total floor area of the project.
- b. Open space shall be a usable outdoor space and may include, but is not limited to, parks, plazas, courtyards, paseos, arcades, or other similar open spaces that allow for public leisure, recreation, and/or gathering.
- c. Open space shall provide access to a public right-of-way and be usable, open, and accessible to all residents, tenants, patrons, and the public in a project at a minimum between 8am and 8pm.
- d. Open space shall provide at least one contiguous area with a minimum area of 400 square feet and a minimum length and width of 20 feet.
- e. Open space shall be landscaped for a minimum of 25 percent of the total area.
- f. Open space shall be hardscaped for a minimum of 25 percent of the total area.
- g. Open space shall provide a minimum of 1 seat for every 200 square feet of the total area, where seating may be permanent or movable and may be in the form of a chair, bench, ledge, low wall, or other similar usable seating arrangement.
- h. Required common open spaces shall not count towards required publicly accessible open spaces.

E. Additional Standards for the Mobile Home (R-MH) Zone

- 1. Any mobile home park shall have frontage on and vehicular access to a street having a minimum right-of-way width of 80 feet. No vehicular access way shall be permitted except on such street and only one vehicular access way shall be permitted per street frontage.
- 2. A decorative wall shall normally be constructed and maintained around the perimeter of mobile home parks except that along any public street it shall be set at the rear of the required setback. Under most circumstances said wall shall be 6 feet in height. However, the requirement for fencing and the type and height of such fencing may be varied in conformance with special topographical conditions, existing fences, or

specific design goals of the developer, subject to the approval of the Director of Development Services.

3. All required setbacks and all incidental open space within the mobile home park shall be landscaped and maintained in accordance with an approved landscaping plan.
4. Fire prevention and security features shall be provided in all mobile home parks as required by the Fire Chief.

SECTION 4. Any provision of the Fullerton Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

SECTION 5. CEQA. The City Council finds that this Ordinance is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3), the common sense exemption, and CEQA Guidelines section 15305, minor alterations in land use limitations. The Ordinance implements changes to development standards in order to provide objective standards and does not provide for any changes that would allow for additional development that would have any type of physical impacts. It can therefore be seen with certainty that there is no possibility of a physical effect on the environment. None of the exceptions to exemption set forth in CEQA Guidelines section 15330.2 are applicable.

SECTION 6. If any section, subsection, phrase or clause of this Ordinance is for any reason held to be unconstitutional, such decision will not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrases or clauses may be declared unconstitutional.

SECTION 7. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published in the manner required by law. This Ordinance shall become effective thirty days from and after its passage.

SECTION 8. The documents and materials that constitute the record of proceedings on which these findings and approval are based are located in the City Clerk's Office at City Hall, 303 West Commonwealth Avenue, Fullerton, CA. The Custodian of Records is the City Clerk who can be reached at (714) 738-6350.

ADOPTED BY THE FULLERTON CITY COUNCIL ON SEPTEMBER 16, 2025.

Fred Jung
Mayor

ATTEST:

Lucinda Williams, MMC
City Clerk

Date