

Part II: Base and Overlay Districts

Article 8 Buffer District (B)

Sections:

15-801	Purpose
15-802	Use Regulations
15-803	Density and Massing Development Standards
15-804	Additional Development Standards

15-801 Purpose

The Buffer (B) District is intended to separate urban uses from commercial agricultural uses to preserve long-term viable agricultural areas and intensive farming operations in adjacent areas. The Buffer District serves to prevent urban residential and related uses from developing near agricultural operations, and thereby infringing on full operation of farmland of importance. Allowable uses include environmental habitat; water conveyance, retention, and recharge; preservation and preparation of gravel resources; beneficial uses related to permanent water resource facilities; limited agriculture and necessary supportive uses, such as agricultural processing (not including animal processing or rendering, nor uses that have the potential to create obnoxious noise, odor, etc.); and residential uses with 20 acres of land required per residence.

15-802 Use Regulations

A. Table 15-802 prescribes the land use regulations for the Buffer District. The regulations for the district are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.

“P” designates permitted uses.

“C” designates uses that are permitted after review and approval of a Conditional Use Permit.

“(#)” numbers in parentheses refer to specific limitations listed at the end of the table.

“-” designates uses that are not permitted.

B. Land uses are defined in Article 67, Use Classifications.

C. In cases where a specific land use or activity is not defined, the Director shall assign the land use or activity to a classification that is substantially similar in character per Section 15-5020, Director’s Determination.

- D. All permitted uses are allowed either alone or in combination with other permitted uses unless otherwise stated in this Code.
- E. Use classifications and subclassifications not listed in the table or not found to be substantially similar to the uses below are not permitted.
- F. The table also notes additional regulations that apply to various uses. Section numbers in the right hand column refer to other sections of this Code.

TABLE 15-802: USE REGULATIONS—BUFFER DISTRICT		
<i>Use Classification</i>	<i>B</i>	<i>Additional Regulations</i>
Residential Use Classifications		
Residential Housing Types		
<i>Single-Unit Dwelling, Detached</i>	P	§15-2738, Manufactured Homes
<i>Second Dwelling Unit</i>	P	§15-2754, Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters
Adult Family Day Care		
<i>Small (6 clients or less)</i>	P	
Family Day Care		
<i>Small (8 children or less)</i>	P	§15-2725, Day Care Centers and Family Child Care Homes
Group Residential		
<i>Small (6 persons or less)</i>	P	
Residential Care Facilities		
<i>Residential Care, Limited</i>	P	
Public and Semi-Public Use Classifications		
Community Garden	P	§15-2720, Community Gardens / Urban Farms
Park and Recreation Facilities, Public	P	
Public Safety Facilities	C	
Commercial Use Classifications		
Animal Care, Sales and Services		
<i>Kennels</i>	C	
<i>Veterinary Services</i>	C	
Lodging		
<i>Bed and Breakfast</i>	P	§15-2713, Bed and Breakfast Lodging
Transportation, Communication, and Utilities Use Classifications		
Communication Facilities		
<i>Antenna and Transmission Towers</i>		See Section 15-2759, Telecommunications and Wireless Facilities
Utilities, Major	C	
Utilities, Minor	P	
Agricultural and Extractive Use Classifications		
Agricultural Labor Housing	P	
Agricultural Processing	C(1)	
Agricultural Support Services	P	
Animal Raising	C	

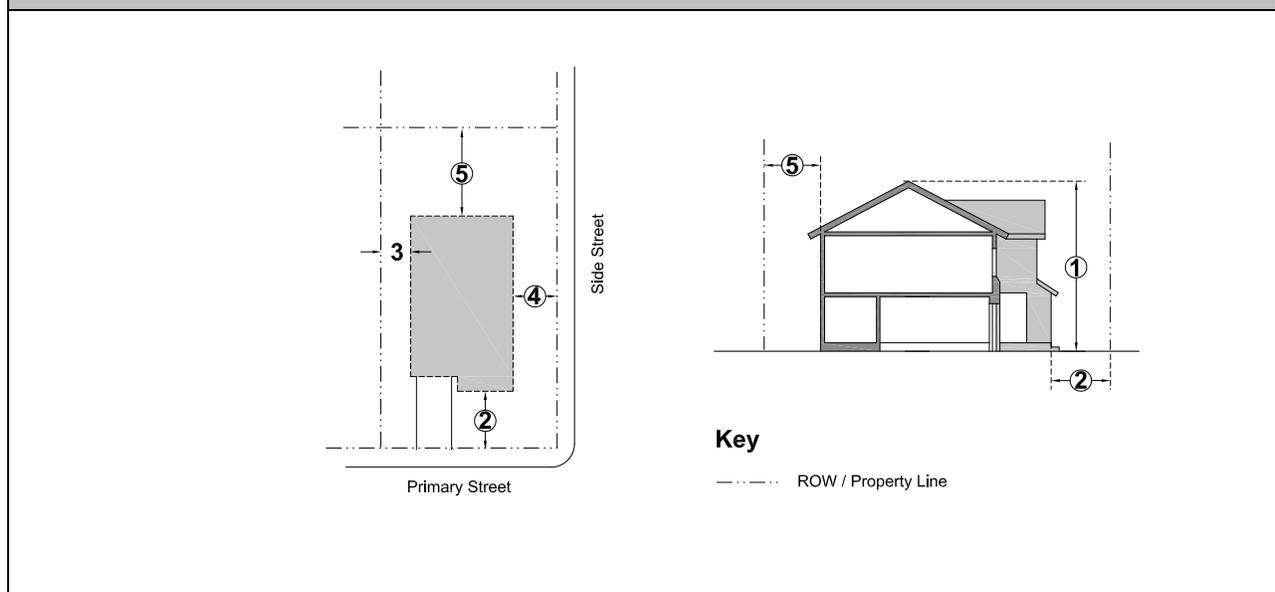
TABLE 15-802: USE REGULATIONS—BUFFER DISTRICT		
<i>Use Classification</i>	<i>B</i>	<i>Additional Regulations</i>
Crop Cultivation	P	§15-2716, Crop Cultivation
Dairy	P(1)	
Mining and Quarrying	C	
Produce Stand	P	§15-2752, Roadside Fruit Stands / Grower Stands
Sales Lot, Feed Lot, Stockyard	C	
Tasting Room	C	
Urban Farm	P	§15-2720, Community Gardens / Urban Farms
Other Applicable Types		
Accessory Uses and Structures		§15-2703, Accessory Uses
<i>Accessory Living Quarters</i>		§15-2754, Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters
Home Gardens		§15-2734, Home Gardens and Edible Landscaping
Home Occupations		§15-2735, Home Occupations
Animal Keeping		§15-2707, Animal Keeping
Non-Conforming Use		Article 4, Non-Conforming Uses, Structures, Site Features, and Lots
Temporary Use		§15-2760, Temporary Uses
Transitional and Supportive Housing		§15-2762, Transitional and Supportive Housing
Specific Limitations:		
1. Only on lots 40 acres or more in size.		

15-803 Density and Massing Development Standards

Tables 15-803-1 and 15-803-2 prescribe the density and massing development standards for the Buffer District. Additional regulations are denoted in a right hand column. Section numbers in this column refer to other sections of the Code, while individual letters refer to subsections that directly follow the table. The numbers in each illustration below correspond to the “#” column in the associated table. Drawings are for illustrative purposes and are not drawn to scale.

TABLE 15-803-1: LOT AND DENSITY STANDARDS—BUFFER DISTRICT			
<p>Standard Lot</p> <p>The diagram shows a rectangular lot with a dashed line representing the boundary. A solid line represents the building footprint. Dimension 1 is the width of the lot, and dimension 2 is the depth of the lot. The lot is adjacent to a Primary Street on the bottom and a Side Street on the right. A key indicates that dashed lines represent ROW / Property Line.</p>			
<i>District</i>	<i>B</i>	<i>Additional Regulations</i>	<i>#</i>
Maximum Density (du/lot)	1		
Minimum Lot Size (acres)	20		
Minimum Lot Width (ft.)	130		①
Minimum Lot Depth (ft.)	200		②

TABLE 15-803-2: BUILDING FORM AND LOCATION STANDARDS—BUFFER DISTRICT



District	B	Additional Regulations	#
Maximum Height (ft.)	35	§15-804-A, Additional Height for Agricultural-Related Structures §15-2012, Heights and Height Exceptions	①
Minimum Setbacks (ft.)			
Front	35	§15-313, Determining Setbacks and Yards, and §15-2014, Projections/Encroachments into Yards	②
Interior Side	20		③
Street Side	35		④
Rear	20		⑤
Maximum Lot Coverage (% of Lot)	5	§15-311, Determining Lot Coverage	

15-804 Additional Development Standards

A. **Additional Height for Agricultural-Related Structures.** The Director may approve Accessory Structures, up to a height of 75 feet, for agricultural-related structures, per the following standards:

1. The Accessory Structure shall be used only for agricultural products.
2. Any request to exceed the 35 foot maximum shall be subject to a flag test to be performed by the applicant, with a member of City staff in attendance.
3. There shall be no advertising on the structure.
4. Sight lines, shadows, and overall aesthetics shall be considered by the Director when over-height structures are proposed.

Article 9 Residential Single-Family Districts (RS)

Sections:

15-901	Purpose
15-902	Use Regulations
15-903	Density and Massing Development Standards
15-904	Site Design Development Standards
15-905	Façade Design Development Standards
15-906	Duplex and Multi-Unit Residential Standards

15-901 Purpose

The purposes of the Residential Single-Family (RS) Districts are to:

- A. Provide for a variety of single-family residences built to urban or suburban standards to suit a spectrum of individual lifestyles and needs, and to ensure availability throughout the city of the range of housing types necessary for all segments of the community, consistent with the General Plan.
- B. Enhance the character of the city's residential neighborhoods, while providing new opportunities for the development of a range of housing types throughout the city.
- C. Ensure that the scale and design of new development and alterations and additions to existing residences are compatible with the scale, mass, and character of their neighborhoods.
- D. Provide for appropriate densities within the ranges established in the General Plan.
- E. Protect the quality of the residential environment and secure the health, safety, and general welfare of the residents.
- F. Provide sites for neighborhood-serving uses such as parks, family day cares, libraries, and community facilities.
- G. Implement and provide appropriate regulations for General Plan classifications of "Low Density Residential," "Medium Low Density Residential," and "Medium Density Residential."

15-902 Use Regulations

- A. Table 15-902 prescribes the proposed land use regulations for Residential Single-Family Districts. The regulations for the districts are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.

"P" designates permitted uses.

"C" designates uses that are permitted after review and approval of a Conditional Use Permit.

“(#)” numbers in parentheses refer to specific limitations listed at the end of the table.

“-” designates uses that are not permitted.

- B. Land uses are defined in Article 67, Use Classifications.
- C. In cases where a specific land use or activity is not defined, the Director may assign the land use or activity to a classification, should a use be substantially similar in character per Section 15-5020, Director’s Determination.
- D. All permitted uses are allowed either alone or in combination with other permitted uses unless otherwise stated in this Code.
- E. Use classifications and subclassifications not listed in the table or not found to be substantially similar to the uses below are not permitted.
- F. The table also notes additional regulations that apply to various uses. Section numbers in the right hand column refer to other sections of this Code.

TABLE 15-902: USE REGULATIONS—RESIDENTIAL SINGLE-FAMILY DISTRICTS							
<i>District</i>	<i>RE</i>	<i>RS-1</i>	<i>RS-2</i>	<i>RS-3</i>	<i>RS-4</i>	<i>RS-5</i>	<i>Additional Regulations</i>
Residential Use Classifications							
Residential Housing Type							
<i>Single-Unit Dwelling, Detached</i>	P	P	P	P	P	P	§15-2738, Manufactured Homes
<i>Single-Unit Dwelling, Attached</i>	-	-	-	-	C	P	
<i>Second Dwelling Unit</i>	P	P	P	P	P	P	§15-2754, Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters
<i>Cottage Housing Development</i>	-	-	-	-	-	P	§15-2723, Cottage Housing Developments (Pocket Neighborhoods)
<i>Duplex</i>	-	-	-	-	-	C	§15-906, Duplex and Multi-Unit Residential Standards
<i>Multi-Unit Residential</i>	-	-	-	-	-	C	§15-906, Duplex and Multi-Unit Residential Standards
Adult Family Day Care							
<i>Small (6 clients or less)</i>	P	P	P	P	P	P	
<i>Large (7 to 12 clients)</i>	-	C	C	C	C	C	
Domestic Violence Shelter							
<i>Small (6 persons or less)</i>	P	P	P	P	P	P	
Family Day Care							
<i>Small (8 children or less)</i>	P	P	P	P	P	P	§15-2725, Day Care Centers and Family Child Care Homes
<i>Large (9 to 14 children)</i>	-	C	C	C	C	C	
Group Residential							
<i>Small (6 persons or less)</i>	P	P	P	P	P	P	
Residential Care Facilities							
<i>Residential Care, General</i>	-	C	C	C	C	C	
<i>Residential Care, Limited</i>	P	P	P	P	P	P	

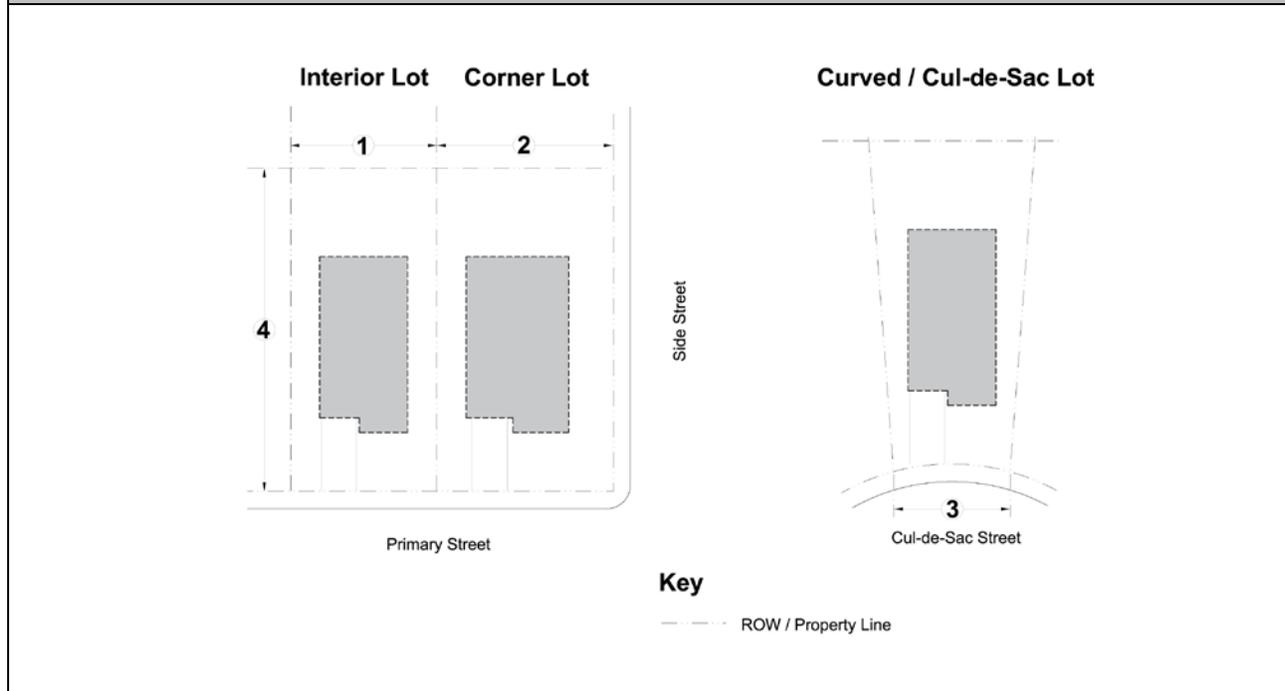
TABLE 15-902: USE REGULATIONS—RESIDENTIAL SINGLE-FAMILY DISTRICTS							
District	RE	RS-1	RS-2	RS-3	RS-4	RS-5	Additional Regulations
Public and Semi-Public Use Classifications							
Community and Religious Assembly (less than 2,000 square feet)	-	-	P	P	P	P	§15-2719, Community and Religious Assembly Facilities
Community and Religious Assembly (2,000 square feet or more)	-	-	C	C	C	C	
Community Garden	P	P	P	P	P	P	§15-2720, Community Gardens / Urban Farms
Cultural Institutions	-	-	-	C	C	C	
Day Care Centers	-	-	-	-	-	C	§15-2725, Day Care Centers and Family Child Care Homes
Park and Recreation Facilities, Public	C	C	C	C(1)	C(1)	C(1)	
Public Safety Facilities	C	C	C	C	C	C	
Schools, Public or Private	-	P	P	P	P	P	
Commercial Use Classifications							
Corner Commercial	-	-	-	-	P	P	§15-2722, Corner Commercial
Food and Beverage Sales							
<i>Farmer's Markets</i>	-	-	-	-	P(2)	P(2)	§15-2730, Farmer's Markets
Lodging							
<i>Bed and Breakfast</i>	P	P	P	P	P	P	§15-2713, Bed and Breakfast Lodging
Industrial Use Classifications							
Warehousing, Storage, and Distribution							
<i>Personal Storage</i>	-	-	-	C	C	C	§2747, Personal (Mini) Storage
Transportation, Communication, and Utilities Use Classifications							
Communication Facilities							
<i>Antenna and Transmission Towers</i>	See Section 15-2759, Telecommunications and Wireless Facilities						
Utilities, Minor	P	P	P	P	P	P	
Agricultural and Extractive Use Classifications							
Crop Cultivation	P	P	P	P	P	P	§15-2716, Crop Cultivation
Urban Farm	-	P	P	P	-	-	§15-2720, Community Gardens / Urban Farms
Other Applicable Types							
Accessory Uses and Structures	§15-2703, Accessory Uses						
<i>Accessory Living Quarters</i>	P	P	P	P	P	P	§15-2754, Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters
Home Gardens	§15-2734, Home Gardens and Edible Landscaping						
Home Occupations	§15-2735, Home Occupations						
Animal Keeping	§15-2708, Animal Keeping						
Non-Conforming Use	Article 4, Non-Conforming Uses, Structures, Site Features, and Lots						

TABLE 15-902: USE REGULATIONS—RESIDENTIAL SINGLE-FAMILY DISTRICTS							
<i>District</i>	<i>RE</i>	<i>RS-1</i>	<i>RS-2</i>	<i>RS-3</i>	<i>RS-4</i>	<i>RS-5</i>	<i>Additional Regulations</i>
Temporary Use	§15-2760, Temporary Uses						
Transitional and Supportive Housing	§15-2762, Transitional and Supportive Housing						
Specific Limitations:							
<ol style="list-style-type: none"> 1. Permitted without a Conditional Use Permit if less than 12,000 square feet in active use area and less than 500 square feet total floor area of all enclosed structures (i.e. bathrooms, community rooms, clubhouses, etc.). 2. Off-street Farmer’s Markets are permitted only on non-residential sites, such as schools and religious institutions. 							

15-903 Density and Massing Development Standards

Tables 15-903-1 through 15-903-2 prescribe the development standards for the Residential Single-Family Districts. Additional regulations are denoted in a right hand column. Section numbers in this column refer to other sections of the Code, while individual letters refer to subsections that directly follow the table. The numbers in each illustration below correspond to the “#” column in the associated table. Drawings are for illustrative purposes and are not drawn to scale.

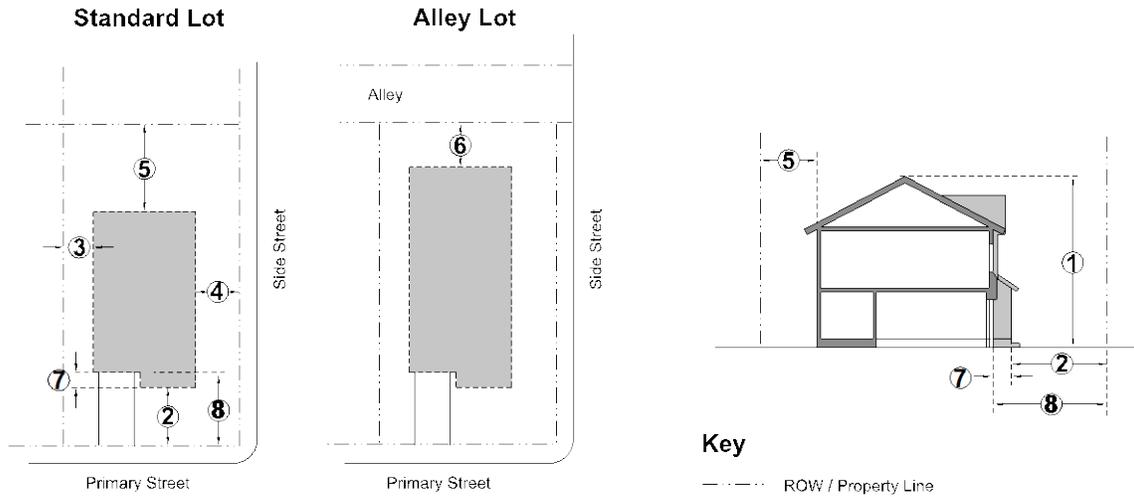
TABLE 15-903-1: LOT AND DENSITY STANDARDS—RESIDENTIAL SINGLE-FAMILY DISTRICTS



District	RE	RS-1	RS-2	RS-3	RS-4	RS-5	Additional Regulations	#
Minimum Lot Size (sq. ft.)	5 acres	36,000	20,000	9,000	5,000	4,000		
Minimum Lot Size, with Enhanced Streetscape (sq. ft.)	-	-	-	-	-	2,500 ¹	§15-904-B, Enhanced Streetscape	
Maximum Lot Size ²	-	-	-	32,000	9,000	6,500		
Residential Density (dwelling units per lot)	1	1	1	1	1	1	§15-310, Determining Residential Density	
Minimum Lot Width (ft.)								
<i>General Standard</i>	110	110	110	70	50	35		①
<i>Corner</i>	110	110	110	80	55	40		②
<i>Reversed Corner</i>	110	110	110	90	60	50		
<i>Where Side Property Line Abuts a Major Street, Freeway or Railroad</i>	160	160	130	90	70	60		
<i>Curved/Cul-de-Sac</i>	80	80	80	60	40	30		③
Minimum Lot Depth (ft.)								
<i>General Standard</i>	130	130	130	100	85	70		④
<i>Where Front or Rear Property Line Abuts a Major Street</i>	200	200	130	110	100	90		④
<i>Where a Front or Rear Property Line Abuts a Freeway or Railroad</i>	200	200	150	150	120	120		④

1. Provided that the overall density of the development does not exceed the approved General Plan densities.
 2. Maximum lot sizes may be exceeded in developments whose overall density does not fall below the approved General Plan density.

TABLE 15-903-2: BUILDING FORM AND LOCATION STANDARDS—RESIDENTIAL SINGLE-FAMILY DISTRICTS



District	RE	RS-1	RS-2	RS-3	RS-4	RS-5	Additional Regulations	#
Maximum Height (ft.)	35	35	35	35	35	35	§15-2012, Heights and Height Exceptions	①
Minimum Setbacks (ft.)								
Front	35	35	30	25	13	13	§15-313, Determining Setbacks and Yards §15-904-A, Additional Setback Regulations §15-904-B, Enhanced Streetscape §15-2004, Accessory Buildings and Structures §15-2014, Projections/Encroachments into Yards	②
Front, with Enhanced Streetscape	-	-	-	-	8	5		③
Interior Side	10	10	10	5	10 total, min. 4/side	8 total, min. 3/side		④
Street Side	35	25	25	20	10	10		⑤
Rear	20	20	20	20	10	10		⑥
Alley	20	20	20	5	5	-		⑦
Freeway/Railroad	50	50	50	50	50	50		⑧
Garage, from back of sidewalk or curb	-	-	35	30	18	18		⑨
Garage, from primary façade	-	-	4	4	4	4		⑩
Maximum Lot Coverage (% of Lot)	30	30	30	35	50	60	§15-311, Determining Lot Coverage	

15-904 Site Design Development Standards

A. Additional Setback Regulations.

1. ***Setbacks for Developed Blocks.***
 - a. ***Front Yards.*** Where 50 percent or more of the lots on the same blockface have been improved with buildings, the front setback for new structures shall not be greater than 110 percent of the average of the actual front setbacks of all improved lots on such blockface, nor shall it be less than 90 percent of the average of the actual front setbacks of all improved lots on such blockface.
 - b. ***Garage Encroachments into Rear and Side Setbacks.*** Where 50 percent of the residential properties on a block have detached garages which encroach into the minimum side and/or rear setbacks, new detached garages shall be permitted to encroach into the minimum side and/or rear setback in a similar manner. In such instances the minimum side and rear setback for a detached garage shall each be equal to the average of the equivalent setbacks of the detached garages on the block, unless the average is less than two feet in which case the setback shall be zero feet.
 - c. ***Garage Setbacks for Developed Blocks.*** Where 50 percent or more of the lots on the same blockface feature detached garages, new garages shall be set back no less than 10 feet behind the primary façade.
2. ***Side Setbacks for Attached Dwellings.*** Required side setbacks shall apply only to the ends of rows of attached dwellings, and shall not be required between attached dwellings.
3. ***Interior Side Yards Adjacent to Garages.*** If side setbacks are not of an equal width, then the larger side setback shall be adjacent to the garage.
4. ***Water-Efficient Landscaping Incentive.*** The minimum front setback may be reduced by up to three feet if the front yard complies with the following:
 - a. The installed landscaping complies with the State Model Water Efficient Landscape Ordinance (MWELo) regardless of whether the new landscape project meets or does not meet the Applicability criteria in MWELo; and
 - b. The Maximum Applied Water Allowance is reduced by 10 percent; and
 - c. The setback reduction shall not result in a front setback of less than three feet.
5. ***Park Strip Incentive.*** When a park strip is provided between the curb and sidewalk in a new subdivision, the minimum front setback for adjacent parcels shall be reduced by the width of the park strip. However, the reduction shall not result in a front setback of less than three feet.
6. ***Swing Garages.*** A garage with an entrance that is perpendicular to the adjacent street is known as a swing garage. If the wall of a swing garage which faces the street has windows and other architectural treatments which are comparable to that of the

primary façade of the living area, then swing garages shall be subject to the minimum front setback and shall not be subject to garage setbacks.

- B. **Enhanced Streetscape.** When an Enhanced Streetscape is provided, the minimum lot size and minimum front setback shall be reduced as shown on Tables 15-903-1 and 15-903-2. Enhanced Streetscape shall mean that no fewer than five of the following qualities are present on the site or the adjacent public street:
1. A landscaped parkway strip of no less than four feet in width; or
 2. An elevated first floor which is at no less than three feet above the grade of the adjacent sidewalk or curb; or
 3. A front porch with a depth of no less than five feet and a width equal to no less than 20 percent of the building frontage; or
 4. A street-facing balcony with a depth of no less than five feet and a width equal to no less than 30 percent of the building frontage; or
 5. A bay window with a depth of no less than two feet; or
 6. An alley-loaded garage; or
 7. A front-loaded garage door, the width of which occupies less than 50 percent of the area of the front façade; or
 8. A design in which no exterior front street-facing wall has a continuous plane of more than eight feet without an opening such as a window or door or a projection, offset, or recess at least one foot in depth; or
 9. Stone or brick cladding accounts for no less than 25 percent of the cladding of ground floor front street-facing facades, excluding windows, doors, and garages; or
 10. A two-story front elevation; or
 11. Shutters, lintels, sills, awnings, decorative trim or similar architectural treatments on front street-facing windows and doors; or
 12. Ornamental architectural elements such as medallions, keystones, or quatrefoils, and decorative vent covers; or
 13. Decorative eave treatments such as cornice moldings, modillions, corbels, and outlookers; or
 14. 8-foot tall front door; or
 15. Juliet balcony.
- C. **Pedestrian Access.** Where 50 percent or more of the single-family homes on the same blockface have a direct path from the main pedestrian entrance to the public sidewalk, new homes shall also provide such a path. In such circumstances the driveway shall not satisfy this requirement.
- D. **Driveway Design.** Where 50 percent or more of the lots on the same blockface have a driveway design with a landscaped strip in the center (commonly known as ribbon drives or Hollywood drives), new driveways shall also include a central landscape strip.

15-905 Façade Design Development Standards

A. Façade Alignment.

1. **Vertical Alignment.** With the exception of mansard roofs, cornices, and other such features, façades shall be oriented vertically and shall have no slope.
2. **Horizontal Alignment.** With the exception of bay windows and similar features, facades that are located within 50 feet of a public street shall run parallel or perpendicular to said street.

B. Façade Compatibility for Developed Blocks.

Where 50 percent or more of the lots on the same blockface have been improved with buildings, the following standards shall apply. Compliance shall be determined at the discretion of the Review Authority.

1. **Building Materials and Finishes.** Cladding and trim materials and finishes shall be similar to adjacent homes.
2. **Windows.** The size, location, and proportions of windows shall be similar to adjacent homes.

15-906 Duplex and Multi-Unit Residential Standards

When Duplex and Multi-Unit Residential uses are identified in Table 15-902 as permitted with a Conditional Use Permit, the following standards shall apply:

- A. **Neighborhood Meeting.** Prior to submittal of the project application, the applicant shall conduct a Neighborhood Meeting as put forth in Section 15-5006.
- B. **Review Authority.** The Planning Commission shall approve, conditionally approve, or deny applications for Conditional Use Permits following a public hearing.
- C. **Public Notice.** Prior to consideration of the Conditional Use Permit, Public Notice shall be provided per Section 15-5007.
- D. **Property Development Standards.** The standards of the RM-1 District shall apply, except as follows:
 1. **Density.** Residential density shall be measured as put forth in Section 15-310-B.
 - a. **Minimum.** Five units per acre.
 - b. **Maximum.** Twelve units per acre.
 2. **Front Setback.** Where adjacent sites have been improved with buildings, the front setback for new structures shall match the front setbacks of those buildings as determined by the Review Authority.
 3. **Façade Compatibility.**
 - a. **Building Materials and Finishes.** Cladding and trim materials and finishes shall be similar to adjacent single-family homes.
 - b. **Windows.** The size, location, and proportions of windows shall be similar to adjacent single-family homes.

4. ***Other Standards.*** When the Review Authority determines that a development standard of the RS-5 District would provide for better compatibility with adjacent single-family homes than the corresponding RM-1 standard, the RS-5 standard shall apply.

Article 10 Residential Multi-Family Districts (RM)

Sections:

- 15-1001 Purpose
- 15-1002 Use Regulations
- 15-1003 Density and Massing Development Standards
- 15-1004 Site Design Development Standards

15-1001 Purpose

The purposes of the Residential Multi-Family (RM) Districts are to:

- A. Provide for a variety of multi-family housing types for individual lifestyles and space needs, and to ensure continued availability of a full range of affordable housing opportunities necessary to sustain a diverse labor force, consistent with the City's economic development and housing objectives of the General Plan.
- B. Provide opportunities for the development of higher-density and affordable housing in neighborhoods throughout the city.
- C. Preserve, protect, and enhance the character of the city's medium and high-density neighborhoods.
- D. Promote development of walkable, transit-supported neighborhoods.
- E. Ensure that the scale and design of new development and alterations to existing structures are compatible with the scale, mass, and character of their neighborhoods.
- F. Ensure adequate light, air, privacy, and outdoor living area for each dwelling.
- G. Ensure the provision of services and facilities needed to accommodate planned population densities and to achieve complete neighborhoods in the city's existing and future residential areas in accordance with the General Plan.
- H. Provide for appropriate densities within the ranges established in the General Plan.
- I. Protect the quality of the residential environment and secure the health, safety, and general welfare of the residents.
- J. Implement and provide appropriate regulations for General Plan classifications of "Medium High Density Residential," "Urban Neighborhood Density Residential," and "High Density Residential."

15-1002 Use Regulations

- A. Table 15-1002 prescribes the proposed land use regulations for Residential Multi-Family Districts. The regulations for the districts are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.

“P” designates permitted uses.

“C” designates uses that are permitted after review and approval of a Conditional Use Permit.

“(#)” numbers in parentheses refer to specific limitations listed at the end of the table.

“–” designates uses that are not permitted.

- B. Land uses are defined in Article 67, Use Classifications.
- C. In cases where a specific land use or activity is not defined, the Director shall assign the land use or activity to a classification that is substantially similar in character per Section 15-5020, Director’s Determination.
- D. All permitted uses are allowed either alone or in combination with other permitted uses unless otherwise stated in this Code.
- E. Use classifications and subclassifications not listed in the table or not found to be substantially similar to the uses below are not permitted.
- F. The table also notes additional regulations that apply to various uses. Section numbers in the right hand column refer to other sections of this Code.

TABLE 15-1002: USE REGULATIONS—RESIDENTIAL MULTI-FAMILY DISTRICTS					
<i>District</i>	<i>RM-1</i>	<i>RM-2</i>	<i>RM-3</i>	<i>RM-MH</i>	<i>Additional Regulations</i>
Residential Use Classifications					
Residential Housing Types					
<i>Single-Unit Dwelling, Detached</i>	P	–	–	–	§15-2738, Manufactured Homes
<i>Single-Unit Dwelling, Attached</i>	P	P	–	–	
<i>Second Dwelling Unit</i>	P	P	–	–	§15-2754, Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters
<i>Duplex</i>	P	P	P	–	
<i>Multi-Unit Residential</i>	P	P	P	–	
<i>Cottage Housing Development</i>	P	–	–	–	§15-2723, Cottage Housing Developments (Pocket Neighborhoods)
Adult Family Day Care					
<i>Small (6 clients or less)</i>	P	P	P	P	
<i>Large (7 to 12 clients)</i>	C	C	C	–	
Caretaker Residence	–	–	–	P	
Domestic Violence Shelter					
<i>Small (6 persons or less)</i>	P	P	P	–	
<i>Large (7 persons or more)</i>	P	P	P	–	
Elderly and Long-Term Care	C	C	C	–	
Family Day Care					
<i>Small (8 children or less)</i>	P	P	P	P	§15-2725, Day Care Centers and Family Child Care Homes
<i>Large (9 to 14 children)</i>	C	C	C	C	

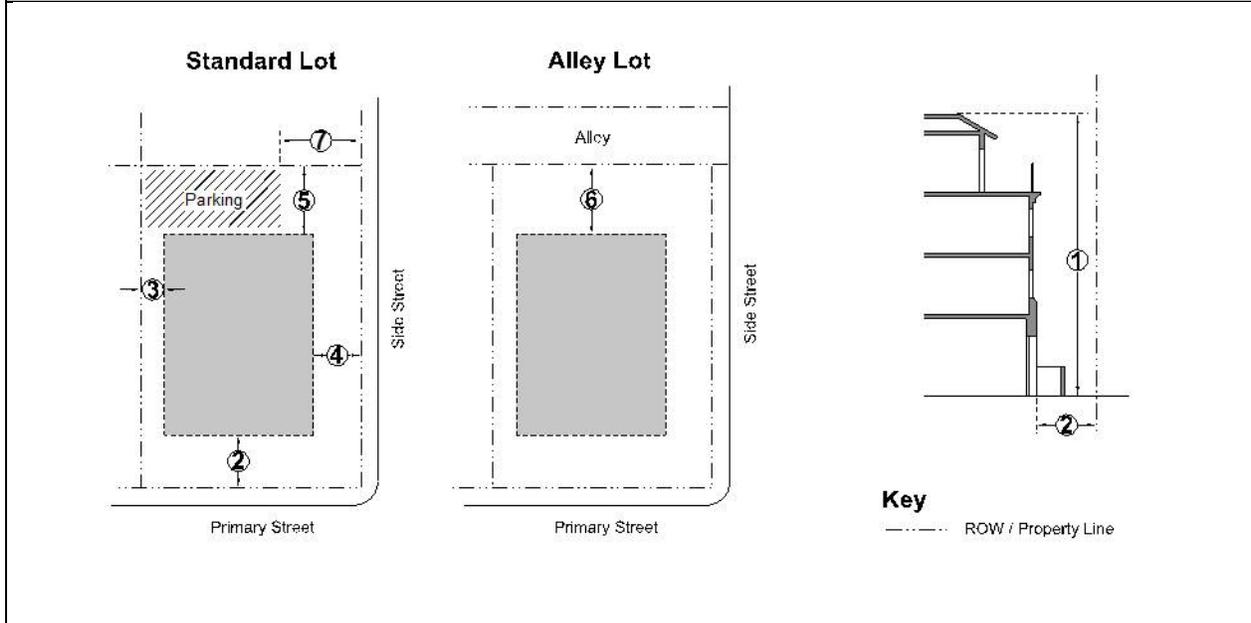
TABLE 15-1002: USE REGULATIONS—RESIDENTIAL MULTI-FAMILY DISTRICTS					
<i>District</i>	<i>RM-1</i>	<i>RM-2</i>	<i>RM-3</i>	<i>RM-MH</i>	<i>Additional Regulations</i>
Group Residential					
<i>Small (6 persons or less)</i>	P	P	P	–	
<i>Large (7 persons or more)</i>	C	C	C	–	
Mobile Home Parks	–	–	–	P	§15-2738, Manufactured Homes
Re-Entry Facility	C	C	C	–	
Residential Care Facilities					
<i>Residential Care, General</i>	C	P	P	–	
<i>Residential Care, Limited</i>	P	P	P	–	
<i>Residential Care, Senior</i>	C	P	P	–	
Single Room Occupancy	–	C	C	–	§15-2757, Single Room Occupancy Hotels and Boarding Homes
Public and Semi-Public Use Classifications					
Colleges and Trade Schools, Public or Private	C(1)	C(1)	C(1)	–	
Community and Religious Assembly (less than 2,000 square feet)	P	P	P	P	§15-2719, Community and Religious Assembly Facilities
Community and Religious Assembly (2,000 square feet or more)	C(1)	C(1)	C(1)	–	
Community Garden	P	P	P	P	§15-2720, Community Gardens / Urban Farms
Cultural Institutions	C	P	P	–	
Day Care Centers	C	P	P	–	§15-2725, Day Care Centers and Family Child Care Homes
Park and Recreation Facilities, Public	C(2)	C(2)	C(2)	C	
Public Safety Facilities	C	C	C	C	
Schools, Public or Private	P	P	P	P	
Social Service Facilities	C	C	C	–	
Commercial Use Classifications					
Food and Beverage Sales					
<i>Farmer’s Markets</i>	P	P	P	P	§15-2730, Farmer’s Markets
<i>General Market</i>	–	–	–	P(3)	§15-2744, Outdoor Dining and Patio Areas; §15-2745, Outdoor Retail Sales
<i>Healthy Food Grocer</i>	–	–	–	P(3)	
Lodging					
<i>Bed and Breakfast</i>	P	P	P	P	§15-2713, Bed and Breakfast Lodging
Industrial Use Classifications					
Warehousing, Storage, and Distribution					
<i>Personal Storage</i>	C	C	C	C	§2747, Personal (Mini) Storage
Transportation, Communication, and Utilities Use Classifications					
Communication Facilities					
<i>Antenna and Transmission Towers</i>	See Section 15-2759, Telecommunications and Wireless Facilities				
Utilities, Minor	P	P	P	P	

TABLE 15-1002: USE REGULATIONS—RESIDENTIAL MULTI-FAMILY DISTRICTS					
<i>District</i>	<i>RM-1</i>	<i>RM-2</i>	<i>RM-3</i>	<i>RM-MH</i>	<i>Additional Regulations</i>
Agricultural and Extractive Use Classifications					
Crop Cultivation	P	P	P	P	§15-2716, Crop Cultivation
Other Applicable Types					
Accessory Uses and Structures	§15-2703, Accessory Uses				
<i>Accessory Living Quarters</i>	P	P	P	P	§15-2754, Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters
Home Gardens	§15-2734, Home Gardens and Edible Landscaping				
Home Occupations	§15-2735, Home Occupations				
Animal Keeping	§15-2707, Animal Keeping				
Non-Conforming Use	Article 4, Non-Conforming Uses, Structures, Site Features, and Lots				
Temporary Use	§15-2760, Temporary Uses				
Transitional and Supportive Housing	§15-2762, Transitional and Supportive Housing				
Specific Limitations:					
<ol style="list-style-type: none"> 1. Only on parcels with direct access from a major street. 2. Permitted without a Conditional Use Permit if less than 12,000 square feet in active use area and less than 500 square feet total floor area of all enclosed structures (i.e. bathrooms, community rooms, clubhouses, etc.). Should the site access a major street, this condition shall not be applicable. 3. Limited to sites that are a minimum of five acres and 1,500 square feet of sales area. 					

15-1003 Density and Massing Development Standards

Table 15-1003 prescribes the density and massing development standards for the Residential Multi-Family Districts. Additional regulations are denoted in a right hand column. Section numbers in this column refer to other sections of this Code, while individual letters refer to subsections that directly follow the table. The numbers in each illustration below correspond to the “#” column in the associated table. Drawings are for illustrative purposes and are not drawn to scale.

TABLE 15-1003: DENSITY AND MASSING STANDARDS—RESIDENTIAL MULTI-FAMILY DISTRICTS



District	RM-1	RM-2	RM-3	RM-MH	Additional Regulations	#
Maximum Density (du/ac) (min./max.)	12/16	16/30	30/45	12/16	§15-310, Determining Residential Density	
Maximum Height (ft.)	40	50	60	35	§15-2012, Heights and Height Exceptions, 15-1003-A, RS Transition Standards	①
Setbacks (ft.)						
Front (min. / max.)	10 / 20	10 / 20	10 / 20	10 / 20	§15-313, Determining Setbacks and Yards	②
Interior Side (min.)	10 total, min. 4/side	5	5	5	§15-1004-A, RS Transition Standards	③
Street Side (min.) (Parcel <125 ft. in depth)	10	10	10	10	§15-1004-B, Side Setbacks for Attached Dwellings	④
Street Side (min.) (Parcel >125 ft. in depth)	15	15	15	15	§15-1004-C, Parking Setback	④
Rear (min.)	20	15	15	10	§15-2014, Projections/Encroachments into Yards	⑤
Alley (min.)	3	3	3	3	§15-2305, Areas to be Landscaped	⑥
Parking, from back of sidewalk or curb (min.)	30	30	30	30	§15-317, Determining Frontage Coverage	⑦
Minimum Frontage Coverage (%)	50	50	50	-	§15-311, Determining Lot Coverage	
Maximum Lot Coverage (% of lot)	50	50	60	50		
Minimum On-Site Open Space (% of Lot Area)	20	15	10	-		

15-1004 Site Design Development Standards

- A. **RS Transition Standards.** Where an RM district abuts an RS District, the following standards apply:
1. **Height.** The maximum height within 40 feet of an RS District is limited to 30 feet. The maximum height within 50 feet of an RS District is 40 feet.
 2. **Setbacks.** The following additional setback requirements shall be applied to all structures, including accessory structures, on parcels which are adjacent to an RS District:
 - a. **Front.** The minimum front setback requirement of the adjacent RS district shall be applied to all structures within 50 feet of the RS District.
 - b. **Interior Side.** The interior side setback shall be 10 feet.
 - c. **Rear.** The rear setback shall be 20 feet.
 3. **Landscape.** See Table 15-2305-C.1, Required Landscape Buffers.
 4. **Screening.** When a multi-story building is proposed and the second story or above is located within 50 feet of the side or rear yard of a single-family lot, screening measures shall be applied to provide a reasonable degree of privacy.
 - a. Screening measures include, but are not limited to, landscaping, alternate window and balcony placements, placing windows at least six feet from the floor of the interior of the unit, incorporating wing walls or louvers, using glass block or other translucent material, and other such methods.
 - b. **Sufficiency of Screening.** The Review Authority shall determine the sufficiency of the proposed screening measures and may require additional measures.

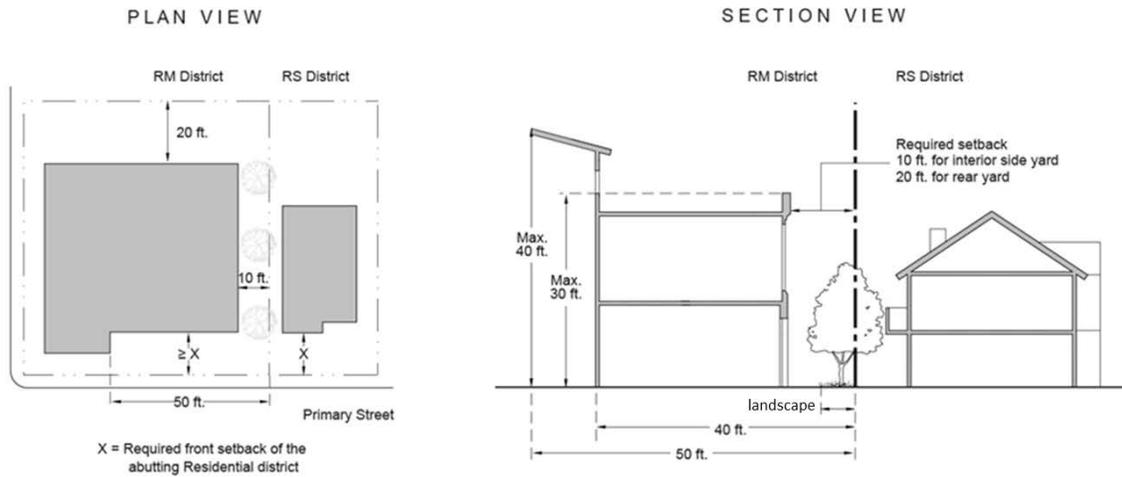


FIGURE 15-1004-A: RS TRANSITION STANDARDS—RM DISTRICTS

- B. **Side Setbacks for Attached Dwellings.** Required side setbacks shall apply only to the ends of rows of attached dwellings, and shall not be required between attached dwellings.
- C. **Parking Setback.** Parking shall be setback as shown on Table 15-1003 except as provided below:
 - 1. **Surface Parking.**
 - a. Surface parking which is located behind a building shall not be subject to the parking setback requirement.
 - b. On lots less than 150 feet in width or depth, surface parking may be set back less than the distance shown on Table 15-1003, if the following conditions are met:
 - i. Such parking shall not be set back from the street less than adjacent buildings on the site.
 - ii. The parking setback area shall be landscaped.
 - iii. There shall be no more than four adjacent parking spaces in surface parking areas located less than 30 feet from a street-facing lot line. The space between groups of four adjacent parking spaces shall be equal in width to the adjacent parking spaces and shall be landscaped.

- iv. Parking spaces shall be screened from the adjacent street with a minimum three foot berm, wall, or hedge, or combination thereof.

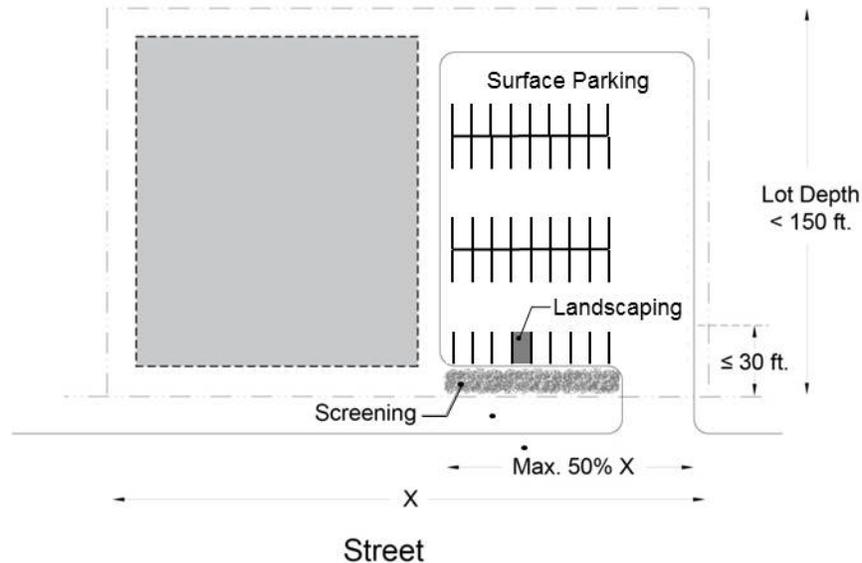


FIGURE 15-1004-C.1: SURFACE PARKING SETBACK REDUCTION

2. ***Partially Submerged Podium Parking.*** Parking that is partially below the street grade may extend to the setbacks of the main structure, if the following conditions are met:
 - a. No more than six feet of the partially submerged parking podium may extend above the street grade.
 - b. The partially submerged parking podium shall be screened along street facing elevations by foundation plant materials. Gates need not be screened.
 3. ***Underground Parking.*** Parking that is fully underground and below the street grade may extend from lot line to lot line.
- D. **On-Site Open Space.**
1. ***Minimum Open Space Required.*** The minimum amount of on-site open space required shall be based on the size of the lot, as shown in Table 15-1003. This requirement may be met through a combination of private open space, common open space, or public plazas as follows:
 - a. ***Private Open Space Requirements.*** Private open spaces are those which are attached to a dwelling unit and are available only for the private use of the residents of the dwelling unit, such as balconies, porches, and patios. No fewer than 50 percent of the dwelling units on a site shall have a private open space. The following standards shall apply to private open space:

- i. The minimum dimension of any private open space shall be four feet.
 - ii. The minimum area of any private open space shall be 32 square feet.
 - iii. When located within 30 feet of a public street and located on the ground floor, private open spaces shall follow the requirements for Porches as put forth in Table 15-1005-F.
 - iv. When located within 30 feet of a public street and located above the ground floor, private open spaces shall follow the requirements for Balconies as put forth in Table 15-1005-F.
- b. *Common Open Space Requirements.* Common open spaces are those which are available for active or passive use by all tenants, but use by the general public may be restricted. To the extent that common open space is provided, the following standards shall apply:
- i. The minimum dimension of any common open space shall be 20 feet.
 - ii. The minimum area of any common open space shall be 1,000 square feet. The calculation of the common open space area shall exclude structures which are unusable as open space, but shall include structures that enhance its usability, such as swimming pools, changing facilities, fountains, planters, benches, and landscaping.
 - iii. Not less than 80 percent of common open space shall be unobstructed to the sky. Trellises, pergolas, and similar structures shall be considered open to the sky for the purposes of this measurement.
 - iv. Common open space may be located at grade, on rooftops, on top of parking podiums, or any other such location that is accessible to tenants. Common open space may not be located within required front setbacks or RS buffer setbacks

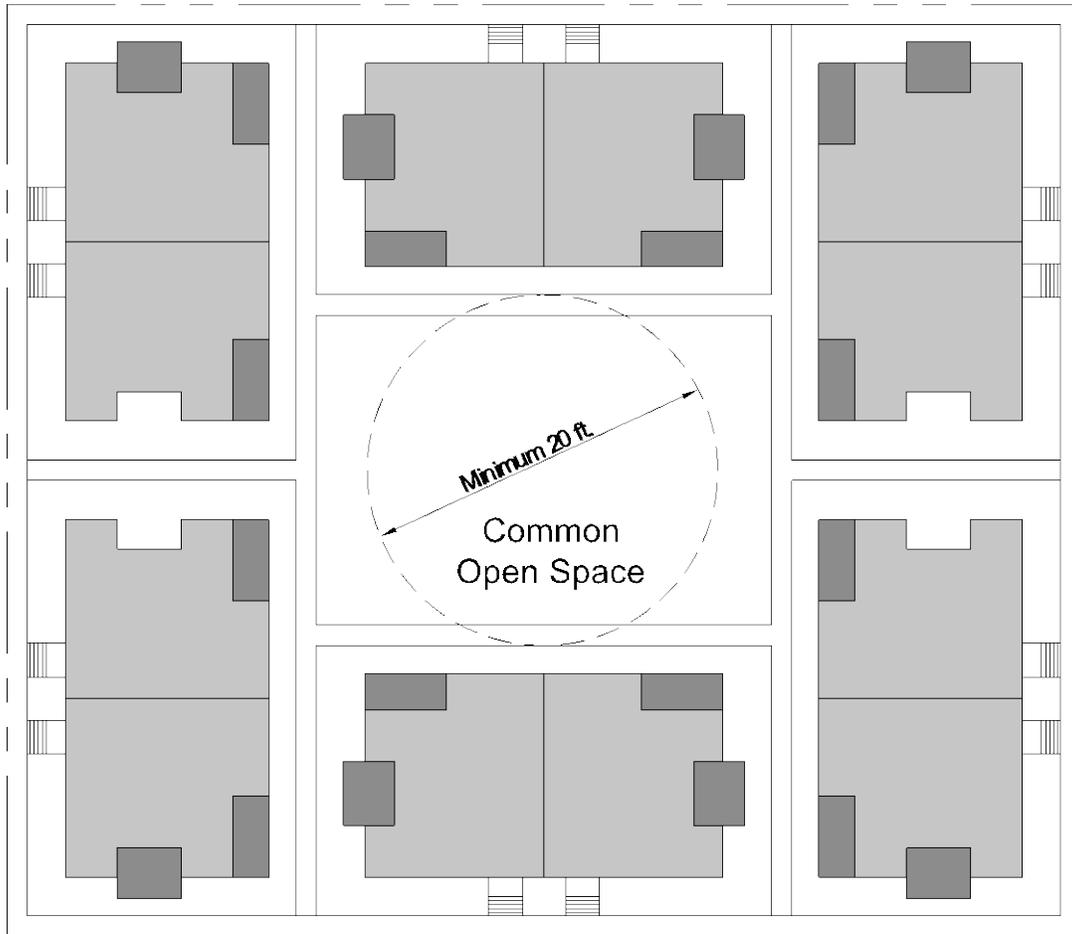


FIGURE 15-1004-D.1.b: MINIMUM REQUIRED COMMON OPEN SPACE DIMENSION

- c. *Public Plaza Requirements.* Public plazas are those which are available for use by the general public, as well as tenants of the project. To the extent that public plazas are provided, the following standards shall apply:
- i. The minimum dimension of any public plaza shall be 20 feet.
 - ii. The minimum area of any public plaza shall be 500 square feet. The calculation of the public plaza area shall exclude structures which are unusable as open space, but shall include structures that enhance its usability, such as fountains, planters, benches, and landscaping.
 - iii. Public plazas shall include benches or other seating, and paving shall be of high-quality materials. Amenities provided shall enhance the comfort, aesthetics, or usability of the space and include, but not be limited to, trees and other landscaping, shade structures, drinking fountains, water features, public art, or performance areas. Landscaping or other aspects

of the design shall not discourage the use of the space by the general public.

- iv. Public plazas shall be fully accessible from the public right-of-way, shall be located in front of project buildings and shall not be located where public views into the space are obstructed by buildings or other structures.
- v. Public plazas may be located within required front setbacks.
- vi. A public access easement shall be provided for the space.

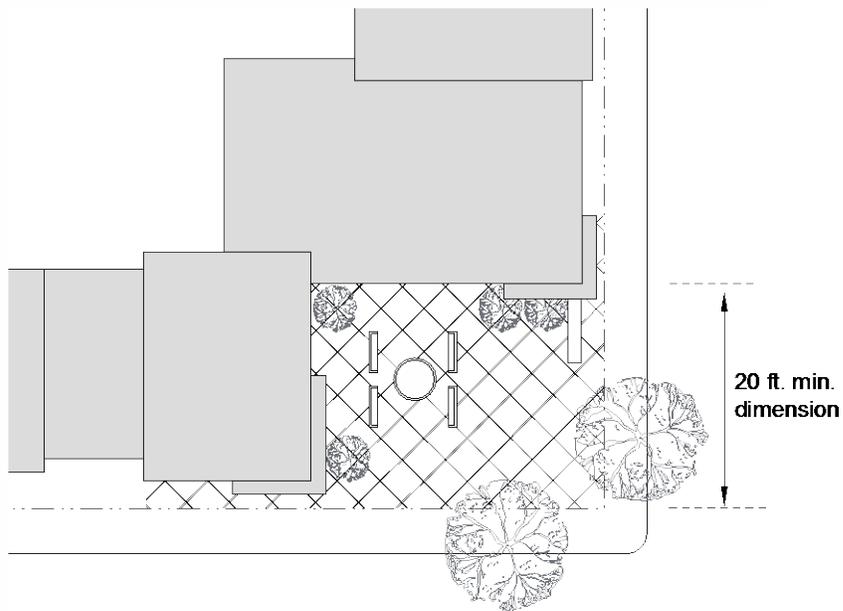


FIGURE 15-1004-D.1.c: MINIMUM REQUIRED PUBLIC PLAZA DIMENSION

- 2. **Minimum Open Space Reduction.** The minimum amount of open space required shall be reduced by 25 percent in any one of the following circumstances:
 - a. Any portion of the lot is located within a quarter mile of a transit stop with regular, scheduled service during the weekday hours of 7:00 a.m. to 9:00 a.m. and 5:00 p.m. to 7:00 p.m.
 - b. There is a public park within 400 feet of the site, and
 - i. Said park is located on the same side of the street and provides an improved pedestrian path to and from the site; or
 - ii. The public park is across a local street and the site provides an improved pedestrian path to and from the site.
 - c. The parcel is 15,000 square feet or less in area.

- E. **Pedestrian Access.** Pedestrian access to public streets shall be provided at the preference of the applicant by either the Flexibility Option or the Certainty Option as follows:
1. ***Flexibility Option.*** The applicant must demonstrate to the satisfaction of the Review Authority that the project meets the following goal:
 - a. Provide sufficient opportunities to for residents to walk to nearby amenities, services, and transit facilities.
 2. ***Certainty Option.*** Projects which comply with the following standards shall be considered to provide sufficient pedestrian access:
 - a. ***Common Area Sidewalk Connections.*** Common entrances into lobbies or internal pedestrian paths shall be provided at the rates prescribed below. When providing access to a structure, such entrances shall be protected by a portico, canopy, or alcove of no less than four feet in depth.
 - i. In the Priority Areas (see Figure IM-1: Priority Areas for Development Incentives in the Fresno General Plan, adopted in 2014). No less than one per 400 feet of linear street frontage.
 - ii. Outside of the Priority Areas. No less than one per 600 feet of linear street frontage.
 - b. ***Residential Unit Sidewalk Connections.*** Direct entrances into individual ground-floor dwelling units which are adjacent to streets shall be provided at the rates prescribed below. Such entrances shall be protected by a portico, canopy, or alcove of no less than four feet in depth.
 - i. In the Priority Areas. No less than one per 100 feet of linear street frontage.
 - ii. Outside of the Priority Areas. None required.
 - c. ***External Connections to Adjacent Development.*** Pedestrian walkways shall connect the project site to adjacent Commercial, Mixed-Use, and Office districts at a frequency of no less than one per 600 feet. Projects may be excepted from this requirement in the following situations:
 - i. An interconnected street network with short blocks and sidewalks exists in the surrounding area; or
 - ii. The project site is less than one acre in size; or
 - iii. The adjacent properties are developed and there are no possible connection points.
 - d. If the project is located within an area with adopted design guidelines, all applicable guidelines which relate to pedestrian access and the location of doors and entrances shall also be followed.

15-1005 Façade Design Development Standards

Appropriate façade design shall be provided at the preference of the applicant by either the Flexibility Option or the Certainty Option as follows:

- A. **Flexibility Option.** The applicant must demonstrate to the satisfaction of the Review Authority that the project meets the following goals:
1. Present an attractive appearance to public streets.
 2. Be aesthetically and functionally compatible to the nearby development context.
 3. Demonstrate a high level of quality.
 4. Support the growth in value of surrounding properties.
- B. **Certainty Option.** Street-facing façades for buildings adjacent to a public street shall comply to the following standards. Other façades shall not be subject to these standards.
1. ***Building Length Articulation.*** At least one projection or recess will be provided for every 50 horizontal feet of wall in one of the following manners:
 - a. Projections or recesses for buildings 50 feet wide or less shall be exempted from the building length articulation requirement; projections or recesses for buildings greater than 50 feet in width but less than 100 feet in width shall be no less than 12 inches in depth; or projections or recesses for buildings 100 feet wide or wider shall be no less than 24 inches in depth.
 - b. The depth and width of the projection or recess shall be proportionate to the overall mass of the building.
 2. ***Building Materials and Finishes.*** Materials shall present a durable and attractive appearance through high-quality materials, finishes, and workmanship defined as:
 - a. At least two cladding materials (excluding roof and foundation); and
 - b. At least three exterior colors (each cladding material shall count as a color, trim/accent colors shall each count as a color, and visually significant colors for doors, balconies, and similar elements may count as a color).
 - c. *Exception.* Buildings which accurately adhere to a recognized architectural style which is appropriately expressed in one cladding material and one color shall be excepted.
 - d. *Exception.* Buildings with all of the following characteristics shall be allowed to use one cladding material:
 - i. Not located within the area bounded by Tulare Street, L Street, Santa Clara Street, and the Union Pacific Railroad;
 - ii. Building height of three stories or less;
 - iii. Building width of 100 feet or less; and
 - iv. A façade with a comparable form of visual interest.

3. ***Window Design.***

- a. *Glazing Ratio.* Street-facing façades of each floor of the building shall have an overall wall composition of at least 25 percent glazing, but not more than 70 percent glazing.
- b. *Vertical Proportion.* On upper stories, the percentage of all window openings, window panes, or distinct window units specified below shall have a vertical proportion, in which their height exceeds their width by 25 percent or more.
 - i. In the Priority Areas (see Figure IM-1: Priority Areas for Development Incentives in the Fresno General Plan, adopted in 2014). At least 50 percent.
 - ii. Outside of the Priority Areas. At least 30 percent.
- c. *Window Depth.* In the Priority Areas, windows shall create visual interest and the appearance of depth in one of the following manners:
 - i. Trim at least one inch in depth and three inches wide must be provided around all upper story windows and non-commercial ground-floor windows;
 - ii. Windows must be recessed at least two inches from the plane of the surrounding exterior wall (for double-hung and horizontal sliding windows, at least one sash shall achieve the two-inch recess); or
 - iii. Decorative plaster screed, minimum two inches wide.
 - iv. Exception. Buildings with all of the following characteristics shall be allowed to use flush windows without trim:
 - (1) Not located within the area bounded by Tulare Street, L Street, Santa Clara Street, and the Union Pacific Railroad;
 - (2) Building height of three stories or less;
 - (3) Building width of 100 feet or less; and
 - (4) A façade with a comparable form of prominent surface relief and articulation, such as awnings, canopies, balconies, or massing changes.

4. ***Façade Alignment.***

- a. *In the Priority Areas.* Façade alignment shall be as follows:
 - i. Vertical Alignment. With the exception of mansard roofs, cornices, and other such features, façades shall be oriented vertically and shall have no slope.
 - ii. Horizontal Alignment. With the exception of bay windows and similar features, façades shall run parallel or perpendicular to the adjacent street.
- b. *Outside of the Priority Areas.* No requirement.

5. ***External Stairs, Corridors, and Hallways.*** In the priority areas, external stairs, corridors, and hallways that are located within 30 feet of a public street must be architecturally integrated into the building design.
6. ***Balconies.*** If balconies are provided, they shall not be grouped together into a continuous band across the facade. No more than two balconies shall be contiguous. Each balcony or group of two contiguous balconies shall be distinct and shall have at least six feet of horizontal separation from any other balcony.
7. ***Façade Elements.*** Development shall incorporate façade elements as follows:
 - a. ***In the Priority Areas.*** A minimum of one of the following Façade Elements will be incorporated into street-facing building façades:
 - i. Forecourts
 - ii. Bay Windows
 - iii. Balconies
 - iv. Porches
 - v. Stoops
 - vi. Arcades
 - b. ***Outside of the Priority Areas.*** No requirement.
8. If the project is located within an area with adopted design guidelines, all applicable guidelines which relate to façade design shall also be followed.

Article 11 Mixed-Use Districts (MX)

Sections:

- 15-1101 Purpose
- 15-1102 Use Regulations
- 15-1103 Density, Intensity, and Massing Development Standards
- 15-1104 Site Design Development Standards

15-1101 Purpose

The purposes of the Mixed-Use (MX) Districts are to:

- A. Promote pedestrian-oriented infill development, intensification, and reuse of land consistent with the General Plan.
- B. Allow and encourage the development of mixed-use centers and corridors with a vibrant concentration of goods and services, multi-family housing, and community gathering and public spaces at strategic locations.
- C. Transform certain auto-oriented boulevards and corridors into vibrant, diverse, and attractive corridors that support a mix of pedestrian-oriented retail, office, and residential uses in order to achieve an active social environment within a revitalized streetscape.
- D. Provide options which reduce the need for private automobile use to access shopping, services, and employment and minimize air pollution from vehicle miles traveled.
- E. Offer additional housing opportunities for residents seeking to live in an urban environment.
- F. Improve access to a greater range of facilities and services for surrounding residential neighborhoods.
- G. Establish development and design standards for these centers and corridors that will create a unified, distinctive, and attractive urban character, with appropriate transitions to adjacent residential neighborhoods.
- H. Facilitate mixed-use residential development at increased densities and intensities in key locations such as along Bus Rapid Transit (BRT) corridors. Implement and provide appropriate regulations for General Plan classifications of “Neighborhood Mixed-Use,” “Corridor/Center Mixed-Use,” and “Regional Mixed-Use.”

Additional purposes of each Mixed-Use District are as follows:

NMX Neighborhood Mixed-Use. The NMX district is intended to provide for mixed-use residential districts that include local-serving, pedestrian-oriented commercial development, such as smaller independent retail shops and professional offices in two- to three-story buildings. Development is expected to include ground-floor neighborhood retail uses and upper-level housing or offices, with a mix of small lot single-family houses, townhomes, and multi-family dwelling units on side streets, in a horizontal or vertical mixed-use orientation. The NMX district provides for a scale and character of

development that is pedestrian-orientated, designed to attract and promote a walk-in clientele, with small lots and frequent pedestrian connections permitting convenient access from residences to commercial space.

CMX Corridor/Center Mixed-Use. The CMX district is intended to allow for either horizontal or vertical mixed-use development along key circulation corridors in the city where height and density can be easily accommodated. Ground-floor retail and upper-floor residential or offices are the primary uses, with residential uses, personal and business services, and public and institutional space as supportive uses. Development will facilitate the transformation of existing transportation corridors into vibrant, highly walkable areas with broad, pedestrian-friendly sidewalks, trees, landscaping, and local-serving uses with new buildings that step down in relationship to the scale and character of adjacent neighborhoods.

RMX Regional Mixed-Use. The RMX district is intended to support regional retail and mixed-use development in large-scale activity centers outside of Downtown, as identified by the General Plan. It accommodates urban-scale mixed-use development that serve residents and businesses of the region at large. Medium-scale retail, housing, office, civic and entertainment uses, and shopping malls with large-format or “big-box” retail are allowed, as are supporting uses such as gas stations, hotels, and residential in mixed-use or single-use buildings. Development and design standards will create a pedestrian orientation within centers and along major corridors, with parking located on the side or rear of, or within, major structures.

15-1102 Use Regulations

- A. Table 15-1102 prescribes the proposed land use regulations for Mixed-Use Districts. The regulations for the districts are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.

“P” designates permitted uses.

“C” designates uses that are permitted after review and approval of a Conditional Use Permit.

“(#)” numbers in parentheses refer to specific limitations listed at the end of the table.

“–” designates uses that are not permitted.

Uses listed as “P” or “C” may be restricted in certain locations by Section 15-1104-A.

- B. Land uses are defined in Article 67, Use Classifications.
- C. In cases where a specific land use or activity is not defined, the Director shall assign the land use or activity to a classification that is substantially similar in character per Section 15-5020, Director’s Determination.
- D. All permitted uses are allowed either alone or in combination with other permitted uses unless otherwise stated in this Code.

- E. Use classifications and subclassifications not listed in the table or not found to be substantially similar to the uses below are not permitted.
- F. The table also notes additional regulations that apply to various uses. Section numbers in the right hand column refer to other sections of this Code.

TABLE 15-1102: USE REGULATIONS—MIXED-USE DISTRICTS				
<i>Use Classifications</i>	<i>NMX</i>	<i>CMX</i>	<i>RMX</i>	<i>Additional Regulations</i>
Residential Use Classifications				
Residential Housing Types				
<i>Single-Unit Dwelling, Attached</i>	P(1)	P(1)	P(1)	§15-2754, Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters
<i>Multi-Unit Residential</i>	P(1)	P(1)	P(1)	
Adult Family Day Care				
<i>Small (6 clients or less)</i>	P(1)	P(1)	–	
<i>Large (7 to 12 clients)</i>	P(1)	–	–	
Elderly and Long-Term Care	P(1)	–	–	
Family Day Care				
<i>Small (8 or fewer children)</i>	P(1)	P(1)	P(1)	§15-2725, Day Care Centers and Family Child Care Homes
Group Residential				
<i>Small (6 persons or less)</i>	P(1)	P(1)	P(1)	
<i>Large (7 persons or more)</i>	P(1)	P(1)	P(1)	
Residential Care Facilities				
<i>Residential Care, Limited</i>	P(1)	P(1)	P(1)	
Public and Semi-Public Use Classifications				
Colleges and Trade Schools, Public or Private	C(3)	C(3)	C(3)	
Community and Religious Assembly (less than 2,000 square feet)	P	P	P	§15-2719, Community and Religious Assembly Facilities
Community and Religious Assembly (2,000 square feet or more)	C(4)	C(4)	P	
Community Garden	P	P	P	§15-2720, Community Gardens / Urban Farms
Conference/Convention Facility	C(4)	C(4)	C	
Cultural Institutions	P(5)	C	C	
Day Care Centers	P	P	P	§15-2725, Day Care Centers and Family Child Care Homes
Emergency Shelter	–	–	P	§15-2729, Emergency Shelters
Government Offices	P(2)	P(1)	P(1)	
Hospitals and Clinics				
<i>Hospital</i>	–	C(11)	C(11)	
<i>Clinic</i>	C(5)	P(5)	P	
<i>Substance Abuse Treatment Clinic</i>	C(14)	C(14)	C(14)	
Instructional Services	P	P	P	
Park and Recreation Facilities, Public	–	P	P	
Parking, Public or Private	–	C(6)	C(6)	
Public Safety Facilities	C	C	C	

TABLE 15-1102: USE REGULATIONS—MIXED-USE DISTRICTS				
<i>Use Classifications</i>	<i>NMX</i>	<i>CMX</i>	<i>RMX</i>	<i>Additional Regulations</i>
Schools, Public or Private	–	–	C	
Social Service Facilities	C	P(1)	–	
Commercial Use Classifications				
Animal Care, Sales and Services				
<i>Grooming and Pet Stores</i>	P	P	P	
<i>Veterinary Services</i>	–	C(7)	C(7)	
Artist’s Studio	P	P	P	
Automobile/Vehicle Sales and Services				
<i>Automobile/Vehicle Sales and Leasing</i>	–	C(13)	C(13)	§15-2709, Automobile and Motorcycle Retail Sales and Leasing
<i>Service Station</i>	C	C	C	§15-2755, Service Stations
Banks and Financial Institutions				
<i>Banks and Credit Unions</i>	P(5)	P	P	
<i>Check Cashing Businesses and Payday Lenders</i>	–	–	–	§15-2715, Check Cashing Businesses, Payday Lenders, and Similar Financial Services
Banquet Hall	C	C	C	§15-2712, Banquet Hall
Business Services	P	P	P	
Eating and Drinking Establishments				
<i>Bars/Nightclubs/Lounges</i>	C(16)	C(16)	C(16)	§15-2743, Outdoor Cooking for Commercial Purposes; §15-2744, Outdoor Dining and Patio Areas; §15-2751, Restaurants with Alcohol Sales, Bars, Nightclubs, and Lounges
<i>Restaurant with Alcohol Sales</i>	C(16)	C(16)	C(16)	
<i>Restaurant without Alcohol Sales</i>	P	P	P	
Entertainment and Recreation				
<i>Cinema/Theaters</i>	C	C	P	
<i>Cyber/Internet Café</i>	C	C	C	§15-2724, Cyber/Internet Cafes
<i>Small-Scale</i>	C(17)	P	P	§15-2708, Arcades, Video Games, and Family Entertainment Centers, §9-1801, Billiard Rooms
Food and Beverage Sales				
<i>Farmer’s Markets</i>	P	P	P	§15-2730, Farmer’s Markets
<i>General Market</i>	P	P	P	§15-2744, Outdoor Dining and Patio Areas; §15-2745, Outdoor Retail Sales
<i>Healthy Food Grocer</i>	P	P	P	
<i>Liquor Stores</i>	C(12)	C(12)	C(12)	§15-2706, Alcohol Sales; §15-2745, Outdoor Retail Sales
Funeral Parlors and Internment Services	–	–	C	§15-2714, Body Preparation and Funeral Services
Live/Work	P(1)	P(1)	P(1)	
Lodging				
<i>Hotels and Motels</i>	P(8)	P(8)	P	
Maintenance and Repair Services	P(9)	P(9)	P(5)	
Offices				
<i>Business and Professional</i>	P(9)	P	P	
<i>Medical and Dental</i>	P(4)	P	P	
<i>Walk-In Clientele</i>	P(9)	P	P	

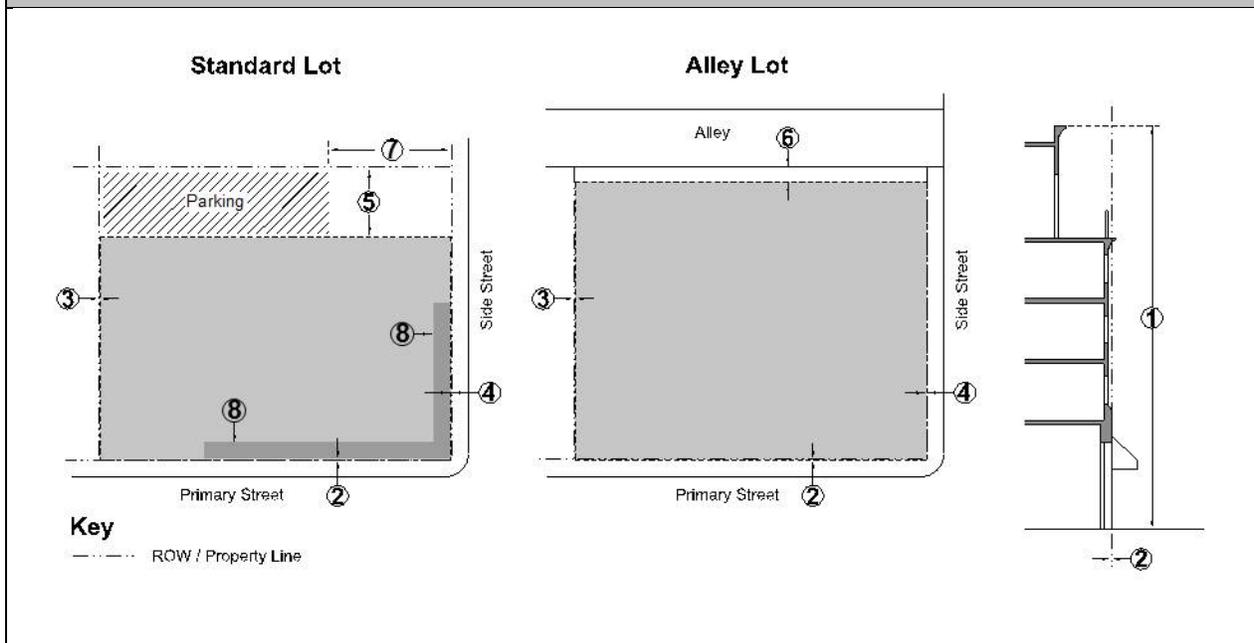
TABLE 15-1102: USE REGULATIONS—MIXED-USE DISTRICTS				
<i>Use Classifications</i>	<i>NMX</i>	<i>CMX</i>	<i>RMX</i>	<i>Additional Regulations</i>
Personal Services				
<i>General Personal Services</i>	P(5)	P	P	
<i>Tattoo or Body Modification Parlor</i>	P(5) (12)	P(12)	P(12)	§15-2758, Tattoo or Body Modification Parlor
Retail Sales				
<i>Building Materials and Services</i>	–	–	C	§15-2745, Outdoor Retail Sales
<i>Convenience Retail</i>	P(5)	P	P	§15-2745, Outdoor Retail Sales; 15-2761 Tobacco and Vapor Shops
<i>General Retail</i>	P(5)	P	P	§15-2733, Hobby Stores; §15-2745, Outdoor Retail Sales
<i>Large-Format Retail</i>	–	–	P	§15-2737, Large-Format Retail; §15-2745, Outdoor Retail Sales
<i>Nurseries and Garden Centers</i>	P	P(5)	P	§15-2745, Outdoor Retail Sales
<i>Second Hand / Thrift Stores</i>	P(5)	P	P	
Industrial Use Classifications				
Recycling Facility				
<i>Reverse Vending Machine</i>	P	P	P	§15-2750, Recycling Facilities
Transportation, Communication, and Utilities Use Classifications				
Airports and Heliports	–	–	C(10)	
Communication Facilities				
<i>Antenna and Transmission Towers</i>	See Section 15-2759, Telecommunications and Wireless Facilities			
Transportation Passenger Terminals	–	–	C	
Utilities, Minor	P	P	P	
Agricultural and Extractive Use Classifications				
Tasting Room	C	C	C	
Urban Farm	P	–	–	§15-2719, Community Gardens/Urban Farms
Other Applicable Types				
Accessory Uses and Structures	§15-2703, Accessory Uses			
Home Gardens	§15-2734, Home Gardens and Edible Landscaping			
Home Occupations	§15-2735, Home Occupations			
Animal Keeping	§15-2707, Animal Keeping			
Drive-In and Drive-Through Facilities	C(15)	C(15)	C(15)	§15-2728, Drive-In and Drive-Through Facilities
Walk-Up Facilities	§15-2766, Walk-Up Facilities			
Non-Conforming Use	Article 4, Non-Conforming Uses, Structures, Site Features, and Lots			
Temporary Use	§15-2760, Temporary Uses			
Transitional and Supportive Housing	§15-2762, Transitional and Supportive Housing			

TABLE 15-1102: USE REGULATIONS—MIXED-USE DISTRICTS				
<i>Use Classifications</i>	<i>NMX</i>	<i>CMX</i>	<i>RMX</i>	<i>Additional Regulations</i>
Specific Limitations:				
<ol style="list-style-type: none"> 1. Not allowed on the ground floor of portions of the site which abut a major street, but allowed in the interior of all sites. Projects with frontage on more than one major street may be excepted from this restriction on one of the major streets at the discretion of the Review Authority. 2. (reserved) 3. Not to include industrial training such as welding or automotive repair involving the use of tools and materials appropriate to an industrial use area. 4. Must be located along a major street. 5. Limited to establishments with a gross floor area of 5,000 square feet or less. 6. Shall be below grade or in structures faced with active uses along the street. 7. Provided that such use shall be completely enclosed in a building of soundproof construction. 8. Limited to upper stories unless at least 50 percent of ground floor street frontage is occupied by food service use. 9. Limited to 1,500 square feet in size if on the ground floor. 10. Limited to heliports used as accessory to a hospital. 11. Building heights for hospitals shall not exceed 150 ft. There is no maximum Floor Area Ratio for hospitals. 12. Not allowed within 500 feet of an existing or planned Bus Rapid Transit stop. 13. Must take place entirely within a building. 14. Must include an indoor waiting area. 15. Not allowed within 100 feet of a planned or existing Bus Rapid Transit station and not allowed between a building and a sidewalk. 16. If an MX District is applied to the area bounded by Divisadero Avenue, Highway 41, and Highway 99, a Conditional Use Permit shall not be required for Bars/Nightclubs/Lounges within that area. 17. Limited to establishments with a gross floor area of 10,000 square feet or less. 				

15-1103 Density, Intensity, and Massing Development Standards

Table 15-1103 prescribes the density, intensity, and massing development standards for the Mixed-Use Districts. Additional regulations are denoted in a right hand column. Section numbers in this column refer to other sections of the Code, while individual letters refer to subsections that directly follow the table. The numbers in each illustration below correspond to the “#” column in the associated table. Drawings are for illustrative purposes and are not drawn to scale.

TABLE 15-1103: DENSITY, INTENSITY, AND MASSING STANDARDS—MIXED-USE DISTRICTS



District	NMX	CMX	RMX	Additional Regulations	#
Floor Area Ratio (max.)	1.5	1.5	2.0	§15-309, Determining Floor Area Ratio	
Residential Density, du/ac (min./max.)	12/16	16/30	30/45	§15-310, Determining Residential Density Min. res. density shall not be required for the following: projects on lots less than 20,000 sq. ft. in area; projects further than 1,000 feet from a planned or existing BRT route; and projects which submit a Development Permit application prior to January 1, 2019.	
Maximum Height (ft.)	40	60	75	§15-1104-B, RS Transition Standards and §15-2012, Heights and Height Exceptions	①
Setbacks (ft.)					
Front (min./max.)	-/10	-/10	-/10	§15-313, Determining Setbacks and Yards §15-1104-B, RS Transition Standards §15-1104-D, Parking Setback §15-2305, Areas to be Landscaped	②
Interior Side (min.)	-	-	-		③
Street Side (min.)	-	-	-		④
Rear (min.)	-	-	-		⑤
Alley (min.)	3	3	3		⑥
Parking, from back of sidewalk or curb (min.)	30	30	30		⑦
Minimum Frontage Coverage (%)	60	70	80		§15-317, Determining Frontage Coverage
Corner Frontage (ft., measured from property corner)	15	30	50	§15-1104-C, Corner Frontage	⑧
Minimum On-Site Open Space (% of Lot Area)	15	10	8	§15-1104-E, On-Site Open Space	

15-1104 Site Design Development Standards

- A. **Active Uses Adjacent to Sidewalks.** For buildings located within 20 feet of a public street, the following standards shall apply:
1. ***Within 200 Feet of an Existing or Planned Bus Rapid Transit Station.*** No less than 60 percent of the building frontage along public streets shall be occupied by food and beverage sales, entertainment and recreation, general personal services, artist's studios, eating and drinking establishments, personal services, general retail, or convenience retail uses. Other high-activity uses which typically operate at night and on weekends may be approved at the discretion of the Review Authority.
 2. ***Other Locations.*** Active spaces, such as dwelling units, cinemas/theaters, eating and drinking establishments, offices, personal services, general retail, or residential or office lobbies, or shall occupy no less than 60 percent of building frontage along public streets. Inactive and utilitarian spaces, such as storage, utility rooms, or facilities which are occupied infrequently shall not occupy more than 50 percent of the building frontage along public streets. Sites with frontage on multiple streets may not be required to meet this standard along the street with the lowest functional classification or least visual prominence, at the discretion of the Review Authority.
- B. **RS Transition Standards.** Where an MX district abuts an RS District, the following standards apply:
1. ***Height.*** The maximum height within 40 feet of an RS District is limited to 30 feet. The maximum height within 50 feet of an RS District is 40 feet.
 2. ***Setbacks.*** The following additional setback requirements shall be applied to all structures, including accessory structures, on parcels which are adjacent to an RS District:
 - a. ***Front and Street Side Yard.*** The front setback shall not be less than the required front yard on the abutting RS District lot within 50 feet of the RS District.
 - b. ***Interior Side and Rear.*** The interior side and rear setback abutting an RS District boundary shall be 20 feet.
 3. ***Landscape.*** See Table 15-2305-C.1, Required Landscape Buffers.

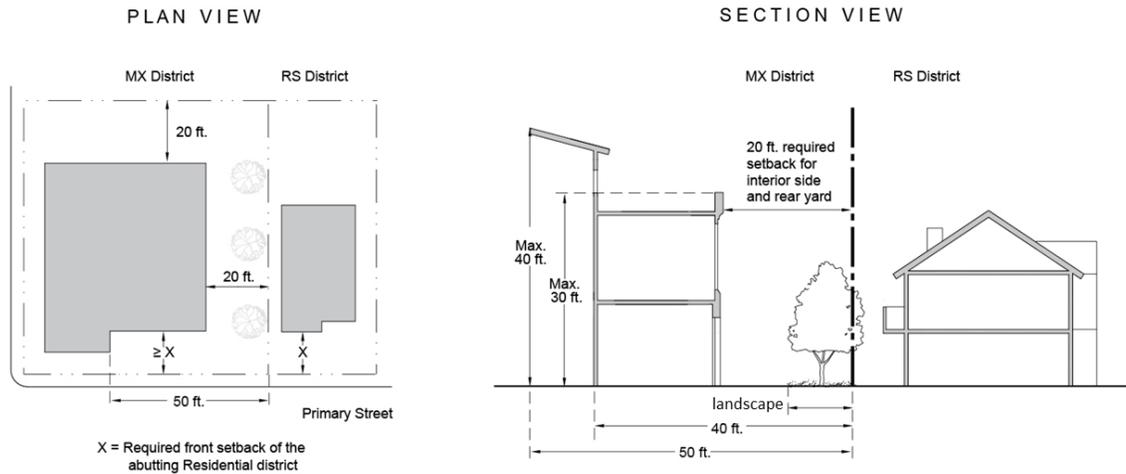


FIGURE 15-1104-B: RS TRANSITION STANDARDS—MX DISTRICTS

4. **Screening.** When a multi-story building is proposed and the second story or above is located within 50 feet of the side or rear yard of a single-family lot, screening measures shall be applied to provide a reasonable degree of privacy.
 - a. Screening measures include, but are not limited to, landscaping, alternate window and balcony placements, placing windows at least six feet from the floor of the interior of the unit, incorporating wing walls or louvers, using glass block or other translucent material, and other such methods.
 - b. *Sufficiency of Screening.* The Review Authority shall determine the sufficiency of the proposed screening measures and may require additional measures.

- C. **Corner Frontage.** Buildings on corner lots must be located within five feet of the street property line for the minimum length specified in Table 15-1103. Plazas maybe located at the street corner provided the plaza meets the requirements of Section 15-1104-E.1.c and buildings are built to the edge of the plaza.

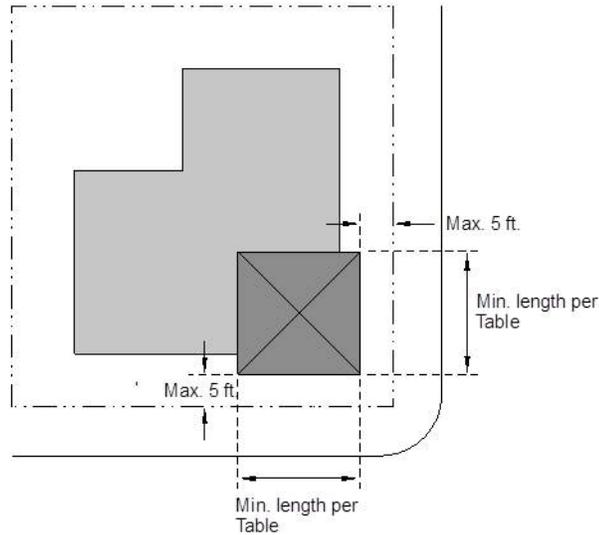


FIGURE 15-1104-C: CORNER FRONTAGE STANDARDS

- D. **Parking Setback.** Parking shall be setback as shown on Table 15-1103 except as provided below:

1. ***Surface Parking.***

- a. Surface parking which is located behind a building shall not be subject to the parking setback requirement.
- b. On lots less than 150 feet in width or depth or at the discretion of the Review Authority, surface parking may be set back less than the distance shown on Table 15-1103, if the following conditions are met:
 - i. Such parking shall not be set back from the street less than adjacent buildings on the site.
 - ii. The parking setback area shall be landscaped.
 - iii. There shall be no more than four adjacent parking spaces in surface parking areas located less than 30 feet from a street-facing lot line. The space between groups of four adjacent parking spaces shall be equal in width to the adjacent parking spaces and shall be landscaped.

- iv. Parking spaces shall be screened from the adjacent street with a minimum three foot berm, wall, or hedge, or combination thereof.

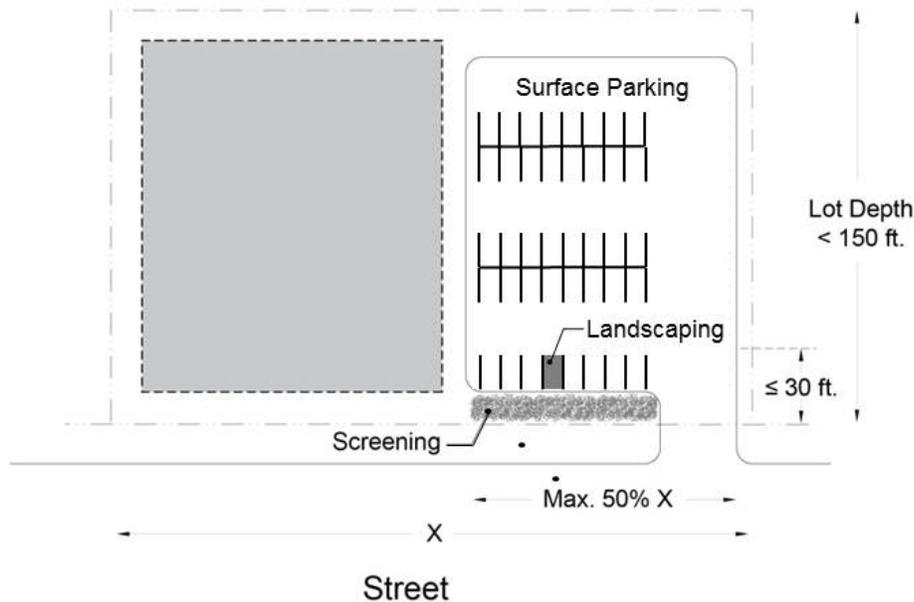


FIGURE 15-1104-D.1: SURFACE PARKING SETBACK REDUCTION

- 2. ***Partially Submerged Podium Parking.*** Parking that is partially below the street grade may extend to the setbacks of the main structure, if the following conditions are met:
 - a. No more than six feet of the partially submerged parking podium may extend above the street grade.
 - b. The partially submerged parking podium shall be screened along street facing elevations by foundation plant materials. Gates need not be screened.
- 3. ***Underground Parking.*** Parking that is fully underground and below the street grade may extend from lot line to lot line

E. On-Site Open Space.

- 1. ***Minimum Open Space Required.*** The minimum amount of on-site open space required shall be based on the size of the lot, as shown in Table 15-1103. This requirement may be met through a combination of private open space, common open space, or public plazas as follows:
 - a. ***Private Open Space Requirements.*** Private open spaces are those which are attached to a dwelling unit and are available only for the private use of the residents of the dwelling unit, such as balconies, porches, and patios. No fewer than 50 percent of the dwelling units on a site shall have a private open space. The following standards shall apply to private open space:

- i. The minimum dimension of any private open space shall be five feet.
 - ii. The minimum area of any private open space shall be 32 square feet.
 - iii. When located within 30 feet of a public street and located on the ground floor, private open spaces shall follow the requirements for Porches as put forth in Table 15-1105-D.
 - iv. When located within 30 feet of a public street and located above the ground floor, private open spaces shall follow the requirements for Balconies as put forth in Table 15-1105-D.
- b. *Common Open Space Requirements.* Common open spaces are those which are available for active or passive use by all tenants, but use by the general public may be restricted. To the extent that common open space is provided, the following standards shall apply:
- i. The minimum dimension of any common open space shall be 20 feet.
 - ii. The minimum area of any common open space shall be 1,000 square feet. The calculation of the common open space area shall exclude structures which are unusable as open space, but shall include structures that enhance its usability, such as swimming pools, changing facilities, fountains, planters, benches, and landscaping.
 - iii. At least 80 percent of common open space shall be unobstructed to the sky. Trellises, pergolas, and similar structures shall be considered open to the sky for the purposes of this measurement.
 - iv. Common open space may be located at grade, on rooftops, on top of parking podiums, or any other such location that is accessible to tenants. Common open space may not be located within required setbacks or parking areas

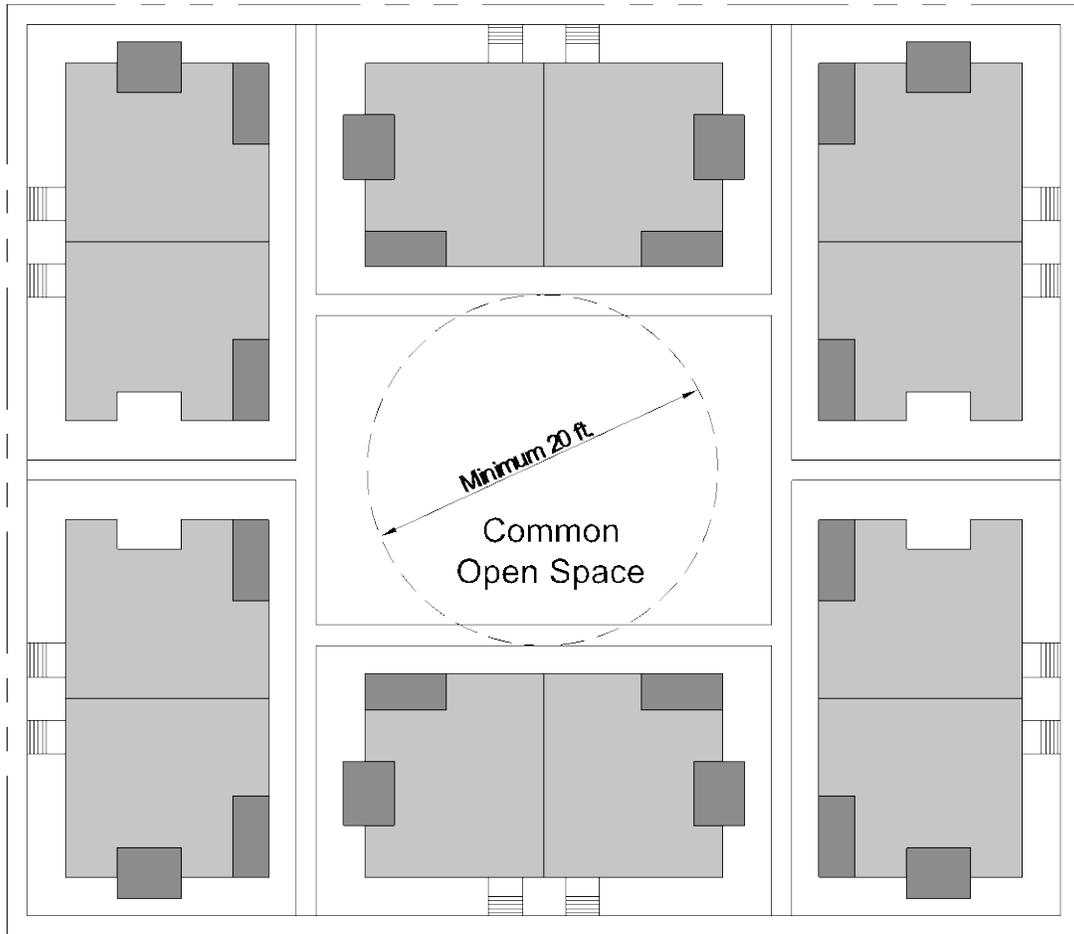


FIGURE 15-1104-E.1.b: MINIMUM REQUIRED COMMON OPEN SPACE DIMENSION

- c. *Public Plaza Requirements.* Public plazas are those which are available for use by the general public, as well as tenants of the project. To the extent that public plazas are provided, the following standards shall apply:
- i. The minimum dimension of any public plaza shall be 20 feet.
 - ii. The minimum area of any public plaza shall be 500 square feet. The calculation of the public plaza area shall exclude structures which are unusable as open space, but shall include structures that enhance its usability, such as fountains, planters, benches, and landscaping.
 - iii. Public plazas shall include benches or other seating, and paving shall be of high-quality materials. Amenities provided shall enhance the comfort, aesthetics, or usability of the space and include, but not be limited to, trees and other landscaping, shade structures, drinking fountains, water features, public art, or performance areas. Landscaping or other aspects

of the design shall not discourage the use of the space by the general public.

- iv. Public plazas shall be fully accessible from the public right-of-way, shall be located in front of project buildings and shall not be located where public views into the space are obstructed by buildings or other structures.
- v. Public plazas may be located within required front setbacks.
- vi. A public access easement shall be provided for the space.

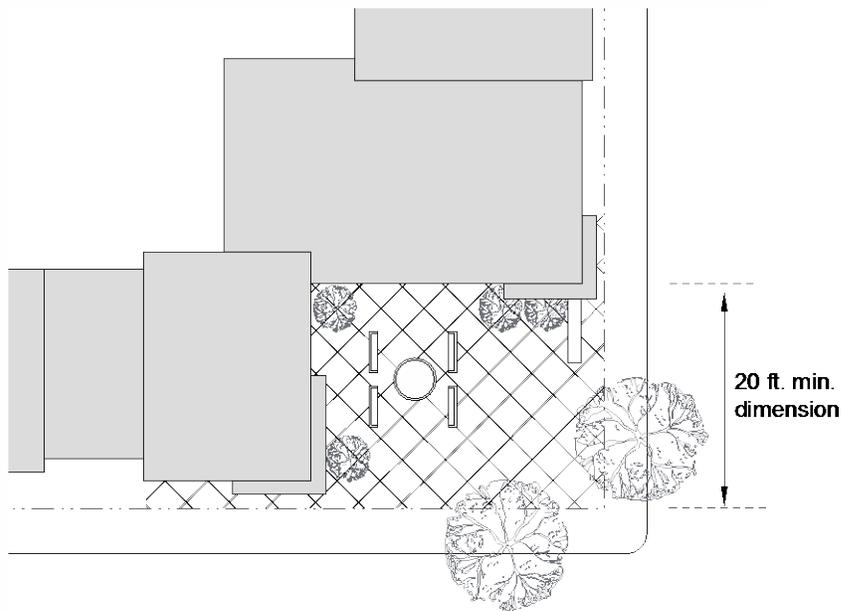


FIGURE 15-1104-E.1.c: MINIMUM REQUIRED PUBLIC PLAZA DIMENSION

- 2. **Minimum Open Space Reduction.** The minimum amount of open space required shall be reduced by 25 percent in any one of the following circumstances:
 - a. Any portion of the lot is located within 400 feet of a transit stop with regular, scheduled service during the weekday hours of 7:00 a.m. to 9:00 a.m. and 5:00 p.m. to 7:00 p.m.
 - b. There is a public park within 400 feet of the site, and
 - i. Said park is located on the same side of the street and provides an improved pedestrian path to and from the site; or
 - ii. The public park is across a local street and the site provides an improved pedestrian path to and from the site.
 - c. The parcel is 15,000 square feet or less in area.

- F. **Pedestrian Access.** Pedestrian access to public streets shall be provided at the preference of the applicant by either the Flexibility Option or the Certainty Option as follows:
1. ***Flexibility Option.*** The applicant must demonstrate to the satisfaction of the Review Authority that the project meets the following goals:
 - a. Provide sufficient opportunities to walk to nearby amenities, services, and transit facilities.
 - b. Create an interface between the building and the public sidewalk which results in a high level of activity on the sidewalk.
 2. ***Certainty Option.*** Projects which comply with the following standards shall be considered to provide sufficient pedestrian access:
 - a. ***Common Area Sidewalk Connections.*** Common entrances into lobbies or internal pedestrian paths shall be provided at a rate of no less than one per 400 feet of linear street frontage. When providing access to a structure, such entrances shall be protected by a portico, canopy, or alcove of no less than four feet in depth. When providing access to a structure such entrances shall also feature an architectural element which clearly distinguishes them from entrances into individual dwellings.
 - b. ***Residential Unit Sidewalk Connections.*** Direct entrances into individual ground-floor dwelling units which are adjacent to streets shall be provided at a rate of no less than one per 100 feet of linear street frontage. Such entrances shall be protected by a portico, canopy, or alcove of no less than four feet in depth.
 - c. ***Commercial Sidewalk Connections.*** Direct entrances into ground-floor commercial establishments which are adjacent to streets shall be provided at a rate of no less than one per 100 feet of linear street frontage. When establishments with dimensions greater than 100 feet occupy a site, they shall be set back and wrapped with smaller spaces that will satisfy this requirement. See Figure 15-1104-F.2.c.
 - d. ***External Connections to Adjacent Development.*** Pedestrian walkways shall connect the project site to adjacent Residential, Commercial, Mixed-Use, and Office districts at a frequency of no less than one per 600 feet. Projects may be excepted from this requirement in the following situations:
 - i. An interconnected street network with short blocks and sidewalks exists in the surrounding area; or
 - ii. The project site is less than one acre in size; or
 - iii. The adjacent properties are developed and there are no possible connection points via breaks in the perimeter wall/fence.

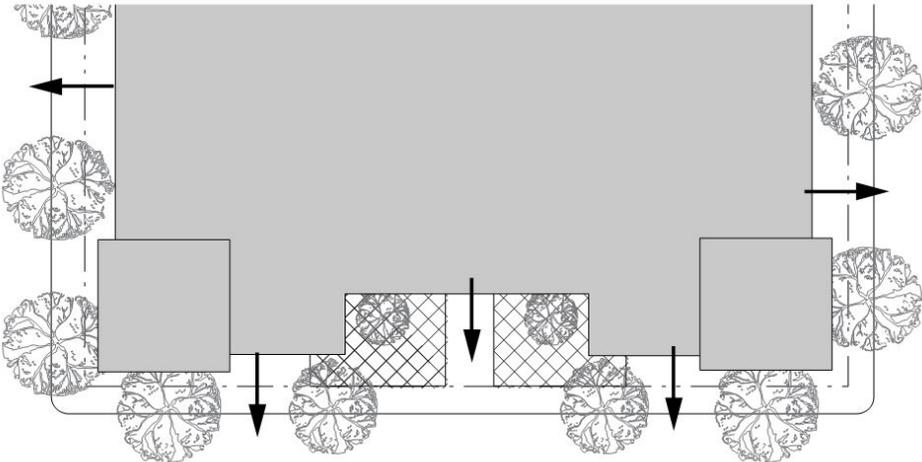


FIGURE 15-1104-F.2: SIDEWALK CONNECTIONS

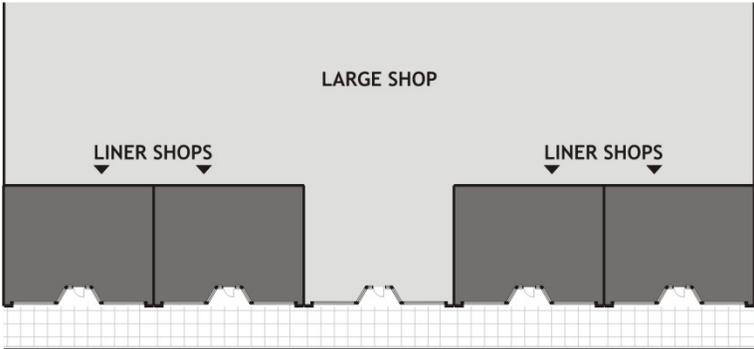
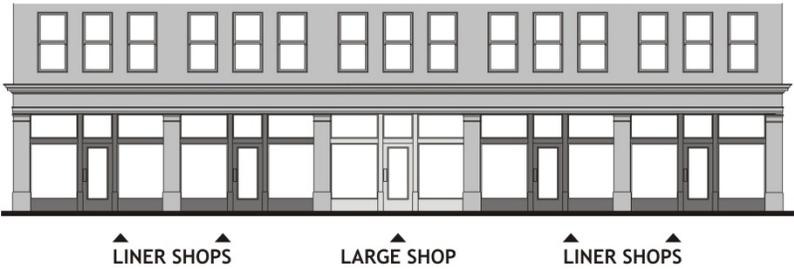
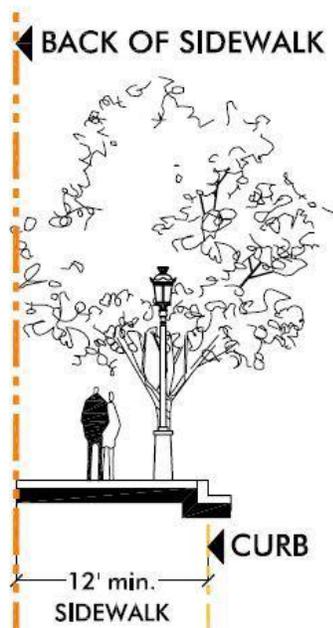


FIGURE 15-1104-F.2.C: WRAPPING OF LARGE USES

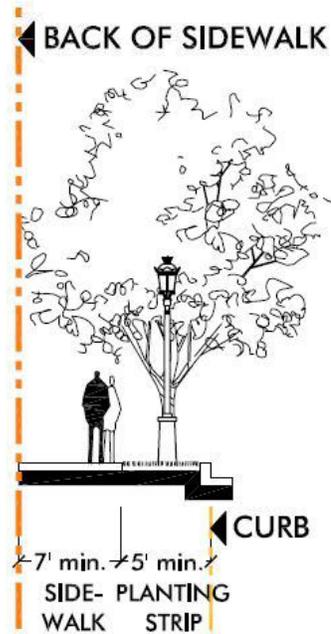
- e. If the project is located within an area with adopted design guidelines, all applicable guidelines which relate to pedestrian access and the location of doors and entrances shall also be followed.

G. Sidewalk Standards.

1. ***Applicability.*** All projects shall be required to bring adjacent sidewalk conditions into conformance with the standards of this section, subject to the following exceptions:
 - a. Applications for signs only.
 - b. Tenant improvements for new establishments occupying 20,000 square feet of gross floor area or less.
 - c. Building expansions of 2,000 square feet of net new floor area or less.
2. ***Width.*** Sidewalks shall be no less than 12 feet in width. If the current distance between the right-of-way boundary and the face of the adjacent curb is less than 12 feet, the method by which this requirement shall be satisfied shall be determined by Review Authority. The available methods shall be as follows:
 - a. ***Set Back.*** The building may be set back from the right-of-way boundary the distance that is necessary to achieve the required sidewalk width. The portion of the sidewalk which lies within the private parcel shall be guaranteed for public access by the enactment of a public access easement.
 - b. ***Reconstruction.*** The applicant may demolish and reconstruct the sidewalk for the entirety of the block frontage(s) which the project occupies to the extent necessary to satisfy the requirements of this section.
 - c. ***Parklet.*** The sidewalk may be expanded into the roadway by a metal or wood deck which does not interfere with the drainage of the street. In such instances the applicant shall enter into an encroachment agreement with the City in which the applicant accepts full responsibility for the maintenance and repair of the parklet, as well as providing the indemnification and insurance as required by the City's Risk Manager.
 - d. ***Width Exemption.*** For unusually challenging site conditions, or in instances in which the existing building and sidewalk pattern warrants it, the Director may exempt the applicant providing the full sidewalk width required above. In such instances all other requirements in this section, such as for trees and lighting, shall be met.
3. ***Treatment.*** Required sidewalks shall be paved and landscaped as follows:
 - a. ***Adjacent to Mixed-Use or Non-Residential Projects.*** The full width of the sidewalk shall be fully paved in uncolored concrete with a simple 30-inch scoring pattern.
 - b. ***Adjacent to Residential-Only Projects.*** A seven-foot walkway adjacent to the private parcel shall be paved in uncolored concrete with a simple 30 inch scoring pattern. The five feet adjacent to the curb shall be a parkway strip which shall be landscaped in a manner to be determined by the Director.



Adjacent to Mixed-Use or Non-Residential Projects.



Adjacent to Residential-Only Projects.

4. **Trees.** Street trees shall be provided with sidewalk improvements. Exact tree type and location shall be determined by the Director. Preferred street tree type and location shall be as follows:
 - a. *Alignment.* Street trees should be located no more than three feet from the back of curb, and whenever possible should be aligned with other trees on the block.
 - b. *Spacing.* Street trees should generally be evenly spaced, no less than 20 feet apart, and not more than 40 feet apart. Whenever possible, trees should not be located directly in front of building entrances.
 - c. *Wells.* When a parkway strip is not provided, trees should be placed in tree wells measuring five feet by five feet. To maximize usable sidewalk area, tree wells shall be covered by grates of a design which is approved by the Director. Larger tree wells may be required by the Public Works Director for species requiring more space. The property owner shall assume maintenance responsibilities for the tree grates.
 - d. *Species.* Street trees should be deciduous, fast growing, drought tolerant, and should eventually form a tall canopy. Not more than one species should be planted per block. Whenever nearby pre-existing trees are in good condition and meet the intent of this section, new trees should be of the same species.

5. **Lighting.** Pedestrian-scaled street lights shall be provided with sidewalk improvements. Exact design and location shall be determined by the Director. Preferred designs and locations shall be as follows:

- a. *Alignment.* Street lights should be located no more than three feet from the curb, and whenever possible should be aligned with street trees, as well as other lights on the block.
 - b. *Spacing.* Street lights should be generally evenly spaced, no less than 30 feet apart, and not more than 80 feet apart. Whenever possible, street lights should be no less than 15 feet from nearby street trees.
 - c. *Design.* Street lights should not be of the type commonly known as Cobra Heads or other types which are intended primarily for the illumination of the vehicular roadway. Lights should be ornamental and designed primarily for the illumination of the sidewalk. Whenever nearby pre-existing lights are in good condition and meet the intent of this section, new lights should be of the same type. Intersection safety lights shall be typical cobra-head design, while mid-block lighting should be ornamental and scaled for the pedestrian environment. Lighting shall meet Public Works standards.
6. **Maintenance.** If a Community Facilities District is not established to maintain sidewalks, street trees, and lighting, the applicant shall enter into a maintenance agreement to ensure the maintenance of said facilities.
- H. **Service Areas and Loading.** Service and loading areas should be integrated with the design of the building and shall be screened from residential areas. Special attention shall be given when designing loading facilities in a location that is proximate to residential uses. Techniques such as block walls, enhanced setbacks, or enclosed loading shall be used to minimize adverse impacts to residents.

15-1105 Façade Design Development Standards

Appropriate façade design shall be provided at the preference of the applicant by either the Flexibility Option or the Certainty Option as follows:

- A. **Flexibility Option.** The applicant must demonstrate to the satisfaction of the Review Authority that the project meets the following goals:
 1. Present an attractive appearance to public streets.
 2. Be aesthetically and functionally compatible to the nearby development context.
 3. Demonstrate a high level of quality.
 4. Support the growth in value of surrounding properties.
- B. **Certainty Option.** Street-facing façades for buildings adjacent to a public street shall comply to the following standards. Other façades are not be subject to these standards.
 1. **Building Length Articulation.** At least one projection or recess shall be provided for every 50 horizontal feet of wall in one of the following manners:
 - a. Projections or recesses for buildings 50 feet wide or less shall be exempted from the building length articulation requirement; projections or recesses for buildings greater than 50 feet in width but less than 100 feet in width shall be no less than 12

inches in depth; or projections or recesses for buildings 100 feet wide or wider shall be no less than 24 inches in depth.

- b. The depth and width of the projection or recess shall be proportionate to the overall mass of the building.
2. **Building Height Articulation.** In order to maintain a human scale for multi-story buildings, the height of façades shall be broken into smaller increments as follows:
- a. **Ground Floor.** A substantial horizontal articulation of the façade shall be applied at the top of the first story. This element shall be no less than 18 inches tall, and should project from the adjacent wall plane. It shall be designed as a cornice, belt course, or a similar architectural element which is appropriate to the style of the building.
 - b. **Top Floor.** Buildings or portions of buildings which are four stories in height or taller shall also provide articulation for the top story of the building. This may be accomplished by a color change, material change, a cornice/belt course at the bottom of the uppermost story, by stepping the uppermost story back, or similar measures.

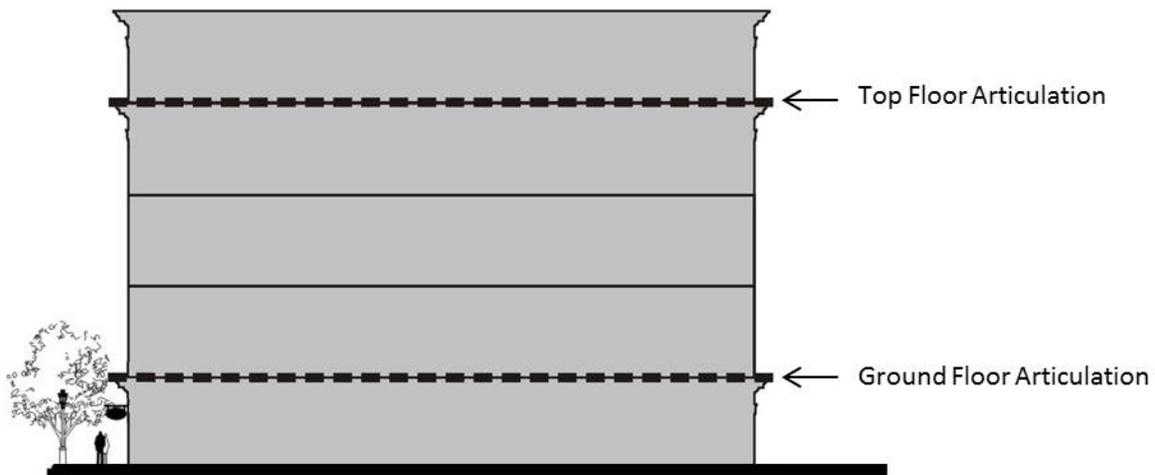


FIGURE 15-1105-B.2: BUILDING HEIGHT ARTICULATION

3. **Building Materials and Finishes.** Materials shall present a durable and attractive appearance through high-quality materials, finishes, and workmanship defined as:
 - a. At least two cladding materials (excluding roof and foundation); and
 - b. At least three exterior colors (each cladding material shall count as a color, and trim/accent colors shall each count as a color, and visually significant colors for doors, balconies, and similar elements may count as a color).

- c. *Exception.* Buildings which accurately adhere to a recognized architectural style which is appropriately expressed in one cladding material and one color shall be excepted.
- d. *Exception.* Buildings with all of the following characteristics shall be allowed to use one cladding material:
 - i. Not located within the area bounded by Tulare Street, L Street, Santa Clara Street, and the Union Pacific Railroad;
 - ii. Building height of three stories or less;
 - iii. Building width of 100 feet or less; and
 - iv. A façade with a comparable form of visual interest.

4. **Window Design.**

- a. *Glazing Ratio.* Street-facing façades of each floor of the building shall have an overall wall composition of at least 25 percent glazing, but not more than 70 percent glazing, with the exception that commercial portions of the ground floor shall be subject to Subsection B.4.b below.
- b. *Ground Floor Commercial Transparency.* For ground floor street-facing façades on portions of a structure occupied by commercial uses, exterior walls facing a front or street-side lot line shall include windows, doors, or other openings with transparent glazing for at least 50 percent of the building wall area located between 2.5 and seven feet above the level of the sidewalk. 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 two feet deep. The Review Authority may waive or reduce this requirement if doing so is necessary to satisfy State or local energy efficiency requirements.

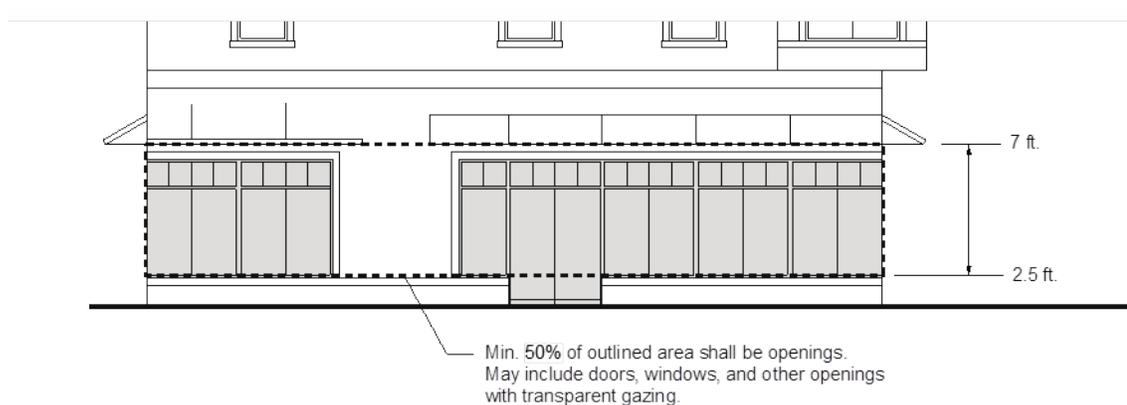


FIGURE 15-1105-B.4.B: GROUND FLOOR COMMERCIAL TRANSPARENCY

- c. *Vertical Proportion.* On upper stories, at least 50 percent of all window openings, window panes, or distinct window units shall have a vertical proportion, in which their height exceeds their width by 25 percent or more.

- d. *Window Depth.* Windows shall create visual interest and the appearance of depth in one of the following manners:
 - i. Trim at least one inch in depth and three inches wide must be provided around all upper story windows and non-commercial ground-floor windows;
 - ii. Windows must be recessed at least two inches from the plane of the surrounding exterior wall (for double-hung and horizontal sliding windows, at least one sash shall achieve the two-inch recess); or
 - iii. Decorative plaster screed, minimum two inches wide.
 - iv. *Exception.* Buildings with all of the following characteristics shall be allowed to use flush windows without trim:
 - (1) Not located within the area bounded by Tulare Street, L Street, Santa Clara Street, and the Union Pacific Railroad;
 - (2) Building height of three stories or less;
 - (3) Building width of 100 feet or less; and
 - v. A façade with a comparable form of prominent surface relief and articulation, such as awnings, canopies, balconies, or massing changes.
- 5. ***Façade Alignment.***
 - a. *Vertical Alignment.* With the exception of mansard roofs, cornices, and other such features, façades shall be oriented vertically and shall have no slope.
 - b. *Horizontal Alignment.* With the exception of bay windows and similar features, façades shall run parallel or perpendicular to the adjacent street.
 - c. *External Stairs, Corridors, and Hallways.* External stairs, corridors, and hallways that are located within 30 feet of a public street must be architecturally integrated into the building design.
- 6. ***Balconies.*** If balconies are provided, they shall not be grouped together into a continuous band across the façade. No more than two balconies shall be contiguous. Each balcony or group of two balconies shall be distinct and shall have at least six feet of horizontal separation from any other balcony.
- 7. ***Façade Elements.*** Development shall incorporate a minimum of one of the following Façade Elements into street-facing building façades.
 - a. Forecourts
 - b. Bay Windows
 - c. Balconies
 - d. Porches
 - e. Stoops
 - f. Arcades

8. If the project is located within an area with adopted design guidelines, all applicable guidelines which relate to façade design shall also be followed.

Article 12 Commercial Districts (C)

Sections:

15-1201	Purpose
15-1202	Use Regulations
15-1203	Intensity and Massing Development Standards
15-1204	Site Design Development Standards
15-1205	Façade Design Development Standards

15-1201 Purpose

The specific purposes of the Commercial Districts are to:

- A. Provide for a full range of commercial uses to serve Fresno and the greater region.
- B. Ensure the provision of shops, services, and facilities needed to accommodate future population and employment.
- C. Establish development and design standards that create a unified, distinctive, and attractive character along commercial streets.
- D. Provide appropriate buffers between commercial and adjacent residential uses to preserve both commercial feasibility and residential environments.
- E. Ensure that new development is designed to minimize traffic and parking impacts on surrounding residential neighborhoods and is appropriate to the physical characteristics of the area.
- F. Implement and provide appropriate regulations for General Plan classifications of “Main Street Commercial,” “Community Commercial,” “Regional Commercial,” “General Commercial,” “Highway and Auto Commercial,” and “Commercial Recreation.”

Additional purposes of each Commercial District are as follows:

CMS Commercial - Main Street. The CMS district is intended to preserve or promote small-scale, fine-grain commercial development in neighborhoods where single-family residential and townhomes are predominant. A traditional “Main Street” character is achieved with active storefronts, outdoor seating and pedestrian-oriented design.

CC Commercial - Community. The CC district is intended for commercial development that primarily serves local needs such as convenience shopping and offices. Specific uses allowed include medium-scale retail, office, civic and entertainment uses, supermarkets, drug stores, and supporting uses.

CR Commercial - Regional. The CR district is intended to meet local and regional retail demand, such as large-scale retail, office, civic and entertainment uses, shopping malls with large-format or “big-box” retail, and supporting uses such as gas stations and hotels. Buildings are typically larger-footprint and urban-scaled. Development and design standards will create a pedestrian-orientation within centers and

along major corridors, with parking generally on the side or rear of major buildings, but automobile-oriented uses also will be accommodated on identified streets and frontages.

CG Commercial - General. The CG district is intended to accommodate a range of retail and service uses that are not appropriate in other areas because of higher volumes of vehicle traffic and potential impacts on other uses. Examples of allowable uses include: building materials, storage facilities with active storefronts, equipment rental, wholesale businesses, and specialized retail not normally found in shopping centers. The focus of district development standards is to ensure structures fit into the surrounding development pattern and architectural or traffic conflicts are minimized.

CH Commercial - Highway and Auto. The CH district is intended for limited areas near the freeway to accommodate uses that depend on or are supported by freeway access, but do not generate a large volume of traffic. Hotels, restaurants, and auto malls are typical land uses.

CRC Commercial - Recreation. The CRC district is intended to provide areas for private commercial recreation uses where patrons usually pay to participate and to group commercial-recreation uses into a planned, integrated center, including related service and commercial uses. Typical uses include bowling alleys, family entertainment centers, driving ranges, miniature golf courses, skating rinks, tennis courts, swimming pools, sports stadiums, arenas, and the County fairgrounds.

15-1202 Use Regulations

A. Table 15-1202 prescribes the proposed land use regulations for Commercial Districts. The regulations for the districts are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.

“P” designates permitted uses.

“C” designates uses that are permitted after review and approval of a Conditional Use Permit.

“(#)” numbers in parentheses refer to specific limitations listed at the end of the table.

“-” designates uses that are not permitted.

B. Land uses are defined in Article 67, Use Classifications.

C. In cases where a specific land use or activity is not defined, the Director shall assign the land use or activity to a classification that is substantially similar in character per Section 15-5020, Director’s Determination.

D. All permitted uses are allowed either alone or in combination with other permitted uses unless otherwise stated in this Code.

E. Use classifications and subclassifications not listed in the table or not found to be substantially similar to the uses below are not permitted.

F. The table also notes additional regulations that apply to various uses. Section numbers in the right hand column refer to other sections of this Code.

TABLE 15-1202: LAND USE REGULATIONS—COMMERCIAL DISTRICTS							
Use Classifications	CMS	CC	CR	CG	CH	CRC	Additional Regulations
Residential Use Classifications							
Residential Housing Types							
Single-Unit Dwelling, Attached	P(2) (16)	-	P(2) (16)	-	-	-	§15-2754, Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters
Multi-Unit Residential	P(2) (16)	-	P(2) (16)	-	-	-	
Adult Family Day Care							
Small (6 clients or less)	P(1)	-	P(2)	-	-	-	
Elderly and Long-Term Care	-	-	P(2)	-	-	-	
Family Day Care							
Small (8 children or less)	P(2)	P(2)	P(2)	-	-	-	§15-2725, Day Care Centers and Family Child Care Homes
Large (9 to 14 children)	P(2)	P(2)	P(2)	-	-	-	
Group Residential							
Small (6 persons or less)	P(1)	-	P(2)	-	-	-	
Large (7 persons or more)	P(1)	-	P(2)	-	-	-	
Re-Entry Facility	-	-	-	P	-	-	
Residential Care Facilities							
Residential Care, General	C(1)	-	-	-	-	-	
Residential Care, Limited	P(1)	-	P(2)	-	-	-	
Residential Care, Senior	C(1)	-	-	-	-	-	
Single Room Occupancy	-	-	-	P	-	-	§15-2757, Single Room Occupancy Hotels and Boarding Homes
Public and Semi-Public Use Classifications							
Colleges and Trade Schools, Public or Private	-	C(3)	P	P	-	-	
Community and Religious Assembly (less than 2,000 square feet)	P	P	P	P	-	-	§15-2719, Community and Religious Assembly Facilities
Community and Religious Assembly (2,000 square feet or more)	-	C(4)	P	C	-	C	
Community Garden	P	P	P	P	P	P	§15-2720, Community Gardens / Urban Farms
Conference/Convention Facility	-	C(4)	P	-	-	C	
Cultural Institutions	P(5)	C	C	-	-	C	
Day Care Centers	P	P	P	-	-	-	§15-2725, Day Care Centers and Family Child Care Homes
Emergency Shelter	-	-	-	P	-	-	§15-2729, Emergency Shelters
Government Offices	P	P	P	-	-	-	
Hospitals and Clinics							
Hospital	-	C(13)	C(13)	C(13)	-	-	
Clinic	C(5)	P(5)	P(5)	P	-	-	
Substance Abuse Treatment Clinic	C(15)	C(15)	C(15)	C(15)	-	-	

TABLE 15-1202: LAND USE REGULATIONS—COMMERCIAL DISTRICTS							
Use Classifications	CMS	CC	CR	CG	CH	CRC	Additional Regulations
Instructional Services	P	P	P	C	–	–	
Park and Recreation Facilities, Public	–	P	P	–	–	P	
Parking, Public or Private	–	C(6)	C(6)	–	–	–	
Public Safety Facilities	C	C	C	C	C	C	
Schools, Public or Private	–	–	C	–	–	–	
Social Service Facilities	C(1)	C	–	–	–	–	
Commercial Use Classifications							
Animal Care, Sales and Services							
<i>Grooming and Pet Stores</i>	P	P	P	P	–	–	
<i>Veterinary Services</i>	–	P	P	–	–	–	
<i>Artist’s Studio</i>	P	P	P	–	–	–	
Automobile/Vehicle Sales and Services							
<i>Automobile Rentals</i>	–	–	C	C	P	–	§15-2709, Automobile and Motorcycle Retail Sales and Leasing
<i>Automobile/Vehicle Sales and Leasing</i>	–	–	C	C	P	–	§15-2709, Automobile and Motorcycle Retail Sales and Leasing
<i>Automobile/Vehicle Service and Repair, Minor</i>	–	–	C	C	P	–	§15-2710, Automobile/Vehicle Service and Repair, Major and Minor
<i>Large Vehicle and Equipment Sales, Service and Rental</i>	–	–	–	C	P	–	§15-2710, Automobile and Motorcycle Retail Sales and Leasing
<i>Service Station</i>	–	C	P	C	P	–	§15-2755, Service Stations
<i>Washing</i>	–	–	C	C	P	–	§15-2711, Automobile/Vehicle Washing
Banks and Financial Institutions							
<i>Banks and Credit Unions</i>	P(5)	P	P	P	–	–	
<i>Check Cashing Businesses and Payday Lenders</i>	–	–	C(7)	C(7)	–	–	§15-2715, Check Cashing Businesses, Payday Lenders, and Similar Financial Services
<i>Banquet Hall</i>	C	C	C	–	C	–	§15-2712, Banquet Hall
<i>Business Services</i>	P(5)	P	P	P	–	–	
Eating and Drinking Establishments							
<i>Bars/Nightclubs/Lounges</i>	C	C	C	C	C	C(8)	§15-2751, Restaurants with Alcohol Sales, Bars, Nightclubs, and Lounges; §15-2744, Outdoor Dining and Patio Areas
<i>Restaurant with Alcohol Sales</i>	C	C	C	C	C	C	
<i>Restaurant without Alcohol Sales</i>	P	P	P	P	P	P	
Entertainment and Recreation							
<i>Cinema/Theaters</i>	C	C	P	P	–	P	
<i>Cyber/Internet Café</i>	C	C	C	C	–	–	§15-2724, Cyber/Internet Café
<i>Motorcycle/Riding Club</i>	–	–	–	–	P	–	§15-2742, Motorcycle/Riding Clubs
<i>Shooting/Archery Range</i>	–	–	–	–	–	P	§15-2756, Shooting Ranges / Archery Ranges

TABLE 15-1202: LAND USE REGULATIONS—COMMERCIAL DISTRICTS							
Use Classifications	CMS	CC	CR	CG	CH	CRC	Additional Regulations
<i>Large-Scale</i>	–	C	C	C	C	C	
<i>Small-Scale</i>	P	P	P	P	–	P	§15-2708, Arcades, Video Games, and Family Entertainment Centers, §9-1801, Billiard Rooms
Food and Beverage Sales							
<i>Farmer’s Markets</i>	P	P	P	P	P	P	§15-2730, Farmer’s Markets
<i>General Market</i>	P	P	P	P	P(5)	–	§15-2744, Outdoor Dining and Patio Areas; §15-2745, Outdoor Retail Sales
<i>Healthy Food Grocer</i>	P	P	P	P	P(5)	–	
<i>Liquor Stores</i>	C	C	C	C	C	–	§15-2706, Alcohol Sales; §15-2745, Outdoor Retail Sales
Food Preparation	–	P	P	P	–	–	
Funeral Parlors and Internment Services	–	C	P	P	–	–	§15-2714, Body Preparation and Funeral Services
Live/Work	P(1)	–	–	–	–	–	
Lodging							
<i>Hotels and Motels</i>	P(14)	P	P	–	P	–	
<i>RV Park</i>	–	–	–	–	–	–	
Maintenance and Repair Services	C(5)	P(9)	C	P	–	–	
Offices							
<i>Business and Professional</i>	P(9)	P	P	P	–	–	
<i>Medical and Dental</i>	–	P	P	P	–	–	
<i>Walk-In Clientele</i>	P	P	P	P	–	–	
Personal Services							
<i>General Personal Services</i>	P	P	P	P	–	–	
<i>Fortune Telling Service</i>	–	–	–	P	–	–	
<i>Massage Establishments</i>	P	P	P	P	–	P	
<i>Tattoo or Body Modification Parlor</i>	P(9)	P(9)	P	P	–	–	§15-2758, Tattoo or Body Modification Parlor
Retail Sales							
<i>Building Materials and Services</i>	C(13)	C	P	P	–	–	§15-2745, Outdoor Retail Sales
<i>Convenience Retail</i>	P	P	P	P	P(5)	C(10)	§15-2745, Outdoor Retail Sales; §15-2761 Tobacco and Vapor Shops
<i>General Retail</i>	P	P	P	P	–	C(10)	§15-2733, Hobby Stores; §15-2745, Outdoor Retail Sales
<i>Gun Shop</i>	C	P	P	P	–	P	§15-2745, Outdoor Retail Sales
<i>Large-Format Retail</i>	–	C	P	P	–	–	§15-2737, Large-Format Retail; §15-2745, Outdoor Retail Sales
<i>Nurseries and Garden Centers</i>	P(5)	P	P	P	–	–	§15-2745, Outdoor Retail Sales
<i>Pawn Shops</i>	–	–	–	P	–	–	
<i>Second Hand / Thrift Stores</i>	P(5)	P	P	P	–	–	
<i>Swap Meet / Flea Market</i>	–	–	–	C	–	C	§15-2730, Flea Markets

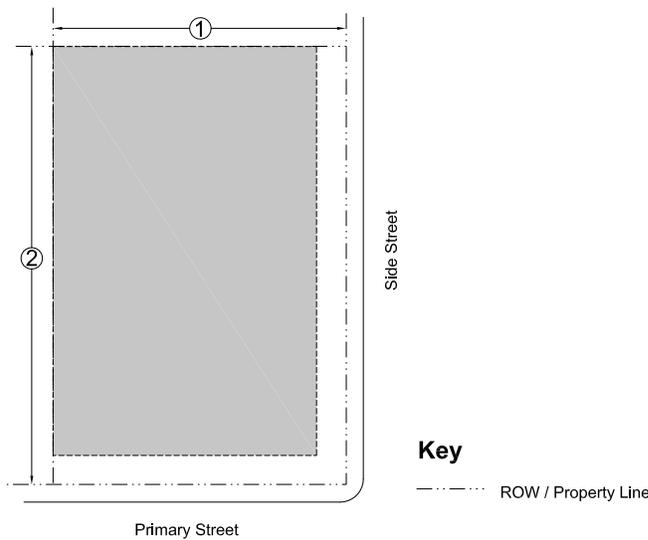
TABLE 15-1202: LAND USE REGULATIONS—COMMERCIAL DISTRICTS							
<i>Use Classifications</i>	<i>CMS</i>	<i>CC</i>	<i>CR</i>	<i>CG</i>	<i>CH</i>	<i>CRC</i>	<i>Additional Regulations</i>
Industrial Use Classifications							
Construction and Material Yards	-	-	-	C	C	-	§15-2721, Concrete Batch Plants, Storage Yards, and Similar Uses
Custom Manufacturing	-	-	-	P(11)	-	-	
Recycling Facility							
<i>Reverse Vending Machine</i>	-	C	P	P	-	-	§15-2750, Recycling Facilities
<i>CRV Recycling Center</i>	§15-2750, Recycling Facilities						
Warehousing, Storage, and Distribution							
<i>Personal Storage</i>	C	C	C	C	C	C	§15-2747, Personal (Mini) Storage
Transportation, Communication, and Utilities Use Classifications							
Communication Facilities							
<i>Antenna and Transmission Towers</i>	§15-2759, Telecommunications and Wireless Facilities						
<i>Facilities within Buildings</i>	-	-	-	P	-	-	
Utilities, Minor	P	P	P	P	-	P	
Agricultural and Extractive Use Classifications							
Agricultural Support Services	-	-	-	P	-	-	
Produce Stand	-	-	-	P	-	-	§15-2752, Roadside Fruit Stands / Grow Stands
Tasting Room	C	C	C	C	-	C	
Other Applicable Types							
Accessory Uses and Structures	§15-2703, Accessory Uses						
Home Gardens	§15-2734, Home Gardens and Edible Landscaping						
Home Occupations	§15-2735, Home Occupations						
Animal Keeping	§15-2707, Animal Keeping						
Drive-in and Drive-Through Facilities	-	C	C	C	C	C	§15-2728, Drive In and Drive Through Facilities
Walk-Up Facilities	§15-2766, Walk-Up Facilities						
Non-Conforming Use	Article 4, Non-Conforming Uses, Structures, Site Features, and Lots						
Temporary Use	§15-2760, Temporary Uses						
Transitional and Supportive Housing	§15-2762, Transitional and Supportive Housing						

TABLE 15-1202: LAND USE REGULATIONS—COMMERCIAL DISTRICTS							
<i>Use Classifications</i>	<i>CMS</i>	<i>CC</i>	<i>CR</i>	<i>CG</i>	<i>CH</i>	<i>CRC</i>	<i>Additional Regulations</i>
Specific Limitations:							
<ol style="list-style-type: none"> 1. Not allowed on the ground floor. 2. Not allowed on the ground floor along arterials or collectors. 3. Not to include industrial training such as welding or automotive repair involving the use of tools and materials appropriate to an industrial use area. 4. Must be located along an arterial or collector. 5. Limited to establishments with a gross floor area of 5,000 square feet or less. 6. Shall be below grade or in structures faced with active uses along the street. 7. Limited to 2,500 square feet in size, located on a collector or higher classification street. 8. Permitted only as an accessory use that supports commercial recreation. 9. Limited to 1,500 square feet in size if on the ground floor. 10. Limited to facilities associated with park and recreation facilities. 11. Provided that such use shall be completely enclosed in a building of soundproof construction. 12. Limited to establishments with a gross floor area of 10,000 square feet or less. 13. Building heights for hospitals shall not exceed 150 ft. There is no maximum Floor Area Ratio for hospitals. 14. Limited to upper stories unless at least 50 percent of ground floor street frontage is occupied by food service use. 15. Must include an indoor waiting area. 16. Residential Uses shall not exceed 16 du/ac. 							

15-1203 Intensity and Massing Development Standards

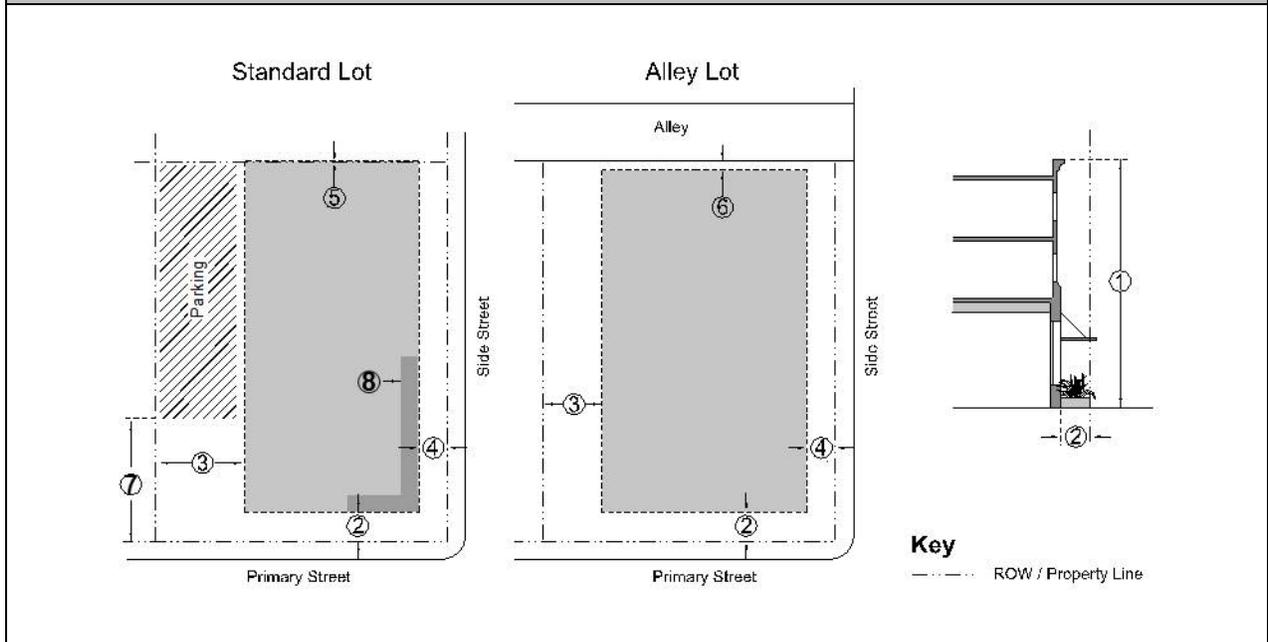
Tables 15-1203-1 to 15-1203-2 prescribe the intensity and massing development standards for the Commercial Districts. Additional regulations are denoted in a right hand column. Section numbers in this column refer to other sections of the Code, while individual letters refer to subsections that directly follow the table. The numbers in each illustration below correspond to the “#” column in the associated table. Drawings are for illustrative purposes and are not drawn to scale.

TABLE 15-1203-1: LOT AND INTENSITY STANDARDS—COMMERCIAL DISTRICTS



District	CMS	CC	CR	CG	CH	CRC	Additional Regulations	#
Minimum District Size (sq. ft., unless otherwise noted)	5,000	32,670	15 acres	12,000	15,000	4 acres		
Minimum Lot Size (sq. ft.)	-	32,670	10,000	12,000	15,000	15,000		
Minimum Lot Width (ft.)	-	75	100	75	100	100		①
Minimum Lot Depth (ft.)	-	100	100	125	125	150		②
Maximum Floor Area Ratio (FAR)	1.0	1.0	1.0	2.0	0.75	0.5	§15-309, Determining Floor Area Ratio	

TABLE 15-1203-2: BUILDING FORM AND LOCATION STANDARDS—COMMERCIAL DISTRICTS



District	CMS	CC	CR	CG	CH	CRC	Additional Regulations	#
Maximum Height (ft.)	35	35	75	35	35	35	§15-1204-A, Residential Transition Standards and §15-2012, Heights and Height Exceptions	①
Setbacks (ft.)								
Front (min./max.)	-/10	15/-	15/-	15/-	15/-	15/-	§15-313, Determining Setbacks and Yards	②
Front (min), with Enhanced Streetscape	-	-	-	-	NA	NA	§15-1204-A, Residential Transition Standards	③
Interior Side (min.)	-	-	-	-	-	-	§15-1204-B, Enhanced Streetscape	④
Street Side (min.)	-	-	-	10	10	10	§15-1204-C, Parking	⑤
Rear (min.)	-	-	-	-	-	-	§15-2014, Projections/Encroachments into Yards	⑥
Alley (min.)	-	-	-	-	-	-	§15-2305, Areas to be Landscaped	
Parking, from back of sidewalk or curb (min.)	30	-	-	-	-	-		⑦
Minimum Frontage Coverage (%)	60	-	-	-	-	-	§15-317 Determining Frontage Coverage	⑧

15-1204 Site Design Development Standards

A. **Residential Transition Standards.** Where a C District is adjacent to a Residential District, the following standards apply:

1. **Height.** The maximum height within 40 feet of an R District is limited to 30 feet. The maximum height within 50 feet of an R District is 40 feet.
2. **Setbacks.**
 - a. **Front.** The front setback shall not be less than the required front yard on the abutting R District lot within 50 feet of the R District.
 - b. **Interior Side and Rear.** The interior side and rear setback abutting an R District boundary shall be 20 feet. In the CMS District, the interior side yard may be reduced to 10 feet with Director approval.
3. **Landscape.** See Table 15-2305-C.1, Required Landscape Buffers.
4. **Screening.** When a multi-story building is proposed and the second story or above is located within 50 feet of the side or rear yard of a single-family lot, screening measures shall be applied to provide a reasonable degree of privacy.
 - a. Screening measures include, but are not limited to, landscaping, alternate window and balcony placements, placing windows at least six feet from the floor of the interior of the unit, incorporating wing walls or louvers, using glass block or other translucent material, and other such methods.
 - b. **Sufficiency of Screening.** The Review Authority shall determine the sufficiency of the proposed screening measures and may require additional measures.

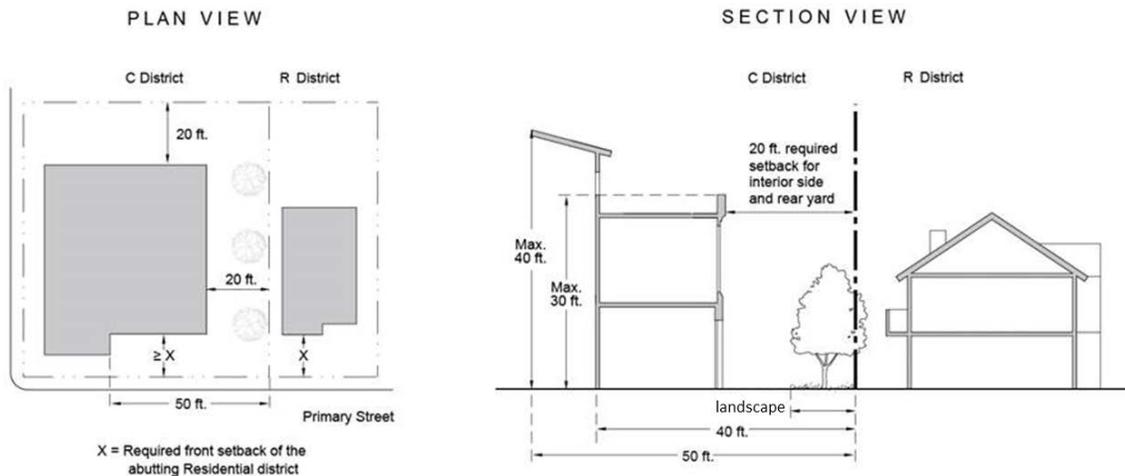


FIGURE 15-1204-A: RESIDENTIAL TRANSITION STANDARDS—C DISTRICTS

- B. **Enhanced Streetscape.** As shown on Table 1203-2, projects which provide an enhanced streetscape will not be required to provide a front setback. A project shall be considered to have an enhanced streetscape when it has all of the following characteristics:
 1. Sidewalks shall be no less than 12 feet in width. If the current distance between the right-of-way boundary and the face of the adjacent curb is less than 12 feet, the building

shall be set back from the right-of-way boundary the distance that is necessary to achieve the required sidewalk width. The portion of the sidewalk which lies within the private parcel shall be guaranteed for public access by the enactment of a public access easement.

2. Street trees shall be provided as follows:
 - a. Street trees should be located no more than three feet from the back of curb, and whenever possible should be aligned with other trees on the block.
 - b. Street trees should generally be evenly spaced, no less than 20 feet apart, and not more than 40 feet apart.
 - c. Whenever possible, trees should not be located directly in front of building entrances.
 - d. Trees should be placed in tree wells measuring five feet by five feet. To maximize usable sidewalk area, tree wells shall be covered by grates of a design which is approved by the Director. Larger tree wells may be required by the Public Works Director for species requiring more space. The property owner shall assume maintenance responsibilities for the tree grates.
 - e. Street trees should be deciduous, fast growing, drought tolerant, and should eventually form a tall canopy. Not more than one species should be planted per block. Whenever nearby pre-existing trees are in good condition and meet the intent of this section, new trees should be of the same species.
3. Pedestrian-scaled street lights shall be provided as follows:
 - a. Street lights should be located no more than three feet from the curb, and whenever possible should be aligned with street trees and other lights on the block.
 - b. Street lights should be generally evenly spaced, no less than 30 feet apart, and not more than 80 feet apart. Whenever possible, street lights should be no less than 15 feet from nearby street trees.
 - c. Street lights should not be of the type commonly known as Cobra Heads or other types which are intended primarily for the illumination of the vehicular roadway. Lights should be ornamental and designed primarily for the illumination of the sidewalk. Whenever nearby pre-existing lights are in good condition and meet the intent of this section, new lights should be of the same type. Intersection safety lights shall be typical cobra-head design, while mid-block lighting should be ornamental and scaled for the pedestrian environment. Lighting shall meet Public Works standards.
4. If a Community Facilities District is not established to maintain sidewalks, street trees, and lighting, the applicant shall enter into a maintenance agreement to ensure the maintenance of said facilities.
5. Facades located within 15 feet of the public sidewalk shall be oriented to the street as follows:

- a. If there is a primary common building entrance which provides access to reception areas, elevators, stairs, and internal circulation, it shall face and be oriented to the street. If there is a yard between the sidewalk and the building, a paved path six feet in width shall be provided from the public sidewalk to the entrance.
- b. Direct entrances from the sidewalk in to individual establishments located along the street frontage shall be provided. If there is a yard between the sidewalk and the building, a paved path six feet in width shall be provided from the public sidewalk to the entrance.

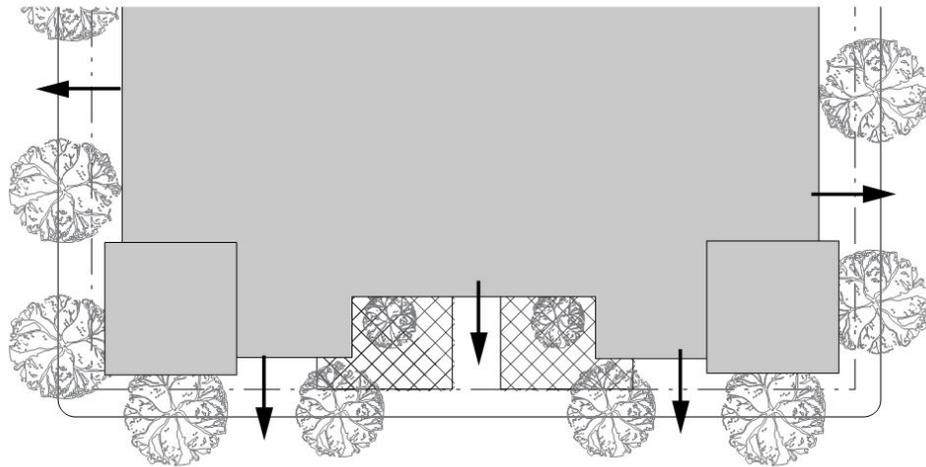


FIGURE 15-1204-B.5: BUILDING ORIENTATION TO THE STREET

- 6. Exterior walls facing a front or street side lot line shall include windows, doors, or other openings with transparent glazing for at least 60 percent of the building wall area located between 2.5 and seven feet above the level of the sidewalk. 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 two feet deep.

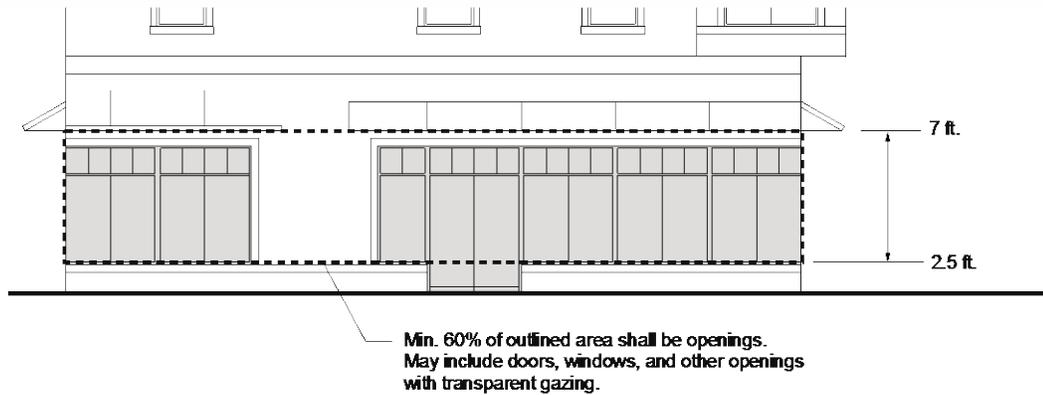


FIGURE 15-1204-B.6: BUILDING TRANSPARENCY

7. Where buildings are located within two feet of a public sidewalk, the sidewalk shall be shaded by awnings or canopies as follows:
 - a. Awning or canopy depth shall be no less than four feet and no more than 10 feet.
 - b. Clearance shall be no less than eight feet and no more than 12 feet from the finished floor.
- C. **Parking.** Parking shall be setback as shown in Table 15-1203-2 except as provided below:
1. ***Underground Parking.*** Parking that is fully underground and below the street grade may extend from lot line to lot line.
 2. ***Partially Submerged and Podium Parking.*** Parking that is partially below the street grade may extend to the setbacks of the main structure. A maximum six feet of the parking structure height may extend above the street grade if screened along street facing elevations by foundation plant materials. Gates need not be screened.

3. **Surface Parking.** On lots less than 150 feet in width or depth, surface parking may be located within 50 feet of a street facing lot line for a maximum of 50 percent of the lot frontage if the parking area is screened with a garden wall, hedge, trellis, and/or other landscaping or built structures facing the sidewalk.

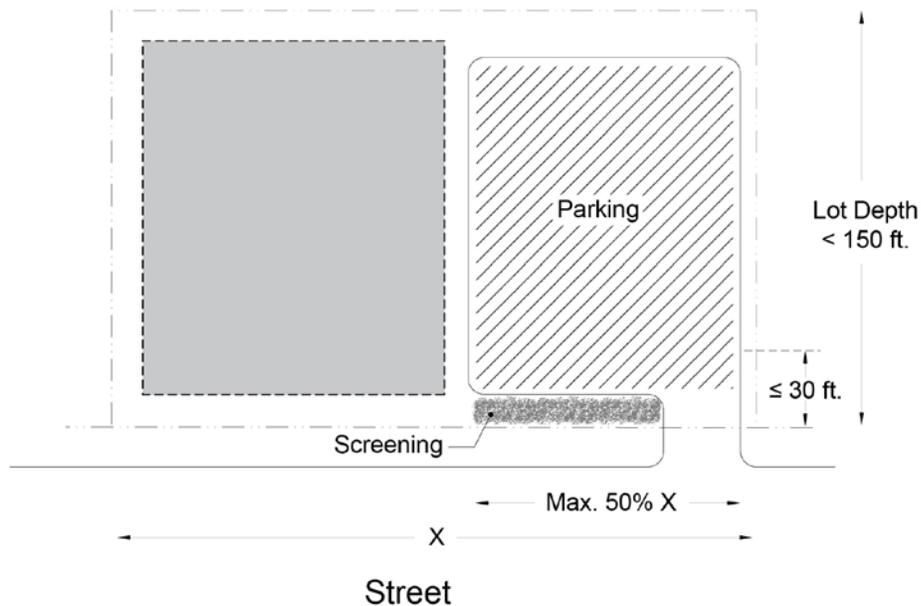


FIGURE 15-1204-C.3: SURFACE PARKING

- D. **Public Plazas.** The following standards apply to commercial shopping center developments in the CC and CR Districts.
 1. **Entry Plazas / Passenger Loading Areas.** A plaza shall be provided at the entry to each anchor tenant that provides for pedestrian circulation and loading and unloading. Entry plazas and passenger loading areas shall include unique, decorative paving materials, adequate seating areas, and provision of adequate shade, and attractive landscaping, including trees or raised planters.
 2. **On-Site Plazas.** Outdoor plazas for the use of customers and visitors shall be provided at a rate of five square feet per 1,000 square feet of floor area, up to 1,500 square feet per plaza.
 3. **Location.** Plazas shall be visible from a public street or from on-site areas normally frequented by customers, and shall be accessible during business hours.

4. **Amenities.** Plazas shall include benches or other seating, and paving shall be of high-quality materials. Amenities shall be included that enhance the comfort, aesthetics, or usability of the space, including, but not limited to, trees and other landscaping, shade structures, drinking fountains, water features, public art, or performance areas.

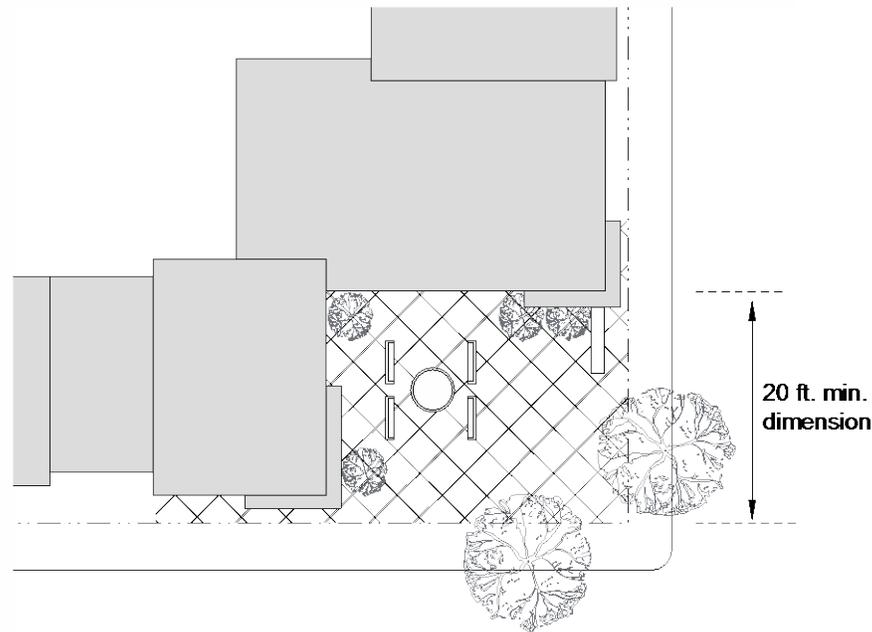


FIGURE 15-1204-D: PUBLIC PLAZAS

- E. **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. **External Connections.** A system of pedestrian walkways shall connect the project site to adjacent Residential, Commercial, Mixed-Use, Office districts as follows:
 - a. If the adjacent Residential, Commercial, Mixed-Use, and Office districts are undeveloped, stub connections shall be provided at a frequency of one per 600 feet. Upon the development of the adjacent parcels, any fencing or gates at the stubs shall be opened.
 - b. If the adjacent Residential, Commercial, Mixed-Use, and Office districts are developed and provide connection points via breaks in the perimeter wall/fence or stub streets, then the project shall provide pedestrian walkway connections at those locations.

- c. If the adjacent Residential, Commercial, Mixed-Use, and Office districts are developed there are no possible connection points via breaks in the perimeter wall/fence, then the project shall not be required to provide connections.
 3. ***To Circulation Network.*** Regular connections between on-site walkways and the public sidewalk and other planned or existing pedestrian routes shall be provided. An on-site walkway shall connect the primary building entry or entries to a public sidewalk on each street frontage.
 4. ***To Streets.*** 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.
 5. ***To Transit.*** Safe and convenient pedestrian connections shall be provided from transit stops to building entrances.
 6. ***Pedestrian Walkway Design.***
 - a. Walkways shall be a minimum of four feet wide, shall be hard-surfaced, and paved with concrete, stone, tile, brick, or comparable material.
 - b. Where a required walkway crosses driveways, parking areas, or loading areas, it must 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 must be raised or separated from the auto travel lane by a raised curb at least six inches high, bollards, or other physical barrier.
- F. **Service Areas and Loading.** Service and loading areas should be integrated with the design of the building and shall be screened from residential areas. Special attention shall be given when designing loading facilities in a location that is proximate to residential uses. Techniques such as block walls, enhanced setbacks, or enclosed loading bays can minimize adverse impacts to residents.

15-1205 Façade Design Development Standards

- A. **Building Articulation.** All street-facing façades, including freeway-facing façades, must include at least one projection or recess at least two feet in depth for every 25 horizontal feet of wall.
- B. **Building Materials and Finishes.**
 1. Each side of a building that is visible from a street or passenger railway shall be designed with a complementary level of detailing and quality of materials.
 2. Veneers should turn corners, avoiding exposed edges and continue down the side of a building to a logical break, such as a change in wall plane. Material changes at outside corners should be avoided.
 3. Windows shall maintain a consistent design character throughout the development and shall be of the same material on all elevations facing a street.

4. Building entrances and common areas shall be accentuated with enhanced finishes and materials that are durable and high quality and distinguish these spaces from other elements of the building.
5. Parking areas and structures shall be designed to match and be compatible with the architectural character, materials, and colors of the overall development.
6. The design of building additions should follow the same general scale, proportion, massing, and detailing of the original structure, and not in stark contrast to the original structure.

Article 13 Employment Districts (E)

Sections:

- 15-1301 Purpose
- 15-1302 Use Regulations
- 15-1303 Intensity and Massing Development Standards
- 15-1304 Site Design Development Standards
- 15-1305 Façade Design Development Standards

15-1301 Purpose

The purposes of the Employment Districts are to:

- A. Designate adequate land for industrial, office, research and development, and flexible commercial uses to strengthen the city's economic base and provide a range of employment opportunities for the current and future population of the city and region.
- B. Provide for the appropriate location of businesses that may have the potential to generate off-site impacts, while providing to ensure compatibility in use and form with existing and planned land uses.
- C. Provide appropriate buffers between employment centers and residential uses.
- D. Implement and provide appropriate regulations for General Plan classifications of "Office," "Business Park," "Regional Business Park," "Light Industrial," and "Heavy Industrial."

Additional purposes of each Employment District are as follows:

O Office. The O district is intended to provide sites for administrative, financial, business, professional, medical, and public offices, as identified by the General Plan. Retail uses would be limited to business services and food service and convenience goods for those who work in the area. This district is intended for locations where the noise or traffic generated by retail sales, restaurants, and service commercial may be incompatible with surrounding residential neighborhoods.

BP Business Park. The BP district is intended to provide a campus-type office professional environment that is well suited for large offices or multi-tenant buildings on sites identified by the General Plan. This district is intended to accommodate and allow for the expansion of small businesses with limited outdoor storage screened with landscaping proximate to residential uses. Typical land uses include research and development, laboratories, administrative and general offices, medical offices and clinics, and professional offices. Small-scale retail and service uses serving local employees and visitors are permitted as secondary uses.

RBP Regional Business Park. The RBP district is intended for large or campus-like office and technology development that includes office, research and development, manufacturing, and other large-scale, professional uses with limited and properly screened outdoor storage. Permitted uses include incubator-research facilities, prototype manufacturing, testing, repairing, packaging, and printing as

well as offices and research facilities, on sites identified by the General Plan. Small-scale retail and service uses serving local employees and visitors are permitted as secondary uses.

IL Light Industrial. The IL district is intended to provide areas, as identified by the General Plan, for a diverse range of light industrial uses, including limited manufacturing and processing, research and development, fabrication, utility equipment and service yards, wholesaling, warehousing, and distribution activities. Small-scale retail and ancillary office uses are also permitted. Light Industrial areas may serve as buffers between Heavy Industrial Districts and other land uses and otherwise are generally located in areas with good transportation access, such as along railroads and freeways.

IH Heavy Industrial. The IH district is intended to accommodate the broadest range of industrial uses on sites identified in the General Plan. It includes manufacturing, assembly, wholesaling, distribution, and storage activities that are essential to the development of a balanced economic base. Small-scale commercial services and ancillary office uses are also permitted.

15-1302 Use Regulations

- A. Table 15-1302 below prescribes the proposed land use regulations for Employment Districts. The regulations for the district are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.

“P” designates permitted uses.

“C” designates uses that are permitted after review and approval of a Conditional Use Permit.

“(#)” numbers in parentheses refer to specific limitations listed at the end of the table.

“-” designates uses that are not permitted.

- B. Land uses are defined in Article 67, Use Classifications.
- C. In cases where a specific land use or activity is not defined, the Director shall assign the land use or activity to a classification that is substantially similar in character per Section 15-5020, Director’s Determination.
- D. All permitted uses are allowed either alone or in combination with other permitted uses unless otherwise stated in this Code.
- E. Use classifications and subclassifications not listed in the table or not found to be substantially similar to the uses below are not permitted.
- F. The table also notes additional regulations that apply to various uses. Section numbers in the right hand column refer to other sections of this Code.

TABLE 15-1302: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS						
<i>Use Classifications</i>	<i>O</i>	<i>BP</i>	<i>RBP</i>	<i>IL</i>	<i>IH</i>	<i>Additional Regulations</i>
Residential Use Classifications						
Caretaker Residence	-	-	-	P(2)	P(2)	
Public and Semi-Public Use Classifications						
Colleges and Trade Schools, Public or Private	P(3)	P(3)	P(3)	P	P	
Community and Religious Assembly (less than 2,000 square feet)	P	P	P	P	-	§15-2719, Community and Religious Assembly Facilities
Community and Religious Assembly (2,000 square feet or more)	P	P (14)	P (14)	P (14)	-	
Community Garden	P	P	P	P	P	§15-2720, Community Gardens / Urban Farms
Conference/Convention Facility	C	C	C	-	-	
Cultural Institutions	P	P	P	-	-	
Day Care Centers	P	P	P	P (15)		§15-2725, Day Care Centers and Family Child Care Homes
Emergency Shelter	-	-	P	P	-	§15-2729, Emergency Shelters
Government Offices	P	P	P	P	P	
Hospitals and Clinics						
<i>Hospital</i>	C(11)	C(11)	C(11)	C(11)	C(11)	
<i>Clinic</i>	P	P	P	C	-	
<i>Substance Abuse Treatment Clinic</i>	C(13)	C(13)	C(13)	C(13)	-	
Instructional Services	P	P	P	P	P	
Park and Recreation Facilities, Public	P	P	P	P	P	
Parking, Public or Private	P	P	P	P	P	
Public Safety Facilities	P	P	P	P	P	
Schools, Public or Private	P	P	P	P	-	
Social Service Facilities	C	C	C	C	-	
Commercial Use Classifications						
Adult-Oriented Business	-	-	-	C	C	§15-2705, Adult-Oriented Businesses; §9-2001, Picture and Live Arcades
Aircraft Sales, Services, and Storage	-	P	P	P	P	
Animal Care, Sales and Services						
<i>Kennels</i>	-	-	-	P	P	
<i>Veterinary Services</i>	C	P	P	P	P	
Artist's Studio	P	P	-	P	-	
Automobile/Vehicle Sales and Services						
<i>Automobile Rentals</i>	P	P	P	P	P	§15-2709, Automobile and Motorcycle Retail Sales and Leasing
<i>Automobile/Vehicle Sales and Leasing</i>	-	P	P	P	-	§15-2709, Automobile and Motorcycle Retail Sales and Leasing
<i>Automobile/Vehicle Repair, Major</i>	P	P	P	P	P	§15-2710, Automobile/Vehicle Service and Repair, Major and Minor
<i>Automobile/Vehicle Service and Repair, Minor</i>	P	P	P	P	P	
<i>Large Vehicle and Equipment Sales,</i>	P	P	P	P	P	

TABLE 15-1302: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS						
<i>Use Classifications</i>	<i>O</i>	<i>BP</i>	<i>RBP</i>	<i>IL</i>	<i>IH</i>	<i>Additional Regulations</i>
<i>Service and Rental</i>						
<i>Service Station</i>	P	P	P	P	P	§15-2755, Service Stations
<i>Towing and Impound</i>	–	–	–	C	C	§15-2765, Vehicle Impound Yard (Tow Yard) and Transit Storage
<i>Washing</i>	P	P	P	P	P	§15-2711, Automobile/Vehicle Washing
Banks and Financial Institutions						
<i>Banks and Credit Unions</i>	P	P	P	P	–	
<i>Check Cashing Businesses and Payday Lenders</i>	–	–	–	–	–	§15-2715, Check Cashing Businesses, Payday Lenders, and Similar Financial Services
<i>Business Services</i>	P	P	P(6)	P	P	
<i>Banquet Hall</i>	C	C	C	C	–	§15-2712, Banquet Hall
Eating and Drinking Establishments						
<i>Restaurant with Alcohol Sales</i>	C	C	C	C	C	§15-2751, Restaurants with Alcohol Sales, Bars, Nightclubs, and Lounges; §15-2744, Outdoor Dining and Patio Areas
<i>Restaurant without Alcohol Sales</i>	P	P	P	P	P	
Entertainment and Recreation						
<i>Motorcycle/Riding Club</i>	–	–	–	P	P	§15-2742, Motorcycle/Riding Clubs
<i>Shooting/Archery Range</i>	–	–	–	P	P	§15-2756, Shooting Ranges / Archery Ranges
<i>Small-Scale</i>	–	C	C	C	–	§15-2708, Arcades, Video Games, and Family Entertainment Centers, §9-1801, Billiard Rooms
Food and Beverage Sales						
<i>Farmer's Market</i>	P	P	P	P	–	
<i>General Market</i>	P	P	P	P	–	§15-2744, Outdoor Dining and Patio Areas; §15-2745, Outdoor Retail Sales
<i>Healthy Food Grocer</i>	–	P	P	P	–	
<i>Food Preparation</i>	–	P	P	P	P	
<i>Funeral Parlors and Internment Services</i>	–	P	P	P	–	§15-2714, Body Preparation and Funeral Services
<i>Live/Work</i>	–	–	–	P	–	
Lodging						
<i>Hotels and Motels</i>	P	P	P	P	–	
<i>Maintenance and Repair Services</i>	–	P	P	P	P	
Offices						
<i>Business and Professional</i>	P	P	P	P	P	
<i>Medical and Dental</i>	P	P	P	P	–	
<i>Walk-In Clientele</i>	P	P	P	P	–	
Personal Services						
<i>General Personal Services</i>	P	P	P	P	–	
<i>Tattoo or Body Modification Parlor</i>	–	–	–	P	–	§15-2758, Tattoo or Body Modification Parlor

TABLE 15-1302: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS						
<i>Use Classifications</i>	<i>O</i>	<i>BP</i>	<i>RBP</i>	<i>IL</i>	<i>IH</i>	<i>Additional Regulations</i>
Retail Sales						
<i>Building Materials and Services</i>	–	–	–	P	P	§15-2745, Outdoor Retail Sales
<i>Convenience Retail</i>	P(4)	P(4)	P(4)	P(4)	P(4)	§15-2745, Outdoor Retail Sales; 15-2761 Tobacco and Vapor Shops
<i>General Retail</i>	P(4)	P(4)	P(4)	P(4)	P(4)	§15-2733, Hobby Stores; §15-2745, Outdoor Retail Sales
<i>Large-Format Retail</i>	–	P(8)	P(8)	P(8)	P(8)	§15-2737, Large-Format Retail; §15-2745, Outdoor Retail Sales
<i>Nurseries and Garden Centers</i>	–	–	–	C	–	§15-2745, Outdoor Retail Sales
<i>Swap Meet / Flea Market</i>	–	–	–	C	–	§15-2731, Flea Markets
Industrial Use Classifications						
Construction and Material Yards	–	P(16)	P(16)	P(16)	P(16)	§15-2721, Concrete Batch Plants, Storage Yards, and Similar Uses
Custom Manufacturing	–	P(8)	P(8)	P	P	
Limited Industrial	–	P(8)	P(8)	P	P	
General Industrial	–	C	C	P	P	
Intensive Industrial	–	–	–	–	C	§15-2732, Hazardous Waste Management Facilities
Recycling Facility						
<i>Reverse Vending Machine</i>	P	P	P	P	P	§15-2750, Recycling Facilities
<i>CRV Recycling Center</i>	–	–	–	C	C	
<i>Recycling Processing Facility</i>	–	–	–	C	C	
Research and Development	P	P	P	P	P	
Salvage and Wrecking	–	–	–	–	C	§15-2768, Wrecking Yards and Auto Dismantling
Warehousing, Storage, and Distribution						
<i>Chemical and Mineral Storage</i>	–	–	–	C	C	§15-2732, Hazardous Waste Management Facilities
<i>Indoor Warehousing and Storage</i>	–	P	P	P	P	
<i>Outdoor Storage</i>	–	P(8) (16)	P(8) (16)	P(16)	P(16)	§15-2721, Concrete Batch Plants, Storage Yards, and Similar Uses
<i>Personal Storage</i>	C	P	P	P	P	§2747, Personal (Mini) Storage
<i>Wholesaling and Distribution</i>	–	P	P	P	P	
Transportation, Communication, and Utilities Use Classifications						
Airports and Heliports	–	C(9)	C(9)	C	C	
Communication Facilities						
<i>Antenna and Transmission Towers</i>	§15-2759, Telecommunications and Wireless Facilities					
<i>Facilities within Buildings</i>	P	P	P	P	P	
Freight/Truck Terminals and Warehouses	–	P	P	P	P	
Light Fleet-Based Services	C	P	P	P	P	
Utilities, Major	–	–	C	P	P	
Utilities, Minor	P	P	P	P	P	
Waste Transfer Facility	–	–	–	C	C	§15-2732, Hazardous Waste Management Facilities

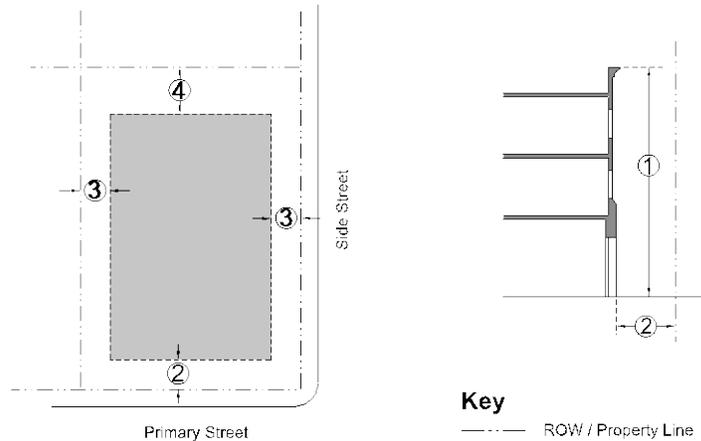
TABLE 15-1302: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS						
<i>Use Classifications</i>	<i>O</i>	<i>BP</i>	<i>RBP</i>	<i>IL</i>	<i>IH</i>	<i>Additional Regulations</i>
Agricultural and Extractive Use Classifications						
Agricultural Processing	-	C	C	P	P	§15-2732, Hazardous Waste Management Facilities
Agricultural Support Services	-	C	P	P	P	
Animal Raising	-	-	-	-	-	
Crop Cultivation	-	-	-	P	P	§15-2716, Crop Cultivation
Dairy	-	-	-	-	-	
Mining and Quarrying	-	-	-	-	C	
Rendering	-	-	-	-	C	
Sales Lot, Feed Lot, Stockyard	-	-	-	C	P	
Slaughterhouse	-	-	-	-	C	
Tasting Room	-	C	C	C	C	
Other Applicable Types						
Accessory Uses and Structures	§15-2703, Accessory Uses					
Home Gardens	§15-2734, Home Gardens and Edible Landscaping					
Animal Keeping	§15-2707, Animal Keeping					
Drive-In and Drive-Through Facilities	C	C	C	C	C	§15-2728, Drive-In and Drive-Through Facilities
Walk-Up Facilities	§15-2766, Walk-Up Facilities					
Non-Conforming Use	Article 4, Non-Conforming Uses, Structures, Site Features, and Lots					
Temporary Use	§15-2760, Temporary Uses					
Specific Limitations:						
<ol style="list-style-type: none"> 1. Permitted if existing, no new units are allowed. 2. One caretaker dwelling is allowed where having a caretaker living on the site is necessary for the conduct of the on-site business. 3. Not to include industrial training such as welding or automotive repair involving the use of tools and materials appropriate to an industrial use area. 4. Limited to establishments with a gross floor area of 6,000 square feet or less. 5. Not allowed on the ground floor. 6. Permitted only as an accessory use that supports business and office parks, corporate offices, and industrial uses. 7. Limited to membership club retailers and located on an arterial or higher classifications street. 8. Outdoor storage shall be incidental to a primary use and screened from public view. 9. Limited to heliports used as accessory to a hospital. 10. Limited to upper stories unless at least 50 percent of ground floor street frontage is occupied by food service use. 11. Building heights for hospitals shall not exceed 150 ft. There is no maximum Floor Area Ratio for hospitals. 12. Must be closed between the hours of 10 p.m. and 6 a.m. 13. Must include an indoor waiting area. 14. When located within 300 of an Intensive Industrial use a Conditional Use Permit shall be required. 15. Shall be required to comply with Master Environmental Impact Report mitigation measures MM AIR-2, MM AIR-3, and MM AIR-4 if applicable. 16. A courtesy notice will be provided to all properties within 1,000 feet of these uses when approved. 						

15-1303 Intensity and Massing Development Standards

Tables 15-1303-1 to 15-1303-2 prescribe the intensity and massing development standards for the Employment Districts. Additional regulations are denoted in a right hand column. Section numbers in this column refer to other sections of the Code, while individual letters refer to subsections that directly follow the table. The numbers in each illustration below correspond to the “#” column in the associated table. Drawings are for illustrative purposes and are not drawn to scale.

TABLE 15-1303-1: LOT AND INTENSITY STANDARDS—EMPLOYMENT DISTRICTS							
<p>The diagram shows a rectangular lot with a dashed line representing the Right-of-Way (ROW) or Property Line. Dimension 1 is the width of the lot, and dimension 2 is the depth. The lot is bounded by a Primary Street on the bottom and a Side Street on the right. A key indicates that the dashed line represents the ROW / Property Line.</p>							
District	O	BP	RBP	IL	IH	Additional Regulations	#
Minimum District Size	-	-	5 acres	-	-		
Minimum Lot Size (sq. ft.)	7,500	10,000	-	9,000	9,000		
Minimum Lot Width (ft.)	65	65	150	75	75		①
Minimum Lot Depth (ft.)	110	110	200	120	120		②
Maximum Floor Area Ratio (FAR)	2.0	1.0	1.0	1.5	1.5	§15-309, Determining Floor Area Ratio	

TABLE 15-1303-2: BUILDING FORM AND LOCATION STANDARDS—EMPLOYMENT DISTRICTS



District	O	BP	RBP	IL	IH	Additional Regulations	#
Maximum Height (ft.)	60	60	60	60	60	§15-2012, Heights and Height Exceptions §15-1304-A, Residential Transition Standards §15-1304-C, Exceptions to Maximum Height in IL and IH Districts	①
Minimum Setbacks (ft.)						§15-313, Determining Setbacks	
Front (Major Street)	15	15	15	15	15	§15-1304-A, Residential Transition Standards	②
Front (Major Street), with Enhanced Streetscape	-	NA	NA	NA	NA	§15-1304-D, Enhanced Streetscape	
Front (Local Street)	-	-	-	-	-	§15-1304-E, Parking Setbacks	
Side	-	-	-	-	-	§15-2014, Projections/ Encroachments into Yards	③
Rear	-	-	-	-	-	§15-2305, Areas to be Landscaped	④
Parking, from back of sidewalk or curb	15	15	15	-	-		

15-1304 Site Design Development Standards

- A. **Residential Transition Standards.** Where an E District abuts a Residential District, the following standards apply:
1. **Height.** The maximum height within 40 feet of a Residential District is limited to 30 feet. The maximum height within 50 feet of a residential district is 40 feet.
 2. **Setbacks.**
 - a. *Front and Street Side Yards.* The front setback shall not be less than the required front yard on the abutting Residential District lot within 75 feet of the Residential District.
 - b. *Interior Side and Rear for the IL and IH Districts.* The interior side and rear setback abutting a Residential District boundary shall be no less than 50 feet.
 - c. *Interior Side and Rear Setbacks for All Other Employment Districts.* The interior side and rear setback abutting a Residential District boundary shall be 20 feet.
 3. **Landscape.** See Table 15-2305-C.1, Required Landscape Buffers.
 4. **Screening.** When a multi-story building is proposed and the second story or above is located within 50 feet of the side or rear yard of a single-family lot, screening measures shall be applied to provide a reasonable degree of privacy.
 - a. Screening measures include, but are not limited to, landscaping, alternate window and balcony placements, placing windows at least six feet from the floor of the interior of the unit, incorporating wing walls or louvers, using glass block or other translucent material, and other such methods.
 - b. *Sufficiency of Screening.* The Review Authority shall determine the sufficiency of the proposed screening measures and may require additional measures.

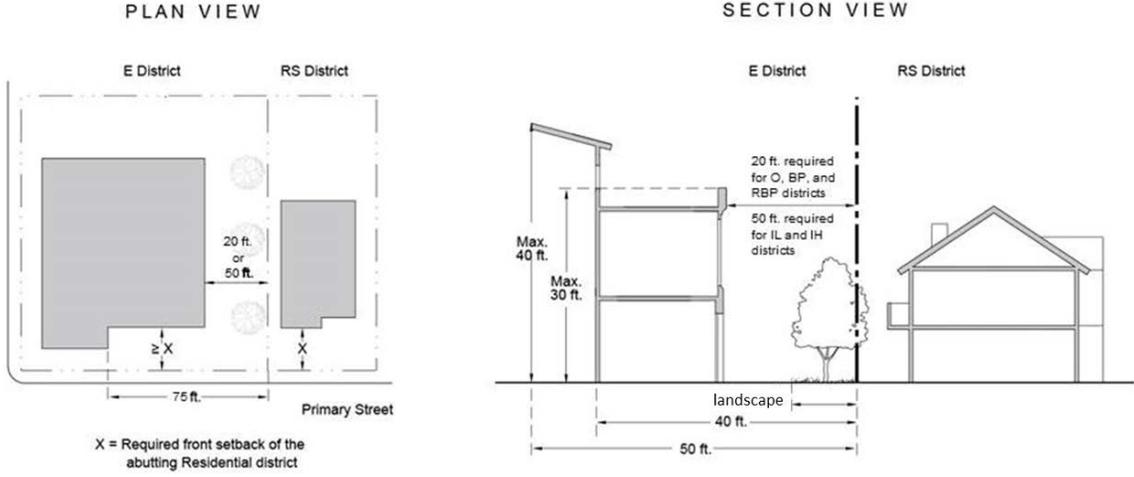


FIGURE 15-1304-A: RESIDENTIAL TRANSITION STANDARDS—E DISTRICTS

- B. **Exceptions to Maximum Height in Woodward Park Area.** Within the geographic area that is hatched in Figure 15-1304-B, the maximum permitted building height may be increased to 120 feet. Such projects shall conform to the residential transition standards in Section 1304-A and shall be subject to a Conditional Use Permit.

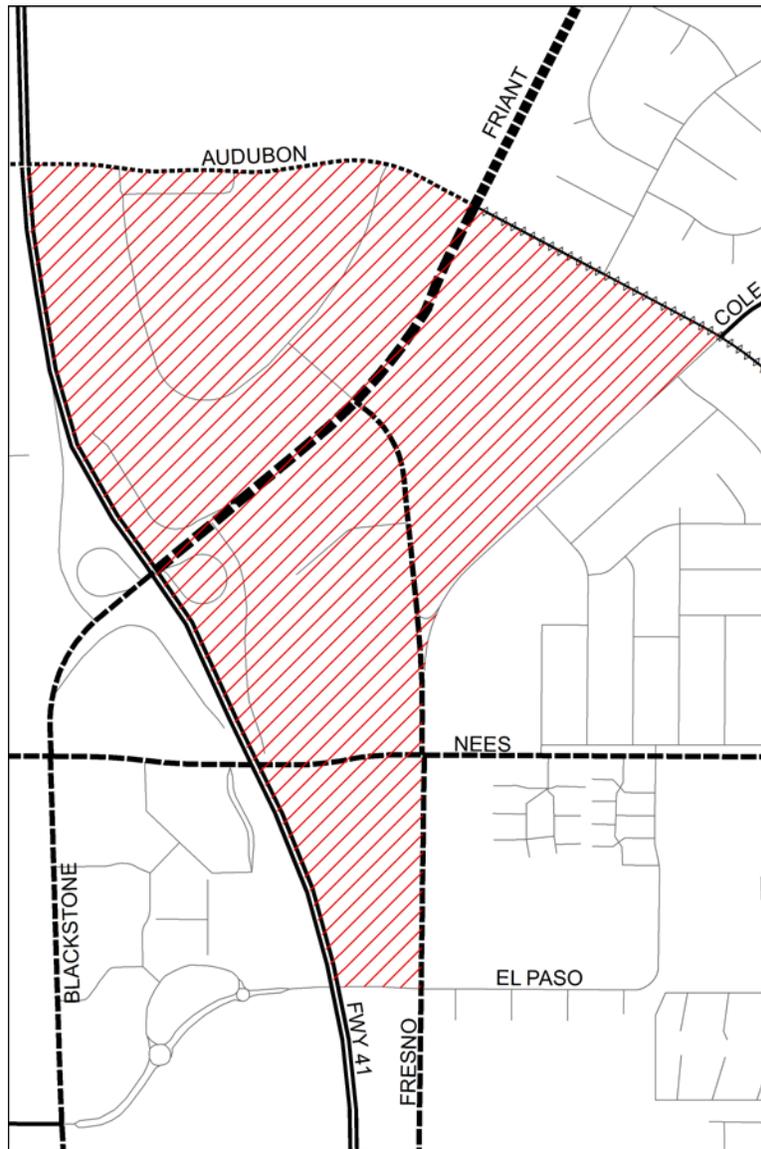


FIGURE 15-1304-B: EXCEPTIONS TO MAXIMUM HEIGHT IN WOODWARD PARK AREA

- C. **Exceptions to Maximum Height in IL and IH Districts.** Within the IL and IH Districts, uninhabited structures such as silos, cooling towers, and similar structures used for storage and manufacturing may exceed the maximum height prescribed in 15-1303-2 by no more than 40 feet. Height in excess of 100 feet for such structures is subject to a Conditional Use Permit.

- D. **Enhanced Streetscape.** Projects in O Districts which include buildings with a front setback of less than 15 feet shall provide the following streetscape enhancements:
1. Sidewalks shall be no less than 12 feet in width.
 2. Street trees shall be provided as follows:
 - a. Street trees should be located no more than three feet from the back of curb, and whenever possible should be aligned with other trees on the block.
 - b. Street trees should generally be evenly spaced, no less than 20 feet apart, and not more than 40 feet apart.
 - c. Whenever possible, trees should not be located directly in front of building entrances.
 - d. Trees should be placed in tree wells measuring five feet by five feet. To maximize usable sidewalk area, tree wells shall be covered by grates of a design which is approved by the Director. Larger tree wells may be required by the Public Works Director for species requiring more space. The property owner shall assume maintenance responsibilities for the tree grates.
 - e. Street trees should be deciduous, fast growing, drought tolerant, and should eventually form a tall canopy. Not more than one species should be planted per block. Whenever nearby pre-existing trees are in good condition and meet the intent of this section, new trees should be of the same species.
 3. Pedestrian-scaled street lights shall be provided as follows:
 - a. Street lights should be located no more than three feet from the curb, and whenever possible should be aligned with street trees and other lights on the block.
 - b. Street lights should be generally evenly spaced, no less than 30 feet apart, and not more than 80 feet apart. Whenever possible, street lights should be no less than 15 feet from nearby street trees.
 - c. Street lights should not be of the type commonly known as Cobra Heads or other types which are intended primarily for the illumination of the vehicular roadway. Lights should be ornamental and designed primarily for the illumination of the sidewalk. Whenever nearby pre-existing lights are in good condition and meet the intent of this section, new lights should be of the same type. Intersection safety lights shall be typical cobra-head design, while mid-block lighting should be ornamental and scaled for the pedestrian environment. Lighting shall meet Public Works standards.
 4. Facades located with 15 feet of the public sidewalk shall be oriented to the street as follows:
 - a. If there is a primary common building entrance which provides access to reception areas, elevators, stairs, and internal circulation, it shall face and be oriented to the street. If there is a yard between the sidewalk and the building, a paved path six feet in width shall be provided from the public sidewalk to the entrance.

- b. Direct entrances from the sidewalk in to individual establishments located along the street frontage shall be provided. If there is a yard between the sidewalk and the building, a paved path six feet in width shall be provided from the public sidewalk to the entrance.

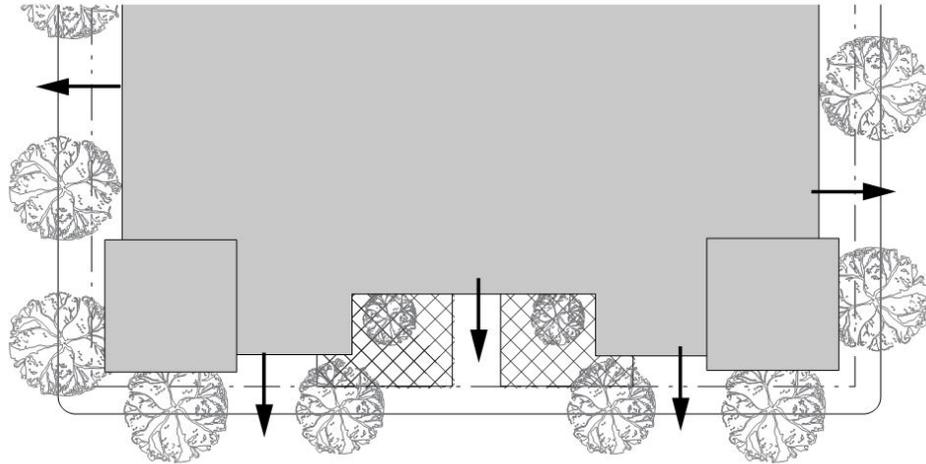


FIGURE 15-1304-D-4: BUILDING ORIENTATION TO THE STREET

- 5. Exterior walls facing a front or street side lot line shall include windows, doors, or other openings with transparent glazing for at least 60 percent of the building wall area located between 2.5 and seven feet above the level of the sidewalk. 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 two feet deep.

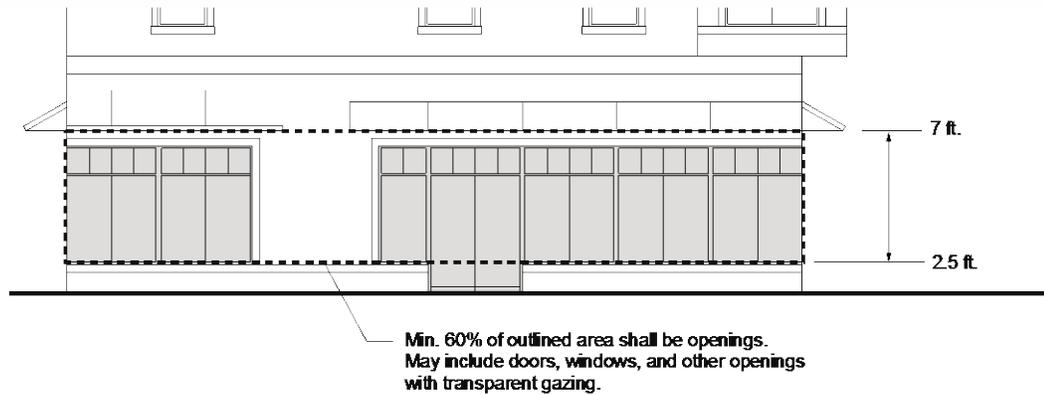


FIGURE 15-1304-D-5: BUILDING TRANSPARENCY

6. Where buildings are located within two feet of a public sidewalk, the sidewalk shall be shaded by awnings or canopies as follows:
 - a. Awning or canopy depth shall be no less than four feet and no more than 10 feet.
 - b. Clearance shall be no less than eight feet and no more than 12 feet from the finished floor.
- E. **Parking Setbacks.** In the O, BP, and RBP Districts, parking shall be set back from the street facing lot line as shown in Table 15-1303-2, except as provided below:

1. **Surface Parking.** On lots less than 150 feet in width or depth, the parking setback may be reduced to six feet. This area shall be landscaped. Parking spaces shall be screened with a minimum three foot high berm, wall, or hedge, or combination thereof.

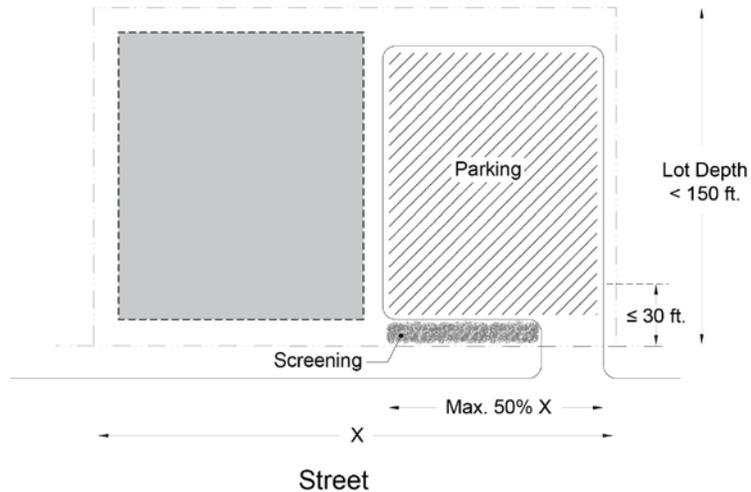


FIGURE 15-1304-E.1: SURFACE PARKING SCREENING

2. **Partially Submerged and Podium Parking.** Parking that is partially below the street grade may extend to the setbacks of the main structure. A maximum six feet of the parking structure height may extend above the street grade if screened along street facing elevations by foundation plant materials. Gates need not be screened.
 3. **Underground Parking.** Parking that is fully underground and below the street grade may extend from property line to property line.
 4. **Carports.** If proposed on a Major Street in the O or the BP Districts, carports:
 - a. Should generally be located away from major streets.
 - b. There shall be no more than six consecutive carport spaces parallel to major streets, with a minimum distance of 20 feet between every six carport spaces.
 5. **Driveways.** The location and width of driveways shall be minimized; they are permitted only to provide access to garages, carports, and parking areas. Curb cuts are limited to one for every 50 feet of street frontage.
- F. **Pedestrian Access.** Within the O District, on-site pedestrian circulation and access must be provided according to the following standards.
1. **To Streets.** 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.

2. ***To Transit.*** Safe and convenient pedestrian connections shall be provided from transit stops to building entrances.
 3. ***To Circulation Network.*** Regular connections between on-site walkways and the public sidewalk and other planned or existing pedestrian routes shall be provided. An on-site walkway shall connect the primary building entry or entries to a public sidewalk on each street frontage.
 4. ***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.
 5. ***External Connections.*** In the O District, a system of pedestrian walkways shall connect the project site to adjacent Residential, Commercial, Mixed Use, Office districts as follows:
 - a. If the adjacent Residential, Commercial, Mixed Use, and Office districts are undeveloped, stub connections shall be provided at a frequency of one per 600 feet. Upon the development of the adjacent parcels, any fencing or gates at the stubs shall be opened.
 - b. If the adjacent Residential, Commercial, Mixed Use, and Office districts are developed and provide connection points via breaks in the perimeter wall/fence or stub streets, then the project shall provide pedestrian walkway connections at those locations.
 - c. If the adjacent Residential, Commercial, Mixed Use, and Office districts are developed there are no possible connection points via breaks in the perimeter wall/fence, then the project shall not be required to provide connections.
 6. ***Pedestrian Walkway Design.***
 - a. Walkways shall be a minimum of four feet wide, shall be hard-surfaced, and paved with concrete, stone, tile, brick, or comparable material.
 - b. Where a required walkway crosses driveways, parking areas, or loading areas, it must 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 must be raised or separated from the auto travel lane by a raised curb at least six inches high, bollards, or other physical barrier.
- G. **Service Areas and Loading.** Service and loading areas should be integrated with the design of the building and shall be screened from residential areas. Special attention shall be given when designing loading facilities in a location that is proximate to residential uses. Techniques such as block walls, enhanced setbacks, or enclosed loading can minimize adverse impacts to residents.

15-1305 Façade Design Development Standards

- A. **Building Articulation.** In the O District, all street-facing façades must include at least one projection or recess at least two feet in depth for every 25 feet of horizontal feet of wall.

B. Building Materials and Finishes.

1. In the O District, the following standards shall apply:
 - a. Each side of a building that is visible from a Major Street shall be designed with a complementary level of detailing and quality of materials.
 - b. There shall be a minimum of two exterior wall finish materials.
 - c. Veneers should turn corners, avoiding exposed edges and continue down the side of a building to a logical break, such as a change in wall plane. Material changes at outside corners should be avoided.
 - d. Building entrances and common areas shall be accentuated with enhanced finishes and materials that are durable and high quality and distinguish these spaces from other elements of the building.
 - e. Metal buildings should employ a variety of building forms shapes, colors, materials, and other architectural treatments to add visual interest and variety to the building. Architectural treatments should emphasize the primary entrance to the building.
 - f. Unless roofing materials are part of the design element (for example, tiles, concrete, or metal roofing elements), the ridge line elevation should not exceed the parapet elevation.
 - g. Windows shall maintain a consistent design character throughout the development and shall be of the same material on all elevations facing a street.
 - h. Parking areas and structures shall be designed to match and be compatible with the architectural character, materials, and colors of the overall development.
2. In the BP and RBP Districts, buildings within 100 feet of a major street shall apply at least two of the following standards:
 - a. Use a minimum of two exterior wall finish materials shall be used.
 - b. Use a minimum of three exterior paint colors.
 - c. Design street-facing façades to have an overall wall composition of at least 20 percent glazing.
 - d. Provide one inset of six inches in depth, 10 feet in height, and 20 feet in width for every 50 feet of wall length.
 - e. Provide canopies or awnings with at least four feet of projection for at least 50 percent of the wall length.
 - f. Employ an architectural treatment to the primary entrance(s) such as decorative lighting, increased height, or enhanced materials.

Article 14 Public and Semi-Public Districts (PSP)

Sections:

- 15-1401 Purpose
- 15-1402 Use Regulations
- 15-1403 Intensity and Massing Development Standards
- 15-1404 Site Design Development Standards

15-1401 Purpose

The specific purposes of the Public and Semi-Public Districts are to:

- A. Provide areas for a wide range of public facilities, including parks and open space, educational facilities, cultural and institutional uses, health services, municipal offices, general government operations, utility and public service needs, and other public or quasi-public facilities.
- B. Ensure that the development and operation of public and semi-public uses protects and enhances the character and quality of life of surrounding residential areas.
- C. Ensure the provision of services and facilities needed to serve residents, businesses, and visitors and maintain a high quality of life standard.
- D. Implement and provide appropriate regulations for General Plan classifications of “Open Space,” and “Public and Institutional.”

Additional purposes of each Public and Semi-Public District are as follows:

OS Open Space. The OS district is intended for undeveloped park lands and permanent open spaces in the community, including environmentally-sensitive lands, waterways, and wetlands. It is also intended to safeguard the health, safety, and welfare of the people by limiting development in areas where police and fire services, protection against flooding by storm water, and mitigation of excessive erosion are not possible without excessive costs to the community. This district may include trails and other low-impact public recreational uses, ponding basins, riverbottoms/riverbeds, and airport approach/clear zones. Access may be restricted to areas of sensitive habitat or which pose a danger to the public.

PR Parks and Recreation. The PR district is intended to maintain areas for active and passive public parks and multi-purpose trails, including outdoor and indoor recreation such as playing fields, trails, playgrounds, community centers, and other appropriate recreational uses. The PR district may include ponding basins or airport approach/clear zones if developed for, programmed, and actively used as recreation fields.

PI Public and Institutional. The PI district is for public or quasi-public facilities, including City facilities, utilities, schools, health services, corporation yards, utility stations, and similar uses. Accessory retail uses and services, including food facilities and childcare, are permitted.

15-1402 Use Regulations

A. Table 15-1402 prescribes the proposed land use regulations for Public and Semi-Public Districts. The regulations for the districts are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.

“P” designates permitted uses.

“C” designates uses that are permitted after review and approval of a Conditional Use Permit.

“(#)” numbers in parentheses refer to specific limitations listed at the end of the table.

“-” designates uses that are not permitted.

B. Land uses are defined in Article 67, Use Classifications.

C. In cases where a specific land use or activity is not defined, the Director shall assign the land use or activity to a classification that is substantially similar in character per Section 15-5020, Director’s Determination.

D. All permitted uses are allowed either alone or in combination with other permitted uses unless otherwise stated in this Code.

E. Use classifications and subclassifications not listed in the table or not found to be substantially similar to the uses below are not permitted.

F. The table also notes additional regulations that apply to various uses. Section numbers in the right hand column refer to other sections of this Code.

TABLE 15-1402: LAND USE REGULATIONS—PUBLIC AND SEMI-PUBLIC DISTRICTS				
<i>Use Classifications</i>	<i>OS</i>	<i>PR</i>	<i>PI</i>	<i>Additional Regulations</i>
Residential Use Classifications				
Multi-Unit Residential	-	-	P(8)	
Public and Semi-Public Use Classifications				
Cemetery	P	-	P	
Colleges and Trade Schools, Public or Private	-	-	P	
Community and Religious Assembly (less than 2,000 square feet)	C(1)	P(1)	P	§15-2719, Community and Religious Assembly Facilities
Community and Religious Assembly (2,000 square feet or more)	-	P(1)	P	
Community Garden	P	P	P	§15-2720, Community Gardens / Urban Farms
Conference/Convention Facility	-	-	P	
Cultural Institutions	-	P	P	
Day Care Centers	-	-	P	§15-2725, Day Care Centers and Family Child Care Homes
Emergency Shelter	-	-	P	§15-2729, Emergency Shelters
Government Offices	-	-	P	
Hospitals and Clinics				

TABLE 15-1402: LAND USE REGULATIONS—PUBLIC AND SEMI-PUBLIC DISTRICTS				
<i>Use Classifications</i>	<i>OS</i>	<i>PR</i>	<i>PI</i>	<i>Additional Regulations</i>
<i>Hospital</i>	-	-	P(5)	
<i>Clinic</i>	-	-	P	
<i>Substance Abuse Treatment Clinic</i>	-	-	C(6)	
Instructional Services	-	-	P	
Park and Recreation Facilities, Public	P	P	P	
Parking, Public or Private	C	C	C	
Public Safety Facilities	C	C	P	
Schools, Public or Private	-	-	P	
Social Service Facilities	-	-	P	
Commercial Use Classifications				
Animal Care, Sales and Services				
<i>Kennels</i>	-	-	C(2)	
Eating and Drinking Establishments				
<i>Restaurant with Alcohol Sales</i>	-	-	C(3)	§15-2751, Restaurants with Alcohol Sales, Bars, Nightclubs, and Lounges; §15-2744, Outdoor Dining and Patio Areas
<i>Restaurant without Alcohol Sales</i>	-	P(3)	P(3)	
Entertainment and Recreation				
<i>Large-Scale</i>	-	P(7)	-	
Food and Beverage Sales				
<i>Farmer's Markets</i>	-	C	P	§15-2730, Farmer's Markets
Retail Sales				
<i>General Retail</i>	-	-	P(3)	§15-2745, Outdoor Retail Sales
Industrial Use Classifications				
Recycling Facility				
<i>Reverse Vending Machine</i>	-	-	-	§15-2750, Recycling Facilities
<i>Recycling Processing Facility</i>	-	-	C	
Transportation, Communication, and Utilities Use Classifications				
Airports and Heliports	-	-	C(4)	
Communication Facilities				
<i>Antenna and Transmission Towers</i>	§15-2759, Telecommunications and Wireless Facilities			
<i>Facilities within Buildings</i>	-	-	P	
Transportation Passenger Terminals	-	-	P	
Utilities, Major	C	-	P	
Utilities, Minor	P	P	P	
Waste Transfer Facility	-	-	C	
Agricultural and Extractive Use Classifications				
Crop Cultivation	P	-	-	§15-2716, Crop Cultivation
Other Applicable Types				
Accessory Uses and Structures	§15-2703, Accessory Uses			
Home Gardens	§15-2734, Home Gardens and Edible Landscaping			
Animal Keeping	§15-2707, Animal Keeping			

TABLE 15-1402: LAND USE REGULATIONS—PUBLIC AND SEMI-PUBLIC DISTRICTS				
<i>Use Classifications</i>	<i>OS</i>	<i>PR</i>	<i>PI</i>	<i>Additional Regulations</i>
Drive-In and Drive-Through Facilities	-	-	-	§15-2728, Drive-In and Drive-Through Facilities
Walk-Up Facilities	§15-2766, Walk-Up Facilities			
Non-Conforming Use	Article 4, Non-Conforming Uses, Structures, Site Features, and Lots			
Temporary Use	§15-2760, Temporary Uses			
Specific Limitations:				
<ol style="list-style-type: none"> 1. Limited to facilities associated with park and recreation facilities. 2. Limited to government or non-profit animal shelters located a minimum of 100 feet from a residential use or district. 3. Limited to gift shops, cafes, and restaurants that are an accessory to cultural institutions, community and religious assembly, and conference/convention centers. 4. Heliports used as accessory to a hospital are permitted by right and shall not require a Conditional Use Permit. 5. Building heights for hospitals shall not exceed 150 ft. There is no maximum Floor Area Ratio for hospitals. 6. Must include an indoor waiting area. 7. Limited to golf courses. 8. Limited to on-campus housing operated by an accredited school. 				

15-1403 Intensity and Massing Development Standards

Table 15-1403 prescribes the intensity and massing development standards for the Public and Semi-Public Districts. Additional regulations are denoted in a right hand column. Section numbers in this column refer to other sections of the Code, while individual letters refer to subsections that directly follow the table. The numbers in each illustration below correspond to the “#” column in the associated table.

TABLE 15-1403: DEVELOPMENT STANDARDS—PUBLIC AND SEMI-PUBLIC DISTRICTS				
<i>District</i>	<i>OS</i>	<i>PR</i>	<i>PI</i>	<i>Additional Regulations</i>
Maximum Density (du/ac)	-	-	45	§15-310, Determining Residential Density §15-1404-E, On-Campus Housing Standards
Maximum Height (ft.)	35	35	35	§15-1404-A, Additional Height for Recreational Facilities §15-2012, Heights and Height Exceptions
Minimum Setbacks (ft.)				
<i>Front</i>	25	25	20	§15-1404-B, Residential Transition Standards §15-1404-D, Setbacks §15-2014, Projections/Encroachments into Yards §15-2305, Areas to be Landscaped
<i>Interior Side</i>	20	20	15	
<i>Street Side</i>	25	25	20	
<i>Rear</i>	20	20	15	
Maximum Lot Coverage (%)	10	10	35	
Supplemental Regulations				§15-1404, Site Design Development Standards

15-1404 Site Design Development Standards

- A. **Additional Height for Recreational Facilities.** Additional height for structures related to recreational facilities such as light standards, nets, and fences, may be approved with a Conditional Use Permit.
- B. **Residential Transition Standards.** See Table 15-2305-C.1, Required Landscape Buffers.
- C. **Service Areas and Loading.** Service and loading areas shall be located so that they are oriented away from residences, primary pedestrian entrances and areas, and not adjacent to or parallel to any public right-of-way (except alleys).
- D. **Setbacks.** The prescribed setbacks apply to all structures, including, but not limited to, bleachers, dugouts, backstops, lights, etc. Should the parcel be less than one-half acre, the Director may reduce the front and street side yard to 15 feet.
- E. **On-Campus Housing Standards.** The provisions set in 15-1004-A, RS Transition Standards and 15-1004-D, On-Site Open Space shall apply.
- F. **San Joaquin River Corridor Preservation.** Any development within the San Joaquin River Corridor shall be limited or required to provide an extended buffer in order to protect the natural environs. The limitations and buffers shall be consistent with the General Plan and may be expanded further subject to environmental review.

Article 15 Downtown Districts

(Reserved)

Article 16 Overlay Districts

Sections:

- 15-1601 Planned Development (PD) Overlay District
- 15-1602 Airport Environs (AE) Overlay District
- 15-1603 Bluff Protection (BP) Overlay District
- 15-1604 Expressway Area (EA) Overlay District
- 15-1605 Residential Modifying (RM) Overlay District
- 15-1606 Annexed Rural Residential Transitional (ANX) Overlay District
- 15-1607 Equine (EQ) Overlay District
- 15-1608 Mining (M) Overlay District
- 15-1609 Apartment House (AH) Overlay District

15-1601 Planned Development (PD) Overlay District

- A. **Purpose.** The Planned Development (PD) Overlay District allows for an alternate process to accommodate major and unique developments for residential, commercial, professional, or other similar activities, including combinations of uses and modified development standards, which would create a desirable, functional, and community-oriented environment under controlled conditions of a development plan. The PD district is intended to provide assurances to a land developer which will reduce the economic risks of a project while providing the City with a flexible means of promoting comprehensive planning and orderly development.
- B. **Use Regulations.** No use other than an existing use is permitted in a PD District except in accordance with a valid PD Plan or adopted Specific Plan. Any permitted or conditional use authorized by this Code may be included in an approved PD Plan or an adopted Specific Plan consistent with the General Plan land use designation(s) for the property.
- C. **Development Standards.**
 - 1. **Minimum Area.** The minimum area of a PD District shall be as follows; however, the City Council may approve a District smaller than the minimum area if it finds that rezoning to PD would further achieve the goals of the General Plan and provide greater benefits to the general welfare of Fresno's residents and property owners than development under conventional zoning because of unique characteristics of the site or the proposed use or mix of uses.
 - a. *Commercial and Mixed-Use Districts.* One-half contiguous acres.
 - b. *Other Districts.* Two contiguous acres.
 - 2. **Open Space.** Open space shall be shown on the PD Plan, and the total open area in a PD Plan shall be substantially the same, or greater as the open area required by the Base District for the total area of the planned development.
 - 3. **Residential Unit Density.** Except where a density bonus is granted in compliance with the City's density bonus regulations for affordable housing in Article 22, Affordable Housing Density Bonus, the total number of dwelling units in a PD Plan shall not

exceed the maximum number permitted by the General Plan density for the total area of the planned development designated for residential use.

4. ***PD Plan Regulations.*** Minimum lot area, yard requirements, building heights, and other physical development standards shall be as prescribed by the PD Plan. Each PD Plan shall establish development standards that, at a minimum, address the following:
 - a. Land use;
 - b. Circulation of traffic, bicycles, and pedestrians;
 - c. Landscaping and planting areas;
 - d. Residential density; non-residential floor area;
 - e. Minimum building site;
 - f. Minimum lot dimensions;
 - g. Maximum lot coverage by buildings and structures;
 - h. Minimum yards;
 - i. Maximum building or structure heights; transitional standards to adjacent residential neighborhoods;
 - j. Maximum height of fences and walls;
 - k. Signs;
 - l. Off-street parking and loading; and,
 - m. Other items as deemed appropriate by the Director, Planning Commission, and City Council.

D. **PD Plan Project Description.** Each PD Plan shall clearly outline how it accomplishes the following:

1. Addresses a unique situation.
2. Confers a substantial benefit to the city.
3. Incorporates creative site design to achieve the purposes of this Code and General Plan, and represents an improvement in quality over what is possible through the strict application of the otherwise applicable district or development standards. These improvements may include:
 - a. A greater amount of open space and access;
 - b. Environmental protection;
 - c. Tree and/or vegetation preservation;
 - d. Creation of multiple-use projects including residential, commercial, or recreational facilities;
 - e. Increased choice of housing options.
4. The project would be impractical to achieve within one of the City's Base Districts.

15-1602 Airport Environs (AE) Overlay District

- A. **Purpose.** As used herein, “Airport” means Fresno Yosemite International Airport, Fresno-Chandler Executive Airport, and/or Sierra Sky Park. The Airport Environs (AE) Overlay District is established to:
1. Protect life and property on the ground and in the air around the airport from potential hazards to ensure the safe navigation of aircraft.
 2. Identify a range of uses compatible with airport accident hazard and airport noise exposure.
 3. Prohibit the development of incompatible uses that are detrimental to the general health, safety, and welfare and to existing and future airport operations.
 4. Require noise attenuated construction within the airport environs.
 5. Comply with Federal Aviation Administration (FAA) regulations.
 6. Comply with the California State Aeronautics Act.
- B. **Use Regulations.** Those uses permitted in the Base District, subject to the limitations and conditions set forth therein and consistent with applicable Airport Land Use Plans.
- C. **Development Standards.**
1. In addition to the development standards of the underlying district, development in the AE Overlay District is subject to the requirements, limitations, and conditions set forth therein and consistent with applicable Airport Land Use Compatibility Plans and applicable provisions of Federal Aviation Administration (FAA) regulations. The three airport plans within the city are Sierra Sky Park, Fresno-Chandler Executive, and Fresno Yosemite International.
 2. ***Airport Land Use Commission (ALUC) Review.*** The ALUC shall review any projects within its purview pursuant to applicable plans, and shall review any text amendments to this Code.

15-1603 Bluff Protection (BP) Overlay District

- A. **Purpose.** The Bluff Protection (BP) Overlay District is intended to provide special land development standards that will preserve the integrity of the natural landscape of the southerly San Joaquin River Bluffs, adjacent properties, and adjacent open spaces as areas of special quality by reason of the topography, geologic substratum, and environment of the area. Regulations for the BP Overlay District are deemed necessary for the preservation of the special qualities of the southerly San Joaquin River Bluffs, and for the protection of the health, safety, and general welfare of owners and users of property within the River Bluff Influence Area.
- B. **Applicability.** The provisions of this article apply to areas within 300 feet of the toe of the San Joaquin River bluff.
- C. **Use Regulations.** Those uses permitted in the Base District, subject to the limitations and conditions set forth therein.

- D. **Development Standards.** Development Standards shall be as required by the Base District, except as follows:
1. ***Bluff Setback.*** Development, including buildings, structures, decks, pools, spas, and steps, shall be setback a minimum of 30 feet from the bluff edge or as identified as necessary for the preservation of the existing state of the bluffs in the soils report prepared pursuant to Section 15-1603-F, Soils Report, whichever is greater. Buildings, structures, decks, pools, spas, and steps include all objects that may be below grade, at grade, or above grade.
 2. ***Lighting and Illumination.*** Streetlights and all exterior lighting shall be directed away from the riverbottom.
 3. ***Design and Orientation.*** The design and orientation of structures, walls and fences shall be in keeping with the natural character of the Bluffs. Fences must be open a minimum of 80 percent (i.e., no more than 20 percent opaque) to allow for the passage of light and air.
 4. ***Colors and Materials.*** Construction shall be permitted only on lots subject to recorded deed restrictions or covenants restricting exterior colors and construction materials to those which are compatible with the natural bluff environment and with surrounding development.
 5. ***Geologic Impact Standards.*** To minimize potential geologic and soil hazards, the following provisions shall apply to all subdivisions and development within Bluff Zones I, II, and III of the San Joaquin River Bluffs environs:
 - a. ***General Provisions.*** General provisions for grading, drainage, and erosion:
 - i. Locations of streets, utilities and other facilities shall be approved by the Director and the City Engineer.
 - ii. Requirements for the location, design, construction, and maintenance of surface and subsurface drainage facilities shall be as determined by the Fresno Metropolitan Flood Control District.
 - iii. All development within Bluff Zones I, II, and III shall comply with the applicable provisions of the Building Code as adopted and amended by the City.
 - iv. Drainage of storm and irrigation water shall be directed away from the Bluff Face to public rights-of-way or to drainage facilities approved by the Fresno Metropolitan Flood Control District. A drainage plan shall be provided and approved by the Director for each separate lot within the Bluff Influence Area, establishing methods for conveying surface water from roofs and landscaping, and drain water from all swimming pools or decorative pools to approved locations away from the Bluff Face.
 - v. To minimize erosion, the following shall apply to all graded, altered, or unstable bluff areas:

- (1) Landscaping with drought-tolerant, low-fuel plants, compatible with the bluff environs, from a list prepared by the City.
 - (2) Landscape irrigation shall utilize drip irrigation or low precipitation systems, and must be approved by the civil engineer prior to installation.
 - (3) Hydroseeding, netting and mulch shall be utilized to re-establish plant life, to control erosion and to discourage rodent burrowing.
- b. *Soils Investigation.* The following types of soil evaluations shall be performed and reported:
- i. Bluff Zone I. A civil engineer or soils engineer registered in the State of California shall investigate and report on soil and geologic conditions, utilizing methods consistent with accepted practices. The report shall evaluate soils and geologic conditions for development proposals located outside Bluff Zone II and shall be similar in scope to the soils investigation required under Subparagraph ii, below. The investigation and report shall identify potential surface and subsurface drainage problems that may ultimately affect the stability of the bluffs and any measures to mitigate such effects.
 - ii. Bluff Zone II. A civil engineer or soils engineer registered in the State of California shall provide a detailed Soils Investigation and Evaluation Report using methods consistent with accepted practice and shall include the following:
 - (1) Evaluation of existing stability;
 - (2) Evaluation of post-development slope stability;
 - (3) Documentation of existing conditions for rock falls, block caving, creep failures, shear failures, excessive erosion and sloughing;
 - (4) Evaluation of slope angles, subsurface drainage, proposed grading, structures, utility trenches, potential rodent population, storm drain disposal, surface irrigation and drainage, erosion, traffic vibration, potential seismic hazards, and on-site sewage disposal approximate to the bluffs;
 - (5) Evaluation of the influence of future development and grading along the Bluff Toe for its effect on slope stability;
 - (6) Evaluation of the adverse effect of increased surface and subsurface drainage;
 - (7) Coordination, review, and approval of site grading and drainage plans prepared by the project civil engineer for conformance to soils and geologic reports;

- (8) Laboratory tests to evaluate the soil parameters to be used in determination of slope stability;
 - (9) Determination and establishment of the location of the Bluff Toe, Bluff Edge and of any building setbacks.
 - iii. Bluff Zone III. A civil engineer or soils engineer registered in the State of California shall complete a Soils Investigation and Evaluation Report, involving detailed study of individual lots within the River Bluff Influence Area, as follows:
 - (1) Zone III soils investigations will address the details of the configuration, location, type, and loading of the proposed structures and drainage plan;
 - (2) The report shall provide detailed recommendations for foundations, drainage, and other items critical to bluff stability.
 - c. *Filing.* Filing of Soils Investigation and Evaluation Reports shall be required as follows:
 - i. A Zone I, Zone II or Zone III Soils Investigation and Evaluation Report and a grading plan shall be filed at the time of filing any tentative tract map or parcel map providing for lots or portions of lots within Zone I, Zone II or Zone III, or at the time of filing any application for rezoning or for special permits for parcels of land within Zone I, Zone II or Zone III;
 - ii. For parcels of land within Zone I, Zone II or Zone III, that are not the subject of the filing of a tentative map or tentative parcel map, or that are not the subject of any application for rezoning or a special permit, a Zone I, Zone II or Zone III Soils Investigation and Evaluation Report and a grading plan shall be filed with any request for a building permit.
 - d. *Certification.* The Soils Investigation and Evaluation Reports shall be certified as follows:
 - i. The engineer responsible for the soils investigation and evaluation report and for the grading plan shall certify that the proposed project will not cause any significant increase in the risk of damage to the bluff from erosion, slippage, subsidence, or other movement when grading, drainage, and other slope protection measures have been done in accordance with the Soils Investigation and Evaluation Report and the grading plan. The certificate may be executed on the face of the subdivision map or parcel map or may be contained in a separate instrument delivered to the Director.
 - ii. The engineer responsible for the soils investigation and evaluation report and for the grading plan for parcels of land for which certification is not provided above shall file written certification with any request for a building permit that the proposed project will not

cause any significant increase in the risk of damage to the bluff from erosion, slippage, subsidence or other movement, when grading, drainage and other slope protection have been done in accordance with the soils investigation and evaluation report and the grading plan.

- e. *Completion of Erosion Controls.* All erosion control measures shall be completed before the issuance of occupancy permits for residences constructed on lots within or partially within Zone II, and shall be completed before the issuance of building permits for structures constructed on lots within or partially within Zone III.
- E. **Development Permit.** A Development Permit is required for all grading and development, including buildings, structures, decks, pools, spas, and steps, within or abutting the southerly boundary of the BP Overlay District. This section applies to above or below grade objects.
- F. **Soils Report.** All applications for development shall provide a soils report. This requirement does not apply to the property between Blythe Avenue and the extension of the Nees Avenue alignment, existing as of August 1, 1979, to the Bluff.
- G. **Grading Standards.** No alteration or modification of the existing landscape, including grading or alteration of existing topography, or construction of any structures, shall be permitted on the bluff face or air space above it. This requirement does not apply to the property between Blythe Avenue and the extension of the Nees Avenue alignment, existing as of August 1, 1979, to the Bluff.
- H. **Other Development Regulations.** Private access, including gates and/or staircases, irrigation systems, planting, maintenance/weed control, and/or disposing of green waste onto the Bluff, are not permitted.
- I. **Commencement of Improvements.** No Building Permit or Grading Permit shall be issued unless all required technical studies required by this Code have been submitted and all applicable permits required by this Code have been obtained.

15-1604 Expressway Area (EA) Overlay District

- A. **Purpose.** As used herein, the Expressway Area (EA) Overlay District means major streets that are classified as Expressways, Super Arterials, and other streets that may be designated by the City. The Expressway Area (EA) Overlay District is established to:
 - 1. Protect land uses and residences proximate to designated major streets.
 - 2. Limit development that may potentially be detrimental to the general health, safety, and welfare and to existing and future infrastructure operations and improvements.
 - 3. Mitigate noise to acceptable levels.
- B. **Use Regulations.** Those uses permitted in the Base District, subject to the limitations and conditions set forth therein.
- C. **Development Standards.** Development Standards shall be as required by the Base District, except as follows:
 - 1. *Residential Districts.* No building shall be erected within 200 feet of the right-of-way line, except as follows:

- a. An acoustical study determines that interior noise can be mitigated to acceptable levels.
 - b. In no case shall the minimum building setback be less than 75 feet from the center line of the nearest moving traffic lane of the abutting roadway.
 - c. Any barrier necessary to achieve acceptable noise levels shall not be less than eight feet in height and may be a wall, an earth berm, or any combination of wall and earth berm.
 - d. Where no frontage road is required along the expressway, any landscaped open space transition setback separating properties zoned for residential uses shall contain a wall, berm, or any combination of wall and berm, not less than eight feet high and located 50 feet from and parallel to the center line of the nearest moving lane of the abutting roadway.
2. ***Non-Residential Districts.*** No buildings, nor private signage, shall be erected within 30 feet of the right-of-way.

15-1605 Residential Modifying (RM) Overlay District

- A. **Purpose.** The Residential Modifying (RM) Overlay District is intended to provide special land development and street development standards which will create, protect, and maintain designated areas, streets, and adjacent properties as residential areas of exceptional public and private value.
- B. **Use Regulations.**
 1. ***Permitted Uses.*** Those uses permitted in the Base District, subject to the limitations and conditions set forth therein.
 2. ***Uses Subject to a Conditional Use Permit.*** Those uses permitted in the Base District, subject to the limitations and conditions set forth therein.
 3. ***Uses Not Permitted.***
 - a. The uses expressly prohibited by the provisions of the Base District.
 - b. Family Day Care.
 - c. Community and Religious Assembly.
 - d. Schools, Public or Private.
 - e. Park and Recreation Facilities.
 - f. Cultural Institutions.
 - g. Hospitals and Clinics.
- C. **Development Standards.** Development Standards shall be as required by the Base District except as follows:
 1. All yards required by an underlying district and abutting a street, shall be landscaped and maintained by the property owner.

2. Where the underlying district permits farm animals, the front or side yard abutting a street may be designed with a pasture as permitted by the underlying district.

15-1606 Annexed Rural Residential Transitional (ANX) Overlay District

A. **Purpose.** The Annexed Rural Residential Transitional (ANX) Overlay District allows rural residential use of properties upon annexation to the city continuing until such time as the properties are further developed consistent with the Base District.

B. **Use Regulations.**

1. **Permitted Uses.** Any permitted Special Use shall subject to the provisions in Article 27.
 - a. The uses permitted by the provisions of the Base District.
 - b. *Existing Uses.* Any use existing at the time the property was annexed to the city so long as the use had been lawfully allowed by the County at the time immediately preceding the annexation, subject to provisions of Article 4, Non-Conforming Uses, Structures, Site Features, and Lots.
 - c. One single-family dwelling unit per lot, and a Second Dwelling Unit.
 - d. Accessory Buildings.
 - e. Garages.
 - f. Servants' quarters on parcels of land having a minimum lot area of 36,000 square feet or more.
 - g. Barns, stables, corrals, coops and/or animal or fowl pen.
 - h. Adult Day Care Facilities for a maximum of six adults when located in a single-family dwelling.
 - i. Crop Cultivation and Community Gardens.
 - j. *Animal Keeping.*
 - i. Household Pets.
 - ii. Where the lot area is at least one acre in size, a property owner may have adult bovine (cows) or equine (horses) animals, in any combination thereof, and their immature offspring, per acre. In no event shall any property regardless of size have more than 10 adult bovine or equine, or combination thereof. For every adult bovine or equine allowed on a property, a property owner may substitute two adult ovine (sheep) or adult caprine (goats), including any immature offspring. Other similar animal types may be allowed upon a determination by the Director that they will not detrimentally affect the public health, safety, and/or welfare.
 - iii. Poultry (limited to hens only), rabbits, or similar small feather-bearing or fur-bearing animals, not to exceed twenty-four of any kind or combination thereof, for domestic purposes only.

- iv. Where any of the foregoing animals noted in this section are permitted on site, a stormwater runoff permit may be required in accordance with the requirements of the Regional Water Quality Control Board.
 - k. Family Day Care Homes, small.
 - l. Greenhouses, horticultural collections and flower and vegetable gardens, private.
 - m. Group housing facility for a maximum of six persons when located in a single-family dwelling.
 - n. Home Occupations.
 - o. Petroleum products storage, for use by the occupants of the premises, but not for resale or distribution.
 - p. Roadside Stands, temporary, for the sale of agricultural products produced upon the premises.
 - q. Signs, subject to provisions of Article 26.
- 2. **Uses Subject to a Conditional Use Permit.** Those uses permitted in the Base District, subject to the limitations and conditions set forth therein.
 - 3. **Uses Not Permitted.** Those uses not permitted in the Base District or listed above, subject to the limitations and conditions set forth therein.
- C. **Development Standards.** For all properties in the ANX overlay district, the RS-1 zone district standards shall apply with the exception that an animal or fowl pen, coop, stable, bam, or corral may be located within 40 feet of any dwelling or other building used for human habitation, or within 100 feet of the front property line of the subject property under a Conditional Use Permit filed and approved pursuant to Article 53.

15-1607 Equine (EQ) Overlay District

- A. **Purpose.** The Equine (EQ) Overlay District is established to identify suburban residential areas where horses and other equine are allowed to be kept, while ensuring the protection of the quality of the residential environment and securing the health, safety, and general welfare of the residents.
- B. **Applicability.** In the event of a conflict between this section and Section 15-2707, Animal Keeping, the provisions of this section shall prevail.
- C. **Use Regulations.** Those uses permitted in the Base District, subject to the limitations and conditions set forth therein, except as follows:
 - 1. **Horse Keeping.** The keeping of horses is permitted, subject to the following:
 - a. *Number of Horses Permitted.*
 - i. Lots 36,000 Square Feet or Less. Up to two adult horses and one of their offspring less than two years of age are permitted.
 - ii. Lots 36,001 Square Feet or More. Up to four horses are permitted.
 - b. *Minimum Setback Requirements for Stables and Corrals.*

- i. From Side or Rear Property Lines. 25 feet.
- ii. From Windows or Doors of Buildings Used for Human Habitation. 40 feet.
- iii. From the Front Line of the Property. 100 feet.

D. **Development Standards.** Development Standards shall be as required by the Base District.

15-1608 Mining (M) Overlay District

A. **Purpose.** The Mining (M) Overlay District is established to allow on-going mineral extraction in the San Joaquin Riverbottom in conjunction with open space uses.

B. **Use Regulations.**

- 1. **Permitted Uses.** Those uses permitted in the Base District, subject to the limitations and conditions set forth therein.
- 2. **Uses Subject to a Conditional Use Permit.**
 - a. Those uses permitted in the Base District, subject to the limitations and conditions set forth therein.
 - b. Mining and Quarrying.
- 3. **Uses Not Permitted.** Those uses not permitted in the Base District or listed above, subject to the limitations and conditions set forth therein.

C. **Development Standards.** Development Standards shall be as required by the Base District, except as follows:

- 1. Exceptions to height and façade standards may be permitted at the discretion of the Review Authority.
- 2. Additional conditions may be required to ensure compatibility with nearby existing and planned uses.

15-1609 Apartment House (AH) Overlay District

A. **Purpose.** The Apartment House (AH) Overlay District is intended to preserve and enhance the pattern of pedestrian-oriented small-footprint apartment houses, grand homes, and small commercial buildings that exist in some pre-World War II neighborhoods.

B. **Use Regulations.** Those uses permitted in the Base District, subject to the limitations and conditions set forth therein.

C. **Development Standards.** Development Standards shall be as required by the Base District, except as follows:

- 1. **Maximum Lot Size.** 15,000 square feet.
- 2. **Front Setback.** The front setback for new structures shall not be greater than 110 percent of the average of the actual front setbacks of all improved lots on the blockface, nor shall it be less than 90 percent of the average of the actual front setbacks of all improved lots on the blockface.

3. **Parking.** Where 50 percent or more of the residential properties on a block have detached garages which encroach into the minimum side and/or rear setbacks, new detached garages shall be permitted to encroach into the minimum side and/or rear setback in a similar manner. In such instances the minimum side and rear setback for a detached garage shall each be equal to the average of the equivalent setbacks of the detached garages on the block, unless the average is less than two feet in which case the setback shall be zero feet. This provision shall also apply to properties which abut an RS District.
4. **Façade Compatibility.**
 - a. *Building Materials and Finishes.* Cladding and trim materials and finishes shall be similar to adjacent apartment houses and single-family homes.
 - b. *Windows.* The size, location, and proportions of windows shall be similar to adjacent apartment houses and single-family homes.
 - c. *Balconies and Porches.* For new residential structures, the size, location, and proportions of balconies and porches shall be similar to adjacent apartment houses and single-family homes.
5. **Pedestrian Access.** Direct entrances shall be provided into all individual ground-floor dwelling units or commercial spaces which are adjacent to a public street. If the building is set back from the sidewalk, a paved path no less than five feet in width shall be provided from the sidewalk to each entrance.

Article 17 (Reserved)

Article 18 (Reserved)

Article 19 (Reserved)
