

## ITEM J – PART II

### **2024 Annual Land Use and Development Code Update Housing Implementation Zoning Text Updates Reaffirmation of Previous Environmental Assessment and Zoning Ordinance Amendments File No. 24-001**

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On June 27, 2023, the Vacaville City Council adopted Resolution No. 2023-059 approving the 2023-2031 Housing Element Update. The Housing Element is a tool for jurisdictions to (1) provide adequate housing sites to meet the City's Regional Housing Needs Allocation (RHNA); (2) urge the development of affordable housing; (3) remove governmental and other constraints to housing development; (4) promote equal housing opportunities; and (5) encourage the efficient use of land and energy resources in residential development.

The Housing Element includes various Implementation Programs that must be completed by specific dates to ensure compliance with the California Department of Housing and Community Development. The Programs listed below require amendments to the Vacaville Land Use and Development Code (LUDC).

1. Density Bonus Ordinance (Housing Element Programs HE-1(a) and HE-15(g))
2. Missing Middle Housing (Housing Element Program HE-3(b))
3. 3-Bedroom Apartments (Housing Element Program HE-3(d))
4. ADUs/JADUs (Housing Element Programs HE-4(a) and HE-17(e))
5. Supportive Housing (Housing Element Program HE-6(c))
6. Employee Housing (Housing Element Program HE-15(a))
7. Single Room Occupancy (Housing Element Program HE-15(b))
8. Low-Barrier Navigation Centers (Housing Element Program HE-15(d))
9. Emergency Shelters (Housing Element Program HE-15(e))
10. Objective Findings (Housing Element Program HE-15(k))

The summary below provides a legislative background and description of the proposed text amendments for each program; complete text amendments are attached showing amendments in a strikethrough or underlined format.

#### **1. Density Bonus Ordinance (Housing Element Programs HE-1(a) and HE-15(g))**

The City is required to amend its Density Bonus Ordinance as needed to remain compliant with recent and future changes to state law. Based on current state law, the following sections would be amended:

- 14.09.210 Affordable Housing, Density Bonus, and Incentives

#### **2. Missing Middle Housing (Housing Element Program HE-3(b))**

The City intends to amend the zoning ordinance to require a certain percentage of duplexes, triplexes and four-plexes when residential subdivision maps over 10 acres are proposed. The following sections would be amended:

- 14.09.060 Residential Zoning Districts

The amendments would allow these uses in the RL district (they are already permitted in higher-density residential districts) and require that a percentage of the lots within the subdivision be developed with these types of units if more than 10 acres are proposed for a subdivision.

### **3. 3-Bedroom Apartments (Housing Element Program HE-3(d))**

The City intends to expand the supply of three-bedroom apartments to provide affordable multifamily housing for large households and young adult households. Outdoor recreation space requirements and parking requirements are often seen as potential barriers to housing production, including multi-unit developments offering more than two bedrooms.

The proposed amendments would 1) lessen outdoor recreation space requirements for multi-unit developments that provide a certain percentage of three-bedroom units and 2) establish greater flexibility for parking requirements based on unit size (i.e., 2-bedroom, 3-bedroom, 4-bedroom). The following sections would be amended:

- 14.09.060 Residential Zoning Districts
- 14.09.070 Commercial and Mixed-Use Districts
- 14.09.230 Parking and Loading

### **4. ADUs/JADUs (Housing Element Programs HE-4(a) and HE-17(e))**

The City is required to amend its ADU/JADU ordinance as needed to remain compliant with recent and future changes to state law. Based on current state law, the following sections would be amended:

- 14.09.070 Commercial and Mixed-Use Zoning Districts
- 14.09.270.040 Accessory Dwelling Units

### **5. Supportive Housing (Housing Element Program HE-6(c))**

“Supportive housing” is defined as “housing with no limit on the length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community.” (Health and Safety Code Section 50675.14)

According to Government Code Section 65583(c)(3), supportive housing must be considered a residential use of property and shall be considered a residential use of property and must be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone. Supportive housing, as defined in Government Code Section 65650, shall be a land use permitted by right in all zones where multifamily and mixed uses are permitted, as provided in Article 11 (commencing with Section 65650).

The proposed amendments would 1) define supportive housing and 2) allow supportive housing without discretionary review in zones where multi-family (two or more units) and mixed uses are permitted, including non-residential zones permitted multi-family uses if the proposed housing development satisfies requirements pursuant to Government Code Section 65651. The following sections would be amended:

- 14.02.050 Definitions
- 14.09.060 Residential Zoning Districts

- 14.09.070 Commercial and Mixed-Use Zoning Districts
- 14.09.080 Employment Zoning Districts

## **6. Employee Housing (Housing Element Program HE-15(a))**

Employee housing providing accommodations for six or fewer employees must be deemed a single-family structure with a residential land use designation pursuant to Health and Safety Code Section 17021.5 (i.e., “employee housing, small”). No conditional use permit, zoning variance, or other zoning clearance shall be required of employee housing that serves six or fewer employees that are not required of a family dwelling of the same type in the same zone. Employee housing consisting of no more than 36 beds in group quarters, or 12 units or spaces designed for use by a single family or household, or that is approved pursuant to Health and Safety Code Section 17021.8, must be deemed an agricultural land use pursuant to Health and Safety Code Section 17021.6 (i.e., “employee housing, large”). No conditional use permit, zoning variance, or other discretionary zoning clearance shall be required of this employee housing that is not required or any other agricultural activity in the same zone.

Further, a development proponent of employee housing may apply to a development that is subject to a streamlined, ministerial approval process (e.g., streamlined “Agricultural Employee Housing”) if the proposed development satisfies requirements pursuant to Health and Safety Code Section 17021.8.

The proposed amendments would 1) define employee housing (“small” and “large”), 2) add employee housing, large as an agricultural use classification, 3) allow employee housing pursuant to Health and Safety Code Section 17021.5 and 17021.6, and 4) create a new section (14.09.270.210, Agricultural Employee Housing) establishing requirements for streamlined, ministerial approval process pursuant to Health and Safety Code Section 17021.8. The following sections would be amended:

- 14.02.050 Definitions
- 14.02.060 Use Classifications
- 14.09.060 Residential Zoning Districts
- 14.09.070 Commercial and Mixed-Use Zoning Districts
- 14.09.050 Agriculture Zoning Districts
- 14.09.090 Public and Semi-Public Zoning Districts
- **\*NEW\*** 14.09.270.210 Agricultural Employee Housing

## **7. Single Room Occupancy (Housing Element Program HE-15(b))**

Government Code Section 65583(c)(1) requires jurisdictions to identify sites to facilitate and encourage the development of a variety of types of housing for all income levels, including single-room occupancy (SRO) units.

“Single Room Occupancy” means a facility providing six or more dwelling units where each unit has a minimum floor area of one hundred fifty (150) square feet and a maximum floor area of four hundred (400) square feet. These dwelling units may have kitchen or bathroom facilities and shall be offered on a monthly basis or longer.

The proposed amendments would 1) define single room occupancy, 2) add single room occupancy as a residential use classification, 3) allow single room occupancy units as a permitted use in zones that allow multi-family residential, mixed-use, and commercial uses, and 4) establish development and operational standards for single room occupancy uses.

- 14.02.050 Definitions
- 14.02.060 Use Classifications
- 14.09.060 Residential Zoning Districts
- 14.09.070 Commercial and Mixed-Use Zoning Districts
- **\*NEW\*** 14.09.270.220 Single Room Occupancy
- 14.09.230 Parking and Loading

## **8. Low-Barrier Navigation Centers (Housing Element Program HE-15(d))<sup>1</sup>**

According to Government Code Section 65662, a Low Barrier Navigation Center development must be considered a use by right in areas zoned for mixed-use and nonresidential zones permitting multi-family uses if it meets the requirements of this article.

“Low Barrier Navigation Center” means a Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. “Low Barrier” means best practices to reduce barriers to entry. (Government Code Section 65660).

The proposed amendments would 1) define Low Barrier Navigation Center and 2) allow Low Barrier Navigation Center development as a use by-right in areas zoned for mixed-use and nonresidential zones permitting multi-family uses if the development meets the requirements of Government Code Section 65662, as codified in LUDC Section 14.09.270.200. The following sections would be amended:

- 14.02.050 Definitions
- 14.09.070 Commercial and Mixed-Use Zoning Districts
- 14.09.080 Employment Zoning Districts

## **9. Emergency Shelters (Housing Element Program HE-15(e))**

According to Government Code Section 65583, Emergency Shelters must be allowed as a permitted use without a conditional use or other discretionary permit in one or more zoning designations that allow residential uses, including mixed uses.

“Emergency Shelter” means a facility that provides temporary housing and support services to people who are homeless or at risk of homelessness. Such a facility must include other interim interventions, including but not limited to, navigation centers, bridge housing, and respite or recuperative care.

The proposed amendments would 1) define emergency shelters, 2) remove the conditional use permit requirement and permit emergency shelters without discretionary review in the CG zone so that a sufficient amount of vacant or underutilized land is available, and 3) amend parking and loading requirements to allow sufficient parking to accommodate all staff working in the emergency shelter, provided that the standards do not require more parking than other residential or commercial uses within the same zone. The following sections would be amended:

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<sup>1</sup> Note: this Housing Element Program was deemed complete in June 2023, but upon further review, additional revisions are required to comply with State Law.

- 14.02.050 Definitions
- 14.09.070 Commercial and Mixed-Use Zoning Districts
- 14.09.230 Parking and Loading

#### **10. Objective Findings (Housing Element Program HE-15(k))**

Per the findings of the Housing Constraints Assessment in the Housing Element, the City intends to amend Chapters 14.09.300.050 and 14.09.310.050 to remove findings that are considered a constraint due to their subjectivity, or rewrite them using objective standards. Based on this intent, the following sections would be amended:

- 14.09.300.050 Use Permit Findings
- 14.09.310.050 Adjustment Review Findings

## Chapter 14.02.050 Definitions

### Sections:

**14.02.050.010 Language Defined.**

**14.02.050.020 Definitions.**

### **14.02.050.010 Language Defined.**

Language commonly used throughout this title is defined in this chapter.

### **14.02.050.020 Definitions.**

“Abandoned” means the cessation of a use or activity by the owner or tenant for a period of one year, excluding temporary or short-term interruptions for the purpose of remodeling, maintaining, or otherwise improving or rearranging a facility.

“Abandoned sign” means a permanent sign that identifies a business, lessor, owner, product, service, or activity that is no longer on the premises where the sign is displayed.

“Abutting” means district boundaries or lot lines in common, including lots which abut only at a corner; also means adjacent to or adjoining.

“Acceptance of improvements” means that there is some written acceptance of the improvements by either the City Engineer, Director of Public Works, or the City Council.

“Access” means the place, means, or way by which vehicles have usable legal ingress and egress, unless the context dictates otherwise, to a property and/or use as required by this Land Use and Development Code.

Access, Direct. “Direct access” is access located at a point along a lot line at which such lot line is contiguous to a street (or alley) and the site and not via an easement over another site.

Access, Indirect. “Indirect access” is access located so as to provide access to a site across a lot line which is not contiguous to a street or alley at the point of crossing, typically via an easement over another site.

Access, Pedestrian. “Pedestrian access” is the place, means, or way by which pedestrians have usable legal ingress and egress, unless the context dictates otherwise, to a property and/or use as required by this code.

Accessory Dwelling Unit. An accessory dwelling is an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons. It is on the same site as the primary dwelling and is limited in size or other standards of this code to be accessory to that dwelling. It includes permanent provisions for living, sleeping, eating, cooking, and sanitation on the same site as where the primary dwelling unit is situated, and meets the standards for accessory dwelling units in this code. It may include an efficiency unit or a manufactured home to be used as an accessory dwelling unit. This term does not include a structure constructed as a duplex, single-family dwelling, or an apartment.

“Accessory structure” means a structure detached from and incidental to the primary structure on the same lot and not designed or used for human habitation, or a structure attached to the primary structure by a breezeway. Accessory structures include, but are not limited to, storage sheds; gazebos; garden arbors greater than 10 feet in length, or three feet in width, or eight feet in height; detached decks with a floor height greater than 18 inches above grade; carports detached from the main structure; play structures greater than six feet; and detached patio covers. Accessory structures do not include accessory dwelling units, carports, garages, patio covers, or decks directly attached to the main structure, and additions attached to the main structure.

“Accessory use” means a use incidental, related, appropriate, and clearly subordinate to the principal use of the lot or building that does not alter the primary use of the subject lot.

“Acreage, gross” means the entire land area of a site prior to any dedications for public use or deductions for health, safety, or similar purposes.

“Acreage, net” means the land area of a site remaining after dedication of ultimate rights-of-way, including exterior boundary streets, floodways, public parks and other open space, and utility easements and rights-of-way.

“Addition” means an extension or increase in floor area and/or height of a building or structure.

“Adjacent” means neighboring or next to each other, but may not be touching (e.g., may be across the street).

“Adjoining” means having a common boundary with, abutting, or touching.

“Adult arcade” means a business establishment to which the public is permitted or invited and where coin-, card- or slug-operated or electronically, electrically or mechanically controlled devices, still or motion picture machines, projectors, videos, holograms, virtual reality devices, or other image-producing devices are maintained to show images on a regular or substantial basis, where the images so displayed are distinguished or characterized by an emphasis on matter depicting or describing specified sexual activities or specified anatomical areas. Such devices shall be referred to as “adult arcade devices.”

“Adult booth/individual viewing area” means a partitioned or partially enclosed portion of an adult-oriented business used for any of the following purposes:

1. Where a live or taped performance is presented or viewed;
2. Where the performances and/or images displayed or presented are distinguished or characterized by their emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas; or
3. Where adult arcade devices are located.

“Adult cabaret” means a business establishment (whether or not serving alcoholic beverages) that features adult live entertainment.

“Adult hotel/motel” means any lodging use (as defined in Chapter [14.02.060](#) of this code) that is used for presenting on a regular and substantial basis images through closed circuit television, cable television, still or motion picture machines, projectors, videos, holograms, virtual reality devices, or other image-producing devices that are distinguished or characterized by the emphasis on matter depicting or describing or relating to specified sexual activities or specified anatomical areas.

“Adult live entertainment” means a business establishment with any physical human body activity, whether performed or engaged in alone or with other persons, including singing, walking, speaking, dancing, acting, posing, simulating, wrestling, or pantomiming, in which: (1) the performer (including topless and/or bottomless dancers, go-go dancers, exotic dancers, strippers, or similar performers) exposes to public view, without opaque covering, specified anatomical areas; and/or (2) the performance or physical human body activity depicts, describes, or relates to specified sexual activities whether or not the specified anatomical areas are covered.

“Adult modeling studio” means a business establishment which provides for any form of consideration the services of a live human model, who, for the purposes of sexual stimulation of patrons, displays specified anatomical areas to be observed, sketched, photographed, filmed, painted, sculpted, or otherwise depicted by persons paying for such services. “Adult modeling studio” does not include schools maintained pursuant to standards set by the Board of Education of the state of California.

“Adult motion picture theater” means a business establishment, with or without a stage or proscenium, where, on a regular and substantial basis and for any form of consideration, material is presented through films, motion pictures, video cassettes, slides, laser disks, digital video disks, holograms, virtual reality devices, or similar electronically generated reproductions that is characterized by the depiction or description of specified sexual activities or specified anatomical areas.

“Adult-oriented business” means a business establishment or concern that as a regular and substantial course of conduct operates as an adult retail store, adult motion picture theater, adult arcade, adult cabaret, adult motel or hotel, or adult modeling studio; or a business establishment or concern that as a regular and substantial course of conduct offers, sells, or distributes adult-oriented material or sexually oriented merchandise, or which offers to its patrons materials, products, merchandise, services, or entertainment characterized by an emphasis on matters depicting, describing, or relating to specified sexual activities or specified anatomical areas but not including those uses or activities which are preempted by state law.

“Adult-oriented material” means accessories, paraphernalia, books, magazines, laser disks, compact discs, digital video disks, photographs, prints, drawings, paintings, motion pictures, pamphlets, videos, slides, tapes, holograms, or electronically generated images or devices including computer software, or any combination thereof that is distinguished or characterized by its emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas. “Adult-oriented material” shall include sexually oriented merchandise.

“Adult retail store” means a business establishment having as a regular and substantial portion of its stock in trade adult-oriented material.

“A-frame sign” means a self-supporting, portable sign with two rigid panels supporting the sign that are adjoined at the top and extend to the ground in shape of an inverted V.



**FIGURE 14.02.050.A: EXAMPLES OF A-FRAME SIGNS**

“Agent” means a person authorized in writing by the property owner to represent and act for a property owner in contacts with City employees, committees, commissions, and the City Council, regarding matters regulated by this code.

“Agricultural buffer” means designated lands bordering urban development on one or more sides and grazing land, intensive and/or irrigated agriculture outside the urban growth boundary on the other side(s), and so designated on the General Plan Land Use Map or other land use approval to serve as a buffer between urban development and agricultural uses.

“Aircraft” means every kind of vehicle or structure intended for use as a means of transporting persons or goods, or both, in the air. Aircraft shall include helicopters.

“Airport Land Use Commission (ALUC)” means the Solano County Airport Land Use Commission.

“Alley” means a roadway that provides secondary access to the rear or side of lots that front on and have primary pedestrian access to a public or private street.

“Allowed use” means a land use identified in Part II of Division 14.09, District Regulations, as a use that may be established by right or with approval of a conditional use permit, and subject to compliance with all applicable provisions of this code.

“Alter” means to make a change which affects the appearance, impact, intensity, size, location, or purpose of a use, structure, or site.

“Alterations” means an exterior change, addition, or modification to an existing structure or site. This may include changes to the architectural details or the visible characteristics of a structure, such as a change in paint color or surface texture materials, or the grading, paving, or removal of natural features from the site, affecting the exterior visual character of the property.

“Annexation” means the process for the incorporation of land within the City of Vacaville.

“Antenna” means any system of poles, panels, rods, reflecting discs or similar devices used for the transmission or reception of electromagnetic waves or radio frequency signals.

“Antenna array” means several antennas connected and arranged in a regular structure to form a single antenna.

“Applicant” means any person that files a planning entitlement application form.

“Approach-departure zones” means either:

1. Zones as defined by the adopted Airport Land Use Compatibility Plan; or
2. The flight path of the helicopter as it approaches or departs from the touchdown area.

“Approval” includes both approval and approval with conditions by a review authority of the City.

“Architectural feature” means an exterior building feature, including a balcony, canopy, column, doors, porches, roof, roof eave, soffit, windows, wing wall, and any other similar element that does not create an interior floor space.

“Area median income” means the median family income, adjusted for household size, for Solano County, as published from time to time by the state Department of Housing and Community Development.

“Artificial turf” means a synthetically derived natural grass substitute. The term includes synthetic grass and synthetic turf.

“Balcony” means a platform projecting from the wall above the first floor of a building with a balustrade or railing along its outer edge, often with access from a door or window to an upper floor.

“Banner” means a temporary sign constructed of cloth, canvas, vinyl, light fabric, or similar flexible materials.

“Barn” means any building designated or used for storing agricultural related materials, equipment and supplies, and housing livestock.

“Billboard” means a permanent sign that meets any one or more of the following criteria:

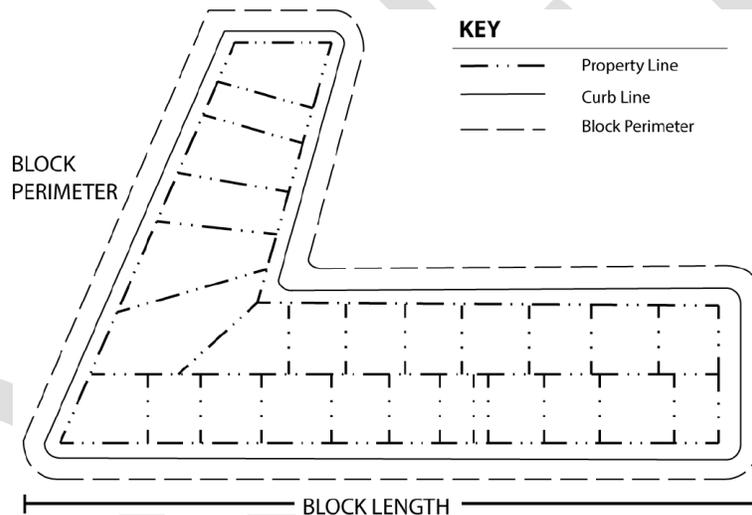
1. It is used for general advertising for hire;

2. It may be an accessory or auxiliary use to a principal use on the site, or a separate or principal use of the site;
3. It is a profit center on its own; or
4. The ground surrounding the sign, the sign itself, or any part of the display is leased, rented, owned, or otherwise contractually dedicated for use by an establishment that is not the property owner or lessee of the entire lot or the primary occupant of a tenant space of at least 500 square feet within a building on the site.

“Block” means an area of land surrounded by streets, rail rights-of-way, streams, canals, or similar access control strips.

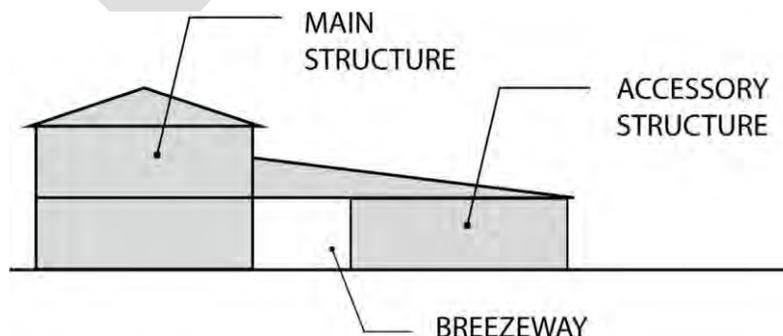
“Block length” means the distance between the centerlines of intersecting streets that define the outer boundary of a block.

“Block perimeter” means the length of the boundary of a block, measured at street centerline or edge of another feature that defines the boundary of the block.



**FIGURE 14.02.050.B: BLOCK, BLOCK LENGTH, AND BLOCK PERIMETER**

“Breezeway” means a structure for the principal purpose of connecting a primary structure on a site with another structure or an accessory structure on the same site.



**FIGURE 14.02.050.C: BREEZEWAY**

“Buffer” means an open space or landscaped area established to provide an open area between

potentially incompatible uses or structures.

“Building” means any structure having a roof supported by columns or walls, for the housing or enclosure of persons, animals, equipment, or property of any kind.

“Building frontage” means a building wall adjacent to a parcel or a lot boundary that abuts a public right-of-way.

“Building Official” means the designated City employee who is primarily responsible for administration of the building regulations adopted by the City of Vacaville Municipal Code, subject to the overall direction and control of the City Manager or designee.

“Building permit” means written authorization from the Fire Marshal/Building Official of the City of Vacaville for the erection of any structure.

Bus Station. See “Transit station.”

“California Environmental Quality Act (CEQA)” means the state law (California Public Resources Code Section [21000](#) et seq.) requiring public agencies to document and consider the environmental effects of a proposed action, prior to allowing the action to occur.

“California room” means a patio or raised platform with a patio cover attached to a building, enclosed on two or three sides and open on at least one side, and an entrance directly into the building.

“Caliper” means the measurement of the diameter of a tree’s trunk.

“Carport” means an attached or detached accessory permanent roofed building with not more than two enclosed sides, or 50 percent of its perimeter, used for automobile shelter.

“Carrier” means a company that provides wireless telecommunication services.

“Change of use” means the change of an existing use category on a lot or parcel, or any portion thereof, to a new use category, or a change in the nature of an existing use category, but does not include a change of ownership, tenancy, or management associated with a use for which the previous nature of the use will remain substantially unchanged unless otherwise described in this code.

“Changeable copy sign” means a sign that is designed so that characters, letters, numbers, or illustrations can be manually or mechanically changed or rearranged without altering the face or surface of the sign.



**FIGURE 14.02.050.D: EXAMPLE OF A CHANGEABLE COPY SIGN**

“Chicken” means a common domestic fowl.

“City Council” means the City Council of the City of Vacaville.

“Clear zone” means the area at ground level that begins at the end of each runway clear zone and extends under the path of landing or departing aircraft as defined in Federal Aviation Regulations.

“Co-location” means the mounting of one or more wireless telecommunications facilities, including antennas, on an existing structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities.

“Commercial vehicle” means a vehicle used for commercial purposes having a manufacturer’s gross vehicle weight rating of 10,000 pounds or more per California Vehicle Code Section [22507.5](#), typically with three or more axles and/or a minimum of six feet and 10 inches wide.

“Commission” means the Planning Commission of the City of Vacaville.

“Common recreational open space area” means open space on a project (exclusive of the required front setback area), including accessory structures such as swimming pools, recreational buildings, and landscaped areas, to be used for recreational purposes, by occupants (and their visitors) of units within the project.

“Community apartment” means an estate in real property consisting of an undivided interest in common in a parcel of real property and the improvements in the real property coupled with the right of exclusive occupancy for residential purposes of an apartment located thereon.

“Community apartment project” means the conversion of an existing structure to a community apartment containing two or more apartments to which there is the right of exclusive occupancy for residential purposes.

“Conditional use permit (CUP)” means a discretionary land use application for uses that are generally consistent with the goals, objectives, and policies of the General Plan, and the purposes of the district where they are proposed, and that require special consideration and specific conditions of approval applied (e.g., operational limitations and design requirements) to minimize potential impacts that may otherwise result from a land use, and to ensure that they can be designed, located, and operated in a manner that will be compatible with the surrounding area and consistent with the zoning district and the General Plan.

“Condominium” as defined by Civil Code Section [1351\(f\)](#) means an estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in space in a residential, industrial or commercial building on such real property, such as an apartment, office or store. A condominium may include in addition a separate interest in other portions of such real property.

“Condominium association” means the organization of persons who own a condominium unit or right of exclusive occupancy in a community apartment.

“Condominium common area” means an entire project excepting all units in the place.

“Condominium conversion” means a change in the type of ownership of a parcel or parcels of land, together with the existing attached structures, to that defined for a condominium project or a community apartment project regardless of the present or prior use of such land and structures and whether substantial improvements have been made or are to be made to such structures.

Corner Lot. See under “Lot.”

“Corral” means any fenced area devoted to the containment of livestock.

“Cottage cluster” means a building type that consists of a series of small, detached structures on a single lot, providing multiple units that are arranged to define a shared court.

“Cottage food operations” means an enterprise with gross annual sales limits set forth in Section [113758\(a\)](#) of the Health and Safety Code that is operated by a cottage food operator and having not more than one full-time equivalent cottage food employee, not including a family member or household member of the cottage food operator, and conducted within the registered or permitted area of a private home where the cottage food operator resides and where cottage food products are prepared and/or packaged for direct, indirect, or direct and indirect sale to consumers pursuant to Sections [113758\(b\)\(4\)](#) and (5) of the Health and Safety Code. A “cottage food operation” includes both of the following:

1. Class A. Cottage food operations engaged in direct sales only of cottage food products from the cottage food operation or other direct sales venues, such as temporary events. A separate permit from the county of Solano shall be required to operate a temporary food facility at such events. A Class A cottage food operation shall not be open for business unless it is registered with the county of Solano.
2. Class B. Cottage food operations engaged in both direct sales and indirect sales of cottage food products, such as a permitted third-party retail food facility. A Class B cottage food operator shall not be open for business unless it obtains a permit from the county of Solano.

“County” means the county of Solano, California.

“Cultural resources” means prehistoric and historic materials, features, and artifacts, as determined by a qualified cultural resource specialist in compliance with the state Office of Historic Preservation regulations. Cultural resources include, but are not limited to, historic structures, archaeological sites, archaeological isolates, and paleontological resources.

“Curb” means a City-approved raised concrete or asphalt concrete structure along the edge of the street pavement.

“Current market value” means the value of a building or structure under current market conditions determined based on information from an appraisal company, or other information that may be deemed appropriate by the Director of Community Development to determine the current value.

“Deck” means a raised horizontal structure without roof or walls, except a common wall shared with a building, located outside a building, and typically used as outdoor living area.

“Dedicated street” means a street offered to and accepted by the City of Vacaville.

“Demolition” means the removal, destruction, or partial destruction of any structure or structures, including walls.

“Density, base” means the lowest point of the density range for a site allowed under the General Plan.

“Density bonus” means a density increase over the otherwise maximum allowable residential density under the applicable zone and designation of the Land Use Element of the General Plan as of the date of the application by the applicant to the City, as allowed under Government Code [65915](#) or Chapter 14.09.210 of this code.

“Density, residential” means the number of permanent residential dwelling units per unit of land. Unless otherwise specified, density is measured in dwelling units per developable residential acre.

“Developable residential area” means the total site area determined to be usable for residential development. The areas proposed as “developable residential area” are evaluated at the time of submittal of an application for a land use approval and are subject to the determination of the Director of Community Development. Developable residential area shall include the following:

1. Areas within existing and adjoining public property which are proposed to be fully improved to City

standards by an applicant as part of the proposed project, and for which no fee credit or other monetary compensation is received;

2. Deleted;<sup>1</sup>

3. Areas held in common private ownership for private streets, common driveways, trails, or utility right-of-way;

4. Areas used or proposed to be used as residential yards, accessory structures, common open space, recreation, or service areas for the residents, such as private parks, clubhouses, laundry rooms, and manager offices;

5. Developable residential area excludes the following:

- a. Areas with a slope of 25 percent or greater with a vertical change of 25 feet or more;
- b. Creekways below the stable top of bank, as determined by the City Engineer; and
- c. Public flood control channels and related rights-of-way and facilities;

6. Areas determined to be unbuildable due to geologic instability, as determined by the City Engineer;

7. Areas above the City's applicable maximum water service elevation, as determined by the City Engineer;

8. Areas where development is precluded by existing easements and is not included in a required yard or open space;

9. Public parks, public street or alley right-of-way, and other property for public use which is proposed to be dedicated or sold to the City or public agency or maintained for the general public, for which compensation is provided in the form of fee credit or monetary compensation; and

10. Lots developed or proposed for nonresidential uses, including, but not limited to, churches, schools, and day care centers, and excluding common facilities for the residents, such as clubhouses, laundry rooms, and manager offices.

"Developer" means a person, firm, corporation, partnership, or association who proposes to: (1) divide or cause to be divided real property into a subdivision; (2) develop an existing parcel or series of parcels with buildings, paving, landscaping, or other site improvements, if such improvements require approval of a land development permit; (3) change the use of an existing building or parcel, if such change in use requires approval of a land development permit; or (4) any combination of subsection (1), (2), or (3) of this definition.

"Development standards" means the provisions of this code that regulate the site planning and design of a proposed project or new land use, including provisions for height limits, landscaping, minimum lot area, off-street parking, setbacks, signs, and standards for specific land uses, and includes performance standards.

"Diameter at breast height (DBH)" means the diameter of a tree trunk at four and one-half feet above adjacent ground. The diameter may be calculated by use of the following formula:  $DBH = \text{tree circumference at breast height} \div 3.142$ .

"Director" means the Community Development Director of the City of Vacaville (including interim director), or designee.

"Discretionary permit" means a City land use review and entitlement process where the review authority exercises discretion in deciding to approve or disapprove the permit, and includes but is not limited to use permits,

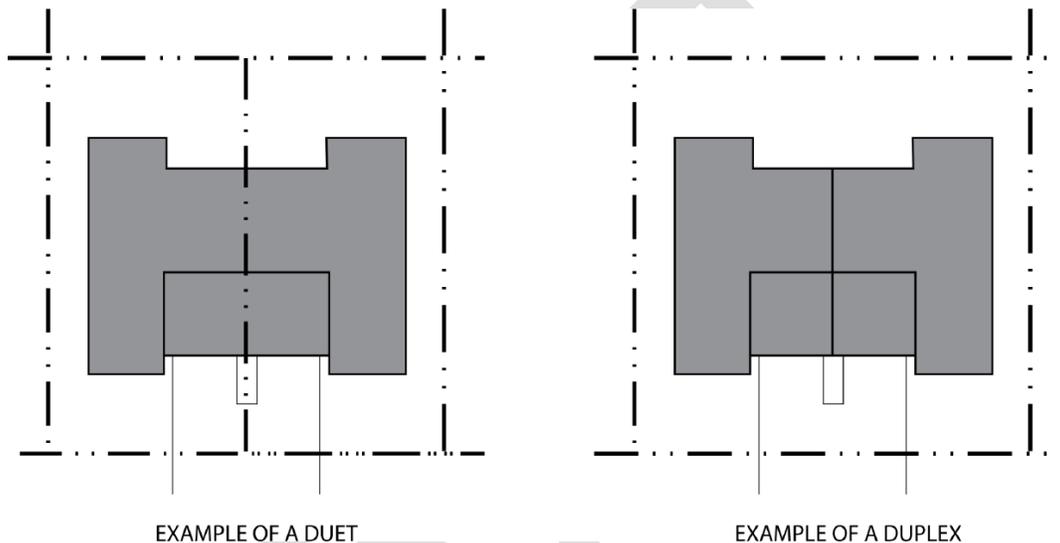
variances, and subdivision maps.

“Driveway, common” means a driveway that provides access to two to six lots and six or fewer dwelling units.

“Driveway, private” means an improved vehicular access way that provides access to a parcel or lot on which it is located. Driveways also include an easement crossing no more than one other parcel for the purpose of providing access to no more than one abutting parcel.

“Duet” means a pair of single-unit dwellings that are attached to one another on adjacent individual lots.

“Duplex” means a multi-unit dwelling with two dwelling units on a single site. Does not include a single-unit dwelling with an attached accessory dwelling unit.



**FIGURE 14.02.050.E: DUET, DUPLEX**

“Dwelling, multi-unit” means a structure containing two or more dwelling units on a single lot or a structure containing two or more dwelling units on more than one lot when the lots are generally surrounded by common area.

“Dwelling, primary single-unit, detached” means the single-family dwelling on the same site as an accessory dwelling unit.

“Dwelling, single-unit attached” means a single unit that is attached to another single-unit dwelling on an adjacent lot. A pair of single-family attached dwellings is also called a duet. Three or more single-unit attached dwellings is also called a townhouse.

“Dwelling unit” means a building or portion thereof (e.g., room or group of internally connected rooms) that has complete independent living facilities for one household, including permanent provisions for living, sleeping, eating, cooking and sanitation in the unit to be occupied by or intended for occupation by one household as a permanent residence. A dwelling unit does not include temporary accommodations, such as tents, trailers, or recreational vehicles.

“Eave” means the overhang that projects from a building at the lower edge of the roof (i.e., the overhanging lower edge of a roof).

“Effective date” means the date upon which this code or a subsequent amendment to it is in full force and effect from and after its adoption.

“Efficiency dwelling unit” means a dwelling unit containing only one habitable room. Includes an efficiency unit as defined by California Health and Safety Code Section [17958.1](#).

“Elevation style” means a set of architectural features on the exterior of a house plan. An elevation style includes a combination of roof forms, exterior materials, colors, or other exterior architectural features that are distinct from other elevation styles used for the same house plan.

“Emergency Shelters” mean a facility that provides temporary housing and support services to people who are homeless or at risk of homelessness. Such a facility must include other interim interventions, including but not limited to, navigation centers, bridge housing, and respite or recuperative care.

“Employee housing” housing as described in California Health and Safety Code Sections 17021.5 and 17021.6, and employee housing as defined in California Health and Safety Code Section 17008, including farm worker housing. Specifically, there are two types of employee housing:

1. Employee Housing, Large: Employee housing that serves more than six employees and consists of no more than thirty-six beds in group quarters or twelve units or spaces designed for use by a single family or household (Health and Safety Code Section 17021.6).
2. Employee Housing, Small: Employee housing that serves six or fewer employees (Health and Safety Code Section 17021.5).

“Establishment of an adult-oriented business” includes:

1. The opening or commencement of any adult-oriented business (as defined in this section) as a new business;
2. The conversion of an existing business, whether or not an adult-oriented business, to any adult-oriented business;
3. The addition of any adult-oriented business to any other existing adult-oriented business;
4. The relocation of any adult-oriented business; or
5. Physical changes that expand the square footage of an existing adult-oriented business by more than 10 percent.

“Existing or natural grade” is the grade of the site prior to any grading.

“Family” refers to one or more persons, related or unrelated, living together as a single integrated household in a dwelling unit.

“Feather banner sign” means a pole to which a flexible fabric, generally in the shape of a feather or similar shape containing any combination of text, logos, and images, is attached. Such banners are also known and sold under such names as “quill sign,” “banana banner,” “blade banner,” “flutter banner,” “flutter flag,” “bow flag,” “teardrop banner,” and others. The definition includes functionally similar display devices.



**FIGURE 14.02.050.F: EXAMPLE OF A FEATHER BANNER SIGN**

“Federal Aviation Administration (FAA)” means a federal government agency responsible for the safe operation of the aviation system.

“Federal Communications Commission (FCC)” means a federal governmental agency responsible for the regulation of interstate and international communication by radio, television, wire, satellite, and cable.

“Fence” means an artificially constructed barrier consisting of any permitted materials, other than plant materials, intended to form an enclosure, mark a boundary, prevent intrusion, and/or provide a screen. See also “Wall, masonry.”

1. Open fence means a fence constructed of any permitted material which allows visibility through the fence panel when viewed perpendicular to the face of the fence. This includes open style fences such as split-wood rail, chain link, wrought iron, tubular metal, or other similar materials;

2. Solid fence means a fence constructed of materials which do not allow for visibility through the fence when viewed perpendicular to the face of the fence. A fence consisting of chain link with slats is not considered a solid fence.

“Fill slope” means an artificial incline of earth created by earth filling.

“Final subdivision map” means a map showing the subdivision of land for which a tentative and final map are required by the Subdivision Map Act or this code and designed to be filed with the County Recorder.

“Fixed wireless” means a local wireless operation providing services such as local and long distance telephone and high-speed internet to residential and business customers by means of a small equipment

installation (the remote unit) on the exterior of each home or business that elects to use this service.

“Flag” means a piece of fabric of distinctive design, typically oblong or square that is displayed hanging from a staff, halyard, or building to which it is attached. “Flag” includes the official flag of any country, state, or local government or any fabric shaped as such, though a flag may represent any establishment, idea, or concept. “Flag” excludes pennants and feather banners.

“Floor area” means the sum of the areas of each floor of a building or structure.

“Floor area ratio (FAR)” means the ratio of floor area of a building or buildings on a site divided by the total lot area.

“Freestanding sign” means a permanent sign that is supported by one or more uprights, poles or braces or similar structural components and that is not attached to a building or structure. This definition does not include portable signs, yard signs, or ground signs.



**FIGURE 14.02.050.G: EXAMPLES OF FREESTANDING SIGNS**

“Freeway” means Interstate 80 and Interstate 505.

“Freeway sign” means a freestanding sign oriented toward a freeway that is not a billboard.

“Frontage” means the property line of a site abutting on a street, other than the sideline of a corner lot.

“Fuel break” means a strip or block of land on which the vegetation, debris and detritus have been reduced and/or modified to reduce the risk of the spread of fire crossing the fuel break and may include driveways, gravel walkways, and/or lawns.

“Garage” means an enclosed structure, either attached to or detached from the principal structure, accessible by and suitable for the parking of automobiles, and located on the same lot with the principal land use.

“Gazebo” means an accessory structure that consists of a roofed building that is enclosed on no more than one side and typically used as open-air living area. It excludes a carport.

“General advertising for hire” means the enterprise of making a sign display area available to advertisers or message sponsors, typically for a fee or other consideration.

“General Plan” means the City of Vacaville General Plan, including all its elements and all amendments, as adopted by the City Council in compliance with Government Code Section [65300](#) et seq.

“Geologic hazards” shall mean any condition in earth, whether naturally occurring or artificially created, which is dangerous or potentially dangerous to life, property, or improvements due to movement, failure,

or shifting of earth.

“Glare” means direct and unshielded light striking the eye to result in visual discomfort and reduced visual performance.

“Government Code” means the state of California Government Code.

“Grade” means the gradient of slope of the ground surface prior to proposed ground disturbance, grading, or site preparation and expressed as a percent of vertical or horizontal distances.

“Grade, finished” means the final ground surface elevation after the completion of grading or other site preparation related to a proposed development

“Grade, natural” means the existing ground surface elevation prior to grading or other site preparation.

“Grade plane” means a reference plane representing the average of finished ground level adjoining a building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six feet from the building, between the building and a point six feet from the building.

“Grazing” means the consumption of growing vegetation by livestock.

“Gross floor area” means the total horizontal area in square feet on each floor of a covered structure, extending to the outside of the exterior walls, but not including the area of inner courts, elevator shafts, and stairwells.

“Ground cover” means any variety of low growing or trailing plants used to cover the ground.

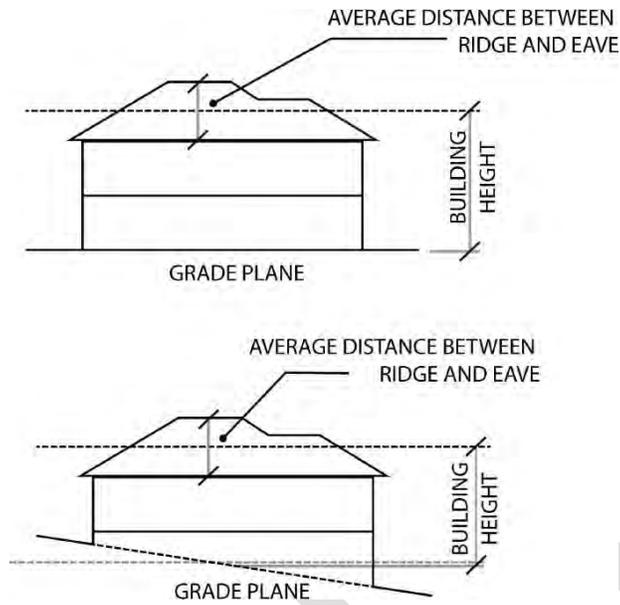
“Ground disturbance” means any ground modification or excavation, at any depth.

“Ground sign” means a temporary sign constructed of rigid and durable materials such as wood, that is supported by one or more uprights, poles, or braces in or upon the ground.

“Habitable space” means area within a dwelling unit for living, sleeping, eating, cooking, and/or bathing, that has controlled ventilation and heating, also known as conditioned space.

“Hedge” means a plant or series of plants, shrubs, or other landscape material so arranged as to form a physical barrier or enclosure.

Height, Building. Refer to the rules of measurement in Chapter [14.02.030](#) of this code. The vertical distance from grade plane to the average height of the highest roof surface. The average height of the highest roof surface is the mean height between the eaves and ridge for a hip, gable, or gambrel roof.



**FIGURE 14.02.050.H: HEIGHT, BUILDING**

“Helicopter” means a rotorcraft which depends for its motion and support in the air principally upon the lift generated by one or more power-driven rotors that rotate on a substantially vertical axis.

“Heliport” means an area of land or water or a structural surface which is used, or is intended for use, for the landing and take-off of helicopters whether on a regular or irregular basis, and any appurtenant area which is used, or is intended for use, for buildings, structures, equipment and other facilities related thereto.

“Helistop” means the same as a heliport except that no refueling, maintenance, repairs or storage of helicopters is permitted. Helistop shall include an area of land or water or a structural surface which is used exclusively or intended for exclusive use for the landing and take-off of aerial helicopter. “Helipad” shall mean the same as helistop.

“Hillside area” is land having a slope greater than or equal to 10 percent with a minimum vertical change of 25 feet or more.

“Historic resource” means any resource that may have historic, cultural and/or architectural significance, locally, regionally, or nationally, including districts, ensembles, thematic groups, corridors, structures, bridges, buildings, sites, cemeteries, landscape features, signs, plaques, or archaeological sites or artifacts. A historic site is considered to be the location of a historic or archaeological event, activity, occupation, structure, object, or landscape feature, including existing buildings or structure on the site, which has historic significance.

“House plan” means the architectural plans for a single-family dwelling, a duplex, or a duet. A house plan constructed with the same basic floor plan in a different area, even with different exterior architectural elevations and optional floor plan features, is considered a single house plan.

“Household pets” means domestic animals and birds ordinarily permitted inside a dwelling and kept only for the company or pleasure provided to the occupants.

“Impervious surface” means a surface compacted or covered with a layer of material so it is highly resistant to infiltration of water.

“Incompatible land uses” means land uses inherently incompatible with allowed uses as determined by the decision maker consistent with this code.

“Intensification of use” means a change in the use of structure or site that increases density or generates more traffic or other level of activity on the site.

“Land development permit” means any discretionary approval pursuant to the Land Use and Development Code which is required to construct or modify buildings or site improvements, install landscaping, or to use buildings or land. Examples of land development permits include, but are not limited to: conditional use permits, design review, variances, and planned development permits.

“Landscaped open areas” means an area that is maintained clear of any building or structure and includes landscaping (e.g., living plant material).

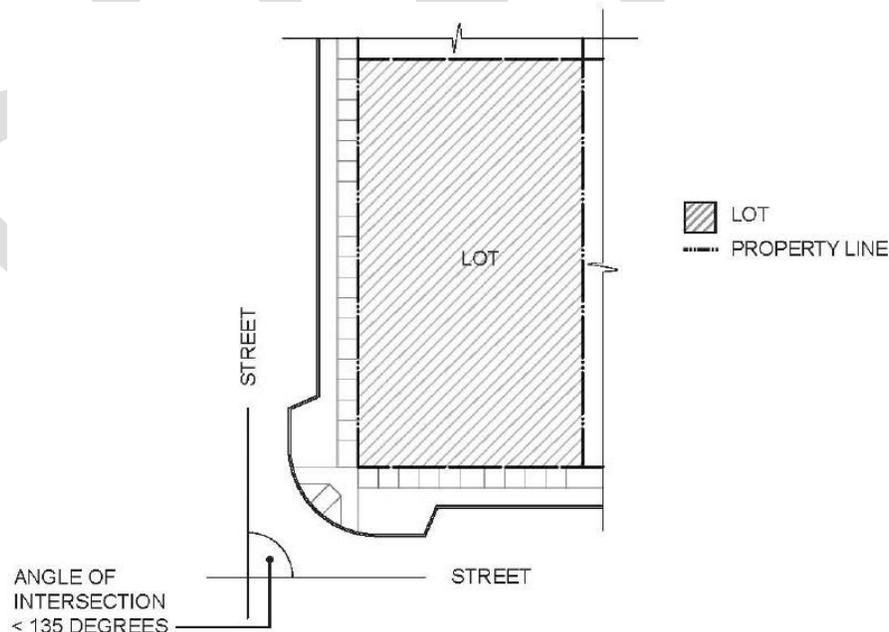
“LED sign (single-color, two-color, or three-color)” means a permanent sign composed of a single-color, two-color, or three-color LED, including signs with fixed and changeable copy. For signs that can be changed by electronic processes or remote control, see “Message center sign.”

“Livestock” means farm animals that are kept, raised, and used by people, including cows, horses, oxen, mules, donkeys, sheep, goats, and hogs, and excluding small animals and household pets.

“Living area” means the interior habitable area of a dwelling unit including basements and attics but does not include a garage or any accessory structure.

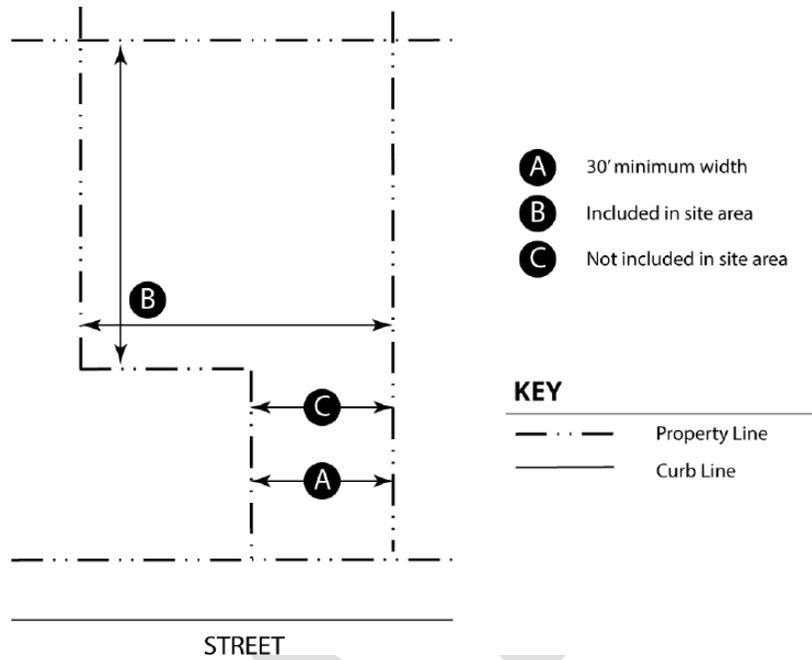
“Lot” means a parcel, tract, or area of land whose boundaries have been established by a legal instrument, such as a deed or map recorded with the county of Solano, and which is recognized as a separate legal entity for purposes of transfer of title, except public easements or rights-of-way. Lot types include the following:

1. “Corner lot” means a lot bounded by two or more adjacent street lines which have an angle of intersection of not more than 135 degrees.



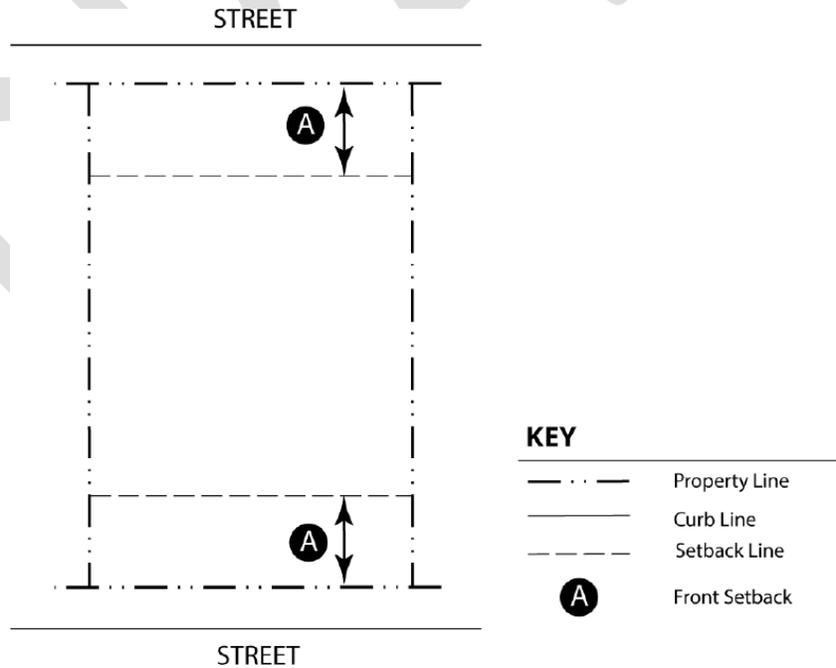
**FIGURE 14.02.050.I: LOT, CORNER**

2. “Flag lot” means a site with access to a street by means of a corridor having not less than 30 feet of frontage and a width less than the required site width but not less than 30 feet. The area of an access corridor shall not be included in determining site area. The depth of a corridor access lot shall be measured from the rear line of the access corridor to the rear property line.



**FIGURE 14.02.050.J: LOT, FLAG**

3. "Double frontage lot" means an interior lot having frontage on two parallel or approximately parallel streets. The front yard requirement shall apply to both frontages. Does not include a lot which abuts a second frontage, such as an arterial street, where access to that second frontage is legally precluded.

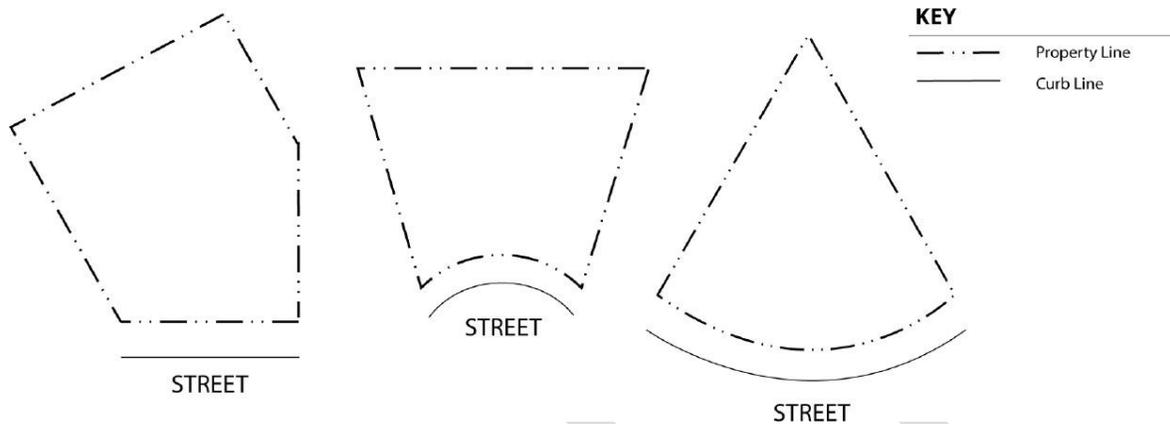


**FIGURE 14.02.050.K: LOT, DOUBLE FRONTAGE**

4. Deleted. <sup>2</sup>

5. "Interior lot" means a lot other than a corner lot.

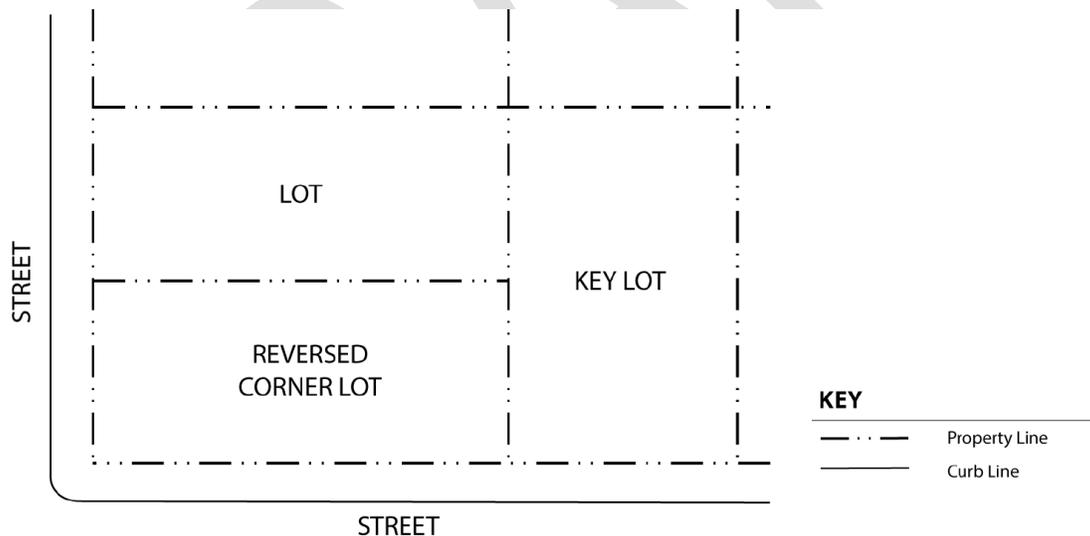
6. "Irregular lot" means a lot that is nonrectangular, a lot with three sides, or a lot with more than four sides and requires specific definition of lot lines in order to achieve the purpose of the specific setbacks.



**FIGURE 14.02.050.L: LOT, IRREGULAR**

7. "Key lot" means a first interior lot to the rear of a reversed corner lot.

8. "Lot, reversed corner" means a corner lot, the side of which is substantially a continuation of the front property line of the first lot to its rear.



**FIGURE 14.02.050.M: LOT, REVERSED CORNER AND KEY**

9. "Lot, through" means a lot having frontage on two parallel or approximately parallel streets.

"Lot line" means any recorded boundary of a lot.

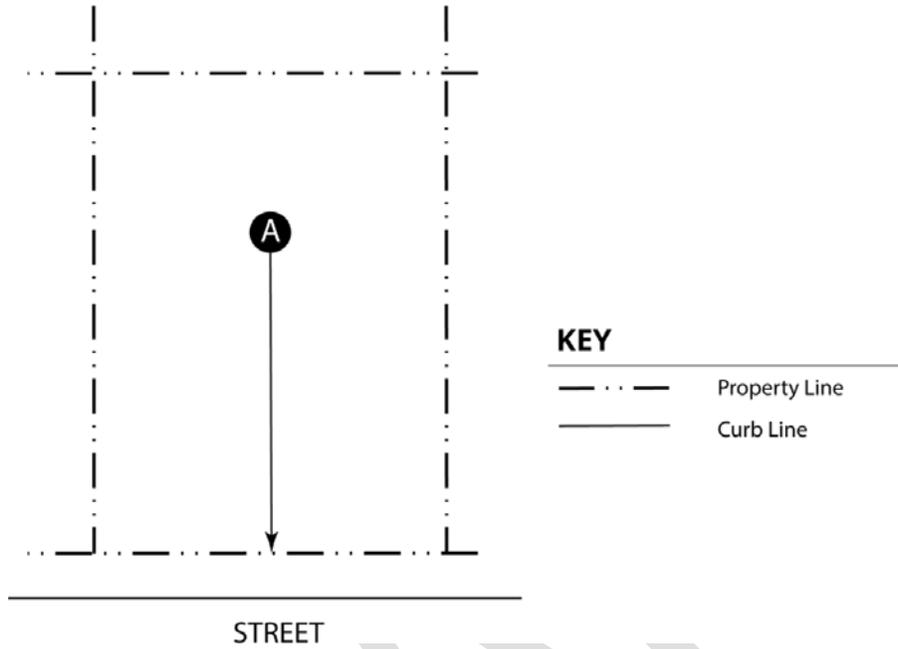
1. Front Lot Line. A "front lot line" is any of the following:

a. On an interior lot, the property line separating the lot from the street.

b. On a corner lot, the shorter property line abutting a street. If the street-fronting lot lines of a corner lot are equal in length, the front lot line shall be determined by the Director of Community

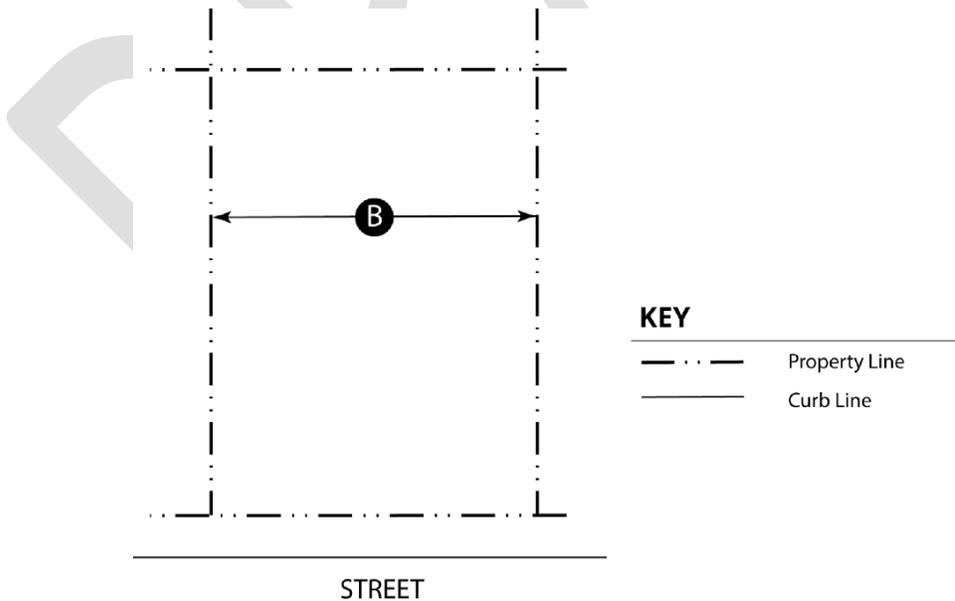
Development.

c. On a through lot, both lot lines are front lot lines and the lot is considered to have no rear lot line.



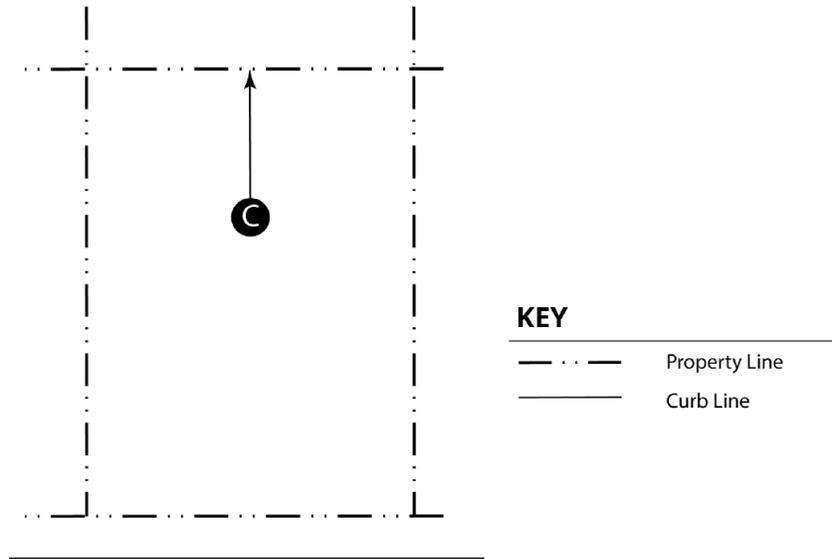
**FIGURE 14.02.050.N: LOT LINE, FRONT**

2. "Interior lot line" means a side or rear lot line not abutting a street.



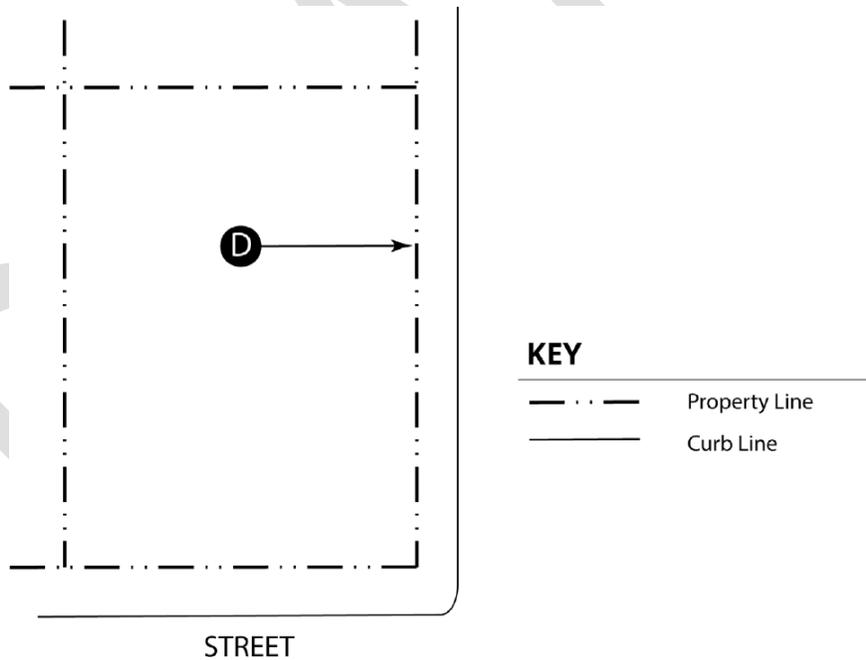
**FIGURE 14.02.050.O: LOT LINE, INTERIOR**

3. "Rear lot line" means the lot line farthest or most distant from the front lot line, which adjoins the side property lines. A double frontage lot may not have a rear lot line.



STREET  
**FIGURE 14.02.050.P: LOT LINE, REAR**

4. “Side lot line” means a lot line other than a front or rear lot line.



STREET  
**FIGURE 14.02.050.Q: LOT LINE, SIDE**

“Lot line adjustment” means a shift of an existing lot line or other adjustments between contiguous lots where no new lots are created.

“Low Barrier Navigation Centers” refers to a housing first, low barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

“Mast” means a pole of wood or metal or a tower fabricated of metal that is used to support an antenna

and maintain it at the proper elevation.

“Merger” means the joining of two or more contiguous lots or parcels of land under one ownership into one parcel.

“Message center sign” means a sign that has a changeable message that can be changed by electronic processes or remote control. Message center sign includes any sign that uses LED (light emitting diode), LCD (liquid crystal display), plasma, projected images, or any functionally equivalent technology, and which is capable of automated, remote or computer control to change the image, either in a “slide show” manner (series of still images), or full motion animation, or any combination thereof. “Message center sign” also includes any sign meeting the definition in Business and Professions Code Section [5216.4](#). Also see “LED sign (single-color, two-color, or three-color).”

“Ministerial review” means the review of projects or actions that involve the use of set standards or objective measurements to evaluate the feasibility of granting an approval. Such projects do not require discretionary or subjective judgment on the part of the decision maker on whether or how a project should be carried out. Ministerial projects are also exempt from California Environmental Quality Act (CEQA) review.

“Minor sign” means a sign which provides incidental information, including, for example, security, credit card acceptance, business hours, open/closed, directions to services and/or facilities, or menus.

“Mixed use” means a combination of attached residential units with commercial uses as part of a single project approval. The residential and commercial uses may either be in separate structures or within the same structure and may include the conversion of commercial space to one or more residential units.

“Mobile home” means a structure that was constructed prior to June 15, 1976, is transportable in one or more sections, is eight body feet or more in width, or 40 body feet or more in length, in the traveling mode, or, when erected on site, is 320 or more square feet, is built on a permanent chassis and designed to be used as a single-unit dwelling with or without a foundation system when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. “Mobile home” is further defined in California Health and Safety Code Section [18008](#).

“Mobile telecommunication facility” means a mobile cell site that consists of a cell antenna tower and electronic radio transceiver equipment on a truck or trailer, designed to be part of a cellular network.

“Mobile vending vehicle” means any vehicle, wagon, or pushcart from which goods, services, wares, merchandise, fruits, vegetables or foodstuffs are sold, displayed, solicited, or offered for sale or bartered or exchanged, or any lunch wagon or eating cart or vehicle on private property or within the public right-of-way.

“Mobile vendor” means any person in charge of or operating any temporary, movable, and/or mobile vending vehicle, either as agent, employee, or otherwise under the direction of the owner.

“Motion sign” means any sign that is designed and constructed to convey its message through movement and/or a sequence of progressive changes of parts or lights or degree of lighting. “Motion sign” includes signs that spin, rotate, or are designed to move with the wind. “Motion sign” includes devices commercially known as “aircrow,” “wind dancer,” and similar systems, as well as feather banners and pennants. Motion signs do not include flags and electronic message center signs.

“Multi-user telecommunication facility” means a telecommunication facility comprised of multiple telecommunication towers or buildings supporting one or more antennas owned or used by more than one public or private entity, excluding research and development industries with antennas serving internal company uses only.

“Municipal Code” means Municipal Code of the City of Vacaville, which may be abbreviated as “VMC.”

“Native landscaping” means vegetation that uses those species that have existed in the area for many centuries. These species usually do not need human intervention to grow and reproduce.

“Nonconforming sign” means a sign that was legally installed in accordance with laws in place at the time of installation, but which no longer conforms to the provisions of this title.

“Nonconforming site” means a site or parcel of land that was lawfully created, but that does not conform to the current standards for the zone in which it was located. Also referred to as a nonconforming lot.

“Nonconforming structure” means a structure that was legally constructed prior to the adoption or amendment of this code but does not conform to the development standards in this code.

“Nonconforming use” means a use of land and/or a structure that was legally established and has been maintained prior to the adoption or amendment of this code, but which is not allowed in and does not conform to the applicable zone.

“Organizational documents” means the declaration of covenants, conditions and restrictions, articles of incorporation, bylaws and any contracts for the maintenance, management or operation of all or any part of a condominium project.

“Parcel” means an area of land which may or may not have lots designated under one ownership. See also “Lot.”

“Parcel final map” means a map showing the subdivision of land of four or fewer parcels or as otherwise required or provided by this division and prepared in accordance with the provisions of the Subdivision Map Act and this division and designed to be filed with the County Recorder.

“Parking, off-street” means parking that is not provided on a street or within street right-of-way and is typically provided on private or public property in the form of a parking lot or structure.

“Parking, shared” means parking spaces that are shared between two or more uses that are on the same site or on different sites.

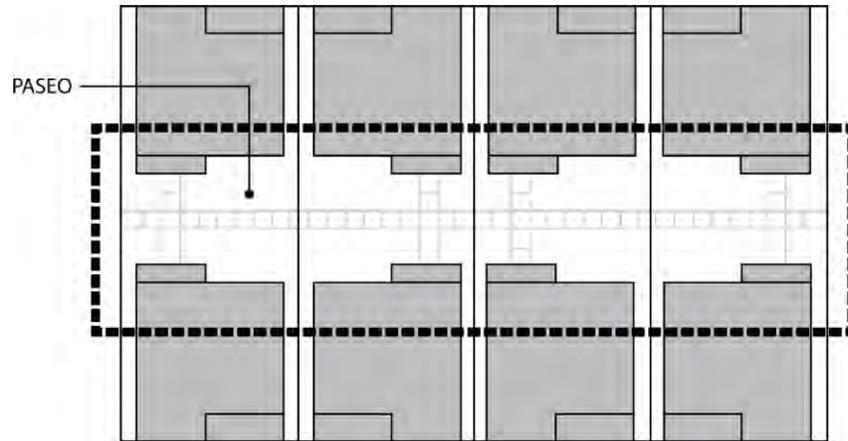
“Parking space” means a space, exclusive of driveways, ramps, columns, loading areas, office, or work areas, within a building, structure, or open parking area for the parking of one automobile.

“Parking space, tandem” means a parking space located so that it is necessary to move one or more automobiles so the automobile occupying the tandem space may gain access to or from the space.

“Parklet” means a temporary sidewalk extension for use by the general public within the public right-of-way.

“Parkway” means the landscaped area between the curb line and the sidewalk. Depending on the street design, the parkway may be part of a right-of-way, parcel, or a lot.

“Paseo” means a public or private walkway not adjacent to a street that provides access to pedestrian entrances to adjoining buildings.



**FIGURE 14.02.050.R: PASEO**

“Patio” means a horizontal area located at existing grade and used for other than vehicular purposes and surfaced with wood, macadam, masonry, stone, brick, block, or other such material.

“Patio cover” means a roof and supporting structures over a patio, porch, or raised platform, whether attached to or detached from a main structure. It excludes a carport or any cover that includes walls enclosing the structure.

“Pennant” means any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, attached to a rope, wire, or string, usually in a series, designed to move in the wind and to attract attention.

“Permanent sign” means any sign that is not limited by this chapter to being displayed for a limited time period. “Permanent sign” includes any sign that is mounted with a concrete foundation or that is fastened directly to a structure with bolts, nails, or similar fasteners not designed for fast removal by hand.

“Permanent sign” includes a permanently mounted sign frame that allows removal and replacement of one or more sign panels within the sign frame. “Permanent sign” excludes temporary signs and portable signs.

“Personal communications services (PCS)” means digital wireless telephone technology such as portable phones, pagers, faxes, and computers. PCS is also sometimes known as personal communication network (PCN).

“Plan line” means preliminary alignment and street geometrics of a street, or a portion thereof, that has been adopted by the City Council.

“Planned sign program” means a coordinated plan for signage for a site that may include multiple buildings, tenant spaces, structures, or lots.

“Porch” means a platform open on three sides, connected to the dwelling at the front entrance.

“Portable sign” means a type of temporary sign that is designed to be movable and is not permanently or structurally attached to the ground, a building, a structure, or any other sign.

“Principal use” means the main purpose for which a site is developed and occupied.

“Project” means a planning entitlement and/or any construction activity or alteration of the landscape, its terrain contour, or vegetation, including the erection or alteration of structures.

“Projecting sign” means a permanent wall sign that projects more than 12 inches from the principal exterior wall of a building or structure. It includes signs attached to a building’s canopy, awning, or

marquee.

“Property owner” means the person(s) or entity to whom property tax is assessed, as shown on the latest equalized assessment roll of the county.

“Public road” means any street, road, or right-of-way owned or occupied by the City, intended to be used primarily by vehicles located within the incorporated area of the City.

“Public utility easement” or “public utility right-of-way” means an area of land provided for the construction, installation, and maintenance of public utilities or publicly regulated utilities, including water mains, sewer lines, gas mains, telephone lines, electric lines, and cable television.

“Reasonable accommodation” means an adjustment to physical design standards, including but not limited to zoning, building, or subdivision standards, for persons with disabilities seeking equal access to housing under the California Fair Employment and Housing Act, the Federal Fair Housing Act, and the Americans with Disabilities Act (“the Acts”) in the application of zoning law and other land use regulations, policies, procedures, and conditions of approval to accommodate the needs of disabled residents.

“Recessed garage” means an enclosed structure, attached to the principal structure, accessible by and suitable for the parking of automobiles, located on the same lot with the principal land use, and set back (or recessed) from the primary structure’s front facade.

“Recreational vehicle” means a motor home, travel trailer, truck camper, or camping trailer, with or without motive power, designed for human habitation for recreational, emergency, or other occupancy; or a park trailer, as defined in California Health and Safety Code Section [18009.3](#).

“Replacement value” means the amount that an owner would have to pay to replace a structure or use at the present time.

“Reversion to acreage” means the combining of two or more recorded, contiguous lots (e.g., a subdivision or parcel map) into a single parcel, and includes abandonment of all easements and rights- of-way.

“Roof sign” means a sign that extends above the height of a roof or the height of a parapet wall.

“Room” means interior space or area or a portion of interior space within a building. Bathrooms, hallways, closets, and service porches are not rooms, as defined.

“Satellite dish” means a device (also known as a parabolic antenna) incorporating a reflective surface that is solid, open, or mesh or bar-configured, and is in the shape of a shallow dish, cone, horn cornucopia, or flat plate that is used to receive or transmit radio or electromagnetic waves between terrestrially and/or orbital based units. This term includes satellite earth stations, satellite receivers, satellite discs, direct broadcast systems, television-reception-only systems, and satellite microwave antennas.

“Service bay” means a work area for the purposes of lubricating, servicing, and repairing vehicles.

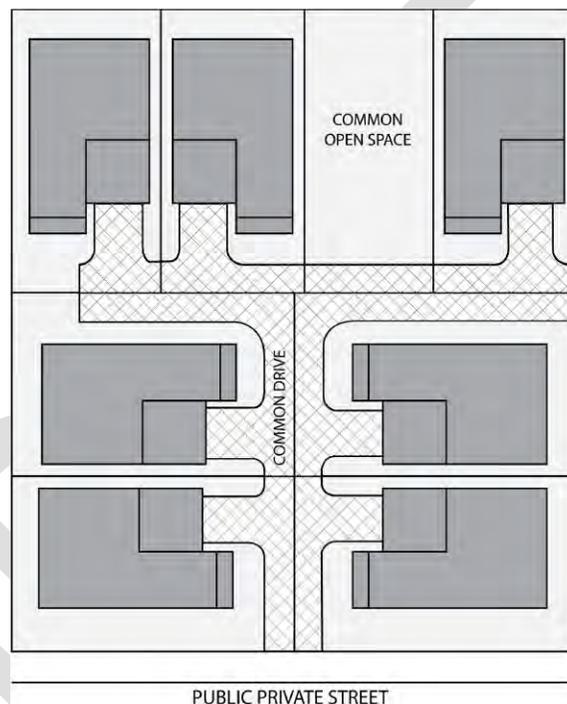
“Setback” means the distance by which a structure or other development feature shall be separated from a property line or other building.

“Sexually oriented merchandise” means sexually oriented implements, paraphernalia, or novelty items such as, but not limited to: dildos, auto sucks, sexually oriented vibrators, ben wa balls (kegel balls), inflatable orifices, anatomical balloons with orifices, simulated and battery operated vaginas, and similar sexually oriented devices which are designed or marketed primarily for the stimulation of human genital organs or sadomasochistic activity or distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

“Sidewalk, public” means a pedestrian walkway within a dedicated street right-of-way.

“Sign” means a structure, device, figure, display, message placard or other contrivance, or any part thereof, situated outdoors or indoors on the ground or on a building or structure, which is designed, constructed, intended or used to advertise, provide information in the nature of advertising, provide historical, cultural, archaeological, ideological, political, or social information, or direct or attract attention to an object, person, institution, business, product, service, message, event, or location by any means, including words, letters, figures, designs, symbols, pictures, colors, or illumination.

“Single-family clustered development” means a project consisting entirely of single-family dwelling units, either attached or detached, that are located in close proximity to each other, generally with common driveways or private streets and common open areas, which are not a standard lot pattern where each individual lot or unit fronts on a public street.

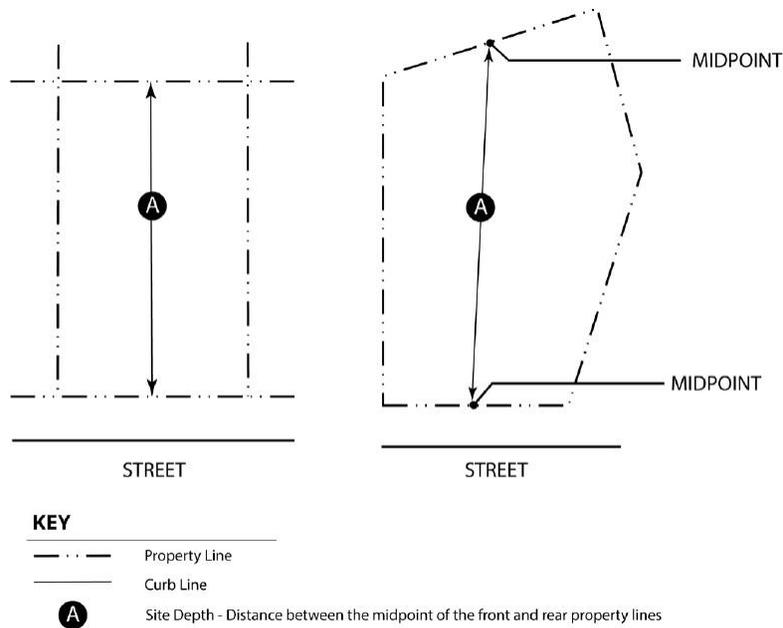


**FIGURE 14.02.050.S: SINGLE-FAMILY CLUSTERED DEVELOPMENT**

“Single Room Occupancy” means a facility providing six or more dwelling units where each unit has a minimum floor area of one hundred fifty (150) square feet and a maximum floor area of four hundred (400) square feet. These dwelling units may have kitchen or bathroom facilities and shall be offered on a monthly basis or longer.

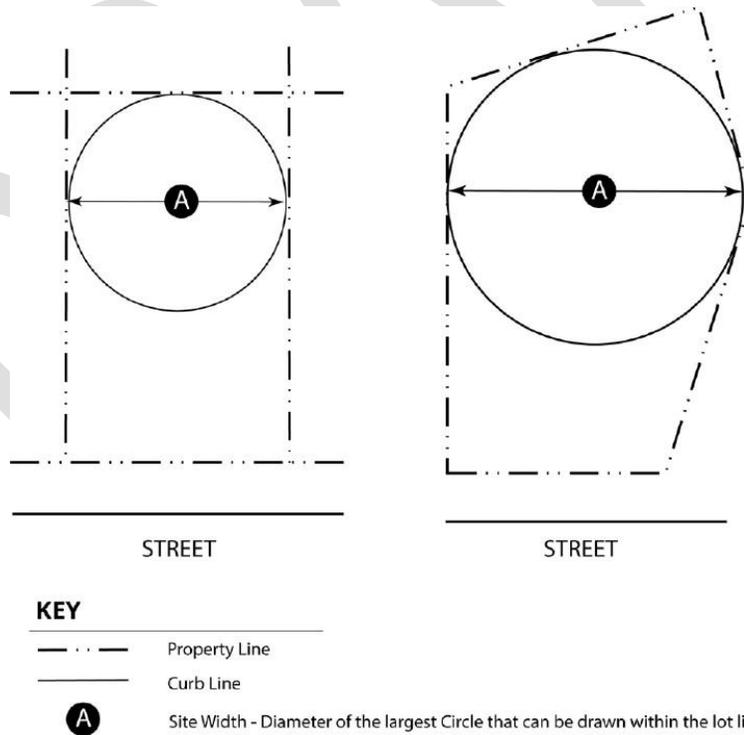
“Site” means the lot or group of lots or parcels under single ownership or single control, considered a unit for the purposes of development or other use.

1. “Site depth” means the horizontal distance between the midpoint of the front lot line and the midpoint of the rear lot line. For a double frontage lot, the site depth is horizontal distance between the midpoints of the two front lot lines.



**FIGURE 14.02.050.T: SITE DEPTH**

2. "Site width" means the diameter of the largest circle that may be inscribed within the lot lines of a site.



**FIGURE 14.02.050.U: SITE WIDTH**

"Slope" means a comparison of the vertical rise of a property to its horizontal run, expressed as a percentage.

"Small animal" means a mammal, bird, or reptile kept, raised, and used by people and includes animals

such as rabbits, chickens, ducks, turkeys, geese, doves, pigeons, peacocks, guinea fowl, and other poultry, and excludes household pets.

“Specified anatomical areas” includes any of the following:

1. Less than completely and opaquely covered, and/or simulated to be reasonably anatomically correct, even if completely and opaquely covered, human genitals, pubic region, buttocks, anus, or female breasts below a point immediately above the top of the areola; or
2. Human male genitals in a discernibly turgid state, even if completely or opaquely covered.

“Specified sexual activities” includes any of the following, irrespective of whether performed directly or indirectly through clothing or other covering:

1. Human genitals in a state of sexual stimulation or arousal;
2. Acts of human masturbation, sexual stimulation, or arousal;
3. Use of human or animal ejaculation, sodomy, oral copulation, coitus, or masturbation;
4. Masochism, erotic or sexually oriented torture, beating, or the infliction of pain, or bondage and/or restraints;
5. Human excretion, urination, menstruation, vaginal or anal irrigation; and
6. Fondling or other erotic touching of human genitals, pubic region, buttock, or female breast.

“State Historic Preservation Office (SHPO)” means the California governmental agency charged with preserving and enhancing California’s irreplaceable historic heritage as a matter of public interest so that its vital legacy of cultural, educational, recreational, aesthetic, economic, social, and environmental benefits will be maintained and enriched for present and future generations.

“Stepback” means a required setback in addition to the standard setback from a property or other line for the upper portions of a structure, such as an upper floor.

“Story” means a habitable level within a building.

“Street frontage” means the portion of a lot that abuts a street.

“Street, improved” means any street which is surfaced with asphalt or concrete to the standards of the City.

“Street, private” means a private roadway that provides the principal means of access to two or more lots or that provides access through a private community from one street to another, excluding common driveways and private alleys.

“Street, public” means a thoroughfare, dedicated as such, or acquired for public use as such, other than an alley, which provides the principal means of access to abutting land.

“Structure” means anything constructed or erected, the use of which requires attachment to the ground, attachment to something located on the ground, or placement on the ground, except outdoor areas such as patios, paved areas, walks, swimming pools, tennis courts, and other similar recreation areas.

“Subdivider” means a person, firm, corporation, partnership, or association who proposes to divide, divides, or causes to be divided real property into a subdivision.

“Subdivision” means the division, by any subdivider, of any unit or units of improved or unimproved

contiguous land, or any portion thereof, shown on the latest equalized county assessment roll as a unit or as contiguous units for the purpose of sale, lease or financing, whether immediate or future except for leases of agricultural land for agricultural purposes. Property shall be considered as contiguous units, even if it is separated by roads, streets, utility easements or railroad rights-of-way. A subdivision also includes a condominium project, a community apartment project, or a stock cooperative, as defined by Sections [1425](#), [4105](#), and [4190](#), respectively, of the Civil Code.

“Subdivision design features” includes all aspects of proposed subdivision improvements, including, but not limited to: street alignments, grades and widths; drainage, water, sanitary sewer facilities and utilities, including alignments and widths; location and size of all required easements and rights-of-way; fire roads and firebreaks; lot size and configuration; vehicular, bicycle and pedestrian access; grading; land to be dedicated for park or recreational purposes and schools; and landscaping and tree preservation; and other specific requirements in the subdivision necessary to ensure consistency with, or implementation of, the General Plan.

“Subdivision improvement” means any public or private streets, easements, sidewalks, bicycle and pedestrian ways, storm drainage facilities, water and sewer facilities, utilities, or landscaping to be installed by the subdivider on or off site.

“Subdivision Map Act” means the state of California Government Code Section [66410](#) et seq.

“Substandard street” means a street with a right-of-way width that is narrower than the width identified for that street classification in the City’s street standards.

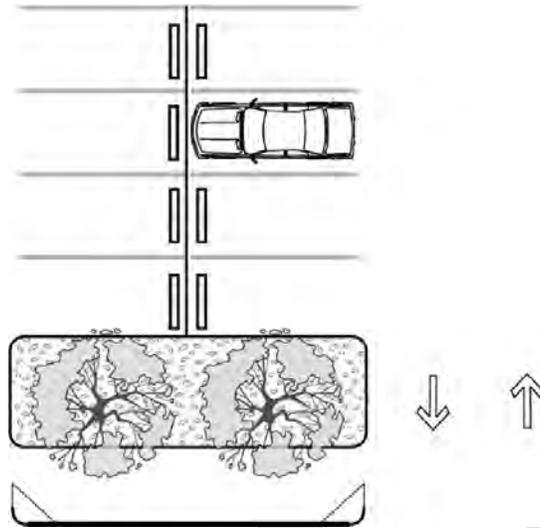
“Suite” means a group of two or more rooms which can be joined together for a single occupancy.

“Support equipment” means the physical, electrical, and/or electronic equipment included within a telecom facility used to house, power, transport, and/or process signals from or to the facility’s antenna or antennas.

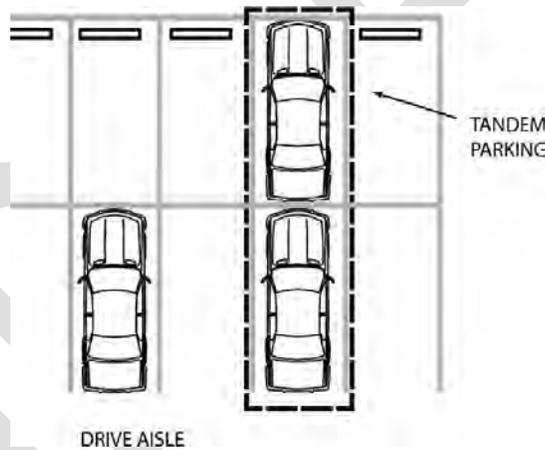
“Supportive housing” means housing with no limit on length of stay, that is occupied by the target population as defined in subdivision (d) of Section 53260, and that is linked to on- or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. (Section 50675.14(b) of the Health & Safety Code).

“Swimming pool” means any swimming pool, wading pool, fish pond, or any other outside body of water, whether above or below ground, created by artificial means and maintained in connection with a single-family or multifamily residence, apartment house or complex, motel, hotel, or any other type of building, and having a depth greater than 24 inches and not located within a completely enclosed building.

“Tandem parking” means parking where two parking spaces are located end to end such that one of the parking spaces is accessed only through the other parking space.



**FIGURE 14.02.050.V: EXAMPLE OF TANDEM PARKING, STRUCTURED PARKING AND/OR SURFACE LOT PARKING SCENARIO**



**FIGURE 14.02.050.W: EXAMPLE OF TANDEM PARKING, RESIDENTIAL GARAGE SCENARIO**

“Telecommunications facility” or “wireless telecommunication facility” means an unstaffed facility, generally consisting of antennas, and equipment cabinet or structure, and related equipment, for public, commercial and private electromagnetic and photoelectrical transmission, broadcast, repeater and receiving stations for radio, television, telegraph, telephone, data network, and wireless communications, including stationary commercial earth stations for satellite-based communications. Includes antennas, commercial satellite dish antennas, and equipment buildings. Does not include telephone, telegraph and cable television transmission facilities utilizing hard-wired or direct cable connections, or vehicles utilizing global positioning satellite (GPS) direction-finding technology, or equipped for reception of commercial satellite radio, television, or internet programming.

“Temporary sign” means a sign intended to be displayed for a limited time period, both by the nature of its construction materials, design, or the restrictions of this chapter. This includes banners, posters, yard signs, temporary ground signs, and portable signs.

“Temporary structure” means a structure, typically without any foundation or footings, and which is required to be removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

“Tentative parcel map” means a map showing the design and improvements of a proposed subdivision for five or more lots, and the existing conditions in and around it.

“Toe of slope” means that point or line of initial break where the terrain changes to an upward direction.

“Top of slope” means that point or line of initial break where the terrain changes to a downward direction.

“Tower” means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas.

“Tower, lattice” means a multiple-sided, open, metal frame support structure that supports antennas and related equipment, typically with three or four support legs.

“Tower, wireless” means a structure that is designated and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, alternative tower structures, and similar structures.

“Townhome” or “townhouse” means a multi-unit dwelling unit in a row of such units, where each unit has its own front access at the ground floor, or a single-unit dwelling with a main entrance on the ground floor that is attached to two or more similar units on adjacent individual lots.

“Townhome, pull-apart” means a single-unit dwelling that is constructed to appear to be an attached townhome but is constructed with a narrow gap between paired dwellings.

“Transitional housing” means buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months (Section 50675.2(h) of the Health & Safety Code).

“Transit station” means a site where there is the intersection of two or more bus, train, or similar transport routes serviced by any transit entity.

“Transit stop” means a bus or similar transport stop serviced by any transit entity.

“Transportation demand management plan” means an identification and consolidation of strategies and policies to reduce travel demand or to redistribute the demand in space or in time.

“Triplex” means a multi-unit dwelling with three dwelling units on a single lot.

“Uniform Building Code” means the Construction Code of the City of Vacaville.

“Unit” means a dwelling unit unless the context dictates otherwise.

“Urban reserve” means lands that are reserved for future urban use, that do not have assigned a General Plan land use designation for a specific type of use, that require comprehensive planning prior to urbanization, and that are intended to be retained in their current use, agricultural use, or similar minimal use until urbanized.

“Use” means the purpose for which a site or structure is arranged, designed, intended, constructed, erected, moved, altered, or enlarged, or for which either a site or a structure is or may be occupied or maintained.

“Use by Right” Government Code Section [65583.2](#) states “use by right” shall mean that the City’s review of a low-barrier navigation center may not require a conditional use permit, planned unit development permit, or other discretionary local government review or approval that would constitute a project as defined by the California Environmental Quality Act.

“Use frequented by minors” means a use where a regular and substantial portion of the clientele are minors, including skating rinks, gymnastic facilities, dance studios, cheerleading studios, and fast food restaurants with playground areas for minors, and specifically including the following existing uses: Aerials Gymnastics Center, Cloud 9 Jumps, Elite Spirit Cheerleading Studio, Kids Gone Wild, Nut Tree Plaza, Soccer Center of Excellence (Soccer Nation), and Stars Recreation and Bowling Center.

“Vehicle sign” means a sign that is attached to or painted on a motor vehicle, trailer, or similar vehicle. Vehicle graphics less than four square feet in area that are painted on or attached to such vehicles are not included in this definition.

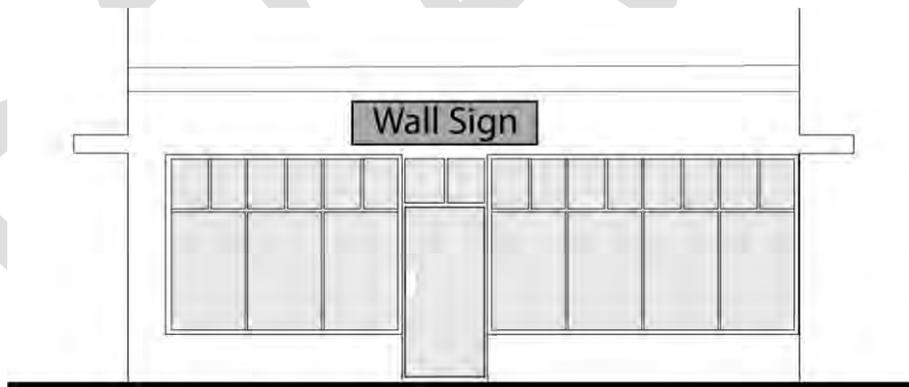
“Vendor cart/stand” means a temporary outdoor cart or stand selling food and/or beverages (e.g., fruit, hot dogs, ice cream) and other like merchandise without any outdoor seating.

“Vesting tentative map” means a tentative map for a subdivision of land that shall have printed conspicuously on its face the words “Vesting Tentative Map” or “Vesting Tentative Parcel Map” at the time it is filed and processed in accordance with this division. A vesting tentative map is a map which confers a “vested” right to proceed with development in accordance with the regulations in effect at the time the map is approved.

Visibility Triangle. Refer to Chapter [14.02.030](#) of this code.

“Wall” means any structure or device forming a physical barrier which is so constructed that 50 percent or more of the vertical surface is closed and prevents the passage of light, air, and vision through said surface in a horizontal plane.

“Wall sign” means a sign attached to, erected against, painted on, or otherwise adhered to the wall of a building or structure.



**FIGURE 14.02.050.X: WALL SIGNS**

“Waste” means unused or discarded matter and material which consists, without limitation or exclusion by enumeration, of such matter and material as rubbish, refuse and matter of any kind including, but not limited to, rubble, debris, asphalt, concrete, plaster, tile rocks, bricks, soil, building materials, crates, cartons, containers, boxes, furniture and household equipment or parts thereof, lumber, trash, dirt, machinery or parts thereof, scrap metal and pieces of metal, ferrous or nonferrous, bottles, bedding and other similar matter.

“Wildland-urban interface” means the geographic line, area, or zone where structures and other human development meet or intermingle with undeveloped wildland or vegetative fuels.

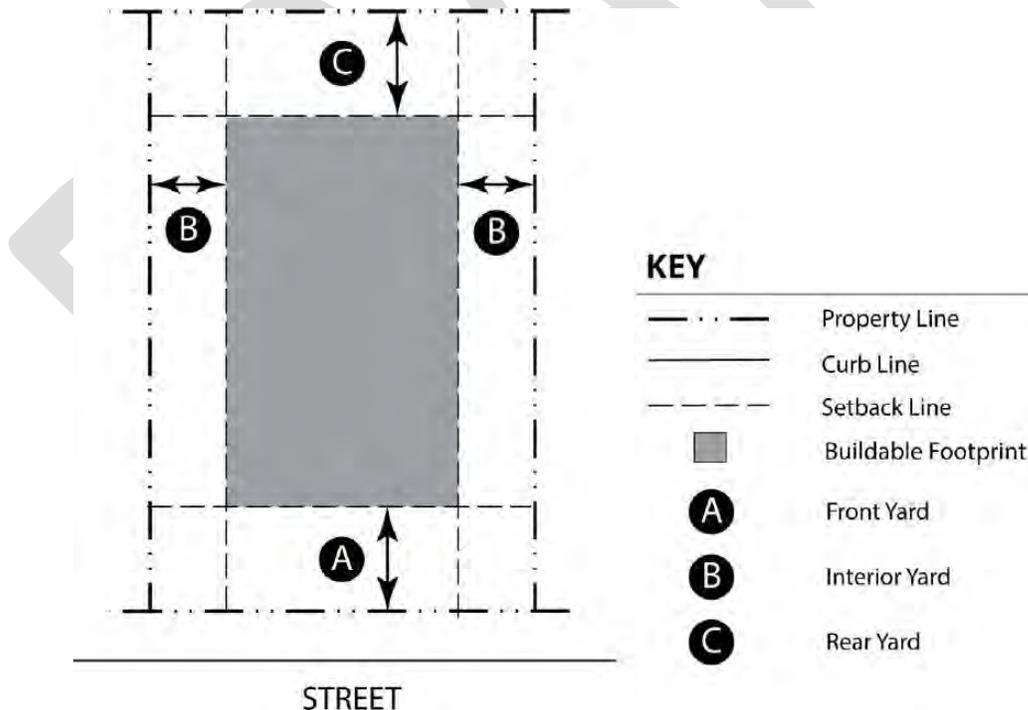
“Window sign” means a sign placed in or painted upon a window, regardless of whether the visual image is on the interior or exterior of the window, or both.



**FIGURE 14.02.050.Y: EXAMPLES OF WINDOW SIGNS**

“Wireless telecommunications services” means the provision of services using a wireless telecommunications facility or a wireless telecommunications co-location facility, and shall include, but not be limited to, the following services: personal wireless services as defined in the Federal Telecommunications Act of 1996 at [47 U.S.C. Section 332\(c\)\(7\)\(C\)](#) or its successor statute, cellular service, personal communication service, and/or data radio telecommunications.

“Yard” means an open space on a site that is required to remain unobstructed from the ground to the sky, except where specifically provided by this code. “Yard” includes a front yard, a side yard, a rear yard, or required space between structures.



**FIGURE 14.02.050.Z: YARD**

1. “Front yard” means a yard extending from the front property line to a line at the minimum required setback to a main structure on the site and extending the full width of the site.
2. “Interior yard” means a side yard or rear yard that does not abut a street.

3. "Rear yard" means a yard adjacent to the rear lot line and extending to the adjacent interior side lot lines or the street side yard, the depth of which is the minimum horizontal distance required by the applicable zoning standards between the rear lot line and a main structure on the site.

4. "Side yard" means a yard adjacent to a side lot line, excluding a front yard or a rear yard, the depth of which is equal to the minimum setback for a main structure required by the applicable zoning standards.

5. "Street side yard" means a side yard or rear yard on a corner lot that is adjacent to a street.

6. "Yard sign" means a temporary sign constructed of paper, poster board, cardboard, wallboard, corrugated plastic, or other light materials and affixed to the ground by a wire frame, wooden or metal stake, or similar post and designed to be quickly removed by hand or simple hand tools.

"Zero lot line" means the location of a structure on a lot in such a manner that one or more of the structure's sides rests directly on a lot line.

"Zone" means a land area shown on the official zoning map of the City of Vacaville within which certain land uses are allowed or prohibited, and certain site planning and development standards are established (e.g., setbacks, height limits, site coverage requirements, etc.). Also referred to as zoning district.

"Zone boundary" means the line separating one or more zones as shown on the official zoning map.

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<sup>1</sup> Code reviser's note: Removed at the request of the city.

<sup>2</sup> Code reviser's note: Removed at the request of the city.

## Chapter 14.02.060 Use Classifications

### Sections:

- 14.02.060.010 Residential Uses.
- 14.02.060.020 Public/Semi-Public Uses.
- 14.02.060.030 Commercial Uses.
- 14.02.060.040 Industrial Uses.
- 14.02.060.050 Transportation, Communication, and Utility Uses.
- 14.02.060.060 Agricultural Uses.

### 14.02.060.010 Residential Uses.

#### A. Residential Housing Types.

1. Single-Unit Dwelling, Detached. A dwelling unit that is designed for occupancy by one household with private yards on all sides and located on a separate lot from any other unit (except an accessory dwelling unit, where permitted). This subclassification includes individual manufactured housing units and mobile homes.
2. Single-Unit Dwelling, Attached. A dwelling unit that is designed for occupancy by one household located on a separate lot from any other unit (except an accessory dwelling unit, where permitted), and is attached through common walls to more than one dwelling on abutting lots.
3. Duplex. A residential building containing two dwelling units, where both units are located on one parcel or where each unit is located on a separate parcel. The dwelling units are attached and may be located on separate floors or side-by-side.
4. Multi-Unit Dwelling. Three or more attached or detached dwelling units on a single lot. Types of multi-unit dwellings can include duplexes, townhouses, multiple detached residential units, and apartment buildings.
5. Accessory Dwelling Unit. An attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. An accessory dwelling unit is located on the same site as a primary single-unit dwelling and is accessory to that dwelling.
6. Employee Housing, Small. Has the same meaning as “employee housing” described in Health and Safety Code Section 17021.5, and as set forth in Health and Safety Code Section 17008 for farmworkers.
7. Junior Accessory Dwelling Unit. A room or rooms contained entirely within a single-family dwelling that provide independent facilities for one or more persons for living, sleeping, and eating, that include an efficiency kitchen, and that include separate independent sanitation facilities or have access to shared sanitation facilities with the single-family dwelling. This term does not include an accessory dwelling unit or an apartment.
8. Single Room Occupancy: a facility providing six or more dwelling units where each unit has a minimum floor area of one hundred fifty (150) square feet and a maximum floor area of four hundred (400) square feet. These dwelling units may have kitchen or bathroom facilities and shall be offered on a monthly basis or longer.

B. Family Day Care. A day care facility licensed by the state of California, located in a residential unit where the resident of the dwelling provides care and supervision for children under the age of 18 for periods of less than 24 hours a day.

1. Small. A facility that provides care for children, including children who reside at the home, in

accordance with Section [1597.44](#) of the California Health and Safety Code.

2. Large. A facility that provides care for children, including children who reside at the home, in accordance with Section [1597.465](#) of the California Health and Safety Code.

C. Group Residential. Shared living quarters without separate kitchen or bathroom facilities for each room or unit, offered for rent for permanent or semi-transient residents on a weekly or longer basis. This classification includes rooming and boarding houses, dormitories, other types of organizational housing, private residential clubs, and extended stay hotels intended for long-term occupancy (30 calendar days or more) but excludes lodging, which is a commercial use, and residential care facilities.

D. Manufactured Home Park. A development occupied by manufactured housing units, including facilities and amenities used in common by residents who rent, lease, or own spaces for manufactured housing units through a subdivision, cooperative, condominium, or other form of resident ownership.

E. Residential Facility, Assisted Living. A facility that provides a combination of housing and supportive services for the elderly or functionally impaired, including personalized assistance, congregate dining, recreational, and social activities. These facilities may include medical services. Examples include residential care facilities licensed by the state of California to provide care for more than six persons, assisted living facilities, retirement homes, and retirement communities. These facilities typically consist of individual units or apartments, sometimes containing kitchen facilities and common amenities. The residents in these facilities require varying levels of assistance.

F. Small Residential Care Facilities. A facility licensed by the state of California to provide living accommodations, 24-hour care for six or fewer persons requiring personal services, supervision, protection, or assistance with daily tasks. Facilities may include shared living quarters, with or without a private bathroom or kitchen facilities. This classification includes both for- and not-for-profit institutions but excludes supportive housing and transitional housing.

G. Supportive Housing. Dwelling units with no limit on length of stay that are occupied by the target population as defined in Section [50675.14](#) of the California Health and Safety Code, and that are linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, where possible, work in the community.

H. Transitional Housing. Housing that has a predetermined end point in time for resident occupancy and is operated under a program that requires the termination of assistance, in order to provide the service to another eligible program recipient. The program length is usually no less than six months.

I. Large Residential Care Facilities. A facility licensed by the state of California to provide living accommodations, 24-hour care for seven or more persons requiring personal services, supervision, protection, or assistance with daily tasks. Facilities may include shared living quarters, with or without a private bathroom or kitchen facilities. This classification includes both for- and not-for-profit institutions but excludes supportive housing and transitional housing.

#### **14.02.060.020 Public/Semi-Public Uses.**

A. Campgrounds and Recreational Vehicle Parks. An open-air facility, where recreational vehicle or camping spaces are rented, or held out for rent, for overnight stay in tents, trailers, or recreational vehicles for 30 consecutive calendar days or less.

B. Cemeteries and Columbarium. Establishments primarily engaged in operating sites or structures reserved for the interment of human or animal remains, including mausoleums, burial places, and memorial gardens.

C. Colleges and Trade Schools. Institutions of higher education primarily for adults providing curricula of a general, religious, or professional nature, granting degrees or professional certifications and including junior colleges, business and computer schools, management training, and technical and trade schools. This classification excludes instructional services such as music lessons.

D. Commercial Parking Lots and Structures. Surface lots and structures offering parking for a fee when such use is not incidental to another on-site activity.

E. Community Assembly. A facility for public or private meetings and gatherings, including community centers, union halls, meeting halls, and membership organizations. This classification includes the use of functionally related facilities for the use of members and attendees, such as kitchens, multi-purpose rooms, classrooms, and storage.

F. Cultural Institutions. A public or private institution and/or associated facility engaged in activities to promote aesthetic and educational interest among the community that are open to the public on a regular basis. This classification includes performing arts centers, event and conference spaces, spaces for display or preservation of objects of interest in the arts or sciences, libraries, museums, historical sites, aquariums, art galleries, zoos, and botanical gardens. This classification excludes schools or institutions of higher education providing curricula of a general nature (see "Colleges and Trade Schools").

G. Day Care Centers. Establishments providing nonmedical care for persons on a less than 24-hour basis other than family day care. This classification includes nursery schools, preschools, and day care facilities for children or adults, and any other day care facility licensed by the state of California.

H. Emergency Shelter. Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less, as defined in Section [50801](#) of the California Health and Safety Code. Medical assistance, counseling, and meals may be provided.

I. Government Offices. Administrative, clerical, or public contact offices of a government agency, including postal facilities and courts, along with the storage and maintenance of vehicles. This classification excludes corporation yards, equipment service centers, and similar facilities that require maintenance and repair services and storage facilities for related vehicles and equipment.

J. Hospitals and Clinics. State-licensed facilities providing medical, surgical, psychiatric, or emergency medical services to sick or injured persons. This classification includes facilities for inpatient or outpatient treatment, including substance-abuse programs, as well as training, research, and administrative services for patients and employees. This classification excludes veterinaries and animal hospitals (see Section [14.02.060.030.B](#), Animal Care and Boarding).

1. Clinic. A facility providing medical, psychiatric, or surgical service for sick or injured persons exclusively on an out-patient basis including emergency treatment, diagnostic services, administration, and related services to patients who are not lodged overnight. Services may be available without a prior appointment. This classification includes licensed facilities offering substance abuse treatment, blood banks and plasma centers, and emergency medical services offered exclusively on an out-patient basis. This classification does not include private medical and dental offices that typically require appointments and are usually smaller scale.

2. Hospitals. A facility providing medical, psychiatric, or surgical services for sick or injured persons, primarily on an inpatient basis, and including supplementary facilities for outpatient and emergency treatment, diagnostic services, training, research, administration, and services to patients, employees, or visitors. The institutions are to be licensed by the state of California to provide surgical and medical services.

3. Skilled Nursing Facility. A state-licensed facility or a distinct part of a hospital that provides continuous skilled nursing and supportive care to patients whose primary need requires the availability of skilled nursing care on an extended basis. The facility provides 24-hour inpatient care and, at a minimum, includes physician, nursing, dietary, pharmaceutical services, and an activity program. Intermediate care programs that provide skilled nursing and supportive care for patients on a less-than-continuous basis are classified as skilled nursing facilities.

K. Incarceration Facilities. Facilities, whether publicly or privately owned and/or operated, that provide

housing, care, and supervision for persons confined by law and/or serving a sentence from any federal, state, or county court.

L. Instructional Services. Establishments that offer specialized programs in personal growth and development such as music, martial arts, vocal, fitness, dancing, reading, and math instruction. Attendance is typically limited to hourly classes rather than full-day instruction. The establishments do not grant diplomas or degrees, though instruction could provide credits for diplomas or degrees granted by other institutions. This classification also includes tutoring facilities which offer academic instruction to individuals or groups.

M. Low-Barrier Navigation Center. A housing-first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. "Low barrier" means best practices to reduce barriers to entry, and may include, but is not limited to, the following:

1. The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth.
2. Pets.
3. The storage of possessions.
4. Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or in private rooms.

N. Park and Recreation Facilities. Parks, playgrounds, recreation facilities, trails, wildlife preserves, and related open spaces, all of which are noncommercial. This classification includes playing fields, courts, gymnasiums, swimming pools, picnic facilities, tennis courts, golf courses, and botanical gardens, as well as related food concessions or community centers within the facilities.

O. Public Safety Facilities. Facilities providing public safety and emergency services, including police and fire protection and emergency medical services, with incidental storage, training, and maintenance facilities.

P. Schools. Facilities for primary or secondary education, including public schools, charter schools, and private and parochial schools having curricula comparable to that required in the public schools of the state of California.

Q. Social Service Facilities. Facilities providing a variety of supportive services for disabled and homeless individuals and other targeted groups on a less than 24-hour basis. Examples of services provided are counseling, meal programs, personal storage lockers, showers, instructional programs, television rooms, and meeting spaces. This classification is distinguished from licensed day care centers (see subsection G of this section, Day Care Centers), clinics, and emergency shelters providing 24-hour care (see subsection H of this section, Emergency Shelters).

#### **14.02.060.030 Commercial Uses.**

A. Adult-Oriented Business. A business establishment or concern that as a regular and substantial course of conduct offers, sells, or distributes adult-oriented material or sexually oriented merchandise, or which offers to its patrons materials, products, merchandise, services, or entertainment characterized by an emphasis on matters depicting, describing or relating to specific sexual activities or specified anatomical areas but not including those uses or activities which are preempted by state law. This classification includes business establishments or concerns that operate as an adult retail store, adult motion picture theater, adult arcade, adult cabaret, adult motel or hotel, or adult modeling studio.

B. Animal Care and Boarding. Services related to the care and boarding of household pets.

1. Animal Shelter and Boarding. A commercial, nonprofit, or governmental facility for keeping, boarding, training, breeding, or maintaining, generally overnight or in excess of 24 hours, dogs, cats, or other household pets not owned by the owner or operator of the facility.

2. Pet Day Care. Facilities providing nonmedical care on a less than 24-hour basis for dogs, cats, or other household pets not owned by the facility operator.

3. Veterinary Services. Veterinary services for dogs, cats, or other household pets. This classification allows 24-hour accommodation of animals receiving medical services and treatment, including animal hospitals, and pet clinics.

C. Automobile/Vehicle Sales and Services. Retail or wholesale businesses that sell, rent, and/or repair automobiles, boats, recreational vehicles, trucks, vans, trailers, and/or motorcycles.

1. Automobile Brokerage. An establishment which provides or offers to provide the service of arranging, negotiating, assisting, or effectuating the purchase of an automobile for others. This use does not include a facility or area used for the retail sales of automobiles.

2. Automobile Rental. Establishment providing for the rental of automobiles. Typical uses include car rental agencies.

3. Automobile/Vehicle Sales and Leasing. Sale or lease, retail, or wholesale, of automobiles, light trucks, motorcycles, motor homes, and trailers, together with associated repair services and parts sales, but excluding body repair and painting. Typical uses include automobile dealers and recreational vehicle sales agencies.

4. Automobile/Vehicle Service and Repair, Minor. The service and repair of automobiles, light-duty trucks, and motorcycles, including the incidental sale, installation, and servicing of related equipment and parts. This classification includes the replacement of small automotive parts and liquids as an accessory use to a gasoline sales station or automotive accessories and supply store, and smog checks, tire sales and installation, auto radio/electronics installation, auto air conditioning/heater service, and quick-service oil, tune-up shops, and brake and muffler shops where repairs are made or service provided in enclosed bays and no vehicles are stored overnight.

5. Automobile/Vehicle Repair, Major. Repair of automobiles, trucks, motorcycles, motor homes, boats, and recreational vehicles, generally on an overnight basis that may include disassembly, removal or replacement of major components such as engines, drive trains, transmissions or axles, automotive body and fender work, vehicle painting, or other operations that generate excessive noise, objectionable odors or hazardous materials, and towing services. This classification excludes vehicle dismantling or salvaging and tire retreading or recapping.

6. Large Vehicle and Equipment Sales, Service, and Rental. Sales, servicing, rental, fueling, and washing of large trucks, trailers, tractors, and other equipment used for construction, moving, agricultural, or landscape gardening activities.

7. Service Stations. Establishments primarily engaged in retailing automotive fuels or retailing these fuels in combination with activities such as providing minor automobile/vehicle repair services; selling automotive oils, replacement parts, and accessories; and/or providing incidental food and retail services. These facilities may include "mini-marts" and/or convenience stores that sell products, merchandise, or services that are ancillary to the primary use related to the operation of motor vehicles.

8. Towing and Impound. Establishments primarily engaged in towing light or heavy motor vehicles, both local and long distance. These establishments may provide incidental services, such as vehicle storage and emergency road repair services (for automobile dismantling, see Section [14.02.060.040.I](#), Salvage and Wrecking).

9. Washing. Washing, waxing, or cleaning of automobiles or similar light vehicles.

D. Banks and Financial Services. Financial institutions providing retail banking services. This classification includes only those institutions serving walk-in customers or clients, including banks, savings and loan institutions, check-cashing services, and credit unions.

E. Business Services. Establishments providing goods and services to other businesses on a fee or contract basis, including printing and copying, blueprint services, advertising and mailing, office equipment rental and leasing, office security, custodial services, photofinishing, model building, and taxi services or delivery services with two or fewer fleet vehicles on site.

F. Cannabis.

1. Applicant. A person or entity that submits an application for a cannabis business permit under this code.

2. Cannabis Business Permit. A regulatory permit issued by the City pursuant to this code, to a commercial cannabis business and is required before any commercial cannabis activity may be conducted in the City. The initial permit and annual renewal of a commercial cannabis business is made expressly contingent upon the business's ongoing compliance with all of the requirements of this code and any regulations adopted by the City governing the commercial cannabis activity at issue.

3. Cannabis Business Permittee or Permittee. A person or entity that has received a cannabis business permit from the City as authorized under this code.

4. Canopy. The same meaning as that appearing in Title 3, Section 8000(f) of the California Code of Regulations.

5. Caregiver or Primary Caregiver. See Health and Safety Code Section [11362.7](#).

6. Commercial Cannabis Business. A business or operation which engages in medicinal or adult-use commercial cannabis activity.

7. Dispensing. Any activity involving the retail sale of cannabis or cannabis products from a retailer.

8. Distributor. See Business and Professions Code Section [26070](#).

9. Enforcement Officer. Any department head or designee authorized by the City Manager to enforce a violation of Section [14.09.270.080](#).

10. Hearing Examiner. Authorized hearing officer designated by the City Clerk.

11. Limited-Access Area. Area in which cannabis is stored or held and is only accessible to licensee and authorized personnel.

12. Manufactured Cannabis. Raw cannabis that has undergone a process whereby the raw agricultural product has been transformed into a concentrate, extraction or other manufactured product intended for internal consumption through inhalation or oral ingestion or for topical application.

13. Manufacturing Site. A location that produces, prepares, propagates, or compounds cannabis or cannabis products, directly or indirectly, by extraction methods, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and is owned and operated by a person issued a valid cannabis business permit for manufacturing from the City and a valid state license as required for manufacturing of cannabis products.

14. Microbusiness. See Business and Professions Code Section [26070\(a\)\(3\)](#).

15. Nonstorefront Retailer. Subset of “retailer” and is a licensed retail business that is closed to the public and provides product to customers solely by means of a delivery service which the retailer owns and controls.

16. Nonvolatile Solvent. A solvent used in the extraction process that is not a volatile solvent as defined by state law. For purposes of this chapter, a nonvolatile solvent includes carbon dioxide (CO<sub>2</sub>) used for extraction and ethanol used for extraction or post-extraction processing.

17. Owner.

a. A person with an aggregate ownership interest of 10 percent or more in the person applying for a license or a licensee, unless the interest is solely a security, lien, or encumbrance.

b. The manager of a nonprofit or other entity.

c. A member of the board of directors of a nonprofit.

d. An individual who will be participating in the direction, control, or management of the person applying for a license. Such an individual includes, but is not limited to, any of the following:

i. A general partner of a commercial cannabis business that is organized as a partnership.

ii. A nonmember manager or manager of a commercial cannabis business that is organized as a limited liability company.

iii. An officer or director of a commercial cannabis business that is organized as a corporation.

iv. An individual entitled to a share of at least 10 percent of the profits of the commercial cannabis business.

e. Any individual who assumes responsibility for the license.

f. When an entity is an owner in a commercial cannabis business, all entities, and individuals with a financial interest in the entity, shall be disclosed to the City and may be considered owners of the commercial cannabis business. For example, this includes all entities in a multi-layer business structure, as well as the chief executive officer, members of the board of directors, partners, trustees, and all persons who have control of a trust and managing members or nonmember managers of the entity. Each entity disclosed as having a financial interest must disclose the identities of persons holding financial interests until only individuals remain.

18. Patient or Qualified Patient. Shall have the same meaning as that contained in California Health and Safety Code Section [11362.7](#) et seq., as it may be amended, and which includes within its definition a person who is entitled to the protections of California Health and Safety Code Section [11362.22](#).

19. Person with Identification Card. See California Health and Safety Code Section [11362.7](#).

20. Processing. A cultivation site that conducts only trimming, drying, curing, grading, packaging, or labeling of cannabis and nonmanufactured cannabis products.

21. Retailer or Storefront Retailer. See Business and Professions Code Section [26070\(a\)\(1\)](#).

22. State License. A permit or license issued by the state of California, or one of its departments or divisions, under the MAUCRSA and any subsequent related state of California legislation, to engage in cannabis activity. A state license alone will not authorize the holder to operate a cannabis business, as state law also requires a permit or other authorization issued by a local jurisdiction.

23. Topical Cannabis. A product intended for external application and/or absorption through the skin. A topical cannabis product is not considered a drug as defined by Health and Safety Code Section [109925](#).

24. Transport. The transfer of cannabis products from the permitted business location of one licensee to the permitted business location of another licensee, for the purposes of conducting cannabis activity authorized by the MAUCRSA which may be amended or repealed by any subsequent related state of California legislation. Transport can only be performed by licensed distributors and does not include deliveries of cannabis or cannabis products.

25. Volatile Solvent. A solvent as defined by Health and Safety Code Section [11362.3\(b\)\(3\)](#) as of the effective date of this chapter and as subsequently amended.

26. Youth Center.

a. Public or private facility that is primarily used to host recreation, academic, or social activities for minors, including, but not limited to:

- i. Private youth membership organizations or clubs;
- ii. Social service teenage club facilities;
- iii. Video arcades where 10 or more video games or game machines or devices are operated, and where minors are legally permitted to conduct business; or
- iv. Similar amusement park facilities;
- v. Must be used for youth activities at least 60 percent of the time in a calendar year.

b. It shall also include a park, playground, or recreational area specifically designed to be used by children which has play equipment installed, including public grounds designed for athletic activities such as baseball, softball, soccer, or basketball, or any similar facility located on a public or private school grounds, or on City, county, or state parks.

c. This definition shall not include any private martial arts, yoga, ballet, music, art studio or similar studio of this nature nor shall it include any private gym, athletic training facility, pizza parlor, dentist office, doctor's office primarily serving children, a location which is primarily utilized as an administrative office, or a facility for youth programs or organizations.

G. Commercial Entertainment and Recreation. Provision of participant or spectator entertainment to the public. These classifications may include incidental restaurants, snack bars, and other related food and beverage services to patrons.

1. Cinema/Theater. Any facility for the indoor display of films and motion pictures on single or multiple screens. This subclassification may include incidental food and beverage service to patrons as well as auditoriums within buildings.

2. Indoor Sports and Recreation. Establishments providing predominantly participant sports, indoor amusement and entertainment services conducted within an enclosed building. Typical uses include arcades, bingo halls, bowling alleys, billiard parlors, card rooms, health clubs, ice- and roller-skating rinks, indoor racquetball courts, athletic clubs, indoor shooting ranges, and physical fitness centers.

3. Outdoor Entertainment. Predominantly spectator uses, conducted in open or partially enclosed or screened facilities. Typical uses include amusement and theme parks, sports stadiums and arenas, racetracks, amphitheaters, and drive-in theaters.

4. Outdoor Sports and Recreation. Predominantly participant sports conducted in open or partially enclosed or screened facilities. Typical uses include driving ranges, golf courses, miniature golf courses, tennis clubs, outdoor batting cages, swimming pools, archery ranges, and riding stables.

H. Eating and Drinking Establishments. Businesses primarily engaged in serving prepared food and/or beverages for consumption on or off the premises.

1. Bars/Night Clubs/Lounges. Businesses serving alcoholic beverages for consumption on the premises as a primary use, including on-sale service of alcohol including beer, wine, and mixed drinks. This subclassification includes tasting rooms and micro-breweries where alcoholic beverages are sold and consumed on site and any beverage production or distilling, and food service is subordinate to the sale of alcoholic beverages.

2. Restaurant. Establishments where food and beverages are served to patrons on site or off site, including full-service, limited service, and take-out/delivery businesses. This subclassification includes cafes, coffee shops, delicatessens, fast-food businesses, and bakeries that have tables for on-site consumption of products. It excludes catering services and commercial kitchens that do not sell food or beverages for on-site consumption.

3. Tasting Room. Establishments serving samples of food or beverages for on-site consumption, typically as an ancillary use associated with a production facility such as wine or beer making, or retail sales.

I. Farmer's Markets. Temporary but recurring outdoor retail sales of food, plants, flowers, and products such as jellies, breads, and meats that are predominantly grown or produced by vendors who sell them.

J. Food Preparation. Establishments preparing and/or packaging food primarily for off-site consumption, including catering kitchens, retail bakeries, and small-scale specialty food production. This classification excludes establishments with an industrial character in terms of processes employed, waste produced, water used, and traffic generation.

K. Funeral Parlors and Interment Services. An establishment primarily engaged in the provision of services, involving the care, preparation, or disposition of human remains and conducting memorial services. This subclassification includes funeral parlors, crematories, and mortuaries, but excludes cemeteries and burial parks (see also Section [14.02.060.020.B](#), Cemeteries and Columbarium).

L. Hookah Lounge. Any business which primarily serves tobacco or nontobacco products (e.g., fruit, vegetables) whereby patrons, who are 18 years of age or older, share the tobacco or nontobacco products from a hookah, water pipe, or similar device.

M. Lodging. An establishment providing overnight lodging to transient patrons for payment periods of 30 consecutive calendar days or less. These establishments may provide additional services and amenities, such as conference and meeting rooms, restaurants, bars, or recreation facilities available to guests or to the public.

N. Offices. Offices of firms, organizations, or public agencies providing professional, executive, management, administrative or design services, such as accounting, architectural, computer software design, engineering, graphic design, interior design, investment, insurance, and legal offices, real estate and mortgage brokers, banks and savings and loan associations with retail banking services (see subsection B of this section, Banks and Financial Institutions). This classification also includes offices where medical and dental services are provided by physicians, dentists, chiropractors, acupuncturists, optometrists, and similar medical professionals, including medical/dental laboratories within medical office buildings, but excludes clinics, independent research laboratory facilities (see Section [14.02.060.040.H](#), Research and Development), and hospitals.

1. Business, Professional, and Technology. Offices of firms, organizations, or agencies providing

professional, executive, management, or administrative services, such as accounting, architectural, computer software design, engineering, graphic design, interior design, legal, and tax preparation offices.

2. Medical and Dental. Offices providing consultation, diagnosis, therapeutic, preventive, or corrective personal treatment services by doctors and dentists; medical and dental laboratories that see patients; and similar practitioners of medical and healing arts for humans licensed for such practice by the state of California. Incidental medical and/or dental research within the office is considered part of the office use if it supports the on-site patient services.

O. Personal Services. An establishment providing nonmedical services to individuals as a primary use, of personal convenience, as opposed to products that are sold to individual consumers, or from/by companies. This classification includes animal grooming services, barber and beauty shops, clothes, shoes, and luggage repair, photographers, tattoo parlors, massage establishments, small-scale laundry services, cleaning services and pick-up stations, and similar services.

P. Repair and Maintenance Services. Establishments engaged in the maintenance or repair of consumer products, including office machines, household appliances, electronics, furniture, and similar items. This classification excludes repair and maintenance of motor vehicles (see subsection C of this section, Automobile/Vehicle Sales and Services) and personal apparel (see subsection O of this section, Personal Services).

Q. Retail Sales.

1. Building Materials and Supply Stores. Retail sales or rental of building supplies or equipment. This classification includes lumber yards, tool and equipment sales, or rental establishments, and includes establishments devoted principally to taxable retail sales to individuals for their own use. This subclassification does not include construction and material yards, hardware stores less than 10,000 square feet in floor area, or plant nurseries.

2. Food and Beverage Sales. Retail sales of food and beverages primarily for off-site preparation and consumption. This subclassification includes food markets, grocery stores, liquor stores, meat markets and butcher shops, and retail bakeries.

3. General Retail and Merchandise. The retail sale or rental of merchandise not specifically listed under another use classification. This subclassification includes retail establishments such as department stores, clothing stores, furniture stores, small hardware stores (with 10,000 square feet or less of floor area), and businesses retailing the following goods: household pets and pet supplies, toys, hobby materials, handcrafted items, jewelry, cameras, photographic supplies and services (including portraiture and retail photo processing), medical supplies and equipment, pharmacies, electronic equipment, sporting goods, kitchen utensils, hardware, appliances, antiques, art galleries, art supplies and services, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, video rental, and new automotive parts and accessories (excluding vehicle service and installation). Retail sales may be combined with other services such as office machine, computer, electronics, and similar small-item repairs.

4. Nurseries. Any establishment(s) primarily engaged in retailing nursery and garden products, such as trees, shrubs, plants, seeds, bulbs, and sod that are predominantly grown elsewhere. These establishments may sell a limited amount of a product they grow themselves.

#### **14.02.060.040 Industrial Uses.**

A. Cannabis. See Section [14.02.060.030.F](#).

B. Construction and Material Yards. Storage of construction materials or equipment on a site other than a construction site.

C. Contractor Shops. Establishments for specialized business activities related to building construction. This classification includes establishments for trades such as painting, carpentry, plumbing, heating, air-conditioning, roofing, landscaping, cabinetmaking, and sign-making.

D. Custom and Artisan Manufacturing. Any establishment primarily engaged in on-site production or fabrication of goods by small-scale manufacturing or artistic endeavor, which involves the use of hand tools or small mechanical equipment, and which may include incidental instruction or direct sales for consumers. Typical uses include ceramic studios, fabric and needle-working, leather working, metalworking, glass-working, candle-making shops, woodworking, and custom jewelry manufacturers.

E. Food and Beverage Manufacturing. Establishments engaged in the production, processing, packaging, or manufacturing of food or beverage products and where any instruction, direct sales, or on-site consumption are incidental to the food or beverage production activity. This classification excludes the slaughtering of animals or fowl which is not allowed.

1. Small Scale. A small-scale food and beverage products manufacturing and distribution establishment located in facilities less than 10,000 square feet in size. Examples include coffee roasters, micro-breweries, micro-distilleries, cheese makers, wholesale bakeries, and produce-on-premises operations which provide ingredients and equipment for customers to manufacture their own product.

2. Large Scale. Large-scale production, packaging, processing, preparation, or manufacturing of a food, beverage, or ingredient used or intended for use for human digestion in a facility over 10,000 square feet.

F. General Industrial. Establishments engaged in manufacturing of nonedible products from extracted or raw materials or recycled or secondary materials, or bulk storage and handling of such products and materials. Production typically involves some transformation by way of heating, chilling, combining, or through a chemical or biochemical reaction or alteration. Toxic, hazardous, or explosive materials may be produced or used in large quantities as part of the manufacturing process. These industrial activities may produce impacts on nearby properties, such as noise, gas, odor, dust, or vibration. This classification includes manufacturing for biomass energy conversion, commercial cosmetics and perfumes, electrical appliances and explosives, film and photographic processing plants, apparel and textile mills, leather and allied products manufacturing, wood and paper, glass and glass products, chemical products, medical/pharmaceutical products, plastics and rubber, nonmetallic minerals, primary and fabricated metal products, and automotive and heavy equipment.

G. Light Industrial. Establishments engaged in manufacturing of nonedible products and finished parts primarily from previously prepared materials by means of physical assembly or reshaping. These industrial activities produce limited impacts on nearby properties, such as noise, gas, odor, or vibration. This classification includes uses where retail sales are clearly incidental to an industrial or manufacturing use, commercial laundries and dry-cleaning plants, monument works, printing and engraving, publishing, computer and electronic product manufacturing, furniture and related product manufacturing, and industrial services.

H. Research and Development. A facility for the scientific research and the design, development, and testing of electrical, electronic, magnetic, optical, pharmaceutical, chemical, and biotechnology components and products in advance of product manufacturing. This classification includes assembly of related products from parts produced off site, where the manufacturing activity is secondary to the research and development activities, in addition to involving the production of experimental products.

I. Salvage and Wrecking. Storage and dismantling of vehicles and equipment for sale of parts, as well as their collection, storage, exchange or sale of goods including, but not limited to, any used building materials, used containers or steel drums, used tires, and similar or related articles or property.

J. Storage, Warehousing, and Wholesaling. Storage, warehousing, and wholesaling facilities that store and/or engage in wholesale sales of merchandise to retail establishments; industrial, commercial,

institutional, agricultural, or professional businesses; or facilities acting as agents or brokers in buying or selling merchandise/commodities to such businesses. Wholesalers are primarily engaged in business-to-business sales but may sell to individual consumers through mail or internet orders. These establishments have little or no display of merchandise and are not designed to solicit walk-in traffic except for public storage in small individual spaces exclusively and directly accessible to a specific tenant.

1. Indoor. Storage, warehousing, and wholesaling of goods and merchandise within an enclosed building.

2. Outdoor. Storage, warehousing, and wholesaling of goods in open lots.

3. Personal Storage. Facilities offering enclosed storage with individual access for personal effects and household goods including mini-warehouses and mini-storage, and records or inventory storage for businesses. This classification includes moving company businesses which offer storage and transporting services, but excludes workshops, hobby shops, manufacturing, or commercial activity.

#### **14.02.060.050 Transportation, Communication, and Utility Uses.**

A. Airports and Heliports. Facilities for the takeoff and landing of airplanes and helicopters, including runways, helipads, aircraft storage buildings, public terminal building and parking, air freight terminal, baggage handling facility, aircraft hangar, and public transportation and related facilities, including bus operations, servicing and storage. Also includes support activities such as fueling and maintenance, storage, airport operations and air traffic control, incidental retail sales, coffee shops, snack shops, and airport administrative facilities, including airport offices, terminals, operations buildings, communications equipment, buildings and structures, control towers, lights, and other equipment and structures required by the United States government and/or the state for the safety of aircraft operations.

B. Communication Facilities. Facilities for the provision of broadcasting and other information-relay services using electronic and telephonic mechanisms.

1. Facilities Within Buildings. Indoor facilities which include radio, television or recording studios, and telephone switching centers.

2. Telecommunication. Broadcasting and other communication services accomplished through electronic or telephonic mechanisms, as well as structures and equipment cabinets designed to support one or more reception/transmission systems. This subclassification includes wireless telecommunication towers and facilities, radio towers, television towers, telephone exchange/microwave relay towers, cellular telephone transmission/personal communications systems towers, and associated equipment cabinets and enclosures.

C. Freight/Trucking Facilities. Property and improvements used for freight, courier, and postal services; freight transfer truck terminals; transfer, loading, and unloading points for trucks and automobiles carrying goods and products; or for the operations of a "common carrier trucking company," including the parking, or servicing, or repairing, or storage of trucks, truck tractors, and/or truck trailers.

D. Light Fleet-Based Services. Passenger transportation services, local delivery services, medical transport, and other businesses that rely on fleets of three or more vehicles with rated capacities less than 10,000 pounds. This classification includes parking, dispatching, and offices for taxicab and limousine operations, ambulance services, nonemergency medical transport, local messenger and document delivery services, home cleaning services, and similar businesses.

E. Public Works and Utilities. Generating plants, electric substations, recycling collection and processing facilities, solid waste collection, including transfer stations and materials recovery facilities, solid waste treatment and disposal, water or wastewater treatment plants, and similar facilities of public agencies or public utilities. This classification also includes facilities such as water reservoirs, wastewater collection or pumping facilities, water wells, storm water detention basins, and similar utility uses.

F. Recycling Facility. A facility for receiving, temporarily storing, transferring, and/or processing materials for recycling, reuse, or final disposal. This use classification does not include waste transfer facilities that operate as materials recovery, recycling, and solid waste transfer operations and are classified as utilities.

1. Reverse Vending Machine. An automated mechanical device that accepts, sorts and processes recyclable materials and issues a cash refund or a redeemable credit slip.

2. Recycling Collection Facility. An incidental use that serves as a neighborhood drop off point for the temporary storage of recyclable or reusable materials but where the processing and sorting of such items is not conducted on site.

a. Small Collection Facility. Small collection facilities occupy no more than 500 square feet and may include:

i. A "mobile recycling unit," which means an automobile, truck, trailer, or van, licensed by the Department of Motor Vehicles, and used for the collection of recyclable materials. A mobile recycling unit also means the bins, boxes or containers transported by trucks, vans, or trailers, and used for the collection of recyclable materials;

ii. Bulk reverse vending machines or a grouping of reverse vending machines occupying more than 50 square feet;

iii. Booth-type units which may include permanent structures;

iv. Unattended textile donation containers; and

v. Unattended containers placed for the donation of recyclable materials.

b. Large Collection Facility. Large collection facilities may occupy an area of more than 500 square feet and may include permanent structures.

3. Recycling Processing Facility. A facility that receives, sorts, stores and/or processes recyclable materials.

a. Light Processing Facility. A light processing facility occupies an area of under 45,000 square feet of gross collection, processing and storage area and has up to an average of two outbound truck shipments per day. Light processing facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding, and sorting of source separated recyclable materials and repairing of reusable materials sufficient to qualify as a certified processing facility. A light processing facility shall not shred, compact, or bale ferrous metals other than food and beverage containers.

b. Heavy Processing Facility. Any processing facility other than a light processing facility.

G. Transit Stations and Terminals. Facilities for passenger transportation operations, including rail stations, bus terminals, taxi, and scenic and sightseeing facilities. This classification excludes terminals serving airports or heliports (see subsection A of this section, Airports and Heliports).

#### **14.02.060.060 Agricultural Uses.**

A. Agriculture.

1. Animal Production. Commercial facilities engaged in the breeding, raising, feeding, and transshipping of livestock for producing animal products, animal increase, or value increase. This classification excludes feedlots, stockyards, slaughterhouses, hog farms, fertilizer works, or plants for the reduction of animal matter.

2. Crop and Horticulture Production. Commercial facilities for the cultivation of tree, vine, field, forage,

and other plant crops intended to provide food or fibers or for growing flowers, trees, and ornamentals. This classification includes wholesale greenhouses and nurseries but excludes retail nurseries (Section [14.02.060.040.Q.\(4\)](#), Nurseries). Cannabis is prohibited.

B. Urban Agriculture.

1. Community Garden. Use of land for and limited to the cultivation of herbs, fruits, flowers, or vegetables, including the cultivation and tillage of soil and the production, cultivation, growing, and harvesting of any agricultural, floricultural, or horticultural commodity, by several individuals or households.
2. Market Garden. The primary use of a site for cultivation of fruits, vegetables, flowers, fiber, nuts, seeds, or culinary herbs for sale or donation of its produce to the public.

C. Employee Housing, Large. Has the same meaning as “employee housing” described in Health and Safety Code Section 17021.6, and as set forth in Health and Safety Code Section 17008 for farmworkers.

DRAFT

## Chapter 14.09.050 Agriculture Zoning Districts

### Sections:

- 14.09.050.010 Purpose and Applicability.**
- 14.09.050.020 Land Use Regulations.**
- 14.09.050.030 Development Regulations.**
- 14.09.050.040 Supplemental Regulations.**

### **14.09.050.010 Purpose and Applicability.**

The purpose of the agriculture zoning districts is to:

A. Preserve lands for agricultural use; and

B. Protect prime agricultural lands from the encroachment of incompatible uses and urban development which would make long-term agricultural uses uneconomical or infeasible. Additional purposes of each agriculture zoning district:

1. Agriculture (AG). The AG district is intended to provide for agricultural uses such as raising crops or livestock, commercial and industrial services related to agriculture, single-unit residential development, and other compatible uses. This district also provides for interim uses on lands which, due to location or lack of prime agricultural resources, may be appropriate for urban development pending proper timing for the provision of utilities, major streets, and other facilities to support compact, orderly development. The AG District implements the Agriculture General Plan Land Use Designation; and

2. Agricultural Hillside (AH). The AH district is intended to provide for low intensity agricultural use of hillside areas where development is limited due to topography and other factors. Development standards are intended to ensure that development occurs in a manner that minimizes the risk from hazards and impacts on the sensitive natural environment of hillside areas. This district provides for residential density up to one unit per 20 acres and implements the Hillside Agriculture General Plan Land Use Designation.

### **14.09.050.020 Land Use Regulations.**

Table 14.09.050.A, Land Use Regulations – Agricultural Zoning Districts, establishes the land use regulations for the agricultural zoning districts. Land uses are defined in Chapter [14.02.060](#) of this code, Use Classifications. In cases where a specific land use or activity is not defined, the Director of Community Development shall assign the land use or activity to a classification that is substantially similar in character. Land uses not listed in the table and not substantially like the uses below are prohibited. Within the Northeast Growth Area, the supplemental regulations identified in Section [14.09.050.040](#) are applicable. Section numbers in the right-hand column refer to other sections of this title.

**TABLE 14.09.050.A, LAND USE REGULATIONS – AGRICULTURAL ZONING DISTRICTS**

<p align="center"> <b>“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required;</b>  <b>“–” = Use Not Allowed</b> </p>			
<b>Land Use Classification</b>	<b>AG</b>	<b>AH</b>	<b>Additional Regulations</b>
<b>Residential Uses</b>			
Residential Housing Types	See subclassifications below		
Single-Unit Dwelling, Detached	P	P	
Employee Housing, <a href="#">Small</a>	P	P	<a href="#">See Section 14.09.270.210 Agricultural Employee Housing</a>
Small Residential Care Facilities	Small residential care facilities and transitional and supportive housing constitute a residential use and are subject only to those restrictions that apply to other residential uses of the same type in the same district.		
Supportive Housing			
Transitional Housing			
<b>Public/Semi-Public Uses</b>			
Cemeteries and Columbariums	–	C	Limited to family burial plots. Shall be processed concurrently with an appropriate subdivision request. See Section <a href="#">14.09.050.040.C</a> , Family Burial Plots, AH District.
Park and Recreation Facilities	C	C	
<b>Commercial Uses</b>			
Animal Care and Boarding	See subclassifications below		
Animal Shelter and Boarding	C	–	
Veterinary Services	C	–	
Commercial Entertainment and Recreation	See subclassifications below		
Outdoor Sports and Recreation	C	C	Limited to equestrian facilities
<b>Industrial Uses</b>			
Food and Beverage Manufacturing	See subclassifications below		
Small-Scale	C	C	
<b>Transportation, Communication, and Utility Uses</b>			
Communication Facilities	See subclassification below		
Telecommunication	See Section <a href="#">14.09.270.170</a> , Telecommunication Facilities		
Public Works and Utilities	C	C	

<b>“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required;                      “_” = Use Not Allowed</b>			
<b>Land Use Classification</b>	<b>AG</b>	<b>AH</b>	<b>Additional Regulations</b>
<b>Agricultural Uses</b>			
Agriculture	See subclassifications below		
Animal Production	P	P	
Crop and Horticulture Production	P	P	
<u>Employee Housing, Large</u>	<u>P</u>	<u>P</u>	<u>See Section 14.09.270.210 Agricultural Employee Housing</u>
<b>Other Uses</b>			
Accessory Uses and Structures	See Section <a href="#">14.09.270.030</a> , Accessory Uses; and Section <a href="#">14.09.200.020</a> , Accessory Buildings and Structures		
Accessory Dwelling Unit	See Section <a href="#">14.09.270.040</a> , Accessory Dwelling Units		
Animal Keeping	See Section <a href="#">14.09.270.070</a> , Animal Keeping		
Family Day Care	See Section <a href="#">14.02.060.010</a> , Residential Uses		
Home Occupations	See Section <a href="#">14.09.270.120</a> , Home Occupations		
Nonconforming Uses	See Chapter <a href="#">14.09.220</a> , Nonconforming Uses, Sites, and Structures		
Temporary Uses	See Section <a href="#">14.09.270.180</a> , Temporary Uses		

**14.09.050.030 Development Regulations.**

A. Table 14.09.050.B, Development Regulations – Agriculture Zoning Districts, prescribes the development regulations for the agriculture zoning districts. Letters in parentheses refer to additional development standards that directly follow the table. Section numbers in the “Additional Regulations” column refer to other sections of this code.

**TABLE 14.09.050.B, DEVELOPMENT REGULATIONS – AGRICULTURE ZONING DISTRICTS**

<b>Standard</b>	<b>AG</b>	<b>AH</b>	<b>Additional Regulations</b>
Maximum Density (units/acre)	0.05	0.05	See Section <a href="#">14.02.030.040</a> , Calculating Density
Minimum Lot Area (acres)	20 (A)	20 (A)	
Maximum Lot Coverage (% of lot area)	2	2	See Section <a href="#">14.02.030.100</a> , Determining Lot Coverage
Maximum Building Height (feet)	30, up to 45 for barns to accommodate agricultural operations	30, up to 45 for barns to accommodate agricultural operations	See Section <a href="#">14.09.200.060</a> , Heights and Height Exceptions
Minimum Setbacks (feet)			
All Property Lines	30	30, 50 if the alternative policy in reference to hillside development is implemented	See Section <a href="#">14.09.200.030</a> , Encroachments Into Required Setbacks

B. Additional Development Regulations.

1. Minimum Lot Area. Lots in the AG and AH districts shall be a minimum of 20 acres except as provided below:

- a. A parcel of not less than one acre may be created for public utility structures and facilities and habitat conservation areas; and
- b. A parcel of less than 20 acres may be created if it is the remainder resulting from a subdivision of land in a residential district, the parcel is subject to a conservation easement to the City or other equivalent limitation of development rights, and the decision maker finds that a viable plan and mechanism exists to provide for the permanent management of the site.

**14.09.050.040 Supplemental Regulations.**

A. Grazing. Grazing is allowed on pastureland or hillside grasslands in the AG and AH districts, subject to the following standards:

- 1. A minimum of two acres shall be available for grazing;
- 2. Seasonal supplemental feeding is allowed;
- 3. Grazing shall not include the confining of livestock in enclosures such as feedlots or corrals where feed is provided on a regular basis. The temporary confinement of livestock grazing on a site in a corral area is permitted as a normal part of grazing use, provided:
  - a. The confinement shall not exceed 21 calendar days;
  - b. The confinement shall be for a valid agricultural purpose, including, but not limited to, shipping, calving, or medical treatment;
  - c. The corral shall be located at least 300 feet from the nearest dwelling unit;
- 4. Weed abatement requirements shall be met.

B. Density Transfer, AH District. Permitted density may be transferred from a site in the AH district which does not contain a dwelling unit to a site in a residential district, pursuant to conditional use permit approval in accordance with the provisions of Chapter [14.09.300](#), Use Permits, and the following standards:

1. Transfer of Density. Table 14.09.050.C, Transfer of Density, establishes the amount of density that may be transferred per area of the transfer;

**TABLE 14.09.050.C, TRANSFER OF DENSITY**

<b>Area of Transfer</b>	<b>Transferable Dwelling Units</b>
Less than 5 acres	0 units
5 to 9.99 acres	1 unit
<b>Area of Transfer</b>	<b>Transferable Dwelling Units</b>
10 to 14.99 acres	2 units
15 to 19.99 acres	3 units

20 to 24.99 acres	4 units
Each additional 5 acres above 24.99 acres	1 unit
Remaining area of less than 5 acres	0 units

2. Conservation Easement Required. Prior to the issuance of a building permit for residential construction utilizing a density transfer, a conservation easement or other equivalent limitation of development rights specifying the density transfer shall be dedicated to the City for the site from which the density was transferred. As an alternative, the fee title to the site from which the density was transferred may be dedicated to the City subject to the agreement of the property owner and the City; and

3. Site Management. In conjunction with the approval of a density transfer involving the continued private ownership of a site from which the density has been transferred, the Planning Commission shall find that a viable plan and mechanism exists to provide for the permanent management of the site from which the density was transferred in a condition that addresses weed abatement and practically minimizes the danger of fire, erosion, and geologic hazards.

C. Family Burial Plots, AH District. The following standards apply to family burial plots in addition to all applicable requirements of the state of California and Solano County.

1. Limitation on Use. Family burial plots are to be used solely for the interment of the remains of the property owners and their immediate family members. For the purpose of this provision, "immediate family" is defined to include the following relatives: spouse, grandfathers, grandmothers, grandsons, granddaughters, fathers, mothers, stepfathers, stepmothers, sons, daughters, stepsons, stepdaughters, brothers, sisters, uncles, aunts, nieces, nephews, first cousins, fathers-in-law, mothers-in-law, brothers-in-law, sisters-in-law, daughters-in-law, or sons-in-law, and the spouse of anyone who is an immediate family member.

2. Concurrent Processing. An application for a tentative parcel map, tentative subdivision map, or lot line adjustment shall be processed concurrently with the conditional use permit for a family burial plot.

3. Application Requirements. Each application for a family burial plot shall include verification that the proposed plot conforms to all applicable requirements of the state of California and Solano County.

D. Properties Within Northeast Growth Area. New development of sites located within the Northeast Growth Area shall comply with the Northeast Growth Area overlay district regulations identified in Chapter [14.09.191](#) of this code.

## Chapter 14.09.060 Residential Zoning Districts

### Sections:

- 14.09.060.010 Purpose and Applicability.**
- 14.09.060.020 Land Use Regulations.**
- 14.09.060.030 Development Regulations.**
- 14.09.060.040 Supplemental Regulations.**
- 14.09.060.050 Design Requirements for One- and Two-Unit Buildings.**
- 14.09.060.060 Design Requirements for Buildings with Three or More Units.**

### **14.09.060.010 Purpose and Applicability.**

The purpose of residential zoning districts and development standards is to:

- A. Provide for a full range of housing types to meet the diverse economic and social needs of residents;
- B. Preserve, protect, and enhance the character of the City's neighborhoods;
- C. Enhance the quality of life of residents;
- D. Ensure that the scale and design of new development and alterations to existing development are compatible with surrounding uses and appropriate to the physical and aesthetic characteristics of the proposed location; and
- E. Provide sites for public and semi-public uses such as parks, schools, day care, and other community uses that serve residents and complement surrounding residential development.

Additional purposes of each residential zoning district:

- F. Residential Rural (RR). The RR district is intended to provide for rural residential development on large lots and other compatible uses in a semi-rural setting, in areas that may lack domestic water and sanitary sewer services. This district provides for residential density between 0.1 and 0.4 dwelling units per acre. The RR district implements the Rural Residential General Plan Land Use Designation.
- G. Residential Estate (RE). The RE district is intended to provide for residential development on large lots and other compatible uses in a semi-rural atmosphere and setting, subject to the extension of domestic water and sanitary sewer services by the property owner. This district provides for residential density between 0.5 and 3.0 dwelling units per acre. The RE district implements the Residential Estate General Plan Land Use Designation.
- H. Residential Low (RL). The RL district is intended to provide for residential development and other compatible uses in a low-density residential neighborhood setting with a variety of lot sizes and architectural styles. This district provides for residential density between 3.1 to 5.0 dwelling units per acre. The RL district implements the Residential Low-Density General Plan Land Use Designation.
- I. Residential Low Medium (RLM). The RLM District is intended to provide for a variety of housing types at densities in the range of 5.1 to 8.0 dwelling units per acre. This district also provides for public uses, quasi-public uses, and similar and compatible uses that may be appropriate in a low medium density residential environment. The RLM district implements the Residential Low Medium Density General Plan Land Use Designation.
- J. Residential Medium (RM). The RM district is intended to provide for a variety of housing types at densities between 8.1 to 14.0 dwelling units per acre, including duplexes, townhouses, apartments, detached single-unit residential development on small lots, and other compatible uses appropriate in a medium density residential environment. The RM district implements the Residential Medium Density General Plan Land Use Designation.
- K. Residential Medium High (RMH). The RMH district is intended to provide for a variety of housing types at densities in the range of 14.1 to 20.0 dwelling units per acre. Types of dwelling units include attached and detached

single-unit dwellings, townhomes, condominiums, two-unit dwellings, multi-unit developments, and apartments. This district also provides for public uses, quasi-public uses, and similar and compatible uses that may be appropriate in a medium high-density residential environment. The RMH district implements the Residential Medium High-Density General Plan Land Use Designation.

L. Residential High (RH). The RH district is intended to provide for a variety of high-density residential developments, including townhouses, condominiums, apartments, and other compatible uses. This district provides for residential density between 20.1 to 30.0 dwelling units per acre. The RH district implements the Residential High Density General Plan Land Use Designation.

M. Residential High Limited (RHL). The RHL district is intended to provide for a variety of high-density residential development, including townhouses, condominiums, apartments, and other compatible uses. This district provides for residential density between 20.1 to 24.0 dwelling units per acre. This zoning district applies to residential high-density projects located within Nut Tree Airport Compatibility Areas D, Extended Approach/Departure Area, and E, Adjacent to Runway or Final Approach, and is subject to Chapter 14.09.110 of this code, Airport Environs (AE) Overlay District. The RHL district implements the Residential High Density Limited General Plan Land Use Designation.

N. Manufactured Housing Park (MHP). The MHP district is intended to provide areas for manufactured housing parks, whether lots are rented or leased, or where lots are individually owned. This district provides for a residential density between 6.0 to 10.0 dwelling units per acre. The MHP district implements the Residential Manufactured Home Park General Plan Land Use Designation.

**14.09.060.020 Land Use Regulations.**

Table 14.09.060.A, Land Use Regulations – Residential Zoning Districts, establishes the land use regulations for the residential zoning districts. Land uses are defined in Chapter 14.020.060 of this code, Use Classifications. In cases where a specific land use or activity is not defined, the Director of Community Development shall assign the land use or activity to a classification that is substantially similar in character. Land uses not listed in the table and not substantially like the uses below are prohibited. Within the Northeast Growth Area, the supplemental regulations identified in Section [14.09.060.040](#) are applicable. Section numbers in the right-hand column refer to other sections of this title.

**TABLE 14.09.060.A, LAND USE REGULATIONS – RESIDENTIAL ZONING DISTRICTS**

"P" = Permitted Use; "M" = Minor Use Permit required; "C" = Conditional Use Permit required; "-" = Use Not Allowed										
Land Use Classification	RR	RE	RL	RLM	RM	RMH	RH	RHL	MHP	Additional Regulations
<b>Residential Uses</b>										
Residential Housing Types	See subclassifications below									
Single-Unit Dwelling, Detached	P	P	P	P	C	C	-	-	P	
Single-Unit Dwelling, Attached	P	P	P	P	C	C	C	C	P	
Duplex	p1	p1	p1	p1	P	P	P	P	p1	
Multi-Unit Dwelling	-	-	P <sup>2</sup>	P	P	P	P	P	-	
<a href="#">Single Room Occupancy</a>	=	=	=	=	=	P	P	P	=	<a href="#">See Section 14.09.270.220 Single Room Occupancy Units</a>
Group Residential	-	-	-	-	P	P	P	P	-	

Manufactured Home Park	-	-	C	C	C	C	C	C	C	P	
Residential Facility, Assisted Living	-	-	M	M	M	M	M	M	M	-	
Small Residential Care Facilities	Small and large residential care facilities and transitional <del>and-supportive</del> housing constitute a residential use and are subject only to those restrictions that apply to other residential uses of the same type in the same district.										
Large Residential Care Facilities											
Transitional Housing											
Supportive Housing	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<a href="#">Supportive housing is permitted provided it is consistent with Government Code Section 65650-65656.</a>
<a href="#">Employee Housing, Small</a>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>P</u>	<a href="#">See Section 14.09.270.210 Agricultural Employee Housing</a>
<b>“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = Use Not Allowed</b>											
Land Use Classification	RR	RE	RL	RLM	RM	RMH	RH	RHL	MHP	Additional Regulations	
<b>Public/Semi-Public Uses</b>											
Community Assembly, less than 5,000 square feet in floor area	-	-	P	P	P	P	P			P	
Community Assembly, 5,000 square feet or more in floor area	-	-	M	M	M	M	M			M	
Cultural Institutions, less than 5,000 square feet in floor area	-	M	M	M	M	M	M			-	
Cultural Institutions, 5,000 square feet or more in floor area	-	-	C	C	C	C	C			-	
Day Care Centers	-	-	M	M	M	M	M			-	
Hospitals and Clinics	See subclassification below										
Skilled Nursing Facility	-	-	C	C	C	M	M			-	
Park and Recreation Facilities	M	M	P	P	P	P	P			M	
Public Safety Facilities	C	C	C	C	C	C	C			C	
Schools	C	C	C	C	C	C	C			C	
<b>Commercial Uses</b>											

Farmer's Markets	-	-	M	M	M	M	M		M	See Section <a href="#">14.09.270.100</a> , Farmer's Market
<b>Transportation, Communication, and Utility Uses</b>										
Communication Facilities	See subclassification below									
Telecommunication	See Section <a href="#">14.09.270.170</a> , Telecommunication Facilities									
<b>Agricultural Uses</b>										
Urban Agriculture	See subclassifications below									
Community Garden	P	P	P	P	P	P	P		P	See Section <a href="#">14.09.270.190</a> , Urban Agriculture
Market Garden, less than one acre	P	P	P	P	P	P	P		P	See Section <a href="#">14.09.270.190</a> , Urban Agriculture
Market Garden, one acre or more	M	M	M	M	M	M	M		M	See Section <a href="#">14.09.270.190</a> , Urban Agriculture
<b>"P" = Permitted Use; "M" = Minor Use Permit required; "C" = Conditional Use Permit required;</b> <b>"-" = Use Not Allowed</b>										
<b>Land Use Classification</b>	<b>RR</b>	<b>RE</b>	<b>RL</b>	<b>RLM</b>	<b>RM</b>	<b>RMH</b>	<b>RH</b>	<b>RHL</b>	<b>MHP</b>	<b>Additional Regulations</b>
<a href="#">Employee Housing, Large</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>		<a href="#">P</a>	See Section <a href="#">14.09.270.210</a> <a href="#">Agricultural Employee Housing</a>
<b>Other Uses</b>										
Accessory Uses and Structures	See Section <a href="#">14.09.270.030</a> , Accessory Uses; and Section <a href="#">14.09.200.020</a> , Accessory Buildings and Structures									
Accessory Dwelling Units	See Section <a href="#">14.09.270.040</a> , Accessory Dwelling Units									
Animal Keeping	See Section <a href="#">14.09.270.070</a> , Animal Keeping									
Family Day Care	See Section <a href="#">14.02.060.010</a> , Residential Uses									
Home Occupations	See Section <a href="#">14.09.270.120</a> , Home Occupations									
Nonconforming Uses	See Chapter <a href="#">14.09.220</a> , Nonconforming Uses, Sites, and Structures									
Temporary Uses	See Section <a href="#">14.09.270.180</a> , Temporary Uses									

1. Refer to California Government Code Section [65852.21](#) for additional procedures and requirements and Chapter [14.09.280](#) of this code, Zoning Clearance.
2. [Only multi-unit residential buildings that are required pursuant to Section 14.09.060.040-E are permitted. The overall maximum density shall not be exceeded.](#)

**14.09.060.030 Development Regulations.**

Table 14.09.060.B, Development Regulations – Residential Zoning Districts, prescribes the development regulations for the residential zoning districts. Letters in parentheses refer to additional development standards that directly follow the table. Section numbers in the “Additional Regulations” column refer to other sections of this title.

**TABLE 14.09.060.B, DEVELOPMENT REGULATIONS – RESIDENTIAL ZONING DISTRICTS**

Standard	RR	RE	RL	RLM	RM	RMH	RH	RHL	MHP	Additional Regulations
<b>Density Standards</b>										
Minimum Density (units per acre)	0.1	0.5	3.1	5.1	8.1	14.1	20.1	20.1	6.0	See Section <a href="#">14.02.030.040</a> , Calculating Density
Maximum Density (units per acre)	0.4	3.0	5.0	8.0	14.0	20.0	30.0	24.0	10.0	
Density standards are applicable to the entirety of the project site prior to being subdivided. Individual lots in the subdivision or parcel map may be above or below the density range and individual lots may be further divided or subdivided, provided the entire original project site remains within the allowed density range.										
<b>Lot Standards</b>										
Minimum Lot Area (sq ft, unless noted)	(A)	(A)	(A)	3,600	40,000	40,000	40,000	40,000	10 acres	In the RLM, RM, RMHD, and RH districts, smaller lots may be allowed.
Minimum Lot Width (ft)	(A)	(A)	(A)	40	200	200	200	200	400	
Corner Lot (ft)	(A)	(A)	(A)	45	200	200	200	200	400	
Minimum Lot Depth (ft)	(A)	(A)	(A)	60	200	200	200	200	400	
<b>Height Standards</b>										
Maximum Building Height (ft)	35	35(B)	35(B)	40	45	45	45	45	30	
<b>Setback Standards (setbacks are measured from lot line or back of sidewalk, whichever results in a greater setback, unless otherwise noted)</b>										
Minimum Front Setback (ft)										
Building	50	25	15	15	15	15	15	15	20	
Porch, Balcony, Deck	45	20	10	10	10	10	10	10	10	
Attached Garage, Front Loaded	50	25	20	20	18	18	18	18	20	
Attached Garage, Side Loaded	50	20	15	15	15	15	15	15	20	
Garage,	55	30	20	20	20	20	20	20	25	
<b>Standard</b>	<b>RR</b>	<b>RE</b>	<b>RL</b>	<b>RLM</b>	<b>RM</b>	<b>RMH</b>	<b>RH</b>	<b>RHL</b>	<b>MHP</b>	<b>Additional Regulations</b>
Recessed										
Minimum Corner Side Setback (ft)										

Building	30€	15(C)	15(C)	10(C)	10(C)	10(C)	10(C)	10(C)	10(C)	
Porch, Balcony, Deck	25	10	10	5	5	5	5	5	5	
Minimum Interior Side (ft)	30	10	5/10 (D)	5	4	4	7.5	7.5	20	
Minimum Rear Setback (ft)										
Building	40	20	20	15	15	20	20	20	20	
Garage, Alley Loaded	40	5	5	5	5	5	5	5	5	
Garage, Recessed (accessed from the street)	40	20	10	5 or 0 when located 20 feet behind front facade of house	5	5	5	5	20	
Minimum Setback From Adjoining Freeway or Railroad ROW (ft)	20	20	20	20	20	20	20	20	20	
Minimum Setback From Curb Face on Adjoining Arterial (ft)	30	30	30	30	30	30	30	30	30	
<b>Lot Coverage Standards</b>										
Maximum Lot Coverage (% of lot)	(E)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	

A. Lot Size and Dimensions, RR, RE, and RL Districts. In the RR, RE, and RL districts, the minimum lot area, depth, and width standards presented in Table 14.09.060.C, Minimum Lot Area and Dimensions, RR, RE, and RL Districts, apply.

**TABLE 14.09.060.C, MINIMUM LOT AREA AND DIMENSIONS, RR, RE, AND RL DISTRICTS**

Standard	RR-10	RR-5	RR-2.5	RE-1	RE-20	RE-15	RE-12	RE-10	RL-10	RL-8	RL-6	RL-5	Additional Regulations
Minimum Lot Area (sq ft, unless noted)	10 acres	5 acres	2.5 acres	1 acre	20,000	15,000	12,000	10,000	10,000	8,000	6,000	5,000	
Minimum Lot Width (ft)	400	250	200	150	110	80	80	80	80	70	60	50	
Corner Lot (ft)	400	250	200	150	110	100	90	90	90	85	65	55	
Minimum Lot Depth (ft)	200	250	200	200	100	100	100	100	100	100	95	90	

B. One-Story Dwellings Required, RE and RL Districts. Residential developments in the RE and RL districts shall contain one-story dwellings, or may be permitted to contain all two-story homes through a planned development. For developments containing fewer than 60 dwelling units, at least 30 percent of the dwellings shall be one story. For developments containing 60 or more dwelling units, at least 25 percent of the dwellings shall be one story. For purposes of this standard, one-story dwellings include those that have less than one-third of the living space on an upper floor, such as a loft, and that have a kitchen, bathroom, and bedroom on the ground floor. Multi-unit residential buildings required pursuant to Section 14.09.060.040-E may be two-stories and do not count against the minimum percentages described in the section.

C. Corner Side Yard Setback, Reversed Corner Lot. On a reversed corner lot, the corner side yard setback shall not be less than the required front yard of the adjoining key lot.

D. Interior Side Setbacks, RL District. On lots 6,000 square feet in size or larger in the RL district developed with two or more stories, one interior side setback shall be a minimum of 10 feet. The other interior side setback shall be a minimum of five feet.

E. Maximum Lot Coverage, RR and RE Districts. In the RR and RE districts, the maximum lot coverage standards presented in Table 14.09.060.D, Maximum Lot Coverage, RR and RE Districts, apply.

**TABLE 14.09.060.D, MAXIMUM LOT COVERAGE, RR AND RE DISTRICTS**

Standard	RR-10	RR-5	RR-2.5	RE-1	RE-20	RE-15	RE-12	RE-10	Additional Regulations
One-Story Building (% of lot)	5	5	10	25	35	45	45	45	
Two- or More Story Building (% of lot)	5	5	10	20	30	40	40	40	

**14.09.060.040 Supplemental Regulations.**

A. Paving and Impervious Surfaces. The maximum amount of paving and other impervious surface that significantly reduces and prevents natural infiltration of water into the soil such as asphalt, concrete, and stone, in any street-facing setback is 50 percent of the required setback area. For lots with less than 50 feet of street frontage, the amount of paving and other impervious surfaces shall be limited to a driveway of no more than 20 feet width and a walkway of no more than five feet width with the exception of brick and pavers when installed on a sand bed.

B. Small Lot Single-Unit Development, RLM, RM, RMH, RH, and RHL Districts. Attached and detached single-unit development located on lots less than the minimum lot size and less than the minimum lot dimensions established for the RLM, RM, RMH, RH and RHL districts may be approved with a minor use permit pursuant to Chapter 14.09.300 of this code, Use Permits, and the following standards:

1. Development Standards. Small lot single-unit development is subject to the development standards and supplemental regulations of the base zoning district and the design requirements of the development type except as specified below or otherwise specified in the conditional use permit approval.

a. Density. Minimum and maximum density shall be determined by the base zone district.

b. Setbacks.

i. Perimeter Setbacks. The minimum setbacks from the property lines on the perimeter of the small lot single-unit development shall be the required setbacks of the underlying base zone.

ii. Interior Street Setbacks. The minimum setbacks from the back of sidewalk of any interior street or edge of pavement where there is no sidewalk shall be 18 feet to any front-facing garage door and 10 feet to any living area or covered porch.

iii. Side Yard Setbacks. The side yard setback shall be a minimum of three feet. For attached units, a minimum side yard setback of 10 feet shall be provided at the end of the row of the attached units.

iv. Rear Yard Setbacks. Rear yard setback shall be a minimum of 10 feet except as provided below.

c. Entrances.

i. Dwelling units that abut a public right-of-way or private street shall orient the primary entryway toward

the street.

- ii. Dwelling units located in the interior of the development shall orient the primary entryway toward and visible from a pedestrian pathway that is connected to a public right-of-way or private street.

d. Parking. Parking shall be provided in accordance with Chapter [14.09.230](#) of this code, Parking and Loading, except that small lot single-unit development of attached dwelling units shall be subject to the parking requirements for multi-unit residential.

C. Street Patterns in Residential Districts.

1. Street patterns shall be designed for subdivisions with public or private streets as follows:

- a. Provide for through-travel and mobility needs to access abutting land;
- b. Provide complete streets for all modes of transportation;
- c. Provide interconnected street patterns and minimize circuitous patterns and cul-de-sacs to minimize vehicle miles traveled and incorporate direct walking and biking paths;
- d. Provide streets oriented to optimize access to solar energy for abutting development, including most local streets in single-unit and two-unit residential development shall be oriented easterly-westerly;
- e. For blocks containing primarily single-unit residential development, the maximum block length is 660 feet along local streets. The maximum block perimeter is 2,400 feet, except where boundaries with access-controlled areas prevent meeting this standard. Longer blocks are permitted if a pedestrian connection is provided to allow pedestrian travel mid-block, and it meets established pedestrian safety warrants and incorporates required pedestrian safety improvements; and
- f. For blocks with primarily multi-unit residential development bounded by local streets, the maximum block length is 800 feet along local streets. The maximum block perimeter is 2,800 feet, except where boundaries with access-controlled areas prevent meeting this standard. Longer blocks are permitted if a pedestrian connection is provided to allow pedestrian travel mid-block, and it meets established pedestrian safety warrants and incorporates required pedestrian safety improvements.

D. Properties Within Northeast Growth Area. New development of sites located within the Northeast Growth Area shall comply with the Northeast Growth Area overlay district regulations identified in Chapter [14.09.191](#) of this code.

E. Variety of Housing Types- Duplexes, Triplexes and Fourplexes. New developments on project sites over 5 acres in size, which propose to subdivide the site into 20 or more parcels for the development of residential uses, shall provide parcels that shall be developed as duplexes, triplexes and/or fourplexes in order to provide a variety of housing types in traditionally single-family subdivisions. Each of the multi-unit housing types shall be provided in the percentages outlined in Table 14.09.060.E. In no instance shall the overall density of the district or land use be exceeded unless otherwise permitted.

**TABLE 14.09.060.E, PERCENTAGE OF LOTS REQUIRED TO DEVELOP WITH MULTI-UNIT RESIDENTIAL USES**

<u>Standard</u>	<u>RL</u>	<u>RLM</u>	<u>RM</u>	<u>RMH</u>
<u>Percentage of Lots With Duplex Units</u>	<u>5%</u>	<u>5%</u>	<u>10%</u>	<u>5%</u>
<u>Percentage of Lots With Triplex Units</u>	<u>=</u>	<u>3%</u>	<u>5%</u>	<u>20%</u>
<u>Percentage of Lots With Fourplex Units</u>	<u>=</u>	<u>2%</u>	<u>5%</u>	<u>25%</u>
<u>Or Total Percentage of Lots with Multi-Units if at least 2 of the 3 types (including 5-plex+) provided</u>	<u>5%</u>	<u>10%</u>	<u>20%</u>	<u>50%</u>

F. Five-plex or larger unit buildings are not permitted in the RL zone districts.

#### **14.09.060.050 Design Requirements for One- and Two-Unit Buildings.**

A.Applicability. This section applies to all buildings with one or two residential units except for duplexes on a single lot and small lot single-unit developments, where the applicant elects to apply the standards contained in Section [14.09.060.060](#), Design Requirements for Buildings with Three or More Units. Proposed design review applications meeting these standards shall be subject to review by the Director and the Director shall retain the discretion to refer projects to the Planning Commission for review. Developments requesting deviations to these standards shall be reviewed by the Planning Commission.

B.Deviations to Standards and Development Specific Standards. The decision maker may approve deviations to the standards of this section and/or establish specific development standards through conditional use permit approval and/or adjustment process pursuant to Chapter [14.09.300](#) of this code, Use Permits.

C.House Plans.

1.Distribution and Number of House Plans. In order to create a neighborhood character that is visually interesting and establishes a neighborhood identity, development of five or more lots shall incorporate a variety of and even distribution of different house plans within developments to emphasize architectural diversity of neighborhoods.

a. The development shall include no less than one house plan for every 30 lots. A development with fewer than 60 lots shall include at least three house plans. House plans shall be substantially different and contain architectural features that visually represent these distinct features;

b. Every house plan shall have a minimum of three architectural elevation styles/themes with substantially different treatments. For example, different architectural elevation styles of the same house plan may be achieved by a combination of a change in the roof form, use of different building materials, and other architectural treatments that reflect the true style definition of the proposed architectural theme. Alternative architectural elevation styles shall be dispersed evenly throughout the development;

c. No house plan shall be used more than 200 times within the development, unless additional architecture themes are proposed, beyond the minimum three elevations; and

d. Contiguous developments may use the same house plans provided a different set of elevations is provided for the house plans in each development, and no house plan is used more than 200 times combined in the contiguous developments.

2. House Plans on Adjoining Lots. The same house plan shall not be used on adjacent lots along the same street frontage. The decision maker may approve an exception to this standard where the house plans have substantially different architectural elevation styles. In this case, reversing the use of the same house plans but otherwise keeping the same architectural elevation style does not qualify for this exception.

3. Architectural Variety. In order to qualify as a different architectural style from other styles used on the same house plan, the following design alternatives shall be utilized:

a. Variations in the roofline with different roof configurations;

b. Different entry treatments, such as a variety of front porch designs;

c. A variety of color schemes;

d. Variation in the types of exterior materials and finishes;

e. Different window openings in terms of location, size, orientation, surrounds, trim, glazing theme and design;

f. Variety of garage door designs/treatments, including variations in color, materials, use of glazing, and incorporating two single-wide doors in place of one double-wide door; and

g. When three or more alternatives for front architectural elevation styles are provided, brick, stone, or other masonry elements shall be incorporated in at least one of the alternatives and shall be compatible with the architecture of the building.

4. Development Plan. A master plotting plan shall be required for every residential subdivision project. Plotting plans shall include house plan designs proposed for each lot in the project. The plan shall include:

- a. House plan (including reverse plans);
- b. House plan elevation;
- c. Delineation of first- and second-story footprints;
- d. Garage locations;
- e. Driveway locations;
- f. Covered patios or other covered structures;
- g. Building setbacks; and
- h. Lateral utilities such as sewer and water.

5. The applicant may modify the master plotting plan with approval of a minor adjustment, approved by the Director of Community Development, if the plan still complies with all applicable design requirements.

D. Architectural Details. Building designs shall incorporate architectural details that add visual interest and contribute to neighborhood identity. Architectural details shall be well proportioned to the size and scale of buildings and contribute to the overall architectural style.

1. Each architectural elevation style of all buildings with one or two units shall include at least three of the following architectural detailing elements:

- a. Front porches with decorative columns or railings that are consistent with the architectural style of the building;
- b. Color schemes that contain a minimum of three distinct colors per building (body, trim, and an accent color);
- c. Decorative building materials such as masonry, tile, shingle or other materials;
- d. Front doors that include transom and/or side lights;
- e. Variation in wall planes by incorporating bay windows or balconies into the design; and
- f. Decorative accessories consistent with the architectural theme of proposed buildings. Examples include:
  - i. Window ledges and shelves;
  - ii. Landscape trellises;
  - iii. Decorative accent tiles;
  - iv. Wood window shutters;
  - v. Decorative gable end vents and corbels; and
  - vi. Window awnings.

2. Additional Architectural Design Requirements for Two-Unit Buildings (Duets and Duplexes).

- a. Two-unit buildings shall be designed with several elements to make the two units appear as one connected building, though individual dwelling units can appear distinct. Examples include matching building heights, roof lines, roof pitches, roof materials, siding materials, window dimensions and styles, entries, porches, color or trim bands, and matching or using complementary color schemes.
- b. Each unit shall have a pedestrian entrance on the same facade as the paired unit, except for corner lots where each dwelling unit may have the entrance oriented toward a different street frontage.

E. Exterior Materials/Finishes. Exterior materials and finishes shall meet the following requirements:

1. All buildings shall incorporate "four-sided" architectural details on all elevations. Side elevations oriented towards a public street, open space, or paseo shall incorporate architectural details like front building elevations materials and features;

2. Street facing elevations shall incorporate window trim, decorative vents, door openings, and/or other architectural details. Exterior stucco and other trowel finishes shall be trimmed in masonry or wood where there is a change in material;

3. Glazing with a mirror finish is prohibited;

4. Exposed concrete block (except for the foundation/crawlspace) shall not be used for elevations oriented towards a street;

5. T1-11 siding and other siding that utilizes plywood (except for board and batten) is prohibited;

6. When masonry is used, the masonry element should extend to the base of windows or other openings and shall wrap around corners to the end of side wall elevations a minimum of four feet; and

7. Siding materials shall be compatible with the architectural style of buildings. Examples of appropriate siding materials include Masonite siding, lap siding, horizontal, vertical, or diagonal siding, shingles, and stucco.

F. Windows/Vents. Architectural elevation designs shall include window and vent details. Window and vent designs shall meet the following requirements:

1. Windows and vents on all elevations shall include trim window mullions, or other enhanced architectural detailing;

2. Front windows shall include heavier trim, masonry or wood accents, pop-out features, bay windows, window ledges or shelves, and/or awnings over the windows;

3. Window detailing shall complement the architectural style of proposed home design;

4. Window size and heights shall be complementary to the architecture of buildings and arranged to create a clear and rhythmic pattern as appropriate for the architectural theme and scale;

5. Window shutters shall be appropriate to the architectural style, sized to complement windows and appear functional. Shutters shall be installed flush to edge of windows or the outermost edge of window trim;

6. Buildings on adjacent lots with the same floor plan shall not be designed with windows that are in line with adjacent building; and

7. Buildings on adjacent lots shall be designed so that living areas such as bedrooms do not have windows that are oriented directly towards windows of adjacent buildings, with the exception of high privacy bedroom windows.

G. Roof Design/Material. Roofs shall provide visual variety and interest. The following requirements shall apply:

1. Eaves and/or roof extensions or overhangs shall extend a minimum of 12 inches, unless inconsistent with the proposed architectural style (i.e., Spanish architectural style);

2. Developments with a narrow building separation shall extend eaves a maximum of 12 inches. The decision maker may approve an increase in the 12-inch maximum eave requirement based on the type of development and the proposed distance between buildings;

3. Roof materials may include tile, architectural grade (minimum 40-year) composition shingle, or metal;

4. If multiple architectural styles are proposed with composition roofing materials, at least two color combinations shall be provided for the composition roofing;

5. Flat pitch, roofs with parapets, or low-pitched roofs are allowed if complementary to the architectural theme of the building;

6. Roof pitch and type of roof designs shall incorporate solar orientation to provide maximum energy efficiency for future solar panel installation;

7. Decorative roofline elements compatible with the proposed architectural style shall be incorporated. Examples of decorative roof elements include brackets, dormers, chimneys (decorative or functional), and decorative rafter tails;

8. Roofs shall include several planes at different heights that complement the architectural character, features, and materials of the home; and

9. When three or more alternatives for front building elevations are provided, a different roof type shall be incorporated in at least one of the alternatives and shall be compatible with the architectural style of the building. Examples of roof types include gable, shed, and hip.

H. Wall Planes. Building offsets, roof overhangs, bay windows, variety of materials, and other features shall be used to reduce building massing. The following requirements apply:

1. Large, unbroken wall planes of 25 feet or more are prohibited on any street elevation;

2. Any wall plane larger than 25 feet in width shall be articulated (breaking the wall or roof plane), or incorporate pop-outs such as bay windows, including balconies or verandas, or a change in material or color;

3. "Four-sided" architecture is required; and

4. On corner lots, elevations oriented towards both street frontages shall be articulated, with the same architectural design character.

I. Garage Design. Garages shall be designed so they do not dominate the front elevation of a house. Design requirements include:

1. Garages shall be less than 60 percent of the width of the building except where infeasible due to the narrow width of the lot and the decision maker finds that alternative garage configurations have been incorporated to minimize the visual dominance of the garage;

2. Garages with garage doors oriented toward the street shall be set back a minimum of five feet from the front elevation of the house;

3. Decorative windows, recessed doors, columns and/or trellises, and other design features shall be incorporated into the design of the garage;

4. If a second story is proposed above a garage, the second story shall either be cantilevered or recessed from the front plane of the garage wall a minimum of five feet, and it shall include decorative windows, special roof features, balconies, or other features to reduce the visual impacts of the garage door;

5. Three-car garages or garages wider than 22 feet shall only be permitted on lots with 60 feet or more of width;

6. Bonus rooms or other attached or unfinished space adjacent to the garage and visible from the street shall include quality building materials and architectural features on the elevation oriented toward the street;

7. Tandem garages are encouraged to minimize the impact of the garage door on the facade; and

8.If a garage is converted to living space, the exterior building facade of the prior garage shall be integrated into the architectural design of the building and include similar design details.

J.Two-Unit Buildings on Corner Lots. Two-unit buildings on corner lots in RE, RL and RLM zones are allowed and shall count as one dwelling unit for the purposes of density calculations, provided they meet the following standards in addition to the development standards of the base zoning district:

1.At least 10 percent of the ground floor of buildings oriented towards a street shall be comprised of glazing (windows, door glazing, etc.).

K.Minimum Outdoor Recreation Space. Permanently maintained usable outdoor recreation space classified as per unit (private outdoor recreation space) and for all residences (common outdoor recreation space) shall be provided consistent with the following standards:

1.Private Outdoor Recreation Space. A minimum of 200 square feet of private outdoor recreation space per unit shall be provided.

a.All Private Outdoor Recreation Space.

- i. Delineation. Private outdoor recreation space shall be delineated for use by the residents of the individual dwelling unit.
- ii. Screening. Private outdoor recreation space shall be screened or buffered from adjacent private outdoor recreation space. Screening or buffering shall consist of fencing, partitions, landscaping such as hedges, or other means that visually and physically separate the private spaces, as approved by the decision maker.
- iii. Configuration. Private outdoor recreation space may be provided by a combination of ground decks, balconies, and on-ground open space.

b. Ground Level Private Recreation Space. Private space on the ground level shall be a minimum of 100 square feet with a minimum horizontal dimension (width and depth) of 10 feet, except porches may be included in the outdoor recreation space calculation as long as the porch is greater than 100 square feet with a minimum horizontal dimension of six feet.

c. Upper Level Private Recreation Space. Private outdoor recreation space located on the upper floors shall be a minimum of 50 square feet with a minimum horizontal dimension of six feet.

2.Common Outdoor Recreation Space. For developments with 10 or more units, a minimum of 200 square feet of common outdoor recreation space per unit shall be provided.

a. Minimum Dimensions. The minimum dimension of any single outdoor space shall be 20 feet in any direction.

b. Location. Usable outdoor recreation space shall be located outside the required front yard and street side yard. It may be located in interior side and rear yards, but any structures must comply with the required setbacks and rear yard coverage requirements.

c. Configuration.

i. Usable common outdoor recreation space may include:

- (A) Lawn or hard surfaced areas to be used for active and/or passive recreation such as walking paths, landscaping, planters, picnic areas, etc.;
- (B) Vegetable gardens;
- (C) Pet play areas;
- (D) Decks, patios, and patio covers, porches, California rooms, balconies, gazebos, and roof terraces;
- (E) Children's play structures, swimming pools, and similar active recreational items; and
- (F) Courtyards.

ii. Usable common outdoor recreation space excludes enclosed structures, areas designated for parking including surface parking, carports, and garages. It also does not include areas that are a barrier to walking unless a walkable path or lawn is located within five feet of that area.

iii. At least 75 percent of the area designated as usable common outdoor recreation space shall be open to the sky.

d. Slope. The maximum slope of any usable common open space shall be 10 percent except that conservation areas, such as creeks, wetlands, and hillsides, may be included for a horizontal distance of 10 feet where there is an abutting walkable path or lawn area.

e. Accessibility. Common outdoor recreation spaces shall be accessible to all residents of the project for which the space is provided.

3. Exchange of Recreation Space Types. Required common outdoor recreation space area may be exchanged for private outdoor recreation space, and vice-versa; provided, that one and one-half square feet are provided for every square foot exchanged. For example, a project requiring 200 square feet of private recreation space and 200 square feet of common recreation space per unit instead may provide 500 square feet of private recreation space for each dwelling unit (200 square feet private + 1.5 x 200 square feet common = 500 square feet private).

4. Open Space Reduction for Three-Bedroom Units. The decision maker may allow required recreation space to be reduced by a maximum of 25% for multi-unit developments that provide three-bedroom units as shown in Table 14.09.060.E.

**TABLE 14.09.060.F, OPEN SPACE REDUCTIONS FOR UNITS WITH 3+ BEDROOMS**

<b><u>Percentage of Units with 3+ Bedrooms</u></b>	<b><u>Percentage Reduction Allowed</u></b>
<u>10%</u>	<u>5%</u>
<u>11-19%</u>	<u>15%</u>
<u>≥20%</u>	<u>25%</u>

5. Alternative Compliance. As an alternative to providing common outdoor recreation space, the decision maker may approve the provision of public park space if the following conditions are satisfied:

a. The project boundary is located within 300 feet of an existing neighborhood or community park, with direct access via a public street or pedestrian access easement;

b. Portions of the project that exceed a one-quarter mile walking distance from the park shall not be considered for an alternative compliance option;

c. The developer installs additional recreational improvements to the park, dedicates additional land to the park, or a combination thereof which have the same approximate land and improvement dollar value as providing common open space within the project;

d. The additional recreational improvements must be consistent with the City's Comprehensive Parks, Recreation, and Open Space Master Plan and any approved plans for the adjacent park.

L. Required Storage Areas for Garbage and Recycling. Storage areas for trash and recyclable materials collection containers must be provided on all lots. These areas may be in the side yard or in an enclosed garage in a designated space (outside the minimum garage size requirements). Trash and recycling enclosure areas must be screened from public view. An accessible path is required for occupants to move trash and/or recycling containers to the pickup point.

M. Neighborhood Identity. Residential developments shall be designed to reflect individual neighborhood identification. Neighborhood identification can be achieved by providing entry treatments, landscape themes, and architectural styles.

1. Entry Treatments. Neighborhoods shall include entry features to provide identity and recognition. For example, landscaped medians, increased landscape area and materials at corners, entry monuments, and project identification signage (monument or subdivision wall signs only) may be

used to achieve these objectives. These features shall be constructed with materials to withstand seasonal elements, resist vandalism, and be located to maintain adequate sight visibility adjacent to streets or at street intersections.

a. Neighborhood entry monumentation may include pilasters, low walls, strategically placed pieces of community art, or entrance signage. All signs must be approved by the Director of Community Development.

b. All sign elements on pilasters or walls shall use mounting hardware securely embedded into the surface onto which it is affixed. Salvageable materials (metals) shall be avoided. Epoxy-mounted elements are not permitted.

2. Landscape Themes. Landscaping at each neighborhood entry shall be characterized by hardscape and landscape elements that have a visually pronounced stature along the streetscape, with a thematic application of trees, shrubbery, and plants that create a sense of identity or theme for the community. The following shall be used in determining a landscaping palette:

a. Entry features shall utilize landscape corridors at intersections to create physical space for landscaped neighborhood entries; and

b. Landscape materials shall utilize water-conserving species and incorporate accent trees, shrubs, and ground cover that harmonize with the surrounding community/neighborhood.

3. Architectural Styles. Individual neighborhoods shall incorporate character-defining features to create distinctive and memorable places. The proposed architectural themes shall be an appropriate scale and proportion to the proposed neighborhood.

#### **14.09.060.060 Design Requirements for Buildings with Three or More Units.**

A. Applicability. This section applies to all buildings with three or more residential units and to duplexes on a single lot and small lot single-unit developments where the applicant elects to apply these standards in lieu of those in Section [14.09.060.050](#), Design Requirements for One- and Two-Unit Buildings.

B. Site Planning and Orientation. Multifamily projects shall comply with the following standards:

1. Extend streets or provide pedestrian and bicycle connections from existing neighborhoods into the proposed development site, where possible, and provide pedestrian and bicycle routes within developments;

2. Entries to buildings, whether to individual dwelling units or to multifamily dwelling units, shall incorporate prominent entry features on the front facade to be easily identifiable. Building entries oriented towards a street or common space shall incorporate entry features;

3. Design upper floors of buildings by orienting the windows, decks and balconies towards open space or streets;

4. Design entrances to dwellings on paseos or landscaped areas where not facing a street;

5. Use paseos and/or landscaping on street side frontages of dwelling units if locating front entrances towards a street is not feasible, with an emphasis on privacy, green space, and for mature trees;

6. Connect paseos to sidewalks to form internal walkway networks within developments and to surrounding neighborhoods; and

7. Utility and service features are discouraged to be located on a side of the building where the primary common open space is located, except for storm water facilities which may be integrated with the open space to provide a larger amenity. Utility/meter closets attached to the building(s) shall be integrated into the overall architectural character of the building. Standalone utility equipment shall be shielded/screened from public view using landscaping or architectural elements.

8. Neighborhoods with lots greater than 100 feet in depth, unless otherwise approved by the Director of Community Development, are required to stagger the front setback distance a minimum five feet from the adjoining house to create variation along the setback line and avoid creating a “walled” look along the street. Encroachments into the rear yard setback may be allowed to balance the increased front yard. The average rear yard setback must be equal or greater than the required rear yard setback, but no closer than 10 feet from the rear property line.

C. Building Width. The maximum width of a building on a street frontage shall be 120 feet without a recess of at least 15 feet.

D. Massing and Proportion. Avoid the appearance of top-heavy buildings, and long uninterrupted exterior wall planes by employing articulation. The following standards shall apply:

1. Any wall plane larger than 30 feet in width shall be articulated. The articulation (breaking the wall or roof plane) shall incorporate pop-outs such as bay windows, balconies or verandas, or a change in material or color. As an alternative to articulation, site design shall incorporate recesses, trellises, landscaping, art, display windows (in mixed-use settings), or other visually interesting features;

2. Third-floor plates shall not cantilever beyond the second-floor plate, except for architectural projections such as bay windows, balconies, and pop-outs, with a dimension of no more than two feet beyond the second floor. The second and third floor massing may cantilever beyond the first floor a maximum of three feet. Any projection larger than three feet shall require the massing to extend to the ground and/or incorporate a column(s) or pillar(s);

3. Minimize the apparent massing of the third floor by lowering the roof plates, recessing the facade, use of second-floor decks, balconies, and lowering ceiling heights. Side and rear facades shall maintain massing and articulation consistent with the front facade;

4. Taller massing shall be used in areas to define significant building features, such as corners;

5. Integrate stairways, fences, and other accessory elements with the architecture of the building;

6. Reduce building massing when located adjacent to a residential property at a lower density;

7. Eaves and rooflines shall be offset with gables, building projections, and articulation to break up long horizontal lines and create an emphasis on the individual dwelling units;

8. Avoid changes in a variety of colors and materials on the same plane without trim. Apply changes in colors and materials where a change in building mass occurs to highlight the change in the wall plane;

9. Roofs shall include several planes at different heights that complement the architectural character, features, and materials of the building; and

10. Flat pitch, roofs with parapets, or low-pitched roofs are allowed when complementary to the architectural style of a building.

E. Architectural Detailing and Materials. Buildings shall provide architectural details that add visual interest and contribute to the neighborhood identity. The details shall be well proportioned to the size of the building and contribute to the overall architectural style.

1. All buildings with three or more units shall include at least three of the following architectural detailing elements:

a. New buildings proposed to be more than three stories shall incorporate a clearly expressed

base, middle, and top, as appropriate to the building type; and

- i. Convey the load-bearing function of the base through techniques such as the use of materials (like stone or stucco) or darker colors, or deep joints in masonry or stucco.
  - ii. Incorporate a prominent visual termination for the building such as roof details, forms, cornices, eaves, and parapets;
- b. Stoops, porches and private patios for ground-floor dwelling units, to provide outdoor recreation spaces. These spaces shall provide privacy with railings, low walls, landscape or a change in elevation;
- c. Color schemes that contain a minimum of three distinct colors per building (body, trim, and an accent color);
- d. Decorative building materials such as masonry, tile, shingle or other materials that add decorative or textural qualities to the building;
- e. Variation in wall planes by incorporating bay windows, decks, recesses or setbacks or balconies into the design;
- f. Eave and parapet details to break up building massing. Eaves spanning the entire length of the building without a change in height shall be prohibited;
- g. A palette of materials and color on all facades of the building that complement the overall design of the building;
- h. Finish stucco with a smooth finish such as smooth trowel or a sand float finish;
- i. Exterior finish materials that wrap the corner to the end of a building wall shall be a minimum of four feet;
- j. Reflective materials and colors are prohibited; and
- k. Tile, architectural grade (minimum 40-year) composition shingle, or metal roof materials.

2. Additional Architectural Design Requirements for Side-by-Side Units. In addition to the requirements of subsection E.(1) of this section, buildings with three or more units consisting of side-by-side units shall meet the following requirements:

- a. Dwelling units shall be designed with one architectural theme carried across the entire combined structure, including rooflines, roof styles, roof pitches, siding materials, color schemes, and trim details.
- b. Individual dwelling units may be distinguished through use of complementary colors, trim details, offsets, roof details, porches, or similar methods.
- c. End dwelling units shall have endcap features that visually terminate the structure, such as a hip roof or wraparound porch.
- d. Asymmetrical designs are allowed.
- e. The combined building shall not consist of repeated floor plans, even if the dwelling units have different elevation styles.

F. Windows. Window design, detailing, and placement are required to meet the following:

1. Design windows to coordinate with the architectural design of the building. Window material, shape, and proportion shall complement the architectural design;

2.Details of windows and doors shall reflect the architectural design theme of the proposed building;

3.Window size and heights shall be complementary to the architecture of the building and shall be arranged to create a clear and rhythmic pattern as appropriate for both the building's architectural style and scale; and

4.Window articulation, such as sills, trim, kickers, shutters, or awnings, shall be employed where appropriate to complement the proposed architectural style and the facade of the building.

#### G.Garage Design.

1.Decorative windows, recessed doors, columns and/or trellises, and other design features shall be incorporated into the design of the garage to enhance the architecture.

2.When a second story is provided above a garage, the second story shall either be cantilevered or recessed from the plane of the garage wall.

3.Garage doors shall be consistent with the overall architectural style of the building. Material, pattern, and color shall be cohesive with the architectural style.

4.Garage doors shall be recessed from the wall plane.

5.Garage doors in row townhomes shall not face public spaces (i.e., parks, plazas, community amenities, etc.).

6.Garages and parking areas shall be located to the side or rear of the dwellings, to be side loaded, or to be recessed from the front of the combined structure by at least five feet.

7.Shared driveways are encouraged for dwelling units adjacent to one another with front loaded garages having access on the street side.

8.The maximum horizontal width of paired driveways (edge to edge) shall be 30 feet.

9.Landscaping, such as shrubbery or grass, is allowed in designated planting areas between the paired driveways.

10. Single-car garages for individual dwelling units are encouraged.

11. Side-by-side garages shall not be more than the width adequate to serve a combined total of three cars. Three-car garages facing a street for a single dwelling unit are not allowed.

H.Minimum Outdoor Recreation Space. Permanently maintained usable outdoor recreation space classified as per unit (private outdoor recreation space) and for all residences (common outdoor recreation space) shall be provided consistent with the following standards:

##### 1.Private Outdoor Recreation Space.

a.Ground-Level Units. For multi-story dwelling units such as townhomes, the private outdoor recreation space may be provided by a combination of ground decks, balconies and on-ground recreation space. Private outdoor recreation space at the ground floor shall be provided at a ratio of 100 square feet per dwelling unit with a minimum dimension of 10 feet except that porches greater than 100 square feet with a minimum dimension of six feet may be included in the outdoor recreation space calculation.

b.Upper-Floor Units. Private outdoor-recreation space for dwelling units located on the upper floors shall be provided at a ratio of 50 square feet per dwelling unit with a minimum depth of six feet from the wall.

2. Common Outdoor Recreation Space. Common outdoor recreation space shall be provided at a ratio of 100 square feet per dwelling unit. The following requirements shall be met:

- a. Minimum Dimensions. The minimum dimension of common open space shall be 20 feet in any direction;
- b. Use. Common open space shall be available for passive and active outdoor recreational purposes for the enjoyment of all residents of each multi-unit project. Active outdoor recreational activities include, but are not limited to, picnic areas, tot lots, sports courts, swimming pools, community gardens and community rooms;
- c. Precluded Areas. Common open space shall not include driveways, public or private streets, or utility easements where the ground surface may not be appropriate for open space;
- d. Slope. The slope of the common open space shall not exceed a slope of 10 percent and shall be easily accessible for all residents; and
- e. Accessibility. Common outdoor recreation spaces shall be accessible to all residents of the project for which the space is provided.

3. Exchange of Recreation Space Types. The decision maker may allow required common outdoor recreation space area to be exchanged for private outdoor recreation space, and vice-versa; provided, that one and one-half square feet are provided for every square foot exchanged. For example, a project requiring 100 square feet of private recreation space and 100 square feet of common recreation space per unit instead may provide 250 square feet of private recreation space for each dwelling unit (100 square feet private + 1.5 x 100 square feet common = 250 square feet private).

4. Open Space Reduction for Three-Bedroom Units. The decision maker may allow required recreation space to be reduced by a maximum of 25% for multi-unit developments that provide three-bedroom units as shown in Table 14.09.060.E.

I. Trash Enclosures and Recycling Areas. The following standards shall apply to all development that does not provide trash disposal within an indoor common disposal area or where each unit or tenant has its own receptacle.

1. Enclosure Required. Refuse containers stored outdoors shall be located in trash enclosures.
2. Cumulative Capacity of One Cubic Yard or More. Trash enclosures storing containers with a cumulative capacity of one cubic yard or more shall meet the following standards:
  - a. Materials. Trash enclosures shall be constructed with decorative masonry walls with solid metal doors. The exterior finish shall be compatible with the design of the main building;
  - b. Location.
    - i. Trash enclosures shall, to the extent possible, be located in an area that is not visible from abutting properties or from a public right-of-way. Enclosures shall be located within reasonable proximity to the dwelling unit or tenant it serves and shall include a separate walk-in access.
    - ii. Trash enclosures with a cumulative capacity of one and one-half cubic yards shall be located no closer than five feet from combustible walls, openings, or combustible roof eave lines unless protected by an automatic sprinkler system approved by the Fire Marshal;
  - c. Enclosure Height. Trash enclosure walls shall be of a height equal to or greater than the height of the containers;
  - d. Concrete Paving Section. A minimum eight-foot-by-10-foot-wide thickened concrete paving section shall be provided in front of the enclosure gates; and
  - e. Recyclable Materials. Trash enclosures shall include adequate space for the collection of recyclable

materials.

3. Cumulative Capacity of Less than One Cubic Yard. Trash enclosures storing containers with a cumulative capacity of less than one cubic yard shall meet the following standards:

a. Materials. Trash enclosures may be constructed of masonry or wood, or an approved equivalent screening method may be provided, subject to the approval of the Director of Community Development;

b. Location. Trash enclosures shall not be located between the street and the front of a building;

c. Accessory Structures. Accessory structures used as trash enclosures shall be subject to the same development standards which apply to other buildings and structures on the site; and

d. Clear Areas. Driveways and aisles shall provide unobstructed access for collection vehicles and personnel and provide at least the minimum clearance required by the collection methods and vehicles utilized by the hauler in the area.

DRAFT

## **Chapter 14.09.070 Commercial and Mixed-Use Zoning Districts**

### **Sections:**

- 14.09.070.010 Purpose and Applicability**
- 14.09.070.020 Land Use Regulations.**
- 14.09.070.030 Development Regulations.**
- 14.09.070.040 Supplemental Regulations.**
- 14.09.070.050 Design Requirements for Commercial and Mixed-Use Development.**
- 14.09.070.060 Design Requirements for Residential Development.**

### **14.09.070.010 Purpose and Applicability.**

A. The purpose of the commercial and mixed-use zoning districts is to:

1. Provide for the orderly, well-planned, and balanced development of commercial and mixed-use zoning districts;
2. Designate adequate land for a full range of local- and regional-serving commercial and retail services, consistent with the General Plan;
3. Maintain and strengthen the City's economic resources;
4. Increase employment opportunities and expand the economic base of the City;
5. Provide appropriately located commercial areas that provide a variety of goods and services for residents, employees, and visitors;
6. Provide opportunities for a mix of complementary uses that may combine residential and nonresidential uses, or a variety of nonresidential uses, on the same site; and
7. Promote pedestrian-oriented, mixed-use commercial centers at appropriate locations.

B. Additional purposes of each commercial and mixed-use zoning district are provided below:

1. Neighborhood Commercial (CN). The CN district is intended to provide for neighborhood centers which provide goods and services to meet the day-to-day needs of residents and visitors. The CN district implements the Commercial Neighborhood General Plan Land Use Designation;
2. General Commercial (CG). The CG district is intended to provide for a full range of commercial and supportive uses to meet local and regional demand. The CG district implements the Commercial General Land Use Designation in the General Plan;
3. Office Commercial (CO). The CO district is intended to provide for commercial office centers, a mix of supportive retail and service commercial uses, and other compatible uses. The CO district implements the Commercial Office General Plan Land Use Designation;
4. Highway Commercial (CH). The CH district is intended to provide areas for retail, commercial, service, and recreational uses adjacent or proximate to the highway and dependent upon highway travel. The CH district implements the Commercial Highway General Plan Land Use Designation;
5. Mixed Use (MX). The MX district is intended to provide areas for mixed-use centers containing a mix of compatible residential and nonresidential uses in a vertical or horizontal mixed-use development configuration. The MX district implements the Mixed- Use General Plan Land Use Designation;
6. Downtown Residential District (DR). See Downtown Specific Plan; and

7. Downtown Commercial District (DC). See Downtown Specific Plan.

**14.09.070.020 Land Use Regulations.**

Table 14.09.070.A, Land Use Regulations – Commercial and Mixed-Use Zoning Districts, establishes the land use regulations for the commercial and mixed-use zoning districts. Land uses are defined in Chapter 14.020.060 of this code, Use Classifications. In cases where a specific land use or activity is not defined, the Director of Community Development shall assign the land use or activity to a classification that is substantially similar in character. Land uses not listed in the table and not substantially like the uses below are prohibited. Within the Northeast Growth Area, the supplemental regulations identified in Section [14.09.070.040](#) are applicable. Section numbers in the right-hand column refer to other sections of this title.

**TABLE 14.09.070.A, LAND USE REGULATIONS – COMMERCIAL AND MIXED-USE ZONING DISTRICTS**

"P" = Permitted Use; "M" = Minor Use Permit required; "C" = Conditional Use Permit required; "-" = Use Not Allowed								
Land Use Classification	CN	CG	CO	CH	MX <sup>1</sup>	DCSP	DRSP	Additional Regulations
<b>Residential Uses<sup>2</sup></b>								
Residential Housing Types	See subclassifications below							
Single-Unit Dwelling, Attached	C	C	C	-	P			See Section <a href="#">14.09.270.160</a> , Residential Uses in Commercial and Employment Districts
Multi-Unit Dwelling	C	C	C	-	P			See Section <a href="#">14.09.270.160</a> , Residential Uses in Commercial and Employment Districts
<u>Single Room Occupancy</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>			<u>See Section <a href="#">14.09.270.160</a>, Residential Uses in Commercial and Employment Districts and <a href="#">14.09.270.220</a> Single Room Occupancy Units</u>
<u>Low-Barrier-Navigation Centers</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>-</u>	<u>P</u>			<u>Low-barrier navigation centers are permitted in the MX zone provided they are consistent with Government Code Section 65662. See Section <a href="#">14.09.270.160</a>, Residential Uses in Commercial and Employment Districts</u>
Residential Facility, Assisted Living	C	C	C	-	C			See Section <a href="#">14.09.270.160</a> , Residential Uses in Commercial and Employment Districts
Small Residential Care Facilities								Small residential care facilities and transitional and supportive housing constitute a residential use and are subject only to those restrictions that apply to other residential uses of the same type in the same district
Transitional Housing								
Supportive Housing	<u>P</u>	<u>P</u>	<u>P</u>	<u>=</u>	<u>P</u>			<u>Supportive housing is permitted provided it is</u>

									<a href="#">consistent with Government Code Section 65650-65656.</a>
<a href="#">Employee Housing, Small</a>	<u>C</u>	<u>C</u>	<u>C</u>	=	<u>P</u>				<a href="#">See Section 14.09.270.210 Agricultural Employee Housing</a>
<b>Public/Semi-Public Uses</b>									
Colleges and Trade Schools	-	M	P	M	P				
Commercial Parking Lots and Structures	-	M	M	P	M				
Community Assembly	P	P	P	P	P				
<b>“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = Use Not Allowed</b>									
<b>Land Use Classification</b>	<b>CN</b>	<b>CG</b>	<b>CO</b>	<b>CH</b>	<b>MX<sup>1</sup></b>	<b>DCSP</b>	<b>DRSP</b>	<b>Additional Regulations</b>	
Cultural Institutions	P	P	P	P	P				
Day Care Centers	P	P	P	M	P				
Emergency Shelter	-	P	-	C	-				
Government Offices	P	P	P	P	P				
Hospitals and Clinics	See subclassifications below								
Clinic	P	P	P	-	P				
Instructional Services	P	P	P	-	P				
Park and Recreation Facilities	P	P	P	P	P				
Public Safety Facilities	C	C	-	C	C				
Schools	C	-	-	-	-				
Social Service Facilities	C	C	-	-	C				
<a href="#">Low-Barrier Navigation Centers</a>	<u>P</u>	<u>P</u>	<u>P</u>	=	<u>P</u>				<a href="#">See Section 14.09.270.200, Low-Barrier Navigation Center Regulations</a>
<b>Commercial Uses</b>									
Adult-Oriented Business	-	P	-	-	-				<a href="#">See Section 14.09.270.050, Adult-Oriented Businesses</a>
Animal Care and Boarding	See subclassifications below								
Pet Day Care	P	P	-	P	P				
Veterinary Services	P	P	P	P	P				
Automobile/Vehicle Sales and Services	See subclassifications below								
Automobile Brokerage	P	P	P	P	P				
Automobile Rental	-	P	-	P	-				
Automobile/Vehicle Sales and Leasing, New Vehicles	-	P	-	P	-				
Automobile/Vehicle Sales and Leasing, Used Vehicles	-	C	-	C	-				

Automobile/Vehicle Service and Repair, Minor	-	P	-	P	-			
Automobile/Vehicle Repair, Major	-	C	-	P	-			
Large Vehicle and Equipment Sales, Service, and Rental	-	M	-	P	-			
Service Stations	C	M	-	P	-			
Washing	-	M	-	P	-			
Banks and Financial Services	P	P	P	P	P			
Business Services	P	P	P	P	P			
Commercial Entertainment and Recreation	See subclassifications below							
Cinema/Theater	C	P	-	-	P			
Indoor Sports and Recreation	-	P	P	P	P			
<p align="center"><b>“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = Use Not Allowed</b></p>								
<b>Land Use Classification</b>	<b>CN</b>	<b>CG</b>	<b>CO</b>	<b>CH</b>	<b>MX<sup>1</sup></b>	<b>DCSP</b>	<b>DRSP</b>	<b>Additional Regulations</b>
Outdoor Entertainment	-	C	-	C	-			
Outdoor Sports and Recreation	-	C	-	-	-			
Eating and Drinking Establishments	See subclassifications below							
Bars/Nightclubs/Lounges	C	M <sup>3</sup>	-	M	M			See Section <a href="#">14.09.270.060</a> , Alcoholic Beverage Sales
Restaurant	P/M <sup>4</sup>	P/M <sup>4</sup>	P/C <sup>4</sup>	P/M <sup>4</sup>	P/C <sup>4</sup>			See Section <a href="#">14.09.270.060</a> , Alcoholic Beverage Sales
Tasting Room	-	P	P	P	P			See Section <a href="#">14.09.270.060</a> , Alcoholic Beverage Sales
Farmer’s Markets	P	P	P	-	P			See Section <a href="#">14.09.270.100</a> Farmer’s Market
Food Preparation	P	P	P	P	P			
Funeral Parlors and Interment Services	-	P	P	P	-			
Hookah Lounge	M	M	-	M	C			
Lodging	-	P	-	P	P			
Offices	See subclassifications below							
Business, Professional, and Technology	P	P	P	-	P			
Medical and Dental	P	P	P	-	P			

Personal Services	P	P	P	-	P				See Chapter <a href="#">9.07</a> , Massage Therapy Regulations, of this code
Repair and Maintenance Services	P	P	P	-	P				
Retail Sales	See subclassifications below								
Building Materials and Supply Stores	-	P	-	P	-				
Food and Beverage Sales	P	P	P	P	P				
General Retail and Merchandise	P	P	P	P	P				
Nurseries	P	P	-	P	C				
<b>Industrial Uses</b>									
Custom and Artisan Manufacturing	P	P	-	P	P				Must contain a minimum 100 square feet of retail floor area
Food and Beverage Manufacturing	See subclassification below								
Small Scale	M	P	-	P	P				Must review utilities capacity prior to approval
<b>Transportation, Communication, and Utility Uses</b>									
<b>“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = Use Not Allowed</b>									
<b>Land Use Classification</b>	<b>CN</b>	<b>CG</b>	<b>CO</b>	<b>CH</b>	<b>MX<sup>1</sup></b>	<b>DCSP</b>	<b>DRSP</b>	<b>Additional Regulations</b>	
Communication Facilities	See subclassifications below								
Facilities Within Buildings	P	C	-	C	C				
Telecommunication									See Section <a href="#">14.09.270.170</a> , Telecommunication Facilities
Light Fleet-Based Services	P	P	P	P	-				
Recycling Facility	See subclassifications below								
Reverse Vending Machine	P	P	-	P	-				See Section <a href="#">14.09.270.150</a> , Recycling Facilities
Small Collection Facility	M	M	M	M	M				
Public Works and Utilities	C	C	C	C	C				
Transit Stations and Terminals	-	C	-	C	C				
<b>Agricultural Uses</b>									
Urban Agriculture	See subclassifications below								
Community Garden	P	P	-	-	P				See Section <a href="#">14.09.270.190</a> , Urban Agriculture

Market Garden, less than one acre in size	P	P	-	-	P				See Section <a href="#">14.09.270.190</a> , Urban Agriculture
Market Garden, one acre or more in size	M	M	-	-	M				See Section <a href="#">14.09.270.190</a> , Urban Agriculture
<u>Employee Housing, Large</u>	<u>P</u>	<u>P</u>	<u>=</u>	<u>=</u>	<u>P</u>				<u>See Section <a href="#">14.09.270.210</a> Agricultural Employee Housing</u>
<b>Other Uses</b>									
Accessory Uses and Structures									See Sections <a href="#">14.09.200.020</a> , Accessory Buildings and Structures, and <a href="#">14.09.270.030</a> , Accessory Uses
Animal Keeping									See Section <a href="#">14.09.270.070</a> , Animal Keeping
Drive-Through Facility									See Section <a href="#">14.09.270.090</a> , Drive-Through Facilities
Family Day Care									See Section <a href="#">14.02.060.020</a> , Residential Uses
Home Occupations									See Section <a href="#">14.09.270.120</a> , Home Occupations
Outdoor Dining and Seating									See Section <a href="#">14.09.270.130</a> , Outdoor Dining and Seating
Outdoor Display and Sales									See Section <a href="#">14.09.270.140</a> , Outdoor
<b>“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = Use Not Allowed</b>									
<b>Land Use Classification</b>	<b>CN</b>	<b>CG</b>	<b>CO</b>	<b>CH</b>	<b>MX<sup>1</sup></b>	<b>DCSP</b>	<b>DRSP</b>	<b>Additional Regulations</b>	
								Display and Sales	
Nonconforming Uses								See Chapter <a href="#">14.09.220</a> of this code, Nonconforming Uses, Sites, and Structures	
Temporary Uses								See Section <a href="#">14.09.270.180</a> , Temporary Uses	

1. Developments within the MX zoning district shall contain a minimum of two different types of uses, one of which shall be residential.
2. Residential uses are subject to intensity limits set by the Nut Tree Airport environs overlay district if located in the Nut Tree Airport compatibility zone.

3. Bars, night clubs, and lounges are prohibited in the CG district between Lawrence Drive and Auto Center Drive.
4. Restaurants without a bar or lounge and restaurants where less than one-third of the customer service floor area is devoted to the sale and consumption of alcoholic beverages and where serving alcoholic beverages is done only during hours of full food service operation are permitted. Restaurants with bar or lounge areas that comprise more than one-third of the customer service floor area and/or serve alcoholic beverages outside hours of full food service operation require conditional use permit approval in the CO and MX districts and minor use permit approval in the CN, CG, and CH districts.

**14.09.070.030 Development Regulations.**

Table 14.09.070.B, Development Regulations – Commercial and Mixed-Use Zoning Districts, prescribes the development regulations for the commercial and mixed-use zoning districts. Letters in parentheses refer to additional development standards that directly follow the table. Section numbers in the “Additional Regulations” column refer to other sections of this Zoning Ordinance.

**TABLE 14.09.070.B, DEVELOPMENT REGULATIONS – COMMERCIAL AND MIXED-USE ZONING DISTRICTS**

Standard	CN	CG	CO	CH	MX	DCSP	DRSP	Additional Regulations
Maximum Nonresidential Floor Area Ratio (FAR)	0.3 (A)	0.3 (A)	0.3 (A)	0.3 (A)	1.0			See Section <a href="#">14.02.030.090</a> , Determining Floor Area Ratio
Minimum Nonresidential Ground Floor Area (% of total ground floor area on site)	n/a	n/a	n/a	n/a	25 (B)			See Section <a href="#">14.02.030.090</a> , Determining Floor Area Ratio
Minimum Residential Density (dwelling units per acre)	8.1	8.1	8.1	n/a	10			See Section <a href="#">14.02.030.040</a> , Calculating Density
Maximum Density (units per acre)	n/a	n/a	n/a	n/a	40			See Section <a href="#">14.02.030.040</a> , Calculating Density
Maximum Height (feet)	30	40, up to 70 with CUP approval	30	40, up to 70 with CUP approval	40, up to 70 with CUP approval			See Section <a href="#">14.09.200.060</a> , Height and Height Exceptions
Minimum Setbacks (feet)								
Front	20 (C)	20	20	20	20 (C)			May be reduced to 15 feet adjoining a
<b>Standard</b>	<b>CN</b>	<b>CG</b>	<b>CO</b>	<b>CH</b>	<b>MX</b>	<b>DCSP</b>	<b>DRSP</b>	<b>Additional Regulations</b>
Street Side	20 (C)	20	20	20	20 (C)			nonarterial street where compatible with the surrounding area and consistent with existing setbacks in the surrounding area
Interior Side	0, 30 adjacent to a residential district							

Rear	0, 30 adjacent to a residential district							
Alley	10	10	10	10	10			
Freeway ROW	20	20	20	20	20			
Parking, from any street-facing lot line	40 (D)	40 (D)	40	40	40 (D)			

**Additional Development Standards.**

**A. FAR Exception, Commercial Districts.** An exception to the maximum FAR standard in the commercial districts may be approved where the decision maker makes all of the following findings:

1. The proposed use and structure for which the exception to the FAR standard is approved has a lower employee density or a lower peak hour traffic generation than uses generally permitted within the applicable zoning district;
2. Public facilities and services are available to serve the proposed use and structure; and
3. The proposed building massing is compatible with intended development in the zoning district.

**B. Reduced Minimum Nonresidential Ground Floor Area Percentage.** The decision maker may reduce this percentage to 10 percent provided the development includes integrated pedestrian and vehicular access to a use on an abutting property that provides the missing nonresidential secondary use to make up the 15 percent difference.

**C. Required Building Location.**

1. **Build-To Line.** Buildings shall be located within 10 feet of the required setback line for at least 40 percent of the linear street frontage.
2. **Corner Build Area.** Buildings shall be located within 10 feet of the required setback line within 30 feet of the street corner.
3. **Frontage Improvements.** The area between buildings and the property line shall be improved as part of a wider sidewalk, as outdoor dining/seating area, or with landscaping.
4. **Exceptions.** The building location requirements may be modified or waived by the decision maker upon finding that:
  - a. Entry courtyards, plazas, entries, or outdoor eating areas are located adjacent to the front or corner side property line and buildings are built to the edge of the courtyard, plaza, or dining area; or
  - b. The building incorporates an alternative entrance design that creates an engaging entry feature facing the street.

**D. Limitations on Location of Parking.** Off-street parking spaces shall be located to the rear of principal buildings whenever feasible. Aboveground parking may not be located within 40 feet of a street-facing property line. Exceptions may be granted where the decision maker makes the following findings:

1. The design incorporates habitable space built close to the public sidewalk to the maximum extent feasible; and
2. The site is small and constrained such that underground parking or surface parking located more than 40 feet from the street frontage is not feasible.

#### **14.09.070.040 Supplemental Regulations.**

A. Review Requirement, CN District. Conditional use permit approval is required for new development on sites four acres in size or more in the CN district.

B. Review Requirement, MX District. Conditional use permit approval is required for new development in the MX district.

C. Properties Within Northeast Growth Area. New development of sites located within the Northeast Growth Area shall comply with the Northeast Growth Area overlay district regulations identified in Chapter [14.09.191](#) of this code.

#### **14.09.070.050 Design Requirements for Commercial and Mixed-Use Development.**

A. Building Transparency/Required Openings. Exterior walls facing and within 40 feet of a street-facing lot line or pedestrian walkway shall include windows, doors, or other openings for at least 40 percent of the building wall area located between two and one-half and seven feet above the level of the sidewalk or walkway. Such walls may run in a continuous plane for no more than 30 feet without an opening.

1. Design of Openings. Openings fulfilling this requirement shall have transparent glazing and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displays that are at least three feet deep.
2. Reductions. The building transparency requirement may be reduced or waived by the decision maker upon finding that:
  - a. The proposed use has unique operational characteristics with which providing the required windows and openings is incompatible; and
  - b. Street-facing building walls will exhibit architectural relief and detail and will be enhanced with landscaping in such a way as to create visual interest at the pedestrian level.

B. Building Orientation.

1. Buildings shall be oriented to face streets and pedestrian walkways.
2. Building frontages shall be generally parallel to streets and pedestrian walkways.
3. Buildings shall be designed and oriented to minimize the visual intrusion into adjoining residential properties. Window, balcony, and deck locations shall be directed away from window areas of adjoining residences (on site or off site).

C. Exterior Building Materials and Colors.

1. A unified palette of quality materials shall be used on all sides of buildings.
2. Exterior building materials shall be stone, brick, stucco, concrete block, painted wood clapboard, painted metal clapboard, or other quality, durable materials approved by the decision maker. Stucco, when used, shall cover no more than 50 percent of the front facade of the ground floor.

D. Pedestrian Access. On-site pedestrian circulation and access shall be provided according to the following standards:

1. Internal Connections. A system of pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, and to any on-site open space areas or pedestrian amenities.
2. Circulation Network. Regular connections between on-site pedestrian walkways and the public

sidewalk and other planned or existing pedestrian routes or trails shall be provided. An on-site walkway shall connect the primary building entry or entries to a public sidewalk on each street frontage.

3. Neighbors. Direct and convenient access shall be provided to adjoining residential and commercial areas to the maximum extent feasible while still providing for safety and security.

4. Transit. Safe and convenient pedestrian connections shall be provided from transit stops to building entrances.

5. Pedestrian Walkway Design.

a. Walkways shall be a minimum of six feet wide, shall be hard-surfaced, and paved with concrete, stone, tile, brick, or comparable material.

b. Where a required walkway crosses parking areas or loading areas, it shall be clearly identifiable through the use of a raised crosswalk, a different paving material, or similar method.

c. Where a required walkway is parallel and adjacent to an auto travel lane, it shall be raised or separated from the auto travel lane by a raised curb at least four inches high, bollards, or other physical barrier.

E. Limitations on Curb Cuts. Curb cuts shall be minimized and located in the location least likely to impede pedestrian circulation.

F. Minimum Outdoor Recreation Space, Mixed Use Development. Permanently maintained usable outdoor recreation space classified as per residential dwelling unit (private outdoor recreation space) and for all residences (common outdoor recreation space) shall be provided for any development that includes residential dwelling units, consistent with the following standards:

1. Private Outdoor Recreation Space.

a. Ground-Level Units. Private outdoor recreation space at the ground floor shall be provided at a ratio of 100 square feet per residential dwelling unit with a minimum dimension of 10 feet except that porches greater than 100 square feet with a minimum dimension of six feet may be included in the outdoor recreation space calculation. For multi-story dwelling units, the private outdoor recreation space may be provided by a combination of ground floor decks, balconies and on-ground recreation space.

b. Upper-Floor Units. Private outdoor recreation space for residential dwelling units located on the upper floors shall be provided at a ratio of 50 square feet per dwelling unit with a minimum dimension of six feet.

2. Common Outdoor Recreation Space. Common outdoor recreation space shall be provided at a ratio of 100 square feet per residential dwelling unit. The following requirements shall be met:

a. Minimum Dimensions. The minimum dimension of common outdoor recreation space shall be ~~20~~ 10 feet in any direction;

b. Use. Common outdoor recreation space shall be available for passive and active outdoor recreational purposes for the enjoyment of all residents of each project. Outdoor recreation space types include, but are not limited to, picnic areas, tot lots, sports courts, swimming pools, and community gardens;

c. Precluded Areas. Common outdoor recreation space shall not include driveways, public or private streets, or utility easements where the ground surface may not be appropriate for recreational space;

d. Slope. The slope of the common outdoor recreational space shall not exceed a slope of 10 percent and shall be easily accessible for all residents; and

e. Accessibility. Common outdoor recreation spaces shall be accessible to all residents of the project for which the space is provided.

3. Exchange of Recreation Space Types. The decision maker may allow required common outdoor recreation space area to be exchanged for private outdoor recreation space, and vice-versa; provided, that one and one-half square feet are provided for every square foot exchanged. For example, a project requiring 100 square feet of private recreation space and 100 square feet of common recreation space per unit instead may provide 250 square feet of private recreation space for each dwelling unit (100 square feet private + 1.5 x 100 square feet common = 250 square feet private).

4. Open Space Reduction for Three-Bedroom Units. The decision maker may allow required recreation space to be reduced by a maximum of 25% for multi-unit developments that provide three-bedroom units as shown in Table 14.09.070.E.

**TABLE 14.09.070.C, OPEN SPACE REDUCTIONS FOR UNITS WITH 3+ BEDROOMS**

<u>Percentage of Units with 3+ Bedrooms</u>	<u>Percentage Reduction Allowed</u>
<u>10%</u>	<u>5%</u>
<u>11-19%</u>	<u>15%</u>
<u>≥20%</u>	<u>25%</u>

**14.09.070.060 Design Requirements for Residential Development.**

Buildings in the commercial and mixed-use districts that contain solely residential uses shall meet the development standards for residential uses in Chapter [14.09.060](#) of this code, Residential Zoning Districts.

## Chapter 14.09.080 Employment Zoning Districts

### Sections:

- 14.09.080.010 Purpose and Applicability.**
- 14.09.080.020 Land Use Regulations.**
- 14.09.080.030 Development Regulations.**
- 14.09.080.040 Design Requirements.**
- 14.09.080.050 Supplemental Regulations.**

### **14.09.080.010 Purpose and Applicability.**

A. The purpose of the employment zoning districts is to:

1. Designate adequate land for commercial, business, office, research, and industrial activity consistent with the General Plan;
2. Maintain and strengthen the City's economic vitality;
3. Provide a range of employment opportunities to meet the needs of current and future residents; and
4. Provide areas for a wide range of manufacturing, research and development, industrial processing, and service commercial uses, and protect areas where such uses now exist.

B. Additional Purposes of Each Employment Zoning District.

1. Commercial/Industrial Service (IS). The IS district is intended to provide for a wide range of industrial and service commercial uses to serve the needs of the community. The IS district implements the Commercial Service and Industrial Park General Plan Land Use Designations;
2. Industrial Park (IP). The IP district is intended to provide for a variety of industrial, manufacturing and warehousing uses with compatible uses to support vibrant employment areas. The IP district implements the Industrial Park General Plan Land Use Designation;
3. Business Park (BP). The BP district is intended to provide areas for large-scale, campus-like office and technology development that includes office, research and development, manufacturing, and other large-scale professional uses, along with supportive services and the potential for residential uses. The BP district implements the Business Park General Plan Land Use Designation.

### **14.09.080.020 Land Use Regulations.**

Table 14.09.080.A, Land Use Regulations – Employment Zoning Districts, establishes the land use regulations for the employment zoning districts. Land uses are defined in Chapter 14.020.060 of this code, Use Classifications. In cases where a specific land use or activity is not defined, the Director of Community Development shall assign the land use or activity to a classification that is substantially similar in character. Land uses not listed in the table and not substantially like the uses below are prohibited. Within the Northeast Growth Area, the supplemental regulations identified in Section [14.09.080.050](#) are applicable. Section numbers in the right-hand column refer to other sections of this title.

**TABLE 14.09.080.A, LAND USE REGULATIONS – EMPLOYMENT ZONING DISTRICTS**

<b>“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required;                      “-” = Use Not Allowed</b>				
<b>Land Use Classification</b>	<b>IS</b>	<b>IP</b>	<b>BP</b>	<b>Additional Regulations</b>
<b>Residential Uses<sup>2</sup></b>				
Residential Housing Types	See subclassifications below			
Multi-Unit Dwelling	-	-	C	See Section <a href="#">14.09.270.160</a> , Residential Uses in Commercial and Employment Districts
<a href="#">Supportive Housing</a>	=	=	<u>P</u>	<a href="#">Supportive housing is permitted provided it is consistent with Government Code Section 65650-65656.</a>
<b>Public and Semi-Public Uses</b>				
Colleges and Trade Schools	P	P	P	
Commercial Parking Lots and Structures	P	P	P	
Community Assembly	C	C	C	
Day Care Centers	-	-	M	
Emergency Shelter	-	-	C	
Government Offices	P	P	P	
Hospitals and Clinics	See subclassification below			
Clinic	-	P	P	
Instructional Services	P	P	P	
Park and Recreation Facilities	-	C	C	
Public Safety Facilities	C	C	C	
<a href="#">Low-Barrier Navigation Centers</a>			<u>P</u>	<a href="#">See Section 14.09.270.200, Low-Barrier Navigation Center Regulations</a>
<b>Commercial Uses</b>				
Adult-Oriented Business	-	P	-	See Section <a href="#">14.09.270.050</a> , Adult-Oriented Businesses
Animal Care and Boarding	See subclassifications below			
Animal Shelter and Boarding	P	-	C	
Pet Day Care	P	P	C	
Veterinary Services	P	P	C	

<b>“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “–” = Use Not Allowed</b>				
<b>Land Use Classification</b>	<b>IS</b>	<b>IP</b>	<b>BP</b>	<b>Additional Regulations</b>
Automobile/Vehicle Sales and Services	See subclassifications below			
Automobile Rental	P	–	–	
Automobile/Vehicle Sales and Leasing, New Vehicles	P	–	–	
Automobile/Vehicle Sales and Leasing, Used Vehicles	C	–	–	
Automobile/Vehicle Service and Repair, Minor	P	P	–	
Automobile/Vehicle Repair, Major	P	P	–	
Large Vehicle and Equipment Sales, Service, and Rental	P	P	–	
Service Stations	P	P	C	
Towing and Impound	C	C	–	
Washing	M	C	C	
Banks and Financial Services	–	P	P	
Business Services	P	P	P	
Commercial Entertainment and Recreation	See subclassifications below			
Indoor Sports and Recreation	M	M	M	
Eating and Drinking Establishments	See subclassifications below			
Bars/Nightclubs/Lounges	–	C	C	See Section <a href="#">14.09.270.060</a> , Alcoholic Beverage Sales
Restaurant	–	P/C(1)	P/C(1)	See Section <a href="#">14.09.270.060</a> , Alcoholic Beverage Sales
Tasting Room	M	M	M	See Section <a href="#">14.09.270.060</a> , Alcoholic Beverage Sales
Food Preparation	P	P	P	
Funeral Parlors and Interment Services	P	P	C	

Offices	See subclassifications below			
Business, Professional, and Technology	P	P	P	
Medical and Dental	–	P	P	
<b>“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “–” = Use Not Allowed</b>				
<b>Land Use Classification</b>	<b>IS</b>	<b>IP</b>	<b>BP</b>	<b>Additional Regulations</b>
Personal Services	P	–	P	See Chapter <a href="#">9.07</a> of this code, Massage Therapy Regulations
Repair and Maintenance Services	P	P	P	
Retail Sales	See subclassifications below			
Food and Beverage Sales	P	P	P	
General Retail and Merchandise	P	P	–	
Nurseries	P	P	–	
<b>Industrial Uses</b>				
Construction and Material Yards	P	P	–	
Contractor Shops	P	P	–	
Custom and Artisan Manufacturing	P	P	P	
Food and Beverage Manufacturing	See subclassifications below			
Small Scale	P	P	P	
Large Scale	P	P	P	
General Industrial	C	P	C	
Light Industrial	P	P	P	
Research and Development	P	P	P	
Salvage and Wrecking	–	C	–	
Storage, Warehousing, and Wholesaling	See subclassifications below			
Indoor	P	P	–	
Outdoor	C	C	–	
Personal Storage	C	C	–	May include a residential unit for a caretaker or security employee

<b>Transportation, Communication, and Utility Uses</b>				
Airports and Heliports	–	C	C	See Section <a href="#">14.09.270.110</a> , Heliports, Helistops, and Helicopters
Communication Facilities	See subclassifications below			
Facilities Within Buildings	P	P	P	
Telecommunication	See Section <a href="#">14.09.270.170</a> , Telecommunication Facilities			
Freight and Trucking Facilities	C	C	–	

<b>“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “–” = Use Not Allowed</b>				
<b>Land Use Classification</b>	<b>IS</b>	<b>IP</b>	<b>BP</b>	<b>Additional Regulations</b>
Light Fleet-Based Services	P	P	P	
Public Works and Utilities	C	C	C	
Recycling Facility	See subclassifications below			
Reverse Vending Machines	P	–	–	See Section <a href="#">14.09.270.150</a> , Recycling Facilities
Recycling Collection Facility	C	C	–	See Section <a href="#">14.09.270.150</a> , Recycling Facilities
Recycling Processing Facility	–	C	–	See Section <a href="#">14.09.270.150</a> , Recycling Facilities
<b>Other Uses</b>				
Accessory Uses and Structures	See Sections <a href="#">14.09.200.020</a> , Accessory Structures, and <a href="#">14.09.270.030</a> , Accessory Uses			
Animal Keeping	See Section <a href="#">14.09.270.070</a> , Animal Keeping			
Drive-Through Facility	See Section <a href="#">14.09.270.090</a> , Drive-Through Facilities			
Family Day Care	See Section <a href="#">14.02.060.010</a> , Residential Uses			
Home Occupations	See Section <a href="#">14.09.270.120</a> , Home Occupations			
Outdoor Dining and Seating	See Section <a href="#">14.09.270.130</a> , Outdoor Dining and Seating			
Outdoor Display and Sales	See Section <a href="#">14.09.270.140</a> , Outdoor Display and Sales			
Nonconforming Uses	See Chapter <a href="#">14.09.220</a> of this code, Nonconforming Uses, Sites, and Structures			
Temporary Uses	See Section <a href="#">14.09.270.180</a> , Temporary Uses			

1. Restaurants without a bar or lounge area and restaurants where less than one-third of the customer service floor area is devoted to the sale and consumption of alcoholic beverages and where serving

alcoholic beverages is done only during hours of full food service operation are permitted. Restaurants with bar or lounge areas that comprise more than one-third of the customer service floor area and/or serve alcoholic beverages outside hours of full food service operation require conditional use permit approval.

2. Residential uses are subject to intensity limits set by the Nut Tree Airport environs overlay district if located in the Nut Tree Airport compatibility zone.

**14.09.080.030 Development Regulations.**

Table 14.09.080.B, Development Regulations – Employment Zoning Districts, prescribes the development regulations for the employment zoning districts. Letters in parentheses refer to additional development standards that directly follow the table. Section numbers in the “Additional Regulations” column refer to other sections of this Zoning Ordinance.

**TABLE 14.09.080.B, DEVELOPMENT REGULATIONS – EMPLOYMENT ZONING DISTRICTS**

Standard	IS	IP	BP	Additional Regulations
Minimum Lot Area (square feet)	20,000	20,000	20,000	
Maximum Floor Area Ratio (FAR)	0.3 (A)	0.4 (A)	0.4 (A)	See Section <a href="#">14.02.030.090</a> , Determining Floor Area Ratio
Maximum Height (feet)	30	70, up to 90 with CUP approval (B)	70, up to 90 with CUP approval (B)	See Section <a href="#">14.09.200.060</a> , Height and Height Exceptions
		Or as further limited in the AE overlay district		
Minimum Setbacks (feet)				
Front	15 (C)	20 (C)	20 (C)	See Section <a href="#">14.09.200.030</a> , Encroachments into Required Setbacks
Corner Side	10 (C)	20 (C)	20 (C)	See Section <a href="#">14.09.200.030</a> , Encroachments into Required Setbacks
Interior Side	10 (C)	10 (C)	10 (C)	See Section <a href="#">14.09.200.030</a> , Encroachments into Required Setbacks
Rear	10 (C)	10 (C)	10 (C)	See Section <a href="#">14.09.200.030</a> , Encroachments into Required Setbacks
Freeway ROW	20	20	20	See Section <a href="#">14.09.200.030</a> , Encroachments into Required Setbacks

**A. Additional Development Regulations.**

1. FAR Exception, Employment Districts. An exception to the maximum FAR standard in the employment districts may be approved where the decision maker makes all of the following findings:

- a. The proposed use provides an employment type that is determined by the decision maker to further the City's economic development goals;
- b. Public facilities and services are available to serve the proposed use and structure; and
- c. The proposed building massing is compatible with intended development in the zoning district.

2. Transitional Height Standards. Where an employment district abuts a residential district, the following height limitations apply:

- a. Maximum height within 50 feet of a residential district boundary: 35 feet.
- b. Maximum height between 50 and 75 feet of a residential district boundary: 50 feet.

3. Transitional Setback Standards. Where an employment district abuts a residential district, the following setback requirements apply.

- a. IS District, Minimum Setback Adjacent to Residential Districts. The minimum setback from any property line adjacent to or across the street from a residential district shall be 30 feet.
- b. IP and BP Districts, Minimum Setback Adjacent to a Residential District. The minimum setback from any property line adjacent to or across the street from a residential district shall be 200 feet, which may include landscaping and employee parking.

#### **14.09.080.040 Design Requirements.**

A. Building Design Near Freeways. Any building visible from the freeway shall be designed with four-sided architecture where each exterior wall is designed equivalent to the primary facade in the extent of building articulation and quality of exterior materials, and consistent with the color scheme of the primary facade.

B. Orientation of Primary Building Entrance. The primary building entrance shall face and be oriented toward a street frontage providing access to the site.

C. Facade Articulation. All street-facing facades shall have at least one horizontal or vertical projection or recess at least two feet in depth for every 50 horizontal feet of wall. If located on a building with two or more stories, the articulated elements must be greater than one story in height and may be grouped together rather than spaced in 50-foot modules.

D. Employee Outdoor Eating or Use Areas. All new development greater than 10,000 square feet in gross floor area and additions that expand existing floor area by 25 percent and result in more than 10,000 square feet of floor area, a minimum of 150 square feet of outdoor eating or use area shall be provided for the use of employees. Outdoor employee areas shall be designed to include seating and covering to provide protection from sun and weather conditions.

E. Large-Scale Office and Industrial Development. All new development containing 80,000 square feet or more of floor area shall provide the following:

1. Open space areas equal to 10 percent of the site area, providing gathering space or opportunities for active or passive use. Open space areas shall include amenities that enhance the comfort, aesthetics, and usability of the space, including but not limited to trails/paths, benches, trees, shade structures, drinking fountains, or public art;
2. Pedestrian walkways that connect all parts of the park and to any existing or planned pedestrian facilities in adjacent neighborhoods; and
3. Stormwater detention facilities incorporated into the site landscaping as a visual amenity.

**14.09.080.050 Supplemental Regulations.**

A. Properties Within Northeast Growth Area. New development of sites located within the Northeast Growth Area shall comply with the Northeast Growth Area overlay district regulations identified in Chapter [14.09.191](#) of this code.

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## **Chapter 14.09.090 Public and Semi-Public Zoning Districts**

**Sections:**

- 14.09.090.010 Purpose and Applicability.**
- 14.09.090.020 Land Use Regulations.**
- 14.09.090.030 Development Regulations.**
- 14.09.090.040 Supplemental Regulations.**

**14.09.090.010 Purpose and Applicability.**

A. The purpose of the public and semi-public zoning districts is to:

1. Provide land for the development of public, semi-public, and open space uses that provide services to the community and support existing and new residential, commercial, and industrial land uses;
2. Provide areas for educational facilities, cultural and institutional uses, health services, parks and recreation, general government operations, utility and public service needs, and other similar and related supporting uses;
3. Provide opportunities for outdoor recreation, and meet the recreational needs of City residents; and
4. Reserve areas for passive recreation, open space, and habitat protection and enhancement.

B. Additional Purposes of Each Public and Semi-Public Zoning District.

1. Public Facilities (PF). The PF district is intended to provide for a broad range of government, institutional, educational, and assembly uses, typically on large sites. The PF district implements the Public/Institutional and School General Plan Land Use Designations;
2. Park and Recreation (PR). The PR district is intended to maintain areas for active and passive park and recreation areas, including outdoor and indoor recreation such as playing fields, playgrounds, community centers, and other recreational uses. The PR District implements the Public Park and Private Recreation General Plan Land Use Designations; and
3. Open Space (OS). The OS district is intended for lands that are owned or controlled by the City, a public entity, or a nonprofit entity and lands that are designated for future acquisition that are to be preserved as permanent open space. The OS district implements the Public Open Space General Plan Land Use Designation.

**14.09.090.020 Land Use Regulations.**

Table 14.09.090.A, Land Use Regulations – Public and Semi-Public Zoning Districts, establishes the land use regulations for the public and semi-public zoning districts. Land uses are defined in Chapter 14.020.060 of this code, Use Classifications. In cases where a specific land use or activity is not defined, the Director of Community Development shall assign the land use or activity to a classification that is substantially similar in character. Land uses not listed in the table and not substantially like the uses below are prohibited. Within the Northeast Growth Area, the supplemental regulations identified in Section [14.09.090.040](#) are applicable. Section numbers in the right-hand column refer to other sections of this title.

**TABLE 14.09.090.A, LAND USE REGULATIONS – PUBLIC AND SEMI-PUBLIC ZONING DISTRICTS**

<b>“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “–” = Use Not Allowed</b>				
<b>Land Use Classification</b>	<b>PF</b>	<b>PR</b>	<b>OS</b>	<b>Additional Regulations</b>
<b>Residential Uses<sup>1</sup></b>				
Residential Facility, Assisted Living	M	–	–	
<b>Public/Semi-Public Uses</b>				
Campgrounds and Recreational Vehicle Parks	–	P	–	
Cemeteries and Columbariums	P	–	–	
Colleges and Trade Schools	P	–	–	
Commercial Parking Lots and Structures	P	–	–	
Community Assembly	P	P	–	
Cultural Institutions	P	P	–	
Day Care Centers	P	–	–	
Emergency Shelter	C	–	–	
Government Offices	P	–	–	
Hospitals and Clinics	See subclassifications below			
Clinics	P	–	–	
Hospitals	C	–	–	
Skilled Nursing Facility	C	–	–	
Incarceration Facilities	C	–	–	
Instructional Services	P	–	–	
Park and Recreation Facilities	P	P	P	
Public Safety Facilities	P	–	–	
Schools	P	–	–	
Social Service Facilities	P	–	–	

<b>“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = Use Not Allowed</b>				
<b>Land Use Classification</b>	<b>PF</b>	<b>PR</b>	<b>OS</b>	<b>Additional Regulations</b>
<b>Commercial Uses</b>				
Commercial Entertainment and Recreation	See subclassifications below			
Indoor Sports and Recreation	P	P	-	
Outdoor Entertainment	C	C	-	
Outdoor Sports and Recreation	P	P	-	
Farmer’s Markets	P	P	-	See Section <a href="#">14.09.270.100</a> , Farmer’s Market
<b>Transportation, Communication, and Utility Uses</b>				
Airports and Heliports	C	-	-	See Section <a href="#">14.09.270.110</a> , Heliports, Helistops, and Helicopters
Communication Facilities	See subclassification below			
Telecommunication	See Section <a href="#">14.09.270.170</a> , Telecommunication Facilities			
Public Works and Utilities	P	C	C	
Transit Stations and Terminals	P	-	-	
<b>Agricultural Uses</b>				
Urban Agriculture	See subclassifications below			
Community Garden	P	P	-	See Section <a href="#">14.09.270.190</a> , Urban Agriculture
<u>Employee Housing, Large</u>	<u>P</u>	<u>P</u>	<u>-</u>	<u>See Section <a href="#">14.09.270.210</a>, Agricultural Employee Housing</u>
<b>Other Uses</b>				
Accessory Uses and Structures	See Sections <a href="#">14.09.200.020</a> , Accessory Buildings and Structures, and <a href="#">14.09.270.030</a> , Accessory Uses			
Nonconforming Uses	See Chapter <a href="#">14.09.220</a> of this code, Nonconforming Uses, Sites, and Structures			
Temporary Uses	See Section <a href="#">14.09.270.180</a> , Temporary Uses			

1. Residential uses are subject to intensity limits set by the Nut Tree Airport environs overlay district if located in the Nut Tree Airport compatibility zone.

**14.09.090.030 Development Regulations.**

Table 14.09.090.B, Development Regulations – Public and Semi-Public Zoning Districts, prescribes the development regulations for the public and semi-public zoning districts. Letters in parentheses refer to additional development standards that directly follow the table. Section numbers in the “Additional Regulations” column refer to other sections of this Zoning Ordinance.

**TABLE 14.09.090.B, DEVELOPMENT REGULATIONS – PUBLIC AND SEMI-PUBLIC ZONING DISTRICTS**

Standard	PF	PR	OS	Additional Regulations
Minimum Lot Area (acres)	n/a	n/a	2	
Maximum Floor Area Ratio (FAR)	0.3 (A)	0.1	0.05	See Section <a href="#">14.02.030.090</a> , Determining Floor Area Ratio
Maximum Height (feet)	70, 40 within 100 feet of a residential district	30	30	See Section <a href="#">14.09.200.060</a> , Height and Height Exceptions
Minimum Setbacks (feet)				
Front	20	20	30	See Section <a href="#">14.09.200.030</a> , Encroachments into Required Setbacks Subject to adjustment procedure to reduce front setback, as approved, Chapter <a href="#">14.09.310</a> of this code
Corner Side	20	20	30	See Section <a href="#">14.09.200.030</a> , Encroachments into Required Setbacks
Interior Side	0, equal to the height of the structure when adjacent to a residential district	10	30	See Section <a href="#">14.09.200.030</a> , Encroachments into Required Setbacks
Rear	0, equal to the height of the structure when adjacent to a residential district	10	30	See Section <a href="#">14.09.200.030</a> , Encroachments into Required Setbacks

**Additional Development Regulations.**

A. FAR Exception, PF District. An exception to the maximum FAR standard in the PF district may be approved where the decision maker makes all of the following findings:

1. The proposed use and structure for which the exception to the FAR standard is approved has a lower employee density or a lower peak hour traffic generation than uses generally permitted within the applicable zoning district;

2. Public facilities and services are available to serve the proposed use and structure; and
3. The proposed building massing is compatible with intended development in the zoning district.

B. Exceptions to Maximum Height, PR and PF Districts. An exception to the maximum height standards in the PR and PF districts may be approved by the decision maker as noted below:

1. Towers, spires, cupolas, water tanks, flagpoles, monuments, radio and television aerials, light poles, telecommunication equipment, transmission towers, fire towers, and similar structures and necessary mechanical appurtenances covering not more than 10 percent of the ground area covered by the structures may be erected to a height not more than 80 feet, except that structures located within 100 feet of residential properties shall be no taller than 40 feet.
2. Exceptions to height standards shall be subject to compliance with height limitations in the Nut Tree Airport and Travis Air Force Base compatibility plans as noted under Section [14.09.110.040](#), Airport Environs (AE) Overlay District, Height Limitations.
3. Electric utility poles and towers shall not be subject to the height limits prescribed in the district regulations.

**14.09.090.040 Supplemental Regulations.**

A. Grazing. Grazing is allowed in public and semi-public zoning districts subject to the following standards:

1. A minimum of two acres shall be available for grazing;
2. Seasonal supplemental feeding is allowed;
3. Grazing shall not include the confining of livestock in enclosures such as feedlots or corrals where feed is provided on a regular basis; and
4. Weed abatement requirements shall be met.

B. Discontinued Use, PF District. If a use is discontinued or abandoned and the public agency owning the facility determines that the site is no longer needed for public use, the Planning Commission shall hold a public hearing in accordance with the provisions of Section [14.04.030.010](#), Public Hearing Procedure and Notice, to consider the appropriate rezoning of the site and shall forward a recommendation to the City Council.

C. Properties Within Northeast Growth Area. New development of sites located within the Northeast Growth Area shall comply with the Northeast Growth Area overlay district regulations identified in Chapter [14.09.191](#) of this code.

## Chapter 14.09.210 Affordable Housing, Density Bonuses, And Incentives

### Sections:

- 14.09.210.010 Purpose.
- 14.09.210.020 Applicability.
- 14.09.210.030 ~~Density Bonus Eligibility, Calculations, and Incentives~~ ~~References to State Law.~~
- 14.09.210.040 Procedure.
- 14.09.210.050 Submittal Requirements.
- 14.09.210.060 Decision Maker.
- 14.09.210.070 Required Findings.
- 14.09.210.080 Additional Bonuses.
- 14.09.210.090 Agreements and Compliance.
- 14.09.210.100 Sites Included in Two or More Consecutive Housing Element Cycles.

### 14.09.210.010 Purpose.

The purpose of this chapter is to implement State Government Code Section ~~65906~~ 65915 et seq., as may be amended (State Density Bonus Law). This chapter also intended to incentivize development of affordable housing and implement the provisions of the City's General Plan Housing Element that promote construction of dwellings affordable to moderate, low, and very-low income households by granting density bonuses.

### 14.09.210.020 Applicability.

This chapter shall be applicable in all zoning districts that allow residential uses.

### 14.09.210.030 ~~Density Bonus Eligibility, Calculations, and Incentives~~ ~~References to State Law.~~

~~This chapter references Chapter 4.3 of California Planning and Zoning Law, California Government Code Division 1, Title 7, relating to density bonuses. All references to a state code or statute shall refer to that statute. Terms used in this chapter shall have the meanings as set forth in the State Density Bonus Law (Ord. 1972, Repealed and Replaced, 02/22/2022)~~

- A. Minimum Requirements. Any housing development that proposes five (5) or more units and incorporates at least one of the requirements below is eligible for density bonus:
1. Very Low Income. Five (5) percent of the total units of a housing development, including a shared housing building development, for rental or sale, restricted to "Very Low Income" households as defined in Section 50105 of the Health and Safety Code.
  2. Low Income. Ten (10) percent of total units of a housing development, for rental or sale, restricted to "Low Income" households as defined in Section 50079.5 of the Health and Safety Code.
  3. Moderate Income. Ten (10) percent of the total units of a housing development restricted to "Moderate Income" households as defined in Section 50093 of the Health and Safety Code, provided that all units are offered for purchase.
  4. Senior Housing. A senior housing development (no affordable units required), including a shared housing building development, as defined in Section 51.3 and 51.2 of the Civil Code, or a mobile home park (no affordable units required) that limits residency based on age requirements for housing older persons under Section 798.76 or 799.5 of the Civil Code.
  5. Transitional Foster Youth, Disabled Veterans, or Homeless Persons. Ten (10) percent of the total units of a housing development for foster youth (Education Code Section 66025.9), disabled veterans (Government Code Section 18541), or homeless persons (42 U.S.C. Sec. 11301 et seq.), with rents restricted at the very low-income level.
  6. Student Housing. Twenty (20) percent of the total units of a housing development dedicated for full-time students at accredited colleges with rents at the low-income level.
  7. Affordable Housing. One hundred (100) percent of all units in the development, including total units and density bonus units (excluding manager's units), restricted to lower income households (Health and Safety Code Section 50079.5) with a maximum of twenty (20) percent units for moderate-income

households (Health and Safety Code Section 50043).

- B. Calculation of Bonus Units. When a housing development that conforms to the requirements specified in 14.09.210.030.A, the number of density bonus units shall be calculated as follows.
1. Very Low Income. For each one (1) percent increase above five (5) percent in the percentage of units affordable to very low-income households, the density bonus is increased by two and one-half (2 ½) percent up to a maximum of thirty-five (35) percent.
  2. Low Income. For each one (1) percent increase above ten (10) percent in the percentage of units affordable to low-income households, the density bonus is increased by one and one-half (1 ½) percent up to a maximum of thirty-five (35) percent.
  3. Moderate Income. For each one (1) percent increase above ten (10) percent but below forty (40) percent in the percentage of units affordable to moderate-income households, the density bonus is increased by one (1) percent up to thirty-five (35) percent. For each one (1) percent increase above forty (40) percent in the percentage of units affordable to moderate income households, the density bonus is increased by three-and-three quarters (3.75) percent up to maximum of fifty (50) percent.
  4. Senior Housing. The density bonus shall be twenty (20) percent of the number of senior housing units.
  5. Transitional Foster Youth, Disabled Veterans, or Homeless Persons. The density bonus shall be twenty (20) percent of the number of the type of units.
  6. Student Housing. The density bonus shall be thirty-five (35) percent of the number of student housing units.
  7. Affordable Housing. Except as otherwise provided below, the density bonus shall be 80 percent of the number of units for lower income households.
    - i. If the housing development is located within one-half (1/2) mile of a major transit stop, the city shall not impose any maximum controls on density.
    - ii. If the housing development is located in a very low vehicle travel area, the city shall not impose any maximum controls on density.
- C. Number of Incentives. When a housing development that conforms to the requirements specified in 14.09.210.030.A, the applicant shall receive the following number of incentives or concessions.
1. One (1) incentive for a project that includes at least ten (10) percent of the total units for lower income households, at least five (5) percent for very low income households, or at least ten (10) percent for persons and families of moderate income in a development in which the units are for sale.
  2. One (1) incentive or concession for projects that include at least twenty (20) percent of the total units for lower income students in a student housing development.
  3. Two (2) incentives or concessions for projects that include at least seventeen (17) percent of the total units for lower income households, at least ten (10) percent for very low income households, or at least twenty (20) percent for persons and families of moderate income in a development in which the units are for sale.
  4. Three (3) incentives or concessions for projects that include at least twenty-four (24) percent of the total units for lower income households, at least fifteen (15) percent for very low income households, or at least thirty (30) percent for persons and families of moderate income in a development in which the units are for sale.
  5. Four (4) incentives or concessions for projects that include at least sixteen (16) percent of the units for very low income households or at least forty-five (45) percent for persons and families of moderate income in a development in which the units are for sale.
  6. Five (5) incentives or concessions for a project meeting the criteria of 14.09.210.030.A(7). If the project is located within one-half mile of a major transit stop or is located in a very low vehicle travel area, the applicant shall also receive a height increase of up to three (3) additional stories, or 33 feet.
- D. Childcare Facilities.
1. Incentives. When a housing development that conforms to the requirements specified in 14.09.210.030.A and includes a childcare facility as defined in Government Code Section 65915(h) that will be located on the premises of, as part of, or adjacent to the housing development, the city shall grant either of the following if requested:
    - i. An additional density bonus in the amount of square feet of a residential space that is equal to or greater than the amount of square feet in the childcare facility; or

- ii. An additional concession or incentive that contributes significantly to the economic feasibility of the construction of the childcare facility.
2. Findings. A housing development is eligible for the density bonus or incentive as described in this section if both the following occur:
  - i. The childcare facility will remain in operation for a period of time that is as long as or longer than the period of time during which the target units are required to remain affordable under Government Code Section 65915(c).
  - ii. Of the children who attend the childcare facility, the percentage of children of very low-income households, low-income households, or moderate-income households shall be equal to or greater than the percentage of dwelling units that are proposed to be affordable to very low-income households, low-income households, or moderate-income households.
3. Necessity. Notwithstanding any requirement of this section, the city is not required to provide a density bonus or incentive for a childcare facility if it finds, based upon substantial evidence, that the community already has adequate child care facilities.

E. Land Donation.

1. Incentives. When an applicant for a tentative subdivision map, parcel map, or other residential development approval donates land to the city as provided in this section, the applicant is entitled to a fifteen (15) percent increase above the otherwise maximum allowable residential density under the general plan land use element or zoning ordinance for the entire development. For each one (1) percent increase above the minimum ten (10) percent land donation described in Section C.2 below, the density bonus shall be increased by one (1) percent, up to a maximum thirty-five (35) percent. This increase shall be in addition to any increase in density required by 14.09.210.030.A, up to a maximum combined density increase of thirty-five (35) percent if an applicant seeks both. All density calculations resulting in fractional units shall be recorded to the next larger number. An applicant is not eligible for an increase in density bonus for the donation of land as a condition of development.
2. Findings. A housing development is eligible for the density bonus or incentive as described in this section if all the following occur.
  - i. The applicant will donate and transfer the land no later than the date of approval of the final subdivision map, parcel map, or residential development application.
  - ii. The developable acreage and zoning classification of the land being transferred are sufficient to permit construction of units affordable to very low-income households in an amount of at least ten (10) percent of the number of residential units of the proposed development or will permit construction of a greater percentage of units if proposed by the developer.
  - iii. The transferred land is at least one (1) acre in size or of sufficient size to permit development of at least forty (40) units, has the appropriate general plan designation, is appropriately zoned for development of lower income households and is or will be served by adequate public facilities and infrastructure.
  - iv. The transferred land shall have all the permits and approvals, other than building permits, necessary for the development of the very low income housing units on the transferred land, not later than the date of approval of the final subdivision map, parcel map, or residential development application, except that the proposed development may be subject to subsequent design review to the extent authorized by Government Code Section 65583.2(i) if the design is not reviewed by the city before the time of transfer.
  - v. The transferred land and the affordable units shall be subject to a deed restriction ensuring continued affordability of the units consistent with Government Code Section 65915(c), which restriction shall be recorded on the property at the time of the transfer.
  - vi. The land is transferred to the city or to a housing developer approved by the city. The city may require the applicant to identify a developer of the very low-income units and to require that the land be transferred to that developer.
  - vii. The transferred land is within the boundary of the proposed housing development or within a quarter mile of the boundary of the proposed development.
  - viii. A proposed source of funding for the very low income units shall be identified not later than the date or approval of the final subdivision map, parcel map, or residential development application.

F. Condominium Conversions.

1. Incentives. The city shall grant either a density bonus or other incentives of equivalent financial value if the applicant for a conversion of existing rental apartments to condominiums agrees to provide thirty-three (33) percent of the total units of the proposed condominium project as target units affordable to low- or moderate-income households, or to provide fifteen (15) percent of the total units in the condominium conversion project as target units affordable to low-income households. All such target units shall remain affordable for the period specified in Government Code Section 65915(c). For purposes of this section, a "density bonus" means an increase in units of twenty-five (25) percent over the number of apartments to be provided within the existing structure or structures proposed for conversion.
2. Findings. No condominium conversion is eligible for a density bonus if the apartments proposed for conversion constitute a housing development for which a density bonus or other incentives were previously provided under this section or Government Code section 65915.

G. Mixed-use Development.

1. Incentives. When an applicant for approval of a commercial development has entered into an agreement for partnered housing as described in Government Code Section 65915.7 to contribute to affordable housing through a joint project or two separate projects encompassing affordable housing, the city shall grant to the commercial developer a development bonus that may include but is not limited to any of the following:
  - i. Up to a twenty (20)-percent increase in maximum allowable intensity in the General Plan.
  - ii. Up to a twenty (20)-percent increase in maximum allowable floor area ratio.
  - iii. Up to a twenty (20)-percent increase in maximum height requirements.
  - iv. Up to a 20-percent reduction in minimum parking requirements.
  - v. Use of a limited-use/limited-application elevator for upper floor accessibility.
  - vi. An exception to a zoning ordinance or other land use regulation.
2. Findings. A project is eligible for the density bonus or incentive as described in this section if the housing is constructed on the site of the commercial development or on a site that is all the following:
  - i. Within the boundaries of the city.
  - ii. In close proximity to public amenities including schools and implement centers.
  - iii. Located within one-half mile of a major transit stop as defined in subdivision (b) of Section 21155 of the Public Resources Code.

**14.09.210.040 Procedure.**

A. Concurrent Review. The applicant for a density bonus shall submit the request to the Director of Community Development in conjunction with the application for planned development, design review, or other application necessary for the housing development.

B. Completeness Review. The Director of Community Development shall notify the applicant for a density bonus whether the application is complete in accordance with the procedures found in Chapter [14.09.030](#) of this code, Common Procedures. If the Director of Community Development notifies the applicant that the application is deemed complete, the Director of Community Development shall include the information required by California Government Code Section [65915](#).

C. Any determination under this section shall be based on the development project at the time the application is deemed complete. The decision maker shall adjust the amount of density bonus and parking ratios awarded pursuant to this chapter based on any changes to the project during the course of development. (Ord. 1972, Repealed and Replaced, 02/22/2022)

**14.09.210.050 Submittal Requirements.**

The applicant for a density bonus shall submit the items listed below, in addition to and in conjunction with the submittal requirements for the housing development application.

A. Density Bonus Description. A detailed description of the requested density bonus, including:

1. The density and maximum number of dwelling units possible under the existing zoning without a density

bonus.

2. The percentage increase and number of dwelling units requested above the maximum allowable density.
3. The number and percentage of dwelling units proposed by income level.
4. Any proposed occupancy restrictions, such as restrictions to occupancy by seniors or to special needs tenants, and whether the units are proposed to be offered for sale or for rent.
5. The method proposed to guarantee the proposed affordability levels, such as proposed deed restrictions.

B. Concessions and Incentives. If the applicant requests concessions or incentives, as defined in California Government Code Section [65915\(k\)](#), the application shall include:

1. A detailed description of the requested concessions or incentives.
2. All documentation the applicant wishes to rely on to show how the incentive or concession would result in identifiable and actual cost reductions necessary to meet affordability levels as opposed to the project without the concessions or incentives.

C. Waivers and Reductions. If the applicant requests a waiver or reduction of any development standard based on an assertion that the development standard physically precludes the construction of a qualifying affordable housing development per California Government Code Section [65915\(e\)](#), include the following:

1. A detailed description of the requested waiver or reduction of development standards.
2. All documentation the applicant wishes to rely on to show how the development standards physically preclude the construction of the qualified affordable housing development.
3. All documentation the applicant wishes to rely on to show that the waiver or reduction would not have a specific adverse impact, as defined in California Government Code Section [65589.5\(d\)\(2\)](#), upon health, safety or the physical environment, including proposed mitigation or avoidance measures.

D. Parking Ratios. If the applicant requests parking ratios pursuant to California Government Code Section [65915\(p\)](#), then include the following:

1. The requested parking ratio.
2. Information on the number of dwelling units and number of bedrooms in each dwelling unit.
3. If the application requests parking ratios per California Government Code Section [65915\(p\)\(2\)](#) or (3), evidence to show the proposal meets the criteria in those sections, including the distance to the nearest major transit stop, information on access to and any impediment to that transit stop from the housing development, information on the service provided at the transit stop, paratransit service available and its frequency, and any occupancy restrictions proposed.

E. Response to Criteria. Citations to the legal standards and criteria upon which the density bonus, concession, incentive, waiver, reduction in development standards, or parking ratio is requested and an explanation, evidence, and findings showing how the applicant contends the proposal meets the applicable standards and criteria.

F. Fees. Fees as established by City Council resolution.

#### **14.09.210.060 Decision Maker.**

A. Director or Planning Commission. Where the Director of Community Development or Planning Commission is otherwise authorized to approve the subject housing development application, that decision

maker is also authorized to consider and take action on the associated applications for density bonuses, concessions and incentives, reduction in development standards, and parking ratios listed below. The density bonus review shall occur concurrently and on the same timelines as the housing development application review.

1. A density bonus that is less than or equal to the minimum density bonus required to be granted by state law for the number and affordability level of dwelling units and that increases the maximum allowable density by 30 percent or less.
2. Parking ratios pursuant to California Government Code Section [65915](#)(p).
3. Decreases in minimum standards and increases in maximum standards as listed in Chapter [14.09.320](#) of this code, Variances.
4. An increase in maximum building height by up to 10 feet.
5. An increase in maximum site coverage by up to 10 additional percent coverage.

B. City Council. Any other density bonus, concession and incentive, or reduction in development standards requested shall be subject to City Council review at a public hearing. The housing development application and density bonus application shall first be referred to the Planning Commission for review and recommendation. The request shall be referred to the City Council within 60 calendar days following the Planning Commission's recommendation.

#### **14.09.210.070 Required Findings.**

A. The decision maker shall review the density bonus request and may approve, approve with conditions or modifications, or deny the request based on the applicable standards and criteria found in the state density bonus law. The decision maker shall adopt findings supporting the decision.

B. If the application qualifies for a concession or incentive, the decision maker shall grant the concession or incentive unless it makes a written finding, based upon substantial evidence, of any of the following, or other criteria established by state law:

1. The concession or incentive does not result in identifiable and actual cost reductions, consistent with California Government Code Section [65915](#)(k), to provide for affordable housing costs, as defined in California Health and Safety Code Section [50052.5](#), or for rents for the targeted units to be set as specified in California Government Code Section [65915](#)(c).
2. The concession or incentive would have a specific, adverse impact, as defined in California Government Code Section [65589.5](#)(2)(d), upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households.
3. The concession or incentive would be contrary to state or federal law.

#### **14.09.210.080 Additional Bonuses.**

The City Council may, at its own discretion, approve density bonuses, concessions, and incentives in addition to the minimum required in state law, provided the Council finds the following:

- A. The application provides affordable housing beyond the minimum percentages listed in state law.
- B. The additional density bonus, concession or incentive is proportional to the increase in affordable housing provided beyond the minimum percentages provided in state law.

- C. The additional density bonus, concession or incentive would not result in significant effect on the environment as defined in the California Environmental Quality Act.
- D. The proposal otherwise meets the criteria applicable to the development application.

**14.09.210.090 Agreements and Compliance.**

To ensure that the units remain available and affordable as described in the approved density bonus application, the applicant shall enter into a density bonus housing agreement with the City and record a deed restriction on the property. The density bonus housing agreement shall be recorded prior to final or parcel map approval, or, where the housing development does not include a map, prior to issuance of a building permit for any structure in the housing development. The density bonus housing agreement shall run with the land and bind on all future owners and successors in interest. The agreement shall follow a form determined by the Vacaville Director of Housing Services and be approved by the City Attorney. Where allowable by law, the agreement may require payment of a fee to cover the cost of monitoring compliance with the agreement.

**14.09.210.100 Sites Included in Two or More Consecutive Housing Element Cycles.**

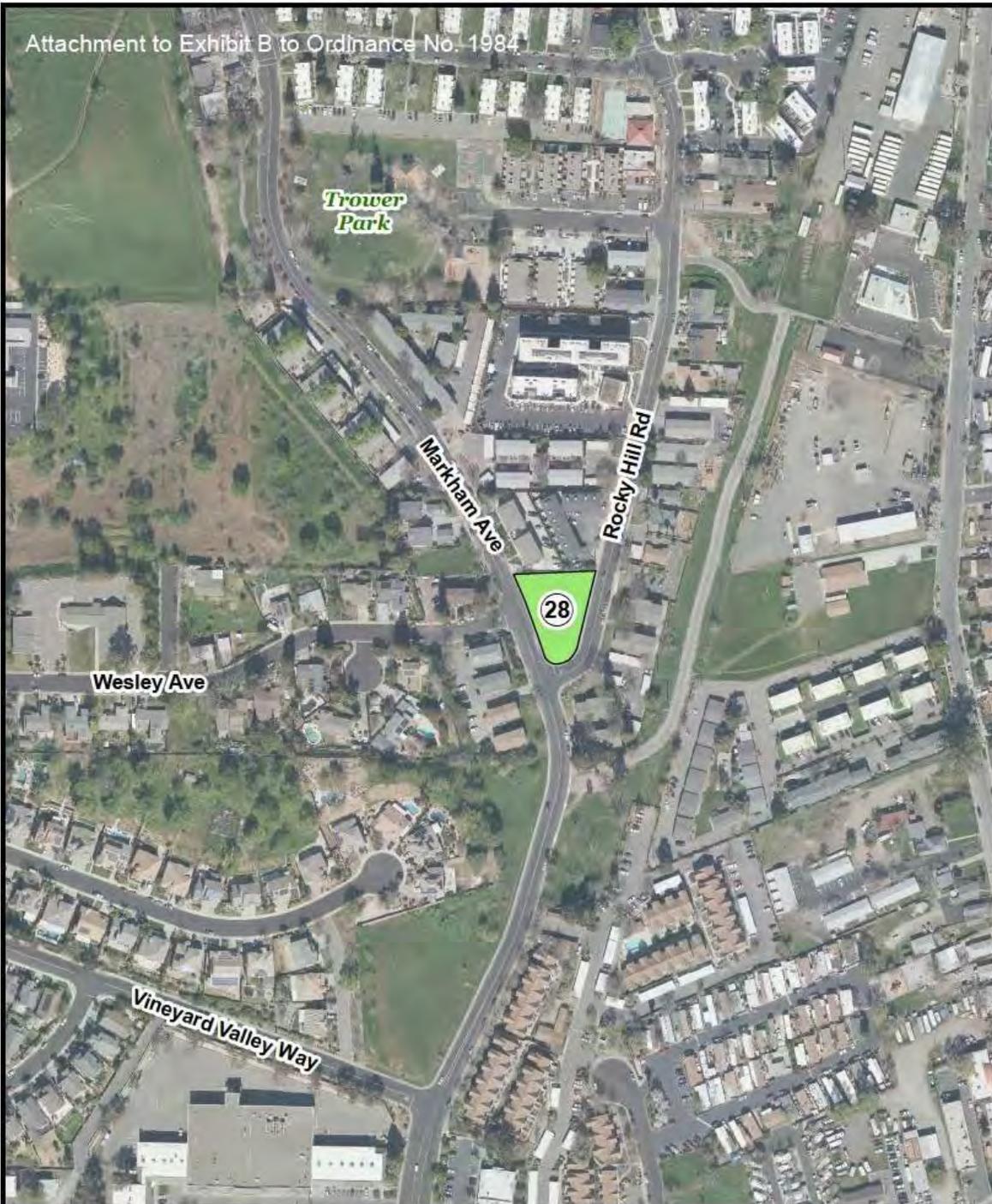
A. Pursuant to Government Code Section [65583.2\(c\)](#), any nonvacant sites identified in the fifth Housing Element cycle (2015-2022) or vacant sites identified in two or more consecutive planning periods shall be provided by-right development when at least 20 percent of the units in the proposed development are affordable to lower-income households.

B. Housing by right is permitted on the following four Residential High Density properties when at least 20 percent of the units are affordable to lower-income households:

1. 681 Markham (APN 129-202-010).
2. Leisure Town Road Apartments (1) (APN 134-020-210).
3. Leisure Town Road Apartments (2) (APN 134-056-010).
4. Vanden Townhome Site (APN 136-080-040).

C. These properties are illustrated on the maps on the following pages:

### MARKHAM AVENUE SITES – NORTH



**CITY OF VACAVILLE**  
COMMUNITY DEVELOPMENT  
DEPARTMENT



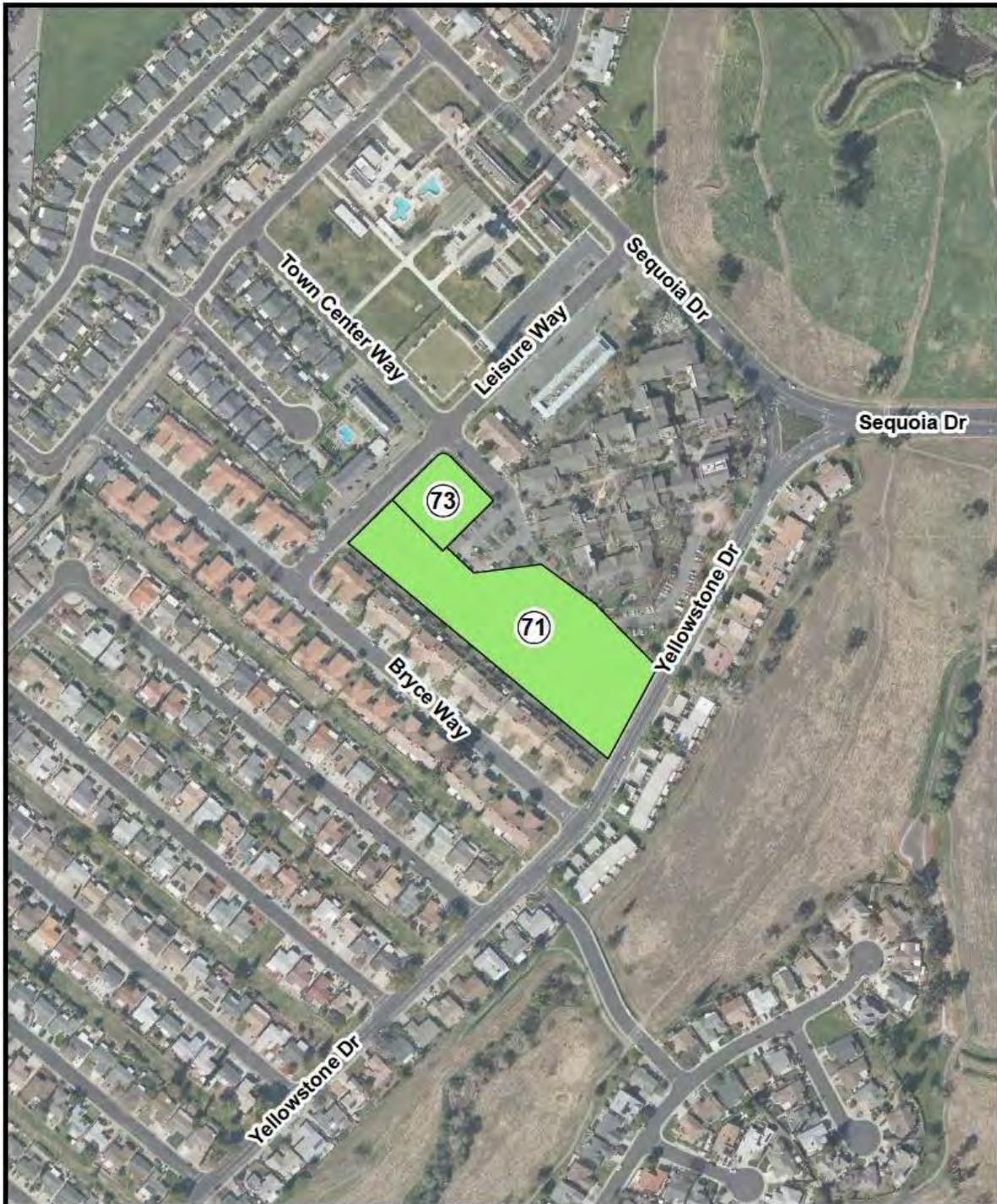
MARKHAM AVENUE SITES - NORTH

BY-RIGHT HOUSING SITE

2023 - 2031 HOUSING ELEMENT - CYCLE 6

FILE NO. 22-191

### LEISURE TOWN APARTMENTS SITE



CITY OF VACAVILLE  
COMMUNITY DEVELOPMENT  
DEPARTMENT



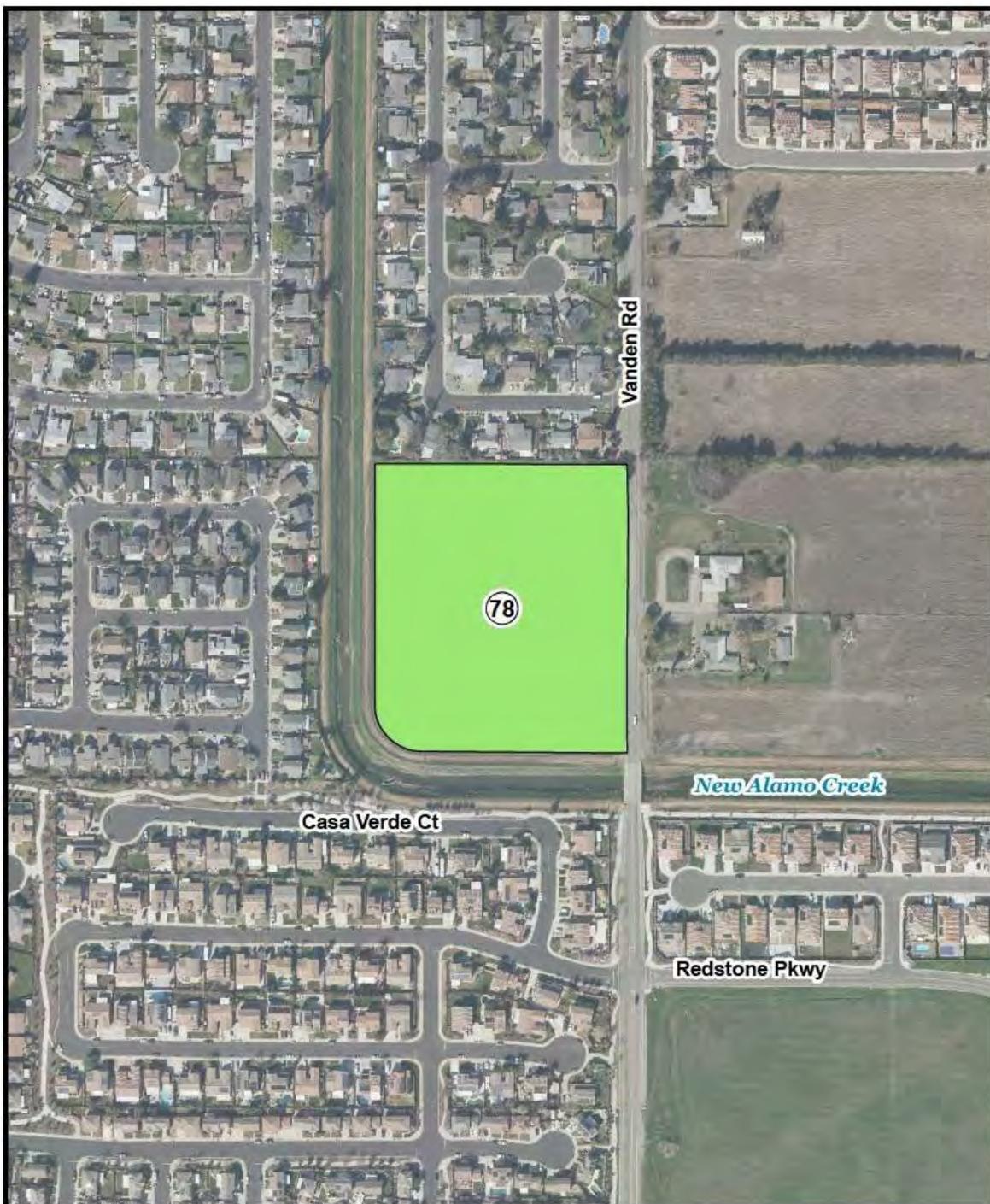
LEISURE TOWN APARTMENTS SITE

BY-RIGHT HOUSING SITE

2023 - 2031 HOUSING ELEMENT - CYCLE 6

FILE NO. 22-191

### VANDEN TOWNHOME SITE



**CITY OF VACAVILLE**  
COMMUNITY DEVELOPMENT  
DEPARTMENT



VANDEN TOWNHOME SITE  
BY-RIGHT HOUSING SITE

2023 - 2031 HOUSING ELEMENT - CYCLE 6

FILE NO. 22-191

## Chapter 14.09.230 Parking and Loading

### Sections:

- 14.09.230.010 Purpose.
- 14.09.230.020 Applicability.
- 14.09.230.030 General Provisions.
- 14.09.230.040 Required Parking Spaces.
- 14.09.230.050 Parking Reductions.
- 14.09.230.060 Bicycle Parking.
- 14.09.230.070 Loading.
- 14.09.230.080 Parking Area Design Standards.

### 14.09.230.010 Purpose.

The purpose of this chapter is to:

- A. Encourage a diversity of transportation modes and a reflect a general shift away from solely automobile-oriented travel;
- B. Require parking spaces and loading spaces for all land uses that are sufficient but not excessive in number, size, and arrangement;
- C. Minimize the negative environmental and urban design impacts that can result from parking lots, driveways, and drive aisles within parking lots, including the urban runoff and heat island effect;
- D. Ensure the provision of adequate bicycle parking facilities, in order to increase bicycle trips and reduce motor vehicle trips;
- E. Establish standards and regulations for safe and well-designed parking, unloading, and vehicle circulation areas that minimize conflicts within parking lots and, where appropriate, create buffers from surrounding land uses; and
- F. Offer flexible means of minimizing the amount of area devoted to parking by allowing reductions in the number of required spaces in transit-served locations, locations with shared parking facilities, and other situations expected to have lower vehicle parking demand.

### 14.09.230.020 Applicability.

The requirements of this chapter apply to the establishment, alteration, expansion, or change in any use or structure, as provided in this section.

A. New Buildings and Land Uses. Parking and loading in accordance with this chapter shall be provided at the time any new building or structure is erected or any new land use is established on a site.

B. Existing Buildings and Land Uses. Existing buildings and land uses may be changed, altered, or enlarged as follows:

1. Existing Residential Buildings and Land Uses. Parking and loading in accordance with this chapter shall be provided where additional dwelling units are created through the alteration of an existing building or construction of new structures.
2. Existing Nonresidential Buildings and Land Uses. When a change or expansion of use or occupancy results in an increase of floor area of at least 10 percent or 1,000 square feet, whichever is smaller, additional on-site parking and loading shall be provided for such addition or enlargement, and not for the entire building or site. A change or expansion of use or occupancy that does not result in an increase of floor area shall not require additional parking or loading, as long as it remains within the same use category (e.g., a commercial use to another commercial use), but shall require additional parking or loading if changing use categories (e.g., a commercial use to an industrial use).

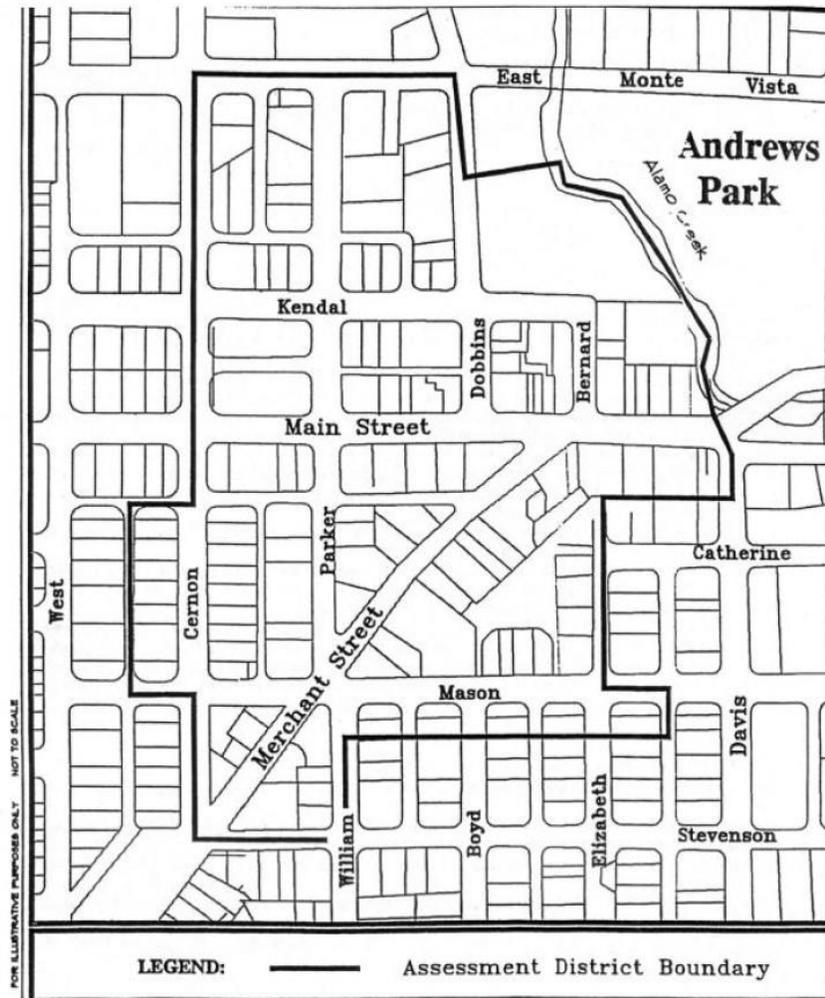
- a. Parking and loading in excess of minimum requirements may be removed.
- b. A change in occupancy is not considered a change in use unless the new occupant proposes a different use classification listed in Chapter [14.02.060](#) of this code, Use Classifications, than the former occupant.
- c. Additional parking and loading spaces are not required for the reconstruction of an existing building when there is no increase in floor area.

C. When Constructed. Parking and loading facilities required by this chapter shall be constructed or installed prior to final inspection or the issuance of a certificate of occupancy for the uses that they serve.

D. Design Review. All parking and loading facilities required by this chapter shall be subject to the provisions of Chapter [14.09.290](#) of this code, Design Review.

E. Downtown Parking Assessment District. Parking and loading facilities located in the 1967 Downtown Parking Assessment District, shown in Figure 14.09.230.A, shall not be subject to the requirements of this chapter, except as follows:

1. Existing Parking and Loading to Be Maintained. Parcels which have received credit for existing parking in the assessment of the 1967 Downtown Parking Assessment District shall retain the number of parking spaces for which the credit was received.
2. New Development Above the First Story. Parking and loading in accordance with this chapter shall be provided at the time any new development is erected or new land use is established above the first story. The provided parking shall be required to meet the standards of Section [14.09.230.040](#), Required Parking Spaces, for the floor area above the first story only.
3. Waiver. The requirements of this subsection may be waived by City Council in its sound discretion as to any number of parking spaces as provided below:
  - a. Removal of Parking Spaces. Pursuant to such a waiver, prior to the removal of any existing parking spaces, the property owner shall pay to the City an amount set by resolution of the City Council for each space to be removed from parking use;
  - b. Reduction in Parking. Pursuant to such a waiver, prior to the reduction of parking spaces otherwise required to be provided for new development above the first story, the property owner shall pay to the City an amount for each parking space reduced below the required number of parking spaces as set by resolution of the City Council.



**FIGURE 14.09.230.A: 1967 DOWNTOWN PARKING ASSESSMENT DISTRICT**

**14.09.230.030 General Provisions.**

A. Existing Parking and Loading to Be Maintained. No existing parking and/or loading facilities serving any use may be reduced in amount or changed in design, location or maintenance below the requirements for such use, unless equivalent substitute facilities are provided.

B. Nonconforming Parking or Loading. An existing use of land or structure shall not be nonconforming solely because of a lack of on-site parking and/or loading facilities required by this chapter; provided, that facilities used for on-site parking and/or loading as of the date of adoption of this title are not reduced in number to less than what this chapter requires.

**C. Required Location of Parking.**

1. Residential Uses. Required parking for residential uses shall be located on the same lot as the dwelling unit or use it serves, or in an off-site facility as provided in Section [14.09.230.050.B](#), Off-Site Parking. Required parking may be located within a required front or street-side setback.

2. Nonresidential Uses. Required parking for nonresidential uses shall be located on the same lot as the use it serves, or in an off-site facility as provided in Section [14.09.230.050.B](#), Off-Site Parking. Required parking shall not be located within a required front or street-side setback.

D. Valet Parking. Valet parking is allowed if an attendant is present or an automated system is in place to move vehicles. If parking managed by an attendant is used for required parking spaces, an acceptable form of guarantee shall be filed with the Director of Community Development ensuring that an attendant will be present while the lot is in operation.

E. Vehicle Storage Prohibited. No required parking and/or loading facilities provided in accordance with the requirements of this chapter shall be used for the storage of inoperable vehicles for any period of time.

F. Repairs Prohibited. Repair work and servicing of vehicles is prohibited within required parking and/or loading facilities.

G. Required Accessible Parking. Accessible parking shall be provided and located in accordance with Title 15, Building, Construction and Fire Code, the California Building Code, and the Americans with Disabilities Act.

**14.09.230.040 Required Parking Spaces.**

Each land use defined by Chapter 14.02.060 of this code, Use Classifications, is subject to the following minimum parking and loading requirements, unless otherwise provided elsewhere by this title.

A. Minimum Number of Parking Spaces. The required number of parking spaces for any use not listed in Table 14.09.230.A, Required Number of Parking Spaces, or defined by Chapter 14.02.060 of this code, Use Classifications, shall be determined by the Director of Community Development based upon the requirements for the most similar comparable use, the characteristics of the proposed use, and any other relevant information regarding parking demand, such as hours of operation or the particular nature of visitors or clientele.

**TABLE 14.09.230.A: REQUIRED NUMBER OF PARKING SPACES**

Land Use Classification	Required Parking Spaces
<b>Residential Uses</b>	<b>The required number of parking spaces for residential uses will be that required for the residential housing type, unless otherwise specified below</b>
Residential Housing Types	Studio unit or 1-bedroom unit: 1 space
	2+ bedroom unit: 2 spaces Plus 1 guest space per every 3 dwelling units
	<u>3-bedroom unit: 1.5 spaces</u>
	<u>4-bedroom unit: 2.5 spaces</u>
Accessory Dwelling Unit	See Section <u>14.09.270.040</u> , Accessory Dwelling Units
Group Residential	1 space per sleeping room, or 1 space per every 2 guest beds whichever is greater
<u>Single Room Occupancy</u>	<u>See Section 14.09.270.220, Single Room Occupancy</u>
Land Use Classification	Required Parking Spaces
Manufactured Home Park	1 space per dwelling unit, plus 1 guest space per every 7 dwelling units

Residential Facility, Assisted Living	1 space per every 3 beds
<b>Public/Semi-Public Uses</b>	<b>1 space per 250 square feet, or as determined by the Director of Community Development, unless otherwise specified below</b>
Campgrounds and Recreational Vehicle Parks	1 space per campsite
Community Assembly	1 space per every 100 square feet of assembly seating area
Day Care Centers	1 space per classroom or office, plus a pick-up/drop-off area for children of a size determined by the decision maker
Hospitals and Clinics	
Hospitals	1 space per 1,000 square feet floor area
Clinic	1 space per 300 square feet
Skilled Nursing Facility	1 space per every 3 beds
Instructional Services	1 space per 300 square feet
<u>Emergency Shelters</u>	<u>1 space per employee and 1 space per every 5 beds, or as based upon demonstrated need but not to exceed parking requirements for other residential or commercial uses within the same zone</u>
<b>Commercial Uses (including Commercial Centers)</b>	<b>1 space per 300 square feet, or as determined by the Director of Community Development, unless otherwise specified below</b>
Automobile/Vehicle Sales and Services	1 space per 1,000 square feet of showroom, storage, and retail areas, plus 1 space per 300 square feet of office, plus 1 space per vehicle service bay
Commercial Entertainment and Recreation	
Cinema/Theater	1 space per 100 square feet of assembly area
Eating and Drinking Establishments	1 space per 100 square feet of dining area
Funeral Parlors and Interment Services	1 space per 100 square feet of assembly area
Lodging	1 space per guest room/unit
<b>Industrial Uses</b>	<b>1 space per 1,000 square feet, or as determined by the Director of Community Development, unless otherwise specified below</b>
Contractor Shops	1 space per 1,000 square feet of outdoor display/storage, plus 1 space per 400 square feet of other area
Research and Development	1 space per 750 square feet of equipment and storage area, plus 1 space per 300 square feet of other area
Storage, Warehousing, and Wholesaling	
Personal Storage	4 spaces, plus 1 space per 300 square feet of office area

<b>Transportation, Communication, and Utility Uses</b>	<b>1 space per 300 square feet of office area, or as determined by the Director of Community Development</b>
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B. Calculation of Required Spaces. The number of required parking spaces shall be calculated according to the following rules:

1. Sites with Multiple Uses. If more than one use is located on a site, the number of required parking and loading spaces shall be equal to the sum of the requirements calculated separately for each use, unless a reduction is approved pursuant to Section [14.09.230.050](#), Parking Reductions.

2. Fractions. When the number of parking spaces required result in a fraction of a space, fractions of one-half or greater shall be rounded up to the nearest whole number. Fractions of less than one-half shall be rounded down.

3. Parking Ratios.

a. Floor Area. Where an on-site parking or loading requirement is stated as a ratio of parking spaces to floor area, the floor area is assumed to be gross floor area.

b. Bedrooms. Where a parking requirement is stated as a ratio of parking spaces to bedrooms, any rooms having the potential of being a bedroom and meeting the standards of the Building Code as a sleeping room shall be counted as a bedroom.

c. Seats. Where parking requirements are stated as a ratio of parking spaces to seats, each 80 inches of bench-type seating at maximum seating capacity is counted as one seat.

C. Additional Spaces Required. Additional off-street parking spaces may be required if the decision maker determines that the use will generate more parking than is set forth in the schedule because of increased density, intensity of use, or other factors. The determination of spaces to be provided shall be based on appropriate parking generation studies conducted by the City or by a consultant.

#### **14.09.230.050 Parking Reductions.**

The number of parking spaces required by Section [14.09.230.040](#), Required Parking Spaces, may be reduced as follows if the decision maker determines any of the following criteria have been met. Parking reductions are cumulative for parking facilities meeting more than one of the following criteria:

A. Joint Use of Parking Facilities. Where a parking facility is provided that serves multiple uses, the total number of required parking spaces may be reduced by up to 25 percent if the following findings are made:

1. The peak hours of use will not substantially overlap or coincide to the degree that peak demand for parking spaces from all uses will be greater than the total supply of spaces;
2. The proposed shared parking provided will be adequate to serve each use;

3. Parking spaces in the shared parking facility will not be reserved for individual tenants, owners, or their visitors without approval of an overall parking management plan; and

4. A shared parking agreement or easement will be recorded prior to the issuance of a building permit.

B. Off-Site Parking. For uses other than single-unit dwellings and duplexes, off-site parking may be counted towards the required number of parking spaces, in accordance with the standards below.

1. On-Street Parking Spaces. On-street parking spaces along a site's corresponding frontage lines on a public or private street may be counted towards the required number of parking spaces. Where an on-street parking space is adjacent to multiple lots, the parking space shall be counted towards the

use on the lot whose frontage contains more than 50 percent of the parking space length. Where on-street parking is not marked and is not otherwise painted or dedicated for another purpose, 18 lineal feet of curb space shall constitute an on-street parking space.

2. Off-Site Parking Facilities. Parking spaces provided in off-site parking lots or structures may count towards the required number of parking spaces, as provided below.

a. Located Within 1,000 Feet. Off-site parking facilities shall be located within 1,000 feet of an entrance to the use for which the spaces are required, measured by the shortest route of pedestrian access.

b. Parking Agreement or Easement Required. A parking agreement or easement between the property owner and the City shall be executed and recorded prior to the start of parking activities. The agreement shall include:

i. A guarantee among the property owner for access to and use of the parking facility; and

ii. A guarantee that the spaces to be provided will be maintained and reserved for the uses served for as long as such uses are in operation.

C. Transit Accessibility. The total number of required parking spaces may be reduced by up to 10 percent if any portion of the lot is located within 1,000 feet of a transit stop with regular scheduled service (every 30 minutes) during the weekday hours of seven a.m. to nine a.m. and five p.m. to seven p.m.

D. Passenger Loading Areas. If a use provides a designated passenger loading area, the total number of required parking spaces may be reduced by five parking spaces for every passenger loading area, up to a total reduction of 10 parking spaces. Additional reductions are not granted for provision of more than one space.

1. Passenger loading areas shall be marked and designated in accordance with Chapter [10.28](#) of this code, Loading and Unloading.

2. Passenger loading areas shall provide sufficient space for safe maneuvering.

3. Passenger loading areas shall not block any mode of travel in the public right-of-way.

E. Motorcycle Parking. Motorcycle parking may substitute for up to five percent of the required number of parking spaces. Each motorcycle space shall be at least four feet wide and seven feet deep to accommodate two-wheeled motorized vehicles, including scooters, mopeds, and similar vehicles.

F. Other Parking Reductions. In addition to the individual parking reduction allowed in Section [14.09.230.040](#), Required Parking, for any use may be reduced as follows:

1. Criteria for Approval. The decision maker may approve reduced parking if it finds that:

a. Special conditions exist that will reduce parking demand at the site. Conditions may include the nature of the proposed operation; transportation characteristics of persons residing, working, or visiting the site;

b. The use will be adequately served by the proposed on-site parking; and

c. Parking demand generated by the project will not exceed the capacity of or have a significant impact on the supply of on-street parking in the surrounding area.

2. Parking Demand Study. Based on the completion and submittal of a parking demand study, the decision maker may approve a reduction in the amount of parking from that otherwise required by this chapter. The parking demand study shall be developed in accordance with established professional practices, and may combine the reductions permitted by this section with additional

reductions identified by the parking demand study for a maximum reduction of 90 percent.

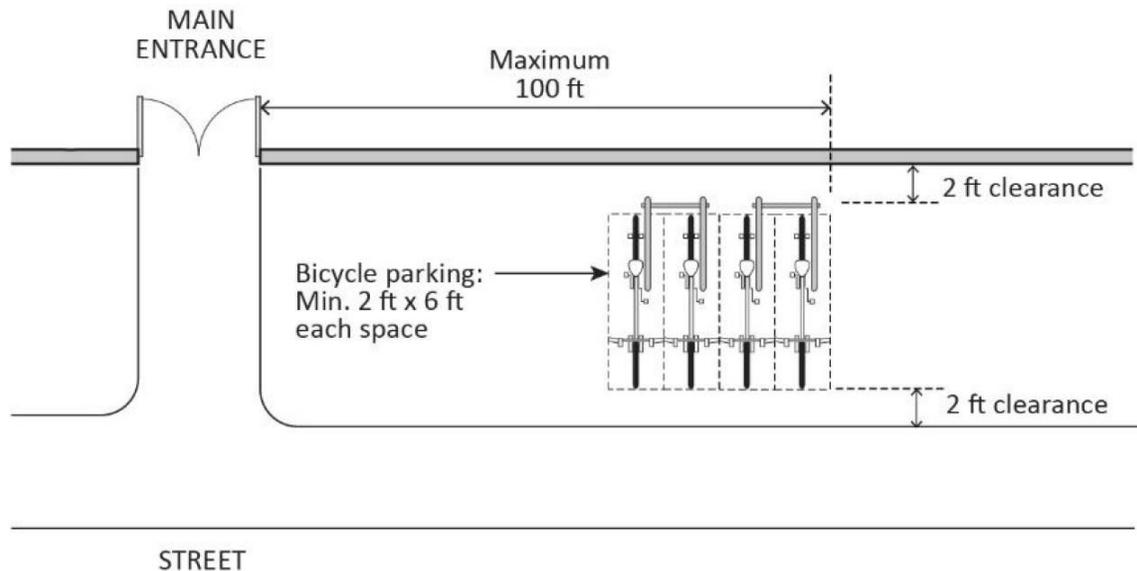
3. Parking Management Plan Parking Reduction. The decision maker is authorized to reduce the parking requirements for office and other uses in this section. A parking management plan shall be submitted with an application for development approval. A reduction may be granted if the following standards are met:

- a. The amount of reduction shall be no more than 90 percent of the parking required by this section.
- b. The project shall have a single user/owner/management authority who is obligated to effectively exercise control over compliance with the plan.
- c. The parking management plan shall be prepared and submitted by a registered traffic engineer and shall include data on the effectiveness of similar plans elsewhere.
- d. The traffic management plan shall contain information on the strategies, designated parking, incentives, company vehicles, staggered work hours, and other information indicating the owner's ability and agreement to provide and enforce these elements over time.
- e. The decision maker may impose conditions that are needed to ensure the long-term compliance with the plan, including but not limited to a reserve parking area, phasing, or contributions to transit or other alternative means of transportation.

#### **14.09.230.060 Bicycle Parking.**

A. Short-Term Bicycle Parking. Short-term bicycle parking shall be provided in order to serve guests, customers, messengers, and other visitors to a site who generally stay for short periods of time.

1. Short-Term Bicycle Parking Required. For the following uses, the number of short-term bicycle parking spaces shall be a minimum of two parking spaces provided per use:
  - a. Multi-unit dwellings and group residential.
  - b. All public/semi-public uses.
  - c. All commercial uses unless the decision maker determines that no short-term bicycle parking is appropriate based on the use, such as automobile/vehicle repair; major.
2. Location. Short-term bicycle parking shall be conveniently located within 100 feet of the main entrance to the building or buildings and shall not interfere with parking or pedestrian areas.
3. Anchoring and Security. Bicycle parking shall require a stationary, securely anchored object to be provided to which a bicycle frame and one wheel (two points of contact) can be secured with a high-security U-shaped shackle lock if both wheels are left on the bicycle. One such object may serve multiple bicycle parking spaces.
4. Size and Accessibility. Each short-term bicycle parking space shall be a minimum of two feet in width and six feet in length and shall be accessible without moving another bicycle. Two feet of clearance shall be provided between bicycle parking spaces and adjacent walls, poles, landscaping, street furniture, drive aisles, and pedestrian ways and at least five feet from any vehicle parking spaces.



**FIGURE 14.09.230.B: SHORT-TERM BICYCLE PARKING**

B. Long-Term Bicycle Parking. Long-term bicycle parking shall be provided in order to serve residents, employees, students, commuters, and other visitors to a site who generally stay at a site for four hours or longer at a time.

1. Long-Term Bicycle Parking Required. Long-term bicycle parking shall be provided for the following uses:

- a. Multi-Unit Dwellings and Group Residential. Long-term bicycle parking shall be provided at a minimum of one space per every five dwelling units.
- b. Parking Lots and Structures. Long-term bicycle parking shall be provided at a minimum ratio of one space per 25 vehicle parking spaces.
- c. Other Uses. Any establishment with 25 or more full time equivalent employees shall provide long-term bicycle parking equivalent to at least five percent of the number of required automobile parking spaces.

2. Location. Long-term bicycle parking shall be conveniently located on the same lot as the use it serves in a private or common bicycle parking area. Where a common bicycle parking area is not visible from the entrance of the building, signs located at the entrance or in an entry lobby of the building shall identify the location of common bicycle parking.

3. Security. Long-term bicycle parking shall be located in one of the following locations:

- a. A private garage for an individual dwelling unit;
- b. An enclosed bicycle locker;
- c. A fenced, covered, and locked or guarded bicycle storage area;
- d. A rack or stand inside a building visible from employee work areas, or within a secure/restricted bicycle storage room; or
- e. Other secure areas approved by the Director of Community Development.

4. Size and Accessibility. Each long-term bicycle parking space shall be a minimum of two feet in width and six feet in length and shall be accessible without moving another bicycle. Two feet of clearance shall be provided between bicycle parking spaces and adjacent walls, poles, landscaping, street furniture, drive aisles, and pedestrian ways and at least five feet from any vehicle parking

spaces.

#### **14.09.230.070 Loading.**

All uses requiring the receipt or distribution of material or merchandise by vehicles and trucks shall provide off-street loading and unloading areas to handle the traffic volume and loading requirements.

A. Location. Loading areas shall not be located in a required front, side, or rear yard, or adjacent to a residential zoning district or a residential property. An exception may be made where the decision maker finds that:

1. The proposed or anticipated hours of loading and unloading do not conflict with the enjoyment or use of the adjacent property;
2. Street-facing loading areas will exhibit architectural treatment, or will be enhanced with landscaping, in such a way as to minimize visual and noise impacts; and
3. There are specific features of the site and design of the building, and/or existing development such that warrant a modification.

B. Design Standards.

1. Size and Dimensions. Each on-site loading space shall not be less than 10 feet wide, 35 feet long, and 14 feet high, exclusive of driveways for ingress and egress, maneuvering areas and setbacks. The Director of Community Development may waive the size requirements if the applicant has satisfactorily demonstrated that due to the nature of the proposed use, such size will not be necessary.
2. Circulation and Accessibility. Loading areas and truck parking facilities shall be accessible from a street or alley, with entrances and exits at locations approved by the City Engineer.
3. Screening. All loading areas and truck parking facilities shall require screening a minimum of six feet in height, consisting of one or any combination of the methods listed below:
  - a. Masonry Walls. Solid, decorative walls consisting of brick, stone, stucco, or other quality durable material approved by the Director of Community Development.
  - b. Fences. Open fences of wrought iron or similar material combined with plant materials to form an opaque screen.
  - c. Plantings. Plant materials consisting of compact evergreen plants that form an opaque screen.
4. Bumper Rails. Bumper rails shall be provided adjacent to loading areas and truck parking facilities, where necessary for safety or to protect private property.

#### **14.09.230.080 Parking Area Design Standards.**

All parking areas, except those used exclusively for stacked or valet parking, shall be designed and developed consistent with the following standards. Parking areas used exclusively for stacked or valet parking are subject only to this section.

A. Tandem Parking. Tandem parking may be permitted to satisfy parking requirements in accordance with the following:

1. No more than two vehicles shall be parked in a tandem configuration.
2. Tandem spaces shall be assigned to a single dwelling unit or a nonresidential use.

3. Residential Uses. Tandem parking spaces shall not exceed 25 percent of the total number of required parking spaces. Tandem parking shall not be used to meet the guest parking requirement.

4. Nonresidential Uses. Tandem parking to meet parking requirements may be used for employee parking. Tandem parking spaces shall not exceed 50 percent of the total number of required parking spaces.

## B. Circulation and Safety.

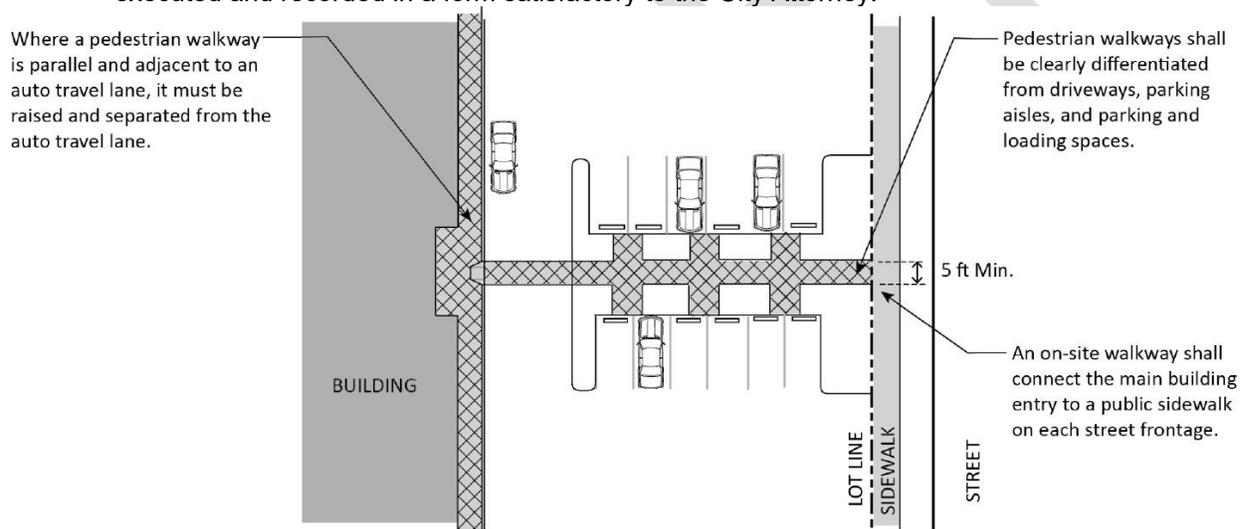
### 1. Pedestrian Access.

a. Connection to Public Sidewalk. An on-site walkway shall connect the main building entry to a public sidewalk on each street frontage. Such walkway shall be the shortest practical distance between the main building entry and sidewalk.

b. Nonresidential projects shall provide shared vehicle and pedestrian access to adjacent nonresidential properties for convenience, safety, and efficient circulation.

c. Walkways shall be at least four feet in width, with shading and lighting as required by the decision maker.

d. A joint access agreement guaranteeing the continued availability of the shared access between the properties approved by the Director of Community Development shall be executed and recorded in a form satisfactory to the City Attorney.



**FIGURE 14.09.230.C: PEDESTRIAN CIRCULATION**

2. Public Service Vehicles. Parking lots shall be designed so that sanitation, emergency, and other public service vehicles can provide service without backing up unreasonable distances or making other dangerous turns or maneuvers.

3. Forward Entry. Parking facilities of four or more spaces shall be provided with suitable maneuvering room so that all vehicles accessing the facility may enter an abutting street in a forward direction. Parking facilities which require vehicles to back out into the street right-of-way, including alleys, are prohibited except for single-unit dwellings and duplexes.

### 4. Driveway Dimensions.

a. One-Way Driveways. One-way driveways serving two garage or parking spaces or less shall have a minimum width of 12 feet. One-way driveways serving three or more garage or parking spaces shall have a minimum width of 24 feet.

b. Two-Way Driveways. Two-way driveways shall have a minimum width of 25 feet.

c. Fire Access. The minimum width of driveways providing required access for Fire Department vehicles shall be 26 feet.

C. Size and Dimensions of Parking Spaces and Maneuvering Aisles.

1. Parking Space Minimum Dimensions. Parking spaces shall meet the minimum dimensions established in Table 14.09.230.B, Parking Space Minimum Dimensions. For parking facilities with less than 20 spaces, a maximum of 40 percent of required spaces may be compact spaces. For parking facilities with 20 spaces or more, a maximum of 50 percent of required spaces may be compact spaces.

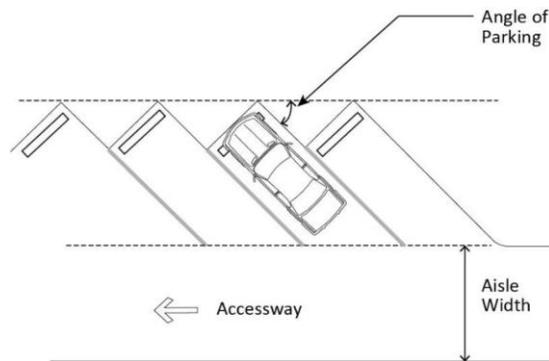
**TABLE 14.09.230.B: PARKING SPACE MINIMUM DIMENSIONS**

Type of Parking Space	Width (feet)	Stall Depth/Length (feet)
Standard	9	18
Type of Parking Space	Width (feet)	Stall Depth/Length (feet)
Compact	9	16
Parallel	10	24
Accessible	Compliant with the California Building Code	

2. Maneuvering Aisle Minimum Dimensions. Maneuvering aisles shall meet the minimum dimensions established in Table 14.09.230.C, Drive Aisle Minimum Dimensions. Screening walls, roof support posts, columns, or other structural members shall not intrude into the required dimensions for parking spaces.

**TABLE 14.09.230.C: DRIVE AISLE MINIMUM DIMENSIONS**

Angle of Parking	One-Way Aisle Width (feet)	Two-Way Aisle Width (feet)
0 degrees (Parallel)	12	18
1 – 30 degrees	14	18
31 – 45 degrees	14	18
46 – 60 degrees	16	18
61 – 75 degrees	18	25
76 – 90 degrees	25	25



**FIGURE 14.09.230.D: DIMENSIONS OF PARKING SPACES AND DRIVE AISLES**

D. Striping, Marking, and Painting. Parking and loading areas, drive aisles, approach lanes, etc., shall be striped, marked, signed, and maintained in conformance with City standards. The decision maker may require the installation of additional striping and marking to facilitate safe and efficient traffic movement on and off site.

E. Curbing. A continuous, permanent curb at least six inches high and six inches wide shall be provided at least three feet from any wall, fence, property line, walkway, or structure.

F. Heat Island Reduction. In order to reduce ambient surface temperatures in parking areas, at least 50 percent of the areas not landscaped shall be shaded, of light-colored materials with a solar reflectance index of at least 29, or a combination of shading and light-colored materials.

1. Shade may be provided by canopies, shade structures, trees, or other equivalent mechanisms. If shade is provided by trees, the amount of required shading is to be reached within 15 years.
2. Trees shall be selected from a list provided by the Director of Community Development.

G. Lighting. Parking and loading areas shall provide sufficient illumination for security and safety, in accordance with Chapter [14.09.240](#) of this code, Performance Standards. In addition, parking areas shall comply with the following:

1. Parking areas designed to accommodate 10 or more vehicles shall be provided with a minimum of one-half foot-candle and a maximum of 3.0 foot-candles of light over the parking surface during the hours of use from one-half hour before dusk until one hour till dawn.
2. Lighting shall be designed to direct light and glare away from any adjoining lots, residential areas, and public streets.
3. Lighting design shall be coordinated with the landscape plan to ensure that vegetation growth will not substantially impair the intended illumination.

H. Landscaping. Parking areas designed to accommodate five or more parking spaces shall be landscaped according to the general standards of Section [14.09.200.070](#), Landscaping, as well as the following standards. The decision maker may approve an adjustment to the below requirements upon finding that providing the required landscaping would block access to driveways, walkways, or joint access aisles; or that significant or unusual site constraints such as site configuration, natural features, or dedications of right-of-way prevent a project from being feasible.

1. Residential Uses.

- a. Perimeter Landscaping. A minimum width of five feet of landscaping shall be provided

between the parking area and any property line.

b. Interior Landscaping. In addition to the required perimeter landscaping, an additional five percent of the gross parking lot area shall be landscaped.

## 2. Nonresidential Uses.

### a. Perimeter Landscaping.

i. Adjacent to Residential Zoning District. A minimum width of 10 feet of perimeter landscaping shall be provided when adjacent to a residential zoning district.

ii. Other. A minimum width of five feet of perimeter landscaping shall be provided when adjacent to any other zoning district.

b. Interior Landscaping. In addition to the required perimeter landscaping, an additional five percent of the gross parking area shall be landscaped.

I. Fencing and Screening. Parking facilities for nonresidential uses established adjacent to a residential zoning district or residential property shall require screening a maximum of eight feet in height consisting of one or any combination of the methods listed below:

1. Masonry Walls. Solid, decorative walls consisting of brick, stone, stucco, or other quality durable material approved by the Director of Community Development.

2. Fences. Open fences of wrought iron or similar material combined with plant materials to form an opaque screen.

3. Plantings. Plant materials consisting of compact evergreen plants that form an opaque screen.

J. Drive-Through Facilities. Drive-through facilities shall be designed to be integrated with the surrounding parking areas. Queue lines shall contain stacking between the order board and pickup window for a minimum of four vehicles, with an additional minimum four vehicle stacking area in advance of the menu board. The decision maker may grant an exception to this requirement if the project proponent can demonstrate that the drive-through as proposed would not adversely affect the public health, safety, or welfare. Drive-through queue lines shall be screened from public streets with landscaped planter areas a minimum of 15 feet wide, or 10 feet wide if provided with a low wall.

K. Sight Distance. All parking and loading facilities shall be designed and constructed to provide adequate visibility at driveway and street intersections, in accordance with the provisions of Section [14.02.030.140](#), Measuring Intersection and Sight Distance Visibility.

L. Maintenance. Parking and loading facilities, including landscaped areas, shall be maintained free of refuse, debris, or other accumulated matter and shall always be kept in good repair.

## Chapter 14.09.270 Standards For Specific Uses and Activities

### Sections:

14.09.270.010	Purpose.
14.09.270.020	Applicability.
14.09.270.030	Accessory Uses.
14.09.270.040	Accessory Dwelling Units.
14.09.270.050	Adult-Oriented Businesses.
14.09.270.060	Alcoholic Beverage Sales.
14.09.270.070	Animal Keeping.
14.09.270.080	Commercial Cannabis Business Regulations.
14.09.270.090	Drive-Through Facilities.
14.09.270.100	Farmer's Market.
14.09.270.110	Heliports, Helistops, and Helicopters.
14.09.270.120	Home Occupations.
14.09.270.130	Outdoor Dining and Seating.
14.09.270.140	Outdoor Display and Sales.
14.09.270.150	Recycling Facilities.
14.09.270.160	Residential Uses in Commercial and Employment Districts.
14.09.270.170	Telecommunication Facilities.
14.09.270.180	Temporary Uses.
14.09.270.190	Urban Agriculture.
14.09.270.200	Low-Barrier Navigation Center Regulations.

### 14.09.270.010 Purpose.

[No Change]

### 14.09.270.020 Applicability.

[No Change]

### 14.09.270.030 Accessory Uses.

[No Change]

### 14.09.270.040 Accessory Dwelling Units.

A. Purpose. The California Legislature has declared that accessory dwelling units are a valuable and essential component of California's housing supply. Accessory dwelling units provide a form of lower cost housing to meet the needs of existing and future residents within existing neighborhoods, while respecting the character of the neighborhoods. The purpose of this section is:

1. To promote and encourage the creation of legal accessory dwelling units in a manner that enhances residential neighborhoods and helps residents meet their housing needs.
2. To provide the opportunity for the development of small rental housing units designed to meet the special housing needs of families and individuals.
3. To establish development requirements for the creation of accessory dwelling units.
4. To incorporate Section [65852.2](#) and [65852.22](#) of the California Government Code requirements regarding accessory dwelling units into the City's regulations and development standards.
5. To provide for the creation of **accessory dwelling units** and junior accessory dwelling units in **areas zoned to allow single-family or multifamily dwelling residential uses, residential zones and mixed-use zones.**

B. Number and Permitted Location.

1. One accessory dwelling unit is allowed in all areas zoned to allow single-family or multifamily dwelling residential uses ~~residential or mixed-use zoning districts where single-family dwellings are a permitted or conditional use~~ and where there is one an existing or proposed single-family dwelling on site, subject to the standards of this chapter. The accessory dwelling unit may be attached to, detached from, or located entirely within the living area of the existing primary single-family dwelling.
2. One junior accessory dwelling unit is allowed ~~in all residential or mixed-use zoning districts per lot zoned for single-family residences with a single-family residence built, or proposed to be built, on the lot where single-family dwellings are a permitted or conditional use and where there is one existing or proposed single-family dwelling on site~~, subject to the standards of this chapter. A junior accessory dwelling unit may be in addition to one approved accessory dwelling unit on that site. Junior accessory dwellings are not permitted within multifamily dwelling structures or sites.
3. Accessory dwelling units may be created within a multifamily dwelling in all residential and mixed use zones provided they are created outside of the living area of any dwelling unit, such as within storage rooms, boiler rooms, passageways, attics, basements, or garages. This does not include closets, family/living rooms, or hallways within any dwelling unit. The maximum number of accessory dwelling units allowed within each multifamily dwelling is one or 25 percent of the number of existing apartments within the multifamily dwelling, whichever is greater.
4. Up to two detached accessory dwelling units are allowed on a lot that has an existing multifamily dwelling provided the accessory dwelling units do not exceed 16 feet in height for a detached accessory dwelling unit on a lot with an existing or proposed multifamily dwelling unit or 18 feet in height for a detached accessory dwelling unit on a lot with an existing or proposed multifamily, multistory dwelling.
5. An accessory dwelling unit shall not count toward the minimum or maximum allowable density for the site upon which the accessory dwelling unit is located.

#### C. Process.

1. Ministerial Review. A request for an accessory dwelling unit or junior accessory dwelling unit shall be subject to ministerial review by the Community Development Director of Community Development for compliance with the provisions of this section. The Director of Community Development shall take action within 60 calendar days of receiving a complete application. If the applicant requests a delay, the 60-day time period shall be tolled for period of the delay. Approval shall be subject to the issuance of a building permit. The application shall clearly indicate that the request is for an accessory dwelling unit and/or a junior accessory dwelling unit.
2. Alternative Discretionary Review. When a request for an accessory dwelling unit does not comply with the provisions of this section, the applicant may elect to use any of the following alternative discretionary review processes:
  - a. If a proposed accessory dwelling unit does not meet the architectural development standards identified in this section, the applicant may elect to have the application reviewed using the discretionary design review process described in Chapter 14.09.290 of this code, Design Review. The decision maker may vary the architectural standards in this section provided the design review criteria are met.
  - b. If a proposed accessory dwelling unit is on any site that contains any resource listed in the California Register of Historic Resources or on any abutting site, the applicant ~~may shall elect to~~ have the application reviewed using the discretionary historic design review process described in Chapter 14.09.130 of this code, Historic Preservation (HP) Overlay District. The decision maker may shall allow exterior alterations to the building or site provided the applicable historic review criteria are met.
  - c. If a proposed accessory dwelling unit does not meet the yard, setback, height or site

coverage requirements in this section, the applicant may elect to apply for an administrative clearance process using the discretionary process described in Chapter 14.09280 of this code, Zoning Clearance, or a variance using the discretionary process described in Chapter 14.09.320 of this code, Variances.

~~d. Proposed accessory dwelling units in residential zoning districts that conditionally permit single family dwellings shall be subject to a conditional use permit process described in Chapter 14.09.300 of this code, Use Permits.~~

3. Alternative Concurrent Review. While accessory dwelling units and junior accessory dwelling units are subject to ministerial review, construction of structures that could later be eligible for conversion to accessory dwelling units may be subject to discretionary review processes such as design review, conditional use or planned development review. Normally these processes shall be completed prior to an applicant filing for an accessory dwelling unit or junior accessory dwelling unit. At the applicant's request, the applicant may choose to have the accessory dwelling unit, or junior accessory dwelling unit application reviewed concurrently with the discretionary review application. Such concurrent review does not change the standards, criteria, or process for review of the discretionary application.

#### D. Development Standards for Accessory Dwelling Units.

##### 1. Site Coverage.

###### a. New Construction and Additions.

i. New accessory dwelling units with 800 square feet or less gross floor area are not subject to site coverage standards;

ii. For any accessory dwelling unit with over ~~850~~ 800 square feet gross floor area proposed within a new detached structure or an addition to an existing structure that increases the site coverage of the lot, the maximum site coverage for all structures on the site shall be no more than 10 percent above the maximum allowable site coverage of the underlying district, as identified in Chapter 14.09.060 of this code, Residential Zoning Districts. For example, if the maximum allowable site coverage for a district is 40 percent, the maximum allowable site coverage may be up to 50 percent of the site covered for the purpose of constructing an accessory dwelling unit.

b. Converted Structures. Conversions of existing legally established structures to accessory dwelling units shall not be subject to nor required to meet site coverage standards.

##### 2. Rear Yard Coverage.

a. New accessory dwelling units with 800 square feet or less gross floor area are not subject to rear yard coverage standards.

b. The maximum required rear yard coverage for accessory dwelling units with over ~~850~~ 800 square feet gross floor area may be increased from 20 percent to no more than 35 percent for the purpose of constructing a new detached accessory dwelling within the required rear yard.

##### 3. Permitted Size.

a. Minimum Living Area. The minimum living area of an accessory dwelling unit shall be ~~150~~ 190 square feet.

b. Maximum Living Area. The maximum living area of accessory dwelling units shall not exceed the following:

i. If the accessory dwelling unit is detached: 1,200 square feet.

ii. If the primary dwelling has 1,700 square feet or less living area and an attached accessory dwelling unit provides one or fewer bedrooms: 850 square feet.

- iii. If the primary dwelling has 2,000 square feet or less living area and an attached accessory dwelling unit provides two or more bedrooms: 1,000 square feet.
- iv. In all other cases: 50 percent of the living area of the primary dwelling or 1,200 square feet, whichever is less.

c. When calculating the maximum permitted living area of the accessory dwelling unit, the size of the primary dwelling is the total of the living area of the primary dwelling after creation of the proposed accessory dwelling unit.

d. In all cases, the smaller dwelling unit shall be considered the accessory dwelling unit, and the larger unit shall be considered the primary dwelling unit.

#### 4. Yard, Setback, and Height Requirements.

##### a. New Detached Accessory Dwelling Units.

i. A height of 16 feet or less for new detached accessory dwelling units on a lot with an existing or proposed single family or multifamily dwelling unit measuring 12 feet or less in height shall meet the setbacks applicable to accessory structures on that site, or four feet side and rear yard setbacks, whichever is less.

ii. A height of 18 feet or less for new detached accessory dwelling units on a lot with an existing or proposed single family or multifamily dwelling unit that is within one-half mile walking distance of a major transit stop or a high-quality transit corridor (Public Resources Code Section 21155) shall meet the setbacks applicable to accessory structures on that site, or four feet side and rear yard setbacks, whichever is less. An additional two feet in height is permitted, for a height of 20 feet or less, to accommodate roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.

iii. A height of 18 feet or less for new detached accessory dwelling units on a lot with an existing or proposed multifamily, multistory dwelling shall meet the setbacks applicable to accessory structures on that site, or four feet side and rear yard setbacks, whichever is less.

iv. New detached accessory dwelling units measuring over 16, 18, 12 feet, or 20 feet if accommodating roof pitch, in height shall meet the yard, setback, and height standards otherwise applicable to the primary dwelling on that site, as identified in Chapter [14.09.060](#) of this code, Residential Zoning Districts, or four feet side and rear yard setbacks, whichever is less.

##### b. New Attached or Expanded Accessory Dwelling Units.

i. Building additions to a primary single-family dwelling to accommodate an accessory dwelling unit shall meet the yard, setback, and height standards otherwise applicable to a residential addition to the primary single-family dwelling in that district, or four-foot side and rear yard setbacks, or a height of 25 feet, whichever is less.

ii. A building addition to an existing secondary structure or accessory structure on the same lots as a primary single-family dwelling to accommodate an accessory dwelling unit measuring 12 feet or less in height shall meet the yard and setback requirements otherwise applicable to accessory structures on that site, or a minimum four-foot side setback and rear setback; whichever is less.

iii. A building addition to an existing secondary structure or accessory structure on the same lots as a primary single-family dwelling to accommodate an accessory dwelling unit that exceeds 12 feet in height shall meet the yard, setback, and height standards otherwise applicable to the primary single-family dwelling on that site or a minimum four-foot side setback and rear setback; whichever is less.

iv. A building addition to multifamily dwelling or to an existing secondary structure or accessory structure on the same lot as multifamily dwelling to accommodate an accessory dwelling unit shall meet the yard, setback, height, and other requirements that would otherwise be required for an addition adding living area to the dwelling or structure.

c. Conversions of Existing Structures to Accessory Dwelling Units.

i. Accessory dwellings units that are created within the existing primary dwelling or within an accessory structure or secondary structure on the same lot as the primary dwelling are not subject to additional height or setback requirements.

ii. Illegally constructed structures may not be converted to an accessory dwelling unit.

iii. Removal of an existing structure and replacement with a new structure housing an accessory dwelling unit in the same location and to the same dimensions as existing structure is not subject to additional yard, setback or height requirements. Any other replacement is subject to the yard, setback, and height requirements applicable to new detached or attached accessory dwelling units, as applicable, and as described above. Removal of an existing structure includes removal of the walls or roof structure existing as of the effective date.

5. Independent Entrance. All accessory dwelling units shall have exterior access independent from the primary dwelling.

6. Architectural Requirements. The following architectural requirements apply to new detached accessory dwelling units and new or expanded accessory dwelling units in building additions:

a. The accessory dwelling shall be constructed with the same roofing and siding materials and colors as the primary dwelling.

b. The entrance to the accessory dwelling unit shall not be on the same building frontage as the entrance to the primary dwelling unless the proposed accessory dwelling unit has no other exterior wall that could accommodate an entrance in compliance with all applicable standards. In such cases, the entrance door shall be painted to match the color of the adjoining wall.

c. The roof pitch shall be the same as the roof pitch existing on at least 25 percent of the primary dwelling.

d. Trim around windows and doors shall be same style as the trim around windows and doors on the primary dwelling.

e. Exterior stairways leading to an accessory dwelling unit shall not be constructed in the required front yard for the underlying zoning district and shall be set back a minimum of four feet from any side or rear property line.

7. Manufactured Homes. A manufactured home may be used as an accessory dwelling unit provided it meets the standards for new detached accessory dwelling units in this section, including the yard, setback, height, and architectural requirements. The manufactured home shall be constructed on a permanent foundation. Other types of portable or temporary housing, such as mobile homes, recreational vehicles, or tents may not be used as accessory dwelling units.

8. Fire Sprinklers. Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary dwelling.

9. Landscaping. Accessory dwelling units shall meet the landscaping standards of Chapter [14.09.060](#) of this code, Residential Zoning Districts.

10. Historic Resources. For any accessory dwelling unit proposed on or adjacent to any property that is listed in the California Register of Historic Resources, the following additional requirements apply:

- a. If the unit is created entirely within an existing historic structure, exterior changes to that structure shall be limited to creation of required openings, stairs, and landings. Such changes shall duplicate the style of existing features on the structure.
- b. If the unit is attached to an existing historic structure, new exterior features shall be designed to duplicate and continue the exterior features and materials of the existing structure. The roofline of the addition shall be a continuation of the roof line of the existing structure or be below the roof line of the existing structure. The existing structure shall not be modified except to provide required attachments.
- c. If the unit is created within a new detached structure on a site containing a historic resource, the structure shall either be constructed to duplicate the architectural style and materials of the existing or a prior structure on the site.
- d. If the unit is created on a site adjacent to a historic property and would be visible from the historic property, the unit shall be located as far as possible from the property line of the historic property and still meet the standards of this chapter.

#### E. Parking Requirements for Accessory Dwelling Units.

1. Each accessory dwelling unit shall provide a minimum of one parking space per accessory dwelling unit, except in any instances where parking for the accessory dwelling unit is not required by state law, including:

- a. The accessory dwelling unit is located within one-half mile walking distance of public transit, as defined in Government Code Section [65852.2\(j\)](#)(~~10~~ [11](#)).
- b. The accessory dwelling unit is located within an architecturally and historically significant historic district.
- c. The accessory dwelling unit is part of the existing primary dwelling or an existing accessory structure or secondary structure.
- d. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
- e. When there is a car share vehicle located within one block of the accessory dwelling unit.
- f. The accessory dwelling unit is a studio unit.
- g. When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family dwelling or a new multifamily dwelling on the same lot, provided that the accessory dwelling unit or the parcel satisfies any other criteria listed sub-section.

2. Required parking spaces may be provided as tandem parking on an existing driveway and in setback areas.

3. Parking shall be provided for the primary dwelling in accordance with Chapter [14.09.230](#), Parking and Loading. However, when a garage, carport, or covered parking structure is demolished in conjunction with an accessory dwelling unit or converted to an accessory dwelling unit, there shall be no requirement to replace the off-street parking spaces.

#### F. Owner Occupancy and Deed Restrictions for Accessory Dwelling Units.

1. For any permit for an accessory dwelling unit issued on or after January 1, 2025, on a lot that includes a proposed or existing single-family dwelling, either the primary single-family dwelling unit or the accessory dwelling unit shall be occupied by owner of the site upon which the accessory dwelling unit is located. In the event ownership is through a trust, partnership (general, limited, limited liability, or limited liability limited), joint venture, company (limited liability or corporation), nonprofit, or some other form of ownership other than personal individual ownership, the term "owner" shall mean such individual person designated by the trust, partnership, company, or other form of ownership to reside

within either the primary single-family dwelling unit or the accessory dwelling unit. For purposes of this section, such designated person shall have an equitable interest in the trust, partnership, company, or other form of ownership at all times in order to meet the definition of the term "owner." The owner of the site shall present satisfactory evidence to the Director of Community Development of the appointment of such designated individual person prior to the occupancy of the primary dwelling unit or the accessory dwelling unit.

2. The accessory dwelling unit shall not be rented, occupied, or offered for rental or occupancy for periods of less than 31 calendar days.

3. The accessory dwelling unit shall not be sold independently of the primary dwelling on the site.

4. For any permit subject to subsection A of this section, the property owner shall record a deed restriction in the official records of Solano County, California, which includes substantially the following restriction:

*The premises include an accessory dwelling unit. In order to use the accessory dwelling unit as a dwelling, the property owner shall reside in as a principal residence, either the primary single-family dwelling or the accessory dwelling unit. If neither the primary single-family dwelling nor the accessory dwelling unit is occupied by the property owner, then the accessory dwelling unit may not be rented, leased, or occupied as a separate dwelling unit. The accessory dwelling unit shall not be rented, occupied, or offered for rental or occupancy for a period of less than 31 calendar days. The accessory dwelling unit shall not be sold independently of the primary single-family dwelling on the premises.*

5. The applicant shall submit proof of deed restriction recordation to the Director of Community Development prior to receiving final building permit inspection and prior to occupancy.

#### G. Standards for Junior Accessory Dwelling Units.

1. A junior accessory dwelling unit shall be constructed within the walls of the existing or proposed or existing single-family residence.

2. The junior accessory dwelling unit shall not exceed 500 square feet gross floor area.

3. The junior accessory dwelling unit shall have a separate entrance from the main entrance to the proposed or existing single-family dwelling.

4. The junior accessory dwelling unit shall include an efficiency kitchen, which shall include the following:

a. A cooking facility with appliances;

b. At least one food preparation counters that is at least two square feet and total preparation counter area of no more than 100 square feet; and

c. Storage cabinet space totaling at least two cubic feet and not more than 250 cubic feet.

5. Additional parking is not required for the creation of the unit.

6. For any junior accessory dwelling unit, the owner shall occupy the junior accessory dwelling unit or the remaining portion of the single-family dwelling or an accessory dwelling unit, if one exists; unless the owner is another governmental agency, land trust, or housing organization. The term "owner" shall have the same meaning as in subsection A.(1) of this section. The owner shall record a deed restriction in the official records of Solano County, California, that includes substantially the following restriction:

*The single-family dwelling on the premises includes a junior accessory dwelling unit. In order to*

*allow occupancy of the junior accessory dwelling unit, the property owner shall reside in the single-family dwelling or the junior accessory dwelling unit. If the property owner does not reside in the single-family dwelling or the junior accessory dwelling unit, then the junior accessory dwelling unit may not be rented, leased, or occupied as a separate dwelling unit. The junior accessory dwelling unit shall not be rented, occupied, or offered for rental or occupancy for a period of less than 31 calendar days. The junior accessory dwelling unit shall not be sold independently of the single-family dwelling on the premises. The junior accessory dwelling unit may not be expanded or modified except as allowed by the laws of the City and State of California. This deed restriction may be enforced against future purchasers.*

H. Conflicts and Interpretations of State Law. This chapter is intended to be consistent with the provisions of Government Code Sections [65852.2](#) and [65852.22](#). However, those sections contain a number of undefined terms, internally conflicting requirements, and requirements subject to multiple interpretations. In the event that a court of competent jurisdiction issues an opinion, the California Department of Housing and Community Development issues guidelines, or the California Legislature adopts amendments that modify, interpret or define requirements or terms, the Director of Community Development is authorized to issue an order consistent with that opinion, guidance, or modifications. Applications filed pursuant to this chapter will thereafter be reviewed for compliance with that order in lieu of any provision of this chapter determined to be in conflict with that opinion, guidance or modification.

I. Severability. This chapter is intended to be the ordinance providing for creation of accessory dwelling units as permitted by Government Code Section [65852.2\(a\)](#) and the ordinance providing for creation of junior accessory dwelling units as permitted by Government Code Section [65852.22\(a\)](#). If any section, subsection, phrase or clause of this chapter is for any reason held to be in conflict with state law, including any provision that would cause the ordinance otherwise to be null and void per Government Code Section [65852.2\(a\)\(4\)](#), such decision shall not affect the validity of the remaining portions of the ordinance codified in this chapter. The City Council hereby declares that it would have adopted this chapter and each section, subsection, phrase, or clause thereof irrespective of the fact that anyone or more sections, subsections, phrases, or clauses be declared in conflict with state law.

**14.09.270.050 Adult-Oriented Businesses.**

[No Change]

**14.09.270.060 Alcoholic Beverage Sales.**

[No Change]

**14.09.270.070 Animal Keeping.**

[No Change]

**14.09.270.080 Commercial Cannabis Business Regulations.**

[No Change]

**14.09.270.090 Drive-Through Facilities.**

[No Change]

**14.09.270.100 Farmer's Market.**

[No Change]

**14.09.270.110 Heliports, Helistops, and Helicopters.**

[No Change]

**14.09.270.120 Home Occupations.**

[No Change]

**14.09.270.130 Outdoor Dining and Seating.**

[No Change]

**14.09.270.140 Outdoor Display and Sales.**

[No Change]

**14.09.270.150 Recycling Facilities.**

[No Change]

**14.09.270.160 Residential Uses in Commercial and Employment Districts.**

[No Change]

**14.09.270.170 Telecommunication Facilities.**

[No Change]

**14.09.270.180 Temporary Uses.**

[No Change]

**14.09.270.190 Urban Agriculture.**

[No Change]

**14.09.270.200 Low-Barrier Navigation Center Regulations.**

[No Change]

**14.09.270.210 Agricultural Employee Housing**

- A. Purpose. The purpose of this section is to establish a streamlined, ministerial approval process for employee housing in a manner that is consistent with the requirements and allowances of state law, specifically Health and Safety Code Section 17021.8 (Employee Housing Act).
- B. Applicability. To be eligible for streamlined approval under this section, an agricultural employee housing development must meet all the following requirements:
1. The development is located on land designated as agricultural in the City of Vacaville General Plan.
  2. The development is not located on a site that is any of the following;
    - a. Within the coastal zone, as defined in Division 20 (commencing with Section 30000) of the Public Resources Code.
    - b. Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).
    - c. Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178 of the Government Code, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code.
    - d. A hazardous waste site that is listed pursuant to Section 65962.5 of the Government Code or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Article 5 (commencing with Section 78760) of Chapter 4 of Part 2 of Division 45, unless the Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.
    - e. Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901)), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2 of the Government Code.
    - f. Within a flood plain as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has been issued a flood plain development

permit pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.

- g. Within a floodway as determined by maps promulgated by the Federal Emergency Management Agency.
  - h. Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.
  - i. Lands under conservation easement. For purposes of this section, "conservation easement" shall not include a contract executed pursuant to the Williamson Act (Chapter 7 (commencing with Section 51200) of Division 1 of Title 5 of the Government Code).
  - j. Lands with groundwater levels within five feet of the soil surface and for which the development would be served by an onsite wastewater disposal system serving more than six family housing units.
- 3. The development has adequate water and wastewater facilities and dry utilities to serve the project.
  - 4. The development is located:
    - a. Within one-half mile of a duly designated collector road with an Average Daily Trips (ADT) of 6,000 or greater; or
    - b. Adjacent to a duly designated collector road with an ADT of 2,000 or greater.
  - 5. The development provides one parking space per unit, or as based upon demonstrated need; provided, that these standards do not require more parking than other residential uses of similar size within the jurisdiction.
  - 6. The development is an eligible agricultural employee housing development as defined in Health and Safety Code Section 17021.8.

#### **14.09.270.220 Single Room Occupancy Units**

- A. Purpose and Applicability. The purpose of this section is to establish standards and regulations for Single Room Occupancy (SRO) units.
- B. Definitions. "Single Room Occupancy" means a facility providing six or more dwelling units where each unit has a minimum floor area of one hundred fifty (150) square feet and a maximum floor area of four hundred (400) square feet. These dwelling units may have kitchen or bathroom facilities and shall be offered on a monthly basis or longer.
- C. Development Standards. Each SRO facility shall comply with all applicable development standards for the applicable zoning district and minimum standards contained herein below. In the event of a conflict between these standards and the underlying zoning district standards, the provisions of this section shall apply.
  - 1. Unit Size. The minimum size of a unit shall be one hundred fifty (150) square feet and the maximum size shall be four hundred (400) square feet.
  - 2. Bathroom Facilities. An SRO unit is not required to but may contain partial or full bathroom facilities. A partial bathroom facility shall have at least a toilet and sink; a full facility shall have a toilet, sink, and bathtub, shower, or bathtub/shower combination. If a full bathroom facility is not provided, common bathroom facilities shall be provided in accordance with California Building Code for congregate

residences with at least one full bathroom per every three units on a floor.

3. Kitchen. An SRO unit is not required to but may contain partial or full kitchen facilities. A full kitchen includes a sink, a refrigerator, and a stove, range top, or oven. A partial kitchen is missing at least one of these appliances. If a full kitchen is not provided, common kitchen facilities shall be provided with at least one full kitchen per floor.
4. Closet. Each SRO shall have a separate closet.
5. Common Area. A minimum of four (4) square feet of interior common space per unit shall be provided, or 200 square feet, whichever is greater, excluding shared bathrooms, kitchen, storage, laundry facilities, and common hallways. Dining rooms, meeting rooms, recreational rooms, and other similar areas may be considered interior common space. All common areas shall be fully accessible.
6. Laundry Facilities. Laundry facilities shall be provided in a separate room at the ratio of one (1) washer and one (1) dryer for every ten (10) units, with at least one (1) washer and one (1) dryer per floor.
7. Utility Closet. One utility closet or cleaning supply room with a wash tub and hot and cold running water shall be provided on each floor.
8. Management. An SRO facility with ten (10) or more units shall provide a management office on-site. An SRO facility with less than ten (10) units may provide a management office off-site.
9. Parking. One parking space per unit shall be provided, plus an additional space for an on-site manager.
10. Code Compliance. All SRO units shall comply with all requirements of the California Building Code.
11. Accessibility. All SRO facilities shall comply with all applicable ADA accessibility and adaptability requirements.

## Chapter 14.09.300 Use Permits

### Sections:

- 14.09.300.010 Purpose.**
- 14.09.300.020 Applicability.**
- 14.09.300.030 Decision Maker.**
- 14.09.300.040 Procedures.**
- 14.09.300.050 Use Permit Findings.**

### **14.09.300.010 Purpose.**

This chapter establishes a process to permit discretionary land use applications for uses that are generally consistent with the goals, objectives, and policies of the General Plan, and the purposes of the district where they are proposed, and that require special consideration and specific conditions of approval applied (e.g., operational limitations and design requirements) to minimize potential impacts that may otherwise result from a land use, and to ensure that they can be designed, located, and operated in a manner that will be compatible with the surrounding area and consistent with the zoning district and the General Plan.

### **14.09.300.020 Applicability.**

A. A use permit is required for uses specifically identified in Part II, District Regulations, of Division 14.09, and/or any other part of the Zoning Ordinance which requires a use permit.

1. Minor Use Permit. A minor use permit (MUP) is required for land uses that have a limited scope or less potential for land use incompatibility impacts.
2. Conditional Use Permit. A conditional use permit (CUP) is required for land uses that may result in potentially significant land use incompatibility impacts.

B. Use permits apply to and run with the land where the use and/or development is approved. If a use was legally established as permitted use, and now requires a use permit the use is considered a nonconforming use. Once a land use approved with a use permit has been legally established and activated the use permit shall remain in effect (regardless of ownership), unless or until either of the following occurs:

1. There is a change in use to a use not entitled by the applicable use permit; or
2. The use is discontinued for a period of one year.

### **14.09.300.030 Decision Maker.**

A. Director. The Director of Community Development shall act as the decision maker for minor use permits based on consideration of the requirements of this chapter. The Director of Community Development may refer an application for a minor use permit to the Planning Commission where the project involves a significant policy issue.

B. Planning Commission. The Planning Commission shall act as the decision maker for conditional use permits based on consideration of the requirements of this chapter.

### **14.09.300.040 Procedures.**

A. Application. The provisions set forth in Section [14.09.030.030](#), Application Forms and Fees, apply to applications and fees for a use permit and shall be submitted in accordance with the provisions set forth in Section [14.09.030.030](#), Application Forms and Fees. In addition, the application for a use permit shall demonstrate that the request conforms to the required findings set forth in Section [14.09.310.050](#),

### Adjustment Review Findings.

B. Public Notice. An application for a use permit shall require a public notice, pursuant to Section [14.09.030.070](#), Public Notice.

C. Public Hearing. An application for a minor use permit shall require a noticed public hearing held by the Director of Community Development. An application for a conditional use permit shall require a public hearing before the Planning Commission.

D. Decision. The decision maker must make a determination that the application for a use permit is in compliance with the applicable use permit findings. The decision maker shall deny an application for a use permit if it is unable to make a determination that a project complies with any of the use permit findings, in which case it shall state the reasons for that determination.

### **14.09.300.050 Use Permit Findings.**

The decision maker shall approve, conditionally approve, or deny a minor or conditional use permit application, based on the following findings:

A. That the subject site is suitable for the type and intensity of the proposed use or development ~~proposed, meaning that the proposed use or development can meet the applicable requirements of the zoning ordinance including development standards, design guidelines, special use provisions, and supplemental regulations are compatible with adjacent uses or with natural resources;~~

B. The operating characteristics of the proposed use, including traffic, noise, light, and others, will be ~~of with conditions of approval applied, or has been conditioned to be,~~ in compliance with performance standards, mitigation programs and other development requirements, as applicable and as outlined in the Municipal Code or City policies, including Section 14.13.180 (Traffic Mitigation), Section 14.03 (Environmental Review), and Section 14.09.240 (Performance Standards), which will ensure that the use will be in keeping with the character of the neighborhood and other adjacent uses or uses in the vicinity;

C. The proposed improvements of the site, including building design, height and bulk of buildings, setbacks, fencing, landscaping, signage size and location meet the applicable requirements of the zoning ordinance, including development standards, design guidelines, special use provisions, and supplemental regulations, which ensures compatibility, ~~are compatible with, or can be made-compatible with by conditions of approval applied to~~ with the surrounding neighborhood;

D. That the proposed use shall not result in conditions that would be detrimental to the public health, safety, or welfare of the community;

E. ~~All required Adequate~~ public facilities and services have adequate capacity and are available to serve the proposed use or will be made available concurrent with the proposed development;

F. Allowing the proposed use at the proposed location would be consistent with and help achieve the goals, objectives, and policies of the City General Plan and the Land Use and Development Code, including the applicable zoning district; and

G. The project would not result in a negative effect to the City's land use inventory available for residential and economic development, consistent with the intent of the City's General Plan Land Use Element or Housing Element.

## Chapter 14.09.310 Adjustments

### Sections:

- 14.09.310.010 Purpose.**
- 14.09.310.020 Applicability.**
- 14.09.310.030 Decision Maker.**
- 14.09.310.040 Procedures.**
- 14.09.310.050 Adjustment Review Findings.**
- 14.09.310.060 Conditions of Approval.**

### **14.09.310.010 Purpose.**

This chapter establishes the procedure for granting relief to property owners from codified locational, developmental, and operational standards to allow limited adjustment to zoning standards on specific sites to accommodate an owner's desired use and development of property where allowing the adjustment would be consistent with and not compromise the intent and purpose of the goals, objectives, and policies of the General Plan, and the standards in the Zoning Ordinance and the Land Use and Development Code.

### **14.09.310.020 Applicability.**

Adjustments to adopted standards apply to limited special circumstances where discretionary review is warranted, but the situation does not meet the requirements of a variance based on physical hardship. Adjustments may be applied to the following standards:

#### A. Adjustments in Standards.

1. Front Yard Setback. Up to a 25 percent reduction with a minimum of 18 feet for front-entry garages, and structures above the first floor in single-family residential districts. Exception: not applicable in residential districts with a 15-foot front setback, and to unenclosed porches that have a 10-foot front setback.
2. Side Yard Setback and Setbacks Between Buildings. Up to a 20 percent decrease, with a minimum of five feet for side yards. Exception: not applicable to balconies or additions above the first floor.
3. Rear Yard Setback. Up to a 25 percent reduction. Exception: not applicable to street side yard setbacks, balconies or additions above the first floor unless adjacent to public open space.
4. Miscellaneous.
  - a. Driveways Width Reduction. Up to a 20 percent reduction in required driveway width;
  - b. Deck Setback Reduction (for Structures 18 to 30 Inches Above Grade). Up to 20 percent reduction of side or rear yard setbacks;
  - c. Fence Height Increase. Up to a two-foot increase in height above maximum fence height permitted; and
  - d. Lot Coverage Increase. Up to a 10 percent increase in maximum lot coverage for accessory structures or additions.

### **14.09.310.030 Decision Maker.**

The Director of Community Development shall act as the decision maker for adjustments. Decisions of the Director of Community Development may be appealed to the Planning Commission per Section 14.090.030.120, Appeals.

#### **14.09.310.040 Procedures.**

A. Application. An application for an adjustment shall be filed with the Director of Community Development on the prescribed application forms in accordance with the procedures in Section [14.09.030.030](#), Application Forms and Fees. In addition, the application for an adjustment shall include a statement showing how the applicant contends the request meets the applicable criteria set forth in Section [14.09.310.050](#), Adjustment Review Findings.

B. Public Notice. An application for an adjustment shall require a public notice prior to the Director of Community Development decision, pursuant to Section [14.09.030.070](#), Public Notice.

C. Public Hearing. An application for an adjustment shall require a public hearing before the Director of Community Development.

D. Decision. After conducting a public hearing, the decision maker must make all the findings set forth in Section [14.09.310.050](#), Adjustment Review Findings, to approve or conditionally approve an adjustment application. The decision maker shall deny an application for an adjustment if it is unable to make any of the required findings, in which case it shall state the reasons for that determination.

#### **14.09.310.050 Adjustment Review Findings.**

The decision maker shall approve, approve with conditions, or deny the adjustment request based on the following findings:

~~A. The adjustment would allow reasonable use of property consistent with the overall objectives of the General Plan and Zoning Ordinance;~~

B. The adjustment would meet all other applicable requirements of the zoning ordinance and thus would not result in an undue impact on surrounding properties;

~~C. The adjustment would not compromise the health, safety or welfare of City residents or businesses;~~

~~D. The adjustment would allow efficient use of the property, while maintaining adequate amenities, including parking spaces, outdoor recreational space, on-site storage, etc.;~~

E. The adjustment would not allow a use or activity which is not otherwise expressly authorized by the applicable regulations governing the subject property and thus would maintain neighborhood compatibility;

F. There are no alternatives to the requested adjustment that could is the minimum necessary to accommodate ~~reasonable the owner's desired~~ use of the property; and

G. The adjustment would result in enhanced, improved or mitigating features, including but not limited to additional living area, improved parking area, increased security, improved or additional landscaping, recreational, architectural detailing, materials, treatments, or finishes, and walkways, efficient site use, building design excellence, additional landscaping, etc.

#### **14.09.310.060 Conditions of Approval.**

Land uses and/or developments with an approved adjustment must comply with this section, as well as applicable standard conditions of approval and any site specific conditions of approval that may be applied to a project by the decision maker to ensure the use or development meets all the required findings in accordance with Section [14.09.310.050](#), Adjustment Review Findings.