



TO: ANTIOCH PLANNING COMMISSION

DATE: October 18, 2023

SUBMITTED BY: Meredith Rupp, Partnership for the Bay's Future Fellow

APPROVED BY: Zoe Merideth, Acting Planning Manager

SUBJECT: Zoning Text Amendments (LA2023-0004)

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt a resolution recommending the City Council adopt text amendments to Title 9 Chapter 5 of the Municipal Code to implement Housing Element programs, codify legislation, and clarify existing regulations (LA2023-0004).

BACKGROUND

As part of the Partnership for the Bay's Future Policy Grant work (see previous agenda item), staff comprehensively reviewed the Antioch Municipal Code (AMC) while establishing a new zoning district. This exercise presented an opportunity to also do general updates on the AMC to codify State and federal legislation, implement Housing Element programs, and provide clean up and clarification.

ENVIRONMENTAL REVIEW

The proposed Zoning Text Amendments are exempt from CEQA under Section 15061(b)(3), the "Common Sense" Exemption. This exemption can be used when it can be seen with certainty that there is no possibility that the ordinance may have a significant effect on the environment. The ordinance merely amends the Antioch Municipal Code requirements to implement Housing Element programs, codify State and federal law, and add clarification and correction of small typos. The zoning text amendments do not directly or indirectly authorize or approve any actual changes in the physical environment. When a specific development project occurs that is subject to the ordinance, it will be subject to environmental review pursuant to CEQA, if applicable. Based on the above information, the Zoning Text Amendments are exempt from CEQA under the "Common Sense" Exemption.

ANALYSIS

The goal of this planning effort is to implement Housing Element programs, codify State and federal law, and provide clarification and upkeep of the AMC. The project scope consists of Zoning Text Amendments to various Articles in Title 9, Chapter 5 of the AMC.

Table 1 summarizes the proposed Zoning Text Amendments and the mechanism or impetus for creating them. The policies triggering the Zoning Text Amendments are explained more thoroughly below.

| AMC Section | Summary of Amendment(s) | Reason for Amendment(s) |
|---|--|--|
| 9-5.203 Definitions | Adds the definition of a major transit stop, consistent with State law. A major transit stop is defined as any of the following: <ul style="list-style-type: none">• An existing rail or bus rapid transit station• A ferry terminal served by either a bus or rail transit service• The intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods | This definition is needed to implement Housing Element Program 4.1.6, related to Assembly Bill (AB) 2097. See also: updates to AMC Section 9-5.1703.1 "Parking Requirements by Use." |
| 9-5.601 Height, Area & Setback Regulations for Primary Structure | Revises Note B in Table 9-5.601 <i>Height, Area & Setback Regulations for Primary Structure</i> to apply to all religious facilities, not just churches. | Allows for more inclusive language to be used. |
| 9-5.603 Accessory Buildings | Requires 5-foot side and rear yard setbacks for accessory structures (previously zero setback was required). Exempts portable storage sheds in rear yards from the new 5-foot setback requirements. Front and street side yard setbacks would still apply. | Planning staff is requesting this change to bring the accessory buildings zoning section into line with the California Building Code and to minimize impacts to next door neighbors when a resident builds a large accessory building. |

| AMC Section | Summary of Amendment(s) | Reason for Amendment(s) |
|---|--|--|
| 9-5.1703.1 Parking Requirements by Use | Exempts development within one half-mile of major transit stops from City parking requirements. Certain exceptions to this rule are also codified by reference to State law. | Implements Housing Element Program 4.1.6, <i>Review and Revise Residential Parking Requirements</i> , which commits the City to codify new parking requirements pursuant to AB 2097. Per AB 2097, parking minimums are now prohibited within a half-mile of major transit stops. |
| | Removes the per-bed parking stall requirement for emergency shelters. With the revision, emergency shelters would be required to provide one off-street parking space per employee on the largest shift. | Implements Housing Element Program 3.1.5, <i>Emergency Shelters and Transitional Housing</i> , which commits the City to comply with Government Code Section 65583. Per State law, parking for emergency shelters must have sufficient parking to accommodate staff and shall not require more parking for emergency shelters than other residential uses. |
| 9-5.1602 Height Restrictions | Adds “inches” as the unit of measure for fences, walls, and plantings in the front yard. | Corrects a typo. |
| 9-5.1704 Parking Requirements | Combines 9-5.1704(C)(1), which listed application materials for parking reduction requests and 9-5.1704(C)(2), which listed required components of parking demand studies, into one subsection. | Removes redundancies. |
| 9-5.3803 Table of Land Use Regulations | Removes large- and small-family day cares as regulated residential land uses. | Implements State law (Health and Safety Code Section 1597.40), which prohibits local jurisdictions from restricting the use of a facility as a family daycare home. |
| | Amends where senior group housing and family care homes are permitted to ensure they are permitted by-right no differently than single-family homes when serving six or fewer residents and to generally allow facilities in more zones: | Implements Housing Element Program 3.1.1, <i>Housing Opportunities for Special Needs Groups</i> and State law, as codified in State Health and Safety Code Sections 1267.8 and 1566.3, to remove barriers to the |

| AMC Section | Summary of Amendment(s) | Reason for Amendment(s) |
|---------------------------------------|--|---|
| | <ul style="list-style-type: none"> • Senior group housing would be permitted by-right (instead of conditionally) in RE, RR, R-4, and R-6 zones and conditionally permitted (instead of prohibited) in WF zone • Family care homes would be conditionally permitted (instead of prohibited) in WF and H zones | development of residential care facilities and group housing. |
| | Removes manufactured, modular and mobile homes as distinct residential uses. | Implements State law (California Government Code Section 65852.3) requiring jurisdictions to subject manufactured homes only to the same regulations as conventional single-family residential dwellings. |
| | Changes “second residential unit” to “Accessory Dwelling Unit.” | Makes the land use table consistent with terminology used in the rest of the AMC. |
| | Permits transitional housing in all zones where multi-family residential is conditionally permitted or permitted (i.e., the R-10, R-20, R-25, R-30, MCR, H, ES, and CIH zones). | Implements Housing Element Program 3.1.5, <i>Emergency Shelters and Transitional Housing</i> , which commits the City to implement State legislation (AB 2162) to remove barriers related to where and how transitional housing is permitted. |
| | Permits religious assembly uses to the same level allowed for public assembly uses; religious assembly uses would be conditionally permitted (instead of prohibited) in the RE, RR, OS, M-1, and M-2 zones. | Codifies the federal Religious Land Use and Institutionalized Persons Act to ensure religious assembly uses are not any more restricted than nonreligious assembly or institution uses. |
| | Corrects which California Government Code sections are cited in Note 17 related to by-right approval of supportive housing. | Implements feedback from HCD on the Housing Element and clarifies the applicability of State law. |
| 9-5.3804 Manufactured Home | Entirely removes regulations that would apply to manufactured homes. | Implements State law (California Government Code Section 65852.3), which requires the City |

| AMC Section | Summary of Amendment(s) | Reason for Amendment(s) |
|-------------|-------------------------|--|
| | | to subject manufactured homes only to the same development standards as a conventional single-family residential dwelling. |

Table 1. Proposed Zoning Text Amendments Summary

Housing Element Implementation

The Housing Element includes several programs to update the AMC to implement State laws intended to accelerate housing production, streamline housing approval, and support housing affordability. In particular, Housing Element Programs 3.1.1, 3.1.5, and 4.1.6 call for updates to the AMC by September 30, 2023 to amend parking regulations and allowable land uses for various residential developments.

Attachment A contains the full text of these Housing Element Programs with the actions applicable to the proposed Zoning Text Amendments underlined.

State and Federal Law

In addition to the laws mentioned in Housing Element Programs 3.1.1, 3.1.5, and 4.1.6, there are other State and Federal laws which need to be incorporated into the AMC:

- **California Health and Safety Code Section 1597.40**, which states that “local laws regulations, or rules shall not directly or indirectly prohibit or restrict the use of a facility as a family daycare home, including, but not limited to, precluding the operation of a family daycare home.”
- **California Government Code Section 65852.3**, which requires the City to subject manufactured homes only to the same development standards as a conventional single-family residential dwelling.
- **Federal Religious Land Use and Institutionalized Persons Act** (42 U.S. Code Section 2000cc), which prohibits jurisdictions from imposing any regulations that restrict religious assembly uses any more than nonreligious assembly or institution uses.

The City has been acting in compliance with these laws when specific development proposals are submitted, but the proposed Zoning Text Amendments would codify these laws and more clearly bring the City into compliance.

ATTACHMENTS

- A. Resolution recommending the City Council adopt Zoning Text Amendments
Exhibit A: Zoning Amendments
- B. Select Housing Element Programs

ATTACHMENT "A"

PLANNING COMMISSION RESOLUTION # 2023-XX

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH RECOMMENDING THAT THE CITY COUNCIL ADOPT TEXT AMENDMENTS TO TITLE 9 CHAPTER 5 OF THE MUNICIPAL CODE TO IMPLEMENT HOUSING ELEMENT PROGRAMS, CODIFY LEGISLATION, AND CLARIFY EXISTING REGULATIONS (LA2023-0004)

WHEREAS, on January 24, 2023, the Antioch City Council adopted the 2023-2031 Housing Element update that accommodates the City of Antioch's (City) regional housing need allocation of 3,016 housing units, comprised of 792 (26%) very-low income units, 456 (15%) low-income units, 493 (17%) moderate-income units, and 1,275 (42%) above moderate-income units;

WHEREAS, the 2023-2031 Housing Element identifies a program that sets forth a schedule of actions, each with a timeline for implementation, to implement the policies and achieve the goals and objectives of the housing element through the administration of land use and development controls, the provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing;

WHEREAS, Housing Element Program 3.1.1 *Housing Opportunities for Special Needs Groups* includes an action to "amend the Zoning Ordinance by September 30, 2023, to allow for residential care facilities and group homes for 7 or more persons within zoning districts that permit residential development;"

WHEREAS, Housing Element Program 3.1.5 *Emergency Shelters and Transitional Housing* includes actions to "remove the per-bed parking stall requirement associated with emergency shelters," to "amend the Zoning Ordinance by the end of January 31, 2023 to allow supportive housing as defined by AB 2162 (2018) within all zoning districts which allow for multi-family development," and to "amend the Zoning Ordinance by September 30, 2023, to allow for transitional housing as defined, as a permitted use in zones allowing residential uses, subject to the standards and procedures of residential uses in the same zone;"

WHEREAS, Housing Element Program 4.1.6 *Review and Revise Residential Parking Requirements* includes an action to "amend the City's Zoning Ordinance by the end of September 30, 2023 to ensure compliance with AB 2097 (2022) which prohibits minimum parking requirements for eligible housing developments within half a mile of a major transit stop;"

WHEREAS, State Law prohibits the City from precluding or restricting the operation of family daycare homes (Health and Safety Code Section 1597.40);

WHEREAS, State Law requires the City to subject manufactured homes only to the same development standards as a conventional single-family residential dwelling (Gov. Code Section 65852.3);

WHEREAS, federal Law prohibits the City from imposing any regulations that restrict religious assembly uses any more than nonreligious assembly or institution uses (42 U.S. Code Section 2000cc);

WHEREAS, the Antioch Municipal Code (AMC) regulates development within the City of Antioch;

WHEREAS, regular maintenance and upkeep of the AMC ensures it remains clear and up to date;

WHEREAS, AMC Title 9, Chapter 5, Article 2 “Definitions,” Article 6 “Height and Area Regulations,” Article 16 “Fences, Walls, Hedges and Screen Plantings,” Article 17 “Parking Requirements,” and Article 38 “Land Use Regulations” establish and define the zoning districts, allowable land uses, and development standards within the City of Antioch;

WHEREAS, the proposed Zoning Text Amendments to the abovementioned Articles would implement Housing Element programs and State and federal laws related to emergency shelters, transitional housing, supportive housing, family day-cares, residential care facilities, parking minimums near transit stops, manufactured homes, and religious assembly uses;

WHEREAS, small typos and areas needing clarification were identified throughout the AMC and would be corrected with the proposed changes;

WHEREAS, the ordinance is not considered a project under the California Environmental Quality Act under the common sense exemption (CEQA Guidelines 150361(b)(3)) because it will not have a direct or reasonably foreseeable indirect physical change or effect on the environment;

WHEREAS, a public hearing notice was published in the East County Times and posted in three public places pursuant to California Government Code Section 65090 on October 6, 2023 for the public hearing held on October 18, 2023; and

WHEREAS, the Planning Commission held a public hearing and considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Antioch hereby **RECOMMENDS** that the City Council adopt text amendments to Title 9 Chapter 5 of the Municipal Code, attached hereto as Exhibit A, to implement Housing Element programs, codify legislation, and clarify existing regulations.

* * * * *

I HEREBY CERTIFY the foregoing resolution was duly adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 18th day of October 2023.

AYES:

NOES:

ABSTAIN:

ABSENT:

Kevin Scudero
Secretary to the Planning Commission

EXHIBIT A
ZONING TEXT AMENDMENTS
(SEPARATE PAGE)

PROPOSED ZONING TEXT AMENDMENTS

§ 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.

...

MAJOR TRANST STOP. Consistent with California Public Resources Code Section 21064.3, a site containing any of the following:

(a) An existing rail or bus rapid transit station

(b) A ferry terminal served by either a bus or rail transit service

(c) The intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

...

ARTICLE 6: HEIGHT AND AREA REGULATIONS AND TABLE

§ 9-5.601 HEIGHT AND AREA REGULATIONS.

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 letter, will appear in the appropriate column. If a letter appears in any cell, it refers to the, requirement listed in the footnotes following the table.

Table 9-5.601 Height, Area & Setback Regulations for Primary Structure

Table 9-5.601 Height, Area & Setback Regulations for Primary Structure

| 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 Allowed (Units per Gross Developable Acre) | Maximum Density Allowed Units Per Gross Developable Acre ^d | Front Yard Minimum ^{ak} | Minimum Side Yard Required in Feet ^e | | Minimum Rear Yard Required in Feet |
| | | | Corner | Interior | | | | | Corner | Interior | |
| RE | TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS | | | | | | | | | | |
| RR | TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS | | | | | | | | | | |
| CIH | IN COMPLIANCE WITH THE COMMERCIAL INFILL HOUSING OVERLAY DISTRICT OBJECTIVE DESIGN STANDARDS DOCUMENT. | | | | | | | | | | |
| 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/acre | 25 du/acre | f | f | 5 ft. | 10 ft. ^m |
| R-35 | 45 | 20,000 | 70 | 70 | 50% | 25 du/acre | 35 du/acre | f | f | 5 ft. | 10 ft. ^m |
| 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. |

| 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 ^c | Minimum Density Allowed (Units per Gross Developable Acre) | Maximum Density Allowed Units Per Gross Developable Acre ^d | Front Yard Minimum | Minimum Side Yard Required in Feet ^e | | Minimum Rear Yard Required in Feet |
| | | | Corner | Interior | | | | | Corner | Interior | |
| 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. |
| 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 | | | | | | | | | |

| 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 ^c | Minimum Density Allowed (Units per Gross Developable Acre) | Maximum Density Allowed Units Per Gross Developable Acre ^d | Front Yard Minimum | Minimum Side Yard Required in Feet ^e | | Minimum Rear Yard Required in Feet |
| | | | Corner | Interior | | | | | Corner | Interior | |
| 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 | | | | | | | | | | |

HEIGHT, AREA & SETBACK REGULATIONS FOR PRIMARY STRUCTURE

- ^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~~ religious facilities (e.g., churches, mosques, temples), monuments, water towers, fire and hose towers, observation towers, distribution and transmission towers, lines and poles, chimneys, smokestacks, flag poles, radio towers, excluding wireless communications facilities subject to § 9-5.3846, 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.
- ^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 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.
 - (2) Single-family detached 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 side yard setback with landscaping
 - Local street: minimum 20-foot front yard setback with 20 foot of landscaping and 10-foot street side yard setback with landscaping.
 - (3) Multi-family dwelling uses.
 - Arterial street: minimum 15-foot setback with 15-foot landscaping on all frontages.
 - Collector street: minimum 15-foot setback with 15-foot landscaping.
 - Local street: minimum 10-foot setback with 10-foot landscaping.
- ^g New construction with frontage in excess of the minimum lot width shall reflect the pattern of building widths in facade design.

| HEIGHT, AREA & SETBACK REGULATIONS FOR PRIMARY STRUCTURE | |
|---|--|
| ^h | <p>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:</p> <ol style="list-style-type: none"> (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 | <p>Buildings in the RTC district shall be placed on the property line except for:</p> <ol style="list-style-type: none"> (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 (3) Where a setback is necessary to maintain the uniform setback of building facades. |
| ^j | <p>The first floor of a building shall extend from property line to property line except:</p> <ol style="list-style-type: none"> (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. |
| ^l | For projects that consist of attached single-family dwellings (townhomes), in which each dwelling occupies its own lots, the minimum lot area is 1,800 square feet and the minimum required interior side setback is zero. |
| ^m | Where a multi-family dwelling abuts a lot that is zoned RR, RE, R4 or R6, a minimum rear yard of 20 feet shall be provided. |

§ 9-5.603 ACCESSORY BUILDINGS.

(A) In residential districts, the maximum allowable height is 15 feet for accessory structures. Detached accessory structures shall be located behind the required front yard setback and cover no more than 40% of the rear yard area required for the main building. The minimum side yard for accessory structures is 20 feet on corner lots and ~~zero~~ 5 feet on interior lots. ~~No minimum~~ A 5 foot rear yard setback is required, unless the property is a double-frontage lot in which case a 10 foot rear yard setback is required.

(1) Exception. Portable storage sheds are exempt from setback requirements when placed in the rear yard. The required minimum setback from the front property line and/or street side yard property lines (for corner lots) must be maintained. A shed is considered portable when it meets the following criteria and does not need a building permit:

- (a) Freestanding, moveable, and has no permanent foundation
- (b) Less than 120 square feet in area
- (c) Building height no greater than 8 feet
- (d) Does not contain plumbing or electrical installations

(B) In the event an accessory building is attached to the main building, it shall be considered structurally a part of the main building and shall comply in all respects with the requirements of this chapter applicable to the main building. Unless so attached, an accessory building in a residential district shall be at least five feet from any dwelling building existing or under construction on the same lot or any adjacent lot. In the case of a corner lot adjacent to a reversed frontage lot, accessory buildings shall not project beyond the front yard required or existing on the adjacent reversed frontage lot.

ARTICLE 16: FENCES, WALLS, HEDGES AND SCREEN PLANTINGS

§ 9-5.1601 GENERAL REQUIREMENTS.

(A) Fences, walls, hedges, and other structures or vegetation shall not obstruct a clear vision zone.

(B) Barbed wire, razor ribbon and other similar wire shall be prohibited on top of any fence. Exceptions may be granted by the Zoning Administrator for special circumstances.

(C) Where chain link fencing is proposed or required adjacent to a public right-of-way, park or open space, the fence fabric, posts, top rails, and hardware shall be vinyl clad.

(D) All retaining walls that are adjacent to public streets shall be placed outside the right-of-way and shall be constructed of decorative masonry block or an equivalent material approved by Community Development Department staff.

(E) All fences existing at the time of the adoption of this chapter which then became non-conforming due to height and/or setback requirements can remain subject to the provisions of the non-conforming use regulations of this chapter.

(F) Walls between residential and non-residential uses shall be of masonry construction.

§ 9-5.1602 HEIGHT RESTRICTIONS.

(A) For fences adjacent to a public right-of-way, fence height shall be measured from the finished grade at the fence location. Should the back of side-walk be at a higher elevation than finished grade, the fence height shall be measured from the back of side-walk.

(B) For interior and rear yard fences, height shall be measured from the grade level of the property line. In the event the ground elevation is not the same on both sides of a fence or wall, the height thereof may be measured from the higher ground elevation.

(C) No fence, wall, hedge or screen planting shall exceed a maximum height of 36 inches in the required front yard. All such fences shall be located outside the public right-of-way unless an encroachment permit is issued by the Director of Public Works.

(D) Fences, hedges or screen plantings shall be a minimum height of 30 inches around or within a parking lot.

(E) No fence, wall or similar structure shall exceed six feet in height in any zoning district, with the following exceptions:

(1) In commercial and industrial districts, the maximum height may be eight feet subject to approval of an administrative use permit by the Zoning Administrator. Higher walls may be approved by the Planning Commission if required by an acoustical study, and there are no feasible alternatives that would allow for a wall eight feet in height or less.

(2) In residential districts, a masonry sound wall built adjacent to an arterial street or school site may be eight feet in height subject to a documented sound study. Higher walls may be approved by the Planning Commission if required by an acoustical study and there are no feasible alternatives that would allow for a wall eight feet in height or less.

(3) In residential districts the fence height on interior side and rear property lines may be increased to eight feet, provided that the top two feet of such is constructed of open lattice, wrought iron, tubular steel, or a similar material.

(Ord. 897-C-S, passed 10-25-94; Am. Ord. 1064-C-S, passed 12-15-05) [Penalty, see § 9-5.2904](#)

§ 9-5.1603 SETBACKS; STREETSIDE AND SIDEYARD FENCES.

(A) Fences of up to six feet may be placed within the required corner sideyard building setback or at the public right-of-way line.

(B) The following restrictions shall apply:

(1) The fence does not obstruct a clear vision zone.

(2) In cases where the fence is to be built in conjunction with a retaining wall, and the wall face is exposed to the street, the fence shall be setback a minimum of three feet from the retaining wall.

(Ord. 897-C-S, passed 10-25-94) [Penalty, see § 9-5.2904](#)

ARTICLE 17: PARKING REQUIREMENTS

§ 9-5.1701 PURPOSE.

The specific purposes of the off-street parking and loading regulations are to:

(A) Ensure that off-street parking and loading facilities are provided for new land uses and for enlargements of existing uses in proportion to the need for such facilities created by each use.

(B) Establish parking standards for commercial uses consistent with need and with the feasibility of providing parking on specific commercial sites.

(C) Ensure that off-street parking and loading facilities are designed in a manner that will ensure efficiency, protect the public safety, and where appropriate, insulate surrounding land uses from adverse impacts.

(D) Contribute to a balanced transportation system with a choice of transit, bicycle, pedestrian, and private automobile modes.

(E) Encourage the use of bicycles by providing safe and convenient places to park bicycles.

(F) Facilitate the development of common parking area that serve multiple establishments or uses.

(G) Minimize the area of land consumed by parking by allowing reductions to the number of required spaces near major transit stations, for uses with lower parking demand characteristics, and for shared parking facilities serving uses with different peak demand times.

(Ord. 897-C-S, passed 10-25-94; Am. Ord. 2089-C-S, passed 6-24-14)

§ 9-5.1702 BASIC REQUIREMENTS.

(A) At the time of initial occupancy of a site, construction of a structure, or alteration or enlargement of a site or structure, off-street parking facilities and off-street loading facilities shall be provided in accord with the regulations prescribed in this chapter. Any building or structure moved from one lot to another shall provide parking as required for a new building.

(B) The number of additional parking spaces or loading berths required for an alteration or enlargement of an existing use or structure, or for a change of occupancy, shall be provided before the alteration, enlargement, or change of occupancy is allowed.

(C) If more than one use is located on a site other than a shopping center, the number of off-street parking spaces and loading berths to be provided shall be equal to the sum of the required spaces prescribed for each use.

(D) Off-street parking and loading facilities required by this article for any use shall not be considered as providing parking spaces or loading berths for any other use except where a shared parking arrangement applies or a joint facility exists. Such a facility shall contain not less than the total number of spaces or berths as required individually, or fewer spaces may be permitted where adjoining uses on the same site have different hours of operation and the same parking spaces or loading berths can serve both without conflict, according to the procedures and required findings of § [9-5.1704](#), Parking Reductions.

(E) Parking ratios for shopping center uses shall assume 90% of the available spaces are located at the front of a building. No more than 10% of the required parking is to be provided at the rear of a building and this parking should be designated and enforced as employee parking.

(F) If, in the application of the requirements of this chapter, a fractional number is obtained, one parking space or loading berth shall be required for a fraction of more than one-half, and no space or berth shall be required for a fraction of one-half or less.

(G) Any off-street parking specifically required for a given use shall be without charge.

(H) Off-street parking must be located on the same site as the use it serves, except where off-site parking has been approved according to the procedures and standards of § 9-5.1705, Off-Site Parking Facilities.

(Ord. 897-C-S, passed 10-25-94; Am. Ord. 2089-C-S, passed 6-24-14) Penalty, see § [9-5.2904](#)

§ 9-5.1703 [RESERVED].

§ 9-5.1703.1 OFF-STREET PARKING REQUIREMENTS BY USE

(A) Off-street motor vehicle parking spaces shall be provided according to the following table. Each land use shall be provided with at least the number of off-street parking spaces stated in the table.

(1) The requirements of this chapter do not apply to development within one half-mile of a major transit stop, except as provided in California Government Code Section 65863.2.

(B) When the table does not list a proposed use, the Zoning Administrator shall determine the most appropriate equivalent use and the number of parking and loading spaces required. In order to make this determination, the Zoning Administrator may require the submission of survey data from the applicant or direct a study to be conducted at the applicant's expense. The Administrator's determination may be based on the most recent data published by the Institute of Transportation Engineers or comparable analyses.

| <i>TABLE: 9-5.1703.1: OFF-STREET PARKING REQUIRED</i> | |
|--|---|
| <i>Use Classification</i> | <i>Off-Street Parking Spaces</i> |

| | |
|---|---|
| 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 |
| Emergency shelters | 1 space per employee on the largest shift plus 0.30 spaces per bed |
| Day care, general and preschools | 1 per employee on the largest shift plus 1 per 8 children |

| | |
|--------------------------------------|--|
| Government offices | 1 per 250 sq. ft. of gross floor area |
| Hospitals | 1 per bed, plus 1 space per employee on the largest shift |
| Maintenance and service facilities | 1 per 400 sq. ft. of gross floor area |
| Park and Recreation Facilities | As specified by zoning permit or use permit for private facilities based upon I.T.E. studies |
| Public Safety Facilities | As specified by use permit |
| Religious assembly | 1 per 4 fixed seats, and/or 1 per 50 sq. ft. of seating area if there are no fixed seats |
| Schools, public or private | As specified by use permit, as per I.T.E. studies |
| Utilities, major | As specified by use permit, as per I.T.E. studies |
| COMMERCIAL/RETAIL/OFFICE | |
| Ambulance services | 1 per ambulance, plus 1 per employee on the largest shift |
| Animal sales and services: | |
| Animal boarding | 1 per 400 sq. ft. of gross floor area |
| Animal grooming | 1 per 400 sq. ft. of gross floor area |
| Animal hospitals (veterinary clinic) | 1 per 250 sq. ft. of gross floor area |
| Artists' studios | 1 per 1,000 sq. ft. of gross floor area |

| | |
|---|---|
| Banks and savings and loans: | 1 per 250 sq. ft. of gross floor area |
| Drive-up service | Queue space for 5 cars per teller |
| Building materials and services; hardware | 1 per 300 sq. ft. of sales floor area; plus 1 per 1,000 sq. ft. of outdoor storage and/or interior warehouse area |
| Chapels and mortuaries | 1 per 3 seats and/or; 1 per 50 sq. ft. of seating area if no fixed seats |
| Commercial recreational and entertainment: | |
| Bowling alleys | 6 per lane |
| Electronic game centers | 1 per 2 machines |
| Golf courses | 4 per each hole, plus 1 per 200 sq. ft. of floor area |
| Gymnasium | 1 per 100 sq. ft. of floor area |
| Skating rinks | 1 per 3 fixed seats, and/or 1 per 50 sq. ft. of seating area if there are no fixed seats; plus 1 per 75 sq. ft. of floor area for skating |
| Swimming pools | 1 per 150 sq. ft. of pool area |
| Tennis and racquetball clubs | 4 per court |
| Theaters | 1 per 3 fixed seats, and/or 1 per 35 sq. ft. of seating area if there are no fixed seats |
| Other commercial recreation and entertainment | As specified by the Zoning Administrator, as per I.T.E. studies |

| | |
|--|---|
| Computer gaming and internet access business | As specified by use permit and required parking study (§ 9-5.3835) |
| Eating and drinking establishments: | 1 per employee on the largest shift |
| General restaurant | 1 per 3 seats |
| Cocktail lounge/bar | 1 per 2.5 seats |
| Fast food | 1 per 50 sq. ft. of gross floor area for public seating plus queue space for 6 cars if drive-up service provided |
| With outdoor seating | 1 additional space per 3 seats |
| Take-out only/no seating | 1 per employee on the largest shift plus additional spaces as determined by the Zoning Administrator |
| Gas station/ service station ^B | 2 per service bay plus 1 per employee on the largest shift; with no less than 4 parking spaces provided |
| Gymnasium | 1 per 100 sq. ft. of floor space |
| Health clubs | 1 per 200 sq. ft. of floor space |
| Nurseries | 1 per 1,000 sq. ft. of outside display and/or interior warehouse area, plus 1 per 300 sq. ft. of sales floor area |
| Offices, business, and professional | 1 per 250 sq. ft. of gross floor area |
| Offices, medical and dental | 1 per 225 sq. ft. of gross floor area |

| | |
|---|---|
| Music or dance studio, martial arts training or similar facility | 1 per 250 sq. ft. of gross floor area |
| Mini-storage | 1 per 100 rental units plus 1 per caretaker |
| Personal services (barber shop, beauty shop) | 2 spaces per chair |
| Recycling facility: | |
| Large collection | 6 spaces per facility minimum |
| Processing facility | 10 spaces per facility minimum |
| Research and community development | 1 per 250 sq. ft. of gross floor area |
| Retail sales not listed under another use classification | 5 spaces/1000 sq. ft. of gross floor area |
| Shopping center | 5 spaces/1000 sq. ft. of gross floor area |
| Furniture and appliance stores, households equipment, and furniture repair and warehouse sale | 1 per 400 sq. ft. of gross floor area |
| Automobile rentals | 1 per 4,000 sq. ft. of outdoor area plus 1 per rental vehicle |
| Automobile washing: | |
| Fully automated | 7 spaces outside washing area |
| Coin-operated | 1 queuing space per bay |
| Vehicle/equipment repair | 4 per service bay or 1 per 225 sq. ft. of gross floor area whichever is greater |
| Vehicle/equipment sales and rentals, and other outdoor storage | 1 per 4,000 sq. ft. of outdoor display area |

| | |
|---|---|
| Visitor accommodations: | |
| Bed and breakfast inns | 1 per guest room; plus 2 spaces |
| Hotels, motels and time share facilities | 1 per guest room; plus 1 per employee on the largest shift and one per 50 sq. ft. of banquet or conference seating area |
| Warehousing, distribution, storage | 1 per 1,000 sq. ft. of gross floor area |
| INDUSTRIAL | |
| Light manufacturing | 1 per 400 sq. ft. of gross floor area |
| Heavy manufacturing | 1 per employee on the largest shift |
| ^A Parking for senior housing projects may be reduced during project review to less than 0.75 space per unit based upon residents' ages and vehicle ownership patterns and must be documented by studies prepared by the project proponents, according to the procedure and findings in § 9-5.1704 , Parking Reductions. | |
| ^B For a service station combined with a food mart, one space per 250 square feet of retail sales area shall be provided (office and bathroom areas may be excluded from calculations) in addition to the required employee parking, and service bay parking, if any. In no case shall there be less than four spaces provided for a service station or six spaces provided for a service station combined with a food mart. If combined with a towing service, in addition to the above requirements, one additional space per towing vehicle shall be provided at the rear of the site. | |

(Ord. 897-C-S, passed 10-25-94; Am. Ord. 930-C-S, passed 7-29-97; Am. Ord. 1064-C-S, passed 12-13-05; Am. Ord. 2075-C-S, passed 11-26-13; Am. Ord. 2089-C-S, passed 6-24-14) Penalty, see § [9-5.2904](#)

§ 9-5.1704 PARKING REDUCTIONS.

(A) *Purpose.* The purpose of this section is to establish procedures and criteria for allowing reductions to the number of required automobile parking spaces for projects that are anticipated to generate lower-than-usual parking demand due to factors such as proximity to major transit stops and stations, the characteristics of the use, or implementation of transportation demand management measures, as well as for shared

parking facilities serving uses with different peak demand times. These provisions are also intended to allow modifications to parking standards when necessary to preserve the architectural or historical character of a structure or property.

(B) *Qualifying projects.* Reduced parking requirements may be considered for the following types of projects:

(1) *Senior housing.* The required parking for a senior housing development may be reduced below the normally required 0.75 spaces per dwelling unit for projects anticipated to generate lower parking demand due to vehicle ownership patterns of the residents and/or characteristics of the project (e.g., proximity to commercial services, proximity to public transportation systems).

(2) *Shared (joint) parking facilities.* Parking facilities that are cooperatively established and operated to serve multiple uses and these uses generate parking demands primarily during hours when the remaining uses are not in operation.

(3) *Transit-supportive development.* Residential or mixed-use projects that contain no more than 50 dwelling units and are located within one-half mile of a major transit stop.

(4) *Infill sites.* Residential or mixed-use projects that contain no more than 30 dwelling units and are located on infill sites.

(5) *Uses near public parking facilities.* Uses located within one-quarter mile of a publicly accessible parking facility, the use of which is not limited to a specific business or activity during the use's peak parking demand. Such parking facilities shall meet the requirements of § [9-5.1705](#), Parking Location/Off-Site Parking Facilities.

(6) *Projects incorporating TDM measures.* Projects for which the developer proposes a set of transportation demand management (TDM) measures-such as rideshare programs, shuttle services, bicycle trip-end facilities, staggered work shifts, and telecommuting programs-projected to reduce parking demand generated by the use. Such projects shall be required to document the implementation and impacts of such programs, as described in division (E), Monitoring of TDM Programs, below.

(7) *Historic structures.* Projects for which allowing a reduction in the number of required spaces (and/or modifications to dimensional requirements for parking areas) will facilitate the re-use of an existing building that is an historic resource as defined by the State Public Resources Code or is a designated historic building.

(C) *Procedure.* A request for a reduction to the number of parking spaces consistent with the requirements of this section shall be processed as a use permit, according to the procedures of Article 27. Any parking reduction that is not in accordance with this section (i.e., is not a qualifying project pursuant to division (B) or cannot meet the findings for approval in division (D)) shall require a variance.

~~(1) *Application materials.* In addition to other application materials required for the consideration of the use permit, the Zoning Administrator may require submission of a parking demand study prepared by an independent traffic engineering professional~~

~~approved by the city that substantiates the basis for granting a reduction in required parking spaces.~~

(21) *Parking demand study.* ~~In order to evaluate a proposed project's compliance with the required findings for approval, In addition to other application materials required for the consideration of the use permit,~~ the Zoning Administrator may require submittal of a parking demand study prepared by an independent traffic engineering professional approved by the city that substantiates the basis for granting a reduced number of spaces. ~~and The parking demand study may~~ includes any of the following information:

(a) Total square footage of all uses within existing and proposed development and the square footage devoted to each type of use.

(b) A survey of existing on-street and on-site parking within 350 feet of the project site.

(c) Parking requirements for the net change in square footage and/or change in use, based on the requirements of § [9-5.1703.1](#), Off-Street Parking Requirements by Use.

(d) Estimated net change in parking demand between existing and proposed development, using any available existing parking generation studies from the Institute for Transportation Engineers (ITE) or other sources. If appropriate parking demand studies are not available, the city may require the applicant to conduct a parking demand survey of a development similar to the proposed project.

(e) Comparison of proposed parking supply with parking requirements and net change in parking demand.

(f) A shared parking analysis, as appropriate.

(g) A description of proposed transportation demand management measures, such as preferential carpool spaces, telecommuting or staggered work shifts, provision of transit passes or other transit incentives for residents or employees, incorporation of spaces for car share vehicles, bicycles, or other measures that will result in reduced parking demand.

(h) Other information as required by the city.

(D) *Required findings for approval.* In addition to the required findings for approval of any use permit in § [9-5.2703](#), Required Findings, an application for a use permit for a parking reduction may only be approved if the Zoning Administrator or the Planning Commission makes all of the findings of this section that are applicable to the particular project, as stated.

(1) *All projects.* For any project for which a parking reduction is requested, the Zoning Administrator or the Planning Commission must make all of the following findings based on information in the record:

(a) The use will adequately be served by the proposed parking;

(b) Parking demand generated by the project will not exceed the capacity of or have a detrimental impact on the supply of on-street parking in the surrounding area; and

(c) If required, a parking demand study prepared by an independent traffic engineering professional approved by the city supports the proposed reduction.

(2) *Shared (joint) parking.* Where a shared parking facility serving more than one use is proposed, the Zoning Administrator or Planning Commission may only approve a parking reduction if it finds that:

(a) The peak hours of use will not overlap or coincide to the degree that peak demand for parking spaces from all uses will be greater than the total supply of spaces;

(b) The proposed shared parking to be provided will be adequate to serve each use;

(c) A written agreement between landowner(s) and the city, in a form satisfactory to the City Attorney, has been submitted to and approved by the Zoning Administrator. This agreement shall be in a form capable of and subject to being recorded to constitute a covenant running with the land and shall include:

1. A guarantee that there will be no substantial alteration in the uses that will create a greater demand for parking;

2. A guarantee among the landowner(s) for access to and use of the shared parking facilities;

3. A provision that the city may require parking facilities in addition to those originally approved upon a finding that adequate parking to serve the use(s) has not been provided; and

4. A provision stating that the agreement shall not be modified or terminated without the approval of the Community Development Director and City Attorney.

(3) *Other parking reductions.* For applications for a parking reduction that do not involve a shared parking facility, the Zoning Administrator or Planning Commission may only approve a use permit if it finds that special conditions-including, but not limited to, the nature of the proposed operation; proximity to frequent transit service; transportation characteristics of persons residing, working, or visiting the site; or because the applicant has undertaken a transportation demand management program-will reduce parking demand at the site below the level of the normal requirement.

(E) *Monitoring of TDM programs.* Any project that is granted a parking reduction on the basis of TDM measures that will be incorporated to reduce parking demand shall submit an Annual Status Report to the city. The report shall be in a manner prescribed by the Zoning Administrator, and shall describe the implementation and maintenance of TDM measures and the parking demand generated by the project. Annual Status Reports will be reviewed to determine if property owners have implemented and/or maintained the TDM program. City staff may request auditable documentation to determine compliance.

(1) *Revocations.* A use permit issued to allow a parking reduction may be revoked by the Planning Commission according to the procedure in § [9-5.2707.1](#), Violation, Revocation, Fine.

(2) After holding a hearing, the Planning Commission may revoke or modify the use permit for a parking reduction if any one (or more) of the following findings are made:

(a) The use permit was obtained by misrepresentation or fraud.

(b) The land use for which the permit was granted has ceased or has been suspended for six or more consecutive calendar months.

(c) The conditions of the permit have not been met, or the permit granted is being or has recently been exercised contrary to the terms of the approval or in violation of a specific statute, ordinance, law or regulation.

(Ord. 2089-C-S, passed 6-24-14)

ARTICLE 38: LAND USE REGULATIONS

§ 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-1 0 | R-2 0 | R-2 5 | R-3 5 | PB C | C-0 | C-1 | C-2 | C-3 | MC R | WF | OS | M-1 | M-2 | H | ES 9 | CB | TH | CIH 14 |
|--|---------------|---------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|----------------|--------------|--------------|--------------|--------------|
| RESIDENTIAL USES | | | | | | | | | | | | | | | | | | | | | |
| Day-care centers (§ 9- 5.3832) | 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 |
| Day-care: small family (§ 9-5.3817) | P | P | P | P | P | P | — | — | — | — | — | — | — | — | — | — | — | * | — | — | P |
| Senior Group Housing ¹⁰ | UP | UP | U | U | U | U | — | — | — | — | — | U | U | — | — | — | U | * | — | — | — |
| Family care home ¹⁰ | P | P | P | P | — | — | — | — | — | — | — | U | U | — | — | — | U | — | — | — | — |
| Fraternity- sorority house/ dormitory | U | U | U | U | U | U | — | — | — | — | — | U | — | — | — | — | — | * | — | — | — |
| Home occupations | A | A | A | A | A | A | — | — | — | — | — | A | — | — | — | — | — | * | — | — | P |
| Hospice ¹⁰ | — | — | U | U | U | U | — | U | U | — | — | U | — | — | — | — | U ₂ | * | — | — | — |

| | RE RR | R-4 R-6 | R-10 | R-2 0 | R-2 5 | R-3 5 | P B C | C-0 | C-1 | C-2 | C-3 | MC R | WF | OS | M-1 | M-2 | H | ES ⁹ | CB | TH | CIH ₁₄ |
|--|----------|------------|---------------------|---------------------|---------------------|---------------------|-------------|-----|-----|-----|-----|---------------------|----|----|-----|-----|----------------|-----------------|----|---------------------|------------------------------------|
| Low Barrier Navigation Center | | | | | | | | | | | | P | | | | | P | P | | P | P |
| Manufactured, modular home; mobile home (§9-5.3804) | P | P | P | — | — | — | — | — | — | — | — | — | — | — | — | — | — | * | — | — | — |
| Mobile homepark | — | — | U | U | U | U | — | — | — | — | — | — | — | — | — | — | — | * | — | — | — |
| Multiple- family: condominium , apartment, town-house (§9- 5.3820) | — | — | P ¹¹ | P ¹¹ | P ¹¹ | P ¹¹ | — | — | — | — | — | P ¹¹ | — | — | — | — | U ₂ | * | — | — | P ¹⁵ U ¹⁶ |
| Recreational vehicle park (§9-5.3830) | — | — | — | — | — | — | — | — | — | — | U | — | U | — | — | U | — | * | — | — | — |
| Residential carefacility ¹⁰ | — | — | U | U | U | U | — | U | U | — | — | U | — | — | — | — | U | * | — | — | — |
| Supportive Housing | | | P ^{11, 17} | P ^{11, 17} | P ^{11, 17} | P ^{11, 17} | | | | | | P ^{11, 17} | | | | | U | P ¹⁷ | | P ^{15, 17} | |
| Residential hotel | — | — | U | U | U | U | — | U | U | U | U | U | — | — | — | — | — | * | — | — | — |

| | RE RR | R-4 R-6 | R-10 | R-2 0 | R-2 5 | R-35 | PB C | C-0 | C-1 | C-2 | C-3 | MC R | WF | OS | M-1 | M-2 | H | ES ⁹ | CB | TH | CIH ₁₄ |
|---|----------|------------|--------------|----------------|----------------|----------------|---------|-----|-----|-----|-----|--------------|----|----|-----|-----|--------------|-----------------|----|----|--|
| Room & boarding house | — | — | U | U | U | U | — | U | U | U | U | U | — | — | — | — | — | * | — | — | — |
| Second residential unit Accessory Dwelling Unit (§9-5.3805) | A | A | A | A | A | A | — | — | — | — | — | — | — | — | — | — | — | * | — | — | — |
| Single-family dwelling | P | P | U | P ¹ | P ¹ | P ¹ | — | — | — | — | — | U | U | — | — | — | — | * | — | — | — |
| Tobacco and paraphernalia retailers (§9-5.3843) | — | — | — | — | — | — | — | — | — | — | U | — | — | — | — | — | — | — | — | — | — |
| Two-family dwelling | — | — | P | P | P | P | — | — | — | — | — | U | — | — | — | — | — | * | — | — | — |
| Transitional Housing | — | — | P | P | P | P | — | — | — | — | — | P | — | — | — | — | U | P | — | U | P¹⁵ U¹⁶ |
| Bus & transit maintenance facility | — | — | — | — | — | — | — | — | — | — | — | — | U | — | 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 | * | — | — | — |

| | R E R R | R-4 R-6 | R-10 | R-2 0 | R-2 5 | R-35 | PB C | C-0 | C-1 | C-2 | C-3 | MC R | WF | OS | M-1 | M-2 | H | ES ⁹ | CB | TH | CIH ₁₄ |
|--|------------------|------------|------|----------|----------|------|---------|-----|-----|-----|-----|---------|----|----|-----|-----|---|-----------------|----|----|-------------------|
| Convalescent and Extended Care | — | — | U | U | U | U | — | — | — | — | — | U | — | — | — | — | U | — | — | — | — |
| Correctional facility ¹² | — | — | — | — | — | — | — | — | — | — | — | — | — | — | U | U | — | — | — | — | — |
| Cultural institutions | — | — | — | — | — | — | U | U | — | U | U | U | U | — | — | — | U | * | — | — | — |
| Government offices | — | — | — | — | — | — | U | P | P | P | P | U | — | — | U | U | — | * | — | — | — |
| Heliport (§9- 5.3806) | — | — | — | — | — | — | U | — | — | — | — | — | U | — | U | U | U | * | — | — | — |
| Emergency shelter | — | — | — | — | — | — | — | — | — | — | — | — | — | — | U | U | — | P | — | — | — |

| | RE RR | R-4 R-6 | R-1 0 | R-20 | R-2 5 | R-3 5 | P B C | C-0 | C-1 | C-2 | C-3 | MC R | WF | OS | M-1 | M-2 | H ES 9 | CB | TH CIH 14 |
|--|--------------|------------|----------|------|----------|----------|-------------|-----|-----|-----|-----|---------|----|--------------|--------------|--------------|--------------|----|-----------------|
| 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 | — | — | — |
| Public assembly | 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 | U | — | — |
| Satellite antenna (§ 9-5.3807) | 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 | — | — |

| | RE RR | R-4 R-6 | R-10 | R-20 | R-2 5 | R-35 | PB C | C-0 | C-1 | C-2 | C-3 | MC R | WF | OS | M-1 | M-2 | H | ES 9 | CB | TH | CIH 14 |
|---|----------|------------|------|------|----------|------|---------|-----|-----|-----|-----|---------|----|----|-----|-----|---|---------|----|----|-----------|
| Utility substations | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | * | — | — | — |
| 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 | P | * | — | — | — |
| Minor | — | — | — | — | — | — | — | P | P | P | P | P | — | — | P | P | P | * | — | — | — |
| Amusement center (§ 9-5.3813) | — | — | — | — | — | — | — | — | U | U | U | U | U | — | — | — | — | * | — | — | — |

| | RE R R | R-4 R-6 | R-1 0 | R-20 | R-2 5 | R-3 5 | P B C | C-0 | C-1 | C-2 | MC R | WF | OS | M-1 | M-2 | H | E S ⁹ | CB | TH | CIH 14 |
|---|--------------|------------|----------|------|----------|----------|-------------|-----|-----|-----|---------|----|----|-----|-----|---|---------------------|----|----|-----------|
| Animal hospital veterinary clinics | — | — | — | — | — | — | U | — | U | U | U | — | — | U | U | — | * | — | — | — |
| Antique store | — | — | — | — | — | — | — | — | — | P | A | U | — | U | — | — | * | — | — | — |
| Auto sales, rental | — | — | — | — | — | — | U | — | — | U | U | — | — | — | — | — | * | — | — | — |
| Auto storage | — | — | — | — | — | — | — | — | — | — | — | — | — | U | U | — | * | — | — | — |
| Auto service station (§ 9-5.3815) | — | — | — | — | — | — | — | — | U | U | U | — | — | U | U | — | * | — | — | — |
| Auto repair: | | | | | | | | | | | | | | | | | | | | |
| Major | — | — | — | — | — | — | U | — | — | — | U | — | — | U | P | — | * | — | — | — |
| Minor | — | — | — | — | — | — | U | — | U | U | U | — | — | P | P | — | * | — | — | — |
| Bakeries-retail | — | — | — | — | — | — | — | — | P | P | P | U | — | P | P | — | * | — | — | — |
| Bank or savings & loan | — | — | — | — | — | — | P | P | P | P | P | — | — | — | — | — | * | — | — | — |
| Bar (§ 9-5.3831) | — | — | — | — | — | — | — | — | — | U | U | U | — | — | — | — | * | — | — | — |
| Barber & beauty shop | — | — | — | — | — | — | — | — | P | P | P | — | — | — | — | — | * | — | — | — |

| | RE RR | R-4 R-6 | R-1 0 | R-20 | R-2 5 | R-3 5 | P B C | C-0 | C-1 | C-2 | C-3 | MC R | WF | OS | M-1 | M-2 | H | E S ⁹ | CB | TH | CIH 14 |
|--|----------|------------|----------|------|----------|----------|-------------|-----|-----|-----|-----|---------|----|----|-----|-----|---|---------------------|-----------------|----|-----------|
| Bed and breakfast inns (§9-5.3819) | U | U | — | — | — | — | — | — | — | — | — | U | U | — | — | — | — | * | — | — | — |
| Boat repair | | | | | | | | | | | | | | | | | | | | | |
| Major | — | — | — | — | — | — | U | — | — | — | U | U | U | — | U | P | — | * | — | — | — |
| Minor | — | — | — | — | — | — | U | — | U | U | U | U | U | — | P | P | — | * | — | — | — |
| Boat, RV— storage facility (§ 9-5.3810) | — | — | — | — | — | — | — | — | — | — | U | U | U | — | U | P | — | * | — | — | — |
| Bowling alleys (§9- 5.3831) | — | — | — | — | — | — | — | — | — | U | U | U | — | — | — | — | — | * | — | — | — |
| Cannabis business (§ 9-5.3845) | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | U ¹³ | — | — |
| Car and vehicle wash | — | — | — | — | — | — | — | — | — | — | U | U | U | — | U | U | — | * | — | — | — |
| Card room | — | — | — | — | — | — | — | — | — | U | U | — | — | — | — | — | — | * | — | — | — |
| Catering services | — | — | — | — | — | — | — | — | — | P | P | P | A | — | U | — | — | * | — | — | — |
| Clothing store | — | — | — | — | — | — | — | — | — | P | P | P | A | — | — | — | — | * | — | — | — |

| | RE RR | R-4 R-6 | R-1 0 | R-20 | R-2 5 | R-3 5 | P B C | C-0 | C-1 | C-2 | C-3 | MC R | WF | OS | M-1 | M-2 | H | E S ⁹ | CB | TH | CIH 14 |
|---|----------|------------|----------|------|----------|----------|-------------|-----|-----|-----|-----|---------|----|----|-----|-----|---|---------------------|----|----|-----------|
| Combined residential/comm ercial structure | — | — | — | — | — | — | — | — | — | — | — | U | U | — | — | — | — | * | — | — | — |
| Computer gaming and internet access business | — | — | — | — | — | — | — | — | — | — | U | — | — | — | — | — | — | — | — | — | — |
| Confectionery stores | — | — | — | — | — | — | — | — | P | P | P | P | A | — | — | — | — | * | — | — | — |
| Dance hall | — | — | — | — | — | — | — | — | — | U | U | U | — | — | U | — | — | * | — | — | — |

| | RE RR | R-4 R-6 | R-1 0 | R-20 | R-2 5 | R-3 5 | P B C | C-0 | C-1 | C-2 | C-3 | MC R | WF | OS | M-1 | M-2 | H | E S ⁹ | CB | TH | CIH ₁₄ |
|---|----------|------------|----------|------|----------|----------|-------------|-----|-----|-----|-----|---------|----|----|-----|-----|---|---------------------|----|----|-------------------|
| 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 | — | — | — | — | — | * | — | — | — |
| Florist shop | — | — | — | — | — | — | P | — | P | P | P | P | — | — | — | — | P | * | — | — | — |

Food stores (§9-5.3831):

| | | | | | | | | | | | | | | | | | | | | | |
|----------------------------------|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Convenience store | — | — | — | — | — | — | — | — | — | U | U | U | U | — | — | — | U | * | — | — | — |
| Supermarket | — | — | — | — | — | — | — | — | U | P | P | U | — | — | — | — | — | * | — | — | — |
| Fortune-teller's | — | — | — | — | — | — | — | — | — | U | U | U | — | — | — | — | — | * | — | — | — |
| Funeral parlor & mortuary | — | — | — | — | — | — | — | — | U | U | U | U | — | — | — | — | — | * | — | — | — |
| Furniture stores | — | — | — | — | — | — | — | — | — | P | P | U | — | — | — | — | — | * | — | — | — |
| Gift shop | — | — | — | — | — | — | — | — | — | P | P | P | P | — | — | — | — | * | — | — | — |
| Gun sales (§ 9-5.3833) | — | — | — | — | — | — | — | — | — | U | U | U | U | — | — | — | — | * | — | — | — |
| Hardware store | — | — | — | — | — | — | — | — | U | P | P | U | U | — | — | — | — | * | — | — | — |
| Health club/fitness center | — | — | — | — | — | — | U | — | U | P | P | U | — | — | U | — | U | * | — | — | — |

| | RE RR | R-4 R-6 | R-1 0 | R-20 | R-2 5 | R-3 5 | PB C | C-0 | C-1 | C-2 | C-3 | MC R | WF | OS | M-1 | M-2 | H | E S ⁹ | CB | TH | CIH 14 |
|--|----------|------------|----------|------|----------|----------|----------------|-----|-----|-----|-----|---------|----|----|-----|-----|---|---------------------|----|----|-----------|
| Hotel & motels | — | — | — | — | — | — | U ⁵ | U | — | P | P | P | U | — | U5 | — | U | * | — | — | — |
| Jewelry store | — | — | — | — | — | — | — | — | — | P | P | P | U | — | — | — | — | * | — | — | — |
| Kennels | — | — | — | — | — | — | — | — | — | U | U | — | — | — | U | U | — | * | — | — | — |
| Laboratories; medical, dental, optical | — | — | — | — | — | — | P | P | U | U | U | U | — | — | U | — | P | * | — | — | — |

| | RE RR | R-4 R-6 | R-1 0 | R-20 | R-2 5 | R-3 5 | P B C | C-0 | C-1 | C-2 | C-3 | MC R | WF | OS | M-1 | M-2 | H | E S ⁹ | CB | TH | CIH 14 |
|--------------------------------------|----------|------------|----------|------|----------|----------|-------------|-----|-----|-----|----------------|---------|----|----|-----|-----|---|---------------------|----|----|-----------|
| Laundrette | — | — | — | — | — | — | — | — | P | P | P | P | — | — | — | — | — | * | — | — | — |
| Liquor stores (§9-5.3831) | — | — | — | — | — | — | — | — | U | U | U | U | — | — | — | — | — | * | — | — | — |
| Live entertainment | — | — | — | — | — | — | — | — | — | U | U | U | U | — | — | — | — | * | — | — | — |
| Marina | — | — | — | — | — | — | — | — | — | — | — | — | U | — | — | — | — | * | — | — | — |
| Miniature golf courses | — | — | — | — | — | — | — | — | — | U | U ⁶ | 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 | * | — | — | — |
| Medical (includes clinics) | — | — | — | — | — | — | P | P | U | P | P | P | U | — | — | — | P | * | — | — | — |
| Paint store | — | — | — | — | — | — | — | — | — | P | P | U | — | — | U | — | — | * | — | — | — |
| Parking lot (commercial) (§9-5.3837) | — | — | — | — | — | — | A | A | A | A | A | A | A | A | P | P | A | * | — | — | — |

| | RE RR | R-4 R-6 | R-1 0 | R-20 | R-2 5 | R-3 5 | P B C | C-0 | C-1 | C-2 | C-3 | MC R | WF | OS | M-1 | M-2 | H | E S ⁹ | CB | TH | CIH ₁₄ |
|--------------|----------|------------|----------|------|----------|----------|-------------|-----|-----|-----|-----|---------|----|----|-----|-----|---|---------------------|----|----|-------------------|
| Pawn shops | — | — | — | — | — | — | — | — | — | U | U | U | — | — | — | — | — | * | — | — | — |
| Pet shop | — | — | — | — | — | — | — | — | P | P | P | P | U | — | — | — | — | * | — | — | — |
| Pharmacy | — | — | — | — | — | — | U | P | P | P | P | P | A | — | P | P | P | * | — | — | — |
| Photographer | — | — | — | — | — | — | — | P | P | P | P | P | A | — | U | — | — | * | — | — | — |

| | RE RR | R-4 R-6 | R-1 0 | R-20 | R-2 5 | R-3 5 | P B C | C-0 | C-1 | C-2 | C-3 | MC R | WF | OS | M-1 | M-2 | H E S ⁹ | CB | TH | CIH 14 |
|--|----------|------------|----------|------|----------|----------|-------------|-----|-----|-----|-----|---------|----------------|----|-----|-----|--------------------------|----|----|-----------|
| Printing & blue printing | — | — | — | — | — | — | — | P | P | U | U | U | — | — | P | P | — | * | — | — |
| Radio & TV sales & repair | — | — | — | — | — | — | — | — | U | P | P | P | — | — | — | — | — | * | — | — |
| Recycling facilities: | | | | | | | | | | | | | | | | | | | | |
| Reverse vending machines (§ 9-5.3811) | — | — | — | — | — | — | — | — | — | P | P | P | — | — | P | P | — | * | — | — |
| Small collection facility (§ 9-5.3812) | — | — | — | — | — | — | — | — | A | A | A | A | — | — | A | A | — | * | — | — |
| Large collection facility (§ 9-5.3813) | — | — | — | — | — | — | — | — | 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 | — | * | — | — |

| | RE RR | R-4 R-6 | R-1 0 | R-2 0 | R-2 5 | R-3 5 | PB C | C-0 | C-1 | C-2 | C-3 | MC R | WF | OS | M-1 | M-2 | H | E S ⁹ | TH | CIH 14 |
|---|----------|------------|----------|----------|----------|----------|---------|-----|-----|-----|-----|---------|----|----|----------------|-----|---|---------------------|----|-----------|
| Restaurants (§§ 9-5.3823 and 9-5.3831): | | | | | | | | | | | | | | | | | | | | |
| General | — | — | — | — | — | — | P | P | P | P | P | P | P | — | U ⁵ | — | — | * | — | — |
| Fast food | — | — | — | — | — | — | U | — | — | U | U | U | U | — | U ⁵ | — | — | * | — | — |
| Outdoor seating & food service | — | — | — | — | — | — | U | U | U | U | U | U | U | — | U ⁵ | U | — | * | — | — |
| Take out/delivery | — | — | — | — | — | — | P | U | P | P | P | P | U | — | U ⁵ | — | — | * | — | — |

| | RE RR | R-4 R-6 | R-1 0 | R-2 0 | R-2 5 | R-3 5 | P B C | C-0 | C-1 | C-2 | C-3 | MC R | WF | OS | M-1 | M-2 | H | E S ⁹ | TH | CIH 14 |
|---|----------|------------|----------|----------|----------|----------|-------------|-----|-----|-----|-----|---------|----|----|-----|-----|---|---------------------|----|-----------|
| With bar & live entertainment | — | — | — | — | — | — | — | — | — | U | U | U | U | — | — | — | — | * | — | — |
| Retail; general and specialty | — | — | — | — | — | — | — | — | P | P | P | P | A | — | — | — | — | * | — | — |
| Secondhand sales | — | — | — | — | — | — | — | — | — | — | U | U | — | — | — | — | — | * | — | — |
| Shoe repair shop | — | — | — | — | — | — | — | — | P | P | P | P | — | — | — | — | — | * | — | — |
| Sign shop | — | — | — | — | — | — | — | — | — | U | U | — | — | — | U | — | — | * | — | — |
| Studios (e.g., dance, martial arts) | — | — | — | — | — | — | — | — | — | P | P | P | — | — | — | — | — | * | — | — |
| Tailor shop | — | — | — | — | — | — | — | — | — | P | P | P | — | — | — | — | — | * | — | — |
| Tattoo studio | — | — | — | — | — | — | — | — | — | U | U | U | — | — | — | — | — | * | — | — |
| Theaters | — | — | — | — | — | — | — | — | — | U | U | U | U | — | — | — | — | * | — | — |
| Upholstery shop | — | — | — | — | — | — | — | — | — | U | U | U | — | — | U | P | — | * | — | — |
| Wireless Communications Facilities (§ 9-5.3846) | | | | | | | | | | | | | | | | | | | | |
| Variety store | — | — | — | — | — | — | — | — | — | P | P | P | P | — | — | — | — | * | — | — |

| | RE RR | R-4 R-6 | R-10 | R-2 0 | R-2 5 | R-35 | P B C | C-0 | C-1 | C-2 | C-3 | MC R | WF | OS | M-1 | M-2 | H E S ⁹ | CB | TH | CIH ₁₄ |
|---|----------|------------|------|----------|----------|------|----------------|-----|-----|-----|-----|---------|----|----|-----|-----|--------------------------|----|----|-------------------|
| Vehicle/boat/ equipment sales& rental (§ 9-5.3825) | — | — | — | — | — | — | U ⁸ | — | — | U | U | U | U | — | U | U | — | — | — | — |
| INDUSTRIAL USES | | | | | | | | | | | | | | | | | | | | |
| Animal rendering | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | U | — | — | — | — |
| Bakery- commercial | — | — | — | — | — | — | — | — | — | — | — | — | — | — | P | P | — | — | — | — |

| | RE RR | R-4 R-6 | R-1 0 | R-2 0 | R-2 5 | R-3 5 | PB C | C-0 | C-1 | C-2 | C-3 | M C R | WF | OS | M-1 | M-2 | H | ES 9 | CB | TH | CIH 14 |
|---------------------------------------|----------|------------|----------|----------|----------|----------|---------|-----|-----|-----|-----|-------------|----|----|-----|-----|---|---------|----|----|-----------|
| Beverage bottling plant | — | — | — | — | — | — | — | — | — | — | — | — | — | — | U | P | — | * | — | — | — |
| Boat building | — | — | — | — | — | — | — | — | — | — | — | — | U | — | U | P | — | * | — | — | — |
| Cement or clay products manufacturing | — | — | — | — | — | — | — | — | — | — | — | — | — | — | U | U | — | * | — | — | — |
| Concrete batch plant | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | U | — | * | — | — | — |
| 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 | — | * | — | — | — |

| | RE RR | R-4 R-6 | R-1 0 | R-2 0 | R-2 5 | R-3 5 | P B C | C-0 | C-1 | C-2 | C-3 | M C R | WF | OS | M-1 | M-2 | H | ES 9 | CB | TH | CIH 14 |
|--|----------|------------|----------|----------|----------|----------|-------------|-----|-----|-----|-----|-------------|----|----|-----|-----|---|---------|----|----|-----------|
| Garment manufacture | — | — | — | — | — | — | — | — | — | — | — | — | — | — | U | U | — | * | — | — | — |
| Hazardous waste facilities (§ 9-5.3826): | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | U | — | * | — | — | — |
| Small generator (§ 9-5.3826) | — | — | — | — | — | — | — | — | U | U | U | U | — | — | U | U | — | * | — | — | — |

| | RE RR | R-4 R-6 | R-1 0 | R-2 0 | R-2 5 | R-35 | PB C | C-0 | C-1 | C-2 | C-3 | M CR | WF | OS | M-1 | M-2 | H | ES 9 | CB | TH | CIH 14 |
|--|----------|------------|----------|----------|----------|------|---------|-----|-----|-----|-----|---------|----|----|-----|-----|---|---------|----|----|-----------|
| 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 | — | * | — | — | — |
| 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 | — | * | — | — | — |

| | RE RR | R-4 R-6 | R-1 0 | R-2 0 | R-2 5 | R-3 5 | P B C | C-0 | C-1 | C-2 | C-3 | M C R | WF | OS | M-1 | M-2 | H | ES ₉ | CB | TH | CIH ₁₄ |
|---------------------------|----------|------------|----------|----------|----------|----------|-------------|-----|-----|-----|-----|-------------|----|----|-----|-----|---|-----------------|----|----|-------------------|
| Oil & gas production | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | U | — | * | — | — | — |
| Photographic plants | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | U | U | — | * | — | — |
| Plastic fabrication | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | U | U | — | * | — | — |
| Research & development | — | — | — | — | — | — | U | — | — | — | — | U | — | — | — | U | U | — | * | — | — |

| | RE RR | R-4 R-6 | R-1 0 | R-2 0 | R-2 5 | R-3 5 | PB C | C-0 | C-1 | C-2 | C-3 | MC R | WF | OS | M-1 | M-2 | H | ES ₉ | CB | TH | CIH ₁₄ |
|---|----------|------------|----------|----------|----------|----------|---------|-----|-----|-----|-----|---------|----|----|-----|-----|---|-----------------|----|----|-------------------|
| 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 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | P | — | * | — | — | — |
| Warehousing & wholesaling | — | — | — | — | — | — | U | — | — | — | — | — | — | — | — | P | — | * | — | — | — |
| TEMPORARY USES | | | | | | | | | | | | | | | | | | | | | |

| | RE RR | R-4 R-6 | R-1 0 | R-2 0 | R-2 5 | R-3 5 | PB C | C-0 | C-1 | C-2 | C-3 | MC R | WF | OS | M-1 | M-2 | HES ₉ | CB | TH | CIH ₁₄ |
|--|----------|------------|----------|----------|----------|----------|---------|-----|-----|-----|-----|---------|----|----|-----|-----|------------------|----|----|-------------------|
| Removal of earth (§ 9-5.3822) | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | — | — | — |
| Temporary construction building and uses (§ 9-5.3821) | | | | | | | | | | | | | | | | | | | | — |
| Outdoor display of merchandise (in conjunction with a non-residential use) | | | | | | | | | | | | | | | | | | | | — |
| Special outdoor events (§§ 9-5.3828 and 9-5.3831) | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | — | — | — |
| Christmas tree and pumpkin sale lots (§ 9-5.3829) | — | — | — | — | — | — | 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, R-25, and R-35 zones.
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-O, 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 Emergency Shelter Overlay District, where no letter or number is included in the table for a particular landuse, 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 § 9-5.3835, Emergency Shelters, of this article.
10. Hospices and residential care facilities providing care for up to six patients are a permitted use in any district where residential uses are allowed.
11. Permitted by right subject to compliance with all other applicable standards and design review pursuant to Article 26 and 27.
12. Subject to a conditional use permit on a site at least one quarter mile from any type of residential care facility, social service institution, welfare institution, or a similar type of facility; at least one mile from another correctional facility; and at least 1,000 feet from a school, library, public park, recreation area or any property zoned or used for residential development. See § 9-5.3838, Correctional Facilities, for additional requirements.
13. Cannabis business requires approval of a use permit by the City Council upon recommendation by the Planning Commission.
See § 9-5.3845.
(Am. Ord. 930-C-S, passed 7-29-97; Am. Ord. 1080-C-S, passed 10-24-06; Am. Ord. 2072-C-S, passed 10-22-13; Am. Ord. 2075-C-S, passed 11-26-13; Am. Ord. 2077-C-S, passed 12-10-13; Am. Ord. 2089-C-S, passed 6-24-14; Am. Ord. 2096-C-S, passed 2-24-15; Am. Ord. 2143-C-S, passed 6-26-18; Am. Ord. 2158-C-S, passed 12-11-18; Am. Ord. 2169-C-S, passed 6-25-19)
14. In the Commercial Infill Housing Overlay District, allowable commercial uses and standards remain as determined by the underlying zoning.
15. Up to 35 units/acre and building height of four stories or 45 feet permitted by right subject to compliance with all other applicable standards.
16. 35 to 50 units/acre and building height above 45 feet permitted with approval of a use permit.
17. Supportive housing developments must meet the requirements of Government Code Section 65651.4(a) to be permitted by right and reviewed consistent with Government Code Sections [65651](#) and [65653](#). Developments which do not meet such requirements shall require approval of a use permit.

§ 9-5.3804 ~~MANUFACTURED HOME. [RESERVED].~~

~~—Certified manufactured, modular, and mobile homes on approved foundations are permitted in the indicated zones subject to an administrative use permit and must meet the following development standards:~~

~~—(A) The distance between outermost parallel exterior walls shall be at least 20 feet, exclusive of the garage.~~

~~—(B) The manufactured, modular or mobile home shall have at least one driveway. All driveways shall be at least eight feet wide, at least 20 feet long, and be surfaced in accordance with this chapter.~~

~~—(C) The finished floor shall be a maximum of 30 inches above the exterior grade of the lot. If the home is multi-level, the lowest finished floor above exterior grade shall meet this requirement.~~

~~—(D) Roofing materials shall be selected from the following: composition shingle, fire treated wood shake, tile, or tar and gravel and should be compatible with surrounding development. Use of tar or composition shingle roofs shall only be used in areas where they presently exist.~~

~~—(E) The home shall have eave and gable overhangs of not less than one foot measured from the vertical exterior side of the structure, unless such overhangs would be incompatible with the overall architectural style of the structure, as determined by the Zoning Administrator.~~

~~—(F) No home shall have exterior perimeter walls covered with metal siding materials. Materials shall be selected from among stucco, wood, plywood, or masonry. Siding material should be compatible with surrounding development.~~

~~—(G) The covering material used on a substantial portion of each exterior perimeter wall of the home shall touch or overlap either:~~

~~—(1) The foundation, if the home has a solid or perimeter foundation.~~

~~—(2) A solid perimeter curb or skirt, compatible with the exterior material, if the home has a foundation other than as specified above (for example, a pier or interior foundation). The perimeter curb or skirt shall be concrete, masonry, or other solid non-metal, all-weather material.~~

~~—(H) If the home has steps leading to an entry visible from any street, the steps and any enclosure surrounding the steps shall be:~~

~~—(1) Attached to a permanent foundation.~~

~~—(2) Designed and constructed as an integral part of the exterior of the manufactured home.~~

~~—(I) The home must have an enclosed garage containing two car spaces (either attached or detached). The same roofing material shall be used on the garage and the manufactured home. The exterior covering material used on the garage shall be the same as an exterior covering material used on a substantial portion of the manufactured home. Car spaces shall be minimum of 20 feet long and 10 feet wide clear inside dimensions.~~

~~—(J) The roof shall have a pitch of no less than three inches of vertical rise for each 12 inches of horizontal run.~~

~~—(K) Exterior facades for infill development shall be visually compatible with the dominant architectural theme of the neighborhood.~~

~~—(L) Landscaping shall be compatible with the surrounding neighborhood.~~

~~—(M) New subdivisions shall submit prototype model plans to establish the neighborhood theme.~~

~~—(N) Dwelling shall include rain gutters and downspouts with the runoff of water adjacent to the foundations being diverted into an underground conduit.~~

~~(Ord. 897 C S, passed 10-25-94; Am. Ord. 1064 C S, passed 12-13-05) Penalty, see § 9-5.2904~~

ATTACHMENT "B"

SELECT HOUSING ELEMENT PROGRAMS

3.1.1 Housing Opportunities for Extremely Low-Income Households and Special Needs Groups. Expand housing opportunities to meet the special housing needs of the elderly; persons with disabilities, including those who have developmental disabilities; large families; extremely low-income households; female-headed households; farmworkers, and individuals experiencing homelessness. Encourage the development of housing opportunities which typically serve special needs groups by facilitating the development of emergency shelters, transitional housing, single room occupancy (SRO) units, ADUs and JADUs, residential care facilities, and high-density multifamily housing, including:

- Continue to support affordable housing development for special-needs groups throughout the city, including in areas that are predominantly single-family residential. Special needs groups include seniors; persons with disabilities, including developmental disabilities; female-headed households; and homeless persons, to reduce the displacement risk for these residents from their existing homes and communities.
- Continue to promote the use of the density bonus ordinance, and application process streamlining, to encourage affordable housing, with an emphasis on encouraging affordable housing in high-resource areas and areas with limited rental opportunities currently
- Facilitate the approval process for land divisions, lot line adjustments, and/or specific plans or master plans resulting in parcel sizes that enable affordable housing development Identify and reach out to Bay Area Regional Agricultural Plan to be on their contact list with in 1 year of Housing Element adoption.
- Develop a program by April 30, 2024, to prioritize City funding proposals to affordable housing developments that are committed to supporting special needs residents (e.g., homeless populations, extremely low income, seniors, disabled populations, single-female households).
- Amend the Zoning Ordinance by the end of January 31, 2023, to allow “supportive housing” as defined by AB 2162 (2018) within all zoning districts which allow for multi-family development. Supportive housing uses shall be reviewed consistent with the review of multifamily uses within the same zoning district.
- Amend the Zoning Ordinance by January 31, 2023, to allow for “low barrier navigation centers” as defined by AB 101 (2019) as a permitted use, by-right within mixed use and nonresidential zoning districts which allow for multi-family development and subjected to streamlined review and approval.
- Amend the Zoning Ordinance by January 31, 2023, to rezone 46 parcels to the city’s R-35 zoning district which allows for the by-right development of multi-family uses between 25 and 35 dwelling units per acre, at and above that of the city’s default density necessary to accommodate housing for lower-income residents.
- Develop and adopt Multi-family Residential Objective Design Standards by the end of January 31, 2023, to simplify and facilitate the review, permitting and development of multi-family residential uses within the City’s R-10, R-20, R-25, and R-35 zoning districts.
- Amend the Zoning Ordinance by September 30, 2023, to allow for residential care facilities and group homes for 7 or more persons within zoning districts that permit residential development.

- Amend the Zoning Ordinance by September 30, 2023, to revise the required findings for approving residential care facilities and group homes for 7 or more persons to be objective, and consistent with state law.

Responsible Agency: Community Development Department

Implementation Schedule: Ongoing.

- Amend the Zoning Ordinance by January 31, 2023, to allow for “low barrier navigation centers” as defined by AB 101 (2019).
- Amend the Zoning Ordinance by the end of January 31, 2023, to allow “supportive housing” as defined by AB 2162 (2018).
- Amend the Zoning Ordinance by January 31, 2023, to rezone 46 parcels to the city’s R-35 zoning district.
- Develop a program by April 30, 2024, to prioritize City funding proposals to affordable housing developments that serve special needs individuals.

Non-Quantified Objective: Maximize opportunities to address the housing needs of special needs groups within the city.

Funding Source: State and Federal housing funds, CDBG, NSP

Implements: Policy 3.1, Policy 3.2, Policy 3.3, Policy 3.4

3.1.5 Emergency Shelters, Supportive, and Transitional Housing. To maintain compliance with State Law (SB 2) related to emergency shelters the City established a new Emergency Shelter Overlay District in June 2014 that provides for the by-right approval of emergency shelters which comply with objective design standards included within Section 9-5.3839 of the Zoning Ordinance, without discretionary zoning approval, within the city’s emergency shelter overlay district.

- To retain compliance with state law, the city will revise Section 9-5.1703.1 of the Zoning Code Off-Street Parking Requirements by Use, to remove the per-bed parking stall requirement associated with emergency shelters.
- Amend the Zoning Ordinance by the end of January 31, 2023, to allow “supportive housing” as defined by AB 2162 (2018) within all zoning districts which allow for multi-family development. Supportive housing uses shall be reviewed consistent with the review of multifamily uses within the same zoning district.
- Amend the Zoning Ordinance by September 30, 2023, to allow for “transitional housing” as defined, as a permitted use in zones allowing residential uses, subject to the standards and procedures of residential uses in the same zone.

The City will also continue to monitor implementation of the Zoning Code to determine if further changes are needed to meet applicable requirements of State and federal law.

Responsible Agency: Community Development Department, CDBG & Housing Programs

Implementation Schedule: Amend Section 9-5.1703.1 of the Zoning Code Off-Street Parking Requirements by Use, to remove the per-bed parking stall requirement associated with emergency shelters by September 30, 2023.

Non-Quantified Objective: Compliance with SB 2

Funding Source: General Fund

Implements: Policy 3.1, Policy 3.4

4.1.6. Review and Revise Residential Parking Requirements. Conduct a comprehensive study of best practices related to parking requirements to evaluate the city’s parking requirements and identify, as appropriate and dependent on the Study’s findings, potential amendments to the City’s Zoning Ordinance. Additionally:

- Continue to allow by the Zoning Administrator and the Planning Commission to approve reductions in parking requirements for senior housing developments, developments of less than 50 units and within 0.5 miles of a major transit stop, infill developments of less than 30 units, and developments reusing historic structures, without approval of a variance.
- Continue to promote the use of the State density bonus, including design waivers and concessions related to parking requirements to encourage the development of affordable housing
- Amend the City's Zoning Ordinance by the end of September 30, 2023, to ensure compliance with AB 2097 (2022) which prohibits minimum parking requirements for eligible housing developments within half a mile of a major transit stop

Responsible Agency: Community Development Department

Implementation Schedule: Ongoing

- Amend the City's Zoning Ordinance by the end of September 30, 2023, to ensure compliance with AB 2097(2022)
- Conduct comprehensive study of parking requirements, and revise requirements as appropriate with a particular focus on studio and one-bedroom units, by December 31, 2024.

Non-Quantified Objective: Allow a reduction or amendment to the parking requirements of projects as appropriate.

Funding Source: General Fund

Implements: Policy 4.3