

AGENDA
CITY OF ANTIOCH PLANNING COMMISSION
ANTIOCH COUNCIL CHAMBERS
THIRD & "H" STREETS

WEDNESDAY, AUGUST 15, 2012

6:30 P.M.

NO PUBLIC HEARINGS WILL BEGIN AFTER 10:00 P.M.
UNLESS THERE IS A VOTE OF THE PLANNING COMMISSION
TO HEAR THE MATTER

APPEAL

All items that can be appealed under 9-5.2509 of the Antioch Municipal Code must be appealed within five (5) working days of the date of the decision. The final appeal date of decisions made at this meeting is 5:00 p.m. on **THURSDAY, AUGUST 23, 2012.**

ROLL CALL

6:30 P.M.

Commissioners	Baatrup, Chair
	Bouslog, Vice Chair
	Langford
	Azevedo
	Westerman
	Motts
	Sanderson

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

CONSENT CALENDAR

All matters listed under Consent Calendar are considered routine and are recommended for approval by the staff. There will be one motion approving the items listed. There will be no separate discussion of these items unless members of the Commission, staff or the public request specific items to be removed from the Consent Calendar for separate action.

1. APPROVAL OF MINUTES: August 1, 2012

MINUTES

* * * END OF CONSENT CALENDAR * * *

NEW ITEM

2. The City of Antioch requests the Planning Commission receive public comment and provide direction for drafting amendments to the City Zoning Ordinance and the 2003 General Plan in order to implement policies of the 2007 – 2014 Housing Element.

STAFF REPORT

CONTINUED PUBLIC HEARING

3. **UP-12-01** - Compass Commercial requests a use permit for a 24 hour convenience store located at 1708 – 1710 A Street (**APN: 067-243-031**).

Staff recommends that this item be continued to September 5, 2012.

ORAL COMMUNICATIONS

WRITTEN COMMUNICATIONS

COMMITTEE REPORTS

ADJOURNMENT

Notice of Availability of Reports

This agenda is a summary of the actions proposed to be taken by the Planning Commission. For almost every agenda item, materials have been prepared by the City staff for the Planning Commission's consideration. These materials include staff reports which explain in detail the item before the Commission and the reason for the recommendation. The materials may also include resolutions or ordinances which are proposed to be adopted. Other materials, such as maps and diagrams, may also be included. All of these materials are available at the Community Development Department located on the 2nd floor of City Hall, 3rd and H Streets, Antioch, California, 94509, between the hours of 8:00 a.m. and 11:30 a.m. or by appointment only between 1:00 p.m. and 5:00 p.m. Monday through Thursday for inspection and copying (for a fee). Copies are also made available at the Antioch Public Library for inspection. Questions on these materials may be directed to the staff member who prepared them, or to the Community Development Department, who will refer you to the appropriate person.

**CITY OF ANTIOCH
PLANNING COMMISSION MINUTES**

**Regular Meeting
6:30 p.m.**

**August 1, 2012
City Council Chambers**

CALL TO ORDER

Chairman Baatrup called the meeting to order at 6:30 p.m. on Wednesday, August 1, 2012, in the City Council Chambers. He stated that all items that can be appealed under 9-5.2509 of the Antioch Municipal Code must be appealed within five (5) working days of the decision. The final appeal date of decisions made at this meeting is 5:00 p.m. on Thursday, August 9, 2012.

ROLL CALL

Present: Commissioners Langford, Azevedo, Westerman, Motts, Sanderson
Vice Chair Bouslog and Chairman Baatrup
Absent: None
Staff: Senior Planner, Mindy Gentry
City Attorney, Lynn Tracy Nerland
Minutes Clerk, Cheryl Hammers

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

Chairman Baatrup announced that there were two new Planning Commissioners and he asked each new Commissioner to introduce themselves and give some background. Virginia Sanderson said that she was a recent resident of Antioch and a litigation attorney in San Francisco and Kerry Motts said that he is a lifelong resident of Antioch and recently completed a degree.

City Attorney Nerland added that these folks volunteer with no compensation, only a desire to give back to the community.

CONSENT CALENDAR

1. Approval of Minutes: July 18, 2012

On motion by Commissioner Azevedo, and seconded by Vice Chair Bouslog, the Planning Commission approved the Minutes of July 18, 2012.

AYES: Bouslog, Baatrup, Azevedo, Westerman, Motts, Sanderson
NOES: None
ABSTAIN: Langford

ABSENT: *None*

END OF CONSENT CALENDAR

CONTINUED PUBLIC HEARINGS

2. **UP-12-01** – Compass Commercial is requesting a use permit for a 24 hour convenience store located at 1708 – 1710 A Street (**APN: 067-243-031**).

Commissioner Langford clarified with Senior Planner Gentry that this item has been continued once again to flush out items with the applicant.

On Motion by Commissioner Westerman and seconded by Commissioner Azevedo, the Planning Commission continued UP-12-01 to August 15, 2012.

AYES: *Baatrup, Bouslog, Langford, Azevedo, Westerman, Motts, Sanderson*

NOES: *None*

ABSTAIN: *None*

ABSENT: *None*

3. **UP-12-03** – Fernandes Towing is requesting a use permit for a towing storage yard and pickup facility for vehicles located at 437 “O” Street (**APN: 066-124-003**).

CA Nerland interjected that the Planning Commission has two new commissioners tonight who have both reviewed information on the project and are now ready to proceed to hear the project.

Commissioner Sanderson and Commissioner Motts both said that they have reviewed all materials and feel comfortable to proceed.

Commissioner Langford said that he was absent at the last meeting but that he has read the reports and feels comfortable to proceed.

SP Gentry provided a summary of the staff report dated July 26, 2012.

Vice Chair Bouslog discussed with SP Gentry the fencing options on the attachments.

Commissioner Azevedo questioned staff about project specific condition 27 no longer being applicable to which SP Gentry said that it is actually project specific condition 28 in the new resolution and that staff is making recommendations on the landscape plan.

Commissioner Langford discussed with SP Gentry the option for galvanized, painted or coated fencing and that the Planning Commission can condition the project beyond what is in the staff report.

OPENED PUBLIC HEARING

Applicant, Mike Fernandes, said that he has done research and that the one hundred feet of wrought iron fence would cost him approximately \$20,000.00 so that if he can't put up cyclone with slats that he will have to back out of the deal.

Eric Rehn handed the Planning Commissioners a few items including pictures. He said that applicant is currently in contract to purchase the property for \$200,000.00, that the property is deteriorated with homeless there, that Mike will spend a lot of money to fix up the property, and that the breaking point is the excessive tenant improvements. He said that the fence applicant wants is very common in the area and that while there is another fence of wrought iron required ten years ago, he feels there should be a single standard for the area and that Antioch has many vacancies and needs to make it easier to do business in the City.

Commissioner Langford asked applicant if given the setback for the fence if there would be an electric gate to which applicant said that possibly in the future. Commissioner Langford then asked if towing would be done with flatbeds or if there would be cars towed from behind a tow truck and voiced his concern with making sure cars are all off of the roadway and that a motorized gate would allow the driver to pull all the way in. Applicant said he is fine with moving the gate from 20 feet to 30 feet from the property line.

CLOSED PUBLIC HEARING

Chairman Baatrup asked staff if Mr. Scotto's project was looked at given his public testimony at the last hearing to which SP Gentry stated there was not time to consider that resolution.

Chairman Baatrup then confirmed with staff that there was no requirement for ornamental or wrought iron.

Commissioner Langford said that after reviewing the project and visiting the site, Mr. Scotto still has a chain link fence on the side of his property with more of a storefront, not a tow yard. He said that as long as applicant moves the gate back for a safe approach he does not have anything against slats and chain link fence.

Commissioner Westerman concurred and said that for this applicant, chain link fence with slats is acceptable and is an improvement to the area.

Commissioner Azevedo said that while he cannot speak for what was previously done, that since Mr. Scotto's fence we have design guidelines, that expectations do change, and that if there is nothing in the guidelines to prohibit chain link with slats he has no problem recommending chain link fence with slats.

Chairman Baatrup asked staff if there was a color requirement for the slats given Mr. Rehn's pictures showing slats to be redwood. SP Gentry said that there was no color

requirement. Applicant interjected that they can match the fence. Chairman Baatrup said that he would prefer a neutral color maybe brown with no greens, whites or patterns.

Commissioner Motts concurred and stated that he has the same type of fence on his property downtown.

Vice Chair Bouslog said that while he is all for a wrought iron fence, he feels that as a City they need to do a better job identifying what fences go in what areas.

Commissioner Langford clarified with staff that the barbed wire on top would be going away.

Applicant interjected that he will put in landscaping but that he will be putting up a new fence with barbed wire on top.

It was decided by the Planning Commission to reopen the public hearing.

REOPEN PUBLIC HEARING

Commissioner Langford asked applicant what the height of the fence would be to which applicant said that the corporation yard has seven feet with one foot of barbed wire but that he would be agreeable to going down to six feet with the barbed wire.

Commissioners Langford and Azevedo and Chairman Baatrup discussed the barbed wire being straight or at a 45 degree angle.

Commissioner Langford clarified with staff that the corporation yard fence was seven feet high.

Commissioner Azevedo said that given Mr. Scotto doesn't have assets in his parking lot 24 hours a day and that he has a fence with spikes, that applicant needs some type of protection for his assets. He said that chain link fencing is most cost effective but that he would prefer a 45 degree angle.

Applicant stated that with his fence on the north side, if it were put on the property line with a 45 degree angle, it would extend over his neighbor's property to which Commissioner Langford stated that the 45 degree would go back into applicant's property.

Mr. Rehn said that given that they are currently in escrow, they are requesting a decision today because more delay is making it tough to keep this deal together.

RECLOSE PUBLIC HEARING

Commissioner Langford made a motion to approve and clarified with staff changing the gate from 20 feet to 30 feet back and adding a Specific Condition 38 given a condition

for fencing was left off for the Planning Commission to write.

RESOLUTION NO. 2012-**

On Motion by Commissioner Langford and seconded by Commissioner Azevedo, the Planning Commission approved UP-12-03, subject to the following:

- **Conditions 1-29 as written.**
- **Condition 30 to be changed as follows: "The vehicular gate on "O" Street shall be relocated to be at least 30' behind the sidewalk.**
- **Conditions 31-37 as written.**
- **Add Condition 38 to read "The chain link fence shall be replaced and shall have vinyl clad fence fabric, posts, top rails and hardware. The barbed wire shall be on top at a 45 degree angle, 3 stranded, facing toward the property. Slats shall be as close in color to the corporation yard as possible. Chain link fence to be seven feet high.**

AYES: *Bouslog, Baatrup, Langford, Azevedo, Westerman, Motts, Sanderson*
NOES: *None*
ABSTAIN: *None*
ABSENT: *None*

ORAL COMMUNICATIONS

CA Nerland said that to be respectful of the summer months would there be a quorum for the August 15th meeting to which Commissioner Westerman said that he would not be present but all other Commissioners indicated that they would be present at that meeting.

WRITTEN COMMUNICATIONS

None.

COMMITTEE REPORTS

Commissioner Azevedo said that Transplan still has not met.

ADJOURNMENT

Chairman Baatrup adjourned the Planning Commission at 7:20 p.m.

Respectfully Submitted,
Cheryl Hammers

**STAFF REPORT TO THE PLANNING COMMISSION
FOR CONSIDERATION AT THE MEETING OF AUGUST 15, 2012**

Prepared by: Vivian Kahn, FAICP, Dyett & Bhatia
Reviewed by: Tina Wehrmeister, Community Development Director *Tw*
Date: August 6, 2012
Subject: **Proposed Zoning and General Plan amendments for 2007 – 2014
Housing Element Implementation Program**

RECOMMENDATION

It is recommended that the Planning Commission receive public comment and provide direction to City Staff and the Consultant on a set of draft amendments to the City Zoning Ordinance (Antioch Municipal Code Title 9, Chapter 5) and zoning map, as well as a draft amendment to the 2003 General Plan, in order to implement policies of the 2007 – 2014 Housing Element.

BACKGROUND

The City of Antioch has adopted a Housing Element for the 2007 – 2014 planning period as part of its General Plan. The Housing Element establishes a comprehensive program for implementing Antioch's housing policies and bringing the City into full compliance with State law. The actions that the Housing Element proposes to undertake to implement Housing Element policies include a variety of amendments to the Zoning Ordinance (Antioch Municipal Code Title 9, Chapter 5), ranging from relatively straightforward text changes to make the regulations consistent with State density bonus requirements to the establishment of new zoning districts and programs to accommodate new dwelling units.

The Association of Bay Area Governments (ABAG) calculated Antioch's Regional Housing Needs Allocation (RHNA) for the seven-year planning period to be 2,282 units, including 516 very low-income and 339 low-income units. However, because the Housing Element for the previous (1996 – 2006) planning period did not identify enough sites to accommodate the entire allocation of very-low and low-income units, the City's adjusted RHNA increased to 3,310 units. After accounting for projects that had received permits from the City or were under construction, the Housing Element calculated that the City needed to find sites to accommodate 1,784 low and very low-income units.

Because the City was unable to find enough land to meet its share of the regional need for lower-income units, it will need to amend its existing zoning ordinance to allow some residential projects to be approved without a use permit or planned development approval.

The City hired Dyett & Bhatia (the Consultant) to translate the specific proposals in the Housing Element program into regulations and procedures. The major focus of the Consultant's work is to create a user-friendly, legally adequate, and effective set of provisions that will accommodate the units needed to meet the City's housing allocation in a manner that will emphasize building placement, the framing of public space, and promoting a pedestrian-oriented environment.

The Consultant conducted a series of interviews with City staff and officials in order to find out what they identify as the major problems with the City's existing land use and development regulations. Opportunities to participate in the interview process through interviews and by e-mail were also extended to a list of developers, property owners, and community groups that City staff identified as having potential interest in the project or relevant expertise.

Based on the input from these interviews, as well as review and analysis of the 2007 – 2014 Housing Element, the current Zoning Ordinance, and the Citywide Design Guidelines, the Consultant prepared a paper with findings and recommendations for zoning amendments to address the following issues:

- Adequate Housing Sites
- Design and Development Standards and Guidelines
- Residential Parking Requirements
- Development Bonuses and Incentives
- Emergency, Transitional, and Supportive Housing
- Zoning for Employee and Farmworker Housing

For each issue, the consultant presented options for how to implement the policies of the Housing Element through the zoning ordinance to be consistent with State law. The Planning Commission considered the various options and made recommendations on each topic at its meeting on February 1, 2012. Based on the Planning Commission's recommendations, the Consultant revised the issues and options paper for the City Council's consideration at its April 10, 2012 meeting. The Council affirmed all of the Planning Commission's recommendations.

The consultant has broken down the zoning amendments that are needed into three components that the City can consider in turn:

- Module 1: Districting Amendments. Two new multi-family residential districts would be created and mapped in order to provide the housing sites that the City needs to meet its share of the RHNA for lower-income units. In addition, an overlay district would be created in order to provide adequate sites for emergency shelters. Finally, a general plan amendment would modify the High Density Residential designation of the 2003 General Plan to allow adequate density to accommodate the new multi-family districts.
- Module 2: Use Regulations and Affordable Housing Provisions. These amendments would ensure consistency with State law for protected uses such as transitional and supportive housing. They would also update the City's provisions on density bonuses for affordable housing to be consistent with current State law.
- Module 3: Development Standards. These amendments would ensure the design compatibility and quality of new residential development. A strong set of development standards would complement the provisions of Module 1 that would allow multi-family residential development by right in certain zones.

The focus of the current meeting is consideration of the first group of zoning amendments that the Consultant has prepared to achieve adequate sites for affordable housing units and emergency shelters. These amendments include:

- Creating a new district that allows multi-family residential development by right at a minimum density of 20 units per acre. Rezoning two sites totaling approximately eight acres to this new zone.
- Creating a new district with a minimum density of 30 units per acre where a use permit or planned development approval is required for all or some units. Rezoning 21.5 acres to this district.
- Creating a new overlay district where emergency shelters would be allowed by right. Applying this district to site two sites: one consisting of 1.6 acres on the northeast corner of Delta Fair and Century Boulevard, and the other occupying 14.8 acres northeast of the intersection of Wilbur Avenue and Fulton Shipyard Road.
- Adding a definition of “emergency shelter” to the ordinance and developing standards that apply to emergency shelters wherever they are permitted or conditionally permitted in the city.
- An amendment to the General Plan to increase the maximum targeted density for the High Density Residential land use designation up to 35 units per acre.

The zoning and general plan text amendments are included as Attachments A and B, respectively, to this report.

Additional explanation of each of these amendments, and how they will serve to implement Housing Element policies and State requirements, follows.

DISCUSSION

1. Redistricting to Accommodate Adequate Housing Sites

To meet the requirements of State law, the City of Antioch needs to demonstrate that it has sufficient sites available to accommodate 1,784 units for lower-income households. The law provides cities with several options for complying with the requirement to accommodate their share of the region's need for lower-income units. One approach is to rezone sufficient land to accommodate their allocation for lower-income units at the so-called “default density,” which is 30 units per acre for Antioch and other suburban cities with more than 100,000 population. If a city is unable to identify enough sites where housing could be built to meet its allocation of lower-income units at this density, it must amend its zoning ordinance and map to accommodate 100 percent of the unmet need for low- and very low-income housing on sites where development is allowed by right at a density of 20 units per acre. In addition, at least 50 percent of the very low and low-income need must be on sites zoned exclusively for residential use.

The issues and options paper presented two different approaches that the City could take to accommodate its share of the region's need for lower-income units. The approach that the Planning Commission recommended and the City Council affirmed was to rezone 59.47 acres at a minimum density of 30 units per acre and continue to require a use permit or planned development approval for all or some units. Development on these sites would be subject to approval of a conditional use permit, and could also be subject to design review, but State law would not allow the City to impose conditions of approval on such permits that would reduce densities.

The selected approach includes accommodating a significant proportion of the City's need for affordable housing on sites in the Hillcrest Station Area, which can accommodate up to 38 units per acre as proposed in the Station Area Plan approved in 2009. Developers who include affordable units would be entitled to up to 35 percent higher densities, more than 40 units per acre, under the State's density bonus law.

The Hillcrest Station Area Plan designates 38.2 acres of land as "Residential TOD," a designation that allows residential densities at a minimum of 20 and maximum of 40 units per acre. Figure 1 shows the location of this Residential TOD area. The site is already zoned P-D, Planned Development District. Pursuant to Article 23 of the Zoning Ordinance, any development on a site zoned P-D requires Planning Commission and City Council approval of a development plan and must also be consistent with any applicable specific plans. In this case, the applicable specific plan is the Hillcrest Station Area Plan, so the existing P-D zoning ensures that any development be of the type and intensity specified by the plan. No zoning amendments are necessary to allow this site to accommodate the needed residential units. However, information about this site (referred to as Site 1) is included in this report for reference.

Most of the remaining balance of the City's housing need can be accommodated on other sites that would be rezoned to conditionally permit multi-family development and require a minimum density of 30 dwelling units per acre. The Planning Commission recommended and the City Council affirmed the selection of several sites for rezoning to a new minimum-30-units-per-acre residential district. These sites include Site 2 on Holub Lane, and Sites 3a and 3b at Delta Fair Boulevard and Century Boulevard. Details about these sites are provided in Table 1; their locations are shown on Figures 2 and 3, following the table.

The Consultant recommends providing a range of allowable density in order to not overly prescribe development, but keeping this range narrow. The minimum density of 30 units per acre would constitute the bottom of the range while the maximum allowable density could be on the order of 35 units per acre. In the draft regulations, this district is named R-35 High Density Residential, consistent with the convention in the Antioch code of naming residential districts according to the upper end of the allowable density range.

To accommodate the remainder of the residential units, two additional sites would be rezoned to allow residential development with a minimum density of 20 units per acre by right. This means that the City would not be able to require a use permit, but projects could still be subject to design review. In the draft regulations included with this report, a new base zoning district called R-25 would require residential development to achieve a minimum density of 20 units per acre and allow up to 25 units per acre. The sites proposed for rezoning to R-25 are detailed in Table 1; their location is shown in Figures 4 and 5.

The land area and number of dwelling units that each site could contribute to meeting the City's RHNA is presented in Table 1 below.

TABLE 1: SITES PROPOSED FOR REZONING TO MEET SHARE OF RHNA							
Site #	Address/ Location	APN	Acres	Current Zoning (and applicable specific plans)	Proposed Zoning	Proposed Zoning Description	Potential Capacity (Units)
1	Hillcrest Station Area Specific Plan (various addresses)	Various	38.2	P-D Planned Development District (Residential TOD in Hillcrest Station Area Plan)	P-D Planned Development District (I)	Planned Development consistent with Hillcrest Station Area Specific Plan Residential TOD designation, 20 - 40 du/ac.	1,000 (2)
2	1841 Holub Lane	051 200 037	4.4	PBC Planned Business Center	R-35	Residential with CUP. Min. 30 du/ac; max. 35 du/ac.	453
	Holub Lane	051 200 038	5.0				
	Holub Lane	051 200 039	5.7				
3a	Delta Fair Blvd. & Century Blvd.	074 080 034	4.8	MCR Mixed Residential/ Commercial (Western Gateway Focus Area)	R-35	Residential with CUP. Min. 30 du/ac; max. 35 du/ac.	144
3b	Delta Fair Blvd. & Century Blvd.	074080029	1.1	C-3 Regional Commercial District	R-35 + ES Overlay	Residential with CUP. Min. 30 du/ac; max. 35 du/ac + Emergency Shelter Overlay (3)	48
		074080028	0.5				
4	810 Wilbur Avenue	065 110 006	2.9	R-6 Single Family Residential	R-25	Residential with 20 du/ac by right. Min. 20 du/ac; max. 25 du/ac.	108
	701 Wilbur Avenue	065 110 007	2.5				
5	620 Tregallas Road	068 251 012	2.5	R-6 Single Family Residential	R-25	Residential with 20 du/ac by right. Min. 20 du/ac; max. 25 du/ac.	50
Total			67.6				1,803
Notes:							
1. No zoning change needed. This site included for reference.							
2. Station Area Plan allows 20-40 units per acre. Potential projected capacity assumes development at about 26 units per acre.							
3. ES Emergency Shelter Overlay described in subsequent section.							

Figure 1:
Site I: Residential TOD, Hillcrest Station Area Plan

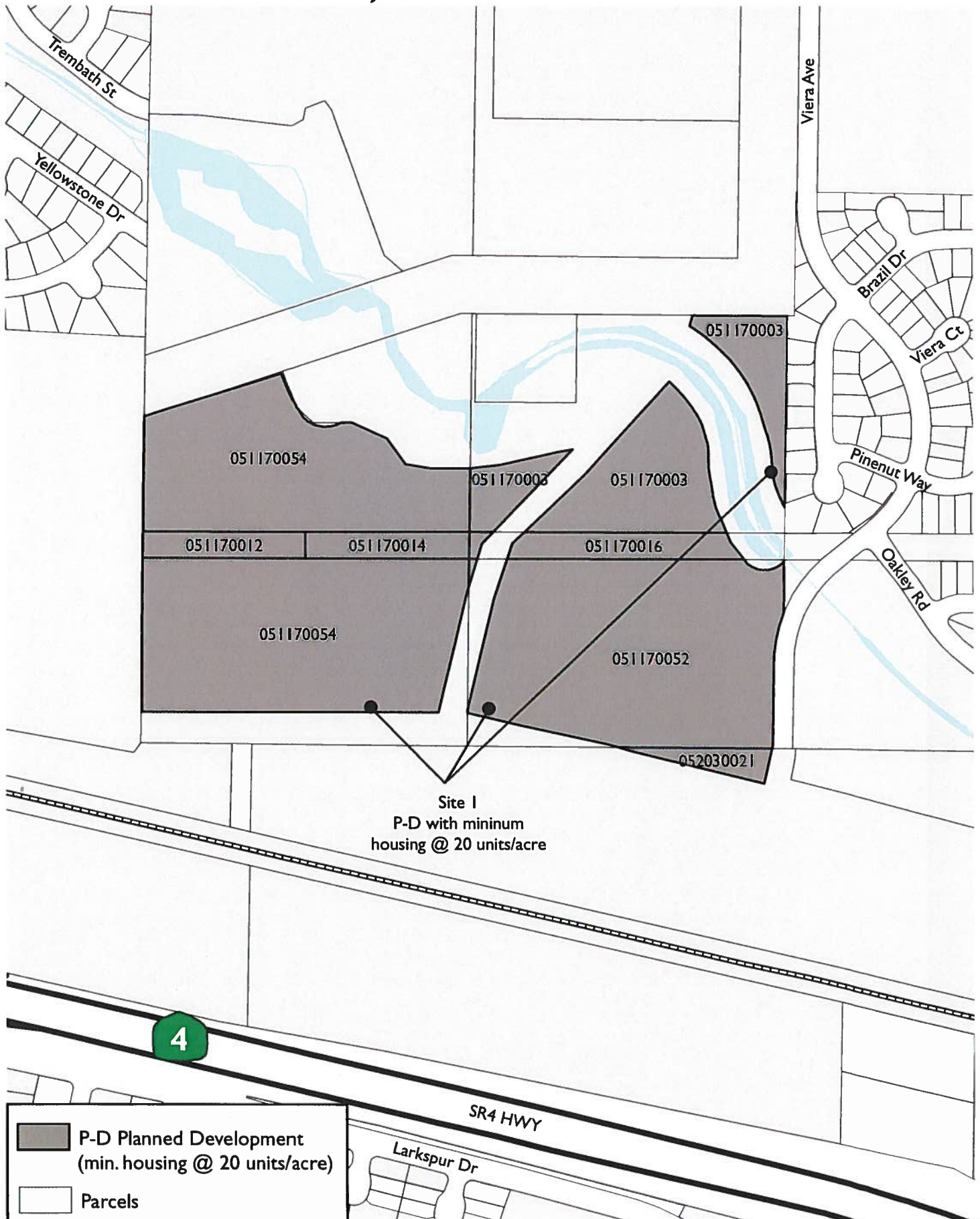
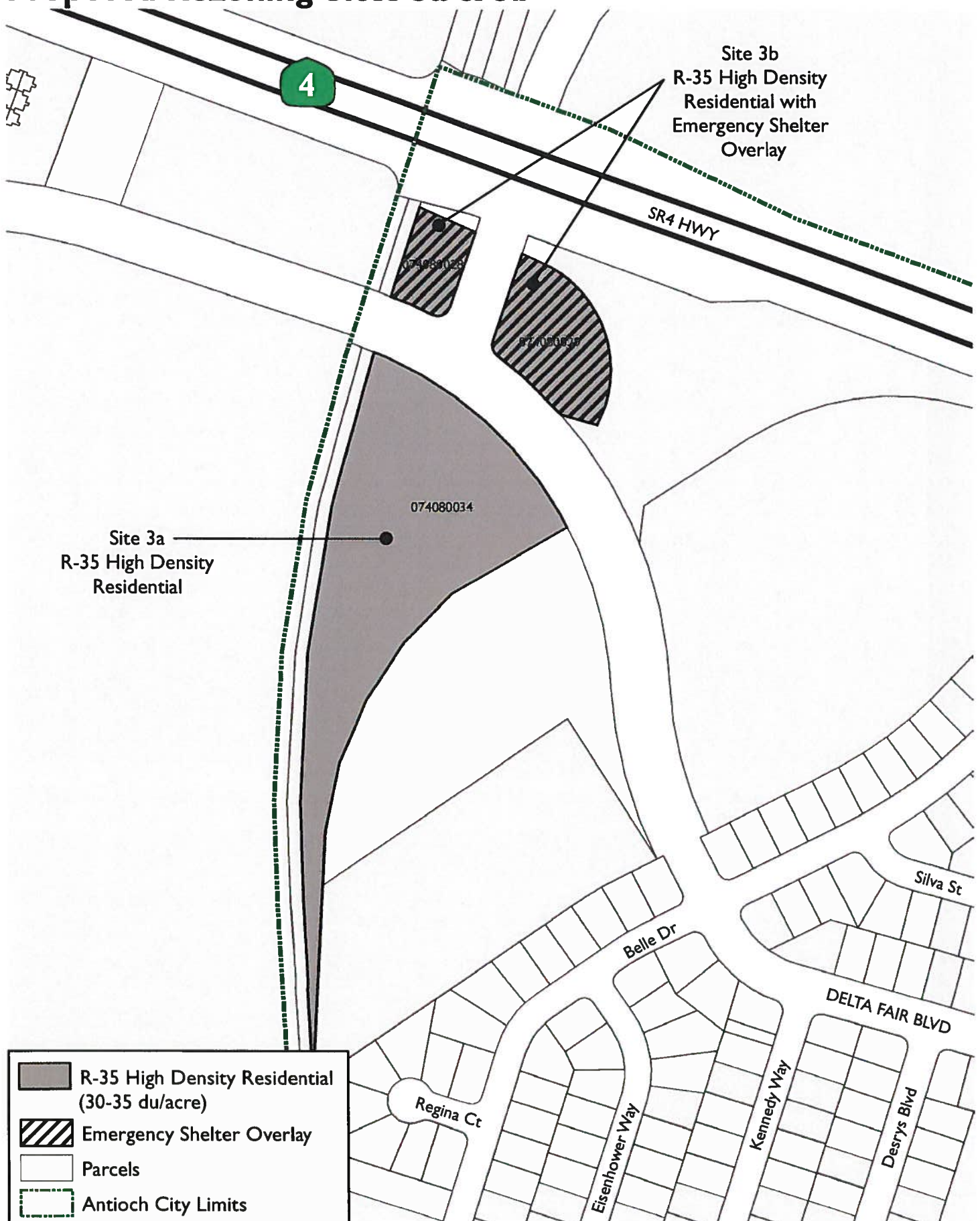


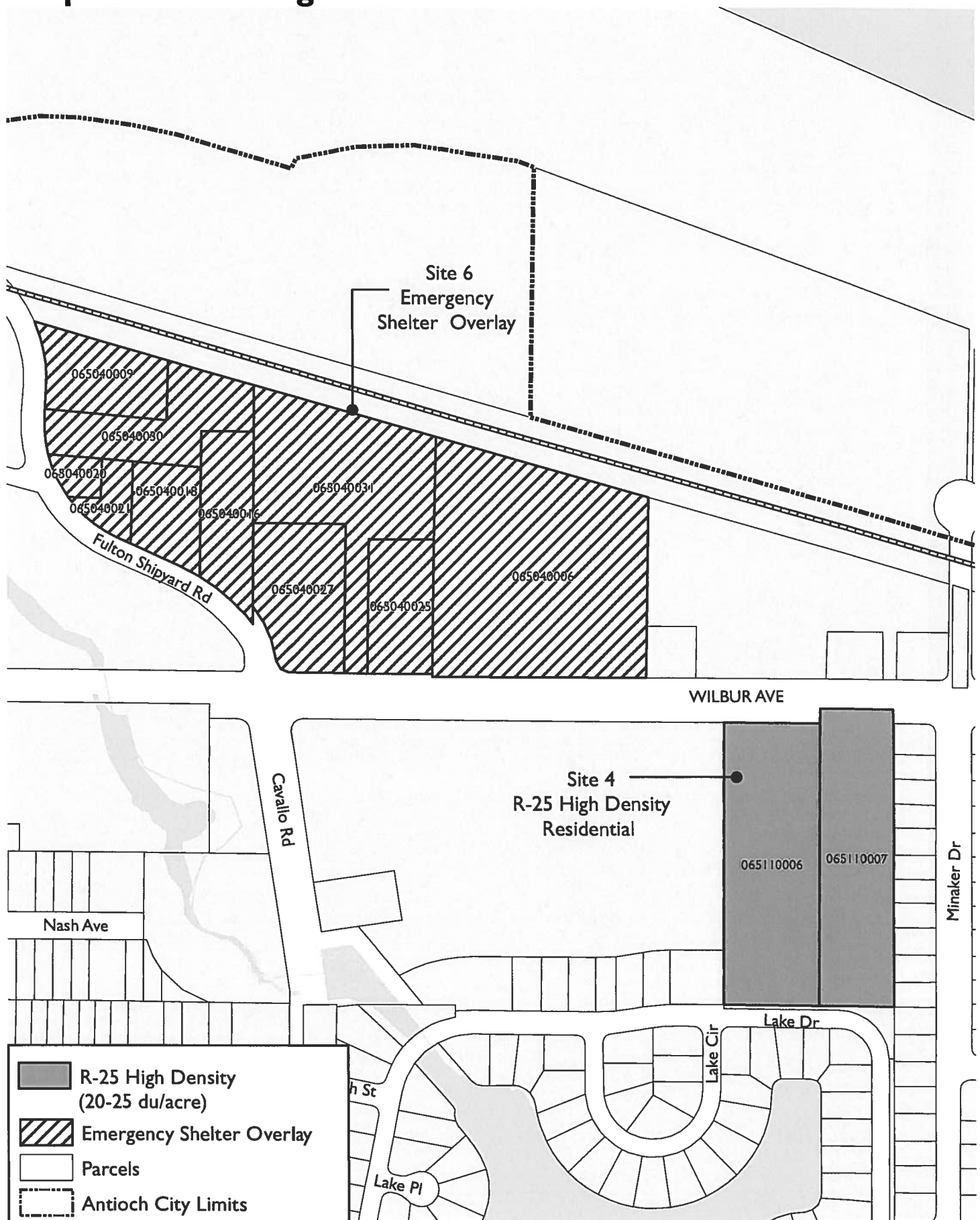
Figure 2:
Proposed Rezoning Site 2



**Figure 3:
Proposed Rezoning Sites 3a & 3b**



**Figure 4:
Proposed Rezoning Sites 4 & 6**



**Figure 5:
Proposed Rezoning Site 5**



The new R-25 and R-35 high-density residential districts would be effected through amendments not only to the zoning map but also to the text of the zoning ordinance. These text amendments are provided in Attachment A.

Draft purpose statements for the new districts would be added to Section § 9-5.301, Districts Established and Defined, in Article 3, Establishment of Districts.

Development standards for the new districts would be added to the table in Article 6: Height And Area Regulations And Table. The draft regulations attached here maintain the same maximum height, 45 feet, used for the existing R-20 District, because this height is more than adequate height to achieve the target densities. Use regulations for the new districts would be established in Article 38, Land Use Regulations. These proposed amendments will be described in detail in a subsequent report for Planning Commission at a meeting in September or October.

2. General Plan Amendment to Accommodate Adequate Housing Sites

The City of Antioch's 2003 General Plan includes land use designations that establish the land uses and development patterns envisioned for different areas of the city. The plan includes five residential land use designations, the most intensive of which, High Density Residential, allows up to 20 units per gross developable acre. The density range for this designation is not sufficient to accommodate the type of development needed for Antioch to meet its share of the RHNA. The description of the High Density Residential designation in the plan states that typically, residential densities will not exceed 16 to 18 dwelling units per acre for standard apartment projects, though projects with extraordinary amenities may achieve the maximum allowable density.

The Consultant recommends that the High Density Residential designation be amended to describe densities of up to 35 units per acre. Such an amendment would not mean that every zoning district that corresponds with High Density Residential has to allow up to 35 units per acre. Rather, specific density ranges within the High Density Residential designation can be established for each zoning district. For example, the existing R-20 district, which references the High Density Residential designation, would continue to have a density limit of 20 units per acre, while the new R-35 could allow up to 35 units per acre.

Draft language amending the description of the High Density Residential designation 2003 General Plan is included in Attachment B. Though not included in the draft, the description of the height and FAR of the High Density Residential may also need be revised to reflect and complement the higher maximum density.

3. Emergency Shelters

SB 2 amended the Government Code to require cities and counties to explicitly recognize emergency, transitional, and supportive housing in their zoning regulations and adopt provisions intended to remove obstacles to providing emergency shelters, transitional housing for those who were formerly homeless, and supportive housing accommodating persons with disabilities. Because Antioch does not have sufficient facilities to meet the identified need for 124 emergency shelter beds, it must identify a zone or zones where at least one year-round shelter can be established by right.

The Zoning Ordinance currently allows emergency shelters to be established in industrial districts subject to a use permit. The Housing Element proposed to amend the Ordinance to

allow emergency shelters by right on a set of three vacant City-owned properties near Delta Fair and Century Boulevards. These include a 4.8-acre parcel (Site 3a) on the south side of Delta Fair Boulevard that the Bay Area Rescue Mission has been considering for development as a transitional housing facility, along with two smaller parcels (Site 3b) on the northwest and northeast corner of the intersection.

In February 2010, the Planning Commission proposed to rezone the 4.8-acre parcel (Site 3a) for exclusively residential use. This designation would allow development of transitional or supportive housing but not an emergency shelter, which is typically classified as a public or community service use.

As shown on Figure 3, the Consultant recommends applying the new R-35 High Density Residential zone to all three parcels (3a and 3b) in order to accommodate multi-family housing, including transitional housing. In addition, the Emergency Shelter (ES) Overlay District would be applied to the two smaller parcels on the northeast corner of the intersection (Site 3b). Such an overlay designation would allow a shelter to be developed by right, subject to objective standards. The land area of the two parcels with the ES Overlay would total 1.6 acres.

At its February 2012 meeting, the Planning Commission directed that the overlay district include an additional site or sites with an area of one-half acre or more located in the M-1 (Light Industrial) District to accommodate the balance of the need for emergency housing.

Staff has identified a set of parcels near the intersection of Wilbur Road and Fulton Shipyard Road as the additional site where the ES Overlay District could be applied. The site is herein referred to as Site 6 and its location is indicated on Figure 4. It comprises 10 parcels ranging in size from 0.2 acres to 2.8 acres and together totaling 14.8 acres. The properties are currently developed with a variety of light industrial, warehousing and auto-related uses, along with surface parking.

The site is considered appropriate to accommodate an emergency shelter because it is a reasonable walking distance from downtown Antioch and is not surrounded by heavy industrial or 24-hour uses that could negatively impact shelter guests. Because the site does not directly abut any residential properties, potential impact on residential uses will be minimized.

The code would continue to allow emergency shelters elsewhere in industrial zones with a use permit.

TABLE 2: SITES PROPOSED FOR RE-ZONING TO EMERGENCY SHELTER OVERLAY DISTRICT

Site #	Address/ Location	APN	Acres	Current Zoning	Proposed Zoning
3b	Delta Fair & Century Blvds.	074080029	1.1	C-3 Regional Commercial District	R-35 + ES Overlay
		074080028	0.5		
6	Various parcels northeast of intersection of Wilbur Ave and Fulton Shipyard Road, totaling 14.8 acres and, including:				ES Overlay
	511 Wilbur Ave	065040031	2.8	M-I Light Industrial District	ES Overlay
	521 Wilbur Ave	065040025	1.0	M-I Light Industrial District	
	607 Wilbur Ave	065040006	5.1	M-I Light Industrial District	
	701 Fulton Shipyard Rd	065040020	0.2	M-I Light Industrial District	
	715 Fulton Shipyard Rd	065040021	0.3	M-I Light Industrial District	
	725 Fulton Shipyard Rd	065040009	1.0	M-I Light Industrial District	
	729 Fulton Shipyard Rd	065040030	1.3	M-I Light Industrial District	
	801 Fulton Shipyard Rd	065040018	0.7	M-I Light Industrial District	
	815 Fulton Shipyard Rd	065040027	1.4	M-I Light Industrial District	
	Fulton Shipyard Rd	065040016	1.0	M-I Light Industrial District	
Total:			16.4		

In addition to mapping the new ES Overlay District, a number of zoning text amendments will be necessary to create the new district and establish regulations for it.

The draft amendments presented in Attachment A include a new definition of “emergency shelter” to be located in Article 2: Definitions. They also include a set of standards for emergency shelters to be located in Article 38: Land Use Regulations. State law permits jurisdictions to establish standards for emergency shelters. The draft standards attached to this report address both the development and operation of shelters, and include:

- Maximum number of beds/residents.
- Minimum area devoted to waiting and intake areas.
- Requirement that the operator submit a management plan.
- Requirement for the presence of security personnel whenever a shelter is in operation.
- Limitations on the extent of outdoor activities.
- Basic performance standards for lighting and noise.
- Allowance, but not requirement, that shelters include services and common facilities such as recreation rooms, laundry facilities, cooking areas, childcare facilities, and counseling services.

In addition, automobile and bicycle parking requirements for shelters are included in Article 17, Parking Requirements. The recommended ratios are based on a study and comparison of other cities' standards and actual parking provision and utilization at several Bay Area shelters.

The proposed development, operational, and parking standards will complement the by-right allowance for emergency shelters in the new overlay zone. The standards would also apply to any shelter in that is developed in a location where a use permit is required for emergency shelters. The standards can help ensure that shelters are adequately designed and operated and that impacts on surrounding uses/community are minimized.

Summary and Recommendations

It is recommended that the Planning Commission consider the proposed zoning and general plan amendments and provide direction to Staff and the Consultant, who will incorporate the Commission's feedback into a formal rezoning proposal that will be reviewed as required by the California Environmental Quality Act and noticed for public hearing.

ATTACHMENTS

- A. Draft text amendments to Chapter 5, Zoning, of the Municipal Code
- B. Draft amendment to the General Plan
- C. Adopted 2007-2014 Housing Element available on-line at:

<http://www.ci.antioch.ca.us/CityGov/CommDev/PlanningDivision/Housing-Element-docs.htm>

ATTACHMENT "A"

ATTACHMENT A: DRAFT AMENDMENTS TO ZONING ORDINANCE

Proposed insertions are indicated with underlined text; proposed deletions are indicated with ~~strikeout~~ text.

ARTICLE 2: DEFINITIONS

§ 9-5.203 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

...

EMERGENCY SHELTER. A temporary, short-term residence providing housing with minimal support services for homeless families or individual persons where occupancy is limited to six months or less, as defined in Section 50801 of the California Health and Safety Code. Medical assistance, counseling, and meals may be provided.

...

ARTICLE 3: ESTABLISHMENT OF DISTRICTS

§ 9-5.301 DISTRICTS ESTABLISHED AND DEFINED.

...

(E) *R-20 Medium ~~High and High~~ Density Residential District.* These districts allow multiple-family densities of 11 to 20 dwelling units per gross developable acre respectively. The districts are consistent with the High Density Residential General Plan Designation of up to 20 dwelling units per gross developable acre and with any Focused Planning Area designated by the General Plan. Higher densities may be allowed where measurable community benefit is to be derived such as the provision of senior housing or low to moderate income housing units as specified within this chapter and pursuant to applicable requirements of State law.

(F) *R-25 High Density Residential District.* This district allows multiple-family development at a minimum density of 20 and a maximum density of 25 dwelling units per gross acre. This district is consistent with the High Density Residential General Plan Designation of up to 35 dwelling units per gross developable acre and with any Focused Planning Area designated by the General Plan. Higher densities may be allowed where measurable community benefit is to be derived, such as the provision of senior housing or low to moderate income housing units as specified in this chapter and pursuant to applicable requirements of State law. Typical development would include multiple-family dwellings on sites that create an attractive and high-quality living environment and include amenities such as usable open space.

(G) *R-35 High Density Residential District.* This district allows multiple-family development at a minimum of 30 and maximum of 35 dwelling units per gross acre. This district is consistent with the High Density Residential General Plan Designation of up to 35 dwelling units per gross developable acre and with any Focused Planning Area designated by the General Plan. Higher densities may be allowed where measurable community benefit is to be derived, such as the provision of senior housing or low to moderate income housing units as specified in this chapter and pursuant to applicable requirements of State law. Typical development would include multiple-family dwellings on sites that create an attractive and high-quality living environment and include amenities such as usable open space.

...

(CC) *ES Emergency Shelter Overlay District.* This overlay district provides sites suitable for the development of Emergency Shelters. It allows Emergency Shelters by right when they are developed in accordance with a set of standards and requirements. The allowance for emergency shelters supersedes any land use regulation for shelters of the base zone; otherwise, all regulations of the base zone apply.

ARTICLE 6: HEIGHT AND AREA REGULATIONS AND TABLE

§ 9-5.601 INTRODUCTION.

The following chart and text are adopted as the city's basic height and area regulations. First find the appropriate zoning district on the left hand side of the table. Read across the chart opposite the specific zone in question and the height or area requirement for that zone, or a number, will appear in the appropriate column. If a number appears in the column, the requirement is listed by that number in the following listing of footnotes.

HEIGHT, AREA & SETBACK REGULATIONS FOR PRIMARY STRUCTURE											
Zone	Maximum Height Feet ^b	Minimum Building Site Sq. Ft.	Minimum Lot Width in Feet		Maximum Lot Coverage	Minimum Density Required (Units per Gross Developable Acre)	Maximum Density Allowed (Units per Gross Developable Acre ^d)	Front Yard Minimum ^m	Minimum Side Yard Required in Feet ^c		Minimum Rear Yard Required in Feet
			Corn er	Interi or					Corn er	Interi or	
RE	TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS										
RR	TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS										
R-4	35	6,000	65	60	40%	NA	4 du/acre	f	f	5 ft.	20 ft.
R-6	35	6,000	65	60	40%	NA	6 du/acre	f	f	5 ft.	20 ft.
R-10	45	6,000	65	60	40%	NA	10 du/acre	f	f	5 ft.	10 ft.
R-20	45	20,000	70	70	40%	NA	20 du/acre	f	f	5 ft.	10 ft.
R-25	45	20,000	70	70	50%	20 du/ac	25 du/ac	f	f	5 ft.	10 ft.
R-35	45	20,000	70	70	50%	30 du/ac	35 du/ac	f	f	5 ft.	10 ft.
PBC	35	20,000	65	60	35%	NA	0	f	f	0 ft.	0 ft.
C-0	35	20,000	65	60	35%	NA	0	f	f	0 ft.	10 ft.
C-1	35	20,000	65	60	35%	NA	0	f	f	0 ft.	10 ft.
C-2	35	20,000	65	60	35%	NA	0	f	f	0 ft.	10 ft.
C-3	70	20,000	65	60	35%	NA	0	f	f	0 ft.	10 ft.
MCR ^j	45	6,500	65	60	50%	NA	20 du/acre	f	f	5 ft.	10 ft.
RTC ^j	50	2,500	25 g	25 g	100%	NA	20 h	0 i	0 i	0 ft.	0 ft.
RTR-10	45	3,500	45	45	50%	NA	12	15	10	5 ft.	15 ft.

HEIGHT, AREA & SETBACK REGULATIONS FOR PRIMARY STRUCTURE											
Zone	Maximum Height Feet ^b	Minimum Building Site Sq. Ft.	Minimum Lot Width in Feet		Maximum Lot Coverage	Minimum Density Required (Units per Gross Developable Acre)	Maximum Density Allowed (Units per Gross Developable Acre ^d)	Front Yard Minimum ^m	Minimum Side Yard Required in Feet ^c		Minimum Rear Yard Required in Feet
			Corn er	Interi or					Corn er	Interi or	
RTR-20	45	20,000	100	100	50%	NA	20	15	10	5 ft.	10 ft.
WF	45	6,500	60	60	60%	NA	0	0	0	0 ft.	0 ft.
M-1	45	40,000	100	100	50%	NA	0	f	f	0 ft.	0 ft.
M-2	70	40,000	100	100	50%	NA	0	f	f	0 ft.	0 ft.
HPD	TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS										
PD	TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS										
RRMP	TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS IN A MANNER CONSISTENT WITH ARTICLE 41 OF THE MUNICIPAL CODE										
TOD	TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS										
H	70	SAME AS C-0 ZONE ^k									
OS	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
S	TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS										
SH	SAME AS UNDERLYING BASE ZONE										
T	SAME AS UNDERLYING BASE ZONE										
^a Where 40% or more of the frontage (excluding reversed frontage lots) in a block has been improved with buildings, the minimum required front yard for main buildings shall be the average of the improved lots if less than the front yard requirements, but not less than six feet from the property line.											
^b Height shall mean the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the structure, excluding below ground basements, to the topmost point of the roof. Exceptions to the specified height limitation shall include the spires, belfries, cupolas and domes of churches, monuments, water towers, fire and hose towers, observation towers, distribution and transmission towers, lines and poles, chimneys, smokestacks, flag poles, radio towers, equipment penthouses encompassing less than 20% of total roof area and less than eight feet in height, and parapets less than 30 inches in height, unless otherwise governed by this chapter.											
^c Minimum lot area in all zones shall not apply to the condominium parcelization of a larger project where land is being divided for individual building envelopes.											
^d Maximum density allowed is defined in the city General Plan as per the maximum developable gross acreage definition found in this chapter.											
^e For at least 25% of the lots in a given subdivision, one side yard of an interior lot shall be 10 feet in width and the other side yard can be five feet. The 10 foot side yard area shall remain as unrestricted open area. This shall also apply to all two-story single-family residential lots. On any parcel of land of an average width of less than 50 feet, which parcel was under one ownership or is shown as a lot on any subdivision map filed in the office of the County Recorder prior to April 11, 1950, when the owner thereof owns no adjoining land, the width of each side yard may be reduced to 10% of the width of such parcel, but in no case to less than three feet.											

HEIGHT, AREA & SETBACK REGULATIONS FOR PRIMARY STRUCTURE											
Zone	Maximum Height Feet ^b	Minimum Building Site Sq. Ft.	Minimum Lot Width in Feet		Maximum Lot Coverage	Minimum Density Required (Units per Gross Developable Acre)	Maximum Density Allowed (Units per Gross Developable Acre ^d)	Front Yard Minimum ^m	Minimum Side Yard Required in Feet ^c		Minimum Rear Yard Required in Feet
			Corn er	Interi or					Corn er	Interi or	
^f Front yard and street side setbacks shall be reserved for landscaping only, excluding access and egress driveways and shall be determined on a graduated scale based upon type of street and land use as follows:											
	-1	Non-residential and multi-family uses. Arterial street: minimum 30 foot setback with 30 foot landscaping on all frontages. Collector street: minimum 25 foot setback with 25 foot landscaping. Local street: minimum 20 foot setback with 20 foot landscaping. (Note: Modifications to these minimum setback requirements will be considered as part of Module 3, Development Standards).									
	-2	Single and two-family dwelling uses. Arterial street: minimum 30 foot setback with 30 foot landscaping on all frontages. Collector street: minimum 25 foot setback and landscaping for front yard and 10 foot street sideyard setback with landscaping. Local street: minimum 20 foot front yard setback with 20 foot of landscaping and 10 foot street sideyard with landscaping.									
^g New construction with frontage in excess of the minimum lot width shall reflect the pattern of building widths in facade design.											
^h Within the area bounded by the Burlington Northern Santa Fe Railroad, "I" Street, Second Street, and "E" Street, residential density may be increased to 45 dwelling units per acre provided:											
	-1	The residential use is part of a mixed use development with the entire first floor devoted to commercial use;									
	-2	The proposed development provides public amenities as described in § 4 (relating to residential use in RTC); and									
	-3	The project has received use permit approval from the Planning Commission.									
ⁱ Buildings in the RTC district shall be placed on the property line except for:											
	-1	Setbacks to accommodate outdoor dining and plazas, provided that such setbacks do not exceed a depth of one-third of the lot depth;									
	-2	Courtyards, promenades, and plazas located on any portion of the site; and									

HEIGHT, AREA & SETBACK REGULATIONS FOR PRIMARY STRUCTURE

Zone	Maximum Height Feet ^b	Minimum Building Site Sq. Ft.	Minimum Lot Width in Feet		Maximum Lot Coverage	Minimum Density Required (Units per Gross Developable Acre)	Maximum Density Allowed (Units per Gross Developable Acre ^d)	Front Yard Minimum	Minimum Side Yard Required in Feet ^c		Minimum Rear Yard Required in Feet
			Corn er	Interi or					Corn er	Interi or	
	-3	Where a setback is necessary to maintain the uniform setback of building facades.									
^J The first floor of a building shall extend from property line to property line except:											
	-1	In setback areas for outdoor dining, plazas; and									
	-2	For required vehicular or pedestrian access.									
^k Notwithstanding any other provisions of this chapter for yard requirements, in any residential district the front of any garage shall be not less than 20 feet from the exterior property line on which such garage faces.											

ARTICLE 17: PARKING REQUIREMENTS

§ 9-5.1703.1 OFF-STREET PARKING REQUIREMENTS BY USE

<i>OFF-STREET PARKING REQUIRED</i>	
Use Classification	Off-Street Parking Spaces
RESIDENTIAL	
Multi-family residential	1.5 spaces per unit up to 2 bedrooms; one space to be covered
	2 spaces per unit 3 bedrooms; one space to be covered plus 1 space per 5 units for guest parking (Applies to all multi-family units)
Convalescent facilities	1 per 2 residents
Single-family residential (attached)	2 spaces per unit, one of which must be covered, plus 1 space per 5 units for guest parking
Single-family residential (detached)	2 spaces per unit in a garage, plus one guest parking space on the street within close proximity to the unit served
Elderly residential (Senior Housing Overlay) ^A	.75 covered space per unit, plus guest parking as determined during project review
PUBLIC AND SEMI-PUBLIC	
Clubs and lodges	1 per 100 sq. ft. of floor area which is used for assembly purposes
Use Classification	Off-Street Parking Spaces
Day care, general and preschools	1 per employee on the largest shift plus 1 per 8 children
<u>Emergency shelters</u>	<u>1 space per employee on the largest shift plus 0.30 spaces per bed</u>

...

§ 9-5.1707 BICYCLE PARKING.

(A) Bicycle parking spaces shall be provided in all districts as required by this section.

(B) The following minimum off-street bicycle parking facilities shall be required for all new or expanded developments:

(1) *Office uses.* One bicycle parking space for every 15 off-street vehicle parking spaces required.

(2) *Commercial, retail, wholesale, and industrial uses.* One bicycle parking space for every 25 off-street vehicle parking spaces required.

(3) *Restaurant.* One bicycle parking space for every 50 off-street vehicle parking spaces required.

(4) *Restaurant (fast food).* Five bicycle parking spaces per establishment.

(5) *Hospitals.* One bicycle parking space is required for every 50 off-street vehicle parking spaces required.

(6) *Emergency shelters.* One bicycle parking space is required for every 10 beds.

(C) For each bicycle parking space required, a stationary object shall be provided to which a user can secure both wheels and the frame of a bicycle with a six-foot cable and lock. The stationary object may be either a freestanding bicycle rack or a wall-mounted bracket, as approved by the Zoning Administrator.

(D) Bicycle parking spaces shall be located near the entrances to major tenants but out of the travelled pathway.

ARTICLE 38: LAND USE REGULATIONS

§ 9-5.3801 SUMMARY OF ZONING DISTRICTS.

The following is a summary of all zoning districts. (*Note: The Study District (S) is not included in the proceeding chart as the ultimate land uses for such a district are not determined until all necessary studies are completed and the appropriate land use designations can be applied.*)

- RE Rural Estate District: 0-2 du/acre
- RR Rural Residential District: 0-2 du/acre
- R-4 Single-Family Low Density Residential District: 2-4 du/acre
- R-6 Single-Family Low Density Residential District: 4-6 du/acre
- R-10 Medium Density Residential District: 6-10 du/acre
- R-20 ~~Medium~~ High Density Residential District: 11-20 du/acre
- R-25 High Density Residential District: 20 – 25 du/acre
- R-35 High Density Residential District: 30 – 35 du/acre
- PBC Planned Business Center District
- C-0 Professional Office District
- C-1 Convenience Commercial District
- C-2 Neighborhood/Community Commercial District
- C-3 Regional Commercial District
- SP Specific Plan
- MCR Mixed Commercial/Residential District
- WF Urban Waterfront District
- OS Open Space/Public Use District
- M-1 Light Industrial District

M-2 Heavy Industrial District

H Hospital/Medical Center Overlay District

RTC Rivertown Retail District

RTR-10 Rivertown Residential Low Medium Density 6-10 du/acre

RTR-20 Rivertown Residential High Density: 13-20 du/acre

PD Planned Development District

HPD Hillside Planned Development District

T Manufactured Housing Combining District

SH Senior Housing Overlay District

ES Emergency Shelter Overlay District

S Study District

MUMF Mixed Use Medical Facility District

(Ord. 897-C-S, passed 10-25-94; Am. Ord. 922-C-S, passed 6-11-96; Am. Ord. 1064-C-S, passed 12-13-05)

§ 9-5.3802 INTRODUCTION TO LAND USE REGULATIONS.

(A) The charts and text in § 9-5.3803 are adopted as the city's basic land use regulations. The uses shown in this chart are divided into five groups:

- (1) Residential;
- (2) Public and semi-public;
- (3) Commercial;
- (4) Industrial; and
- (5) Temporary uses.

(B) To determine in which zone a specific use is allowed:

- (1) Find the use on the left hand side of the table.

(2) Read across the chart until either a number or a letter appears in one of the columns.

(3) If a number appears, this means that the use is allowed in the zone represented by that column, but only if certain special requirements are met. The requirements applicable to that use are listed in this article. The number appearing in the zoning column corresponds to the number of the footnote.

(4) If a "P" appears in the column, the use is permitted in that zone by right. If a "U" appears in the column, a use permit is required. If an "A" appears, an administrative use permit is required which can be issued by the Zoning Administrator or designated staff. If no letter or number appears in the column, then the use is not allowed in that zone.

(5) The Planning Commission shall interpret the appropriate zone for any land use not specifically mentioned in this chart and not similar to any use listed.

(6) If a specific use does not appear in the chart, contact the Community Development Department for assistance.

(7) In the Hillside Planned Development (HPD), Planned Development (PD), Combining (B), Manufactured Housing Combining (T), and Senior Housing Overlay (SH) Districts use permit approval is required for all uses.

(8) In the Mixed Use Medical Facility (MUF) District, a final development plan and use permit approval is required for all uses. Processing of final development plans and use permits in the MUMF District shall be as outlined in the Planned Development District (PD) section of this chapter.

(C) Legend.

P Permitted by right

U Use permit

A Administrative use permit

(—) Not allowed

(*) Regulations of base zoning district apply

(1 to 29) - See Land Use Footnotes

§ 9-5.3803 TABLE OF LAND USE REGULATIONS.

	RE, RR	R- 4, R-6	R- 10	R- 20	R- 25	R- 35	PB C	C-0	C-1	C-2	C-3	MC R	WF	OS	M- 1	M- 2	H	ES ⁹	RT C	RT R- 10	RT R- 20
RESIDENTIAL USES																					
Day-care centers (§ 9-5.3832)	U	U	U	U	U	U	U	U	U	U	U	U	—	—	U	—	U	*	U	U	U
Day-care: large family (§ 9-5.3818)	A	A	A	A	A	A	—	—	—	—	—	—	—	—	—	—	—	*	—	A	A
Day-care: small family (§ 9-5.3817)	P	P	P	P	P	P	—	—	—	—	—	—	—	—	—	—	—	*	—	P	P
Senior Group Housing	U	U	U	U	U	U	—	—	—	—	—	U	—	—	—	—	U	*	U	U	U
Family care home	P	P	P	P	P	P	—	—	—	—	—	U	—	—	—	—	—	*	—	P	P
Fraternity-sorority house/dormitory	U	U	U	U	U	U	—	—	—	—	—	U	—	—	—	—	—	*	—	U	U
Home occupations	A	A	A	A	A	A	—	—	—	—	—	A	—	—	—	—	—	*	A	A	A
Manufactured, modular home; mobile home (§ 9-5.3804)	P	P	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	*	—	P	—
Mobile home park	—	—	U	U	U	U	—	—	—	—	—	—	—	—	—	—	—	*	—	—	U
Multiple-family: condominium, apartment, townhouse (§ 9-5.3820)	—	—	U	U	U	U	—	—	—	—	—	U	—	—	—	—	U ²	*	U	—	U
Recreational vehicle park (§ 9-5.3830)	—	—	—	—	—	—	—	—	—	—	U	—	U	—	—	U	—	*	—	—	—
Residential care facility	—	—	—	U	U	U	—	U	U	—	—	U	—	—	—	—	U	*	—	U	U
Room & boarding house	U	U	P	P	P	P	—	—	—	—	—	U	—	—	—	—	—	*	—	U	P

	RE, RR	R- 4, R-6	R- 10	R- 20	R- 25	R- 35	PB C	C-0	C-1	C-2	C-3	MC R	WF	OS	M- 1	M- 2	H	ES ⁹	RT C	RT R- 10	RT R- 20
Second residential unit (§ 9-5.3805)	A	A	A	A	A	A	—	—	—	—	—	—	—	—	—	—	—	* —	—	A	—
Single-family dwelling	P	P	U	P ¹	P ¹	P ¹	—	—	—	—	—	U	U	—	—	—	—	* —	—	P	—
Two-family dwelling	—	—	P	P	P	P	—	—	—	—	—	U	—	—	—	—	—	* —	—	—	—
PUBLIC AND SEMI-PUBLIC USES																					
Bus & transit maintenance facility	—	—	—	—	—	—	—	—	—	—	—	—	U	—	U	—	—	* —	—	—	—
Bus & train terminal	—	—	—	—	—	—	—	—	—	—	—	—	U	—	U	—	—	* —	U	—	—
Clubs & Lodges (private & public)	—	U	U	U	U	U	U	U	U	U	U	U	U	—	—	—	U	* —	U	—	—
Cultural institutions	—	—	—	—	—	—	U	U	—	U	U	U	U	—	U	—	U	* —	U	—	—
Homeless Emergency shelter	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	P	—	—	—
Government offices	—	—	—	—	—	—	U	P	P	P	P	U	—	—	U	U	—	* —	P	—	—
Heliport (§ 9-5.3806)	—	—	—	—	—	—	U	—	—	—	—	—	U	—	U	U	U	* —	—	—	—
Hospitals (§ 9-5.3827):																		*			
Acute care	—	—	—	—	—	—	U	U	—	—	—	U	—	—	U	—	U	* —	—	—	—
Rehabilitation	—	—	—	—	—	—	U	U	—	—	—	U	—	—	U	—	U	* —	—	—	—
Psychiatric/ chemical dependency	—	—	—	—	—	—	U	U	—	—	—	U	—	—	U	—	U	* —	—	—	—
Medical care—urgent	—	—	—	—	—	—	U	U	—	—	—	U	—	—	P	U	P	* —	—	—	—
Parks	P	P	P	P	P	P	P	P	—	U	U	U	P	P	U	U	—	* —	U	U	U
Public assembly	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	* —	U	U	U
Public safety facilities	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	* —	—	—	—
Public utility yard	—	—	—	—	—	—	—	—	—	—	—	—	U	—	U	U	—	* —	—	—	—
Religious assembly ³ (§ 9-5.3832)	-	U	U	U	U	U	U	U	U	U	U	U	U	—	—	—	U	* —	U	U	U

	RE, RR	R- 4, R-6	R- 10	R- 20	R- 25	R- 35	PB C	C-0	C-1	C-2	C-3	MC R	WF	OS	M- 1	M- 2	H	ES ⁹	RT C	RT R- 10	RT R- 20
Satellite antenna (§ 9-5.3807)	A	A	A	A	A	A	A	A	A	A	A	A	A	—	A	A	A	*	A	A	A
Schools, private and preschools	U	U	U	U	U	U	U	U	U	U	—	U	—	—	U	—	U	*	U	U	U
Utility substations	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	*	U	U	U
COMMERCIAL USES																					
Adult book stores, motion picture arcades, and model studios (§ 9-5.3808)	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—	*	—	—	—
Adult entertainment, other (§ 9-5.3808)	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—	*	—	—	—
Agricultural uses (§ 9-5.3809)	P	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	*	—	—	—
Appliance maintenance & repair services:																					
Major	—	—	—	—	—	—	—	—	—	P	P	P	P	—	P	P	—	*	—	—	—
Minor	—	—	—	—	—	—	—	P	P	P	P	P	—	—	P	P	—	*	P	—	—
Amusement center (§ 9-5.3813)	—	—	—	—	—	—	—	—	U	U	U	U	U	—	—	—	—	*	U	—	—
Animal hospital veterinary clinics	—	—	—	—	—	—	U	—	U	U	U	U	—	—	U	U	—	*	—	—	—
Antique store	—	—	—	—	—	—	—	—	—	P	P	A	U	—	U	—	—	*	P	—	—
Auto sales, rental	—	—	—	—	—	—	U	—	—	U	U	U	—	—	—	—	—	*	U	—	—
Auto storage	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—
Auto service station (§ 9-5.3815)	—	—	—	—	—	—	—	—	U	U	U	U	—	—	U	U	—	*	—	—	—
Auto repair:																					
Major	—	—	—	—	—	—	U	—	—	—	U	U	—	—	U	P	—	*	—	—	—

	RE, RR	R- 4, R-6	R- 10	R- 20	R- 25	R- 35	PB C	C-0	C-1	C-2	C-3	MC R	WF	OS	M- 1	M- 2	H	ES ⁹	RT C	RT R- 10	RT R- 20
Minor	—	—	—	—	—	—	U	—	U	U	U	U	—	—	P	P	—	*	—	—	—
Bakeries—retail	—	—	—	—	—	—	—	—	P	P	P	P	U	—	P	P	—	*	P	—	—
Bank or savings & loan	—	—	—	—	—	—	P	P	P	P	P	P	—	—	—	—	—	*	P	—	—
Bar (§ 9-5.3831)	—	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	*	U	—	—
Barber & beauty shop	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	—	*	P	—	—
Bed and breakfast inns (§ 9-5.3819)	U	U	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	*	U	U	—
Boat repair																					
Major	—	—	—	—	—	—	U	—	—	—	U	U	U	—	U	P	—	*	U	—	—
Minor	—	—	—	—	—	—	U	—	U	U	U	U	U	—	P	P	—	*	U	—	—
Boat, RV—storage facility (§ 9-5.3810)	—	—	—	—	—	—	—	—	—	—	U	U	U	—	U	P	—	*	—	—	—
Bowling alleys (§ 9-5.3831)	—	—	—	—	—	—	—	—	—	U	U	U	—	—	—	—	—	*	—	—	—
Car and vehicle wash	—	—	—	—	—	—	—	—	—	U	U	U	U	—	U	U	—	*	—	—	—
Card room	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—	*	U	—	—
Catering services	—	—	—	—	—	—	—	—	—	P	P	P	A	—	U	—	—	*	U	—	—
Clothing store	—	—	—	—	—	—	—	—	—	P	P	P	A	—	—	—	—	*	P	—	—
Combined residential/commercial structure	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	*	U	—	—
Communication facilities	U	U	U	U	U	U	U	P	P	P	P	P	—	U	P	P	—	*	P	U	U
Confectionery stores	—	—	—	—	—	—	—	—	P	P	P	P	A	—	—	—	—	*	P	—	—
Dance hall	—	—	—	—	—	—	—	—	—	U	U	U	—	—	U	—	—	*	U	—	—
Drive-up window (all uses)	—	—	—	—	—	—	U	U	U	U	U	U	—	—	U	U	U	*	—	—	—
Dry cleaning agencies; pick-up and self serve	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	—	*	P	—	—
Florist shop	—	—	—	—	—	—	P	—	P	P	P	P	—	—	—	—	P	*	P	—	—

A-5

	RE, RR	R- 4, R-6	R- 10	R- 20	R- 25	R- 35	PB C	C-0	C-1	C-2	C-3	MC R	WF	OS	M- I	M- 2	H	ES ⁹	RT C	RT R- 10	RT R- 20
Food stores (§ 9-5.3831):																					
Convenience store	—	—	—	—	—	—	—	—	U	U	U	U	U	—	—	—	U	*	U	—	—
Supermarket	—	—	—	—	—	—	—	—	U	P	P	U	—	—	—	—	—	*	U	—	—
Fortune-teller's	—	—	—	—	—	—	—	—	—	U	U	U	—	—	—	—	—	*	U	—	—
Funeral parlor & mortuary	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	—	*	U ⁴	—	—
Furniture stores	—	—	—	—	—	—	—	—	—	P	P	U	—	—	—	—	—	*	P	—	—
Gift shop	—	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	*	P	—	—
Gun sales (§ 9-5.3833)	—	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	*	U	—	—
Hardware store	—	—	—	—	—	—	—	—	U	P	P	U	U	—	—	—	U	*	U	—	—
Health club/fitness center	—	—	—	—	—	—	U	—	U	P	P	U	—	—	U ⁵	—	U	*	U	—	—
Hotel & motels	—	—	—	—	—	—	U ³	U	—	P	P	P	U	—	—	—	U	*	U	—	—
Jewelry store	—	—	—	—	—	—	—	—	—	P	P	P	U	—	—	—	—	*	P	—	—
Kennels	—	—	—	—	—	—	—	—	—	U	U	—	—	—	U	U	—	*	—	—	—
Laboratories; medical, dental, optical	—	—	—	—	—	—	P	P	U	U	U	U	—	—	U	—	P	*	U	—	—
Launderette	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	—	*	P	—	—
Liquor stores (§ 9- 5.3831)	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	—	*	U	—	—
Live entertainment	—	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	*	U	—	—
Marina	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	*	U	—	—
Miniature golf courses	—	—	—	—	—	—	—	—	—	U	U ⁶	U	—	—	U	—	—	*	U	—	—
Mini-storage	—	—	—	—	—	—	—	—	—	—	—	U	U	—	U	P	—	*	—	—	—
Nurseries (horticulture) (§ 9-5.3824)	—	—	—	—	—	—	—	—	—	P	P	U	U	—	P	P	—	*	—	—	—
Offices:																					
Business & professional	—	—	—	—	—	—	P	P	U	P	P	P	U	—	—	—	P	*	U	—	—

	RE, RR	R- 4, R-6	R- 10	R- 20	R- 25	R- 35	PB C	C-0	C-1	C-2	C-3	MC R	WF	OS	M- 1	M- 2	H	ES ⁹	RT C	RT R- 10	RT R- 20
Medical (includes clinics)	—	—	—	—	—	—	P	P	U	P	P	P	U	—	—	—	P	*	U	—	—
Paint store	—	—	—	—	—	—	—	—	—	P	P	U	—	—	U	—	—	*	P	—	—
Parking lot (commercial)	—	—	—	—	—	—	A	A	A	A	A	A	A	A	P	P	A	*	A	—	—
Pawn shops	—	—	—	—	—	—	—	—	—	U	U	U	—	—	—	—	—	*	U	—	—
Pet shop	—	—	—	—	—	—	—	—	P	P	P	P	U	—	—	—	—	*	P	—	—
Pharmacy	—	—	—	—	—	—	U	P	P	P	P	P	A	—	P	P	P	*	P	—	—
Photographer	—	—	—	—	—	—	—	P	P	P	P	P	A	—	U	—	—	*	P	—	—
Printing & blue printing	—	—	—	—	—	—	—	P	P	U	U	U	—	—	P	P	—	*	U	—	—
Radio & TV sales & repair	—	—	—	—	—	—	—	—	U	P	P	P	—	—	—	—	—	*	P	—	—
Recycling facilities:																					
Reverse vending machines (§ 9-5.3811)	—	—	—	—	—	—	—	—	P	P	P	P	—	—	P	P	—	*	P	—	—
Small collection facility (§ 9-5.3812)	—	—	—	—	—	—	—	—	A	A	A	A	—	—	A	A	—	*	A	—	—
Large collection facility (§ 9-5.3813)	—	—	—	—	—	—	—	—	A	A	A	A	—	—	A	A	—	*	A	—	—
Light processing facility	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—
Heavy processing facility (§ 9-5.3815)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—
Repair service	—	—	—	—	—	—	—	—	—	—	U	U	U ⁷	—	P	P	—	*	U	—	—
Restaurants (§§ 9-5.3823 and 9- 5.3831):																					
General	—	—	—	—	—	—	P	P	P	P	P	P	P	—	U ⁵	—	—	*	P	—	—
Fast food	—	—	—	—	—	—	U	—	—	U	U	U	U	—	U ⁵	—	—	*	U	—	—

AD

	RE, RR	R- 4, R-6	R- 10	R- 20	R- 25	R- 35	PB C	C-0	C-1	C-2	C-3	MC R	WF	OS	M- I	M- 2	H	ES ⁹	RT C	RT R- 10	RT R- 20
Outdoor seating & food service	—	—	—	—	—	—	U	U	U	U	U	U	U	—	U ³	U	—	* —	U	—	—
Take out/delivery	—	—	—	—	—	—	P	U	P	P	P	P	U	—	U ³	—	—	* —	U	—	—
With bar & live entertainment	—	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	* —	U	—	—
Retail; general and specialty	—	—	—	—	—	—	—	—	P	P	P	P	A	—	—	—	—	* —	P	—	—
Secondhand sales	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	* —	U	—	—
Shoe repair shop	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	—	* —	P	—	—
Sign shop	—	—	—	—	—	—	—	—	—	U	U	—	—	—	U	—	—	* —	—	—	—
Studios (e.g., dance, martial arts)	—	—	—	—	—	—	—	—	—	P	P	P	—	—	—	—	—	* —	P	—	—
Tailor shop	—	—	—	—	—	—	—	—	—	P	P	P	—	—	—	—	—	* —	P	—	—
Tattoo studio	—	—	—	—	—	—	—	—	—	U	U	U	—	—	—	—	—	* —	U	—	—
Theaters	—	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	* —	U	—	—
Upholstery shop	—	—	—	—	—	—	—	—	—	U	U	U	—	—	U	P	—	* —	U	—	—
Variety store	—	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	* —	P	—	—
Vehicle/boat/ equipment sales & rental (§ 9-5.3825)	—	—	—	—	—	—	U ⁸	—	—	U	U	U	U	—	U	U	—	* —	U ⁸	—	—
INDUSTRIAL USES																					
Animal rendering	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	* —	—	—	—
Bakery-commercial	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—	* —	—	—	—
Beverage bottling plant	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	* —	—	—	—
Boat building	—	—	—	—	—	—	—	—	—	—	—	—	U	—	U	P	—	* —	—	—	—
Cement or clay products manufacturing	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	* —	—	—	—
Concrete batch plant	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	* —	—	—	—

	RE, RR	R- 4, R-6	R- 10	R- 20	R- 25	R- 35	PB C	C-0	C-1	C-2	C-3	MC R	WF	OS	M- 1	M- 2	H	ES ⁹	RT C	RT R- 10	RT R- 20
Contractor's storage yard	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	*	—	—	—
Dairy products processing	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	*	—	—	—
Dry cleaners processing	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—
Exterminator	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	*	—	—	—
Finished paper production	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—
Food processing plant	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	*	—	—	—
Fuel yard; bulk petroleum storage	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—
Garment manufacture	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—
Hazardous waste facilities (§ 9-5.3826):	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—
Small generator (§ 9-5.3826)	—	—	—	—	—	—	—	—	U	U	U	U	—	—	U	U	—	*	—	—	—
Large generator (§ 9-5.3826)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—
Processor (§ 9-5.3826)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—
Household hazardous waste facility (§ 9-5.3826)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—
Junk yard/auto wrecking yard	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—
Lumber yard	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—
Machine shop	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	*	—	—	—

	RE, RR	R- 4, R-6	R- 10	R- 20	R- 25	R- 35	PB C	C-0	C-1	C-2	C-3	MC R	WF	OS	M- 1	M- 2	H	ES ⁹	RT C	RT R- 10	RT R- 20
Manufacturing or storage of explosives, acid, cement, fertilizer, gas, inflammable fluids, glue, gypsum, lime, plaster of paris	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—
Mining & quarry; resource extraction	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—
Oil & gas drilling	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—
Oil & gas production	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—
Photographic plants	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—
Plastic fabrication	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—
Research & development	—	—	—	—	—	—	U	—	—	—	—	U	—	—	U	U	—	*	—	—	—
Residual repository (§ 9-5.3826)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—
Salvage/war surplus yards	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—
Solid waste transfer station	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—
Smelting or processing of iron, tin zinc or other ore	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—
Stockyards/slaughterhouses	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—	—
Stone monument works	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	*	—	—	—
Truck terminal yard	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—	—
Truck & tractor repair	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	*	—	—	—
Warehousing & wholesaling	—	—	—	—	—	—	U	—	—	—	—	—	—	—	U	P	—	*	—	—	—
TEMPORARY USES																					

	RE, RR	R- 4, R-6	R- 10	R- 20	<u>R- 25</u>	<u>R- 35</u>	PB C	C-0	C-1	C-2	C-3	MC R	WF	OS	M- 1	M- 2	H	<u>ES</u> ⁹	RT C	RT R- 10	RT R- 20
Removal of earth (§ 9-5.3822)	A	A	A	A	<u>A</u>	<u>A</u>	A	A	A	A	A	A	A	A	A	A	A	* —	A	A	A
Temporary construction building and uses (§ 9-5.3821)	A	A	A	A	<u>A</u>	<u>A</u>	A	A	A	A	A	A	A	A	A	A	A	* —	A	A	A
Outdoor display of merchandise (in conjunction with a non-residential use)	A	A	A	A	<u>A</u>	<u>A</u>	A	A	A	A	A	A	A	A	A	A	A	* —	A	—	—
Special outdoor events (§§ 9-5.3828 and 9-5.3831)	A	A	A	A	<u>A</u>	<u>A</u>	A	A	A	A	A	A	A	A	A	A	A	* —	A	A	A
Christmas tree and pumpkin sale lots (§ 9-5.3829)	—	—	—	—	<u>—</u>	<u>—</u>	A	A	A	A	A	A	—	—	A	A	—	* —	A	—	—

1. Single family dwellings existing prior to the effective date of this section are permitted uses, conforming to the R-20 zone; however, development of new single family dwelling units, other than replacement of existing single family dwellings, are prohibited within the R-20 zone.
2. Use may be permitted as an ancillary use if it is incidental to an otherwise permitted or conditionally permitted use within this zoning district.
3. Legally established churches existing prior to the effective date of this section are permitted uses, conforming to the PBC, C-0, C-1, C-2, and C-3 zone; however, development of new religious assembly uses, other than replacement of existing uses, is prohibited within these zoning districts.
4. Funeral services are limited to "J" Street, Fourth Street, and the area between Fourth and Fifth Streets.
5. May be located only on sites adjacent to freeway interchanges.

6. May be located along Somersville Road north of the SR-4 freeway.
7. Marine repair only. Permitted as an ancillary service for waterfront activities.
8. Boat sales and repair only.
9. In the case of the E Emergency Shelter Overlay District, where no letter or number is included in the table for a particular land use, the regulations of the base zone apply. Emergency Shelters are permitted by right in the Emergency Shelter Overlay District if they meet all standards of Section 9-5.3835, Emergency Shelters, of this article.

§ 9-5.3835 EMERGENCY SHELTERS.

Emergency shelters shall be located, developed, and operated in compliance with the following standards:

- (A) **Number of Residents/Beds.** Each shelter shall contain a maximum of 50 beds and shall serve no more than 50 homeless persons.
- (B) **Length of Occupancy.** Occupancy by an individual or family may not exceed 180 consecutive days unless a management plan provides for longer residency by those enrolled and regularly participating in a training or rehabilitation program.
- (C) **Hours of Operation.** To limit outdoor waiting, the facility must be open each day for at least eight of the hours between 7:00 a.m. and 7:00 p.m.
- (D) **Waiting and Intake Areas.** Each shelter shall include indoor waiting and intake areas for guests. Such intake and waiting areas shall be provided at a rate of 10 square feet per bed and in any case, shall be at least 200 square feet in area. Waiting and intake areas may be used for other purposes as needed during operation of the shelter.
- (E) **Common Facilities.** The development may provide one or more of the following specific common facilities for the exclusive use of the residents:
 - (1) Laundry facilities.
 - (2) Central cooking and dining room(s).
 - (3) Recreation rooms.
 - (4) Counseling centers.
 - (5) Child care facilities.
 - (6) Other support services.
- (F) **Outdoor Activities.** All functions associated with the shelter, except for children's play areas, outdoor recreation areas, parking, and outdoor waiting must take place within the building proposed to house the shelter. Outdoor waiting for clients, if any, may not be in the public right-of-way, must be physically separated from the public right-of-way, and must be large enough to accommodate the expected number of clients.
- (G) **On-Site Parking.** Parking spaces shall be provided according to the standards of Article 17, Parking Requirements.
- (H) **Lighting.** Adequate external lighting shall be provided for security purposes. The lighting shall be stationary, directed away from adjacent properties and public rights-of-way, and shall be of an intensity that is comparable to surrounding uses.

- (I) **On-Site Security.** On-site security must be provided at all times that the emergency shelter is in operation and according to the following standards:
- (1) A safety and security plan for each shelter shall be submitted to the Community Development Department. The plan shall include information as specified by the Zoning Administrator.
 - (2) Security guards shall be provided at a ratio of at least one guard for every 25 shelter beds.
 - (3) Security guards shall be employed by a Private Patrol Operator (Security Company) that is currently licensed with the California Department of Consumer Affairs. The following information shall be provided to the City: the name of the security company; proof of its liability insurance, including a copy of all exceptions; its State license number; and the guard registration numbers for all employed guards.
 - (4) Digital security cameras shall be installed and capture the activities of the shelter's waiting and intake area, as well as the entrance and exit from the shelter and the shelter parking lot. If the shelter includes a child care area as a common facility, then the child care area shall also be monitored via a digital camera system. Recordings from digital security cameras shall be maintained for no less than 14 days.
- (J) **Noise.** The use must be conducted in conformance with the City's noise regulations pursuant to Article 19, Noise Attenuation Standards, of this Chapter.
- (K) **Refuse Storage Areas.** A refuse storage area shall be provided consistent with the standards of Article 14, Refuse Storage Area Design Guidelines.
- (L) **Emergency Shelter Provider.** The agency or organization operating the shelter shall comply with the following requirements:
- (1) Staff and services shall be provided to assist residents in obtaining permanent shelter and income.
 - (2) The operator shall not discriminate in any services provided.
 - (3) The operator shall not require participation by residents in any religious or philosophical ritual, service, meeting or rite as a condition of eligibility.
 - (4) The operator of the shelter shall submit a management plan for review by the Zoning Administrator. The plan must address issues identified by the Zoning Administrator, including transportation, client supervision, security, client services, staffing, and good neighbor issues.

ATTACHMENT "B"

ATTACHMENT B: DRAFT AMENDMENT TO GENERAL PLAN

4.4.1 Land Use Designations

4.4.1.1 Residential Land Use Designations

High Density Residential. High Density Residential densities may range up to ~~twenty (20)~~ thirty-five (35) dwelling units per gross developable acre, with density bonuses available for age-restricted, senior housing projects. Two-story apartments and condominiums with surface parking typify this density, though structures of greater height with compensating amounts of open space would be possible. This designation is intended primarily for multi-family dwellings. As part of mixed-use developments within the Rivertown area and designated transit nodes, residential development may occur on the upper floors of buildings whose ground floor is devoted to commercial use. ~~Typically, residential densities will not exceed sixteen (16) to eighteen (18) dwelling units per acre for standard apartment projects, although projects with extraordinary amenities may achieve the maximum allowable density. However, p~~Permitted densities and number of housing units will vary, depending on topography, environmental aspects of the area, geologic constraints, existing or nearby land uses, proximity to major streets and public transit, and distance to shopping districts and public parks. The Zoning Ordinance will establish specific density limits at or below 35 units per acre for zoning districts that correspond with the High Density Residential designation. Higher densities will be allowed where measurable community benefit is to be derived (i.e., provision of needed senior housing or low and moderate income housing units). In all cases, infrastructure, services, and facilities must be available to serve the proposed density, and the proposed project must be compatible with surrounding land uses.

Appropriate Land Use Types: See Table 4.A

Maximum Allowable Density: Thirty-five (35) dwelling units per gross developable acre (35 du/ac) and up to a Floor Area Ratio of 1.5 within areas designed for mixed use or transit-oriented development.

Anticipated Population per Acre: Forty (40) to seventy (70) persons per acre. ~~Within transit-oriented development, up to forty-five to sixty (45-60) persons per acre.~~