

CHAPTER 19.86

SENIOR HOUSING OVERLAY ZONE (SHO)

Sections:

19.86.010	GENERAL
19.86.020	PURPOSE AND INTENT
19.86.030	QUALIFICATION FOR ELIGIBILITY
19.86.040	PERMITTED USES
19.86.050	AFFORDABILITY
19.86.060	AGE REQUIREMENTS
19.86.070	DEVELOPMENT INCENTIVES
19.86.080	DEVELOPMENT CRITERIA
19.86.090	APPLICATION AND APPROVAL PROCEDURE

19.86.010 GENERAL

Upon proper application, a Senior Housing Overlay zone may be combined with any of the City's conventional residential or commercial zone districts. When the Senior Housing Overlay or "SHO" zone is shown on the City's Zoning Map, it shall be combined with one of the City's applicable conventional districts. For example, the application of "SHO" overlay in the R-10,000 zone shall be shown as "R-10,000-SHO." Any lot designated by the SHO zone is subject to the land use and density/intensity provisions of the underlying zone district, except as provided herein. If provisions in the chapter differ from other provisions of this Code, including the development standards of the underlying zone, the provision of this chapter supersede and shall be applicable and controlling.

19.86.020 PURPOSE AND INTENT

A. Purpose

- 1) To encourage the development of senior housing that is compatible and complementary to its neighborhood context, is located near essential services and amenities required by seniors, and allows for or encourages neighborhood walkability.
- 2) To provide various incentives which are consistent with the State of California Density Bonus for senior housing projects.
- 3) To ensure that adequate affordable housing is provided to very low and moderate income senior citizens consistent with the Regional Housing Needs Assessment (RHNA) dictated by the State of California, Department of Housing and Community Development.
- 4) To facilitate the development of senior housing projects which are superior in functional design, quality of construction, appearance, and operational standards.

- 5) To ensure that the requirements of the Americans with Disabilities Act (ADA) and Universal Design principles are incorporated within senior housing developments.

B. Intent

This district is designed to provide for residential uses that are appropriate for the development of seniors, recognizing their unique lifestyles and needs, by allowing higher densities, a mix of uses, and requiring in return, higher design and construction standards, as well as the provision of specific site and building amenities. It is the intent of this zone to carry out the policies and objectives of all elements of the General Plan and to meet the standards necessary to satisfy the requirements for public health, safety, and general welfare.

19.86.030 QUALIFICATIONS FOR ELIGIBILITY

- 1) The Senior Housing Overlay (SHO) zone may be applied to any lot or group of contiguous lots having a total area of at least two (2) acres, but not more than seventy-five (75) acres (properties over 75 acres require a Specific Plan);
- 2) The underlying zoning must be either a residential or commercial district;
- 3) The surrounding land uses, both current and projected, must be compatible with the living environment required by seniors and be free from potential health and safety issues.

19.86.040 PERMITTED USES

Permitted land uses include those listed as Permitted, Accessory, or Conditional in the underlying zone district. Specific uses allowed within the SHO zone include multi-family residential, attached single-family residential, and detached single-family residential. Also permitted are facilities that provide ambulatory care and congregate care. Within the aforementioned use types, individual units may be rental, condominium, cooperative, or other form of fee-simple ownership.

19.86.050 AFFORDABILITY

A. *Projects Located Within a Redevelopment Area*

- 1) If a project is located within a Redevelopment Area, at least 30% of the dwelling units developed shall be available at affordable housing cost to persons and families of low and moderate income or as stipulated by SB 1190. This applies to both rental and ownership projects.
- 2) If a project is located within a Redevelopment Area, at least 50% of the 30% described above shall be available at affordable housing cost to very low-income households or as stipulated by SB 1190. This applies to both rental and ownership projects
- 3) The restrictions must remain available for the longer of: 30 years; or the period of land use controls established in the redevelopment plan for the project area. The City and/or the Redevelopment Agency of the City of Perris shall be named specifically in the Covenants, Conditions, & Restrictions (CC&R's) having the right to enforce the affordability restrictions.
- 4) The City reserves the right to require more stringent low-moderate income requirements under circumstances where the City or the Redevelopment Agency has provided financial assistance to the development..

B. *Project Not Located In a Redevelopment Area*

- 1) At least ~~5%~~ **3%** of the dwelling units developed shall be available at affordable housing cost to persons and families of low and moderate income. This applies to both rental and ownership projects.
- 2) At least 40% of the ~~5%~~ **3%** of the dwelling units described above shall be affordable housing to very low-income households. A project proponent may elect to provide more than the 40% to very low-income households. This applies to both rental and ownership projects.

19.86.60 AGE REQUIREMENTS

- 1) ~~For married or domestic partners~~ **At the time of purchase**, at least one **household** member must be 55 or older.
- 2) ~~For all other household types, all occupants must be 55 or older.~~

19.86.070 DEVELOPMENT INCENTIVES

- 1) Parking requirements for SHO projects shall provide a minimum of 1.15 parking spaces per dwelling unit;
- 2) The City shall waive park development fees for qualified SHO projects defined herein;
- 3) Regardless of the density allowable under the underlying zone density requirements, the maximum allowable density in an SHO project area is 50 dwelling units to the gross acre.

19.86.080 DEVELOPMENT CRITERIA

A. *Site character*

- 1) Structures that are historic or are otherwise distinctive because of their age, cultural significance, or unique architectural style should be preserved and incorporated into development proposals.
- 2) When a SHO project adjoining residential and commercial uses can mutually benefit from connection rather than separation, appropriate connective elements (e.g., walkways) should be provided.
- 3) Existing amenities (e.g., views, mature trees, etc.) that are unique to the site should be preserved and incorporated into the project's design whenever possible.

B. *Site access*

Developments with more than 200 parking stalls that are located on arterial highways should coordinate access points with median openings and existing driveways on the opposite side of the roadway. Such developments may also be required to provide deceleration lanes adjacent to their major entry.

C. *Building setbacks*

- 1) Frontage - The building setback along all street frontages shall be equal to $\frac{1}{2}$ the height of the building wall but in no case shall it be less than 20 feet.

- 2) All other property lines – all other setbacks shall be equal to the height of the building wall which fronts the subject property line. However, accessory structures such as garages, carports, and equipment enclosures may be located on the property line.

D. Building design layout

- 1) The Minimum Dwelling Size for each unit shall be as follows:

Studios– 475 square feet
 1 Bedroom –525 square feet
 2 Bedroom – 700 square feet

- 2) Multiple buildings in a single project should provide a functional relationship with one another to achieve a sense of place by use of the following techniques:
 - a. Cluster buildings around open plaza areas or courtyards, not parking lots.
 - b. Provide open plaza areas and courtyards with landscaping and other pedestrian amenities.
 - c. Provide convenient pedestrian circulation between buildings, and open parking areas.
 - d. Link buildings together visually using trellis structures, arcades, and enhanced paving.
 - e. Where feasible, locate buildings near public streets, thus creating a strong presence thereon.
 - f. If applicable, link development with adjacent compatible uses, such as shopping areas through the use of landscaped walkways.

E. Building and Unit Design

Universal Design (also known as “Aging in Place”) is a method of design that seeks to create development that can be used by everyone, regardless of age or physical condition. All projects shall implement, at minimum, the following Universal Design principles:

- a. No-step entries

- b. One-story living such that an eating area, bathroom, and sleeping area are available on the same floor.
- c. ~~Doorways~~ **Front doors** with a minimum width of 36” to accommodate the use of wheelchairs **and 32” free-swing doors (34” door) on all interior doors.**
- d. Hallway minimum width of 42” to accommodate the use of wheelchairs.
- e. Room thresholds that are flush.
- f. Adequate lighting throughout the dwelling unit.
- g. Provide lever door handles and rocker light switches
- h. Provide additional closet rod brackets to allow potential access from a wheelchair
- i. Wheelchair-accessible bathrooms. **Provide adequate space for maneuverability and access to facilities to those using wheelchairs.**

F. Architectural style

A common design style or a palette of architectural features is encouraged for each SHO project. A specific design style is not required; however, consistency within each project’s materials and design features is required such that each development attain a unifying appearance.

G. SHO Design Guidelines

1) Consistency

- a. Building design should demonstrate a consistent use of colors, materials, and detailing throughout all elevations of the building. Piecemeal embellishment should be avoided.
- b. Elevations that do not directly face a street should not be ignored or receive only minimal architectural treatment. Each facade should be designed for public view and should be appropriately landscaped.

- c. Consistency in design shall also apply to all accessory structures and elements in the ground plane (hard and soft-scapes).
 - 2) Form and mass. Designs should provide a sense of human scale and proportion. Structures should be designed to avoid a "box-like," impersonal appearance by use of the following techniques:
 - a. Façade articulation. Separations, changes in plane and height, and the inclusion of elements including balconies, porches, arcades, dormers, and cross gables mitigate the barracks-like quality of flat walls.
 - b. Provide architectural detail through the use of columns, three-dimensional decorative cornice bands, recessed entries and windows, and awnings and canopies.
 - c. Provide full roofs with substantial overhangs.
 - d. Articulate roofs of excessive length. Secondary hipped or gabled roofs covering the entire mass of a building are preferable to flat roofs, mansard roofs, or pitched roof segments applied on only some portions of the building.
 - e. Incorporate decorative parapets where roof overhangs are not provided that are deep enough to hide roof-mounted equipment.
 - f. Structures containing 3 or more attached dwellings in a row should incorporate at least one architectural projection not less than 2 feet from the wall plane and not less than 4 feet wide ~~should be provided.~~
 - 3) Materials. Exterior materials should be very durable and require low maintenance. Piecemeal embellishment and frequent changes in materials should be avoided. Exterior wall colors should harmonize with the site and surrounding buildings. Natural surfaces such as stone and slate should be used as accents, especially at building entrances.
 - 4) Colors.
 - a. Facade colors should be neutral or earth tone colors. The use of high-intensity colors, metallic colors, black, or fluorescent colors is discouraged.

- b. Building trim and accent areas may feature brighter colors, including primary colors. However these colors must ~~compliment~~ **complement** the façade colors.
 - c. The transition between base and accent colors should relate to changes in building materials or the change of building surface planes. Colors should not meet or change without some physical change or definition to the surface plane.
 - d. The blending of compatible colors in a single façade or composition is a good way to add character and variety, while reducing, or breaking up monotonous spans of a building.
 - e. Unusual patterns and color schemes should be avoided.
 - f. Color and finishes on building exteriors of all elevations of a building should be coordinated to provide a total continuity of design
- 5) Entries should be protected from the elements. Entries add human scale and should create a focus and a clear sense of entry for the building by use of at least two of the following:
- a. Wall recesses.
 - b. Roof overhangs.
 - c. Canopies and awnings.
 - d. Arcades.
 - e. Oversized doors.

- 6) Balconies, porches, and patios.

The incorporation of balconies, porches, and recessed patios is encouraged for both aesthetic value and for the practical provision of defined outdoor space. These elements should be integrated into structures to break up large wall masses, offset floor setbacks, and add human scale to buildings.

- 7) Dwelling unit access

The use of long, monotonous access balconies and/or corridors that provide access to 5 or more units should be avoided. Instead, access points

to units should be clustered in groups of 4 or less. The use of distinctive architectural elements and materials to denote prominent entrances is strongly encouraged.

8) Exterior stairs

Simple, clean, bold projections of stairways are encouraged to complement the architectural massing and form of the structure. Thin-looking, open metal, prefabricated stairs are discouraged. Stairs should be enclosed

9) Mechanical and utility equipment

All mechanical equipment, either mounted on the roof, or ground, should be screened from view. Utility meters and equipment should be placed in locations that are not visible from the street. Screening devices shall be compatible with the architecture and color of the adjacent structures.

10) Compatible roof shapes.

Rooflines of buildings should be compatible with surrounding building forms. The objective in determining roof shape is to establish a visual order to building clusters. However, varying roof heights and shapes may be appropriate on individual buildings and structures.

11) Roofing materials.

Roofing materials shall consist of tile or simulated cement tile with a fire rating of Class B or higher.

12) Support facilities.

Support structures (e.g., laundry facilities, recreation buildings, and sales/lease offices) should be consistent with the architectural design of the overall complex.

13) Solid waste bins

Trash bins should be fully enclosed with a masonry enclosure, either simulated wood or decorative metal gates and a trellis roof. The enclosure shall be finished with colors and materials that are consistent with the rest of the structures. Enclosures should be screened with landscaping on their most visible sides.

14) Utility and mechanical equipment.

- a. All mechanical equipment (e.g., compressors, air conditioners, heating and ventilating equipment, chillers, stand pipes, solar collectors, etc.) shall be concealed from view. Screening devices should be compatible with the architecture and color of the adjacent buildings.
- b. Mechanical equipment should not be located on the roof of a structure unless the equipment can be screened by building elements that are designed for that purpose and that are an integral part of the building design.
- c. Utility equipment (e.g., electric and gas meters, electrical panels, and junction boxes) should be located in utility rooms within the structure or utility cabinets with exterior access.

15) Service areas

Service areas, including maintenance buildings, shall be functional, appropriately screened and isolated from living areas and public right of way.

16) Elevator

For structures 2 stories or more in height, a minimum of one elevator shall be provided. Additional elevators may be required based on the design of structures or number of units in structure. The elevator shall be centrally located and in close proximity to entries. At least one (1) of the elevators should have the dimensions and capacity of a service elevator.

17) Minimum dwelling amenities.

At a minimum, each unit shall be provided with the following amenities:

- a. Central heating and air conditioning;
- b. Built-in dishwashers;
- c. Fully enclosed, securable storage closet not less than 100 CF in ~~area~~ *volume*, located preferably adjacent to unit balcony or patio.

- d. Clothes washer and dryer electrical and gas hookups for standard washer and dryer appliances, and a bachelor/studio unit may provide facilities for stackable washer/dryer appliances.
- e. Call system with capability of 24 hour monitoring.

18) Driveway approaches.

Driveway approaches serving senior citizen housing developments shall be delineated with enhanced paving treatment, such as interlocking pavers, textured and color, pigmented concrete, or stamped concrete.

19) Parking and circulation.

- a. Project entries. Project entries should provide the resident and visitor with an overview to the project through either an easy visual assessment (in smaller projects) or by providing signage or placards illustrate the circulation, parking, building, and amenity layout of the project. Special attention should be given to hardscape and landscape treatments to enhance the overall aesthetic image of the project.
- b. The principal vehicular access should be through an entry drive rather than a parking aisle. Colored, textured paving treatment at entry drives together with lush landscaping is strongly encouraged.
- c. If parking is not attached to the residential structures, covered carports and dispersed parking courts are the desired alternative.
 - i. A parking court should not consist of more than 2 double-loaded parking aisles (bays) adjacent to each other.
 - ii. Carports should provide no more than 5 parking spaces within each structure. The structures should be constructed of materials consistent with those used in building construction, including, but not limited to, roofing materials, façade material, colors, and accents. Metal tubular construction is discouraged unless wrapped with a material consistent with the building design, such as stucco.

- iii. The length of a parking court should not exceed 14 stalls. Parking courts should be separated from each other by dwelling units or by a landscaped buffer not less than 5 feet wide.
 - iv. Parking areas should be visible from the residential units which use them to the greatest degree possible.
 - v. Parking courts shall be located within 150 from the dwelling unit (front or rear door) for which the parking space is provided.
- d. If the use of parking courts is not feasible and parking is provided around the perimeter of the buildings, then a minimum 15 feet landscaped buffer is required between the parking stalls and the building, excluding covered entryways which may extend outward from the building toward walkways leading from the parking area. The maximum number of consecutive parking spaces shall be 10, after which a landscape finger equal in size to a regular parking stall shall be provided.
 - e. All design standards set forth in the Parking Section of the Perris Municipal Code 19.69 shall apply, except as may be specified herein.

20) Pedestrian access.

- a. Drop-off points should be provided at major building entries and plaza areas for all projects with more than 50,000 square feet of building floor area.
- b. Parking areas should be designed so that pedestrians walk parallel to moving cars in parking aisles. The project should be designed to minimize the need for the pedestrian to cross parking aisles and landscape islands to reach building entries.
- c. Stamped or painted concrete walkways should be provided in areas where it is necessary for pedestrians to cross drive or parking aisles.
- d. All projects should provide a clear connection between the on-site pedestrian circulation system and the off-site public sidewalk.

- i. Parking lots with over 200 stalls should provide a well-defined pedestrian walkway from the public sidewalk to the main on-site pedestrian circulation system. The walkway may be painted; however on large projects, a raised sidewalk may be required.
- ii. When a pedestrian circulation route crosses a vehicle circulation aisle adjacent to a building entrance, the pedestrian crossing should be emphasized by extending the sidewalk to the back of the parking spaces (if they exist) and by painting a crosswalk through the traffic aisle.

28) Landscaping.

Landscaping should serve to frame, soften and embellish the quality of the environment; buffer units from noise or undesirable views; visually reduce or break up building mass, break up large expanses of parking and hardscape and provide shading and cooling of adjacent units.

- a. All areas not covered by structures, drive aisles, parking or hardscape should be appropriately landscaped.
- b. Landscaped areas minimum 15-feet in width shall be provided along public street frontage. Said planter shall consist of turf and also include the following
 - i. 36" high berms
 - ii. Mature trees (36" box or larger) planted 20 foot on center
 - iii. Accent landscaping at driveway entries including large, developed trees.
- c. Street corners shall include accent landscaping using perennials and a focal point such as a waterfall or other entry monument.

29) Recreational facilities.

Recreational amenities shall be appropriately distributed throughout the facility. Such facilities shall consist of open or enclosed areas for residents of the facility to congregate, for recreation and leisure. The following standards shall be utilized for recreational facilities:

- a. The design and orientation of these areas should take advantage of available sunlight and should be sheltered from the noise and traffic of adjacent street or other incompatible uses.
- b. Each recreational facility shall have a focal point. The focal point may consist of, but need not be limited to, water fountains, landscape planters, monuments, waterways, ponds, artwork, trellises or gazebos. The focal point of all recreational facilities shall complement one another by maintaining a common theme, consistent furnishing and signage
- c. Recreational facilities shall be categorized as either “Major Recreational Facilities” or “Minor Recreational Facilities.” Major and Minor recreational facilities shall be designed to complement one another and be physically linked to one another by pedestrian walkways and directional signage. Major and minor recreational facilities shall be provided throughout senior citizen projects as stipulated in the following table:

	0-150 units	150-250 units	250 + units
Major Recreation Facilities. A major recreation facility is intended to be a significant recreation node or focal point for residents, and include recreation buildings, swimming pools, tennis courts, spas or saunas and other such amenities requiring significant investment and appropriate to serve project residents, as determined by the City. The minimum area for a major recreational facility shall be 2,000 square feet.	1	2	3 + 1 per 100 units
Minor Recreation Facilities. A minor recreation facility is intended to augment the variety and availability of recreation facilities, and include rest areas, picnic and barbecue areas, gazebos and other such amenities requiring a less significant investment than major facilities and appropriate to serve project residents, as determined by the City. The minimum area for a minor recreational facility shall be 625 square feet.	2	3	4+ 1 per every 100 units

30) Private open space.

Each dwelling unit within a multiple unit residential development shall be provided a private open space area, free and clear of any attached or detached accessory structures, as follows:

- a. Ground level units shall be provided 100 square feet of private yard with a minimum interior dimension of 10 feet.
- b. Upper level units shall be provided a 70 SF balcony, with a minimum dimension on at least one side of 8 Feet.

31) Lighting.

Lighting should provide illumination for the security and safety of residents in parking areas, recreational facilities, building entries, and pathways. The following standards shall be utilized.

- a. The design of light fixtures and their structural supports should be architecturally compatible with the main structures on the site. Light fixtures should be architecturally integrated into the design of a structure.
- b. The location of light fixtures should correspond to anticipated use. Lighting of pedestrian ways should illuminate changes in grade, path intersections, staging areas and any other uses along the path that, if left unlighted, would create an unsafe condition.
- c. All lighting fixtures must be shielded to prevent off-site glare.
- d. Night lighting of buildings is encouraged, but should be accomplished in a selective manner, avoiding overall building illumination that produces an undesirable look. Night lighting of buildings may be used to highlight special building features, emphasize repeated or decorative features, and use the juxtaposition of light and shadow to articulate the building façade.

32) Public transportation amenities.

- a. On site – Sheltered bus stop with canopy provided with architecture consistent with the project shall be provided if required in coordination with local transit agencies.

- b. Off site – In cases when a public bus stop is located within the frontage of a proposed property, a bus stop enclosure or cover shall be provided with architecture consistent with project.

33) Security considerations.

- a. Provide clear, unobstructed sightlines from entries to the street or parking lot.
- b. Provide clear sightlines to outdoor open areas from doorways and windows.
- c. Light exterior spaces and internal common spaces with energy-efficient, vandal-proof lamps and fixtures.
- d. Create privacy for the ground-level units by using landscaping or fencing to buffer them from the street or parking.
- e. Pedestrian pathways to the entry, the parking, and the trash deposit area should be well-defined, well-lighted, and free from dense shrubs.
- f. Eliminate hidden recesses in hallways, entryways, and stairways. Ensure that there are no entrapment areas between buildings.
- g. Design common spaces to encourage a sense of belonging and that relate to a discrete number of units so that these spaces encourage a sense of ownership.
- h. Provide peepholes, strike plates, and deadbolts in unit doors.

H. Maintenance

- 1) Continued good appearance depends on the extent and quality of maintenance. Materials and finishes shall be selected for their durability and wear, as well as for their beauty. Proper measures shall be taken for protection against weather, neglect, damage, and abuse.
- 2) Provision for washing and cleaning buildings and structures, and control of dirt and refuse, shall be included in the design. Configurations that tend to catch and accumulate leaves, dirt, and trash shall be avoided.

19.86.090 APPLICATION AND APPROVAL PROCEDURE

A. Director's Duties

Upon determination that the application contains all of the items required by this Chapter, the Director shall set the matter for a hearing. The public meeting shall be noticed and held in accordance with the provision of Chapter 19.56, PUBLIC HEARING PROCEDURES.

B. Planning Commission Duties

The Planning Commission shall conduct a public hearing, consider the proposed action, and make a determination to either recommend approval or disapproval to the City Council. The Commission shall only recommend approval if first it has found that:

- 1) The proposed project is in compliance with the requirements set forth in Section 19.86.030 above which identify the eligibility of the project;
- 2) The proposed project is a use permitted in Section 19.86.040, meets the applicable affordability and age requirements set forth in Sections 19.86.050 and 19.86.060, respectively;
- 3) The proposed project is designed such that it has created a senior community that is compatible with its surroundings and has achieved a design that is superior to that which would otherwise be allowed under the underlying conventional zoning.
- 4) The project incorporates the required amenities and design guidelines set forth in 19.86.080;
- 5) The existing or proposed circulation system is adequate to accommodate projected traffic volume;
- 6) The existing or proposed infrastructure is adequate to meet the requirements of the proposed project without compromising capacity in other areas of the City;
- 7) The overall project is keeping with the purpose and intent of the SHO zone and creates a project that serves the unique needs of seniors while creating a high-quality development which benefits the overall community.

C. City Council Duties

1) City Council Action.

Upon receipt of the Planning Commission's recommendation, the City Council shall conduct a public hearing, consider the proposed SHO project through a Change of Zone process and act to approve, approve with conditions, or disapprove the project.

2) City Council Findings

After hearing the project, the City Council may apply a SHO by Ordinance to a property or group of properties, based on the evidence presented therein, if it makes findings that *all* of the following exist:

- a. The proposed project at its specific location is necessary and desirable to provide a facility that will contribute to the general well-being of seniors as well as the local neighborhood, community, and region.
- b. The location of the project and the mix of uses is not detrimental to the health, safety, or welfare of its residents, employees, or those working or residing in the area.
- c. The proposed project will provide a superior community that will support the unique needs and lifestyles of seniors.
- d. That the granting of this permit will not adversely affect the public welfare and will be consistent with the City's General Plan and any other relevant plans of any government agency.

3) Conditions

In granting a SHO permit, the City Council may modify the plan or impose such conditions as ~~it~~ *it* deems necessary to protect public health, safety, and welfare. Any development standards of the underlying zone ~~zone~~ in which the property is situated including, but not limited to, signs, fences, walls, maximum building height, maximum building coverage, and off-street parking, may be increased or decreased or otherwise modified as necessary to accomplish the purposes of this ~~Chapter~~ *Ordinance*.

D. Combined Proceedings

All related development and/or land use approvals pertaining to the proposed SHO project shall be combined and processed concurrently. Such approvals may include, but are not limited to, Tentative Tract Maps, Parcel Maps, Conditional Use Permits, and/or Development Plan Reviews.

E. Time Limit

Any SHO permit granted by the City Council to a parcel or parcels as provided in this Chapter shall be applied indefinitely thereto. However, at any time in the future, development may occur in accordance with the underlying zoning and the specifications and requirements thereof.

F. Maintenance

All parking areas, walkways, recreation facilities, storage areas, landscaped areas, open space, screening areas, sewer, drainage facilities and other improvements not dedicated to public use shall be maintained by the property owners. Provisions to the satisfaction of the City shall be made for the preservation and maintenance of all such improvements prior to the issuance of building permits.

G. Failure to Maintain Property

1) Maintenance Requirement

All commonly-owned land improvements and facilities shall be preserved and maintained in a safe condition and in a state of good repair. Any failure to maintain land improvements and facilities shall be unlawful and a public nuisance endangering the health, safety, and welfare of the public and a detriment to the surrounding community.

2) Inspection

In addition to any other remedy provided by law for the abatement, removal and enjoinder of such public nuisance, the building inspector may, after giving notice, cause the necessary work of maintenance or repair to be done, and the costs thereof shall be assessed against the owner(s) of the property.

3) Notice of Work to Occur

The notice shall be in writing and mailed to all persons whose names appear on the last equalized assessment roll as owner of real property within the project, at the address shown on the assessment roll. Notice shall also be sent to any person known to the building inspector to be responsible for the maintenance or repair of the common areas and facilities of the project under an indenture agreement.

4) Requirement for Completion of Work

The notice shall particularly specify the work required to be done and shall state that if the work is not commenced within five (5) days after the receipt of such notice and diligently and without interruption prosecuted to completion, the City shall cause such work to be done, in which case the cost and expense of such work, including incidental expenses incurred by the City, will be assessed against the property or against each separate lot and become a lien upon the property.