

Text Amendment Application No.
P26-02359 DRAFT

SEC. 15-802. USE REGULATIONS.

- A. Table 15-802 prescribes the land use regulations for the Buffer District. The regulations for the district are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.
- "P" designates permitted uses.
- "C" designates uses that are permitted after review and approval of a Conditional Use Permit.
- "(#)" numbers in parentheses refer to specific limitations listed at the end of the table.
- "-" designates uses that are not permitted.
- B. Land uses are defined in Article 67, Use Classifications.
- C. In cases where a specific land use or activity is not defined, the Director shall assign the land use or activity to a classification that is substantially similar in character per Section 15-5020, Director's Determination.
- D. All permitted uses are allowed either alone or in combination with other permitted uses unless otherwise stated in this Code.
- E. Use classifications and subclassifications not listed in the table or not found to be substantially similar to the uses below are not permitted.
- F. The table also notes additional regulations that apply to various uses. Section numbers in the right hand column refer to other sections of this Code.

TABLE 15-802: USE REGULATIONS—BUFFER DISTRICT		
Use Classification	B	Additional Regulations
Residential Use Classifications		
Residential Housing Types		
Single-Unit Dwelling, Detached	P	§ 15-2738, Manufactured Homes; § 15-2754, Second/Accessory Dwelling Units (ADUs)
Adult Family Day Care		
Small (6 clients or less)	P	
Family Day Care		
Small (8 children or less)	P	§ 15-2725, Day Care Centers and Family Child Care Homes
Group Residential		
Small (6 persons or less)	P	
Residential Care Facilities		
Residential Care, Limited	P	
Public and Semi-Public Use Classifications		
Community Garden	P	§ 15-2720, Community Gardens/Urban Farms
Park and Recreation Facilities, Public	P	
Public Safety Facilities	C	
Commercial Use Classifications		
Animal Care, Sales and Services		
Kennels	C	
Veterinary Services	C	

Lodging		
Bed and Breakfast	P	§ 15-2713, Bed and Breakfast Lodging
Transportation, Communication, and Utilities Use Classifications		
Communication Facilities		
Antenna and Transmission Towers	See § 15-2759, Telecommunications and Wireless Facilities	
Utilities, Major	C	
Utilities, Minor	P	
Agricultural and Extractive Use Classifications		
Agricultural Labor Housing	P	
Agricultural Processing	C(1)	
Agricultural Support Services	P	
Animal Raising	C	
Crop Cultivation	P	§ 15-2716, Crop Cultivation
Dairy	P(1)	
Mining and Quarrying	C	
Produce Stand	P	§ 15-2752, Roadside Fruit Stands/Grower Stands
Sales Lot, Feed Lot, Stockyard	C	
Tasting Room	C	
Urban Farm	P	§ 15-2720, Community Gardens/Urban Farms
Other Applicable Types		
Accessory Uses and Structures	§ 15-2703, Accessory Uses	
Home Gardens	§ 15-2734, Home Gardens and Edible Landscaping	
Home Occupations	§ 15-2735, Home Occupations	
Animal Keeping	§ 15-2707, Animal Keeping	
Non-Conforming Use	Article 4, Non-Conforming Uses, Structures, Site Features, and Lots	
Temporary Use	§ 15-2760, Temporary Uses	
Transitional and Supportive Housing	§ 15-2762, Transitional and Supportive Housing and Low Barrier Navigation Centers	
Specific Limitations:		
1. Only on lots 40 acres or more in size.		

SEC. 15-902. USE REGULATIONS.

- A. Table 15-902 prescribes the proposed land use regulations for Residential Single-Unit Districts. The regulations for the districts are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.
- "P" designates permitted uses.
- "C" designates uses that are permitted after review and approval of a Conditional Use Permit.
- "(#)" numbers in parentheses refer to specific limitations listed at the end of the table.
- "-" designates uses that are not permitted.
- B. Land uses are defined in Article 67, Use Classifications.
- C. In cases where a specific land use or activity is not defined, the Director may assign the land use or activity to a classification, should a use be substantially similar in character per Section 15-5020, Director's Determination.
- D. All permitted uses are allowed either alone or in combination with other permitted uses unless otherwise stated in this Code.
- E. Use classifications and subclassifications not listed in the table or not found to be substantially similar to the uses below are not permitted.
- F. The table also notes additional regulations that apply to various uses. Section numbers in the right hand column refer to other sections of this Code.

TABLE 15-902: USE REGULATIONS—RESIDENTIAL SINGLE-UNIT DISTRICTS							
Use Classifications	RE	RS-1	RS-2	RS-3	RS-4	RS-5	Additional Regulations
Residential Use Classifications							
Residential Housing Type							
Single-Unit Dwelling, Detached	P	P	P	P	P	P	§ 15-2738, Manufactured Homes; § 15-2754, Second/Accessory Dwelling Units (ADUs)
Single-Unit Dwelling, Attached	-	-	-	-	C	P	§ 15-2754, Second/Accessory Dwelling Units (ADUs)
Cottage Housing Development Court & Plex Homes	P	P	P	P	P	P	§ 15- 2803 2723, Cottage Housing Developments (Pocket Neighborhoods) Court & Plex Homes
Duplex	P	P	P	P	P	C P	§ 15-906, Duplex and Multi-Unit Residential Standards; § 15-2754, Second/Accessory Dwelling Units (ADUs)
Multi-Unit Residential	-	-	-	-	-	C	§ 15-906, Duplex and Multi-Unit Residential Standards; § 15-2754, Second/Accessory Dwelling Units (ADUs)

Adult Family Day Care							
Small (6 clients or less)	P	P	P	P	P	P	
Large (7 to 12 clients)	-	C	C	C	C	C	
Domestic Violence Shelter							
Small (6 persons or less)	P	P	P	P	P	P	
Family Day Care							
Small (8 children or less)	P	P	P	P	P	P	§ 15-2725, Day Care Centers and Family Child Care Homes
Large (9 to 14 children)	-	C	C	C	C	C	
Group Residential							
Small (6 persons or less)	P	P	P	P	P	P	
Residential Care Facilities							
Residential Care, General	-	C	C	C	C	C	
Residential Care, Limited	P	P	P	P	P	P	
<u>Residential Care, Senior</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
Public and Semi-Public Use Classifications							
Community and Religious Assembly (less than 2,000 square feet)	-	-	P	P	P	P	§ 15-2719, Community and Religious Assembly Facilities
Community and Religious Assembly (2,000 square feet or more)	-	-	C	C	C	C	
Community Garden	P	P	P	P	P	P	§ 15-2720, Community Gardens/Urban Farms
Cultural Institutions	-	-	-	C	C	C	
Day Care Centers	-	-	-	-	-	C	§ 15-2725, Day Care Centers and Family Child Care Homes
Park and Recreation Facilities, Public	P	P	P	P	P	P	
Public Safety Facilities	C	C	C	C	C	C	

Schools, Public or Private	-	P	P	P	P	P	
Commercial Use Classifications							
Corner Commercial	-	-	-	-	P	P	§ 15-2722, Corner Commercial
Food and Beverage Sales							
Farmer's Markets	-	-	-	-	P(2)	P(2)	§ 15-2730, Farmer's Markets
Lodging							
Bed and Breakfast	P	P	P	P	P	P	§ 15-2713, Bed and Breakfast Lodging
Industrial Use Classifications							
Warehousing, Storage, and Distribution							
Personal Storage	-	-	-	C	C	C	§ 15-2747, Personal (Mini) Storage
Transportation, Communication, and Utilities Use Classifications							
Communication Facilities							
Antenna and Transmission Towers	See § 15-2759, Telecommunications and Wireless Facilities						
Utilities, Minor	P	P	P	P	P	P	
Agricultural and Extractive Use Classifications							
Agricultural Labor Housing	P	P	P	P	P	P	
Crop Cultivation	P	P	P	P	P	P	§ 15-2716, Crop Cultivation
Produce Stand	P	P	P	P	P	P	§ 15-2752, Roadside Fruit Stands / Grower Stands
Urban Farm	P	P	P	P	P	P	§ 15-2720, Community Gardens/Urban Farms
Other Applicable Types							
Accessory Uses and Structures	§ 15-2703, Accessory Uses						
Home Gardens	§ 15-2734, Home Gardens and Edible Landscaping						
Home Occupations	§ 15-2735, Home Occupations						
Animal Keeping	§ 15-2708, Animal Keeping						
Non-Conforming Use	Article 4, Non-Conforming Uses, Structures, Site Features, and Lots						
Temporary Use	§ 15-2760, Temporary Uses						
Transitional and Supportive Housing	§ 15-2762, Transitional and Supportive Housing and Low Barrier Navigation Centers						
Specific Limitations:							
1. Reserved.							

2. Off-street Farmer's Markets are permitted only on non-residential sites, such as schools and religious institutions.
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SEC. 15-904. SITE DESIGN DEVELOPMENT STANDARDS.

A. Additional Setback Regulations.

1. Setbacks for Developed Blocks.

- a. **Front Yards.** Where 50 percent or more of the lots on the same blockface have been improved with buildings, the front setback for new structures shall not be greater than 110 percent of the average of the actual front setbacks of all improved lots on such blockface, nor shall it be less than 90 percent of the average of the actual front setbacks of all improved lots on such blockface.
- b. **Garage Encroachments into Rear and Side Setbacks.** Where 50 percent of the residential properties on a block have detached garages which encroach into the minimum side and/or rear setbacks, new detached garages shall be permitted to encroach into the minimum side and/or rear setback ~~in a similar manner~~. In such instances the minimum side and rear setback for a detached garage shall each be equal to the average of the equivalent setbacks of the detached garages on the block, unless the average is less than two feet in which case the setback shall be zero feet.
- c. **Garage Setbacks for Developed Blocks.** Where 50 percent or more of the lots on the same blockface feature detached garages, new garages shall be set back no less than 10 feet behind the primary façade.

2. **Side Setbacks for Attached Dwellings.** Required side setbacks shall apply only to the ends of rows of attached dwellings, and shall not be required between attached dwellings.

3. **Interior Side Yards Adjacent to Garages.** If side setbacks are not of an equal width, then the larger side setback shall be adjacent to the garage.

4. **Water-Efficient Landscaping Incentive.** The minimum front setback may be reduced by up to three feet if the front yard complies with the following:

- a. The installed landscaping complies with the State Model Water Efficient Landscape Ordinance (MWELO) regardless of whether the new landscape project meets or does not meet the Applicability criteria in MWELO; and
- b. The Maximum Applied Water Allowance is reduced by 10 percent; and
- c. The setback reduction shall not result in a front setback of less than three feet.

5. **Park Strip Incentive.** When a park strip is provided between the curb and sidewalk in a new subdivision, the minimum front setback for adjacent parcels shall be reduced by the width of the park strip. However, the reduction shall not result in a front setback of less than three feet.

6. **Swing Garages.** A garage with an entrance that is perpendicular to the adjacent street is known as a swing garage. If the wall of a swing garage which faces the street has windows and other architectural treatments which are ~~comparable of the same colors and materials as to~~ that of the primary façade of the living area, then swing garages shall be subject to the minimum front setback and shall not be subject to garage setbacks.

7. **Rear Setback Reduction.** Rear setbacks may be reduced if all of the following conditions are met:

- a. A site plan shall be submitted in accordance with the provisions of Article 52 Development Permit;
 - b. The rear setback shall be greater than or equal to the required interior side setback for the Base District, but in no instance shall the rear setback be less than 5 feet;
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- c. Space equal to the reduction shall be provided elsewhere on the lot, exclusive of any required yard area. Said replacement space shall have minimum dimensions of five feet by eight feet, and shall be so located that it is suitable for general use by the occupant of the premises; and
 - d. The Review Authority shall find that the granting of the reduction will not be materially detrimental to the public welfare or injurious to property and improvements in the area in which the property is located and will not be contrary to the objectives of this Code.
 - 8. **Driveway Paving.** All driveways shall be paved per Public Works standards.
 - B. **Enhanced Streetscape.** When an Enhanced Streetscape is provided, the minimum lot size and minimum front setback shall be reduced as shown on Tables 15-903-1 and 15-903-2. Enhanced Streetscape shall mean that no fewer than five of the following qualities are present on the site or the adjacent public street:
 - 1. A landscaped parkway strip of no less than four feet in width; or
 - 2. An elevated first floor which is at no less than three feet above the grade of the adjacent sidewalk or curb; or
 - 3. A front porch with a depth of no less than five feet and a width equal to no less than 20 percent of the building frontage; or
 - 4. A street-facing balcony with a depth of no less than five feet and a width equal to no less than 30 percent of the building frontage; or
 - 5. A bay window with a depth of no less than two feet; or
 - 6. An alley-loaded garage; or
 - 7. A front-loaded garage door, the width of which occupies less than 50 percent of the area of the front façade; or
 - 8. A design in which no exterior front street-facing wall has a continuous plane of more than eight feet without an opening such as a window or door or a projection, offset, or recess at least one foot in depth; or
 - 9. Stone or brick cladding accounts for no less than 25 percent of the cladding of ground floor front street-facing facades, excluding windows, doors, and garages; or
 - 10. A two-story front elevation; or
 - 11. Shutters, lintels, sills, awnings, decorative trim or similar architectural treatments on front street-facing windows and doors; or
 - 12. Ornamental architectural elements such as medallions, keystones, or quatrefoils, and decorative vent covers; or
 - 13. Decorative eave treatments such as cornice moldings, modillions, corbels, and outlookers; or
 - 14. 8-foot tall front door; or
 - 15. Juliet balcony.
 - C. **Pedestrian Access.** Where 50 percent or more of the single-unit homes on the same blockface have a direct path from the main pedestrian entrance to the public sidewalk, new homes shall also provide such a path. In such circumstances the driveway shall not satisfy this requirement.
 - D. **Driveway Design.** Where 50 percent or more of the lots on the same blockface have a driveway design with a landscaped strip in the center (commonly known as ribbon drives or Hollywood drives), new driveways shall also include a central landscape strip.
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- E. **Driveway Paving.** The entire length of the driveway, from the street to the garage or carport, shall be paved. The minimum width of the paved area shall equal the width [of] the garage door, however central landscaped strips (commonly known as ribbon drives or Hollywood drives) may be provided.

SEC. 15-905. FAÇADE DESIGN DEVELOPMENT STANDARDS.

A. Façade Alignment.

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

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

1. **Building Materials and Finishes.** ~~Cladding and trim materials and finishes shall be similar to adjacent homes.~~ At least two cladding materials (excluding roof and foundation) and at least three exterior colors (each cladding material shall count as a color, trim/accent colors shall each count as a color) shall be provided; and
2. **Windows.** ~~The size, location, and proportions of windows shall be similar to adjacent homes.~~ Windows shall be provided on all walls that are along the front and street side setbacks.

SEC. 15-906. ~~DUPLEX AND~~ MULTI-UNIT RESIDENTIAL STANDARDS.

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

- A. **Neighborhood Meeting.** Prior to submittal of the project application, the applicant shall conduct a Neighborhood Meeting as put forth in Section 15-5006.
- B. **Review Authority.** The Planning Commission shall approve, conditionally approve, or deny applications for Conditional Use Permits following a public hearing.
- C. **Public Notice.** Prior to consideration of the Conditional Use Permit, Public Notice shall be provided per Section 15-5007.
- D. **Property Development Standards.** The standards of the RM-1 District shall apply, except as follows:
 1. **Density.** Residential density shall be measured as put forth in Section 15-310-B.
 - a. **Minimum.** Five units per acre.
 - b. **Maximum.** Twelve units per acre.
 2. **Front Setback.** Where 50 percent or more of the lots on the same blockface have been improved with buildings, the front setback for new structures shall not be greater than 110 percent of the average of the actual front setbacks of all improved lots on such blockface, nor shall it be less than 90 percent of the average of the actual front setbacks of all improved lots on such blockface. ~~Where adjacent sites have been improved with buildings, the front setback for new structures shall match the front setbacks of those buildings as determined by the Review Authority.~~
 3. **Façade Compatibility.**
 - a. **Building Materials and Finishes.** ~~Cladding and trim materials and finishes shall be similar to adjacent single-unit homes.~~ Each street-facing façade shall match the cladding, trim materials and finishes of one or more homes on the same block face.
 - b. **Windows.** ~~The size, location, and proportions of windows shall be similar to adjacent single-unit homes.~~ Windows shall be provided on all walls that are along the front and street side setbacks.
 4. **Other Standards.** ~~When the Review Authority determines that a development standard of the RS-5 District would provide for better compatibility with adjacent single-unit homes than the corresponding RM-1 standard, the RS-5 standard shall apply.~~

SEC. 15-1002. USE REGULATIONS.

- A. Table 15-1002 prescribes the proposed land use regulations for Residential Multi-Unit Districts. The regulations for the districts are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.
- "P" designates permitted uses.
- "C" designates uses that are permitted after review and approval of a Conditional Use Permit.
- "(#)" numbers in parentheses refer to specific limitations listed at the end of the table.
- "-" designates uses that are not permitted.
- B. Land uses are defined in Article 67, Use Classifications.
- C. In cases where a specific land use or activity is not defined, the Director shall assign the land use or activity to a classification that is substantially similar in character per Section 15-5020, Director's Determination.
- D. All permitted uses are allowed either alone or in combination with other permitted uses unless otherwise stated in this Code.
- E. Use classifications and subclassifications not listed in the table or not found to be substantially similar to the uses below are not permitted.
- F. The table also notes additional regulations that apply to various uses. Section numbers in the right hand column refer to other sections of this Code.

TABLE 15-1002: USE REGULATIONS—RESIDENTIAL MULTI-UNIT DISTRICTS					
Use Classifications	RM-1	RM-2	RM-3	RM-MH	Additional Regulations
Residential Use Classifications					
Residential Housing Types					
Single-Unit Dwelling, Detached	P(2)	-	-	-	§ 15-2738, Manufactured Homes; § 15-2754, Second/Accessory Dwelling Units (ADUs)
Single-Unit Dwelling, Attached	P	P	-	-	§ 15-2754, Second/Accessory Dwelling Units (ADUs)
Duplex	P	P	P	-	§ 15-2754, Second/Accessory Dwelling Units (ADUs)
Multi-Unit Residential	P	P	P	-	§ 15-2754, Second/Accessory Dwelling Units (ADUs)
Cottage Housing Development Court & Plex Homes	P	P-	-P	-	§ 15- 2723 2803, Cottage Housing Developments (Pocket Neighborhoods) Court & Plex Homes
Adult Family Day Care					
Small (6 clients or less)	P	P	P	P	

Large (7 to 12 clients)	C	C	C	-	
Caretaker Residence	-	-	-	P	
Domestic Violence Shelter					
Small (6 persons or less)	P	P	P	-	
Large (7 persons or more)	P	P	P	-	
Elderly and Long-Term Care	C	C	C	-	
Family Day Care					
Small (8 children or less)	P	P	P	P	§ 15-2725, Day Care Centers and Family Child Care Homes
Large (9 to 14 children)	C	C	C	C	
Group Residential					
Small (6 persons or less)	P	P	P	-	
Large (7 persons or more)	C	C	C	-	
Mobile Home Parks	-	-	-	P	§ 15-2738, Manufactured Homes
Re-Entry Facility	C	C	C	-	
Residential Care Facilities					
Residential Care, General	C	P	P	-	
Residential Care, Limited	P	P	P	-	
Residential Care, Senior	C	P	P	-	
Single Room Occupancy	P -	C P	C P	-	§ 15-2757, Single Room Occupancy Hotels and Boarding Homes
Public and Semi-Public Use Classifications					
Colleges and Trade Schools, Public or Private	C(1)	C(1)	C(1)	-	
Community and Religious Assembly (less than 2,000 square feet)	P	P	P	P	§ 15-2719, Community and Religious Assembly Facilities
Community and Religious Assembly (2,000 square feet or more)	C(1)	C(1)	C(1)	-	
Community Garden	P	P	P	P	§ 15-2720, Community Gardens/Urban Farms
Cultural Institutions	C	P	P	-	
Day Care Centers	C	P	P	-	§ 15-2725, Day Care Centers and Family Child Care Homes
Park and Recreation Facilities, Public	P	P	P	P	
Public Safety Facilities	C	C	C	C	
Schools, Public or Private	P	P	P	P	
Social Service Facilities	C	C	C	-	
Commercial Use Classifications					

Corner Commercial	P	P	P	P	§ 15-2722, Corner Commercial
Food and Beverage Sales					
Farmer's Markets	P	P	P	P	§ 15-2730, Farmer's Markets
General Market	-	-	-	P(3)	§ 15-2744, Outdoor Dining and Patio Areas; § 15-2745, Outdoor Retail Sales
Healthy Food Grocer	-	-	-	P(3)	
Lodging					
Bed and Breakfast	P	P	P	P	§ 15-2713, Bed and Breakfast Lodging
Industrial Use Classifications					
Warehousing, Storage, and Distribution					
Personal Storage	C	C	C	C	§ 15-2747, Personal (Mini) Storage
Transportation, Communication, and Utilities Use Classifications					
Communication Facilities					
Antenna and Transmission Towers	See § 15-2759, Telecommunications and Wireless Facilities				
Utilities, Minor	P	P	P	P	
Agricultural and Extractive Use Classifications					
Agricultural Labor Housing	P	P	P	P	
Crop Cultivation	P	P	P	P	§ 15-2716, Crop Cultivation
Produce Stand	P	P	P	P	§ 15-2752, Roadside Fruit Stands/Grower Stands
Urban Farm	P	P	P	P	§ 15-2720, Community Gardens/Urban Farms
Other Applicable Types					
Accessory Uses and Structures	§ 15-2703, Accessory Uses				
Home Gardens	§ 15-2734, Home Gardens and Edible Landscaping				
Home Occupations	§ 15-2735, Home Occupations				
Animal Keeping	§ 15-2707, Animal Keeping				
Non-Conforming Use	Article 4, Non-Conforming Uses, Structures, Site Features, and Lots				
Temporary Use	§ 15-2760, Temporary Uses				
Transitional and Supportive Housing	§ 15-2762, Transitional and Supportive Housing and Low Barrier Navigation Centers				
Specific Limitations:					
1. Only on parcels with direct access from a major street.					
2. Development Standards for the RS-5 District shall apply.					
3. Limited to sites that are a minimum of five acres and 1,500 square feet of sales area.					

A. **RS Transition Standards.** Where an RM district abuts an RS District, the following standards apply:

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



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- a. A site plan shall be submitted in accordance with the provisions of Article 52 Development Permit;
 - b. The rear setback shall be greater than or equal to the required interior side setback for the Base District;
 - c. Space equal to the reduction shall be provided elsewhere on the lot, exclusive of any required yard area. Said replacement space shall have minimum dimensions of five feet by eight feet, ~~and shall be so located that it is suitable for general use by the occupant of the premises;~~ and
 - d. ~~The Review Authority shall find that the granting of the reduction will not be materially detrimental to the public welfare or injurious to property and improvements in the area in which the property is located and will not be contrary to the objectives of this Code.~~
 - e. Such a reduction would not conflict with the provisions of Section 15-1004-A, RS Transition Standards.
- C. **Parking Setback.** Parking shall be setback as shown on Table 15-1003 except as provided below:
- 1. **Surface Parking.**
 - a. Surface parking which is located behind a building shall not be subject to the parking setback requirement.
 - b. On lots less than 150 feet in width or depth, surface parking may be set back less than the distance shown on Table 15-1003, if the following conditions are met:
 - i. Such parking shall not be set back from the street less than adjacent buildings on the site.
 - ii. The parking setback area shall be landscaped.
 - iii. There shall be no more than four adjacent parking spaces in surface parking areas located less than 30 feet from a street-facing lot line. The space between groups of four adjacent parking spaces shall be equal in width to the adjacent parking spaces and shall be landscaped.
 - iv. Parking spaces shall be screened from the adjacent street with a minimum three foot berm, wall, or hedge, or combination thereof.
 - c. If a sound wall is required along a ~~certain frontage, or if other circumstances exist that render the Parking Setback impractical or unnecessary, the Review Authority may waive~~ the Parking Setback ~~requirement is not applicable.~~

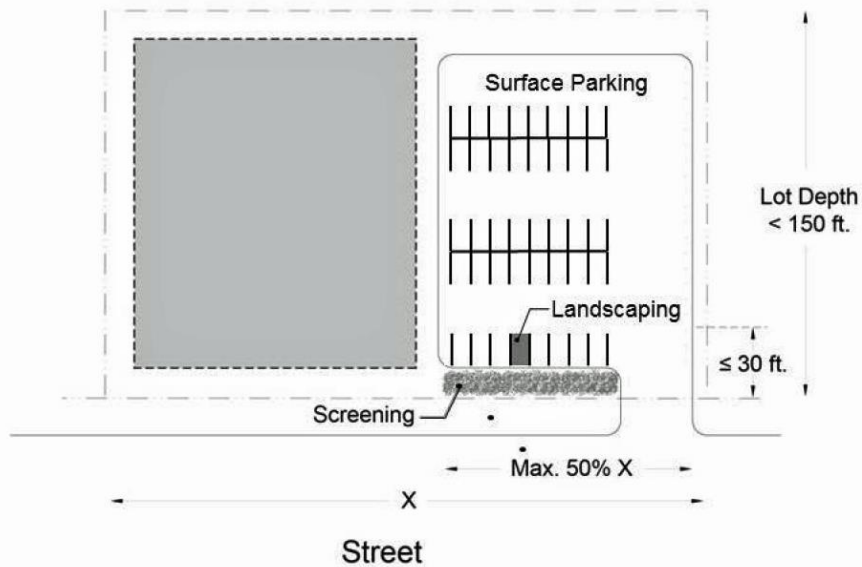


FIGURE 15-1004-C.1: SURFACE PARKING SETBACK REDUCTION

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

D. On-Site Open Space.

1. **Minimum Open Space Required.** The minimum amount of on-site open space required shall be based on the size of the lot, as shown in Table 15-1003. This requirement may be met through a combination of private open space, common open space, or public plazas as follows:
 - a. **Private Open Space Requirements.** Private open spaces are those which are attached to a dwelling unit and are available only for the private use of the residents of the dwelling unit, such as balconies, porches, and patios. No fewer than 50 percent of the dwelling units on a site shall have a private open space. The following standards shall apply to private open space:
 - i. The minimum dimension of any private open space shall be four feet.
 - ii. The minimum area of any private open space shall be 32 square feet.
 - iii. When located within 30 feet of a public street and located on the ground floor, private open spaces shall be designed as a porch.
 - iv. When located within 30 feet of a public street and located above the ground floor, private open spaces shall be designed as a balcony.

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

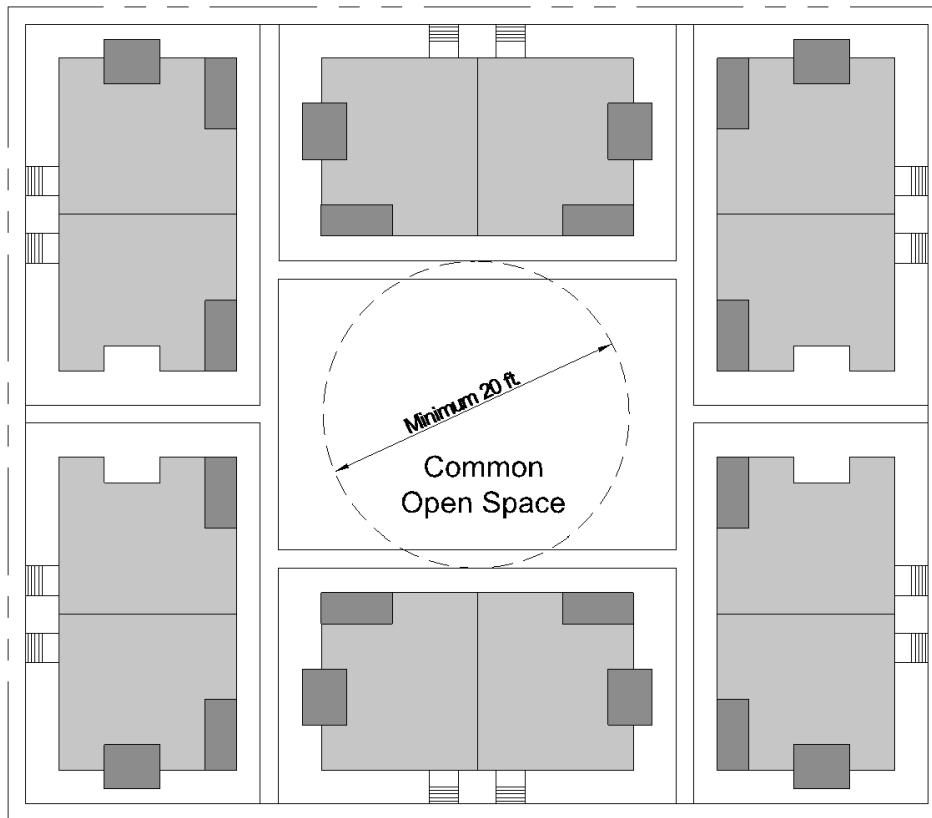


FIGURE 15-1004-D.1.b: MINIMUM REQUIRED COMMON OPEN SPACE DIMENSION

- c. **Public Plaza Requirements.** Public plazas are those which are available for use by the general public, as well as tenants of the project. To the extent that public plazas are provided, the following standards shall apply:
- i. The minimum dimension of any public plaza shall be 20 feet.

- ii. The minimum area of any public plaza shall be 500 square feet. The calculation of the public plaza area shall ~~include but not be limited to exclude structures which are unusable as open space, but shall include structures that enhance its usability, such as~~ fountains, planters, benches, and landscaping.
- iii. Public plazas shall include benches or other seating, ~~and paving shall be of high quality materials.~~ Amenities provided shall ~~enhance the comfort, aesthetics, or usability of the space and~~ include, but not be limited to, trees and other landscaping, shade structures, drinking fountains, water features, public art, or performance areas. ~~Landscaping or other aspects of the design shall not discourage the use of the space by the general public.~~
- iv. Public plazas shall be fully accessible from the public right-of-way, shall be located in front of project buildings and shall not be located where public views into the space are obstructed by buildings or other structures.
- v. Public plazas may be located within required front setbacks.
- vi. A public access covenant shall be provided for the space.

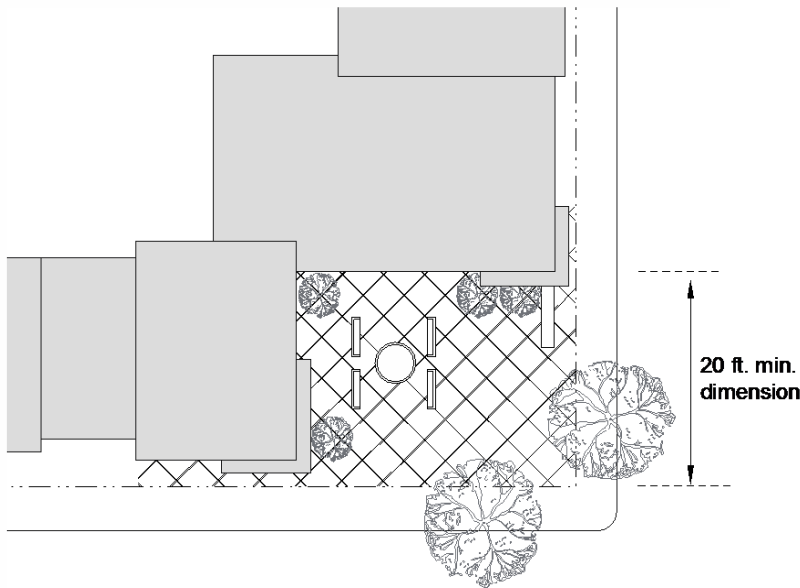


FIGURE 15-1004-D.1.c: MINIMUM REQUIRED PUBLIC PLAZA DIMENSION

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

-
- E. **Pedestrian Access.** Pedestrian access to public streets shall be provided ~~at the preference of the applicant by either the Flexibility Option or the Certainty Option as~~ as follows:
- ~~1. **Flexibility Option.** The applicant must demonstrate to the satisfaction of the Review Authority that the project meets the following goal:~~
 - ~~a. Provide sufficient opportunities for residents to walk to nearby amenities, services, and transit facilities.~~
 - ~~2. **Certainty Option.** Projects which comply with the following standards shall be considered to provide sufficient pedestrian access:~~
 - a. **Common Area Sidewalk Connections.** Common entrances into lobbies or internal pedestrian paths shall be provided at the rates prescribed below. When providing access to a structure, such entrances shall be protected by a portico, canopy, or alcove of no less than four feet in depth.
 - i. In the Priority Areas (see Figure IM-1: Priority Areas for Development Incentives in the Fresno General Plan, adopted in 2014). No less than one per 400 feet of linear street frontage.
 - ii. Outside of the Priority Areas. No less than one per 600 feet of linear street frontage.
 - b. **Residential Unit Sidewalk Connections.** Direct entrances into individual ground-floor dwelling units which are adjacent to streets shall be provided at the rates prescribed below. Such entrances shall be protected by a portico, canopy, or alcove of no less than four feet in depth.
 - i. In the Priority Areas. No less than one per 100 feet of linear street frontage.
 - ii. Outside of the Priority Areas. None required.
 - c. **External Connections to Adjacent Development.** Pedestrian walkways shall connect the project site to adjacent Commercial, Mixed-Use, and Office districts at a frequency of no less than one per 600 feet. Projects may be excepted from this requirement in the following situations:
 - i. ~~A n-interconnected street network with short blocks less than 600 feet and sidewalks on the same side of the street in the area within 1,000 feet of the subject property; exists in the surrounding area; or~~
 - ii. The project site is less than one acre in size; or
 - iii. The adjacent properties are developed and there are no possible connection points.
 - d. If the project is located within an area with adopted design guidelines, all applicable guidelines which relate to pedestrian access and the location of doors and entrances shall also be followed.

SEC. 15-1005. FAÇADE DESIGN DEVELOPMENT STANDARDS.

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

A. ~~Flexibility Option.~~ The applicant must demonstrate to the satisfaction of the Review Authority that the project meets the following goals:

- ~~1. Present an attractive appearance to public streets.~~
- ~~2. Be aesthetically and functionally compatible to the nearby development context.~~
- ~~3. Demonstrate a high level of quality.~~
- ~~4. Support the growth in value of surrounding properties.~~

B. ~~Certainty Option.~~ Street-facing façades for buildings adjacent to a public street shall comply ~~to~~ the following standards. Other façades shall not be subject to these standards.

1. **Building Length Articulation.** At least one projection or recess will be provided for every 50 horizontal feet of wall in one of the following manners:
 - a. Projections or recesses for buildings 50 feet wide or less shall be exempted from the building length articulation requirement; projections or recesses for buildings greater than 50 feet in width but less than 100 feet in width shall be no less than 12 inches in depth; or projections or recesses for buildings 100 feet wide or wider shall be no less than 24 inches in depth.
 - ~~b. The depth and width of the projection or recess shall be proportionate to the overall mass of the building.~~
 2. **Building Materials and Finishes.** The following building materials and finishes shall be provided: ~~Materials shall present a durable and attractive appearance through high quality materials, finishes, and workmanship defined as:~~
 - a. At least two cladding materials (excluding roof and foundation); and
 - b. At least three exterior colors (each cladding material shall count as a color, trim/accent colors shall each count as a color, ~~and visually significant colors for doors, balconies, and similar elements may count as a color~~); and
 - ~~c. Exception: Buildings which accurately adhere to a recognized architectural style which is appropriately expressed in one cladding material and one color shall be exempted.~~
 - d. Exception: Buildings with all of the following characteristics shall be allowed to use one cladding material:
 - i. Building height of 3 stories or less;
 - ii. Building width of 100 feet or less; and
 - ~~iii. A façade with a comparable form of visual interest.~~
 3. **Window Design.**
 - a. **Glazing Ratio.** Street-facing façades of each floor of the building shall have an overall wall composition of at least 25 percent glazing, but not more than 70 percent glazing.
 - b. **Vertical Proportion.** On upper stories, the percentage of all window openings, window panes, or distinct window units specified below shall have a vertical proportion, in which their height exceeds their width by 25 percent or more.
-

-
- i. In the Priority Areas (see Figure IM-1: Priority Areas for Development Incentives in the Fresno General Plan, adopted in 2014). At least 50 percent.
 - ii. Outside of the Priority Areas. At least 30 percent,
 - c. **Window Depth.** In the Priority Areas, windows shall comply with one of the following options: create visual interest and the appearance of depth in one of the following manners:
 - i. Trim at least one inch in depth and three inches wide must be provided around all upper story windows and non-commercial ground-floor windows;
 - ii. Windows must be recessed at least two inches from the plane of the surrounding exterior wall {for double-hung and horizontal sliding windows, at least one sash shall achieve the two-inch recess}; or
 - iii. Decorative plaster screed, minimum 2 inches wide;
 - iv. Exception: Buildings with all of the following characteristics shall be allowed to use flush windows without trim:
 - (1) Building height of 3 stories or less;
 - (2) Building width of 100 feet or less; and
 - (3) A façade that includes one of the following:
 - a. awnings
 - b. canopies
 - c. balconieswith a comparable form of prominent surface relief and articulation, such as awnings, canopies, balconies, or massing changes.
4. **Façade Alignment.**
- a. In the Priority Areas. Façade alignment shall be as follows;
 - i. **Vertical Alignment.** ~~With the exception of mansard roofs, cornices, and other such features, façades~~Façades shall be oriented vertically and shall have no slope.
 - ii. **Horizontal Alignment.** ~~With the exception of bay windows and similar features, façades~~Façades shall run parallel or perpendicular to the adjacent street.
 - b. Outside of the Priority Areas. No requirement.
5. **External Stairs, Corridors, and Hallways.** In the Priority Areas, external stairs, corridors, and hallways that are located within 30 feet of a public street must have the same cladding, materials and colors of the main building façade. ~~be architecturally integrated into the building design.~~
6. **Balconies.** If balconies are provided, they shall not be grouped together into a continuous band across the façade. No more than two balconies shall be contiguous. Each balcony or group of two contiguous balconies shall be distinct and shall have at least six feet of horizontal separation from any other balcony.
7. **Façade Elements.** Development shall incorporate façade elements as follows;
- a. In the Priority Areas. A minimum of one of the following Façade Elements will be incorporated into street-facing building façades:
-

-
- i. Forecourts
 - ii. Bay Windows
 - iii. Balconies
 - iv. Porches
 - v. Stoops
 - vi. Arcades
 - b. Outside of the Priority Areas. No requirement.
8. If the project is located within an area with adopted design guidelines, all applicable guidelines which relate to façade design shall also be followed.

SEC. 15-1102. USE REGULATIONS.

- A. Table 15-1102 prescribes the proposed land use regulations for Mixed-Use Districts. The regulations for the districts are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.
- "P" designates permitted uses.
- "C" designates uses that are permitted after review and approval of a Conditional Use Permit.
- "(#)" numbers in parentheses refer to specific limitations listed at the end of the table.
- "-" designates uses that are not permitted.
- Uses listed as "P" or "C" may be restricted in certain locations by Section 15-1104-A.
- B. Land uses are defined in Article 67, Use Classifications.
- C. In cases where a specific land use or activity is not defined, the Director shall assign the land use or activity to a classification that is substantially similar in character per Section 15-5020, Director's Determination.
- D. All permitted uses are allowed either alone or in combination with other permitted uses unless otherwise stated in this Code.
- E. Use classifications and subclassifications not listed in the table or not found to be substantially similar to the uses below are not permitted.
- F. The table also notes additional regulations that apply to various uses. Section numbers in the right hand column refer to other sections of this Code.

TABLE 15-1102: USE REGULATIONS—MIXED-USE DISTRICTS				
Use Classifications	NMX	CMX	RMX	Additional Regulations
Residential Use Classifications				
Residential Housing Types				
Single-Unit Dwelling, Attached	P(1)	P(1)	P(1)	§ 15-2754, Second/Accessory Dwelling Units (ADUs)
Multi-Unit Residential	P(1)	P(1)	P(1)	§ 15-2754, Second/Accessory Dwelling Units (ADUs)
Adult Family Day Care				
Small (6 clients or less)	P(1)	P(1)	-	
Large (7 to 12 clients)	P(1)	-	-	
Caretaker Residence	P(1)	P(1)	P(1)	
Domestic Violence Shelter				
Small (6 persons or less)	P(1)	P(1)	P(1)	
Large (7 persons or more)	P(1)	P(1)	P(1)	
Elderly and Long-Term Care	P(1)	P(1)	P(1)	
Family Day Care				
Small (8 or fewer children)	P(1)	P(1)	P(1)	§ 15-2725, Day Care Centers and Family Child Care Homes
Large (9 to 14 children)	P(1)	P(1)	P(1)	
Group Residential				
Small (6 persons or less)	P(1)	P(1)	P(1)	
Large (7 persons or more)	P(1)	P(1)	P(1)	

Lodging-to-Dwelling Conversion	C	C	C	§ 15-2737.5 Lodging-to-Dwelling Conversion Requirements
Residential Care Facilities				
<u>Residential Care, General</u>	<u>P(1)</u>	<u>P(1)</u>	<u>P(1)</u>	
Residential Care, Limited	P(1)	P(1)	P(1)	
Residential Care, Senior	P(1)	P(1)	P(1)	
Single Room Occupancy	<u>€P</u>	<u>€P</u>	<u>€P</u>	<u>§ 15-2757, Single Room Occupancy Hotels and Boarding Rooms</u>
Public and Semi-Public Use Classifications				
Colleges and Trade Schools, Public or Private	C	C	C (3)	
Community and Religious Assembly (less than 2,000 square feet)	P	P	P	§ 15-2719, Community and Religious Assembly Facilities
Community and Religious Assembly (2,000 square feet or more)	P	P	P	
Community Garden	P	P	P	§ 15-2720, Community Gardens/Urban Farms
Conference/Convention Facility	C	C	C	
Cultural Institutions	P	P	P	
Day Care Centers	P	P	P	§ 15-2725, Day Care Centers and Family Child Care Homes
Emergency Shelter	-	-	P	§ 15-2729, Emergency Shelters
Government Offices	P(1)	P(1)	P(1)	
Hospitals and Clinics				
Hospital	-	C(11)	C(11)	
Clinic	P	P	P	
Substance Abuse Treatment Clinic	C(14)	C(14)	C(14)	
Instructional Services	P	P	P	
Park and Recreation Facilities, Public	P	P	P	
Parking, Public or Private	-	C(6)	C(6)	
Public Safety Facilities	C	C	C	
Schools, Public or Private	P	P	P	
Social Service Facilities	P(1)	P(1)	P(1)	
Commercial Use Classifications				
Animal Care, Sales and Services				
Grooming and Pet Stores	P	P	P	
Veterinary Services	-	C(7)	C(7)	
Artist's Studio	P	P	P	
Automobile/Vehicle Sales and Services				
Automobile/Vehicle Sales and Leasing	C(18)	C(13)	C(13)	§ 15-2709, Automobile and Motorcycle Retail Sales and Leasing
Automobile Rentals	C(12)(19)	C(12)	C(12)	
Automobile/Vehicle Repair, Major	C(12)(19)	C(12)	C(12)	

Automobile/Vehicle Service and Repair, Minor	C(12)(19)	C(12)	C(12)	
Automobile Washing	C(12)(19)	C(12)	C(12)	
Service Station	C	C	C	§ 15-2755, Service Stations
Banks and Financial Institutions				
Banks and Credit Unions	P	P	P	
Check Cashing Businesses and Payday Lenders	-	-	-	§ 15-2715, Check Cashing Businesses, Payday Lenders, and Similar Financial Services
Banquet Hall	C	C	C	§ 15-2712, Banquet Hall
Business Services	P	P	P	
Eating and Drinking Establishments				
Bars/Nightclubs/Lounges	C	C	C	§ 15-2743, Outdoor Cooking for Commercial Purposes; § 15-2744, Outdoor Dining and Patio Areas; § 15-2751, Restaurants with Alcohol Sales, Bars, Nightclubs, and Lounges
Restaurant with Alcohol Sales	C	C	C	
Restaurant without Alcohol Sales	P	P	P	
Entertainment and Recreation				
Cinema/Theaters	P	P	P	
Cyber/Internet Cafe	C	C	C	§ 15-2724, Cyber/Internet Cafes
Small-Scale	P	P	P	§ 15-2708, Arcades, Video Games, and Family Entertainment Centers, § 9-1801, Billiard Rooms
Food and Beverage Sales				
Farmer's Markets	P	P	P	§ 15-2730, Farmer's Markets
General Market	P	P	P	§ 15-2744, Outdoor Dining and Patio Areas; § 15-2745, Outdoor Retail Sales
Healthy Food Grocer	P	P	P	
Liquor Stores	C(12)	C(12)	C(12)	§ 15-2707, Alcohol Sales; § 15-2745, Outdoor Retail Sales
Food Preparation	P(1)	P(1)	P(1)	
Funeral Parlors and Internment Services	P(1)	P(1)	P(1)	§ 15-2714, Body Preparation and Funeral Services
Live/Work	P	P	P	
Lodging				
Bed and Breakfast	P	P	P	
Hotels and Motels	P(8)	P(8)	P	
Maintenance and Repair Services	P	P	P	
Offices				
Business and Professional	P	P	P	
Medical and Dental	P	P	P	
Walk-in Clientele	P	P	P	
Personal Services				

General Personal Services	P(5)	P	P	
Tattoo or Body Modification Parlor	P(5)(12)	P(12)	P(12)	§ 15-2758, Tattoo or Body Modification Parlor
Retail Sales				
Building Materials and Services	-	-	C	§ 15-2745, Outdoor Retail Sales
Convenience Retail	P	P	P	§ 15-2745, Outdoor Retail Sales; 15-2761 Tobacco and Vapor Shops
General Retail	P	P	P	§ 15-2733, Hobby Stores; § 15-2745, Outdoor Retail Sales
Large-Format Retail	P	P	P	§ 15-2737, Large-Format Retail; § 15-2745, Outdoor Retail Sales
Nurseries and Garden Centers	P	P	P	§ 15-2745, Outdoor Retail Sales
Second Hand/Thrift Stores	P	P	P	
Swap Meet/Flea Market	C	C	C	§ 15-2730, Flea Markets
Industrial Use Classifications				
Custom Manufacturing	P(12)(19)	P(12)	P(12)	
Limited Industrial	C(13)(18)(19)	C(13)	C(13)	
Recycling Facility				
Reverse Vending Machine	P	P	P	§ 15-2750, Recycling Facilities
Warehousing, Storage, and Distribution				
Personal Storage	C	C	C	§ 15-2747, Personal (Mini) Storage
Transportation, Communication, and Utilities Use Classifications				
Airports and Heliports	-	-	C(10)	
Communication Facilities				
Antenna and Transmission Towers	See Section 15-2759, Telecommunications and Wireless Facilities			
Transportation Passenger Terminals	-	-	C	
Utilities, Minor	P	P	P	
Agricultural and Extractive Use Classifications				
Produce Stand	P	P	P	§ 15-2752, Roadside Fruit Stands/Grower Stands
Tasting Room	C	C	C	
Urban Farm	P	-	-	§ 15-2719, Community Gardens/Urban Farms
Other Applicable Types				
Accessory Uses and Structures	§ 15-2703, Accessory Uses			
Home Gardens	§ 15-2734, Home Gardens and Edible Landscaping			
Home Occupations	§ 15-2735, Home Occupations			
Animal Keeping	§ 15-2707, Animal Keeping			
Drive-In and Drive-Through Facilities	C(15)	C(15)	C(15)	§ 15-2728, Drive-In and Drive-Through Facilities
Walk-Up Facilities	§ 15-2766, Walk-Up Facilities			

Non-Conforming Use	Article 4, Non-Conforming Uses, Structures, Site Features, and Lots
Temporary Use	§ 15-2760, Temporary Uses
Transitional and Supportive Housing	§ 15-2762, Transitional and Supportive Housing <u>and Low Barrier Navigation Centers</u>
Specific Limitations: 1. Not allowed on the ground floor within 200 feet of an intersection (measured from the lot line) of two or more major streets with the exception of main building entrances and active community spaces. Other high-activity uses may be approved at the discretion of the Review Authority. Projects with frontage on more than one major street may be exempted from this restriction on one of the major streets at the discretion of the Review Authority. 2. Reserved. 3. Not to include industrial training such as welding or automotive repair involving the use of tools and materials appropriate to an industrial use area. 4. Must be located along a major street. 5. Limited to establishments with a gross floor area of 5,000 square feet or less. 6. Shall be below grade or in structures faced with active uses along the street. 7. Provided that such use shall be completely enclosed in a building of soundproof construction. 8. Limited to upper stories unless at least 50 percent of ground floor street frontage is occupied by food service use. 9. Reserved. 10. Limited to heliports used as accessory to a hospital. 11. Building heights for hospitals shall not exceed 150 ft. There is no maximum Floor Area Ratio for hospitals. 12. Not allowed within 500 feet of an existing or planned Bus Rapid Transit stop. 13. Must take place entirely within a building. 14. Must include an indoor waiting area. 15. Not allowed: a) within 100 feet of a planned or existing Bus Rapid Transit station except for projects involving an existing drive-through that is required to relocate due to property being acquired as a result of a public work project and where the new location is within 1 mile of the original location and where the new establishment complies with, and without deviation from, all applicable property development standards; and b) not allowed between a building and a sidewalk. 16. Reserved. 17. Reserved. 18. Permitted only after review and approval of a Conditional Use permit, and only in the following areas: a) NMX-zoned parcels which are located south of State Route 180 and east of State Route 41 and which are not within 500 feet of a Bus Rapid Transit route; or b) NMX-zoned parcels which are located north of State Route 180 and west of the Union Pacific Railroad. 19. Prohibited in the following areas: Parcels which are located south of State Route 180 and west of the Union Pacific Railroad.	

SEC. 15-1104. SITE DESIGN DEVELOPMENT STANDARDS.

- A. **Active Uses Adjacent to Sidewalks.** For buildings located within 20 feet of a public street, the following standards shall apply:
1. **Within 100 Feet in each direction of an Existing or Planned Bus Rapid Transit Station.** No less than 60 percent of the building frontage along public streets shall be occupied by food and beverage sales, entertainment and recreation, general personal services, artist's studios, eating and drinking establishments, personal services, general retail, or convenience retail uses. ~~Other high-activity uses which typically operate at night and on weekends may be approved at the discretion of the Review Authority.~~
 2. **Other Locations.** Active spaces, such as individual dwelling unit entrances, cinemas/theaters, eating and drinking establishments, offices, personal services, general retail, or residential or office lobbies, or shall occupy no less than 60 percent of building frontage along public streets. Inactive and utilitarian spaces, such as storage, utility rooms, or facilities which are occupied infrequently shall not occupy more than 50 percent of the building frontage along public streets. Sites with frontage on multiple streets ~~may shall~~ not be required to meet this standard along the street with the lowest functional classification or least visual prominence, ~~at the discretion of the Review Authority.~~
- B. **RS Transition Standards.** Where an MX district abuts an RS District, the following standards apply:
1. **Height.** The maximum height within 40 feet of an RS District is limited to 30 feet. The maximum height within 50 feet of an RS District is 40 feet.
 2. **Setbacks.** The following additional setback requirements shall be applied to all structures, including accessory structures, on parcels which are adjacent to an RS District:
 - a. **Front and Street Side Yard.** The front setback shall not be less than the required front yard on the abutting RS District lot within 50 feet of the RS District.
 - b. **Interior Side and Rear.** The interior side and rear setback abutting an RS District boundary shall be 20 feet.
 3. **Landscape.** See Table 15-2305-C.1, Required Landscape Buffers.

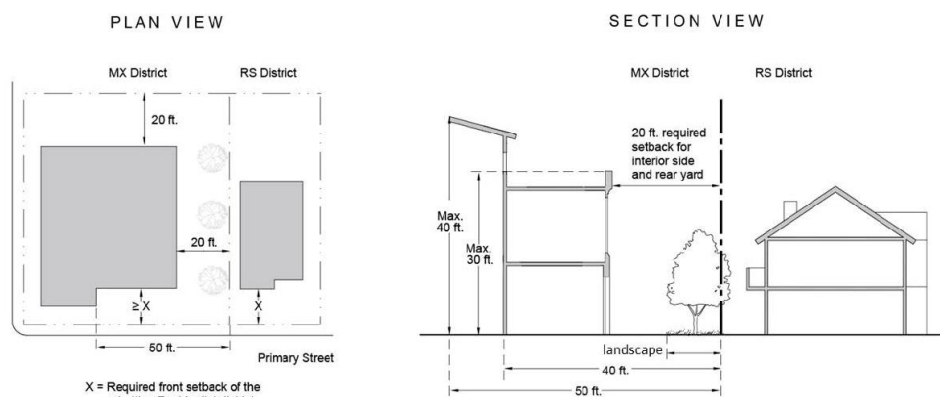


FIGURE 15-1104-B: RS TRANSITION STANDARDS—MX DISTRICTS

4. **Screening.** When a multi-story building is proposed and the second story or above is located within 50 feet of the side or rear yard of a single-unit lot, ~~the following screening measures shall apply: be applied to provide a reasonable degree of privacy.~~
 - a. **Screening measures. Landscaping.** Landscaping shall comply with Article 24, Table 15-2305-C-1.

b. **Balconies.** Only fully recessed balconies are permitted.

~~screening measures shall be applied to provide a reasonable degree of privacy.~~

~~a. Screening measures include, but are not limited to, landscaping, alternate window and balcony placements, placing windows at least six feet from the floor of the interior of the unit, incorporating wing walls or louvers, using glass block or other translucent material, and other such methods.~~

~~b. Sufficiency of Screening. The Review Authority shall determine the sufficiency of the proposed screening measures and may require additional measures.~~

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

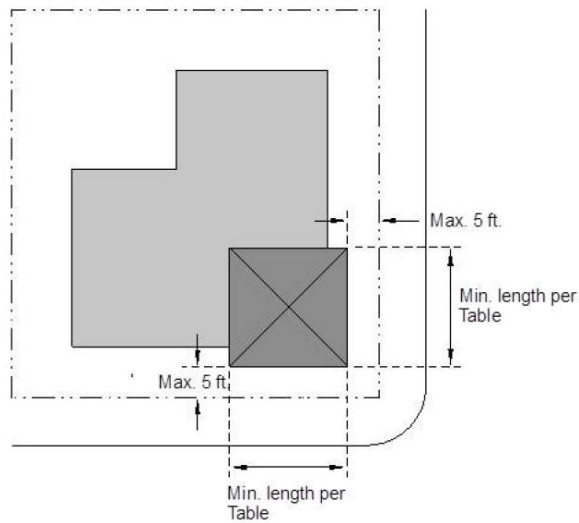


FIGURE 15-1104-C: CORNER FRONTAGE STANDARDS

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

1. **Surface Parking.**

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

- iv. Parking spaces shall be screened from the adjacent street with a minimum three foot berm, wall, or hedge, or combination thereof.
- c. If a sound wall is required along a certain frontage, ~~or if other circumstances exist that render the Parking Setback impractical or unnecessary, the Review Authority may waive the Parking Setback requirement~~ can be waived.

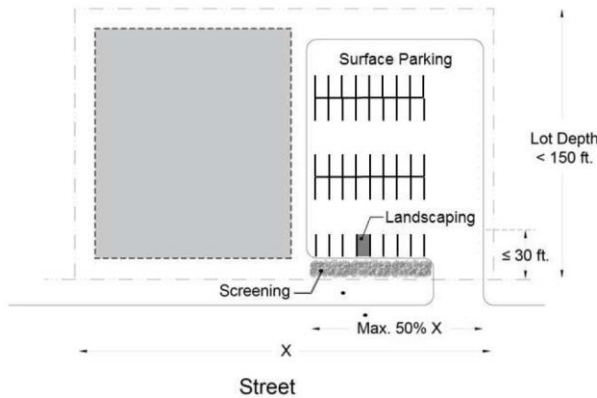


FIGURE 15-1104-D.1: SURFACE PARKING SETBACK REDUCTION

- 2. **Partially Submerged Podium Parking.** Parking that is partially below the street grade may extend to the setbacks of the main structure, if the following conditions are met:
 - a. No more than six feet of the partially submerged parking podium may extend above the street grade.
 - b. The partially submerged parking podium shall be screened along street facing elevations by foundation plant materials. Gates need not be screened.
 - 3. **Underground Parking.** Parking that is fully underground and below the street grade may extend from lot line to lot line
- E. On-Site Open Space.**
- 1. **Minimum Open Space Required.** On-site open space shall be required for projects with more than four dwelling units. The minimum amount of on-site open space required shall be based on the size of the lot, as shown in Table 1.5-1103. This requirement may be met through a combination of private open space, common open space, or public plazas as follows:
 - a. **Private Open Space Requirements.** Private open spaces are those which are attached to a dwelling unit and are available only for the private use of the residents of the dwelling unit, such as balconies, porches, and patios. No fewer than 50 percent of the dwelling units on a site shall have a private open space. The following standards shall apply to private open space:
 - i. The minimum dimension of any private open space shall be five feet.
 - ii. The minimum area of any private open space shall be 32 square feet.
 - iii. When located within 30 feet of a public street and located on the ground floor, private open spaces shall follow the requirements for Porches as put forth in Table 15-1105-D.
 - iv. When located within 30 feet of a public street and located above the ground floor, private open spaces shall follow the requirements for Balconies as put forth in Table 15-1105-D.

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

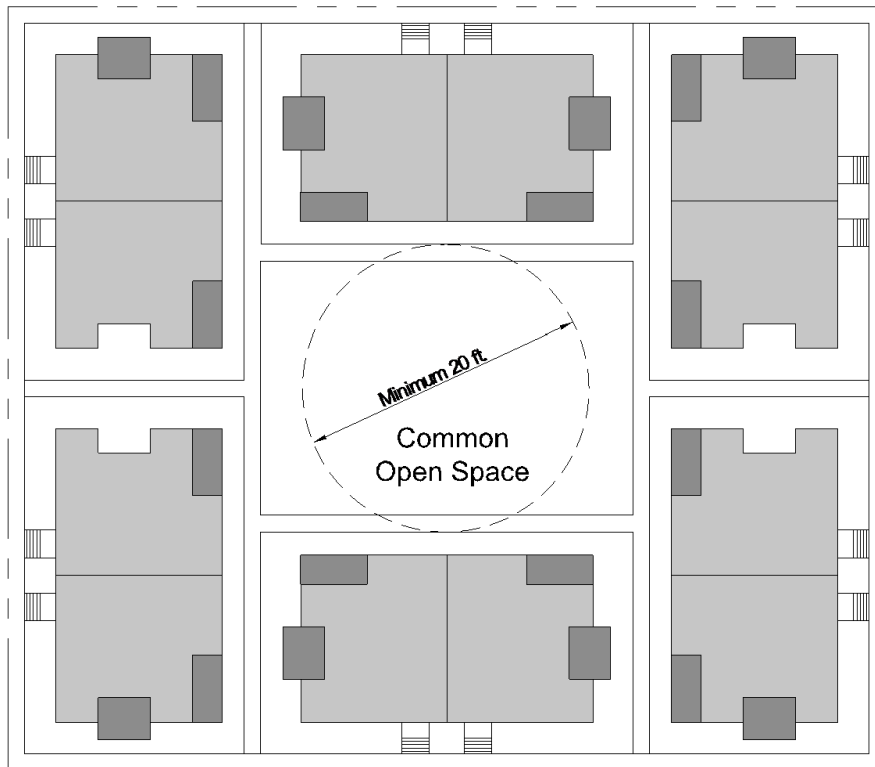


FIGURE 15-1104-E.1.b: MINIMUM REQUIRED COMMON OPEN SPACE DIMENSION

- c. **Public Plaza Requirements.** Public plazas are those which are available for use by the general public, as well as tenants of the project. To the extent that public plazas are provided, the following standards shall apply:
- i. The minimum dimension of any public plaza shall be 20 feet.
 - ii. The minimum area of any public plaza shall be 500 square feet. The calculation of the public plaza area shall ~~exclude structures which are unusable as open space, but shall~~

~~include structures that enhance its usability, such as~~include fountains, planters, benches, and landscaping.

- iii. Public plazas shall include benches or other seating, and paving shall be of high-quality materials. Amenities provided shall ~~enhance the comfort, aesthetics, or usability of the space and~~ include, but not be limited to, trees and other landscaping, shade structures, drinking fountains, water features, public art, or performance areas. ~~Landscaping or other aspects of the design shall not discourage the use of the space by the general public.~~
- iv. Public plazas shall be fully accessible from the public right-of-way, shall be located in front of project buildings and shall not be located where public views into the space are obstructed by buildings or other structures.
- v. Public plazas may be located within required front setbacks.
- vi. A public access easement shall be provided for the space.

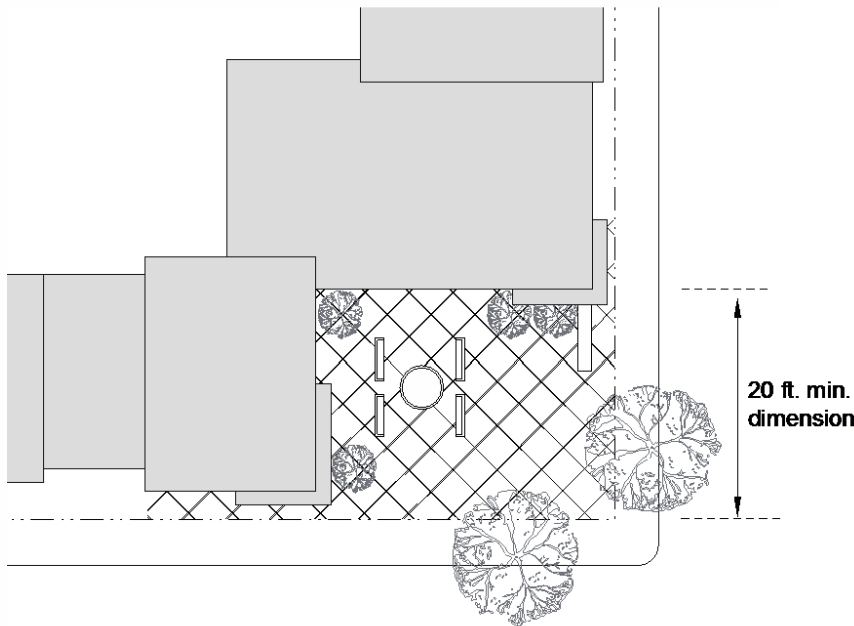
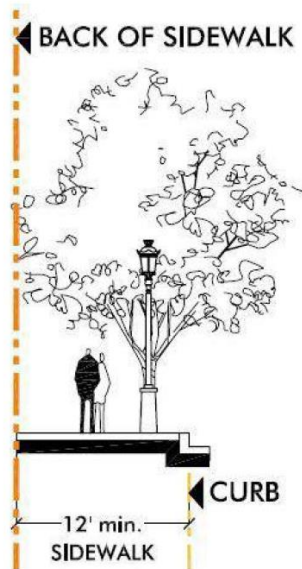


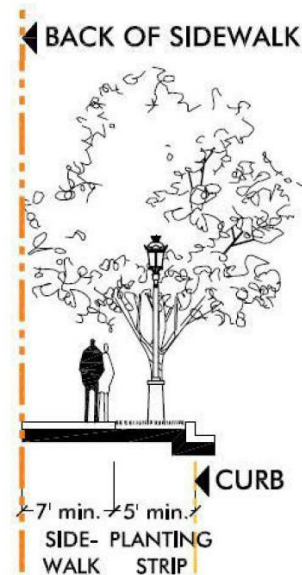
FIGURE 15-1104-E.1.c: MINIMUM REQUIRED PUBLIC PLAZA DIMENSION

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

-
- F. **Sidewalk Standards.** Notwithstanding Chapter 13, Section 208 of the Municipal Code, the following shall apply:
1. **Applicability.** All projects shall be required to bring adjacent sidewalk conditions into conformance with the standards of this section, subject to the following exceptions:
 - a. Applications for signs only.
 - b. Additions, remodels, or tenant improvements of less than 50 percent of the current value of the property.
 2. **Width.** Sidewalks shall be no less than 12 feet in width. If the current distance between the right-of-way boundary and the face of the adjacent curb is less than 12 feet, the method by which this requirement shall be satisfied shall be determined by Review Authority. The available methods shall be as follows:
 - a. **Set Back.** The building may be set back from the right-of-way boundary the distance that is necessary to achieve the required sidewalk width. The portion of the sidewalk which lies within the private parcel shall be guaranteed for public access by the enactment of a public access easement.
 - b. **Reconstruction.** The applicant may demolish and reconstruct the sidewalk for the entirety of the block frontage(s) which the project occupies to the extent necessary to satisfy the requirements of this section.
 - c. **Parklet.** The sidewalk may be expanded into the roadway by a metal or wood deck which does not interfere with the drainage of the street. In such instances the applicant shall enter into an encroachment agreement with the City in which the applicant accepts full responsibility for the maintenance and repair of the parklet, as well as providing the indemnification and insurance as required by the City's Risk Manager.
 - d. **Width Exemption.** For unusually challenging site conditions, or in instances in which the existing building and sidewalk pattern warrants it, the Director may exempt the applicant providing the full sidewalk width required above. In such instances all other requirements in this section, such as for trees and lighting, shall be met.
 3. **Treatment.** Required sidewalks shall be paved and landscaped as follows:
 - a. **Adjacent to Mixed-Use or Non-Residential Projects.** The full width of the sidewalk shall be fully paved in uncolored concrete with a simple 30-inch scoring pattern.
 - b. **Adjacent to Residential-Only Projects.** A seven-foot walkway adjacent to the private parcel shall be paved in uncolored concrete with a simple 30 inch scoring pattern. The five feet adjacent to the curb shall be a parkway strip which shall be landscaped in a manner to be determined by the Director.
-



Adjacent to Mixed-Use or Non-Residential Projects.



Adjacent to Residential-Only Projects.

4. **Trees.** Street trees shall be provided with sidewalk improvements. Exact tree type and location shall be determined by the Director. Preferred street tree type and location shall be as follows:
 - a. **Alignment.** Street trees should be located no more than three feet from the back of curb, and whenever possible should be aligned with other trees on the block.
 - b. **Spacing.** Street trees should generally be evenly spaced, no less than 20 feet apart, and not more than 40 feet apart. ~~Whenever possible, trees should not be located directly in front of building entrances.~~
 - c. **Wells.** When a parkway strip is not provided, trees should be placed in tree wells measuring five feet by five feet. To maximize usable sidewalk area, tree wells shall be covered by grates of a design which is approved by the Director. Larger tree wells may be required by the Public Works Director for species requiring more space. The property owner shall assume maintenance responsibilities for the tree grates.
 - d. **Species.** Street trees should be deciduous, fast growing, drought tolerant, and should eventually form a tall canopy. Not more than one species should be planted per block. Whenever nearby pre-existing trees are in good condition and meet the intent of this section, new trees should be of the same species.
5. **Lighting.** Pedestrian-scaled street lights shall be provided with sidewalk improvements. Exact design and location shall be determined by the Director. Preferred designs and locations shall be as follows:
 - a. **Alignment.** Street lights should be located no more than three feet from the curb, and whenever possible should be aligned with street trees, as well as other lights on the block.
 - b. **Spacing.** Street lights should be generally evenly spaced, no less than 30 feet apart, and not more than 80 feet apart. Whenever possible, street lights should be no less than 15 feet from nearby street trees.
 - c. **Design.** Street lights should not be of the type commonly known as Cobra Heads or other types which are intended primarily for the illumination of the vehicular roadway. Lights should be ~~ornamental and designed~~ primarily for the illumination of the sidewalk. Whenever nearby pre-

existing lights ~~are in good condition and~~ meet the intent of this section, new lights should be of the same type. ~~Intersection safety lights shall be typical cobra-head design, while mid-block lighting should be ornamental and scaled for the pedestrian environment.~~ Lighting shall meet standards identified in Section 15-2015 Outdoor Lighting and Illumination and Public Works standards.

6. **Maintenance.** If a Community Facilities District is not established to maintain sidewalks, street trees, and lighting, the applicant shall enter into a maintenance agreement to ensure the maintenance of said facilities.

- G. **Service Areas and Loading.** Service and loading areas ~~shall match the cladding, materials and colors of the main building façade should be integrated with the design of the building and shall~~ be screened from residential areas. If the service or loading area is located on the side or rear within 50 feet of an adjacent residential use, one of the following techniques shall be required:

a. 6-foot CMU block wall

b. Landscaping shall be installed and maintained at a height of not lower than six feet at maturity.

c. Enclosed loading dock

d. 20-foot side or rear setback

~~Special attention shall be given when designing loading facilities in a location that is proximate to residential uses. Techniques such as block walls, enhanced setbacks, or enclosed loading shall be used to minimize adverse impacts to residents.~~

- H. **Pedestrian Access.** Pedestrian access to public streets shall be ~~provided at the preference of the applicant by either the Flexibility Option or the Certainty Option~~ as follows:

1. ~~**Flexibility Option.** The applicant must demonstrate to the satisfaction of the Review Authority that the project meets the following goals:~~

~~a. Provide sufficient opportunities to walk to nearby amenities, services, and transit facilities.~~

~~b. Create an interface between the building and the public sidewalk which results in a high level of activity on the sidewalk.~~

2. ~~**Certainty Option.** Projects which comply with the following standards shall be considered to provide sufficient pedestrian access: are compliant with the requirements of this section, as applicable:~~

a. **Common Area Sidewalk Connections.** Common entrances into lobbies or internal pedestrian paths shall be provided at a rate of no less than one per 400 feet of linear street frontage. When providing access to a structure, such entrances shall be protected by a portico, canopy, or alcove of no less than four feet in depth. ~~When providing access to a structure such entrances shall also feature an architectural element which clearly distinguishes them from entrances into individual dwellings.~~

b. **Residential Unit Sidewalk Connections.** Direct entrances into individual ground-floor dwelling units which are adjacent to streets shall be provided at a rate of no less than one per 100 feet of linear street frontage. Such entrances shall be protected by a portico, canopy, or alcove of no less than four feet in depth.

c. **Commercial Sidewalk Connections.** Direct entrances into ground-floor commercial establishments which are adjacent to streets shall be provided at a rate of no less than one per 100 feet of linear street frontage. When establishments with dimensions greater than 100 feet occupy a site, they shall be set back and wrapped with smaller spaces that will satisfy this requirement. See Figure 15-1104-H.2.C.

- d. **External Connections to Adjacent Development.** Pedestrian walkways shall connect the project site to adjacent Residential, Commercial, Mixed Use, and Office districts at a frequency of no less than one per 600 feet. Projects may be excepted from this requirement in the following situations:

- i. ~~A street network with blocks less than 400 feet and sidewalks on the same side of the street~~ ~~An interconnected street network with short blocks and sidewalks exists in the surrounding area;~~ or
- ii. The project site is less than one acre in size; or
- iii. The adjacent properties are developed and there are no possible connection points via breaks in the perimeter wall/fence.

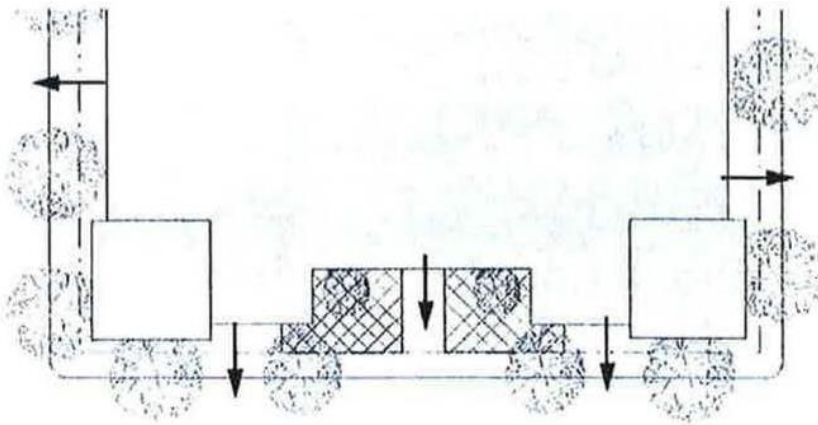


FIGURE 15-1104-H.2: SIDEWALK CONNECTIONS

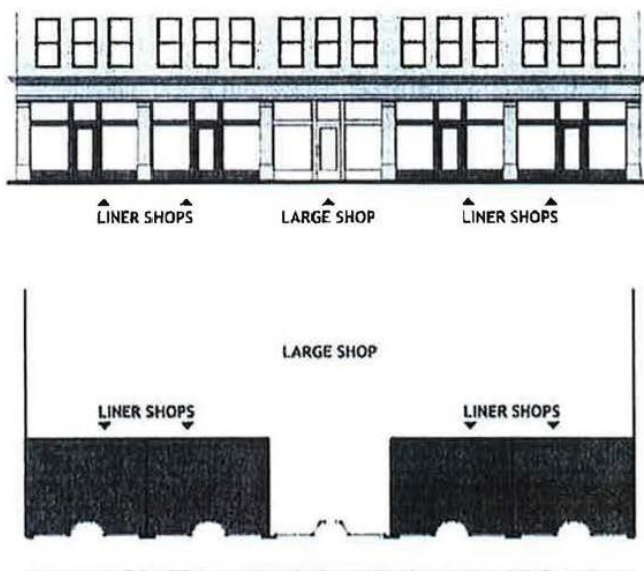


FIGURE 15-1104-H.2.C: WRAPPING OF LARGE USES

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

SEC. 15-1105. FAÇADE DESIGN DEVELOPMENT STANDARDS.

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

- A. ~~**Flexibility Option.** The applicant must demonstrate to the satisfaction of the Review Authority that the project meets the following goals:~~
- ~~1. Present an attractive appearance to public streets.~~
 - ~~2. Be aesthetically and functionally compatible to the nearby development context,~~
 - ~~3. Demonstrate a high level of quality,~~
 - ~~4. Support the growth in value of surrounding properties.~~
- B. ~~**Certainty Option.**~~ Street-facing façades for buildings adjacent to a public street shall comply ~~to~~ the following standards. Other façades are not be subject to these standards.
1. **Building Length Articulation.** At least one projection or recess shall be provided for every 50 horizontal feet of wall in one of the following manners:
 - a. Projections or recesses for buildings 50 feet wide or less shall be exempted from the building length articulation requirement; projections or recesses for buildings greater than 50 feet in width but less than 100 feet in width shall be no less than 12 inches in depth; or projections or recesses for buildings 100 feet wide or wider shall be no less than 24 inches in depth.
 - ~~b. The depth and width of the projection or recess shall be proportionate to the overall mass of the building.~~
 2. **Building Height Articulation.** ~~In order to maintain a human scale for~~For multi-story buildings, the height of façades shall be broken into smaller increments as follows:
 - a. **Ground Floor.** ~~A substantial~~The horizontal articulation of the façade shall be applied at the top of the first story. This element shall be no less than 18 inches tall, and should project from the adjacent wall plane. It shall be designed as a cornice ~~or, belt course, or a similar architectural element which is appropriate to the style of the building.~~
 - b. **Top Floor.** Buildings or portions of buildings which are four stories in height or taller shall also provide articulation for the top story of the building. This may be accomplished by a color change, material change, a cornice/belt course at the bottom of the uppermost story, by stepping the uppermost story back, or similar measures.

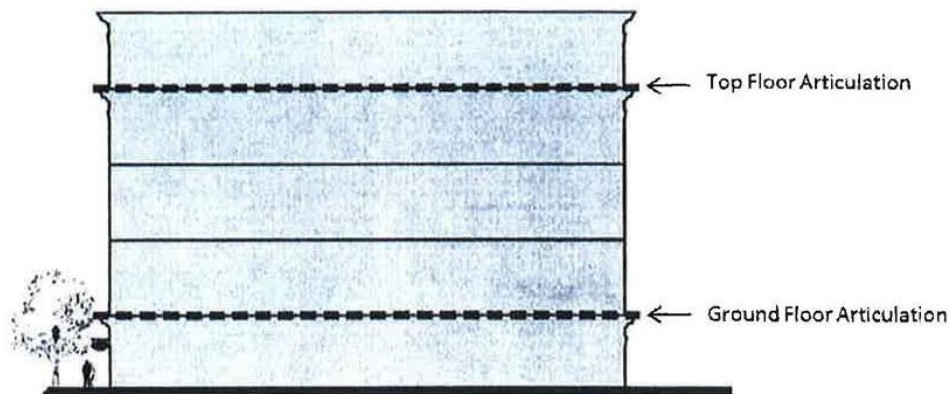


FIGURE 15-1105-B.2: BUILDING HEIGHT ARTICULATION

- C. **Building Materials and Finishes.** ~~The following building materials and finishes shall be provided: Materials shall present a durable and attractive appearance through high-quality materials, finishes, and workmanship defined as:~~
1. At least two cladding materials (excluding roof and foundation); and
 2. At least three exterior colors (each cladding material shall count as a color, and trim/accent colors shall each count as a color, ~~and visually significant colors for doors, balconies, and similar elements may count as a color~~).
 3. **Exception:** Buildings which accurately adhere to a recognized architectural style which is appropriately expressed in one cladding material and one color shall be excepted.
 4. **Exception:** Buildings with all of the following characteristics shall be allowed to use one cladding material:
 - a. Building height of 3 stories or less;
 - b. Building width of 100 feet or less; and
 - ~~c. A façade with a comparable form of visual interest,~~
- D. **Window Design.**
1. **Glazing Ratio.** Street-facing façades of each floor of the building shall have an overall wall composition of at least 25 percent glazing, but not more than 70 percent glazing, with the exception that commercial portions of the ground floor shall be subject to subsection D-2 below.
 2. **Ground Floor Commercial Transparency.** For ground floor street-facing façades on portions of a structure occupied by commercial uses, exterior walls facing a front or street-side lot line shall include windows, doors, or other openings with transparent glazing for at least 50 percent of the building wall area located between 2.5 and seven feet above the level of the sidewalk. Openings fulfilling this requirement shall have transparent glazing and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displays that are at least two feet deep. ~~The Review Authority may waive or reduce this requirement if doing so is necessary to satisfy State or local energy efficiency requirements.~~

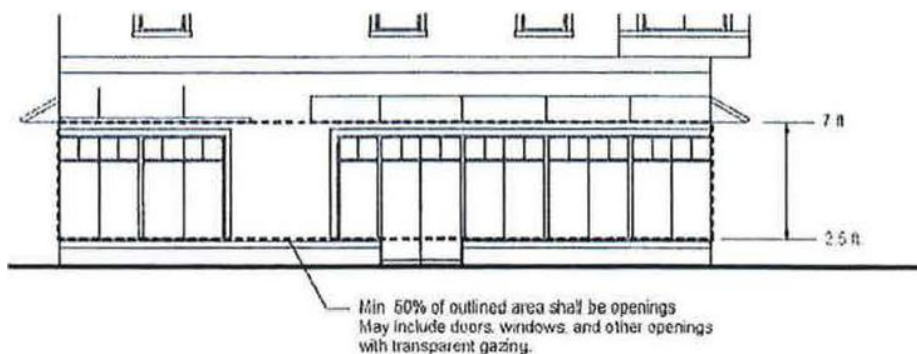


FIGURE 15-1105-D.2: GROUND FLOOR COMMERCIAL TRANSPARENCY

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

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

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

SEC. 15-1202. USE REGULATIONS.

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

"P" designates permitted uses.

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

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

"-" designates uses that are not permitted.

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

TABLE 15-1202: LAND USE REGULATIONS—COMMERCIAL DISTRICTS							
Use Classifications	CMS	CC	CR	CG	CH	CRC	Additional Regulations
Residential Use Classifications							
Residential Housing Types							
Single-Unit Dwelling, Attached	P(2) (16)	-	P(2) (16)	-	-	-	§ 15-2754, Second/Accessory Dwelling Units (ADUs)
Multi-Unit Residential	P(2) (16)	-	P(2) (16)	-	-	-	§ 15-2754, Second/Accessory Dwelling Units (ADUs)
Adult Family Day Care							
Small (6 clients or less)	P(1)	-	P(2)	-	-	-	
Caretaker Residence	P(2)	P(2)	P(2)	P(2)	P(2)	P(2)	
Elderly and Long-Term Care	-	-	P(2)	-	-	-	
Family Day Care							
Small (8 children or less)	P(2)	P(2)	P(2)	P(2)	-	-	§ 15-2725, Day Care Centers and Family Child Care Homes
Large (9 to 14 children)	P(2)	P(2)	P(2)	P(2)			
Group Residential							
Small (6 persons or less)	P(1)	-	P(2)	-	-	-	

Large (7 persons or more)	P(1)	-	P(2)	-	-	-	
Lodging-to-Dwelling Conversion	C	C	C	C	C	C	§ 15-2737.5 Lodging-to-Dwelling Conversion Requirements
Re-Entry Facility	-	-	-	P	-	-	
Residential Care Facilities							
Residential Care, General	C(1)	-	-	-	-	-	
Residential Care, Limited	P(1)	-	P(2)	-	-	-	
Residential Care, Senior	C(1)	-	-	-	-	-	
Single Room Occupancy	-	-	-	P	-	-	§ 15-2757, Single Room Occupancy Hotels and Boarding Homes
Public and Semi-Public Use Classifications							
Colleges and Trade Schools, Public or Private	-	C(3)	P	P	-	-	
Community and Religious Assembly (less than 2,000 square feet)	P	P	P	P	-	-	§ 15-2719, Community and Religious Assembly Facilities
Community and Religious Assembly (2,000 square feet or more)	-	C(4)	P	C	-	C	
Community Garden	P	P	P	P	P	P	§ 15-2720, Community Gardens/Urban Farms
Conference/Convention Facility	-	C(4)	P	-	-	C	
Cultural Institutions	P(5)	C	C	-	-	C	
Day Care Centers	P	P	P	P	-	-	§ 15-2725, Day Care Centers and Family Child Care Homes
Emergency Shelter	-	-	-	P	-	-	§ 15-2729, Emergency Shelters
Government Offices	P	P	P	-	-	-	
Hospitals and Clinics							
Hospital	-	C(13)	C(13)	C(13)	-	-	
Clinic	C(5)	P	P	P	-	-	
Substance Abuse Treatment Clinic	C(15)	C(15)	C(15)	C(15)	-	-	
Instructional Services	P	P	P	C	-	-	

Park and Recreation Facilities, Public	P	P	P	P	P	P	
Parking, Public or Private	-	C(6)	C(6)	-	-	-	
Public Safety Facilities	C	C	C	C	C	C	
Schools, Public or Private	C	C	C	C	-	-	
Social Service Facilities	C(1)	C	-	-	-	-	
Commercial Use Classifications							
Animal Care, Sales and Services							
Grooming and Pet Stores	P	P	P	P	-	-	
Veterinary Services	-	P	P	-	-	-	
Artist's Studio	P	P	P	-	-	-	
Automobile/Vehicle Sales and Services							
Automobile Rentals	-	-	C	C	P	-	§ 15-2709, Automobile and Motorcycle Retail Sales and Leasing
Automobile/Vehicle Sales and Leasing	-	-	C	C	P	-	§ 15-2709, Automobile and Motorcycle Retail Sales and Leasing
Automobile/Vehicle Service and Repair, Minor	-	-	C	C	P	-	§ 15-2710, Automobile/Vehicle Service and Repair, Major and Minor
Large Vehicle and Equipment Sales, Service and Rental	-	-	-	C	P	-	§ 15-2710, Automobile and Motorcycle Retail Sales and Leasing
Service Station	-	C	P	C	P	-	§ 15-2755, Service Stations
Washing	-	-	C	C	P	-	§ 15-2711, Automobile/Vehicle Washing
Banks and Financial Institutions							
Banks and Credit Unions	P(5)	P	P	P	-	-	
Check Cashing Businesses and Payday Lenders	-	-	C(7)	C(7)	-	-	§ 15-2715, Check Cashing Businesses, Payday Lenders, and Similar Financial Services
Banquet Hall	C	C	C	-	C	-	§ 15-2712, Banquet Hall
Business Services	P(5)	P	P	P	-	-	

Eating and Drinking Establishments							
Bars/Nightclubs/Lounges	C	C	C	C	C	C(8)	§ 15-2751, Restaurants with Alcohol Sales, Bars, Nightclubs, and Lounges; § 15-2744, Outdoor Dining and Patio Areas
Restaurant with Alcohol Sales	C	C	C	C	C	C	
Restaurant without Alcohol Sales	P	P	P	P	P	P	
Entertainment and Recreation							
Cinema/Theaters	C	C	P	P	-	P	
Cyber/Internet Café	C	C	C	C	-	-	§ 15-2724, Cyber/Internet Café
Motorcycle/Riding Club	-	-	-	-	P	-	§ 15-2742, Motorcycle/Riding Clubs
Shooting/Archery Range	-	-	-	-	-	P	§ 15-2756, Shooting Ranges/Archery Ranges
Large-Scale	-	C	C	C	C	C	
Small-Scale	P	P	P	P	P	P	§ 15-2708, Arcades, Video Games, and Family Entertainment Centers, § 9-1801, Billiard Rooms
Food and Beverage Sales							
Farmer's Markets	P	P	P	P	P	P	§ 15-2730, Farmer's Markets
General Market	P	P	P	P	P	-	§ 15-2744, Outdoor Dining and Patio Areas; § 15-2745, Outdoor Retail Sales
Healthy Food Grocer	P	P	P	P	P	-	
Liquor Stores	C	C	C	C	C	-	§ 15-2706, Alcohol Sales; § 15-2745, Outdoor Retail Sales
Food Preparation	-	P	P	P	-	-	
Funeral Parlors and Internment Services	-	C	P	P	-	-	§ 15-2714, Body Preparation and Funeral Services
Live/Work	P(1)	-	-	-	-	-	
Lodging							
Hotels and Motels	P(14)	P	P	-	P	-	
RV Park	-	-	-	-	-	-	
Maintenance and Repair Services	C(5)	P(9)	C	P	-	-	
Offices							

Business and Professional	P(9) (17)	P	P	P	-	-	
Medical and Dental	P(17)	P	P	P	-	-	
Walk-In Clientele	P(17)	P	P	P	-	-	
Personal Services							
General Personal Services	P	P	P	P	-	-	
Fortune Telling Service	-	-	-	P	-	-	
Massage Establishments	C	C	C	C	-	C	
Tattoo or Body Modification Parlor	P(9)	P(9)	P	P	-	-	§ 15-2758, Tattoo or Body Modification Parlor
Retail Sales							
Building Materials and Services	C(12)	C	P	P	-	-	§ 15-2745, Outdoor Retail Sales
Convenience Retail	P	P	P	P	P	C(10)	§ 15-2745, Outdoor Retail Sales; 15-2761 Tobacco and Vapor Shops
General Retail	P	P	P	P	-	C(10)	§ 15-2733, Hobby Stores; § 15-2745, Outdoor Retail Sales
Gun Shop	C	P	P	P	-	P	§ 15-2745, Outdoor Retail Sales
Large-Format Retail	-	C	P	P	-	-	§ 15-2737, Large-Format Retail; § 15-2745, Outdoor Retail Sales
Nurseries and Garden Centers	P(5)	P	P	P	-	-	§ 15-2745, Outdoor Retail Sales
Pawn Shops	-	-	-	P	-	-	
Second Hand/Thrift Stores	P(5)	P	P	P	-	-	
Swap Meet/Flea Market	-	-	-	C	-	C	§ 15-2730, Flea Markets
Industrial Use Classifications							
Construction and Material Yards	-	-	-	C	C	-	§ 15-2721, Concrete Batch Plants, Storage Yards, and Similar Uses
Custom Manufacturing	-	-	-	P(11)	-	-	
Recycling Facility							
Reverse Vending Machine	-	C	P	P	-	-	§ 15-2750, Recycling Facilities
CRV Recycling Center	§ 15-2750, Recycling Facilities						

Warehousing, Storage, and Distribution							
Personal Storage	C	C	C	C	C	C	§ 15-2747, Personal (Mini) Storage
Transportation, Communication, and Utilities Use Classifications							
Communication Facilities							
Antenna and Transmission Towers	§ 15-2759, Telecommunications and Wireless Facilities						
Facilities within Buildings	-	-	-	P	-	-	
Utilities, Minor	P	P	P	P	-	P	
Agricultural and Extractive Use Classifications							
Agricultural Support Services	-	-	-	P	-	-	
Produce Stand	-	-	-	P	-	-	§ 15-2752, Roadside Fruit Stands/Grow Stands
Tasting Room	C	C	C	C	-	C	
Urban Farm	-	-	-	P	-	-	§ 15-2720, Community Gardens/Urban Farms
Other Applicable Types							
Accessory Uses and Structures	§ 15-2703, Accessory Uses						
Home Gardens	§ 15-2734, Home Gardens and Edible Landscaping						
Home Occupations	§ 15-2735, Home Occupations						
Animal Keeping	§ 15-2707, Animal Keeping						
Drive-in and Drive-Through Facilities	-	C	C	C	C	C	§ 15-2728, Drive In and Drive Through Facilities
Walk-Up Facilities	§ 15-2766, Walk-Up Facilities						
Non-Conforming Use	Article 4, Non-Conforming Uses, Structures, Site Features, and Lots						
Temporary Use	§ 15-2760, Temporary Uses						
Transitional and Supportive Housing	§ 15-2762, Transitional and Supportive Housing and Low Barrier Navigation Centers						
Specific Limitations:							
1. Not allowed on the ground floor.							
2. Not allowed on the ground floor along arterials or collectors.							
3. Not to include industrial training such as welding or automotive repair involving the use of tools and materials appropriate to an industrial use area.							
4. Must be located along an arterial or collector.							
5. Limited to establishments with a gross floor area of 5,000 square feet or less.							
6. Shall be below grade or in structures faced with active uses along the street.							
7. Limited to 2,500 square feet in size, located on a collector or higher classification street.							
8. Permitted only as an accessory use that supports commercial recreation.							
9. Limited to 1,500 square feet in size if on the ground floor.							
10. Limited to facilities associated with park and recreation facilities.							
11. Provided that such use shall be completely enclosed in a building of soundproof construction.							

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12. Limited to establishments with a gross floor area of 10,000 square feet or less.
 13. Building heights for hospitals shall not exceed 150 ft. There is no maximum Floor Area Ratio for hospitals.
 14. Limited to upper stories unless at least 50 percent of ground floor street frontage is occupied by food service use.
 15. Must include an indoor waiting area.
 16. Housing projects shall meet the requirements of § 15-1104, § 15-1106, and Table 15-1203-1.
 17. Not permitted along ground floor on Olive Avenue between Van Ness Avenue and Echo Avenue.

SEC. 15-1204. SITE DESIGN DEVELOPMENT STANDARDS.

- A. **Residential Transition Standards.** Where a C District is adjacent to a Residential District, the following standards apply:
1. **Height.** The maximum height within 40 feet of an R District is limited to 30 feet. The maximum height within 50 feet of an R District is 40 feet.
 2. **Setbacks.**
 - a. **Front.** The front setback shall not be less than the required front yard on the abutting R District lot within 50 feet of the R District.
 - b. **Interior Side and Rear.** The interior side and rear setback abutting an R District boundary shall be 20 feet. In the CMS District, the interior side yard may be reduced to 10 feet with Director approval.
 3. **Landscape.** See Table 15-2305-C.1, Required Landscape Buffers.
 4. **Screening.** When a multi-story building is proposed and the second story or above is located within 50 feet of the side or rear yard of a single-unit lot, ~~screening measures shall be applied to provide a reasonable degree of privacy; the following screening measures shall apply:~~
 - a. **Landscaping.** ~~Landscaping shall comply with Article 24, Table 15-2305-C-1. Screening measures include, but are not limited to, landscaping, alternate window and balcony placements, placing windows at least six feet from the floor of the interior of the unit, incorporating wing walls or louvers, using glass block or other translucent material, and other such methods.~~
 - b. **Balconies.** ~~Only fully recessed balconies are permitted on side and rear facades. Sufficiency of Screening. The Review Authority shall determine the sufficiency of the proposed screening measures and may require additional measures.~~

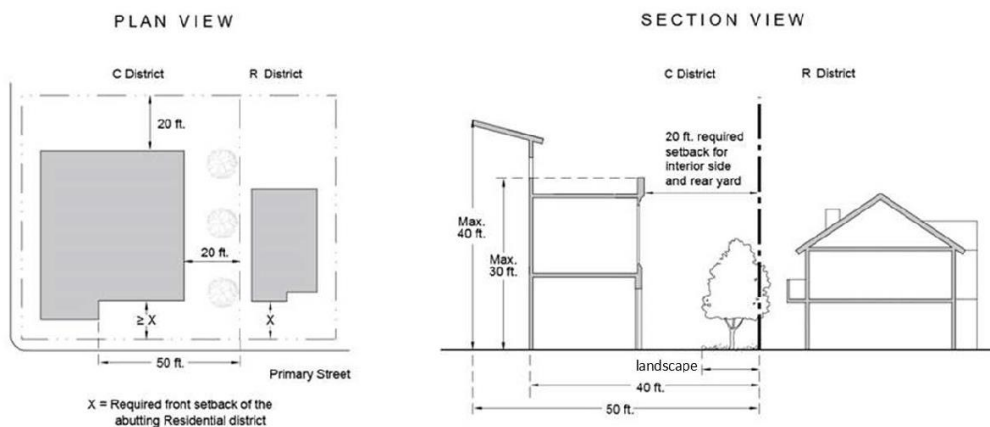


FIGURE 15-1204-A: RESIDENTIAL TRANSITION STANDARDS—C DISTRICTS

- B. **Enhanced Streetscape.** As shown on Table 1203-2, projects which provide an enhanced streetscape will not be required to provide a front setback. A project shall be considered to have an enhanced streetscape when it has all of the following characteristics:
1. Sidewalks shall be no less than 12 feet in width. If the current distance between the right-of-way boundary and the face of the adjacent curb is less than 12 feet, the building shall be set back from the right-of-way boundary the distance that is necessary to achieve the required sidewalk width. The portion of the sidewalk which lies within the private parcel shall be guaranteed for public access by the enactment of a public access easement.

2. Street trees shall be provided as follows:

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

3. Pedestrian-scaled street lights shall be provided as follows:

- a. Street lights ~~should~~ shall be located no more than three feet from the curb, and whenever possible ~~should~~ shall be aligned with street trees and other lights on the block.
- b. Street lights ~~should~~ shall be generally evenly spaced, no less than 30 feet apart, and not more than 80 feet apart. Whenever possible, street lights ~~should~~ shall be no less than 15 feet from nearby street trees.
- c. Street lights ~~should~~ shall not be of the type commonly known as Cobra Heads or other types which are intended primarily for the illumination of the vehicular roadway. Lights ~~should~~ shall be ~~ornamental and designed~~ primarily for the illumination of the sidewalk. Whenever nearby pre-existing lights ~~are in good condition and~~ meet the intent of this section, new lights ~~should~~ shall be of the same type. ~~Intersection safety lights shall be typical cobra head design, while mid-block lighting should be ornamental and scaled for the pedestrian environment.~~ Lighting shall meet Public Works standards.

4. If a Community Facilities District is not established to maintain sidewalks, street trees, and lighting, the applicant shall enter into a maintenance agreement to ensure the maintenance of said facilities.

5. Facades located with 15 feet of the public sidewalk shall be oriented to the street as follows:

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

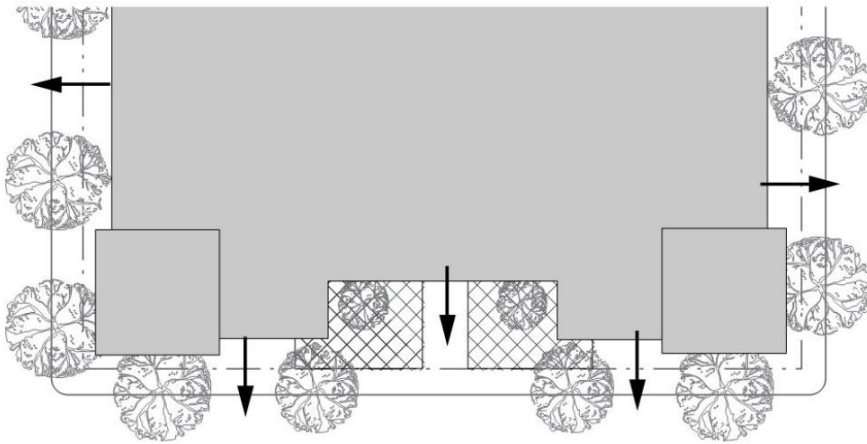


FIGURE 15-1204-B.5: BUILDING ORIENTATION TO THE STREET

6. Exterior walls facing a front or street side lot line shall include windows, doors, or other openings with transparent glazing for at least 60 percent of the building wall area located between 2.5 and seven feet above the level of the sidewalk. Openings fulfilling this requirement shall have transparent glazing and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displays that are at least two feet deep.

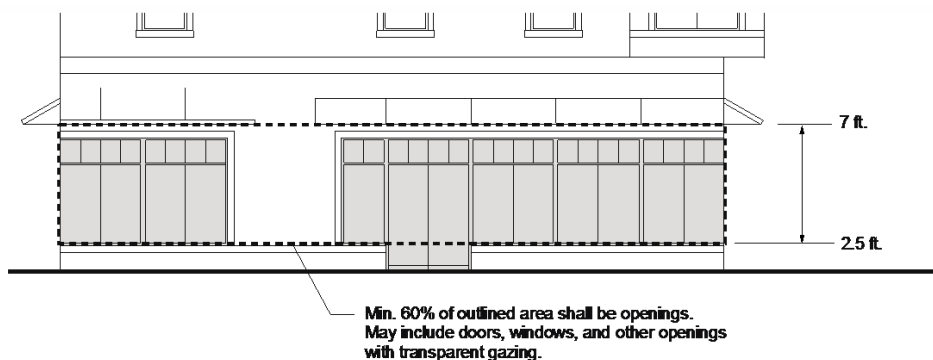


FIGURE 15-1204-B.6: BUILDING TRANSPARENCY

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

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

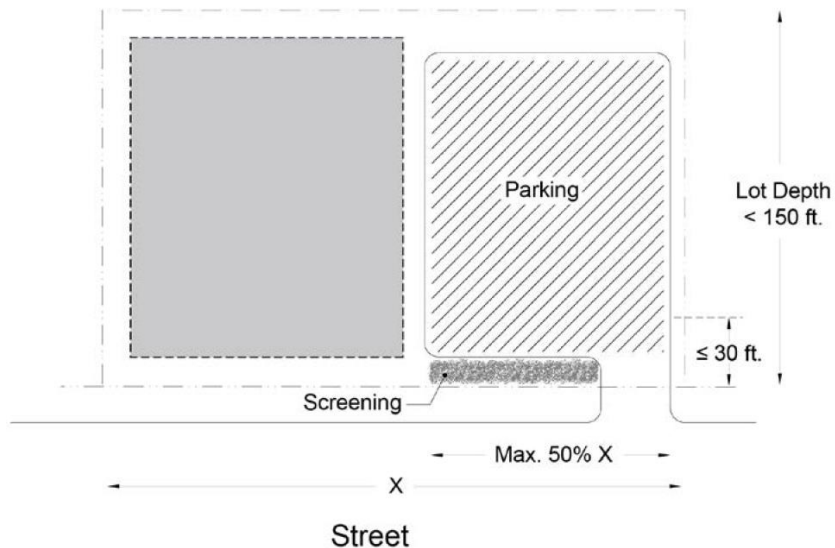


FIGURE 15-1204-C.3: SURFACE PARKING

- D. **Public Plazas.** The following standards apply to commercial shopping center developments in the CC and CR Districts.
 1. **Entry Plazas/Passenger Loading Areas.** A plaza shall be provided at the entry to each anchor tenant that provides for pedestrian circulation and loading and unloading. ~~Entry plazas and passenger loading areas shall include unique, decorative paving materials, adequate seating areas, and provision of adequate shade, and attractive landscaping, including trees or raised planters.~~
 2. **On-Site Plazas.** Outdoor plazas for the use of customers and visitors shall be provided at a rate of five square feet per 1,000 square feet of floor area, up to 1,500 square feet per plaza.
 3. **Location.** Plazas shall be visible ~~from a public street or from on-site areas normally frequented by customers, and shall be and~~ accessible during business hours.
 4. **Amenities.** ~~Plazas shall include, but not be limited to, trees and other landscaping, seating areas, raised planters, shade structures, drinking fountains, water features, public art, or performance areas. Plazas shall include benches or other seating, and paving shall be of high-quality materials. Amenities shall be included that enhance the comfort, aesthetics, or usability of the space, including, but not limited to, trees and other landscaping, shade structures, drinking fountains, water features, public art, or performance areas.~~

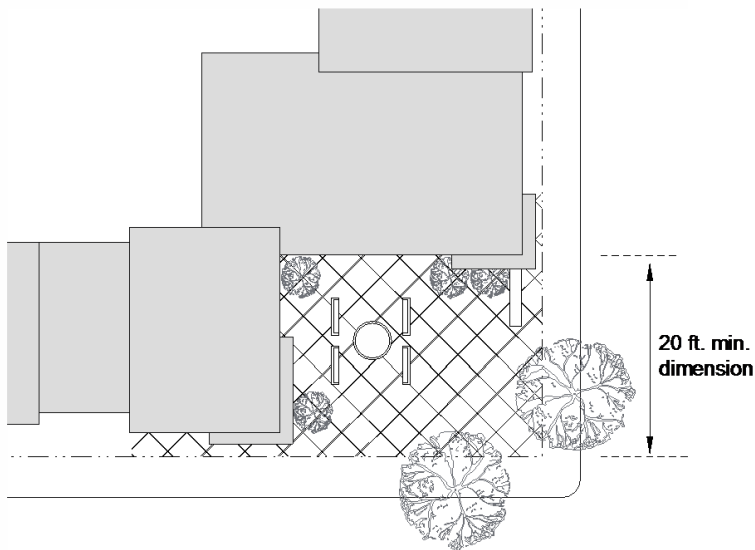


FIGURE 15-1204-D: PUBLIC PLAZAS

- E. **Pedestrian Access.** On-site pedestrian circulation and access shall be provided according to the following standards.
1. **Internal Connections.** A system of pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, and to any on-site open space areas or pedestrian amenities.
 2. **External Connections.** A system of pedestrian walkways shall connect the project site to adjacent Residential, Commercial, Mixed-Use, Office districts as follows:
 - a. If the adjacent Residential, Commercial, Mixed-Use, and Office districts are undeveloped, stub connections shall be provided at a frequency of one per 600 feet. Upon the development of the adjacent parcels, any fencing or gates at the stubs shall be opened.
 - b. If the adjacent Residential, Commercial, Mixed-Use, and Office districts are developed and provide connection points via breaks in the perimeter wall/fence or stub streets, then the project shall provide pedestrian walkway connections at those locations.
 - c. If the adjacent Residential, Commercial, Mixed-Use, and Office districts are developed there are no possible connection points via breaks in the perimeter wall/fence, then the project shall not be required to provide connections.
 3. **To Circulation Network.** Regular connections between on-site walkways and the public sidewalk and other planned or existing pedestrian routes shall be provided. An on-site walkway shall connect the primary building entry or entries to a public sidewalk on each street frontage.
 4. **To Streets.** ~~Direct and convenient access~~Access shall be provided to adjoining residential and commercial areas. ~~to the maximum extent feasible while still providing for safety and security.~~
 5. **To Transit.** ~~Safe and convenient pedestrian~~Pedestrian connections shall be provided from transit stops to building entrances.
 6. **Pedestrian Walkway Design.**
 - a. Walkways shall be a minimum of four feet wide, shall be hard-surfaced, and paved with concrete, stone, tile, brick, or comparable material.

-
- b. Where a required walkway crosses driveways, parking areas, or loading areas, it must be clearly identifiable through the use of a raised crosswalk, a different paving material, or similar method.
 - c. Where a required walkway is parallel and adjacent to an auto travel lane, it must be raised or separated from the auto travel lane by a raised curb at least six inches high, bollards, or other physical barrier.

F. **Service Areas and Loading.** Service and loading areas shall have the same cladding, materials and colors of the main building façade and be screened from residential areas. If the service or loading area is located on the side or rear within 50 feet of an adjacent residential use, one of the following techniques shall be required: Service and loading areas should be integrated with the design of the building and shall be screened from residential areas. Special attention shall be given when designing loading facilities in a location that is proximate to residential uses. Techniques such as block walls, enhanced setbacks, or enclosed loading bays can minimize adverse impacts to residents.

a. 6-foot CMU block wall

b. Landscaping shall comply with Article 24, Table 15-2305-C-1.

c. Enclosed loading dock

d. 20-foot side or rear setback

SEC. 15-1205. FAÇADE DESIGN DEVELOPMENT STANDARDS.

- A. **Building Articulation.** All street-facing façades, including freeway-facing façades, must include at least one projection or recess at least two feet in depth for every 25 horizontal feet of wall.
- B. **Building Materials and Finishes.**
1. Each side of a building that is visible from a street or passenger railway shall be designed with the following: with a complementary level of detailing and quality of materials.
 - a. at least two cladding materials (excluding roof and foundation); and
 - b. at least three exterior colors (each cladding material shall count as a color, and trim/accent colors shall each count as a color)
 2. Veneers ~~shall~~ should turn corners, avoiding exposed edges and continue down the side of a building to a logical break, such as a change in wall plane. Material changes at outside corners ~~should~~ shall be avoided.
 3. Windows ~~shall maintain a consistent design character throughout the development and~~ shall be of the same material on all elevations facing a street.
 4. Building entrances ~~shall include one of the following: and common areas shall be accentuated with enhanced finishes and materials that are durable and high quality and distinguish these spaces from other elements of the building.~~
 - a. Recessed portico or alcove
 - b. Canopy or awning
 - c. Ornamentation flanking the entrance
 5. Parking areas and structures shall ~~be designed to match and be compatible with the architectural character,~~ the materials, and colors of the overall development.
 6. ~~The design of building~~ Building additions ~~should~~ shall have the same materials and color follow the same general scale, proportion, massing, and detailing of the original structure, ~~and not in stark contrast to the original structure.~~
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SEC. 15-1502. USE REGULATIONS.

- A. Table 15-1502 prescribes the proposed land use regulations for Downtown Districts. The regulations for the districts are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.
- "P" designates permitted uses.
- "C" designates uses that are permitted after review and approval of a Conditional Use Permit.
- "(#)" numbers in parentheses refer to specific limitations listed at the end of the table.
- "—" designates uses that are not permitted.
- B. Land uses are defined in Article 67, Use Classifications.
- C. In cases where a specific land use or activity is not defined, the Director shall assign the land use or activity to a classification that is substantially similar in character per Section 15-5020, Director's Classification.
- D. All permitted uses are allowed either alone or in combination with other permitted uses unless otherwise stated in this Code.
- E. Use classifications and subclassifications not listed in the table or not found to be substantially similar to the uses below are not permitted.
- F. The table also notes additional regulations that apply to various uses. Section numbers in the right hand column refer to other sections of this Code.

TABLE 15-1502: USE REGULATIONS—DOWNTOWN DISTRICTS										
Use Classifications	Activity Class (See Figure 15-1501 for Activity Classifications Map)									Additional Regulations
	DTN			DTG			DTC			
	A	B	C	A	B	C	A	B	C	
Residential Use Classifications										
Residential Housing Types										
Single-Unit Dwelling, Attached	—	P	P	—	P	P	—	—	—	§ 15-2754, Second/Accessory Dwelling Units (ADUs)
Duplex	—	P	P	—	P	P	—	P	P	§ 15-2754, Second/Accessory Dwelling Units (ADUs)
Multi-Unit Residential	P(1)	P	P	P(1)	P	P	P(1)	P	P	§ 15-2754, Second/Accessory Dwelling Units (ADUs)
Adult Family Day Care										
Small (6 clients or less)	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Large (7 to 12 clients)	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Caretaker Residence	P(1)	P	P	P(1)	P	P	P(1)	P	P	

Domestic Violence Residence	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Elderly and Long-Term Care	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Family Day Care										
Small (8 children or less)	P(1)	P	P	P(1)	P	P	P(1)	P	P	§ 15-2725, Day Care Centers and Family Child Care Homes
Large (9 to 14 children)	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Group Residential										
Small (6 persons or less)	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Large (7 persons or more)	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Lodging-to-Dwelling Conversion	C	C	C	C	C	C	C	C	C	§ 15-2737.5 Lodging-to-Dwelling Conversion Requirements
Re-Entry Facility	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Residential Care Facilities										
Residential Care, General	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Residential Care, Limited	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Residential Care, Senior	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Single Room Occupancy	P(1)	P	P	P(1)	P	P	P(1)	P	P	§ 15-2756, Single Room Occupancy Hotels and Boarding Homes
Public and Semi-Public Use Classifications										
Colleges and Trade Schools, Public or Private	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Community and Religious Assembly (less than 2,000 square feet)	P(1)	P	P	P(1)	P	P	P(1)	P	P	§ 15-2719, Community and Religious Assembly Facilities
Community and Religious Assembly (2,000 square feet or more)	P(1)	P	P	P(1)	P	P	P(1)	P	P	

Community Garden	P(1)	P	P	P(1)	P	P	P(1)	P	P	§ 15-2720, Community Gardens/Urban Farms
Conference/Convention Facility	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Cultural Institutions	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Day Care Centers	P(1)	P	P	P(1)	P	P	P(1)	P	P	§ 15-2725, Day Care Centers and Family Child Care Homes
Emergency Shelter	P(1)	P	P	P(1)	P	P	P(1)	P	P	§ 15-2729, Emergency Shelters
Government Offices	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Hospitals and Clinics										
Hospital	—	C	C	—	C	C	—	C	C	
Clinic	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Instructional Services	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Park and Recreation Facilities, Public	P	P	P	P	P	P	P	P	P	
Parking, Public or Private	P	P	P	P	P	P	P	P	P	§ 15-1504-G, Parking Buffering; § 15-1504-H, Parking Access and Entrance Design
Public Safety Facilities	—	P	P	—	P	P	—	P	P	
Schools, Public or Private	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Social Service Facilities	—	P	P	—	P	P	—	P	P	
Commercial Use Classifications										
Adult-Oriented Business	—	C	C	—	C	C	—	C	C	§ 15-2705, Adult-Oriented Businesses; § 9-2001, Picture and Live Arcades
Animal Care, Sales and Services										
Grooming and Pet Stores	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	
Veterinary Services	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Artist's Studio	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Automobile/Vehicle Sales and Services										
Automobile Rentals	P(8)	P(5)	P(5)	—	P(5)	P(5)	—	—	—	§ 15-2709, Automobile and Motorcycle Sales and Leasing

Automobile/Vehicle Sales and Leasing	P(8)	P(5)	P(5)	—	P(5)	P(5)	—	—	—	
Automobile/Vehicle Service and Repair, Minor	P(8)	P(5)	P(5)	—	P(5)	P(5)	—	—	—	§ 15-2710, Automobile/Vehicle Service and Repair, Major and Minor
Large Vehicle and Equipment Sales, Service and Rental	P(8)	P(8)	P(8)	—	—	—	—	—	—	§ 15-2710, Automobile/Vehicle Service and Repair, Major and Minor
Service Station	—	C(5)	C(5)	—	C(5)	C(5)	—	—	—	§ 15-2755, Service Stations
Banks and Financial Institutions										
Banks and Credit Unions	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Business Services	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Banquet Hall	P	P	P	P	P	P	P	P	P	§ 15-2712, Banquet Hall
Eating and Drinking Establishments										
Bars/Nightclubs/Lounges	P(3)	P(3)	P(4)	P(3)	P(3)	P(4)	P(3)	P(3)	P(4)	§ 15-2751, Restaurants with Alcohol Sales; Bars, Nightclubs, and Lounges; § 15-2744, Outdoor Dining and Patio Areas
Restaurant, with Alcohol Sales	P(3)	P(3)	P(4)	P(3)	P(3)	P(4)	P(3)	P(3)	P(4)	
Restaurant, without Alcohol Sales	P(3)	P(3)	P(4)	P(3)	P(3)	P(4)	P(3)	P(3)	P(4)	
Entertainment and Recreation										
Cinema/Theaters	P	—	—	P	—	—	P	P	P	
Cyber/Internet Café	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	§ 15-2724, Cyber/Internet Cafés
Motorcycle/Riding Club	P(5)	P(5)	P(5)	P(5)	P(5)	P(5)	—	—	—	§ 15-2742, Motorcycle/Riding Clubs
Large-Scale	—	C	C	—	C	C	—	C	C	§ 15-2708, Arcades, Video Games, and Family

										Entertainment Centers
Small-Scale	P	P	P(4)	P	P	P(4)	P	P	P(4)	§ 15-2708, Arcades, Video Games, and Family Entertainment Centers; § 9-1801, Billiard Rooms
Food and Beverage Sales										
Farmer's Markets	P	P	P	P	P	P	P	P	P	§ 15-2730, Farmer's Markets
General Market	P	P	P	P	P	P	P	P	P	§ 15-2744, Outdoor Dining and Patio Areas; § 15-2745, Outdoor Retail Sales
Healthy Food Grocer	P	P	P	P	P	P	P	P	P	
Liquor Stores	—	C(3)	C(3)	—	C(3)	C(3)	—	C(3)	C(3)	§ 15-2706, Alcohol Sales ; § 15-2745, Outdoor Retail Sales
Food Preparation	—	P(1)	P(1)	—	P(1)	P(1)	—	—	—	
Funeral Parlors and Internment Services	—	P	P	—	P	P	—	—	—	§ 15-2714, Body Preparation and Funeral Services
Live/Work	P	P	P	P	P	P	P(1)	P	P	
Lodging										
Bed and Breakfast	P(1)	P	P	P(1)	P	P	P(1)	P	P	§ 15-2714, Bed and Breakfast Lodging
Hotels and Motels	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Maintenance and Repair Services	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Offices										
Business and Professional	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Medical and Dental	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Walk-In Clientele	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Personal Services										
General Personal Services	P	P	P	P	P	P	P	P	P	
Fortune Telling Service	P	P	P	P	P	P	P	P	P	
Massage Establishments	C	C	C	C	C	C	C	C	C	
Tattoo or Body Modification Parlor	P	P	P	P	P	P	P	P	P	§ 15-2758, Tattoo or Body Modification Parlors

Retail Sales										
Building Materials and Services	—	P(5)	P(5)	—	P(5)	P(5)	—	—	—	§ 15-2745, Outdoor Retail Sales
Convenience Retail	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	§ 15-2745, Outdoor Retail Sales; 15-2761 Tobacco and Vapor Sales
General Retail	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	§ 15-2733, Hobby Stores; § 15-2745, Outdoor Retail Sales
Large-Format Retail	—	—	—	—	—	—	P	P	P	§ 15-2737, Large-Format Retail; § 15-2745, Outdoor Retail Sales
Nurseries and Garden Centers	P(7)	P(7)	P(7)	P(7)	P(7)	P(7)	P(7)	P(7)	P(7)	§ 15-2745, Outdoor Retail Sales
Pawn Shops	—	P	—	—	P	—	—	P	P	
Second Hand/Thrift Stores	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	
Swap Meet/Flea Market	—	P	—	—	P	—	—	P	P	§ 15-2730, Flea Markets
Industrial Use Classifications										
Custom Manufacturing	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Limited Industrial	C(8)	P(1) (5)	P(5)	—	P(1) (5)	P(5)	—	—	—	
General Industrial	C(8)	C(8)	C(8)	—	—	—	—	—	—	
Recycling Facility										
Reverse Vending Machine	—	P	P	—	P	P	—	P	P	§ 15-2750, Recycling Facilities
Research and Development	C(8)	P(5)	P(5)	—	P(5)	P(5)	—	—	—	
Warehousing, Storage, and Distribution										
Indoor Warehousing and Storage	C(8)	C(8)	C(8)	—	—	—	—	—	—	
Outdoor storage	C(8)	C(8)	C(8)	—	—	—	—	—	—	
Personal Storage	—	C(5)	C(5)	—	C(5)	C(5)	—	—	—	§ 2747, Personal (Mini) Storage
Wholesaling and Distribution	C(8)	C(8)	C(8)	—	—	—	—	—	—	
Transportation, Communication, and Utilities Use Classifications										
Communication Facilities										
Antenna and Transmission Towers	§ 15-2759, Telecommunications and Wireless Facilities									

Facilities within Buildings	—	C	C	—	C	C	—	C	C	
Freight/Truck Terminals and Warehouses	C(8)	C(8)	C(8)	—	—	—	—	—	—	
Light Fleet-Based Services	C(8)	P(5)	P(5)	—	P(5)	P(5)	—	—	—	
Transportation Passenger Terminals	P	P	P	P	P	P	P	P	P	
Utilities, Major	—	C	C	—	C	C	—	C	C	
Utilities, Minor	—	C	C	—	C	C	—	C	C	
Agricultural and Extractive Use Classifications										
Produce Stand	P	P	P	P	P	P	P	P	P	§ 15-2752, Roadside Fruit Stands/Grower Stands
Tasting Room	P	P	P	P	P	P	P	P	P	
Urban Farm	—	P	P	—	P	P	—	P	P	§ 15-2720, Community Gardens/Urban Farms
Other Applicable Types										
Accessory Uses and Structures	§ 15-2703, Accessory Uses									
Animal Keeping	§ 15-2707, Animal Keeping									
Drive-In and Drive-Through Facilities	—	C(6)	C(6)	—	C(6)	C(6)	—	C(6)	C(6)	§ 15-2728, Drive-In and Drive-Through Facilities
Home Gardens	§ 15-2734, Home Gardens and Edible Landscaping									
Home Occupations	§ 15-2735, Home Occupations									
Nonconforming Use	Article 4, Nonconforming Uses, Structures, Site Features, and Lots									
Temporary Use	§ 15-2760, Temporary Uses									
Transitional and Supportive Housing	§ 15-2762, Transitional and Supportive Housing and Low Barrier Navigation Centers									
Walk-Up Facilities	§ 15-2766, Walk-Up Facilities									
Specific Limitations: 1. Permitted only on upper floors and rear portions of the ground floor, no closer than 30 feet from a public street, public plaza, or park. Exception: Lobbies may occupy ground floor space adjacent to a public street, public plaza, or park. Lobbies may not occupy more than 25 feet of frontage. 2. Permitted only on ground floor. Prohibited on upper floors. 3. Permitted only on ground floor. Prohibited on upper floors. Exception: Also permitted on uppermost floors of buildings over 4 stories in height. 4. Permitted only on ground floor at intersection of two public streets. May not exceed 2,500 square feet in floor area. 5. Permitted south of Inyo Street only. 6. Not allowed between a building and a sidewalk. 7. Permitted if located entirely within a building. When located outdoors, permitted south of Inyo Street										

only.

8. East of State Route 41 only.

SEC. 15-1504. SITE DESIGN DEVELOPMENT STANDARDS.

- A. **Active Uses Adjacent to Sidewalks.** ~~In order to promote activity on all sidewalks, and to focus the highest activity levels in the most beneficial areas, the~~The following standards shall apply to all ground-floor building space located within 30 feet of a public street:
1. **Activity Classifications.** Uses shall be Permitted, Conditionally Permitted, or Prohibited based on the adjacent street's activity classification as identified in Figure 1501 and Table 15-1502.
 2. **Active to Inactive Space Ratio.**
 - a. **Activity Class A.** No less than 90 percent of the length of building frontage along public streets shall be designed to be occupied by active spaces, such as lobbies, dining areas, living areas, and sales floors. The remaining 10 percent may consist of inactive spaces, such as kitchens, hallways, utility rooms, storage, emergency exits, display cases, etc.
 - b. **Activity Class B and C.** No less than 60 percent of the length building frontage along public streets shall be designed to be occupied by active spaces, such as lobbies, dining areas, living areas, and sales floors. The remaining 40 percent may consist of inactive spaces, such as kitchens, hallways, utility rooms, storage, emergency exits, display cases, etc.
 - c. **Sites with Multiple Frontages.** The street of highest pedestrian importance, as determined by ~~the Review Authority~~FMC Section 1501-C, shall comply with subparagraphs a and b above. Other street frontages may provide reduced active spaces ~~as determined by the Review Authority.~~
- B. **Mixed-Use Configurations.** Buildings shall be designed to minimize ~~the potential~~ conflicts between residential and non-residential uses adjacent to one another or within the same building ~~to the satisfaction of the Review Authority.~~ ~~Potential t.~~ Techniques include:
1. Sound attenuation/transmission requirements of the California Building Code;
 2. ~~Distinct-Separate~~ entries for non-residential and residential suites/units;
 3. Ventilation of ground floor uses so as not to disrupt upper floor tenants.
- C. **Required Minimum Height.**
1. Required minimum heights are applicable only in the DTC District as put forth by the following diagram.



FIGURE 1504-C: REQUIRED MINIMUM HEIGHTS

2. New structures shall meet both the minimum number of floors and the minimum height in feet. No more than the front 30 feet of lot depth, measured from all streets on which the project has frontage, shall be subject to Required Minimum Height regulations.
 3. Existing structures which are remodeled or otherwise modified shall not be required to comply with Required Minimum Height regulations unless the gross floor area is increased by more than 100 percent.
 4. Additions to designated historic resources shall not be required to comply with Required Minimum Height regulations.
 5. Portions of the building that are not part of the primary building mass, such as entrance porticos, bays and stoops, are not required to meet minimum height requirements. Parking podiums, garages, and accessory buildings are not required to meet minimum height requirements.
- D. **Special Noise Standards.** Within the portion of the DTN District that is south of Inyo Street, the following special noise standards apply.
1. **Stationary Noise Standards.** This area is exempted from Subsection 15-2605-D. The following maximum noise levels in Table 15-1504-D apply.

TABLE 15-1504-D: MAXIMUM NOISE EXPOSURE LEVELS FOR SOUTH OF INYO STREET		
	Daytime 7am—10pm	Nighttime 10pm—7am
Maximum Sound Level (Lmax), dBA	70	60

2. **Residential Uses.** New residential development shall anticipate maximum allowable noise levels and provide noise protection to maintain an interior noise level at 45 Leq, dB or lower.
- E. **RS Transition Standards.** Where a DT district abuts an RS District, the following standards apply:
1. **Height.** The maximum height within 40 feet of an RS District is limited to 30 feet. The maximum height within 100 feet of an RS District is 40 feet.
 2. **Setbacks.** The following additional setback requirements shall be applied to all structures, including accessory structures, on parcels which are adjacent to an RS District:
 - a. **Front and Street Side Yard.** The front setback shall not be less than the required front yard on the abutting RS District lot within 50 feet of the RS District.
 - b. **Interior Side and Rear.** The interior side and rear setback abutting an RS District boundary shall be 20 feet.
 3. **Landscape.** See Section 15-2305, Areas to be Landscaped.

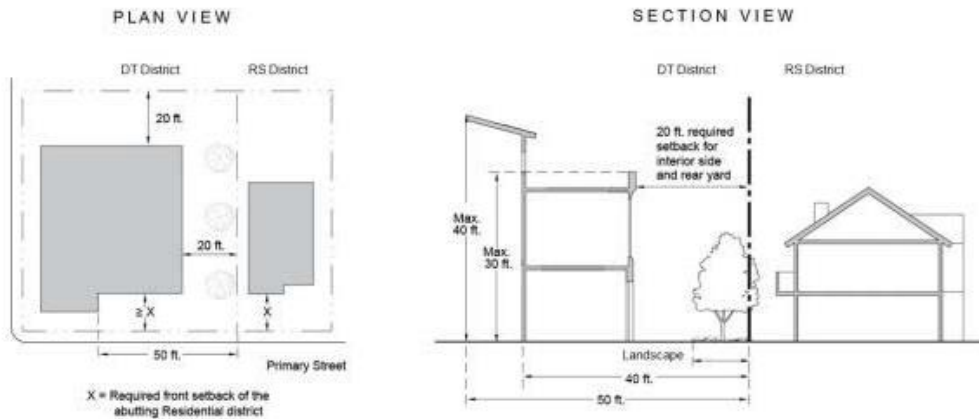


FIGURE 15-1504-E: RS TRANSITION STANDARDS—DT DISTRICTS

- F. **Corner Frontage.** Buildings on corner lots must be located within a minimum of five feet of the back of the sidewalk for the minimum length specified in Table 15-1503. ~~As determined by the Review Authority,~~ ~~plazas~~ Plazas can be maybe located at the street corner provided the plaza meets the requirements of Section 15-1504-I.1.c and buildings are built to the edge of the plaza.

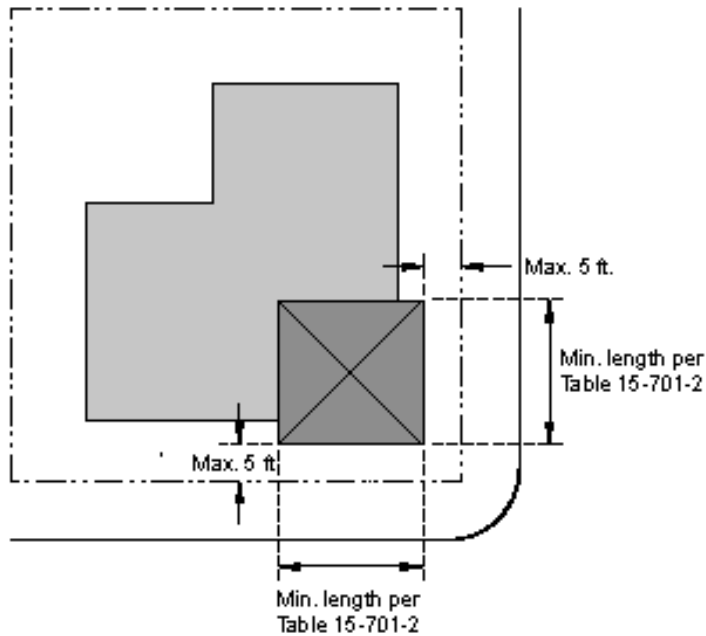


FIGURE 15-1504-F: CORNER FRONTAGE STANDARDS

G. **Parking Buffering.** All parking facilities, whether public or private, shall be buffered as shown on Table 15-1503 based on the adjacent street activity classification as shown in Figure 15-1501 and the physical form of the parking as provided below:

1. **Activity Class A.**

- a. **Surface Parking and Tuck-Under Parking.** Surface and tuck-under (one row of surface parking with building area over it) parking must be located entirely behind a building space which is occupied by a permitted use or uses, which conforms to all applicable development standards, and which is no less than 30 feet deep. Accessory structures, sheds, parking attendant booths, and other such buildings shall not satisfy this requirement.
- b. **Above Grade Structured Parking.** All above grade levels of the parking structure must be located behind active, occupied building space for a depth of no less than 30 feet.
- c. **Partially Submerged Podium Parking.** Parking that is partially below the street grade must be located behind active, occupied space for a depth of no less than 30 feet.
- d. **Underground Parking.** Parking that is fully underground and below the street grade may extend from lot line to lot line.

2. **Activity Class B.**

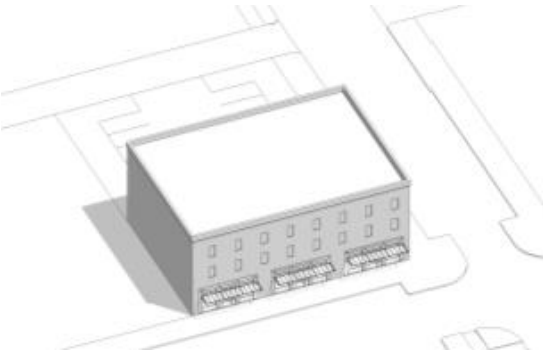
- a. **Surface Parking and Tuck-Under Parking.** Surface and tuck-under parking (one row of surface parking with building area over it) must be located entirely behind a building space which is occupied by a permitted use or uses, which conforms to all applicable development standards, and which is no less than 30 feet deep. Accessory structures, sheds, parking attendant booths, and other such buildings shall not satisfy this requirement.
- b. **Above Grade Structured Parking.** The ground floor of the parking structure must be located behind active, occupied building space for a depth of no less than 30 feet. Upper floors of the

parking structure are not required to be located behind non-parking uses or to be set back more than is required by the building setbacks.

- c. **Partially Submerged Podium Parking.** Parking that is partially below the street grade shall be buffered in the same manner as above grade structured parking, however it will not be subject to a buffering requirement if the following conditions are met:



Buffering all levels of structured parking on Activity Class A and B streets balances parking and placemaking goals.



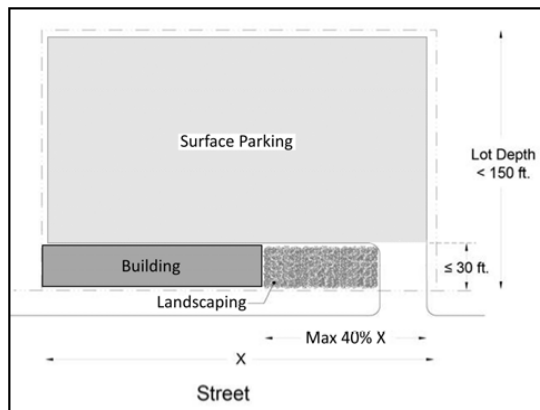
On Activity Class A and B streets, surface parking must be set back from the street and located behind a building.

- i. No more than four feet of the partially submerged parking podium may extend above the street grade.
 - ii. The partially submerged parking podium shall be screened along street facing elevations by foundation plant materials. Gates need not be screened.
- d. **Underground Parking.** Parking that is fully underground and below the street grade may extend from lot line to lot line.
3. **Activity Class C.**
- a. **Surface Parking and Tuck-Under Parking.** Surface and tuck-under parking (one row of surface parking with building area over it) shall be set back no less than 30 feet. For no less than 60 percent of the length the lot frontage along public streets, surface parking must be located behind a building space which is occupied by a permitted use or uses and which conforms to all applicable development standards and which is no less than 30 feet deep. Accessory structures, sheds, parking attendant booths, and other such buildings shall not satisfy this requirement. For the remainder of the lot frontage, the setback ~~may shall~~ be landscaped, include a public plaza or, an outdoor dining area, ~~or similar treatment as determined by the Review Authority.~~

- b. **Above Grade Structured Parking.** The ground floor of the parking structure must be located behind active, occupied building space for a depth of no less than 30 feet. Upper floors of the parking structure are not required to be located behind non-parking uses or to be set back more than is required by the building setbacks.
- c. **Partially Submerged Podium Parking.** Parking that is partially below the street grade shall be buffered in the same manner as above grade structured parking, however it will not be subject to a buffering requirement if the following conditions are met:
 - i. No more than four feet of the partially submerged parking podium may extend above the street grade.
 - ii. The partially submerged parking podium shall be screened along street facing elevations by foundation plant materials. Gates need not be screened.
- d. **Underground Parking.** Parking that is fully underground and below the street grade may extend from lot line to lot line.



On Activity Class C streets, only the ground floor or above grade structured parking must be buffered with active uses.



On Activity Class C streets, most surface parking must be behind a building, but some may be behind landscaping.

- 4. **Sites with Multiple Frontages.** Building frontage along the street(s) of highest pedestrian importance, as determined ~~by the Review Authority~~ by FMC Section 15-1501-C, shall comply with applicable subsections 1, 2, and/or 3 above. Along the street of lowest pedestrian importance, frontages may

provide reduced buffering. ~~if a satisfactory pedestrian environment is maintained, as determined by the Review Authority.~~

H. **Parking Access and Entrance Design.** The following standards shall apply to vehicular access to off-street parking areas:

1. **Access.**

- a. **Lots with Alley Access.** Service areas shall be accessed through the alley, and access from a street shall not be permitted. For the redevelopment of sites with existing curb cut access from a street, the access shall be taken from the alley and the curb cut on the street shall be removed.
- b. **Corner Lots without Alley Access.** Service areas shall be accessed from the street with the lowest Activity Classification per Figure 15-1501. If all adjacent streets have the same Activity Classification, the parking and service areas shall be accessed from the street with the least potential for pedestrian activity as determined by ~~the Review Authority.~~ FMC Section 15-1501-C.
- c. **Interior Lots without Alley Access.** Service areas may be accessed from the street.

2. **Entrance Design.** Private parking garage entrance openings ~~shall be composed as an integral part of the building facade and shall be designed as doorways secured by gates or doors, and scaled in proportion to the overall form of the building.~~

I. **On-Site Open Space.**

1. **Minimum Open Space Required.** On-site open space shall be required for projects with more than four dwelling units. The minimum amount of on-site open space required shall be based on the size of the lot, as shown in Table 15-1503. This requirement may be met through a combination of private open space, common open space, or public plazas as follows:

- a. **Private Open Space Requirements.** Private open spaces are those which are attached to a dwelling unit and are available only for the private use of the residents of the dwelling unit, such as balconies, porches, and patios. No fewer than 50 percent of the dwelling units on a site shall have a private open space. The following standards shall apply to private open space:
 - i. The minimum dimension of any private open space shall be five feet.
 - ii. The minimum area of any private open space shall be 50 square feet.
 - iii. When located within 30 feet of a public street and located on the ground floor, private open spaces shall follow the requirements for Porches as put forth in Table 15-1505-E-2.
 - iv. When located within 30 feet of a public street and located above the ground floor, private open spaces shall follow the requirements for Balconies as put forth in Table 15-1505-F.
- b. **Common Open Space Requirements.** Common open spaces are those which are available for active or passive use by all tenants, but use by the general public may be restricted. To the extent that common open space is provided, the following standards shall apply:
 - i. The minimum dimension of any common open space shall be 20 feet.
 - ii. The minimum area of any common open space shall be 1,000 square feet. The calculation of the common open space area shall ~~exclude structures which are unusable as open space, but shall include structures that enhance its usability, such as include~~ swimming pools, changing facilities, fountains, planters, benches, and landscaping.
 - iii. For sites greater than one acre in size, a minimum of 40 percent of the required common open space shall be developed with gardens, play fields, hard-surfaced game courts,

recreation rooms, swimming pools, or other features designed for the active recreational use of residents of the development.

- iv. Common open space may be located at grade, on rooftops, on top of parking podiums, or any other such location that is accessible to tenants. Common open space may not be located within required setbacks or parking areas.

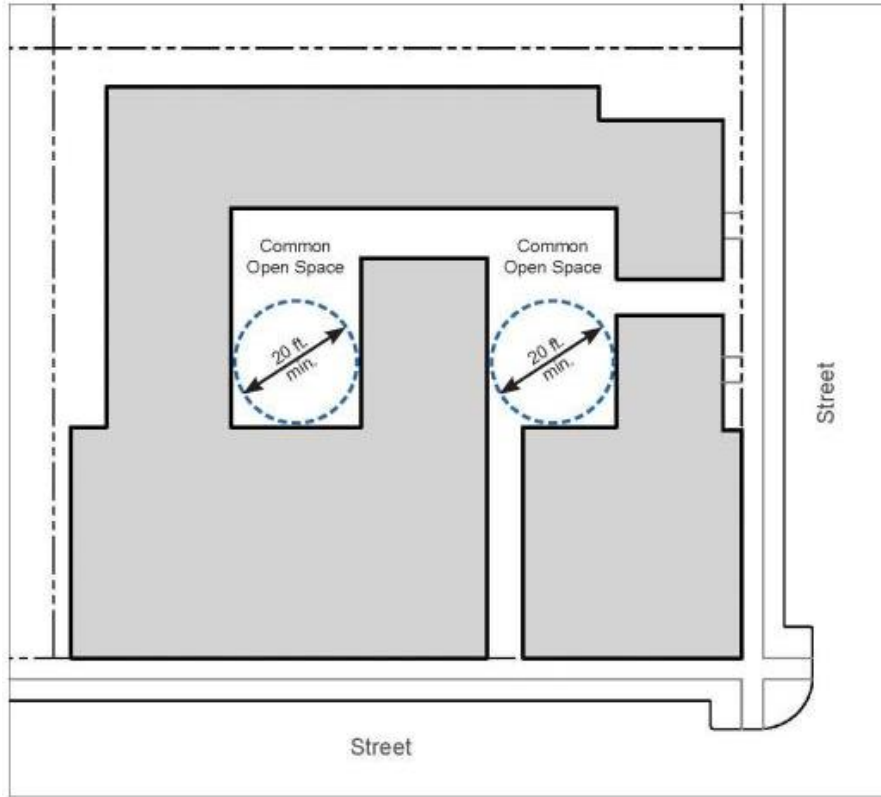


FIGURE 15-1504-I.1.B: MINIMUM REQUIRED COMMON OPEN SPACE DIMENSION

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

- iv. Public plazas shall be fully accessible from the public right-of-way, shall be located in front of project buildings and shall not be located where public views into the space are obstructed by buildings or other structures.
- v. Public plazas may be located within required front setbacks.
- vi. A public access easement shall be provided for the space.
- vii. Building walls and façades which face a Public Plaza shall be regulated in the same manner as a street-facing façade. Permitted uses along the Public Plaza frontage shall be based on the Activity Classification of the nearest street.

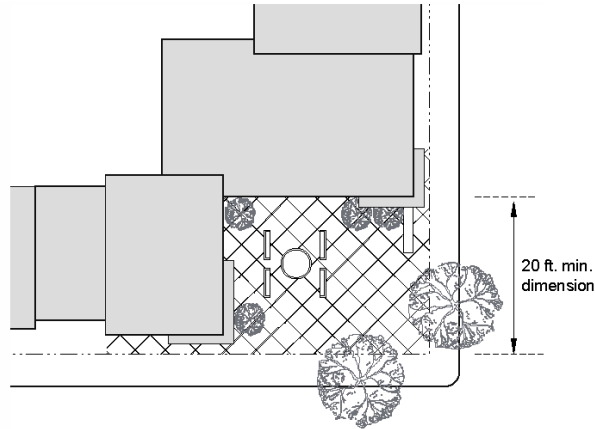


FIGURE 15-1504-I.1.C: MINIMUM REQUIRED PUBLIC PLAZA DIMENSION

- 2. **Minimum Open Space Reduction.** The minimum amount of open space required shall be reduced by 25 percent in the following circumstances:
 - a. Any portion of the lot is located within 400 feet of a transit stop with regular, scheduled service during the weekday hours of 7:00 a.m. to 9:00 a.m. and 5:00 p.m. to 7:00 p.m.
 - b. There is a public park within 400 feet of the site, and
 - i. Said park is located on the same side of the street and provides an ADA compliant improved pedestrian path of travel to and from the site; or
 - ii. The public park is across a local street and the site provides an ADA compliant improved pedestrian path of travel to and from the site.
 - c. The parcel is 15,000 square feet or less in area.
- J. **Pedestrian Access.** On-site pedestrian circulation and access must be provided according to the California Building Code and the following standards. Along all public streets, public plazas, and parks, pedestrian entrances from the public sidewalk into structures and/or the site shall be provided as follows:
 - 1. **Residential Unit Sidewalk Connections.** Direct entrances from the sidewalk into individual ground-floor dwelling units which are adjacent to streets shall be provided at a rate of no less than one per 50 feet of linear street frontage. Such entrances shall be accessed through a permitted frontage per Table 15-1505-E-2.
 - 2. **Commercial Sidewalk Connections.** Direct entrances from the sidewalk into ground-floor commercial establishments which are adjacent to streets shall be provided at a rate of no less than one per 50 feet

of linear street frontage. When establishments with a greater length occupy a site, they shall be set back and wrapped with smaller spaces that will satisfy this requirement. See Figure 15-1504-J.1.c.

3. **Common Area Sidewalk Connections.** Residential and commercial areas which aren't directly accessed from the sidewalk as put forth in items 1 and 2 above shall be accessed by a common entrance from the sidewalk into lobbies or internal pedestrian paths.
4. Emergency exits, entrances into utility rooms, and other such features shall not count toward to the satisfaction of this requirement.
5. **Pedestrian Access Design.**
 - a. If there is a yard between the sidewalk and the building, a paved path six feet in width shall be provided from the public sidewalk to the entrance.
 - b. Entry doors shall not swing out to the sidewalk unless the door when fully open does not encroach into the sidewalk.
 - c. Handrails or other such improvements shall not block visibility of the building entry or direct access from the sidewalk.



Orienting pedestrian entrances to the sidewalk is an essential ingredient of Downtown revitalization.



Direct entrances into individual ground-floor residential units ensure pedestrian comfort on less active streets.

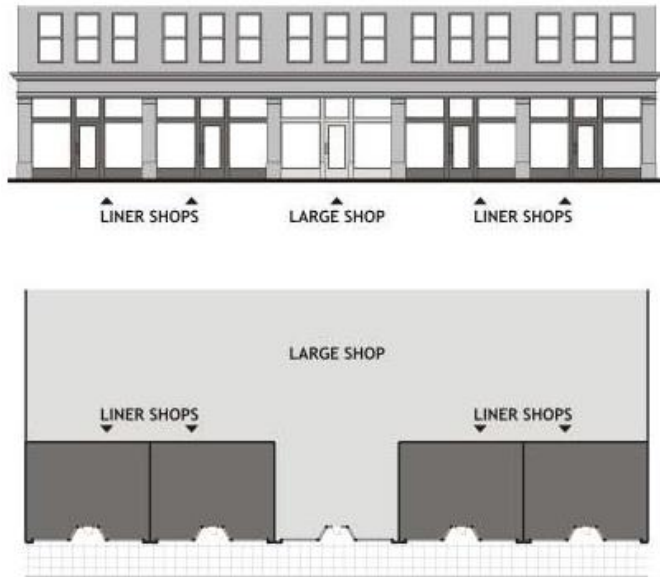


FIGURE 1504-J.1.C: WRAPPING OF LARGE USES



Retail uses along the ground floor of the Warnor's Theater conceal the large, windowless auditorium.



Large department stores can be wrapped with smaller shops, as with the Macy's at River Park.

K. Sidewalk and Public Frontage Standards.

1. **Applicability.**

- a. Notwithstanding Chapter 13, Section 208 of the Municipal Code, all projects shall be required to bring adjacent sidewalk conditions into conformance with the standards of this section, subject to the following exceptions:
 - i. Applications for signs only.
 - ii. Additions, remodels, or tenant improvements of less than 50 percent of the current value of the property.
 - iii. Accessory structures less than 1,000 square feet in size.
- b. New development that is below the thresholds noted in item 'a', above, shall replace and maintain missing and/or dead street trees and any other missing or dead landscaping in the public frontage (public right-of-way).
- c. In no case shall an existing sidewalk, or portion thereof, be vacated, even if the minimum width required in the applicable Public Frontage Type is less than the existing sidewalk.
- ~~d. When a public frontage of the subject property is improved to meet the applicable requirements of this section and the adjacent property does not physically align with the new improvement, the improvement shall be designed to the satisfaction of the Review Authority to result in a safe and smooth transition between properties.~~

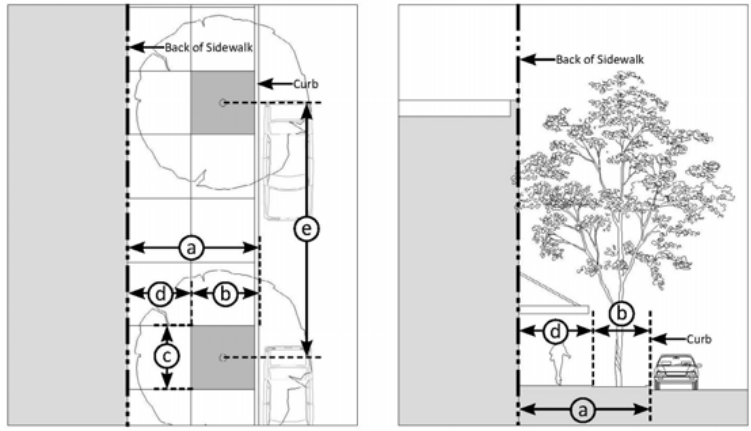
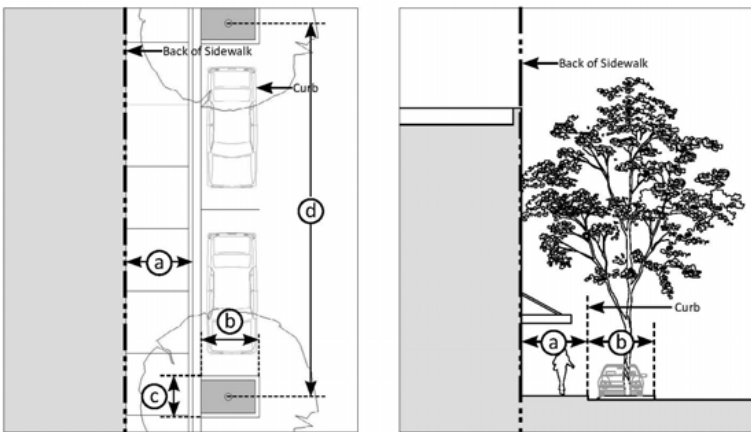
2. **Public Frontage Types.** Required sidewalks shall be provided and designed as follows:



Public frontage is an indispensable component of comfortable, safe, and convenient pedestrian experience.

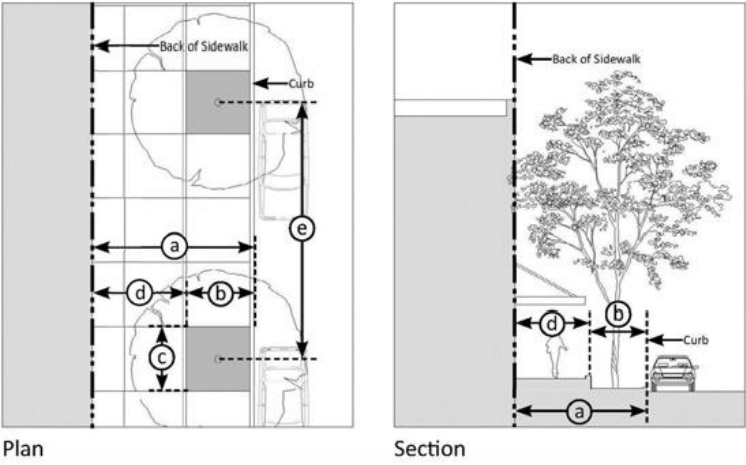


Appealing public frontage enhances commercial viability, sociability, and civic pride.

TABLE 15-1504-K-2: PUBLIC FRONTAGE TYPES—DOWNTOWN DISTRICTS	
A. Sidewalk with Tree Wells	
1. Applicable Locations: All locations except those specified in subsections B and C below.	
2. Basic Standards	
(a) Total Sidewalk Width: 12 ft. min.	
(b) Well Width: 5 ft. min.	
(c) Well Depth: 5 ft. min.	
(d) Clear Walkway Width: 7 ft. min.	
(e) Tree Spacing: 20 ft. min, 40 ft. max.	
B. In-Street Tree Planter	
1. Applicable Locations: Areas with narrow sidewalk conditions.	
2. Basic Standards	
(a) Total Sidewalk Width: Less than 12 ft.	
(b) Well Width: 6 ft. min.	
(c) Well Depth: 4 ft. min.	
(d) Tree Spacing: between every two parallel parking spaces or between every five angled or perpendicular spaces (approximately 40 to 50 feet apart)	
3. Other Standards	
a. Where the existing sidewalk is located immediately adjacent to the curb and where the distance between the curb and the R.O.W. line is too narrow to accommodate both a sidewalk and a parkway strip or tree well, tree planters may be introduced in the parking lane to maximize pedestrian space while providing shade and greenery. <u>as determined by the Review Authority.</u>	
b. Planters should be placed outside of the gutter to avoid interference with drainage. Planter dimensions shall be least 6 feet by 4 feet with curbs provided on all four sides of the planter, although the side facing the sidewalk may be curbless to permit stormwater to drain into the planter.	
c. Planters must contain street trees and may be landscaped or covered with metal tree grates.	
C. Raised Sidewalk	
1. Applicable Locations: Projects with ground floor	

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commercial uses on sites which must be raised due to potential flooding issues.	
2. Basic Standards	
(a) Total Sidewalk Width: 12 ft. min.	
(b) Lower Walkway/Well Width: 5 ft. min.	
(c) Well Depth: 5 ft. min.	
(d) Raised Walkway Width: 7 ft. min.	
(e) Tree Spacing: 20 ft. min, 40 ft. max.	
3. Other Standards	
a. The walkway nearest to the building shall be raised to match the level of the finished floor of the first story so that it is flush with entrances into commercial spaces.	
b. The upper walkway shall be buffered from the lower walkway with a curb, hedge, <u>or</u> raised planter, or other method as determined by the Review Authority.	
c. Steps from the lower walkway to the upper walkway shall be provided every 100 feet or less, as determined by the Review Authority.	
d. At block corners the raised walkway shall, via a straight ramp, drop to meet the level of the lower walkway.	
e. This sidewalk design shall only be used if the Fresno Metropolitan Flood Control District or other public agency mandates that the lot be raised above the existing sidewalk level, due to potential flooding issues and when authorized by the Review Authority.	



A raised sidewalk can allow for proper urban retail frontage, while still mitigating flood risk.



In-street tree planters can provide shade and beauty while maximizing the pedestrian walkway in areas with space constraints.

3. **Sidewalk Width.** Sidewalks shall be no less than 12 feet in width. If the current distance between the right-of-way boundary and the face of the adjacent curb is less than 12 feet, ~~the method by which this requirement shall be satisfied shall be determined by the Review Authority.~~ The available methods shall be as follows:
 - a. **Set Back.** The building may be set back from the right-of-way boundary the distance that is necessary to achieve the required sidewalk width. The portion of the sidewalk which lies within the private parcel shall be guaranteed for public access by the enactment of a pedestrian easement.
 - b. **Reconstruction.** The applicant may demolish and reconstruct the sidewalk for the entirety of the block frontage(s) which the project occupies to the extent necessary to satisfy the requirements of this section.
 - c. **Parklet.** The sidewalk may be expanded into the roadway by a metal or wood deck which does not interfere with the drainage of the street. In such instances the applicant shall enter into an encroachment agreement with the City in which the applicant accepts full responsibility for the maintenance and repair of the parklet, as well as providing the indemnification and insurance as required by the City's Risk Manager. ~~The design of the parklet shall be attractive and compatible with its surroundings, as determined by the Director.~~
 - d. **Width Exemption.** For unusually challenging site conditions, or in instances in which the existing building and sidewalk pattern warrants it, the Director may exempt the applicant providing the full sidewalk width required above. Examples include instances in which setting the building back would cause a break in a uniform row of aligned facades, and moving the curb or adding a parklet would interfere with important roadway improvements such as a bike lane. In such instances all other sidewalk requirements, such as for trees and lighting, shall be met. When a narrow sidewalk is exempted from the width requirement, the standards of the In-Street Tree Planter Public Frontage Type shall be followed ~~if the design of the adjacent roadway permits, at the discretion of the Director.~~

L. **Block, Street, and Alley Standards.**

1. **Maximum Block Length.** No block shall exceed 400 feet in length. For the purposes of this section, block length shall be measured along a street frontage from an intersecting street to the next intersecting street. Such measurements shall not begin nor end at an alley.

-
2. **Design of New and Modified Streets.** New streets and modifications to existing streets shall be designed in conformance with the Fulton Corridor Specific Plan (FCSP). Designs may deviate from the FCSP if necessitated by site constraints, at the discretion of the Director.
 3. **Vacation of Existing Streets and Alleys.** Existing streets and alleys shall not be removed or vacated, except for street or alley fragments that no longer connect to adjacent streets or provide access to adjacent properties. Such fragments may be vacated with Director approval, provided that such vacation will not result in a block which exceeds 400 feet in length.

(Added Ord. 2016-43, § 2, eff. 12-9-16; Am. Ord. 2017-33, § 9, eff. 7-30-17).

SEC. 15-1505. FAÇADE DESIGN DEVELOPMENT STANDARDS.

A. Building Articulation and Massing.

1. **Building Length Articulation.** All building facades over 50 feet in length which face a street, public plaza, or park shall be designed with a minimum of two of the following façade articulation strategies:
 - a. **Material Articulation.** Utilize different materials to divide building façades into vertical and/or horizontal increments.
 - b. **Structural ~~Expression~~ Articulation.** ~~Define~~~~Express~~ building bays, structural elements such as columns and/or beams, or underlying structural elements with pilasters and lintels that project ~~several inches~~ from the façade and/or are clad in a different material from the façade.
 - c. **Horizontal Articulation.** Setback a portion of the street-facing façade a minimum of two feet for a minimum distance of 25 feet.
 - d. **Architectural Projections.** Append or project façade elements such as balconies, bay windows, cantilevered rooms, and/or awnings.
 - e. **Architectural Recessions.** Recess architectural elements or spaces—such as recessed porches, covered passages, recessed balconies, and windows—into the plane of the façade.
2. **Building Height Articulation.** ~~In order to maintain a human scale for multi-story buildings, the~~The height of façades which face a street, public plaza, or park shall be broken into smaller increments as follows:
 - a. **Ground Floors.** A substantial horizontal articulation of the façade shall be applied at the top of the first story. On buildings of five stories or taller, this articulation may be applied at the top of the second story. This element shall be no less than 18 inches tall, and shall project no less than four inches from the adjacent wall plane. It shall be designed as a cornice or, belt course, ~~or other such architectural element which is appropriate to the style of the building.~~
 - b. **Top Floor.** Buildings or portions of buildings which are four stories in height or taller shall also provide articulation for the top story of the building. This can be accomplished by a color change, material change, a cornice/belt course at the bottom of the uppermost story, or by stepping the uppermost story back at least five feet. On buildings of 8 stories or taller, this articulation may be applied to the top two stories.
 - c. **Ground Floor/Upper Floor Differentiation.** Ground floor facades shall be distinct from upper floors through the use or finish of materials, colors, window sizes, or architectural details.
 - d. **Exception.** Civic and Cultural buildings located in the Downtown General (DTG) District may be excepted ~~as determined by the Review Authority.~~

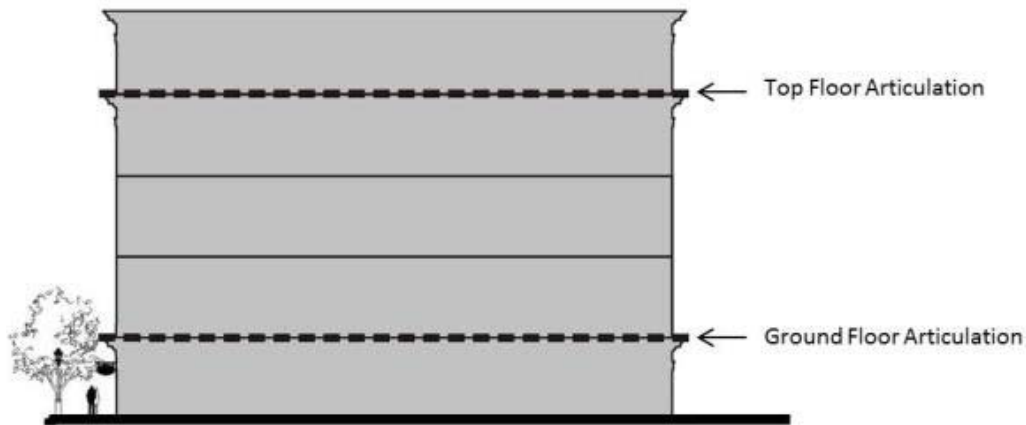


FIGURE 15-1505-A.2: BUILDING HEIGHT ARTICULATION

B. Building Materials and Finishes.

1. General Standards.

- a. Each side of a building that is visible from a street, public plaza, park, or passenger railway shall be designed with ~~a complementary level of detailing and quality of materials.~~ the following:
 - i. Two or more cladding materials (excluding roof and foundation); and
 - ii. Two or more exterior colors (each cladding material shall count as a color and trim/accent colors shall each count as a color).
- b. Each side of a parking structure that is visible from a street, public plaza, park, or passenger railway shall be designed to be compatible with the architectural character, materials, and colors of the overall development.
- c. **Durability of Materials.** ~~Exterior materials shall be durable and promote permanence and longevity.~~ Applicants must demonstrate that materials will not unintentionally discolor due to weathering or corrosion. Materials that discolor naturally, such as copper, are encouraged.
- d. **Design Consistency.**
 - i. Finishes, fixtures, and other architectural details shall be designed to be consistent throughout the building.
 - ii. Attached architectural elements and details such as lighting fixtures, attic vents, custom signage, awnings, hand rails, balconies, and trellises shall be designed to be consistent with other elements throughout the building. ~~Such elements shall relate to the elements or intended general character of surrounding significant resources, potentially significant resources, and other historic-era buildings.~~



Many of Fresno's cherished historic buildings have articulated upper and lower floors.



Contemporary buildings can also exhibit building height articulation.

- e. **Multiple Materials.**
 - i. Two or more wall materials may be combined on one façade.
 - ii. A minimum of two exterior wall finish materials shall be used for all mixed-use buildings with a commercial ground floor.
 - iii. If located one above the other, lighter-appearing materials shall be placed above more substantial materials (e.g., wood above stucco or masonry, or stucco and glass above masonry).
 - iv. In general, vertical joints between different materials shall occur only at inside corners.
 - 2. **Stucco.**
 - a. Finishes should be smooth and troweled.
 - b. The pattern of joints should be architecturally coordinated with the overall façade composition, and sealant colors should be coordinated with surface and other building colors.
 - 3. **Exposed Wood.**
 - a. Exterior walls that are or were originally clad in exposed wood shall not be covered with a non-wood material. Wood-like materials, such as cementitious siding, may be used.
 - b. Exposed wood (or wood-like materials) shall be finished ~~in a manner that minimizes maintenance and promotes the material's longevity.~~
-

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4. **Reflective Materials.** Reflective materials, such as polished metal cladding or chrome, are allowed only if:
 - a. The material is applied to small areas such as to highlight signage.
 - b. It can be demonstrated that the material will not ~~result in an incompatible adjacency or~~ cause a nuisance to pedestrians, vehicles, and neighboring buildings.
 5. **Masonry and Stone.**
 - a. Masonry veneer walls shall be ~~detailed with structural integrity, appearing~~ thicker and heavier, especially at corners and window and door openings.
 - b. Brick and cut stone shall be laid in true bonding patterns. Mortar joints shall be struck.
 - c. River and rubble stone shall be laid from large closest to the ground to small farthest from the ground, with smooth or beaded mortar joints.
 - d. Masonry detailing shall transition from stone to other materials through moldings, caps, and other trim elements.
 6. **Veneers.** Veneers ~~should~~ shall turn corners, avoiding exposed edges and continue down the side of a building to a logical break, such as a change in wall plane. Corner pieces ~~shall~~ should be mitered to hide the joint.
 7. **Trim.** Trim materials and finishes shall be differentiated from adjacent wall cladding materials and finishes. Acceptable trim materials shall be wood, precast concrete, stone, tile, or similar materials. Stucco trim shall be permitted ~~at the determination of the Review Authority, and in such instances it shall feature~~ if it includes a smooth finish that contrasts ~~significantly~~ from adjacent stucco wall cladding.
 8. **Synthetic Materials.** The use of synthetic materials is ~~allowed when the Review Authority determines that the materials~~ as follows:
 - a. Adequately simulates the appearance of the natural material it imitates.
 - ~~b. Demonstrates an ability to age similar to or better than the natural material it imitates.~~
 - c. Has a permanent texture, color, and character ~~that is acceptable for the proposed application.~~
 - d. Can be pressure washed and ~~, in general,~~ withstand anti-graffiti measures.
 9. **Prohibited Materials.** Prohibited exterior materials include the following:
 - a. T1-11.
 - b. Rough-sawn wood.
 - c. Vertical siding.
 - d. Board and batten.
 - e. Metal siding, except in the DTN zone.
 - f. Concrete block as an exterior finish material, except in the DTN zone.
 - g. Plywood, particle board, press board, and similar materials.
 10. **Signage Design.** Building signage shall ~~be designed to complement the building while providing~~ provide adequate visibility from ~~and maintaining compatibility with~~ adjacent suites/units on upper floors near the signage.
 11. **Renovations and Alterations.**
-

a. ~~Modifications to existing buildings shall be architecturally compatible with the existing building as determined by the Review Authority.~~

b. Exterior walls that are or were originally clad in wood, masonry, or stone shall not be covered with a different material such as stucco.

c. Renovations or alterations to "modernized" pre-World War II buildings shall restore the original façade materials, textures, fenestration, and ornamentation ~~to the extent possible as determined by the Review Authority.~~

12. **Exception.** Civic and Cultural buildings located in the Downtown General (DTG) District may be excepted from the standards of this subsection ~~as determined by the Review Authority.~~

C. Window and Door Opening Design.

1. **Consistency with Architectural Style.** The orientation and proportion of openings shall be consistent with the architectural style of the building ~~and shall relate to one another proportionally and according to a rational system of design.~~ For example, buildings designed according to traditional architectural styles typically have window openings and panes that are vertically oriented or square or composed of groupings of vertically oriented windows. Mixed-use buildings can have second floor windows that are grouped and centered above the ground floor storefront doors and windows.

2. **Glazing Ratio.**

a. Upper floor façades, and non-commercial portions of ground floor street-facing façades, which face a street, public plaza, or park shall comply with the following requirements for openings:

TABLE 15-1505-C-2-A: GLAZING STANDARDS			
Standard	DTN	DTG	DTC
Min. percentage of upper floor façades that shall consist of openings such as windows and doors to balconies or roofdecks.	25	25	25
Max. percentage of upper floor façades that shall consist of openings such as windows and doors to balconies or roofdecks. Curtain wall systems are allowed as a primary cladding system in the DTG district, and as an accent in the DTN and DTC districts.	70	100	70

b. **Ground Floor Commercial Transparency.**

i. For ground floor façades which face a street, public plaza, or park on portions of a structure occupied by commercial uses, exterior walls facing a front or street side lot line shall include windows, doors, or other openings with transparent glazing for at least 60 percent of the building wall area located between 1.5 and seven feet above the level of the sidewalk.

ii. Openings fulfilling this requirement shall have transparent glazing without reflective glass frosting or dark tinting (to the maximum extent permitted by Title 24 and other energy efficiency regulations) and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displays that are at least two feet deep.

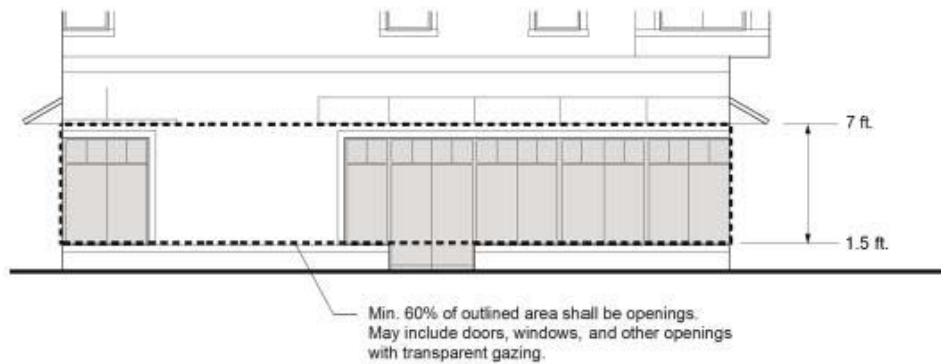


FIGURE 15-1505-C-2-B: GROUND FLOOR COMMERCIAL TRANSPARENCY

3. **Vertical Proportion.** On upper stories, window openings shall have a vertical proportion, in which their height exceeds their width by 25 percent or more. Openings divided by muntins of four inches or more in width shall constitute separate openings.
4. **Window Depth.** Trim at least one inch in depth must be provided around all upper story windows, or windows must be recessed at least two inches from the plane of the surrounding exterior wall. For double-hung and horizontal sliding windows, at least one sash shall achieve the two-inch recess.
5. **Bay Windows.** Bay windows, if provided, shall be habitable spaces.
6. **Window and Door Materials and Detailing.**
 - a. Allowed window and door materials include wood, fiberglass, steel, or aluminum.
 - b. Muntins, if used, shall be true and divide one pane from the adjoining pane, be of substantial dimension, and not be flat.
 - c. Flush "nail-on" aluminum windows, and horizontal aluminum sliding windows are prohibited.
 - d. Vinyl and vinyl clad windows shall have the same ~~be consistent with the~~ architectural style of the building. For example, windows of Craftsman style buildings should be brown or hunter's green, not white.
 - e. Glazing shall be clear glass (to the maximum extent permitted by Title 24 and other energy efficiency regulations), particularly in storefront and primary window applications. Transom, clerestory, and other specialty windows are not required to be clear and may be decorative.
 - f. Window sills shall be detailed to properly shed water.
 - g. Head casing shall be equal in width to or wider than jamb casing.
 - h. Accessories may include operable shutters sized to match their openings, opaque canvas awnings and other shading devices, and planter boxes supported by visible brackets appropriate to each design.
 - i. Security bars and roll down security doors are prohibited on the outside of windows and doors which face a street, public plaza, or park. Retractable interior security bars or gates may be used.
7. **Exception.** With the exception of Section 1505-C.2.b, Civic and Cultural buildings located in the Downtown General (DTG) District may be excepted from the standards of this subsection ~~as determined by the Review Authority.~~

D. Façade Alignment.

1. **Vertical Alignment.** With the exception of mansard roofs, cornices, and other such features, façades shall be oriented vertically and shall have no slope.
2. **Horizontal Alignment.** With the exception of bay windows ~~and similar features~~, façades that are located within 30 feet of a public street or public plaza shall run parallel or perpendicular to said street or plaza.
3. **Exception.** Civic and Cultural buildings located in the Downtown General (DTG) District may be excepted from the standards of this subsection ~~as determined by the Review Authority.~~

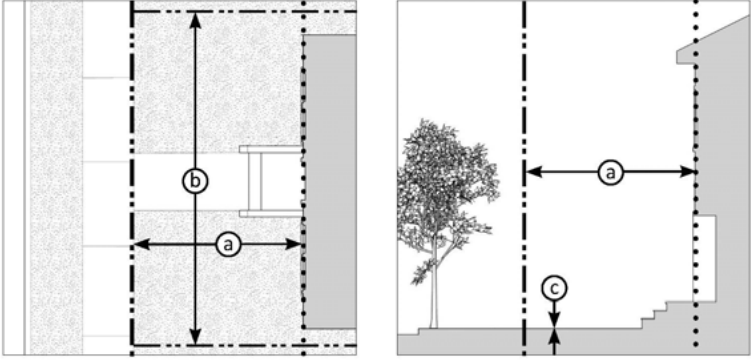
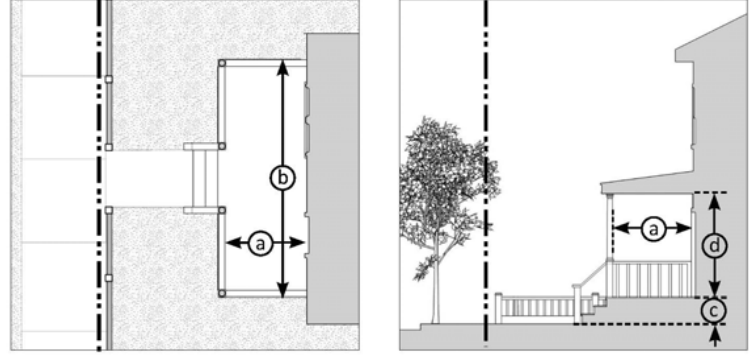
E. External Stairs and Corridors.

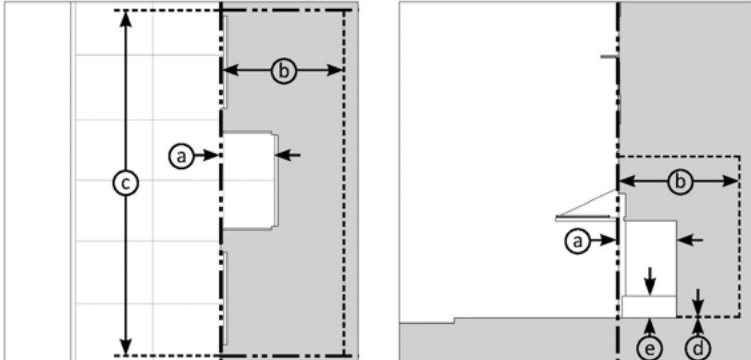
1. **External Stairways.** With the exception of stoops and similar steps intended for access for ground-floor spaces, external stairways shall not be located between the primary façade of the building and a public street. Within 30 feet of a public street, external stairways shall have the same cladding, materials and colors of the main building façade and stairs shall be architecturally integrated into the building and shall not have open risers.
2. **External Corridors.** External upper-floor corridors located within 30 feet of a public street shall have the same cladding, materials and colors of the main building façade. ~~be architecturally integrated into the building.~~

- F. Private Frontage.** Uses shall be accessed through frontage types as follows. "P" means the frontage type is permitted. "-" means the frontage type is not permitted.

TABLE 15-1505-e-1: PERMITTED PRIVATE FRONTAGE TYPES								
Use Classification	Front Yard	Porch	Stoop	Loading Dock/Terrace	Shopfront	Forecourt	Grand Entry	None
Residential, Individual Entry	P	P	P	—	—	—	—	—
Residential, Common Entry	P	—	—	—	—	P	P	—
Public and Semi-Public	P	—	—	—	P	P	P	—
Commercial, Individual Entry	—	—	—	P	P	—	—	—
Commercial, Common Entry	—	—	—	—	P	P	P	—
Industrial	—	—	—	P	P	P	P	P
Transportation, Communication, and Utilities	—	—	—	—	—	P	P	P
Service Areas	—	—	—	—	—	—	—	P

TABLE 15-1505-E-2: PRIVATE FRONTAGE STANDARDS	
A. Front Yard	
1. Basic Standards	
Ⓐ Clear Depth: 5 ft. min.	
Ⓑ Length: 15 ft. min.	

Ⓒ Height above Sidewalk: 3 ft. max.	 Plan Section
2. Supplemental Standards a. Planters, garden walls, fences and hedges are permitted at the sidewalk to a maximum height of 3 ft. and shall match the cladding, materials and colors of the main building façade. Materials and design shall be compatible with the architectural style of the building. b. Water features, shade structures, seating, and gardens are encouraged. in this area. c. Vehicular parking, trash collection and storage are not permitted in this area. d. When Front Yards are raised from the level of the sidewalk, the resulting retaining wall shall be decorative and clad in brick or stone.	
B. Porch	
1. Basic Standards Ⓐ Clear Depth: 5 ft. min., 15 ft. max. Ⓑ Length: 8 ft. min. Ⓒ Height above adjacent grade: 18 in. min., 4 ft. max. Ⓓ Height: 8 ft. min. clear from the finish floor	 Plan Section
2. Supplemental Standards a. Provide landscaping in front of and around porch. b. Railings should be no higher than required by the building code. c. The porch may extend around to encroach into the street sideyard up to ½ of the required setback. If insufficient distance exists, the minimum porch depth shall be achieved by moving back the façade the necessary distance. d. Awnings may be attached to the face of the porch if the awning is adequately supported and if the awning is compatible with the architectural style of the porch and building. e. Porches shall not be enclosed except for insect screens between the structural members of the porch if: i. Visibility is not reduced between the adjacent sidewalk and the porch. ii. The insect screen is recessed from the front face of the columns on the porch.	
C. Stoop	
1. Basic Standards	

④ Height above sidewalk: must be at sidewalk grade ⑤ Bulkhead Height: 18 in. min., 3 ft. max.	 Plan Section
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2. Supplemental Standards

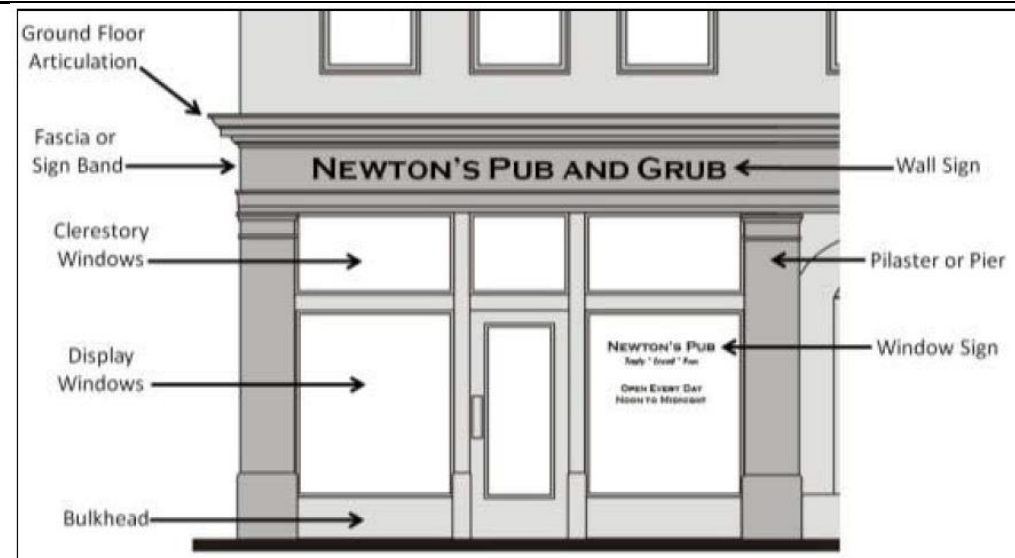
a. A physical transition or 'bulkhead' shall be provided between the glazing of any storefront and the adjacent sidewalk. The bulkhead shall not consist of aluminum storefront or spandrel panel.

b. Storefront windows may have clerestory windows between the storefront and second floor/top of single-story parapet. Glass in clerestory windows may be of a character to allow light, while moderating it such as stained glass, glass block, painted glass, or frosted glass.

c. Storefronts shall provide clear views of merchandise displays within the shop space and/or maintained and lighted merchandise display(s) within a display zone of at least two feet in depth from the glass.

d. The storefront may be directly illuminated from the sidewalk side of the glass by externally mounted lights.

e. Planter boxes, containers or vine pockets may be located adjacent to storefronts. Such landscape areas shall not be located within required ADA access ways along any public sidewalk.



This diagram shows how the various components of a storefront can be arranged.

F. Forecourt

1. Basic Standards

① Clear Depth: 15 ft. min.; 50% of lot depth max.

ⓑ Length: 12 ft. min.; 50% of lot depth max..	
ⓒ Height: 4 ft. max. above adjacent sidewalk	
Plan Section	

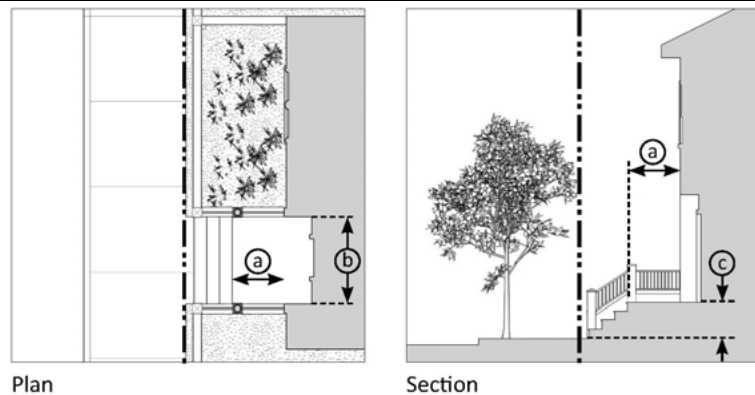
2. Supplemental Standards

- Elevated forecourts shall meet the accessibility code for access to the building and the sidewalk. Railings shall not visually obstruct views to or from the street ~~and shall be designed to match the architectural style of the main building.~~
- Arcades, galleries, awnings, or canopies may encroach into the forecourt for a distance of $\frac{1}{4}$ of the forecourt width or depth with a cumulative encroachment not to exceed a combined distance of $\frac{1}{2}$ of the forecourt width and depth, respectively.
- Planters, garden walls, fences and hedges are permitted at the entrance to the forecourt to a maximum height of 3 ft. per Section 15-2006, Fences, Walls, and Hedges.
- Water features, shade structures, seating, and gardens are encouraged ~~in this area.~~
- Vehicular parking, trash collection and storage are not permitted in this area.

G. Grand Entry

1. Basic Standards

- Clear Depth: 6 ft. min., 15 ft. max.
- Length: 10 ft. min., 25 ft. max.
- Height: May be at sidewalk grade, or max. 4 ft. elevation above finish sidewalk grade



2. Supplemental Standards

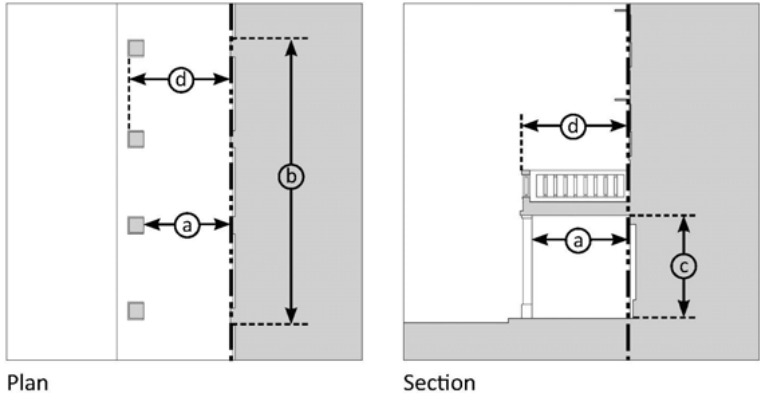
- The entrance shall be clearly differentiated from entrances into individual commercial or residential spaces through the use of decorative columns or ~~similar~~ ornamentation flanking the entrance, ~~by aligning the entrance with prominent architectural features on upper floors,~~ or through color and material changes.
- The entrance shall be covered by an awning or canopy or shall be recessed into the building.

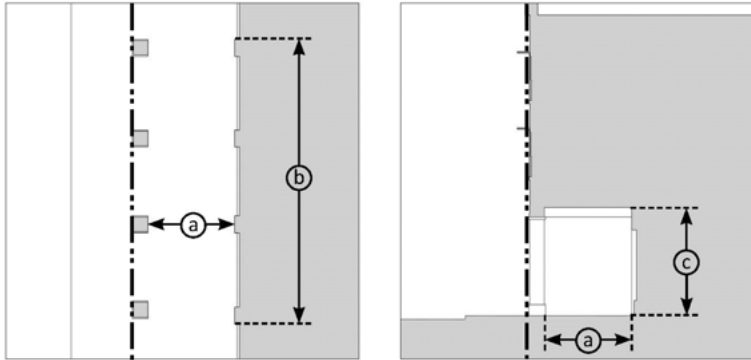
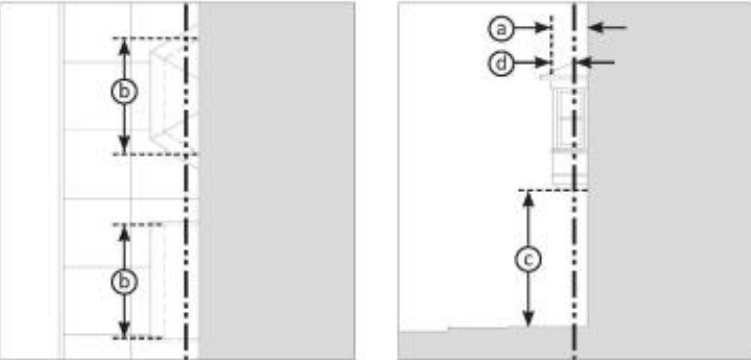
- G. **Façade Elements.** The following development types shall incorporate a minimum of two of the Façade Elements shown in Table 15-1505-F into front and street-side building façades.

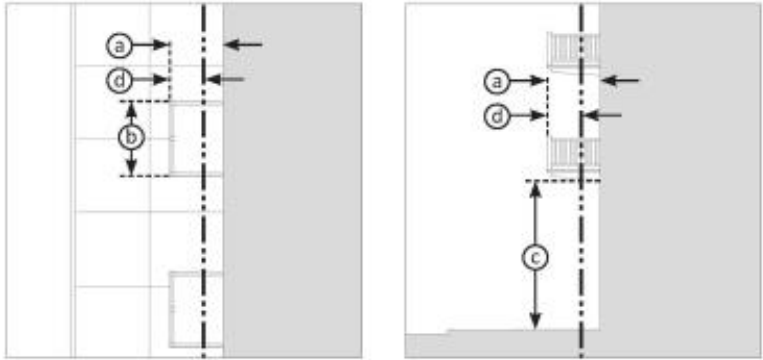
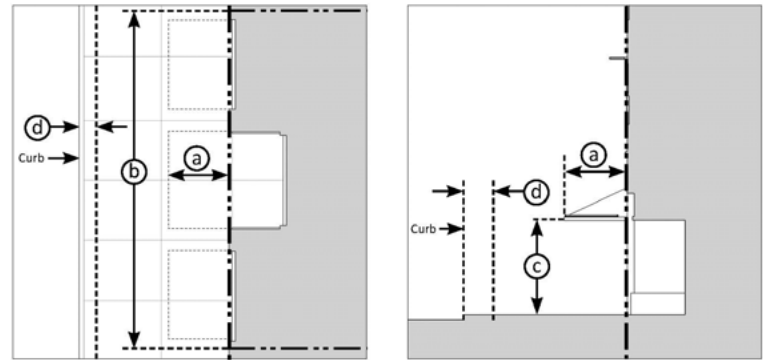
- New buildings.

2. Building additions (façade elements are not required on the existing part of the structure if it is not being altered).
3. Façade remodels.
4. Exceptions:
 - a. Projects or parts of projects involving designated historic resources, or the restoration of historic façades, shall not be required to incorporate Façade Elements if such elements were not part of the historic façade.
 - b. Civic and Cultural buildings located in the Downtown General (DTG) District may be excepted from the standards of this subsection ~~as determined by the Review Authority.~~

TABLE 15-1505-F: FAÇADE ELEMENTS—DOWNTOWN DISTRICTS

A. Gallery	
1. Basic Standards	 Plan Section
Ⓐ Clear Depth: 10 ft. min., 15 ft. max.	
Ⓑ Length: 50% to 100% of building length	
Ⓒ Height: 8 ft. min. clear from the finish floor	
Ⓓ Encroachment into R.O.W.: Galleries may encroach over the sidewalk in the public right-of-way, subject to an encroachment permit prior to issuance of a building permit as follows:	
• 10—12 ft. wide sidewalk: 6 ft. max.	
• 12—14 ft. wide sidewalk: 8 ft. max.	
• 14+ ft. wide sidewalk: $\frac{2}{3}$ width of sidewalk max.	
2. Supplemental Standards	
a. Planter boxes or pots may be placed in between the columns to provide enclosure for uses such as café seating. A Gallery must be a minimum 50% open on two sides.	
b. Balconies, awnings, bay windows, verandas, or other structures are allowed above the gallery.	
c. Except on residential and civic buildings, Galleries shall be combined with the Storefront frontage type.	
d. Column spacing and colonnade detailing, including lighting, shall <u>have the same cladding, materials and colors of the main building façade.</u> be consistent with the style of the building to which it is attached.	
e. Columns shall be placed in relation to curbs so as to allow passage around and to allow for passengers of cars to exit the vehicle.	
B. Arcade	

1. Basic Standards Ⓐ Clear Depth: 10 ft. min., 15 ft. max. Ⓑ Length: 50% to 100% of building length Ⓒ Height: 8 ft. min. clear from the finish floor	 Plan Section
2. Supplemental Standards a. Planter boxes or pots may be placed in between the columns to provide enclosure for uses such as café seating. b. Arcade to be a minimum 50% open on two sides. c. Balconies, awnings, bay windows, verandas, or other structures are allowed above the arcade. d. Column spacing and colonnade detailing, including lighting, shall <u>have the same cladding, materials and colors of the main building façade. be consistent with the style of the building to which it is attached.</u>	
C. Bay Window	
1. Basic Standards Ⓐ Depth: 2 ft. min., 4 ft. max. Ⓑ Length: 15 ft. max. Ⓒ Height: 2nd fl.: 10 ft. min. clear from the ground Ⓓ Encroachment into R.O.W.: 3 ft. max.	 Plan Section
2. Supplemental Standards a. Bay windows are permitted on the ground floor of buildings with residential ground floors. b. Provide landscape in front and around bay windows on the ground floor. c. Bay windows to have a minimum 25% glazing.	
D. Balcony	
1. Basic Standards Ⓐ Depth: 5 ft. min., 10 ft. max. Ⓑ Length: 8 ft. min. Ⓒ Height: 8 ft. min. clear, 12 ft. max. clear from the finish floor	

④ Encroachment into Setback or R.O.W.: 4 ft. max.	 Plan Section
2. Supplemental Standards	
a. Balcony may be covered but should be a minimum 50% open on three sides.	
E. Awning, Canopy, Marquee, Sun Shade, Trellis	
1. Basic Standards ① Depth: 2 ft. min., 10 ft. max. ② Length: 25% to 75% of building frontage ③ Height: 8 ft. min. clear from the ground ④ Encroachment into Setback or R.O.W.: within 2 ft. clear of curb	 Plan Section
2. Supplemental Standards	
a. Awnings, Canopies, Sun Shades, and Trellises shall not cover the entire length of the facade. They may cover individual storefronts and openings or multiple openings as follows:	
• Storefront(s) within 5 feet of another storefront.	
• Up to 2 doors or windows not associated with a storefront if the distance between them does not exceed 3 feet.	
b. Awnings, Canopies, Sun Shades, and Trellises shall not obscure architectural features such as moldings above the storefront.	
c. Awnings shall match the shape of the opening they are shading (simple shed shaped awnings for rectangular openings) except for odd shaped awnings. Odd shaped and bubble awnings are prohibited except where a photograph shows they have been previously allowed on the building and were not in conflict with an applicable requirement.	
d. Awnings, Canopies, Sun Shades, and Trellises may be constructed of metal, wood or fabric. Highly reflective materials should be avoided.	
e. Lights that illuminate the pedestrian way or sidewalk dining beneath the awning are only allowed upon review and determination by the Director that the proposed lighting is appropriate for the context and consistent with the intended physical character of the zoning district.	
f. Internally illuminated awnings that glow are prohibited.	

SEC. 15-2407. REQUIRED PARKING FOR DOWNTOWN DISTRICTS.

- A. The required number of on-site parking spaces are stated in Table 15-2407, Required Parking for Downtown Districts. The parking requirement for any use not listed in Table 15-2407 shall be the same as required for the land use in other districts as stated in Table 15-2409, Required Parking, Other Districts.

TABLE 15-2407: REQUIRED ON-SITE PARKING SPACES, DOWNTOWN DISTRICTS	
Use	Required Parking Spaces
Residential	
Studio, and one-bedroom units	0.5 space per unit
Two bedrooms	0.5 space per unit
Three or more bedrooms	0.5 space per unit
Non-Residential	
Office	None Required
Retail	None Required
Restaurant	None Required
All other Non-Residential uses	None Required
<u>1. Projects that are located within one-half mile of a Major Transit Stop are exempt from minimum parking requirements, as established by California Government Code Section 65863.2.</u>	

SEC. 15-2408. REQUIRED PARKING FOR MIXED-USE DISTRICTS AND CMS DISTRICT.

The required numbers of on-site parking spaces are stated in Table 15-2408, Required Parking for Mixed-Use Districts and CMS District. The parking requirement for any use not listed in Table 15-2408 shall be the same as required for the land use in other districts as stated in Table 15-2409, Required Parking, Other Districts.

TABLE 15-2408: REQUIRED ON-SITE PARKING SPACES, MIXED-USE DISTRICTS AND CMS DISTRICT		
Use	Required Parking Spaces	
Residential		
Studio, and one-bedroom units	.75 space per unit	Required parking shall be covered. One additional guest parking space must be provided for every 4 units for projects greater than 4 units.
Two bedrooms	1 space per unit	
Three or more bedrooms	1.5 spaces per unit	
Non-Residential		
Office	1 space per 600 square feet	
Retail	1 space per 600 square feet	
Restaurant	1 space per 600 square feet	
All other Commercial uses	1 space per 600 square feet	
<u>1.</u> On-street parking along a lot's corresponding frontage lines shall be counted toward the parking requirement for mixed-use projects.		
<u>1.2.</u> <u>Projects that are located within one-half mile of a Major Transit Stop are exempt from minimum parking requirements, as established by California Government Code Section 65863.2.</u>		

SEC. 15-2409. REQUIRED PARKING, OTHER DISTRICTS.

The required numbers of on-site parking spaces are stated in Table 15-2409, Required On-Site Parking Spaces, Other Districts. The parking requirement for any use not listed in Table 15-2409 shall be determined by the Director based upon the requirements for the most similar comparable use, the particular characteristics of the proposed use, and any other relevant data regarding parking demand.

TABLE 15-2409: REQUIRED ON-SITE PARKING SPACES, OTHER DISTRICTS		
Use Classification	Required Parking Spaces	
Residential Use Classifications		
Single-Unit Residential constructed prior to the adoption date of this Code	1 space per dwelling unit	Must be covered.
Single-Unit Residential, up to two bedrooms	1 space per dwelling unit	Must be within a garage.
Single-Unit Residential, three or more bedrooms	1 space per dwelling unit	Must be within a garage.
Duplex	1 space per dwelling unit	Must be within a garage.
Second/Accessory Dwelling Units (ADUs)	Refer to Section 15-2754, Second/Accessory Dwelling Units (ADUs). <u>None required for ADUs.</u>	
Affordable Housing Developments (Moderate Income and Below, Single-Unit or Multi-Unit)		
Studio, one- or two-bedroom	.75 space per unit	
Three or more bedrooms	1.5 spaces per unit	
Multi-Unit Residential (2 or more units)		
Studio	1 space per unit	One covered space shall be designated for each unit. One additional uncovered guest parking space must be provided for every 4 units.
One- or two-bedroom	1 space per unit	
Three or more bedrooms	1.5 spaces per unit	
Small Family Day Care	None in addition to what is required for the residential use.	
Large Family Day Care	1 per employee plus an area for loading and unloading children, on or off-site. Required spaces and the residential driveway for the primary residential use may be counted toward meeting these requirements.	
Elderly and Long-Term Care	1 for every 7 residents plus 1 for each live-in caregiver. Facilities serving more than 15 residents shall also provide 1 space for each caregiver, employee, and doctor on-site at any one time.	
Group Residential	1 spaces for the owner-manager plus 1 for every 5 beds and 1 for each non-resident employee.	
Residential Care, Limited	None in addition to what is required for the residential use.	

Residential Care, General	1 space per employee plus 1 space for every 7 residents. 2 spaces for the owner-manager plus 1 for every 5 beds and 1 for each non-resident employee.
Residential Care, Senior	1 for every 7 residents plus 1 for each live-in caregiver. Facilities serving more than 15 residents shall also provide 1 space for each caregiver, employee, and doctor on-site at any one time.
Single Room Occupancy	0.5 space per unit.
Public and Semi-Public Use Classifications	
Colleges and Trade Schools, Public or Private	1 per 5 members of the school population (including students, faculty, and staff) based on maximum enrollment.
Community and Religious Assembly	1 for each 5 permanent seats in main assembly area, or 1 for every 50 sq. ft. of assembly area for group activities or where temporary or moveable seats are provided, whichever is greater. For auxiliary classrooms, there shall be 1 parking space per classroom.
Cultural Institutions	Stage theaters and auditoriums: 1 for each 6 permanent seats in main assembly area, or 1 for every 60 sq. ft. of assembly area where temporary or moveable seats are provided, whichever is greater. Galleries, Libraries, and Museums: 1 for every 1,000 sq. ft. of floor area. Other establishments: determined by the Director.
Day Care Center	1 per employee plus 2 loading spaces.
Emergency Shelter & Low-Barrier Navigation Centers	1 per employee. Resident parking shall not be required. 1 per 500 sq. ft. of floor area.
Government Offices	1 per 500 sq. ft. of floor area.
Hospitals, Rehabilitation Centers	1 per 1.5 beds; plus 1 per 300 sq. ft. of area used for office, clinics, testing, research, administration, and similar activities associated with the principal use.
Clinics or Urgent Care	1 per exam room; plus 1 per 300 sq. ft. of area used for office, clinics, testing, research, administration, and similar activities associated with the principal use.
Instructional Services	1 per 200 sq. ft. of public or instruction area.
Schools, Public or Private	Elementary and Middle Schools: 1 per classroom, plus 1 per 300 sq. ft. of office area. High Schools: 5 per classroom.
Social Service Facilities	1 per 350 sq. ft. of floor area.
Commercial Use Classifications	
Large Commercial Shopping Center (greater than 300,000 square feet of floor area).	1 per 350 sq. ft. or the total required for each individual use, whichever is less.
Adult-Oriented Business	1 per 300 sq. ft. of floor area.
Animal Care, Sales and Services	
Grooming and Pet Stores	1 per 500 sq. ft. of floor area.
Kennels	1 per employee plus three spaces for loading and unloading animals on-site.

Veterinary Services	1 per 350 sq. ft. of floor area.
Artist's Studio	1 per 1,000 sq. ft. of floor area.
Automobile/Vehicle Sales and Services	
Automobile/Vehicle Rentals	1 per 250 sq. ft. of office area in addition to spaces for all vehicles for rent.
Automobile/Vehicle, and Motorcycle Sales and Leasing	1 per 2,500 sq. ft. of lot area. Any accessory auto repair: 2 per service bay.
Automobile/Vehicle Repair, Major or Minor	1 space plus 1.5 per service bay. 1 per 250 sq. ft. of any retail or office on site.
Automobile/Vehicle Washing, Automated	1 per 250 sq. ft. of any indoor sales, office, or lounge areas.
Automobile/Vehicle Washing, Detail	.50 per service bay plus 1 per 250 sq. ft. of any indoor sales, office, or lounge areas.
Service Station	1.5 per service bay, if service bays are included on site. 1 per 250 sq. ft. of any retail or office on site.
Boat/Recreational Vehicle Sales and Leasing	1 per 6,000 sq. ft. of lot area. Any accessory auto repair: 1.5 per service bay.
Towing and Impound	1 per 500 sq. ft. of building area plus 1 per 0.5 acre of gross outdoor use area.
Banks and Financial Institutions	1 per 400 sq. ft. of floor area.
Banquet Hall	1 for each 5 permanent seats in main assembly area, or 1 for every 50 sq. ft. of assembly area for group activities or where temporary or moveable seats are provided, whichever is greater.
Business Services	1 per 400 sq. ft. of floor area.
Entertainment and Recreation	Establishments with seating: 1 for each 4 fixed seats, or 1 for every 50 sq. ft. of seating area where temporary or moveable seats are provided, whichever is greater. Athletic Clubs/Fitness Centers: 1 per 200 sq. ft. of main floor area. Bowling Alleys: 1.5 per lane. Cinema/Theaters: 1 for each 6 permanent seats in main assembly area, or 1 for every 60 sq. ft. of assembly area where temporary or moveable seats are provided, whichever is greater. Game Courts (e.g., tennis): 1.5 per court. Golf Courses: 3 per hole (Additional parking may be required for ancillary uses such as Banquet Rooms) Golf Driving Range/Putting Greens: .75 per station/hole. Parks: 1 per 7,500 sq. ft. of active recreational area (pocket parks are exempt from providing parking). Skating Rinks: 1 per 150 sq. ft. of gross floor area. Swimming Pools: 1 per 200 square feet of pool area plus 1 per 500 feet of area related to the pool. Other Entertainment and Recreation uses: 1 per every 3 persons permitted to occupy the floor space of the facility.
Eating and Drinking Establishments	
Convenience	1 per 125 sq. ft. of floor area.

Coffee Shops/Cafes	1 per 150 sq. ft. of floor area; For Outdoor Dining, refer to Section 15-2744, Outdoor Dining and Patio Areas.
Restaurants Take-Out Only	1 per 250 sq. ft. of floor area.
Restaurants, Full Service	1 per 150 sq. ft. of floor area; For Outdoor Dining, refer to Section 15-2744, Outdoor Dining and Patio Areas.
Bars/Nightclubs/Lounges	1 per 100 sq. ft. of floor area.
Food and Beverage Sales	
Farmer's Markets	Refer to Section 15-2730, Farmer's Markets.
General Market	1 per 450 sq. ft. of floor area.
Healthy Food Grocer	1 per 1,000 sq. ft. of floor area.
Liquor Store	1 per 450 sq. ft. of floor area.
Food Preparation	1 per 1,500 sq. ft. of use area plus 1 per 300 sq. ft. of office area.
Funeral Parlors and Internment Services	1 for each 6 permanent seats in assembly areas or 1 for every 60 sq. ft. of assembly area where temporary or moveable seats are provided, whichever is greater, plus 1 per 250 sq. ft. of office area.
Lodging	
Bed and Breakfast	1 per room for rent plus 1 space adjacent to registration office.
Hotels and Motels	1 per each sleeping unit, plus 2 spaces adjacent to registration office. Meeting/banquet rooms or restaurants under 1,500 sq. ft. are not required to provide additional parking when located within a hotel. Additional parking shall be required for ancillary uses, such as Meeting Rooms, Banquet Centers, etc. that exceed 1,500 sq. ft.
Live-Work	1 per unit or 1 for every 1,000 sq. ft. of floor area, whichever is greater.
Maintenance and Repair Services Offices	1 per 600 sq. ft. of floor area, plus one space for each fleet vehicle.
Business and Professional	1 per 400 sq. ft. of floor area up to 100,000 sq. ft. 1 per 350 sq. ft. over 100,000 sq. ft.
Medical and Dental	1 per 275 sq. ft. of floor area.
Walk-In Clientele	1 per 300 sq. ft. of floor area.
Personal Services	1 per 400 sq. ft. of floor area.
Retail Sales	
Building Materials and Services	1 per 650 sq. ft. of floor area; plus 1 per 2,000 sq. ft. of outdoor display area.
Nurseries and Garden Centers	1 per 500 sq. ft. of floor area; plus 1 per 2,000 sq. ft. of outdoor display area.
All Other Retail Sales Subclassifications	1 per 450 sq. ft. of floor area. 1 per 750 sq. ft. of floor area for appliance and furniture stores.
Swap Meet/Flea Market	1 per vendor, plus 5 per every 0.5 acre of gross outdoor use area.
Employment Use Classifications	
Construction and Material Yards	1 per 2,500 sq. ft. up to 10,000 sq. ft. plus 1 per 5,000 sq. ft. over 10,000 sq. ft.
Custom Manufacturing	1 per 1,500 sq. ft. plus 1 per 300 sq. ft. of office.
Limited Industrial	1 per 1,500 sq. ft. plus 1 per 300 sq. ft. of office.

General Industrial	1 per 1,500 sq. ft. plus 1 per 300 sq. ft. of office.
Intensive Industrial	1 per 1,500 sq. ft. plus 1 per 300 sq. ft. of office.
Recycling Facility	
CRV Recycling Centers	See Section 15-2750, Recycling Facilities.
Recycling Processing Facility	1 for each 2 employees on the maximum work shift, or 1 per 1,000 sq. ft. of floor area, whichever is greater.
Research and Development	1 per 600 sq. ft. of manufacturing and assembly; 1 per 300 sq. ft. of office; 1 per 1,500 sq. ft. of warehousing; and 1 per 800 sq. ft. of laboratory.
Salvage and Wrecking	1 per 500 sq. ft. of building area plus 1 per 0.5 acre of gross outdoor use area.
Warehousing, Storage, and Distribution	
Chemical and Mineral Storage	1 per 300 sq. ft. of office area.
Warehousing	1 per 2,000 sq. ft. of area up to 10,000 sq. ft.; 1 per 5,000 sq. ft. over 10,000 sq. ft., plus 1 per 300 sq. ft. of office.
Personal Storage	1 space per 100 storage units, plus 1 space per 300 sq. ft. of office area. A minimum of 3 spaces shall be provided, plus one enclosed space per caretaker's residence should one be proposed.
Wholesaling and Distribution	1 per 1,500 sq. ft. of use area up to 10,000 sq. ft., 1 per 5,000 sq. ft. over 10,000 sq. ft., plus 1 per 300 sq. ft. of office.
Transportation, Communication, and Utilities Use Classifications	
Light Fleet-Based Services	1 per 300 sq. ft. of office floor area, plus one space for each fleet vehicle.
Utilities, Major	1 for each employee on the largest shift plus 1 for each vehicle used in connection with the use. Minimum of 2.
Utilities, Minor	None.
Transportation Facilities/Bus Depots/Bus Terminal	1 per bus bay, plus 1 per 250 sq. ft. of building/waiting area.
<u>1. Projects that are located within one-half mile of a Major Transit Stop are exempt from minimum parking requirements, as established by California Government Code Section 65863.2.</u>	

SEC. 15-2729. EMERGENCY SHELTERS.

Emergency shelters shall be located, developed, and operated in compliance with the applicable base district and the ~~following standards in this section. Should there be any conflict with the provisions in this section and those within Government Code Section 65583 et seq., as may be amended, the Government Code shall prevail.~~

- ~~A.~~ **Permits Required.** A Zone Clearance shall be required as specified in the applicable Base or Overlay District.
- ~~A-B.~~ **A. — Number of Residents.** The number of adult residents, not including staff, who may be housed on a lot that is smaller than one acre shall not exceed the number of persons that may be accommodated in any hospital, elderly and long term care facility, residential, transient occupancy, or similar facility allowed in the same district.
- ~~B-C.~~ **B. — Length of Occupancy.** Occupancy by an individual or family may not exceed 180 consecutive days unless the management plan provides for longer residency by those enrolled and regularly participating in a training or rehabilitation program.
- ~~C-D.~~ **C. — Outdoor Activities.** All functions associated with the shelter must take place within the building proposed to house the shelter, except for children's play areas, outdoor recreation areas, parking, and outdoor waiting. Outdoor waiting for clients, if any, may not be in the public right-of-way, must be physically separated from the public right-of-way, ~~and must be large enough to accommodate the expected number of clients.~~
- ~~D-E.~~ **D. — Minimum Hours of Operation.** ~~At least eight hours every day between 7 a.m. and 7 p.m. Hours of client intake shall be posted near the primary all public entrances. A minimum of at least eight hours every day between 7 p.m. and 7 a.m.~~
- ~~F.~~ **Management Plan.** The operator shall provide a detailed Management Plan that addresses transportation, client supervision, security, client services, staffing, and shelter rules.
- ~~E-G.~~ **E. — Employee Presence.** On-site ~~management and employee on-site security presence personnel~~ must be ~~provided and present~~ at all times ~~that when residents are present hours of the Emergency Shelter is in operation.~~
- ~~F.~~ **F. — Toilets.** At least one toilet must be provided for every 15 shelter beds, unless a greater number is required by State law.
- ~~H.~~ **G. — Parking.** The shelter shall provide sufficient parking to accommodate all staff. Refer to Article 24, Parking and Loading, ~~for Emergency Shelter uses.~~
- ~~I.~~ **External Lighting.** All off-street parking areas and building entries shall be illuminated. Exterior lighting shall be shielded and directed towards the ground and away from public streets and residential uses.
- ~~— Location Restrictions for New Shelters.~~ No Emergency Shelter shall be established within 300 feet of another Emergency Shelter.
- Management Plan.** The operator of the shelter must submit a management plan for approval by the Director. The Plan must ~~shall~~ address issues identified by the Director, including transportation, client supervision, security, client services, staffing, and good neighbor issues.

SEC. 15-2757. SINGLE ROOM OCCUPANCY HOTELS AND BOARDING HOMES.

Single room occupancy (SRO) hotels and/or Boarding Homes, ~~which house between five and 15 guests,~~ which shall collectively be referred to as SROs, shall be located, developed, and operated in compliance with the standards below. SROs do not include Group Homes or Emergency Shelters.

~~A. Facility. There shall be no more than 15 guests.~~

- B. **Maximum Occupancy.** Each SRO living unit shall be designed to accommodate a maximum of two adults.
- C. **Minimum Size.** An SRO living unit must have at least 150 square feet of floor area, excluding closet and restroom. No individual unit may exceed 400 square feet.
- D. **Minimum Width.** An SRO of one room shall not be less than 12 feet in width.
- E. **Entrances.** All SRO units must be independently accessible from a single main entry, excluding emergency and other service support exits.
- F. **Cooking Facilities.** Cooking facilities shall be provided either in individual units or in a community kitchen. Where cooking is in individual SRO units, SRO units shall have a sink with hot and cold water; a counter with dedicated electrical outlets and a microwave oven or properly engineered cook top unit pursuant to Building Code requirements; and a refrigerator.
- G. **Restroom.** An SRO unit is not required to, but may contain partial or full restroom facilities. A partial restroom facility shall have at least a toilet and sink; a full facility shall have a toilet, sink, and bathtub, shower, or bathtub/shower combination. If a full bathroom facility is not provided, common bathroom facilities shall be provided in accordance with the California Building Code for congregate residences with at least one full bathroom per floor and one full bathroom per four units.
- H. **Closet.** Each SRO unit shall have a separate enclosed all-weather closet. The closet shall be at least 120 cubic feet with a minimum four-foot horizontal dimension along one plane.
- I. **Common Area.** Four square feet per living unit shall be provided, excluding janitorial storage, laundry facilities, and common hallways. At least 200 square feet in area of interior common space provided as a ground floor entry area that provides a central focus for tenant social interaction and meetings.
- J. **Exterior Common Area.** There shall be a minimum of 50 square feet in area of exterior common space per unit, with a minimum horizontal dimension of six feet. This open space may be located in a required front or street side but shall be no closer than nine feet to the lot line, or the rear yard.
- K. **Tenancy.** Tenancy of SRO units shall be offered for a minimum of 30 days or longer.
- L. **Facility Management.**
 - 1. **Ten or More Guests.** The facility shall provide on-site management. The manager shall live on-site however the manager's unit shall not count as one of the 10 guests.
 - 2. **Less Than 10 Guests.** There shall be an on-site manager's office. The office shall be staffed for a minimum of six hours per day between the hours of 7 a.m. and 8 p.m., six days a week. The manager's hours shall be posted in a conspicuous location.
- M. **Management Plan.** A management plan shall be submitted with the permit application for all SRO projects. At minimum, the management plan must include the following:
 - 1. **Security/Safety.** Proposed security and safety features such as lighting, security cameras, defensible space, central access, and user surveillance;
 - 2. **Management Policies.** Management policies including desk service, visitation rights, occupancy restrictions, and use of cooking appliances;

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3. **Rental Procedures.** All rental procedures, including monthly tenancy requirements;
 4. **Maintenance.** Maintenance provisions, including sidewalk cleaning and litter control, recycling programs, general upkeep, and the use of durable materials.

SEC. 15-2762. TRANSITIONAL AND SUPPORTIVE HOUSING AND LOW BARRIER NAVIGATION CENTERS.

Transitional and supportive housing, as defined in the Government Code (Sections 50675.2 and 50675.14) constitute a residential use and are subject only to those restrictions that apply to other residential uses of the same type in the same district. Low-Barrier Navigation Centers (LBNC) that comply with the standards in this section shall be permitted in mixed-use districts and nonresidential districts that permit multi-unit residential uses. The use shall be constructed and operated in a manner that is consistent with California Government Code Sections 65660 - 65666. The following standards apply to Low-Barrier Navigation Centers:

A. Permits Required. A Zone Clearance is required prior to commencing operations. The City shall notify a developer whether the developer's application is complete within 30 days, pursuant to California Government Code Section 65943. Action shall be taken within 60 days of an application that is deemed complete.

B. Operational Requirements.

1. Client Intake. Low Barrier Navigation Centers shall allow individuals seeking shelter, their partners and family (if not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth), each of whom shall be considered a "client", and pets belonging to the aforementioned individuals.

2. Client Privacy. Partitions for each bed shall be provided within dormitory-style areas and/or sleeping areas containing two or more beds.

3. Storage of Belongings. A storage area or locker shall be provided for each bed.

4. Connected Services. Low Barrier Navigation Centers shall offer services to connect clients to permanent housing through a services plan that identifies services and staffing.

5. Coordinated Entry System. Low Barrier Navigation Centers shall be linked to a coordinated entry system, allowing facility staff to conduct assessments and provide services to connect clients to permanent housing.

a. "Coordinated entry system" means a centralized or coordinated assessment system developed pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.

6. Code Compliance. Low Barrier Navigation Centers shall comply with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.

7. Homeless Management Information System. Low Barrier Navigation Centers shall have a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System, as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

SEC. 15-6702. RESIDENTIAL USE CLASSIFICATIONS.

Residential Housing Types. For the purposes of determining consistency with applicable sections of the California Government Code 'single/multi-unit' shall have the same meaning as 'single/multi-family' as it is used in the California Government Code.

Single-Unit Dwelling, Detached. A dwelling unit designed for occupancy by one household, and located on a separate lot from any other unit (except second living units, where permitted). This classification includes individual manufactured housing units installed on a foundation system pursuant to Section 18551 of the California Health and Safety Code.

Single-Unit Dwelling, Attached. A dwelling unit designed for occupancy by one household, located on a single lot and typically grouped together in a row of similar units. They may be attached through common vertical party wall(s) to one or more dwellings on abutting lots, or may appear to be attached, but are structurally independent.

Second Dwelling Unit. A dwelling unit providing independent living facilities for one or more persons that is located on a lot with primary dwelling(s). A second unit may be within the same structure as the primary unit, in an attached structure, or in a separate structure on the same lot.

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

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

~~Cottage Housing Development~~**Court & Plex Housing Development.** Court & Plex housing developments consist of three to twelve detached, semi-detached or attached units. The buildings may take a variety of forms, including triplexes, fourplexes, courts, and apartment houses, but have the same scale as single-unit residential uses that are permitted within the same zone district. The units may be arranged in relation to one another around a shared landscaped area.

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

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

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

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

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

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

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

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

Large. A facility that provides care for nine to 14 children, including children who reside at the home and are under the age of 10.

Group Residential. Shared living quarters without separate kitchen or bathroom facilities for each room or unit, offered for rent for permanent or semi-transient residents on a weekly or longer basis. This classification includes clean and sober facilities, other types of organizational housing, private residential clubs, and farmworker housing, but excludes Hotels and Motels, Residential Care Facilities, and Re-Entry Facilities.

Small. A facility that houses six or fewer persons.

Large. A facility that houses seven or more persons.

Lodging-to-Dwelling Conversions. The conversion of existing hotels or motels from a commercial lodging use to a residential use which will provide housing to non-transient residents and facilitate bringing such hotel or motel buildings into safe and habitable condition as required by State and local law.

Mobile Home Parks. A development designed and occupied by mobile homes including development with facilities and amenities used in common by occupants who rent, lease, or own spaces for mobile homes through a subdivision, cooperative, condominium, or other form of resident ownership.

Office-To-Dwelling. The conversion of existing office building(s) from an office use to a multi-unit residential use which will provide housing to residents and facilitate compliance of said structures into safe and habitable condition as required by State and local law.

Re-Entry Facility. A facility used for the rehabilitation and overnight accommodations of 25 or more individuals, including staff, who are (a) under the jurisdiction of a court, but not under confinement, or (b) individuals recently released from the jurisdiction of a court. Such facility shall be operated by the City, the State, the federal government, or a private party under contract with the City, the State, or the federal government for the purpose of providing treatment or rehabilitation intended to assist such individuals with their re-entry into the community.

Residential Care Facilities. Facilities that are licensed by the State of California to provide permanent living accommodations and 24-hour primarily non-medical care and supervision for persons in need of personal services, supervision, protection, or assistance for sustaining the activities of daily living. Living accommodations are shared living quarters with or without separate kitchen or bathroom facilities for each room or unit. This classification includes facilities that are operated for profit as well as those operated by public or not-for-profit institutions, including hospices, nursing homes, convalescent facilities, [assisted living facilities](#), [congregate care facilities](#), [continuous care retirement communities](#), and group homes for minors, persons with disabilities, and people in recovery from alcohol or drug addictions. This use classification excludes Transitional Housing and Social Service Facilities.

Residential Care, General. A facility providing care for more than six persons.

Residential Care, Limited. A facility providing care for six or fewer persons.

Residential Care, Senior. A housing arrangement chosen voluntarily by the resident, the resident's guardian, conservator, or other responsible person; where residents are 60 years of age or older and where varying levels of care and supervision are provided as agreed to at the time of admission or as determined necessary at subsequent times of reappraisal. This classification includes continuing-care retirement communities and life care communities licensed for residential care by the State of California.

Single Room Occupancy. A residential facility containing housing units that may have kitchen and/or bathroom facilities and are guest rooms or efficiency units as defined by the State Health and Safety Code. Each housing unit is occupied by no more than two adults and is offered on a monthly rental basis or longer. This definition includes Single Room Occupancy Hotels, Boarding Homes, and extended stay hotels that offer rooms intended for long-term occupancy (30 days or more).

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

Transitional Housing. Dwelling units configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months.

Tiny Homes on Wheels (THOWs). Moveable homes no larger than 400 square feet, equipped with a kitchen, bathroom and sleeping area. THOWs can also include modular homeownership opportunities on leased parcels.

Sec. 15-6703. PUBLIC AND SEMI-PUBLIC USE CLASSIFICATIONS.

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

Colleges and Trade Schools, Public or Private. Institutions of higher education providing curricula of a general, religious, or professional nature, typically granting recognized degrees, including conference centers and academic retreats associated with such institutions. This classification includes junior colleges, business and computer schools, management training, technical and trade schools, but excludes personal instructional services such as music lessons.

Community and Religious Assembly. A facility for public or private meetings including community centers, religious assembly facilities, civic and private auditoriums, union halls, meeting halls for clubs and other membership organizations. This classification includes functionally related facilities for the use of members and attendees such as kitchens, multi-purpose rooms, and storage. It does not include gymnasiums or other sports facilities, convention centers, or facilities, such as day care centers and schools that are separately classified and regulated.

Community Garden. Use of land for and limited to the cultivation and tillage of soil for the production, growing, and harvesting of any agricultural, floricultural, or horticultural commodity.

Conference/Convention Facility. One or more structures accommodating multiple assembly, meeting, and/or exhibit rooms, and related support facilities (e.g., kitchens, offices, etc.).

Cultural Institutions. Public or non-profit institutions engaged primarily in the display or preservation of objects of interest in the arts or sciences that are open to the public on a regular basis. This classification includes performing arts centers for theater, music, dance, and events; buildings of an educational, charitable, or philanthropic nature; libraries; museums; historical sites; aquariums; art galleries; and zoos and botanical gardens.

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

Emergency Shelter. A temporary, short-term residence providing housing with minimal supportive services for families or individuals experiencing homelessness, where occupancy is limited to 180 days or less, as defined in Section 50801 of the California Health and Safety Code including but not limited to, interim interventions such as navigation centers, bridge housing, and respite or recuperative care. These facilities may also provide~~M~~ medical assistance, counseling, and meals~~_may be provided.~~

Government Offices. Administrative, clerical, or public contact offices of a government agency, including postal facilities and courts, together with incidental storage and maintenance of vehicles. This classification excludes corporation yards, equipment service centers, and similar facilities that primarily provide maintenance and repair services and storage facilities for vehicles and equipment (see Utilities, Major).

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

Hospital. A facility providing medical, psychiatric, or surgical services for sick or injured persons primarily on an in-patient basis, and including ancillary facilities for outpatient and emergency treatment, sub-acute care facilities, diagnostic services, training, research, administration, and services to patients, employees, or visitors.

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

Substance Abuse Treatment Clinic. A facility that administers medication, or supervises the self-administration of medication, for substance abuse treatment.

Instructional Services. Establishments that offer specialized programs in personal growth and development such as music, martial arts, vocal, fitness, and dancing instruction.

Low Barrier Navigation Center. A Housing First (as defined in Welfare and Institutions Code Section 8255), low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter and housing. Low barrier includes best practices to reduce barriers to entry, such as allowing partners, pets, storage of personal items, and privacy.

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

Parking, Public or Private. Surface lots and structures which offer parking to the public for a fee, when such parking is not associated with another on-site activity.

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

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

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

(Added Ord. 2015-39, § 1, eff. 1-9-16; Am. Ord. 2016-32, § 41, eff. 10-21-16; Am. Ord. 2018-25, § 36, eff. 6-11-18; Am. Ord. 2025-009, § 1, eff. 6-5-25).

ARTICLE 22 - AFFORDABLE HOUSING DENSITY BONUS

SEC. 15-2201. - PURPOSE.

The purposes of the affordable housing regulations are to:

- A. Lessen the shortage of housing affordable to moderate, low, and very low income households in the city as partial compliance with California Government Code (Government Code) Section 65583(c);
- B. Allow for density bonuses and additional incentives, consistent with Government Code Section 65915, for housing affordable to moderate, low, and very low income households, for seniors and disabled persons, and for development that includes a childcare facility;
- C. Implement the policies of the Housing Element to expand the provision of housing for lower and moderate income households, elderly residents and others with special housing needs; and
- D. Establish requirements for resale and rental controls to ensure that units remain affordable for at least 30 years or such other term as required by the City, consistent with State law.
- E. Nothing in this Article shall be construed as a provision for inclusionary zoning where an applicant is required to provide housing affordable to moderate, low, and very low income households as a condition of approval for a residential development. Furthermore, the Council shall not adopt a provision for inclusionary zoning, as described above, unless and until the Fresno General Plan adopted in December 2014 is updated and superseded by a new General Plan.

SEC. 15-2202. - OTHER REGULATIONS AND ADOPTED PLANS.

- A. **State Law Governs.** The provisions of this section shall be governed by the requirements of Government Code Section 65915. Where conflict may occur between the provisions of this section and State law, the State law shall govern.
- B. **Effect of Granting a Density Bonus.** The granting of a density bonus shall not, in and of itself, require a General Plan amendment, zoning change, or other discretionary approval.
- C. **Land Use Compatibility.** When located within the Airport Influence Area (AIA) of any of the operative airport plans (i.e., Sierra Skypark Land Use Policy Plan, Fresno-Chandler

Downtown Airport Land Use Compatibility Plan, Fresno Yosemite International Airport Land Use Compatibility Plan) applications for a density bonus project and/or an incentive as authorized by this section shall be subject to the provisions of the adopted land use compatibility policies for residential development established by each plan for noise, airspace protection, safety, and nuisance.

SEC. 15-2203. - APPLICABILITY.

The bonuses under this article are applicable to the following projects:

- A. General residential projects of five or more units.
- B. Senior housing projects of more than 35 units.

SEC. 15-2204. - DENSITY BONUSES.

Pursuant to Government Code Section 65915, the City shall grant a density bonus over the otherwise allowable maximum residential density permitted by this Ordinance, the General Plan, or operative plans, and one or more additional concessions or incentives, consistent with Government Code Section 65915 and this section, if the applicant applies for and proposes to construct any one of the following:

A. Very Low Income Units.

- 1. A density bonus of 20 percent if five percent of the total units of a housing development are affordable to very low income households, as defined in Health and Safety Code Section 50105.
- 2. For each additional one percent increase above five percent in the proportion of units affordable to very low income households, the density bonus shall be increased by 2.5 percent, not to exceed the maximum density bonus as put forth in Subsection H.

B. Lower Income Units.

- 1. A density bonus of 20 percent if 10 percent of the total units of a housing development are affordable to lower income households, as defined in Health and Safety Code Section 50079.5.

2. For each additional one percent increase above 10 percent units affordable to lower income households, the density bonus shall be increased by 1.5 percent, not to exceed the maximum density bonus as put forth in Subsection H.

C. Senior Citizen Housing Development. A density bonus of 20 percent if a housing development qualifies as a Senior Citizen Housing Development, as defined in Civil Code Section 51.3 or a mobilehome park that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the Civil Code.

D. Moderate Income Units ~~in Condominium and Planned Use Developments.~~

1. A density bonus of five percent if 10 percent of the total dwelling units in a housing development condominium project, as defined in Subdivision (f), or in a Planned Development as defined in Subdivision (k) of Section 1351 of the Civil Code, are sold affordable to persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code.

2. For each additional one percent increase above 10 percent units affordable to moderate income households, the density bonus shall be increased by one percent, not to exceed the maximum density bonus as put forth in Subsection H.

E. Transitional Foster Youth, Disabled Veterans and Homeless Persons.

1. A density bonus of 20 percent if at least 10 percent of a housing development for transitional foster youth, as defined in Section 66025.9 of the Education Code, disabled veterans, as defined in Section 18541, or homeless persons, as defined in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.). The units described in this subparagraph are subject to a recorded affordability restriction of 55 years and shall be provided at the same affordability level as very low income units.

F. Students in a Student Housing Development.

1. A density bonus of 35 percent if 20 percent of the total units for lower income students in a student housing development, pursuant to the requirements of Government Code Section 65915.

2. For each additional one percent increase above 20 percent units affordable to lower income students in a student housing development, the density bonus shall be increased by 3.75 percent, not to exceed the maximum density bonus as put forth in Subsection H.

F. 100 Percent Affordable Housing Development.

1. A density bonus of 80 percent if 100 percent of all units in the development, including total units and density bonus units, but exclusive of a manager's unit or units, are for lower income households, as defined by Section 50079.5 of the Health and Safety Code, except that up to 20 percent of the units in the development, including total units and density bonus units, may be for moderate-income households, as defined in Section 50053 of the Health and Safety Code.

2. If the housing development is located within one-half mile of a major transit stop, the city, county, or city and county shall not impose any maximum controls on density.

3. If the housing development is located in a very low vehicle travel area within a designated county, the city, county, or city and county shall not impose any maximum controls on density.

E. Conversion of Apartments to Condominiums.

1. A density bonus of 25 percent if at least 33 percent of the total units of the proposed condominium project are affordable to persons of low or moderate income as defined in Health and Safety Code Section 50093, or if 15 percent of the total units of the condominium project are affordable to lower income households as defined by Health and Safety Code Section 50079.5. As an alternative to a density bonus, other incentives may be granted.

2. Apartments that have already been granted a density bonus are ineligible for a density bonus under this section.

F. State Childcare Facility Density Bonus. When an applicant proposes to construct a housing development that conforms to the requirements of the State Density Bonus Law and includes a childcare facility other than a family day care home that will be located on the premises of, as part of, or adjacent to, the project, the City shall grant one of the following:

1. **Additional Density Bonus.** A density bonus of additional residential units equal in gross square footage to the amount of square footage of the childcare facility.
2. **Additional Concession or Incentive.** An additional concession or incentive that contributes significantly to the economic feasibility of the construction of the childcare facility.
3. **Length of Operation.** The childcare facility remains in operation for a period of time that is as long as, or longer than the length of time during which the affordable housing units must remain affordable.

G. Land Donation.

1. **Basic Requirements.** When an applicant for a residential development such as a subdivision map or residential development special permit donates land to the City in accordance with this subsection, a density bonus of 15 percent shall be granted if at least 10 percent of the units are for very low income households. For each additional one percent increase above 10 percent units affordable to very low income households, the density bonus shall be increased by one percent, up to a maximum of 35 percent of the maximum allowable residential density for the site.
 - a. This density bonus shall be in addition to any increase in density allowed by this section, the combination of which shall not exceed 35 percent, unless approved with good cause by the Director pursuant to this section.
2. **Additional Requirements.** The density bonus for donation of land may be granted if all of the following conditions are met:
 - a. The applicant donates and transfers the land to the City or to a housing developer approved by the City. The transfer shall be complete (deed recorded) prior to the recordation of a subdivision map or approval of a residential development~~Special Permit~~.

- b. The transferred land is at least one acre in size or of sufficient size to permit the development of at least 40 dwelling units.
- c. The land has the appropriate General Plan designation and zoning for the development at the density described in paragraph (3) of subdivision (c) of Government Code Section 65583.2.
- d. Is or will be served by adequate public facilities and infrastructure; and has all permits and approvals, other than building permits, necessary for the development of the very low income housing units on the transferred land, not later than the date of approval of the final subdivision map, parcel map or residential development Special Permit, except that the local government may subject the proposed development to subsequent design review if its design is not reviewed by the City prior to the time of transfer.
- e. The transferred land and the affordable units shall be subject to a deed restriction ensuring continued affordability of the units consistent with this section recorded at time of transfer.
- f. The transferred land shall be within the boundary of the proposed development or within one-quarter mile of the subject site, if acceptable to the Director.

H. Commercial Development

1. When an applicant for approval of a commercial development has entered into an agreement for partnered housing described in subdivision (3) below to contribute affordable housing through a joint project or two separate projects encompassing affordable housing, the city shall grant to the commercial developer a development bonus as prescribed in subdivision (2) below. Housing shall be constructed on the site of the commercial development or on a site that is all of the following: within the boundaries of the local government, in close proximity to public amenities including schools and employment centers and located within one-half mile of a major transit stop.
2. The development bonus granted to the commercial developer shall mean incentives, mutually agreed upon by the developer and the jurisdiction, that may include, but are not limited to, any of the following: up to a 20 percent increase in

maximum allowable intensity in the General Plan, up to a 20 percent increase in maximum allowable floor area ratio, up to a 20 percent increase in maximum height requirements, up to a 20 percent reduction in minimum parking requirements, use of a limited-use/limited-application elevator for upper floor accessibility or an exception to a zoning ordinance or other land use regulation.

3. For purposes of this section, the agreement for partnered housing shall be between the commercial developer and the housing developer, shall identify how the commercial developer will contribute affordable housing, and approved by the city.

H. Maximum Density Bonus.

1. **Mixed-Use Districts.** No maximum.

2. **Other Districts.** A density bonus over 35 percent may be approved at the discretion of the Review Authority.

I. **Calculation of Density Bonus Units.** When calculating the number of permitted density bonus units, all fractional units shall be rounded to the next higher whole number. The applicant who requests a density bonus for a project that meets two or more of the eligibility requirements shall specify whether the bonus shall be awarded on the basis of Subsections A-F of this section. The density bonus shall not be included when determining the number of target units to be provided in a development project.

1. **Optional Density Bonus.** The City may grant a proportionally lower density bonus and/or provide concessions and/or incentives set forth in [Section 15-2205](#), Affordable Housing Concessions and Incentives, if an applicant agrees to construct a development containing less than the percentage of housing for lower or very low income households than provided in this section.

SEC. 15-2205. - AFFORDABLE HOUSING CONCESSIONS AND INCENTIVES.

A. **Number of Incentives or Concessions.** Pursuant to Government Code Section 65915, an applicant is entitled to receive incentives and/or concessions as follows. The

applicant who requests incentives or concessions for a mixed-income project shall specify whether the incentives or concessions shall be awarded on the basis of one or more of the points below.

1. One incentive or concession for projects that include:
 - a. At least 10 percent of the total units for lower income households;
 - b. At least five percent for very low income households; or
 - c. At least 10 percent for persons and families of moderate income in a development in which the units are for sale condominium or planned development;
2. One incentive or concession for senior citizen housing developments; or
3. Two incentives or concessions for projects that include;
 - a. At least 1720 percent of the total units for lower income households;
 - b. At least 10 percent for very low income households; or
 - c. At least 20 percent for persons and families of moderate income in a development in which the units are for sale condominium or planned development; or
4. Three incentives or concessions for projects that include:
 - a. At least 2430 percent of the total units for lower income households;
 - b. At least 15 percent for very low income households; or
 - c. At least 30 percent for persons and families of moderate income in a development in which the units are for sale condominium or planned development.
5. Five incentives or concessions for projects that:
 - a. Meet the criteria in Subsection F;
 - b. If the project is located within one-half mile of a major transit stop or is located in a very low vehicle travel area in a designated county, the

applicant shall also receive a height increase of up to three additional stories, or 33 feet.

6. One incentive or concession for projects that include:

a. At least 20 percent of the total units for lower income students in a student housing development. If a project includes at least 23 percent of the total units for lower income students in a student housing project, the applicant shall instead receive two incentives or concessions

7. Four incentives or concessions for projects that include:

a. At least 16 percent of the total units for very low income households or at least 45 percent for persons and families of moderate income in a development in which the units are for sale;

B. Proposal of Incentives and Findings. An applicant may propose specific incentives or concessions pursuant to this section and State law. In addition to any increase in density to which an applicant is entitled, the City shall grant one or more incentives and/or concessions that an applicant requests, up to the maximum number of incentives and concessions required pursuant to Subsection 15-2205-A unless the City makes a written finding that either:

1. The concession or incentive is not necessary in order to provide the proposed targeted units, or
2. The concession or incentive would have a specific adverse impact that cannot be feasibly mitigated on public health and safety or the physical environment or any property that is listed in the California Register of Historical Resources.

The applicant may propose and the City may approve additional incentives and concessions for an eligible project that provides targeted units that meet two or more of the eligibility requirements based on a written finding that the additional incentives or concessions are necessary in order to make the project economically feasible.

C. Types of Affordable Housing Incentives. Affordable housing incentives may consist of any combination of the items listed below:

1. **Modification of Development Standards.** Up to 20 percent in modification of site development standards or zoning code requirements, including, but not limited to:

- a. Reduced minimum lot sizes and/or dimensions.
- b. Reduced minimum building setbacks and building separation requirements, excluding back up treatment for off-street parking spaces.
- c. Reduced minimum outdoor and/or private usable open space requirements.
- d. Increased maximum lot coverage.
- e. Increased maximum building height.

2. **Reduced Parking.** Upon the applicant's request, the following maximum parking standards, inclusive of handicapped and guest parking, shall apply to the entire project. Further reductions in required parking may be requested as one of the incentives allowed under Subsection 15-2205-A.

a. **Standard Reduction.**

- i. .5 on-site space for studio units;
- ii. .75 on-site space for one or two bedroom units;
- iii. One on-site space for three or more bedrooms; and
- iv. Guest parking shall be provided per the underlying district.

b. **Transit-Serviced Developments.** When a development is located within one-half mile of a major transit stop and there is unobstructed access to the stop, the following maximum parking ratios apply. For Senior and Special Needs Housing, the development shall have either paratransit service or unobstructed access, within one-half mile, to fixed bus route service that operates at least eight times per day. For purposes of this subsection,

"unobstructed access" means that a resident is able to access the stop without encountering natural or constructed impediments.

i. **Mixed Income Developments.** If the project dedicates 20 percent of the total units for lower income households and 11 percent of the total units for very low income households, then the maximum required parking ratio shall be .5 spaces per bedroom.

ii. **One-Hundred Percent Affordable Developments.** For projects that consist solely of rental units, exclusive of a manager's unit or units, with an affordable housing cost to lower income families, the maximum parking ratios shall be as follows.

(1) **Senior Housing.** If the development is a for-rent housing development for individuals who are 62 years of age or older that complies with Sections 51.2 and 51.3 of the Civil Code, the ratio shall not exceed .5 spaces per unit.

(2) **Special Needs Housing.** If the development is a special needs housing development, as defined in Section 51312 of the Health and Safety Code, the ratio shall not exceed 0.3 spaces per unit.

(3) **All Other Housing.** .5 spaces per unit.

3. **Mixed-Use Zoning.** Approval of mixed-use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and such uses are compatible with the housing project and the surrounding area.

4. **Other Incentives.** Other regulatory incentives or concessions proposed by the developer or the City that result in identifiable cost reductions or avoidance.

SEC. 15-2206. - APPLICATION REQUIREMENTS.

An application shall be submitted by an applicant and shall contain the information as outlined by the Director.

SEC. 15-2207. - AFFORDABLE HOUSING STANDARDS.

A. **Duration of Affordability.** All affordable housing units shall be kept affordable for a minimum period of 30 years or a longer period as required by the financing assistance or subsidy program or the City, consistent with State law.

B. **Timing of Availability.** Affordable housing units shall be constructed concurrently with, and made available for qualified occupants at the same time as the market-rate housing units within the same project unless both the City and the developer agree to an alternative schedule for development.

C. **Design.** The mix and type of affordable units shall be proportionate to those of the project as a whole (with the exception that premium units—e.g., penthouses, top floor view units—shall not be required to be affordable units), and shall be comparable with the design of the base level market rate units prior to purchaser-funded upgrades in terms of appearance, materials, and finished quality.

D. **Parking.** Parking designated for affordable units shall be provided in an equitable manner as that provided for the market rate units.

E. **Location.** Wherever feasible, affordable units shall be dispersed throughout the development.

SEC. 15-2208. - REGULATORY AGREEMENT.

The City shall enter into a recorded agreement in the form of a covenant with property owner, and take other appropriate steps necessary to assure that the required moderate, low and/or very low income ownership units are provided and that the units remain affordable to moderate, low, or very low income households for the required period. This agreement shall include, but is not limited to, the following:

A. **Number of Units.** The total number of units approved for the projects, including the number of affordable housing units.

B. **Target Units.** The location, unit sizes (in square feet) and number of bedrooms of the affordable housing units.

C. **Household Income Group.** A description of the household income groups to be accommodated by the project and a calculation of the Affordable Sales Price.

D. Certification Procedures. The party responsible for certifying sales prices or annual rental rates, and the process that will be used for certification.

E. Schedule. A schedule for the completion and occupancy of the affordable housing units.

F. Required Term of Affordability. Duration of affordability of the housing units. Provisions should also cover resale control and deed restrictions on targeted housing units that are binding on property upon sale or transfer.

G. Expiration of Agreement. Provisions covering the expiration of the agreement, including notice prior to conversion to market-rate units and right of first refusal option for the City and/or the distribution of accrued equity for for-sale units.

H. Remedies for Breach. A description of the remedies for breach of the Agreement by either party.

I. Other Provisions. Other provisions to ensure implementation and compliance with this article.

J. Condominium and Planned Developments. In the case of condominium and planned developments, the Regulatory Agreement shall provide for the following conditions governing the initial resale and use of affordable housing units:

1. Target units shall, upon initial sale, be sold to eligible Very Low, Lower, or Moderate Income Households at an Affordable Sales Price and Housing Cost, or to Qualified Residents as defined by this Ordinance.
2. Target units shall be initially owner-occupied by eligible Very Low or Lower Income Households.
3. Upon resale, the seller of a target unit shall retain the value of any improvements, the down payment, and the seller's proportionate share of appreciation. The City shall recapture its proportionate share of appreciation, which shall be used to promote home ownership opportunities as provided for in Health and Safety Code Section 33334.2. The City's proportionate share shall be equal to the percentage by which the initial sale price to the targeted household was less than the fair market value of the dwelling unit at the time of initial sale.

K. Rental Housing Developments. In the case of rental housing developments, the Regulatory Agreement shall provide for the following conditions governing the use of Target Units during the use restriction period:

1. The rules and procedures for qualifying tenants, establishing affordable rent rates, filling vacancies, and maintaining Target Units for qualified tenants.
2. Provisions requiring owners to verify tenant incomes and maintain books and records to demonstrate compliance with this article.
3. Provisions requiring owners to submit an annual report to the City, which includes the name, address, and income of each person occupying Target Units, and which identifies the bedroom size and monthly rent or cost of each Target Unit.

L. Recordation of Agreement. The agreement shall be recorded with the Fresno County Recorder's Office and shall run with the property. The agreement shall conform to the provisions of Government Code Sections 65864 to 65869.

SEC. 15-2209. - ENFORCEMENT.

A. The provisions of this article shall apply to all agents, successors, and assignees of an applicant for development of the site. No building permit or occupancy permit shall be issued, nor any development approval granted, which does not meet the requirements of this article.

B. In addition to, or in lieu of, the provisions of 15-2208-A the City shall institute injunction, mandamus, or any other appropriate legal actions or proceedings for the enforcement of this article.

C. Any person, firm, or corporation, whether as principal, agent, employee or otherwise, violating or causing the violation of any of the provisions of this article, shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable for each offense by a fine of not more than \$500.00, or by imprisonment in the County Jail for a term not exceeding six months, or by both fine and imprisonment. Such person, firm, or corporation shall be deemed to be guilty of a separate offense for each and every day during any portion of which any violation of this article is commenced, continued, or permitted by such person, firm, or corporation, and shall be punishable as provided herein.

SEC. 15-2210. - DEFINITIONS.

Whenever the following terms are used in this article, they shall have the meaning established by this section:

A. **Additional Incentive(s).** Regulatory concessions as specified in California Code Section 65915(k) to include, but not be limited to, the reduction of site development standards or or a modification of Zoning Ordinance requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code, approval of mixed-use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located, or any other regulatory incentive which would result in identifiable cost reductions that are offered in addition to a density bonus.

B. **Affordable Housing.** Housing units that are affordable to families with very low, low, or moderate incomes.

C. **Affordable Housing Agreement** A legally binding agreement between a developer and the City to ensure that the requirements of this section are satisfied. The agreement establishes, among other things, the number of required inclusionary or affordable housing units, the unit sizes, location, affordability tenure, terms, and conditions of affordability and unit production schedule.

D. **Affordable Unit, For Rent.** A unit for which the total monthly rent plus utilities does not exceed the following:

1. **Moderate Income Households.** 30 percent of 110 percent of the Fresno County median income.
2. **Lower Income Households.** 30 percent of 60 percent of the Fresno County median income.
3. **Very Low Income Households.** 30 percent of 50 percent of the Fresno County median income.

E. **Affordable Unit, For Sale.** A unit for which the total monthly payment including interest, taxes, insurance, and utilities does not exceed the following:

1. **Moderate Income Households.** 35 percent of 110 percent of the Fresno County median income.
2. **Lower Income Households.** 30 percent of 70 percent of the Fresno County median income.
3. **Very Low Income Households.** 30 percent of 50 percent of the Fresno County median income.

F. **Conversion.** The change of status of a dwelling unit from a purchased unit to a rental unit or vice versa.

G. **Density Bonus.** A minimum increase in the number of dwelling units authorized for a particular parcel of land over the otherwise maximum residential density.

H. **Density Bonus Dwelling Units.** Those residential units granted pursuant to the provisions of this article which are above the maximum allowable residential density of the project site.

I. **Financial Assistance.** Assistance to include, but not be limited to, the subsidization of fees, infrastructure, land costs, or construction costs, the use of redevelopment set-aside funds, community development block grant (CDBG) funds, or the provision of other direct financial aid in the form of cash transfer payments or other monetary compensation, by the City of Fresno.

J. **Housing Costs.** Defined in accordance with Section 50052.5 of the California Health and Safety Code and shall generally mean the monthly mortgage principal and interest, property taxes and assessments, homeowners insurance, homeowner association fees where applicable, an allowance for utilities and property maintenance and repairs, for ownership dwelling units; and the monthly rent, and allowance for utilities, fees, or service charges charged to all tenants, for rental dwelling units.

K. **Income Eligibility.** The gross annual household income, considering the household size and number of dependents, income of all wage earners, elderly or disabled family members and all other sources of household income. For self-employed households, net annual household income shall be used in determining income eligibility.

L. **In-Lieu Incentives.** Incentives offered by the City, which are of equivalent financial value based upon the land cost per dwelling unit(s), that are offered in-lieu of density bonus and additional incentives.

M. **Income.** Any monetary benefits that qualify as income in accordance with the criteria and procedures used by the City of Fresno.

N. **Income Levels.** For purposes of determining income levels of households under this article, the City shall use the Fresno County income limits in Title 25, Section 6932 of the California Code of Regulations or other income limits adopted by the City Council if the State Department of Housing and Community Development fails to provide timely updates of the income limits in the California Code of Regulations.

O. **Lower-Income Household.** Low-income household whose gross income does not exceed 80 percent of the area median income for Fresno County as determined annually by the U.S. Department of Housing and Urban Development.

P. **Major Transit Stop.** ~~Has the same meaning as defined in subdivision (b) of Section 21155 of the Public Resources Code A site containing an existing rail transit station or 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 shall additionally include all major transit stops designated in the applicable regional transportation plan. (California Public Resources Code § 21155 and § 21064.3).~~

Q. **Market-Rate Unit.** A dwelling unit where the rental rate or sales price is not restricted either by this article or by requirements imposed through other local, State, or federal affordable housing programs.

R. **Maximum Allowable Residential Density.** The maximum residential density allowed under this Ordinance and the General Plan, or if a range of density is permitted, the maximum allowable density for the specific zoning range and General Plan applicable to the project.

S. **Median Income.** The median income earned by a household or family, adjusted by size, as published by U.S. Department of Housing and Urban Development.

T. **Moderate-Income Household.** A household whose gross income is more than 80 percent but does not exceed 120 percent of the median income for Fresno County as determined annually by the U.S. Department of Housing and Urban Development.

U. **Offsets.** Concessions or assistance to include, but not be limited to, direct financial assistance, density increases, standards modifications or any other financial, land use, or regulatory concession which would result in an identifiable cost reduction enabling the provision of affordable housing.

V. **Operating Agent.** A nonprofit organization, for-profit corporation, County or City agency chosen by the City to carry out some or all of the administrative provisions of this article.

W. **Project.** A housing development at one location including all dwelling units for which permits have been applied for or approved within a 12 month period.

X. **Qualifying Resident.** Persons 62 years of age or older, or 55 years of age or older in a residential development developed, substantially rehabilitated, or substantially renovated for senior citizens that has at least 35 dwelling units, and as defined in Section 51.3 of the California Civil Code.

Y. **Senior Citizen Housing Development.** A residential development consisting of at least 35 dwelling units which is developed for, or substantially rehabilitated or renovated for persons 55 year of age or older.

Z. **Target Dwelling Unit.** A dwelling unit that will be offered for rent or sale exclusively to and which shall be affordable to the designated income group or qualified resident, as required by this article.

AA. **Very Low Income Household.** A household whose gross income does not exceed 50 percent of the area median income for Fresno County as determined annually by the U.S. Department of Housing and Urban Development.

BB. **Very Low Vehicle Travel area.** An urbanized area, as designated by the United States Census Bureau, where the existing residential development generates vehicle miles traveled per capita that is below 85 percent of either regional vehicle miles traveled per capita or city vehicle miles traveled per capita. For purposes of this paragraph, "area" may include a travel analysis zone, hexagon, or grid. For the purposes of determining

“regional vehicle miles traveled per capita” pursuant to this paragraph, a “region” is the entirety of incorporated and unincorporated areas governed by a multicounty or single-county metropolitan planning organization, or the entirety of the incorporated and unincorporated areas of an individual county that is not part of a metropolitan planning organization.

DRAFT

ARTICLE 28 – SMALL-SCALE DEVELOPMENT (NEW ARTICLE)

SEC. 15-2801. – PURPOSE.

The purpose of this article is to establish standards for small-scale residential and commercial uses. These provisions are intended to encourage the production of infill housing and neighborhood commercial amenities to meet the goals of the General Plan in creating walkable, complete neighborhoods.

SEC. 15-2802. – SECOND/ACCESSORY DWELLING UNITS.

A. **Purpose.** The purpose of this section is to allow for the ministerial development of Second Dwelling Units in a manner that is consistent with the requirements identified in Government Code Section 66310 et seq.

B. General Requirements.

1. **Preemption.** Should there be any conflict with the provisions in this section and those within Government Code Section 66310 et seq., as may be amended, the Government Code shall prevail.
2. **Areas where Second Dwelling Units are allowed.**
 - a. Accessory Dwelling Units may be permitted in any zone district that allows single-unit and multi-unit residential dwellings, mixed-use development, or where a single-unit structure, duplex, or multi-unit structure is either existing or proposed.
 - b. Junior ADUs are limited to single-unit districts or where a single-unit dwelling is existing or proposed.

C. Types of Second Dwelling Units.

1. **Accessory Dwelling Unit (ADU).** An ADU provides separate, independent living quarters for one or more persons. Units may be attached, detached, or located within the structure of a primary dwelling unit. An ADU must have its own entrance and include facilities for daily living including, at minimum, a kitchen, bathroom, and bedroom.
2. **Junior Accessory Dwelling Unit (JADU).** A JADU shall not be larger than 500 square feet and must be contained entirely within a single-unit primary residence. Attached garages are considered part of a primary residence. A JADU must have its own entrance and include, at minimum, a kitchen and bedroom.
 - a. **Shared Facilities.** A JADU is allowed to share sanitation facilities with the primary residence. When this occurs, the JADU must include an interior entrance to the main living area that is separate from the main entrance to the JADU.
 - b. **Efficiency Kitchen.** A JADU is allowed to have an efficiency kitchen, which includes, at minimum, a cooking facility with appliances and a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU.

3. **Conversions.** An ADU may be created through the conversion of a portion of the primary residence (including an attached garage), a detached garage, or another existing accessory structure. A JADU may be created through the conversion of a portion of the primary residence (including an attached garage).

D. Density and Massing Development Standards.

1. **Lot Coverage.** Second Dwelling Units are not included in calculations for lot coverage requirements.
2. **Density.** Second Dwelling Units are not included in calculations for density requirements.
3. **Number Allowed.**
 - a. **Single-Unit Lots.** One detached ADU, one conversion ADU and one JADU are allowed per lot.
 - b. **Multi-Unit Lots.**
 - i. Detached. Up to eight detached ADUs per lot, not to exceed the number of existing units. The units must be detached from the primary unit(s), but do not need to be detached from each other or other accessory structures on the lot.
 - ii. Conversions. Either up to 25 percent of the number of existing units or one ADU, whichever is greater, may be created through the conversion of existing non-livable space (such as enclosed garages, leasing office, common rooms, etc.).
4. **Maximum Size.**
 - a. **ADUs.** On single-unit lots, new construction ADUs are not to exceed 50 percent of the average floor area of interior living space of the primary unit(s) or 1,400 square feet of interior living space, whichever is greater.
 - i. Exceptions for Conversions. An ADU that is created within the proposed space of a single-unit structure, or in the existing space of a single-unit structure or accessory structure may expand a minimum of 150 feet beyond the same physical dimensions of the existing accessory structure for the purpose of accommodating ingress and egress.
 - b. **JADUs.** Not to exceed 500 square feet of interior living space.
5. **Maximum Height.** Per the underlying district or 30 feet, whichever is greater. Second Dwelling Units are allowed to be multiple stories or located above the ground floor.
6. **Minimum Setbacks.** In all instances, when a recorded utility easement is present, the setback shall include such easement even if it would result in a setback greater than the required minimum.

- a. **Rear and Side.** Per the underlying base district or four feet, whichever is less.
 - i. Properties abutting alleys. Zero feet. If the ADU has its main entrance on the alley, however, the setback shall be at least two feet.
 - b. **Front.** Per the underlying district, however the applicable setback may not preclude the development of an ADU of at least 800 square feet.
- 7. **Placement.** Unless it would preclude the development of an ADU of at least 800 square feet, detached ADUs must be located behind the front facade of the primary unit.
- F. **Parking.** No parking is required.
- G. **Additional Regulations.**
 - 1. **Owner Occupancy.**
 - a. **ADUs.** Owner-occupancy is not required.
 - b. **JADUs.** JADUs that rely on shared facilities require the owner to reside in either the primary residence or in the JADU.
 - i. Exception. Owner-occupancy is not required when the property owner is a governmental agency, land trust, or housing organization.
 - 2. **Conveyance.**
 - a. **ADUs.** An ADU may be sold, or title thereto transferred, separate and apart from the rest of the property in compliance with one of the following:
 - i. The creation of a common interest development pursuant to Article 39—Common Interest Developments (Condominiums and Conversions) and Government Code Section 66342; or
 - ii. The filing of a Parcel Map pursuant to Article 35—Parcel Maps.
 - b. **JADUs.** JADUs that rely on shared facilities are required to record a deed restriction prohibiting the sale of the JADU separate from the primary residence.
 - 3. **Rental Restrictions.** Second Dwelling Units that are rented must be for a term longer than 30 consecutive days.

SEC. 15-2803. – COURT & PLEX HOMES.

A. Purpose.

- 1. To provide a diverse range of housing to support a diversity of households.
- 2. To provide infill development opportunities.
- 3. To promote community interaction and safety through design.

B. General Requirements.

1. A Zone Clearance is required if all applicable standards identified in FMC Section 15-5102 have been met.
2. The proposal is located on a lot that is within or partially within a ¼ mile radius of a transit stop.
3. The proposal shall not result in fewer units than what currently exists on the site.

C. **Court & Plex Building Types.**

1. **Apartment House.** A building that has a central and singular front door that provides entry to an internal hallway, where the units are accessed.
2. **Bungalow/Cottage Court.** A group of residential buildings arranged around a central, shared open space. Each building typically contains one or two units and usually no more than four.
3. **Courtyard Building.** A building or buildings that form(s) a “U” or “O” shape around a central shared open space.
4. **Mid-Plex.** A building containing six to 12 residential units excluding Apartment Houses.
5. **Small-Plex.** A building containing three to five residential units excluding Apartment Houses.
6. **Townhome.** See definition for Single-Unit, Attached in Section 15-6702, Residential Use Classifications.

D. **Density and Massing Development Standards.** The regulations of the Base District shall apply, except as provided in this subsection.

1. **Height.** Per the Base District.
 - a. *Exception.* Bungalow/Cottage Courts are limited to one story on the front half of the parcel and may have two stories on the rear half of the parcel.
2. **Setbacks.** Per the Base District.
3. **Lot Width.** Per the Base District.
 - a. *Exception.* Lots for Townhomes are permitted to have a smaller lot width so long as the maximum lot coverage is not exceeded.
4. **Maximum Lot Coverage.** Per the Base District.
5. **Minimum Frontage Coverage.** Per the Base District.
6. **Number of Units.** The number of permitted units is determined by the Base District and proximity to a transit stop. Second/Accessory Dwelling Units are not counted towards the maximum.
 - a. *Minimum.* Per the Base District.
 - b. *Maximum.* Per the Base District or as follows, whichever is greater:
 - i. *Within 1/4 mile of a transit stop.* Six to 12 units.

- ii. *Within 1/2 mile of a transit stop.* Three to six units.

E. Site Design Development Standards.

1. Tree Requirements.

- a. *Number.* At least three trees shall be provided for each lot.
 - b. *Location.* At a minimum, one tree shall be planted in the park strip between the curb and sidewalk and one tree shall be planted in the front setback. On corner lots, an additional tree is required in the side-street setback.
 - c. *Type.* Trees shall be native to either the local region or California and approved by the City. Alternative trees may be approved with written permission from the City Arborist.
 - d. *Allowances.*
 - i. Existing trees in the required locations are counted towards the number and location requirements.
 - ii. An encroachment of up to five feet into a required setback is permitted to allow the preservation of an existing mature tree or trees. The applicant must provide a statement that the encroachment is necessary to preserve the existing tree(s).
 - iii. An encroachment of up to five feet into a required setback is permitted to accommodate new medium and large trees to meet or exceed the number required by this subsection. To qualify, the trees must be able to reach a crown spread larger than 20 feet at maturity and the applicant must provide a statement that the encroachment is necessary to accommodate the required or additional trees.
2. **Courtyards.** Court & Plex homes are not required to provide private open space. Courtyards shall have a minimum dimension of 20 feet. At least 50 percent of the courtyard shall contain a landscaped area with live plants.
3. **Pedestrian Circulation.** Pedestrian paths shall link all units to common open space within the development, to parking areas, and to sidewalks.

F. Façade Design Development Standards. All Court & Plex homes shall comply with the Certainty Option façade design development standards located in Section 15-1005-B in addition to the requirements stated below.

- 1. **Residential Unit Sidewalk Connections.** With the exception of units located within an Apartment House, all individual ground-floor dwelling units that are adjacent to the sidewalk shall have direct entrances facing the sidewalk. Such entrances shall be protected by a portico, canopy, or alcove of no less than four feet in depth.
- 2. **Roof Design.**

- a. Roofs may be of any style, but shall contain variation achieved through different heights, articulation, or architectural features such as dormers.

G. Driveways and Parking.

1. **Number.** An off-street maximum of 1.5 spaces per unit. No minimum amount is required.
2. **Location.** Parking spaces may be covered or uncovered. Off-street parking shall be located at least 30 feet from the primary building façade towards the rear of the lot. If located on a lot abutting an alley, the parking shall be adjacent to and accessed from the alley.
 - a. Garages that are integrated as the first floor of a housing unit are permitted only within the rear half of the lot.
3. **Driveways.** Driveways providing access to and from the street shall not be wider than 12 feet. Driveways should be located on the side of the lot, however, they are permitted to be placed centrally if any of the following apply:
 - a. The driveway consists of a couplet with a landscaped median.
 - b. The driveway surface materials consist of any of the following materials: brick; stamped concrete; brick, stone, or concrete pavers; permeable pavers.

Section #. ARTICLE 46 of the Fresno Municipal Code is ADDED to read:

ARTICLE 46 – URBAN LOT SPLITS (NEW ARTICLE)

Sec. 15-4601. PURPOSE.

The purpose of this article is to provide for ministerial approval of an urban lot split and corresponding development of up to four residential units per lot, as permitted under California Government Code Section 66411.7, as may be amended.

Section # ARTICLE 47 of the Fresno Municipal Code is ADDED to read:

ARTICLE 47 – SMALL LOT HOME DEVELOPMENT (NEW ARTICLE)

Sec. 15-4701. PURPOSE.

The purpose of this article is to provide a ministerial allowance for the subdivision of up to ten lots and corresponding development of up to ten small residential units, as permitted under Government Code Section 65852.28, Section 65913.4.5, and Section 66499.41, as may be amended.