# CHAPTER 22.29

# ALHAMBRA VALLEY DISTRICTS

## 22.29.010 Purposes.

In addition to the purposes prescribed in Sections 22.02.010 and 22.12.020 of this Title, the Alhambra Valley (AV) Districts are included in the zoning regulations to achieve the following purposes:

A. Preserve the semi-rural atmosphere and the balance of residential and agricultural land uses in Alhambra Valley.

B. Allow development that is compatible with existing agricultural, residential and open space uses.

C. Preserve and enhance both the natural and man-made environment in Alhambra Valley.

D. Restrict development in environmentally sensitive areas.

E. Enhance watercourses and associated riparian habitat to their natural state to restore water quality, wildlife diversity, aesthetic values and recreation opportunities.

F. Minimize air, water, noise and soil pollution in Alhambra Valley.

G. Minimize soil erosion and runoff throughout Alhambra Valley.

H. Protect historical and archaeological resources.

I. Provide adequate levels of public services within Alhambra Valley. Ensure new public facilities are sensitive to the natural setting.

J. Encourage and enhance agriculture and maintain and promote a healthy and competitive agricultural economy in Alhambra Valley.

K. Minimize and resolve conflicts between agricultural and urban uses.

L. Preserve and protect areas of identified high scenic value including scenic ridgeways, scenic routes (Alhambra Valley Road, Reliez Valley Road and a portion of Vaca Creek Road), and valley gateways

(intersection of Alhambra Valley Road and Vaca Creek Road and Reliez Valley Road and Alhambra Valley Road).

**22.29.020 Applicability.**

This Chapter specifies the regulations that are applicable within the Alhambra Valley Districts.

**22.29.030 Establishment and Purpose of Alhambra Valley Districts.**

The Alhambra Valley Districts are hereby established as set forth below.

A. AV/R-20 Single Family District. The purpose of the district is to reserve land for the construction, use and occupancy of detached single-family development. Minimum lot size is 20,000 square feet.

B. AV/R-40 Single Family District. The purpose of the district is to reserve land for the construction, use and occupancy of detached single-family development. Minimum lot size is 40,000 square feet.

C. AV/A-5 Agriculture District. The purpose of the district is to reserve land for agricultural uses and supporting operations, including detached single-family residential uses. Minimum lot size is 5 acres.

D. AV/PD Planned Development District. The purpose of the district is to allow for large-scale integrated residential development with a cohesive design. The Planned Development District is intended to allow diversification in the relationship of various uses, buildings, structures, lot sizes and open space while insuring substantial compliance with the applicable standards and regulations.

**22.29.040 Use Regulations.**

A. Permitted and Conditional Uses. The allowable land uses for the AV/R-20, AV/R-40 and AV/A-5 Districts shall be as specified in Table 1. Uses are designated in Table 1 as follows:

1. P Permitted land use;
2. UP Subject to use permit as set forth in Chapter 22.40, Conditional Uses - Use Permits; and
3. - Not allowed in specified zoning district.

Uses not listed in Table 1 are prohibited in all Alhambra Valley Districts.

In addition to the land use permit required by Table 1, special provisions related to certain land uses may apply, and Design Review may also be required for certain uses in compliance with Section 22.29.100, Alhambra Valley Districts - Design Review. Where the last column in Table 1 (Specific Use Regulations) includes a section number, the regulations in the referenced section apply to the use. Provisions in other sections of this zoning ordinance may also apply.

**Table 1: Permitted and Conditional Uses[1]**

| Uses | Districts | | | Specific Use Regulations |
|---|---|---|---|---|
| | AV/R-20 | AV/R-40 | AV/A-5 | |
| **Residential Uses** | | | | |
| Family day care home | P | P | P | |
| Day care, general | UP | UP | UP | |
| Foster family home | P | P | P | |
| Residential congregate care facility | P | P | P | |
| One family dwelling | P | P | P | |
| Secondary housing units | P | P | P | 22.12.085 |
| Additional one family dwelling | UP | UP | UP | 22.29.050.A |
| Free-standing exterior lighting over seven feet in height | UP | UP | — | 22.29.050.B |
| Home occupation | UP | UP | UP | |
| Wind generator | UP | UP | UP | 22.12.090.N |

| Uses | Districts | | | Specific Use Regulations |
|---|---|---|---|---|
| | AV/R-20 | AV/R-40 | AV/A-5 | |
| **Agricultural Uses** | | | | |
| Agriculture - Large Scale | — | — | P | |
| Agriculture - Small Scale | P | P | P | |
| Aviaries | P | P | P | 22.29.050.C.1 |
| Christmas tree farms | UP | UP | UP | 22.29.050.D |
| Dog kennels | — | — | UP | |
| Horse riding academies and horse riding instruction | UP | UP | UP | 22.29.050.C.3 |
| Livestock | P | P | P | 22.29.050.C.2 |
| Services incidental to agricultural uses | — | — | UP | |
| Small animal farming | P | P | P | 22.29.050.C.4 |
| **Institutional Uses** | | | | |
| Community recreation facilities, such as golf, tennis or swimming clubs | UP | UP | UP | |

| Uses | Districts | | | Specific Use Regulations |
|---|---|---|---|---|
| | AV/R-20 | AV/R-40 | AV/A-5 | |
| Museums in which objects of historical, artistic, scientific or cultural importance are preserved and displayed | — | — | UP | |
| **Public and Recreational Uses** | | | | |
| Publicly owned buildings and structures | UP | UP | UP | |
| Publicly owned parks and playgrounds | P | P | P | |
| **Other Uses** | | | | |
| Temporary real estate offices and construction yards | UP | UP | UP | |
| Pumping stations, power stations, drainage ways and structures, storage tanks, and transmission lines found by the City Planning Commission to be necessary for the public health, safety or welfare | UP | UP | UP | |

Note: (1) Allowed Uses within the Planned Development District. Those land uses permitted by an approved final development plan which are in harmony with each other, serve to fulfill the function of the Planned Development District, and are consistent with the General Plan; and a detached one family dwelling unit on each legally established lot and the accessory structures and uses normally accessory to it.

B. Allowed Uses within the AV/PD District. The following uses are allowed in the AV/PD District: those land uses permitted by an approved Planned Development Permit, which are in harmony with each other, serve to fulfill the function of the Planned Development District, and are consistent with the general plan; and a detached one family dwelling unit on each legally established lot and the accessory structures and uses normally accessory to it.

C. Prohibited Uses. The following uses shall not be permitted within the Alhambra Valley Districts:

1. Commercial radio and television receiving and transmitting facilities other than broadcasting studios and business offices;
2. Hospitals, philanthropic institutions, and convalescent homes;
3. Churches and religious institutions and parochial and private schools;
4. Medical and dental offices and medical clinics; and
5. Commercial nurseries, except for Christmas tree farms.
6. Commercial Greenhouses

**22.29.050 Standards for Specific Land Uses in Alhambra Valley Districts.**

A. Additional One Family Dwelling. An additional one family dwelling unit shall be allowed, subject to use permit approval and based upon net lot area requirements as follows:

1. AV/R-20 district: 20,000 square feet per dwelling unit;
2. AV/R-40 district: 40,000 square feet per dwelling unit; and
3. AV/A-5 district: 5 acres per dwelling unit.

B. Lighting. Installation of free standing exterior light fixtures with a height of seven feet or more above the finished grade of the parcel requires use permit

approval, as set forth in Chapter 22.40, Conditional Uses - Use Permits. The following additional finding is required: glare and annoyance to adjacent property owners shall be minimized to the greatest degree possible by sensitive fixture placement, use of shielded and downcast lighting and low wattage lamps.

C. Keeping of Animals.

1. Aviaries. Aviaries shall be maintained in a sanitary manner as determined by the County Health Department and shall be subject to the setback requirements for Animal Structures within Section 22.29.060.G.1.a.

2. Livestock. Livestock may be kept on lots of 40,000 or more square feet in area (with at least 40,000 square feet for each two head of livestock). To be counted in the aggregate minimum lot size requirement, lots must be contiguous and in one fee ownership.

3. Horse Riding Academies. The requirements for the keeping of livestock must be met in order to submit an application for a use permit (see Section 22.29.050.C.2 above).

4. Small Animal Farming. Within the AV/R-20 and AV/R-40 districts, small animal farming shall be allowed for the primary purpose of home consumption.

D. Christmas Tree Farms. A use permit application for a Christmas tree farm shall include a site plan indicating parking areas and circulation, planting and landscaping areas, existing and proposed structures, and plans and elevations to indicate architectural type.

## 22.29.060 Alhambra Valley Districts - General Development Standards

A. Minimum Lot Area. The minimum net lot area shall be as specified in Table 2.

**Table 2: Lot Area**

| Districts | Minimum Net Lot Area |
|---|---|
| AV/R-20 | 20,000 square feet |
| AV/R-40 | 40,000 square feet |
| AV/A-5 | 5 acres |

B. Minimum Site Area per Dwelling Unit. The minimum site area per dwelling unit shall be as specified in Table 3, and as further regulated for sites of 10 percent or greater slope, by Section 22.29.080, Hillside Development.

**Table 3: Site Area per Dwelling Unit**

| Districts | Minimum Site Area per Dwelling Unit |
|---|---|
| AV/R-20 | 20,000 square feet |
| AV/R-40 | 40,000 square feet |
| AV/A-5 | 5 acres |

C. Minimum Lot Depth and Width. The minimum lot depth and minimum lot width (average) shall be as specified in Table 4.

**Table 4: Width and Depth**

| Districts | Minimum Lot Depth | Minimum Lot Width (Average)[1] |
|---|---|---|
| AV/R-20 | 120 feet | 120 feet |
| AV/R-40 | 140 feet | 140 feet |
| AV/A-5 | 200 feet | 250 feet |

[1] Average lot width is calculated by dividing the total area of the lot by the depth of the lot.

D. Front Yards, Side Yards and Rear Yards. The front yards, side yards and rear yards shall be as specified in Table 5. For setback requirements for animal structures, see Section 22.29.060.G, Animal Structures.

**Table 5: Minimum Yards**

| Districts | Aggregate Minimum Side Yards | Minimum Side Yard | | Minimum Front Yard | Minimum Rear Yard |
|---|---|---|---|---|---|
| | | Interior | Corner | Interior and Corner | |
| AV/R-20 | 35 feet | 15 feet[1] | 20 feet | 25 feet | 15 feet[2] |
| AV/R-40 | 40 feet | 20 feet[3] | 20 feet | 25 feet | 15 feet[4] |
| AV/A-5 | 40 feet | 20 feet | 20 feet | 25 feet | 15 feet |

Notes:

[1] Within the AV/R-20 district, the side yard minimum may be reduced to three feet for an accessory structure, which does not exceed 600 square feet floor area coverage or 15 feet in height, if it is set back at least 65 feet from the front property line.

[2] Within the AV/R-20 district, there shall be a rear yard for accessory structures of at least three feet.

[3] Within the AV/R-40 district, this minimum may be reduced to three feet for an accessory structure, which does not exceed 600 square feet floor area coverage or 15 feet in height, if it is set back at least 75 feet from the front property line.

[4] Within the AV/R-40 district, there shall be a rear yard for accessory structures of at least three feet.

E. Maximum Height of Structures. No single-family dwelling or other structure permitted in the Alhambra Valley Districts shall exceed two and one-half stories or 35 feet in height.

F. Off-Street Parking Requirements. Chapter 22.36, Off-street Parking and Loading Facilities, shall apply within the Alhambra Valley Districts, excluding Sections 22.36.082 and 22.36.084, which shall not apply within the Alhambra Valley Districts. Parking requirements for the AV/A-5 district shall be the same as the R-40 district. Each parking space shall be entirely outside the setbacks of the main structure.

G. Animal Structures.

1. Aviaries shall not be over 12 feet in height nor exceed one square foot in area for each 50 square feet of net lot area per parcel and shall not exceed 1,600 total square feet. Aviaries shall be set back at least 25 feet from the front property line or any street or limit of right-of-way and at least ten feet from any side or rear property line, and shall be maintained in a sanitary manner as determined by the County Health Department.

2. Small animal structures shall be set back not less than 60 feet from the front property line or any street or limit of right-of-way, and shall be not less than 40 feet from any side or rear property line.

3. Large animal structures shall be set back not less than 100 feet from the front property line or any street or limit of right-of-way, and shall not be less than 50 feet from any side or rear property line.

4. Fenced pasture, paddocks, or other enclosed livestock areas shall not be located nearer than ten feet to any property line.

## 22.29.070 Alhambra Valley Districts - Street and Subdivision Standards

A. Purpose. In addition to the purposes prescribed in Section 22.29.010 for the creation of the Alhambra Valley Districts, the requirements of this Section are intended to promote the stability of the Alhambra Valley's rural residential character by restricting the potential introduction of incongruous urban streets and subdivisions.

B. Street Standards. One of the principal features of the rural appearance of Alhambra Valley's existing rural neighborhoods is the manner of existing street improvements; which are generally relatively narrow streets, without curbs, gutters, sidewalks or subsurface storm drains. Retention and continuance of the rural street standards appears to be an essential element in the preservation of Alhambra Valley's rural residential character. Therefore, within the boundaries of the Alhambra Valley Districts, property owners are exempted from the otherwise normal requirement for street and related improvements as prescribed in Sections 21.08.010 through 21.08.180 and 21.08.200. Requirements for subdivisions and street improvements shall generally be limited to the preservation and continuance of the established infrastructure, as deemed necessary for the public health, safety or welfare by the City Engineer.

C. Criteria and Standards for Subdivision Approval. The review authority shall consider the Goals and Principals of the Alhambra Valley Design Guidelines, as adopted by separate Resolution of the City Council of the City of Martinez, as well as the criteria and guidelines listed below, in its consideration of a Subdivision application:

1. Site Planning and Grading Design.

a) In order to conserve the scenic beauty of Alhambra Valley, developers shall generally be required to restore the natural contours and vegetation of the land after grading and other land disturbances.

b) Public and private projects shall be designed to minimize damage to significant trees and other visual landmarks.

c) Extreme topographic modification, such as filing in canyons or removing hilltops shall be avoided. Clustering and planned development approaches to development shall be encouraged. All future development plans, whether large-scale or small-scale, shall be based on identifying safe and suitable sites for buildings, roads and driveways.

d) Hilltops, ridges, rock outcroppings, mature stands of trees, and other natural features shall be considered for preservation, at the time that any development applications are reviewed.

e) Development in flood inundation zones shall be avoided and development in Federal Emergency Management Act 100-year flood zones shall be prohibited.

2. Public Utilities.

a) All new utilities shall be placed underground. New residential development shall be connected to a public sewer or provide a septic system which meets the standards of the County Health Department. All new residential development shall also provide on-site storm drainage and shall pay a fee for off-site drainage improvements, if required.

b) Small community well water or septic systems shall not be established to serve proposed subdivisions.

3. Scenic Tree Planting.

a) As a way to enhance the aesthetic and scenic qualities along the Alhambra Valley/Reliez Valley Road Scenic Corridor, new subdivisions shall be required to plant new specimen trees along their road frontage according to the following:

i. Beginning at either end of the parcel's frontage, trees shall be planted at minimum of 50-foot intervals;

ii. Trees shall be Live Oaks and shall be a minimum size of 24 inches; and

iii. Shall be located approximately 10 feet from the road shoulder area.

**22.29.080 Alhambra Valley Districts - Hillside Development**

A. Purpose. The purpose of this Section is to regulate development on hillside areas within the Alhambra Valley Districts, in order to avoid potential geotechnical hazards and to preserve the scenic view from the valley floor.

B. Applicability. This Section shall apply to any residential development requiring Design Review or Subdivision approval on parcels with any areas of 10 percent slope or greater within the Alhambra Valley Districts, as determined by the applicant's preparation of a Slope and Hazard Area Map as described in Section 22.33.020, Hillside Development Regulations - Maximum Allowable Density Calculations.

C. Maximum Allowable Density. The maximum allowable density of residential units on properties governed by this Section shall be as prescribed in Section 22.33.020, Hillside Development Regulations - Maximum Allowable Density Calculations, subject to the Exemptions, Exclusion and Conditions of Section 22.33.30, and the following:

1. Residential density in the AV/R-20 district shall not exceed that prescribed in Section 22.33.020 for the R-20 zoning district;

2. Residential density in the AV/R-40 district shall not exceed that prescribed in Section 22.33.020 for the R-40 zoning district; and

3. Residential density in the AV/A-5 district shall not exceed that prescribed for each of the Slope and Hazard Area Map Site Categories as shown in Table 6.

**Table 6: Allowable Density for AV/A-5 District**

| Site Category | Maximum Units per Gross Acre |
|---|---|
| 0-10% | 0.20 |
| 10.01-30% | 0.06 |
| 30.01% and over | 0.00 |
| Hazard Areas | 0.00 |

4. The maximum allowable density for parcels within the AV/PD district shall be as specified in the approved final development plan.

D. Criteria and Guidelines for Permit Approval.

1. Any residential development requiring Design Review or Subdivision approval shall comply with the requirements of Hillside Development Regulations Sections 22.33.030 and 22.33.040.

2. The review authority shall also consider the Goals and Principals of the Alhambra Valley Design Guidelines, as well as the criteria and guidelines listed below, in its consideration of a Hillside Design Review or Subdivision application.

   a) Slope stability shall be a primary consideration in the determination to develop land. Development in landslide areas shall not be allowed unless the area is stabilized through high-quality engineering design approved by the City and peer reviewed by a qualified structural and/or geotechnical engineer as determined by the City.

   b) Structures shall be designed to blend into, rather than dominate the natural setting, especially on ridgelines. The massing of new dwellings shall be compatible with the natural setting.

   c) The construction of new structures on the top of scenic ridges or within 50 feet of the ridgeline shall be discouraged.

   d) When development is permitted to occur on hillsides, structures shall be located in a

manner which is sensitive to available natural resources and constraints.

e) All new land uses which are to be located below a major scenic ridge shall be reviewed with an emphasis on protecting the visual qualities of the ridge.

f) Any new development shall be encouraged to generally conform to natural contours to avoid excessive grading.

g) New water tanks that would harm the visual quality of a scenic ridge shall be buried, camouflaged or screened to mitigate their impacts.

h) Visual analysis may be required as part of the permit approval process to better determine the effects of new development, grading and landscaping on the built and natural environment, including parklands.

i) Hilltops, ridges, rock outcroppings, mature stands of trees and other natural features shall be preserved to the greatest extent possible. Preservation of such features shall be considered at the time that any development applications are reviewed.

j) Any development on slopes which exceed 30 percent is prohibited, subject to the Exemptions, Exclusion and Conditions of Section 22.33.030.

k) The City shall not accept dedication of public roads in unstable hillside areas. Private roads which would require an excessive degree of maintenance and repair costs shall not be allowed.

## 22.29.090 Alhambra Valley Districts - Creek Protection and Enhancement

A. Purpose. The purpose of this Section is to regulate activities within and adjacent to Protected Creekbeds in order to:

1. Maintain the ecology and hydrology of creeks and streams and provide an amenity to the public,

while at the same time preventing flooding, erosion and danger to life and property.

2. Preserve and restore remaining natural waterways which have been identified as important and irreplaceable natural resources.

3. Employ alternative drainage system improvements which rely on increased retention capacity to lessen or eliminate the need for structural modifications to watercourses, whenever economically possible.

4. Enhance opportunities for public accessibility and recreational use of creeks, streams, drainage channels and other drainage system improvements.

B. Applicability. This Section shall apply to any parcel with a Protected Creekbed or a creek setback, as shown on Figure 1, Protected Creeks. Within the Alhambra Valley Districts, Protected Creekbeds are defined as follows:

1. Natural Creekbed. A watercourse or waterway which can support its own environment of vegetation, fowl, fish and reptiles, and which appears natural. The intent of this designation is for the retention of exiting creekbed form and riparian habitat.

2. Partially-Improved Creekbed. A watercourse whose natural form has been altered. Some creekbanks have been buttressed to prevent erosion, and in some cases, drop structures have been installed in the bottom of channels. Nevertheless, many of the natural riparian features and scenic qualities associated with natural creekbeds are still intact. The intent of this designation is to retain and enhance the riparian habitat and scenic qualities of these creeks consistent with prudent drainage controls and protection of exiting residential development.

C. Creek Setbacks.

1. Establishing Creek Setbacks. At the time of any permit application for approval to build structures or alter topography, including, but is not limited to, applications for Design

Review, Subdivision or Grading Permit approval, the creek setback shall be determined as part of the permit review. The minimum width of the creek setback shall be 50 feet from the centerline of the creek, but as a condition of permit approval, a setback greater than 50 feet may be required to protect the creek or its adjacent riparian habitat, if such is deemed necessary by the City or any other agency with review authority.

2. Creek Setback and Net Lot Area. The portion of a lot within a creek setback shall be excluded from the calculation of net lot area when determining conformance to any minimum net lot area requirement standards prescribed by this Chapter.

D. Creek Preservation and Enhancement Plan.

1. Submittal of Plan Required. In addition to the establishment of a creek setback as required by Section 22.29.090(C), a Creek Preservation and Enhancement Plan is required for all permit applications subject to this Section, and applicants shall provide as a part of permit application submittal, the following:

   a) Visual materials and a narrative which describes existing creek conditions;

   b) A description of the methods of protecting and enhancing the creek resource;

   c) Scaled drawings which show a cross-section of the existing creekbed and creekbank; and

   d) A creek re-vegetation plan which shall use native riparian vegetation from the local seed stock, where feasible.

2. Plan Approval. The Creek Preservation and Enhancement Plan is subject to the approval by the City and or any other applicable agencies' reviewing authority. When alteration of streambanks or streambeds is proposed, the applicable agencies shall be notified in accordance with their authority under State law and/or when their assistance is needed.

3. Erosion Prevention and Structural Improvements. Erosion in natural watercourses shall be controlled where creek capacity and bank stability necessitate, while maintaining consistency with the Creek Preservation and Enhancement Plan for that development. Minor structural improvements, e.g. drop structures, may be allowed if consistent with the concepts of the Creek Preservation and Enhancement Plan.

E. Criteria and Guidelines for Permit Approval. The applicable review authority shall consider the criteria and guidelines listed below, in its consideration of an application regarding property subject to this Section.

1. Existing native riparian habitat shall be preserved and enhanced by new development unless public safety concerns require removal of habitat for flood control or other public purposes.
2. Revegetation of a watercourse, if required as a part of the development, shall employ native vegetation, providing the type of vegetation is compatible with the watercourse's maintenance program and does not adversely alter channel capacity.
3. Natural watercourses shall be integrated into new development in such a way that they are accessible and provide a positive visual element.
4. Where feasible, existing natural waterways shall be protected and preserved in their natural state and channels, which are already modified, shall be restored.
5. Proposed drainage discharges into the protected watercourses shall be reviewed to minimize erosion of creekbanks and visual impacts.
6. New parcels which are created shall include adequate space outside of the creek setback for pools, patios, and appurtenant structures to ensure that property owners will not place improvements within the areas which require protection.
7. Grading, filling and construction activity near watercourses shall be conducted in such a manner as to minimize impacts from increased runoff,

erosion, sedimentation, biochemical degradation or thermal pollution.

8. On-site water control shall be required of major new developments so that no increase in peak flows occurs relative to the site's pre-development condition, unless the City determines that off-site measures can be employed which are equally effective in preventing adverse downstream impacts.

## 22.29.100 Alhambra Valley Districts – Design Review

A. Applicability.

1. Design Review for Non-Residential Properties. All applications made for a building permit to construct or alter the exterior of a commercial, recreational, institutional or public structure, or where proposed grading involves the movement of 1,000 cubic yards or more of soil material, shall be subject to the Design Review requirements of this Section, in addition to the Criteria and Standards of Section 22.34.045.

2. Design Review for Residential Properties. All applications made for a building permit to build a new or enlarge an existing residential structure, including but not limited to single family residences, accessory buildings (for residential, utility, agricultural or animal use), arbors, pergolas or swimming pools shall be subject to the Design Review requirements of this Section. Building permits that do not involve enlarging a structure, such as siding and window replacement, shall be not subject to the requirements of this Section.

B. Application and Approval Required. Applications for Design Review pursuant to this Section shall be made as prescribed by Section 22.34.040, and may be appealed as prescribed by Sections 22.34.050-23.34.070.

C. Criteria, Standards and Guidelines. The Design Review approval authority shall render a decision based upon

the following Criteria and Standards and shall also consider the Goals and Principals of the Alhambra Valley Design Guidelines, as adopted by resolution of the City Council, in its consideration of a Design Review application.

1. Site Plan and Grading.

   a) The natural contours and vegetation of the land shall generally be restored after grading and other land disturbances so that a naturalistic appearance is maintained.

   b) Private projects shall be designed to minimize damage to significant trees and other visual landmarks.

   c) Hilltops, ridges, rock outcroppings, mature stands of trees, and other natural features shall be considered for preservation, at the time that any development applications are reviewed.

2. Home and Landscape Designs.

   a) New home designs shall blend in with the semi-rural character of the area. Buildings on hillsides shall complement the topography of the site. Exterior building materials of wood, wood shingles and brick are preferred and exterior colors shall be earth tone colors. Bright colors shall be avoided.

   b) New projects shall be designed to blend in with the rural setting of Alhambra Valley as much as possible. The use of fire resistant materials shall be encouraged.

   c) New buildings which are proposed in highly visible areas, such as on hillsides, shall be sited, designed and landscaped so that supporting columns, piers and building undersides are not visually dominant.

   d) Energy efficient features in new development shall be encouraged and new additions or remodeling projects shall conform with building code regulations related to energy conservation.

D. Findings and Decision. The review authority may approve a Design Review application only after making the following findings.

1. The design, layout, size, architectural features and general appearance of the proposed project is consistent with the general plan, and any applicable specific plan and with the development standards, design guidelines and all applicable provisions of this code, including this Title and any approved master plan and precise development plan.

2. The proposed project would maintain and enhance the community's character, provide for harmonious and orderly development, and create a desirable environment for the occupants, neighbors, and visiting public.

3. The proposed development would not be detrimental to the public health, safety, or welfare; is not materially injurious to the properties or improvements in the vicinity; does not interfere with the use and enjoyment of neighboring existing or future developments and does not create potential traffic, pedestrian or bicycle hazards.

## 22.29.110 Alhambra Valley Districts - General Provisions and Fences

All uses and development applications within the Alhambra Valley Districts shall be subject to the general provisions and exceptions prescribed in Chapter 22.34 of this Title, except for:

A. Design Review. Design Review shall be as prescribed in Section 22.29.100 of this Chapter; and

B. Fences. Notwithstanding the requirements and limitations prescribed in Section 22.34.090, Fences Walls and Hedges, the following exceptions and design standards shall apply:

1. Fences up to four feet in height are allowed at the front property boundary and within the front yard setback, but must be of an open-rail design.

2. Solid board fences shall be prohibited along Alhambra Valley and Reliez Valley Roads. Only open rail fencing within the front yard setback shall be allowed on all properties fronting these roadways.

3. Solid board fencing and walls along side and rear property boundaries are discouraged in or adjacent to agricultural areas. To minimize visual impacts of perimeter lot fencing, fencing on slopes greater than 15 percent shall be open rail or wire. Barbed wire may be used to keep grazing animals from wandering into residential areas.

## 22.29.120 Alhambra Valley Districts - Residential and Agricultural Compatibility

A. Purpose. This Section is included in the zoning regulations to enhance and encourage agricultural operations within the Alhambra Valley Districts and provide residents with proper notification of such agricultural uses. Where non-agricultural land uses extend into agricultural areas or exist side by side, agricultural operations can be the subject of nuisance complaints, resulting in detrimental impacts on farming. However, it is intended that through mandatory disclosures, purchasers and users will better understand the impact of living near agricultural operations and be prepared to accept attendant conditions as the natural result of living in or near rural areas.

B. Compatibility Standards.

1. Agriculture shall be protected from nuisance complaints from non-agricultural land uses.

2. Where a discretionary development permit is sought within or adjacent to areas designated for agricultural use, natural or constructed buffers between the agricultural and urban use shall be required. A minimum 60-foot setback shall be required for non-agricultural structures located within or adjacent to cultivated agricultural areas. Such buffers must occur on the parcel for which the discretionary permit is sought.

3. An agricultural or equestrian notification statement in the property deeds shall be required for all new residential lots created in or adjacent to planned agricultural districts. The statement shall inform owners regarding the nuisance and hazards associated with nearby agricultural practices. Such concerns may include, but are not limited to, the noise, odors, dust, chemicals, smoke, and hours of operation that may accompany agricultural operations.

4. Where unmitigatable conflicts exist between agricultural and residential uses, priority shall generally be given to maintaining the agricultural use.

C. Agricultural Standards.

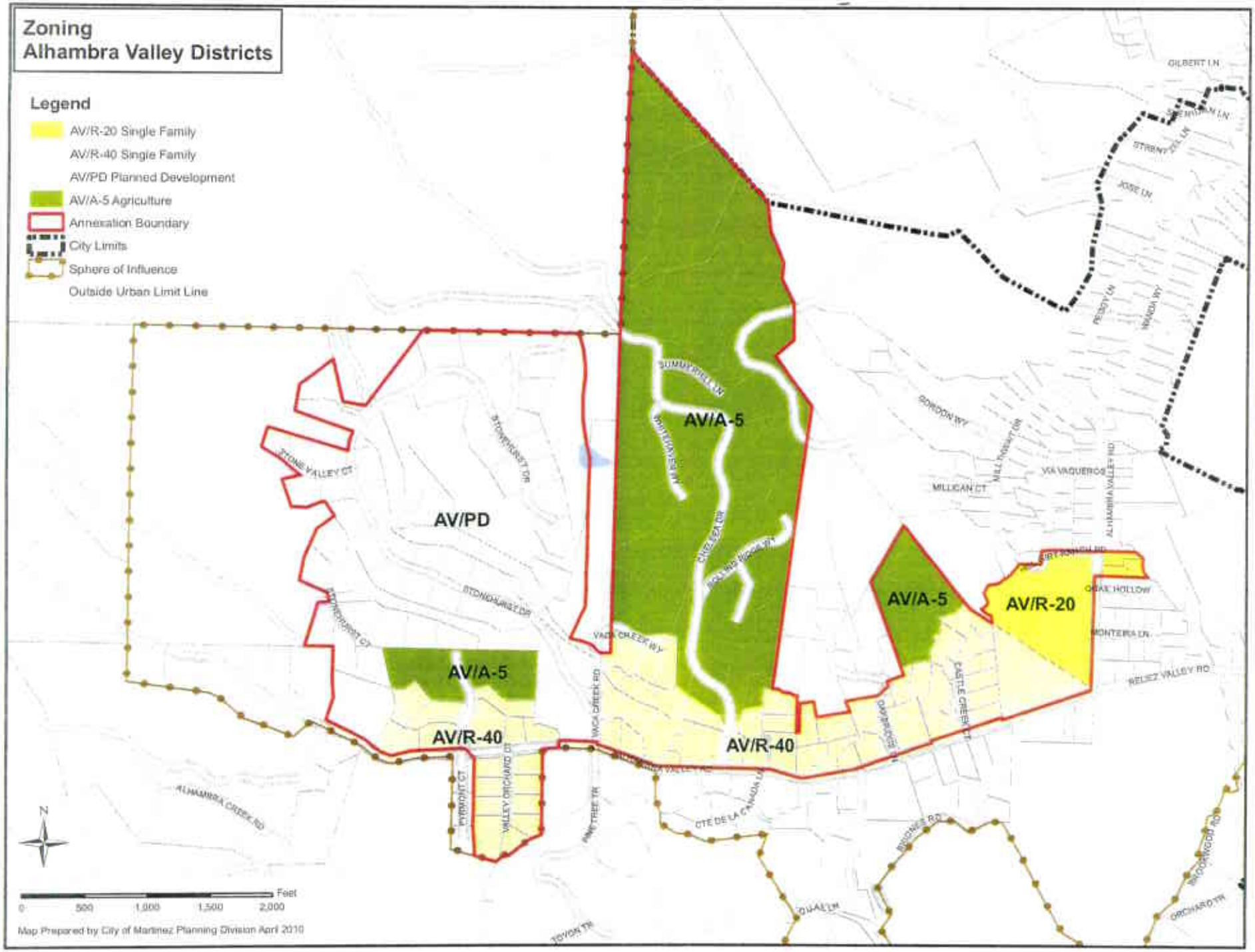
1. Grazing areas shall include fencing to contain grazing animals, keep domestic dogs out of grazing areas and deter trespassing.

2. The use of toxic and nutritive chemicals by agricultural operators shall be minimized.

3. Both public and private infrastructure that supports agriculture shall be promoted.

4. Efforts to provide adequate, high quality and fairly-priced water supply for agricultural irrigation shall be supported.

REVISED



Zoning
Alhambra Valley Districts
Legend
AV/R-20 Single Family
AV/R-40 Single Family
AV/PD Planned Development
AV/A-5 Agriculture
Annexation Boundary
City Limits
Sphere of Influence
Outside Urban Limit Line
AV/PD
AV/A-5
AV/A-5
AV/A-5
AV/R-20
AV/R-40
AV/R-40
STONEHURST DR
STONEHURST CT
STONE VALLEY CT
VADA CREEK WY
VACA CREEK RD
VALLEY ORCHARD CT
PYRMONT CT
PINE TREE TR
ALHAMBRA CREEK RD
CTE DE LA CANADA LN
CASTLE CREEK CT
GORDON WY
MILLICAN CT
VIA VAQUEROS
ALHAMBRA VALLEY RD
MONTEIRA LN
RELIEZ VALLEY RD
GILBERT LN
JOSE LN
PEGGY LN
WANDA WY
BROOKWOOD RD
ORCHARD TR
TOYON TR
N
Feet
0
500
1,000
1,500
2,000
Map Prepared by City of Martinez Planning Division April 2010

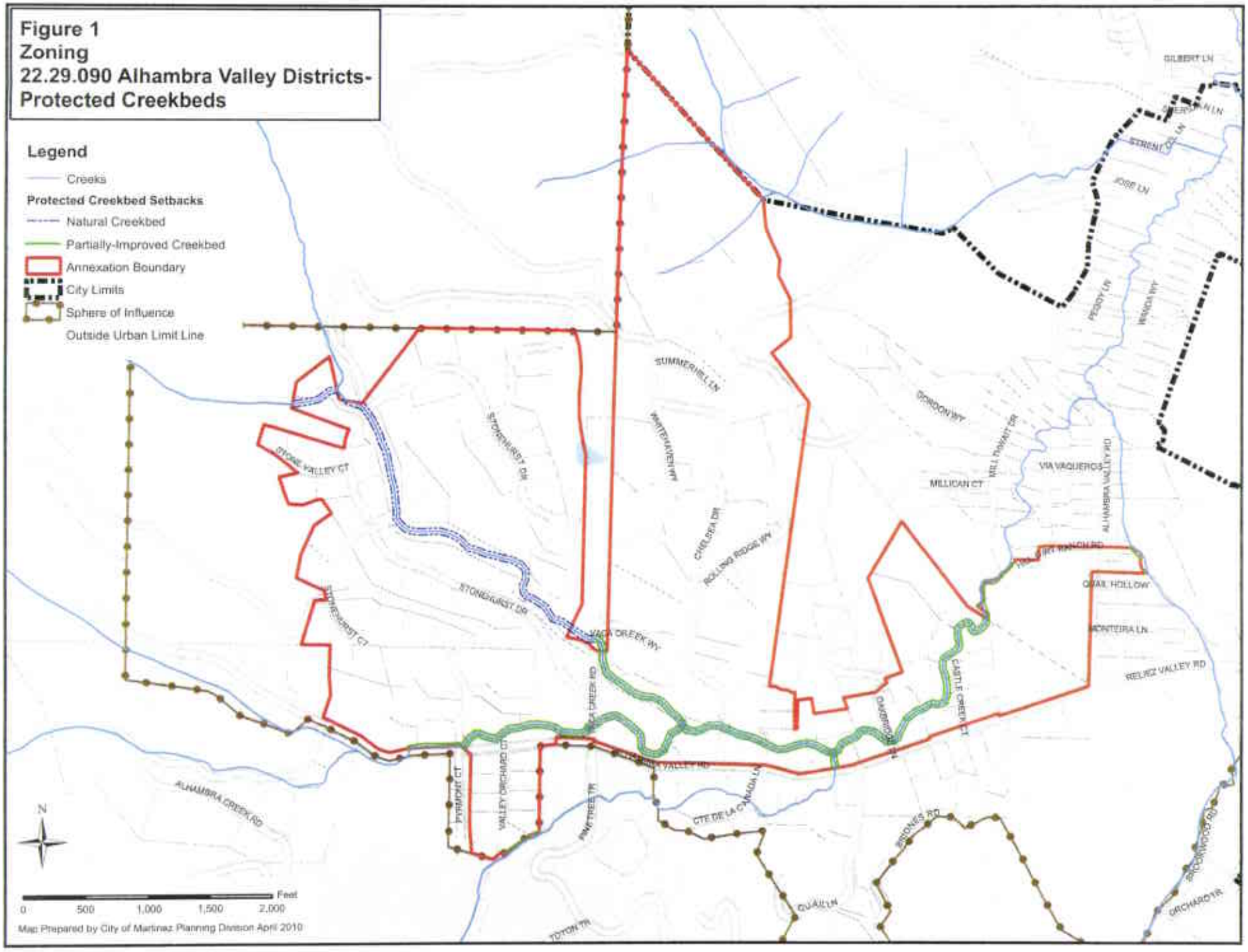


Figure 1
Zoning
22.29.090 Alhambra Valley Districts-
Protected Creekbeds
Legend
Creeks
Protected Creekbed Setbacks
Natural Creekbed
Partially-Improved Creekbed
Annexation Boundary
City Limits
Sphere of Influence
Outside Urban Limit Line
N
Feet
0
500
1,000
1,500
2,000
Map Prepared by City of Martinez Planning Division April 2010
GILBERT LN
JOSE LN
PEGGY LN
WANDA WY
SUMMERHILL LN
GORDON WY
MILLICAN CT
VIA VAQUEROS
ALHAMBRA VALLEY RD
STONEHURST DR
STONE VALLEY CT
WHITEHAVEN WY
CHELSEA DR
ROLLING RIDGE WY
STONEHURST CT
VACA CREEK WY
QUAIL HOLLOW
MONTEIRA LN
RELIEZ VALLEY RD
CASTLE CREEK CT
VALLEY ORCHARD CT
PYRMONT CT
PINE TREE TR
CTE DE LA CANADA LN
BRIONES RD
QUAIL LN
ORCHARD TR
TOTON TR
ALHAMBRA CREEK RD

REVISED

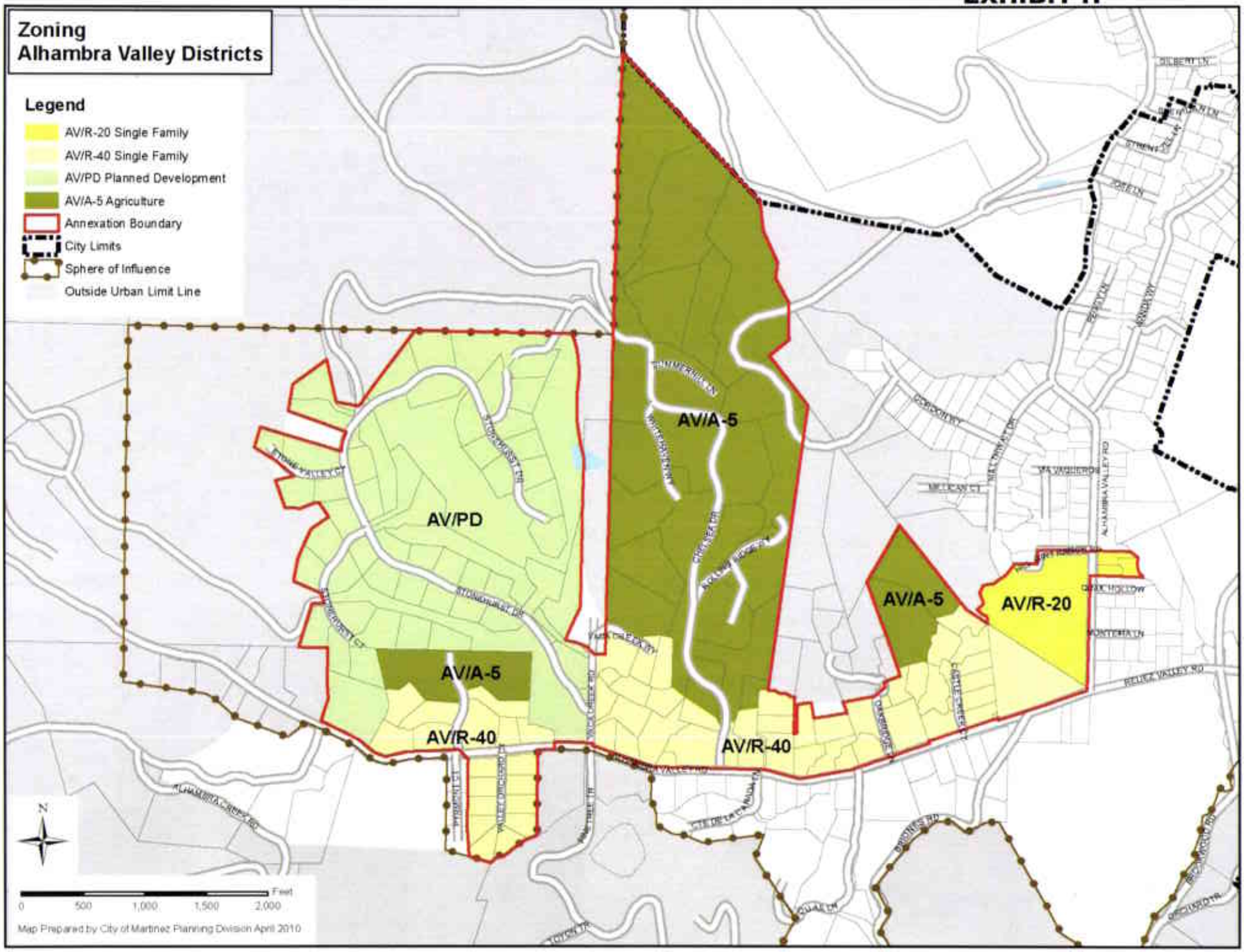



**EXHIBIT H**