

Planning Commission Changes to the September, 2015 Draft of the Citywide Development Code

Listed below is a summary of the changes to the September, 2015 draft of the Citywide Development Code made by the Planning Commission on September 30, 2015 via commissioner motions and errata sheets provided by staff. These changes are shown in greater detail on the following pages.

- **Various Sections:** Clarifications regarding Domestic Violence Shelters were made to ensure compliance with State law.
- **Various Sections:** Certain internal inconsistencies, cross references, and formatting errors were fixed.
- **Section 15-104-B.4:** The Priority of Plans section will be modified so that Specific Plans will control over Concept Plans.
- **Section 15-310-B:** Clarification was provided that the calculation for residential density for mixed-use projects will include the entire project site, including portions that feature non-residential uses.
- **Section 15-405-E-1:** Provisions for the expansion of legal non-conforming single family residential structures were clarified.
- **Section 15-902 and 15-1002:** Crop Cultivation is now permitted in all residential districts, consistent with current policy.
- **Section 15-905-F:** The requirement for homes be oriented to connector streets was deleted.
- **Section 15-1004-E-1-b:** An exception to the requirement that multi-family ground-floor units that are adjacent to the street have direct entrances from the sidewalk was added.
- **Section 15-1202 and 15-1302:** Drive-Throughs were allowed to a greater degree in Commercial and Employment districts.
- **Section 15-1302:** Farmers Markets, General Markets, Healthy Food Grocers, and General Retail were allowed to a greater degree in the Employment districts.
- **Section 15-1302:** Day care centers are now permitted with a CUP in Light Industrial and Heavy Industrial zones.
- **Section 15-2307-A-5-c:** The requirement for at least 15% of planted trees to be of a 24-inch or greater size was deleted.
- **Section 15-2403-E:** Parameters for vehicle sales were clarified.
- **Section 15-2410:** A restriction on the maximum number of parking spaces for some retail uses was deleted.
- **Section 15-2417-A:** The provisions which allowed only one driveway for lots under two acres was deleted.
- **Section 15-2605-G:** Permission for subdivision monument signs to be located in the median of a street with City Engineer approval was added.
- **Section 15-2740:** Mobile Vendor permitting provisions were clarified.
- **Section 15-2741:** The Special Use regulations on Model Homes were deleted.
- **Section 15-2750-B:** Requirements for CRV Recycling Centers having a permanent location, restricted hours of operation, and being restricted to unserved zones were deleted. Also, language will be added to identify under what conditions the Police Department would require voucher payment instead of cash payment.
- **Section 15-3903-D:** “Elderly” will be more clearly defined in a way that is consistent with similar state, federal, and local regulations.
- **Section 15-5007:** A requirement will be added for posting public notices to the web.
- **Section 15-6704:** Clarification was made to definitions for Retail Sales with regards to hardware stores.

Errata

Part I

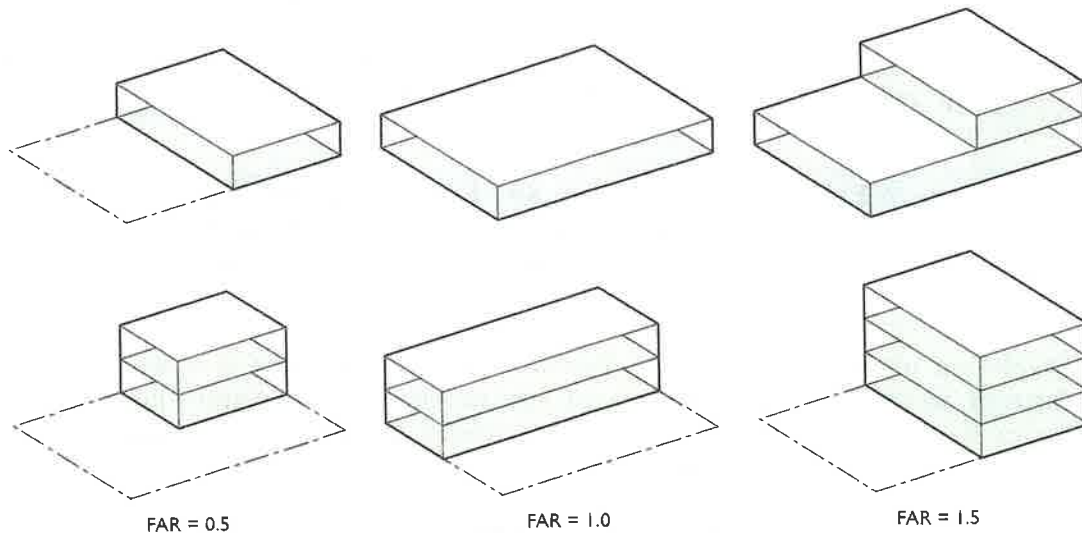


FIGURE 15-309: DETERMINING FLOOR AREA RATIO

15-310 Determining Residential Density

Residential density measures the number of dwellings on a given unit of land. Residential density shall be calculated as follows:

- A. **Residential Single-Family Districts.** In Residential Single-Family districts, residential density shall be measured in dwelling units per subdivided residential lot, regardless of lot size. Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters shall be excluded from this calculation.
- B. **All Other Districts.** In all other districts, residential density shall be measured in dwelling units per acre of the project's site area. For example, if a project proposes 15 dwellings on a three-acre site, it has a residential density of five dwelling units per acre (or five du/ac). Major utility easements (such as high-tension lines and trunk lines), trails, and natural features shall be excluded from this calculation. For mixed-use projects, the acreage of the entire project site shall be included in the calculation, including portions of the project site which feature only non-residential uses.

15-311 Determining Lot Coverage

Lot coverage is the ratio of the total footprint area of all structures on a lot to the net lot area, typically expressed as a percentage. The footprints of all principal and accessory structures, including garages, and carports shall be included in the lot coverage calculation, unless otherwise noted. The following structures shall be excluded from the calculation:

- A. Decks, patios, porches, landings, balconies, and unenclosed stairways;
- B. Eaves and roof overhangs;
- C. Trellises and similar structures;

15-405 Legal Non-Conforming Structures and Site Features

- A. **Applicability.** This section shall apply to all Legal Non-Conforming buildings, fences, parking, landscaping, and other such physical improvements to a lot, with the exception of non-conforming signs, which are regulated by Article 26.
- B. **Continuation of Existing Structures and Site Features.** Except as otherwise stated in this article, any Legal Non-Conforming structure or site feature may be continued indefinitely. Any Illegal Non-Conforming structure or site feature shall be removed or modified to conform to the provisions of this Code.
- C. **Completion of Structures or Site Features.** The provisions of this article shall not be construed to preclude the completion of any structure or site feature upon which lawful construction has begun prior to the time of enactment of this Code or any amendment thereto, or prior to the time of inclusion in the city.
- D. **Repair and Maintenance of Non-Conforming Structures or Site Features.**
1. **Maintenance.** A Legal Non-Conforming structure or site feature may be maintained as necessary to keep it in good working order.
 2. **Repairs and Alterations.** Notwithstanding the provisions of Section 15-404-B, any Legal Non-Conforming structure or site feature may be repaired and/or altered, provided that such repairs and alterations do not increase any non-conformity.
 3. **Repair of Unsafe Structures or Site Feature.** The provisions of this article shall not be construed to preclude the repair or alteration of any part of any structure or site feature declared to be unsafe by the Building Official when such repairs or alterations are for the purpose of restoring the structure or site feature to a safe condition.
- E. **Enlargement of Non-Conforming Structures.**
1. **Enlargement of Single-Family Residential Structures.** A legal non-conforming single-family use or structure in a Non-Residential District may be enlarged, provided the addition does not ~~alter-reduce~~ the number of parking spaces, ~~alter~~ the ~~location and~~ size of parking spaces, or the location and size of driveways; and the addition does not change the structure from single-family use to multi-family use.
 2. **Enlargement of Other Legal Non-Conforming Structures.** A legal non-conforming structure being used for a conforming use may be enlarged or structurally altered if the new portion of the structure conforms to the regulations of the district in which it is located. If strict conformance with current setback requirements would cause unsightly or impractical site layouts, and a deviation from such requirements shall not cause impacts on neighboring uses, the Review Authority may exempt the enlargement of a legal non-conforming structure from setback requirements at their discretion. Unaltered portions of such structures will be allowed to remain non-conforming. A

Part II

“(#)” 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>	–	–	–	–	–	PC	§15-906, Duplex and Multi-Unit Residential Standards
<i>Multi-Unit Residential</i>	–	–	–	–	–	PC	§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	
<u>Domestic Violence Shelter</u>							
<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							
<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>
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 15-2735 89 , 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						

7. A front-loaded garage, the width of which occupies less than 50 percent of the width of the front façade; or
 8. A design in which no exterior 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 covering no less than 50 percent of street-facing facades; or
 10. Shutters, lintels, sills, awnings, decorative trim or similar architectural treatments on all street-facing windows and doors.
- 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.
- E. **Maximum Paving in Street-Facing Yards.** No more than 50 percent of the entire front yard or the required street-side yard may be covered with a paved impervious surface.
- ~~F. **Building Orientation.** Where lots front a Connector Street, buildings shall be oriented toward the Connector Street, with the exception that homes which back onto a Major Street may side onto the Connector Street.~~

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, façades 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.
- C. **Façade Variation for Multiple-Home Projects.**
1. When more than five homes are proposed, no more than 20 percent of the homes within each block face may be designed to have the same front elevation. There must be two distinguishing and obviously different characteristics, such as building envelope, front

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	–	
<i>Caretaker Residence</i>	–	–	–	P	
<i>Domestic Violence Residence Shelter</i>	–			P(1) P(1) P(1)	
<i>Small (6 persons or less)</i>	P	P	P	–	

TABLE 15-1002: USE REGULATIONS—RESIDENTIAL MULTI-FAMILY DISTRICTS

District	RM-1	RM-2	RM-3	RM-MH	Additional Regulations
<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	
Group Residential					
<i>Small (6 persons or less)</i>	P	P	P	—	
<i>Large (7 persons or more)</i>	C	P	P	—	
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(21)	C(21)	C(21)	—	
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(21)	C(21)	C(21)	—	
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(32)	C(32)	C(32)	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(43)	§15-2744, Outdoor Dining and Patio Areas; §15-2745, Outdoor Retail Sales
<i>Healthy Food Grocer</i>	—	—	—	P(43)	
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

TABLE 15-1002: USE REGULATIONS—RESIDENTIAL MULTI-FAMILY DISTRICTS					
District	RM-1	RM-2	RM-3	RM-MH	Additional Regulations
Transportation, Communication, and Utilities Use Classifications					
Communication Facilities					
Antenna and Transmission Towers	See Section 15-2759, Telecommunications and Wireless Facilities				
Utilities, Minor	P	P	P	P	
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				
Accessory Living Quarters	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:					
1. Limited to facilities serving a maximum of 10 survivors of domestic abuse.					
2.1. Only on parcels with direct access from a major street.					
3.2. 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.					
4.3. 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.

- 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.** On-site pedestrian circulation and access must be provided according to the California Building Code and the following standards:

- 1. ***Sidewalk Connections.*** Along all public streets, pedestrian entrances from the public sidewalk into structures and/or the site shall be provided as follows:

- a. Entrances into lobbies or the internal pedestrian circulation system 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, such as distinctive lighting, decorative columns, color changes, material changes, or an increase in building height above the entrance. Emergency exits, entrances into utility rooms, and other such features shall not count toward to the satisfaction of this requirement.

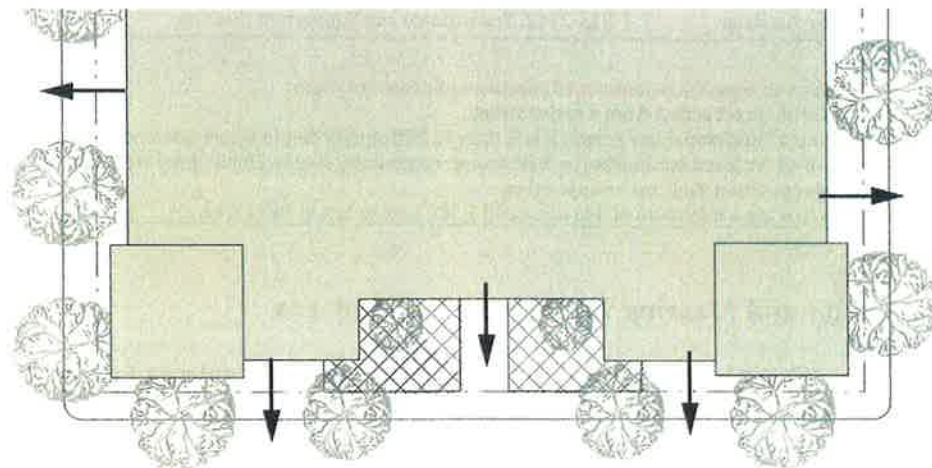


FIGURE 15-1004-EF.1: SIDEWALK CONNECTIONS

- b. 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 75 feet of linear street frontage. Such entrances shall be protected by a portico, canopy, or alcove of no less than four feet in depth. Projects may be excepted from this requirement at the discretion of the Review Authority if both of the following conditions apply:

- i. The current and planned condition of the roadway is such that noise standards and other goals would be better addressed by facing units away from the street;

iii. Allowing the units to face away from the street would not be inconsistent with the pattern established by nearby existing uses.

2. **Internal Connections.** A system of pedestrian walkways shall connect buildings, parking areas, and on-site open space areas.
3. **External Connections.** A system of pedestrian walkways shall connect the project site to adjacent Commercial, Mixed -Use, and Office districts as follows:
 - a. If the adjacent Commercial, Mixed 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 Commercial, Mixed Mixed-Use, and Office districts are developed and provide connection points via breaks in the perimeter wall/fence, then the project shall provide pedestrian walkway connections at those locations.
 - c. If the adjacent Commercial, Mixed Mixed-Use, and Office districts are developed and there are no possible connection points via breaks in the perimeter wall/fence, then the project shall not be required to provide connections.
4. **Pedestrian Walkway Design.**
 - a. Walkways shall be a minimum of four feet wide, 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.
 - 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 four inches high or other physical barrier.
 - d. Lighting shall be provided per Section 15-2015, Outdoor Lighting and Illumination.

15-1005 Façade Design Development Standards

- A. **Building Articulation.** All street-facing façades must include at least one projection or recess at least two feet in depth for every 25 horizontal feet of exterior wall. Such projections and recesses may be grouped rather than evenly spaced in 25 foot modules.
- B. **Building Materials and Finishes.**
 1. Each side of a building that is visible from a street or passenger rail line shall be designed with a complementary level of detailing and quality of materials.
 2. A minimum of two exterior wall finish materials shall be used.

TABLE 15-81102: USE REGULATIONS — MIXED-USE DISTRICTS

<i>Use Classifications</i>	<i>NMX</i>	<i>CMX</i>	<i>RMX</i>	<i>Additional Regulations</i>
Park and Recreation Facilities, Public	–	P	P	
Parking, Public or Private	–	C(6)	C(6)	
Public Safety Facilities	C	C	C	
Schools, Public or Private	–	–	C	
Social Service Facilities	C	P(1)	X	
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(12)	§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>	P(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)	§15-2707, 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)	

- i. The minimum dimension of any private open space shall be five feet.
 - ii. The minimum area of any private open space shall be ~~450~~ 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.

species requiring more space. ~~The property owner shall assume maintenance responsibilities for the tree grates. Tree grates may be allowed where the property owner assumes 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

- A. **Building Articulation.** All street-facing façades must include the following articulations:
 1. **Length Articulation.** At least one projection or recess at least two feet in depth shall be provided for every 25 horizontal feet of wall.
 2. **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

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>
<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	–	§15-2307, 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
Industrial Use Classifications							

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>
Construction and Material Yards	-	-	-	C	C	-	§15-2721, Concrete Batch Plants, Storage Yards, and Similar Uses
Custom Manufacturing	-	-	-	P(11)	-	-	
Recycling Facility							
Reverse Vending Machine	-	C	P	P	-	-	§15-2750, Recycling Facilities
CRV Recycling Center	-	-	-	-	C	-	
Warehousing, Storage, and Distribution							
Personal Storage	C	C	C	C	C	C	§15-2747, Personal (Mini) Storage
Transportation, Communication, and Utilities Use Classifications							
Communication Facilities							
Antenna and Transmission Towers							§15-2759, Telecommunications and Wireless Facilities
Facilities within Buildings	-	-	-	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 15-1302: 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	C	C	–	–	
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	–	–	§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

TABLE 15-1302: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS

Use Classifications	O	BP	RBP	IL	IH	Additional Regulations
Automobile/Vehicle Sales and Leasing	–	P	P	P	–	§15-2709, Automobile and Motorcycle Retail Sales and Leasing
Automobile/Vehicle Repair, Major	P	P	P	P	P	§15-2710, Automobile/Vehicle Service and Repair, Major and Minor
Automobile/Vehicle Service and Repair, Minor	P	P	P	P	P	
Large Vehicle and Equipment Sales, Service and Rental	P	P	P	P	P	
Service Station	P	P	P	P	P	§15-2755, Service Stations
Towing and Impound	–	–	–	C	C	§15-2765, Vehicle Impound Yard (Tow Yard) and Transit Storage
Washing	P	P	P	P	P	§15-2711, Automobile/Vehicle Washing
Banks and Financial Institutions						
Banks and Credit Unions	P	P	P	P	–	
Check Cashing Businesses and Payday Lenders	–	–	–	–	–	§15-2715, Check Cashing Businesses, Payday Lenders, and Similar Financial Services
Business Services	P	P	P(6)	P	P	
Banquet Hall	C	C	C	C	–	§15-2712, Banquet Hall
Eating and Drinking Establishments						
Restaurant with Alcohol Sales	C	C	C	C	C	§15-2751, Restaurants with Alcohol Sales, Bars, Nightclubs, and Lounges; §15-2744, Outdoor Dining and Patio Areas
Restaurant without Alcohol Sales	P	P	P	P	P	
Entertainment and Recreation						
Motorcycle/Riding Club	–	–	–	P	P	§15-2742, Motorcycle/Riding Clubs
Shooting/Archery Range	–	–	–	P	P	§15-2756, Shooting Ranges / Archery Ranges
Small-Scale	–	C	C	C	–	§15-2708, Arcades, Video Games, and Family Entertainment Centers, §9-1801, Billiard Rooms
Food and Beverage Sales						
Farmer's Market	P	P	P	–	–	§15-2744, Outdoor Dining and Patio Areas; §15-2745, Outdoor Retail Sales
General Market	–	P(6)	–	–	–	
Healthy Food Grocer	–	P(6)	P(6)	P	–	
Food Preparation	–	P	P	P	P	
Funeral Parlors and Internment Services	–	P	P	P	–	§15-2714, Body Preparation and Funeral Services
Live/Work	–	–	–	P	–	
Lodging						
Hotels and Motels	P	P	P	P	–	
Maintenance and Repair Services	–	P	P	P	P	
Offices						
Business and Professional	P	P	P	P	P	
Medical and Dental	P	P	P	P	–	

TABLE 15-1302: LAND USE REGULATIONS —EMPLOYMENT DISTRICTS

Use Classifications	O	BP	RBP	IL	IH	Additional Regulations
Automobile/Vehicle Sales and Leasing	–	P	P	P	–	§15-2709, Automobile and Motorcycle Retail Sales and Leasing
Automobile/Vehicle Repair, Major	P	P	P	P	P	§15-2710, Automobile/Vehicle Service and Repair, Major and Minor
Automobile/Vehicle Service and Repair, Minor	P	P	P	P	P	
Large Vehicle and Equipment Sales, Service and Rental	P	P	P	P	P	
Service Station	P	P	P	P	P	§15-2755, Service Stations
Towing and Impound	–	–	–	C	C	§15-2765, Vehicle Impound Yard (Tow Yard) and Transit Storage
Washing	P	P	P	P	P	§15-2711, Automobile/Vehicle Washing
Banks and Financial Institutions						
Banks and Credit Unions	P	P	P	P	–	
Check Cashing Businesses and Payday Lenders	–	–	–	–	–	§15-2715, Check Cashing Businesses, Payday Lenders, and Similar Financial Services
Business Services	P	P	P(6)	P	P	
Banquet Hall	C	C	C	C	–	§15-2712, Banquet Hall
Eating and Drinking Establishments						
Restaurant with Alcohol Sales	C	C	C	C	C	§15-2751, Restaurants with Alcohol Sales, Bars, Nightclubs, and Lounges; §15-2744, Outdoor Dining and Patio Areas
Restaurant without Alcohol Sales	P	P	P	P	P	
Entertainment and Recreation						
Motorcycle/Riding Club	–	–	–	P	P	§15-2742, Motorcycle/Riding Clubs
Shooting/Archery Range	–	–	–	P	P	§15-2756, Shooting Ranges / Archery Ranges
Small-Scale	–	C	C	C	–	§15-2708, Arcades, Video Games, and Family Entertainment Centers, §9-1801, Billiard Rooms
Food and Beverage Sales						
Farmer's Market	P	P	P	–P	–	§15-2744, Outdoor Dining and Patio Areas; §15-2745, Outdoor Retail Sales
General Market	P–	P(6)	–P	–P	–	
Healthy Food Grocer	–	P(6)	P(6)	P	–	
Food Preparation	–	P	P	P	P	
Funeral Parlors and Internment Services	–	P	P	P	–	§15-2714, Body Preparation and Funeral Services
Live/Work	–	–	–	P	–	
Lodging						
Hotels and Motels	P	P	P	P	–	
Maintenance and Repair Services	–	P	P	P	P	
Offices						
Business and Professional	P	P	P	P	P	
Medical and Dental	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>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
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)	
<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						
<i>Construction and Material Yards</i>	–	P	P	P	P	§15-2721, Concrete Batch Plants, Storage Yards, and Similar Uses
<i>Custom Manufacturing</i>	–	P(8)	P(8)	P	P	
<i>Limited Industrial</i>	–	P(8)	P(8)	P	P	
<i>General Industrial</i>	–	C	C	P	P	
<i>Intensive Industrial</i>	–	–	–	–	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	
<i>Research and Development</i>	P	P	P	P	P	
<i>Salvage and Wrecking</i>	–	–	–	–	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)	P(8)	P	P	§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						
<i>Airports and Heliports</i>	–	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	
<i>Freight/Truck Terminals and Warehouses</i>	–	P	P	P	P	

TABLE 15-1302: LAND USE REGULATIONS —EMPLOYMENT DISTRICTS

Use Classifications	O	BP	RBP	IL	IH	Additional Regulations
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	
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:						
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.						

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 ~~"Parks and Multi-Purpose Paths,"~~ "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.

TABLE 15-1402: LAND USE REGULATIONS—PUBLIC AND SEMI-PUBLIC DISTRICTS

Use Classifications	OS	PR	PI	Additional Regulations
Hospitals and Clinics				
Hospital	-	-	P(5)	
Clinic	-	-	P	
Substance Abuse Treatment Clinic	=	=	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				
Kennels	-	-	C(2)	
Eating and Drinking Establishments				
Restaurant with Alcohol Sales	-	-	PC(3)	§15-2751, Restaurants with Alcohol Sales, Bars, Nightclubs, and Lounges; §15-2744, Outdoor Dining and Patio Areas
Restaurant without Alcohol Sales	-	P(3)	P(3)	
Entertainment and Recreation				
Large-Scale	-	P(7)	-	
Food and Beverage Sales				
Farmer's Markets	-	C	P	§15-2730, Farmer's Markets
Retail Sales				
General Retail	-	-	P(3)	§15-2733, Hobby Stores; §15-2745, Outdoor Retail Sales
Industrial Use Classifications				
Recycling Facility				
Reverse Vending Machine	-	-	-	§15-2750, Recycling Facilities
Recycling Processing Facility	-	-	C	
Transportation, Communication, and Utilities Use Classifications				
Airports and Heliports	-	-	P(4), C	
Communication Facilities				
Antenna and Transmission Towers	§15-2759, Telecommunications and Wireless Facilities			
Facilities within Buildings	-	-	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			

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>
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 Section 15-2305, Areas to be Landscaped.
- 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 ~~Open Space~~ 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.

Part III

TABLE 15-2012-B: ALLOWED PROJECTIONS ABOVE HEIGHT LIMITS

<i>Structures Allowed Above the Height Limit</i>	<i>Maximum Coverage, Locational Restrictions</i>	<i>Maximum Vertical Projection Above the Height Limit (ft)</i>
Chimneys Elevator and stair towers Rooftop open space features such as sunshade and windscreen devices, open trellises, and landscaping (for multi-family and non-residential buildings only) Flagpoles	10% of roof area	16 (if no height limit in the underlying district, 35)
Decorative features such as spires, bell towers, domes, cupolas, obelisks, clock towers, and monuments (attached or detached)	10% of roof area	Residential: 6 Non-Residential: 20
Fire escapes, catwalks, and open railings required by law	Per Building Code	Per Building Code
Radio towers	Refer to Section 15-2759, Telecommunications and Wireless Facilities	
Water tanks Windmills Industrial structures where the manufacturing process requires a greater height	25% of the area of the lot, or 10% of the roof area of all on-site structures, whichever is less. Must be located at least 25 ft. from any lot line.	75 100. May exceed 75 100 with the approval of a Conditional Use Permit. Public noticing shall be eight times the height of the structure measured in ft.
Building-mounted telecommunications facilities, antennas, and microwave equipment	Subject to the provisions of Section 15-2759, Telecommunications and Wireless Facilities	

C. Building height shall be measured as put forth in Section 15-305, Measuring Height.

15-2013 Outdoor Service Yards and Storage

A. Applicability.

1. Outdoor service yards and the open storage of goods, materials, machines, equipment, and vehicles or parts outside of a building for more than 72 hours must conform to the standards of this section. This applies to goods to be sold or goods being stored that are pending transport to other locales.
2. **Exceptions.** Except as may be permitted by Table 15-2013-B, the regulations of this section do not apply to:
 - a. Agricultural and residential uses;
 - b. Temporary storage of construction materials reasonably required for construction work on the premises pursuant to a valid building permit or grading permit; or
 - c. Outdoor sales or uses that by their very nature provide outdoor storage, such as auto, trailer, and boat dealers, and equipment rental.

8. **IH District Exception.** In the IH District, as an alternative to an enclosure, a concrete curb may be provided to minimize bins from rolling about a parking area. Alternative enclosures may not be visible from any street, residential district, and/or school.

15-2017 Underground Utilities

- A. **Applicability.** The standards of this section apply to all of the following:
 1. New development;
 2. The demolition and reconstruction of a site;
 3. Any other time deemed appropriate by the Public Works Director.
- B. **Standards.** All electrical, telephone, cable television, and similar distribution lines providing direct service to a development site shall be installed underground within the site. This requirement may be waived or deferred, by the Public Works Director, upon a determination that the installation is infeasible or premature.

15-2018 Intersection Visibility

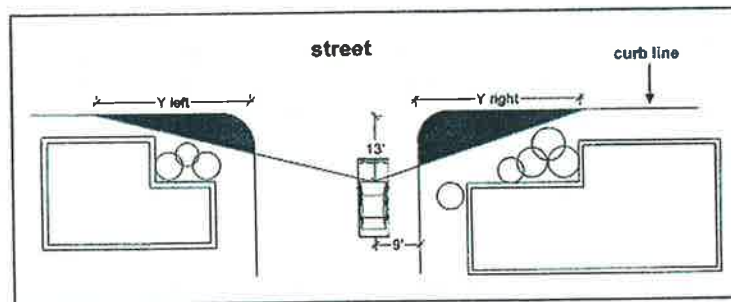


FIGURE 15-2018: INTERSECTION VISIBILITY

- A. **Street Intersections.**
 1. Vegetation and structures may not exceed a height of three feet within the triangular sight-distance area formed by the intersecting curb lines (or edge of pavement when no curbs exist) and a line joining points on these curb lines at a distance of 30 feet along both lines from their intersection.
 2. Trees that are located within this sight distance triangle shall have a clearance of eight feet high minimum between the lowest portion of the canopy and the sidewalk, ~~and 13 feet high minimum between the lowest portion of the canopy~~ and street.
 3. Applies to all structures, including flag poles and signs.
- B. **Driveways and Alleys.** Visibility of a driveway crossing a street lot line shall not be blocked above a height of three feet by vegetation or structures for a depth of 12 feet as viewed from the edge of the right-of-way on either side of the driveway at a distance of 12 feet. Street trees ~~that shall be~~ pruned at least seven feet above the established grade of the curb so as not to obstruct clear view by motor vehicle drivers are permitted.

- C. **Commercial Districts, Refuse Collection Areas, and Drive-Through Lanes.** Vegetation (with the exception of trees) and structures may not exceed a height of three feet within the triangular sight-distance area formed by the intersecting drive aisles and a line joining points on these aisles at a distance of 10 feet along both lines from their intersection. Trees located within this sight distance shall have a minimum clearance of seven feet high ~~minimum~~ between the lowest portion of the canopy and the pavement and shall not be capable of growing to a width that would obstruct the sight area.
- D. **Vehicle/Pedestrian Conflicts.** Whenever it is reasonable to expect potential conflicts between vehicles exiting drive-aisles, drive-throughs, etc., and a pedestrian path that traverses said aisle, a visibility triangle per Subsection C above shall be provided.
- E. **Exempt Structures and Plantings.** The regulations of this section do not apply to existing buildings or new buildings in compliance with Base District setbacks; fire hydrants; public utility poles; saplings or plant species of open growth habits and not planted in the form of a hedge that are so planted and trimmed as to leave at all seasons a clear and unobstructed cross view; official warning signs or signals; ~~or at~~ places where the contour of the ground is such that there can be no cross visibility at the intersection.

15-2019 Development on Substandard Lots

Any lot or parcel of land that was legally created may be used as a building site even when consisting of less area, width, or depth than that required by the regulations for the district in which it is located. No substandard lot shall be further reduced in area, width, or depth, unless required as part of a public improvement. A substandard lot shall be subject to the same yard and density requirements as a standard lot, however the Director may reduce the side and rear yard requirements at a ratio equivalent with the non-conformity.

15-2020 Lots with Multiple Zone Districts (Split Zoning)

- A. **Generally.** Where a contiguous lot is divided by a zoning district boundary, the regulations applicable to each district shall be applied to the area within the district, and no use, other than parking serving a principal use on the site, shall be located in a district in which it is not a permitted or conditionally permitted use.
- B. **Access.** All access to parking serving a use must be from a street abutting that portion of the lot where the use is allowed. Pedestrian or vehicular access from a street to a non-residential use shall not traverse a Residential District in which the non-residential use is not permitted or conditionally permitted.
- C. **Accessory Facilities.** Landscaping, fences, screening or retaining walls, and open space may be located on the lot without regard for zone boundaries.
- D. **Refuse Collection Areas.** Shall be located on the parcel that permits the primary use.
- E. **Minimum Lot Area, Width, and Frontage.** The minimum lot area, width, and frontage requirements of the zone that covers the greatest portion of the lot area shall apply to the entire lot. If the lot area is divided equally between two or more zones, the requirements of the district with greater minimum lot area, width, or frontage shall apply to the entire lot.

2. An Accessory Structure may have plumbing for a washer, dryer, and/or utility sink.
3. An Accessory Structure may contain a toilet, shower, and sink. Bathtubs and stoves are not permitted. The applicant shall sign a covenant that would prohibit the structure from being used habitable space.
4. Existing accessory structures that do not comply with the strict application of the required setbacks of the underlying zone district, may install a toilet, shower, sink, and plumbing for a washer, dryer, or utility sink, subject to compliance with the adopted Building Code. This exception does not allow for a reduction in required parking spaces, parking space dimensions, building regulations, or any other adopted standards.

D. **Setbacks.** Accessory Structures shall comply with the standards below.

1. ***All Districts.***

- a. *Front and Street-Side Yards.* Accessory Structures may not be located within required front yard or street-side setback areas.
- b. *Alleys.* Accessory Structures shall be set back a minimum of five feet from an alley if the Accessory Structure utilizes the alley for vehicle access.

2. ***Single-Family Districts.***

- a. *Front Yards.* Not permitted, unless on a Double Frontage Lot (e.g. Through Lot). In the case of the latter, both street frontages shall be treated as Front Yards.
- b. *Interior-Side and Rear Yards.* Accessory Structures shall be set back from interior side and rear property lines as follows:
 - i. If the Accessory Structure is located closer than six feet from the main building, the Accessory Structure shall be set back a minimum five feet from the property line.
 - ii. If the Accessory Structure is located six feet away or farther from the main building, it may be located within three feet of an interior or rear property line.— Said structure shall comply with the Building Code.

3. ***Multi-Family Districts.***

- a. *Front Yards.*
 - i. Accessory Structures shall be located to the rear of main buildings.
 - ii. Detached garages and/or carports shall be located away from adjacent public roadways, to the rear, or shall be perpendicular to adjacent roadways to the greatest extent feasible. ~~For maximum carport dimensions, refer to the Base District.~~
- b. *Interior-Side and Rear Yards.* Accessory Structures shall be set back from interior side and rear property lines as follows:

- City of Fresno
- i. If Adjacent to Single-Family Districts. Accessory Structures, including garages and covered parking spaces, shall be set back per the underlying district or operative plan, whichever is greater.
 - ii. All Other Districts. Five feet.
4. **Non-Residential Districts.** Accessory Structures shall comply with the setbacks per the underlying district or operative plan, whichever is greater.
- E. **Height.** Accessory Structures are subject to the height limitations specific to the zoning district in which they are located except as provided below in Residential Districts.
1. **Residential Districts.**
 - a. Parcels 10,000 ~~S~~quare ~~f~~Feet and ~~l~~ess. Accessory Structures shall be no greater than 12 feet high measured from the ground level to the finished height of the structure.
 - b. Parcels ~~g~~reater than 10,000 ~~s~~quare ~~f~~Feet. Accessory Structures located a minimum of 10 feet from all property lines may be up to 16 feet high.
 2. **Additional Height.** The Director may allow additional height not to exceed the height of the main building provided the Accessory Structure is designed, in terms of materials and architectural styles, to match the main building. The setbacks described above shall still be applicable.
- F. **Tree Houses and Play Structures.**
1. When exceeding seven feet in height, as measured from the ground level to the floor of the structure, the structure must be set back to a distance equal or greater than its height.
 2. When exceeding 120 square feet, a building permit is required.
 3. If the structure overlooks a neighboring residential rear yard, landscaped screening shall be provided. This requirement may be waived upon-with the written agreement of the affected neighbor(s) at the time the structure is constructed.

15-2005 Pools and Spas

- A. Swimming pools, including slides and decorative features, Jacuzzis, spas, mechanical equipment, ground-mounted air conditioners, swimming pool pumps, and related equipment shall not be located in the front or street-side yards, and shall be set back a minimum of five feet from interior side and rear property lines.
- B. All equipment shall comply with the Noise Ordinance all applicable noise standards. If needed, equipment shall be baffled and/or enclosed to reduce noise to acceptable levels.

15-2006 Fences, Walls, and Hedges

Fences, walls, dense hedges, and similar structures, collectively referred to as "fences" for purposes of this section, shall comply with the following standards.

- e. Areas dedicated to edible plants are considered landscaped areas and count toward required landscaping.
2. ***Non-Plant Materials.*** Non-plant materials such cinder, bark, and similar materials may not be used to meet the minimum planting area required by this section.
3. ***Synthetic Lawns.*** Synthetic lawns may be considered as turf, and shall cover no more than 75 percent of the required landscape area.
4. ***Mulch.*** A minimum three-inch layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting ground covers or other special planting situations where mulch is not recommended. Stabilizing mulching products shall be used on slopes. Mulch must be confined to areas underneath shrubs and trees and is not a substitute for ground cover plants.
5. ***Size and Spacing.*** Plant materials shall be grouped in hydrozones in accordance with their respective water, cultural (soil, climate, sun, and light), and maintenance needs. Plants shall be of the following size and spacing at the time of installation:
 - a. ***Ground Covers.*** Ground cover plants must be at least of a four-inch pot size and spaced to provide full coverage within the time frame specified for the species planted.
 - b. ***Shrubs.*** Spacing of shrubs shall be according to local conditions; the species, cultivars, or varieties used; and their mature height, spread, and form. When planted to serve as a hedge or screen, shrubs shall be spaced at 75 percent of their mature length.
 - i. ***Small Shrub.*** A small shrub shall have a mature height of three to less than five feet and shall be planted at minimum from one-gallon containers.
 - ii. ***Medium Shrub.*** A medium shrub shall have a mature height of between five and eight feet and shall be planted at minimum from five-gallon containers.
 - iii. ***Large Shrub.*** A large shrub shall have a mature height of greater than eight feet and shall be planted at minimum from five-gallon containers.
 - c. ***Trees.*** ~~A minimum of 15 percent of the trees planted shall be 24-inch box or greater in size. All other~~ trees shall be a minimum of 15 gallons in size. Spacing of trees shall be according to local conditions; the species, cultivars, or varieties used; and their mature height, spread, and form. Newly planted trees shall be supported with stakes or guy wires.
 - i. ***Small Tree.*** A small tree shall have a mature height of less than 25 feet and be at least one inch in diameter at six inches above ground level. Small trees, generally, shall be planted 25 feet apart.

as of the date of adoption of this Code are not reduced in number to less than what this article requires.

15-2403 General Provisions

- A. **Timing of Parking Requirements.** On-site parking facilities required by this article shall be constructed or installed prior to the issuance of a Certificate of Occupancy for the uses that they serve.
- B. **Existing Parking and Loading to be Maintained.** No existing parking or loading serving any use may be reduced in amount or changed in design, location, or maintenance below the requirements for such use, unless equivalent substitute facilities are provided.
- C. **Advertising on Vehicles.** Vehicles shall not be parked solely for the purpose of advertising. Advertising shall comply with Article 26, Signs.
- D. **Maintenance.** Parking lots and pedestrian areas, including landscaped areas, driveways, and loading areas, shall be maintained free of refuse, debris, or other accumulated matter and shall be kept in good repair at all times.
- E. **Vehicles for Sale.** Vehicle sales ~~shall may~~ occur under the following parameters. All areas shall be paved on
 - ~~E.1.~~ 1. On lots approved for vehicle sales per Section 15-2709, Automobile and Motorcycle Retail Sales and Leasing, ~~and the following:~~
 - ~~1.2.~~ 2. Companies may sell excess vehicles on their property. No more than one excess vehicle may be sold on the lot at a time. ~~Vehicles in Commercial Districts shall be parked on a paved area.~~
 - ~~2.3.~~ 3. Personal vehicles parked for the purpose of being sold so long as it is for non-commercial purposes. ~~Vehicles shall be parked on a paved area.~~
- F. **Temporary Parking Lots.** For Temporary Parking Lots, refer to Section 15-2760-B, Temporary Uses Requiring a Temporary Use Permit.

15-2404 Buffer District

- A. Off-street parking of the following specified classes of vehicles shall be permitted in the Buffer District:
 - 1. Trucks of 1 ½ ton or more capacity;
 - 2. Trucks of 1 ¼ ton or more capacity with trailer attached;
 - 3. Buses;
 - 4. Trailers, if screened; and
 - 5. Any two-axle or three-axle truck tractor.
- B. **Pavement.** The parcel shall provide a 100 feet shake-off area prior to reaching the street to minimize dirt, mud, etc. from being carried onto street.

TABLE 15-2409: REQUIRED ON-SITE PARKING SPACES, OTHER DISTRICTS	
<i>Use Classification</i>	<i>Required Parking Spaces</i>
Transportation, Communication, and Utilities Use Classifications	
Light Fleet-Based Services	1 per 300 sq. ft. of office floor area, plus one space for each fleet vehicle.
Utilities, Major	1 for each employee on the largest shift plus 1 for each vehicle used in connection with the use. Minimum of 2.
Utilities, Minor	None.
Transportation Facilities / Bus Depots / Bus Terminal	1 per bus bay, plus 1 per 250 sq. ft. of building/waiting area.

15-2410 **Maximum Number of Spaces Allowed(Reserved)**

~~The maximum number of on-site vehicle parking spaces shall be as follows for Commercial Shopping Centers or large-format stores. The area excludes outdoor dining areas, patios, and/or outdoor display areas. Should 75 percent or more of the spaces be contained within a parking structure, this section shall not apply.~~

- ~~A. — Less than 60,000 Square Feet: Shall not provide more than 130 percent of the required number of parking spaces~~
- ~~B. — 60,000 Square Feet or Greater: Shall not provide more than 110 percent of the required number of parking spaces.~~

15-2411 **Calculation of Required Spaces**

The number of required parking spaces shall be calculated according to the following rules:

- A. **Fractions.** If the calculation of required parking or loading spaces results in the requirement of a fractional space, such fraction, if the fraction is less than one-half, it shall result in no additional spaces; if one-half or greater, it shall be considered one additional space.
- B. **Floor Area.** Where an on-site parking or loading requirement is stated as a ratio of parking spaces to floor area, the floor area is assumed to be gross floor area, unless otherwise stated.
- C. **Employees.** Where an on-site parking or loading requirement is stated as a ratio of parking spaces to employees, the number of employees shall be based on the largest shift that occurs in a typical week.
- D. **Bedrooms.** Where an on-site parking requirement is stated as a ratio of parking spaces to bedrooms, any rooms having the potential of being a bedroom or meeting the standards of the California Building Code as a sleeping room shall be counted as a bedroom. Offices or other rooms that have the ability of being converted into bedrooms shall be considered bedrooms for parking purposes.
- E. **Students or Clients.** Where a parking or loading requirement is stated as a ratio of parking spaces to students (including children in day care), the number is assumed to be the number of students or clients at the State-certified capacity or at Building Code Occupancy where no State-certification is required.

- a. *For Parking Lots with Less than 250 Spaces.* Refer to the California Building Code.
 - b. *For Parking Lots with 250 Spaces or More.* Per the California Building Code or the following, whichever shall provide the greater amount of EV spaces.
 - i. There shall be one vehicle charging station for every 250 spaces.
 - ii. At least one space shall be 15 feet in width.
 - iii. Signage shall clearly state that spaces are to be used for actively charging vehicles only.
- C. **Motorcycle Parking.** Motorcycle parking may substitute for up to five percent of required automobile parking. Each motorcycle space must be at least four feet wide and seven feet deep.
- D. **Tandem Parking.** Tandem parking may be permitted to satisfy the off-street parking requirement in accordance with the following:
- 1. No more than two vehicles shall be placed one behind the other;
 - 2. Both spaces shall be assigned to a single dwelling unit;
 - 3. Both spaces shall be assigned as employee only parking for a non-residential establishment. Tandem parking under this scenario shall be for the same establishment;
 - 4. Tandem parking to meet required parking for a multi-family development shall be located within an enclosed structure or a parking structure and the number of tandem parking spaces shall not exceed 50 percent of the total number of spaces;
 - 5. Tandem parking shall not be used to satisfy the parking requirement for guest parking; and,
 - 6. Tandem parking to meet required parking for non-residential uses may be used for employee parking and the number of tandem parking spaces shall not exceed 25 percent of the total number of spaces.
- E. **Stacked Parking.** Stacked or valet parking is allowed for non-residential uses if an attendant is present to move vehicles. If stacked parking managed by an attendant is used for required parking spaces, the property owner shall enter into an agreement in the form of a covenant with the City ensuring that an attendant will always be present when the lot is in operation. Stacked parking shall not account for more than 50 percent of the required parking.

15-2417 Driveways

Driveways providing site access shall be from an improved street, alley, or other public and/or private right-of-way, and shall be designed, constructed, and properly maintained per the standards below.

A. Number of Driveways.

- ~~1. One driveway shall be allowed for each parcel of less than two acres in size.~~

- F. **Snipe Signs.** All off-site signs, tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, trailers, temporary construction barriers, or other supporting structures.
- G. **Signs in the Public Rights-of-Way.** Unless otherwise noted, no sign shall be affixed within median strips or islands, on sidewalks, trees, retaining walls, bridges, benches, traffic signals, public fences, poles or utility equipment, street lighting, utility poles, traffic signs, or traffic sign posts, supporting structures, anchor wires, or guy wires. This provision, however, does not prohibit subdivision monument signs, which shall be permitted at the discretion of the City Engineer.
- H. **Signs That Produce Noise or Emissions.** Signs that produce noise or sounds that can be heard at the property line, excluding voice units at menu boards, and signs that emit visible smoke, vapor, particles, or odors.
- I. **Signs Creating a Traffic Hazard or Affecting Pedestrian Safety.** Signs placed or located in such a manner as to constitute a safety hazard or to impede the public use of the public right-of-way.
 - 1. ***Exits and Entrances.*** No sign shall be placed, mounted, erected, or installed in any manner that obstructs the use of any door, window, or fire escape.
 - 2. ***Sidewalks.*** No sign shall be mounted or displayed in such a manner that it blocks or impedes the normal pedestrian use of public sidewalks.
 - 3. ***Intersections.*** No sign shall be erected or maintained at or near any street intersection that will obstruct the free and clear vision of drivers and pedestrians. Other than traffic control signals, no sign shall be installed in the visibility triangle at intersections pursuant to Section 15-2018, Intersection Visibility.

15-2606 Rules for Sign Measurement

- A. **Calculation of Sign Area.** The area of an individual sign shall be calculated as follows.
 - 1. ***Single-Faced Signs.*** Sign area shall include the entire area within a single continuous perimeter composed of squares or rectangles that enclose the extreme limits of all sign elements, including, but not limited to, sign structures or borders, written copy, logos, symbols, illustrations, and color. Supporting structures such as sign bases and columns are not included in sign area provided that they contain no lettering or graphics except for addresses or required tags. The calculation of sign area for various types of single-faced signs is illustrated in Figure 15-2606-A.1.

- F. No wild animals, roosters, endangered, exotic, or protected animals are allowed to be kept or raised within the city, except within an accredited zoological park.
- G. The offspring of any permitted animal may be kept until weaned.

15-2708 Arcades, Video Games, and Family Entertainment Centers

A. Video Games and Amusement Devices.

1. ***Twelve or Less Amusement Devices/Rides.*** Any commercial establishment may have up to 12 amusement devices/rides, including skilled or non-skilled games (e.g., electronic video games, pinball machines, pinball, target games, air hockey, foosball, ping pong, darts, shooting games (with nonlethal projectiles), bowling games, shuffleboard, movie machines, etc.) for the enjoyment of patrons.
2. ***Thirteen or More Amusement Devices/Rides.*** If 13 or more, skilled or non-skilled devices are provided, the use shall be classified as a Video Game Arcade, unless the amusement devices are part of a Family Entertainment Center (refer to Subsection C).
3. ***Employee Presence.*** An establishment with video games, amusement devices/rides, regardless of the number, shall have an employee present during all hours of operation.
- ~~3.4.~~ ***Amusement Device Permit.*** See Chapter 9, Article 5, Amusement Devices for permit requirements.

B. Family Entertainment Restaurants.

1. ***Food Sales.*** Food sales shall be the primary use on the site.
2. ***Number of Devices.*** Per Subsection A above, there shall be no more than 12 amusement devices, rides and/or attractions, or combination thereof.
3. ***Children's Indoor Play Areas.*** May be permitted in any district in conjunction with a bona fide restaurant. Activities commonly include skilled and non-skilled games, including children's play stations, video games, pinball, and air hockey.
4. ***Children's Outdoor Play Areas.***
 - a. ***750 Square Feet or Less.*** Restaurants may have up to 500 square feet dedicated to playgrounds/children's equipment.
 - b. ***Greater than 750 Square Feet.*** Should the outdoor area exceed 500 square feet, it shall be considered a Family Entertainment Center for permit purposes.
5. ***Outdoor Dining.*** For Outdoor Dining, refer to Section 15-2744, Outdoor Dining and Patio Areas.
6. ***Nightclub / Dancing.*** Permitted in accordance with Section 15-2751, Restaurants with Alcohol Sales, Bars, Nightclubs, and Lounges.
7. ***Parking.*** Parking for the dining area shall be calculated per the Restaurant standards while parking for the Entertainment area shall be determined per Article 24, Parking and Loading.

C. Family Entertainment Centers.

1. **Food.** Family Entertainment Centers may, but are not required to serve food.
2. **Activities and Attractions.** Attractions typically include, but are not limited to, water slides, wake boarding facilities, amusement rides, bumper cars and boats, go-karts, miniature golf, trampolines, bounce houses, rock climbing, video arcades, laser tag, paintball, airsoft, batting cages, skate ramps, miniature basketball, miniature bowling, etc. Additional attractions may be appropriate, as determined by the Director.
 - a. **Projectiles.** For activities using projectiles (e.g. batting cages, paintball, airsoft, or similar activities), fences, nets, or walls shall be provided that are capable of stopping all projectiles fired and/or hit by containing or redirecting the projectile to the backstop.
 - b. **Noise.** Any activities that generate noise shall comply with ~~Section 15-2506~~, **Noiseall applicable noise standards**. Outdoor activities that generate noise (e.g. batting cages, paintball, amusement rides, and go-karts), shall cease at 10 p.m., unless separated by 400 ~~feet~~ or greater from a Residential District.
3. **Fencing for Outdoor Activities.** Fencing for outdoor activities shall be reviewed on a case-by-case basis. Consideration shall be given to streets, homes, etc. Should a fence be proposed, it shall comply with setbacks of the underlying zone district, however materials and height shall be determined on a case-by-case basis.
4. **Nightclub / Dancing.** Permitted in accordance with Section 15-2751, Restaurants with Alcohol Sales, Bars, Nightclubs, and Lounges.
5. **Parking.** If dining is proposed as part of the Family Entertainment Center, parking for the dining area shall be calculated per the Restaurant standards while parking for the remainder of the site shall be determined per Article 24, Parking and Loading.

15-2709 Automobile and Motorcycle Retail Sales and Leasing

Automobile, Recreational Vehicle, Boat and/or Motorcycle Retail Sales and Leasing (collectively referred to as Dealerships in this section), establishments shall be located, developed, and operated in compliance with following standards unless otherwise noted below.

- A. **Existing Dealerships.** Existing Dealerships may continue to operate and may change ownership/s if either of the following apply:
 1. **Existing Dealerships Established by Development Permit/Site Plan Review or Prior to December 14, 2001.** An existing Dealership may continue to operate and change ownership if the site has had a continuous business license to operate as a Dealership and any of the following apply:
 - a. There is an approved entitlement for the site for use as a Dealership and all conditions have been met;
 - b. The owner or applicant provides evidence satisfactory to the Director that the site is in compliance with an approved entitlement for a Dealership; or

The property development standards of the underlying zone district shall apply with regard to building heights.

- P. Sonic hail disruptors ("hail cannons") and noisemaking devices for repelling birds and other crop pests shall not be permitted.
- Q. Soil amendments and waste material that attracts nuisance flies or supports growth of such flies shall not be permitted.
- R. Any agricultural operation ~~or community garden~~ located in an area regulated under an Airport Land Use Compatibility Plan or airport specific plan shall be operated in conformance with the applicable Wildlife Hazard Mitigation Plan for that airport.
- S. Street trees and trees established to satisfy shading criteria of applicable permits and subdivision maps shall not be removed to accommodate crop cultivation activity.
- T. Prior to tillage or excavation for cultivation, parties undertaking the activity shall confirm that there are no Fresno Metropolitan Flood Control or Fresno Irrigation District underground facilities and shall call the Underground Service Alert Program (the "811 - Call Before You Dig") line. Parties intending to cultivate trees or trellis crops shall conform to utility company policies and regulations with regard to separations from overhead lines.
- ~~T.U.~~ On a property being cultivated, any maintenance, repair stabilization, rehabilitation, restoration, preservation, conservation, or reconstruction of an identified historical resource shall be done consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, available from the City of Fresno Historic Preservation Project Manager.

15-2717 Commercial Modular Buildings

- A. **General Requirements.** Commercial Modular Buildings generally fall under two categories: permanent modular or temporary modular, both of which shall be collectively be referred to as "Modulars" for this section.
 - 1. Permanent Modular buildings are usually considered real property, built to the same codes as conventional buildings.
 - 2. Temporary Modular buildings are commonly considered personal property or equipment and are not permanently affixed to real estate. Temporary Modular buildings are often used as sales offices, classrooms, or for healthcare services.
- B. **Government Owned Property.** City-owned sites (e.g., parks) and buildings used during construction as either offices or to temporarily house offices are excepted from this section.
- C. **Underlying Districts.** The underlying District Standards shall apply to Modular buildings, including, but not limited to, building height, access, setbacks, open space, parking requirements, etc., or operative plan, if applicable.
- D. **Location.**
 - 1. Buildings may be installed on industrial, commercial, and residential districts that are developed with non-residential districts.
 - 2. Buildings shall not be the primary building on the site.

15-2737 Large-Format Retail

A Large Format Retail, defined as a single tenant that occupies a minimum of ~~8035~~80,000 square feet shall be designed, located, and operated to meet the requirements of the applicable ~~Base District~~ and the following standards.

- A. **Applicability.** If a Large-Format Retail is vacant for a period of at least one year or there is a Change of Occupancy as defined by the California Building Code, the following standards shall apply:
1. **Landscaping.** Perimeter landscaping and Parking Lot Shading standards per the applicable Property Development Standards for the District in which it is located. The Director may make exceptions to the strict application of the prescribed standards, however in no case shall the reduction result in a net reduction of 35 percent or greater in the amount of landscaping provided. Landscaping may also be aggregated to minimize the impact on parking areas. In addition, the Director may enter into an agreement that allows the property owner to defer the installation of landscaping for a period not to exceed 18 months from the date of occupancy. The deferment agreement shall be recorded with the County Recorder.
 2. **Bicycling Parking.** Bicycling Parking shall be provided per Section 15-2429.
 3. **Refuse.** Refuse Collection Areas shall be provided per Section 15-2016, Trash and Refuse Collection Areas.
 4. **Recycling.** All new shopping centers or supermarket sites that are required by the State of California Department of Conservation to have a Recycling Center shall have an area designated and improved for the use of a recycling center as part of its original site plan. This area shall be permanently integrated and architecturally compatible with the center and shall provide adequate screening and design features so as to not detract from the design of the center.

15-2738 Manufactured Homes

Manufactured homes shall be designed and operated in compliance with the following standards:

- A. **General Requirements.** Manufactured homes may be used for residential purposes subject to the provisions of this section and the Government Code (Section 65852.3).
- B. **Underlying Districts.** The underlying District Standards shall apply to manufactured homes, including, but not limited to, building height, access, setbacks, open space, parking requirements, etc. If the home is located in an Infill Area or a site under the auspices of an operative plan, the home shall comply with the standards per the adopted plan or guidelines.
- C. **Design Criteria.** A manufactured home shall be compatible in design and appearance with residential structures in the vicinity and shall meet the following standards:
1. **Foundation.** A manufactured home shall be built on a permanent foundation system approved by the Building Official.

Temporary canopies and shade structures shall be removed daily. The parking lot must be left in a clean condition, free of waste. Permanent buildings, structures, and signs are excepted.

D. **Business License.** Operators shall obtain a business license.

15-2740 Mobile Vendors

Catering Trucks, Lunch Wagons, Motorized Food Wagons, Mobile Food Trucks, itinerate food vendors, etc. which shall be collectively be referred to as "Vendors" for this section, shall comply with the following standards.

A. General Provisions.

1. Noise and amplified music shall comply with all applicable noise standards. Section 15-2506, Noise.
2. Odors shall comply with Section 15-2510, Odors.
3. The sale of alcohol and tobacco products by Vendors is prohibited.
4. The operator shall provide waste removal and shall be responsible for collecting trash/debris and recycling after each stop. Trash includes material dispensed from the Vendor as well as items that may be left by their patrons.
5. Free-standing signs, such as A-Frame Signs, shall comply with Article 26, Signs.
6. Mobile Vendors shall have a current Tax Certificate and Mobile Vendor permit from the City and shall have all applicable permits required by the County Health Department.
7. **Display of Permit.** No mobile vendor shall operate in the city without prominently displaying on their person or vehicle a City-issued sticker or badge designating them as a duly permitted mobile vendor.
- 6.8. **Display of Name.** The mobile vendor's name, the business name, address, telephone number, City permit number, City tax permit, and Fresno County Department of Health number shall be visible on both sides of any vehicle (including, ice cream trucks, bakery wagons, push carts, and bicycles). If the vehicle is a truck, the display shall also be on the rear of the vehicle. The letter size for the name, telephone number and City permit number shall be at least two inches in height and shall be clearly visible at 50 feet.
- 7.9. **Restaurant, Residential, and School Spacing.** Notwithstanding sections B and C below, Vendors shall not operate within 100 feet of the following uses:
 - a. An existing restaurant, during the restaurant's normal business hours, with the following exceptions:
 - i. Vendors operating as part of a Farmer's Market per Section 15-2730 or a Special Event per Section 15-2760-B.
 - ii. The restaurant and the Vendor are operated by the same entity.

- b. Residential uses, with the following exceptions:
 - i. Caretaker's Residence
 - ii. Residential units that are part of a vertical mixed-use development.
 - iii. Vendors operating as part of a Farmer's Market per Section 15-2730 or a Special Event per Section 15-2760-B.
- c. Schools, with the following exceptions:
 - i. Vendors which sell only fresh produce.
 - ii. Vendors operating as part of a Farmer's Market per Section 15-2730 or a Special Event per Section 15-2760-B.

B. Off-Street Locations and Time Limits. The following restrictions shall apply except for Vendors operating as part of a Farmer's Market per Section 15-2730 or a Special Event per Section 15-2760-B.

- 1. **Residential Districts.** Vendors may not operate within residential districts, with the exception of properties for non-residential uses, such as schools and religious assembly facilities. Vendors shall have prior written authorization from the property owner.
 - a. *Time Limit.* Two hours, after which the Vendor must move to a new location that is no less than 500 feet away.
- 2. **Non-Residential Districts.** Vendors may operate within non-residential districts. Vendors shall have prior written authorization from the property owner.
 - a. *Time Limit.* Four hours, after which the Vendor must move to a new location that is no less than 500 feet away.
- 3. **City-Owned Property.** Vendors may not operate on City-owned property, such as parks, without prior written authorization from the City.
 - a. *Time Limit.* At the discretion of the City Manager or his/her designee.

~~C.~~ **On-Street Locations and Time Limits.**

~~C.~~ Vendors may operate on the public right-of-way subject to the following restrictions: Vendors operating as part of a Farmer's Market per Section 15-2730 or a Special Event per Section 15-2760-B are excepted.

- 1. **Residential Districts.**
 - a. *Time Limit, Non-Motorized Vendors.* Thirty minutes, after which the Vendor must move to a new location that is no less than 300 feet away.
 - b. *Time Limit, Motorized Vendors.* Motorized Vendors (including, but not limited to, ice cream trucks) may circulate and stop temporarily for sales, but shall not remain stationary for more than five minutes.
- 2. **Non-Residential Districts.**

- a. *Time Limit.* The posted time limit of the parking stall or one hour, whichever is less, after which the Vendor must move to a new location that is no less than 500 feet away.
 - b. *Location.* Vendors shall operate from valid on-street parking stalls
 - c. *Customer Transaction Area.* Vendors shall park in such a manner that the customer transaction area is on the public sidewalk adjacent to the curb.
3. ***Compliance with Traffic and Parking Laws.*** While operating in the public right-of-way, Vendors shall follow all applicable traffic laws and parking regulations, including time limits, payment of parking meters, and no-parking zones.

15-2741 **Model Homes(Reserved)**

- ~~A. Model homes shall be used exclusively for display and sales activity. Construction shall be in strict compliance with the provisions of this Code and all other City policies and regulations. The building may be used as a model home only as long as there is an unsold residence within the subdivision, or for a period of two years, whichever period is shorter.~~
- ~~B. The two-year period shall begin on a date determined by the Review Authority. The Review Authority may grant a maximum one-year extension to continue the use of the building as a model home if they determine that it would not be detrimental to the enjoyment of the surrounding property nor injurious to the health, safety, and welfare of the public.~~
- ~~C. Location.~~
 - ~~1. Within the boundaries of an approved tentative or final subdivision map of a residential project; or~~
 - ~~2. In a residential district within one-half mile of or on a subdivision contiguous to such project, subject to the approval of the Review Authority.~~
- ~~D. The Review Authority may impose additional restrictions, such as limiting the hours of operation, requiring additional off-street parking, or other measures in to protect surrounding property.~~

15-2742 **Motorcycle/Riding Clubs**

Motorcycle Clubs may be permitted in accordance with the standard below.

- A. **Location.**
 - 1. Motorcycle Clubs shall not have access to local street that also serves a Residential District, a public or private school, a day care center, a hospital or care facility, or a park.
 - 2. Clubs shall be a minimum 500 feet from any planned or zoned residential districts, public or private schools, day care centers, or parks. Caretaker's Units are excepted.
- B. **Hours of Operation.** Club activities shall end, and the club shall be closed, between 2 a.m. and 8 a.m. daily. No club activities shall take place between 10 p.m. and 2 a.m. except within an enclosed building.

L. **Noise.**

1. Noise decibel levels shall be monitored by the establishment to ensure compliance with ~~the-all applicable General Plan Noise Standards and the Noise Standards found in Section 15-2506, Noise.~~
2. Doors and windows shall remain closed, after 10 p.m. to minimize noise, except as needed to allow for the normal entry and exit of patrons to and from the establishment. Emergency access shall be maintained per City standards. This subsection shall not apply to businesses that are separated a minimum of 400 feet from Residential Districts.

M. **Posting Hours of Operation and Address.** The owner and/or proprietor and/or applicant shall be responsible to conspicuously post the hours of operation for each phase type (i.e., restaurant, nightclub) near the entrance of the establishment. It shall be 8.5×11 inches in size, to be in a format provided by the City. This posting shall be made available to City officials upon request.

N. **Security.** The Police Department shall make a recommendation to the Director for security measures for each application based upon the function of the establishment as described in the operational statement.

O. **Loitering.**

1. The owner and/or proprietor and/or operator of the establishment is responsible to provide supervision (i.e. security) to prevent loitering in the immediate vicinity of the establishment.
2. During operating hours, the owner and/or proprietor shall prohibit loitering in the parking area.
3. After closing hours, the immediate vicinity of the establishment including its designated parking area, shall be cleared within 15 minutes, except for employees of the establishment.
4. In the event that there is more than one establishment sharing a parking area, adjustments to the conditions of approval for each establishment shall be made so that there is a shared responsibility.

P. **Third Party Promoters.** Whenever an event is promoted by a Third Party the licensee/owner and/or proprietor and/or operator of the premises shall require that said Third Party obtain a business tax certificate from the City prior to holding such event.

Q. **Neighborhood Meeting.** An application for a Bar less than 300 feet from Residential per Table 15-2751-G or Nightclub less than 400 feet from Residential per Table 15-2751-G shall be required to conduct a Neighborhood Meeting as put forth in Section 15-5006.

R. **Non-Operating Rule.** Whenever all of the rights granted by a permit are discontinued, the following rules to reestablish the use shall apply:

1. **One Year or Less:** The same operator or a different operator may reestablish the use pursuant to the preexisting Conditional Use Permit and all conditions applicable thereto.
2. **More Than One Year:** A new permit is required.

7. Only one electric/gas meter is permitted per single-family parcel.
8. The kitchen in the main building shall remain in safe working order.

15-2754 **Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters**

- A. **Purpose.** The purpose of this section is to:
 1. Maintain the character of single-family neighborhoods;
 2. Ensure that new units are in harmony with developed neighborhoods; and
 3. Allow Second Dwelling Units as an accessory use to Single-Unit Dwellings, consistent with the Government Code (Section 65852.2).
- B. **Architectural Compatibility.** If visible from a public street or park, the architectural design, roofing material, exterior materials and colors, roof pitch and style, type of windows, and trim details of the Second Dwelling Unit, Backyard Cottage, or Accessory Living Quarters shall be substantially the same as and visually compatible with the primary dwelling.
- C. **District Standards.** Second Dwelling Units, Backyard Cottages and Accessory Living Quarters may be established on any lot in any residential district where single-unit dwellings are permitted or existing. Only one Second Unit, Backyard Cottage or Accessory Living Quarters may be permitted on any one lot. Minor Deviations and/or Variances to meet the minimum lot sizes are not permitted.
- D. **Minimum Lot Sizes.**
 1. ***Second Dwelling Unit.*** 6,200 square feet.
 2. ***Backyard Cottage.***
 - a. *Interior Lot Size:* 6,000 square feet.
 - b. *Corner Lot Size:* 5,000 square feet.
 3. ***Accessory Living Quarters.*** 5,000 square feet.
- E. **Type of Unit.**
 1. ***Second Dwelling Unit.*** May provide separate, independent living quarters for one household. Units may be attached, detached, or located within the living areas of the primary dwelling unit on the lot, subject to the standards of this subsection. Kitchens, including cooking devices are permitted.
 2. ***Backyard Cottage.*** May provide separate, independent living quarters for one household. Units may be attached, detached, or located within the living areas of the primary dwelling unit on the lot, subject to the standards of this subsection. Kitchens, including cooking devices are permitted. Backyard Cottages shall be located behind the primary dwelling unit, unless attached and integral to the primary dwelling unit.
 3. ***Accessory Living Quarters.*** Accessory Living Quarters provide dependent living quarters. They may be attached, detached, or located within the living areas of the primary dwelling unit on the lot, subject to the standards of this subsection. Accessory Living Quarters may not provide kitchen facilities, however a bar sink and an under-

Part IV

- D. **Residential Density.** For residential subdivisions, the density of a subdivision shall be calculated per Section 15-310, Determining Residential Density and the minimum and maximum lot size of the applicable base district.

15-4104 Blocks

- A. **Length.** Residential blocks shall be no ~~more-less~~ than 200 feet in length and no ~~less~~ ~~more~~ than 600 feet in length. A deviation from this requirement may be allowed if the alignment of existing streets on adjacent properties justify it, at the discretion of the Review Authority.
- B. **Width.** Residential block widths shall be of such dimension as to allow an ultimate layout of two tiers of lots therein of a size required by the provisions of this article, unless:
1. The subdivision provides a trail and homes would front onto the said amenity or other communal space.
 2. Topographic conditions justify a variation from this requirement; or
 3. The proposed homes would back onto a non-residential district or a Major Street.

15-4105 Lots

- A. **Lot Size and Dimensions.** Lots shall comply with the minimum size and dimension requirements of the base zoning district.
1. **Exceptions.** In any Residential subdivision of five or more lots, up to 25 percent of lots may be up to 20 percent smaller in area and/or width than the normally required minimum lot area and width of the applicable base zoning district, as long as the average lot area and width for the subdivision are no less than the required minimum for the district.
- B. **Oversize Lots.**
1. When a subdivision is divided into lots of a size substantially larger than those allowed in any applicable zoning district, the lots shall be designed to provide for the extension of streets, and the later division of any parcel into lots of the probable legal minimum size. This requirement may be waived when plans submitted and approved by the Commission indicate restrictions on future subdividing such as topography or other natural and man-made features.
 2. A covenant shall be recorded against oversized lots that have the potential to be further divided that may cause the original subdivision to exceed the permitted residential density requirements of the underlying planned land use designation.
- C. **Lot Consolidation.** Lot consolidation is encouraged when such consolidation results in a superior subdivision that includes some of the elements of a complete neighborhood such as a range of housing opportunities, connectivity, open space, and a well landscaped streetscape. Lot consolidation that does not include such elements is discouraged.
- D. **Side Lines.** The side lines of any lot, so far as is practicable, shall be at right angles to the street which the lot faces, or radial if the street is curved.

Part VI

Duplex. A single building on a lot that contains two dwelling units or two single-unit dwellings on a single lot. This use is distinguished from a Second Dwelling Unit, which is an accessory residential unit as defined by State law and this Ordinance.

Multi-Unit Residential. Three or more dwelling units on a site or lot. Types of multiple unit dwellings include townhouses, garden apartments, senior housing developments, and multi-story apartment buildings. This use includes multi-unit development in which individual units are occupied exclusively by one or more persons 62 years of age or older.

Cottage Housing Development. A group of single-family homes, typically smaller than 1,200 square feet, that are arranged in common relation to one another, usually surrounding a shared landscaped area. Also known as a "pocket neighborhood."

Accessory Living Quarters. Living quarters of permanent construction without kitchen or cooking facilities, used primarily for temporary guests of the occupants of the principal dwelling on the lot, and not rented or otherwise used as a separate dwelling.

Adult Family Day Care. A day-care facility licensed by the State of California that is located in a single-unit residence or other dwelling unit where a resident of the dwelling provides care and supervision for adults over the age of 18 for periods of less than 24 hours a day.

Small. A facility that provides care for six or fewer adults.

Large. A facility that provides care for seven to 12 adults.

Caretaker Residence. A dwelling unit occupied by employees or caretakers of the primary use on the site.

Domestic Violence ResidenceShelter. A facility providing sleeping accommodations for a maximum of eight persons, inclusive of any children or support staff using sleeping accommodations, located in a single-unit residence or other dwelling unit where survivors of domestic violence or sexual abuse are provided temporary housing, food, and other specialized services in compliance with California Welfare and Institutions Code Section 18290 et seq., and which may also be occupied by professional support staff provided by a sponsoring agent. ~~This use classification excludes domestic violence shelters that are separately classified as Social Service Facilities.~~

Elderly and Long-Term Care. Establishments that provide 24-hour medical, convalescent, or chronic care to individuals who, by reason of advanced age, chronic illness, or infirmity, are unable to care for themselves, and is licensed as a skilled nursing facility by the State of California, including, but not limited to, rest homes and convalescent hospitals, but not Residential Care, Hospitals, or Clinics.

Family Day Care. A day-care facility licensed by the State of California that is located in a single-unit residence or other dwelling unit where a resident of the dwelling provides care and supervision for children under the age of 18 for periods of less than 24 hours a day.

Small. A facility that provides care for eight or fewer children, including children who reside at the home and are under the age of 10.

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

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

Social Service Facilities. Any noncommercial facility, such as homeless shelters; ~~domestic violence shelters;~~ and facilities providing social services such as job referrals, housing placement, and which may also provide meals, showers, clothing, groceries, and/or laundry facilities, typically for less than 30 days. Specialized programs and services related to the needs of the residents may also be provided.

15-6704 Commercial Use Classifications

Adult-Oriented Business. An establishment that, as a regular and substantial course of conduct, offers, sells or distributes adult-oriented merchandise, or that offers to its patrons materials, products, merchandise, services, entertainment, or performances that have sexual arousal, sexual gratification, and/or sexual stimulation as their dominant theme, or are characterized by an emphasis on specified sexual activities or specified anatomical areas and are not customarily open to the general public because they exclude minors by virtue of their age. This classification does not include any establishment offering professional services conducted, operated, or supervised by medical practitioners, physical therapists, nurses, chiropractors, psychologists, social workers, marriage and family counselors, osteopaths, and persons holding licenses or certificates under applicable State law or accreditation from recognized programs when performing functions pursuant to the respective license or certificate.

Aircraft Sales, Services, and Storage. Uses related to the rental, sales and leasing, storage, repair, and washing of aircraft.

Animal Care, Sales and Services. Retail sales and services related to the boarding, grooming, and care of household pets including:

Grooming and Pet Stores. Retail sales of animals and/or services, including grooming, for animals on a commercial basis. Grooming or selling of dogs, cats, and similar small animals. Typical uses include dog bathing and clipping salons, pet grooming shops, and pet stores and shops. This classification excludes dog walking and similar pet care services not carried out at a fixed location, and excludes pet supply stores that do not sell animals or provide on-site animal services.

Kennels. A commercial, non-profit, or governmental facility for keeping, boarding, training, breeding, or maintaining four or more dogs, cats, or other household pets not owned by the kennel owner or operator. Typical uses include pet clinics, pet day care, grooming, animal hospitals for small animals, and animal shelters, but exclude pet shops and animal hospitals that provide 24-hour accommodation of animals receiving medical or grooming services.

Fortune Telling Service. An establishment engaged in or that professes to foretell future or past events or that is engaged in the practice of palmistry (the art or practice of reading a person's character or future from the lines on the palms of hands). Examples of this use type include astrologers, fortune tellers, palm and card readers, and psychics.

Massage Establishments. Any business, including a sole proprietorship, which offers massage therapy in exchange for compensation, whether at a fixed place of business or at a location designated by the patron. Massage therapy includes the application of various techniques to the muscular structure and soft tissues of the human body, including, but not limited to, any method of pressure or friction against, or stroking, kneading, rubbing, tapping, compression, pounding, vibrating, rocking or stimulating of, the external surfaces of the body with the hands or with any object or appliance. Exempted from this definition are massage therapists operating in conjunction with and on the same premises as a physician, surgeon, chiropractor, osteopath, nurse or any physical therapist who is duly State-licensed to practice their respective profession in the State of California, and out-service massage therapists certified pursuant to the California Business and Professions Code Section 4612.

Medical Marijuana Collective. A location where marijuana is cultivated collectively by more than one qualified patient (with valid identification card) or designated primary caregiver of a person with a valid identification card, in order to collectively or cooperatively cultivate and/or store marijuana for medical purposes, as provided in Health and Safety Code Section 1362.775.

Tattoo or Body Modification Parlor. An establishment whose principal business activity is one or more of the following: 1) using ink or other substances that result in the permanent coloration of the skin through the use of needles or other instruments designed to contact or puncture the skin; or 2) creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration.

Retail Sales.

Building Materials and Services. Retail sales or rental of building supplies or equipment. This classification includes lumber yards, tool and equipment sales or rental establishments, and includes establishments devoted principally to taxable retail sales to individuals for their own use. This definition does not include Construction and Material Yards, ~~hardware stores less than 10,000 square feet in floor area~~ or plant nurseries.

Convenience Retail. Establishments primarily engaged in the provision of frequently or recurrently needed small personal items or services for residents within a reasonable walking distance. These include various general retail sales and personal services of an appropriate size and scale to meet the above criteria. Convenience Retail may sell beer and wine, but stores that sell liquor or dedicate 50 percent or more of the floor area to alcohol sales are considered as Liquor Stores.

General Retail. The retail sale or rental of merchandise not specifically listed under another use classification. This classification includes retail establishments with 80,000 square feet or less of sales area; including department stores, clothing stores, furniture stores, pet supply stores, ~~small hardware stores (with 10,000 square feet or less of floor area)~~, and businesses

Planning Commission
Item VIII-A
9/30/15

Errata

Part 2

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	C	C	–	–	
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	–C	–C	§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

Additional Changes to the Citywide Development Code Made by the Planning Commission on 9/30/2015

15-2750-B: CRV Recycling Centers

Motion: Delete sub-items 1 relating to permanent location; 2 relating to hours of operations; and 5.d relating to new recycling centers in commercial districts being restricted to unserved zones. **Passed 7-0**

15-2750-B: CRV Recycling Centers

Motion: Revise item B.15 relating to voucher system to add specific language to identify under what conditions the Police Department would require this and how the vouchers would be utilized by the individuals present. **Passed 7-0**

15-3903-D: Relocation Assistance Program (for Condominium Conversions)

Motion: Clearly define at which age one is considered to be “elderly” in a way that is consistent with similar state, federal, and local regulations. **Passed 7-0**

15-5007: Public Notice

Motion: Add a requirement that when public noticing is required, the notice shall be posted to a designated central location on the City’s website at least ten days before the public hearing, but specify that a failure to post to the website due to technical difficulties shall not constitute grounds to postpone the hearing or invalidate the decision made at the hearing. **Passed 7-0**

15-104-B.4: Priority of Plans

Motion: Edit the language to clarify the relationship between Specific Plans and Concept Plans with the intent that, should there be a conflict, the Specific Plan will control over the Concept Plan. **Passed 7-0**